

UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

COUNCIL COORDINATION COMMITTEE MEETING

Silver Spring, Maryland
Wednesday, November 6, 2019

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- 6 MEL BELL
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20 RUSS DUNN

21 REBECCA FERRO

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3 CHRIS HORTON

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1 P R O C E E D I N G S

2 (8:35 a.m.)

3 MS. McCAWLEY: Let's get started. Day
4 two of the CCC Meeting. A couple of housekeeping
5 things.

6 We've had a request to have some
7 additional public comment today. We didn't have
8 any public commenters yesterday. So, if we have
9 time, we are a little bit ahead of schedule, we
10 might consider some public comment either right
11 before lunch or right after lunch today.

12 Are there any questions, concerns,
13 changes, for the agenda here on Day two before we
14 get going?

15 All right. We're getting a presentation
16 loaded, but we are going to be talking about the
17 Modern Fish Act, Section 102. We have four
18 presenters coming up this morning. We are going
19 to start with Chris Horton with Congressional
20 Sportmen's Foundation. He is a Senior Director
21 over the Midwestern States in the Fisheries
22 Program.

1 So, he is going to cover the
2 recreational perspective this morning. And as
3 soon as Anjeanette gets us going up there, then
4 we'll go right into Chris' presentation.

5 So, before Chris Horton goes, Chris
6 Oliver, would like to say a couple introductory
7 remarks.

8 MR. OLIVER: Just to set the stage a
9 little bit. As you know, the President signed the
10 Modern Fish Act into law almost a year ago,
11 December 2018, and we've been working hard to
12 implement the requirements of that law and I think
13 we're making pretty good progress.

14 We have two contracts in place with the
15 National Academy of Science. One for the study on
16 Limited Access Privilege Programs and one on the
17 MRIP, and are currently identifying panel members
18 for those studies.

19 The focus today is supposed to be -- is
20 going to be on Section 102 of that Act, which
21 grants the Council's explicit authority to use
22 alternative Fishery Management Measures and

1 Managing Recreational Fisheries such as, and I
2 quote, extraction rates, fishing mortality
3 targets, harvest control rules, and traditional or
4 cultural practices of native communities.

5 But the law also specifies that the
6 current standards of the Act still apply including
7 Annual Catch Limits and Accountability Measures.

8 Given that, there have been a number of
9 questions that have arisen as we've gone around
10 and made presentations and had discussions on this
11 Section with the Councils. And for example, what
12 new authority it actually provides, what tools are
13 available, how other Councils are using these
14 types of Fishery Management Measures currently in
15 recreational fisheries.

16 And so we designed -- the intent of this
17 session was to have some discussion and maybe help
18 answer some of those questions. And, with that,
19 I'll turn to Russ Dunn, our National Policy
20 Advisor for Recreational Fisheries because he had
21 a few additional opening comments.

22 MR. DUNN: All right. Thanks, Chris. I

1 think you can hear me. So, for those of you who I
2 haven't met, as Chris said, I'm Russ Dunn. I'm
3 the Recreational Fisheries Policy Advisor here at
4 Headquarters.

5 So, building on what Chris said, as I
6 think all of you know, there is a lot of
7 enthusiasm within the Rec Community about the
8 Modern Fish Act, and in both better understanding
9 the tools that it makes available, and in then
10 subsequently applying those tools.

11 And as I think we all understand and as
12 the Act states, that Rec Fisheries are different.
13 They're different than commercial fisheries. The
14 motivations are different, and they're different
15 from each other, and they need to be managed to
16 reflect that fact.

17 And given the diversity of Rec Fisheries
18 comes a need for diverse management approaches,
19 which is what the Modern Fish Act sort of
20 reinforces.

21 And the tools that it makes available
22 have not been well-understood to this point. And

1 so, this session is an opportunity for us to share
2 successful approaches, discuss innovations, and
3 establish really a common understanding for the
4 potential application of those tools.

5 And I think it's really an important
6 opportunity for the Rec Community to provide some
7 insight into what they're thinking is about this,
8 as well as the Councils and the States with regard
9 to these available flexible management approaches.

10 And so, as Jessica indicated, we have
11 four presenters today. The first is Chris Horton,
12 with Congressional Sportmen's, and then I am not
13 sure of the order. But we also have Julia Beaty
14 from the Mid-Atlantic Council, Mike Burner from
15 the Pacific Council, and Toni Kerns from Atlantic
16 States.

17 So, I just want to thank our panelists
18 for making the effort to be here today and I will
19 turn it back over to the Chair.

20 MS. McCawley: All right. Thank you,
21 Chris. Thank you, Russ. So, now, I'm going to
22 turn it over to Chris Horton.

1 MR. HORTON: Thank you, Madam Chair.
2 Again, my name is Chris Horton. I'm with the
3 Congressional Sportmen's Foundation and somehow I
4 drew the short straw to provide this presentation
5 today. But I want to let you know that I'm not a
6 lobbyist. I am a former Freshwater Fisheries
7 Manager, but I'm not a lobbyist.

8 But I do want to talk about some things
9 that we think there's definitely a potential for
10 when it comes to managing recreational fisheries,
11 in particular.

12 And I also want to make it clear,
13 though, right off the bat, the intent for
14 alternative management is not to circumvent the
15 Conservation and Management Magnuson-Stevens Act
16 by any means, nor to get around the concept of
17 ACLs.

18 Recreational anglers would be the first
19 to raise their hands when you raise a problem with
20 a particular fishery. And a lot of the States
21 around here can contest to that because, at the
22 end of the day, for recreational fishing, it's

1 more about opportunities to be out on the water
2 with family and friends and an opportunity to
3 harvest a few fish.

4 There's actually no incentive to fish a
5 population down and that's when we strongly
6 support conservation measures to make sure that we
7 have healthy sustainable fisheries.

8 So, I'll turn it to Management of the
9 Modern Fish Act. Why don't we feel like it needed
10 to be in there. Well, frankly, the short answer
11 is we're still frustrated that sometimes this
12 hard-pound quota commercial and all simply isn't
13 working for recreational fisheries.

14 What can we do better out there, and we
15 hadn't seen much progress. But if you actually
16 look at the statute, it says to establish
17 specified limitations which are necessary and
18 appropriate for the conservation and management of
19 the fishery on the catch of fish based on area,
20 species, size, number, weight, sex, bycatch, total
21 biomass, or other factors, made the doors wide
22 open there. Yet, we tend to focus a lot on

1 weight.

2 Clearly, MSA and Congress never intended
3 for weight to be the sole measure of how we manage
4 fisheries or in so measure of an ACL.

5 Is it the easiest, probably. Is it the
6 most efficient. Maybe not for every fishery.
7 Certainly not for many recreational fisheries.
8 But the way we've always done it is not always the
9 way we should do it. So, we want to look are
10 there better ways out there to manage recreational
11 fisheries. That's all we're asking.

12 Anglers as Customers. This is something
13 that the States really do a pretty good job of
14 treating anglers as customers. We hope NOAA
15 Fisheries and the Councils will do the same thing.
16 I mean, whether it's 9 million or 13 million,
17 whatever numbers you believe, there's a lot of
18 recreational anglers out there. And this is a
19 Public Trust Resource and we look to you for your
20 management wisdom to help us get there.

21 But what do we want. Well, it's pretty
22 simply. We just want more days, more fish, bigger

1 fish, healthy fisheries, and we want all of the
2 above. But one of the things about recreational
3 fishing is that, for most of them, it's more about
4 Optimum Yield. It's not Maximum Sustainable
5 Yield. We're not out there to try to harvest
6 every single fish right up to a certain limit.

7 But it varies by fishery. Some
8 fisheries are different than others. But at the
9 end of the day, again, it's all about access and
10 opportunity and encounters and having an
11 opportunity to go out there and catch the fish and
12 have a good time on the water.

13 Some examples of OY to the extreme could
14 probably be found with Kingfish in the Gulf of
15 Mexico and Bluefish in the Atlantic. Where we're
16 leaving a lot of fish in the water, yes. And
17 there's talks about shifting some of that quota
18 back over to the commercial side because the rec
19 side is not catching them. But I can assure you
20 there is a lot of value in leaving those fish in
21 the water.

22 The Gulf of Mexico is where I fish

1 almost exclusively. And down there, if everything
2 else is closed and you've got somebody that's
3 never caught a saltwater fish before, the one
4 thing we can go catch is Kingfish.

5 And although I don't ever -- maybe keep
6 out of fish, and that's only if the angler has
7 never caught one and wants to keep a fish, but
8 that opportunity is always there. As a matter of
9 fact, you'll see a picture on the next slide of my
10 daughter and my best friend's son with a kingfish
11 on just one of those trips when everything else
12 was closed.

13 Now granted, there will be some rec
14 fisheries where managing more to MSY is
15 appropriate. Red snapper is a good one. They're
16 pretty tasty. They're very abundant. It's easy
17 for anglers to catch their two-fish limit. So,
18 it's not necessarily illegal to fish in the water
19 in that case. It is managing more to MSY.

20 But the point is, is that not every
21 fishery is the same. They're all different. So,
22 we may need to look at how we can manage these

1 fisheries more efficiently based on what the
2 anglers want, how they fish this fishery.

3 The problem we have now is that getting
4 shoved in this commercial management of this
5 hard-pound quota box is not efficient for
6 recreational anglers in many cases.

7 So, we need a system that fits the data
8 we have now or the data that we could get now.
9 Basically, anglers are going to respond to what
10 they're encountering on the water. So, they're
11 out there fishing. A strong year class comes
12 through that the stock assessment didn't predict
13 initially and all of a sudden they're catching
14 more fish.

15 Is that a bad thing. I mean, we have
16 this hard- pound quota that was projected from
17 data five years ago at where we should be, yet all
18 of a sudden we exceed that. But at the end of the
19 day, if the percentage of the population that
20 we're removing, the F-rate is the same as it was
21 when the stock was lower, are we actually having
22 an impact on the population.

1 We're actually being penalized because
2 we overfished a magic number out here that said we
3 couldn't go over that. When, in reality, from the
4 population perspective, it was fine.

5 Again, to understand what's going on
6 with the population on any given time, we need
7 some index of what's going on. I mean, obviously,
8 again, we do not want to overfish a fishery. But
9 we need to know what's happening today because
10 that's what anglers are fishing on today.

11 So, you asked for some examples and I
12 think one of the best ones from the States is
13 Florida snook. I mean, snook is managed to a 40
14 percent SPR rate. And they do this through
15 harvest restrictions such as a slot limit, season
16 links, and bagged ones. And they do a pretty good
17 job of it because they're currently at a greater
18 than 50 percent SPR.

19 But again, in order to understand where
20 they are, they're having to sample the population,
21 look at the population, and what's happening.

22 Another great example or another reason

1 snook is a good example of a way to manage
2 differently and a good example of anglers wanting
3 to do something right, when there's a natural
4 event on snook, like red tide or a winter kill,
5 that knocks the population back, angler support,
6 as a matter of fact, will demand that the
7 Commission do something to shut the season down,
8 whatever.

9 Even though it wasn't anglers that drove
10 that population abundance down, they want to make
11 sure that they're not having an impact on it until
12 the population abundance rebuilds.

13 Extraction Rates and Harvest Control
14 Rules. The Modern Fish Act mentions those
15 specifically. Extraction rates or fishing
16 mortality targets is kind of much more common in
17 freshwater fisheries. And again, as a former
18 freshwater fisheries biologist, we didn't worry so
19 much about what the F-rate was on any given year.

20 We monitor the populations annually.
21 For example, we had catch per unit efforts. We
22 had PSDs, RSDs, was basically a measure of the

1 stock size, the ratio of big fish to small fish,
2 older fish to younger fish. And we used to
3 monitor those and as they were going along. And
4 if everything was fine, and there was the harvest
5 regulations that we had in place were working.
6 But if we saw a change or a fishery wasn't
7 performing like it was, well, then we'd try to
8 figure out, okay, are anglers driving this.

9 So, we'd do a tag award study. We'd tag
10 a whole bunch of fish and go out there and try to
11 estimate what the fishing mortality rate was. And
12 if it was too high, then we would adjust the
13 bagging regulations until we got it back down, the
14 fishery is performing fine again, and then just
15 periodically check that every once in a while.
16 So, an F-rate in that case.

17 Harvest Control Rules. Actually, that's
18 kind of what snook is. You've got this SPR you're
19 trying to manage to. And if that changes, there
20 will be regulations in place to be able to make
21 sure you get that fishery back up to its target
22 with SPR, and in pretty much doing that with

1 seatrout, red drum, and other species as well.

2 We're not trying to predict on any given
3 year how many pounds would come out of that
4 system, but have an indicator for the stock. And
5 they're watching that and they're managing for
6 that in the harvest limitation is what the
7 regulations are in place right now.

8 But what do we need to be able to do
9 some of those things. Well, we need to recognize
10 that the annual catch limit is simply a limit on
11 fishing mortality, a measure of catch that limits
12 fishing mortality in some form so that it doesn't
13 exceed overfishing limits.

14 Can that be an SPR. Maybe the SPR not
15 necessarily. An SPR could be the threshold in the
16 fishing mortality rate and how many fishes coming
17 out is your catch.

18 Again, to be able to do that, you have
19 to have some sort of contemporary estimate of
20 abundance, what's going on with the actual
21 population today.

22 And for fisheries like, not red snapper

1 in particular, because there's a big commercial
2 component, but a predominantly recreational
3 fishery, even if you're managing to MSY, more
4 towards MSY, with hard-pound quotas, if there was
5 some way that you could adjust the ACL based on a
6 predetermined framework so that you had some
7 measure, some index of abundance come into
8 population like discards or release data on any
9 given year and all of a sudden you see this bump
10 come up because there's so many more fish come in
11 the fishery that we missed, is there a way to
12 adjust the ACL based on, again, another framework
13 for that following year in order to respond to
14 what you're seeing on the water rather than
15 waiting for the next dock assessment to go out
16 because anglers are going to be catching more
17 fish.

18 Is managing to something like that going
19 to require different data sets beyond what MRIP
20 provides, no doubt. Absolutely will. But what
21 does that look. Well, that's kind of where we
22 need NOAAs help. We really appreciate the

1 opportunity to formally begin that discussion, but
2 we need NMFS to put about at least as much effort
3 into finding ways to more efficiently manage the
4 recreational fisheries that they're asking us to
5 do.

6 Again, I am not a stock assessment
7 biologist, nor am I a mechanic. But when the car
8 is not running quite right, I don't expect my
9 mechanic to tell me to, well, bring me the part,
10 diagnose it yourself, bring in the part and we'll
11 plug it in and fix it.

12 We work together. We figure out what
13 the problem is. Then we discuss options.
14 Usually, the least expensive option of how we're
15 going to get there and how we're going to fix it
16 and work together.

17 But at the end of the day, I mean, we
18 would just like to see an opportunity to maybe
19 identify some fisheries out there working with
20 NMFS, Council SSC's, and see is there a way that
21 we can test some of these other options for
22 managing our fisheries, and not talking about

1 trying to do it on red snapper or summer flounder,
2 or something like that.

3 And in some cases, hard-pound quotas may
4 work just fine. It may work just fine on the West
5 Coast where you have pretty limited entry where
6 anglers can access, and you can count those.

7 But places like the Gulf of Mexico, the
8 Atlantic Seaboard, MRIP is not very efficient of
9 being able to manage for in-season closure. So,
10 what data can we get and what's happening out
11 there today that we can plug in and make sure that
12 we stay within the conservation limits and keep
13 from overfishing.

14 But certainly I look forward to
15 continuing this discussion and seeing if there are
16 ways we might be able to identify a few fisheries
17 out there. But thank you so much for your time.

18 MS. McCAWLEY: Thank you, Chris. So,
19 the plan here is after each one of these
20 presentations, if you have questions for the
21 presenter, we're going to cover those and then,
22 after we get through all four presenters, then

1 hopefully we can have a broader discussion. So,
2 if you have questions for Chris Horton, now is the
3 time. Sure, Gregg, then Eric.

4 MR. WAUGH: Thank you, Madam Chair.
5 Thanks for your presentation, Chris. One of the
6 big issues we have in the South Atlantic area is
7 that there are significant issues with the MRIP
8 estimates for our EEZ species and that's a
9 complicating factor as Council wants to look at
10 more flexible ways of managing the recreational
11 sector.

12 And we need some form of accountability
13 on the Rec side. And we have worked with NMFS and
14 other partners to come up with a recreational
15 reporting app.

16 And I was just wondering your views on
17 private recreational anglers reporting their EEZ
18 fishing activities via an app and getting maybe an
19 electronic identification number, if you want to
20 call it a permit, so that we know how many are
21 fishing in the EEZ?

22 MR. HORTON: Thanks, Gregg. That's a

1 really good question and I think anglers would be
2 -- this whole concept is pretty new. I think they
3 would definitely be a valuable resource and be
4 able to -- would be more willing to report if they
5 knew that at the end of day that that's going to
6 benefit recreational fishing in the long run.

7 Right now, we really don't trust
8 recreational anglers, just honestly, and a lot of
9 areas don't necessarily trust Federal fisheries
10 management.

11 And I know some of them think and I've
12 had this discussion that went on that, well, if we
13 don't report, well then it doesn't show that we're
14 catching as many fish and we'll be able to fish
15 longer. That's absolutely the opposite because
16 the States know at least in the Gulf of Mexico and
17 the model I'm using is red snapper management
18 because the States are doing, or managing the
19 recreational quota. And many of them have asked
20 if they have to report.

21 The problem is in not reporting causes a
22 bigger buffer on what you're actually catching.

1 So, you're actually losing days on the water
2 because they have to estimate that, well, you're
3 not reporting. So, how many of these other
4 anglers are not reporting. So, we have to squash
5 that down quite a bit and you're going to have
6 fewer days in the water.

7 But I think with time and if they see
8 the value of it, every angler I know would be more
9 than willing. If it's going to mean better
10 management and I'm going to get to spend more time
11 on the water with my family, then let's do what we
12 need to do. But it's going to take a little bit
13 of time of educating them on that.

14 MS. McCAWLEY: All right. Eric?

15 MR. REID: Thank you, Madam Chair.

16 Thank you, Mr. Horton. So, you know, one of the
17 big components of the recreational fisheries is
18 what happens to the fish that are released alive.
19 And, you know, in some cases the mortality rate is
20 estimated at 9 percent or some other number.

21 To me, that's -- considering in some
22 fisheries that the discard rate is higher than the

1 actual A plus B1 or whatever it may be, to me, the
2 thing that we need to better understand in order
3 to calculate what's really happening on the water
4 is what happens to the fish that are released
5 alive.

6 And, you know, that's -- I don't if it's
7 a tagging study or whatever. It's a big project.
8 But because it is such a big part of the math
9 problem, I think that's something we really need
10 to spend some time investigating to get some real
11 numbers. Thank you.

12 MS. McCawley: Thanks, Eric. More
13 questions, comments? Yes, Roy.

14 MR. Crabtree: Just a couple of things,
15 Chris. You had one slide up about anglers as
16 customers and it listed a number of boxes.
17 Anyway, more days, more access, was one of the
18 things, and it also said better catch rates.

19 And I think one thing we need to think
20 about is that access and days on the water is
21 directly related to catch rates. And what we've
22 seen over time in the recreational fishery is a

1 huge increase in fishing power of the fleet
2 because of technology and equipment that's
3 available.

4 So, fishermen are vastly more efficient
5 and better fishermen today than they were 40 years
6 ago because they've got much more sophisticated
7 equipment onboard. And that leads to quotas being
8 caught more quickly and more constraints required
9 because catch rates are up.

10 The other thing we've done particularly
11 in the Gulf of Mexico is a proliferation of
12 artificial reefs and we know that the catch rates
13 for things like red snapper are 10 to 20 times
14 higher on artificial reefs than they are on
15 natural bottoms.

16 And so, even if they're increasing
17 productivity a little bit, they're not increasing
18 at anywhere close to the amount that they're
19 increasing catch rates.

20 And so, we've got a number of things
21 going on that are increasing catch rates and
22 that's resulting in shorter seasons and less

1 access and we need to think more holistically
2 about how artificial reef programs and other
3 things all fit into the objectives we have, which
4 if it is more access and more days, then we may be
5 doing things that are contrary to that and are
6 leading us in the other direction. And I think
7 that has been a big problem in the Gulf of Mexico.

8 One thing you talked about was the need
9 to have more indices and make more frequent
10 adjustments so that we're not so out of date in
11 terms of setting catch limits.

12 And that's something that we all
13 recognize as a problem. And the Southeast
14 Fisheries Science Center is working towards
15 interim assessments where we can update based on
16 an index and then we can do annual specifications
17 on catch levels. And that should solve a lot of
18 that.

19 So, but what we need to do that is a
20 good index of abundance that is used in the
21 assessment and that we can then rely on the scale
22 of catches on an annual basis. But I think the

1 Center is making a lot of progress on that.

2 And I think that will have the effect of
3 lessening some of the things you're seeing where a
4 big year class hits the fishery and the catch
5 limit is exceeded very quickly. And then we find
6 out that, well, it was exceeded because there are
7 way more fish out there and it'll enable us to
8 scale the ACLs up on a more timely basis.

9 So, we are working on addressing some of
10 these issues that you raised that I think will
11 make the system work better.

12 MS. McCawley: Mel?

13 MR. Bell: Thank you, Madam Chair.

14 Thanks, Chris. I appreciate you being here. Just
15 a question. Given what Roy just said and all, do
16 you see any interest at all or willingness at all
17 of fishermen to consider some sort of truncated
18 seasonality to fisheries, recreational. You know,
19 in terrestrial game management, deer, turkey, you
20 know, you name it, a long time ago, you know, we
21 realized that, you know, you can't have seasons
22 that go 365 days a year, you know, and manage

1 those resources.

2 So, do you see any willingness on the
3 part of folks to kind of consider some more say
4 truncated seasonal access, you know, with
5 guaranteed access in the seasons perhaps. Is that
6 something even on the table do you think?

7 MR. HORTON: I think it is and
8 especially as effort continues to grow because
9 effort is growing. And I think, you know, making
10 those analogies to the wildlife and terrestrial
11 side of things is absolutely applicable and I
12 think anglers understand that. It's determining
13 what's the acceptable level to them of the number
14 of days.

15 I mean, right now, the recreational
16 community in the Gulf of Mexico is just ecstatic
17 with State-based management of that quota because
18 they're watching that quota.

19 Now, their seasons were three days at
20 one point in Federal Waters. But when they got
21 bumped up to 26 days, I mean, that was the State
22 -- and I'm talking about Alabama where I fish

1 mostly. Alabama DCNR were heroes, you know, to
2 give us that. But that's a pretty limited amount
3 of time.

4 So, there is a balance there of how much
5 time that they can be on the water that's
6 acceptable. And I think for the most part anglers
7 are realizing that, you know, we can't fish 365
8 days anymore. You know, we realize that if we
9 want the abundance, to have those encounters, that
10 we do have to have shorter truncated seasons.

11 MS. McCAWLEY: More questions or
12 comments? Yes, Russ?

13 MR. DUNN: Just one. Chris, so on your
14 second slide where you talk about, your first
15 bullet, OY versus MSY. I guess my question is how
16 would you disentangle that OY from MSY given the
17 statutory definition is linked. And so my
18 question is are you thinking about a legislative
19 change there because, if you recall, OY is -- MSY
20 is reduced by certain factors. So, are you
21 thinking that's a legislative fix that's needed
22 there or what's your thought?

1 MR. HORTON: Honestly, that's a good
2 question, Russ, and I don't think a legislative
3 fix is there because I think it's there.

4 It talks about OY being a factor of MSY
5 reduced by economics, social (inaudible). That's
6 up to kind of the Councils and NMFS to decide how
7 much do we reduce that MSY harvest in order to
8 leave enough fish in the water that we have this
9 economic and social benefit to the recreational
10 community for those fish that are actually left in
11 the water.

12 And that brings up another point. All
13 along, the frustration with the recreational
14 fishing community and the fact that the lack of
15 data to be able to support that from NMFS, that
16 NMFS provides, that NMFS collects, is what -- I
17 mean, what's the value of those kingfish we leave
18 in the water. We'll argue that there's absolutely
19 significant value to that. That we will fill our
20 boats, and we will buy tackle and we will go try
21 to catch those fish that are still left in the
22 water. And again, not necessarily to harvest, but

1 to have that option to harvest if we want. We're
2 not getting anywhere close to that quota.

3 But there's value in all the things we
4 do to go fish for that fish as there is going for
5 fishing for red snapper that we harvest. So,
6 there is value there but, one, how do we get
7 better handle on what that value actually is.

8 And the mechanism is already in Magnuson
9 to manage based on MSY reduced by these certain
10 factors and we just don't have that number
11 consistently to be able to use in fishery
12 management plans.

13 MS. McCAWLEY: All right. Any more
14 questions or comments for Chris? All right, yes.

15 MR. HANKE: Thank you for your
16 presentation. I'm a Charter Captain from the
17 Caribbean and everything you're presenting, I can
18 relate to. I can agree on pretty much about
19 everything. But I want to highlight each region
20 and its own characteristics and we have to adapt.

21 I think that recreational fishermen, we
22 underestimate our ability to create new systems

1 and to support better data. And I'm a hard
2 believer on that and thank you very much for your
3 presentation and keep going. Thank you.

4 MS. McCAWLEY: Anyone else? All right.
5 Thank you, Chris. Next up, we're going to go to
6 Toni Kerns. She's with the Atlantic States Marine
7 Fisheries Commission. She is the Director of the
8 Interstate Fisheries Management Program Oversight
9 and Policy Development.

10 And Toni, I think you have a new
11 presentation that's a little bit different than
12 the one that's on the CCC Website?

13 MS. KERNS: It is. I made some small
14 changes after our meeting week last week. Thank
15 you for having me. Today, I'm going to talk about
16 the Atlantic Migratory Group of Cobia Fishery
17 Management that the Commission has recently taken
18 over from the South Atlantic Council.

19 In my presentation, I'm going to go over
20 the goals and objectives of our new Fishery
21 Management Plan and how we manage the recreational
22 and commercial fishery and making recommendations

1 in Federal Waters.

2 The goals, one is to provide an
3 efficient structure that implements coastwide
4 management measures providing both equitable and
5 sustainable access to the Atlantic Cobia Resource
6 to the Fishery.

7 This goal is supported by a flexible
8 management system that includes harvest
9 specification processes, measures allowing
10 sustainable harvest, monitoring through the
11 cooperative and diverse data collection programs,
12 protections for recruits to maintain a healthy
13 breeding stock, and a list of research needs that
14 can enhance the knowledge and management of cobia.

15 Amendment 1 makes several changes to
16 portions of the Commission's Fishery Management
17 Plan that were previously dependent on the Coastal
18 Migratory Pelagic Plan through the South Atlantic
19 Council. It institutes a long-term strategy for
20 managing in absence of a Federal plan.

21 And several of these changes establishes
22 processes for the Commission to carry out

1 management responsibilities that were previously
2 performed by the Council including setting harvest
3 quotas, sector allocations, defining stock status
4 criteria, recommending management measures to be
5 implemented in Federal Waters.

6 Additionally, we transitioned
7 responsibilities of monitoring and closings, in
8 particular, the commercial harvest to the
9 commission, if necessary.

10 The Amendment also changes the units to
11 use and evaluate the recreational fishery from
12 pounds to numbers of fish. By using numbers of
13 fish, it eliminates confusion from the differences
14 and average weights that have been applied
15 previously by MRIP and the Southeast Fishery
16 Science Center. And also, using numbers of fish
17 reduces the uncertainty by eliminating one of the
18 estimation steps.

19 Currently, the assessment that is being
20 conducted right now is being run in both pounds
21 and numbers of fish, which will help us utilize
22 this in the future.

1 For the harvest specification process,
2 the Commission Harvest Specification Process
3 allows the Board to specify a limited set of
4 management measures for up to three years of time.

5 One of the measures that can be set
6 through this process is the Coastwide Harvest
7 Quota. The quota itself would be informed by the
8 stock assessment results and the Board can then
9 take out any quota for an uncertainty buffer.
10 This uncertainty can either be from management
11 uncertainty or scientific uncertainty, but it is
12 not required by the plan. Then the quota is then
13 allocated 92 percent to the recreational fishery
14 and 8 percent to the commercial fishery.

15 The Board can set coastwide measures.
16 Those include vessel, possession or bag limits,
17 minimum size limits, and commercial closure
18 triggers. And the possession limits and the
19 minimum size limits can be for both the commercial
20 and the recreational fishery.

21 And then, in managing the recreational
22 fisheries, up here are the current management

1 measures. The direct quota is allocated to the
2 recreational harvest targets.

3 First, we take 1 percent off the top of
4 that recreational quota for de minimis States.
5 These are States that don't have a major portion
6 of the fishery. The four major States are Georgia
7 through Virginia, but we still are starting to see
8 catch of cobia in States as far north as Rhode
9 Island. And so, therefore, we want to set aside a
10 portion of the recreational quotas to account for
11 those fish that are being caught in other States.

12 The Recreational Harvest Targets are
13 then allocated based on the percentages that you
14 see here on this table. The percentages come from
15 both recent and historical landings.

16 Percent are from a 10-year average of
17 2006 to 2015 and percent is from 2011 to 2015.

18 So, this helps us to take into account
19 what States had previously been harvested as well
20 as looking at where the changes in the fishery
21 have been occurring in recent years.

22 The recreational landings are then

1 evaluated against these recreational harvest
2 targets on three-year averages. So, if we set
3 measures this year in 2019, then we would evaluate
4 how well we performed in 2022 based on the average
5 of landings from 2019 to 2022.

6 For the commercial fishery, as part of
7 the specification process, previous weekly
8 landings will be used to set a commercial trigger.
9 That would help us determine when we need to close
10 the fishery.

11 The trigger will be set such that a
12 closure would occur at least 30 days after the
13 landings reached the trigger. And if that trigger
14 amount is reached, all States would be notified of
15 the closure date and be required to close their
16 commercial fisheries for the remainder of the
17 year. In addition, the Commission would make that
18 same recommendation to NOAA fisheries to an active
19 closure in Federal Waters.

20 So, for an example, how this would work
21 if the commercial -- if the average number of days
22 for weekly commercial landings from Virginia to

1 South Carolina go from 77 percent to 97 percent,
2 and from 2015 to 2017 was 32 days, then the
3 commercial trigger based on that data would
4 initiate a closure of 32 days after the in-season
5 reported landings were at 77 percent of the total
6 commercial quota.

7 In addition, the Amendment also sets
8 aside 3 percent of the commercial harvest for the
9 States that are north of Virginia to utilize for
10 the fishery.

11 For Federal Waters, since there is no
12 longer a Federal Plan for Atlantic cobia, the
13 Atlantic Coastal Act allows us to make
14 recommendations to NOAA fisheries to implement
15 regulations in Federal Waters.

16 In order to enforce the recreational
17 regulations with each State having their own
18 seasons, we ask that the Federal measures be
19 enforced by vessel state of landing. So, wherever
20 the vessel says they're coming home to, the
21 measures would be enforced based on that State's
22 open season. We would also ask that NOAA

1 fisheries closes any measures in Federal Waters.

2 And I'm going to go back -- I apologize.

3 I didn't say that, based on these recreational
4 harvest targets, the thing that each of the States
5 can implement on their own is their State specific
6 seasons and this allows them to tailor their
7 fishery to their specific State needs, either for
8 their majority of their charter party boat and
9 fishery as well as their private anglers.

10 So, what are the benefits of this
11 flexible management system that the Commission has
12 the ability to do. First of all, it allows the
13 fishery to carry out on its own previously
14 closures would be preemptive. They would be
15 projected when they needed to be and not based on
16 what was actually occurring in the fishery for
17 that year.

18 And so, the Commission, by taking over
19 management, we are not projecting when the closure
20 needs to occur, but using it based on the current
21 data that's coming into the fishery now.

22 And then, it also allows for smoothing

1 of the variable recreational data. One of the
2 biggest challenges in the cobia fishery is that
3 the -- it is a pulse fishery that occurs very
4 quickly and then there's a lot of noise in the
5 recreational data.

6 And so, the Commission has taken on
7 looking at specifications in three-year time
8 chunks where we're only setting the measures once
9 every three years and we're not evaluating the
10 recreational quota against that harvest target
11 each individual year, but on that average
12 three-year timeframe. And so, it allows for
13 smoothing of that data and, hopefully, better
14 management of the system.

15 So, we haven't actually carried this out
16 in its full glory yet. Next year will be the
17 first year that the Commission is able to do this
18 based on the stock assessment that is coming out
19 two weeks from now. If you have any questions?

20 MS. McCRAWLEY: Thank you, Toni.

21 Questions, comments, for Toni? Yes, Chris.

22 MR. MOORE: Thank you, Madam Chair.

1 Thank you, Toni. I think is the first time I've
2 ever heard Toni give a presentation, although I've
3 known Toni for how many, 15 years or so. So, you
4 did well.

5 I'm curious about the three-year
6 averages. All right. So, you talk about
7 averaging the recreational harvest over three
8 years. What do you compare it to, a three-year
9 ACL, or how does that work?

10 MS. KERNS: We're comparing it to the
11 harvest target that is set based on the
12 recreational quota and how well we perform against
13 that.

14 And if there isn't an updated stock
15 assessment with a new quota, then we would make
16 adjustments in order to meet this recreational
17 harvest target in the next three-year timeframe.
18 If there is a new quota that has been established
19 through a stock assessment, then it would be
20 setting measures to reach that new quota's
21 recreational harvest targets.

22 MS. McCAWLEY: Go ahead.

1 MR. MOORE: So, I'm still a little
2 confused. So, you have this approach, which I
3 think is good, a smoothing approach, where I say
4 smooth out the harvest levels over that three-year
5 period. You set harvest limits for each one of
6 those three years or do you have a harvest limit
7 that's like an average for those three years that
8 you're looking at. So, you're comparing an
9 average to an average.

10 And then you say also that it's not set
11 it and forget it. It's set it and revisited every
12 year. So, I'm wondering how complicated all this
13 is going to be for the Commission.

14 MS. KERNS: We're not revisiting it
15 every year. So, the specification process is for
16 a three-year timeframe. So, we're setting it --
17 setting these measures once and letting it ride
18 out for those three years.

19 And then to see how well we performed
20 against that recreational harvest target, we take
21 the average of the annual landings for each of --
22 for those three years and see how well we did for

1 those measures. Does that help?

2 MS. McCAWLEY: Mel?

3 MR. BELL: I was just going to add to
4 that, and then it would be the responsibility of
5 the State. For instance, if South Carolina's
6 average after three years was 4,000 fish, then it
7 would be our responsibility to adjust our
8 regulatory approach to stay within that box, so to
9 speak, so that responsibility to stay in those
10 targets goes back to the individual States.

11 MS. KERNS: And I should note that the
12 States do always have the ability to make changes
13 in that three-year timeframe. If they see that
14 their landings are going wildly high, then they
15 can ratchet back if they want to in order to not
16 have to make such a dramatic change at the end of
17 the three years or, if they were really
18 underperforming, they could make some changes.
19 Those would need approval by the Management Board
20 in order to liberalize regulations, though.

21 MS. McCAWLEY: Yes, go ahead over here.
22 Mike?

1 MR. LUISI: Thank you, Madam Chair.
2 Toni, you may have mentioned it, but I missed it
3 in the beginning about what the actions are going
4 to be on the States north of Virginia. So, as
5 we're seeing more and more cobia in our State
6 Waters and Chesapeake Bay, is there going to be or
7 has there been discussions about how we might make
8 adjustments on these types of quotas and
9 accountability for those States as well. Thanks.

10 MS. KERNS: You're really testing me,
11 Mike. You can't quote me on this, but I believe
12 the de minimis States are matching the State's
13 regulation to the south of them. So, I believe
14 that the de minimis States match Virginia's
15 landings.

16 We don't require in the commercial
17 fishery weekly or monthly reporting. It's annual
18 reporting that we look to. And then for the
19 recreational fishery, it's looking at the annual
20 reporting. And then the Board will have to
21 evaluate each of those State's landings over time.

22 If they start to really increase, as we

1 see more cobia further north, then we'll have to
2 potentially adjust the management plan to include
3 some of those previous de minimis States as non-de
4 minimis and it's part of this table you would see
5 here.

6 MS. McCAWLEY: Go ahead, Mike.

7 MR. LUISI: You've seen me on the hot
8 seat plenty of times, Toni. That was good. Thank
9 you.

10 MS. McCAWLEY: Chris?

11 MR. MOORE: Thank you, Madam Chair.
12 Toni, I don't want to put you on the spot, but how
13 do you think this could be used for the species
14 we're involved with, you know, summer flounder,
15 scup, sea bass. Have you thought about it? Have
16 you guys thought about it?

17 MS. KERNS: I mean, I thought about it,
18 Chris, but that would require you giving up those
19 FMPs because, you know, the beauty of the
20 Commission for those that are not aware is that we
21 are not managed under Magnuson-Stevens Act. So,
22 we do not have to fulfill the requirements of

1 accountability measures and ACLs.

2 I think that some of our measures that
3 we put in place are very similar to ACLs and AMs
4 and perform in similar ways, but we wouldn't have
5 those same things. And so I don't know enough on
6 how if you could not actually look at the annual
7 RHL is under Magnuson or not.

8 If you could, then I think we could work
9 this. But if you always have to look at how well
10 you did at the end of each year, this is
11 difficult.

12 MS. McCAWLEY: Chris, did you have more?

13 MR. MOORE: Thank you, Madam Chair.

14 Just quickly. So, that was my point, right, can
15 we use this approach within our ACL-AM box, and
16 it's nice -- if we didn't have the box, obviously,
17 we could.

18 But I'm just wondering if, you know,
19 thinking about your presentation today, I haven't
20 really tracked cobia that closely. I think there
21 may be some application to summer flounder, scup,
22 and black sea bass, as Council managed species,

1 right, and I think we need to think about it.

2 Thank you.

3 MS. McCAWLEY: Gregg?

4 MR. WAUGH: Thank you, Madam Chair, and
5 thanks, Toni. And following up on Chris' point, I
6 don't think we'd have to give up any FMPs because
7 that's, in essence, the old ACL that we had. They
8 just allocated it by State. And the question is
9 in setting up your accountability measures, I'm
10 not sure under Magnuson, it's probably something
11 we could discuss after this session in the general
12 part.

13 But I'm not sure we have to do our
14 accountability on an annual basis. So, there's a
15 recognition that there's a lot of variability in
16 MRIP. So, if we were to propose something like
17 this and have an accountability measure that would
18 look at it in two years, maybe three years, I'm
19 not sure that would not be allowed under Magnuson.

20 MS. McCAWLEY: So, Toni, I had a
21 question about, so if one of the States -- so Mel
22 was giving an example where South Carolina went

1 over.

2 Are you making say quota adjustments
3 within the three-year time periods of say South
4 Carolina went over and Georgia was way under,
5 would you transfer quota or would you wait until
6 the end of the three-year time period and then
7 consider whether or not you needed to transfer
8 quota among the States?

9 MS. KERNS: We wouldn't -- for the
10 recreational fishery, the Board didn't talk about
11 transferring quota from State to State. It was
12 more that the States would have to adjust their
13 regulations to how well they performed to their
14 Rec harvest target.

15 Now, and during those three-year cycles,
16 there's certain things that the Board can do that
17 I had outlined, just do a Board action at the
18 table.

19 If they wanted to change these quota
20 percentages, they would need to do an addendum, a
21 management document to conduct that. But there's
22 nothing that would prevent them from relooking at

1 those allocations. And I think that that will
2 definitely be something that they will have to do
3 as we see cobia move further north.

4 MS. McCAWLEY: So, basically, they could
5 relook at those allocations before the three years
6 is up?

7 MS. KERNS: Not before the three years
8 is up. I think you'd have to carry through that
9 three-year timeframe and then relook at those
10 allocations.

11 MS. McCAWLEY: Thanks, Toni. Any more
12 questions, comments? All right. Thank you, Toni.
13 Next up, we're going to go to Mike Burner with the
14 Pacific Fishery Management Council.

15 MR. BURNER: Madam Chair. Good morning,
16 everyone. While it loads, maybe I'll just preface
17 my presentation with a little review.

18 I was asked to give this presentation by
19 some of the staff of the West Coast Region. We,
20 the Pacific Council, starting in 1990 and a
21 subsequent few years, declared 10 species in our
22 groundfish FMP as being an overfished condition.

1 And did a lot of work in the early
2 2000's to implement rebuilding plans across those
3 10 stocks and we've managed to rebuild 9 out of 10
4 of those at this point.

5 The West Coast Region asked me to give
6 an example of one of those species that has
7 recreational importance on the West Coast. So, we
8 decided with -- we went with bocaccio, a species
9 that's primarily off the Coast of California and
10 then north of Washington. I'll get into that in a
11 little bit.

12 But so, I guess, what I would preface
13 this is this is sort of a case study of our
14 success story here with bocaccio, but it obviously
15 predates the Modern Fish Act. But it does stay
16 within the framework of the Magnuson-Stevens Act
17 and the National Standard Guidelines.

18 So, there was a lot of hard choices we
19 had to make, especially with 10 different stocks
20 in an overfished category. That FMP does though
21 have over 90 stocks in it, some of which at that
22 time had some harvestable population sizes.

1 So, a lot of the story I'm going to tell
2 here is not just reductions on bocaccio or some of
3 the other species that we were rebuilding, but
4 more of an avoidance of those while we targeted
5 species for which we did have some sustainable
6 harvest opportunities.

7 I guess one more disclaimer, I put this
8 presentation out for review from some of our West
9 Coast Regional Staff, as well as our staff, and
10 the Science Center. Several people pointed out
11 that this photo is from Newport, Oregon, and that
12 boat is not likely targeting bocaccio. Neither is
13 bocaccio very important to Newport. But I took
14 this picture myself and I really liked it. So, I
15 went with it.

16 So, just a quick overview. Bocaccio is
17 an important commercial and recreational fishery
18 primarily off of Central California and Southern
19 California off the West Coast. It's range goes
20 all the way from the Gulf of Alaska to Baja,
21 California. However, it's not very prevalent off
22 of Oregon and the Washington Coast.

1 There seems to be two populations, one
2 to the north and one to the south. So, I'm going
3 to focus on the population south of Cape
4 Mendocino. That's the portion of the stock that
5 was declared overfished in 1999.

6 You can see landings are quite high
7 through the '70s and '80s. It started to decline
8 quite a bit in the '90s. And then, right there,
9 right around 2000, 1999, it was declared
10 overfished and we went into our rebuilding plan.
11 And you can see there by the landings numbers,
12 that we went into quite a conservative harvest
13 approach there.

14 They are largely a deep water species
15 thought to be generally in high density between 80
16 to 100 fathoms. That said, particularly as we
17 have seen some rebuilding happen, that's not to
18 say they can't be found in shallower waters,
19 particularly juveniles.

20 So, in 1999, as I mentioned, we had a
21 situation where you can see up there on the top
22 left, that's the estimated spawning depletion over

1 time. There, we saw quite a dip in the '90s. And
2 then, in the late '90s, right around 1999, the
3 stock was estimated to fall below 25 percent of
4 its unfished spawning population size and was
5 declared overfished.

6 We put a rebuilding plan in place
7 shortly thereafter. And as you can see, recently,
8 we have declared the species rebuilt.

9 We worked under the T-Min and T-Max as
10 our sideboards, T-Min being the time to rebuild
11 the species, the estimated time to rebuild the
12 species in the absence of fishing. T-Max, on the
13 other hand, was specified through regulation and
14 Magnuson-Stevens Act and the National Standards to
15 be 10 years under the Act.

16 But this species being long-lived, it
17 was T-Min plus the mean generation time for this
18 species, which is about 13 years. So, in other
19 words, the maximum time to rebuild was calculated
20 to be the year 2031. Where in the absence of
21 fishing, it was estimated the stock would rebuild
22 by 2018. Recall, this is back in the early 2000s

1 we were making these forecasts.

2 So, then in terms of what we're going to
3 target for rebuilding, those were basically our
4 sideboards. And the Council considered many
5 things, including the stock itself, but also
6 impacts to the communities that depend on
7 bocaccio, the opportunity to harvest species that
8 aren't rebuilt, in other words, sustainable
9 harvest opportunities for co-existing species and
10 the economics of both recreational and commercial
11 fisheries.

12 Down in the lower right, are sort of
13 some of the harvest projections we looked at. So,
14 the T-Target was more or less we were shooting for
15 an estimated timeframe that had a 50 percent
16 probability of rebuilding. So, we looked at a
17 variety of harvest policies and that's what all
18 those colored lines with the various shapes and
19 colors are. And we more or less picked one that
20 had a 50 percent neighborhood of rebuilding within
21 the timeframe we were looking at.

22 So, we chose a harvest rate with an SPR

1 of about percent with a probability -- a 50
2 percent probability of rebuilding the stock by
3 2026. So then, how did we go about converting
4 that into some management targets through Harvest
5 Control Rules. We basically went and followed the
6 National Standard Guidelines.

7 I think you've all seen a lot of these
8 graphics, particularly that rainbow list of
9 Overfishing Limit. This would come out of the
10 stock assessment as the FMSY as estimated by our
11 SSC.

12 We then would calculate an Acceptable
13 Biological Catcher at ABC based on a probability
14 of overfishing, sort of a policy choice by our
15 Council. And that's what up here on the left and
16 you're probably all familiar with this.

17 But the Council would choose a
18 probability between zero and 50 percent of
19 overfishing giving some of the uncertainty of a
20 stock assessment, some uncertainties associated
21 with what surveys we've had for a given species.
22 And thankfully bocaccio was a relatively data rich

1 species for our Council.

2 Our Council chose a probability of 45
3 percent, which then just calculates, based on this
4 relationship as approved by our SSC, a reduction
5 from OFL to an ABC. That's it.

6 Under Rebuilding, we didn't really have
7 the ability to fish at that rate and still meet
8 our T-Target. So, we needed a different way of
9 coming up with a Harvest Control Rule under our
10 Rebuilding Plan. And that's what that first
11 Rebuilding ACL Harvest Control Rule is. Again,
12 the number, we have looked at that relationship at
13 an SPR of about 78 percent was the target that the
14 Council chose.

15 To be clear, we didn't manage our ACL at
16 that rate. We converted that to a tonnage, which
17 is shown in the graph below. But this rate for
18 our ACL under the SPR under Rebuilding was
19 considerably below our ABC.

20 And as you can see, that converted to
21 ACLs in metric tons got quite low early on and
22 gradually increased as the stock rebuilt and as we

1 continued to do assessments over the years.

2 Once the stock was declared rebuilt,
3 very recently, we will be operating under more of
4 our default Harvest Control Rule for species that
5 are in a healthy status, that being over 45 -- 40
6 percent of their unfished biomass. And that sets
7 our ACL equal to the ABC. So, we no longer have
8 this restrictive rebuilding harvest rate or ACL in
9 place.

10 And so, as you can see, that results in
11 annual catch limits increasing quite a bit now
12 that the stock has been declared rebuilt.

13 So, how do we do that? It was pretty
14 painful, especially in the early years. As I
15 mentioned, a large part of the story was avoidance
16 of not only bocaccio but all 10 of the overfished
17 species we had in our plan.

18 We largely looked at depth-based
19 management as one of the key pieces here given the
20 species that we were rebuilding all tended to be
21 shelf species in similar depth ranges.

22 So, for the commercial fisheries -- I

1 know it's a recreational focus here. But for the
2 commercial fisheries, we established a Rockfish
3 Conservation Area that was based on depths. And
4 it was this ribbon of closure that went all the
5 way from Mexico to Canada.

6 For the recreational fisheries, however,
7 we implemented depth closures where you had to
8 fish shoreward of a specific depth at different
9 times of the year, or there was just plain
10 closures depending on what part of the coast you
11 were on.

12 There were some regulatory enforcement
13 challenges with that as you can imagine. We had
14 to establish waypoints for these Rockfish
15 Conservation Areas for that entire distance.

16 We worked closely with our enforcement
17 consultants to come up with not only recreational
18 lines, but commercial lines that followed the
19 contour reasonably close but were also straight
20 enough to be enforceable.

21 And we had implemented vessel monitoring
22 systems because keeping track of where all of the

1 vessels were via conventional methods just wasn't
2 a reality given all these area closures we had.

3 One other key piece to the story was
4 in-season management. We have dockside sampling
5 for most of our major ports up and down the West
6 Coast. So, catch is monitored continuously.

7 Our Council meets five times a year.
8 Our Groundfish Management Team tracks not only
9 landings but also makes estimates of discard
10 mortality and total mortality and reports back to
11 the Council and kind of adds up how we're doing at
12 each of our five Council meetings relative to our
13 goals.

14 And the Council would take in-season
15 management action accordingly. To change up in the
16 recreational sense would look at some of these
17 depth contours and the dates that are open and
18 make some adjustments there to either ratchet up
19 or down the fishery according to how it was
20 tracking.

21 So, I really can't stress enough how
22 much in-season management during the year gave us

1 the flexibility to keep boats on the water as best
2 we could while still meeting our annual catch
3 limits.

4 Another piece of the story is release
5 mortality. Like I mentioned, part of the goal
6 here was to provide fishing opportunity but avoid,
7 and if you can't avoid, release with the best
8 success for survival we could.

9 One of the problems with these species
10 of groundfish is barotrauma. You pull them up
11 from depth. You can see up on the right, it's not
12 a bocaccio, but it's the best picture I could find
13 of bulging eyes and inflated swim bladders and
14 things that make the fish quite vulnerable to
15 mortality.

16 And so, we were charging essentially 100
17 percent mortality for most depths of these
18 overfished species if they were turned loose. The
19 retention was not allowed. So, we had high pretty
20 high mortality expectations given this barotrauma.

21 There was some research done that if the
22 fish were descended back down to depth when they

1 were released that we would -- particularly in
2 about the 50 to 100 meter range, we would
3 experience mortality rates that were half or more
4 less than what we were originally calculating.

5 So, rather than 100 percent of the fish
6 dying, we were in the 20 to 50 percent range for
7 species -- or for fish that were released with one
8 of these descending devices. And the picture on
9 the lower right there is one of the fancier
10 versions.

11 Some people were just plain using milk
12 crates with weight releases. They'd send a weight
13 on the line and pop the door open. But the faster
14 these fish could get back down to the depth from
15 which they were pulled up, the better they
16 survived.

17 The device on the right uses -- would
18 grip the fish. And then when it got down to the
19 depth, the pressure would release the device and
20 the fish would be released at depth.

21 We looked across. We looked at the
22 research that was out there and looked at the

1 possibility of providing some of these credits, if
2 you will, for the use of these devices.

3 Early on, the use of these devices was
4 encouraged. The logo there of No Floaters was put
5 out and there was quite a PR campaign to get the
6 message out to recreational fisheries. I think
7 subsequently Oregon and Washington required these
8 devices to be on board for bottom fishing trips.

9 And although not for bocaccio, for
10 yelloweye and canary, which are other rockfish
11 species that we were rebuilding that were very
12 constraining, we did allow a credit, if you will.
13 We reduced the estimated mortality for those
14 species given the understanding that these devices
15 would be used in the recreational fishery.

16 And we kind of got lucky, to be honest.
17 We were expecting this stock to not rebuild until
18 2026 under our forecasted population trends. But
19 as I mentioned, we just recently declared the
20 stock rebuilt after our updated assessment of
21 2017.

22 The part of the story I've got to say is

1 environmental conditions, which we also got a
2 little bit of a break. You can see in the
3 declining landings and previously in the slide
4 that showed the declining population sizes, we
5 were in a period that, for better or worse, this
6 could be called the spicy water conditions versus
7 minty water conditions.

8 That terminology is a simplified way of
9 saying what the predominant water -- the
10 predominant source of water in the California
11 Current.

12 If we have Pacific Subarctic Waters
13 originating from Alaska, tend to be cooler. They
14 tend to be lower in salinity. They tend to also
15 support copepod assemblages that are richer in
16 lipids and much better feed for juveniles,
17 cheeseburgers, as they are called.

18 Whereas, if we attend to have warmer
19 waters that dominate the California Current, we
20 have assemblages of feed and warmer waters that
21 are lower in calorie and more like celery I guess
22 is what some of the analogies we've heard.

1 But when we were back here looking at
2 the declining stock and declaring it overfished
3 that the predominant waters of the California
4 Current as measured by sea surface level was more
5 of the spicier warm waters.

6 But what we have seen since we declared
7 the species overfished was cooler waters
8 predominant and better feed conditions. And so
9 we've seen some very strong recruitments of
10 rockfish across most of our species in that plan.
11 Particularly 2010 and 2013 were very strong
12 recruit events.

13 So, I guess just the point of this whole
14 slide is that, you know, we did make some
15 conservative choices in our harvest policy, but we
16 also caught a break here in terms of environmental
17 conditions that drive recruitment of these species
18 which also helped accelerate the rebuilding. So,
19 that's my story. I'll take any questions.

20 MS. McCawley: Thank you. Any questions
21 for Mike? Yes, Tony?

22 MR. Blanchard: Good presentation. As

1 for dealing with barotrauma, all right, you guys
2 ever tried using a syringe?

3 MR. BURNER: Yeah. I believe there was,
4 especially early on, the idea of poking or
5 releasing the swim bladder was prevalent. My
6 understanding, that that was not as successful as
7 leaving the swim bladder intact and getting the
8 fish down to depths, which was found to be far
9 more successful and had a higher survival rate.

10 MR. BLANCHARD: Okay.

11 MR. BURNER: So, we sort of discourage
12 the popping of the swim bladder and encouraged the
13 descending device.

14 MR. BLANCHARD: Okay.

15 MR. WAUGH: Thanks, Mike, for your
16 presentation. So, you all specified your ACL in
17 terms of SPR. Is that still the definition? And
18 I guess what you then did was take that rate and
19 convert it to poundage, and so you managed based
20 on poundage and not coming back to that SPR?

21 MR. BURNER: Yes, that's correct. We
22 did -- particularly during the rebuilding

1 timeframe, we used SPR as sort of a common metric.
2 It was more of an apples and apples to comparison
3 between the rebuilding species. It took into the
4 various fecundity of the species. So, it was more
5 used as a common metric as we described harvest
6 policy across the species we were rebuilding. But
7 when it came time to set an ACL, we did set that
8 at a tonnage.

9 MS. McCAWLEY: Some other hands up.
10 Yes, Russ?

11 MR. DUNN: Two questions. So, one of
12 the things you emphasized was the need for
13 in-season management, which is obviously so in
14 somewhat in contrast to the last discussion. Are
15 you still doing in-season management, or now do
16 you sort of set it and forget it for the season
17 and monitor on an annual basis, or what's your
18 approach now?

19 MR. BURNER: No, we still continue with
20 in-season management at each of our meetings.
21 That said, it tends to be a little less intensive
22 than it was back when the ACLs were low. You

1 know, there was more adjustments to the
2 recreational fisheries then than there is now.
3 But we continue at every meeting to track catches
4 and make adjustments as necessary.

5 MR. DUNN: Okay. Great, thank you. And
6 actually, the second question is actually for
7 Gregg. Gregg, in terms of the -- with the Council
8 adopting venting -- or release, descending device
9 and/or venting, have you all looked at their model
10 in terms of conservation credit for any of the
11 redfish species under your jurisdiction?

12 MR. WAUGH: Thanks, Russ, Yes. That's
13 something we've had discussions with various
14 Southeast Fishery Science Center folks and the
15 intent is, and we did use the Pacific example.

16 The hope is that once that requirement
17 gets implemented and we get some monitoring
18 information to look at compliance, which we can do
19 with the MyFishCount app, that then when that
20 species comes up for a stock assessment, we
21 hopefully get some credit for reduction in the
22 discard mortality rate. And I think that will

1 certainly encourage more compliance if the
2 recreational sector sees that there is some
3 payback.

4 MR. DUNN: Thanks, Gregg.

5 MS. McCAWLEY: Mel?

6 MR. BELL: Thanks. You mentioned the --
7 I think it was Washington and Oregon States
8 implemented the mandatory use of descending
9 devices, but not necessarily for that species.
10 But there is no Federal requirement.

11 So, I guess -- and I'm not sure of the
12 proportionality of State Waters versus Federal
13 Waters for the fishery itself. But was that
14 sufficient enough to get people to sort of get in
15 the habit of using the devices do you think even
16 without it being mandatory in Federal Waters?

17 MR. BURNER: Madam Chair. Thanks for
18 the question. The devices were required on bottom
19 trips, not necessarily if you were just fishing
20 for bocaccio, and that included State and Federal
21 Waters. The credits were just given to a few of
22 the species that were more of our constraining

1 stocks, so, those being canary and yelloweye.

2 And I should also add that -- I glossed
3 over it earlier, but when we consider those
4 credits, those were depth-based. And so, like I
5 mentioned, between about 50 meters and 100 meters,
6 there was varying in credits depending on the
7 depth that the fishing occurred. And after deeper
8 than about that, it was assumed that all the fish
9 died regardless of the descending device. So, the
10 credit was a depth-based credit as was our
11 estimate of mortality based on the reported depth
12 of angling.

13 MR. ANDERSON: Madam Chair?

14 MS. McCAWLEY: Yes.

15 MR. ANDERSON: I also really want to
16 credit the Recreational Fishery for advocating for
17 the use of descending devices. They also went out
18 and sought grants to buy descending devices like
19 that SeaQualizer that's up there, which is the
20 most expensive one that's on the market and gave
21 them out free of charge to the Recreational
22 Fishing Community. So, a large part of the credit

1 for wide use of descending devices goes to the
2 Recreational Fishing Community and the
3 organizations that they have.

4 MR. WAUGH: Thank you, Madam Chair.
5 And, Mike, just one quick clarifying question.
6 So, you all did require the use of descending
7 devices for bottom trips in Federal Waters. Is
8 that correct?

9 MR. BURNER: In Washington and Oregon,
10 and California was recommended. And as Phil
11 mentioned, I think the Recreational Community
12 largely embraced the method and, therefore, we
13 were able to seriously consider the credits I
14 mentioned for some of our more constraining
15 stocks.

16 MS. McCAWLEY: More questions. Yes,
17 Chris?

18 MR. MOORE: Thank you, Madam Chair.
19 Thank you, Mike, for the presentation. I'm
20 curious of the question that Russ asked and
21 triggered this thought which relates to what data
22 are you using to do those in-seasons adjustments

1 and what are the limitations of that data?

2 MR. BURNER: Thank you, Madam Chair.

3 Thank you for the question, Chris. We're using
4 dockside sampling largely reported by the three
5 States on the West Coast. So, Washington, Oregon,
6 and California, all have pretty intensive sampling
7 of anglers as they come off the water. So, it's
8 pretty real time. It's some reliance in all three
9 States for fishing areas that we can't get to but,
10 for the most part, there's pretty intensive
11 sampling that's going on continuously through the
12 fishing season and reported at each of our
13 meetings.

14 MS. McCAWLEY: Yes. Marcos?

15 MR. HANKE: First a question. Then a
16 follow-up question to it. On your percentage of
17 release mortality, you're considering one day, two
18 days, a week, 30 days, a year after the release?
19 How do you guys address that on your area? You
20 know, once you see the condition of the fish that
21 are being released, which is a post release
22 condition, how you connected the release mortality

1 percentage that you present?

2 MR. BURNER: Thanks for the question.

3 It's largely based on the angler's reported depth
4 of fishing more than anything. It's not
5 necessarily based on the condition of individual
6 fish or the angler's reporting of the condition of
7 that fish. It's based on the assumption that
8 descending devices are in place and based also on
9 the depth of fishing that the trip occurred on.

10 MR. ANDERSON: Just one other piece of
11 information. So, when, in particular, Oregon
12 State University did a lot of the work that helped
13 or bring forward the data on the survival rates
14 associated with fish that were descended, some of
15 those fish were also tagged, radio tagged. And so
16 we were able to go back out and detect whether the
17 fish were still alive or not after some period of
18 time.

19 So, that's an additional tool that we
20 used to ensure that the survival rates that we
21 were assuming at the time of the release were born
22 out by those fish continuing to be present in the

1 -- like for yelloweye, in particular, which are
2 really site-specific kind of fish. We were able
3 to go out and determine that those fish were still
4 alive some number of weeks or months later.

5 MR. HANKE: The follow-up comment and
6 question are the same thing as in the Caribbean
7 because of the multispecies and the size of the
8 fish that you catch when they're bottom fishing on
9 depth that we are on.

10 I'm collecting personal data, you know,
11 during my operation relating to the release
12 surface, one atmosphere and two atmosphere
13 release. And it's very preliminary, but I think
14 it's the right track especially for recreation and
15 commercial fisherman to pursue and to produce that
16 kind of data.

17 For example, in my case, I can tell you
18 right away that with the Frigatebird, you release
19 on the surface grouper and snappers, and it's
20 almost an instant release mortality right there.

21 If you release at one atmosphere, you
22 can see the fish swimming away exactly under the

1 same conditions. And all those very basic data go
2 back to the presentation before, what kind of
3 information the recreational community can produce
4 with very little effort and support from the
5 Science Community. That's my comment. Thank you.

6 MS. McCAWLEY: More questions, comments?
7 All right. Thank you, Mike. We're going to move
8 into the next presentation, which is Julia Beaty,
9 with the Mid-Atlantic Fishery Management Council.
10 She's a Fishery Management Specialist, and we're
11 going to turn it over to her.

12 MS. BEATY: Thank you. Good morning,
13 everybody. So, I'm going to talk about this
14 initiative, which we call the Recreational Reform
15 Initiative, which is a joint project of the
16 Mid-Atlantic Fishery Management Council, the
17 Atlantic States Marine Fisheries Commission, and
18 the Greater Atlantic Regional Fisheries Office.

19 So, this initiative came about largely
20 due to some challenges that we've had with
21 managing the black sea bass recreational fishery.
22 But it also addresses the other three species that

1 have big recreational components and are managed
2 jointly by the Mid-Atlantic Council and the
3 Atlantic States Marine Fisheries Commission.

4 So, the four species include summer
5 flounder, scup, black sea bass, and bluefish. And
6 I should note that this joint management program
7 for summer flounder, scup, and black sea bass,
8 it's from Maine through either Cape Hatteras,
9 North Carolina, or all of North Carolina. And for
10 bluefish, it's for the whole Atlantic Coast.

11 So, just to provide a little bit more
12 background on the black sea bass challenges that
13 we have specifically. So, black sea bass biomass
14 has been very high for several years. It's been
15 more than double the target level since at least
16 2015. So, availability to anglers has also been
17 very high. And black sea bass is a very popular
18 recreational fish species in our region.

19 And anglers have felt like the measures
20 that we put in place have been very constraining.
21 They realize that biomass is very high.
22 Availability is really high. They want to be able

1 to catch more black sea bass and keep more black
2 sea bass.

3 But you can see from this figure here
4 that our RHL, that's the red line, has in many
5 years been fluctuating. And then harvest is the
6 blue bars, and you can see that we have very
7 little wiggle room between harvest and the RHL.
8 In many years, we're either bumping right up
9 against the RHL or we're exceeding it. So, we
10 felt like we've had to keep pretty restrictive
11 measures in place.

12 And also, I don't know who first came up
13 with this term, but chasing the RHL kind of summed
14 up a lot of the struggles that we have been having
15 with black sea bass.

16 Where every year when we're thinking
17 about what's the next year's recreational harvest
18 limit and should we change the bag, size, and
19 season limits to try to prevent that RHL from
20 being exceeded, it frequently felt like every year
21 we had to make some tweaks to the bag, size, and
22 season to prevent exceeding that RHL, either

1 because the RHL was changing or our expectations
2 the harvest was changing. So, we felt like we
3 were chasing the RHL and having to change our
4 measures very frequently.

5 Meanwhile, we have this very healthy
6 stock and anglers are feeling constrained. So, a
7 lot of kind of simmering frustrations with all of
8 that.

9 So, this recreational reform initiative
10 was largely aimed at answering the question of how
11 can we provide greater stability in the
12 recreational management measures so that we don't
13 have to chase the RHL every year. We don't have
14 to change things a little bit year to year.

15 And again, this was mostly an issue with
16 black sea bass, but we've had similar struggles
17 with summer flounder, though for some slightly
18 different reasons.

19 For scup and bluefish, we haven't had to
20 change the measure as much, but they're managed
21 with the same system as summer flounder and black
22 sea bass. So, we're trying to address all those

1 species together.

2 So, you know, this issue is kind
3 simmering for several years. And the
4 conversations really got going after the
5 Commission Summer Flounder, Scup, Black Sea Bass
6 Board Chair and Vice Chair put together this
7 document that they called the Strategic Plan for
8 Reforming Recreational Black Sea Bass Management.

9 And that was a multiple page document
10 with a lot of different ideas in it and it helped
11 really start the discussion in terms of what do we
12 think we should really focus on and move forward
13 with.

14 And eventually, that evolved into the
15 formation of a Joint Steering Committee to really
16 dig into some of this and focus on specific
17 issues. So that Steering Committee was formed in
18 March of this year. And membership includes
19 leadership and staff from the Council Atlantic
20 States Marine Fisheries Commission and the Greater
21 Atlantic Regional Fisheries Office.

22 And the Steering Committee came up with

1 this Draft Mission Statement to focus our efforts.
2 So the Mission Statement is to allow for more
3 regulatory stability and flexibility in the
4 recreational management programs for summer
5 flounder, scup, black sea bass, and bluefish by
6 revising the current annual timeframe for
7 evaluating fishery performance and setting
8 recreational specifications to a new multi-year
9 process.

10 So, before I explain why that would make
11 such a big difference, I'm first going to explain
12 what the current process is and how this
13 multi-year process would be different.

14 So, for all four species that we're
15 focusing on, the fishing year is the same as the
16 calendar year. And this timeline is an example of
17 what it typically looks like when the Council and
18 Board need to set new recreational harvest limits
19 for upcoming years, not when they're reviewing
20 RHLs that were already in place.

21 So, typically, when they need to
22 recommend new RHLs, they're meeting in August of

1 the current year to develop RHLs for the next one
2 to three years, usually based on some sort of
3 stock assessment update and other information.

4 So, that decision is made in August.

5 But then the decision on what should the
6 recreational bag, size, and season limits be to
7 help prevent exceeding the RHL, that decision
8 isn't made until much later in the year.

9 For Federal Waters Measures, that
10 decision is made in December of the current year
11 because that allows us to consider preliminary
12 MRIP data for Waves 1 through 4 of the current
13 year.

14 And then the States developed their
15 measures through a separate commission process and
16 that usually happens early in the next year. So,
17 that's early in the year that the measures are
18 needed in. And then depending on the States,
19 maybe they need a little bit more time to finalize
20 all their measures.

21 And then, of course the Federal Waters
22 Measures have to go through a more involved

1 rulemaking process. So, even though the Federal
2 Waters Measures are agreed to in December of the
3 previous year, they're not actually finalized and
4 implemented until typically May through July of
5 the year that they're actually needed in.

6 So, there's some obvious challenges
7 associated with this, that the measures in both
8 State and Federal Waters aren't -- if there's a
9 change to them, that change isn't implemented
10 until, you know, early to even, you know, maybe
11 midyear of the year that those changes are needed
12 in.

13 And even though some of the decisions
14 are made in December, that still doesn't
15 necessarily give a lot of time to plan for the
16 next year. So, we get complaints from, for
17 example, for-hire captains who said they want to
18 be able to plan their trips well in advance.

19 Even if they know the decision is made
20 in December, that's still not a lot of time.
21 They'll say people want to plan their summer
22 vacations like well in advance. So, they want to

1 know when the fishing season is going to be. So,
2 even without this delay and implementation, the
3 December decision- making can be challenging for
4 that reason.

5 But again, one of the reasons why we do
6 it this way is because it allows us to consider
7 the most current MRIP information to think about
8 what is this year's harvest. And if we kept
9 measures the same next year, we typically assume
10 that harvest will be the same next year as it is
11 this year. So, it allows for that sort of
12 decision-making.

13 So, the proposed change is you basically
14 keep the timeline the same as it was in the
15 previous one. But instead of agreeing to the bag,
16 size, and season limit for only the next year,
17 you're agreeing to it for two years at a time.

18 So, there's still that delay. And when
19 the measures are finalized and implemented for the
20 first year, but for the second year, if they're
21 staying exactly the same and you already -- you
22 know what they are well in advance for year two,

1 and you don't need to do any follow-up
2 decision-making or rulemaking to have those year
3 two measures the same. So, the biggest benefit is
4 in that year two change to how we do things.

5 So, the way this would work is that
6 everyone involved, so the Council and the
7 Commission and Member States would have to agree
8 to the bag, size, and season limits for two years
9 at a time and commit to making no changes for
10 those two years.

11 So, if you get information in the
12 interim year that suggests that maybe your
13 measures could be a little bit more liberal,
14 you're not reacting to that. Because the tradeoff
15 is that if you get information that suggests that
16 maybe you might need to cut back a little bit,
17 you're also not reacting to that. So, it has to
18 work both ways for it to be able to work.

19 And so, the other thing is that, you
20 know, in general, we're committing to not
21 responding to new information in the interim year.
22 But in the interim year if we get information to

1 suggest that the stock has become overfished or
2 overfishing is occurring, we would react to that.

3 So, this has already come up a little
4 bit in the discussion today, but there's some
5 consideration that still needs to be -- to go into
6 this in terms of how we would factor in annual ACL
7 evaluation and accountability measures and what
8 are the Magnuson Act requirements for that.

9 And if, you know, we're committing to
10 making no changes for two years, if in the interim
11 year we get information to suggest that the ACL in
12 a previous year was exceeded, is it okay to not
13 react to that until year three, for example, and
14 are there any other changes needed to the
15 accountability measure regulations that we
16 currently have in place to allow for basically
17 setting and forgetting it for two years. So,
18 that's something that we still need to develop a
19 little bit further.

20 And then also, the Steering Committee
21 has talked about the idea of, you know, we make --
22 right now, we make the decisions on Federal Waters

1 measures, bag, size, and season limits in
2 December, and that's still proposed under the new
3 timeline.

4 But what if we move that back to October
5 to give even more, you know, advanced notice to
6 what the changes might be and provide some more
7 efficiencies in year one. There's pros and cons
8 associated with that.

9 That would mean that, you know, there's
10 data that you wouldn't be able to consider that
11 you would have available in December, but not
12 October. So, that's something that needs a little
13 bit more consideration and evaluation.

14 So, another topic that the Steering
15 Committee has focused on is what are your
16 guidelines for deciding if you need changes in
17 your measures or not.

18 And for black sea bass, there have been
19 some recent years where we have evaluated expected
20 harvest compared to the RHL, and it's been
21 determined that maybe harvest would exceed the
22 RHL. But there's some justification for why you

1 can keep measures status quo. And the
2 justification for that has kind of been developed
3 on a case-by-case basis.

4 So, the Steering Committee thinks it
5 would be helpful to come up with guidelines that
6 are agreed to and you can use every single year.
7 So, it's not something that's on a case-by-case
8 basis. It's something that is transparent and
9 everybody buys into it and you know what your
10 guidelines are.

11 So, there's two aspects to this. One
12 aspect is looking at stock status information.
13 And so, on the screen are some examples of kind of
14 metrics that you would look at for stock status.
15 And if you have multiple positive indicators that
16 could work in your favor in terms of justifying
17 status quo, bag, size, and seasons limits, when
18 moderate reduction in harvest would otherwise be
19 needed.

20 And then the other piece of it is how
21 you determine what percentage reduction or
22 liberalization in harvest you might need with your

1 RHL for the next year.

2 And so the Steering Committee recommends
3 also establishing guidelines for that. So, if you
4 establish a certain percentage above and below the
5 RHL, that if you're within that, you're not making
6 any changes, and again, it has to go both ways.

7 And then come up with guidelines for how
8 you deal with uncertainty in the MRIP data and
9 then so how you deal with potential high PSEs and
10 smoothing of outliers and things like that.

11 And then with this concept and then also
12 the two- year timeframe, some further work needs
13 to be done and consideration given to the pros and
14 cons of using the most up-to-date data possible,
15 and having your decision-making occur, you know,
16 later in the year versus using -- having
17 decision-making be based on data that's maybe not
18 as current as possible, but is the final MRIP
19 data. And that allows you to make the decision
20 earlier in the year.

21 And for all of this, the Steering
22 Committee agrees that we need to do a lot of

1 stimulation testing to look at what would happen
2 if you set it and forget it for two years and you
3 have an old bridge or if you use these new
4 guidelines for status quo to not take reductions
5 when you would otherwise need that. What would be
6 the impacts of that. What would be the impacts of
7 not taking slight liberalizations that you would
8 otherwise be allowed to do.

9 So, those are the major next steps in
10 this process is, you know, so far this has been
11 discussed at kind of a high level kind of Steering
12 Committee leadership perspective in terms of where
13 should we focus our efforts.

14 But we haven't really dug into the
15 technical side of things in terms of what is
16 really feasible and what would be the impacts of
17 some of this.

18 So, those are the major next steps in
19 this process. And I'm happy to take any
20 questions. Oh, and also there's other people in
21 the room who are on the Steering Committee and
22 they can help me answer questions, too.

1 MS. McCAWLEY: Thank you, Julia.

2 Questions? Tom?

3 MR. NIES: Thanks, Julia. I'm kind of
4 intrigued about one of your comments I think on
5 about your second to last slide, which slide which
6 talks about -- I think what it said was, yeah,
7 guidelines for incorporating uncertainty in MRIP
8 estimates.

9 And I think there what you mean is in
10 evaluating the harvest compared to the
11 recreational in determining whether accountability
12 measures need to be applied.

13 Is that going to be linked to the stock
14 assessments, or have you thought about linking
15 that somehow to the stock assessments so to make
16 sure that your approach from monitoring the
17 recreational harvest level is consistent with how
18 the assessment treats the data?

19 MS. BEATY: That's a good question. We
20 have thought about it in terms of thinking about
21 it. Depending on what your stock status is, maybe
22 you don't want to have so much flexibility.

1 If stock status is good, it's okay to
2 maybe have more flexibility. But that is a good
3 question and may be something that would be worth
4 considering in the simulations in terms of if
5 we're dealing with uncertainty and the
6 recreational data is different than how the
7 assessment is, what would be the impacts of that.

8 And this, dealing with the uncertainty
9 in MRIP is not necessarily just for accountability
10 measures, but also in a situation where you don't
11 think you need an accountability measure, but
12 you're just looking at meeting next year's RHL.
13 So, it could, you know, be used for rules aspects.
14 But that's a good question. Something I think
15 that could be simulated.

16 MS. McCAWLEY: Other questions or
17 comments for Julia? All right. Thank you for
18 that presentation.

19 So, we've had four presentations and I
20 think we'd like to have some discussion about
21 Section 102 and thoughts around the table on
22 moving forward from here. Yes, Chris?

1 MR. OLIVER: I'll just start and throw
2 this out. Because one of the fundamental
3 conundrums I struggle with is the Act says you can
4 use all these other measures, but you still have
5 to stay within an ACL.

6 And you highlighted this, Chris, in your
7 presentation. As long as we define ACL in
8 poundage, how do we get past that in the sense
9 that you define an extraction rate to reach a
10 particular target, and you get it right, and it's
11 kind of macht nichts.

12 So, I'm struggling with how, as long as
13 we continue to define an overall quota in pounds,
14 and then let's say it's a million pound quota, and
15 it's a fifty-fifty split, so half a million goes
16 to the recreational fishing sector, then what do
17 we do?

18 MR. HORTON: Can I respond to that?

19 MS. McCAWLEY: Chris?

20 MR. HORTON: Well, that's a good
21 question. I think that was the point is that the
22 ACL for catch, but Magnuson defines catch as

1 something other than -- it doesn't have to be
2 hard-pound quotas or weights. It doesn't have to
3 be weight-based. It could be the numbers, it could
4 be sex, biomass area, or other factors.

5 I mean, there's a whole conundrum of
6 things out there that we could potentially do, but
7 how do we measure that catch. And I understand
8 the difficulty in trying to define something
9 because pounds is something easy to gravitate to.
10 It's easier to measure based on how we're doing it
11 now.

12 But there is there a different way that
13 we could collect or different data we could
14 collect, but still looks at that catch based on
15 those other factors. And that is the question.

16 And again, I'm not the mechanic. I
17 can't answer that for you. But would really look
18 forward to an opportunity to pick some fisheries,
19 maybe just primarily recreational, not commercial,
20 but look at ways we could more efficiently manage
21 and what other measure of catch could we then plug
22 in to that ACL besides weight.

1 MR. OLIVER: And I was trying to
2 reinforce your very point just to kick off
3 hopefully some --

4 MR. HORTON: Gotcha. Yes, sir.

5 MS. MCCAWLEY: Other thoughts here?
6 Okay. Maybe let's go ahead and take a break. And
7 then maybe when we come back from the break,
8 you'll have some other thoughts and maybe we can
9 continue this discussion. So, let's go ahead and
10 take a 15-minute break.

11 (Recess)

12 MS. MCCAWLEY: All right, once again I
13 want to thank the four speakers that we had before
14 the break. I thought those were very informative
15 discussions. I'm going to open it up again to CCC
16 discussions on this topic.

17 Ultimately, maybe we don't necessarily
18 need a discussion because maybe Councils were
19 informed by those four presentations and they just
20 want to go back to their respective Councils and
21 maybe think about some of the different items that
22 you saw this morning. And that's okay, if that's

1 the answer here, but I'm still going to open up
2 the floor again to see if we want to have any more
3 discussion, or we have any types of questions that
4 we want answered before we leave this topic. Yes,
5 Chris?

6 MR. MOORE: Thank you Madam Chair. I
7 appreciated the presentations today, but I think,
8 to follow up on Chris Oliver's comments, I think
9 there's still a struggle with how to we get out of
10 this ACL AM Box, as it relates to flexibility for
11 our recreational fisheries.

12 So, the Mid-Atlantic Council, as Julie
13 indicated, we're struggling with black sea bass.
14 We've also looked at some alternative ways of
15 dealing with summer flounder recreational
16 management. We had some work done up in the
17 northeast relative to simulations and some
18 possibilities there.

19 But, I think, you know, we're still
20 trying to figure it out, and it'd be great if we
21 could have some additional ideas from the service,
22 or our science partners, to give us some ideas of

1 how those things could work.

2 But one of the things that we haven't
3 mentioned this morning as we think about this
4 flexibility for the recreational fisheries, is how
5 that flexibility could be fair to the other sector
6 that we're involved with.

7 So, typically, when we get into
8 conversations with commercial fishery folks about
9 this issue, there is this question of fairness.
10 And they typically bring up the fact that they are
11 managed under hard quotas, and yet the
12 recreational fishery is considering this
13 flexibility that might allow them to over-harvest
14 or exceed their ACLs.

15 So, those are the things that we deal
16 with in terms of where we're at in the
17 Mid-Atlantic Council, where do you want the
18 commission, and we're still right in the middle of
19 it.

20 MS. MCCAWLEY: Thanks for that, Chris.
21 Other comments, questions, discussions; Carrie?

22 MS. SIMMONS: Yes, thank you Madam

1 Chair. I just have a question about this portion
2 of the Act. I think it said there was a report
3 that was supposed to come out 180 days after the
4 date of enactment. Was there such a report, and
5 is that available, and would that have any helpful
6 information in it?

7 MS. MCCAWLEY: Good question. Response?
8 Russ.

9 MR. DUNN: In consultation with my
10 colleagues at the table, I have learned that we're
11 working on it (laughter). It has -- the 102
12 Section; Section 102 in the report -- there are
13 certainly substantially advanced drafts that have
14 been developed and beyond that I am not sure of
15 the status.

16 MS. MCCAWLEY: So, what I heard was,
17 coming soon. Yes, Phil.

18 MR. ANDERSON: I don't have a lot to
19 offer. I agree with Chris' kind of summation of
20 where we are. We continue to try to look for ways
21 to be flexible where it makes sense, continue to
22 look at the fairness question.

1 I struggle with what is the advantage of
2 moving from weight to numbers of fish, in our
3 world at least. We can take our black rockfish
4 fishery, for example, which is kind of our base
5 species for our recreational groundfish fishery.

6 We have average weights, we could turn
7 poundage into numbers, but at the end of the day,
8 we're going to manage that fishery to not exceed
9 that number of fish, which then would translate
10 into a weight, if you backed it back out through
11 the average weight.

12 So, I'm struggling with trying to
13 understand how that helps. I think in the halibut
14 fishery, where the average weight does change from
15 week to week lots of times, numbers of fish would
16 provide some greater stability in that example,
17 but I can't think of other examples where that
18 takes place.

19 And I think by and large, that our
20 recreational fishery wants to be held to high
21 standards, wants to be looked at as a sector that
22 is managed for sound conservation outcomes.

1 So, I'm not excited on going into a
2 regime where we have a sector, regardless of what
3 it is, that is allowed to exceed our ACLs that are
4 carefully calculated, to achieve a conservation
5 outcome. So, those are my thoughts.

6 MS. MCCAWLEY: Thanks Phil. Roy, and
7 then Gregg.

8 MR. CRABTREE: We hear a lot, Chris,
9 about the same kind of issues because almost all
10 of our fisheries are mixed fisheries; they have
11 recreational and commercial components on it.

12 But the reality of it is, you can't
13 manage them -- commercial and recreational
14 fisheries -- the same because the data delivery is
15 so different. And the difficulties with tracking
16 recreational quotas are -- I mean, it's just very
17 difficult to do it.

18 So, I think you're stuck with realizing
19 that you have to deal with them differently.
20 We've looked at the issue of weights and numbers
21 umpteen times, and to me it makes no substantive
22 difference how you do it. You still have to take

1 into account the size of the fish that are being
2 caught, because that's inherent in setting the
3 quota to begin with and effects the selectivities.

4 But I think the other trap that the
5 whole ACL paradigm has pushed us in with
6 recreational fisheries is we get in the sense
7 where we exceeded the ACL and there's a tendency
8 to say, oh, your over-fishing; your over-fishing
9 your quota.

10 The reality I think is that, generally
11 speaking, recreational fisheries are going to bust
12 their quota when there's lots of fish out there.
13 And so, in my experience, the fisheries that we
14 have had constant quota over-runs and difficulties
15 with, like red snapper, are in fact the fisheries
16 that are doing better than virtually anything
17 else. That's why they're catching so many fish.

18 We have other fisheries like red grouper
19 in the Gulf where the recreational fishery hasn't
20 even come close to catching their ACL recently,
21 and that's because the stock is in terrible shape.

22 So, we tend to get in this trap to where

1 we're expending all of our time dealing with
2 something like red snapper because we're going
3 over the quota, but the stocks rebuilding at a
4 remarkable rate, and that's why.

5 And we tend not to look at other
6 fisheries where we're under the ACL. Why?
7 Because there aren't any fish out there because
8 the stock's in terrible shape. And so, it's kind
9 of this backwardness of what happens.

10 And so, I think one of the frustrations
11 with recreational fisheries is often when we're
12 implementing accountability measures and closures
13 and other types of things, it coincides with them
14 seeing just amazing numbers of fish out on the
15 water.

16 And that gets into what Chris brought up
17 with some of the time lags and the science, which
18 I think we're working hard -- and Clay Porch has
19 made a lot of efforts to improve that --but it'll
20 never be real time. And there's always going to
21 be some lag between your setting the quota and
22 setting things, and what's actually happening on

1 the water.

2 So, I think there's just an inherent lot
3 of things wrong with managing fisheries with
4 annual catch limits. They're good at ending
5 over-fishing and rebuilding stocks, but they can
6 be a pretty heavy-handed way to do it in some
7 cases and they result in a lot of these
8 perceptions and problems.

9 And I think if you accept that your main
10 priority -- which I guess is what Congress wants
11 -- is to take away flexibility and end
12 over-fishing, then you're left with some of these
13 consequences that come from that.

14 MS. MCCAWLEY: Gregg.

15 MR. WAUGH: Thank you, Madam Chair. I
16 think for the South Atlantic, one of the reasons
17 we have to start looking at multi-year, is because
18 we're left to the whim of a chance encounter with
19 MRIP. So, for many of our ACLs, that whole annual
20 ACL can be blown with one MRIP intercept. So, it
21 really puts us at a disadvantage.

22 Now, we have accountability measures

1 that close the fishery so we can change that to
2 where it doesn't close, but it seems to me, until
3 there's some additional way of measuring the
4 recreational catch -- which there is an app out
5 there, MyFishCount, we've worked extensively on
6 that; it'll take a while to get the anglers
7 reporting on it -- but, until there's some
8 augmented way of tracking the EEZ catch in the
9 South Atlantic, the recreational sector is always
10 going to be at the mercy of one-chance MRIP
11 intercept.

12 And so, looking at this multi-year
13 setting and evaluation is a way to look, okay, if
14 you had an intercept that went over one year, what
15 happens the next year? And when you average them,
16 are you below your target?

17 And certainly, it has to be done in a
18 way that does not result in over-fishing, and
19 doesn't exceed their allocation. But we've got to
20 break this one intercept MRIP cycle.

21 MS. MCCAWLEY: Eric, then Tom.

22 MR. REID: Thank you, Madam Chair. So,

1 I just have a question about MRIP. That's the
2 tool we have now. It's not the greatest tool in
3 the world, but it costs us X amount of dollars a
4 year to run. I don't know what the number is; 15
5 million dollars or something like that.

6 What would it cost to get MRIP to be the
7 tool we want? 30 million dollars? 50 million
8 dollars? And is that an investment we're willing
9 to make over time in order to take a tool that
10 we've been playing with forever to do the job we
11 want it to do. So, I guess that's is. If anybody
12 wants to answer that question, it'd be great.

13 MS. MCCAWLEY: While you guys are
14 pondering that, I'm going to go to Tom (laughter).

15 MR. NIES: Thank you, Madam Chair. You
16 know, a couple of people -- Chris Moore, Roy --
17 mentioned the issue with ACLs and the struggle
18 with whether ACLs are appropriate. And the
19 underlying assumption is that ACLs are required
20 for every stock that's in need of conservation and
21 management.

22 And I find that interesting. There was

1 a relatively recent court decision in Oceana
2 versus Pritzker which, surprisingly, was not a
3 lawsuit for the New England Council (laughter), it
4 was for one of the other Councils, as odd as that
5 may seem (laughter).

6 And there's an interesting quote in
7 there from the judge where -- without getting into
8 the specific facts of the case -- there's an
9 interesting quote in there, in the opinion, where
10 the judge says, "Nor does the text of," and he's
11 quoting the Magnuson Act, "state that ACLs must be
12 adopted for all species in need of conservation
13 and management, rather the new provision requires
14 only the establishment of ACLs and ACMs such that
15 over-fishing does not occur."

16 Now, in this specific court decision
17 with river herring shad, the judge goes on and he
18 points out -- he's really looking at non-target
19 stocks in this decision, not target stocks, and he
20 goes on to say, "A bycatch of nontarget stocks is
21 considered in drafting ACLs for target stocks,
22 then such consideration may suffice if the FMP

1 does not result in the nontarget stocks becoming
2 subject to over-fishing."

3 You know, I don't want to take this
4 opinion and stretch it out too broadly, but I
5 wonder if highlighting this language gives an
6 avenue for looking at least some cases where we're
7 now wrestling with ACLs when maybe we don't have
8 to.

9 I don't know if Adam or Sam has explored
10 these ideas at all or would be willing to consider
11 it.

12 MS. MCCAWLEY: Thanks Tom. Once again,
13 would anyone in this corner of the table like to
14 answer any of these questions (laughter)?

15 MR. ISSENBERG: Well, I don't know that
16 we've looked at that language to the specific
17 point, and it's been a while since I've read that
18 opinion so I'm not sure I'm really prepared to
19 address in this context. But, you know, we can go
20 back and take a look at it and, I think, talk
21 about it in the context of the specific record.

22 As you say, this case is very based on

1 (inaudible) which is very based on the record on
2 that case, which deals with nontarget stocks. So,
3 I think the extent to which you could extend that
4 would really depend on what you're trying to do in
5 any given case.

6 MS. MCCAWLEY: Thanks Adam, more?

7 MR. CRABTREE: Well, I can just offer
8 you the most extreme situation that I've had to
9 deal with on that, and this is in the Caribbean.

10 We have never had recreational catch
11 estimates for the U.S. Virgin Islands. And so,
12 I've argued -- not successfully -- but we should
13 not have to have a recreational catch limit
14 because there is no recreational catch. And, if
15 surely Congress meant to have a catch limit, there
16 had to be some measure of the catch.

17 Since the hurricanes, Irma and Maria a
18 couple of years ago, we haven't had estimates of
19 recreational catch in Puerto Rico either. So,
20 there you have a whole Council and a whole region
21 where we just don't have recreational catch
22 estimates.

1 And so, we've struggled with, what does
2 that mean with respect to AMs and things?

3 And in some cases, what we've done is
4 had just a total ACL, but it's based on the
5 commercial landings. When they reach it, we close
6 everybody down -- recreational and commercial.

7 Well, that's not a very satisfactory way
8 to go either. But, that's kind of to the extreme
9 of what we've had to deal with, with annual catch
10 limits.

11 MS. MCCAWLEY: Other folks want to
12 comment? One comment I have, I feel like
13 recreational fisheries are definitely important in
14 the Southeastern U.S. And I think that the Gulf
15 has explored some ways, especially for
16 recreational red snapper, of doing things a little
17 bit differently.

18 It did start with a robust state data
19 collection program. It was certified by MRIP.
20 But I would really like to have maybe some folks
21 from the Gulf Council and the South Atlantic
22 Council get together.

1 Maybe we have a working group and we try
2 to throw out some innovative ideas, talk about
3 data collection; because I feel like the South
4 Atlantic, maybe we need a different recreational
5 data collection system. We can talk about that.
6 We can learn from you guys.

7 But maybe we can talk about multi-year
8 ACLs. We can talk about AMs so that we're not
9 each trying to reinvent the wheel here. So, I
10 look over to you guys in hopes that maybe sometime
11 in 2020 we can get together and talk about this a
12 little bit more. Carrie?

13 MS. SIMMONS: Yes, thank you, Madam
14 Chair. We would definitely be in agreement with
15 that. Anyone else who would like to join us, we
16 can work together on that.

17 We have looked at some of these things,
18 you know, with moving averages, and I think we
19 removed them from the books when we got the ACL
20 requirements. And we need to look back and see
21 why we did that.

22 It's escaping me right now, but I think

1 -- because when we get really high landings it was
2 going over the ACL even with the moving average --
3 but that's just speaking off the top of my head.
4 I could be incorrect there. But we would
5 certainly like to look at all of these together in
6 a broader perspective.

7 But, yes, recreational anglers and
8 fishermen in the Southeast are very important.
9 We've moved forward with 50 -- Amendment 50 --
10 hopefully, that's going to be implemented here
11 soon. That took us many years; many different
12 iterations.

13 And the next agenda item that we're
14 getting into, I think one of the biggest things
15 we're trying to get our heads around right now are
16 the changes to the MRIP FES historical time
17 series, and what that means for us. And the fact
18 that the Gulf states have now implemented
19 supplemental surveys, especially in the Eastern
20 Gulf, to supplement MRIP, and then LA CREELL has
21 been also certified.

22 So, I think, as we're moving forward,

1 we're trying to get these better data systems in
2 place and get these into our stock assessments.
3 That's one of our major goals right now, to work
4 with S&T to do that, to work with the Gulf states
5 to do that, and to see, as we get into the next
6 agenda item, how that's going to play out.

7 But right now, we're really just
8 struggling, trying to get our brains around how
9 that's really going to all play out as it goes to
10 the stock assessment process. And I think we're
11 going to talk a little bit about that with the
12 next agenda item. But, certainly, we'd like to
13 work with you.

14 MS. MCCAWLEY: Yeah, that sounds great
15 and I agree. And I think that our SSC's have been
16 talking about that new MRIP data.

17 But maybe at the Council level, maybe
18 some of the Council members get together and talk
19 about maybe what we could do, what are some out of
20 the box ideas, and what are some things that maybe
21 we should try, and maybe we try it together. But,
22 just a thought. Roy.

1 MR. CRABTREE: Yeah, and I think that's
2 a good idea. Just remember, with respect to red
3 snapper -- because we tend to get red snapper
4 focused, the statutory requirement in the Gulf are
5 not the same as the South Atlantic. And the Gulf
6 has less flexibility in how to do things in the
7 Gulf because they're managed under a different
8 section in terms of quotas and the requirements.

9 MS. MCCAWLEY: Yes, Russ.

10 MR. DUNN: Yes. So, I think from a
11 biological perspective we saw real success, or we
12 have seen real success with annual catch limits.
13 But where we are is struggling to manage the
14 success which as been achieved and returning a
15 number of stocks to healthy conditions.

16 And what I saw and heard here around the
17 table is that stability, predictability, and
18 opportunity are important. And what is apparent
19 to me is that the flexibility is needed and the
20 key.

21 And we're seeing the Councils and the
22 commission take multiple approaches demonstrating

1 that the flexibility is there, under parts of the
2 Act. We're seeing approaches of what we saw
3 today; interest in annual monitoring and catch
4 limits.

5 We suggested for two years. We saw
6 suggestions for three years. It seems that
7 tempering reactions to limited data inputs is
8 going to be one of the steps that's needed. There
9 is no -- to use an over-used phrase -- there's no
10 magic bullet.

11 What we're going to see is increased
12 flexibility trying to achieve that stability and
13 opportunity through many small actions. It's
14 accounting for data better, it's improving release
15 mortality, it's tempering reactions to the data
16 inputs, it's conditional AMs; things like that.

17 So, I think what we're going to see, and
18 have to continue to apply, is a multi-faceted
19 approach from fishery to fishery because every
20 fishery's needs are different; where you have some
21 meat fisheries, you have catch-release fisheries.

22 I think we also saw that decreasing lag

1 time between data collection and application is
2 going to be critical. And, as Chris indicated,
3 there's some interest in trying to pilot some of
4 these innovations, and that may be something that
5 I would ask the Councils to think about.

6 Are there fisheries where we could take
7 some of these ideas that are sort of low political
8 risk fisheries and test some of these ideas out?
9 Where if they work, great, we have some
10 innovation; and if it doesn't, it's not a real
11 problem.

12 So, I guess with that, I'll turn it back
13 over to Chris, or Madam Chair.

14 MS. MCCAWLEY: Thanks, I appreciate
15 those concluding remarks. Yes, Chris, did you
16 have your hand up?

17 MR. MOORE: Just one last question, and
18 one last comment. So, we have the section -- I
19 don't know what you guys would title it -- the
20 Section 102 report that is going to come out at
21 some point.

22 Do you think it would be available

1 before our next CCC meeting? And, if so, I'd be
2 curious as to what -- my other question, I know
3 this is pushing it a little bit -- but what's
4 going to be in that report (laughter)?

5 MR. OLIVER: The answer to the first
6 question is, yeah, it should be. It's hopefully
7 in final clearance of the department.

8 MR. RAUCH: And, if I could?

9 MS. MCCAWLEY: Mm-hmm.

10 MR. RAUCH: The answer to the second
11 question is, what is congressional required to be
12 in the report is what's going to be in the report.
13 We're still working on it though.

14 MR. MOORE: So, if I could, Madam Chair?
15 Thank you. So, it would be great if we had this
16 as an agenda item for our May CCC meeting.

17 Also, if I understood Adam correctly,
18 you also have a response to Tom's comments
19 regarding the legal case, may we have that as a
20 possible addition to the agenda; a review of that
21 case?

22 MR. ISSENBERG: Well, yeah, I mean we

1 can talk about the case generally. But, as I
2 said, I mean, I think it's probably going to
3 depend on the individual facts of any given
4 fishery, stock that you're talking about. So, I'm
5 not sure, you know, we're going to have general,
6 legal guidance that's going to be a one size fits
7 all approach to that.

8 MS. MCCAWLEY: All right, so. We have a
9 request to put this on the agenda for the May
10 meeting. Any other final concluding thoughts on
11 this topic? All right, thank you Russ for
12 wrapping that up. And thank you once again to the
13 four presenters from this morning.

14 We're going to move into our next topic
15 on the agenda. The next topic on the agenda is,
16 When and How to Address Allocations with
17 Assessments Based on the New MRIP Data.

18 We have reports from four Councils.
19 Three of those, I believe, are on the website. I
20 believe we're going to start with the Minute Win
21 It Council. Chris?

22 MR. MOORE: Thank you, Madam Chair. I

1 don't have a presentation. There's a document in
2 the briefing material. I'll hit the highlights of
3 that particular document. It's title, The
4 Mid-Atlantic Fishery Management Council Allocation
5 Review in Response to Revised MRIP Data.

6 We have a number of fisheries,
7 recreational fisheries, that we manage with our
8 partners, the Mid-Atlantic Council, including
9 summer flounder, scup, black sea bass, and
10 bluefish.

11 Stock assessments incorporating the
12 revised MRIP data for these species were recently
13 peer reviewed. So, this point was made earlier,
14 we're already right in the middle of operational
15 assessments that use the new MRIP data.

16 Those new operational assessments, that
17 information is available to us and we used to set
18 our annual specifications for those species.

19 We also added a summer flounder
20 assessment. It was peer reviewed and accepted by
21 the Northeast Regional Stock Assessment Review
22 Committee in November of 2018 and accepted for

1 management use by our Council's SSC in February of
2 this year.

3 We have summer flounder specifications
4 for 2019, which were revised to reflect these new
5 assessment results. So, we are actually using
6 these new MRIP data to codify previous decisions
7 involving specifications.

8 As I indicated, we have operational
9 stock assessments for black sea base that were
10 done, and we will be looking at those at our next
11 meeting in Annapolis.

12 The Council and the commission are in
13 process of developing joint FMP amendments, will
14 include reevaluation of the commercial
15 recreational allocations for these species, in
16 large part, to consider the allocation impacts of
17 the revised MRIP data.

18 We have a bluefish allocation amendment
19 that was initiated in December of 2017. We've
20 started working on that again with the new revised
21 MRIP data.

22 We also initiated an FMP amendment in

1 October of this year to consider the commercial,
2 recreational allocations for summer flounder,
3 scup, and black sea base. Scoping for that
4 amendment will take place in early 2020.

5 Both amendments will include an
6 evaluation of a broad range of alternatives for
7 sector allocation, including, but not limited to,
8 updating the existing allocation this year, with
9 revised MRIP data.

10 It's expected that those actions will
11 take at least two years to complete. Regardless
12 of whether allocations are ultimately revised for
13 these actions in the long-term, the Councils
14 recently approved allocation review policy states
15 that all relevant FMP allocations will be reviewed
16 at least every 10 years. However, the Council may
17 choose to conduct reviews more frequently.

18 Council fisheries with smaller
19 recreational components including Atlantic
20 mackerel, chub mackerel, and spiny dogfish, have
21 annual varying amounts deducted from the total
22 allowable landings to account for expected

1 recreational harvest.

2 An assessment update for Atlantic
3 mackerel, incorporating revised MRIP data, is
4 expected in spring of 2020. A research fact
5 assessment for spiny dogfish is planned for 2022.
6 And, with that, I think I've said enough. Thank
7 you.

8 MS. MCCAWLEY: Thanks, Chris. Questions
9 for Chris? Yes, Carrie?

10 MS. SIMMONS: Thank you, Madam Chair.
11 So, I guess, if you just take one species and
12 explain -- so, the new historical time series with
13 the MRIP FES, are you asking the Science Center to
14 rerun those projections based on the historical
15 time series, and just looking at no action in what
16 the new allocation would be with the MRIP FES,
17 based on the historical time series, and then
18 projecting what the OFLs and ABCs would be -- are
19 you looking at various different time series and
20 looking at modifying the allocations moving
21 forward?

22 MR. MOORE: So, the short answer is, we

1 haven't gotten to the part yet. We are
2 identifying exactly what we're going to look at
3 for these allocations.

4 So, we're just starting the scoping.
5 We'll initiate scoping in December at the joint
6 Council and commission meeting. So, the board and
7 the Council meet in Annapolis to start talking
8 about these things.

9 But it's really complicated with these
10 new MRIP estimates. So, we went through
11 operational assessments -- and, I'll pick one.
12 So, I'll go on a black sea bass riff for a little
13 bit (laughter).

14 So, we manage black sea bass with the
15 Atlantic States Main Fisheries Commission. Black
16 sea bass has done well. The biomass estimates
17 that we have now indicate there are about two
18 times above MSY.

19 We had an MRIP operational assessment
20 basically incorporated the new MRIP estimates into
21 that operational assessment which produced,
22 resulted in, biomass estimates that were much

1 larger than what we previously had.

2 Using the old allocation -- which is, I
3 think 52-48, or 51-49 -- commercial allocation
4 went up significantly, and the commercial quota is
5 not going to be constraining as a result of this
6 new operational assessment. So, you basically
7 have this huge bump.

8 Fortunately, it looks like based on the
9 new recreational estimates that we have for black
10 sea bass, when you compare that to the amount that
11 they would get through this allocation, or old
12 allocation, they would have to reduce their catch
13 by about 30% for 2020. So, think about that.

14 You know, you've gone through an
15 operational assessment. It indicates that things
16 are great from a recreational perspective. But
17 we're still looking at a reduction for this
18 fishery that, as we indicated earlier, there's
19 fish all over the place.

20 So, it's going to be a difficult
21 conversation. We can't change the allocation
22 without an amendment. So, we're in a box, and

1 we'll be talking about that in December. So, stay
2 tuned. It's an interesting position that we find
3 ourselves in.

4 It also applies to scup and other
5 species that we manage, and to some extent, summer
6 flounder. So, the short answer is, we haven't
7 gotten to the part yet where we are talking about
8 revising the allocation years.

9 The interesting thing is, though, even
10 with the new data, the changes in that allocation
11 aren't significant. They're not. I think it goes
12 from 51 to, like, 49 or 48; so, it's very
13 insignificant.

14 MS. MCCAWLEY: Carrie?

15 MS. SIMMONS: Thank you. Just a quick
16 follow up. Is that a historical time series, and
17 how many years of data is that?

18 MR. MOORE: Julia could correct me, and
19 I actually did the calculation, so I should know
20 this (laughter). But I think it was 10 years,
21 wasn't it? Yeah, I think it's '80; '80 to '89.
22 So, yeah, they're old. It was a while ago.

1 MS. MCCAWLEY: Mike.

2 MR. LUISI: Thank you, Madam Chair.

3 Just to add to that. So, something else that
4 we're seeing that makes it difficult is, if we use
5 the historical time series of the '80s, and we use
6 the recalibrated numbers, like Chris said, there's
7 very little difference.

8 But we've seen a trend from the '80s to
9 the current where the new MRIP data are increasing
10 over time to make that difference much greater
11 than it was back in the '80s.

12 So, that's where I think we would need
13 to decide as a Council, how much weight do we want
14 to give to the newest data in an evaluation of an
15 allocation change. Or, do we want to just use the
16 historical time series with updated information.

17 So, those are the alternatives that,
18 like Chris said, we haven't gotten to yet. But I
19 expect that something -- using new and old
20 information -- will be hybridized in some way as
21 an alternative for what we're considering.

22 Thanks.

1 MS. MCCAWLEY: Thanks. Any more
2 discussion or questions?

3 All right, we're going to move on to the
4 next report. Next up is South Atlantic, and I
5 believe, John Carmichael is going to give us that
6 report.

7 MR. CARMICHAEL: You have our short and
8 sweet summary document. What the South Atlantic
9 is doing is, for our unassessed stocks, the SSC a
10 few weeks back reviewed the revised MRIP numbers
11 and they applied their ABC control rules and came
12 up with ABC recommendations for the Council to
13 look at that incorporate the revised information.

14 So, at that time, the Council will
15 decide how to approach the allocations. And if
16 they want to use the same approach that's been
17 used in the past, ours is also based on, for those
18 stocks primarily, a historic period using roughly
19 '98 to '09, I think, is the years that we were
20 using. So, it's the more recent period than what
21 Chris mentioned for the Mid-Atlantic in that
22 example.

1 It's probably also one reason why our
2 differences in allocations are much higher because
3 if you looked at those comparisons, you see that
4 it's kind of an increasing difference between the
5 new and old MRIP as you move out toward the
6 current time.

7 And then on our assessed stocks, the
8 Council intends to look at those as the
9 assessments come in, so we can get assessments
10 with the new MRIP data to look at the allocation
11 and consider how to address it.

12 There are a bunch of stocks that will be
13 coming into the Council this year. They'll get
14 four that'll run through our SSC in April and May
15 and come to the Council in June; a couple more
16 later in the year, and then into 2021.

17 And so, if the Council chooses to just
18 use the existing approach in the reference years
19 that we've used to divide the commercial and
20 recreational, then they can just do that through a
21 pretty efficient framework procedure. And in a
22 lot of ways it's very similar to what we did with

1 the last MRIP calibration.

2 If they decide to look into some other
3 allocation approaches, then that'll take a plan
4 amendment and more time.

5 MS. MCCAWLEY: Thanks, John. Questions
6 for John? Yes, Chris?

7 MR. MOORE: Thank you, Madam Chair. So,
8 John, there was some discussion earlier in the
9 year about your Council's reaction to the new MRIP
10 data.

11 And, I hesitate to bring this up because
12 it might cause some concern, but I'm just curious
13 how that played out because initially there was
14 some idea, at least out there, that your SSC had
15 rejected assessments using any of the new MRIP
16 data, but somehow that got smoothed out over time.
17 So, I'm curious about what happened there.

18 MR. CARMICHAEL: Yeah, Chris. That's a
19 good question. I'll be glad to clarify.

20 So, what happened is the SSC had
21 representatives of the SSC on several assessments
22 that were looking at the new MRIP data, and they

1 basically didn't reject them, but they called a
2 stop to the assessments that were underway.

3 They were concerned about the new
4 estimates the calibration approach, really, a lot
5 of the stuff that had been worked on through the
6 MRIP process for a couple of years. But it seemed
7 that once that information came to light and they
8 saw how it affected actual catch estimates, there
9 began to be a lot more concern with them.

10 And it was a bit of a timing thing. We
11 had an SSC meeting where they looked at
12 comparisons of new and old MRIP estimates; that
13 got them thinking about it. Went into some
14 assessments, saw some affects from those MRIP
15 bureaus (phonetic). There's been a lot of
16 discussion where you could call outliers; whether
17 they are or not is a lot of scientific debate.
18 But those occasional points you see in the MRIP
19 estimates where one year just stands out from the
20 others. And so, that folded into it.

21 So, the SSC asked for an evaluation of
22 the new approach to MRIP, and the transition and

1 calibration efforts as well. And that led to them
2 convening a workshop in -- I'm trying to remember
3 when it was in the year -- a few months ago in the
4 summer where they had the MRIP folks come and give
5 kind of a detailed case study for a number of
6 stocks, as well as review the entire process.

7 It took, oh, the best part of three days
8 to go through it, and at the end of that, the SSC
9 accepted that this was definitely a new approach.
10 There were still some concerns about how the
11 estimates would play out in individual
12 assessments, but they wanted that addressed
13 through the individual assessments.

14 The net result was a big delay in the
15 assessment process over a good part of the year.
16 So, the things that are stacked up for us in the
17 spring would have been spread out more over this
18 past year. And then not getting to those
19 unassessed stocks, ABCs, until October of this
20 year instead of earlier.

21 But they seem to have accepted the
22 results now and feel they have a much better

1 understanding of the process in the approach, and
2 really, the need for the changes in MRIP.

3 MS. MCCAWLEY: All right. Any more
4 questions for John? All right. Thanks, John.
5 We're going to move onto the Gulf Council.

6 MS. SIMMONS: All right, thank you,
7 Madam Chair. We have just a one-pager as well.

8 So, we have decided to wait until this
9 information, the new MRIP FES landings data can be
10 put into stock assessments.

11 So, we've done this for one stock now,
12 that's red grouper. And as Dr. Crabtree
13 mentioned, the stock is not in good shape. There
14 were concerns about it.

15 In 2017 we asked for an emergency rule,
16 interim rule, to reduce the catches based on
17 concerns about the stock. And this is an
18 operational assessment. And there were a lot of
19 changes that were put into this operational
20 assessment, including the MRIP FES landings.

21 So, I'll just note that this stock is
22 not distributed Gulf-wide. It's in the eastern

1 Gulf; primarily off of Florida. Sometimes you see
2 a few off Alabama, occasionally, but they are
3 pretty limited in the range.

4 So, what we did is the first stock
5 assessment with the FES landings that were
6 calibrated back to 1986, red grouper is primarily
7 a commercial fishery. 76% of the ACL is allocated
8 to the commercial sector, with 24% to the
9 recreational sector. And that was based on a
10 historical time series from 1986 through 2005,
11 which was the basis for allocation.

12 The red grouper commercial sector is
13 managed under an IFQ program, an individual
14 fishing quota program currently. And so the
15 result of using this MRIP FES data with this
16 current assessment resulted in revised sector
17 allocations, and those new sector allocations --
18 using that same historical time series -- would be
19 59.48% commercial, and 40.52% recreational.

20 So, the Council passed a motion. They
21 requested that the SSC review the red grouper
22 projections based on the allocations resulting

1 from the MRIP FES landings data, using that same
2 historical time series with the new calibrated
3 data, rerun the projections, and have them review
4 the revised OFLs and ABCs.

5 We are asking for that currently. We're
6 working with the Science Center for that and then
7 that's going to be discussed and deliberated on in
8 January.

9 So, if the Council decides to just move
10 forward with the existing allocation formula and
11 simply update the current allocations with this
12 new data, it could probably be done in a framework
13 action, and then modify the ACLs.

14 If we want to look at different
15 historical time series and other modifications to
16 allocation and other issues, other management
17 changes, that will likely trigger a plan
18 amendment.

19 So, that being said, I just wanted to
20 mention this is how we're currently going to
21 handle the MRIP FES landings. On top of that,
22 this is the path we have right now: We have

1 supplemental surveys that have been certified by
2 S&T, need to be calibrated and certified back in
3 time so that they could be incorporated into the
4 stock assessment.

5 So, we're trying to work -- like I
6 mentioned earlier -- on logistics and facilitating
7 that that happens with S&T, with the states, in
8 the next couple of years. And so, when that
9 updated time series goes into the assessments,
10 probably going to be looking at other
11 modifications moving forward. We have a moving
12 recreational index right now. I'll stop there.

13 MS. MCCAWLEY: Thank you, Carrie.

14 Questions for Carrie? Chris?

15 MR. MOORE: So, Carrie, I didn't get a
16 change to read your summary. You said something
17 about changing your allocations without a plan
18 amendment using a framework? Or?

19 MS. SIMMONS: Yes, I think we can.
20 That's my understanding. I mean, we haven't
21 gotten into the nitty-gritty yet, but if we just
22 use the revised historical same time series with

1 the new MRIP FES landings, we run the projections,
2 get new OFL and ABC recommendations, I believe we
3 can do that through a framework action and new
4 catch limits.

5 Now, we haven't started working on it
6 yet and met. So, that could change. But I think
7 that's possible.

8 MS. MCCAWLEY: Gregg?

9 MR. WAUGH: Thanks, Madam Chair. Chris,
10 we've done that already. The last time they
11 revised the MRIP numbers, we simply took our
12 existing formula, updated the data going into it,
13 and updated those allocations through a framework.

14 But the percentage change was not
15 significant, and I think there'll be some question
16 when we look at this for additional species, if
17 the change is significant, we may get guidance
18 from NOAA GC; rather than do a framework, do an
19 amendment, so that there's more opportunity for
20 public input. But we've already done this once.
21 You can do it via framework.

22 MS. MCCAWLEY: Roy?

1 MR. CRABTREE: Yeah, this is an ongoing
2 conversation we're having with NOAA GC because it
3 applies to both Councils. What do we have to do?
4 It depends on how you think about it.

5 If the allocation is based on some
6 period of time and what the landings were then,
7 and you have new estimates of the landings, then
8 you're not really changing the allocation or the
9 basis for it; you're just calculating it based on
10 the best available science.

11 I would argue, if you don't do that,
12 then you are reallocating the fishery because now
13 your allocation doesn't reflect the intent of what
14 you're doing. So, I'd say on this one, exactly
15 how we have to do it, we're still in the process
16 of figuring out.

17 MS. MCCAWLEY: Chris?

18 MR. MOORE: I bring it up because after
19 we thought about it and thought about the
20 consequence of changing an allocation just using a
21 simple formula, what a big deal this is, we
22 concluded that we should go through an amendment

1 process to get as much public input as we possibly
2 can. And, you know, we considered the potential
3 of a framework, but rejected it.

4 MR. CRABTREE: Well, if I could, I mean,
5 it comes down to, is it really a big deal if you
6 have new estimates that are higher and all else is
7 equal, then you change the allocation based on the
8 new estimates, and it should essentially leave you
9 in the same place you were in.

10 Now, things are rarely that simple, and
11 the calibration is not linear over time. So that
12 really complicates it. But it doesn't necessarily
13 have to be a big deal because even if you change
14 the allocation, you're also changing the ACLs and
15 things are scaling. And so, I think you have to
16 look at the circumstances of it.

17 But the trouble we're having is it looks
18 like it's a big deal, although in fact, it may not
19 be much change at all in terms of the practical
20 implications of it.

21 MS. MCCAWLEY: Gregg?

22 MR. WAUGH: Thank you, Madam Chair. One

1 other piece of information that should come
2 available late this year or early next year, is a
3 GAO report.

4 They've been working with the Gulf and
5 South Atlantic Councils looking at mixed-use
6 fisheries and how we'd handle allocations. And
7 it's taken quite an amount of our time, and
8 they're asking good questions. They came to a
9 Council meeting, met with Council members and
10 staff, and the public.

11 So, we are awaiting that report to
12 factor in to how we're dealing with allocations in
13 the future as well. So, that'll be something that
14 would probably be useful and informative to other
15 Councils.

16 MS. MCCAWLEY: All right, any more
17 discussion on that report? All right, we don't
18 have an actual document, but I believe that New
19 England, that Tom is going to speak to this as
20 well.

21 MR. NIES: All right, I'll be very
22 brief. We only have two allocations for two

1 stocks in our groundfish plan at present.

2 We wrote into the plan when they were
3 adopted relatively late. I guess they were
4 adopted in 2010; we wrote in the plan that we
5 would consider new catch information using the
6 same formula and time periods when received
7 because we knew that MRIP estimates were coming,
8 and that changes can be made, at least in theory,
9 in a framework document.

10 Council is going to consider making
11 those changes at our December Council meeting.
12 It's unclear right now, of course, which way
13 they'll vote.

14 The changes for one stock are relatively
15 minor. Taking it from about 35% recreational to,
16 I think, 37.5% recreational. The changes for
17 another stock are a little bit larger than that.

18 MS. MCCAWLEY: All right, thanks Tom.
19 Any questions for Tom? All right, anything else
20 on this topic before we move onto the next topic?

21 All right, we are going to move onto the
22 next topic which is the National Marine Fishery

1 Service Science Enterprise Updates. And, Chris, I
2 don't know if you want to give a little intro
3 before Cisco starts?

4 MR. MOORE: No, Cisco can take it away.

5 MS. MCCAWLEY: All righty. I'm going to
6 turn it over to you, Cisco.

7 MR. WERNER: Thanks very much, Madam
8 Chair, and thanks for the opportunity to give you
9 guys an update on where we are. And I'm not sure
10 if I'm controlling it -- I am controlling it from
11 here -- great. Thank you.

12 I'm going to cover a number of points.
13 Some of them are updates, some of them are things
14 that we're taking on right now, and some are a
15 little bit looking into the future.

16 So, I'll cover some initiatives on
17 unmanned systems, on the general topic of
18 molecular methods, and OMICS -- as it says up
19 there. A little bit on artificial intelligence
20 and where we're going on that, as well as some
21 things that we are certainly keeping an eye on in
22 terms of changes in species distributions.

1 All of which in some ways lead to
2 considerations of next data acquisition plans, and
3 next generation data acquisition plans, which
4 means, how will we be conducting surveys in the
5 future.

6 A little bit on modeling issues as we
7 try to project expected changes, as well as a
8 little update on ER for recreational fisheries.

9 An update on combined effort that we did
10 both on surveys using unmanned systems, our
11 conventional white ships, as well as molecular
12 approaches.

13 It's a two year effort now along the
14 west coast trying to do assessments both Pacific
15 hake as well as the coastal pelagic species that
16 are there; you know, sardine, anchovy, herring and
17 mackerel. And this is a pretty ambitious, if you
18 will, effort covering all the way from northern
19 tip of Vancouver island, down basically to the
20 U.S. - Mexico border, using all of these different
21 approaches.

22 As I said, ship-based unmanned systems,

1 as well as new molecular approaches, to try to see
2 if we can develop indices of these species and use
3 them in assessments.

4 So, there's really two sides to this
5 picture. The one on the left is the way we
6 normally do things. We have a white ship with
7 acoustic capabilities and trawl capabilities. We
8 can see the acoustic signal, and then we do the
9 trawls, and that leads us to some estimate of
10 population, conditions, etc.

11 And on the right side of the picture is
12 how we're beginning to move towards, can we use a
13 combination of unmanned systems, and collection of
14 water, and then analyzing what's in the water and
15 trying to see what can we get out of what we refer
16 to, environmental DNA.

17 So, you see the little picture of the
18 fish up here, and the fish sheds DNA, it sloughs
19 it, it excretes it, etc. And so, we capture --
20 you can measure that -- and that gives you some
21 sense of what's there and hopefully, with a little
22 bit of additional work, you can also perhaps get

1 an index of abundance.

2 And so, that's what we're trying to do
3 here. And the point of this picture is just to
4 say, just like over time we develop indices of
5 abundance using acoustic methods, or trawl
6 methods, what we're trying to do is develop in
7 index of abundance using these molecular
8 approaches. But there's quite a way to go still
9 on this.

10 I mean, there are a lot of issues in
11 terms of what these molecular signals tell you.
12 The relative importance of what you measure
13 locally, versus what may have been transported by
14 currents from somewhere else; how quickly they
15 degrade, etc.

16 And so, these are things that we need to
17 still address and it'll be a combination of
18 laboratory work, as well as field work, as well as
19 collaboration across the country and
20 internationally to try to see how we actually can
21 make sense of what appears to be a very promising
22 approach; but still, a lot of questions to answer.

1 And so, this slide here is lessons
2 learned. We actually went out there and we jumped
3 into the deep end of the pool, so to speak, to try
4 to see, well, what can we do? And the answer is
5 it's a lot more difficult and challenging than we
6 thought it was.

7 I think it's fair to say initially we
8 joked around that we'll just get a Dixie cup and
9 get a sample of water and do a stock assessment.
10 Well, it's not going to be as simple as a Dixie
11 cup. It'll be a little bit more than that.

12 And it also talks about just how many
13 samples you need, the difficulties of analyzing at
14 sea. The issues of contamination, etc., that you
15 have to worry about.

16 And actually, we collected about a
17 thousand samples during this survey that just
18 completed. It's going to take a while. I'm
19 hoping March/April we might have a full analysis
20 and begin to look at what are we getting out of
21 these measurements.

22 And so, we learned a lot and hopefully,

1 this is just a first step in a continued effort
2 like this so that we can, in fact, take advantage
3 of these approaches.

4 Continuing on the topic of genomics,
5 it's not just trying to develop abundance indices.
6 There's a lot more to genomics than just trying to
7 see if we can see how many things are there.

8 There's also a question of using
9 genomics for population structure. And example, I
10 think Mike brought up how -- was it Bocaccio that
11 you were looking at in terms of two different
12 populations. This is something that's been around
13 for a while but we're getting better at it.

14 There's using molecular approaches to
15 tell differences in diet between what species are
16 eating, particular in terms of changes in
17 ecosystems and food web structure. And so that's
18 important in terms of understanding what the
19 energetics are under changing and evolving
20 conditions, you know, oceanic conditions.

21 And then there's just a really
22 challenging issue having to do with

1 bioinformatics, and that's just, how do you
2 analyze all of this. And this is recognized as an
3 area where we, as an agency, need to invest.

4 We're working with other agencies; the
5 U.S. Geological Survey, consulting with other
6 folks in terms of how do we bring this together
7 again, not just nationally, but internationally.

8 So, it's something that is a first step
9 in, again, what is probably going to be a 5 to 10
10 year horizon before we fully take advantage of
11 these promises.

12 And I'm putting this up here because
13 Admiral Gallaudet has basically focused on three
14 science and technology focus areas. One of them
15 is OMICs that I just talked about. Another one is
16 unmanned systems, which these two are examples of
17 what we were doing along the west coast. And the
18 third one is artificial intelligence.

19 And these three science initiatives, or
20 science and technology initiatives, all of which
21 will be underpinned by the cloud; you know, this
22 high performance, computing, and the broader cloud

1 capabilities, are things that over the next couple
2 of weeks we will be announcing these and pushing
3 these out in terms of strategy documents and
4 eventually implementation plans.

5 And this isn't just fisheries. This is
6 across the agency that will require us working
7 across line offices because it is a problem that
8 we will need to work together in order to make
9 advances along these three.

10 But these are, as I said, three focal
11 areas that we'll be working with the Admiral and
12 are already using it in fisheries.

13 As I said, they'll be these vision and
14 strategy documents. They will have similarities
15 between the three, between OMICS, unmanned
16 systems, and artificial intelligence, and that is
17 that we're going to have to rethink
18 organizationally what are the best structures
19 internally, in terms of how to bring these in.

20 One of the research and innovation
21 questions that we will identify as priority,
22 either internally or in collaboration with other

1 agencies, and other partners, the importance of
2 accelerating the transition of research to
3 operations is one that, again, the example of,
4 yes, we took all of these molecular samples off
5 the west coast, but how do we translate that into
6 operations? How do we use that data to actually
7 be able to do assessments? That's a tall task
8 still to be able to say that we're ready to do
9 that.

10 I already talked about the expanding
11 partnerships and also promoting proficiency in the
12 workforce, which means training our folks as well
13 as bringing in new capabilities to do this.

14 And I'll just touch very briefly on
15 artificial intelligence because the one I hadn't
16 in the previous example -- and there are already
17 nice examples of artificial intelligence in place
18 that I think I reported on in the past; in the
19 Pacific islands, the use of artificial
20 intelligence to detect cetaceans has really been a
21 success story.

22 It's a collaboration with Google and

1 Google's artificial intelligence branch, if you
2 will, where they collected hundreds of thousands
3 of whale calls, and such, and were able to --
4 using, again, these AI methods, these artificial
5 intelligence methods -- to tell us what's out
6 there in terms of the cetaceans population in the
7 Pacific islands, or some cetacean populations in
8 the Pacific islands.

9 I think I've also talked about this
10 example of not looking at acoustical signals, but
11 optically trying to capture differences between,
12 say, salmon and pollock and how what's going into
13 the nets and how to count them and so on. And how
14 to tell them apart.

15 Again, this has been very successful,
16 and the folks involved in this got a gold medal
17 award -- I should highlight that -- from NOAA, in
18 terms of the work that they did in implementing
19 artificial intelligence for these optically based
20 systems.

21 I'm working now to the fact that the way
22 that we collect data, the way that we think about

1 data as a science enterprise, is something that we
2 are going to have to deal with, we're going to
3 have to embrace.

4 This is not unique to us. Just about
5 any field in science or medicine, or anything like
6 that, you know, the amount of data that's coming
7 in and the ability to ingest it and analyze it, is
8 something that we have to take on, and do
9 systematically.

10 And it's this idea of the combination
11 between hypothesis driven science and data driven
12 science, when you just have these now sustained
13 ways of collecting data, whether it's unmanned
14 systems, moored systems, whether it's drifters,
15 etc., we're just getting data all the time from
16 everywhere. And in some ways, that's good because
17 we know that things are changing a lot faster and
18 we can't be everywhere, every place with our
19 ships.

20 And so, we need to take advantage of
21 these observing systems in terms of how to make
22 use of all this data that's coming in.

1 And so, I put this picture up here
2 because the little squares there are, you know,
3 the way it used to be, you would plan a survey, it
4 would be yellow, or you would plan an observation,
5 a green one or something else in blue, and those
6 are very focused approaches where you would say,
7 well, you know, I have an idea, I'm going to
8 carefully calibrate the instrument, I'm going to
9 ground-truth the instrument and I have a
10 hypothesis of what I want to do.

11 Well, now it's a little bit different.
12 Now, it's not just three things that I'm doing.
13 There are things coming in from all over the
14 place, so that's why you have all those yellow
15 boxes and green boxes and so on.

16 And, the fact that there's so much data
17 coming in from so many different sources means
18 that you probably can't calibrate things the same
19 way you used to do, or ground truth the ways you
20 used to do because you're taking data from
21 probably experiments that were designed for
22 different things.

1 And so, it's not exactly what you were
2 thinking about but there's no reason why you
3 shouldn't be looking at it and see if you could
4 use it.

5 An example here is this is a mooring off
6 of the west coast; I'm going to say it's off of
7 Oregon, and it's just meant as an example of the
8 amount of data that comes in. Normally, you would
9 say, well, I'll just go out there, put out a
10 mooring, and then collect the data, and I'll look
11 at it. A human can look at this and say, well, I
12 can see that there's maybe a day/night cycle, I
13 can see that things move up and down, and maybe
14 different frequencies tell me different things.

15 But if you think about it, you know,
16 when you're actually getting this continuously,
17 not just from one place, not just from a mooring,
18 but from gliders, from whatever is out there, deep
19 drifters and drogues, you have to rely on some way
20 of this combination of the data driven part and
21 some ability to extract information from the data
22 using machine learning and AI methods, as well as

1 a human part that might tell you, you know, a
2 machine might tell you, well, I can decompose what
3 I see in terms of something that might be sole
4 plankton, something that might be fish, and
5 something that maybe the machine doesn't really
6 know what it is.

7 And so, it really requires this
8 combination both of hypothesis driven and data
9 driven science in terms of how we make sense of
10 this. And I spent a little bit of time on this
11 thing because it's part of where we're going with
12 this AI part of our science enterprise, if you
13 will.

14 I mean, I think similar examples have
15 been brought up in medicine, where an MRI or a Cat
16 Scan, and you know, a machine will tell you
17 something and maybe it's 30% right. A physician
18 will look at it and it'll be 40% right and
19 together maybe it'll be 80% right.

20 So, it's really not really exclusively
21 on machines, not relying -- you can't rely
22 exclusively on humans given the amount of data,

1 but some combination of the two should allow us to
2 go forward. So, that's the AI part.

3 I want to talk a little bit about the
4 other things that we're seeing in the water, the
5 shifts. And I put the example of the black sea
6 bass out there because it's well known, and we
7 know that over time species shift, populations
8 shift, and this is just a very nice example. And
9 they shift in response to changing environmental
10 conditions, whether it be temperatures or
11 something else.

12 One thing I'm getting here in terms of
13 the importance of being aware of what's happening
14 is the rate at which things are changing, and you
15 know, the picture before, I mean, outlooks talk
16 about changes and shifts that are happening to say
17 on 30/40 year time scales. This example here,
18 from Bob Foye and others in the Alaska Center
19 talks about not 30/40 year time scales but shifts
20 that are happening maybe on 10 year time scales.
21 And sometimes even faster.

22 This example here -- here's the Bering

1 Sea, the Chuckchi would be up here. This purple
2 area is what's called the Cold Pool. This is a
3 cold temperature which between 2010, 2017 it was
4 still there; 2018 it wasn't there, which in turn,
5 in terms of Pacific cod -- which is, again,
6 identified by the little purple spots -- Pacific
7 cod avoid the Cold Pool, they don't like the water
8 minus 2 degrees centigrade.

9 But as the Cold Pool retreats, the
10 Pacific cod went from its normal distribution when
11 the Cold Pool is there, to something up here. And
12 again, this is just a very, very quick shift
13 that's happening. So, I think we have to be ready
14 to be nimble about what we're seeing.

15 This is just one example. I think that
16 there's probably other examples in terms of how
17 quickly species can shift, and these are pretty
18 significant distances, which in turn, will affect
19 how we sample things. I'm going toward that too.
20 Understanding how quickly things might change,
21 should affect how we think about how we sample
22 things.

1 And the other part is that responses are
2 not just in temperature and shifts, in geographic
3 shifts. But there's also shifts in the underlying
4 food web.

5 And again, Mike talked about the changes
6 between celery and cheeseburger in terms of what's
7 out there, and this is a picture of exactly that.

8 This is what we saw after the warming in
9 the north Pacific, is that we had a shift from
10 species that were large, like this, and this isn't
11 different size classes or ages of a particular
12 organism. These are three different copepods,
13 three different zooplankton, that under normal
14 cold conditions, or cooler conditions, are larger
15 and more lipid rich. So, they have more energy to
16 bring into the food web.

17 It shifts to these smaller ones which
18 are much smaller and have a much lower lipid
19 content, which is that point about cheeseburgers
20 versus celery, where there's less of that energy
21 put into the system. And I'll come back to this
22 because I think I've talked about in the past,

1 about how the Pacific cod change in the assessment
2 reflects both a temperature signal, but also a
3 change in the food web, which I'll talk about how
4 we should begin to think about the two together.

5 So, this brings me to next generation
6 surveys and updates. I think the examples I gave
7 before really speak to the fact that things are
8 happening at different rates, in different places;
9 plus, also we have different data acquisition
10 capabilities. New messages that are coming in.

11 And one thing that we have now, a
12 conversation ongoing, is the generation of a new
13 data acquisition plan. The last data acquisition
14 plan was completed in 1998, so it's been over 20
15 years.

16 That data acquisition plan led to the
17 white ships, which was a very successful effort in
18 terms of us addressing the issue of over-fish and
19 over-fishing. I think now we have different
20 questions.

21 We need to look at be able to address
22 how fish stocks are distributed differently, how

1 different conditions affect their vital rates,
2 more explicitly, an ecosystem consideration of
3 overlap of predator/prey. Again, forage fish and
4 say they're prey, let is be cetaceans or other
5 marine mammals.

6 We will have a change in fleet
7 composition in terms of whether it's our own white
8 ships versus the partnerships that we can have
9 with industry, and how we can use that. As well,
10 as I mentioned, new technologies, and new analytic
11 capabilities.

12 Which, I'll just jump real quickly to
13 models and what we're doing here. And the point
14 of this picture is that there's a lot of things
15 that we have to look at. And the question is,
16 what is the sweet spot of things that we need to
17 look at?

18 So, this is a picture of time here going
19 from weeks to centuries, and maybe kilometers, to
20 basin scales on this side. In terms of the kinds
21 of questions that we're asking, we're interested
22 in things that happen inter-annually. Those are

1 places where we set annual catches and so on. You
2 know, monitor closures, perhaps rebuilding plans,
3 etc.

4 So, it's somewhere between things that
5 happen on weekly timescales, and maybe things that
6 happen on longer, interdecadal timescales. This
7 is the part that we want to look at. Can we say
8 what's going to happen I the next two to three
9 years with confidence that allows us to, whether
10 it's to forecast the temperature, or project a
11 temperature, or project the food web?

12 And this is what's referred to as the
13 S2S; it's the Seasonal to Subseasonal timescales,
14 and as I said, it's the part where we -- how we
15 design our surveys, how we do our stock
16 assessments, how we establish harvest levels and
17 so on; which is different from things that we need
18 to know on a weekly timescale, or things that we
19 need-to-know on century timescales.

20 And the blob that we're all familiar
21 with is one of those examples. So, the question
22 is, could we have forecast a blob? Could we have

1 said, hey, we're going to have something for three
2 years out there that is going to cause us to think
3 differently, because, it might just happen again?
4 And the answer, well, it is happening again.

5 So, we know that we're seeing signals.
6 It may be not exactly the same as it was between
7 2013 and '16, but we're seeing it again. And yet,
8 can we forecast it?

9 So, that's really the question. Can we,
10 or why can't we, or what do we need to do in order
11 to forecast next events like this; whether they're
12 in the Pacific, whether they're in the Atlantic,
13 or they're in the Gulf of Mexico, or wherever?

14 And so, we started to look back in time,
15 which is hindcast, and try to see, could we have
16 done it? And the answer is, in some cases, yes;
17 in some cases, no.

18 The black line here is the observed
19 temperatures. All the different colors are pretty
20 much the same ideas when you see hurricane
21 forecast, you know, the ensemble of various
22 modeling attempts. And you see sometimes, we

1 don't really catch it.

2 Maybe we did not catch the onset of this
3 one, or the onset of this one. In other times,
4 depending on when we start the model, we actually
5 do see the return to normal, if you will, or
6 something.

7 And the answer is that it depends on the
8 kind of data that you have, the kind of physical
9 process that's going on that goes into your model
10 to initialize it; to kick it off. So, it's
11 something that's mixed. That's what I'm going to
12 say.

13 And it's something that we're working
14 with the OAR, the Oceanic and Atmospheric
15 Research, a sister line office, as well as with
16 the National Weather Service, to try to see --
17 because they're also interested in the Seasonal to
18 Subseasonal timescale -- this two months to three
19 year timescale, by virtue of what's referred to as
20 the Weather Act. It's something that they're
21 required to look at under that act.

22 So, it brings us together with other

1 line offices to answer questions that are common
2 sweet spots, if you will; both for them and for
3 us.

4 And so the question is, well, what would
5 we have done had we known something like this
6 with, again, the Pacific cod example that we've
7 talked about before, that is a combination of heat
8 and a combination of changing energy in the food
9 web that probably led to this low recruitment of
10 Pacific cod in 2017.

11 So, what do we do with that if we had
12 that? And some of our colleagues in the Alaska
13 Center are actually beginning to work on what we
14 refer to as shadow assessments. You do your
15 normal assessment, you provide; you say, this is
16 what I think is going to happen.

17 And what they're doing -- this is Jim
18 Ianneli, Anne Hollowed, and a couple of others --
19 is, I think in an appendix to the normal
20 assessment they will include a, hey, what would
21 have happened had we included environment? Or
22 what would our prediction had been had be included

1 environment?

2 And the point here is that the zeros, or
3 the circles, are the assessments without
4 environment, or the normal way we do it; and the
5 orange "Xs" are including environment.

6 So, in this case -- and I just picked
7 one here -- they have pollock, Pacific cod, and
8 arrowtooth flounder, the inclusion of environment
9 in the case of pollock and Pacific cod would have
10 produced a lower recruitment projection. But in
11 the case of arrowtooth flounder, it would have
12 caused a higher recruitment projection.

13 So, this is just beginning to happen as
14 we begin to include environment in some of our
15 approaches. Just like I talked with EDNA, this is
16 just starting. We need to develop our own
17 confidence in what we're doing, and making sure
18 that these forecasts, and the inclusion of these
19 approaches are robust enough.

20 But I think it's at least important to
21 have there so jointly between Councils, and
22 regional offices, and science centers, we begin to

1 see, well, what happens as we enhance what we're
2 doing and seeing if we can provide more complete
3 information or add information to our work.

4 And now I'm going to jump to something
5 completely different from the last three slides,
6 which is I just wanted to provide a brief update
7 on work that we're doing with MAFAC, the Marine
8 Fisheries Advisory Committee, and that's, how to
9 include electronic reporting in recreational
10 fisheries?

11 And, of course, you know, we do continue
12 to see how it is that we can include electronic
13 reporting with -- in this case -- you know,
14 smartphones, in how we take into account the
15 recreational fisheries.

16 And there was a proposed taskforce that,
17 in fact, was approved at a meeting of the MAFAC
18 maybe two weeks ago where the purpose of this
19 taskforce is to provide us advice on generation
20 delivery and use of electronic reporting to help
21 us moving forward.

22 And the idea is that this taskforce

1 would assist us in providing usable, high quality,
2 accurate data from these smartphones, if you will,
3 on recreational fisheries, and how do we actually
4 do it. It's a little bit tricky. There's a lot
5 of things in terms of how to make sure that you
6 have the right reporting rates, that there's no
7 drop-off in the amount of data that you get, and
8 the consistency.

9 And so, the proposed tasks that, again,
10 were approved, included identifying and
11 prioritizing data gaps, the goals and challenges
12 to overcome; like I say, how do we actually make
13 this a consistent reporting? And also,
14 recommendations on what can we do in the coming
15 years using this electronic reporting capability.

16 And again, I'm pleased to say that the
17 recommendations on working with MAFAC is that this
18 taskforce now I think has been approved and we're
19 going to be working on this thing for the next
20 year or two. And so, I think I'll just end there.

21 Just to remind you that the areas I
22 covered -- anything from some of these new science

1 areas that are under development, but I think are
2 necessary, given where we're going in our science
3 enterprise. How do we rethink? How should we
4 rethink surveys of the future? The kind of
5 forecasting that we need to do. And the
6 opportunity to work with line offices, with other
7 line offices, because we're working on the same
8 timescales.

9 And then, lastly, I just talked a little
10 bit about electronic reporting. And with that,
11 I'll stop, and thank you for the opportunity for
12 the update.

13 MS. MCCAWLEY: Thank you, Cisco. Any
14 questions for Cisco? Yes, John.

15 MR. QUINN: Thank you very much for the
16 presentation. Picking up on your phrase "surveys
17 of the future", I brought this up yesterday about
18 the offshore wind coming on the east coast. It's
19 a grave concern to a lot of people that the
20 assessments -- we're going to have a problem doing
21 the assessments. The survey vessels can't get in
22 there.

1 So, maybe you could touch on that;
2 whether some of this new technology could be used,
3 or how you are going to address it? I know Dr.
4 Hare is very concerned about it in the science
5 center, we're told. Thank you.

6 MR. WERNER: Thanks for the question,
7 and extremely, extremely important point. In the
8 list of reasons why we need to think differently,
9 I should have said different multiple use sectors
10 of the coastal ocean where we need to sample.
11 And, I think you're right.

12 Wind energy, of course, is front and
13 center in terms of -- certainly, in the northeast,
14 at this point. And, we're working closely with
15 John on understanding what those impacts of the
16 wind farms will be, and how to mitigate, or how to
17 adjust to it, I should say.

18 So, in answer to your question of, can
19 some of these approaches help us with that?
20 Maybe, yes.

21 It could be that we could do different
22 ways of sampling, whether it's with some of the

1 unmanned systems, in terms of being able to get
2 into places that bringing a ship may not be as
3 straightforward; maybe some of the molecular
4 approaches.

5 So, the answer is, all of these are
6 factors that we should look at as we think
7 differently, not just because conditions are
8 naturally changing, but also because we're forced
9 to deal with other sectors using our oceans. So,
10 yes. Thank you.

11 MS. MCCAWLEY: More questions? Yes,
12 Chris.

13 MR. MOORE: Thank you, Madam Chair.
14 Thank you, Cisco. I'm curious about the shadow
15 assessments.

16 MR. WERNER: Mm-hmm.

17 MR. MOORE: Is that a west coast thing,
18 or is that a west coast and an east coast?

19 MR. WERNER: Thanks for the question.
20 No, it's something we have been talking about
21 internally for a while, because they -- meaning
22 the folks in Alaska -- started it because of a

1 particular project that they had, their A Kline
2 (phonetic) Project, and I think that naturally led
3 them to begin to say, okay, now we have a
4 relatively robust understanding -- to put it that
5 way -- of things that are happening in Alaska, and
6 maybe they tried to include additional
7 information, which actually I referred to as
8 shadow assessment, they call it something else.

9 And what I mean by shadow assessment is
10 simply keeping what we're doing but at the same
11 time trying to see, well, what would happen if we
12 had included additional information.

13 And I think this is something that we're
14 not ready to jump into yet, but I think jointly,
15 honestly jointly, we should be looking at what
16 information are we getting out of this over time?
17 Is it really working? If it's working, how do we
18 bring the two together and how do we find the
19 right sweet spot of the two?

20 I think we should encourage more folks
21 to begin to think about this as we learn more
22 about the system, and in fact, in terms of how we

1 see so many changes going on.

2 So, right now it's a research area, but
3 I think one that will probably be important,
4 again, particularly the Pacific cod example, to
5 me, is such a striking one where the explanations
6 are in large part environmental that, gosh, if we
7 just knew a little bit more maybe we could have
8 seen something coming. But we're not there yet.
9 Thanks.

10 MS. MCCAWLEY: More questions? Yes,
11 Bill.

12 MR. TWEIT: Thanks, Madam Chair. Thank
13 you, Cisco, this was extremely informative.

14 MR. WERNER: Thank you.

15 MR. TWEIT: And kind of breathtaking
16 too, in terms of the potentials out there. I as
17 thinking about your point relative to trying to
18 track population shifts, and our immediate
19 response to that is, well, we just really need
20 more white ship time out there. And that's still,
21 to me, that's the solid ground response.

22 And yet I interpreted the first part of

1 your presentation as saying that there's at least
2 the potential in the -- I don't know what term
3 future, I don't know how near- term or whether
4 it's still long-term, but to maybe have some other
5 tools that would serve as well for at least
6 tracking some of these rapid scale changes, as the
7 white ships have.

8 But I guess, I'm left wondering, right
9 now, still, our only recourse is to say, whatever
10 we can do to squeeze some additional ship time out
11 is going to be really important as these -- I
12 mean, it's not just the populations that are
13 shifting, it's the whole ecosystem that's shifting
14 on a really rapid scale.

15 MR. WERNER: Mm-hmm.

16 MR. TWEIT: Having measurements of that,
17 having some index of that is going to be
18 critically important to us.

19 So, I suppose I'm looking to you for
20 some advice about, we can't just be patient and
21 wait for these new technologies because we're
22 going to lose a lot in the intervening time. But

1 at the same time, it looks to me like ultimately
2 the new technologies may provide a better solution
3 for us.

4 And so, I'm interested in your thoughts
5 or your advice about how to get through these
6 intervening years?

7 MR. WERNER: Yeah, I know, it's a great
8 question and I'll just use this slide as an
9 example because it might bring some of the points
10 together.

11 As you know, we have limited white ship
12 time, if you want to call it that, and we want to
13 make sure that the white ships continue measuring
14 where they were so as to not break longtime
15 series, so that we understand what's happening
16 there. However, we know that things are shifting
17 and so also, you don't want to miss the fact that
18 they may be moving.

19 And this is an example of the Pacific
20 cod, but along the west coast we also had sardine
21 populations shifting. Was it three or four years
22 ago that we decided to change the way that we did

1 surveys, at least for a couple of years?

2 So, one idea that comes to mind here is,
3 suppose you keep the white ship surveys the way
4 they are, and let's say, again, as a "for
5 example", they're down here. And I'm just going
6 to say they're down here because it's an example
7 of, well, this is where they used to be, and now
8 they're up here, right? And, again, this is a
9 hypothetical.

10 So, the cod that we used to sample down
11 in the southern extreme of say, the Bering Sea,
12 now is further north. Well, one thing that one
13 could do in using these new technologies is, say
14 you send unmanned systems -- drones of some kind
15 -- you could almost think of them as scouting
16 ships, if you will, or scouting expeditions; and
17 let's say you had the drones up here and they
18 measure acoustically something there.

19 And, like I said before, you measure
20 something, that doesn't mean that you know what it
21 is. You just know there's a signal there. And
22 you can imagine saying, okay, I saw something up

1 there, I don't have a white ship there so I can't
2 trawl, but maybe there's a fishing boat up there,
3 maybe there's an industry boat up there and we can
4 say, do you mind taking a sample of something at a
5 certain spot so that we can see -- is this me?

6 (Alarm sounding) I guess I set my alarm, sorry
7 about that.

8 So, you send them to a spot where you
9 see an acoustic signal, and that, we'll say, save
10 those samples and we can see what it was. Was it
11 cod? Was it pollock? What was it?

12 And the drones, at that point, you might
13 even imagine could take an example of seawater,
14 and you could imagine doing some molecular
15 analysis on it.

16 So, what I'm saying as an example of how
17 we need to think differently because things are
18 expanding and moving a lot faster than we've been
19 used to, and we don't have the ship time to be
20 able to chase where they might be, as well as
21 continue to sample where we've always sampled.

22 I think finding that balance with

1 unmanned systems, industry, our own white ships, I
2 think, is going to be an important part of this
3 next generation data acquisition plan. We're just
4 going to have to think differently how we cover
5 more area, more quickly, because I think we
6 sometimes are going to have to do it that way.

7 So, I don't know if I answered your
8 question, but it really does bring in everybody at
9 the table in terms of how do we answer exactly
10 that. What's there? Did the ecosystem shift?
11 Did the water shift? What happened?

12 MS. MCCAWLEY: Jim?

13 MR. BALSIGER: Thanks, Cisco. The whole
14 presentation was great, but following up on Mr.
15 Tweit's question, you know, in Alaska the
16 U.S./Russia border actually is not resolved, and
17 we hear that Russia now is interested in resolving
18 it.

19 And I think not so much for the Bering
20 Sea itself -- and of course, that's important, as
21 you can see your blue line for cod goes right up
22 against the Russian border, and we struggled for

1 years figuring out how much pollock is sure to
2 cross there, but now that cod's moved, we're
3 wondering about that as well -- but probably more
4 important is Russia -- I'm assuming this with
5 little political insight, I guess -- but, I
6 presume that they're mostly interested because of
7 the extension of the lines into the artic, and
8 probably for they're exploration and pursuit of
9 nonrenewable resources. But we have almost no
10 information about what's up there in a couple of
11 surveys.

12 So, I'm not sure what my point is other
13 than the need for surveys, as everyone is pointing
14 out here, is not going away. So, the data
15 acquisition plan is extremely important.

16 So, I appreciate your presentation, but
17 I'm pretty curious at what we can do at helping
18 those data collections for the particular reason
19 of the boundary.

20 MR. WERNER: Yeah, thanks Jim, and in
21 indeed I've talked to Bob and others about what
22 happens when they cross the boundary and how do we

1 get to work together and understand if they're
2 seeing them or how many they're seeing. So,
3 that's a conversation that will have to happen.
4 Yep.

5 MS. MCCAWLEY: More questions, comments,
6 concerns. Yes, Kitty.

7 MS. SIMONDS: So, Cisco, thanks for the
8 presentation. In our part of the world,
9 especially our territories, I'm concerned, looking
10 at reduction in surveys that is happening in the
11 rest of the country. We need to have really, and
12 right away, independent surveys.

13 In the territories, the bottom fish
14 fisheries are very important, and the difficulty
15 has been developing ACLs that aren't the true
16 catch.

17 So, we've had for 30 years surveys at
18 docks, which haven't worked, and we have all tried
19 to change the way data is collected. So, we just
20 had this huge summit, finally, the NMFS and the
21 Council, and what's really important to us is to
22 have independent surveys, and not with these big

1 ships. We're talking about contracting with the
2 fisherman and the boats out there to collect
3 information to go fishing.

4 So, I hope that you guys will see your
5 way clear to having these independent surveys in
6 American Samoa, and in the Marianna's in the next
7 year.

8 MR. WERNER: In the next year, okay, I
9 was with you until that last part (laughter).

10 MS. SIMONDS: Well, not the year after,
11 it has to be next year.

12 MR. WERNER: Yeah, because the way I was
13 going to answer is that, as we think about this
14 next generation data acquisition plan, I think
15 that we need to frame, perhaps, some consistent
16 national set of priorities of what's needed and
17 why. And the "why" is because we need to measure
18 things, because things are happening, whatever the
19 "whys" are. And then very quickly after that
20 going to regional aspects of, what is it that's
21 needed differently in different regions?

22 My time scale was more two to three

1 years to get there, but I'll take the one year as
2 a statement of the urgency and the importance of
3 not falling behind.

4 MS. SIMONDS: Right, and obviously I can
5 document why it needs to be done yesterday.

6 MR. WERNER: Yeah, exactly. Thank you.

7 MS. MCCAWLEY: Anything else? All
8 right, thank you for that presentation, Cisco.
9 Before we break for lunch, we talked about earlier
10 taking some public comment; if there were folks
11 that wanted to make public comments. I'm going to
12 look out into the audience and see if there are
13 folks that want to do that.

14 So far, one hand. If you are ready to
15 make comment now, if don't mind going to the front
16 up there between Bill and Anjanette, where there's
17 an open microphone, to speak. And please, state
18 your name for the record.

19 MR. FRIEDRICH: I've just got to put my
20 glasses on so I can see anything at all. My
21 name's Tony Friedrich. I know everyone wants to go
22 to lunch, so I will be as brief as possible.

1 I'm currently the Vice President and
2 Policy Director for the American Saltwater Guides
3 Association. I'm a former executive director for
4 CCA Maryland. I've been a lifelong advocate for
5 fisheries policy.

6 The Guides Association was formed in
7 part as a response to the messaging we saw coming
8 from recreational industry groups that were
9 advocating for S1528 Chart 200, Modern Fish Act.

10 During that time there were a lot of
11 folks running around saying that they spoke for
12 the recreational community. I'm very familiar
13 with their policies; the ones that they were
14 advocating for. And I came here to tell you that
15 they don't speak for us.

16 The ASGA held angler meetings up and
17 down the coast the last year. We really wanted to
18 understand where anglers were coming from.

19 Anglers in the northeast and the mid- Atlantic
20 have seen how Federal management has worked.

21 They've seen how management under ASMFC has not
22 worked.

1 Under ASMFC, which lacks the
2 requirements like annual catch limits,
3 accountability measures, rebuilding, we're
4 suffering. What we heard from anglers was that
5 they wanted stronger Federal laws, more protection
6 for forage species, and better enforcement,
7 harsher penalties for poaching.

8 The one thing that we heard over and
9 over, most saltwater recreational anglers in the
10 mid-Atlantic and the northeast feel lost. They
11 feel like their voice is not heard. They feel
12 like they're losing their heritage.

13 The problem is that no one's advocating
14 for the resource. Everyone wants their piece of
15 the pie. At least up until now.

16 John McMurray and I started the Guides
17 Association to fill that void. The recreational
18 fishermen are changing. The vast majority of us
19 don't want to feel the cooler anymore, we want the
20 experience. We want better science.

21 Anyone who's been around long enough to
22 remember MRFFs knows that MRIP is a vast

1 improvement. Is it perfect? No, but we can make
2 it better with more funding, more surveys, and
3 continually trying to improve the data.

4 We want to be accountable as
5 recreational anglers, and we're willing to work
6 within the system to get closer and closer to
7 achieving that goal.

8 In the mid-Atlantic and the northeast,
9 we want ASMFC reigned in. It should not be used
10 as a model for how Federal management should work.
11 We aren't fools. We know that the Commission is
12 the current place where once vibrant species go to
13 languish in management flexibility limbo.

14 ASMFC is the poster child for how much
15 can go wrong with state management. States are
16 pitted against each other and susceptible to
17 sudden swings of administration changes within
18 each individual state. The numbers do not lie.
19 Seventeen of 26 species managed by ASMFC are
20 over-fished, depleted, or the status is unknown.

21 Several years ago, I testified at the
22 Senate Commerce Committee. Several participants

1 praised striped bass management is the way
2 forward. I recall telling them that that
3 statement would not age well. It didn't. Striped
4 bass has declined steadily, and it's really
5 because of a lack of accountability to do the
6 right thing.

7 This is the key point. Many of the
8 folks who supported Modern Fish Act say that they
9 want more flexibility to try new management
10 approaches. But those management approaches have
11 been tried over and over again with terrible
12 results at the Commission.

13 It is a Potemkin Village, ASMFC. That
14 is an illusion built to make us think that
15 everything is okay, until it isn't. If you don't
16 believe me, take a look at the amount of comments
17 that were received for striped bass.

18 Only about a thousand, out of millions
19 of anglers, decided to weigh in on it; pitifully
20 low. It's because there's no confidence any more
21 in the Commission. People don't think it's worth
22 five minutes to send an email to folks like you.

1 Why? Because they're ignored.

2 And the Commission solidified this
3 sentiment in concrete with rebar two weeks ago by
4 ignoring the fact that 70% of the comments wanted
5 a specific option. It was barely discussed; not
6 passed.

7 This is striped bass, not red snapper,
8 not summer flounder. Nine percent of the people
9 in this country, the fishermen, fish for stripers.

10 We don't need flexibility. We need
11 management that allows us to count on fish being
12 around next year, and the year after that. We're
13 looking for consistency.

14 Thank you very much for the opportunity
15 to speak. I'm here to tell you that recreational
16 anglers do support conservation requirements and
17 accountability, and the Guides Association is here
18 to be a resource for you to provide you with a
19 better sense of what recreational fishermen really
20 want. Thank you very much.

21 MS. MCCAWLEY: Thank you, Tony. Is
22 there anyone else in the audience that wants to

1 provide public comment? All right, I don't see
2 any other hands. I think we can go ahead and
3 break for lunch.

4 Please be back promptly at 2 p.m. We
5 have a presentation from the State Department, and
6 that person has a very specific time window that
7 they're available to talk to us. So, we'll see
8 you back here at 2 o'clock.

9 (Recess)

10 MS. McCAWLEY: All right. We are going
11 to get started again with the agenda.

12 Next up we have Evan Bloom, who is
13 Acting Deputy Assistant Secretary for Oceans and
14 Fisheries for the State Department, and he's going
15 to be talking about Biodiversity Beyond Natural
16 Jurisdiction.

17 Evan, I'm going to turn it over to you.

18 MR. BLOOM: All right. Do I have to
19 press something?

20 MS. McCAWLEY: It will turn green.

21 SPEAKER: It's on all the time.

22 MR. BLOOM: So am I on now?

1 MS. McCAWLEY: Yes.

2 MR. BLOOM: Okay. Well, thank you very
3 much. Good afternoon everyone. And thank you
4 very much for having me here. I am sorry that I
5 don't have a PowerPoint, but I did ask whether,
6 you know, an official shrock or something could be
7 put up there. So, there is one. But I'll proceed
8 just to talk through this issue, and I'm happy to
9 take questions that you may have.

10 Again, thanks for having me. I'm the
11 Head of the U.S. Delegation for a set of
12 negotiations that are now ongoing at the United
13 Nations in New York that relates to High Seas
14 Fishing and other issues related to biodiversity.

15 And so I'd like to thank the Council
16 Coordination Committee for asking me to provide
17 some background on these negotiations, in
18 particular on U.S. positions, and to answer any
19 questions.

20 So, what we are talking about is the
21 negotiation of an internationally, legally-binding
22 instrument under the U.N. Convention on the Law

1 of the Sea, on the conservation and sustainable
2 use of marine Biological Diversity of Areas Beyond
3 National Jurisdiction, and that mouthful is
4 typically referred to as BBNJ.

5 This is currently the world's largest
6 scale oceans- related treaty negotiation, and the
7 largest current U.N. Treaty negotiation of any
8 kind. So, it's a pretty big deal in international
9 legal circles, and international marine policy
10 circles as well.

11 The discussions at the U.N. have been
12 going on for more than a decade, and following a
13 preparatory committee meeting in 2015 to 2018 the
14 U.N. General Assembly adopted Resolution 72-249
15 under which the U.N. established an
16 intergovernmental conference to negotiate the text
17 of a new BBNJ Treaty. And an intergovernmental
18 conference is more or less a diplomatic conference
19 of a way of formerly engaging in a treaty
20 negotiation.

21 This IGC has a mandate to meet for four
22 two-week sessions, and the fourth and final

1 two-week session under that mandate is scheduled
2 for March 23 to April 3rd of this coming year.

3 So, I lead an interagency delegation at
4 the U.N. of about 15 persons from agencies
5 including NOAA, National Science Foundation,
6 Department of Defense, Council for Environmental
7 Quality at the White House, the U.S. Coast Guard,
8 Maritime Administration, and the Patent and
9 Trademark Office.

10 But there are more than 20 U.S. agencies
11 that are participating in the interagency efforts
12 that finalize U.S. Positions. And certainly the
13 largest group in our delegation is from NOAA, and
14 we get a lot of advice from those folks.

15 The U.N. discussions have moved rapidly
16 from a sort of discussion mode with various ideas
17 being proposed to something more akin to real text
18 negotiations. We expect that Ambassador Rena Lee
19 of Singapore, the President of the conference, to
20 produce a revised negotiating text at the end of
21 the year, of this year, or perhaps January.

22 As there is as of yet no agreed

1 language, and much of what has been discussed is
2 highly contradictory, not to mention confusing,
3 there isn't a good way to know what in the end
4 will be in the final agreement, but those of us
5 participating in the negotiations have some
6 guesses, which is something we can discuss.

7 The instrument is designed to be what's
8 called the Implementing Agreement under the Law of
9 the Sea Convention. That means it's supposed to
10 be consistent with law of the sea. As you know
11 the U.S. isn't a party UNCLOS, but the U.N. Fish
12 Talks agreement is an example of an UNCLOS
13 implementing agreement that allows for nonparties
14 to UNCLOS to join.

15 Similarly, the U.S. can become a party
16 to BBNJ as long as the text provides that
17 non-UNCLOS parties can join, and we expect that
18 such a clause will be included in this instrument.

19 So, let's talk about what's going on in
20 negotiations, what is the BBNJ Agreement? It
21 consists of four thematic areas which are part of
22 a package-negotiated at the U.N. In theory, no

1 one of the four elements is more important than
2 any other, and all four are supposed to move
3 forward at the same time.

4 One part relates to so-called area-based
5 management tools, or ABMTs, that part relates
6 primarily to establishing marine-protected areas
7 on the high seas. And it has a direct
8 relationship to fisheries management in
9 particular, because in attempting to regulate or
10 limit human impacts on the high seas, it would
11 have some relationship to fishing and existing
12 fisheries management mechanisms.

13 Although deep sea mining, cabling and
14 discharge from ships are all human impact that in
15 theory would be regulated, mostly what delegations
16 seem to have in mind is fishing, and in particular
17 limiting fishing beyond what our RFMOs have done
18 so far.

19 A second part relates to marine genetic
20 resources, and this part the question is, should
21 such resources be regulated in some way, including
22 whether to limit access or to ensure sharing of

1 benefits? Developing countries support requiring
2 anyone who commercializes products that
3 incorporate genetic resources from areas beyond
4 national jurisdiction to pay monetary benefit,
5 such as a royalty.

6 As you can imagine this can quickly get
7 us into issues related to intellectual property
8 rights. We in other developed countries would
9 instead prefer an outcome that promotes
10 non-monetary benefits, such as sharing scientific
11 information, and other results of
12 government-funded research. There is a general
13 agreement that marine genetic resource regime
14 would not apply to fish as commodities.

15 The third part relates to environmental
16 impact assessments. EIAs are already provided for
17 in Article 206 of the Law of the Sea Convention,
18 and it sets a standard that the U.S. Already
19 adheres to.

20 The discussions primarily relate to
21 fleshing out implementation of that Article 206.
22 This may be the most straightforward part of the

1 negotiations as many developed countries agree
2 with us that the EIA procedures must be left up to
3 states themselves, and there should be no
4 international or U.N.-based oversight.

5 And finally, there's a segment on
6 capacity building and transfer of marine
7 technology. Here, key questions involve whether
8 capacity building would involve mandatory payments
9 or funding from developed to developing countries,
10 or something more cooperative related to sharing
11 information and possibly training opportunities.

12 In the U.S.'s view any transfer of
13 technology must be voluntary, and on
14 mutually-agreeable terms. Many developing
15 countries have a different idea.

16 So, given time constraints, I'll focus
17 on the first area, ABMTs, and as I think that's
18 likely to be what you're most interested in.

19 A major goal of the European Union and
20 the NGOs is to have a centralized authority such
21 as a BBNJ conference of the parties that will be
22 able to set up marine-protected areas on the high

1 seas.

2 There is an active conversation about
3 whether such conference of the party will have a
4 kind of general authority to establish MPAs,
5 including specifying management measures in a
6 variety of cases.

7 For example, regardless of whether there
8 is a relevant regional or sectoral body that could
9 also handle the matter, and even if there is,
10 whether if the COP decided that the regional or
11 sectoral body doesn't act correctly or fast
12 enough, whether that COP, the Conference of the
13 Parties can act.

14 The U.S. position is that, well, COP
15 might be able to identify, for example, specify a
16 particular area where some sort of special
17 protection is needed, it should leave any concrete
18 actions, such as the establishment of management
19 measures to the relevant regional or sectoral
20 body. If there is no existing regional or
21 sectoral body, our preference is that one be
22 created amongst interested states, and not have

1 the BBNJ COP take any decision on management
2 measures.

3 There are a host of procedural questions
4 such as whether the COP would take decisions by
5 consensus, and if not -- of if not whether states
6 could opt out of decisions they did not support.

7 Another key question is how science is
8 ultimately insurgent to the process? We that all
9 decisions should be taken on the base -- on the
10 basis of best available science. One idea is to
11 have some sort of scientific committee that would
12 review proposals and advise the COP. We don't
13 know if that committee would be a select but
14 limited group of experts, or a larger scientific
15 and technical committee to which each party could
16 send a delegate.

17 The General Assembly Resolution provides
18 that the process and its results should not
19 undermine, and that's a key word, "undermine"
20 existing legal instruments and frameworks in the
21 relevant global, regional and sectional bodies.
22 That's a helpful sentiment, but there's no

1 agreement on what that word "undermine" really
2 means.

3 So, where are we heading? Let me
4 mention some overarching considerations. The U.S.
5 has never been a proponent of these negotiations,
6 and we aren't a proponent now. However, there is
7 overwhelming support at the U.N. for finalizing a
8 treaty. In theory the negotiations are supposed
9 to conclude with an agreed final text in April,
10 that is highly unlikely but it's not impossible.

11 The decision about adoption of the text
12 will be taken by two-thirds the majority of states
13 after exhausting all efforts all efforts in good
14 faith to reach agreement. That means that the
15 U.S. can't block the treaty, indeed if G77 in
16 China, which is the largest negotiating group, and
17 it takes up more than half of the U.N., or perhaps
18 many developing countries plus the European Union
19 support the agreement by definition it goes
20 forward.

21 We have argued that decisions in any
22 conference of the parties should be taken by

1 consensus. However, that has not been agreed at
2 this point. It's quite possible that a treaty
3 will be agreed, if not in April, then in a year or
4 so, which is in the international law terms, quite
5 soon.

6 I would note that the text from the
7 Conference President that has been released so far
8 contains a lot of options. It's only once those
9 options start to narrow that we will know how good
10 or bad the substance of the agreement is. The
11 U.S. is attempting to be an active participant in
12 the negotiations in order to maximize the
13 likelihood of our influencing the final product.

14 We ran for and are on the Bureau of the
15 Intergovernmental Conference, for example. So as
16 always, we welcome input from stakeholders going
17 forward, that's the basic state of the
18 negotiation. When we receive the new text from
19 the President of the Conference at the end of the
20 year, or maybe in January, then I hope that all
21 stakeholders will take a careful look at it, and
22 provide advice to us on what you think is most in

1 the interest of the United States.

2 So, I'll stop there, and happy to take
3 any questions.

4 MS. McCAWLEY: Thank you, Evan.
5 Questions? Kitty?

6 MS. SIMONDS: And so thank you, Mr.
7 Bloom, for coming to our meeting. We are the
8 Council of course that extended this invitation
9 because most of our fishing is done on the high
10 seas, and for various reasons. One being that
11 there's some -- there were Legacy designations
12 called Monuments that closed most of the Hawaii
13 EEZ, closed most of the U.S. uninhabited islands
14 there, parts of American Samoa, and part of the
15 Mariana's Trench. And I can imagine, what are we
16 saving of the Mariana Trench? I have no idea.

17 So, I read that the U.S. -- the U.S.'s
18 position in terms of BBNJ establishing any sort of
19 commission that they would not -- that whatever
20 their commission is, wouldn't have oversight or
21 management responsibilities. That those would go
22 to the established international commissions, for

1 example, the Western and Central Pacific
2 Commission, VIETTC and the Atlantic Commission, so
3 I just wanted to double check that that is true.

4 The other thing is that we would of
5 course love to have these commissions exempted but
6 -- so that's another question I have for you. I
7 think, you know -- why don't you tell me what you
8 think?

9 MR. BLOOM: Sure. Okay. Do I need to
10 press this again or do I?

11 MS. McCAWLEY: No.

12 MR. BLOOM: No, I'm good. Okay.
13 Thanks. You're absolutely right about the U.S.
14 Position which is, we think that any sort of
15 management decisions that relate to fishing or
16 other matters should taken by the relevant
17 regional or sectoral body, so it would go to WCPFC
18 or any other similar RFMO, they're the ones with
19 the expertise and they should take all of the
20 relevant decisions that could limit any sort of
21 behavior including fishing.

22 That is something that is not agreed,

1 and so a key question in the negotiations will be:
2 What is the authority of this Conference of the
3 Parties? And so we and Japan, in particular, have
4 been very strong on this issue. It's sometimes
5 hard to tell where the Europeans are coming from,
6 because on the other hand they say, well, we don't
7 want this COP necessarily to have too authority.
8 And yet, what happens if those bodies don't act
9 quickly enough? Or they don't act in a way that
10 we think is conducive to protecting the planet, or
11 this sort of thing?

12 Well, then maybe this centralized body,
13 perhaps in New York, perhaps under the U.N.,
14 should be able to take some decisions. We've
15 said, no, that's not desirable, but I don't know
16 where that will shake out in the end, we'll see.

17 On the question of exemption, as I
18 mentioned at first, the U.S. has not been a
19 proponent of this treaty, we have not wanted it to
20 go forward on any of its four particular elements.
21 Yet, it is going forward.

22 The notion of exemption I think would

1 not -- not only would it not be popular among the
2 negotiating parties, but it really wouldn't get
3 anywhere, because the basic theory of this is,
4 some method of cooperation that is protective of
5 the high seas as a whole.

6 So, we have thought that the best way of
7 channeling the energy that is there, is to say,
8 okay, well, maybe a centralized body could, with
9 various protections, and the rules and procedure,
10 and the scientific basis for acting, et cetera,
11 could say that some area out there, that requires
12 or should have -- the international community
13 thinks that it requires some sort of special
14 attention or protection.

15 Then exactly what should be done should
16 be left to the relevant regional bodies, and those
17 that have the scientific and other expertise. So
18 it wouldn't be a directive from New York that you
19 must protect that particular area, or what must be
20 done. It's more of a kind of idea, or suggestion.
21 Again, exactly how that would play out depends on
22 the actual language in the agreement.

1 MS. SIMONDS: All right. Well, one of
2 our advisors came up with a very interesting
3 suggestion, if we are talking about protection,
4 and obviously we are talking -- and that includes
5 U.S. protection of our fisheries. And how would
6 this look if you -- to protect the U.S. EEZ, and
7 I'm using ours in Hawaii because if you look at
8 Global Fishing Watch, you will see that China,
9 Japan, Korea, Taiwan, they're all fishing right on
10 the edge of our EEZ, it's all of our EEZs
11 including American Samoa and the Mariana.

12 So, as the suggestion would be that
13 there would be a closure right outside of our U.S.
14 EEZs, where only we could fish, and no one else
15 would be able to fish in there. So, that was one
16 of our fishing advisors who mentioned this to the
17 Council. I thought that was interesting. Don't
18 you, protecting the U.S. interests?

19 MR. BLOOM: Well, now --

20 MS. SIMONDS: So then the foreigners
21 would have to -- would have to be fishing beyond
22 our 200-mile zone, which is where they are at

1 every day, and so that would be a -- you know,
2 some kind of protection for U.S. fishermen. Not
3 only talking about fishing, okay, not the other
4 elements of the convention.

5 MR. BLOOM: Right, right. So, this
6 treaty only applies to areas beyond national
7 jurisdiction, which means beyond the EEZs.

8 MS. SIMONDS: Right. Right.

9 MR. BLOOM: So anything within the EEZs
10 are not touched by this. In theory anything
11 beyond and EEZ is high seas, and therefore a part
12 of the sort of international regulatory scheme
13 covered under Law of the Sea, so this instrument,
14 whatever it is, is supposed to be consistent with
15 Law of the Sea.

16 So, I guess the question would be, would
17 that kind of idea be consistent? It sounds more
18 or less like extending the authority of the EEZ
19 beyond the EEZ rather than having sort of
20 international control or rights. So, I'm not
21 exactly sure how that would work.

22 MS. SIMONDS: Right. Well, I think it's

1 something to discuss, we haven't discussed it a
2 lot, but it might come up tomorrow, so.

3 MR. BLOOM: Okay. Might? Okay.

4 (Laughter)

5 MS. McCAWLEY: More questions? Yes,
6 Bill?

7 MR. TWEIT: Thanks, Madam Chair. And
8 thanks, Mr. Bloom, for this. That was really
9 insightful. I'm wondering how you think this
10 potentially intersects with the work that the
11 Arctic nations are currently doing, which I
12 understand is largely around the national waters
13 in the Arctic, but still there's an expectation
14 sort of above -- that's universal in the
15 application is possible in the Arctic. Do you see
16 and intersection between this, and that, I guess
17 it's now actually signed, on Arctic Convention?

18 MR. BLOOM: Yeah. That's a really
19 interesting question. So my, part of the State
20 Department also deals with Arctic policy, and
21 we've had any number of discussions with other
22 Arctic states, both the five Littoral states, and

1 the eight states of the Arctic Council who were
2 particularly interested in the extent to which
3 this BBNJ Treaty could have an impact on Arctic
4 interests.

5 One of the reasons for that is even
6 though it's likely that only states will be able
7 to propose some sort of plans, or for protection,
8 or MPAs, the NGOs will likely get states, perhaps,
9 far from the Arctic to propose various protections
10 for the Arctic, and then what would be considered
11 somehow through this BBNJ system. So, the Arctic
12 states are very interested in sort of gaming out
13 what exactly would that mean.

14 With respect to the ABMT question, there
15 is no RFMO yet. There is an agreement among a
16 group of states, including non-Arctic states as
17 you know, that will -- once it enters into force
18 set up a science body, and could move in the
19 direction of an RFMO in the future.

20 So, is that the kind of regional body
21 that a BBNJ system would contemplate deferring to
22 if there were some proposal for and MPA that

1 relates to the Central Arctic Ocean. And remember
2 it's not the areas within the EEZs that would be
3 touched at all. It's only the relatively limited
4 -- relatively limited area in the Central Arctic
5 Ocean that would be affected.

6 So, again, all of this depends upon the
7 ultimate language that is chosen for the agreement
8 so we don't exactly know. But what we talk about
9 is, okay, so if there isn't an RFMO yet, but if
10 there was a proposal for an MPA in the Central
11 Arctic Ocean, then there could be an acceleration
12 of the diplomatic process related to the Central
13 Arctic Ocean Agreement, Fisheries Agreement, and
14 that could lead to creating an RFMO that would
15 have capacity to take the decisions, and decide
16 what's best.

17 The related question then becomes, well,
18 who can participate in that? And then would it be
19 open to every country. Can Venezuela join? Can
20 North Korea join? Can Costa Rica join? Well, I
21 don't know.

22 But ultimately under the theory that the

1 U.S. is advancing, that the regional bodies should
2 make the final decisions, and not a centralized
3 U.N. body, you'd want that -- whatever that Arctic
4 thing is to be able to apply the science that it
5 is capable of applying and if there's a limitation
6 on fishing, it should be done by that body, and
7 not by the BBNJ body.

8 MS. McCAWLEY: Yes, Eric?

9 MR. REID: Thank you, Madam Chair.

10 Thank you, Mr. Bloom. So, I've got a couple of
11 questions, and then I'll leave it transparent.
12 I'm with the U.S. commercial fishing industry
13 wrapped in NAFO, it's another day job that I
14 happen to have. So what would the ramifications
15 be, if something like this would be for our
16 involvement in NAFO? That's my first question.
17 Do you want me to ask them one at a time, or do
18 you want to just get them all out there?

19 MR. BLOOM: Well, maybe one at a time is
20 easier. And NAFO would -- if there were some
21 issue within NAFO's competence and jurisdiction,
22 then we would say that if some management decision

1 wasn't necessary, then we'd like NAFO to take that
2 decision rather than have it be done by a
3 centralized body.

4 So, what the NGOs argue, for example,
5 and some of the European states argue is, the
6 focus of RFMOs can be limited, they may not have a
7 broad enough sense of an ecosystem approach, or
8 they may have provisions in their constituent
9 documents that limit how far they can go in
10 considering broader issues related to other
11 species management, or something like that.

12 So, the NGOs would say there needs to be
13 some residual authority in the central U.N. Body
14 if, say, NAFO decides that it doesn't have full
15 competence or ability to deal with the issue.

16 And so there's an argument that's now
17 playing out in New York about what that would
18 mean. I mean, we think that that is quite
19 dangerous to take these issues out of the hands of
20 the regional bodies, because the U.N. is a very
21 political place, even though we say we would like
22 this body to act only on the basis of consensus, I

1 think know that we'll achieve that in the end.

2 And so a lot of countries that may be
3 even have nothing to do with NAFO, could decide
4 things that are going on, and they could decide it
5 badly. At the same time, you know, we are facing
6 some headwinds with that.

7 MR. REID: Okay. Thank you for that
8 response. And you mentioned about how dangerous
9 it could be taking authority away from the
10 relevant body, so I'm trying to get my head
11 wrapped around, you know, the use of MPAs, and the
12 use of the Antiquities Act in our internal waters,
13 that essentially one or the other takes away the
14 authority of the regional body. And I'm just
15 trying to reconcile in my own mind, how we can
16 impose that in our internal waters, and oppose it
17 in international waters? And maybe you could help
18 me out with that conundrum that I have.

19 MR. BLOOM: Well, I'm not -- being from
20 the State Department my focus is international
21 rather than domestic management, which you folks
22 know a lot more about than I do. So, I may not be

1 in a good position to respond to that.

2 And I certainly haven't been asked
3 questions by other countries that say, well, you
4 do something domestically therefore why are you
5 arguing about something internationally. But
6 maybe that will come in the future.

7 MS. McCAWLEY: All right. More
8 questions? Yes, John?

9 MR. GOURLEY: Thank you, Mr. Bloom. I
10 appreciate the update. You mentioned the ENGOs,
11 are they the ones driving the bus? Or, is there a
12 select group of countries? Where's the power
13 coming from? Who is rolling this rock up the
14 hill?

15 MR. BLOOM: That's a good question. So,
16 there is a large group of ENGOs that are very
17 strongly behind this, who see this, in particular,
18 as a means of limiting overfishing. I mean, I'll
19 say that relatively frankly. And it's an
20 interesting dynamic because there were different
21 constituencies for different parts of those four
22 elements, right.

1 But the ENGOS really only care about the
2 first one, they want the ABMT restrictions to
3 limit fishing. They don't care so much about
4 Marine Genetic Resources, which we haven't talked
5 so much about here. But the U.S. and U.S.
6 Industry, certain parts of the U.S. industry, have
7 very strong interests when it comes to Marine
8 Genetic Resources, because the idea is to limit
9 access to the high seas.

10 And so you could only go out if you
11 promised that you will limit your science in a way
12 that any discovery you make will result in
13 royalties flowing back to the rest of the world,
14 meaning developing countries. It has implications
15 for innovation, and IPR issues, and all sorts of
16 things, and it's quite distinct from the ABMT
17 issues.

18 And ENGOS don't touch that prong at all.
19 In fact they find it quite annoying that it's
20 there, because they want to put all of their
21 energy into creating or in protected areas.

22 You have European countries, in

1 particular environmental agencies, of European
2 countries that are promoting marine protected
3 areas in general as a part of an ocean's
4 environment policy. So that's part of it.

5 You have a whole suite of Latin American
6 countries who are behind these proposals, and over
7 time, even countries that we normally relied upon
8 for more or less a sensible approach to the
9 fishing issues like Norway, for example, have kind
10 of peeled off and said, well, we think we can get
11 provisions in this that will be -- that will
12 promote cooperation among RFMOs at the very least,
13 and promote some sort of general conservation
14 values that they would support. So, they've moved
15 into the sort of proponent camp.

16 Canada also used to have some doubts and
17 now they describe themselves as a proponent of the
18 agreement. So, developing countries care perhaps
19 less about the MPAs, with some exceptions. So,
20 the Pacific Island States have shown great
21 interest in these issues, in part for economic
22 reasons that they see, of setting up the kind of

1 protective cordons that you were talking about.

2 You know, I think we understand that
3 they have that in mind. But the developing
4 countries also have this strong interest in marine
5 genetic resources, capacity building, technology
6 transfer, these other sort of things which are
7 often part of U.N. Treaty negotiations on any
8 subject, in climate change, you name it, these
9 issues kind of start being sucked in.

10 So, it's hard to name all of the
11 countries that are supporting it, but in general
12 you hear very few voices that are urging caution,
13 but it's kind of, it's us, it's Japan, it's South
14 Korea, or it's Iceland, Russia and sometimes
15 China, for the most part.

16 MR. GOURLEY: I just wanted to make a
17 comment. It seems like if the true reason is to
18 stop, prohibit less in overfishing, that perhaps,
19 you know -- to me, a better way to look it is for
20 the countries that are current fishing the high
21 seas is to adopt the U.S. Fishery Management
22 Measures, and let's stop overfishing that way,

1 rather than the NGO prohibit no take, no nothing.
2 I mean, there's other ways to achieve the stated
3 goal without closing the area down.

4 MR. BLOOM: I think the U.S. position is
5 consistent with what you've just suggested. Yeah.

6 MS. McCAWLEY: Kitty?

7 MS. SIMONDS: So, I just wanted to add,
8 when you were talking about the different
9 interests, and talking about the Pacific Islands
10 and the former trust territories of the United
11 States. In addition to \$20-some-odd million that
12 the former trust territories receive from the U.S.
13 every year, the U.S. canned-tuna industry they're
14 paying somewhere between 13- and \$15,000 a day to
15 fish in those Pacific Island areas if they want to
16 fish for tuna. So, it's for them, it's all
17 economics. That's what it's about, money.

18 MS. McCAWLEY: Anybody else, other
19 questions? Yes, Bill?

20 MR. TWEIT: Thanks. I was wondering
21 what, if any, role the difference in
22 sustainability, global sustainability

1 certification organizations, like MSC, have been
2 playing in this? Part of the reason I ask is
3 because we see that sometimes principles that
4 developed in the international arena end up
5 becoming a part of the criteria used for
6 sustainability certification.

7 MR. BLOOM: I'm not aware that they've
8 had any role at all.

9 MS. McCAWLEY: More questions? All
10 right. I don't see any more hand in the air.
11 Thank you, Evan, for coming over here --

12 MR. BLOOM: There's one more, over here,
13 no?

14 MS. McCAWLEY: No -- yeah, go ahead, go
15 ahead.

16 MR. RAUCH: How does NOAA's position on
17 the BBNJ line up with the state? I mean, you're
18 all basically holding hands. Is that correct? Is
19 SAM, is NOAA, holding with the State Department on
20 this?

21 MR. BLOOM: (Laughter) The State
22 Department is leading negotiator, but we have

1 representatives, we provide a lot of feedback on
2 positions that they take. I have seen where NIBs
3 and NOAA have seen almost the unending flow of
4 documents on this issue. And so we are working
5 closely together.

6 I would say, as the Leader of this, the
7 interagency process as well as the delegation,
8 that we have a pretty harmonious group, especially
9 when it comes to the ABMT issues, but also across
10 the board, I don't think there's any delta between
11 us and NOAA. In fact we rely on their expertise
12 to try to figure out -- they're pretty complex
13 issues when it comes to how these provisions would
14 and could be drafted. And so that's why, you
15 know, we have a lot of NOAA members on our team,
16 and so we're always working closely with them.

17 MS. McCAWLEY: All right, any more
18 questions or comments? All right, thank you so
19 much, Evan, for coming over here and chatting with
20 us about this.

21 MR. BLOOM: Sure. Anytime.

22 MS. McCAWLEY: All right. Thank you.

1 Next up on the agenda, I believe back to Cisco on
2 the response to Council Research Priorities.

3 MR. WERNER: Okay. Thank you very much.
4 And this is perhaps is a conversation that started
5 at the Sitka Meeting, maybe it was 18 months ago
6 or so. And I'd like to think that, first, there's
7 been a lot of progress since that meeting, where
8 the issue really was how do we line up priorities,
9 how do we understand each other's priorities, and
10 arrive at some, you know, common way forward.

11 And this presentation could be quite
12 short. I'm just going to say that, and as I said
13 we have overcome some of the issues that were
14 rightfully pointed out at the meeting in Sitka in
15 terms of perhaps better communications. A lot of
16 it has to do with the work that is happening
17 within the science centers in terms of formalizing
18 what they're referring to as their priority-based
19 resourcing and sharing that -- those priorities
20 with Councils, with regional offices.

21 And eventually going all the way to the
22 geographic strategic plants where, again, there

1 has been additional opportunity for understanding
2 each other's priorities, and perhaps coming to a
3 joint set of priorities.

4 So, let me just go quickly through this.
5 You'll also see that before coming here we
6 canvassed all of our science centers to find out
7 specifically what actions they've taken, and
8 hopefully these line up with what you feel is
9 taking place in that conversation.

10 So, real quickly, you know, to start at
11 the end, our staff, you know, participate in the
12 various Councils' teams, committees, you know, and
13 where research priorities are defined and
14 discussed. And as such, you know, they're
15 involved either in receiving the information or
16 helping to coproduce whatever those priorities
17 might be, understanding, again, the joint
18 priorities of both of us, and or of all of us.

19 As I mentioned the geographic strategic
20 plans that, you know, people have been working on
21 for the better part of last year, include those
22 discussions very specifically and openly in terms

1 of how those priorities are achieved. And so that
2 -- our understanding is those documents, for the
3 most part, are done, they're first drafts, and
4 hopefully we'll have a chance to see them, I'm not
5 sure when, in the next few months in any case.

6 And then, you know, there is -- given
7 still the multiple regional priorities, Councils,
8 centers, regional offices, commissions, there's
9 still room for improvement.

10 And that's really, perhaps the last two
11 points. You know, that while we made some --
12 we've taken some very concrete steps in terms of
13 how do we line up our priorities, there's still
14 more to do, either continuing along the path that
15 we've, or perhaps formalizing even further as need
16 be.

17 And so I just very quickly wanted to go
18 -- just highlight as I said, as we canvas our
19 science centers in terms of how this conversation
20 and prioritization is going, I'm just going to go
21 through them. It's very short, just a couple of
22 slides.

1 The Northwest and Southwest, since they
2 work closely with the -- in this case the Pacific
3 Council, they've had recent conversations with the
4 PFMC staff, and about, you know, how to
5 collaborate and identify research priorities in
6 advance. I guess of the targeted research
7 priority plan update in 2023. So, I'm guessing
8 that there is a cycle of when the next research
9 priorities for the Council, the Pacific Council
10 will be in 2023, but that these conversations are
11 ongoing. We're not going to wait until 2023 to
12 see if they line up.

13 The Southeast Center, you know, working
14 with the three Councils, you know, takes those
15 Council research plans to help guide their
16 priority-based resourcing that I talked about
17 before, the PBR, which again building on, as I
18 said, you know, the conversation was 18 months
19 ago, because we, internally, have formalized how
20 we do our prioritization, we now have that
21 additional aspect of working with the Councils to
22 include that in the prioritizations.

1 And that kind of dovetails into what the
2 Northeast Center does, in terms of when they set
3 their priorities, they actually include the
4 Council priorities as part of how they rank some
5 of the projects that -- or the projects that
6 they're evaluating.

7 So, again, that's an explicit step here
8 that the Northeast does. In other places it may
9 not be as explicit as counting points, or
10 criteria, but it's certainly implicit in the other
11 centers.

12 The Pacific Island, there's a Council
13 five-year research party -- plan, and they,
14 meaning the Pacific Island Science Center, uses
15 those criteria when drafting their own science
16 plans, when they develop their activity plans, and
17 actually, you know, when they meet with Council
18 staff to discuss whether the Center is addressing
19 those research priorities that the Council has.

20 And hopefully, during the
21 question-discussion section, you can tell me if in
22 fact that that is what's happening, or if we need

1 to further it even more.

2 In the Alaska Center, you know, they're
3 engaged in the development of the research
4 priorities which the Alaska Center, you know, has
5 quite structured a set of priorities and ranking
6 process, but the Alaska Center works through the
7 participation of the scientist in the various
8 bodies, to understand or help develop some of
9 those priorities.

10 And just like every other center, you
11 know, uses those priorities in how they develop
12 their final Annual Guidance Memorandum, or AGM, as
13 well as their activity prioritization process.

14 And so the last step is basically -- or
15 the last slide is basically the same as the first
16 one, you know, we have taken some steps towards
17 formalizing these discussions but, you know, we
18 could take more based on inputs that we might
19 receive today. You know, including how to develop
20 feedback mechanisms in terms of whether in fact,
21 that conversation is being properly included and
22 reflected in the work that's being carried out.

1 I guess I'll be curious to see how --
2 you know, if there's any comments on how the
3 geographic strategic plans have evolved, you know,
4 from your standpoint, and how -- you know, whether
5 that's actually been a successful way of adding
6 even more conversation, or more discussion to the
7 priority setting.

8 And then finally, you know, I know that
9 our Science Center folks are committed to working
10 to advance the research priorities that the
11 Councils have, and include them in our research
12 projects.

13 So, I think that's it. As I said, it's
14 pretty quick, but is one that I felt we were quite
15 responsive to the comments and recommendations
16 from the Sitka CCC Meeting. And as I said, I
17 think we've taken some pretty concrete steps, but
18 I'm open for continued tweaks, and continuous
19 adjustments from the Councils. Thank you.

20 MS. McCawley: Thank you for the
21 presentation. Questions or comments? Yes, Tom?

22 MR. Nies: I'll start. Thank you,

1 Cisco. I am glad to see that we're getting some
2 responses on the issues that we raised, I think
3 the first time at Sitka, or maybe shortly before
4 Sitka. But I do have a couple questions. I'm not
5 really familiar with the Center's Annual Guidance
6 Memorandum that you've mentioned. Is that
7 something that could be shared with the Councils?
8 I don't believe we've ever actually seen what
9 their guidance is. I'm not sure if that's the
10 case in other regions or not.

11 MR. WERNER: Sure. Very quickly, and
12 probably there is -- you know, between the Science
13 Center, Council interactions, and so on, but what
14 we have is a process where every five years we
15 write a strategic plan, or a science plan that the
16 Centers say, well, over the next five years this
17 is what we anticipate is going to be important for
18 us to do. And that of course lines up with NOAA
19 and Fisheries priorities.

20 That I've-year plan then every year we
21 adjust it depending on what emergencies might
22 happen, and all that, and again, you know, whether

1 it's warming, or shifting species in the
2 Northeast, or similar issues on the West Coast or,
3 you know, coral bleaching in the Pacific Islands.

4 So, every year theirs is a need to say,
5 well, yes, we have a five-year plan, but these are
6 the priorities that this year are emerging, or at
7 least we feel are emerging, as well as taking
8 direction from priorities of the administration,
9 in terms of what we might need to be responsive to
10 in terms of -- in terms of what the administration
11 -- you know, Congress, et cetera, direct us to do.

12 That AGM, the Annual Guidance Memo,
13 there's a draft that usually is written in like
14 February, and the reason it's there is because
15 it's roughly when the President's Budget comes
16 out, and so that gives some indication in terms
17 of, again, the administration priorities that we
18 need to be responsive to.

19 And also maybe has a sense of which way
20 the budgets might go, et cetera. So that draft, I
21 understand is shared perhaps at times with some of
22 the Councils, and I'm walking on this ice here.

1 And I'm looking around at some of the Councils
2 whether that's true or not. So, maybe, you know
3 --

4 So, that draft is shared, and comments
5 both at the Councils and regional offices, and
6 then it's probably formalized by the time there is
7 a better sense when we get some idea of how the
8 various Senate and House marks might go narrow it
9 even more.

10 But usually the AGMs are available --
11 might be available in draft form sometime in
12 February, and certainly they're posted publicly,
13 I'm going to say, usually by May/June is roughly
14 the timeframe. They're posted on the websites, on
15 the Center websites usually by May/June.

16 And yeah, Kitty, please?

17 MS. SIMONDS: Yes. So, since Sitka
18 where we were all wondering where our research
19 plans go, we have been working with the Center, so
20 we take our five-year research plan, and we choose
21 projects from those plans, research projects, and
22 then we send them to the Center to be included in

1 the AGM.

2 So then when that's done, the AGM comes
3 back to us to see if we are satisfied or not, and
4 we can argue about whether or not they missed
5 something, you know, or whatever. And so that's
6 how we get our research priorities into the AGM.
7 That doesn't mean that it covers all of our
8 research priorities, but we do work together, and
9 we meet annually, together, the staffs, just on
10 research in general. About what the Center is
11 going to be doing, what we would like to see them
12 do.

13 But I think what, we have to get
14 organized is the monitoring of the projects. We
15 haven't really set that up, because the Center
16 does report at every Council meeting, but not
17 necessarily. It's a general report, so we have to
18 figure that one out, about monitoring those
19 research projects that are in the AGM that we are
20 interested in.

21 MR. WERNER: Thanks, Kitty. And perhaps
22 one message that might be coming out of this is to

1 try to establish some consistency in the
2 communication that happens between, you know, the
3 Science Centers' Regional Offices, you know,
4 Councils in terms of sort of the general
5 understanding of what those priorities are, and
6 like you said, perhaps also to follow through on
7 them.

8 And right now, maybe it's not fully
9 consistent in terms of how we do it across the
10 various bodies, but that's perhaps a message that
11 we can work on over the next year. Thank you for
12 that.

13 MS. McCAWLEY: Any more questions? Tom?

14 MR. NIES: I do have one question,
15 another question that's sort of a crossover I
16 think between the science side and perhaps the
17 management side a little bit. My recollection is
18 at Sitka one of the things we talked about and
19 discussed was the possibility that Council
20 priorities should be given more of the visibility
21 in the various grant programs that take place.

22 S-K Grant, for example, Bycatch

1 Reduction Engineering Projects, those types of
2 things, so that projects that can be specifically
3 tied to an existing Council priority might get
4 some kind of credit for that. And I don't know if
5 that's been followed up on or not.

6 And I couldn't tell from your
7 presentation whether that's been explicitly done,
8 I know that there are some applicants who will
9 mention that in their projects that they are doing
10 it or proposing it to adjusted Council priority,
11 but I don't know if there's any actual
12 encouragement to them to do that, or if there's
13 any formal discussion in the evaluation to the
14 reviewers to -- you know, somehow give credit for
15 that particular thing.

16 MR. WERNER: And perhaps I'm going to
17 open this up a little bit and perhaps some of my
18 colleagues at the table here, since some of these
19 S-K and others are not strictly under the science
20 side, right, in terms of -- is that something that
21 was envisioned to be part of the conversation of
22 the geographic strategic plans where, like you

1 said, the regulatory science and Council side all
2 come together?

3 So, can I ask for any support in terms
4 of whether that's the intent, perhaps, of the
5 geographic strategic plans to expand the
6 conversation beyond specific research projects?

7 MR. OLIVER: I don't think that was ever
8 the specific intent of the geographic plans, I
9 think your point though that it might an ancillary
10 benefit of it, is a good one.

11 MR. WERNER: Right. Right.

12 MR. OLIVER: And I would say to the
13 question -- it's Tom, right? That I think that
14 happens to some degree implicitly, whether there
15 should be a more explicit mechanism. And it's a
16 good question, Tom. And I don't think we've
17 explicitly done that, but I think, depending on
18 which funding source it is, that's often taken
19 into account, or other funding sources from my
20 experience in a North Pacific, the NPRB funding
21 and our Pacific Research Board often relies pretty
22 heavily on those Council research priorities in

1 the North Pacific.

2 I'm speaking as an example, but to
3 transfer that explicitly to our various grant
4 processes I don't think we've explicitly done
5 that, but I appreciate that implicitly that's
6 occurring.

7 MS. McCAWLEY: Jim?

8 MR. BALSIGER: I think Chris, the way
9 Chris said it is right, these are -- you know,
10 they're not exactly your normal strategic plan,
11 but nonetheless they're on a fairly high level.
12 So it doesn't identify specific projects, it does
13 reference in the Alaska one, that does reference
14 Council's research priorities, and to go through a
15 list of challenges, and opportunities that, if you
16 look through them, you can clearly see that
17 they're from the Council's research priority list,
18 most of them probably, not all of them.

19 And so I suppose you could have an
20 appendix that said, relative to these challenges
21 that involve the Council, here's the project we
22 are working on. But that's not where these plans

1 are right now. But it clearly recognizes -- you
2 know, a couple of pages that recognizes the need
3 to coordinate with the Council, and with other
4 agencies, and other state entities. And so the
5 whole idea of them is to figure out how to
6 approach those problems that have been identified,
7 at the Council mostly.

8 MR. WERNER: Thanks.

9 MS. McCAWLEY: Kitty?

10 MS. SIMONDS: We do have a separate
11 pelagic research plan, and which we developed a
12 couple of years ago, since somehow the pelagic
13 program was dropped from the Center. And so we
14 worked on it, we worked on it together, went
15 through Council and the SSC, so I do have to thank
16 the NMFS for supporting that new plan with us.
17 And also, I mean, with our Center and the
18 Southwest Fishery Science Center. So, that's like
19 -- that's on a different track. We meet on that
20 separately as opposed to the five-year research
21 plan.

22 MR. WERNER: Great. Thanks.

1 MS. SIMONDS: Oh. One last thing about
2 the geographic plan, so the Council needs to
3 review the draft -- you have a draft now, but the
4 Council hasn't reviewed that draft, and so we did
5 -- we did speak -- the Regional Administrator and
6 I, that we were going to have that opportunity
7 between now and December to review that strategic
8 geographic plan. Thanks.

9 MR. WERNER: Great. Thank you.

10 MS. McCAWLEY: Jim?

11 MR. BALSIGER: I was just going to add
12 what Kitty said, because we haven't shared that
13 with the Council, but we talked to them about it,
14 but we are still working on it, between the
15 Headquarters people, and Silver Spring, and the
16 Center people in Seattle, and Alaska, and the
17 Regional Office.

18 So, just today I have something that
19 looks like it's very close to the end, which has
20 been updated to include a section in aquaculture,
21 so it's still being developed and it will go to
22 the Council soon.

1 MR. WERNER: Thank you.

2 MS. McCAWLEY: Thank you. More
3 questions or comments? Yes, Phil?

4 MR. ANDERSON: Just a couple of
5 comments. We are about to undertake a process to
6 revise, revamp, streamline our document, we
7 suspect that we will want to collaborate with both
8 the Northwest and Southwest antennas as we do
9 that, so we're looking forward to that. And to
10 make it more, hopefully a more useful document, I
11 would also advocate that as opportunities present
12 themselves for the Science Centers to report to
13 the Councils relative to activities that they are
14 undertaking, that they're in line and consistent
15 with our research priorities.

16 I'm not sure that there was an
17 opportunity or a place to do that earlier today in
18 your presentation, because I think that was more a
19 kind of forward-looking, at some new innovations,
20 so probably wasn't necessarily a good place to do
21 that. But as the centers have the opportunity to
22 update us on how their work is going in terms of

1 being in alignment for that, is occurring with our
2 research priorities. I think that will be a good
3 thing.

4 If I'd seen the Annual Guidance
5 Memorandum, I don't remember seeing it, but if
6 that is something that could be made available
7 that would be helpful.

8 MR. WERNER: Okay.

9 MR. ANDERSON: Thanks.

10 MR. WERNER: Thanks, Phil. We have a
11 face-to-face Science Board Meeting in early
12 December, and I'll make this point to our Science
13 Center Directors that there is -- that we should
14 seek some consistency not just in sharing early
15 versions of the AGM -- the final versions of the
16 AGM, but also perhaps at Council meetings when
17 there's a State of Senate Report that -- you know,
18 perhaps just a part of it that addresses exactly
19 what you said about activities and the
20 relationships, the priorities of the Council, in
21 an explicit way, not in and implicit way. Thanks.

22 MS. McCAWLEY: Yes, Carrie?

1 MS. SIMMONS: Yes. Thank you, Madam
2 Chair. I don't think we've ever seen a memo that
3 you're talking about in the Southeast region, but
4 it sounds talking to Dr. Crabtree, that that's
5 something that could be shared with us.

6 MR. WERNER: Yeah.

7 MS. SIMMONS: As far as the geographic
8 plans, you know, we commented on them, I think
9 it's a good plan, I think it's a higher level plan
10 and each individual Councils, research and
11 monitoring priorities, which I think that is why
12 it's important that we keep those separate.
13 Because we are altogether in the Southeast with
14 that geographic plan, yet we have more detail on
15 our research and monitoring priorities. So I
16 think those are kind of the important distinctions
17 that they do overlap, but you keep that
18 distinction with each Council. So, that's my
19 feedback on the geographic plan.

20 MR. WERNER: Yeah, great. Yeah. Thanks
21 very much. And as you know with the change in
22 leadership at the Southeast Center, you know,

1 there's maybe a little bit of catch up still going
2 on in terms of the sharing of the documents, and
3 so on. But as I said, I'll try to seek
4 consistency from all of our centers to make sure
5 that those AGMs, and such, duly are communicated.
6 Thank you.

7 MS. McCAWLEY: More questions or
8 comments? All right, thank you.

9 MR. WERNER: Thank you.

10 MS. McCAWLEY: I think that as a good
11 discussion. Thank you, Cisco.

12 MR. WERNER: Thanks very much.

13 MS. McCAWLEY: All right, next up on our
14 agenda is Bill, who is going to cover CCC input,
15 for Committee of Fisheries 34.

16 MR. TWEIT: Thank you, Madam Chair. I
17 did sort of at the last minute put together a
18 PowerPoint to kind of help out a little bit with
19 the walkthrough on this, so even though it's not
20 posted, I'm hopeful it can be available
21 afterwards.

22 So, I think most folks are aware that

1 the FAO's Committee on Fisheries meets every other
2 year, and so there's a meeting coming up this
3 summer in Rome at the FAO Headquarters, the U.S.
4 delegation does include the position for CCC
5 representative, and I had the pleasure of serving
6 as that representative for the previous one COFI
7 33.

8 I did inquire a little bit as to who the
9 leaders of the U.S. delegation would be for this
10 year, and typically it's State Department lead,
11 closely assisted by somebody from NMFS, from the
12 international section. And it's my understanding
13 that NMFS hasn't determined yet who their lead
14 would be, but I thought I'd check with Sam.

15 MR. RAUCH: We determined. I just
16 didn't know the answer.

17 MR. TWEIT: Ah.

18 MR. RAUCH: It's Cheri McCarty.

19 MR. TWEIT: Okay. And she is well
20 experienced with the process.

21 MR. RAUCH: Yes.

22 MR. TWEIT: So that's great. I asked

1 Mr. Bloom if he knew who the State lead was, and
2 he wasn't certain, but thought it would likely be
3 Deidre Warner-Kramer, Kramer- Warner, I can't
4 remember which. And she is also certainly
5 experienced with the process, so that's good news.

6 So, I intended to cover today in my
7 reminder to the CCC about what's coming up, is a
8 couple of different things, the summary of agenda
9 items which were -- I went over at our previous
10 meeting in May, so I'll just briefly touch on
11 those again. Strictly from the perspective of
12 what I think is likely to be on the agenda from
13 COFI 34, for the upcoming.

14 And then some overview on how the CCC
15 should engage at this point in order to ensure
16 that we have a well-prepared representative. So,
17 our task today is to provide guidance on likely
18 major issues, at least begin the process of
19 designating who the CCC representative would be,
20 and then talk a little bit about advanced
21 preparation for that person.

22 The issues that I think are likely to be

1 on the agenda for COFI 34 based on the discussions
2 at COFI 33 cover a broad range of subjects in
3 terms of fisheries, and I haven't listed them in
4 any particular priority, or any other sort of
5 order. It was just how they came out of my notes.
6 But the FAO is continuing to work on their code of
7 best practices for aquaculture, and so I would
8 assume that that will be one of the primary
9 subjects.

10 Trade at COFI 33, there was concern
11 expressed about increasing barriers to global
12 trade that was before the recent tariff wars have
13 really affected seafood trade, so I would expect
14 that there will be a lot more discussion about
15 trade at this one than there was at the previous.

16 Addressing IUU issues, is always on
17 their agenda, both implementation of the state
18 management measures, and ensuring that those
19 continue to be implemented by as broad a range of
20 countries as possible. And the global record, the
21 global database on transport of seafood was just
22 initiated at 33, so there will probably be some

1 discussion about how well that's working.

2 Climate change, at 33 there was a major
3 report released by FAO on climate change and
4 fisheries, given what we've seen globally in 2019
5 in terms of the effects of climate change, it
6 seems to me to be quite likely that it will remain
7 a high on the agenda.

8 And emerging area is this discussion of
9 abandoned, lost, discarded fishing gear. I think
10 it's likely that there will be some discussion of
11 at least voluntary guidelines on gear marking.
12 It's the first step for addressing this issue
13 which is closely linked in with both impacts to
14 marine mammals, but also just marine debris and
15 plastics pollution in the ocean.

16 There was also initial discussion marine
17 mammal mortality recommendations, the U.S.
18 position at the time had not been finalized, so I
19 imagine some additional work has been done on
20 that, and they'll need to be the U.S. position
21 developed for COFI.

22 Another issue that was just being

1 floated, there was not actually considered in COFI
2 33, was this concept of trial guidelines, which I
3 think is sort of the best practices to minimize
4 the impacts of trawl gear on the environment.

5 If my memory serves me correctly, that
6 was an initiative that was being pushed by the EU,
7 and the U.S. Delegation's initial reaction was,
8 well, we haven't even seen these. This is a big
9 deal in the U.S., we'll certainly need to see them
10 in advance. I don't know if they have actually
11 been circulated at this point, but I think that's
12 something, that's an area that certainly the CCC
13 representative should be prepared to keep an eye
14 on.

15 Another, that's really growing in
16 focused at the FAO is the issue of small scale and
17 artisanal fisheries. 2022 has been designated as
18 the International Year of Artisanal Fisheries in
19 Aquaculture, so I would assume there'll be some
20 FAO COFI planning on how that's going to proceed.

21 The Marine debris issue, I've already
22 referred to, to some extent. Biodiversity, we

1 just hard he discussion from the State on the
2 current state of BBNJ but that's something that
3 COFI keeps an eye on as well. And then finally,
4 labor conditions, also a growing concern.

5 The EU is very focused, as well as some
6 other countries were very focused on developing
7 FAO guidelines regarding labor conditions. At
8 least initially if some of those would have made
9 it pretty difficult for, for instance, salmon
10 harvested out of Native communities in Alaska, out
11 at fish camps where every age in the family works
12 at the fish camp, would make those difficult to
13 enter into the international trade, just because
14 that some of the emphasis on child labor, that
15 didn't seem to be consistent with the practice of
16 a lot of fishing families.

17 So it's one those that, even though it
18 seems pretty remote the idea of the slave-like
19 conditions that began this, the guidelines
20 themselves could end up having repercussions in
21 our domestic fisheries as well.

22 So, a pretty broad range of issues, that

1 I think will likely be on the agenda that will
2 need to be -- first off, discussing whoever
3 represents us will need to be discussing first
4 among the U.S. Delegation in advance of the
5 meeting for the U.S. Position, and then tracking
6 what happens in all those at the meeting.

7 So, at this meeting I think we'd
8 suggest, in order to give our representative
9 plenty of time to really engage with the U.S.
10 Delegation, I would suggest that we at least begin
11 the process of designating the representative.
12 And then a little bit of discussion about
13 establishing expectations for what that
14 representative will do. This seems like it goes
15 without saying, but I found it a little
16 intellectually taxing and challenging -- remember
17 that I was there representing all eight Councils,
18 and the CCC, and trying hard not to look at this
19 issues just from my North Pacific Council lens.

20 So I think just reminding ourselves that
21 that's their function. Which I think I'll use for
22 a representative being a CCC member just because

1 -- if you're just a Council member, it's kind of
2 hard to track with Councils that are operating in
3 completely different marine environments, and all
4 of way across the nation and some of the
5 challenges they are facing, we'll get a better
6 sense of it at the CCC.

7 I recommend that expect that our
8 representative review some of the prior reports to
9 the CCC regarding previous COFIs, and certainly my
10 material is available. And try to discuss with
11 our prior representatives sort of how things went,
12 so they walk in with a sense of, just what the
13 flow is like, that to expect, how to prepare to be
14 engaged.

15 I would hope that we would continue to
16 have written reports afterwards for the CCC
17 record, and I would hope that we, at the CCC, sort
18 of keep an eye on maintaining continuity, not
19 necessarily in terms of the person, but in terms
20 of what we expect of our representative.

21 As I've said already they need to
22 participate in the developing of the U.S.

1 Position ahead of time, the U.S. is a very
2 influential player at COFI. I was with impressed
3 with how influential we were, and I think that's a
4 great thing, but it does mean that if we at CCC
5 don't pay attention to how those U.S. positions
6 get developed, they have a good chance of
7 influencing -- having a major influence on the
8 outcome of the meeting.

9 And then finally, I've already gone
10 through the tick list of the items that I expect
11 will need to be monitored, I'm sure there will be
12 others though.

13 That's sort of my overview, and I
14 thought at this point, Madam Chair, to just kick
15 it open for general CCC discussion as well as
16 questions.

17 MS. McCAWLEY: Are there any questions,
18 discussion or Bill? Anyone? Kitty?

19 MS. SIMONDS: Well, I just want to thank
20 Bill. Because in the old days -- excuse me -- the
21 '90s and the 2000s, Miguel and I would take turns
22 going to these meetings, and for us it was really

1 important because we were doing, you know, saving
2 the birds, saving the turtles, saving the sharks
3 in our regulations in the '90s. Then after that
4 there weren't very many issues that I was
5 interested in, and I don't know about Miguel, but
6 it's very important that someone represent the
7 Councils at those sessions.

8 For example, they just -- COFI just
9 finished a meeting, a future meeting of the
10 fishing industry so, you know, the tuna industry,
11 all sorts of industries went to that session, and
12 the week of the 21st is a session on science and
13 management for the future, everything is about the
14 future.

15 So, I mean, I encourage people to go to
16 these sessions as well, especially that one. I
17 think we are sending a scientist to that one. And
18 one of our SSC members, Ray Hilborn, is going to
19 be there at that meeting. But it really is
20 important.

21 So, Bill, even if you're the only one
22 that wants to go, you need to go, we'll pay your

1 way.

2 MS. McCawley: Yes, Miguel?

3 MR. Rolón: A minor point, but my
4 experience was when I represented the Council they
5 looked at me and, asking me what the hell I'm
6 doing here. So, I was lucky because the
7 Ambassador, Dave Balton, at that time knew me, and
8 I was able to participate every morning at the
9 sessions that we agreed -- and those sessions we
10 discussed, as you know, what we were going to
11 discuss.

12 Also my experience at that time, the
13 other countries were not that interested in
14 participating in COFI, I had to be worrying
15 whether they have an issue to discuss and, you
16 know, then mostly they were no interests, but I
17 like what you did, because that way it forced us
18 to think about these things, and send the
19 information to whomever is going to represent us
20 at the meeting.

21 But the other thing as we -- have you
22 been able to open a channel with the (inaudible)

1 states; and the delegation, to be able to talk to
2 them before the meeting, or during the meeting?

3 MR. TWEIT: I think that both you
4 Miguel, and Kitty, really paved the road pretty
5 well. I found -- well, and certainly both Bill
6 Gibbons-Fly, who wasn't leading the delegation
7 because he was chairing the whole meeting, but
8 also Deidre Warner-Kramer, both certainly are
9 strongly influenced by Dave Balton's view of how
10 we should be engaged.

11 And so I've found that -- I still had to
12 work a little bit to make sure that I was
13 included, but it wasn't difficult. Once I sort of
14 made it clear that I was there and actively
15 interested, they really did incorporate me in all
16 the U.S. meetings, I did never feel excluded, and
17 I certainly felt like I was very listened to.

18 So, I think, both of you did a great job
19 in sort of preparing the ground, and now I think
20 it is productive to have somebody from the CCC go,
21 because we will be listened to, and we will
22 actually have an influence on the outcome.

1 MS. McCAWLEY: Kitty?

2 MS. SIMONDS: Well, yes, and if you're
3 invited to any of the negotiations. I was on the
4 straddling stocks negotiations in the '90s, so I
5 was in New York for several weeks at a time, and
6 the State Department Rep would give each of us a
7 job. We would choose a country to deal with, and
8 so -- you know, they had us working all the time,
9 things sort of changed, they don't necessarily do
10 that, but that was really helpful for us to learn
11 how to deal -- how to actually negotiate too, as
12 well.

13 MS. McCAWLEY: Bill?

14 MR. TWEIT: Kitty brings up a good point
15 that I meant to mention. So thank you for
16 reminding me. There's a lot -- in addition to the
17 main COFI session, there are a lot of side
18 sessions going on every day, and the U.S.
19 Delegation just essentially divvied up, who was
20 going to what. And I got assignments too, it
21 wasn't as if they said, oh, and you can do what
22 you want.

1 No. I was told which ones I was going
2 to go to, and told how I was going to report back
3 on those. So I was there sort of furiously
4 scribbling notes at several of those side
5 sessions. So, you are now just as you sort of
6 experienced in those negotiations, you're treated
7 as a part of the workforce.

8 MS. McCAWLEY: More questions, comments?
9 Yes, Dale?

10 MR. DIAZ: Yeah, we'll just mention that
11 at our last Gov Council Meeting we did have a good
12 bit of discussion that originated for our law
13 enforcement panel, about how do you do fishing and
14 how big of a problem it is, as far as the volume
15 of red snapper that's being taken down towards the
16 Texas/Mexico border in the U.S. waters. So, it is
17 a big issue, and it's very important.

18 MS. McCAWLEY: Yes. Good points. FWUC
19 has been involved in IUU fishing as well. Other
20 comments, questions, discussion? Yes, Miguel?

21 MR. ROLÓN: Are we ready to follow
22 Bill's suggestion and pick the person that is

1 going to represent the Council at this time? Or
2 should I allow that to happen later, after
3 meeting.

4 MR. RAUCH: Miguel, I think in terms of
5 the rotation, it falls to the South Atlantic, and
6 I think our Chair and Vice Chair are discussing
7 about who will go, who is available, so may not be
8 able to make that decision right now, but in the
9 very near future.

10 MS. McCAWLEY: Okay. Any more
11 discussion needed right now. Bill? I appreciate
12 you bringing this forward, Bill, and carrying the
13 torch here.

14 MR. TWEIT: And just to reiterate, that
15 I'll be happy to pass on all the materials that I
16 have from the meeting to whoever is going next.
17 And I certainly will be happy to help orient them
18 through the process.

19 MS. McCAWLEY: That sounds great. All
20 right; so we are little ahead of schedule here.
21 Next up on the agenda is the NS1 Technical
22 Guidance Workgroup Update.

1 SPEAKER: Let's take a break?

2 MS. McCAWLEY: Yes. Well, actually
3 let's go ahead and take our 15-minute break, then
4 we'll come back and do the NS1 presentation.

5 (Recess)

6 MS. McCAWLEY: All right. We're going
7 to get going again. Next up we have Stephanie
8 Hunt who is going to give us an update on the NS1
9 Technical Guidance Workgroup.

10 MS. HUNT: Good afternoon. Hi,
11 everyone. I'm Stephanie Hunt. I am a Branch
12 Chief for the Policy and Guidance Branch in the
13 Office of Sustainable Fisheries.

14 My Branch covers things such as tracking
15 stock status around the country, analyzing
16 legislation that The Hill puts together and
17 producing National Standard 1 Guidance. And as
18 such I'm here today to talk to you about our
19 technical guidance work related to National
20 Standard 1.

21 So, I'll just give you a quick update on
22 the work that we're doing, and I'll go into a

1 little bit more detail on the carry-over and
2 phase-in tech memo that is with you all for review
3 now.

4 So, we last produced technical guidance
5 for National Standard 1 in 1998, over 20 years
6 ago. That was the Restrepo et al. document, and
7 surprisingly that document still stands, and it
8 still provides really good advice, but there've
9 been a lot of scientific advances since that time,
10 and we've revised the guidelines twice since then,
11 in 2009 and 2016. So, it was time to produce
12 additional technical guidance.

13 We formed a Technical Guidance Workgroup
14 with representatives from the Science Centers, our
15 Regional Offices, and Headquarters' Offices, and
16 we also have members of your staff on this
17 workgroup. And we are producing a variety of work
18 products, which I will go through.

19 We divided the workgroup into three
20 subgroups, and I'll go through each of them.
21 Subgroup 1 is chaired by Rick Methot, and it's
22 covering a couple of different issues. Here are

1 the folks that are on that group.

2 The first project is the most
3 significant project and they've been working on
4 this for a while, it's a tech memo on estimation
5 of FMSY, BMSY and their proxies. So you all know
6 that MSY is the basis of fishery management in the
7 United States, so these reference points and their
8 proxies are really important, but direct
9 estimation of FMSY and BMSY has been really
10 challenging and so the Councils often times use
11 proxies.

12 And there's been a lot of research on
13 these reference points and their proxies, but the
14 research has not been summarized and updated since
15 the Restrepo et al. documents. So the purpose of
16 this tech memo is to provide guidance and lessons
17 learned from direct estimation of FMSY and BMSY.
18 It will provide guidance on calculating proxies
19 for these reference points. And it's going to
20 look at some additional considerations such as
21 spatially explicit reference points.

22 There is also going to be a section on

1 the paper on spawning potential ratio methods. So
2 SPR is the most commonly used method for
3 calculating proxies for FMSY and BMSY, and there's
4 been some confusion around SPR, and some of you
5 remember that back in the '90s, the agency
6 disapproved using SPR ratios for overfished
7 determinations.

8 And as with other things, there've been
9 scientific advances on this topic, and there's
10 some science that suggests the SPR may be
11 appropriate in some circumstances for overfished
12 status determination. So the tech memo will
13 describe the circumstances, data requirements and
14 assumptions for using SPR for overfished status.

15 They've been working on this for a
16 while, they made a bit of progress since I last
17 updated you at the main meeting, and particular
18 they've been working the SPR section. They're
19 hoping to have a full draft done for internal
20 review in early 2020, and we're hoping that we
21 would be able to get you all a draft to look at in
22 the summer.

1 Members of subgroup 1 are also working
2 on a light paper catch accounting. So there are a
3 variety of catch accounting procedures in use
4 around the country, and this white paper is meant
5 to -- described some of the issues related to
6 catch accounting, and to describe best practices
7 for accounting for total catch in the stock
8 assessment process, but also in setting harvest
9 specifications.

10 I mentioned this project to you in May,
11 and we haven't done a lot of work on it since,
12 there have been other priorities that have taken
13 up the time of the main authors, but they expect
14 to get back to it January. And if we make good
15 progress, we'll be able to share it with you in
16 the summer or fall.

17 So, that's Subgroup 1. Subgroup 2 is
18 chaired by Dan Holland from the Northwest
19 Fisheries Science Center, this group is the
20 furthest along, in fact they produced a draft tech
21 memo on carryover and phased-in provisions in NS1,
22 which is with your SSCs, for review now.

1 So you'll remember that in 2016 when we
2 revised the guidelines we added provisions to
3 allow for carryover and phase-in as a way to
4 increase stability and flexibility in fisheries
5 management. Some Councils, regions and
6 stakeholders have expressed considerable interest
7 in these tools and provisions, but recommendations
8 on how to develop and apply them are lacking.

9 So this tech memo is meant to provide
10 examples of carryover and phase-in that have been
11 implemented in fisheries so we can learn from past
12 experiences, describe some possible approaches to
13 design and implement carry-over and phased-in
14 provisions, and identify characters of fish
15 stocks, and fisheries management approaches that
16 may impact the benefits and risk of using these
17 provisions. So this one, as I said, was sent to
18 you in August for your review, we've been doing
19 webinars with most of the SSCs, and answering
20 questions, and getting some really good feedback
21 so far.

22 And we have a deadline for January 15

1 for any final comments that you have, and we'll
2 look forward to getting your comments. I'll go
3 into a little bit more detail on the content of
4 this tech memo, since it's out with you for
5 review.

6 On carry-over the National Standard 1
7 guidelines allow Councils to carry over a portion
8 of unused ACL from one year to another. There are
9 two basic approaches for implementing a carry-over
10 provision. One is through an ABC Control Rule, and
11 another is just simply doing it on a case-by-case
12 basis.

13 So the guidelines themselves describe a
14 couple of considerations for using these through
15 an ABC Control Rule. One is that the Council
16 should consider the reason for the ACL average.
17 And the Council should evaluate the
18 appropriateness of carryover for overfished
19 stocks, or stocks in rebuilding plans. So, the
20 NS1 guidelines layout those considerations; and
21 the draft tech memo goes into additional factors
22 that should be considered.

1 A couple of them include, if you do this
2 through an ABC Control Rule you should describe
3 how underages will be accounted for when they are
4 in a multi-sector fishery. You should establish
5 limits on the amount of under-harvested ACL that
6 can be carried forward. In addition, it
7 recommends that you consider simulation analyses
8 to ensure that overfishing is prevented.

9 So those are ways to do this through a
10 control rule. You can also do it on a
11 case-by-case basis outside of the control rule,
12 and this is already done in several fisheries.
13 For example, you could rerun the projections that
14 were used in the last stock assessment with new
15 catch data, and that would be accounting for the
16 quota that wasn't used, and providing new catch
17 advice. You can also look at scenario planning
18 within an assessment to evaluate a wide range of
19 underages that might occur, and then set potential
20 OFLs and ABC based on those underages.

21 And then when you know the catch levels
22 that occurred, and what underages occurred, the

1 SSC can take that information and provide advice.
2 So, it's a way of, basically, preplanning for
3 underages, and allowing carryover of those.

4 So, moving on to phase-in, similarly,
5 the guidelines allow changes to catch limits to be
6 gradually phased in over time, not to exceed three
7 years as long as overfishing is prevented.

8 So, as with carryover you can do this
9 through an ABC Control Rule, or you can do it on a
10 case-by-case basis. The guidelines provide some
11 considerations that need to be considered. One is
12 that the phased-in catch level needs to prevent
13 overfishing every year. So, for example, the
14 catch level can't exceed the OFL in any year, and
15 you should also, as with carryover, consider the
16 appropriateness of this provision for overfished
17 stocks or stocks in rebuilding plans.

18 And then the tech memo describes some
19 additional factors that you should consider than
20 what the guidelines describe. For example, the
21 tech memo says that phasing-in decreases but not
22 increases will have the effect of changing the

1 average buffer size, and you need to consider this
2 and potentially increase it to maintain an
3 acceptable probability of not overfishing.

4 Also maintaining buffer between the ABC
5 and OFL is advisable, especially if there's no
6 buffer between ABC and ACL. Similarly to the
7 carry-over provisions this tech memo notes that
8 simulation testing is a good idea to ensure that
9 any phase-in does not result in overfishing.

10 And then to go into ways you can do this
11 on a case- by-case basis, outside of the ABC
12 Control Rule, the SSC, if they note that there is
13 considerable uncertainty in the catch or
14 recruitment variability or other factors they can
15 go ahead and recommend phasing in catch reductions
16 or increases. This is done, for example, in some
17 of the Alaska FMPs.

18 In addition, another way of doing it is
19 through a forecast -- through a stock assessment
20 where you project whether you can safely phase in
21 a reduction without risk of overfishing. So those
22 are two ways you can do it outside of an ABC

1 Control Rule, and those are described in more
2 details in the tech memo.

3 The final section of the draft tech memo
4 describes additional characteristics of fish
5 stocks and fisheries that might impact the risk
6 and benefits of carryover and phase-in. For
7 example, the life history characteristics of the
8 stocks, if you're looking at short-lived stocks,
9 you might need to apply cautions because they are
10 already at risk, at greater risk of overfishing,
11 understanding the spatial dynamics of fish and
12 fisheries is also important to evaluate the risk
13 of carryover and phase-in.

14 When you're looking at jointly-targeted
15 stocks or fisheries that have bycatch issues, you
16 need to recognize that carrying over catch from
17 one year to the next will shift the target stock,
18 but also shift the target of the bycatch, and you
19 need to consider that.

20 Another issue that is outlined in the
21 tech memo is the idea of allowing carryover
22 provisions while not requiring paybacks for ACL

1 overages can lead to catches exceeding the ACL's
2 on average, and that could be a problem.

3 So those are some of the ideas presented
4 in the tech memo there are many more, and we are
5 very anxious to get your feedback so we can wrap
6 this up and have it available for folks that are
7 interested in implementing these provisions.

8 The last thing I'm going to touch on is
9 Group 3, this group is Co-Chaired by Jim Berkson
10 and Marian Macpherson. They are exploring
11 effective ACLs in data poor situations. So some
12 of you are more aware of this than others, it's
13 really challenging to implement effective ACLs in
14 data poor fisheries. And during the last round of
15 guideline revisions, we included new language
16 clarifying that Councils can recommend alternative
17 approaches for developing management measures, and
18 reference points for data poor fisheries while
19 still complying with the Magnuson Act.

20 So this group is essentially looking at
21 how we can use that flexibility. They are
22 specifically focused on identifying which stocks

1 this might apply to, so which data poor stocks
2 would be most appropriate for this provision.
3 They are looking at recommending alternative
4 approaches for defining and managing to an ACL
5 that still comply with the Magnuson Act, and
6 preventing overfishing.

7 And we are looking at identifying
8 assessment approaches that may be used to generate
9 valid assessment -- valid estimates for certain
10 types of data poor stocks.

11 So this tech memo, is still in
12 development, we've had a lot of discussions
13 internally about it, and it's presenting a variety
14 of ideas. We are still working through it, but we
15 do hope to present this to you at a future Council
16 CCC Meeting. We don't have a great sense of the
17 timing on this one yet, though.

18 So that's the work of the NS1 Technical
19 Guidance Workgroup. I'm happy to take any
20 questions you have.

21 MS. McCAWLEY: Thank you, Stephanie.
22 Questions, comments? Yes, John.

1 MR. GOURLEY: Thank you very much. You
2 mentioned that guidance was going to be developed
3 for when we can use SPR, we are going to be --
4 well, in response to our last bottom fish stock
5 assessments we are going to be separating out our
6 BMUS into a deepwater complex and a shallow water
7 complex, and it appears that we might need to use
8 SPR for the shallow water complex, so we would
9 appreciate the guidance so that we can go ahead
10 and incorporate it. This is going to be done --
11 start very soon. So, maybe next week, you could
12 have it done and sent over?

13 MS. HUNT: I thought you were going to
14 say next year. We could meet you next year. Yes,
15 so our timeline on this is to get a draft ready by
16 the beginning of 2020, and then hopefully reviewed
17 by the summer. But we've definitely been engaging
18 with folks in your region. In fact, a lot of the
19 methods that they've used is part of what's
20 driving our analysis of this.

21 MR. GOURLEY: We have a lot of stocks
22 that are data poor, and so we do have use for

1 this, definitely. Thank you.

2 MS. HUNT: You're welcome.

3 MS. McCAWLEY: Other questions,
4 comments? Tom?

5 MR. NIES: Thank you, Madam Chair. I've
6 got three or four, if it's okay if I just go
7 through all of them.

8 MS. McCAWLEY: Mm-hmm.

9 MR. NIES: Thank you. Stephanie I
10 wonder if you could go back to your slide 6 that
11 will help queue these up a little bit.

12 MS. HUNT: You have to tell me when I
13 get there.

14 MR. NIES: It's in Subgroup 1, what
15 they're doing, that one.

16 MS. HUNT: Right there.

17 MR. NIES: So I guess I've got a couple
18 questions about what this workgroup is producing.
19 And the first question is, is there any discussion
20 in this workgroup of what might be appropriate
21 reference points in a fisheries ecosystem plan?
22 It looks -- it appears from the slide that

1 everything is focused essentially on single stock
2 -- single species, single stock reference points.
3 Are they discussing the concept of how to set an
4 EBFM reference point?

5 MS. HUNT: Not in this subgroup. This
6 subgroup has a long list of ideas that they wanted
7 to pursue, and we're having a hard time getting
8 going, and we all got together and focused --
9 decided that this would be the priority to start
10 with, but I think the -- I think potentially some
11 of those ecosystem ideas will be ticked off next.

12 The EBFM Workgroup is meeting this year,
13 and they're taking a look at the list of ideas
14 that we had generated as part of this, and they
15 may try to tackle some of them through that
16 workgroup.

17 MR. NIES: I'm taking notes. All right,
18 the next question is on the same slide. I'm
19 struggling a little bit, I'm not sure if it should
20 be on this slide for the subgroup or the data poor
21 slide. We have a number of stocks now, we've got
22 a number of stocks where the assessments have

1 failed and we've struggled to define reference
2 points under the empirical approaches that we are
3 using despite catch advice.

4 It's not clear to me whether Subgroup or
5 Subgroup 3 is actually addressing that particular
6 issue. The overfishing point might be relatively
7 easy to address. In some cases if we have a
8 yield-per-recruit relationship, but we've
9 struggled a little bit with the overfished in
10 defining OFLs, and we've actually had a number of
11 stock assessments come out where the peer review
12 says, we cannot define an overfishing level, which
13 of course freaks the lawyers whenever we try and
14 submit those specifications.

15 So, is that being addressed by this
16 group or the other group?

17 MS. HUNT: I think it's best addressed
18 through this group, the situation you're
19 describing because it isn't data poor, per se, you
20 have a lot of information. The group is looking
21 at, if you can't directly estimate FMSY and BMSY
22 what would be appropriate proxies, so it seems

1 like they should be providing some information
2 that would be helpful.

3 But I think it would be -- I would
4 recommend that we have a call with some of the
5 relevant folks to make sure that your specific
6 issues are being addressed, part of -- you know,
7 we want this to be useful, and I think having some
8 examples of on-the-ground problems will help them.

9 So, it's something we've been talking
10 about, we've got folks from the Northeast Center
11 on this group, so we could get somebody from GARFO
12 and the Center, and a couple of members of the
13 subgroup together to understand -- better
14 understand what the issues are, and to make sure
15 that, if we can, we provide advice that is useful.

16 MR. NIES: Thank you. On the next slide
17 you talked about the Catch Accounting Workgroup,
18 or Subgroup, whatever it is. You know, there was
19 an interesting discussion today during the
20 Recreational Fishing session, where I believe it's
21 the Mid-Atlantic Council and perhaps AFMSC are
22 considering how to incorporate uncertainty in the

1 MRIP estimates into monitoring of ACLs and I think
2 it would also be a question perhaps that it's
3 stock-assessment related. Is this Catch
4 Accounting Workgroup looking into that issue at
5 all?

6 MS. HUNT: No. They're looking at
7 things like, you know, predation and how to
8 account for, like shark predation, taking fish off
9 hooks how -- how you account for that, scientific
10 research and things like that.

11 MR. NIES: And my final question that I
12 think relates to the same -- to the first subgroup
13 actually that, you know, I believe we have a
14 participant who is participating in this
15 workgroup, and one of the issues that has been
16 raised, and I'm not quite sure where it's at, is
17 whether this workgroup is getting into how to make
18 the reference points decisions and the use of
19 management strategy evaluation consistent with
20 each other.

21 You know, the Agency is promoting the
22 use of MSEs to test a lot things that we are

1 doing, or proposing, and one of the questions is,
2 that he has raised, as if we have any MSY proxy
3 that's approved based on some stock recruit
4 relationship, do you now constrain the operating
5 model in your MSE to only that particular recruit
6 relationship -- stock recruit relationship, which,
7 in some respects some people would argue really
8 isn't consistent with the concept of MSE, but if
9 you want your MSE to be consistent with your
10 reference points, it's a question whether that
11 should be constrained.

12 Now it's his opinion anyway, and I guess
13 our Council's opinion that that type of issue
14 would be something that perhaps this working group
15 should talk about, and I'm not sure the other
16 members of the working group agree. But do you
17 know if that's been raised at all?

18 MS. HUNT: I do not know. I don't know.
19 You've stumped me but I will take that question
20 for the record and get back to you.

21 MR. NIES: So I'm batting 250, so there
22 we go. Thank you.

1 MS. McCAWLEY: Are there other
2 questions? Yes, Mike?

3 MR. BURNER: Thank you, Madam Chair.
4 And thank you, Stephanie. And thanks for the
5 difficult, technical work here, it's helped our
6 Council directly. In September, we considered a
7 phased-in approach for one of our ground fish
8 stocks, ultimately decided not to pursue it at
9 this time, but having that technical memo in hand,
10 and having Dan Holland at our SSC certainly
11 helped, and we provided some comments there.

12 Looking ahead to the two papers coming
13 out of the Subgroup 1 regarding BMSY, and the
14 other on total catch accounting, you mentioned
15 summer of 2020. I was wondering what sort of
16 review period there might be there, because not
17 only would our SSC be interested in seeing that,
18 but our full Council as well. And we can start
19 penciling that in for our September meeting, or if
20 June was more appropriate, I wasn't sure.

21 I know it's kind of difficult to look
22 that far out of when exactly those drafts would be

1 ready, but the earlier we can plan, the better it
2 will work for us. Thank you.

3 MS. HUNT: Okay. Thanks for the input
4 on timing. I don't think we have set that kind of
5 a timeframe. I think it is challenging to have
6 like a six-month review process which is what we
7 are dealing with the carryover and phase-in. It's
8 hard to get these things completed with that
9 timeframe. But we can check back in, in the
10 spring and see where we are, and figure out when
11 it's appropriate to get it on your Council
12 calendar.

13 MS. McCAWLEY: Other questions and
14 comments? Yes, Carrie?

15 MS. SIMMONS: Yes. Thank you, Madam
16 Chair. Thank you for your presentation Stephanie.
17 I have question on slide 15, I guess, it's maybe
18 the extra slides you didn't get to.

19 MS. HUNT: Oh.

20 MS. SIMMONS: Can you explain the gulf
21 snapper and grouper-tilefish, IFQ 10 percent used
22 in FMPs carryover?

1 MS. HUNT: No. I definitely can't
2 explain that. That's why I took these slides out.
3 (Laughter) No, actually -- yeah, I haven't
4 studied up on this, and there has actually been an
5 email exchange going on about this example, and I
6 haven't followed it, literally, over the last two
7 days. So, would you like me to follow up on
8 anything else in particular, or did we capture it
9 wrong?

10 MS. SIMMONS: I don't --

11 SPEAKER: No.

12 MS. SIMMONS: Yeah, I'd like to capture
13 your answer, but I'm not sure in the essence of
14 what the guidelines are suggesting is that's
15 really what's occurring.

16 MR. CRABTREE: I think what that's
17 referring to is the provision in the regulations
18 that at the end of a year, if you're on an IFQ
19 trip, and you go over and you can get it to the
20 connector so, it's not a carryover in the sense of
21 unused quota's carryover. And I was kind of
22 surprised to see in there as well. But I'm pretty

1 sure that must be what it's referring to.

2 MS. HUNT: Right, so we did provide a
3 bunch of examples in the tech memo, so we'll take
4 a look at this one. And as I said, there's been
5 an email exchange about it, and I don't know where
6 that landed. So, I'll take a look at it.

7 MS. McCAWLEY: Other questions,
8 comments? All right; thank you, Stephanie, for
9 this presentation.

10 MS. HUNT: Thanks.

11 MS. McCAWLEY: All right. Next up on
12 our agenda is a presentation about the NMFS
13 website. And that is from Rebecca, is it Ferro?

14 MS. FERRO: Yes.

15 MS. McCAWLEY: All right. Thank you.

16 MS. FERRO: Okay. Let's go, and we'll
17 see if it works. Thanks Anjanette.

18 MS. RILEY: (off mic)

19 MS. FERRO: Okay. Thank you. Hello,
20 everyone. Good to see you all again. It's been
21 18 months. I think I had a better view of you all
22 in Sitka, to be honest. But that's okay. And

1 good to know you're ready for happy hour, we are
2 ahead of schedule, so I'll try not to drag this
3 out too much for you, and allow you some time to
4 ask some questions.

5 So, since we were last together, I'm
6 going to give you an update on everything that's
7 we've achieved in the past months, some updates on
8 our customer satisfaction data, where we are at
9 with improvements and how we are prioritizing
10 those, some user testing with our fishermen at the
11 moment that we are working on, and some other site
12 improvements on some of our key landing pages that
13 I think you'll be most interested in.

14 But before we get started, I actually
15 wanted to share a short video that we did this
16 year, for our visitors to help them kind of know
17 better how to navigate this site. Of course when
18 you're changing your site around you move their
19 things around and people have trouble finding
20 things, so we did this video hoping that it would
21 help them with their navigation and search.

22 Is there a play button here Anjanette?

1 It's a short video it's less than two minutes.
2 There's a couple of things that we did to help
3 users find items on the new site, and so we did
4 this video and we also created a site index, and
5 I'll show you that a little later on too.

6 SPEAKER: (off mic)

7 MS. FERRO: Do you want to get down to
8 the footer?

9 (Off-the-record discussion)

10 MS. RILEY: Sorry.

11 MS. FERRO: Can we start from the
12 beginning?

13 MS. RILEY: Yes.

14 MS. FERRO: Thank you. Yeah, everybody
15 is awake now.

16 (Video playing)

17 SPEAKER: Welcome to the New NOAA
18 Fisheries website.

19 (End of video)

20 MS. FERRO: Thanks, Anjanette. Okay, so
21 let's get started. Where are we in the migration
22 process? We are three years in, we are starting

1 our fourth year, we are about 70-75 percent
2 complete.

3 Since we last met, the Pacific Islands
4 Regional Office Science Center, Alaska Region and
5 Center, and Southeast Region and Center have all
6 completed their migrations, they are all in the
7 new site which is actually showing up in our
8 usability research and data from the customer
9 satisfaction surveys that we are getting.

10 And in the works, sites that have been
11 redirected already to the new site but there still
12 a bit more content to migrate, that's the Greater
13 Atlantic Region and West Coast Region, they hope
14 to be finished by the end of this year. And then
15 in the remaining schedule we've got the Northeast
16 Center who -- or which is hoping to wrap things up
17 next March, and the Northwest Center, and the
18 Southwest Center are hoping to finalize and turn
19 off their old sites by August of next year.

20 An update on our goals, we originally
21 were hoping to increase our traffic by 10 percent
22 annually after migrations are complete and we are

1 on track with that actually. We did -- I've
2 checked in with all the sites that have finished
3 their migrations thus far, and since the final
4 migrations for the Southeast Region happened in
5 June, our traffic is up about 10 percent across
6 all the completed migrated sites.

7 The other interesting think that we are
8 seeing is that we have more mobile visitors now
9 than we have in the past. We are up front about
10 25 to 50 percent mobile traffic, and that is
11 likely because this is the first time we've had a
12 mobile-friendly site, and also the Google
13 algorithms in search engines, actually prioritize
14 mobile-friendly sites. So that works out in our
15 favor.

16 Our baseline data for our customer
17 satisfaction score started out around an average
18 of 69 across our sites, back in 2015 it ranged
19 from 49 for one particular site to as high as 76
20 on another site, so we are seeing our score for
21 this current year, 75 plus, and that is actually
22 above -- mostly above the government benchmark,

1 which is 75 for just desktop, and 84 for mobile.

2 And that 5 percent jump between desktop
3 and mobile is actually pretty average trend across
4 all sites. And what I think you'll be interested
5 in though, is our recreational fisherman's scores
6 are up, 74 for desktop, 77 mobile, and where we
7 are still yet -- we still have a lot of work to do
8 is with our commercial fishermen, the score is
9 still about the same, 55 for desktop, but it is up
10 for mobile, so there's some interesting trends
11 there, and I'll drive a little bit deeper into
12 that.

13 You'll notice in the corner up here, we
14 got a Webby Award this year, which is the best of
15 the Internet in the Science category, so we were
16 excited about that. We've also gotten a Muse
17 Award, which is for design, and Acquia Award for
18 government partnership, and just a couple weeks
19 ago, the site got an award for W3, which is
20 accessibility on the Internet. Who knows, maybe
21 there's another award out there, I'm not quite
22 sure, but we are working on it.

1 Here are some interesting Google
2 analytics trends. So this is where you see that
3 our mobile traffic is about half of all of our
4 users, including our new users. What's
5 interesting is the differences you see between our
6 desktop users and mobile users. The desktop users
7 are visiting more pages, that's that third column
8 that you're looking at up there; 4.7 million
9 about.

10 And they're spending more time on pages,
11 so we are putting out a lot more current news
12 feature stories, et cetera, new content coming up,
13 so the desktop users are definitely on the site
14 longer. And that makes sense. If you're on your
15 phone you're mostly scanning.

16 Here's the charts, you see the blue
17 line, is our new site, and then the purple line is
18 the Federal Government benchmark. So you can see
19 that we are mostly above average with Federal
20 Government websites.

21 That's desktop, this is mobile saying we
22 are above the Federal Government average for the

1 most part on mobile trends -- satisfaction trends.

2 This is just quickly to show you our
3 satisfaction scores across the site are pretty
4 consistent from quarter to quarter, folks plan to
5 return to the site, say, information was easy to
6 find, for the most part. There are some
7 exceptions, user exceptions and we'll get there.

8 Here is where we get into our specific
9 audiences. And I apologize, this is hard to see.
10 The bars are actually the number of visitors for
11 each site, so you can see our general public is
12 the biggest bar there, followed by recreational
13 fishermen, followed by students, educators. I
14 think the eighth bar over is our commercial
15 fishermen audience. So our commercial fishermen
16 audience, we had 70 respondents.

17 What you see at the bottom are our
18 satisfaction scores, so there's the line for the
19 2019 scores, and the line for the 2015 scores and
20 we put in some arrows there to show that the
21 customer satisfaction scores across most of our
22 audiences have improved, so, with the new site.

1 So where we still have work to do is with the
2 commercial fishermen, and I'm going to dive into
3 that. So, that's desktop.

4 This is mobile audience, and what's
5 interesting on this slide is that suddenly our
6 commercial fishermen audience has moved from the
7 eighth slot -- the audience in the eighth slot to
8 the number four slot, and the satisfaction score
9 for commercial fishermen in this category jumped
10 11 to 12 points. So that's another just
11 interesting factoid that we've noticed here.

12 So, what are we working on in terms of
13 overall improvements? So, like clearly that we do
14 have some usability issues we need to tackle, we
15 are continuing to look at the 4C satisfaction
16 data, but what we have going on right now, is the
17 user testing with the fishermen, and so we have
18 worked out some specific tasks that we are asking
19 them to complete.

20 We have our user experience experts
21 getting on the phone with them and actually asking
22 them to complete tasks to see how they're doing,

1 how they are moving through the site. We've
2 finished the testing with the Alaska Group, and it
3 was truly a bell curve where we had users that
4 were very happy with the site, users that were
5 very unhappy with the site, and those in between
6 that when, you know, we were asking them to
7 complete a task, it took them a little while, but
8 they eventually found that, and it turns out once
9 they find their page they bookmark their page
10 anyway.

11 So we are taking all that feedback, we
12 are going to be interviewing some recreational
13 fishermen, commercial fishermen for higher
14 charter, both in -- the southeast is next, they
15 are our next group to target.

16 So, once we get all that feedback, we'll
17 take that and start working on improvements to
18 site to address some of the issues that --
19 usability issues that they're having.

20 We are working on search engine
21 optimization, we've had an expert provide us some
22 input and do an audit of our new site to tell us

1 how we should be improving to increase the
2 rankings of our content in search engines, so when
3 our user goes to Google, which 60 percent of all
4 our users come to our site from a search engine,
5 they can enter it in, and make sure that our
6 content is rising on that first page of your
7 results in a Google search.

8 The audit was maybe 50 pages long, those
9 persons, there's a wealth of information and we
10 probably learned more that Google knows more about
11 us than we really want Google to know. So, we've
12 got our work cut out, as far as it could be a
13 multi-year plan, so we're trying to prioritize
14 these improvements now, as we move through the
15 audit.

16 We also had our desktop on mobile
17 usability audits done. Those improvements were
18 slipping in to our sprint process as we go. One
19 of the next big improvements that's on our list to
20 do is overhauling the internal site search so when
21 you go to our site and there's that site bar up in
22 the right- hand corner, and you type something in,

1 we needed it to be more robust.

2 So, for example, users who are trying to
3 find a publication by a particular author, they
4 can enter in that author's name and that
5 publication would pop up. That's how robust we
6 want that search box to work.

7 These are some of the questions that
8 we're asking our fishermen, test subjects I guess,
9 and so just asking them to complete some specific
10 tasks. We worked with our user -- subject matter
11 experts in the Alaska Regional Office to help us
12 devise some questions for our Alaska fishermen and
13 the same for the Southeast. Particularly in the
14 Southeast we know we want to ask some permit
15 questions to make sure that they're finding their
16 permits, and then just other generic questions
17 about their use of the site.

18 So I'm hoping to click into some of our
19 -- thank you, Anjanette. Do you want me to come
20 up there?

21 MS. RILEY: You can stay there.

22 MS. FERRO: Okay. Let's show them the

1 site index. I think that's something new that you
2 all haven't seen. We created this -- you know,
3 you can only have so many links and dropdown menus
4 in the global navigation, so this site index, we
5 just have so many topics that we cover. We
6 created the site index so that users could dig
7 into like some of those sub topics and get to -- I
8 don't know, dive into specific sub- topics.

9 Do you want me to come up to the site?

10 MS. RILEY: Oh. It wasn't showing on
11 the page.

12 (Off-the-record discussion)

13 REPORTER: Use the microphone though,
14 please.

15 MS. RILEY: Can you help us, please? We
16 need to be able to see the website now. Sorry.

17 MR. KELLY: Do you want that on the
18 screen?

19 MS. RILEY: Yes, please.

20 MR. KELLY: Okay.

21 MS. FERRO: Thank you. Okay. So this
22 is -- sorry guys.

1 (Off-the-record discussion)

2 MS. RILEY: Is it working?

3 SPEAKER: Here you go.

4 MS. FERRO: Thank you. All right,
5 technical crisis averted; people. We are still on
6 track for happy hour too, so that's good.

7 This is our deeper dive site index that
8 we created, so you can see we've added additional
9 topics here, we can't -- we don't have room for
10 the -- in the global navigation for all of these
11 topics, so this is a way for users to scan
12 additional topics to click into.

13 The other place where I think you'll
14 find some differences is in our rules and regs
15 landing page. We've reorganized this so that it's
16 organized by our regional -- our regions, and
17 there's links into -- it takes the user to,
18 directly to notices and rules, whether that was
19 open for comment, regulation management plans,
20 bulletins, especially -- all those specific things
21 to regions. And then resources are done here as
22 well, so you can click into your regional

1 management Councils, or other related high-level
2 topics are there too.

3 Under fishing and seafood we've done
4 some updates where we've organized the content
5 better for sustainable fisheries where it's high
6 level, status of fisheries across tier management
7 and science, where I think you'll be most
8 interested to see the changes though in our
9 resources for fishing which takes you to
10 commercial fishing, as well as recreational
11 fishing.

12 So, if I were to click in here, we've
13 got content for commercial fishing, rec fishing,
14 subsistence fishing, and our fisheries by region.
15 This content goes to specific regional landing
16 pages where you can see all the fishing resources
17 that we need there, or other topics as well.

18 Clicking into fisheries by region, we go
19 into a page, each region has a sustainable
20 fisheries page like this one, and it helps users
21 get to specific content. Now each region --
22 content varies from region to region, so there was

1 some -- this allowed some flexibility for each
2 regional office to add the links that they needed
3 to various different kinds of resources.

4 And likewise, you can go into a region
5 and get to this content as well, if you are most
6 likely to search things by region at a high level.
7 So this is another way to get there. Other
8 resources, we've got permits. This is also
9 organized by region.

10 And I think that was mostly what I
11 wanted to share with you all today. I think I'm
12 ready for questions. Do you guys want to see
13 anything else while I'm up here I can?

14 MR. GOURLEY: We need some (inaudible)
15 and the little dots.

16 MS. FERRO: Oh, right here?

17 MR. GOURLEY: The little dots, yeah.

18 MS. FERRO: We need some Mariana dots?
19 I will take that back to our graphic designer.

20 MS. McCAWLEY: Jim? I remember, and she
21 talked about you guys, okay, so it's our turn.
22 Hurry up, quick, let's just look at it then.

1 MS. FERRO: All right.

2 MS. McCAWLEY: So, Miguel?

3 MR. ROLÓN: I'm curious because I'm
4 ignorant about this, but do you know about the
5 management plans in the Caribbean? I have one in
6 Latin, integre accusamos duo (phonetic). It feels
7 like I'm in church. I don't know what this is all
8 about, maybe a mistake, or maybe it's like for
9 something else.

10 MS. FERRO: I'm sorry. Can you repeat
11 the question?

12 MR. ROLÓN: About the management plans.

13 MS. FERRO: Oh, the management plans,
14 okay.

15 MR. ROLÓN: For the Caribbean.

16 MS. FERRO: Let me go looking. Here?

17 MR. ROLÓN: Yeah.

18 MS. FERRO: Management plans, we are
19 missing one?

20 MR. ROLÓN: Yeah, and that one, "integre
21 accusamos duo." What is it?

22 MS. FERRO: Oh, yeah. I don't know.

1 MR. ROLÓN: I feel blessed --

2 MS. FERRO: Oh, it's a test. Good
3 catch. Thank you. We need to get back and look
4 at those, yeah.

5 MR. ROLÓN: (off mic)?

6 MS. FERRO: Yeah. I know it is, it's a
7 place holder, it's one of the original test pages
8 that didn't cleaned out. Sorry about that. We'll
9 delete that.

10 MS. McCAWLEY: Kitty?

11 MS. SIMONDS: So, I noticed that you had
12 a category that said fisheries and sharks. So are
13 sharks not fish? I mean, it's just unusual that
14 you would be -- yes, that.

15 MS. FERRO: It's a keyword, sharks are a
16 keyword that attract a lot of attention,
17 especially for the general public audience, they
18 are part of the same fish group, it's just adding
19 a keyword there.

20 MS. SIMONDS: Yeah, yeah, okay.
21 Political placement --

22 MS. McCAWLEY: Other questions or

1 comments. Tom, and then Eric?

2 SPEAKER: All right, let's see what he
3 says, and I'll see if I can go (inaudible).

4 MR. NIES: Thank you. I guess I've got
5 a question about maybe the design criteria for the
6 webpage. Was there a decision made to remove
7 useful documents? And what I mean by that is
8 that, you know, I've searched for a number of
9 documents that I used to be able to find on
10 various Regional Office web pages. And now it
11 seems like they're not there. Some of them are
12 still available on the Regulations.gov webpage,
13 but that takes a pretty good effort to really dig
14 those out.

15 I mean, an example I used, you know, as
16 Mr. Witherell and I were talking a few weeks ago
17 about supplemental information reports, and I was
18 looking for one from the North Pacific which used
19 to be on the Alaska Region webpage, and now it's
20 not anywhere that I can see, except on the
21 Regulations.gov webpage, which took me, who, I
22 consider a fairly experienced web user, you know,

1 probably a half hour to figure out. So is that a
2 design principle that you adopted not to have
3 things that are on the web somewhere else?

4 MS. FERRO: So, a couple of things that
5 we took into consideration when we started this
6 project. One was as a communications tool, we
7 wanted to focus on current content, and get away
8 from treating the website like a filing cabinet,
9 but that is not necessarily to get away from
10 maintaining important documents that are useful
11 and audiences need to get to.

12 So, we had an inordinate amount of PDFs
13 to migrate over. I think it was like 55,000 PDFs
14 across all of our websites. As part of this
15 project all of those PDFs have to (inaudible)
16 accessible when they migrate into the new site, so
17 that could be an issue that has been slowing folks
18 down, migrating older documents.

19 They're also looking at the traffic to
20 those documents to prioritize what they're moving
21 over, so the most visited documents get priority
22 migration order. I do know a lot of the regional

1 offices are migrating a lot of that historical
2 documentation attached to amendments, and rules,
3 and notices over. So it could be something I
4 would probably check in with the Regional Office
5 and just ping them and let them know that you're
6 interested in those documents.

7 MS. McCAWLEY: Tom?

8 MR. NIES: Just to follow up, and I
9 don't know if this is something that would be easy
10 to do or not. But you know, a lot of times the
11 Federal Register notices from the past, whatever
12 reference to a webpage which no longer exists.
13 And I understand you can't go back and correct the
14 Federal Register, but is there any way that, you
15 know, rather than to file a "not found" answer,
16 there could be something that says -- even
17 something as simple as, go look at the NOAA
18 Fisheries webpage.

19 MS. FERRO: So, there should be a
20 redirect for all old sites, got into the site, and
21 what we've asked our Regional Offices and Centers
22 -- all the office sites to do is to identify

1 redirects, specific redirects that we would want
2 to put in place. And that could be what's so
3 needed is to determining some extra redirects that
4 maybe need to go to a specific place on the new
5 site.

6 MS. McCAWLEY: Any other questions or
7 comments? Eric?

8 MR. REID: Yeah, I mean I'm not the --
9 when it comes to computers I can beat the hell out
10 of it, because I don't know how to use it half of
11 the time, but it's a little bit hard to navigate.
12 I mean, the website is beautiful but, you know,
13 I'm trying to do it right now, and if I put in
14 fish and sharks, and I put menhaden for New
15 England, and the Mid- Atlantic, and I put find
16 results, I get, no species match your filter
17 criteria.

18 I figure menhaden was a pretty simple
19 one, that's what it is. I looked for -- was it
20 Bocaccio, because I don't know anything about
21 Bocaccio. But I couldn't find anything about that
22 either, it's a little bit hard just to get through

1 it. You know, I look for landings data, that's my
2 big thing, and it's really hard to find.

3 MS. FERRO: I don't know if I spelled it
4 right, but I will tell you that we don't have all
5 of the fish species in here, what we started with
6 was -- were all the species that were on
7 FishWatch.gov, so now the regions are trying to
8 prioritize the next layer of -- level of species
9 that need to be migrated in, and they have to
10 create profiles for all those fish species, so
11 that's might be why this one doesn't have a
12 profile yet.

13 MS. McCAWLEY: Okay. Other questions or
14 comments about the site? All right, yes, Marcos?

15 MR. HANKE: Thank you. Thank you very
16 much for taking into consideration most of the
17 recommendations at Sitka; thank you very much.
18 The only thing is that I tried to put the hat of
19 people that have never been into fishery, right?

20 MS. FERRO: Mm-hmm.

21 MR. HANKE: We have to assume that they
22 know that the Caribbean Council, and other

1 Councils under this region. I remember very clear
2 that we discussed the need of having a Council
3 bottom, direct button, or something to press up
4 ahead in order to facilitate the Council -- to
5 fine a Council.

6 The Caribbean is still a little bit
7 deeper into the weeds to find it, and I can see
8 many people not finding us, on this scheme, even
9 it got way better, and I want to say thank you, to
10 you.

11 MS. FERRO: Okay. Thank you. We've
12 tried to put the links to the Regional Fishery
13 Management Councils in a lot of different places,
14 so like on our old site we have our Fishery
15 Management Council, this is the first tab here
16 under Partners, but then there are multiple ways
17 to get to our -- to get to the Regional Management
18 Council's -- that we've added to all of the tabs
19 here, I think. So, every single one, including
20 here, so what would happen is, if we click in --
21 let's just try to find -- I'm going to try then,
22 Southeast page, let's do that.

1 So, the Southeast we've got three
2 management areas, the Caribbean, South Atlantic
3 and Gulf of Mexico. So this is our Caribbean
4 landing page, and I'm thinking somewhere on this
5 page, right there, is a link to the Caribbean
6 Council webpage. So, it takes the user first to
7 the Caribbean content that Fisheries offers, and
8 then we should have a link to the Council on that
9 page. Does that work for you?

10 MR. HANKE: For me it works, but I'm
11 just putting the hat of somebody that has never
12 been into the site, they don't know that NOAA is
13 divided -- they have partners so they have the
14 Southeast, and different regions, you know, and on
15 our neck of th woods people know that the Council
16 is there, because this is the meetings that they
17 are attending. They're going to look for
18 Councils, for Caribbean, CFMC Council in our case
19 and --

20 But anyway it's much better, it's very
21 functional. Thank you very much.

22 MS. FERRO: You're welcome. I just

1 typed in "Councils" just to see what would come
2 up, and it takes -- recommends the partner's page,
3 but then takes you directly to the Regional
4 Management Councils too.

5 MR. HANKE: Thank you.

6 MS. McCAWLEY: All right; other
7 questions or comments? All right, Rebecca, thank
8 you so much for the presentation.

9 MS. FERRO: Thanks everyone. I'll take
10 your comments back, and add to our list of
11 improvements.

12 MS. McCAWLEY: All right. Unless
13 there's any other business for today, we are going
14 to adjourn for the day, and we will convene again
15 in the morning at 8:30. Gregg has an
16 announcement.

17 MR. WAUGH: During the CCC Committees
18 and Workgroups, we'll be leading off with the
19 Habitat, and I don't think there are any action
20 items there. Communication Group, there won't be
21 any, but we sent around some revised language that
22 Mike put together as requested on the electronic

1 monitoring, so please look at that. We'll be
2 looking for some CCC action tomorrow.

3 And then the CMOD, the Fishery --
4 Regional Fishery Management Forum, I don't believe
5 we made a final decision on that. So, look that
6 stuff over, the cost information, and we'll want
7 to pick that up. And then finally the terms of
8 reference, take a look at that. There are some
9 changes there we want to approve that. That will
10 help us move along more quickly in the morning.

11 Thank you, Madam Chair.

12 MS. McCawley: Thank you. Any other
13 business for this afternoon? All right, then we
14 stand adjourned for the day.

15 (Whereupon, at 4:46 p.m., the
16 PROCEEDINGS were continued.)

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CERTIFICATE OF NOTARY PUBLIC
DISTRICT OF COLUMBIA

I, Mark Mahoney, notary public in and for the District of Columbia, do hereby certify that the forgoing PROCEEDING was duly recorded and thereafter reduced to print under my direction; that the witnesses were sworn to tell the truth under penalty of perjury; that said transcript is a true record of the testimony given by witnesses; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was called; and, furthermore, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



Notary Public, in and for the District of Columbia

My Commission Expires: March 31, 2022