

U.S. Department of Commerce
National Oceanic and Atmospheric Administration
(NOAA)
Marine Fisheries Advisory Committee
Meeting
Wednesday
November 15, 2023

The Marine Fisheries Advisory Committee met in the Royal Sonesta Dupont Circle, 2121 P St, N.W., Washington, D.C., at 8:30 a.m., Megan Davis, Chair, presiding.

Members Present:

Megan Davis, Ph.D., Chair; Research
Professor, Aquaculture, Florida Atlantic
University, Harbor Branch
Oceanographic Institute

Janet Coit, Assistant Administrator, National
Marine Fisheries Service (ex officio
member of MAFAC)

Bob Beal, Executive Director, Atlantic States
Marine Fisheries Commission (ex officio
member)

Hugh Cowperthwaite, Senior Program
Director, Fisheries and Aquaculture at
Coastal Enterprises, Inc.

David Donaldson, Executive Director, Gulf
States Marine Fisheries Commission (ex
officio member)

Thomas "Tom" Fote, Retired, Recreational
Fisherman*

Jennifer Hagen, Marine Policy Advisor
Quileute Tribe/Marine Biologist*

Sara McDonald, Ph.D., Director of
Conservation, South Carolina Aquarium

Meredith Moore, Director, Fish Conservation
Program, Ocean Conservancy

Stefanie Moreland, Director of Government
Relations and Seafood Sustainability,
Trident Seafoods

Linda Odierno, Fish and Seafood Development
Specialist

Ryan Prewitt, Chef/Owner, Peche Restaurant

Kellie Ralston, Vice President for Conservation
and Public Policy, Bonefish & Tarpon
Trust

Jocelyn Runnebaum, Ph.D., Marine Scientist,
The Nature Conservancy

Ervin "Joe" Schumacker, Marine Scientist,
Quinault Department of Fisheries,
Quinault Indian Nation

Sarah Schumann, Fisherman; Owner/Principal
Consultant, Shining Seas Fisheries
Consulting, LLC*

Patrick "Pat" Sullivan, Ph.D., Professor

Emeritus, Department of Natural Resources, Cornell University
Clayward "Clay" Tam, Cooperative Fisheries Research Coordinator, Pacific Islands Fisheries Group
Barry Thom, Executive Director, Pacific States Marine Fisheries Commission (ex officio member)
Matthew Upton, General Counsel and Director of Catcher Vessel Operations, United States Seafood*
Brett Veerhusen, Principal, Ocean Strategies
Richard Yamada, Owner, Shelter Lodge

NOAA/NMFS Staff Participants Present:

Alexa Cole, Director, Office of International Affairs, Trade, and Commerce
Dori Dick, Biologist and Climate Specialist, Office of Protected Resources, NOAA Fisheries*
Heidi Lovett, Acting Designated Federal Officer, NOAA Fisheries
Gabriela McMurtry, Fishery Policy Analyst, Office of Policy, NOAA Fisheries
Emily Menashes, Deputy Assistant Administrator of Operations, NOAA Fisheries
Brian Pawlak, Director, NOAA Fisheries Office of Management and Budget
Sam Rauch, Deputy Assistant Administrator of Regulatory Programs, NOAA Fisheries
Jenni Wallace, Director, Office of Policy, NOAA Fisheries
Cisco Werner, Ph.D., Director, Scientific Programs and Chief Science Advisor, NOAA Fisheries
Katie Denman Zanowicz, Policy Analyst, Office of Policy, NOAA Fisheries

Also Present (NOAA/NMFS Staff and Visitors):

Max Appelman, Fishery Management Specialist, NOAA Fisheries*

Stephanie Bailenson, The Nature Conservancy*

Carden Barkley, Advisor to the NMFS Deputy Assistant Administrator for Operations (Acting)

Samantha Berkowitz, Senior Legislative Affairs Advisor, NOAA Fisheries*

Erika Carlsen, International Trade Specialist, NOAA Fisheries*

Rachael Confair, Branch Chief, Trade and Commerce Division, Office of International Affairs, Trade, and Commerce, NOAA Fisheries*

Laura Diederick, External Affairs Lead, Office of Communications, NOAA Fisheries

Karen Eason, Program Analyst, NOAA Fisheries Office of Management and Budget*

Dan Eastman*

Christine Ford, Fisheries Management Specialist, NOAA Fisheries*

Larry Freeman, NOAA*

Roger Griffis, Climate Change Coordinator, NOAA Fisheries*

Desi Jordanoff, Division Chief of Trade and Commerce Division, Office of International Affairs and Seafood Inspection, NOAA Fisheries*

Lindsey Kraatz, Senior Science Advisor, NOAA Fisheries

Kate Naughten, Director, Office of Communications, NOAA Fisheries

Jason O'Bryhim, NOAA*

Michael Rubino, Senior Advisor for Seafood Strategy, NOAA Fisheries

Kristen Rickett, Meeting Manager, HB & Company, Inc.*

Kristin Rusello, Chief of Staff, Office of International Affairs, Trade, and Commerce, NOAA Fisheries*

Samuel Sharp, Foreign Affairs Specialist, NOAA*

Brianna Shaughnessy, Aquaculture Literacy

Coordinator, NOAA Fisheries*
Sarah Shoffler, National Seafood Strategy
Coordinator, NOAA Fisheries
Spencer Showalter, Advisor to the NMFS
Assistant Administrator (Acting)
Anitra Swinton, Chief, Budget Formulation
Division, NOAA Fisheries*
Brienne Szczepanek, Chief of Staff, NOAA
Fisheries*
Dave Whaley*

*Participating via webinar

Contents

Opening Remarks	7
Reports from the State Directors	7
Budget Update and Remarks from the New Deputy Assistant Administrator of Operations - Informational	39
Strategic Planning and Budget Subcommittee Draft Letter to the Secretary of Commerce Presentation/Discussion	63
Overview of the Office of International Affairs, Trade, and Commerce (IATC) - Informational	102
ESA at 50: Past, Present, and Future - Informational	132
Public Comment	162
Recap and Overview of Thursday's Sessions, Close of Regular Meeting	162

Proceedings

(8:32 a.m.)

Opening Remarks

Chair Davis: Okay. So let's officially start this morning's meeting. I like to start with just a very brief overview of what we're going to talk about in discussion today. We will start off with reports from our State Directors and Fishery Commissioners.

That will be followed by a budget update and remarks from the new deputy assistant administrator of operations. That will be Emily and Brian speaking.

And then Stefanie Moreland and her team will, Subcommittee, will talk about the draft letter to the Secretary of Commerce. And then following that we're going to have a discussion about MAFAC team commitments.

We'll break for lunch in the afternoon. We'll have some special guests talking with us about the overview of the Office of International Affairs and Trade and Commerce with Alexa Cole.

We'll have the ESA at 50: Past, Present and Future. We'll have Dori Dick. That will be virtual. We'll open for public comments, and then we'll have a recap of the day. So we got a great day ahead of us.

Reports from the State Directors

And so what I'd like to do is, go ahead and start with Bob and David and Barry speaking. And you guys can decide the order that you'd like to speak. But thank you for being here and giving you our updates. Your updates.

(Laughter.)

Mr. Beal: Somehow these guys always trick me into going first. I keep falling for it, but --

Participant: You're the best.

Mr. Beal: Yeah-Yeah.

Participant: I went first last time.

Mr. Beal: Did you? I don't remember that.

(Laughter.)

Mr. Beal: Good morning, everyone. So I'll give a few comments from the Atlantic States Marine Fisheries Commission perspective and the state activities along the East Coast.

Obviously the three councils on the East Coast are very busy, and there is a lot going on. I sit in on most of those meetings. I can try to answer some questions on council activities, but can't guarantee I know all the details.

East Coast activities right now are driving by the same thing, three things that I reported at the last meeting. Climate change, offshore wind and marine mammals kind of have an underpinning of every, or impact everything that we do at ASMFC and along the states. Along the East Coast.

So, you know, with the understanding that that's sort of, those are the three drivers that we're reacting to primarily, I'll go through a few examples of activities that we're working on along the East Coast. One of the projects at ASMFC and the three East Coast Councils are working on is sort of characterization of the erosion of fundamental data collection along the East Coast.

So, the, you know, as we heard yesterday, and everyone has talked about in the past, there is a lot of survey work that's been impacted by budget. Either level funded budget or budget cuts.

And the project that we're working on is sort of a three-step project. One is characterize areas where there has been erosion and data collection. And then work to characterize kind of the silhouette.

What does that mean? How does that impact fishery

science, fishery management? How does it decrease potentially the access to fisheries and, you know, by increasing uncertainty usually you end up decreasing access to fisheries?

And then the third step is, kind of what do you do about that? How do we fix it, how do we resolve these problems and how do we find the resources, or adjust data collection programs to collect the data that's needed to, you know, support robust doc assessments and fishery management decisions along the East Coast.

Some of the areas that we talked about a bit yesterday are, you know, reduce federal fishery-independent surveys in the northeast and in the southeast. The midlife vessel refit, midlife crisis for the vessels is what I call it. You know, the \$85 million for all those vessels. To refit those.

And we only have one of those funded, and they're offline for 12 to 18 months. And sometimes shipyard even goes longer than planned. So how are we going to cover those gaps? Biological sampling in the northeast is already down by about 50 percent. And the projections, if nothing changes, the port sampling, biological sampling, is going to be down by 80 percent by 2025.

So if you have only 20 percent, biological samples that you need, and have had historically, you're obviously going to have greater uncertainty in your stock assessments. There is, you know, pending no more support for biological sampling in the menhaden fishery, and potentially the reporting programs are going to have to change to state run reporting. And that's, you know, the largest fishery by volume here in the East Coast.

So, you know, there is kind of the snowball effect. And down in the southeast they're working to get a refit on their survey vessel. And needs funding for that.

And all of this is kind of happening in the climate of,

climate, pardon the pun, but, you know, climate, we're working to support Climate-Ready Fisheries, but as you, to understand how fisheries are changing due to climate impacts you need greater data, not less data, and we're kind of going the wrong direction. So the three Councils and the Commission are working to try to figure that out. What do we do about it?

This really is not a criticism of NOAA by any means. They're working with the resources that have so we want to somehow work to describe it, partner with the federal agencies and try to make sure we have this robust data collection program along the East Coast.

Also related to that somewhat is what we talked about yesterday when Russ and Evan were here. That's the FES survey along the East Coast. A number, many of species that are managed by ASMFC have a significant recreational component. And not understand that or having that move by 30 to 40 percent potentially has pretty significant impacts on stock assessments and allocations along the East Coast. So we're going to have to work through that with our federal partners.

And, you know, in the short run we're, at the commission any way, we're kind of steady as we go. We're not changing stock assessment schedules. We're probably not going to reopen any allocation decisions or conversations until the FES is sorted out.

But for the stock assessment work that we're going to do we're going to do a lot of sensitivity runs. Figuring out what if the landings are or the effort is 40 percent lower than we currently have and how does that impact the outputs of all these different assessments. So just so the managers understand kind of the range of what the stock might look like that they're working with.

So, you know, one of the things that we're working on in the East Coast, at the Commission, is trying to keep all the states on the same page. We've, you

know, we've seen how things go in the Gulf when states kind of fracture and do their own independent things.

We've got three times as many states to try to keep together. You know, starting with the pilot project in the southeast, as Kellie suggested yesterday may make some sense.

But if we end up where states start breaking off and doing their own recreational data collection programs, and you can't compare, whatever, you know, Connecticut to Delaware to South Carolina anymore, we're in big trouble along the East Coast because we need a standardized data collection program. It may not be the current incarnation of MRIP, but need to work with our federal partners and update MRIP and figure out, long-term, what does that program look like.

Is it kind of the fundamental MRIP program, similar to what it is now with supplemental information coming from the states or what's it going to look like. Or what do we want it to look and where do we find the resources to support that. So, the MRIP FES is going to be a big project for the states.

Atlantic great whales and lobster activity, you know, there is over a hundred million dollars being put into that activity this year at the state and federal level. And we're working quite closely with the federal government and the northeast fishery science center to coordinate all the data collection programs and passive acoustic monitoring.

And there is monitoring that's happening for the wind projects. And we're trying to make sure that that money is spent as efficiency as possible and we're not duplicating effort.

And the data that's going to be produced by all at the federal state and private entities is accessible and available to characterize where the whales are and what their migration patterns are because obviously they seem to be changing with climate change, so it's

a big project. And we'll continue to work on that.

Depending on where next year's budget shakes out. There is, you know, maybe additional money available for more work on whales and interactions with the lobster fishery and other fisheries along the East Coast. So, that's a, obviously a big issue for the East Coast given the critical endangered right whale species that we have.

And as always, I'll end with Atlantic Striped bass because that's what I do.

(Laughter.)

Mr. Beal: Striped bass is overfished, and overfishing is occurring. We took, ASMFC took emergency action earlier this year to narrow the slot out in the ocean. So it's only a three inch slot limit that we have in the ocean right now for retaining Striped bass.

And we're going through an addendum process to our fishery management plan right now that's out for public comment. Should anyone want to attend the public hearing, let me know, I'll set you up.

But the goal is to rebuild that stock by 2029. However, this looks like it's a stock that's been significantly impacted by climate change and different weather patterns along the East Coast. We've had five, the last five years have been as low as possible, or, you know, historically low recruitment in the Chesapeake Bay, which is a driver for that fishery.

So, we're trying to rebuild it. We also have no new fish entering the stock so it's going to be a tough challenge to get there by 2029. So those are some highlights from the East Coast. Happy to answer any questions or fill in any details that might be.

Chair Davis: Do we have any questions for Bob? Jocelyn and Kellie. And then Linda, and then Meredith.

Dr. Runnebaum: Thank you, Bob.

Mr. Beal: You're times up guys.

(Laughter.)

Dr. Runnebaum: I have a question for you --

Mr. Beal: Yes.

Dr. Runnebaum: -- about lobster and the decision to delay changing the gauge --

Mr. Beal: Yes.

Dr. Runnebaum: -- because of declines in recruitment. And I guess, having the conversation yesterday that fisheries are being impacted by climate change and that we are already seeing states needing, or the Commissions needed to make decisions faster than they thought they would need to, I'm not sure folks around this table know the specific issue. And I'm wondering if you have any insight into how we can be ready sooner.

I seems like it's actually a manufacturing issue that is the problem in this case. But just, I feel like we're talking in this. Anyways, it would be helpful to --

Mr. Beal: Yes.

Dr. Runnebaum: -- talk about it a little bit, I think, in the context of grappling with management decisions and climate change.

Mr. Beal: Yes, happy to do that. Yes, the quick background on it is, the American lobster fishery in the Gulf of Maine is starting to show some impacts of the warming water temperature in the Gulf of Maine. We setup a trigger at ASMFC that said, if the settlement index, which is the larval lobster settling down into the rocks, if that index reduced, is reduced by more than 35 percent a series of management actions would happen.

And unfortunately we hit that trigger. We passed the

35 percent threshold. We're at like 39 and change. And what was supposed to happen is a series of minimum sized lobster, for lobster, what we call gauges. The gauge would increase by 16th of an inch next year, which seems small but it is one molt cycle. And that would happen in June 1st of next summer. Of 2024.

However, the board approved this trigger earlier this year, and they really didn't think it was going to happen that fast. They didn't want it to happen that fast. They were hoping it wouldn't happen that fast, but it did.

And so they said, wow, it happened a lot faster than we thought. We can't get the new gauges to measure the lobsters produced in time. And we have a consistency in the size limit with Canada.

Canada will maintain, unless something changes, Canada is going to maintain their smaller size limit and we'll go up on our size limit. So there is going to be a trade issue with Canada where, will we be able to import the smaller Canadian lobsters, which a lot of imported for processing and it's a big financial, economic input to the coastal communities in Maine. So we have to sort out those two things.

What the board decided to do is postpone those changes until January 1st of 2025. So it is seven month delay. And a lot of it is manufacturing of the gauges, and sort of the surprise that it happened that quickly.

But, you know, this is one of the Commissions first efforts to setup triggers in FMPs to sort of, if this happens, then that happens. It doesn't, it's, you know, rather than something happening and then you have to go through the addendum process and think about it, do public hearings and everything else. It was something we tried, we, you know, in an effort to speed things up. So it's one of our first efforts in that arena and it happened faster than we thought so we, they slowed it down a little bit. Yes.

Chair Davis: Thank you, Jocelyn and Bob. Kellie?

Vice Chair Ralston: Could you state a little bit more about Striped bass and kind of what is the take in pretty drastic management measures in recent years? I still really haven't seen --

Chair Davis: Can you use the mic please, Kellie?

Vice Chair Ralston: Oh, sorry. I was just asking about some information on Striped bass. I know we've taken some pretty significant management measures in recent years and still haven't seen a rebound in the stock. I kind of was wondering what the Commission's thoughts are about additional steps or remedies for the situation.

Mr. Beal: Yes, I wish I knew the answer for the remedy. But yes, it's a challenging stock right now, just because as I said, the recruitment has been very low. The 2015 year class is the last really big year class that we have in the population. 2018 and some others are okay, but, you know, we're working with some pretty limited year classes.

So even though we really cut back on recreational fishing opportunity in particular, you know, there is, the stock is not rebounding as we hope. And as I said, the last five years have been historically low as far as recruitment goes. And that seems to be driven by environmental issues as much as anything else, so. I actually got an email about it.

Mr. Beal: Yes, timing is everything.

Vice Chair Ralston: Sorry.

Mr. Beal: No, it's not for me. So, you know, it's a difficult issue for the Commission. And we're trying to husband that, those strong year classes through the population.

But, you know, there is, even though the fishery, 50 percent of the mortality in Striped bass comes from hook and release fishing on the recreational side. So,

even if we close all harvest, directed harvest on commercial and recreational, there would still be a pretty significant component of post-release mortality that would impact that stock. And we've seen it in a lot of other stocks as well.

So it's a, and it's also a population that you say no targeting of Striped bass, it's a really nebulous thing to enforce. And no Striped fishing and blue fishing, or whatever it is. So it's a tough one for the Commission.

But as I said, we do have a document on the streets right now out for public comment that would take some additional, potentially take some additional reductions if that's what the public and the Board wants to do. But it's a tough one.

Vice Chair Ralston: Are there educational opportunities to help with that post-release mortality or how could industry help with --

Mr. Beal: Yes. Yes, absolutely. We've have a lot of conversations. Some of the states have really good content on their websites on handling of fish and de-hooking and all those things, but I think there is an educational component because you still see people dragging Striped bass up the beach and holding them by their gills and everything else for pictures and then throw them back. Well, you may have thrown it back but I'm not sure the result is what you wanted.

Mr. Beal: Yes, exactly. So there definitely is room for some work there. And I'm happy to partner with any industry representatives or anyone else to do that if you would like.

Vice Chair Ralston: I'm sure Mike can help you --

Mr. Beal: Yes, I'm sure. Thank you.

Chair Davis: Thank you, Kellie and Bob. I'll have Linda and then Meredith, and then we'll switch back over to Dave or Barry.

Ms. Odierno: Thank you. We've heard a lot over the past couple of days about difficulties with data collection, and also budget shortfalls.

And I know that NOAA Fisheries had a variety of different strategies out there for modernizing the data collecting using more electronic means, standardizing, and standardizing data input from the states. And also formalizing sampling protocols. Which would, in the short-term, cost more. But in the long-term could provide some budgetary savings.

And I was wondering if there's any movement, especially in your case, where it's the states that are doing the reporting? Is there a better way to get that data in like a standard format, which would certainly simplify the process?

Mr. Beal: Yes. Along the East Coast we have made a fair amount of effort for fishery dependent standardized reporting. And we made a lot of progress there. The fishery independent work on surveys and port sampling, which is technically dependent, but there is a lot of room for improvement there. I don't think we're as efficient as we can be.

There is some, there has been a request by the two, the Mid-Atlantic Council, the New England Council and ASMFC for asking the Northeast Science Center to look at what surveys would look like on industry platforms rather than the, you know, big NOAA white boats. So we are talking about that. I think there is a lot of room for improvement.

What the Councils provide to NOAA at the CCC meetings, and other places, really stick with the fundamentals. Or make sure you keep the fundamentals going. Keep these very basic fishery data collection programs going. However, we need to look forward and not just get stuck in the rut that we're in and doing everything the same as we have for the last 40 years.

But we don't want that time series to be diminished.

And which takes a lot of resources that NOAA doesn't have right now. So collectively, how can we do that more efficiently? And using industry platforms may be part of the equation.

Ms. Odierno: Just a follow-up. What about the use of uncrewed sampling equipment?

Mr. Beal: Yes. Yes, you know, you can collect some information with drones and other things. Presence/absence of species. And maybe some eDNA work. But you can't do the, you know, size composition very well and aging and all those other sort of hands on fish activities. So there are some, there is some value there, but its limited compared to the, you know, what I call old school surveys.

Ms. Odierno: Thank you.

Chair Davis: Thank you, Linda and Bob. Meredith?

Ms. Moore: I'll be brief, which is that I'm really interested in the assessment you're all doing about your data gaps and what that looks like. And didn't catch what like form that's coming out in. Like, how we'll be able to look at it and what some of that contains. I just wanted to --

Mr. Beal: Yes. Yes, I didn't say that because I'm not sure.

(Laughter.)

Mr. Beal: Yes. We're still trying to get organized on exactly how that's going to work. And we've talked with the science centers and they're very open to cooperating and working on a project to characterize what surveys have occurred and where there's been gaps over the last ten years, 15 years.

And there is, you know, the Councils may use some of their IRA money to hire a contractor and help out with that. So there is a lot of different options I know you might for, but it's still a bit in the brainstorming phase, but we'll get there.

Chair Davis: Thank you, Meredith. Bob, thank you so much for your update.

(Off record comments.)

Chair Davis: Apologize, Brett. Go ahead.

Mr. Veerhusen: Bob, thanks. Just, this is more off the cuff, but on a scale of bad to really bad --

(Laughter.)

Mr. Veerhusen: -- what's the risk here of not being able to fund surveys and data collection right now to all stakeholders dependent upon the management of that resource?

Mr. Beal: Well, you know, if you look at the House mark versus the Senate mark going in there is a, I don't know, \$40 million reduction potentially in next year's budget. So, you know, even status quo, as Brian and others will tell you, we're just going to continue to erode our ability to collect basic scientific information.

So I think it's trending toward very bad I guess is what I would say. And like I said, the northeast biological sampling is potentially down by 80 percent by 2025 if budget doesn't change, so that's a big hole.

Mr. Veerhusen: So the base of the pyramid is, the stool that Janet is sitting on with three legs is starting to wobble?

Mr. Veerhusen: Got it.

Mr. Beal: She has good balance, but --

(Laughter.)

Mr. Veerhusen: She does.

Mr. Beal: -- we got to be careful. Yes.

Mr. Veerhusen: She balances a lot.

(Laughter.)

Chair Davis: Thank you, Brett. Thank you, Bob.

Mr. Thom: All right, good morning, everybody. So I'll give you a little bit of a grab bag for the west coast and Alaska, but I think in similar to Bob, in terms of East Coast versus West Coast, we're still dealing with marine mammals, we're dealing with crab instead of lobsters, and dealing with climate change in wind energy on West Coast as well. As it's in infancy so I think that is a little bit of a challenge.

Wanted to, just on the crab, Dungeness crabs, whale entanglements, we're doing quite a bit of work there. We have been coordinating with the states on some of their permitting activities. That may be, I think is a little uncertain now with the potential for a take reduction team on the West Coast for pot gear and the sablefish fishery and how that interacts with crab.

But we are doing a lot of work in terms of transitioning. Helping the industry out from a gear perspective. So, moving to line marking and how we can help industry transition to different line in that fishery, as well as vessel logger. So they're starting to move to actually keep location data on vessels instead of VMS, expensive VMS units going to a pretty inexpensive, what I call sort of VMS light loggers for those vessels.

So we're starting with California in the next couple weeks. We're already purchasing those loggers and distributing them to fisherman. Washington will be next, and the Oregon. So that most of the vessels will have access to have a data logger onboard those vessels for this upcoming season moving forward. So I think that's really good to see some of that transition work. And I think that's going to continue.

And then in the near-term we're also working through the electronic monitoring video review piece for the groundfish fishery on the West Coast, which starts in regulation January 1st. So trying to make sure that program continues without any sort of break pause.

So a few details to be worked out, but that is moving forward.

So, pacific states will continue to be a video review component. A big video review component of that moving forward.

We do a lot of NOAA grants, so we are still, I think, recovering from the NOAA grants transition over the next couple months and seeing how that goes. We are the largest NOAA grantee, so that is a big part of our business in trying to just keep that, that activity going.

Moving forward, we had our annual meeting in October this year. So like I said, offshore wind continues to be a high priority.

We're doing a lot of work internally to help with some of the analytical pieces of fishing effort and visualizing some of that data to help in the analysis for offshore wind off the west coast. And that will continue if folks, we do have a really good GIS shop in pacific states. It's helping BOEM and NMFS and everyone else on some of that analytical component moving forward.

And then internally as well, disasters. I think that's, you know, when you look at fishery disasters we're currently working through a pile of about, a little over \$400 million in disasters currently. Over half of that is with Alaska crab fisheries over the next couple of years. It will be distributed, but definitely staffing up and moving forward on that working with the states moving forward.

Coming out an interesting point coming out of our annual meeting, Hawaii has formally requested to help, help with joining the Pacific State's Marine Fisheries Commission. So we're going to be helping the State of Hawaii with their legislative components and see how, we'll see where that goes over the next year. So that would be good I think if Hawaii can actually join.

They were originally listed in the original compact in 1947, prior to Hawaii statehood. Both Alaska and Hawaii were listed as potential members of Pacific states, so it's been a long time coming, I think, if Hawaii actually joins the Commission moving forward.

A couple other just legislatively things. Over the past month or so we have weighed in on the House version of the NOAA Organic Act that would pull NOAA out of the Department of Commerce and pushing back on that. And we've also weighed in on, I think it's the FISH's Act. Which is a House version of the fishery disaster timeline legislation and trying to continue to work to either reduce the timelines that OMB has to review components of the disaster, or take OMB out of the process altogether for some of the disaster components moving forward.

And then lastly I'll just highlight, this isn't really a marine fisheries issue but a Columbia Basin issue. So we do quite a bit of work on aquatic invasive species. As help administer all the vessel inspections that occur to prevent quagga and zebra mussels from getting into the Columbia Basin for all the, the entire system. That's how we fund all the boat inspection stations across the west for that work.

This late, earlier this summer, late fall, there was a presence of quagga mussel in the Snake River that was found. That was the first incidence of an actual confirmed mussel in the Snake River. So it was basically all hands on deck.

And 20 years of planning has went in place to try to prevent it, finally one actually got in so Idaho jumped in on that. And they actually did do a pretty extensive eradication effort in that section of the state. So it's above anadromous fish in the system, but a big concern. But also pretty drastic measures where they went in, airlifted boats into this pretty constricted section of the Snake River, implemented sort of a copper drip solution into eradicate the mussels in that section. And just basically blasted through that

section of the river.

So pretty drastic. A lot of mortality of sturgeon and other fish in the system because of that. And something they won't be able to do if it gets into the anadromous zone and those fisheries. So I think there is a lot of testing, a lot of eDNA work going on to see if they actually were successful. You know, I think many of us are probably doubtful that they can be a hundred percent successful in those efforts, but I think they'll keep at it.

So that definitely was eye opening. And I think it's going to be a lot. All the states working together to try to figure out how to continue to plan for potential mussel introduction in the Columbia moving forward.

Other than that I'll just highlight priorities which I think was coming up at the very end there on Bob's discussion about, you know, for the main Commission priorities the base surveys and information is a number one priority to keep that going. Across the country I think we're all worried about surveys and basic data collection on independent data, as well as the fishery dependent data, and data modernization.

So like Linda's question, I think there is a lot of work going on. And our states are very interested.

And we do a lot of work to try to modernize the, both the data collection systems and moving to electronic means, as well as the systems themselves and the databases that are underlying that and getting, we're still dealing with data that's collected that's in one researcher's hand or on paper copy that we're having to hand enter and get into these systems. As well as some of the different sort of ancillary data like the age data trying to pull together to sort of basically create libraries of where the fish age structure data that we have, pulling that into actually libraries and data libraries that people can actually look at and see because right now it's in individual offices across the west coast. And trying to work on that work as well. So, that's all I've got.

Chair Davis: Thank you for that update, Barry. We have Janet and then Brett and then Joe.

Ms. Coit: Comment and then question. The day that I spent with the Lummi Nation we talked a lot about European green crabs. And just a comment that, you know, understanding what NOAA Fisheries role is and should be with invasive species versus other parts of NOAA versus other federal agencies. You know, we don't need more challenges, but somebody had said, why don't you do to that pond what they did in Idaho, and it was like, well, this is where they actually grow their shellfish, you know, it's not possible to just decimate a whole ecosystem to get rid of invasive species.

But the upshot for me on that was that it will just be a constant, constant culling in management. There is no possible way to get rid of them, and they will spread. So I'm just interested for you to comment on that.

And then secondly, thinking about Linda's question or comment. Interested to know, for all the Commissions really, where you see your, you know, you're not as constrained in some ways as NOAA Fisheries is, where you see that you can help with efficiencies. Whether that's around research templates, whether that's around permitting. You know, interested to hear.

Mr. Thom: Yes, thanks, Janet. Yes, so on green crab a couple points there. One, as a Commission, and internally we've been very supportive for NOAA and NMFS to have a larger role on some of the green crab work and to have, I know there used to be a NOAA invasive species coordinator. That position doesn't even exist anymore and we've been supportive of putting that back in place and having some leadership.

And I think that would definitely, like green crab has been one where I've noticed there is, that everybody is sort of pointing in opposition directions of --

Ms. Coit: Right.

Mr. Thom: -- who's on first to help with that. And as much as we can help from a Commission to help coordinate that, because USGS has some work going on in that area, Fish and Wildlife Service, NMFS as well. So I think it will be a concern.

I also, like I agree with you. I think from a green crab eradication it's impossible up and down the west coast. And it's really sort of a management concern. They're all the way up into southeast Alaska as well, so they're going to continue to spread. And I think we're all struggling with how to do it other than just the trapping work that's going on in specific areas moving forward.

In terms of other flexibilities, you know, in terms of the strengths of the Commission that one of the areas I think that the Commission is very strong in and that could help is on the data. The data programming, data management side of things. We have more data programmers and database developers than, I don't know, of any other place I've been. That's an incredible amount of work we do.

We have folks that are certified in AI and other things like that. So that I think is a big strength for on the science side if people need analytical help and sort of unique and novel approaches of how to approach some of those pieces. We don't do a lot of data analysis itself, but tend to help folks in setting up the system so that they can back at the science centers and that kind of stuff.

Chair Davis: Thank you, Janet and Barry. Brett?

Mr. Veerhusen: Just a comment and a question. I was lucky enough to visit Riverence trout farms out of Twin Falls, Idaho about a month ago and was really, I mean, the invasive species is shocking and unfortunate, but I was really impressed with the measures being taken. We couldn't even drive down to the river, through a security guard. And there were security guards, as I understand it, stationed all up

and down the river monitoring who can go back and forth in order to make sure that things were contained. So it was unfortunately but impressive I think on the response.

But the same question for stock assessments and data collection. How would you rank where we're at with your Commission, anywhere from good, bad to really bad?

Mr. Thom: Thanks, Brett. Yes, it was impressive I think on the Idaho component of how, both how quickly they responded and the measures they took to try to contain and control that. It was pretty much a military operation command and control to get in that place. And was probably, the actual introduction likely came from probably a kayak or somebody coming into that section of the river because you can't get motorized boats into that section. So it's an interesting thing in terms of how they got there in the first place.

I think in terms of the scale of bad or not, I think we're bad. And I think a lot of things are limping along. My sense is everybody is just trying to make things work and to try to keep things successful, but it just keeps dwindling further and further and further down as the money dries up.

Mr. Veerhusen: Thanks for your candor.

Chair Davis: Okay, thank you, Brad and Barry. Joe?

Chair Davis: Just talk real loud.

Mr. Schumacker: I'm just going to talk across Linda. Sorry about that.

Barry, thank you very much. A couple of quick questions for you. I know Janet brought up green crab. But your VMS light system that you referred to, obviously not pinging satellites of anything, how are you collecting that data, number one? Is that you're going onboard the vessels or are they turning that in?

And then number two is offshore wind. You're facilitating that process by, I know at least as providing anonymized fishery effort data I'm sure, other things like that. Is there other facilitation that the Commission is doing for offshore wind in that area?

And green crab, Janet, I just wanted to mention that the report from the Washington Department Fish and Wildlife this last year shows from the Salish Sea, or the Puget Sound area, about 5,600 green crab were collected there this year in 2023. On the outer coast of Washington State, 205,000 plus were collected to date.

So we just want to make sure that we understand where those priorities lie out there with the huge, huge base population of these EGCs are, European green crabs are, out there. Thank you.

Mr. Thom: Thanks, Joe. Let me see if I got all of these.

(Laughter.)

Mr. Thom: So on the VMS light piece, and this is as much as I understand. So it's a cell-based, cell signal-based. So when a vessel gets near enough to shore where they can have a cell signal, it downloads into a system. And I think they're actually going through Archipelago. So they're, Archipelago Marine collects all the data and then transfers that to the states for downloading.

And good point on green crab. And green crab I think is part of the challenge. They're up and down the west coast and it really is a continued management.

And what was the third?

Mr. Schumacker: The other was the offshore wind --

Mr. Thom: Oh yes, offshore wind. Yes.

Mr. Thom: Yes, so a couple pieces. One there is, so our charge, and really coming out of the Council as

well, is to make sure that fishery data that's available gets into the analysis process for offshore wind. And so that has been our main charge in trying to figure out ways to work with NMFS, or BOEM, to make sure that data gets into the system. And so we do have some contracting with BOEM to do analysis, as well as with the Northwest Fishery Science Center.

And there is, you know, a lot of this work can be put in the Marine's spatial planning context where it's useful for both crab and whale entanglements and locations, as well as offshore wind or other, or offshore aquaculture and other things that are going on. So it's similar tools that I think are useful.

And so that is where, that's really where that facilitation is. Just making sure basic data gets into the process.

Mr. Schumacker: I have a follow-up. Thank you. Just a real quick one on that. I haven't heard the term marine spatial planning for a while.

Mr. Thom: Sorry.

(Laughter.)

Mr. Schumacker: I greatly appreciate that because that's what's missing in this process in my regard. In my opinion. Humble opinion. I thank you kindly for bringing that up.

The idea, the other action that I was asking, is the Commission also facilitating meetings or anything of that nature with fisherman and offshore wind? No?

Mr. Thom: Yes. No, we are not doing any of the facilitation of actual public input in any of that, in our industry and putting it into the process.

Chair Davis: Thank you, John. Thank you, Barry, very much for the update. We're going to move on to David.

Mr. Donaldson: Thank you, Madam Chair. Like Barry and Bob, the Gulf Commission is focused on our long-

term cooperative state/federal data collection.

To answer Brett's question, in Gulf it's not so good right now --

(Laughter.)

Mr. Donaldson: -- in the out years. I think for next year I think it's going to be in that bad level. But '25 and on may be very bad. We've done some preliminary estimates and based on just the ongoing activities that we're doing with recreational and commercial landings collection and biological sampling we're looking at an over 50 percent deficit. So that can have significant impacts on collecting that baseline data.

In addition, Cisco mentioned the NOAA white ships and losing sea days. We coordinate the SeaMap program which is the Gulf and South Atlantic program. And at our last, in our recent Commission meeting they decided to write a letter to OMAO expressing their concern about it because we're losing a number of days and it's impacting a number of those long-term surveys.

As you know, those fishery independent surveys are playing more of a critical role in assessments and having those data gaps is potentially very detrimental to the variety of assessments we do on the Gulf. So, we're concerned, we're concerned about that but continuing to move forward on that.

So on a more positive note, we, both Cisco and Sam and Evan mentioned the IRA funding. The Commission is receiving about \$6.5 million of the money that's coming to the Gulf for red snapper work.

One of the main things that we're doing with that is improving the Commission's, as well as the states, data management system. Recreational management data systems. Developing better methods for quality control and establishing the Commission as the central warehouse for

recreational data. So if you need, if you want recreational data for either, for all the various state surveys, you're coming to the Commission. That's our main focus next year to work on that.

A couple of the other projects are ways to validate recreational fishing effort, as well as improving recreational discards. Those last two we're planning on conducting workshops in early next year.

And on the validation of recreational fishing effort, we met with Evan Howell and several of the NOAA folks at the recent Gulf Council meeting this summer. And as a side note, and to Janet specifically, I want to commend Evan for pulling this together. He's the one that has made a difference.

In the past we've heard, yes, we're willing to work, we're willing to do these things, but it was more talk than anything. And he's really been the one that's been driving this. And myself, as well as all the state directors in the Gulf appreciate his efforts and look forward to continuing to work with him.

So, along those lines, we are, the Commission is funding an effort pilot for Mississippi and Alabama to utilize the Louisiana creel survey effort portion. And we're testing that in Mississippi and Alabama.

Our plan right now is to start January 1 and run it for a year, and then be able to look at the differences between FES and the survey and hopefully move forward with implementation in that, in those two states. So we're excited about that and are working, working diligently to get that up and running by January 1. We're fortunate that we're able to use money that, because of COVID and we had some carryover money, so we're able to fund that, fund that pilot, through that carryover money, so.

The other two things are, or I've got three more things, and two of them have to do with the commercial fishing aspects of activities in the Gulf. One, the Louisiana legislature asked us to run a menhaden bycatch study. And they provided funding

to us.

And we sent our RFP, and we selected a contractor to run that. They're going to be beginning the next season which, in the Gulf of Mexico starts in April. But we're going to be collecting a variety of information to assess the amount of bycatch that's in the menhaden fishery.

And from that they'll, the legislature, and Louisiana Department Wildlife and Fisheries will utilize that on how to better management the menhaden fishery. So we're excited about that.

That prospect in getting, because that's been a big issue with the NGOs and others that we don't really have a good handle on bycatch in the menhaden fisheries. So we're working with Louisiana to get that accomplished.

The other issue is, in our recent Commission meeting in October, the issue of the future of the seafood industry came up. And it actually came up earlier in the year when we were doing a state of the oyster industry in the Gulf of Mexico. And one of our Commissioners was attending and said, you know, we need, really need to talk about where is the seafood industry going and how can we make sure that it continues and what can we do.

So we talked about it at the Commission business meeting in October and we decided that we're going to be working with Mike Rubino and, as well as our Sea Grant, our Sea Grant folks. We've got a call later this year, in mid-December I believe, to kind of kick this off and talk about the issues that are affecting the seafood industry and hopefully developing paths forward to ensure the longevity.

And it was good timing, fortuitous, that the National Seafood Strategy just came out. And there's an opportunity to utilize that, that system, to provide some funding towards.

And I think our, again, we really haven't had any

calls, but one of the things that we'll probably be focused on is the shrimp industry. The shrimp industry in the Gulf is hurting because of imports and it's just becoming more and more difficult to operate. So I think we're probably going to be focusing on that. But I don't know exactly where we're going because we're just starting that, but I just wanted to let folks know that.

And then the last is offshore wind. We're kind of the baby in all this, and it's just starting in the Gulf of Mexico. BOEM identified a couple areas off Louisiana and Texas for potential, potential permit areas.

But in the end of August we brought our state directors up to Rhode Island and surveyed, or went and looked at Block Island and --

Participant: South Fork.

Mr. Donaldson: South Fork, thank you. And it was very interesting. We talked with the industry, as well as with the fisherman. Got some differing perspectives on things.

(Laughter.)

Mr. Donaldson: But it was very useful. The state directors were pleased with all the information they got. And hopefully that will help guide us as wind, offshore wind proceeds in the Gulf of Mexico. So with that I'll answer any questions.

Chair Davis: Okay, thank you. We have Ryan and then Kellie.

Mr. Prewitt: All right, thank you for all of that. Can you speak to what reforms, if any, are under consideration to the IFQ program in the Gulf of Mexico?

Mr. Donaldson: So, that's not something that the Council, or the Commission is directly involved in, that's more of a Gulf Council issue. And that's something that they have an ad hoc group and

they're talking about it.

But it's still in the beginning, the beginning phases of, they're doing a review of the program to see what's working and what's not and how to move forward. But that's something that the Gulf Council is looking, is looking to address.

Chair Davis: Thank you, Ryan. Thank you, Dave. Kellie?

Vice Chair Ralston: Thanks, Megan. First I just want to, this is really more of a statement than a question. I wanted to echo Dave's gratitude to Evan, and kind of for the hands on approach that he has really taken. Not only on the Gulf side but on the South Atlantic. And encourage that along the way to sustain those efforts.

I think those pilot studies that Dave was talking about in Mississippi and Alabama really are the crux of the data issue in the Gulf. And so, if we can get our arms around that, that is going to be key. For not only the Gulf, but then as we look to South Atlantic for next steps.

And I missed the opportunity when Bob was speaking earlier, because he didn't speak directly to this, or when Evan was here yesterday, because he didn't speak directly to this, but also wanted to commend the Agency on the additional funding for red snapper opportunities for EFPs in the South Atlantic. And I know the State of Florida is working on several proposals and encourage the agency to work with them so that we can see those across the coast line too. Thank you.

Chair Davis: Thank you, Kellie. Linda?

(Off microphone comments.)

(Laughter.)

Ms. Odierno: We have a subcommittee that's looking at recommendations for the seafood strategy. And

what we have been trying to do is comply comments from industry. So we are open to any comments about the future of seafood, how you think we can best go about making recommendations. So I just wanted to throw that out there for everyone. You know, if you have any information you'd like to share, or to see what we're working on, we'd be happy to share. Thank you.

Chair Davis: Great, thank you for that, Linda. So I want to thank Bob and Barry and Dave very much for always coming to MAFAC and always giving us a very insightful updates that you give us. And hearing about the coordination with NOAA Fisheries, which you always do. But just having all those updates, it's very much appreciated. And appreciate also MAFAC's thoughtful comments and questions.

So with that we're going to move on to the budget outlook. And I believe we're going to start with Emily, is that right?

Ms. Menashes: Good morning, everyone. I just wanted to take a couple of minutes just to greet you all and tell you a little bit more about myself and sort of the program areas within NMFS that I am responsible for. Which includes all of the budget and financial operations that Brian is going to tell you more about in detail, in terms of our budget outlook.

So there is a few of you that I know from when I was in Fisheries in the past. And those of you that I don't know I look forward to getting to know you. And also working with this group, and my new position, it's been interesting sort of hearing the range of issues that you all have been getting involved with and thinking about how those are linking to the areas of my portfolio that I am getting up to speed on.

So as Janet mentioned yesterday, I'm the new deputy assistant administrator for operations in Fisheries. And I think I'm in week six, maybe week seven. I've kind of lost count.

The first two weeks were a blur. It was almost

entirely focused on LAPS planning, so that was a great way to kind of kick start things. But luckily it looks like we're at least pushing through and won't have quite the same chaos that we did at the end of September.

So there is a lot of activities within my current portfolio. I have the functions of the organization that are really important to making sure we can do all of the work that everybody wants done. So that includes the CFO function that Brian leads. Our IT, human capital, EEO. I also have our communications program, which really is so important to telling people about the work we do and why we do that work.

I also, more programmatically, have the aquaculture program, the seafood strategy work that Mike Rubino is leading. Enforcement, and also International Affairs, Trade and Commerce. So there is a lot of things that I've been figuring out and learning some nuances and challenges that I hadn't worked on so much before.

So, a lot of these issues I did have some basic knowledge of, but there has also been a lot of change. I've been out of Fisheries for about five and a half years, and when you think about external factors, like COVID, the acceleration of climate change, climate impacts, administration changes, policy changes, there really are a lot of new dynamics within the organization.

So just a little bit about me. I've been with NOAA for about 24 years. Most of that was in the Fishery Service. So I started as a Sea Grant fellow in the Office of Science and Technology. Sometimes it feels like that was just yesterday, but I like to say it was in the last century.

(Laughter.)

Ms. Menashes: It makes me feel distinguished. It was 1999 was my Sea Grant fellow year.

And then I started as a federal employee in the Office of Protected Resources. I was there for five years mostly working on the Marine Mammal Commercial Fishery Interaction Program. That's where I got to know Barry. We were both there at the same time.

And then I moved over to the Office of Sustainable Fisheries. And at first I was the division chief for regulatory services. So working on the Agency's entire regulatory operations. And also a lot of council operational activities as well.

And then I moved and I became the deputy director for the office. And I was in that position for ten years. And that included, portfolios that include our National Seafood Inspection Lab, Atlantic Highly Migratory Species. And then the domestic fisheries work that you all are very familiar with.

So I spent a lot of time on disasters, bycatch. Trying to establish some of the ecosystem based policies. Magnuson implementation, national standards, and a lot of work with the Councils and Commissions, so.

And then also, I think one of the things that we did that is still there and feeds into the seafood strategy, and what some of you were just talking about was, worked a lot on the establishment of fish watch effort to really communicate about how all of those things that we do are really so important and lead to sustainable seafood and should support the industry and the people that are working in that area.

So about five and a half years ago I decided to do something a little bit different, and I took a position in the National Ocean Service where I was the chief of staff there. Assuming a lot of you are pretty familiar with the work that NOS does through sanctuaries and coastal management, but they're also responsible for hydrographic surveys, geodesy, which is like measuring gravity, the shape of the earth, which is really cool. I do not understand it even after being there for a number of years.

And they also do the tide and current measurements

and things that fisherman use and other people use when they're going out of port and want to know what's going on and how the waters are moving.

I had an opportunity to spend a year at the Council on Environmental Quality at the very beginning of the Biden Administration. And had the chance to work on the establishment of the America the Beautiful effort.

And also rejuvenating the Ocean Policy Committee and its management arm, which is the Ocean Resources and Management Subcommittee. And worked on some of the things that led to the Ocean Climate Action Plan. I don't know if that's something that all of you were briefed on or been familiar with. That came out last spring.

U.S. joining the high level ocean panel. But really a lot of work to try and connect around the interagency coordination; the kind of work occurring in the ocean and where those areas where maybe some additional effort is needed to really push things forward.

So after CEQ I actually came back to NOAA in NOAA Research as the deputy assistant administrator for programs and administration there. And had a pretty varied program that includes Sea Grant, which I'm sure a lot of you worked with. Climate and weather research. Ocean acidification, global ocean observing.

So a lot of work related to ocean data and science and research, and how that supports NOAA's mission, and also external users. A lot of that really important science and data.

One of the really interesting things that I found leaving Fisheries, where I had had a very strong regulatory background and was very use to being, you know, kind of some of the least favorite people in the room, and going to the Ocean Service in OAR is that most of what those organizations do people want and they want more of, right?

It's really, its data, its decision tools that are used by

a whole range of users for different purposes that they can apply to their own particular objectives or needs. And it was a really, I really enjoyed learning about that and those dynamics that some other parts of NOAA have with their constituencies and their partners that are a lot more about, you know, how can, and they have the space to do it too. I mean, it is a very different kind of environment when you don't have the regulatory and statutory pressures on you, but thinking about how you can kind of build those partnerships and work collaboratively to accomplish things that are mutual interests.

But I did really miss kind of the energy and the community that you get in fisheries when people really are working together in a very consistent direction. So I'm excited to be back home at Fisheries.

As I mentioned, there's a lot that's different. There's a lot that's the same but there is a lot that's different and so I'm really, in my first month and a half, I've really been working a lot to just kind of relearn, get reconnected and up to speed on a lot of the current priorities and issues that we are having.

So, as I settle more into my role you'll probably ask me to give you updates like Sam and Cisco did yesterday on more programmatic areas. I'm still using my new person card, and so I'm going to let Brian do that on the budget today, but I really look forward to talking to all of you. Like I said, hearing your interests and priorities. There's a lot of connections, obviously, with the program responsibilities that I have as well. So I'm looking forward to engaging and working with all of you quite a bit over the coming years. So with that I'll --

Chair Davis: Thank you.

(Applause.)

Ms. Menashes: -- I'll turn it over to Brian.

Mr. Pawlak: Questions or anything?

Ms. Menashes: Oh, I have one thing to say. One more thing. So if you didn't take Meredith's advice yesterday to go by the French Patisserie, oh my God.

(Laughter.)

Ms. Menashes: I had a really hard time just trying to savor the chocolate croissant that I got. So let me tell you, it is fabulous. It's like a ten minute walk. You absolutely must go.

Mr. Pawlak: All right. Well, I'm going to have to follow-up on that.

(Off microphone comments.)

Ms. Menashes: Oh my God.

Mr. Pawlak: I'm drooling. I'm drooling through my talk here.

(Off record comments.)

Budget Update and Remarks from the New Deputy
Assistant Administrator of Operations -
Informational

Mr. Pawlak: Well good. Thank you, Emily, and thank you for the invitation to talk budget again here to the, oh, let me go ahead and get the board here. There we go. Make sure it's working.

And go over budget and just kind of an update where we are. A couple of new things for sure, I think since we last, at least since I've last talked to you. I don't know if you even had a briefing yet on Senate mark, House mark. Definitely not House mark, maybe got Senate mark.

And I know we've met with them, now the Pacific State's Commission, Atlantic State's Committee Commission, to talk about budget priorities specifically. Don't think we got directly to the Gulf State's Commission, but we've been talking in a theme of, how do we prioritize what our priorities are? How does MAFAC help and assist us in a theme

we've already heard on kind of the data erosion and concern for that.

I was able to listen in, a bit of, a couple audio challenges, but I definitely got 90 percent of Even and Cisco's discussion yesterday where they talked about sustained modernized strength and the survey and data collection portfolio. And I think really their discussion is really what we're trying to do through the budget. How do we launch or maintain what Cisco and Evan talked about yesterday. So glad to have that opportunity here.

Some of the up-front slides. If you have talked to the Subcommittee here and Commissions leadership before, might be familiar and old, but I think we're going to kind of hit the culmination of, kind of what are we trying to do about it here. And I know MAFAC was asked, how can we help. And so we'll get there after the first couple kind of just overview slides.

I always like to start with federal budget timeline. Where we are. We think we well know we're out of FY23, but we are still executing FY23 dollars. And we're under a continuing resolution that is at a level of FY23. So kind of, it's kind of a status quo for the current operational period.

But in FY24, as everyone was talking about it when I walked in the room this morning, we're hoping Friday by midnight we're going to have at least a budget through February. It looks like it's going that way.

I have no special crystal ball that any of you don't have, but it looks like at least we'll have, at least right now, probably at a level funded budget environment through February for us. But lots of unknowns to come, come the February time frame in the budget. And we'll kind of highlight where the difference, the House and Senate are geared toward or the direction they seem to be going on that.

I think as I've talked to the group before here, and this kind of goes into the reason for presenting the kind of slides like this is where we are in planning and

where can we influence the budget and where we're at.

FY25 budget, I think I mentioned last time to this group, we already have a budget OMB being reviewed. So we're pretty much well into the budget formula stage, formulation stage, if not really kind of, depending what shifts in the kind of actual and appropriation bill, of a lot of inputs there. So really when we start talking about kind of external inputs and considerations for planning we're really onto FY26 process because the others are pretty much well underway, if not done.

This slide here, I think, as I've had a couple questions asked, hey, how do we engage? what's the best time to engage? As the last slide kind of just highlighted here, in the bottom row there, FY25. You're talking about formulation activities and getting into the planning process. You know, like I'm showing FY25 up there.

You're really talking past winter/spring for getting inputs to NOAA. So now we're talking about FY26 to get those as we're talking here. And we keep hearing the common themes. If we want to do FY26 planning and consideration of external inputs and what we just need and what we're conveying we need, we're really on to FY26.

FY25 is really between now and the next Senate or House mark is the time to be engaging with the Hill. Getting to them before they have their discussions and their committee discussions. And even there, you know, the appropriations staff discussions before anything is even public. Between now and summer is the best time to be influencing anything that the Senate, or House, may be considering.

Again, before mark. Before they get a public mark is really the kind of targeted time frame.

On the '24 outlook, which again, I don't think we had a chance to discuss this last time since we've talked. In our enacted budget we're roughly \$1.1 billion.

That's not considering supplement funding, like IRA funding. It's not CARES Act funding, disaster funding, those type of things. That's kind of our "base funding."

So our enacted budget. We've been doing well the past few years, as you've heard me say. We've been getting increases, we've actually been getting ATVs. Maybe not as much as we like, but had been in a positive budget environment for sure the last few years.

The President's budget as well in FY24. We actually, I think doing well in '24 as well. Asked for increases, got administration support for increases. As we've talked before, that third row there of inflationary adjustments, those were considered in the President's budget.

We've talked before kind of on the base erosion that folks are concerned about. And the data erosion comes into the rising cost of just doing business. Rising cost of labor, fuel, facilities, all of that.

Concerning for us though is where we might sit on the Senate and House mark. Senate mark we were basically level funded. No consideration for inflationary adjustments. We have some programmatic increases, but inflation is kind of across the board. Increases.

And House mark we end up in a pretty rough outlook in that we're looking at net change from '23 enacted of the \$200 million budget reduction. And of course with that kind of reduction there is no inflationary adjustments in there.

What does that look like programmatically? Oops. Sorry, I'm clicking my notes but not the slides here. Okay.

Programmatically this has been this here, probably our four programmatic areas. And from the Senate side, again, we did get some increases from the Senate side but it was not where the administration

made those requested increases.

So you can see the places where we asked for funding. Again, we asked kind of focal areas. Offshore wind again for us in '24. And other critical areas that we were asking for increases. Those requests were not, I shouldn't say not considered, I'm sure they were considered, they weren't provided in the Senate mark.

But you can see here across the Senate mark where we did get increases by program area. And protected resources close to, you know, \$9.5 million increase. Fishery science and management, \$7 million increase. Habitat Conservation, \$3 million increase.

And you can see there, there is a, you know, the habitat slide we were just talking about, European green crab. A focused directed activity there to deal with European green crab.

But the point here is flagging. Senate has its priorities and its interests, and these are what are reflecting and coming back to us as their priorities interest and not necessarily fully aligning with administration needs. And some of our core needs and kind of our base needs that we're talking about.

One item in here though does speak to some of the data erosion pieces and challenges we've had with the days at sea. That under the second bubble there, fishery science and management, the survey contingency funding. That is meant to be, and was provided for clear recognition that we've had challenges getting days at sea that we've wanted. We've had ships tied up in repair or what have you. And funding for the purposes of chartering vessels for independent data collection as might be needed.

On House mark, let me just show this really quickly then move on. Kind of doomsday slide there, you can see it's pretty dramatic and cuts all across the board, across all the portfolio. Even places where you typically don't kind of see reduction enforcements. Quite a bit of reduction in the enforcement side. And

just across the board. I won't belabor that and I'll think about the croissant that I'll be having afterwards.

(Laughter.)

Participant: You can't afford it.

Mr. Pawlak: Yes, I can't afford it, that's true.

(Laughter.)

Ms. Moore: No croissants for you.

Mr. Pawlak: I'm going to ask for a bonus from Emily and see if she'll do it.

Ms. Menashes: I'll buy you a croissant.

(Off microphone comments.)

Mr. Pawlak: So what does this mean for us? I don't think it was meant to be a painful seal-looking yell, but it's maybe --

(Laughter.)

Mr. Pawlak: -- maybe that is now appropriate. I don't think that was by design when the staff picked that picture out.

But I think what it means for us right now is really, I think it's, oops, let me go back to this slide. Not panicking, yet. Lots of steps to go. We're preparing to operate kind of on the flat budget as a best case scenario.

Why would you think we'd have that maybe optimism, or why do I have that optimism at the place we're seeing the budgets and the conversations that are going on, on the Hill and you're hearing in the news? Well, I think over the years Fisheries, even in some of the worst budget times, even when other parts of NOAA has been, received quite a bit of reductions. Other regulatory agencies, EPA, what have you, they've seen sharp reductions at different

administrations, different congresses.

NOAA Fisheries at least seemed to have always fared fairly well, at least in a level or flat budget. It has been rare where we have got decreases. Not suggesting that can't happen. And we have to be prepared for it. And we'll talk about some of the things we're trying to do to get to that.

But I don't think the outcome would be as dire as the House mark table, but it's been quite a few years since Fisheries has actually seen a cut in an enacted budget. I think it's, kind of guessing at the reasons, but it's a long history of industry support is what the agency does, right? And our regulatory mandates and our champions on the Hill are high. Are strong. Champions on the Hill.

But you don't know, right? We don't know. And we're always preparing for that we don't know what the outcome could be.

So I think, you know, as we're talking here, and given what we're looking at in that kind of House mark, or Senate mark, is really the importance of what we've been talking about here today, and when I met with the MAFAC Subcommittee, if that's the right title, working group, budget working group, is really messaging priorities is really critical in the current budget environment.

You can't argue that that's not a good idea in any budget environment. But being really clear on what we need, why we need it, what we're focused on and what we need to focus on to kind of keep our core and primary mandates is critical in a common message and theme on that.

So I'm already hearing this morning, hear Evan and Cisco's talk, how they've outlined how they're using IRA to advance data acquisition, data modernization and sustain the survey portfolio. Then hearing that the State Commissions here, kind of the same themes of what they need and want. I think the more we repeat that and the stronger we can repeat that

the better off we are.

And how that ties to NAPA Report, or NAPA recommendations. I know some of you dove into and have been looking at, is summing up a couple of big things of the NAPA Report, NAPA recommendations, is really, you know, in my words, obviously not their words, is asking Fisheries to look at in how we focus and how we communicate our priorities and really nailing down and zooming in on our priorities in the agency. And making sure those priorities carried in our resource from headquarters down to the FMCs, have been communicated back to constituents, is really one way of summing up a lot of text in the NAPA Report with access to get there by making sure you have clear strategic planning.

You have to have clear program management and clear program direction. That you're addressing other issues that takeaway from your "mission priorities," which includes facilities, safety, training for employees. All those things that the kind of infrastructure you need.

So in looking at NAPA and how we respond, just kind of give a brief highlight here of where we're focusing what we think is the best way to respond. Or at least we think is the most important place to step and to respond, is being clear in our priorities and being clear in able to communicate the impacts of the different budget environments you just saw. Whether that's House or Senate mark.

Even at Senate mark we'll be challenged with inflationary costs. And we'll be challenged with fixed costs that keep rising. You know, IT infrastructure, those kind of things.

So one thing we are focusing on is a building a program plan. Which a program plan is a recommendation that came out of the NAPA Report. Which is really meant to be a documented, not a hundred pages. You know, this is not a thesis, PhD dissertation.

But it's really meant to be a plan that gives you a length among the planning, execution and the evaluation of the program. You know, what's the output we're using and need. And it's meant to be done periodically.

You know, it's something you can stick with for a while. The focus we are looking at, and the scale of the time frame we're looking at for program planning is probably the five year time frame. We're just getting started so we're still considering what we might do there.

But it's really looking at, what are the portfolio options you might have under different budget scenarios. And so we've heard yesterday, someone sitting in the morning sessions, heard this concern, we struggle with being able to communicate to the Hill, what can we talk to the Hill, what is lobbying that the federal agency can't do, when can we talk, or we shouldn't be talking out of turn of what the administration priorities are in the presence of budget.

So how do you get and work and communicate and move around in that dynamic? And one thing we're hearing, and heard from NAPA, and have taken place in other parts of NOAA, is putting together a program plan that's kind of agnostic of administration budget. It's not a House and Senate, it's not a reaction to a House and Senate mark. It's outlining, this is what I do at this budget level, if you want me to do more, if I could do more, this is what of the budget it would take. If the budget is reduced, here is what's kind of fallen off the table.

So it's not supporting a certain budget environment. It's not countering an administration budget, it's just outlining kind of the factual, you know, if you want me to build two things it's going to cost this much money. If I can build four things it's going to cost me this much money. And here's what happened in kind of the inflationary environment of what gets dropped if you don't get what you need for your base

programs.

So that's a direction NAPA gave us. It's a place we are looking to focus and develop. It's an area within NOAA that actually Dr. Spinrad is encouraged to look at and do.

NESDIS. And I think I shared this last time, NESDIS has built this ten year plan. Different, little bit different model instruction than we're looking in. But they have built this, the idea here of planning a model where they can talk multi-year to the services they could provide at a certain funding level and what they lose or falls off the table within an already standard plan.

So you're not in a place of essentially crossing the administration or the Hill, or particular constituents that you're kind of just reacting to a budget environment. You're basically kind of outlining what can be done, what's your business plan.

Presently our plan is to build a program plan based on the NAPA recommendations over these areas here, is here our first effort. And really with the survey enterprise being the first one in the first focused area.

These others might shift or fall and change in order here once we step into first doing the survey enterprise plan. But again, it's meant to capture. I think you heard Evan and Cisco lay out very nicely all the stuff they're working on. The sustained, modernized, strengthen.

And you heard Cisco reference, you know, we kind of now have a baseline understanding of what we've obligated on surveys. He gave that \$100 million number yesterday. Is starting with that as a foundation and then building from that what you need to get to the places you want to go and what that takes.

And that can be shared publicly, you know. It's not a budget development effort that you can't really share

in kind of the black box of the budget world.

The other thing we're doing in trying to just align priorities, again, the recommendation from the NAPA Report, and we'll be doing this the first week of December, so just a couple weeks out here, is having our leadership council really discuss the prioritization that we need to happen within the organization. Including, you know, kind of core mission requirements that has been discussed and outlined here, but also our management responsibilities. Much of the things Emily is in charge of and just listed off.

You know, we have facilities that still needs to be repaired. We have some serious problems with aging facilities. We have IT investments that have to be made. So it's, how do we address all the concerns we have over data collection and our consultation requirements.

And not just with the regulatory side here, Sam. So, how do we do all those things with all the fixed costs and rising costs we have in getting around the table as a leadership council within Fisheries and outlining those priorities. I mean, you hear Barry, Bob and David here outline overall what I call the concern about data erosion.

But then you also heard many specific things within their presentations of their challenges and risks, you know. It's, so how much do you address the big issues? Maybe data erosion. But when you have all these other issues that they're pulling at you, you know, where you invest and make sure you cover the big picture. Or the big problem or the big challenge you're looking.

So it's a bit of us kind of getting our internal house in order. Shrinking our ability to prioritize and have a leadership focus across the organization on the issues we were talking about.

Switching gears a little, and almost wrapping up here. Supplemental funding. Just give you a big overview of where we were, or where we were, sorry.

I think we could not present this last time as we were in the middle of negotiations and final decision on supplemental funding. I think Evan and Cisco went over huge portions of this yesterday, oops, passed a slide, where our investments on the Climate-Ready Fisheries side, big investments on expanded and modernized stock assessments.

And just below those kind of first two rows there, what we're calling kind of region specific fisheries and protected resources. Where we have very directed or specific interests in conservation and science for those particular activities.

I think you heard a little bit yesterday about the Councils, the Regional Fisheries Management Councils also have some of the IRA funds here to address and help us address the things we are working on in being prepared for climate in managing fisheries under the changing climate.

Other pieces on here that are kind of important to us that we have not had traction on in other places, very last item, facilities. At least we have a nice big chunk of money to address some of our decaying and aging facilities with the bulk of that right there going toward, focused on the Northwest Fishery Science Center in the Seattle area to address, oh, I forget how old that building is, but 50 or 60 year's old is the building we're mostly operating in, and a highway encroaching on through the property.

And then we can get to questions soon here. Just then going to, maybe the plug. Although if you don't have your applications done yet you got very little time.

(Laughter.)

Mr. Pawlak: At least for the first one. Just, under IRA we've had a number of award opportunities open. Habitat Restoration has just been doing a, and Pacific Coastal Salmon Recovery Fund. Those two entities within Fisheries has just been doing a spectacular job of getting aligning to the needs of our, requests or

goals of the IRA and getting funding out the door.

There is two opportunities still open that if you or your constituents might be interested in, like I said, you probably better start writing really late tonight if you're going to squeeze stuff in. But just highlighting that. That's going on, and that part is going well.

And I think with that, it's really questions and discussion as you may like.

Chair Davis: Very good, thank you, Brian, for that update. And, let's see, I have Pat, and Jocelyn, and Meredith.

Dr. Sullivan: Great, thank you. I really appreciate the presentation. It's super. And, of course, our committee will have some discussion around this afterwards. So I'll try to be brief.

But just a sort of direct question. It's kind of naive, but it's there. When you put the budget together is it based on what we're surviving on, or is it based, like, for the surveys, for example, what we're surviving on, 70 percent of what was identified as the right thing to do versus, you know, going for the full amount that we would typically need for the survey?

Mr. Pawlak: Yes, I think I'm getting the question here. When we start building the budget, we usually, well, we usually are given a base from OMB, like here's your base. And usually the base most years is really last years enacted, right? So you really start with what you have.

And then you're asking, at least the process as it starts from the line office, from Fisheries up through NOAA, you're really asking then for, not too many people ask for decreases, you're really asking for increases above that base to reach administration priorities, you know, directly to reach Janet's priorities, and then where you think you have gaps from what you just hear for the external environment.

So you're really starting from a base which has been enacted, or very close to enacted. I mean, there's some back and forth but that's not necessarily so it's usually a growth request, you know, like I need to grow the budget for these things.

The challenge in that, and some of the thing we're talking about here, right, just given within Fisheries, I think, is our portfolio, Magnuson Stevens Act, ESA, MMPA, we also have tons of other stuff that we do and interests from lots of entities.

And then you're working through NOAA and all their priorities, so NOAA is typically then given, you know, a ceiling, like, NOAA, don't come in past this amount in the budget. So as we work through our requested increases, it's balanced into all of NOAA, and then ultimately balanced against Department of Commerce.

But if I understand your question right, it's usually starting base and what we need. And the needs are typically, because it gets to this, kind of, ATB, adjustments to base kind of conversation we have.

The requested needs are usually new things, or new ways of doing things, or high profile challenges you've got to address. We are typically not asking the budget for what we term program changes, increases over a program, to deal with just erosion of base issues, right. That would be in the calculated ATB request, adjustment to base.

So if you're having this challenge of, you know, eroding base, you're not typically typing, you know, dear OMB, please give me \$20 million to keep doing what I was doing, you know, in new funding, right.

So that's where the challenge comes. It's hard, because the building of the budget is usually off of addressing new things with some really big assumptions that your base is handling your core work already.

Dr. Sullivan: But the currently is, like, 70 percent, for

example, with regard to the surveys. So right now the surveys, the funding for the surveys is only enough to cover 70 percent of what would be appropriate for, like, in Days at Sea. Thank you.

Mr. Pawlak: Yes, it is. Yes, right. Yes, I'm not familiar with yes, so I think

Dr. Sullivan: Okay.

Mr. Pawlak: I mean, assuming that number is correct, yes, I think the assumption is

NOAA, you're going to figure that out, ha, ha, ha.

Dr. Sullivan: Okay. Can I do a follow up, or should we move on?

Chair Davis: Let's move on and then come back, all right, Pat, please? I have Jocelyn next.

Dr. Runnebaum: Thank you, Brian. When you were talking about sort of the long term planning for the program areas, consultation was listed as second. And I assume that includes consultations for offshore winds.

And I'm wondering if it would be helpful to be a little bit more explicit as to that offshore wind being an explicit consultation request that's coming to NOAA consistently. Because it's just taking up so much staff time and has really had a big impact on the way NOAA Fisheries is working, especially at the regional level. And I'm just curious if you have thoughts on that?

Mr. Pawlak: Yes, and Sam can chime in here, if he'd like to. I think on the consultations, as a program plan, like what would we it would be what we need to do to meet all our consultation requirements, you know, legal time lines, the required length of time for all of our consultation requirements, to include offshore wind, is where

But we definitely, within the President's budget request, we have focused on a need for increased

funding for consultations with offshore wind. And through BIL and IRA, we have received quite a bit of support for that recently, and in an active budget for offshore wind directly. So I don't know if you need to add anything there, Sam, to that.

Chair Davis: Thank you, Jocelyn, and thank you, Brian.

Next will be Meredith, and then Barry, and then back to Pat.

Ms. Moore: Hi. Sorry, a quick clarifying question and then an actual question. The program plans that you're making, is there going to be, like, a top line NMFS program plan and then also you've listed, like, five priority ones? Or are you going kind of, like, program by program?

Mr. Pawlak: Yes, right now we're program by program. So there would not be, in the sense of a top line NMFS program. Because again, it gets into some of this definition, like, what is a program? How deep do you want to go? I think we've recognized, by interest from the Hill, by interest from this group, our first place we need to put this together is on surveys and see how it works, see how it's accepted, see how it's and hope we don't get ourselves too caught up in producing a 50 page document that only fishers understand.

Ms. Moore: Yes, I appreciate that. I just wanted to say, I think, not in your top five of ideas there is fisheries management, like the management side of things, which I think would be very illuminating to understand what the agency councils, commissions, et cetera all need in order to be able to do their management pieces.

And I just worry if that's Number 6, right, then that will be a little while before you get to it. So I would just highlight it. I think that would be very interesting to see that since we certainly hear about the increasing burdens on the management side of fisheries, as well as the lack of resources there.

And then I think my extra comment here is it's rare to be this excited about a document.

(Laughter.)

Ms. Moore: So I just want to say I'm so excited for these, and I think that we need them so desperately and that a lot of people need to see them. And I really want to help get these to the right people who can help the reinforcers and reiteraters of the type of funds, and what is possible, and the value of what is possible. So I would just encourage thinking broadly about how these can be used as an opportunity for the agency.

I think back to what Emily said which is that when she was doing other non Fisheries work, right, she would show up, and people would be excited about the value of the work that she was doing which is a thing that I think NMFS struggles with on this side. But these documents, I think, hopefully can help demonstrate this is some of what we can offer with these different levels of funding.

So I would just highlight B you're never going to get away from being the regulatory part of things, like, you're always going to have to be in that state. But I think a more transparent conversation about what you can do at different levels of funding will be a refreshing piece of the conversation.

Mr. Pawlak: Yes, I appreciate that. And I think that is the goal.

Chair Davis: Very good, yes. Thanks Meredith and Brian. Next we have Barry.

Mr. Thom: Yes, and just a quick comment. So one of my takeaways of a NAPA report is that NMFS could do a better job of listening to stakeholders and constituents and formulating the priorities of the agency. And I just want to say I really appreciated the time that the regions, and centers, and headquarters leadership have taken this year to listen to the states and the commissions in terms of

those priorities. And I think that's a good process. And I hope that continues on into the future.

Mr. Pawlak: Appreciate that for sure.

Chair Davis: Thank you, Barry. Okay, Pat, we circle back to you and then to Brett.

Dr. Sullivan: Great, thank you. Again, I want to thank you guys for the presentation and what I'm hearing. One of the things that we were focused on last time we met was highlighted in your Page 3 where it talks about the opportunity to engage. And that's what we're really interested in.

And there's a kind of frame that talks about NOAA's proposal, and then the next frame goes to what goes to the House. And what we heard last time is we can't really hear anything about what NOAA is proposing, and then it goes to the House. And then it's too late for us to really help at all.

It sounds like there are some things happening now where, especially if you have the good, the bad, and the ugly in terms of your proposals as a sort of generic statement of what we would like, you know, one would actually see, that may or may not reflect what actually the proposal is that goes forward. But presumably we could read between the lines and kind of get at that.

So if that's the way it's going, you know, I think it would be, just to reiterate, it would be helpful for us to know more or less, in some way or another, what the NOAA proposal is before it goes to the House so that we can actually act in terms of supporting that. There's a lot of ways that we can do that here.

And I also like your idea of what I was when I taught junior high school, what was really important for me was logical consequences, right. And I think that's an important thing for you guys to be communicating in a very strong way. So I appreciate your thinking about that, so thank you.

Chair Davis: Thank you for your comment. Brett?

Mr. Veerhusen: Yes. I am excited for the document too. And I'm excited for budget. Like, this is double B this is great.

(Laughter.)

Mr. Pawlak: Why do people laugh when you're excited about budget? I love the budget.

Mr. Veerhusen: I love it too. I do this every day.

(Simultaneous speaking.)

Mr. Pawlak: Look how happy I am.

(Laughter.)

Mr. Veerhusen: This is a great morning. And I did want to, you know, commend the state commissioners for you coming, all three of you. I think it's really helpful to learn your role in this process and your needs. And I know I said it before but, Janet, I don't know how you do it with your travel schedule, but you have been on every coast, up and down, I mean, it's pretty impressive. And then the fishing communities see it and appreciate it.

And my question was actually to Emily. You mentioned something about all your other really impressive work in agencies, and how you've seen the science and data that NOAA gathers be useful across Government. And I'm curious. Can you give a little bit more information about that and maybe some examples? I would love to I've just never been privy to those conversations. I'd love to just learn more and hear more about that.

Ms. Menashes: Well, it's so different in all these different parameters. So I'm trying to think about how to do that. And I think that, you know, so a lot of it is somewhat mission agnostic, right? And a lot of the data, especially what, you know, the Ocean Service does. It's feeding, it's collecting things that are pulling together and then just putting them out

there for people to use the way they would like to use them.

And, you know, so it creates a different dynamic, because you're not having to make a decision about how people use that data, or what they do with it, or make a management decision, you know, up or down, one way or the other.

Yes, I'm trying to think of how to answer your question. But like, for example, in the climate program within NOAA research, they have a bunch of programs that really look at getting consolidated information out. So for example, there is a regional they were called

RISAs, now they're called CAPs. And I can't remember what the acronym is, but it's basically working with communities, regional areas, let's say, what kind of climate data and information do you need, and then producing that and providing that.

Also they have programs looking at, you know, heat, where are there heat issues around the country, drought issues, so it's more predictive. And I'd say here are some tools, give you information about what might be coming down the road. And so it's somewhat like a weather forecast, right? We all know how we use weather forecasts.

And so it's a comparable kind of idea which is, hey, here's what's coming, and putting it in a way that people can use it, right. It's not that you have to know which, you know, data to go and download, and analyze it yourself. It's coming out with maps or, you know, predictive capabilities to say, okay, then what do you want to do with this?

And I don't know if that helps and, kind of, gets at your answer. But that's what a lot of NOAA is really producing that kind of information. And it is a very different dynamic than Fisheries.

Mr. Veerhusen: And I hope the answer is yes, but not just the weather service but some of the data that

NOAA Fisheries collects is useful in some of the scenarios that you just described as well?

Ms. Menashes: I think in some respects a lot of what that, depending on where it is, that data is useful for Fisheries. You know, Fisheries may be taking that and, you know, for example, if they were looking at ocean heat, right, and collecting data on that, then Fisheries can use that data, you know, for some of the projections.

And I wish Cisco was here, he could talk more eloquently about it. But, like, the Climate, Ecosystems, Fisheries initiative is actually using OAR capabilities, especially, you know, some of the really advanced modeling work that OAR does in the ocean environment, and then taking that. So not trying to build that capability in Fisheries, but use that expertise, and then take it, and transfer it over into how we could use that in stock assessments.

So I would say, in some respects, Fishery Service, the Weather Service, are oftentimes recipients of a lot of these other data streams that some of the other parts of NOAA do. And they incorporate it into your assessments, your management, your weather forecasts, that type of thing. Happy to talk more.

Ms. Coit: Brett, but wasn't your question the other direction, or did I miss it, which was to what extent is our Fisheries-collected data used for more broadly?

Mr. Veerhusen: That was my question. And I'm afraid the answer is it isn't, which is fine. I would rather know that.

Ms. Coit: Yes. I don't, like, this is going to sound like a non sequitur but, you know, when looking at things like the toxicology work that we do out of our Northwest Fisheries Science Center and understanding better, you know, PFAS, and fishery, mammals, or 6 PPDQ, you know, my question is what does that mean for consumption?

You know, we're trying to understand animal health.

But, for instance, as a little example, even our work on that with the tires could result in a whole new approach to storm water abatement and treatment.

So I think there's probably a lot of examples where our science is being used more broadly, but predominately, you know, by the fishing community states, you know, it's like what we're doing it for.

But I think that's an interesting thing for us to think about. Because everyone loves the Weather Service, right? Ha, ha, ha?

(Laughter.)

Dr. Sullivan: I mean, sorry

Ms. Coit: Just to add, I think one of the things that where it's not necessarily potentially the science from the Fishery Service but the needs for our science, which would lead into our management, can be, you know, we can use that.

And this was what a lot of the CEFI was, right? It's like how do we have a need, how do we go to someone who can help us meet that need and then fold that in? So it's maybe more of a feedback loop rather than them taking the outputs of the science that's done in the Fishery Service for kind of just a different part of the process of understanding ecosystems in the environment.

I'll add one more thing, for those of you who don't know him, that is Michael Rubino who was mentioned earlier. But just one more thought on that is, to the extent that our science is supporting sustainable management, sustainable management is important to consumers, consumers are consuming USD food. We want to promote that USD food is sustainable and healthy.

I thought we could do a better job of demonstrating that our science underpins this great, big, national seafood effort, I know you guys have talked about that a lot, but that would just be one way where I

think we could broaden why it's the so what that Bob or somebody mentioned earlier.

Mr. Veerhusen: It's like a way for consumers to feel confident and proud of the, you know, the seafood. And they may not be familiar with all the work that's being done to properly manage. We saw it with the airline industry in COVID. They educated the public into how air moved through an airplane and how, when you were ready, safety was part of the airline system flowing down, you know, from up down.

And that was something I did not know as a passenger. But that was something that had already taken place. And so getting just what the systems and the processes that are already happening to build that confidence is part of the data that NOAA is collecting which benefits the consumers. Got it.

Chair Davis: Thanks for that discussion, Brett, and also Emily, and Janet. So Heidi has a point to make.

Ms. Lovett: Yes, I just wanted to share an example I was familiar with. And, Kelly, you might know this better than me even. In the southeast I know there's an external organization that gathers our data, along with the weather and the heat, and feeds it back out to the recreational fishing community so they can be more effective and target the species that they're interested in.

I'm forgetting the name of the group, but they do weekly reports. And the recreational fisherman love those, because then they know where to go when they want to, you know, fish for swordfish, and marlin, and a lot of those kinds of big game kind of fish.

Chair Davis: That's great, thanks for that example. Next will be Jocelyn and then Sara.

Dr. Runnebaum: Thank you. I just sort of wanted to build off this conversation, because I feel like this is a great opportunity that NOAA has with the coming

of Emily bringing some different perspective and how to really sell the information that NOAA is collecting as a tool for not just the fishing industry but anybody on the coast. Like, we are talking about habitats, and water temperature, and ocean currents.

We see NOAA collecting a lot of information. And I think that this is a really great thing to bring into your budget strategy or the, now I forget what they're called, the program plan documents that we're all super excited about, ha, ha, ha

(Laughter.)

Dr. Runnebaum: not facetiously. And it's really, there's a lot of value that NOAA Fisheries brings to the nation outside of the management context that there are decisions that individuals are making on a daily basis that are within and outside of the management structure. So it feels like there's a lot of opportunity here to talk about the value that this agency brings.

Chair Davis: Thank you, Jocelyn. Sara?

Dr. McDonald: So just to contribute again, so I think this is a great conversation. And I have the organizations that I used to and currently work for use Fisheries data all the time. And I think what's really critical is the transparency that the agency has.

I've looked at fisheries globally, and we set the bar really, really high. And I think that's another selling point when you're talking about, you know, imported seafood versus what we offer here, and justifying why it's expensive. And it's expensive for so many different reasons.

But we should be selling that as, you know, this is why we're sustainable and we're transparent. And we have all these management measures. And it's great, because anyone, you know, I know students and academics use this information all the time. NGOs use this information all the time.

And maybe it's more narrow, but I think, you know, when I talk to the public, you know, our seafood program promotes local seafood from in the southeast region. And we talk about it all the time. And we talk about how transparent it is, and we talk about the regulations. We also talk about the treatment of workers. And that's another thing that we can sell, and talk about, and publicize.

So I've definitely benefitted from the transparency and the importance of the data that we do collect. And when we're talking about offshore wind, I think that's another thing where we have been, and we've made that argument in our report about the importance of continuing our surveys and making sure that those data are being collected consistently and the importance of these long term data sets in regulating our fisheries.

But it's a huge value, and I think the agency doesn't sell it well enough. But as someone who has used it for a big chunk of my career, like, you've got to be selling this from the rooftops, how important this is, especially compared to what's going on in the rest of the world.

Chair Davis: Thank you, Sara. Thank you for those good points and for the discussion that we've had this morning around the budget. And this leads very nicely into what we will talk about after the break.

So I want to welcome you again, Emily, and thank you for your introductory remarks, and Brian, for giving us an update on the budget. So we will break now until 10:30. Thank you.

(Whereupon, the above entitled matter went off the record at 10:19 a.m. and resumed at 10:39 a.m.)

Strategic Planning and Budget Subcommittee Draft
Letter to the Secretary of Commerce
Presentation/Discussion

Chair Davis: Okay, welcome back after the break. We are going to continue our budget discussions, this

time with the Strategic Planning and Budget Subcommittee.

They will be presenting a draft letter to the Secretary of Commerce, so it will be a presentation with discussion and then we will have an action item tomorrow on this letter.

There will be some more time later on in the day to have some working group time for the Strategic Planning and Budget Subcommittee.

I would like to turn it over to Stefanie and her subcommittee team.

Ms. Moreland: Thank you. Good morning, everyone. Our subcommittee, the Strategic Planning and Budget Subcommittee, was made up of several members that were able to steadily participate since our last meeting and leading up to that last meeting.

It is myself, Brett, Pat, Barry, and Clay, and then we had additional intermittent participants in the work attending certain meetings.

We were supported by Katie and Heidi and we really appreciate their help coordinating internally in order to bring some subject matter experts to the subcommittee discussion for us to be able to draw out additional information on how things work and what tools are available related to the topics that we were taking on.

Our vision initially with the subcommittee work was to really improve public understanding through Agency communications of the value proposition for NOAA Fisheries mission critical work related to data acquisition and funding needs to support data management and modernization.

So we see data acquisition and continuity in availability and modernizing all the work around this as foundational to many of the program areas in work that NOAA does and we were feeling that we should be aspiring for this kind of work to be advocated for

across the nation in a similar manner as the Weather Service because it's really important work to understand our oceans and so many people depend on knowledge and ability to continue to adapt and conserve appropriately and also provide access to resource that this foundational science work brings.

So we were really focused on what can we do to support communications function and capabilities around budget planning and the needs for supporting continuity in these data programs.

What we learned is much of what we heard all morning, that we are really in a deficit, things are concerning. We are hearing calm voices from within the Agency because they are doing the best with what they have and are professionally supporting the President's budget process, but we are seeing a train wreck coming.

We know there is tightening budgets, a tightening fiscal environment, we know there is downward pressures at a time when the inflation and the aging infrastructure with respect to data acquisition are all significant threats.

So our work pivoted to recognizing the need for fiscally-informed scenario planning and getting more transparency around that work. I think Meredith said it well this morning that we need these plans and we need to get them in a lot of people's hand, and so we began to pivot and really focus on that.

What we learned is of the NAPA recommendations that were issued in September of 2021 and we really felt that that review on NOAA budget process and making recommendations provided a lot of good advice and tools that were towards this end.

Really great to see Brad's presentation this morning on how those recommendations are being internalized. We didn't have the benefit of that presentation as we were doing this work and so you'll see in our letter a lot of echoing and highlighting NAPA recommendations that now the work that Brad

summarized is recognizing.

Participant: Was that Brian?

Ms. Moreland: Brian. Thank you. I apologize.

(Off microphone comments.)

Ms. Moreland: So we are -- Brett will walk through a letter. It's more focused on highlighting those recommendations and based on the presentation we received from Evan and Cisco yesterday, really trying to make more of a top line focus on those work streams that are under way and emphasizing the need for the planning work that Brian presented, we are asserting that we need to be doing this on a 10-year basis.

The work streams that were presented are extremely significant, complicated, there is a lot of uncertainty and risk to manage around them, and the nature of uncertainty is vast, budget process, operations, and it goes on in terms of the uncertainty.

So feeling that fiscally-informed scenario planning really needs to be projected out beyond five years looking at those end-of-life and aging vessel challenges.

So I will turn it over to Brett who will walk through the communication we are recommending to the Secretary. I think our group asserts that we still need to do this despite the fact that there is progress being made within NOAA Fisheries on these work streams at this time, but we are certainly open to discussion on them.

Mr. Veerhusen: Yes, they were really helpful presentations. Thank you. I know Katie and I are working on getting the letter up, but in general what we -- We left track changes, just so everybody can kind of see some of the work, and I will say that getting to this letter, kind of to answer your question, Megan, from last time of what were some of the difficulties and challenges, it was really around the

complexity of how NOAA makes its budget decisions and getting, frankly, a clear answer was really difficult for us in the subcommittee to address the need of major challenges for stock assessments and surveys and basic general data acquisition.

We think of it as the base of the pyramid and, you know, I've said this at the committee level, is, you know, offense, new, shiny objects are sexy and defense is not sexy, and we're going to bring sexy back, or at least try to.

(Laughter.)

Mr. Veerhusen: So I wish -- So this is what this letter is. If we can just kind of scroll down a little bit, Katie.

I have just inserted comments here on the general structure of the letter and I will say that this is predominately Stefanie, and thank you for leading this committee and charging us to get together as much as we did, and also Katie for bringing in so many experts to help us understand how to construct a letter that hopefully is aligned with the Agency's needs and is a useful tool in 10-year budget planning.

I guess what we will do is send this letter out as soon as we're done with this and any changes that we make so everybody can have time to review it.

Ms. Moreland: And everybody has already received the first draft of the letter and --

(Simultaneous speaking.)

Mr. Veerhusen: Yes. And the track changes that we have in here already are relative to what people have already provided.

So I don't think I need to run through the full letter, but I will run through just the structure and then we'll send it around and have some time for maybe discussion. How do you want to run it for people to review?

Ms. Moreland: I would say if you want to run through

the structure and then open it up for any questions or discussion --

Mr. Veerhusen: Yes, great.

Ms. Moreland: -- and then what we can do is send a revised letter to everybody so they can review it before they go tomorrow.

Mr. Veerhusen: Perfect.

Ms. Lovett: Actually -- Hi. So it's really hard for some of us this end to see it and if it could be December 15, 2023 sent around now, even though there might be some additional changes, just so we can follow along a little bit better, because I see some major changes between what was shared previously and this version. Thank you.

Mr. Veerhusen: So to start, the letter starts with MAFAC requesting to the Secretary of Commerce your attention and support for a long-term approach to bolster NOAA Fisheries data acquisition and management capabilities that are foundational to the Agency's climate, ecosystem, and fisheries management services to the basic core functions of NOAA to support those core functions to the Secretary of Commerce.

We then move into the need. The need is MAFAC is concerned that the Administration's inadequate long-term budget planning to fund marine survey and data management capabilities is beginning to jeopardize, I think we've heard in this meeting the word "erode," but we are using "jeopardize", NOAA's ability to support climate resilience and carry out a core aspect of its mission, sustainable management of our nation's marine resources.

We then move into the current approach. So NOAA's current approach to engaging on the President's budget process does not provide for multi-year fiscally-informed budget scenarios needed to foster understanding and strategy to ensure marine surveys will be sufficiently resourced.

So we heard that from various presentations today that the approach right now is not working and we have heard also that the satellite program is an example that is working to look farther ahead and receive commitment and buy-in from OMB and adequate funding.

So in short, simply put, NOAA Fisheries lacks a long-term plan to adequately fund and carry out its core mission and services, such as ecosystem, data collection, and stock assessments.

These services are foundational to responsive conversation and an accompanying strategic communications plan should be developed alongside a long-term fiscal plan.

If you can -- So these three pieces are what we have added, and I'll just run through them. We urge your office to foster budget and fiscally-informed 10-year planning and communication strategies to sustain NOAA Fisheries mission critical functions, specifically to achieve science objectives that require continuity or expansion of data acquisition and management capabilities.

Three components each representing a significant work stream include, number one, stabilizing aging vessels through planned mid-life repair periods. We heard that from Cisco's presentation yesterday.

Number two, replacing capacity of end-of-life vessels. We heard that there is a couple of vessels at or nearing 50 years of age and so replacing capacity of end-of-life vessels, including Class C vessels, charter vessels, and cooperative research.

So replacing the capacity of those vessels and -- Excuse me. Number three, modernizing data acquisition capabilities while resourcing a calibration and transition strategy to achieve anticipated efficiencies as data acquisition evolve.

Basically, it's expensive to modernize data, we understand that. We understand that modernizing

that data acquisition is a long-term strategy that's playing chess, not checkers, but in the end the result will hopefully be worth it.

So making sure that those anticipated efficiencies in that game of chess are calibrated within the current structure and looking ahead and how they will be folded into the Agency's capabilities for surveys and stock assessments.

Finally, the last piece that we have added, risk management objectives across this complex set of projects with technical, fiscal, and operational uncertainty must be identified and communicated to internal and external stakeholders and congressional appropriators, especially to Meredith who is so excited for reports.

(Laughter.)

Mr. Veerhusen: She is still awake, okay.

Ms. Moore: I'm here.

Mr. Veerhusen: Great.

Ms. Moore: I am cross referencing your letter with the NAPA report right now, that's what is very --

(Simultaneous speaking.)

Mr. Veerhusen: Oh, great. Well, do you know what, we've done that work for you.

(Laughter.)

Mr. Veerhusen: So moving down to Page 2 is largely text that other really smart people have written, and so we were efficient in our acquisition of that data into this letter.

We did have a second recommendation. MAFAC also requests department support for fully integrating a NOAA Fisheries data acquisition plan into the President's budget planning process and blue book formulation while also evolving the Agency's

functional planning and facilities resourcing budgeting process, communication strategies, and all further discussed below.

So we went through in just over a page the need, the current approach, the risk if we don't do it, our recommendations and solutions on how to solve this need, an additional solution on integrating NOAA Fisheries data acquisition plan into the President's planning budget, and now we have moved into multiple pages of rationality.

I will not bore everybody with going through those. They aren't boring, they're riveting, but basically we took the NAPA report that was finished in 2021 and the recommendations and used those as rationale of why our recommendations for MAFAC are needed.

As a sort of reminder, and this is things that I needed to learn through this process, the NAPA report was requested by Congress.

So that is helpful because there are constraints for which we are learning how NOAA operates within the budget planning process and where you ask for money and from whom and at what time, and if you test me I couldn't tell you all of it at all, but there are constraints.

So the good news is that the Hill is asking for more information and wanting to know how NOAA plans to achieve its mission critical functions and this is a great vehicle to communicate how to do that.

So the Congressional Appropriators Commission, the National Academy of Public Administration to assess deficiencies in NOAA Fisheries budget and planning processes, the report NAPA delivered in 2021 included the following recommendations on the topic of long-term planning for mission critical data acquisition and management, and then we just run through quoting the report.

Number three is functional planning, implement stronger functional planning around fish surveys and

stock assessments.

NAPA recommendation number four, facilities resourcing. Moving down, NAPA recommendation number five, congressional communications. Wink-wink. Nudge-Nudge.

Now there is a great tool and vehicle to communicate these as the Agency but the Agency can equip others to communicate and educate, which is the sixth NAPA recommendation, external communications, develop and implement a comprehensive external budgetary communication strategy, including a bunch of ways to reach counsels and communicate that to external stakeholders.

So the kind of letter also adds the urgency on page, the last page. We bolster our request quoting the Regional Fishery Management council's call to urgency that better data and the ability to process that data efficiency will reduce the uncertainty in our assessments, increase the adaptive capacity of the counsels and NMFS to respond to these changes, and ultimately increase the benefits to the nation from a thriving fishing industry in all its forms.

That was quoting the Regional Fishery Management council. So they are also seeing the need and the urgency and asking for better data.

So finally I guess just to sort of sum it up, because that was a big 'ole word salad and this is complex. I am not a lawyer, I am not a scientist, and we have tried to create a communications tool within the legal confines of the Agency's capacity around gathering better science, so this has been an interesting exercise.

So, in short, in order to continue carrying out mission critical functions such as data collection and stock assessments and to provide the best scientific information available for fisheries, the MAFAC supports NOAA Fisheries to build clear forward-looking budget and communication strategies with department support to fully integrate a NOAA

Fisheries data acquisition plan into the President's budget planning process.

These strategies and planning documents, Meredith, should be flexible and adaptive to urgent climate and ecosystem changes while integrating the recommendations outlined in the 2021 NAPA report.

The MAFAC also recommends the Agency utilize IRA funds to bridge current gaps to mission critical functions. Together these approaches can bolster NOAA Fisheries data acquisition and management capabilities that are the foundation to the Agency's climate, ecosystem, and fisheries management and services.

That sums up my diatribe. Thank you for listening. We will be serving chocolate croissants at lunch.

(Laughter.)

Chair Davis: Stefanie and Brett, thank you for introducing us to the letter and for the amazing and hard work that you and your team have done, it's really incredible.

For the time that I have been on MAFAC I haven't seen anything come out of the Strategic Planning and Budget Subcommittee, so this is an incredible --

Ms. Lovett: Actually you have.

Chair Davis: Have I?

Ms. Lovett: Mm-hmm.

Chair Davis: Oh, I have been corrected here. I haven't seen anything quite robust like this. What was the other thing?

(Laughter.)

Ms. Lovett: Abundant Seas, the transition documents for --

(Simultaneous speaking.)

Chair Davis: Oh, yes, the transition documents were also really well done, yes, yes. But this is spot on for addressing the budgetary needs, so, yes, thank you for that reminder, Heidi, as well.

I am happy to help navigate the -- Do you want me to do the calling or do you want to do the, manage?

Ms. Moreland: If you don't mind I would suggest that we invite Pat or Clay to make any additions --

(Simultaneous speaking.)

Chair Davis: Absolutely.

Ms. Moreland: -- have been following the committee process, just to highlight anything else in terms of findings and high-level conclusions.

Then I would suggest that we really focus in on the inserted new language relative to the version that was initially distributed because that's responsive to what we saw from Cisco and Evan yesterday, or attempting to be anyway.

Chair Davis: That sounds like a good plan. So, Pat and Clay.

Mr. Veerhusen: Just any comments from Barry, Clay, or Pat since you were --

Ms. Moreland: Part of this.

Mr. Veerhusen: -- part of this subcommittee. If you have anything, great, if not, also fine, and then we can take general comments from the rest of MAFAC.

I cannot work as fast as these, the wizards up here earlier yesterday. I will be doing it on my own before I show you the work because I don't trust how fast I can type, but I will be taking notes with any comments and then we can re-present those later.

Chair Davis: That sounds good. Go ahead, Pat.

Dr. Sullivan: Yes. If I can just add an assist, I am

really pleased with how this is coming together. One of the themes that come through as Brett mentioned is communication and there is communication at several levels here that is important.

So one of those levels is like to the community that actually uses this and in particular in relation to some of the questions that we were asking earlier about, you know, what's in the budget and how we help, but then the second level is the public.

I just -- I have been working with the National Fishery Service for over 40, 50 years maybe, and I know a lot about it and I am really pleased with what it does.

I am not sure the public is as aware of that as I am. So I think that is an important takeaway that maybe is reading between the lines of what's coming through from this report, so I just want to highlight that. Thank you.

Chair Davis: Thank you, Pat. And, Clay?

Mr. Tam: Yes. Thank you, Madam Chair. Thanks to our team and great job. No other comment than I agree with Pat in terms of communications.

Data is the two-way street and we have always brought that up in our projects and with our community. I have worked with State Agency for 17 years in addition to being involved with the counsel and data sharing is really important.

How to get it out there is important and as Janet said transparency is important. But within the last few years I have seen a change in improvement, but I think there is more out there to do with the community and being able to share that at some level would be really important.

Aside from the people in this room I don't know many that have this information that exists here and maybe some of it is not to be shared, but for those who are out there that are in the trenches and working I think

it's really important for them to know how good a job NOAA has put forth and supported our fisheries. Thank you.

Chair Davis: Great. Thanks for those additional comments. So we have Meredith, Kellie, and Joe.

Ms. Moore: Just a fair warning, I might jump back in the line at the end of the line so I can ask a thoughtful number of questions at once.

One annoying thing that I will flag is that when I was cross-referencing this with the NAPA report you have renumbered some of their recommendations. I can help you get the correct numbers, but that was a thing that I was looking at.

You skipped two of the NAPA recommendations and I was wondering if you could explain why because at least some of them seem relevant and the Recommendation 1 was to re-evaluate the NOAA Fisheries strategic planning process and the second one was stronger program management for their budgets.

I just didn't know if those felt not relevant. If I am thinking about what one of your primary points here is, which I will also talk about in a minute, but the lack of sort of that long-term budget planning, I am wondering why the strategic planning at least recommendation wasn't one that you also highlighted.

Ms. Moreland: At the time of our work we didn't have visibility on what was happening for strategic planning and so we were focusing on the core examples of how to do planning for complex and large capital and that's why those in particular were highlighted in order to get a stepwise, concrete work product to work from.

Now that we see the progress on the strategic plan that is broader than that I am not opposed to integrating or referencing it.

Ms. Moore: Yes. I think if we could probably just add something that's like -- And, also, the other one is good, too, rather than making you have to put the whole thing in there, but I just wanted to flag that.

I will admit that one of the -- Well, I have two -- I'll try to do one of these points and then I'll do my second point if I can get back in line.

So when I was reading through this letter one thing that I wanted to make sure that we weren't implying and I was keeping an eye out for, is I didn't want to imply that somehow the struggles with data and surveys and such that they Agency is experiencing because of budgetary issues.

I didn't want to imply that somehow it suggested that they should not be doing their regulatory work in the interim with the best available science that they have available.

We know that they are losing science and there are big gaps but also they have responsibilities to manage these resources in the interim.

I didn't see anything in there that obviously made that point in a troubling way, but I would suggest that if you are comfortable with it I can draft a sentence to just make that a visible point, like I think we need to encourage the Agency to keep doing this work and improving this data but also should recognize that they have these mandates and responsibilities that they need to attend to in the interim.

Ms. Moreland: I don't think those are optional and so I think the Agency was very vocal that they are doing the best that they can with what they have or making this less bad as inflationary pressures and vessel maintenance issues are eroding sea days, and so I feel like that has been strongly communicated and we were trying to focus on areas that there hasn't been that recognition supportive but also want to ensure that there is a focus on strategic planning for large capital forward-looking needs.

(Off microphone comment.)

Ms. Moreland: Is that a must?

Ms. Moore: Why don't I draft something to think about including if that's okay.

Ms. Moreland: Thank you.

Ms. Moore: I will come back to my third point after other people get to talk.

Chair Davis: Okay. Thank you, Meredith. Okay, Kellie and then Joe.

Vice Chair Ralston: First I want to thank you guys for putting this together. I know it was a heavy lift and a lot of information to coalesce into one document and I think it's great direction to the Agency, so thank you for that.

Going in line with the word salad analogy and the fact that my brain has not had enough coffee this morning, can you talk about the Number 3 point on Page 1 and kind of explain that one a little bit better, or not better, but to me because I am not getting it.

I think my brain is just not quite connecting all the dots there because we were talking about vessels in one and two and then three are we really talking about data capabilities and kind of just can you just expand on that a little bit to clarify it for me.

Ms. Moreland: The intent here is to pick up on the work that was presented by Cisco and Evan yesterday with respect to modernization needs and then as you evolve those methodologies you need to do some calibrating in order to not lose time series.

Vice Chair Ralston: Okay.

Ms. Moreland: I think there is deeper needs than what were presented yesterday in terms of managing data and storing data, but the intent was to pick up on that work stream that Evan highlighted.

If anyone has better language to capture that we are very open to the phrasing.

Vice Chair Ralston: Okay. I'll think about it and see if I have any. Yes, Pat?

Dr. Sullivan: If I may. So to kind of present a sort of counterfactual, so the other two are really supporting what we have traditionally done.

If we just stated those two by themselves it would sound like we want to stay with what we have traditionally done.

Vice Chair Ralston: Mm-hmm.

Dr. Sullivan: But there is a lot of new stuff going on and that has to be worked in somehow and so this third point is really to not forget about that, but if we can figure out some way to say that better that would be great.

Vice Chair Ralston: Yes, because I guess --

Ms. Moreland: In follow-up to yesterday what a real difficult understanding is is we have to bolster and stabilize data capability abilities, work on new methods to modernize that will yield efficiencies down the road, but in the middle you are doing them side-by-side and so it's very expensive.

Vice Chair Ralston: Right.

Ms. Moreland: I think the point is to try to capture all of those needs to be orchestrated.

Vice Chair Ralston: Yes, and I get that. I guess the part, and maybe I am co-mingling ideas here, so this is really just focusing on the actual science part and I guess as part of that I am thinking of like harvest catch information as well needing to be including in this, because I know like MRIP, I mean just trying to think of other programs that add to the science narrative that go into the stock assessments that also may be a little further behind or, you know, kind of losing that base or eroding the base.

(Off microphone comments.)

Ms. Moreland: Would we want to just capture improving data infrastructure which includes those capabilities to integrate information?

Vice Chair Ralston: Yes, maybe. Let me think about it. Dave, I don't know if you have anything on that just recognizing kind of some of the challenges, or, Bob, even in South Atlantic of thinking just regular like MARMA (phonetic), I mean just the basic surveys that we're still not getting done, is that days at sea or is that funding to science centers, what's the deficit there?

Mr. Donaldson: Well in terms of SeaMap it's days at sea.

Vice Chair Ralston: Okay, all right. And then on the MRIP side of things or commercial harvest information are there -- I know that's not quite your wheelhouse, but I'm just trying to, since you're here.

Mr. Donaldson: On the commercial landings we're actually doing okay as of right now.

Mr. Veerhusen: So one of the things that we did want to add, this was Clay's point that he wanted to make sure we emphasized, was on bullet number two, the emphasis on cooperative research as a way to add capacity to aging vessels.

Ms. Moreland: Yes.

Mr. Veerhusen: We could have, you know, a pretty long list of what are some of those methods. I hear you on maybe being a little bit more specific. We can talk about that at a break.

Vice Chair Ralston: Yes. I mean I'm not like hung up on it because it does say "include," it's not like limited to those things, but I also understand that the Agency sometimes appreciates some explicit language.

Mr. Veerhusen: Yes.

Vice Chair Ralston: So I'll think about it, but I appreciate you all discussing.

Chair Davis: Thank you, Kellie. Joe, Meredith, and then to Jocelyn.

Mr. Schumacker: Thank you, Linda, and thank you, Madam Chair. Great letter. Just really, really good strong recommendations. I was not part of this committee so I have no idea how your deliberations went in all with this, so I am going to put in a naive question here.

In your discussions about surveys, stock assessments, et cetera, and the absolute need to fund this process to keep NOAA Fisheries well-funded in it and make sure that we are getting the best data we can, we have at least -- I am down at NAPA Recommendation 3.1 now thanks to Meredith. She just updated that.

(Laughter.)

Mr. Schumacker: The recommendation in the bold print down in that paragraph below, Recommendation 5.3 to incorporate external stakeholder input into the building of the annual fish surveys, stock assessment prior to list, was there any deliberation at all about stakeholder participation as well and is that something that we even, is that a direction that we even wanted to go in something like this, I don't know, in your deliberations?

I bring this up because yesterday Cisco was talking about the integrated survey on the west coast and how they were incorporating some commercial fishers to help them fill in some gaps in that area that were needed with those surveys.

Are there efficiencies here? Is that something that we could address in this or is that something we want to not go into with these recommendations? Thank you.

Ms. Moreland: Great point, one that we did deliberate on and discuss. In the general text of the letter it is

a recommendation to focus on charter and cooperative research.

I think we included it also in this new inserted text that as you look at end of life rather than prescribing the how you replace needed capacity it includes potentially building Class C vessels, expanding charters, and expanding cooperative research as options, so agree.

Chair Davis: Thank you, Joe. Back to Meredith.

Ms. Moore: Hi. My question is thinking about -- If you want to scroll up just slightly. Thank you. Oh, sorry, one more tiny scroll. Okay.

So if I am looking at this sentence that "however MAFAC is concerned," et cetera, which is close to the top of the screen here, so it reads "However, MAFAC is concerned that the Administration's inadequate long-term budget planning to fund marine survey and data management capabilities is beginning to jeopardize," et cetera.

One thing that I reflected on as I was reading through this letter is that I agree that, because I want these documents, let me say I am really excited for these documents, I agree that like better, it has been inadequate long-term like planning as far as communicating it out to us, but another component has just simply been their inability to secure the funds from Congress and have that money appropriated because certainly in the many, many budget cycles I have watched the Agency go through over the years they have been asking for funds to address some of these things and are unable to secure them.

I do think one of the proximate reasons for that is the communication issue of the budget, which the NAPA report certainly addresses.

But what I am wondering as I am reading this sentence is are we implying that with inadequate long-term budget planning that it's an inappropriate

allocation of funds within the Agency's available funding to do these things or are we trying to say the bigger congressional issue and the communication issue, because those are different things and I think this current sentence sort of implies both and so I am trying to understand what we are looking for here out of this sentence.

Ms. Moreland: I think the Agency has been very appreciative for the budget it is allocated, and so the Agency is very positive about whatever budget they have. That is a process issue and so we will never know.

The point is to understand what the impact is when things aren't funded. In addition, there needs to be some focus on getting ahead of maintenance because some of the lost sea days are due to unplanned maintenance and unbudgeted maintenance.

Ms. Moore: Great. That's helpful. This may be another place where I think about making a slight edit into this sentence that just notes also the appropriation issue and how they relate to each other so that we are not simply existing within the scope of the Agency's current budget, if that's comfortable for you.

Mr. Veerhusen: So if I understand, to put it bluntly, we don't want to imply that NOAA's current budget should be enough and they are misappropriating their own budget at the behest of data acquisition and surveys, we want to imply that the budget that is being set forth in the President's budget and in Congress is just inadequate in and of itself?

Ms. Moore: I don't want to exclusively imply one or the other, right. So I just want to make sure that there is space to not say you all were given plenty of money and you just didn't look under the couch cushions enough to fund these surveys.

I am just trying to avoid that implication. Okay, great, I will maybe make slight, slight modifications to this sentence.

Ms. Moreland: I welcome that, but please also address that if the Agency is saying it's fine it's not possible for Congress to actually say we really think that we want to throw money at you in a fiscally-constrained environment, and so there is a role for both.

Ms. Moore: Yes, I agree. I don't want to imply that there is not the significant communication challenge of them not articulating their needs.

Chair Davis: Okay. Thank you, Meredith. Thank you for the discussion. We are going to move on to Jocelyn and then Hugh.

Dr. Runnebaum: I was going to go back to point three that we were all debating over, and maybe this is more for subcommittee time, but I have some alternative language to offer if this is appropriate timing.

Okay. I would see how this sits with everybody, modernize and adapt NOAA's survey enterprise, e.g. new technology, cooperative research, and data storage and management in parentheses, and fund and transition -- I can send you this, also.

Ms. Moore: Okay.

Dr. Runnebaum: And fund and transition -- Now I need to start over. Modernize and adapt to NOAA's survey enterprise, e.g. a new technology, cooperative research, data storage and management, and fund a transition strategy to facilitate the uptake of these data streams.

I think that doesn't necessarily call out calibration, but it could be implied in there. Anyway, I don't know if it clarifies what we are trying to get to, so just laying it out there.

Mr. Veerhusen: I will say, and that was a question around your word "enterprise," is that your word or is that the Agency -- So that's funny because the Agency has told us many different words to which it

uses out of a meeting that we had last night of how it describes its many different ways to capture data.

There is not one common definition and term that the Agency itself uses to describe, so I am cautious to use "enterprise" ourselves when the Agency isn't clear if that's the right word they want to use internally, i.e. what I am saying is there isn't even a common definition within the Agency to describe the ways in which it gets and manages data.

There are many and it's acknowledged and I don't want to overly prescribe that for them, or we can, but I think that is an issue.

Dr. Runnebaum: This letter might not be the place to address that, but that's a really good recommendation to define, to understand what we are actually talking about funding.

Mr. Veerhusen: Mm-hmm.

Chair Davis: Okay, good points. Hugh?

Mr. Cowperthwaite: Thank you. I was just wanting to pick up on something Meredith was saying on her last comment. And to me this goes back a little bit to yesterday's presentation by Sam and Cisco where the fiscal year >23 budget had, you know, a certain allocation of days at sea, and 74 percent of those were used. So, almost 25 percent went unused for workforce and repairs, were the two reasons given.

And we heard quite a bit about repairs and maintenance and the vessels, you know, being down and out of commission. But I, I'm not recalling the workforce sort of reasons.

Like, what were some of the challenges with the workforce? And I just wonder do we need to be concerned with that in this letter, because a lot of the focus is on vessels and, you know, days at sea?

But, you know, I'm just worried about people reading this and seeing almost 25 percent of the days not

being used for those reasons. And I'm just trying to get clarity on the workforce reason.

And, Sam, I don't mean to put you on the spot from your presentation yesterday, I'm not sure if you want to speak to that.

Ms. Moreland: I think the issue that's being referenced is a combination of insulatory pressure and the licensed crew, licensed already crew. And that that's one of the reasons for modernizing due to acquisition technologies is to be more automated and to depend less on that. And so, the long-term strategy is designed to address that.

In the near term, I think it's money, as I understood the presentation, and just challenges of workforce crew in this category that the commercial industry and all maritime sectors are facing.

That's a good call-out that it's compromising sea days. And I'm not sure whether it's part of the strategic planning that was just discussed.

Mr. Veerhusen: I'll just add there's a sentence, if you could scroll to the last page. Yep. Keep going, up a little. Up. Up. Up. Keep going. Yep, keep going above the quote.

Right there.

"MAFAC also strongly urges NOAA to consider ways to add adaptability and flexibility to survey planning to mitigate against uncertainties related to vessel operations, labor, and funding, i.e.," all the, all the stuff that everybody's dealing with.

These views have been well highlighted by the North Pacific Council, which noted in their response to lack of Bering Sea's survey work completed in 2020, talking about the current climate that we're in with inflation and all sorts of other pressures.

So, asking, you know, in this planning process for the 10-year budget plan process to be adaptive and

flexible, understanding that there's a lot of strength.

Chair Davis: Thank you. Thank you, Brett, for that discussion.

We have time for more. I know we had something else scheduled this morning but we, Heidi and I talked about that and we, like, we had to move it. So, if we want to continue this discussion we, we have time to do that.

And I also wanted to make a comment.

I want to make sure that the subcommittee gets credit for this. I know I sign the letter. But it's really important to me that you all have acknowledgment of the work that you all have done, and that it takes, takes the committee time to do that.

So, Heidi said there is also another cover letter that goes on top of this letter. But I'm also happy to see it in both places. So, if there's some way to weave that into that this was one of the tasks of the subcommittee and who, who led it, and co-led it, and who the members were, et cetera, that's really important to me that you all get that credit.

And I know that that other cover letter talks about that we, when we vote on it tomorrow that it's a full MAFAC vote for the letter as well. So, just a couple comments on that.

But are there other discussion points or comments that you'd like to make?

Pat?

Dr. Sullivan: Yeah. If Wynn doesn't mind, I, one of the things that I mentioned yesterday was the work of the National Academies on the recreational fisheries data. And that led to the replacement of MRFs with MRIPs. And MRIP has been a little bumpy but, nevertheless, I think it's an improvement over that.

And because we're discussing this sort of general

data now, I just feel obligated to mention another National Academy review that was in 2000 that I chaired called Improving the Collection, Management, and Use of Marine Fisheries Data.

And even though it's, what is it, 23 years old now, it still contains stuff. It contained a recommendation that MRFs should be replaced. But it also contains messages to the commissions, and to the fishermen, and to NOAA on what might be done.

And so, I recognize a lot of it might be dated, nevertheless, the messages are still important. And, you know, there's a lot of new people in the room relative to that year, that might be useful to see.

So, I, I don't really like tooting my own horn, but this group is a really positive group as the National Academies groups typically are, and so there may be information there that might be more broadly useful.

So, thank you for that.

Chair Davis: Yes, very good.

Are there other comments, questions, discussion?

Brett, Stefanie, are you good with the input that you have?

Mr. Veerhusen: Yeah. I mean, open to more. I think, you know, I need a little bit of time to finesse and add, you know, a little bit of terminology and wordsmithing from what the discussion is today.

Actually, I don't actually think there was that much. I think there was a lot of Q&A on just the structure of the letter. And it is very complex.

And thank you for everybody's patience. But I think there's some suggestions coming from a few folks that I'd like to spend a little bit of time reworking, and then work with Katie to get it back to everybody at MAFAC.

Chair Davis: Yeah, that sounds great.

You do have an hour at the end of the day, from 4:00 to 5:00, to have some working committee time.

Mr. Veerhusen: Perfect.

Chair Davis: So, and then at the end of that session you can send me a link or the documents I got for vote for tomorrow. Okay, very good.

Well, we do, okay, so, I want to thank the leaders of the team, of the subcommittee, and also all of the group that helped them, Katie and Heidi. Tremendous work and a tremendous lift. And the comments from MAFAC members is really great questions.

So, we do have a half an hour, so we could go into the next topic, which was about team commitment. And you might remember yesterday that I started off the session just talking about sort of like the meeting norms, you might say, that this will go a little bit deeper than that.

We have thought about this being a good topic because of the fact that MAFAC does have new members that are coming on. We already have some new members. We have new members that will be coming on soon. Some of us are rolling off of our time on MAFAC.

And I think it's nice to have, like, a set of sort of like just team commitments of how we function as a group, so that when we do have new people coming on we have those already in place.

You're going to, you're going to feel that these are very typical, that are used a lot when meetings come together. And I think it's becoming more and more common to have, like, codes of ethics and team commitments and things like that that are discussed at the beginning of meetings so everybody's on the same page.

So, it's not going to be a heavy discussion. This will be light, and the things that we, that we appreciate

about working together as a team.

I think Katie's going to put up some starting points for us to look at. If you can make it, like, huge so that we can see.

Ms. Zanolowicz: Right.

Chair Davis: Thank you, Katie.

This, this comes from a collection of other team commitments that I'm grateful that Katie put together as a starting point for us. And so, we can sort of go through the list. We can agree that these might be the ones that we want.

We might see things that are missing; I brought up one yesterday that may or may not have made it to the list yet, but we can talk about that, too.

So, really this is just an open dialog. Let's start with the first one. I mean, we can be as simple as, yeah, that, we agree with that one.

So, it's actively listen. We'll practice active listening, pause, listening to better understand not simply to respond but provide feedback.

So, it's really a chance that I, I see that already happening within the group, you know, that we already have a methodology for, for actively listening to our co-members.

Is that a yes, we're good? Okay.

Embrace difficult conversations.

We've had those along the way, and that was one of the reasons that I asked, and that I've also seen that in my, my time here with MAFAC. We all have calmly different opinions, and that we want to make sure that we embrace all of these conversations because they all are a reflection of what's going on in the bigger outer world.

So, we all agree that we want to have this place as a

place, a safe place for difficult conversations.

True? Okay.

Own our intentions and our impacts. When we intend an impact, when our intent and impact do not align, we agree to acknowledge, we agree to acknowledge harm, make a commitment to improve, and ask what is needed to move forward.

So, any comments around that?

Yes, it is interesting. I'm reading it over myself, too.

Dr. Sullivan: Yeah. I'm not sure I understand.

Chair Davis: I don't think I understand either.

Jocelyn?

Dr. Runnebaum: Yes, thank you.

I think I like the first part of when our intent and impact do not align. Maybe we just simply say we focus on repair or trust building?

I think this, this is a lot of, this is a lot in one. And I, I think the intention for the majority of the words on there is the repair and trust building is important, and interpersonal relationships and working relationships.

Is that what was intended with this one?

Ms. Zanowicz: It's just really owning your, your impact. So, I think we can rephrase that second part.

Chair Davis: Okay. So, Katie, you can work on some of the wordsmithing on that.

And then Meredith?

Ms. Moore: Yeah. I just wanted to -- I've been in a lot of conversations about team commitments and stuff. So, just to help people understand what this one is meant to suggest is that everyone's been in situations where they've said something that caused

harm to someone, they reacted with pain.

And what this is intended to avoid -- we should stop using the word intended -- is for you to say, like, we want to avoid the reaction of, Oh, well, I didn't mean to hurt your feelings. Like, that's what this is about is to not just say, well, my comment wasn't meant to hurt you, and thereby, like, diminish the pain that that person was saying.

This is intended to establish a response to that by saying, like, you know, I acknowledge that what I have said has hurt you. And how can we, like, move forward from there? Like, what can we do about that?

So, it gets out of the, like, defensive responses that we tend to all fall back into when someone says, oh, well, that, what you said was hurtful or harmful to me.

We all want to go, like, well, I wasn't trying to hurt you. But that's not a useful response for someone who is experiencing that pain.

So, that's what this one is intended to get at is to avoid those sorts of reflexive responses because those can actually even further burden or exacerbate the pain if you're, like, there's an implication in there that their response isn't valid. And so, we try to avoid that.

Just wanted to elucidate what, what this often tries to get at.

Chair Davis: Oh, that's great. Thank you, Meredith.

And, Heidi?

Ms. Lovett: Yeah. I think, actually, Katie's editing -- Oh. I'm not on.

I think Katie's making some edits. I was going to say we, potentially what you're, what I heard from Meredith is we agree to acknowledge it may have caused, words may have caused harm, or something like that.

Ms. Moore: No. I think you just acknowledge that the harm occurred.

Ms. Lovett: Okay.

Ms. Moore: I don't, I don't think, we need to qualify it.

Ms. Lovett: Got it.

Ms. Moore: No. Yeah.

Chair Davis: Great. Thank you for that.

And Pat, and then Sarah.

Dr. Sullivan: Yeah. It's great, thank you.

And I hear you. I see where this is going. I'm wondering if we could make it proactive as opposed to reactive. Is there a way to do that? You know, like more positive?

I mean, this looks like this is how to deal a problem that's already in existence. Is there a way to avoid the problem in a more positive sense?

Ms. Moore: Yeah. Great, great question.

Boy, should I not be in charge of this.

(Laughter)

Ms. Moore: But let me just say I think that, yes, we -- and it's kind of the step that comes before this, though, which is the - be aware that our, that our actions can have impacts that are beyond what we anticipate, or our words may have impacts beyond that.

So, I think it's a little bit inherent in the -- and we are all always going to be in situations where we've said something and didn't realize that we were on, like, something that someone has a vulnerableness around. And so, yeah, I think you're right.

But we should all also strive to avoid things that will

have those impacts. But I think that is somewhat in the way that approach, like, our difficult conversations, which is we're not trying to be intentionally harmful with anything that we say.

Chair Davis: Yeah. Yeah, thank you for that.

It's the thoughtful listening and then the thoughtful response is really what we're looking at.

So, thank you for that.

Sarah.

Ms. Schumann: I like it. And I think it's important and good.

I just wanted to sort of raise a, like, cautionary point, that taken to an extreme, the make a commitment to improve part could be sort of weaponized to censor views that would actually reduce the, sort of the final bullet point that I'm seeing on there, respecting our diverse perspectives.

And we're all here because we bring something to the table that is valuable to the agency. And we, we are a diverse group. And that=s, that's the benefit of MAFAC.

So, we have to be -- I mean, none of us want to cause harm to anyone. But by placing the onus entirely on the harmer, or even if that's completely unintentional, to fix the problem I just don't want that to then become sort of the solution for members of MAFAC to then silence themselves to avoid harming another person. And then the end result is that the agency doesn't get the full picture that it wants.

Chair Davis: Yeah. Good, good point, Sarah.

Jocelyn?

Dr. Runnebaum: Yeah. I just want to echo what Sarah is saying. I think that's a really important point. And I think that's where focusing on repairing

trust building and -- could be a helpful, helpful words to replace what's there, would be my proposal if that feels comfortable to Sarah.

Because it's I, I do fear that as we're all trying to be very cautious around difficult conversations that we will censor or risk censoring diversity of perspective. And so it's really how we work on that communication across different viewpoints.

Katie, you have some, some training you can -- you have some insight. Bring it on.

Ms. Zanowicz: I was just going to say if you want to provide some draft language that would be great. I don't know if it's insight, but a recommendation.

Dr. Runnebaum: And even with me and Meredith.

(Laughter.)

Chair Davis: Okay. Just before you go, Pat, I mean this is the first time that we've had these discussions. So this, obviously, isn't a finished draft. It's a starting point for all of us. And we will all work together so that it might even become a document that we would actually vote on, I would hope.

So, Pat?

Dr. Sullivan: Yeah. I, thank you for this. You have mentioned the word twice, and I hate that we're getting into sort of individual words and things like that, but I think we need to have that discussion.

The word repair is sort of bothering me for some reason. And, you know, that sort of implies that there will be some wrongdoing.

And I would rather avoid having to have repair.

On the other hand, I mean, what Sarah is saying I think is absolutely right. We, in some of our other subcommittee discussions there was differences of opinion, and it was really important to get those differences in there. And there's different ways to

navigate that.

But I, I hope it's not to diminish, potentially, the conflict that's there. I mean, the conflict is not meant to be divisive, or hurtful, or anything like that. It represents a real difference in how we view the world. And it's important to get that difference through this.

So, repair kind of sends me down the road of, like, erasing some things, or something like that. And I know, I know that's not what you mean but I'm just worried about it. If you could expand on that, that would be great.

Dr. Runnebaum: Yeah. Thanks.

So, I think that as I look around this table there's some really different viewpoints that exist. And I have a tremendous amount of respect for everybody sitting at this table.

And I also have a tremendous amount of respect for my family. And I tell you what, every single day I say something that hurts somebody's feelings, or my son starts melting down because I didn't respond properly. And so, my intention, and love, and respect didn't quite land how I wanted it to.

And that the first step with my 3-year-old is to connect to sort of bring him back into a regulated and safe space so that we can work through whatever conflict together you're bringing. You referenced children a lot, so I feel like this is an easy one to talk about.

And so, I think it's really, like, my intention here is that we all make mistakes because we're human. We are focused on incredibly difficult conversations around this table. And that when we make mistakes it's okay to, to make those mistakes. And then it's okay to say how do we, how do we work together going forward, because I clearly messed up?

So, I think that's sort of what I'm trying to convey with the word repair. And that the two documents

that we've brought to -- I just feel like we've been really productive this meeting and we've brought a tremendous amount of work to NOAA. And a lot of that is based on being able to have difficult conversations because we trust each other. You can see it around the table. There's a lot of joking, and laughing, and joy.

And that trust is what has given us the ability to have conflict, productive conflict, and really difficult conversations in our subcommittee meetings.

And so, I think that trying to maintain that in some way because that conflict is really important, and that those diverse views are really important. That's how we move forward.

So, that's what I'm trying to convey.

Dr. Sullivan: Very good. Thank you.

Chair Davis: Thank you, Jocelyn.

I believe it was Meredith, and then Clay, and then Sarah. Oh, and Katie, did you have something else to say? Okay.

Ms. Zanowicz: I think folks can go first. You can come back to me.

Ms. Moore: The first point I want to make is that there, this is a pretty common group agreement. And I think we can take a note to go back -- I don't know why I'm acting like I was involved in putting this together -- but there are other formulations of this language. And I think we can go back and look at some other resources and pull together some other ones.

So, I just want to say, like, I don't know that our group has to perfect this language because experts in doing this sort of thing will have numbers of other ways to frame this. And I think we can look at other ways to approach this.

But, so, I don't, I don't know that we have to spend

a lot of time wordsmithing it.

But I did want to say to reflect on this just a little bit further, I do agree that nobody in this group wants to do harm with our words, and that we do accept that we will have conflict, but you can have conflict without doing harm or intending to do harm.

And so, I don't -- I would say I still think we're going to have conflict. I mean, I'm here, so we're going to have conflicts regardless. But it's about avoiding those unintentional harms because I don't think anyone's here to do intentional harm.

So, what I would say is the spirit of this sort of agreement is that when, when someone takes, takes on the emotional burden in these collaborative spaces to tell and share with someone that they have been harmed by something because of their situation or experiences, that's a gift to the person who has done that harm unintentionally. Because we are all here to not -- we are all not trying to do harm. We are all trying to avoid harm.

And so, when someone says, actually that was harmful to me, that is a gift because then you can learn from that and avoid doing harm. Because we are trying to not do harm.

And so, to further, then after that person has taken on that emotional burden to share that, to then further burden them by suggesting that it's now, the onus is on them to now forgive you as well, that's, that's extra. And so, part of the reason that these sorts of things, intentions, and impacts are framed the way that they are is because it pre-recognizes that the person who is sharing that they have been harmed is already bringing an emotionally vulnerable situation and spirit to the conversation.

So that, and so what it's trying to do with the, like, the person who has done harm making a commitment to improve or to recognize their impact is to balance the investment from both people in moving forward.

And so, I just wanted to highlight, like, why it looks that way is to not demand forgiveness from the person who has been hurt when they are already then engaging in this space.

That being said, there are other formulations of this language. I'm sure we can find another one to add in. But I just wanted to tease that apart a little bit.

Chair Davis: Yes. Thank you for that, Meredith. Very helpful.

We have Clay and then Sarah and then Katie.

Mr. Tam: Just a short comment.

For us, where I come from, it's part of our culture. The word is kuleana. It's called responsibility and respect. Mindfully respecting one another that exists in this room and those that we're engaged with.

And I think having mindful respect for one another, and not only and going beyond that in culture, includes people to people, resource to resource, and down the line exists this mutual agreement, respect of one another. That's important for us.

Thank you.

Chair Davis: Beautifully said. Thank you, Clay.

Sarah?

Ms. Schumann: So, what Jocelyn was talking about, sort of constructive or healthy conflict as opposed to just trying to avoid conflict in the first place, I just thought that was a really important point, that these, you know, MAFAC and its subcommittees are not -- excuse me -- safe spaces from conflict, but safe spaces for constructive conflict.

And we've been focusing a lot in the bullet to own our intentions, our impacts, sort of focusing on a person who has unintentionally done some harm.

But I want to move on. So, above that, embrace difficult conversation. And then somewhere in our process, and in our culture, and in our group dynamics needs to make sure that anyone who feels harms, or disrespected, or whatever word we want to use, in any way feels immediately that it is acceptable to bring that up to the group. Because the worst thing that can happen is when those things simmer.

In group dynamics, you know, often, you know, it feels rude, or unprofessional, or like you're bucking the flow of the group to sort of insert, you know, an issue you might have when everyone else seems to be getting along and happy with what's happening.

And I don't know how we worked it to, to make sure that anyone at any time feels that it is not rude or unprofessional to bring up any issues they have. But I think that needs to be a focal point of this, too.

Chair Davis: Thank you for those comments, Sarah.

Katie? Okay.

Who else? Brett, thank you. And then Sara.

Mr. Veerhusen: I just wanted to say I really appreciate this conversation. This has been, I think, a great segue that leads into what a difference two years for myself at MAFAC has meant and the conversations that we can have, and actually the efficiency and the real work that we need to do is just super impressive.

And I think it largely comes from the discussion that we're having today that we, we and I have respect for everybody here. And I feel the same way. And I think that shows in the products and the services that we provide.

So, I just wanted to thank everybody.

I think, you know, Sarah, to your point, just a little bit different way of sort of explaining it, but I know I

would feel comfortable if I was the person who said something I didn't intentionally mean that that caused somebody harm, and it gets back to making sure that there is a space to discuss that.

And, you know, a piece of advice I got early in my career is people remember you not for how you win but for how you lose. And so, if you said something that unintentionally harmed somebody, I think you can make a great impact when you acknowledge it, you say sorry in front of a group or, you know, you, you recognize it and you repair that.

And I think people really -- I think that for me when I, when I see that it humanizes everybody.

And so, I just, I think that this group has created that environment. And I appreciate it. And it's, it's going to be, it's going to be different, sad, and exciting to have seven new members come and go, because this is a great dynamic, this meeting. And we're not done yet.

Chair Davis: Okay. Thank you for those words, Brett.

Sara?

Dr. McDonald: So, Brett almost took the words out of my mouth. But I, I want to thank you for including this.

You know, six years ago this was not a topic of conversation. And I felt really intimidated and very much there were very few women on MAFAC when I started, and very few people of color. There's still I think we can do better.

But we, this, this would have been great to have when I joined. So, I have to commend you for bringing this up. I think this is, this is, yeah, how things have changed in, in my almost six years.

But, so thank you for bringing this up. I very much appreciate it. And I think the new members will as well.

Chair Davis: That's great to hear. Thank you for that, Sara.

What I'd like to do is, actually, find some more time in our schedule because I think there's some really, a great dynamic discussion.

And we'll continue on the other bullet points as we can squeeze that into our schedule today and tomorrow. Because I'd like you all to be able to break for lunch at 12:00 and have a good solid 90 minutes, I believe, like 12:00 to 1:30 that we would be back here.

And so, with that, I want to thank you all for this morning's discussions and input. And I'll see you after lunch.

Have a great lunch.

(Whereupon, the above-entitled matter went off the record at 11:55 a.m. and resumed at 1:32 p.m.)

Overview of the Office of International Affairs,
Trade, and Commerce (IATC) - Informational

Chair Davis: Clay, thank you so much for the treat. We're passing around some of your chocolate. And I see you putting out more macadamias. Oh, yum.

Okay, very kind of you.

All right. I hope everybody had a yummy lunch. And we're going to get started on this afternoon's session. We have a guest speaker, Alexa Cole, who is the Director of the Office off International Affairs, Trade, and Commerce. And she's going to give us an informational session about the overview of the office.

Do you have slides? Okay, no slides.

Okay, so let me turn it over to you then.

Ms. Cole: Thanks very much, Megan. And thanks for having me.

I was originally on your agenda to tell you a little bit about my office and a little bit about our new Trade and Commerce Division. And I'm going to do that.

But I am also going to turn and talk to you a little bit about the announcement we made yesterday related to our seafood and port monitoring program and our plans for that, and provide, perhaps, some questions that we'd be interested in your thoughts on moving forward.

So, but we'll start at the beginning, which is the office, an overview of what we do.

The office has been renamed many times. Its current name is the Office of International Affairs, Trade, and Commerce. We reorganized a couple of years ago to try to reflect the greater attention and focus that we wanted to be able to provide on trade issues and commerce issues and not just the international fisheries side of it.

Our office is big and broad. It feels some days like we're trying to do everything, but then we realize we're just a tiny piece of NOAA, and they're doing so many other things.

But in our office we have four divisions. One is the one that keeps the lights on and, you know, makes sure we get paid, and makes sure we have pens, and paper, and computers, and laptops.

More substantively, we have our Seafood Inspection Program. That is one of our divisions. That is the official competent authority for the U.S. Government for any U.S. seafood products that want to go overseas where there is an export health certificate required, which is happening for more and more markets overseas. And so, that's the office that, that's the group that issues those.

And they work very closely with our new Trade and Commerce Division. One of the things they work on together is trying to negotiate a standard U.S. export health certificate. We're in a situation where at the

moment every country has a different certificate that asks us a slightly different combination and permutation of questions about the product. And so, we're working to try and standardize that as more and more countries require them.

The third division is our International Affairs Division. This is the division that's focused on our bilateral engagements with other countries on international fisheries issues, our multilateral efforts going to the regional fishery management councils like ICAT, which is happening right now; like the one in the Western Central Pacific that's happening in two weeks. As well as our work at the U.N. to include an agricultural organization through the U.N. General Assembly which just finished its work on the sustainable fisheries resolution.

We have a number of standing bilaterals with other governments each year where we work on those programs.

And then it's also responsible for our unilateral programs like our Moratorium Protection Act where we issue a report every two years where we make identification and certification determinations about countries engaged in IUU fishing, in by-catch or protected living resources, and shark catch.

We issued our most recent report on August 31st, this year, so that's out and about.

And then other programs such as our Marine Mammal Program. And also our Trade Division focuses on SIMP as part of the work that it does. The whole division isn't focused on it, but the SIMP work is a big component of that.

So, our Trade and Commerce Division was established a couple years ago. It has two branches. One branch is sort of our Trade and Commerce Policy branch. That branch is focused on our engagement with USTR on things involving the World Trade Organization. It also works with them on individual bilateral trade negotiations, the Indo-Pacific

Economic Framework. It participates in meetings of the OECD that relate to fisheries. They have a Fisheries Committee there. And other trade negotiations.

They're also the ones who will be leading the negotiations for that standardized export health certificate.

And then we have a Trade Monitoring Branch, the division -- the branch chief is sitting there in the back of the room, Rachael Confair. She runs this branch. And in this branch we have consolidated the four trade monitoring programs that NOAA Fisheries runs.

So, there is the Seafood Import Monitoring Program, which is perhaps the one, the most notorious let's say, of the four. But it also includes our program, our Catch Documentation Program coming out of ICAT; the Tuna Tracking and Verification Program coming out of the Eastern Pacific, which is the Dolphin Save Program; as well as the Patagonian toothfish program coming out of CCAMLR in the Southern Ocean.

And so, we brought the four trade monitoring programs together so that they could collaborate and coordinate and not be stovepiped. They used to be spread across not only regions but divisions. And so, bringing them all together in one place we think has made a lot of sense.

So, that's sort of the goal of the division. We try to work, and that's sort of the broad outreach of and spectrum of what the divisions are.

The new Trade and Commerce Division was really developed so that we could do, we, NOAA Fisheries, and we, IATC, can do a better job at helping to support the U.S. seafood industry, both domestically in terms of products and competitiveness in terms of the U.S. domestic market for products, but also help facilitate that access overseas.

Part of that involves working really closely with our

colleagues in other agencies, since we are not the only agency that is involved in issues related to the seafood market. And so, trying to work closely with those partners to, to help make sure that fisheries and seafood issues are staying front of mind.

We have, you know, we have heard a lot from our stakeholders that, you know, for, like USTR, for example, in their trade negotiation, fisheries are not always the biggest issues that they're dealing with. They're really important to us and our stakeholders, but trying to make sure that those issues aren't being used as leverage for and bargaining points for other issues that have a larger stake in the U.S. economy is important.

We were really pleased to spearhead and draft the chapter on seafood in the new export strategy that came out of the Department of Commerce this spring. It's the first time there's been a seafood chapter. So, we were really pleased to be able to contribute and spearhead that effort. We think it's a good step forward at trying to make sure that these issues are getting the kind of attention that we need.

We know that there's more that needs to be done. And we hear it frequently from our stakeholders in terms of the confusion between agencies, and the different roles, and who to talk to, and who's got the answer. And so, we're still, we're still working on trying to do better by all of you and by all of our stakeholders on that. But it is something that we are really focused on and have been trying to engage more with our colleague at ITA, colleagues with USDA, FDA, as well as USTR, of course.

So, we've been feeling like we've been having some success in opening those doors and beginning those conversations.

There's also the NOAA Fisheries Seafood Strategy of which an important component for us is goal three, which is one that we're really focused on working with -- I don't know if Michael and Sara are still in the room -- but working with them and working with

Janet on the implementation of the seafood strategy, which underscores a lot of the work that we've already been focused on and trying to engage in.

So, that's a broad brush. But I did want to take some time -- and I'm going to try to leave time for conversation and questions that you may have -- but we also wanted to talk a little bit about the Seafood Import Monitoring Program.

For those that didn't see the announcement yesterday, we made the decision to withdraw the proposed rule that we issued in late December and, instead, to really focus our time and energy on a more comprehensive review of the program. There are a lot of views and a lot of opinions about SIMP. And we hear them all and we get them all. And they come at us from all different perspectives.

The one that everybody seems to agree on is that nobody thinks that it is fully living up to the expectations of the program. And as someone who is -- has to answer to those comments, and as someone who has a team working day and night on the program, I have a bigger interest than most in trying to make sure that this is a program that's meaningful, and impactful, and effective.

This is part of the commitment of NOAA Fisheries and NOAA, and IATC, which is our efforts to combat IUU fishing, and combat seafood fraud; our efforts to make sure that lawful seafood producers are not competing unfairly against people who are skimping on the rules, and fishing illegally, and putting in product that is not what it says it purports to be.

And so, we thought that based on over 2,200, I think, comments that we received on the proposed rule that rather than simply plow ahead with a proposed rule that had caused, you know, a lot of concern, that it made better sense to really take a hard look at the program and see if we could make some improvements and strengthen the program and, perhaps, think about it differently.

And this is something that we want to do with all of our stakeholders.

One of the comments that we heard was that they felt there was a feeling that there was not sufficient engagement with those other agencies and perhaps the public in the development of the proposed rule. We were under some time constraints by the National Security Memo 11 that required us to issue or initiate a rulemaking by the end of last year. We got it in under the wire on December 27th.

But it didn't leave us as much time as we would have liked to be able to do engagement. But it's beyond that. The reason why we aren't just revising the rule and, instead, we're taking a moment to sort of -- not a pause, because the program will continue operating as it has been -- but taking some time to really think about the program is that it was created with some initial constraints and initial ideas that after five years of working on it might be worth revisiting.

Amongst those, we were required to create it under certain statutory authority. We were not given new staff and new resources. We were required to think about what we could accomplish given those authorities and not given that much time.

And now we've had some time. And I think the team has done a very good job at implementing it and moving the program forward in serious and meaningful ways. But, some of the things that we considered at the beginning, like it's going to be based on species, not countries just species. That is one consideration that we made in the decision, but maybe it's worth rethinking that. Maybe there are other things to think about. Either instead of species or in addition to species.

The EU program is based on countries. And so, we've heard from a number of folks that maybe thinking about countries would make sense. Maybe thinking about species and countries makes good sense.

We've also thought about what about the market?

Some species we export in huge -- we import in huge amounts, some we don't. Should we or could we maybe take off the table for the moment those species that we aren't importing in any significant volume, and instead focus our attention on species that we are importing in large volumes that we do believe are at high risk of IUU fishing and seafood fraud, or that come from countries that we have concerns about their fisheries management regime? Right?

Is there a way to layer these different aspects on top of each other to be able to focus the program on really those things that we are most concerned with?

We import a huge amount of seafood. There is no capacity to open every container, peak your head in and say, oh, legal, not legal. You just can't do that. It's not the same as drugs or guns. And even there, there are complications.

But it's really quite hard when you're talking about fish, particularly when you're talking potentially about a fish fillet, how can I possibly know whether or not that fish fillet was harvested lawfully in the initial country of harvest and has moved through the system appropriately?

So, that's the first task that we're setting ourselves, which is really to think about can we better define the universe of the program of what we really are concerned about?

What do we really not want to see coming into our markets?

What do we really not want to see on our dinner plates?

And what isn't really the problem as much?

Because the definition of IUU fishing is very broad. And it was deliberately so when it was created. But it was created for a different purpose. And so, when we think about just IUU fishing, that would include, to us

a domestic example, something like somebody not submitting their logbook within 72 hours of landing.

That's one of our domestic requirements. It's an important requirement. But is it really something that if it happened in another country and that fish eventually landed on your dinner plate that you'd be concerned about that? Probably not nearly as much as if you found out that a foreign vessel was fishing illegally in another country's waters and that fish product came in, was competing with lawfully caught seafood and landed on your dinner plate.

So, being able to define the universe I think is the first piece. And thinking about what are the factors we should use to define that universe. I think species can continue to be one of them. Maybe it isn't the only one. Maybe there are different things that we should think about.

The second piece is then how do we do it? Because with the volume of seafood coming in, with the resources that we have, with the authorities that we have, we have to be able to figure out how do we actually accomplish these goals that we've set forth in that first part of figuring out what are the right goals.

And then, you know, for this I, I'm hoping that we're going to get some good ideas from our stakeholders in terms of sort of what are better ways to think about it, or what are different ways or additional ways to think about it? Perhaps there have been some new technologies that have been developed and, you know, tested since we established SIMP that could be useful in helping us do this.

We've been trying to do that work. And Rachael and her team have been working hard on the AI/machine learning side of this to figure out how we can use that technology to help us better identify shipments at risk. And so, I think there's a lot of promise there.

But there could be other things that we should be thinking about, and talking about, and using as part

of this process.

And then, finally, you know, as we start to -- I'm hoping we'll start thinking big and outside the box, and then eventually come back into the box in which we, obviously, have to live as the U.S. Government, which means I need, I need authorities and resources and, you know, to be able to do these things, but start to think about that.

We created it under the Magnuson Act, under a prohibition under the Magnuson Act. Maybe there are additional authorities or tweaks to authorities that are needed. Maybe it needs a whole statute. All of those things are part of the conversation.

As well as being able to think about what other agencies are really going to join us in this effort? Because this is not something that NOAA alone is responsible for. In the same way we talked about the trade issues earlier, right, CBP is responsible for our ports. So, we need them on the side as part of this. We need FDA, we need USTR, we need USDA to be part of these solutions with us.

We also, so we will be talking to our interagency colleagues. Among them, an important partner is going to be the Department of Labor because everybody has been made well aware of the concerns about labor abuses in the seafood industry. And there have been a lot of questions about what SIMP could do to help?

And so, that's a conversation that we want to have with them and with others to see A)_what SIMP could do, or what other authorities that they have could be connected. A lot of this is about data and information coming in, and how can we better, how can we better share it, how can we better use it, how can we make sure it's getting to the people that have the authorities to do something about it?

So, that's going to be a conversation as well.

But stakeholders are going to be a huge piece of this

because we've heard a lot. We've heard a lot of comments, both from this proposed rule, but even before over the lifetime of SIMP, we've heard a lot of feedback. And I think everybody shares the goal, everybody wants to not have products that come from IUU fishing come into our market and compete with lawfully caught products here.

Everybody wants to make sure that seafood fraud isn't occurring, and that when you get, you buy something in the market it is what it says it is. Everybody wants to make sure that fish is not being caught using forced labor.

And so, I think from my perspective at least, I think we agree about all the fundamental pieces. We agree on what matters. And we've been spending a lot of time debating how we're not getting it right.

And what I'd like to do is sort of change the discussion and say, okay, we agree with the fact that, as I've been putting it, it may not yet be living its best life. But I'd really like it to. And I think others would really like it to. And so, we really want to work with our stakeholders to help make that happen.

So, coming here and talking to you was fortuitous and well-timed, since this announcement came out yesterday. It didn't have anything to do with the fact that I was talking to you today.

(Laughter.)

Ms. Cole: That was just fortuitous.

And so, we have some questions as I understand it, and this is the first time I've come to a MAFAC meeting, but that on occasion you might take some questions from NOAA and do some thinking, and do some talking, and provide some of your thoughts to us on that.

So, I have sketched out what, you know, with my team we sort of sketched out what we think are some questions that we would be interested in your

thoughts on. And I know Heidi and Katie and team have them and can share them with you going forward.

But I thought I would at least read them out to you now. And happy to take questions and start the discussion on it.

I think they're going to sound familiar from what I've just said. But the first will be:

What are the most important elements of an effective traceability program?

And so, this should not only include elements that are within our purview, but also those within the purview of other government agencies because, as I said, I think this is really thinking about traceability is going to have to be, if not a whole of government, it's going to have to be a more of government than just NOAA.

The second piece is:

What are the risk factors that should be considered in determining the scope of any traceability program?

As I said, species, countries, markets are some we could consider. But there, I am sure, are ones I haven't said or haven't thought of, and so there could be more there. But, and why those risk factors would be important?

And then, finally:

How do we identify success of this kind of program?

It's one of the things that challenges us a lot when a program like this -- its greatest tool, its greatest effect is often deterrent, right, that these products don't come to our market.

Oh, look, they're right there on the screen. Nifty.

(Laughter.)

Ms. Cole: Thanks, Katie.

But, so, figuring out how to identify success is something that we always struggle with. And so, we would really appreciate any thoughts that way, which is how do we -- how are we able to say, yes, we think this program as it gets revised, as it gets revisited, it is having an effect because we can show X happened, or Y didn't happen, to be able to start to see the progress.

Because like anything we do, there are probably going to need to be several iterations of it along the way. Because we don't know what works until we try it. And combating IUU fishing, seafood fraud, labor abuses in the seafood sector are three pretty big, complex goals. And by no means will SIMP solve these problems on its own.

But we think that SIMP is a key component to it, along with other tools that we have, and other tools that other agencies have, and lots of efforts that are happening outside the Federal Government and outside the United States to work on these issues.

But, we want to be able to contribute to the solution of those three big issues. And so, thinking about how do we, how do we identify and show that we've made some progress on them is going to be another key element.

So, the last thing I'll say before opening it up is we are really at the very beginning. We issued this notice yesterday. We're going to try to move this along apace. This isn't something we want to be thinking about for the next ten years. We really want to do a lot of stakeholder engagement, and a lot of serious thinking over the next six to nine months. And then start developing the proposals for what happens next.

And we are, on Friday we have a webinar that is open to the public. If anyone wants the information, we can make sure Katie has it and she can get it around. It's just a very first webinar. You'll hear me saying this, basically, if any of you chimed in.

We will have others of them. But this is really the answer to anyone saying, hey, Alexa, can we talk to you about SIMP, is yes.

We have an email address that people can send in comments any time they want. If you want to reach out and say, hey, we'd like to talk to you. We have some ideas. The door is open. We want to hear from as many people as want to talk to us about this.

But what I will say is that for everyone who says SIMP should do this, I'm going to say, cool. How?

Because unless someone gives us those ideas of how we can accomplish all of these goals, we're going to be back in the situation that we've been in which is right now we live in a world where SIMP has outsized expectations for what is actually feasible for it to accomplish as it exists under the authorities, with the resources that we have.

And so, we really need to be able to think strategically about what it is we want to do, how we're going to do it, and what it would take to do that. And that=s really what we're going to be focused on.

So, I'll stop there. I'm happy to open it up for comments.

Janet wants to say something.

Ms. Coit: I do.

Thank you so much, Alexa. I'm so glad you're here today.

The programs Alexa oversees are among the most complex and difficult for folks to understand, and under-resourced. Two things I wanted to say.

One is, as you discuss these questions, just to whet your appetite, really think about what role MAFAC could play in 2024, as you have in some other areas, of maybe convening people, building, getting stakeholder outreach, looking at other systems

across the globe or, you know, whatever. And we should talk more with, you know, Alexa, and me, and Emily about what would be helpful.

But I, I see this as an area where potentially MAFAC could play a really constructive role.

And then, secondly, for our seafood strategy, the pillar that is about preventing IUU fishing, and the pillar that is about trade fisheries and, you know, evening the playing field really requires us to look at how what we've imposing on our industry melds with what's happening, what the EU is doing, or that Japan is doing, or whatever it might be.

And this seems to be an area where maybe exploring how we deal with these issues could be more consistent with what our industry is confronting in other countries, should it turn out that that would be a more effective way of doing some of this, could be both more effective and more efficient for our own U.S. sector.

So, I'm very excited about the potential for MAFAC playing a serious role here. But maybe I'm jumping the gun.

Chair Davis: Alexa, thank you so much for joining us today and for sharing this great oversight and opportunity.

And, Janet, to you also encouraging this to possibly be a MAFAC charge. So, thank you for that.

We have Sara and then Stefanie.

Dr. McDonald: Thank you so much for that overview.

And playing the role of Meredith Moore is Sara McDonald. Thank you very much. I have so many thoughts.

(Laughter.)

Dr. McDonald: So I, this is I used to work on a tool to assess the risk of forced labor and human

trafficking in seafood services very much. This is why I have a lot of thoughts.

So, to maybe not necessarily exactly address your questions because I had thoughts before the questions came up, but I was really happy to hear that you want to take a multi-stakeholder, multi-agency approach to this because I really think no one agency can tackle this issue. And I think that you really need to utilize your private sector and your public sector partners, NGO partners.

There are a lot of new tools out there. In addition to the one that I had previously worked on there are lots of, there are IUU risk tools I'm sure you're aware of. And I think engaging the public is really critical on this. I'm sad that I'm rotating off MAFAC because this is one I would really sink my teeth into.

You guys don't want to hear me again, do you? Back at Meredith; I saw that.

(Laughter)

Dr. McDonald: And so I had a question and some comments.

And it's funny, Janet, that you would mention MAFAC because I was like, whoa, what about a FACA for this? Because I feel like this is yet an ongoing issue that can't, isn't going to just be resolved in one set of nine months of comments and revisions. I feel like this is going to have to be an ongoing conversation for long, long periods of time.

So, so that was one of the things I wanted to sort of throw out there. But then you mentioned MAFAC as the FACA that could be helpful to this interagency approach and multi-stakeholder approach.

I was wondering to what extent does the EU carding system influence any decision-making currently that happens?

Ms. Cole: So, yes. You're my FACA.

I'm a refugee from the NOAA Office of General Counsel where I spent most of my career. And so, I try to avoid the lawyers at all costs, which you need for FACA, and just do a little self-lawyering.

But so, yeah, and because we want to do it quickly, that's one of the benefits of MAFAC which is that we can come and get the kind of advice and recommendations from you that we can't get in the same form from other stakeholders.

In terms of the EU, as Janet indicated, we really do want to take a hard look at their system. I have a lot of colleagues who work in that system in the EU who would tell you that they experienced a slightly different version of exactly the same challenges that we have.

So, their program isn't perfect either. And they have to rely on certificates from other governments that can be better and less, you know, meaningful. And so, they have a similar issue.

But so, but that's one of the things that we really want to work with. We want to work with the EU, we want to work with Japan, and other big markets that have similar systems, and be able to figure out can we, how do we find a way to make sure that we're able to share information, make sure that we're asking the same questions in the same way. I mean, and so that they can start to talk to each other.

Because the more these systems around the world can talk to each other and interact, the less each country has to do individually.

But there is all sorts of, you know, weird anomalies such as, you know, if you think about it, being important to know how long a fishing trip was. I keep using this example because it's stuck in my head which is, you know, one system might ask you the start and end date of the trip, which if you use those you will know how long the trip is.

But another system might actually just ask you the

length of the trip.

And then those two pieces of data have the same information but they don't connect when you're trying to do this electronically. So that's going to be, I think, a really important element, which is our engagement with other governments.

Right now it doesn't play a role, right, in terms of necessarily what they are doing in what I call the sort of front side of SIMP and the factors that identify which countries -- I mean which species are included. But knowing that a country is red carded is one of the types of risk factors that could be fed into our back side of it, which is how we figure out which shipments we should be considering and which shipments we should be looking at.

So, it factors in that way. But the being able to just actually connect with the other system I think is a much bigger tool and better tool for this to be -- to build the effectiveness of SIMP, if that makes sense.

Dr. McDonald: Yes. Thank you.

I'll just follow up, since I, I don't normally hog the microphone.

So, a really key issue in this is transparency and keeping it in the sunshine. So, if, if there are, you know, shipments and then we block shipments, which of course we need to do that, I think there are other approaches, business approaches out there about, you know, enforcing the U.N. Convention on Business and Human Rights and making sure that supply chains are clean, and having conversations at the government level and the industry level.

So, I just, just want you to keep in mind that I think that that success also looks like keeping it in the sunshine. Because when it goes into the darkness they're going to find another market, and the forced labor and the human trafficking which is going to go further and further underground.

So, I just wanted to make that point out there, too.

Ms. Cole: So, thank you for that. And also just because you're not on MAFAC, we are taking comments and input from everyone. So, we'll be happy to continue the conversation outside of MAFAC if you've got other things to share.

Ms. Cole: Sure. And a USITC report from a couple years ago was really thorough. They did a really good job, so.

Chair Davis: Thank you, Sara. Thank you, Alexa.

Stefanie and then Linda.

Ms. Moreland: Thank you for being here and taking this important topic. I'm just looking at the questions.

I'm interested in the progress on the word "traceability" and referring to this as a traceability program. And I would urge you to think and characterize it as broader than that. Similar to what was just mentioned from Sara, I think of due diligence, meaningful due diligence, I think of transparency, I think of evidence of good governance over the origin, including objectives, management actions, evidence of outcomes, just as basic.

Whereas, traceability implies it's important to know which of the 6,000 salmon harvesters harvested Alaska salmon, and then put it on which tender, which went to which shore side processor. And there's for the purposes of SIMP=s objectives, there's no difference between any of those salmon boats once you know it came from U.S. jurisdiction and a management authority that has checks and balances and good recordkeeping in place.

So, traceability to me causes concern. But the focus is on documentation down to the unit, when the unit might not be a factor with respect to evaluating this.

So, would encourage some rethinking about that or

other ways to broaden the focus on tools.

Thanks. Look forward to many opportunities to discuss this.

Ms. Cole: Thanks for that, Stefanie. And, yeah, that's probably my bad in thinking about it too quickly. Because we really have been talking about it being more broad and focused on more accountability, and not just traceability. Because, you're exactly right, it isn't just about who caught that fish, it's about much more than that. So, we can try and do some rewarding there to make sure that it's clear that we're trying to capture a broader question than just the traceability one. So, thanks for that feedback.

Chair Davis: Thank you, Stefanie. Linda, and then Brett.

Ms. Odierno: Thank you very much for joining with us today and sharing your program. I had a couple of questions. One of which is, are there any plans on reprising that seafood export taskforce? Because, the work is so complex, it's so interagency, there's so many different moving parts it's really a daunting task. But, if that committee was a standing committee, you might have better input from the other agencies, and also from stakeholders. And possibly expanding that to be international trade so it would be both, import and export oriented. Any thoughts along those lines?

Ms. Cole: So, we haven't specifically thought about trying to reprise that task force. We are convening an interagency team to begin working on this -- we've already had one sort of introduction session with them, and we'll be having more because this obviously requires an interagency effort. A decision about reprising that seafood trade taskforce will happen above the heads of people named Alexa, so I don't know, but I take the point on this.

And I think it was a point Sarah made as well, which is this probably isn't necessarily a one-and-done, right? Which is, it is going -- as I said earlier, there

will be iterations as a program develops and improves over the years. So, you know, we can have some internal conversations about whether it makes sense to have some sort of standing organization. Right now, I'm sort of focused on speed and trying to make sure that we're moving on this as quickly as we can. So, moving it forward as sort of an informal working group at this -- and working team, at this point. But, I guess there could be more on that in the future.

Chair Davis: Thank you, Linda. Thank you, Alexa. Brett?

Mr. Veerhusen: Thanks for your presentation, Alexa. Just something that has been mentioned before, but since this is your first of I hope many MAFAC meetings -- be careful what you wish for.

(Laughter.)

Mr. Veerhusen: This program is really confusing and I think it's -- when you're really -- and even, you know, I like to think of myself as somebody who knows enough to be dangerous, and I mean, this program is very confusing to me. And I then think it very must be confusing to people who are making their living on the water, not paying as much attention.

And I know that from what I have seen, a large amount of the engagement has been with businesses and organizations who are, you know, importers, exporters, distributors, processors, but I would love to see a little bit more educational information to harvesters themselves. I don't believe that commercial fishermen understand what the program is, you know, how it does or does not kind of benefit them.

I think it would just be kind of holistically better to make sure that everybody within the entire seafood supply chain is informed about the program, and using communications and verbiage that is understandable. And going to the places for which

those fishermen gather, like council meetings or otherwise, and meet them where they are, I think it can be a really, an equitable way to communicate with harvesters.

Even if harvesters domestically aren't the ones that are kind of part of the trade sort of part, oftentimes fishermen are left out of market dynamics. Like, once the fish is caught you kind of don't know what else happens. And I do think that there's a general interest in that, and I think you might find some creative solutions and maybe some pieces of information for which we didn't know about -- what fisherman would be and fisherman would not be willing to help with, and maybe go the extra mile with for compliance, if they understood how the program really impacted them.

That's kind of been what I've been hearing from the program is kind of a big kind of question mark, in sort of following the lead of a couple major players. And I would like to see some creative outreach to, and meeting fisherman where they're at.

Ms. Cole: Yeah, thanks for that comment, I appreciate it. It is certainly true that there is a lot of misinformation about what SIMP is, what it can do, what it does, do what it doesn't do. We have been trying to do better at messaging that and trying to be clearer about that, about SIMP. But, I also would note, we probably haven't given domestic fishermen as much attention in this as we would normally with some of the things that NOAA does, because it's primarily an import tool.

But, that doesn't mean that there isn't an impact, and it doesn't mean that it can't affect some domestic harvesters, particularly if they export that product and then re import it, you know, after processing or for other things. And so, we -- I'll take that point, that we need to try to do a better job in that sector, in terms of education and being able to engage in outreach.

Mr. Veerhusen: Yeah, I mean, I think when there's -

- I appreciate that. When there's something new, it's just a lot easier to say no. And I think what you said is also true, that there is, I think -- there is a general agreement in trying to stop or lessen the amount of illegal imported, you know, fish that is consumed, and sold. And so, yeah, I just really -- there is a lot of fish that moves across, you know, oceans and back into, and I think that there could be some creative solutions. So, thanks.

Chair Davis: Thank you, Brett. And thank you, Alexa for that discussion. We'll have Jocelyn and then Stefanie.

Dr. Runnebaum: Thanks for this. I think this is going to be some really interesting work that hopefully MAFAC is able to take on. I live in Maine, and lobster and halibut fisheries are sort of impacted by international agreements and variability in regulations -- for pretty much the same resource that's caught in just on the other side of the Hague Line or not.

And so, I guess I'm curious how SIMP has a role in, like -- I think maybe to Brett's point, having an impact on everyday lives for folks that are sort of fishing in these, in the grey zone is really kind of what comes to mind. But, also in these international markets that are actually very localized.

So, just curious how you envision exploring that conversation. Because it feels like a very complicated one, especially as we start to think about right whale regulations and actually trying to, like, save the right whales across their range. Yeah, this could just keep ballooning out, so I'll just stop there. Thanks.

Ms. Cole: Right, welcome to my world -- it just keeps ballooning out all the time. But, I mean, you're right. I mean, in the goal -- it is complicated and it isn't sort of a simple needle to thread. And so, the way that -- the goal would be that SIMP would have a positive impact on domestic fishers by saying that other countries who are fishing for the same species, or in the same, you know, transboundary fisheries and

stocks, that they're going to be held to the same level as what you are in terms of what we're doing domestically. And so -- and trying to hold them to the same standard.

That's what a lot of the different programs that NOAA has are about, on the international range, you know, and the international scope. And so, SIMP is a tool that we can use there which is trying to be able to determine whether or not that fish was caught legally, and then whether or not it continued to stay legal as it moved through any supply chain before it was imported into the United States, and potentially competing with US-caught seafood, right. I mean, that's the goal -- and that it's being labeled properly.

And that's -- it has that benefit, but, as we said, it's a challenging, complex program when you're looking at the different species that are included, that are not included, and the supply chain. Canada isn't so bad because the supply chain is pretty short to get to the United States, but it's a lot harder from some of the more distant countries who have much more complex supply chains.

But that's the goal, which is trying to say that what we hold fishers to account for here in the United States, that others are going to be holding their fishers to the same account. And that we're going to be able to communicate between different governments to be able to be assured that that same standard is being applied fairly across the fisheries.

But, it's a challenge and that's why we're really trying to come in and think about, how can we do it more effectively and more meaningfully.

Chair Davis: Thank you, Jocelyn. Stefanie and then Clay.

Ms. Moreland: Thanks. Just thinking about scope. It's my understanding that species fraud was out of scope of the SIMP program, just since it was more document-based. What is the thinking about fraud and whether that is going to be within scope as this

is re envisioned? And probably duplicative use of documents, so the corrupt activity where you can -- there's no best balance in this, and so how much -- or would it be in scope to be looking at abuse of documents?

Ms. Cole: So, seafood fraud is currently in-scope for SIMP. SIMP was created to address IUU fishing and seafood fraud. Those were -- that was the premise under which it was created. In SIMP 2.0 -- a name, by the way, that nobody likes --

(Laughter.)

Ms. Cole: Just, you know, so we're continuing the dislike of things related to SIMP. But, nobody's given me -- no one's given me a better name yet, so I'm calling it SIMP 2.0 until someone tells me something else to call it.

But, I think for SIMP 2.0, the goal is really to put everything on the table, and then figure out what should be on the table and what shouldn't be on the table. But, so, seafood fraud will continue to be a part of the discussion. But, it certainly was part of the basis for the creation of SIMP was that issue, it was what -- we created seven principles that we considered species against, and three or four of them were for the sort of IUU fishing side and three or four -- I can't remember now, which was three and which was four -- were about the seafood fraud side of it, and species substitution and things like that.

So, that was directly a part of how we set up the program and set up the first 13 species and species groups. And so, it will be part of the conversation going forward. But, everything is on the table in terms of what makes sense to be a part of SIMP and what is the true problem that we're seeking to address.

Chair Davis: Thank you, Stefanie. Clay and then to Brett.

Mr. Tam: Yeah, just one comment to that, too. It's

not only illegal fishing but out in the Pacific it's definitely not the same playing field. Eighty percent of our longline effort is outside of our EEZ, because we have no EEZ. Seventy-five percent loss to sanctuaries, and possibly more.

So, we import over 80 percent of our seafood in Hawaii. The concern -- I sit on the WCPFC and the IATTC, it's not a level playing field in the sense that some of those nations that might be compliant are not in terms of data. Managing the fishery without the global input of those fisheries tends to be a sticky matter, and a lot of reason why I see, sitting on those committees, some of the attention and direction of management get stretched out long because the best available data. And that's problematic, at least for us and the fisheries.

So, you know, in addition to IUU fishing, I think there's also the responsible part of it, and keeping these countries in line. At home I see, at our safe ways and stuff, cases of frozen gassed tuna -- Vietnam, Taiwan, they come from all over the Pacific. And so, those things definitely impact the bottom line for our fishers in Hawaii, or we see that bottom line, you know. And so, that's just one of our concerns. Thank you.

Ms. Cole: Yeah, I mean -- thanks for that, Clay. And certainly, as you know, I've been involved in WCPFC now, I don't know, 15, 16 something years. And, while I don't necessarily think SIMP is going to end up being the tool that solves that, but we are working through the RFMOs to try to improve the data collection from all the fisheries and all the members that participate in those organizations.

So, I think that's a critical piece, I don't know that it's a piece that is solvable by the Seafood Import Monitoring Program, or SIMP 2.0, whichever it looks like. But it's certainly a component, because it is about trying to collect more information and more data about the products that we are importing into our market. So, it certainly is connected. So,

appreciate that.

Chair Davis: Yeah, thanks for that, Clay. Brett?

Mr. Veerhusen: Just something I've heard only a little bit about, but how are you thinking about the SIMP 2.0 -- we're just going to keep saying it --

Participant: It's catchy.

Mr. Veerhusen: It's there, it's on the record --

Participant: Too SIMP, too furious.

(Laughter.)

Mr. Veerhusen: How does it align, or how does your thinking with sort of the implementation of the program, going forward with the food traceability final rule from the FDA?

Ms. Cole: I don't know the answer to that yet. I mean, obviously FDA is going to be a part of the interagency team. We've been talking to them, we've had a number of briefings with them. And looked at their traceability rule to try to figure out sort of what it's doing versus what we're doing to see how they marry up. To try to make sure that, A, we're not duplicating efforts, B, that these two efforts are complimenting each other and we're sharing relevant information.

To the best of my understanding now on the FDA program, it's really different than what we're doing under -- what we're currently doing under a SIMP. But, as I mentioned at the beginning, our goal is really trying to say this is not just a NOAA thing, and we need to have a program about fisheries import accountability. And that's going to have to include the FDA as part of it, as well as NOAA programs and the other programs.

And so, that's certainly part of the discussion that we'll be having, but I don't yet know exactly how that's all going to play out at this stage.

Chair Davis: Jocelyn? Thanks Brett.

Dr. Runnebaum: If you're looking for name suggestions, I just literally wrote down Seafood Import Accountability Program -- it doesn't quite have the same ring --

(Laughter.)

Dr. Runnebaum: I think you need a D at the end, some word with D so it could be the --

Ms. Cole: SIAD -- anyway.

(Laughter.)

Ms. Cole: It needs a new name, so feel free -- but, we don't have to name it today, so feel free to mull on that because --

Dr. Runnebaum: This is what MAFAC is best at, though, we would like to spend a lot of time on this.

(Laughter.)

Ms. Cole: Feel free, but I'm not sure SIAP necessarily gets us there. But yeah, something that doesn't rhyme with wimp or other words would be really appreciated.

(Laughter.)

Dr. Runnebaum: Janet, is this the role you envisioned for us?

(Laughter.)

Ms. Coit: I was just thinking about something like -- wait a minute --

(Laughter.)

Ms. Coit: Seafood Harvesting Accountability and Responsibility --

Participants: SHARK. SHARK program.

Ms. Coit: SHARK -- I wanted it to be SHARK --

Ms. Cole: You actually don't want it to say program at the end because then everybody calls it the SIMP program, which you're now saying program twice. You got to get rid of the P.

(Laughter.)

Chair Davis: Very good. Well, Alexa you can tell that this MAFAC Committee is very interested in this topic. So, I don't think that you'll be a stranger to this group. We definitely want to see you again, come back and continue the dialogue. And then, Linda's also heading up a subcommittee task -- Linda, do you want to share a little bit more about that?

Ms. Odierno: With our response to the seafood strategy, we are looking at that goal, three, in both, domestic markets and foreign markets, and also import issues. And we are trying to come up with a list of recommendations, some of which are already in the in the mill, like the seafood export certificate which you're already working on.

And we have some other ideas that you might be interested -- I was interested to hear you say that you're also interested in our domestic markets, and why we can't be competitive. And that is one of the issues that we were considering looking into more fully, and we'll keep your office apprised of where we are with that.

Ms. Cole: That would be great.

Chair Davis: Thank you. Thank you, Linda. And Heidi has a comment.

Ms. Lovett: So, this is -- Alexa, here, these are some questions. This is an opportunity -- I see people already shaking their heads. This is an opportunity for the Commerce Committee to potentially broaden the scope, or additional or other individuals could -- it feels like this fits under the Commerce Committee in particular. But, other individuals might want to, if

they're very interested in this topic -- well, first of all, it's good to get a general consensus that you all are interested in potentially looking into this, and starting to wrestle with these questions.

And then, if yes, we would recommend the Commerce Subcommittee. And then, if that's agreed upon, then -- if not the current folks, if they're already working on something -- in particular, if there's other individuals that would like to begin to think about these questions and start having more conversations with Alexa and her staff, then that would be a way forward.

Chair Davis: Thank you, Heidi. Linda?

Ms. Odierno: Yes, we certainly would welcome input from everyone at the table, your stakeholders, and your constituents. Because we want to be as inclusive as possible on the Commerce Committee, so certainly all of your ideas, please share them. We're going to be meeting tomorrow morning from 8:30 to 9:30, so please participate.

Chair Davis: Yeah, thank you, Linda. So, this is great. I definitely see this being added as a charge, but MAFAC will definitely be reporting back on that, and how to actually work that charge and answer questions -- the questions that you put forward.

Jocelyn and Clay -- Clay, do you -- okay. Jocelyn, let's go ahead and wrap up with your comment question.

Dr. Runnebaum: I have a question. So, I'm just sort of cognizant of some people that have a lot of interest in this topic that are terming out in March, which is still a few months away. And wondering how we sort of are able to extract their expertise on this topic in a very short amount of time, to really be responsive to what Alexa is asking and to keep this moving forward quickly.

I am not one of those people with expertise, so I will not be doing those. But, just recognizing that there

are two lovely ladies at the end of the table that are passionate -- and Linda.

(Laughter.)

Dr. Runnebaum: Another very lovely lady, sorry -- my apologies. Anyway, just how do we do this to get that expertise?

Chair Davis: Yeah, Jocelyn, that's a really good point. Because, really we're part of MAFAC until March, so thank you for bringing that up. And I think we can have further dialogue, like you said, with Sarah and Stefanie and others on this topic. So, let's go ahead and write that into the minutes or whatever we call it. But, we can follow-up on it after MAFAC, too, because Katie and Heidi usually do a summary, and call in, you know, who else would like to work on the topics. But yeah, thanks for reminding us about that. And come tomorrow morning from 8:30 to 9:30 and have more discussion, yeah.

So, this has been really terrific, Alexa. You've really brought some great, new information and some new opportunities for MAFAC to work with you.

Ms. Cole: Thanks for having me.

Chair Davis: Thank you, and thank you, MAFAC for all your input.

ESA at 50: Past, Present, and Future - Informational

Okay, so we are going to transfer into a new topic. And I see that Dori Dick, who's a biologist and a climate specialist with the Office of Protected Resources, is going to give us a virtual presentation about the ESA at 50. So, we're really happy to have you here, Dori.

Dr. Dick: Great, thank you. Can you hear me?

Chair Davis: Can you hear us, Dori?

Dr. Dick: I can. Can you hear me?

Chair Davis: Yeah, it'd be best if you were a little louder if they can make it so. Thank you.

Dr. Dick: Okay. Let's see what I can do here for you.

Chair Davis: Yeah, that's great. You're loud enough now.

Dr. Dick: Okay. And you can see me but not my screen yet. So let me bring that up. Hopefully, this will work. Yes, can you see my screen now?

(Simultaneous speaking.)

Dr. Dick: What was that?

Chair Davis: Yes, we can hear you and see your screen.

Dr. Dick: Fantastic. All right. So let's see how this goes. My technology on WebEx is a little out of practice. So apologies for that.

But first of all, I just want to say good afternoon and thank you for the opportunity to be here today. I'm excited to talk to you a little bit about the ESA and what's happened over the last 50 years and then also highlight some of the challenges that remain, especially as we look forward into the future in the next 50 years of the ESA. Okay. I think that transitioned okay for you? Okay, great.

Dr. McDonald: Yes.

Dr. Dick: Fantastic. So here we go. It's a pretty picture slide. But what I wanted to start with, not knowing how much exposure everyone on the MAFAC committee has to the ESA, I wanted to give you a little background on what it is.

And it's a powerful and effective legal framework to conserve and recover threatened and endangered species and their ecosystems, both domestically and abroad. And we have what we think are a number of interesting facts about the ESA. And they include that we, NMFS, NOAA Fisheries, shares the responsibility

of the Act with the U.S. Fish and Wildlife Service. NMFS protects more than 160 species under the Act, and we've protected millions of acres of habitat designated as critical habitat for listed species.

And this designation has resulted in federal agencies being required to ensure that any actions that they undertake are not likely to destroy or adversely modify those areas. And fewer than one percent of species have been lost or gone extinct after they've received protection under the ESA. So how did we get to the ESA?

There were a number of events that led up to the signing of the Act. Probably one of the instrumental ones was in 1900, the enactment of the passage of the Lacey Act which was catalyzed by the decline of the passenger pigeons. And here you can see the last remaining passenger pigeon named Martha after Martha Washington.

And the Lacey Act was enacted to help prevent over-hunting of game and bird species. In 1962, Rachel Carson published her *Silent Spring* book and brought environmental conservation into the public eye by calling out the negative impacts of pesticides. And then in 1966, President Johnson signed the Endangered Species Preservation Act and established the first list of endangered species.

In 1972, President Nixon signed the Marine Mammal Protection Act into law with bipartisan support. And then in the following year, 1973, he also signed the ESA into law and also with bipartisan support. In that same year, 80 countries signed on to CITES or the Convention on International Trade in Endangered Species of wild fauna and flora.

It's always fun to look back at these older pictures. And here is a picture of President Nixon signing the ESA into law in December 1973 and saying that nothing is more priceless and more worthy of preservation than the rich array of animal life with which our country has been blessed. Bipartisan

support for the ESA in 1973 has highlighted Congress' recognition of the importance of protecting species and their ecosystems.

So looking a bit closer at the Act, its key purpose is to provide a means whereby ecosystems upon which endangered species and threatened species depend may be conserved. And the law created a policy in which all federal departments and agencies shall conserve endangered and threatened species and shall utilize their authorities in furtherance of the purpose of this Act. So with that in mind, our goals for implementing the ESA are threefold.

We are working to conserve threatened and endangered species and their ecosystems. We aim to reduce threats so species can recover to the point at which they no longer need the protections under the ESA. And we evaluate and authorize necessary activities that may affect listed species.

And these goals and implementation are accomplished through a variety of sections within the ESA. This slide highlights some of our major ESA responsibilities, and they include listing critical habitat. So before species can receive protection provided by the ESA, it must first be added to the federal list of endangered and threatened wildlife and plants.

And a species is added to this list when we determine it has met the definition of endangered or threatened under the ESA. Species here can also be removed from the list or delisted when they're no longer requiring ESA protection if we have a change in status, for example, from threatened to endangered. So listing determinations are required to be based solely on the best scientific and commercial information available.

Economic impacts are not considered in making species listing determination and are prohibited under the Act. So this process where we evaluate whether a species should be added or removed from the list or reclassified in its status is commonly

referred to as the listing process. And once a species is listed, NOAA Fisheries is required to determine whether there are areas that meet the definition of critical habitat and then designate that critical habitat based on best available scientific data.

So another major responsibility we're responsible for is the recovery of species. So once a species has been added to the ESA list, we now need to consider what needs to be done to recover it and their ecosystems to the point where they no longer require protection. Endangered and threatened species may have very different needs and they require different conservation strategies to achieve recovery.

So a primary role of NOAA Fisheries in recovering these species is to set goals for each species recovery through the development of recovery plans. And in doing this, we work very closely with other federal agencies, states, tribes, and stakeholders to recover listed species. Under Section 6 of the ESA, we provide assistance and grant funding to states to support conservation of listed species and implementation of recovery plans.

Grant funding through the species recovery grant program can be used support management, research, and monitoring efforts that directly benefit conservation of listed species. We also -- sorry, is there a question? Okay. And there are interagency consultations also known as Section 7. We partner with federal agencies and federally recognized tribes to advise and collaborate on activities that might impact endangered and threatened species.

And then we also look at ESA take permits where states, local agencies, and private entities may conduct conservation actions to minimize or mitigate incidental take of a species as part of their conservation plan under Section 10 of the ESA. So NOAA Fisheries has jurisdiction of over 160 endangered and threatened to the marine and anadromous species. And this includes 65 foreign species.

There's a few pictures here on the slide. And they fall under the different categories, whales, dolphins, and porpoises, seals and sea lions, sea turtles, fish and sharks, corals, and invertebrates. We did have until recently a one plant species listed, Johnson seagrass.

But it was removed in the last few years based on newly obtained genetic data that demonstrated the seagrass was actually not a unique taxon and was a clone of Indo-Pacific species which is not listed under the ESA. So since the ESA has been established, there's been a number of important milestones. In 1984, the eastern North Pacific stock gray whales underwent delisting, and this is the first marine species to be delisted.

In 2013, the eastern distinct population segment of Steller sea lions was also delisted. And more recently in 2016, the global status of humpback whales changed after non-distinct population segments were determined to be threatened or endangered. Of note, you can see there is this picture of a Caribbean monk seal.

The Caribbean monk seal was declared extinct in 2008. But it was last seen in 1952 which was actually 24 years before the ESA was enacted. So thinking about why species are at risk, there are a number of anthropogenic threats that can cause marine and anadromous species to be considered at risk for extinction.

This includes all of the items highlighted here on the slide. And I'll talk through a little bit of each of them. Bycatch item here, you can see in this graphic that there's a totoaba fish and a vaquita laying across the man's feet.

And this example highlights how bycatch can lead to near extinction. The totoaba itself is listed as endangered, but it is highly sought after for its swim bladder. The vaquita which is a small porpoise found in the same area as a totoaba is caught as bycatch in the fishery and is now nearing extinction with only 10 to 13 animals left.

Climate change, it's an ecosystem threat to all species, including us, yet not all species are currently being impacted are going to be impacted similarly. Some species are going to need more intervention or management actions than others. These differences challenge our management approaches now and into the future. And I'll talk a little bit more about climate change a bit later.

Vessel strikes also pose a risk to many species. A vessel strike is a collision between any type of boat and marine animal, including marine mammals, sea turtles, and fish. We use a variety of regulatory and management options to reduce the risk vessel strike, especially in areas with heavy vessel traffic.

And we also work to educate vessel operators on responsible boating practices. And identify new technological solutions to help minimize the risk of vessel strikes. Another risk is over-utilization.

And a good example here is the Atlantic sturgeon which is what this picture represents. The Atlantic sturgeon was once found in great abundance along the entire East Coast. However, their population has declined greatly due to overfishing and habitat loss.

And today, all five of U.S. Atlantic salmon distinct population segments are listed as endangered or threatened under the ESA. Habitat loss, segregation, and loss of access to important habitats is also a threat and a risen risk for marine and anadromous species. We're seeing habitats like tidal wetlands disappearing from coastal estuaries, sea level rise.

And wetland are being filled for development. And so this is really an important factor for species like salmon and sturgeon who need to be able to access these habitats for their life history. Entanglements and marine debris is also a concern.

Entanglement in fishing gear or other lines in the water pose a significant risk to several large whale species and other protected species like leatherback turtles. Marine debris can affect protected species

both through consumption or through contamination. And then finally, pollution is another risk that we think about when we're looking at endangered species.

Here you can see a pod of dolphins swimming through Deepwater Horizon oil slick. Other types of pollution like nonpoint source pollution can also cause issue. Think about harmful algal blooms that threaten many species. Some of you may be familiar with the domoic acid poisoning that occurs off the coast of California which is from a form of a harmful algal bloom and then leads to hundreds of dead or sick California sea lions and dolphins.

So the ESA has done a great deal of good over the last 50 years, but there are still challenges, and this slide sort of highlights them. Extinction is forever, and time is running out for some of our species. So we're facing that as a challenge.

Undertaking the efforts to recover species requires significant resources. And funding can be scarce, especially for species that don't get a lot of attention. We have legal challenges that can often delay or ability to effectively implement recovery actions.

Habitat disturbance from development, pollution, and other things continues to imperil many species. Then we are challenged by maintaining public support and cultivating champions. It's hard when it can take a really long time to recover a listed species.

And then, of course, climate change. It's affecting pretty much all of our ESA listed species. And as we know, it's hard to mitigate. All right. So there's a lot of challenges.

So you might ask yourself, well, what are we doing about it? And so I'd like to highlight some of our actions that we're doing now, including this one here, NOAA's species in the spotlight. This was an initiative that was launched in 2015 to bring greater attention and resources to save highly at risk species.

So as I mentioned earlier, we have over 160 species protected under the ESA. But we consider nine among the most at-risk of extinction in the near future. And you can see the picture here on the slide.

They include the Atlantic salmon, the Cook Inlet beluga whale, the Hawaiian monk seal, the Sacramento River winter-run Chinook salmon, Southern Resident killer whale, Pacific leatherback turtle, Central California Coast coho salmon, North Atlantic right whale, and white abalone. And these nine species were selected because they are endangered. They are considered species whose extinction is almost certain in the immediate future because of rapid population decline or habitat destruction.

Their survival conflicts with construction development or economic activity. And we know that the necessary management and research actions needed have a high probability of success of species recovery. But we can't forget about our species that are in the shadows.

And these are the species that have received less attention over the years. And so we're using the ESA 50th anniversary year to highlight them and raise awareness about the status, threats, and efforts to recover them. The species that I mentioned that are included as species in the spotlight are in the spotlight because we know enough about them to know what we can do to save them.

But for species in the shadow, we don't have that same level of information. We don't know what to do to recover them. So this includes species like the North Pacific white whale. We don't know how many there are, where they go, what threats are impacting them the most, or other important information that's necessary to be able to even begin to recover these species.

It's important also that we use this anniversary as an opportunity to better engage with the public and decision makers, and so with what we're doing under

the ESA. And so we're spending a lot of time this year highlighting our science and management efforts through web stories, podcasts, videos, collaborating with partners and local communities, reaching out to national and regional media, sponsoring and partnering, participating in events as well as various webinars. And we're publishing an internal newsletter for NOAA to understand more of what we're doing.

And we have a number of 50th anniversary events across the country that we are participating in. Some of them have happened and some of them are happening or about to happen. I believe many of you will be attending the Rice's whale exhibit and symposium tomorrow afternoon.

This is one of our highlight 50th anniversary events. And we're excited that you'll be able to joint in on some of that and learn more about those species. And then we're also looking to new innovative solutions.

We are really excited about a new initiative that we're starting called Advanced Sampling and Technology for Extinction Risk, Reduction, and Recovery or ASTER3. This initiative is focused on reducing extinction risk and supporting recovery of protected species through technological innovation. So here we're trying to use new technologies and new ways to minimize some of the risks to our species and find new tools to gather more data and fill in those data gaps that I mentioned earlier.

So there are a list of technologies here. But they can then be used to come up with vessel strike detection and avoidance technology for large whales, using satellite imagery of species to know where they are and when they're in a particular location, environmental DNA or eDNA, omics is what's on the slide, new advancements in tagging and other advancements. And the Inflation Reduction Act funding is coming at a great time for us to further this initiative for protected species given that it's focused on transformational innovation.

And then important shifts, they're critical in the work we do. And we recognize that we cannot recover our species under our jurisdiction on our own. We have to work with our partners and you can see on this slide the focus of many of the partners that we work with, both domestically and internationally. And we're always looking for new ones.

All right. So that's a bit of, like, the history of where we've been and what we're doing to celebrate this anniversary. And now I want to take a few minutes to talk a little bit about an elephant in the room shall we say, the ESA and climate change. Climate change is an existential threat, and the ESA is an important tool to help ensure the protection of our species and increase their resilience into the future.

So as we work to tackle climate change, our best chance of success is to take actions that will ensure our species and their habitats remain integral parts of the coastal and ocean ecosystems. And we do this by working to enable and enhance their ability to adapt and become resilient to these changing conditions. All right. So the impact of climate change on species has been recognized in a number of listing decisions.

In 2006, NMFS listed the Elkhorn and Staghorn corals as threatened. And they were the first species to be listed under the ESA due to the threat of climate change. There have been other species listed due to the threat of climate change.

They listed the polar bear as threatened by the U.S. Fish and Wildlife Service in 2008. And then again the spotted seal in 2010 and the ringed and bearded seals in 2012 were also listed as threatened by NMFS. And there have been other species petitioned and evaluated for listing due to climate change, including Pacific walrus, wolverines, Joshua Trees, white bark pine, American pika, Arctic grayling, and Emperor penguins.

So this is definitely something that is becoming a greater and greater concern moving forward into the

future. In addition to our listing decisions, we must also consider climate change and other ESA assessments and decisions. For example, in our recovery plans, what does it take to address climate change and recovery of our species?

In our Section 7 consultations when we're assessing the effects of an action on a species and also in Section 10, incidental take permits, when evaluating the effects of an action, we use a time period corresponding to the duration of the effects of the action. So I think I mentioned earlier that as ecosystems continue to change, not all of our species are going to be impacted or are being impacted the same way. So we need to really think about this and break it down into components.

And one way that we're thinking about tackling the challenges of climate change for ESA listed species is to think about their mobility and their habitat and then ask ourselves, what is changing and what are the challenges that result for management? So each of the categories you see here on this slide has its own set of changing conditions and challenges that we need to be able to address. So ESA species can be sessile and place-based like corals or abalone. Abalone is a little bit generally placed spaced.

So what are the challenges -- or the challenges with this group of organisms is highly increase their resilience, protect their habitats, and protect small populations. When environmental conditions are no longer sustainable yet individuals cannot relocate to more favorable locations. We also had a species that are mobile but also semi-aquatic.

So think about things like seals, turtles, and salmon. These species depend on more than one habitat type and each of the habitats is being impacted by changing conditions differently. So therefore, they're actually facing multiple impacts over different life stages across different habitats.

And our management approaches need to be able to consider these complexities. Finally, the third group

of species are those that are mobile and fully aquatic like whales and dolphins. How do we maintain protection for animals who move and follow their prey or cross boundaries into areas where different levels of protection exist?

Many of our management strategies today have been place-based like sanctuaries or time area closures or restrictions. But as we move forward, we're going to need to be more flexible and nimble and be able to adjust to those changing conditions and moving populations. Adaptive management here is key.

So our goal is to promote species adaptive and resilience in light of climate change. And to ensure that our species, the ESA listed species, and their habitats are integral parts of a coastal and ocean ecosystems. We need to take actions that are going to help our species better adapt to climate change.

And to do this, to tackle these challenges, we need - - we have a number of needs. In general, we need to reduce our greenhouse gas emissions. Primary cause of climate change is excess CO₂ which in term drives multiple ecosystem changes that impact our species.

So therefore, we need to think about ways to reduce our greenhouse gas emissions, both as an agency and as global citizens. We need to manage based on sound science. We require science information modeling, including modeling at the appropriate space and time scales to understand the direct and indirect impacts of climate change to our species.

We need this improved understanding to support our better management and functioning of our ecosystems. We also need to consider the impacts of human response to climate change. This one often not necessarily jumps to mind right away.

But as climate change progresses, we as humans are responding to that climate change for our needs. And those actions that we take may have additional indirect and direct impacts to our species that we need to address. We also need additional resources.

That's not an uncommon refrain. We recognize that. But we do have needs in order to further incorporate climate change information and to our decision making. And how do we do that?

We need more people and resources for our science. We need to address persistent data gaps. We need to advance our climate science and integrate life cycle modeling and climate data across species and habitats.

Remember, this is critical for those species that are mobile but semi-aquatic. We also need more people and resources for management. We need to be able to develop and apply climate guidance.

We need to be able to conduct scenario planning and apply lessons learned to our decision making, to implement recovery actions, and to develop management plans that include relevant ecosystem indicators so that we can watch how this ecosystem is changing and make appropriate changes as needed to our management. And again, going back to the importance of partnerships and coordination, we also need to maintain and strengthen our partnerships and coordination both internally within NOAA but then also with significant engagement, both domestically and internationally. Because as I mentioned, our animals are moving.

We need to have those partners engaged in climate change conversations to find and implement solutions. We need those novel partnerships to engage in that cross collaboration at the domestic and international level to implement recovery actions that target an ecosystem level. All right. So that's a lot of needs.

So how do we address those needs? We have a number of tools available that we can use to help us better understand -- sorry, to better prepare, identify, and meet these challenges. There's a list here on this slide, and I won't go through them all.

But I will highlight a few. We are actively pursuing

climate smart conservation, the intentional and deliberate consideration of climate change, MPR science and management. What strategies that will enable adaptation resilience and protected species and their habitat to changing conditions. So conservation gives us an opportunity to acknowledge what we've learned from a vulnerability assessment or a scenario planning exercise and then identify management actions that will help to reduce those vulnerabilities and the climate impacts.

The climate vulnerability assessment, these are used to understand what species are vulnerable to climate change and what makes them vulnerable. And scenario planning, I think some of you have problem heard of this or have been involved in exercises with some of the fishery management council work which is a structured process used to help generate ideas and test decisions under uncertain and uncontrollable conditions. And then based on that, identify actions that can be taken now to help prepare for the future in light of changing conditions.

We also need to invest in climate informed recovery actions. We need to have our climate informed recovery actions. So for example, to support salmon and sturgeon species recovery, we need to be able to identify, restore, and connect areas of watersheds and spawning habitat. They're expected to have cold water refugia into the future.

So if we can identify those areas and we can help protect them, we have a better chance of recovering salmon and sturgeon. There is also an approach called RAD, the resist, accept, or direct tool. And this can be used to help make informed decisions to help conserve species and ecosystems that are undergoing ecological transformation which is really what climate change is doing.

And improving our modeling capabilities, habitat and prey distribution models, for example, inform managers about how species distributions may shift. Or marine heat wave predictive modeling which can

help us better prepare for massive ecosystem impacts when a heat wave does occur. And then we have exciting initiatives like the Climate and Fisheries Ecosystem Initiative, or CEFI.

And this is designed to develop and provide climate relevant information data products to help inform both science and management. So these were actually out there. And the staff from across NOAA Fisheries have been actively involved in using any number of these tools. And they've proven valuable, both for strategic planning as well as identifying resource and data gaps and then also helping to prioritize the climate informed actions that we take.

So having said all that, a picture is worth 1,000 words. And all the tools I just mentioned are represented here in a draft conceptual model that we're working towards. And we call this protected resources climate initiative.

And of course, this would include our ESA listed species. And so how we combine all of these tools together, we can achieve the goal of adaptable and resilient protected species. So just walking through this figure a little bit, on the left of the figure are the various activities that we use to support climate smart management.

On the right of this figure are the activities that we use to support climate focused science. It's important to note that while there are two overarching themes, climate smart management and climate focused science, they're intrinsically linked and they must work in tandem. Climate smart management must be supported and informed by climate focused science.

But in turn, management efforts must be monitored and evaluated to ensure actions are successful and have the intended effects that we are working towards. So we feel strongly it's imperative that we have climate smart management informed by long-term climate focused science in order to achieve that an adaptable and resilient protected species -- in order achieve adaptable and resilient protected

species and sustain them into the future. And the ESA is one component of that.

So I think I've just blown through this really quickly and I hope I didn't go too fast for you. This is my last slide. So we're going to have lots of time here, I think.

The future of the ESA, it does more than just incorporate considerations of climate change in its decisions and implementation. The ESA protections for species address threats to build resiliency and populations to be able to withstand some of the effects of climate change. I mentioned that adaptive management is key.

The ESA is nearly 50 years old. It will be in December. And we've only just begun to figure out what it takes to recover many of these species.

Many of the species that are listed under the ESA are long lived and can live hundreds of years. And some of the work that we're doing will take decades before we see species recover. So the ESA is more important than ever as we move forward because it's a critical tool to help these animals, their habitats, and the overall well-being of our planet to thrive, both now and into the future as we are tackling climate change.

And that is it. So I just want to say thank you for the opportunity and encourage you to scan this QR code here. And you can learn more about the activities that we're doing under the ESA for celebrating the 50th anniversary of the Act.

Chair Davis: Dori, thank you so much for that amazing overview of the ESA. And I think they're going to bring you back on screen so you can see us.

Dr. Dick: Yeah, I'm trying to figure out. Do I stop sharing?

Chair Davis: Yeah, you need to stop sharing. Thanks.

Dr. Dick: I'll stop sharing. There we go.

Chair Davis: Thanks, Dori. So I take it by your title that you are a climate specialist working on the ESA side of things. Or do you have other responsibilities?

Dr. Dick: So my primary responsibilities in the office are to think about how we can better incorporate climate change information and science into the management activities that we do. My focus has been primarily with ESA listed species. So that tends to be where my focus is. I've been working on developing guidance and training for our staff to better understand the different tools that are available and how this can be incorporated into the work they do on a daily basis.

Chair Davis: That's great. Thank you. We all found your presentation really interesting, and we will open up the room with the MAFAC members for any comments and questions. I see Sara and Jocelyn. Oh, I see Sara and Stefanie.

Dr. McDonald: Hi, Dori. So nice to see you. I'm sorry that I'm not seeing you in person.

Dr. McDonald: I had a question -- a couple questions, but I'll ask them one at a time. I was interested in the ASTER that you talked about. And I'm just wondering how it's being applied.

Is it for the nine species in the spotlight? Is it for all species? And also where, is it targeting specific species in certain regions? So if you could just explain a little bit more about that group of tools that you're using and which species in particular or groups of species or multiple.

Dr. Dick: Yeah, that's a really good question. Thanks, Sara. So it's a relatively new initiative. I don't think it's even been pumping along for more than six months.

And I would say we're using it as broadly as we can across our species. So it's not focusing on just the nine species in the spotlight. It's trying to really move the needle forward on innovative, transformational

technology that we can use to better address the needs for recovery of our species, whether it be a species in the spotlight or not.

There's a lot of excitement surrounded around this because there has been so much technological advancement in the last number of years for different types of things like reducing bycatch or satellite imagery. It's really come a long way over the last couple of decades to the point where you can even pass a satellite over and actually identify whales in the water. So these are -- but how do we then capture that in a way that is useful for our needs and repetitively useful for our needs I think is where we're going with this.

Lindsey Steigler is the lead of that program, and I can provide that information for you if you want to have any follow-up information about the program. There is also a link to it. I think if you google ASTER and NOAA Fisheries, there is a website with more additional information on that initiative.

Dr. McDonald: Thank you. I'll put my card down and then put it back up so you go to other folks.

Chair Davis: Great. Thanks, Sara. Thanks, Dori. Stefanie?

Ms. Moreland: Thanks, Dori. A lot of content that is timely, to say the least. I'm just commenting on the focus on what NOAA or the agency or government can do with respect to greenhouse gas emission and mitigation, if that's part of this program work and strategy.

The Department of Energy has had a lot of opportunity to direct Build Back Better funds. And one area that could be very high impact that's very relevant to NOAA is in the largest fishing port and largest fishing region out in the Aleutian Islands where geothermal is an option. And they've been continuously denied support from DOE.

And it would really be an incredible opportunity to

decarbonize a major part of seafood production while also supporting U.S. competitiveness. And it also would not negatively impact those ocean interactions due to the fact that it would be land based. And so there's also not a threat to further exacerbate marine mammal interactions. And so I'm wondering whether this kind of comprehensive strategy might also offer an opportunity for interagency input on opportunities like this.

Dr. Dick: That's a really interesting point. We just had a large leadership presence in Alaska and touring the different -- a variety of different places in Alaska. And I don't know if this was a point of discussion or not.

But it's definitely an interesting idea. I will make note of it, and I can take it back to my office. I know that NOAA itself is looking at ways to green their fleet, the research fleet as a way to sort of address some of our CO2 emissions that we cause. But that is -- it's not something that I have direct exposure or work with. And so it's definitely something that -- it's something to consider and take back to my office.

Ms. Moreland: Thank you. And this is Stefanie Moreland speaking, and we'd be happy to provide more information on that opportunity. And I think it is worth pursuing in terms of NOAA voice with respect to blue economy and opportunities.

Ms. Coit: Thank you, Stefanie. Dori, this is Janet Coit. Thank you --

Dr. Dick: Thank you.

Ms. Coit: -- your fantastic presentation. And I agree with what you just said. I think, Stefanie, this came up also last week in Seattle more generally to the industry and some of the conversations I had with Sarah Schumann, with Linda Behnken, with others at the Pacific Expo as well as with industry folks.

I absolutely think NOAA -- I don't think it's an Office of Protective Resource's endeavor. But I think that as part of the seafood strategy or part of a climate

change strategy, that's something for NOAA Fisheries to look at how we can support. But the job of Dori and Kim Damon-Randall and all is to do the recovery work. And the climate change mitigation work is kind of at a different place. So I think I'll take that one on.

Chair Davis: Thank you, Janet. Thank you, Stefanie. And Clay and then Sara.

Mr. Tam: Yeah, thank you for the presentation. Clay Tam here from Hawaii. I think one of the issues that I bring and it's not personal, but definitely the issue with green sea turtle.

They have been sort of delisted from ESA to protected. But the same caveats that were attached to ESA continue. The local native population that wants to partake in culture, they cannot produce a plan or entertain harvest.

There's been over 50 years where it's been protected from the point of view of the environment. Those turtles have over-grazed much of our areas for seaweed or limu. It has impacted herbivores in our area.

And now the state wants to put provisions on that. It's a big issue with that and within the territories where the green sea turtle population in Hawaii was identified and labeled as a distinct population and had left the other territories with green sea turtle on the list where they have documentation tagging that the turtles at least in the territory go to Japan, Philippines and elsewhere. Hawaii is pretty distinctive in that they frequent the northwest Hawaiian Archipelago where it's protected.

But there's been erosion due to possibly climate change in one of the major areas, Tern Island. But that island was created by the military as a landing area that the turtles eventually started nesting on it. The island that's close to the east island has seen a shift going there because the sand has eroded from the major island.

And the thing is I think the technology exists where those areas that have been depleted can be rebuilt in terms of re-sanding islands. If you look at Waikiki Beach, it's all manmade. All those guys who go on Waikiki think it's a great sand beach.

But every so many years, we got to replenish that sand. So technology is here that they can help the species out. But nothing is being done.

And so the community suffers at the hands of policies and issues. I think one of the things that holds back any type of planning in terms of take has been the listing and agreement with CITES and international building with the green sea turtle, that's been problematic for reestablishing limited take. I grew up eating turtle.

It's fine, but it's not something that I'll go out. But the big issue is when Hawaii was -- the missionaries took over and it became commercially harvest. Up until that time, we had no problems with sea turtles, as long as it was a limited cultural thing, it was fine.

But once it was commercialized, we had a huge problem. But since then, much has recovered. I see more turtles today than I ever did in my life. And it is problematic.

But due to this Act and the way things are going, it sits there and it goes nowhere. There's some -- there's one project out of Mauna Lani that they're allowed to take small sea turtles, raise them up, and release them which is a great thing on 4th of July. But that should be allowed and at least permitted for the local fish pond operators to partake and do something similar to help the green sea turtle population recover and given them the opportunity to share that within the community.

I'm sure if they're in the ponds, they're not going to get poached, especially with local eyes and ears on it. And so this bigger issue of education and outreach through the community is very important. It's very near and dear to many of the people in our territory.

I've seen a couple of guys that advocated strongly for at least that kind of thing. But unfortunately, they're not here today. They passed away.

And there's people on that list, kupana or elders that will never taste a green sea turtle again. So in light of that and other endangered species that impact our community on a higher level, I mean, there's when I see birds on Kauai, they nest up there. The community, our kids and community cannot have anything going on at night with lights because the green sea turtle -- I mean, they impacted the birds.

That means our kids have to play in the hot sun during the summer. And they cannot have any night events because of the lights and the birds that might fly into it. Talking to people that whoever worked the fish and wildlife and those who monitor bird population, the greatest problem and the decline in population is due to cats on the nesting areas.

The put cameras in there and they found out the cats were the greatest detriment to the population. But yet here nothing gets done and again the community suffers and same with the false killer whale protected area. We hope to killer whales and release them.

That area is closed. And that's within our EEZ. And so to reopen it, it takes this whole consultation period and we may not be able to fish there for a year and a half. And much good protected the ESA has done. It also has impacted our communities. Thank you.

Chair Davis: Thank you, Clay, for describing a real time, real life situation. Really appreciate it. And Sam would like to respond.

Mr. Rauch: Yeah, Clay. I have a great deal of sympathy for the difficulty on the cultural importance of sea turtles have been and the difficulty. There's a desire to be able to take them again as you used to be able to do so. I have struggled with trying to figure out a way under the Endangered Species Act to allow that kind of thing.

And do believe that there's a way. But you mentioned this. It doesn't matter because it is still prohibited under the Inter-American Convention for the protection and conservation of sea turtles.

We recently talked to the State Department about whether or not there's an opportunity to change that and there's not. So until that changes, it doesn't matter what we do because it's still prohibited. But it is something that we are interested in looking at a way to be able to do that if, indeed, the population can recover to that level that would support that and that statute -- that treaty would change.

Can't change the treaty unilaterally. That's a multi-national kind of thing. But it is something that we are looking at.

My belief is that ESA is flexible enough to allow those kinds of things on recovering populations for the reasons that you articulated. So I would like to be able to continue to do that. But right now, we're somewhat blocked by the treaty from being able to pursue that.

Chair Davis: Thank you, Sam. I think up next we have Sara and I also see Brett.

Dr. McDonald: I think it's Pat actually. We're far away. So in reference to your climate smart management, you talked about the need to measure success.

And I know built into the MMPA, you have potential biological removal. And you do have ways to measure success in a quantitative way. And I'm just wondering if you have identified how you plan to measure success when it comes to the climate smart management. Or is it not that far along yet?

Dr. Dick: So that's a good question. Thank you for it. I think it's probably a twofold answer. One is we're probably still working on it.

But the other one is making sure that when we are

developing recovery plans in light of climate change, climate informed recovery plans, that the criteria and actions have a measurable metric that we can look at. That also can look at whether or not the action is successful in light of changing conditions. So for example, this is pulling at the easiest example in my head out right now is let's say you're working with a pinniped or a seal population and sea level rise is a concern for hauling out areas.

Maybe one of the actions might be to do some modeling to try and predict where haul out habitat might still be suitable in the future in light of certain sea level rise projections. And then making sure that access to those areas, some kind of action that would allow you to ensure that access to those areas as sea level rises would still be maintained. I don't know what that would look like.

But those are the types of things you think about. And then there could be some kind of metric tie to that. Again, this is all still kind of pretty new in the thinking and there's a lot of excitement to do it. But we're still sort of wrapping our heads around some of it. Did that help?

Dr. McDonald: Yes, thank you.

Dr. Dick: Also, I don't know -- I threw in the chat on this link, a link to the ASTER web page that you were asking about, Sara. So it should be in there for you to access and get more information.

Dr. McDonald: Great. Thank you.

Chair Davis: Thank you for that, Dori and Sara. Pat, and I think after Pat, I have one quick question. And then we'll wrap up the session.

Dr. Sullivan: Okay. I'll try to keep it brief. Hi, Dori. This is Pat Sullivan from Cornell. We've been working in the Hudson River with Atlantic sturgeon there, and I've been doing lots of research.

And the sturgeon are actually looking better and

better. So very happy about that. So my question really is from a sort of naive point of view across the board what you're looking at.

I appreciated the presentation. But a lot of what was described is really high level, right? And so you highlighted about 8 species that you knew what was causing the problem and then another 12 or 15 that you didn't.

I'm just wondering to the extent that generally you know specifically why something is in trouble. It could be, like you said, haul out or it could be a recovery of eggs or larvae. Or it could be lack of habitat.

And it would seem that one would need to be very directed on that. And of course, it could be multiple things that are having an effect. With regard to sturgeon, we know that it started with overexploitation.

But that gives us a very clear way of thinking about recovery and what a recovery plan would look like, what appropriate thresholds for achieving recovery are and those kinds of things. I'm curious about the other species if you could talk briefly about that. Do we know the specifics, or are we just generally applying things that we hope will help in terms of this?

Dr. Dick: Are we talking in general listing under the ESA process? Or are we talking --

(Simultaneous speaking.)

Dr. Sullivan: No, not for listing. Like, for coming back, recovery.

Dr. Dick: Okay. So during a listing process, species go through an evaluation, looking at what are the threats that are pausing their population decline or their inability to be at a healthy population level. Those are then reassessed during the recovery planning process, to look at specifically what are the threats and how are those threats impacting species.

And then the recovery plan is developed with criterion and actions to address those threats.

And they can be very specific or not specific, I think. It just depends on the species and the information that's known. And I know that we are working now also to make sure that we're getting a little bit more in depth and directed about climate informed recovery actions as well. So I think it just depends on the species and the knowledge and the information that's out there. But the idea is to have a measurable criterion so that as you are putting these actions on the ground, you can measure whether or not they are achieving recovery over the long term.

Dr. Sullivan: And are they working?

Dr. Dick: Well, I mean, we have species that are -- we've taken the grey whale off the list, the eastern population, distinct population segment of Steller sea lion. I think it's hard to know because these are long-lived species and things happen slowly. And so that's the importance there of making sure we have good monitoring plans in place so that we can follow the changes as these populations are moving forward into the future and the actions that we're implementing, doing what we set out to do or not. And if they're not, what do we need to do to change those.

Dr. Sullivan: Very good. Thank you.

Mr. Rauch: Yeah, this is Sam. I'd like to add to that a little bit, and I had the opportunity to share some of these views with Congress recently because we have often been asked why don't you delist more. And is that not an indication that Endangered Species Act is not working?

And my response is that many of these species are on the list because of a century of adverse effects. Many of them will take a century or more to get off the list. But the fact that they're still there and are not extinct today is an indication that the Act is working.

It will take a long time to recovery many of these species. And we are making progress on a great many of them towards recovery. But that's a long process. But the biggest indication Endangered Species is working is that that one species that's extinct, went extinct before the Act came into place and there haven't been anymore.

Ms. Coit: I think that's such an important point. Another thing that's so hard to measure is when we reconnect rivers for Atlantic salmon, we're benefitting a myriad of other species that may never go extinct or that may have a chance to thrive. If we reduce vertical lines for white whales, we're preventing entanglement of other whale species.

So the habitat benefits from these efforts I think have so much value. And we can go on and on about the way that these areas have value. But I think that's something that is, to me, it's usually the canary in the coal mine.

But then you're addressing threats to habitat or from fishing gear or whatever it is that are helping many, many other species as well. And that's not required under the ESA. But it's an ancillary benefit that I think is worth raising at least in this group.

Dr. Sullivan: Can I just briefly respond? Thank you very much for both comments. And the ancillary effects is definitely there and very helpful to see.

I'm, again, thinking about communication. And of course, I've been working on the Atlantic sturgeon for some time. And it's difficult, right, to kind of come up with measures that are appropriate.

But if we can, sharing that progress, even if it's not fully recovered yet, might be a useful thing to kind of think about. I'm not exactly sure how best to communicate that. But sometimes efforts in the right direction and showing, like, yeah, let's cheer it on kind of thing might be a useful thing to be thinking about.

Mr. Rauch: This may not be exactly the communication tool that you're envisioning. But every two years, we do, do a report to Congress on our progress on recovery actions. And that's coming up sometime in the next few months that we'll be doing that again.

So that's an every two-year report, we report out to Congress on our overall progress. And that is -- it's a dry congressional report. But still, we do report on our progress periodically.

Dr. Sullivan: Yeah, I mean, if we could, I mean, it's nice that it went to Congress. But I mean, I could see a shout out on a page or something like that. I think that would be kind of interesting to pursue. Anyway, thanks.

Chair Davis: Yeah, great discussion there. Thank you. Dori, I was curious. This is Megan. You said there's 160 species right now in the ESA. I was wondering how many species are actually in a proposed rule that are being considered to be listed. Do you have an idea around that?

Dr. Dick: I do not off the top of my head. I can find out and get back to you unless Janet or Sam have an idea.

Mr. Rauch: I review proposed rules every two weeks. So there's less than five or so at any given time for us. Fish and Wildlife Service has a whole lot more. But for us, we don't do that many in a given year. And so we have a few pending every now and then, I think about five right now that are in the rulemaking process.

Chair Davis: Okay. Thanks for that. All right. Any other last minute comments or questions for Dori? Okay. Janet would like to say something.

Ms. Coit: Just one comment. It's really also in reaction to what Clay said. I just was thinking about as I was visiting the Pacific Northwest tribes, again, that same comment that you made, Clay, about how

from time immemorial they were harvesting and managing successfully the salmon that they depend on and then these other factors that are now caused by the tribes or by the native populations are compromising the existence that is fundamental to food, to culture, identity that in some cases are really just core to survival in every way.

And so proud that we have a law as strong as ESA. But so many of the threats that beset the species and their habitats are so much bigger than what any community has been responsible for and particularly I think our touching down in ways with indigenous communities and tribes where they -- I don't know -- feel imperiled at the core by actions they had nothing to do with. And that is something that I think as we talk about equity and the issues that we're confronting is so sobering for all of us as we do this work.

Chair Davis: Thank you. Those were great closing comments, Janet. And so we want to thank you, Dori, so much for coming. And congratulations on the 50th anniversary and all the celebrations about protecting and preserving species. So we're going to go ahead and close out your session right now. And we want to thank you again.

(Applause.)

Dr. Dick: Thank you for having me. And I hope you have the opportunity to enjoy the symposium tomorrow at the Smithsonian if you have that chance.

Chair Davis: That sounds great. Thank you. All right. So MAFAC committee, what we're going to do is stretch our legs for a few minutes and have a break. I see they brought some goodies for us for the break. And then we're going to come back here and do just a short wrap-up session and then go into a working group session from there. So let's take a ten-minute break and come back from that.

(Whereupon, the above-entitled matter went off the record at 3:36 p.m. and resumed at 3:53 p.m.)

Public Comment

Chair Davis: Great. I know it's a long day. Katie, we're going to need you to see if there's any public comment.

Ms. Zanowicz: There's nobody online and nobody signed up.

Recap and Overview of Thursday's Sessions, Close of Regular Meeting

Chair Davis: Okay. No public comment. Is there anybody in the room that has public comment? No? Okay. Let's do this. Let's do a quick recap of the day from where we stand. And then those that are going to participate in the working group with the strategic planning and budget subcommittee will stay on after that.

And then there is a 5:30 happy hour after that. Or we can start sooner said Heidi. Okay. All right. So yeah, we've had a full day today as we do, and it's been a great day.

We've learned a lot. We've had amazing discussions throughout the day. Just starting off at the beginning of the day, we heard from the Commissioners and we heard about their challenges. Brett has asked how to rate, what's going on.

And then we also -- we found out a lot more in regards to the funding that they have from IRA and also the work that they're partnering with NOAA on. And so it was a really great discussion, very comprehensive discussion with lots of dialogue. We also realized that we need to allot more time for that discussion too, just as a note for Katie and Heidi for future schedules.

And then we went into a budget overview. And we heard from Emily. And we were excited to hear about Emily's background and what some of her goals are.

And so it was great to have you participate in the

meeting this time around. Look forward to seeing you next time as well. And then Brian gave a complete overview of the budget which led us into the strategic planning and budget committee and their draft letter to the Secretary of Commerce.

And there was some great discussion around that. Just some minor changes that will take place, but some good work that happened not only before MAFAC but also during MAFAC, talking with Cisco and Evan and others. So that letter is coming together really well and look forward to reviewing it or to voting on it tomorrow.

And then we had a short time to discuss team commitments. But it was a very powerful 30 minutes that we had. And there's more to do on that, and I think we're all in agreement that this is the direction we want to go for MAFAC.

We'll try to see if we can squeeze some more time into that. Otherwise, it will be something that we work on together over a period of time to come up with it. So I think that can also be done.

I mean, it was really good to have the dialogue in person. So we can try doing some of it by email or there might be a special meeting that gets pulled together on that as well. And then we had -- Alexa Cole came and spoke with us and gave us -- along with Janet, gave MAFAC some additional charge to think about.

And that's something that Linda is going to discuss with the committee tomorrow. So I encourage you to come and have discussions on that. And that we also mentioned that those outgoing MAFAC committee meetings may also be able to contribute because we're here until March.

And I know that Sara spoke very much around the fact that she's got a lot of knowledge in that area, right? That was the right one. And then we just finished a discussion with Dori Dick which was really insightful on ESA at 50. And here we are. We're now

-- do we close the regular meeting?

Ms. Lovett: Well, there's a few things for tomorrow.

Chair Davis: Okay. There's a few things for tomorrow. But also open the floor up to any other comments that you'd like to make as well before we discuss tomorrow. Okay. Well, just want to thank you all for the great participation today in the various topics that we discussed.

And also want to thank Sam and Janet for also being available to provide comments throughout the discussion. It's always great to have leadership here and to really give us even further insights into some of the discussions. So thank you for that. All right. Let me turn it over to Heidi.

Ms. Lovett: Thank you. So tomorrow morning from 8:30 to 9:30, the subcommittee -- the commerce subcommittee will meet in this room. And Pat, there is an interest by Kellie and a few others to meet at 9:15, not the full hour. But just 15 minutes for the recreational fishery subcommittee will meet in the Kreiger room at 9:15.

And then the regular meeting will start at 9:30 tomorrow. We do have two outside guest speakers. One is Chuck Weirich who the commerce subcommittee and the folks that worked on workforce development will remember Chuck was very active.

He's from National Sea Grant and the National Sea Grant college office. And he focuses on aquaculture. He's going to give an update on how they've been using the recommendations that came out of our subcommittee and the workforce related -- the workforce development projects they have underway.

And we also are very happy to note that Zach Penney will be joining us here tomorrow as you recall for those of you that were here. He joined us a year ago November. And he's really excited to come back and

speak with MAFAC and share what he's been taking on over the past year, accomplishments, challenges, and some insights he wanted to share related to the Columbia Basin Partnership work that MAFAC was the parent organization of the Columbia Basin Partnership Taskforce last year -- I mean, that ended a couple years ago.

But that work, he was personally involved in. He was a member of the task force and how that report has been used since then. And then we do, as Megan noted, on day one, we will be -- and earlier, they will be reviewing the draft recommendations and making final recommendations and your normal committee actions on that. And we'll talk about next meeting and things like that. So that's all I had. If there's any other questions. Pat?

Dr. Sullivan: So you're saying next meeting. When is the next meeting roughly speaking?

Ms. Lovett: Well, we have a few date proposals. We have a few options that I have to go into my notes to find.

Dr. Sullivan: Is it, like, a month, six months, a year, year and a half.

Ms. Lovett: It's April or May.

Dr. Sullivan: April or May? Okay.

Ms. Lovett: In the spring, yeah.

Dr. Sullivan: Thank you.

Chair Davis: Okay. Thank you, Heidi, for orienting us to tomorrow's schedule. And I supposed let me remove this from the gavel so I can close today's meeting. Okay. So we're officially closed as of now, and then subcommittee meets. And hope to see you all at the happy hour. Thank you.

(Whereupon, the above-entitled matter went off the record at 4:00 p.m.)

