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NATIONAL MARINE FISHERIES SERVICE

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OFFICE OF SCIENCE AND TECHNOLOGY

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ATLANTIC HIGHLY MIGRATORY SPECIES ADVISORY PANEL

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THURSDAY
SEPTEMBER 6, 2018

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The Advisory Panel convened in the Magnolia Room of the Sheraton Silver Spring Hotel, 8777 Georgia Avenue, Silver Spring, Maryland, at 8:30 a.m., Bennett Brooks, Facilitator, presiding.

PRESENT

- BENNETT BROOKS, Facilitator
- JASON ADRIANCE, State Representative; Louisiana Department of Wildlife and Fisheries
- PATRICK AUGUSTINE, Recreational
- ANNA BECKWITH, Council Representative; South Atlantic Fishery Management Council
- RICK BELLAVANCE, Recreational; New England Fisheries Management Council
- STEVEN CANNIZZO, Recreational; Proxy for Bob Bogan
- BENJAMIN CARR, Environmental Representative
- ANDREW COX, Recreational; Costa Sunglasses

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PRESENT (cont.)

SONJA FORDHAM, Environmental; Shark Advocates
International

TOM FRAZER, Council Representative; Gulf of
Mexico Fishery Management Council

GRANT GALLAND, Environmental; Proxy for Shana
Miller

WALTER GOLET, Academic; University of Maine
School of Marine Sciences; Gulf of Maine
Research Institute

RANDY GREGORY, State Representative; North
Carolina Division of Marine Fisheries

MARTHA GUYAS, State Representative; Florida Fish
and Wildlife Conservation Commission

MARCOS HANKE, Council Representative; Caribbean
Fishery Management Council

LUKE HARRIS, Commercial; Pure Harvest Seafood

DEWEY HEMILRIGHT, Council Representative; Mid-
Atlantic Fishery Management Council

RUSSELL HUDSON, Commercial; Directed Sustainable
Fisheries, Inc.

ROBERT HUETER, Academic; Center for Shark
Research, Mote Marine Laboratory

STEPHEN IWICKI, Recreational

WALLACE JENKINS, State Representative; South
Carolina Department of Natural Resources

RAYMOND KANE, Commercial; Cape Cod Commercial
Fishermen's Alliance

DAVID KERSTETTER, Academic; Nova Southeastern
University Oceanographic Center

CHARLIE KLUCK, Commercial

GREG MAYER, Commercial; F/V Fishin' Frenzy

ROBERT "FLY" NAVARRO, Recreational; Fly Zone
Fishing

JEFF ODEN, Commercial; F/V Sea Bound

TIM PICKETT, Commercial; Lindgren-Pitman, Inc.

MICHAEL PIERDINOCK, Recreational; CPF Charters
"Perseverance"; Recreational Fishing
Alliance

GEORGE PURMONT, Commercial

MARK SAMPSON, Recreational; Ocean City
Charterboat Captains Association

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MARTIN SCANLON, Commercial; F/V Provider II

PRESENT (cont.)

DAVID SCHALIT, Commercial; American Bluefin Tuna
Association

JASON SCHRATWIESER, Recreational; International
Game Fish Association

GREGORY SKOMAL, State Representative;
Massachusetts Marine Fisheries

SCOTT TAYLOR, Commercial; Dayboat Seafood

PERRY TRIAL, State Representative; Texas Parks
and Wildlife Department

RICK WEBER, Recreational; South Jersey Marina

KATIE WESTFALL, Environmental Representative;
Environmental Defense Fund

ANGEL WILLEY, State Representative; Maryland
Department of Natural Resources

ALSO PRESENT:

KARYL BREWSTER-GEISZ, HMS Headquarters

ENRIC CORTES, NOAA Fisheries Southeast Fisheries
Science Center

GLENN DELANEY, Glenn Roger Delaney Consulting

GUY DUBECK, HMS Headquarters

JOHN FOSTER, Office of Science and Technology

JEFF HEISNER*

YONG-WOO LEE, Office of Science and Technology*

CAMI McCANDLESS, NOAA Fisheries Narragansett

BRAD MCHALE, HMS, Gloucester Office

LISA NATANSON, NOAA Fisheries Narragansett

MARIAH PFLEGER, Oceana

*Present via telephone

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A-G-E-N-D-A

Reconvene 5

NMFS Bottom Longline Shark Survey History
and Results

 Presentation..... 8

 HMS Advisory Panel Discussion..... 19

Trends in Indices of Abundance used in Dusky
and Sandbar Shark Stock Assessments

 Presentation..... 44

 HMS Advisory Panel Discussion..... 58

Amendment 11 - Shortfin Mako Sharks

 Presentation..... 78

 HMS Advisory Panel Discussion..... 92

Marine Recreational Information Program (MRIP)
Fishing Effort Survey Transition Plan Update

 Presentation..... 138

 HMS Advisory Panel Discussion..... 166

Amendment 14 - Domestic Shark Quota Management

 Presentation..... 196

 HMS Advisory Panel Discussion..... 216

Public Comment 251

Meeting Wrap Up & HMS Division Priorities

 Presentation 260

Adjourn 287

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

2 8:42 a.m.

3 MR. BROOKS: All right. Good morning,
4 everybody, and welcome back. Thank you for a
5 good conversation yesterday. We have another
6 busy day today, though we'll get you out here a
7 little bit sooner. Again, a 3:00 p.m.
8 adjournment.

9 We'll start off the morning -- again,
10 just a reminder that if you're looking at your
11 agendas, we are going to follow the original
12 agenda. We were not able to turn things around.

13 So, in a minute here, we'll get an
14 update on the NMFS Bottom Longline Shark Survey
15 History and Results.

16 Then, we'll move into Trends and
17 Indices of Abundance on Dusky and Sandbar Shark
18 Stock Assessments. After a break, we will come
19 back and pick up Amendment 11 around shortfin
20 mako sharks. And then, into a presentation from
21 MRIP on its Fishing Effort Survey transition

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1 plans.

2 After lunch, we'll come back and talk
3 about Amendment 14, the Domestic Shark Quota
4 Management. And then, we will take public
5 comment, get the traditional HMS summary, and
6 then, we will adjourn.

7 Are there any other topics, again,
8 that we -- any of you want us to try to squeeze
9 in here today? Or are we good with this? Okay,
10 we'll assume we're good then.

11 If your phones are not on silent or
12 off, if you could do that now, that would be
13 great.

14 And then, let me just check and see,
15 for teleconference, do we have any folks on
16 teleconference? And if so, operator, if you
17 wouldn't mind opening the line, so we can at least
18 know who is on the line.

19 OPERATOR: Yes, we do have two in
20 conference and another one signing in right now.
21 One moment. All right, your lines open on the

1 audio side.

2 MR. BROOKS: Great, if you could just
3 introduce yourselves?

4 MR. HEISNER: Jeff Heisner.

5 MR. BROOKS: And, Jeff, you're with?

6 MR. HEISNER: Our Dream Chargers in
7 Huntington, Connecticut.

8 MR. BROOKS: Okay, thank you. Anybody
9 else?

10 OPERATOR: We do have two other lines.
11 If you have your lines muted on your own end,
12 please unmute and give your name at this time.

13 MR. BROOKS: Or not.

14 MR. LEE: Yong-Woo Lee, NOAA Fisheries.

15 MR. BROOKS: Great. All right. We'll
16 assume there's a third person on who is a little
17 shy. Okay. And then, is there anyone else in
18 the room today who wasn't here yesterday? If you
19 wouldn't mind introducing yourself? Pat?
20 Anybody? Okay. All right.

21 Then, let's jump in here. And again,

1 we want to start off, Lisa Natanson with
2 Northeast Science Center is going to talk to us
3 about the Bottom Longline Shark Survey History
4 and Results.

5 And I believe Cami McCandless is here
6 as well, to answer questions as needed. So,
7 right in the back there. Lisa, it's all yours.

8 MS. NATANSON: Well, thank you for
9 inviting us here to explain our survey.
10 Basically, I'm just going to take you through the
11 history, how we started, how we do the survey,
12 and then, end with some results.

13 So, our survey essentially started in
14 1986, but that survey was done in the summer, it
15 was done with pelagic Yankee gear, and cannot be
16 directly compared to the survey that we do now.

17 We then started using bottom gear, we
18 weighted the Yankee gear for two years, in 1989
19 and 1991, to try to get the large coastal sharks
20 along the survey. And those surveys were done
21 in spring, which is consistent with the survey we

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1 do now.

2 In 1985, the Southeast Fishery Science
3 Center decided they wanted to do a survey in the
4 Gulf of Mexico and into the East Coast. So, we
5 all got together and redesigned the survey to
6 mimic the current commercial longline methods at
7 the time.

8 So, we talked to a lot of the
9 commercial fishermen and designed a new gear type
10 using monofilament gear, which we have used
11 consistently until this time.

12 The only difference at the time
13 between our survey and the Southeast is, we had
14 started to notice a decline in numbers and a lot
15 of our work revolves around biological data and
16 tagging, so we wanted to get more fish.

17 So, we increased the number of hooks
18 to 300. We increased our soak time to three
19 hours. And we changed our bait for retention
20 issues and from mackerel to spiny dogfish.

21 So, since our 1996 survey, we have

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1 done everything exactly the same. You can see,
2 we always use 300 hooks, three hour soak time,
3 spiny dogfish.

4 We have changed vessels, which I'll
5 get into. The dates are all pretty much the
6 same. We do 47 days, at some point in April into
7 May.

8 We used to start in Key West and go
9 up to Maryland. We now start in Fort Pierce.
10 And due to weather, the four last trips, we
11 haven't made it past North Carolina, which I'll
12 also get into.

13 So, the original survey design on your
14 left is 90 stations between five and 40 fathoms.
15 We have, in 2015, this is the actual survey track,
16 there's a lot of stations there that are now
17 obstructed by cables, that we can't do.

18 We also, as I mentioned, back in the
19 old days, we were able to complete the entire
20 survey in 47 days. We had a couple weather days
21 built in. Now, we get substantially more weather

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1 days and we haven't been able to complete the
2 survey.

3 Additionally, a lot of our offshore
4 40-fathom stations, we've had to cut out, due to
5 the Gulf Stream coming in.

6 So, we start the survey here now and
7 we go all the way up, this is the closed area,
8 North Carolina closed area. And that was 2015
9 and 2018, which we just finished in June. I
10 mean, May.

11 We did basically the same. It's kind
12 of a composite of the 2012 and 2015 surveys, if
13 you look at the sets. And we were, for the first
14 time in several surveys, able to do a few sets
15 above the closed area. And those will come into
16 play later.

17 So, as I mentioned, the only thing
18 that we've really changed is the platform. We
19 used to use the NOAA Ship Delaware II primarily.
20 And if we couldn't use the Delaware II, we would
21 charter a university vessel.

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1 We had kind of problems with that, in
2 terms of safety and the fact that they were not
3 used to longlining, they really didn't know how
4 to longline very well and we would have to teach
5 them how. So, we felt for our benefit, it would
6 be better to charter a commercial vessel. So,
7 for the past three surveys, we've chartered the
8 Eagle Eye II.

9 It's a 47 total day survey. We break
10 that down into three-week legs. So, we need a
11 large enough vessel to house the food for that
12 amount of time and fuel, obviously.

13 We also work 24 hours a day, so we
14 need essentially two crews at least in the
15 wheelhouse. We take two to three scientists. We
16 try to take three. And we need a fair amount of
17 work space for our data collection.

18 So, the gear configuration, like I
19 said, we use 300 gangions bated with spiny
20 dogfish. We have that weighted with about 300
21 pounds of weight.

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1 So, we start with a high flyer, let
2 out the scope, drop some weight down. Every 15
3 hooks, we drop another weight. And every 50
4 hooks, we have a marker buoy, with heavier
5 weights.

6 We end up with five marker buoys, 300
7 hooks, and then, we cut it off. Last hook in to
8 first hook out is three hours.

9 So, just in terms of what we do, we
10 set the gear, it takes about 15 minutes. We then
11 drop a CTD, which gives us our environmental
12 parameters, such as salinity and temperature.

13 We soak the gear three hours. The
14 haul time depends on how many fish. That's
15 another factor that's limited the number of sets.

16 When we first started, as you'll see
17 later, we weren't catching that many fish. We
18 could do a lot of sets, because we didn't spend
19 a lot of time hauling. Now, we often have hauls
20 that are six and eight hours, because processing
21 the fish, we're getting so many more fish.

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1 At any rate, then it takes time to
2 steam to the next station and then, start all
3 over again. And we work 24 hours a day. We
4 don't fish in greater than 20 knots or greater
5 than four foot seas, for safety and protocol.

6 So, even though we're not actually
7 physically the ones setting the gear anymore, we
8 are totally on top of keeping control of what the
9 crew does. We're down there monitoring the gear,
10 making sure it's in the proper condition that we
11 like, we're making sure that they set it in the
12 right configuration. And we monitor everything
13 from the wheelhouse as well. And we determine
14 the scope and where and when to set.

15 Same with haulback. We're at every
16 haulback. And they're pulling the gear and we're
17 dealing with the science. Which is one of the
18 things that allowing us to go on a commercial
19 vessel helps, is we don't have to do the fishing
20 any more, we're dedicated entirely to the
21 science.

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1 So, just so you know what we do. We
2 bring fish up. If it's a large fish that we
3 can't safely bring onboard or the weather is not
4 amenable to bringing it onboard, we will tag it
5 in the water. We then determine the sex and
6 length estimate and we cut off the fish as close
7 to the crimp as possible.

8 If it's a small shark, we do bring it
9 up onboard, we have people hold it while we
10 measure it, inject it, determine the sex.
11 Sometimes, we'll get DNA, depends on who's
12 onboard and what they need.

13 We are also able, at that time, if
14 it's previously tagged, like this fish was tagged
15 by two different programs, we can get that
16 information and send the fish back.

17 We also have a sling for larger fish
18 that we can bring up, measure those fish. One
19 benefit -- well, a couple benefits to measuring
20 fish. Of course, it's more accurate data. We
21 also get to inject them. But we can also ground

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1 truth our estimates of length for the ones we
2 leave in the water.

3 In this particular case, in 2018, we
4 had someone onboard from Florida Atlantic, who
5 wanted to implant transmitters into the fish, so
6 we were able to do that using the sling. So,
7 we're able to get a lot of biology done. Our
8 sampling goes from simply getting numbers, which
9 of course is important for what you all want, is
10 numbers and species.

11 But we also get all kinds of
12 biological data, as you can see, muscle, liver,
13 reproduction, age and growth, contaminants,
14 stomach contents, I could go on, we've collected
15 quite a bit this particular year.

16 And of course, we get a variety of
17 different species. It's time during this process
18 that you see some sharks. So, there they are.
19 And just to show you, kind of in real-time, if it
20 works, okay. This is our sling operation. The
21 crew handles the sling. The captain's on the

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1 winch. And we guide the shark in.

2 It's a nice process. It's safe for
3 the shark, it's safer for us, keeping the shark
4 kind of off the boat. And it is fairly quick,
5 although it doesn't look like it here.

6 The sharks are usually pretty docile
7 about it, though we do hold them down when they're
8 in the sling. That's pretty much it.

9 And then, for a shark in the water,
10 it's a very quick process. The hardest part
11 about this is getting them to turn over to
12 determine what sex they are.

13 The more fish we catch, the more often
14 we have to leave them in the water and do it
15 quicker than bringing them onboard, just to save
16 that time.

17 We find, now, with the weather and
18 number of shark issue, that we have to save time
19 as often as possible. So, then, we cut them off
20 and away they go. So, what you're really looking
21 forward to, of course, is the numbers. The

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1 shaded area are those first two cruises that are
2 not directly comparable, but just for example, to
3 show, as we all know, the decrease in the late-
4 1980s, early-1990s.

5 In 1996, we had our lowest numbers, it
6 was actually only about 192 sharks caught on 90
7 sets, it was pretty dismal for us. And since
8 that time, as you can see, all these numbers have
9 come up.

10 So, that data is to 2015. We just got
11 off the 2018 survey, so unfortunately, we don't
12 have complete details.

13 But when you add the 2018 data in, and
14 one of the things you might notice, if you can
15 tease it out from there, is that the total sharks
16 basically follow the sandbar curve, because by
17 far, the majority of sharks we get are sandbar
18 sharks.

19 So, at any rate, this year, there's a
20 little decrease. This actually only represents
21 100 sharks.

1 And one of the things that we're going
2 to take into account, we're starting to model all
3 these data now and we're taking into account all
4 the environmental parameters, additionally,
5 where we fished, depths we fished, and this and
6 that, because of course, it's all slightly
7 different between each survey, even though we
8 have set stations.

9 And if you take into account those
10 five sets that were above the closed area that I
11 showed you before, it brings the CPUE up, because
12 that is where the water temperature declines
13 significantly and we just dropped out all the
14 fish that we were catching.

15 So, at any rate, when we get all our
16 modeling done, which if you have questions, that
17 goes right to Cami, we should have better numbers
18 for you, keeping in mind these are preliminary.
19 So, if you have questions.

20 MR. BROOKS: Great, thank you very
21 much. So, we've got about 15 minutes for

1 questions. Marcos, is that yours?

2 MR. HANKE: When you mention about the
3 time that it takes with sharks, more sharks on
4 the gear, is there any relation when you guys
5 change to fishermen, to execute there the
6 activity?

7 Because boat from university is
8 probably a great idea, but I'm pretty sure that
9 maybe you're going to catch way more sharks
10 performing with the professionals in the water.
11 How you address that difference, if it's the
12 case?

13 MS. NATANSON: The fishermen aren't
14 fishing, the fishermen are doing basically what
15 the chief scientist tells them to do. So, we're
16 not catching more because of the platform.

17 So, for example, when we would go on
18 the university boat, we told them where to set,
19 when to set, and how to set. The experience that
20 the fishermen are bringing is that they know how
21 to lay the gear better.

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1 But they're not allowed to look at the
2 sounder and find fish, they have to go to the
3 spot that we tell them to go to. And then, they
4 just judge by wind and tide which is the best way
5 to set to bring the gear back. Okay. So, we're
6 not actually using their fishing expertise at
7 all.

8 MR. BROOKS: Thanks. Mark?

9 MR. SAMPSON: Good morning, again.
10 Lisa, I was just curious, so, over the years,
11 from the time that you started doing the surveys,
12 have you changed in the type of hooks that you're
13 using on your gear?

14 MS. NATANSON: No. We use a Mustad J
15 hook, three-ought. I don't remember the number
16 exactly, I think it's a 34970, maybe. Our gear
17 person would know that. But, no, we have not
18 changed it.

19 MR. SAMPSON: Okay. And I assume
20 that's just to maintain consistency over the
21 years, you haven't gone to circle hooks or

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1 anything? Have you been keeping records of the
2 hook location over these years, as far as whether
3 it's located in the jaw or the gut or wherever?

4 MS. NATANSON: Not in a consistent
5 manner, we have not been taking that into
6 account. We do, usually -- actually, in a way,
7 we do, because we say whether it's gut-hooked.
8 But we don't say jaw-hooked. And that's
9 depending on how fast the fish are coming in, if
10 people are able to get that data.

11 MR. SAMPSON: And is -- I guess, in the
12 future, there would be -- it would mess up your
13 data to switch to circle hooks, just to see how
14 that works out, or whatever?

15 MS. NATANSON: Yes, if we switched any
16 of the gear or anything we're doing, it would
17 essentially start another survey. We'd have to
18 do gear comparison surveys and do relationships
19 to figure that out.

20 MR. BROOKS: Great, thanks, Mark.
21 Let's go over to Bob, then Katie.

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1 MR. HUETER: Good morning, Lisa.
2 Thanks for your presentation. It makes me
3 nostalgic for the old days of surveys. I really
4 miss them. Two questions.

5 The first is, when you -- in your
6 change over in 1995-1996, the low points, then
7 beginning to rise, can you, for us, rule out any
8 sort of learning curve effect that was occurring
9 in those first couple of years, as you got to
10 know the gear and the process?

11 MS. NATANSON: I can't entirely rule it
12 out, but I had some very good teachers on how to
13 do it. I don't know if you remember Tris Colket
14 and Eric Sander --

15 MR. HUETER: Sure.

16 MS. NATANSON: -- and those guys. And
17 so, I think, we were catching fish, and I think
18 we were catching what was there. But can I
19 guarantee that? Probably no.

20 MR. HUETER: Yes, that was more a
21 question for the panel, I know your experience

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1 and I know the experience of your crew. So, I
2 just wanted to kind of roll that out.

3 The other question is, Pascagoula,
4 Mark Grace used to do a survey, do they still do
5 that survey? Do you guys coordinate? As I
6 recall, when it started, they were running that
7 survey in the month of August, which didn't seem
8 to be a great time to run a shark survey in the
9 Gulf of Mexico and I think we all talked about it
10 back then. So, what's the current status of that
11 survey vis-a-vis yours?

12 MS. NATANSON: That survey's an annual
13 survey, it's been going on since 1995. They do
14 the Gulf of Mexico and they go into the Atlantic.
15 They're actually on it right now. They go from
16 about July 31 to mid to late-September.

17 It's now totally different from our
18 survey. When we started out, the only difference
19 was, number of hooks. They wanted 100 and they
20 set it exactly a mile and they set for an hour.
21 Now -- and they also do random stations.

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1 Now, their survey, they changed hooks
2 and they changed gear, because they're doing
3 snapper as well. So, it's kind of become -- to
4 keep that survey alive, they had to incorporate
5 other things.

6 So, there's actually very limited
7 ability for us to do a direct comparison.
8 Although, Trey Driggers, who heads that survey,
9 was on our survey this year and we're going to
10 try to do -- look at differences in catch between
11 the time periods. But they get more sharpnose,
12 we get more sandbar.

13 MR. BROOKS: Katie?

14 MS. WESTFALL: Thank you very much for
15 the presentation, Lisa. I'm curious if you're
16 also collecting environmental data with the catch
17 data, to be able to do kind of analyses on under
18 what conditions you're finding different species?

19 MS. NATANSON: We do a CTD at the end
20 of every set, so we get bottom temperature,
21 salinity. We take some air temperature and wind

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1 speed and that kind of thing. Unfortunately,
2 some of the vessels we've been on don't have that
3 capability. We do take sea surface temperature.
4 So, to a degree, yes, we do.

5 MR. BROOKS: Is that it, Katie? Mike,
6 and then, Rusty, and then, Marcos do you -- oh,
7 Tim.

8 MR. PIERDINOCK: Thank you. Your
9 survey locations, are those the same locations
10 every year or they've changed over time? That's
11 my first question.

12 MS. NATANSON: What we give the captain
13 every time is the survey locations from 1996.
14 And we have to cross -- so, set one is at 33.42
15 whatever. We have to cross that during the
16 survey. Okay? So, essentially, we are
17 repeating the same stations, we might be going a
18 different direction, but we're on that station.

19 We don't do the exact same stations
20 every year. In other words, I might skip Station
21 2, because we can't do it because of weather or

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1 because there's an obstruction.

2 So, in 2015 and 2012, we did 50 sets,
3 but they weren't necessarily exact same sets, but
4 they were the same sets we started with in 1996.

5 MR. BROOKS: Mike, hang on for one
6 second, I think Bob wants to jump in on that.

7 MR. HUETER: Actually, I want to do a
8 follow-up to Katie's question, so I can wait.

9 MR. BROOKS: Go ahead, Mike.

10 MR. PIERDINOCK: So, with that, there's
11 been a climatic shift and movement of fish into
12 different areas over time. Have you looked since
13 1996 to assess that, because these surveys may be
14 taking place in areas where the fish are no longer
15 present.

16 It's almost like looking for deer in
17 the middle of the Sahara Desert and, therefore,
18 you move it, that that would be more
19 representative to assess the stock that may be
20 out there.

21 So, that's one question. To add to

1 that is, I think you mentioned that you have to
2 move some of the stations because of obstacles or
3 so on. I've seen that quite often in our state
4 waters, where we do tows in order to assess
5 stocks, that because of lobster traps, we have to
6 move and do the tow adjacent to it. And that's
7 not in fruitful fishing grounds.

8 So, if the lobster traps are gone and
9 you went down in that area, you're going to get
10 a lot of fish. But then, you go adjacent to that
11 and the fish really aren't there.

12 So, I just would like to get your
13 thoughts, to make sure that we're taking into
14 consideration a possible shift and we're sampling
15 in the right areas, number one.

16 And number two, what percentage of
17 your tows, not your tows, but your stations, do
18 you have to move because of obstacles and is that
19 number so high it could be skewing your results?

20 MS. NATANSON: Okay. We don't move
21 that many of them. First of all, we usually will

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1 just eliminate it rather than move it, because
2 our stations, some of them aren't that far away.

3 So, because we can't usually complete
4 the survey, I'd rather just eliminate a set and
5 go to the next one, because we're going to have
6 to eliminate some along the way anyway, so that
7 makes the choice. All right. In terms of
8 determining whether we're fishing in the right
9 place anymore, we're actually having the opposite
10 issue, we're getting more sharks, not less.

11 It used to be that we got a lot of
12 zero sets and, of course, no data is data for us,
13 since we're surveying, not fishing. But now, we
14 don't. I haven't gotten a water haul in years,
15 so we're actually seeing more.

16 Totally anecdotal, from my being on
17 the survey this year, we have had a shift in
18 species. We got a lot of blacktips now. We used
19 to not get blacktips at all and this year, we got
20 a tremendous number of blacktips in areas I
21 normally would have seen sandbars.

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1 So, in this particular year, I'd say
2 our modeling is probably going to show a species
3 shift. And like I said, when we put all that
4 together, we will be taking that into account.
5 I don't know -- Cami's nodding, so that's fine.

6 And I don't remember -- your question
7 was very long, is that -- okay.

8 MR. BROOKS: I think you hit both
9 points.

10 MS. NATANSON: Okay.

11 MR. BROOKS: Bob?

12 MR. HUETER: Yes, I mean, this is a
13 follow-up to the same thoughts. So, you're
14 seeing blacktips further north?

15 MS. NATANSON: Yes. We're seeing
16 blacktips all the way up into North Carolina.

17 MR. HUETER: Okay. So, have you
18 plotted sea temperature over time from your
19 stations, to look at any trends since 1995-1996?

20 MS. NATANSON: Yes.

21 MR. BROOKS: And what do you see in

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1 those trends?

2 MS. NATANSON: Well, here's -- sorry.
3 Sea temperature over time, bottom temperature.

4 (Laughter.)

5 MR. BROOKS: For everybody but Brad and
6 me --

7 MS. NATANSON: It's kind of a big --

8 MR. BROOKS: -- can you tell people
9 what they're looking at?

10 (Laughter.)

11 MS. NATANSON: So, you're seeing an
12 increase from 1996 -- 1996, even when we were on
13 it, was a pretty cold year and that might explain
14 part of our fewer sharks. Last couple of years
15 have been fairly consistent.

16 MR. HUETER: What's the scale there?

17 MS. NATANSON: This is zero to 25. And
18 this is bottom, this is five. It's not very
19 much, like two degrees. So, it hasn't changed a
20 lot. But -- yes. But if you look around, it's
21 not like huge, huge changes. They overlap.

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1 And it also -- keep in mind, this is,
2 like, the whole survey together. If you look at
3 area, you get a whole different -- this is just
4 area in general, and you can see, like when you
5 go to Virginia, I mean, past the closed area, the
6 temperature just dramatically drops and you lose
7 fish. Which is why we did the -- I don't even
8 have this on, do I?

9 Which is why we did the survey in the
10 spring, like you were talking about, summer
11 versus spring, because we know we'll hit this
12 wall of temperature and we'll run out of fish.
13 And we wanted to be able to fish the whole
14 population.

15 MR. BROOKS: Good. Let's go to Rusty,
16 then Tim, then over to Dewey.

17 MR. HUDSON: Thank you. Rusty Hudson,
18 DSF. Lisa, it's been great knowing and working
19 with you and Nancy for the last quarter of a
20 century, plus.

21 One of the things that I think is good

1 about you all's survey is that it occurs in the
2 spring and a lot of people may not know that we
3 both have a residential and a transient
4 population of sandbar and dusky sharks.

5 Particularly, the transient are
6 adults, who go over winter in Mexico. You can
7 find stuff about that by Stewart Springer,
8 notating that.

9 With that said, normally, male and
10 female adult sandbars segregate, except in the
11 spring. So, in that April period, off of
12 Florida, because they start, I think, about Fort
13 Pierce, somewhere like that, and work their way
14 north, that's the perfect area to be able to
15 encounter the male and the female sandbars.

16 So, in one part of the question there
17 is, do you notice sort of a pretty equal sex
18 relationship at that time, when you're off of
19 Florida going up to Georgia? And also, when
20 you're in that area, do you, over the years, see
21 those super cold water effects, and does that

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1 mess with your ability to have to move to another
2 station, because it's inhibiting your ability to
3 catch? That's my first question.

4 MS. NATANSON: In terms of temperature,
5 we set at the station regardless. So, I actually
6 don't know the bottom temperature until we get
7 back in June. The surface temperature we know,
8 but that's semi-important.

9 In terms of the sex proportion of
10 males and females, it's going to sound kind of
11 silly, but I haven't noticed one way or another.
12 I notice on the species where they're obvious,
13 like blacktips are all males. But I haven't
14 noticed with the sandbars, so I would have to say
15 they're probably fairly equal.

16 MR. HUDSON: Back to blacktip.
17 Blacktip, of course, since 1992, March, the State
18 of Florida, both coasts, has been closed down to
19 any commercial shark fishing, except for one
20 shark, one hook.

21 And with that said, the blacktips,

1 historically, were always caught inside of three
2 miles, unless you had an easterly flow on the
3 East Coast and then they would get outside the
4 three miles.

5 Now, we have such an abundance of
6 blacktips, because nobody can really catch them
7 that they're actually spilling over into the
8 federal waters pretty good off of Florida.

9 And so, our guys are actually able to
10 catch good blacktip, for a change. But that's
11 not the same as, like, Louisiana, they're just
12 the blacktip capital of the world.

13 So, that's actually a good sign,
14 because historically, and I don't think Dewey's
15 here -- oh, Dewey is here. He would follow some
16 of those blacktips and stuff in the later summer.

17 And like you pointed out, or Bob did,
18 about August, August is like the flattest month
19 of fishing for shark that there is. And I agree
20 with Bob, that it becomes -- but the Gulf of
21 Mexico is a different place, in my book.

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1 The last thing, and of course, I
2 talked to you about it earlier, I'm looking
3 forward to the 32-year report, because that shift
4 that you all made in 1996 was three years after
5 the FMP started. And, as you know, we had no
6 limits.

7 But since 1993, we have been closed
8 down six months out of the year, virtually, many
9 of those years.

10 So, all of these efforts that we're
11 doing has actually worked for the abundance. And
12 so, since that is sandbar, driven by sandbar,
13 that giant spike up there, in 2015, when you have,
14 what, 1,700, sandbars on that.

15 And you used to be able to get up above
16 North Carolina, on up to Jersey. But you really
17 haven't been able to get up there, sometimes it's
18 a weather thing, sometimes it's probably crew or
19 bait or sets and whatever you've done.

20 But I'm just glad you all have been
21 doing this every two to three years. It's

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1 something that is needed, so that we're
2 independently verifying that we have turned this
3 stock around, or stocks of sharks. So, thank you
4 very much.

5 MS. NATANSON: Thank you, Rusty.

6 MR. BROOKS: All right. We'll get in
7 two more folks and then, we will switch to Enric.
8 Tim?

9 MR. PICKETT: This is a quick one. You
10 had started, in your earlier surveys, you had
11 started in the Keys. And now, you're starting
12 in Fort Pierce. Is there a reason why you're not
13 going south of Fort Pierce? Because we've got
14 plenty of sharks south of Fort Pierce.

15 MS. NATANSON: Yes, you do, and there
16 were some big sandbars down there.
17 Unfortunately, we lost a lot of gear down there.

18 And particularly when we were on the
19 inexperienced boats, we'd go down there and that
20 would be our first couple sets and we'd get hooked
21 up and it would be a tremendous stress.

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1 So, it became difficult for us to work
2 down there, because we were kind of hacking up
3 coral. So, we decided -- it was only six sets
4 that we had coming straight up, because there
5 wasn't enough to zigzag into the different
6 depths, and we decided it was probably better to
7 just stop doing that.

8 MR. BROOKS: Dewey, and then, Jeff, I
9 see your card went up. Dewey?

10 MR. HEMILRIGHT: Yes. Thank you,
11 there, for your presentation. Looking over the
12 chart, these are areas that I've fished for
13 probably 15 years, 18 years, in the winter time,
14 the same, your survey area from about
15 Jacksonville north to North Carolina.

16 I was curious on a few things. We
17 never used -- I never used mackerel on the bottom,
18 because it wouldn't stay on the hook. So, I was
19 wondering if the earlier days, when you used
20 mackerel, how much mackerel were you getting a
21 haulback versus what you are the spiny dogfish?

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1 And another thing is, I noticed, the
2 J hooks you use were probably the first J hooks
3 that we used, looking at how heavy wall that is,
4 and we quit using them because, when you hang
5 upon the bottom, they wouldn't ever bend.

6 So, I was just curious if you could
7 expand upon maybe the reason why you didn't see
8 the fish in the first, because you was using the
9 bait that wouldn't stay on the hook, and how much
10 bait you had at haulback. And also, about the
11 hook selection, how much you bent up or -- with
12 that hook, you're not going to bend very much,
13 because that hook don't bend.

14 And I think it's a good survey and I
15 hope you get to continue it, and I just wish that
16 there was funding to continue that survey from
17 north of North Carolina all the way up to Montauk,
18 New York, or somewhere like that, because I just
19 think there's an abundance of sharks out there.

20 And this is part of the science, but
21 also, maybe another 15 -- hopefully, another

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1 five, six years, the science will catch up with
2 reality and I think it's a good thing. But just
3 a question on the hook and the bait. Thank you.

4 MS. NATANSON: In terms of the hooks,
5 I can guarantee you, these do bend. We get a lot
6 of bent hooks. I don't know, they may be a
7 different hook at this point, but they do bend.
8 We break and bend them quite a bit.

9 In terms of the bait, it's actually a
10 really interesting question, because this year,
11 even with the spiny dogfish, down off Florida,
12 there were so many isopods, we were not getting
13 baits back. We either got blacktips or we got
14 empty hooks, which was a concern of mine during
15 the survey. And until we got up north, that
16 really didn't stop.

17 We have data from 1998 on, on bait.
18 We probably have the data from the mackerel, but
19 I haven't looked at that yet, because the data
20 that we're analyzing for this 32 years is just
21 from 1996 on. As I said, the reason we switched

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1 from mackerel was because of bait retention. And
2 keep in mind that those surveys, they only soaked
3 the gear for an hour.

4 So, I think Greg might remember,
5 because he was on the survey, sometimes we got
6 bait back, sometimes we didn't. It kind of
7 depended on where we were.

8 MR. BROOKS: Thanks. Jeff?

9 MR. ODEN: You partially answered my
10 question there, which was, I mean, how can you
11 rectify the difference between the CPUEs going
12 through the roof right now, which is exactly what
13 we as fishermen are seeing.

14 And the simple truth is, I mean, Dewey
15 mentioned the abundance of sharks. In our case,
16 in the PLL fleet, it's an overabundance. I'm
17 sure Greg will mirror that image, as a charter
18 captain, who cannot even fish for tuna now, that
19 they used to catch reliably.

20 Now, some days, they're lucky to get
21 one or two to the boat out of 20. And it's just

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1 phenomenal what we have seen, our catch per unit
2 of effort, not only what we have seen, but what
3 we have heard through individuals who are in the
4 shark research fishery in our area.

5 I mean, from when we were doing it,
6 with overnight soaks, with a thousand hooks,
7 they're doing with 300 hooks and a two-hour soak.
8 It's through the roof.

9 And I know you mentioned that -- well,
10 the last survey, 2015, was a 56 percent increase
11 over the previous all-time high, which was 2012.
12 And the previous all-time high before that was
13 2009. They're going through the roof. And we're
14 seeing it across the board. How do you rectify
15 that?

16 I know you mentioned, yesterday, in
17 speaking with you, that there was a predominance
18 of juveniles in your survey, but by the same
19 token, I mean, it begs the question, which came
20 first, the chicken or the egg? I mean, where did
21 all those juveniles come from? So, I mean,

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1 naturally, you're going to see them in the
2 spring.

3 So, I mean, as a fisherman, all of us,
4 up and down the coast, whether we're bottom
5 fishing, longlining, charter fishing, whatever,
6 we're all being overrun by them. And it's just
7 hard to fathom why we're being held at bay,
8 especially the sandbar fishery.

9 And essentially, those of us that are
10 permitted are excluded from the fishery, but we
11 predominantly, we're the longline vessels. And
12 now, it's all pretty much an instate, non-
13 permitted fishery.

14 So, I don't know. I'm just -- I'd
15 like to hear you explain to me the massive
16 increase in catch per unit of effort and what you
17 think's taking place.

18 MR. BROOKS: Lisa?

19 MS. NATANSON: Well, I've been on all
20 these surveys except 1991, so I've seen the
21 increase right along with you all. And I agree

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1 with you, they're definitely increasing, from
2 what I see and, obviously, my data.

3 When we tease it apart, we do see that
4 the juveniles are increasing more than the
5 adults. Obviously, if one female is having nine
6 pups, that's what's going to happen.

7 And in terms of their age at maturity,
8 it's going to take a while for those juveniles to
9 be adults. And clearly, you need a healthy adult
10 population.

11 As to where those adults are, I mean,
12 if -- we're surveying one area and depending on
13 the species, we either get mostly adults or
14 mostly juveniles, or sometimes, a mix.

15 So, can I tell you where the adults
16 are that we're not seeing? No. Can I theorize?
17 They're probably a little offshore and if we
18 could do an in-tandem pelagic survey, maybe we
19 would catch those at the same time and know where
20 everything is.

21 They do segregate, so we know they are

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1 in different areas, but I can't tell you what the
2 numbers are.

3 And in terms of a fishery or anything
4 like that, that goes to Karyl and Enric. I'm
5 just the biologist who goes out and counts
6 numbers.

7 MR. BROOKS: Thanks, Lisa.

8 MR. ODEN: Can I briefly follow up?

9 MR. BROOKS: Yes.

10 MR. ODEN: They are definitely
11 offshore, okay? I mean, right after you came
12 through this past year, guys were getting
13 decimated.

14 Six hundred hooks in the water, they
15 couldn't get 50 back. It was mind-boggling. It
16 didn't matter if they were inshore, 50 fathoms,
17 40 fathoms, mahi fishing, or offshore on the
18 edge.

19 And speaking to something Scott said
20 yesterday, if you want to catch a swordfish,
21 you've got to be in there on the rock. Well, we

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1 can't get near that rock, we can't catch
2 swordfish for the simple fact that sharks are
3 taking over. And that's a major impact on this
4 fishery. And, anyway, thank you.

5 MR. BROOKS: Thanks. I know we've got
6 at least three cards here, but I want to get Enric
7 up here to present. And then, if we've got --
8 are you running out the door or will you be here?
9 Okay, all right.

10 So, Lisa will be here. So, either,
11 if we have some time after Enric's presentation
12 to take a few more questions or at the break,
13 I'll let you connect with her. But I've got the
14 three of you noted down on my sheet here. So,
15 let's get Enric's presentation up, which will
16 focus more on dusky and sandbar stock
17 assessments.

18 DR. CORTES: Good morning, everybody.
19 So, a few weeks ago, I was asked to make a
20 presentation on the effect of the Sandbar Shark
21 Research Fishery on the indices of abundance that

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1 have been used in dusky and sandbar shark stock
2 assessments and essentially, compare the trends,
3 before and after the implementation of the Shark
4 Research Fishery in 2008.

5 So, I went about this by, essentially,
6 just computing some simple correlations for the
7 two periods for all of these indices that are
8 used in the different assessments and examined
9 the trends. So, I want to put that in the big
10 scheme of the assessments that we conducted.

11 So, for the dusky shark, and I must
12 say, so we use a number of indices, obviously,
13 for these assessments, and I will come back to
14 this later.

15 These indices go through a process of
16 vetting. When we have a benchmark assessment,
17 many of you are familiar with, in which each of
18 these indices is subjected to a number of
19 criteria and ranked as to their plausibility, in
20 terms of area, temporal coverage, number of
21 statistical issues, et cetera.

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1 So, these were the five industries
2 that were vetted at the time for the dusky shark.
3 The dusky shark, I remind the audience, was a
4 catch-free model, in which we used relative
5 effort and indices of abundance for the
6 assessment.

7 So, all of these indices are either
8 standardized by people from the Agency, from
9 different laboratories, or in some cases, by
10 external people.

11 Such is the case with the Virginia
12 VIMS Longline Survey, which is a fishery-
13 independent survey off Chesapeake Bay. In this
14 particular case, for the dusky shark, we had a
15 total of 31 years for this index.

16 Then, we have the Pelagic Longline
17 Observer Program Index, which in this case,
18 covered 24 years. This covers essentially the
19 whole Eastern seaboard and Gulf of Mexico.

20 The Northeast Longline Index, which
21 Lisa just presented, in this case, had a total of

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1 eight data points, right through the years.

2 And then, of course, the Bottom
3 Longline Observer Program. And so, in this
4 particular case, for the dusky assessment, we
5 actually split that index, the analysts split the
6 index before and after the Shark Research
7 Fishery. So, in that particular case, the index
8 is already split, so it's two separate series.

9 And finally, the Large Pelagics Survey
10 Index, which, as you know, is a recreational
11 index that looks at large pelagics that goes from
12 Virginia north to Maine. Okay.

13 So, that, I just want to give a quick
14 overview of all the indices. So, what I'm doing
15 here, simply, is splitting the series. It's not
16 a re-analysis of the series, it's just splitting
17 the series into before and after and just running
18 some quick and dirty correlations.

19 So, the parts in red are the before
20 the Shark Research Fishery, and starting in 2008,
21 the Shark Research Fishery. For the VIMS Index,

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1 we actually looked at this and did some segmented
2 regression. We would see that the index went
3 down up to the early 2000s and then, was going
4 up. But then we had this dip in 2007-2008, and
5 followed by this decrease. And again, I remind
6 you that this is mostly a juvenile index.

7 The Pelagic Longline has a decrease
8 from the beginning to the mid-2000s. And then,
9 a stable, but decreasing trend since 2008,
10 according to the data we had. You've seen the
11 index from Lisa, which shows, if we split it, two
12 very strong increases, which we can come back to
13 trying to explain as well, later. And so, it's
14 almost a perfect linear increase.

15 The Bottom Longline, again, these were
16 two separate indices and it does show a clear
17 increase since 2008. Although, note, the large
18 interannual fluctuation in the index, which are
19 somewhat worse. And finally, the Large Pelagic
20 Survey showed two decreasing trends.

21 So, this is just a composite view of

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1 all the indices. And essentially, we see that
2 there was a decline since the 1970s, up to the
3 2000s. And then, we have some conflicting
4 information with some indices, like the Northeast
5 Longline going clearly up, but some still going
6 down.

7 In fact, if we do a summary of all
8 these trends, we see here, in orange, prior to
9 the Research Fishery, we had four of the indices
10 that were negative, with being statistically
11 significant, and one positive, statistically
12 significant. And after the Research Fishery, we
13 have three that went down and two that went up.

14 Now, how did that play into the
15 assessment itself? Well, the assessments still
16 show that the stock was overfished, because of
17 the large declines occurring in the 1970s and
18 1980s.

19 But we still had overfishing. And
20 this is due, in part, to the influence of some of
21 these indices, but not only that, it's also

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1 related to the other pieces of information we
2 had. One being the effort, in this case, that
3 was used for this specific assessment. So, it
4 was -- the stock, according to this data that we
5 had, was still slightly in a state of
6 overfishing.

7 Okay, moving on to the sandbar shark.
8 For the sandbar shark, there was an assessment
9 that was completed last year, if you recall. We
10 had a total of ten indices. The ones that I've
11 -- several, I've mentioned, the LPS, the Bottom
12 Longline, the VIMS.

13 And the index that Bob and Lisa talked
14 about, the NMFS Longline Southeast Index, which
15 has been in operation since 1995 annually. This
16 one goes from Texas to North Carolina,
17 approximately. So, we had 20 years of data from
18 that index.

19 We then had a couple of COASTSPAN
20 Inshore Indices, one for the Northeast. And Cami
21 McCandless is very familiar with these indices,

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1 she does the standardization.

2 And so, these are inshore surveys that
3 target mostly juveniles. And one in the
4 Northeast is in Delaware Bay, the one in the
5 Southeast now covers Florida, Georgia, and South
6 Carolina waters.

7 The -- so, another one that we used,
8 that was sort of a legacy from the previous
9 assessment, was the South Carolina Red Drum
10 Longline Index, which only covered one period,
11 before the Shark Research Fishery.

12 And then, we added the SEAMAP Longline
13 Southeast, or we added some new information that
14 became available. So, now, it included Florida
15 and Georgia SEAMAP and Georgia Red Drum, I
16 believe, if I'm not mistaken. But these indices
17 are mostly target, sample juveniles.

18 Again, taking a quick look at these
19 indices. The LPS here shows a decline pre-Shark
20 Research Fishery, and then, an increase
21 afterwards. The Bottom Longline Observer

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1 Program shows an increase, but also look at the
2 interannual fluctuations, which I will come back
3 to a little later.

4 The Virginia Longline still showed a
5 decreasing trend after the Research Fishery.

6 The NMFS Longline Southeast, the
7 survey from the Pascagoula Lab, showed also a
8 significant increase after the Research Fishery.
9 The COASTSPAN Northeast, first negative, then
10 positive.

11 The index from Lisa, that you've seen,
12 that's increasing even more, in a more
13 accentuated way, after the Research Fishery, as
14 you were pointing out. And the Pelagic Longline,
15 which essentially showed no trend after the, the
16 Pelagic Longline Observer Program, after the
17 Research Fishery.

18 This is the COASTSPAN Southeast, which
19 showed first an increase, then a decrease. The
20 South Carolina Red Drum only covered the first
21 period. And the SEAMAP Longline Southeast only

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1 had one point in 2007 and then, showed a decline
2 after the Research Fishery.

3 But, so, this is the composite picture
4 of all the indices used in the assessment. And
5 in here, you can see more clearly that -- well,
6 not clearly. You can see --

7 (Laughter.)

8 DR. CORTES: Well, in somebody's mind.
9 That there is a decrease up to the 2000s, mid-
10 2000s, and then, generally the indices are going
11 up.

12 And this is picked up, too, by the
13 statistical analysis. Before the Research
14 Fishery, we had six indices that went down, four
15 of which were statistically significant. Only
16 three went up. After the Research Fishery, we
17 have five that go up and four that go down.

18 Now, in the assessment, the assessment
19 did pick up an improvement with respect to the
20 previous assessment. The stock is still
21 overfished, but the level of being overfished has

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1 diminished, the stocks are in better condition.
2 And overfishing has really decreased.

3 So, in this case, it has picked up the
4 signal from the indices and also, related to the
5 fact, of course, that the catches have gone down
6 a lot since there's only a Research Fishery and
7 some bycatch, et cetera. So, the assessment did
8 pick up these trends, in this case.

9 Okay, so the \$64,000 question, right?,
10 is why are there different trends in the indices?
11 And so, I include in here some explanations,
12 there may be others.

13 Obviously, some of the indices, and
14 it's been pointed out, cover different areas. In
15 some cases, they may be sampling the actual core
16 of the population versus boundaries, extremes of
17 the population.

18 At different times of the year,
19 obviously, they have different temporal coverage,
20 so we have to look at the same year to see what
21 each index is doing.

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1 Some, as we have pointed out, are
2 tracking different -- I mean, they track
3 different segments of the population. Some track
4 juveniles, some are even recruitment indices,
5 some track mostly adults, some cover more of the
6 whole population.

7 And this, I must say, at least it's
8 covered in the assessments, the selectivities
9 that are estimated or imposed on each of the
10 indices.

11 But I want to re-emphasize that, I
12 mean, all of these indices are statistically
13 standardized. So, there are generalized linear
14 model techniques. All of these that you're
15 seeing.

16 However, despite all the effort that
17 is put into it, because as I said, when we have
18 a benchmark assessment, we go through this
19 vetting process, that takes a lot of time, and we
20 look at the different criteria. There is an
21 Index Working Group that is tasked with looking

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1 at that.

2 So, we go through this process. But
3 what I'm saying is that, even with all this
4 effort, there are still some variables that may
5 be unaccounted for. So, issues of immigration
6 and emigration, maybe movement related to other
7 issues, like climate change.

8 And that's something that it's hard to
9 avoid. And I must say, in some cases, and I come
10 back to these interannual increases in the
11 relative abundance of some of these species, like
12 what we are seeing with our index, so there has
13 to be something else in there, because this is
14 incompatible with the biology of the species.

15 I mean, you would see that in
16 chickens, but not in sharks, given what we know
17 about their biology, right? So, there has to be
18 -- so, we are not doubting that these increases
19 that you see are real, but are they really
20 reflecting the population trend?

21 That's another issue. So, I think

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1 it's important to point that out.

2 And just as a conclusion, so when we
3 do the assessment, again, as I said, we have to
4 look at the composite picture of all the indices
5 that have been deemed acceptable.

6 In the past few assessments, based on
7 reviews, we have been looking at, because of this
8 problem of having the indices going in different
9 directions, that create tensions in the model,
10 that make the model not fit the indices well, we
11 are looking at different states of nature,
12 considering negative and positive sets of
13 indices, and trying to give an envelope of
14 possibilities of uncertainty in the assessment.

15 But again, the indices only provide
16 the trend in a population. We also look at two
17 other main pieces of information at least, which
18 are the catches, which provide more of a scale.
19 And then, of course, the life history, which
20 provides the vulnerability, intrinsic
21 vulnerability of the species.

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1 So, I actually have a couple of, well,
2 additional slides, I mean, you're all familiar
3 probably with the coverage of all of these
4 indices. There's just the linear coverage of the
5 indices for the dusky shark.

6 But just to point out that there were
7 these rankings for the indices that are used, in
8 some cases, to weight the CPU indices. And
9 actually, the Northeast Longline Index received
10 and the Bottom Longline Index received the
11 highest ranking for the dusky shark.

12 And in the case of the sandbar shark,
13 the NMFS Longline Southeast Index was the one who
14 received the largest one, but also the Northeast
15 Longline received a high ranking.

16 And with this, I think I'll take
17 questions.

18 MR. BROOKS: Perfect. Thanks very
19 much, Enric. Let's go to Jason, then Dewey, then
20 Rusty.

21 MR. ADRIANCE: Thanks. And I may have

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1 put my card up too early, in your additional
2 slide, I think you kind of answered my question.

3 I was going to ask, without getting
4 into the weeds of the assessment, when those
5 indices are ranked, does that translate into a
6 weighting in the assessment?

7 DR. CORTES: Yes. So, in some cases,
8 when we do a ranking, we have different
9 scenarios, when we do a rank-based weighting,
10 sometimes we do the inverse cv or no ranking at
11 all.

12 MR. BROOKS: Thanks. Dewey?

13 MR. HEMILRIGHT: Thank you for your
14 presentation. I think it's kind of, from my
15 perspective, just a little bit unfair to compare
16 the Research Fishery, which I named it the guinea
17 pig fishery.

18 Because the way the guinea pig fishery
19 operates and has operated, you have about four or
20 five vessels, six vessels, that operate in the
21 same area all the time. The one vessel in North

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1 Carolina, operates in the same time.

2 And so, I don't see what the
3 difference before and after the Research Fishery
4 kind of has to do with this analysis. It would
5 be different if the Research Fishery was all up
6 and down the whole coast, the East Coast or the
7 West Coast. That's simply not the case.

8 The second thing is, when you look at
9 the dusky part of the Bottom Longline Observer
10 Program, which I believe to be the guinea pig
11 fishery that shows off North Carolina, the
12 Research, the guinea pig fishery has changed its
13 method of protocol, I might be wrong, but every
14 year, ever since it was implemented, maybe in
15 2008 or 2010.

16 Whether it be soak time, whether it be
17 if you cull a certain amount of duskies, you stop
18 fishing, whether it be how many hooks you've got
19 to set. So, there was a lot of variables all in
20 that right there.

21 And now, the way that fishery is

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1 operated is, they're given a catch limit of, I
2 believe, 30,000 pounds of sandbar sharks and they
3 choose a certain time of the year when they want
4 to go fishing, versus throughout the year to get
5 a sampling protocol.

6 And so, I kind of tend to think mixing
7 in the Research Fishery without explaining the
8 location of where it takes place at, the amount
9 of fishers, the different protocol designs of the
10 Research Fishery, and comparing it with the other
11 things is not a very good, clear picture.

12 I do like looking at the other trends
13 of something that sit away, with not so much
14 parameters, as what the guinea pig fisheries had.

15 MR. BROOKS: Let's give --

16 MR. HEMILRIGHT: Thank you.

17 MR. BROOKS: -- Enric an opportunity to
18 comment on that, or Karyl.

19 DR. CORTES: Well, let me see if -- so,
20 I mean, for the specific Research Fishery, there
21 are two periods, right? And I hear your

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1 concerns. So, those were two separate series
2 that were used in the assessment.

3 Now, what I understood I was asked to
4 present was, look at the effect that the Shark
5 Research Fishery might have had in other indices,
6 as a result of not being able to catch more
7 sandbars, have they gone up?, et cetera.

8 So, that's what I was attempting to do
9 here. Just to show what the trends were before
10 and after. But in the particular case of the
11 Shark Research Fishery, as I said, we had two
12 separate indices that were treated as completely
13 different.

14 Now, is there issues with how they
15 were? That's another issue. But they are two
16 separate indices, two different entities. The
17 particular Bottom Longline example of the Shark
18 Research Fishery.

19 So, I don't know if that response
20 answers your question or not.

21 MS. BREWSTER-GEISZ: Thanks, Dewey.

1 So, we asked Enric to be here after we actually
2 got a specific request from Jeff to look at the
3 different indices before and after the Research
4 Fishery.

5 And I think this was mainly because,
6 in 2008, when the Research Fishery went into
7 place, we had huge changes in the fishery, as you
8 remember.

9 We went from the 4,000 pounds, down to
10 33 sharks per trip. That was having a huge --
11 that's a huge difference. And the way the
12 fishery was structured changed dramatically,
13 people who were fishing changed dramatically.

14 So, we were asked to look, before and
15 after the Research Fishery, of the indices, by an
16 AP member, just why we came here for -- asked
17 Enric to come here and look at that.

18 The other thing with the Research
19 Fishery, is you're saying it's changed over the
20 years.

21 And you are correct that, for the

1 first couple of years, how we did it, it was a
2 learning experience for us and for the people in
3 the Research Fishery, on what exactly we were
4 looking for, how to do it.

5 But for the last, I want to say since
6 2012, it's been the same process, the same
7 limits. So, it hasn't been changing a lot
8 recently.

9 We do have randomized people. There
10 are people, like the gentleman you were talking
11 about, who applies every year and because he's
12 the only one from that region who applies, he
13 gets to fish in that area pretty much all the
14 time. If somebody else were to apply, it may not
15 always be him.

16 In the other regions, we do have shift
17 between the vessels in who's fishing. And so,
18 we have a region in the Gulf, we have a region in
19 the Keys, we have the South Atlantic, and we have
20 off of North Carolina.

21 This year, for the first time, we also

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1 had one up north of North Carolina. That didn't
2 work out so well, so we're not going to do that
3 anymore this year, though we'll look at it again
4 in the future, if somebody from that area
5 applies.

6 So, I don't think it's quite as bad as
7 you're describing, in terms of the changes. We
8 are at a pretty steady place with the Research
9 Fishery, and collecting a lot of good
10 information.

11 MR. BROOKS: Thanks, Karyl. Can you
12 make it -- I want to get a couple people jumping
13 in here.

14 MR. HEMILRIGHT: I was just
15 misinterpreting a little more, but one thing I
16 think you also should have put up there, maybe,
17 was who was in charge of the Research Fisheries
18 since 1994?

19 Because some of them years, when we
20 participated, under certain person's leadership
21 who's retired now, it was not a good leadership

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1 in the Observer Program.

2 So, maybe add also to your references
3 up there of who was in charge, where it started
4 out, with the Gulf, Atlantic, South Foundation,
5 George Burgess took it over and how it worked
6 then, because there was a lot during that time
7 where the person in charge also had a lot to do
8 with some of the outcomes on these boats. Thank
9 you.

10 MR. BROOKS: Thank you.

11 DR. CORTES: You mean, the Observer
12 Program, right? Yes.

13 MR. BROOKS: Thanks, Dewey. We're a
14 little overdue for a break, but I've got three
15 folks I want to get into the queue here. So,
16 I've got Rusty, then Greg, and then -- nope, okay.
17 Rusty, and then, over to Bob.

18 MR. HUDSON: Thank you, Enric, it's
19 been great working with you for the last quarter-
20 plus century also. That being said, on your last
21 slide, before your extra slides, you had the

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1 catches for scale that you need, in addition to
2 all the survey stuff.

3 But our sandbar, like Dewey pointed
4 out, has been basically restricted to, I believe,
5 five boats, roughly speaking. Six this year, and
6 sometimes only a couple that fish. But they get
7 an equal distribution of the sandbar catch.

8 And further on the scale, with the
9 dusky, it's a no-take. And since that's the
10 case, the only real catches, besides the Research
11 Fishery, is what we're getting from the
12 independent surveys or what is a bycatch that is
13 generally the release live or dead.

14 That said, then you've got the life
15 history and the vulnerabilities. The new study
16 just published on the website for NOAA, on the
17 band pairs, the shark vertebrae, the fastest
18 growth is not years and stuff like that, it's the
19 fastest growth is of course from the juvenile,
20 right after its born, to the point where it
21 becomes an adult.

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1 After that, the growth slows
2 dramatically. And so does the laying down of the
3 band pairs. I believe that's going to be a game
4 changer, a little bit, in our future assessments.

5 So, that way, when we get into what
6 went on with dusky, was an update, what we did
7 with the sandbar recently was a standard, we
8 really do beg for a full benchmark for both those
9 animals, because of the straddling stock
10 scenario, and as I mentioned, the transient
11 population of dusky and sandbar over wintering in
12 Mexico.

13 But with dusky, we know, genetically,
14 we're talking about one animal in the Atlantic
15 Ocean. So, whatever we share with this animal
16 that's highly pelagic, compared to, like, the
17 sandbar, even though the sandbar gets pelagic
18 too, I've been out there in 1,000 and they'll be
19 up there in the upper water column.

20 The dusky, on the other hand, the
21 adults are more predominant in our offshore

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1 fisheries, where we're not getting.

2 Last statement is more or less a
3 question. Using SEAMAP Longline Southeast,
4 isn't that the stuff that, out of South Carolina,
5 where they're doing the 100-hook or the one mile
6 with the golden tile?

7 And generally, that's in the 500 to
8 900-foot of water? That's not our normal range
9 of fishing for sharks, since we're back inshore.
10 Anyway, just wanted to say that.

11 DR. CORTES: Yes, thanks for the
12 comments. I cannot answer the SEAMAP. This my
13 understanding, Cami's there, she may correct me,
14 that it covers Florida and Georgia. And then,
15 the Georgia Red Drum Index. Cami, you --

16 MS. McCANDLESS: The SEAMAP, it covers
17 both South Carolina --

18 MR. HUDSON: It does?

19 MS. McCANDLESS: -- and Georgia and
20 Florida.

21 MR. HUDSON: Okay.

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1 MS. McCANDLESS: So, the South Carolina
2 Department of National Resources does the South
3 Carolina Survey and the Georgia Department of
4 Natural Resources does the Georgia and Northern
5 Florida.

6 MR. BROOKS: Thanks. Bob?

7 MR. HUETER: Thank you. Thanks,
8 Enric. Two things.

9 First is, the challenge that I have in
10 struggling with you to interpret the differences
11 in these various indices, between indices and
12 within an index year-to-year, is that, and it's
13 not -- I don't think it's addressed here, is that
14 we're more or less assuming that the environment
15 itself is static.

16 Or at the very least, we assume that
17 variability in the environment is sort of
18 dampened out and it's not an important factor.

19 But every fisherman in this room knows
20 that catches are affected by water temperature.
21 That's the first thing you look at when you go

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1 fishing.

2 So, temperature is a numerical
3 quantity, it's something that can be modeled,
4 it's something that can be plotted.

5 Is there no way to get water
6 temperature data somehow incorporated into the
7 modeling, into the assessment, to look at what
8 role that may be playing in moving these indices
9 around from place-to-place and year-to-year?

10 And I have a follow-up, please.

11 DR. CORTES: So, you are right.
12 Typically, we have not explicitly incorporated
13 temperature as a variable.

14 It's only been, perhaps, indirectly
15 through area or depending -- I mean, all of these
16 standardizations don't use necessarily the same
17 variables. Typically, you have area, time,
18 season, hook, et cetera.

19 But to answer your question, yes. In
20 fact, as independent work that we did, actually
21 Patrick Lynch did, we published last year the

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1 effect of temperature on these indices. That's
2 a paper, I don't know if you saw it. Yes, it
3 just came out, like a few months ago, on the
4 paper.

5 But we looked at the effect of
6 temperature and the differential in bottom to
7 surface temperature, as factors. And so, that
8 explained more of the variability in the model
9 than the other models that did not include it.

10 So, yes, that's something that can be
11 included. But of course, you need to have
12 accurate data to put in the model.

13 MR. HUETER: But do you foresee having,
14 someday soon, a model that's, like, per hook hour
15 or degree C or something that incorporates
16 temperature actually into the index directly? Is
17 that something that's out there now or on the
18 horizon?

19 DR. CORTES: I'm not sure. There may
20 be other people more familiar with that
21 particular standardization process that may know.

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1 But definitely, temperature is something that can
2 be incorporated in one way or another.

3 MR. HUETER: Okay. I'll move on, I
4 want to get to my second point.

5 MR. BROOKS: Okay, we're just really
6 tight on time, so if you could please--

7 MR. HUETER: Right.

8 MR. BROOKS: -- be succinct.

9 MR. HUETER: So, yes, we've got to stop
10 acting like temperature isn't changing. And even
11 if it's not climate change, it's variations. You
12 have cold years and warm years and so on, and
13 that can explain a lot of this.

14 The other question is, when I look at
15 Lisa's index, which is much more pleasing to me,
16 because it's so simple for my simple brain and I
17 can see what's happening.

18 To me, this looks like an historical
19 plotting of the success of the FMP, in that it
20 starts at the bottom in the mid-1990s, there's a
21 quick jump after the FMP is in, and then, there's

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1 this sort of ten-year period of working things
2 out. And then, all of a sudden, it's rising,
3 rising, rising to the current day.

4 So, I mean, I think this is reality.
5 My question is, can, Enric, you or Lisa, can you
6 put into perspective for us what this, the peak
7 of this curve means in relation to what it might
8 have looked at, say, in the mid-1970s, if the
9 same kind of index had been done?

10 Because this is, this curve is peaking
11 around three, three and a quarter, sharks per
12 hundred hook hours. And I -- my recollection is,
13 back in the 1970s, when we fished back then, that
14 that would have been not a super great haul.

15 So, can somebody put into perspective
16 for the group, where are we in terms of getting
17 back to the kind of biomass that really did at
18 one time exist, 40-some years?

19 MR. BROOKS: So, big picture sort of
20 take on how does this compare to the 1970s? And
21 Enric is looking at you?

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1 MS. NATANSON: Yes, I -- excellent
2 question, and one that I had asked and why I like
3 to kind of at least compare it to our previous
4 1986 and 1989, which unfortunately, like you
5 said, it's not directly comparable.

6 But I think we'd have to go back maybe
7 to some records and try to get that data. And
8 that might be part of what we're doing when we
9 look at our data over time, that we're currently
10 modeling now. But I couldn't tell you right now.

11 MR. BROOKS: I really need to get us to
12 a break. Pat, I'm going to let you get a very
13 quick last word. Marty, I see your card, but I'm
14 going to let you ask it offline during the break.
15 Okay, yes.

16 MR. AUGUSTINE: Thank you, Lisa, and
17 thank you, Enric. Both very interesting. My
18 question is more simple, it's about the fishermen
19 around the room and when they're going to have
20 access to sandbar, more sandbar quota.

21 So, the question would be, when is the

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1 next benchmark for sandbar and what's the
2 likelihood of expanding a quota and either
3 expanding the number of people in the
4 experimental fishery, so there would be more
5 participation by the commercial fleet?

6 DR. CORTES: We have a number of
7 assessments planned for the near future, which
8 are based on the stock prioritization exercise
9 that was done.

10 Your second point referred to bigger
11 participation, larger participation? Yes, I
12 mean, that's -- because during that -- oh, Rusty
13 left -- benchmark, we encourage all the parties
14 to provide information, obviously. And
15 definitely, I think we'll go in that direction.

16 I don't know how to put this. It's a
17 process, that we've been, believe it or not,
18 we've been approving our assessments a lot, with
19 more data and being more specific.

20 But still, things like this happened
21 are hard to explain and reconcile and we going to

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1 be moving in probably more detailed assessments,
2 perhaps for sandbar, maybe something that's more
3 spatially explicit, that can capture these
4 trends, that we cannot explain now.

5 So, that's -- all that information,
6 again, has to be brought to the table and vetted
7 by the group. And the more information, the
8 better.

9 MR. BROOKS: Thanks.

10 MR. AUGUSTINE: The question still
11 remains, when?

12 MR. BROOKS: All right. Let's --

13 MR. AUGUSTINE: The question still
14 remains, when? I don't mean to be abrupt on it,
15 but the fact is, we have series of exercises going
16 on for various other sharks. But at the end of
17 the day, one sector, the commercial fishery,
18 continues to get squeezed and squeezed and
19 squeezed.

20 And again, without some kind of a
21 benchmark out there or data out there, in the

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1 future, that says, we're going to try to do this
2 on a particular species by, pick a number --

3 MR. BROOKS: So, Pat, let me just put
4 that question to maybe either Karyl or Enric.
5 Just, again, I think the question is, do you have
6 any estimate of a target date?

7 MS. BREWSTER-GEISZ: We do not yet have
8 a target date for the next assessment of sandbar.
9 We just finished the sandbar assessment.

10 This year, later this year, in another
11 month, maybe two, but hopefully only a month,
12 we'll have the Gulf blacktip update done.

13 Starting late this year, going through
14 next year, will be the Atlantic blacktip. First
15 time that's been assessed in ages, like over 12
16 years.

17 And then, starting in 2020, we'll be
18 working on the hammerhead complex. So, we --
19 it's going to be a while before we get another
20 sandbar benchmark in.

21 MR. BROOKS: Okay. Thanks, Karyl. So

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1 --

2 DR. CORTES: Let me just add very
3 quickly, and the reason for that, as Karyl was
4 mentioning, is that in the prioritization
5 process, it takes into account the number of
6 years for which an assessment hasn't been made,
7 and also, the status of the stock, if it was
8 overfished.

9 And actually, when we did this,
10 sandbar came up on top and we did it,
11 preliminarily. And then, when we finalized it,
12 we had these other species, like blacktip and
13 then, hammerhead that came up on top.

14 MR. BROOKS: Okay. Thanks. All
15 right. I want to get us into a break here. It
16 will be short though, we'll reconvene at ten
17 after 10:00. Thanks.

18 (Whereupon, the above-entitled matter
19 went off the record at 10:03 a.m. and resumed at
20 10:15 a.m.)

21 MR. BROOKS: All right. If we can get

1 everyone back to the table, we'll get going again
2 here. Thank you. All right. Again, if there's
3 anyone still in the back room, if we can get you
4 to the table, or folks who are standing up.
5 Okay.

6 So, our next presenter and our next
7 topic is All, revisiting the discussions around
8 shortfin mako sharks. There were -- we talked
9 about the emergency rule, back in the spring.
10 And now, we're taking another pass at this for
11 the draft Amendment 11. Guy, all yours.

12 MR. DuBECK: Thank you. So, we're
13 going to continue with the shark conversations
14 this morning and now, we're going to focus on
15 shortfin mako.

16 So, this is the draft Amendment 11.
17 So, we're working on the proposed rule. So,
18 first slide is just a kind of quick outline of
19 the presentation.

20 But the main purpose of Amendment 11
21 is to develop and implement management measures

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1 that would address overfishing and take steps to
2 rebuild the North Atlantic shortfin mako stock.

3 So, we've been managing shortfin mako
4 since '93. In the last ten years, there's been
5 three different ICCAT stock assessments, with
6 different results.

7 In 2008, the stock assessment was not
8 overfished, with overfishing occurring. And
9 then, from there, we developed Amendment 3, where
10 we promoted the live release and encouraged
11 fishermen to release shortfin mako sharks.

12 In 2012, there was another assessment
13 that came back as not overfished, no overfishing
14 occurring. However, there was a lot of
15 uncertainty with that assessment, where there was
16 not enough biological information used and
17 historical catch information there.

18 So, that leads us to the most recent
19 stock assessment, where stock is determined to be
20 overfished with overfishing occurring.

21 This stock assessment updated the

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1 modeling for the population and also included
2 more biological parameters, tagging information,
3 and some other items that helped improve the
4 stock assessment.

5 Based on that -- currently, right now,
6 all the nations combined are about 3,600 to 4,700
7 metric tons per year, the landings of shortfin
8 mako sharks.

9 Based on the assessment, to prevent
10 further decline, it was recommended that all
11 catches be below 1,000 metric tons. So, that's
12 a 72 to 79 percent reduction.

13 So, from there, the recommendation,
14 the objective of ICCAT Recommendation 17-08 was
15 to maximize live releases. But for retention,
16 allow for retention only if it was dead at
17 haulback and there was -- but the requirements
18 were that there's an observer onboard and/or
19 there's electronic monitoring.

20 The minimum sizes in the
21 recommendation were, for males, 180 centimeters,

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1 which is 71 inches, and for females, it was 210
2 centimeters, so that's 83 inches.

3 So, the next steps are that this
4 coming ICCAT, they're going to look at the first
5 six months of data and make sure that -- see how
6 the data, all the countries are doing. And then,
7 see if there could be -- needs to be more changes.

8 But then, in 2019, there's going to be
9 another assessment for shortfin mako sharks.

10 But also, I just wanted to point out
11 that, even though it was recommendation, the U.S.
12 is obligated to implement any of the ICCAT
13 recommendations under the Atlantic Tunas
14 Conservation Act.

15 So, if you remember when we did
16 scoping the last AP meeting, from the comments
17 you all gave, and all the comments we received,
18 we developed different alternatives and divided
19 into certain categories.

20 So, the first one we're going to talk
21 about is the commercial alternatives. So, with

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1 all our rulemakings we look at, we have a bookend
2 where we have no action. So, keep the non-
3 emergency rule regulations.

4 Alternatives A2, A3, and A5 are very
5 similar, so we kind of combined it here. So, all
6 of them would allow retention of shortfin mako
7 sharks under different requirements.

8 So, the preferred alternative, A2,
9 would allow retention of shortfin mako sharks
10 dead at haulback only if there is a functioning
11 electronic monitoring system onboard. So,
12 that's for any vessel that has electronic
13 monitoring.

14 So, right now, currently, it only
15 applies to longline fishermen do, but if this one
16 prevents bottom longline or gillnet fisherman
17 from doing, as long as there's an electronic
18 monitoring system onboard.

19 Alternative A3 is, if the mako shark
20 comes back dead, it'll -- we looked at, only if
21 permit holders agree to allow the Agency to use

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1 electronic monitoring to verify the landings of
2 shortfin mako sharks.

3 So, at the last AP meeting, there was
4 a lot of discussion about us expanding the use of
5 electronic monitoring system beyond what the
6 scope was originally discussed, with Amendment 7,
7 for just bluefin tuna.

8 So, under this alternative, is that if
9 -- it would only allow permit holders that would
10 allow the Agency to use the electronic monitoring
11 to verify the landings, then to be able to land
12 shortfin mako sharks.

13 Alternative A5 is that, once the mako
14 shark is hauled back dead, if there's an observer
15 onboard to verify the landing, then they would be
16 able to retain it.

17 So, continuing with the commercial
18 alternatives. This one is kind of combining the
19 size limit in with this one.

20 So, in Alternative A4, allow retention
21 of any mako sharks, whether dead or alive, if

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1 it's over 83 inches and there's a functioning
2 electronic monitoring system or an observer
3 onboard to verify the fork length. And what I
4 mean by fork length, we mean by straight-line
5 measurements.

6 And then, Alternative A6 is, prohibit
7 all commercial retention of shortfin mako sharks.

8 So, those are the commercial ones, now
9 moving on to the recreational alternatives. So,
10 again, the first one is no action, so keep the
11 non-emergency rule regulations.

12 And then, the next ones are looking at
13 the different size limits. So, Alternative B2
14 through B5 look at different ones. So, it would
15 all be increasing the minimum size from the 54
16 inches, but under B2, it would be increasing it
17 to 71 inches for the males and 83 inches for the
18 females, which would be mirroring what was in the
19 recommendation.

20 Alternative B3, the preferred
21 alternative, is to increase the size limit to 83

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1 inches for male or female.

2 Alternative B4 would be to increase
3 the minimum size for males to 71 inches and then,
4 also then increase the minimum size for females
5 to 108, which is the 50 percent maturity size for
6 female sharks.

7 And then, the last one is, B5 here,
8 would be to again increase males to 71 inches,
9 but then, females to 120.

10 So, we got comments about maybe a
11 male-only fishery. So, this alternative would
12 be essentially a male-only retention of shortfin
13 mako sharks, but it wouldn't prevent someone from
14 catching state world record fish that would be
15 over 120 inches.

16 So, the next set of alternatives,
17 again, is kind of an outgrowth of the public
18 comment, looking at the seasonal retention of
19 shortfin mako sharks.

20 So, under these alternatives, it would
21 allow retention seasonally of shortfin mako

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1 sharks, under the different male and female size
2 limits, depending on the length. But then,
3 anything outside those times, it would be
4 restricted to the greater than 120 inches.

5 So, Alternative B6a, with a season for
6 shortfin mako sharks would be May through
7 October. And then, the size limit would be 71
8 inches for males and then, 83 inches for the
9 females.

10 B6b would be June through August, 71
11 inches for the males, 100 inches for the females.

12 Next one would be from June to July,
13 71 inches for the males, and the size limit would
14 be smaller for the females, down to 90 inches.

15 And then, the other one we looked at
16 was just a season in June, with 71 and 83 inches.

17 And the last one in this suite here is
18 looking at potentially establishing a seasonal
19 retention and minimum size, based on certain
20 criteria, more looking at landings and catch
21 rates, where we could potentially change the size

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1 limit and season to maximize that.

2 Continuing with the recreational
3 alternatives. The next one would be looking at
4 a slot limit. And a slot limit is looking at a
5 minimum and a maximum for the males and females.

6 There's a lot of confusion with that.
7 And also, where we'd have a minimum and a maximum
8 for both males and females, and then, also if
9 people properly identify them, so right now,
10 that's not a preferred alternative.

11 B8 is looking at a landing tag
12 program, similar to other fisheries and hunting.
13 You'd have to -- you can only land a mako shark
14 greater than the minimum size if you had a tag to
15 do that.

16 Alternative B9, another preferred
17 alternative, would be to require the use of
18 circle hooks for recreational fishermen. So,
19 right now, we have the line at Chatham,
20 Massachusetts, where anything north of that line,
21 you don't have to use circle hooks. That was

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1 established in A5b with dusky sharks.

2 This alternative would remove that
3 line and it would be the entire HMS Management
4 Group would be required to use circle hooks to
5 recreational shark fish.

6 And then, last one is to prohibit
7 landings. So, make it a catch-and-release only.

8 So, moving on to the monitoring
9 options. So, currently, right now, we prefer no
10 action. So, do not do anything beyond, outside
11 the current recreational reporting systems.

12 However, right now, we plan to expand
13 the tournament reporting. So, right now, only
14 swordfish and billfish tournaments are required
15 to report. Now, we're going to look to expand
16 that to all the shark tournaments, to include
17 landings, discards, and other information.

18 And Alternative C2 would be establish
19 mandatory commercial reporting of mako sharks on
20 the VMS. Currently, right now, we're not
21 preferring that alternative, because commercial

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1 fishermen report a lot between, there's observers
2 on the boat, there's EM, there's logbooks, and
3 then, there's the electronic dealer reporting.

4 The other alternative is, C3 is
5 implement mandatory reporting of all recreational
6 landed and discarded shortfin mako sharks.
7 Again, we do not prefer this one at this time,
8 because of -- we have a good estimate of what the
9 recreational core landings are through the LPS
10 and they're really good estimates.

11 Continuing on to the rebuilding
12 alternatives. So, D1, again, is the do nothing,
13 don't establish one.

14 D2 is to establish a domestic
15 rebuilding plan without ICCAT.

16 The preferred alternative, however,
17 is to develop a foundation for an international
18 rebuilding program with ICCAT for shortfin mako
19 sharks.

20 The other alternatives here are, D4 is
21 to, if ICCAT establishes this, remove shortfin

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1 mako shark from the pelagic shark management
2 group and implement a shark management quota.
3 And then, adjust the shortfin mako -- I mean, the
4 pelagic shark quota quarterly.

5 And then, the other one is, again, if
6 ICCAT established this, implement an area
7 management for shortfin mako sharks.

8 And then, the last one here, is to,
9 Alternative D6, establish a bycatch caps for all
10 fisheries that interact with shortfin mako
11 sharks.

12 Currently, right now, 98-99 percent of
13 shortfin mako sharks occur in HMS fisheries,
14 whether it's commercial or recreational. So, we
15 don't feel it's warranted at this time for this
16 alternative.

17 So, here's kind of the timeline for
18 this rulemaking. We wrapped up the in-person
19 public hearings. We have the webinar next
20 Wednesday. And then, we still have the council
21 presentations in the South Atlantic and New

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1 England.

2 The comment period ends on October 1.
3 And the target date to get this done and
4 implemented is the spring, which would be the
5 beginning of March, when the emergency rule
6 expires.

7 And also, I want to point out, like I
8 mentioned earlier, the ICCAT will be evaluating
9 the measures in November.

10 So, I wanted to give kind of the AP a
11 rundown of public comments we've heard to date.
12 So, we've received support for the preferred
13 alternatives, but then we also received support
14 for alternatives that mirror the ICCAT
15 recommendations.

16 There were some questions regarding
17 what would happen if ICCAT changes the
18 recommendation in November and then, if -- or
19 after the assessment in 2019.

20 And there's been a lot of comments
21 about, like, the U.S. shouldn't be the leader

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1 here for shortfin mako conservation, because we
2 only count for ten percent of the overall
3 landings.

4 And then, there's comments about,
5 memos should have a sunset clause that allows for
6 regulations to be removed quickly if ICCAT
7 changes the recommendations based on the new
8 assessment results.

9 And then, there's been comments about,
10 well, bottom longline and gillnet fishermen
11 incidentally catch shortfin mako sharks and they
12 should be able to land them, whether dead or
13 alive, without electronic monitoring systems.

14 And then, comments about NMFS should
15 look at commercial fishermen to allow commercial
16 fishermen to land shortfin mako sharks at an
17 incidental level, dead or alive, especially
18 during the summer fishery.

19 So, that's all I have today. Again,
20 I want to mention the comment period is through
21 October 1. You can submit comments through

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1 regulations.gov, email, or calls. And then,
2 we'll be taking your comments here today.
3 Thanks.

4 MR. BROOKS: Great. So, as we did
5 yesterday, I think, since we've got several
6 different sort of categories of alternatives to
7 consider, let's take them chunk by chunk.

8 So, let's just take them in the order
9 that Guy just worked through it and let's just
10 start with the commercial alternatives. And
11 we've got six put forward here, so let's have
12 some conversation and feedback on the
13 alternatives, again, commercial alternatives.

14 So, I've got -- let's just work our
15 way down on commercial. Rick? No. Rusty?

16 MR. HUDSON: Thank you, Guy. With
17 shortfin mako, on slide five, you have that last
18 line of zero metric ton would be necessary to
19 rebuild the stock by 2040.

20 Is that just the United States doing
21 that, with our ten percent of the total catch, or

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1 are you anticipating enough work from the ICCAT
2 nations to accomplish that?

3 MR. DuBECK: That would be everyone.

4 MR. HUDSON: With that said, that's
5 about ten percent of 3,600 to 4,750 metric tons
6 in recent catches is 360 to 475 and it says it
7 should be below 1,000 metric tons. That's pretty
8 problematic.

9 Is that going to set you all up after
10 a final rule in the Federal Register of
11 potentially litigation for still overfishing
12 occurring here, for all sectors? I mean, that's
13 something that kind of worries me in the back of
14 the head.

15 And I agree with the sunset clause.
16 I assume that would also take an HMS meeting to
17 sort of make decisions on how to rapidly upgrade
18 the measures, in case the stock assessment is
19 different, because of the MRIP calibrations and
20 the Morocco landings and whatever else comes up.

21 MS. BREWSTER-GEISZ: So, you were

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1 asking if we weren't reducing below 1,000 metric
2 tons, if that would lead us to litigation? Is
3 that what your question was?

4 MR. HUDSON: If overfishing is still
5 occurring, that opens you up to litigation.

6 MS. BREWSTER-GEISZ: Possibly. I
7 can't predict who's going to or what would be
8 their reasoning to litigate us on this. This
9 would be an international thing.

10 MR. BROOKS: And, Rusty, did you have
11 any comment on the alternatives?

12 MR. HUDSON: As far as the alternatives
13 for size, I'm still a male-oriented type guy on
14 this particular thing --

15 MR. BROOKS: We're talking commercial
16 here.

17 MR. HUDSON: Yes, well, with the
18 commercial, that would be the same, if we're able
19 to allow other people besides pelagic longliners
20 to be able to take. For the pelagic longliners,
21 you've got dead, right now.

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1 MR. BROOKS: Bob, you want in on the
2 commercial alternatives, here?

3 MR. HUETER: Yes, I do, a
4 clarification. I don't understand the
5 difference, Guy, between A2 and A3. Can you
6 explain what you're talking about there?

7 MR. DuBECK: Yes. So, A2, the
8 preferred alternative, is that only vessels that
9 have a functioning electronic monitoring system
10 would be able to land dead mako sharks.

11 Under A3, it would be same thing, but
12 it would allow fishermen to potentially not allow
13 the Agency to review it for mako shark landings.

14 So, Amendment 7, as we talked about
15 last AP meeting, was, the intent of the
16 electronic monitoring system was for bluefin
17 tuna.

18 And this was above and beyond what was
19 originally intended for the electronic monitoring
20 system, so some fishermen felt that that wasn't
21 right and that this alternative would allow

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1 fishermen to opt-out of that.

2 MS. BREWSTER-GEISZ: So, you're still
3 looking confused.

4 MR. HUETER: Yes.

5 MS. BREWSTER-GEISZ: So, let me try.
6 If you remember, at the last AP meeting, and we
7 heard this throughout the scoping meetings, that
8 the pelagic longline fishermen were upset that we
9 were using electronic monitoring to monitor the
10 shortfin mako sharks.

11 So, Alternative A3 allows the
12 fishermen to opt-out. They would no longer be
13 allowed to land any shortfin mako shark, unless
14 they decide to allow the Agency to use EM their
15 shortfin mako landings.

16 MR. BROOKS: In A2, it assumes the
17 Agency is using EM, that's the default option.
18 A3, that only occurs if the fisherman says, yes,
19 you can do that.

20 MS. BREWSTER-GEISZ: Correct.

21 MR. HUETER: Okay. So, I think, so if

1 I'm understanding you, then I would advocate A2
2 plus A3.

3 I mean, if a boat catches a mako, has
4 a functioning electronic monitoring system
5 onboard, but they don't give permission to the
6 Agency to review the data, and I don't understand
7 what the purpose of A2 is.

8 So, it seems to me that it's got to
9 be, combine those two. That there is a
10 functional EM system onboard and there's
11 allowable access to the data. Maybe I'm still
12 confused.

13 MR. McHALE: So, I'll take a run at it
14 and see if I can screw it up even further.

15 (Laughter.)

16 MR. McHALE: So, in essence, a part of
17 the negotiations at ICCAT, some of the original
18 proposals were solely based on if there was an
19 observer onboard the vessel that could confirm
20 the shark was dead at haulback, then that shark
21 could be retained.

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1 And so, then, we as the United States,
2 saying, well, we have electronic monitoring
3 systems onboard our entire fleet, that also could
4 be used as a monitoring tool. And that factored
5 into some of those negotiations, hence the
6 recommendation.

7 Some members of the pelagic longline
8 fleet took offense to that, even though there was
9 a benefit of retaining, or potentially retaining,
10 more shortfin mako, is that that information was
11 being used differently from how we advertised it
12 in Amendment 7.

13 So, the differences between Amendment
14 2, excuse me, Alternative 2 and Alternative 3 is,
15 Alternative 2 is, you have the EM systems
16 onboard, you can retain dead shortfin mako at
17 haulback, across the board.

18 If somebody, on principle, continues
19 to take offense that the Agency is using that
20 footage beyond the scope of Amendment 7, that
21 they could then opt-out, but as a byproduct, not

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1 retain shortfin mako.

2 So, it's really a principle versus
3 benefit of keeping those dead fish.

4 MR. HUETER: Okay. So, I vote for A3,
5 because just because they have a system onboard,
6 if they don't allow access, then they can get
7 away with whatever the hell they want.

8 MR. BROOKS: Next, running down the
9 line, Sonja, a comment on commercial?

10 MS. FORDHAM: I have one comment on
11 all.

12 MR. BROOKS: One comment on all, go.

13 MS. FORDHAM: Thank you. Sonja
14 Fordham, Shark Advocates. I have made more
15 extensive comments at the spring meeting and I've
16 submitted comments, so in interest of time, I
17 will do my best to be brief.

18 But unfortunately, I have to reiterate
19 some of the concerns I had about the
20 presentation, although I appreciate you giving
21 one and overall, it seems clear. But in terms

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1 of Slide 5, I continue to be really concerned.

2 I think it's critical that the Agency
3 present the full and complete picture about the
4 severity of the situation that's been presented
5 by the scientists. So, I think it's a bit
6 clearer than in the spring, but I'm still -- I'm
7 concerned that it's still not all there.

8 So, you talk about 1,000 ton limit to
9 stop the decline. The SCRS document also points
10 to a 500 ton level that is necessary to start the
11 rebuilding.

12 And I do appreciate you adding the
13 mention of zero catches, but the slide says a TAC
14 of zero, and actually, SCRS talks about zero
15 catches to achieve rebuilding by 2040, and that's
16 just a 54 percent probability association.

17 And I was at that SCRS meeting and I
18 asked this question and the scientist told me
19 that that zero catch includes discards. So, it's
20 quite a bit more serious.

21 Also, the ICCAT SCRS noted in their

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1 advice the 70 percent post-release estimated
2 survival for makos as a good reason to think that
3 a prohibition, which is what they have
4 recommended, would be effective and the best
5 course of action.

6 So, again, to be clear that the
7 scientists, I have never seen them be this clear,
8 that they recommended a prohibition, a complete
9 prohibition on retention.

10 And then, the last bit of information
11 I think that it would help to include the next
12 time we talk about this, if it happens again, is
13 the ecological risk assessment.

14 In your timeline, you go through the
15 stock assessments for ICCAT, but about a decade
16 ago, we started with the ecological risk
17 assessments for sharks and makos have
18 consistently been ranked near the top, in terms
19 of inherent vulnerability.

20 And so, again, as I said in the
21 spring, I recognize this is really unpleasant

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1 information and really difficult to deal with,
2 but it should not really be a total surprise,
3 given the biology of the animal.

4 So, with that, I appreciate that the
5 U.S. has taken prompt action, better than other
6 countries, but I continue to support the
7 scientific advice of complete prohibition for
8 both commercial and recreational fisheries.

9 I will reiterate that I appreciate and
10 recognize that this particular shark is one of
11 the most valuable, if not the most valuable, to
12 our fisheries.

13 But also note that NOAA has adopted
14 prohibitions for sharks for 20-some other
15 species, and in most cases, those prohibitions
16 are based on much less information and less
17 compelling arguments.

18 And last, I will say that you work
19 pretty intensely on ICCAT. I work with
20 colleagues from the other main catching nations.
21 I definitely share the frustration of all the

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1 other countries not taking action.

2 But the U.S. has ranked fourth for
3 mako catches in recent years, and the fact
4 remains that the U.S. failing to take action on
5 this very clear scientific advice, or adopting
6 measures that aren't fully in line with that
7 advice, really is only going to make what is a
8 very serious situation worse. Thank you.

9 MR. BROOKS: Thanks, Sonja. Rick, did
10 you want to weigh in on commercial? Okay.
11 Scott?

12 MR. TAYLOR: Well, I urge the Agency
13 not to create another regulatory dead discard.
14 Anybody in this room that doesn't think the
15 Agency is going to use the EM the way they see
16 the EM fit to be used is just naive.

17 This is a prime example of us being
18 shot in the foot for the level of competency and
19 reporting that we have here in the U.S. Did
20 anybody that -- when things are wrong, you've got
21 to call them wrong.

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1 The distribution of these fish, and I
2 understand that we have treaties and obligations
3 within ICCAT, but the information that this
4 assessments are being based on is just someplace
5 in outer space.

6 There's a problem when -- that for
7 year after year, we hear that, when observation
8 from the people that have been engaged in this
9 fishery consistently, from the very beginning,
10 are not seeing any change.

11 As a matter of fact, we're seeing more
12 makos right now than we've seen the rest of my
13 life. I caught my first mako with Charlie Kluck
14 in 1975. That's how long I've been engaged in
15 the fishery.

16 There's more makos out there now than
17 there's ever been. So, unless there just an
18 absolute complete disconnect with what's going on
19 with the fishery, the only other possibility is
20 that the numbers are wrong, because nobody else
21 is doing the reporting that we're doing.

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1 So, I understand that there's
2 limitations, but by essentially having the fleet
3 take over and dump a fish that's dead already, I
4 don't know what more else that it is that we can
5 possibly do.

6 Nobody's out there -- we're honoring
7 and observing this emergency rule that was
8 placed. And I can't let the opportunity to pass
9 to reinforce what Glenn Delaney said yesterday.

10 2021, 2022 before we're going to do
11 anything? This is a shining example of how
12 quickly the Agency can move when it actually
13 needs to move on something. We can't wait four
14 and five years for there to be action.

15 You have -- the only alternative that
16 makes any kind of sense for the pelagic fishery
17 -- I'm not going to comment on what you can do
18 recreationally, because it doesn't have any
19 value, one way or another to -- in terms of what
20 I can quantify.

21 It does for the tournaments, it does

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1 for the recreational sector, I can understand
2 that. And that's an issue that the Agency will
3 have to grapple with and it's outside of my
4 wheelhouse.

5 The only thing that I can speak to is
6 that, if we catch a mako and the mako is in fact
7 dead, let's not chastise us and penalize us even
8 worse by simply turning the fish into a mud dart
9 and sending it over, so that the other people
10 that are out there are going to sit there and
11 say, look how wasteful the longline fleet is
12 again.

13 It's absolutely ridiculous. We're
14 going to do everything we can to turn these fish
15 loose live. I've got boats that are seeing 20
16 and 25 makos a day right now, that they're cutting
17 loose live.

18 There's a complete disconnect between
19 what the science is showing and what we're
20 seeing, again, and it's not because of the lack
21 of information coming from the U.S. We're ranked

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1 fourth? Please. That's my --

2 MR. BROOKS: Scott, sorry to -- just,
3 could you be more specific on which alternative
4 you prefer?

5 MR. TAYLOR: Leave the alternative that
6 you have in place, which is to allow us to retain
7 dead discards.

8 You're going to use the EM the way
9 you're going to use the EM anyway. Clearly, the
10 issue regarding the EM being used for enforcement
11 outside of the original intention under Amendment
12 7, anybody that took the position that eventually
13 we weren't going to get around to all the other
14 species was just naive anyway.

15 And that regardless of what we wish,
16 as long as you're getting sent the hard drives,
17 you're going to use them basically as you see
18 fit. It's equipment that you put -- that's there
19 on the boat.

20 So, you have enough other deterrents
21 and controls to make sure that a bad player, for

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1 example, isn't going to be harvesting live makos.

2 I mean, that's just --

3 MR. BROOKS: Thanks. Okay. Working
4 my way around. Hang on, Dave.

5 MR. AUGUSTINE: I'll pass.

6 MR. BROOKS: Passing? Okay.

7 MR. AUGUSTINE: No, no, you want me to
8 pass? I don't want to pass.

9 MR. BROOKS: I only want you to pass if
10 -- I want you to talk to commercial, otherwise,
11 pass.

12 MR. AUGUSTINE: Yes, commercial.

13 MR. BROOKS: Go.

14 MR. AUGUSTINE: I agree,
15 wholeheartedly, with what Scott said. Let's be
16 realistic, a dead fish is a dead fish.

17 They're not in the industry, in the
18 business to feed that dead animal to other
19 creatures in the ocean. It's dead. That's their
20 job. Their job is to bring it into market and
21 make it a viable product.

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1 So, I agree with him wholeheartedly,
2 don't change it. If you've got a dead fish, it
3 stays in the vessel. If it's alive, you cut it
4 loose, mark it as such, and move on with your
5 life. Thank you.

6 MR. BROOKS: Okay. Thank you. Marty?

7 MR. SCANLON: I'm in agreement with
8 what Scott said right there. Yes, A2, A3, it
9 just creates a complexity that I don't think we
10 need to be dealing with.

11 I mean, the most important thing is we
12 don't want another discard to deal with and
13 that's why we preferred the A2.

14 But A5 should be included in that as
15 well, because, I mean, there are commercial
16 fisheries that don't have the electronic
17 monitoring systems onboard, but they do have
18 times that they carry human observers. So, I
19 think A5 and A2 should be both included in it
20 there.

21 And like I said, A3 would just create

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1 -- you'd have to have a disclaimer at the
2 beginning of the year, it would be that much more
3 difficult for the Coast Guard to enforce, and
4 that type of issues would come up there, so.

5 MR. BROOKS: Thanks, that's helpful.
6 Mike, did you want to get in on this, or just
7 waiting on rec?

8 MR. PIERDINOCK: No, I have comments
9 concerning the stock assessment that applies for
10 commercial, as well as rec, but I'll save that -
11 -

12 MR. BROOKS: Go for it then. Oh, you
13 want to -- okay.

14 MR. PIERDINOCK: I'll leave it to when
15 I --

16 MR. BROOKS: Okay.

17 MR. PIERDINOCK: -- just to clarify
18 that, after he's done commenting.

19 MR. BROOKS: Yes, go ahead, Scott.

20 MR. TAYLOR: I just wanted to say that,
21 understanding the dynamic with ICCAT, that if you

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1 need to use the fact that you have EM on the boat
2 as a leverage to allow for the retention of the
3 dead discards, I mean, that's something that I
4 think we all understand.

5 But there's a difference between that
6 and -- and specifically -- for the purposes of
7 those negotiations. But there's a difference
8 between doing that and sort of asking the
9 industry to endorse the use of the EM for that
10 purpose.

11 MR. BROOKS: It's not a full-throated
12 endorsement, it's, yeah, it's there, I get it,
13 and if that's what allows us to avoid dead
14 discards, sure. Go ahead, Marty.

15 MR. SCANLON: Yes, well, the industry
16 looks at it as a utilization of the EM, not an
17 expansion of the EM. That's how we view it
18 there.

19 And the other thing is, I guess we
20 should mark this down as this is the beginning of
21 our revitalization plan, that we're going to be

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1 allowed to keep dead-discards, in the A11? Is
2 this -- should we mark this day down on our
3 calendar, that this is the beginning of the
4 revitalization?

5 MR. BROOKS: All right. Before we turn
6 to rec, then what we're hearing there is, at least
7 one comment for a complete prohibition.

8 A couple for A2 or a combination of A2
9 and A5, to account for monitoring -- David, I'll
10 get to you in one second. One person voicing
11 interest in A3, though others suggesting that
12 could be just too complicated to implement.

13 And then, a recommendation that
14 regardless of what path you go, include a sunset
15 clause, so that if the assessment changes at
16 ICCAT, there's a way to be nimble and respond to
17 that.

18 Obviously, a number of general
19 comments around the extent to which people see
20 the risk to makos right now and the accuracy of
21 the assessments that are out there.

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1 So, David, you did want to jump in on
2 this?

3 MR. SCHALIT: I want to admit that I
4 have limited knowledge of the mako situation. I
5 did read the executive summary from the SCRS and
6 I recall that they did not have what you would
7 characterize as a bulletproof sense that the data
8 they were collecting was accurate. And that's
9 important to keep in mind.

10 I think, I'm looking at it from the
11 point of view of bigeye, I believe that any
12 longliner that's targeting bigeye is also
13 incurring mako catch as well.

14 And I mean, it's always possible that,
15 for example, we have it with the swordfish stock
16 that the scientists are telling us is fully
17 recovered, but it is not abundant in the U.S.
18 EEZ. Okay.

19 So, that could be a situation here.
20 But I don't think that's it. What we can see
21 from bigeye world is that there are approximately

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1 800 distant water longliners, of many nations,
2 maybe ten or 12 nations, operating in the Central
3 Atlantic.

4 And I have serious doubts, extremely
5 serious, like totally extremely serious doubts,
6 that we are getting good data from all those
7 nations.

8 So, it seems that ICCAT has an IUU
9 issue, a reporting issue, an enforcement issue
10 that they have to look at. And I think we should
11 keep that in mind when we're discussing this.
12 Thanks.

13 MR. BROOKS: There's a card up in the
14 corner, is that on commercial? Okay. All right.
15 So, let's switch -- please, Bob.

16 MR. HUETER: I just want to -- I'd like
17 to clarify my position, which is, so, I have some
18 trepidations about the fact that this is all
19 based on one assessment as well.

20 And in that case, I think it's
21 draconian to jump immediately to zero retention

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1 and throw away dead-discards. It seems like a
2 waste.

3 So, the question is, if we did that,
4 though, are we trying to incentivize the fishery
5 to move away from catching makos?

6 That's the only reason why you would
7 prohibit retention of dead discards, in my mind,
8 is to incentivize the fishermen, let's stay away
9 from these animals. And I haven't heard that as
10 a goal.

11 So, therefore, my position is, it's a
12 combination of A2, A3, and A5, that if they have
13 the right permits, let them keep dead animals,
14 which for makos, is pretty obvious, once they get
15 to the boat. They're not -- they don't revive.

16 And they have to have either an EM
17 system onboard to which the data can be accessed
18 to check on and verify what the fishermen are
19 saying, or they have an observer onboard that's
20 also -- a human observer that will also verify.
21 So, that is my position, and I'm sorry it doesn't

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1 fit into one of your categories as easily.

2 MR. BROOKS: Scott, you got 20 seconds.

3 MR. TAYLOR: I got to respond to that.

4 The primary source of the makos are the
5 swordfish. That's why they're there. We're not
6 going to fish for swordfish -- if you're not
7 seeing the makos, you're not where the swordfish
8 are.

9 And the second comment is about the
10 EEZ. There's plenty of swordfish in the U.S.
11 EEZ, just not where we can catch them. So, don't
12 be fooled into believing that we don't have more
13 than ample stock within our EEZ to completely
14 fill our quota. Our hands are tied and we can't
15 fill our quota ---

16 MR. BROOKS: Thank you, Scott.

17 MR. TAYLOR: -- because we can't fish.
18 Thank you.

19 MR. BROOKS: Sonja, urgent need to
20 weigh in?

21 MS. FORDHAM: Yes, urgent need. Just

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1 mentioning that the SCRS report does make a
2 special note of the improvement in the mako catch
3 data over time and the scientists' marked
4 increased confidence in their results.

5 MR. BROOKS: Okay, thanks. Let's
6 shift to rec. And I've got Rick, Rick, Mike,
7 Anna, Rusty.

8 MR. WEBER: Rick Weber. You're
9 probably going to get bookend comments from both
10 Mike and I.

11 I'm going to start with commercial
12 comments, because they're really all the same,
13 which is, follow the ICCAT advice. It's an
14 internationally managed species.

15 What could we do for commercials? How
16 about we give up wire leaders? Oh, we've already
17 done that. How about we give up J hooks? Oh,
18 we've already don't that.

19 I -- we need the rest of the world to
20 come along with us. Thinking we're going to
21 solve this with less than ten percent of the total

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1 catch is insane.

2 And I know that the sizes were
3 discussed in the spring, and, Bob, I believe
4 you're right, they probably are not accurate.
5 And I would fully support going to ICCAT and
6 getting that fixed.

7 But leading with our chin yet again,
8 I can't support. Let's get it fixed. If they
9 pick the wrong number, let's get it fixed. But
10 follow the ICCAT advice. So, I'm at 71 and 83,
11 as I have been since last November.

12 The rest, I am very appreciative of
13 scoping. I really am, because we -- unless you
14 guys were scoping, we wouldn't -- you wouldn't be
15 able to properly advise the IAC and the
16 delegation of what we can bring home.

17 How can we tolerate? What ideas have
18 we heard? Maybe it should go to male-only.
19 Maybe some of these ideas should be pursued, but
20 they need to be pursued at the ICCAT level, not
21 getting ahead of the curve again.

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1 We get no credit for it, ever. The
2 next time there's a cut, they just look at us and
3 say, what are you going to do now? And they --
4 there's -- I don't know, I'm talking in circles.

5 MR. BROOKS: No, you're not talking in
6 circles. Rick Bellavance?

7 MR. BELLAVANCE: Thank you. Just a
8 quick question first and then, a recommendation.
9 So, my question is, what is compelling the
10 Service to prefer an option that's more
11 restrictive than the ICCAT recommendations?

12 MR. DuBECK: Well, as we stated, that
13 83 across the board, because of the
14 identification of male and female. We were
15 hearing some mixed reports, whether fishermen can
16 do that and can't do that. So, we decided to
17 prefer at this point 83 across the board for all
18 fishermen.

19 MR. BELLAVANCE: So, I personally
20 disagree with that logic. Just, I think that's
21 inaccurate. If you can't tell the difference

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1 between a male shark and a female shark, then you
2 shouldn't be driving a boat. But that's just how
3 I feel.

4 So, I think that's -- I don't agree
5 with that logic. I think we should follow the
6 ICCAT recommendations. Personally, that's what
7 I believe is right. I agree with Rick 100
8 percent, he's at that table that has a lot more
9 to offer there than I do, but I agree with that.

10 I will say that I have heard from
11 other fishermen that a male-only fishery makes
12 more sense if you're truly concerned with
13 conserving the resource and rebuilding it,
14 protecting those females is a good idea.

15 So, I wanted to pass that along. But
16 my personal beliefs are, stick with the ICCAT
17 recommendations.

18 MR. BROOKS: Thanks, Rick. Mike?

19 MR. PIERDINOCK: Yes, thank you. I'm
20 not going to repeat what Rick and -- the two Ricks
21 have said, I agree with what they're saying. I'm

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1 one of the ICCAT advisors that was in Morocco.

2 One thing I want to point out is, is
3 that we may have to call off the hounds. I'm
4 concerned that we're jumping the gun here. And
5 part of this has to do with the fact that the
6 international fleet does not report their
7 landings.

8 And that resulted in a lot of
9 uncertainty in the stock assessment. So, the
10 stock assessment may be flawed as a result of
11 that lack of data and information.

12 Our hope is, and my hope is, and I'm
13 trying to be positive about this, Sonja, is that
14 November, Morocco, Portugal, the rest of them
15 that are catching all the makos, report their
16 landings and it shows a different outcome of the
17 stock assessment. That's my hope.

18 We only represent ten percent of the
19 total landings for the United States, yet we
20 continue to do the conservation measures and
21 everything that's made our pelagic longline fleet

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1 be reduced to the point it is today, as a result
2 of the fact they can't go after swordfish and
3 other species.

4 Yet, the rest of the world over in the
5 Gulf of Guinea and elsewhere, they continue to do
6 it and get all that bycatch and continue to catch
7 it and sell it back to us. It's just not right.

8 Japan, for example, is one of the
9 biggest bluefin landing nations of the world.
10 They're, I think, one, two percent of the total
11 landings of makos. It's ridiculous.

12 These nations are not reporting their
13 landings. They need to do that. So, I want to
14 proceed cautiously here, let's see what we come
15 up with in November and see whether that makes
16 any different conclusions to the stock
17 assessment.

18 Then, we can take appropriate
19 measures, which I think the 83-inch was
20 premature. It should have 83/71. We've seen
21 about a one-third decrease in tournaments,

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1 there's been some tournaments, shark tournaments
2 that have been cancelled altogether.

3 I know, I can't attest, Rick, for what
4 you're seeing down your neck of the woods, but up
5 in New England, one-third less participation in
6 shark tournaments is a result of this change.

7 So, the proposal would be -- my
8 recommendation is to keep things consistent with
9 ICCAT. Thank you.

10 MR. BROOKS: And with some sort of
11 sunset, if there are changes at ICCAT as well?
12 Does that make sense?

13 MR. PIERDINOCK: Yes.

14 MR. BROOKS: Okay. Anna?

15 MS. BECKWITH: Just a clarification on
16 the circle hooks for recreational shark fishing.
17 Is that just going to be for natural baits or for
18 natural and artificial?

19 MR. DuBECK: It would be the same what
20 was in the regulations, it's just more removing
21 that line that we have right now.

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1 MS. BECKWITH: So, I don't remember, so
2 that's why I'm asking for clarification.

3 MR. DuBECK: Natural bait -- natural
4 bait, except for artificial lures.

5 MS. BECKWITH: Okay. Natural bait,
6 except for artificial lures, so what about fly
7 fishermen with natural components on the fly?

8 MR. BROOKS: Okay. Rusty, and then,
9 over to David.

10 MR. HUDSON: Thank you. On the
11 recreational side, I have to agree that I believe
12 that what we've done collectively is great. And
13 I believe that they should stay with these
14 numbers that we have.

15 In particular, because of MRIP on one
16 level, a full dozen of nearly a third of all of
17 the shortfin mako PSEs, percent standard error,
18 are above 50. Fifty is considered highly
19 unreliable.

20 So, until that operational assessment
21 is done for shortfin mako, I believe we're

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1 jumping the gun, too.

2 Because in their one slide here, 11,
3 that we're setting a foundation for an
4 international rebuilding plan, that should be a
5 collective effort and that means that those other
6 52 countries, 51 countries should be onboard and
7 on the same page as we are, instead of causing
8 more economic and socioeconomic impacts for both
9 user groups.

10 And the Morocco thing, we don't know
11 what that's going to do to a full benchmark
12 assessment, nor do we know what these MRIP
13 revised numbers out of the U.S. is going to do to
14 a revised assessment.

15 I kind of would like to wait, instead
16 of rushing off and doing more and more and more.
17 When will these other countries have their
18 foundation for an international rebuilding plan?

19 Will it be by the spring? Will it be
20 a spinoff of the November stuff? Or will it have
21 to be after the full benchmark is completed a

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1 year or two from now, or whenever? So, there's
2 a lot of questions out there. Thank you.

3 MR. BROOKS: Thanks, Rusty. David?

4 MR. SCHALIT: Actually, to what Rusty
5 was just saying, I have a comment to add. If we
6 -- if ICCAT is contemplating, has to contemplate
7 a stock rebuilding plan for shortfin mako, one
8 thing that the U.S. could do, which would tend to
9 maybe not level the playing field, but bring it
10 to a more level position, would be to propose
11 that all these vessels that are fishing, all
12 these longline vessels that are fishing in the
13 Central Atlantic carry VMS and then ICCAT take
14 direct possession of that data.

15 Which they're not doing. And they are
16 the only major RFMO that aren't not doing that at
17 present. WCPFC and IATTC both have programs
18 where VMS data is captured directly from the
19 vessels, not through the vessel owner or the
20 country that they -- their flag nation.

21 And we have electronic monitoring, we

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1 have all these really terrific systems on our
2 boats. This is not the case with those vessels
3 out there in the Atlantic. So -- and I think
4 that this is critically important to any
5 rebuilding program. Thanks.

6 MR. BROOKS: Thanks. Grant, you want
7 to jump in on that?

8 MR. GALLAND: Yes, thank you. And just
9 to add to what David said, I totally agree and
10 would go a little bit further even in saying that,
11 those boats be required to have electronic
12 monitoring onboard, camera systems, to ensure
13 that they're -- we're getting accurate data from
14 the other fleets and also, that they're, even for
15 the compliance side, are implementing the things
16 that they're saying that they're implementing.

17 Really, I think the U.S. should be
18 disciples of electronic monitoring around the
19 world. We should be spreading that word and the
20 Agency should be out in front, insisting that
21 other fleets implement the same requirements to

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1 fish that we do here, because we know that that
2 leads to better data, better stock assessments,
3 and better compliance.

4 MR. BROOKS: Thanks, Grant. We need
5 to get some feedback on monitoring and
6 rebuilding. Before then, Pat, and then, over to
7 Scott, and then, we'll shift topics.

8 MR. AUGUSTINE: Yes, thank you,
9 Bennett. On recreational, I would support, and
10 we supported in New York, we did support the
11 71/83, the recommendation from ICCAT.

12 To start with a question is, do other
13 ICCAT countries have minimum size for
14 recreational or not? And that's the first
15 question.

16 The second question is, when we -- why
17 did we have to go ahead and take the, I would
18 say, the and/or choice of coming up with a
19 suggested recommendation of reducing by 76
20 percent, as opposed to picking the 71/83?

21 Just some clarification, I read all

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1 the documentation, it still didn't come out
2 clear. There was confusion when -- on what was
3 added in there about the difference between male
4 and female, that seemed to be fog and smoke to
5 me.

6 But it wasn't clear as to why we
7 locked in the 71/83, as opposed to -- I'm sorry,
8 the 76 percent reduction, as opposed to the
9 71/83?

10 MS. BREWSTER-GEISZ: So, I don't know
11 specifically if there are other countries with
12 recreational size limit. I believe the U.S. is
13 one of the only countries, if not the only
14 country, that admits to having a recreational
15 fishery.

16 (Laughter.)

17 MR. AUGUSTINE: Thank you for that,
18 Karyl. So, based on that, going back to what
19 Rick and some of the others have said, we in fact
20 are leading the pack.

21 We're leading the pack again, cutting

1 off our nose to spite our face. Why not take the
2 71/83 and go with it from there? Or, even, look
3 at one of the other options for male 71 and female
4 108?

5 If we're trying to protect the female
6 population, and I'm a recreational fisherman,
7 yes, I'd go for a nine-foot shark, which is going
8 to weigh probably 450 to 500 pounds.

9 And I have a picture in my briefcase
10 that shows an 886 pound mako that was killed just
11 a couple of weeks ago, and I looked at that and
12 I was going to show everybody the picture, is
13 this what you want? Or do you want to allow
14 fishermen to have something smaller than that?

15 Remember, people pay \$1,500 to \$2,000
16 to go out and catch a shark. And now, the
17 likelihood of catching that one over 81 inches is
18 further diminished.

19 And as Mike pointed out, I know in New
20 York, we've lost about 30 percent of our shark
21 tournaments already so far, others are going to

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1 be announced shortly.

2 So, when your document says, would
3 have negligible impact, economic impact, I'm
4 saying, whoa, who had their head in the sand on
5 that statement? Because it will have a direct
6 affect.

7 Any help you can give on clarification
8 further on, why don't we just go back and be
9 honest with ourselves, look at 71/83, it's a
10 very, very sharp break in where we are right now,
11 we will protect the females and be done with it,
12 as opposed to being the leader of the pack again?

13 MR. BROOKS: Thanks, Pat. Andrew?

14 MR. COX: Andrew Cox. I just want some
15 clarification. If I remember correctly,
16 Amendment 5b already required the use of circle
17 hooks when targeting sharks. So, I'm wondering
18 why this Alternative B9 is even on the table.

19 MR. DuBECK: So, Amendment 5b is for
20 dusky sharks, and the migratory -- I mean, the
21 highest point of where dusky sharks are located

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1 is around the Chatham, Massachusetts line.

2 So, that's why the line was put in
3 place there. So, since mako sharks are caught
4 above that line, proposing to remove that line
5 for circle hooks for all shark fishing.

6 MR. BROOKS: Thanks. I want to push
7 us on. Obviously, a lot of comments around the
8 table, for those who are weighing in, around
9 sticking with the ICCAT advice and not getting
10 ahead, no good is going to come from that. And
11 then, just proceed cautiously.

12 Some comments around capturing VMS
13 data, basically, the other fleets need to be
14 similarly tracked as our fleet is. And just
15 repeating again, Sonja's strong comment at the
16 outset here, around support for a complete
17 prohibition.

18 So, with that -- oh, Mark, I didn't
19 see you up there.

20 MR. SAMPSON: Yes, thank you. So, very
21 quickly, I would just like to concur with pretty

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1 much what everybody else has said. It would seem
2 to make sense to go with the ICCAT
3 recommendation, 71/83.

4 I would also just say, be ready,
5 because unfortunately, and I think you heard the
6 kickback, when that was originally proposed, from
7 anglers who say, well, it's going to be
8 dangerous, it's going to be challenging, and so
9 forth and so on, to determine male from female.

10 I guess they'll just have to get over
11 it and do it. Perhaps it would be a good learning
12 experience for them.

13 And also, I know that all this came
14 about because you all were going to try to achieve
15 an 80 percent reduction in the landings of
16 shortfin makos, is that not correct? I mean,
17 these new regulations are --

18 MR. DuBECK: Seventy-two to 79.

19 MR. SAMPSON: Excuse me?

20 MR. DuBECK: Seventy-two to 79 percent
21 reduction.

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1 MR. SAMPSON: Yes, and so, just from
2 what you've seen through almost one full season
3 now, do you know where you're at on that? I
4 mean, what is the reduction now? Have you hit -
5 -

6 MR. DuBECK: Well, we're still
7 determining that, because the numbers aren't
8 finalized yet. We're still working through
9 determining what that reduction is. And it's
10 going to be used and presented to the IAC and
11 ICCAT this year.

12 MS. BREWSTER-GEISZ: Actually, I don't
13 know if the numbers will be presented at the IAC.
14 But the numbers are due to ICCAT of the first six
15 months in October.

16 I do not remember what that date is
17 and I don't know if it'll presented at the IAC.
18 But they're due to ICCAT in October. So, we're
19 working toward that.

20 Preliminarily, it looks like we have
21 met that goal, but I don't know if we've exceeded

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1 it or just barely made it.

2 MR. SAMPSON: And just one more thing,
3 again, while I am in support of following the
4 ICCAT recommendation of 71/83, I just have to
5 throw out that unfortunately, an unfortunate
6 spinoff of this is, here we go with complicating
7 the shark regulations all the more.

8 The recreational shark angler now
9 really needs to just about have a lawyer in the
10 cockpit with him to follow the seasons, the size
11 limits for the different species, and now, also
12 have to determine male or female and all that.

13 So, it's -- I'm not saying we
14 shouldn't, but it's just kind of sort of one more
15 thing. I wish it wasn't so, I wish we could just
16 go with one size limit, but here we are. Thank
17 you.

18 MR. BROOKS: All right. Our next
19 speakers are here. They're able to sit tight for
20 a little bit here, but I do want to pivot here
21 and get some comments on the alternatives for the

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1 monitoring and the rebuild.

2 So, invite any comments that folks
3 have on that. Scott, your card's up, do you have
4 any comments on that?

5 MR. TAYLOR: I just wanted to reiterate
6 again one more time, and again, I think that the
7 monitoring and the implementation that we have in
8 the temporary rule is more than adequate to deal,
9 at least with the commercial sector.

10 But I want to take the opportunity,
11 again, to make it abundantly clear, in the issue,
12 again, that David raised, that these fleets that
13 are operating in the Atlantic, are operating IUU
14 in a substantial way. I've seen it first-hand.

15 Their numbers are not small. They're
16 millions and millions of pounds. And they exist
17 to not report. The majority of this stuff gets
18 landed down in a lot of the Caribbean nations,
19 where it's easy to avoid a full accountability
20 and they operate specifically for that reason.

21 They don't want ICCAT to know what's

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1 being landed. They don't want ICCAT to know
2 about the numbers that are being done. And that
3 is the U.S.'s real role.

4 This is going to be an issue again for
5 us, with the bigeye issue that's coming up, and
6 that we can't be the ones that ultimately, and
7 what I mean by we, the pelagic longline fleet and
8 the U.S. collectively, when we see the
9 information not being fairly disseminated for us,
10 we can't just be the only ones to have the burden.

11 Because at the end of the day, it's
12 not an example that we're setting, it's that
13 we're leaving them the opportunity to access our
14 market through the product that they're landing.

15 MR. BROOKS: Okay.

16 MR. TAYLOR: And so, this is a real and
17 substantial issue and I have a fundamental
18 problem with these actions that are based upon
19 information that, at least I personally know is
20 severely skewed, at best.

21 MR. BROOKS: Thanks, Scott. Bob?

1 MR. HUETER: Yes, I just wanted to ask
2 Guy about Rebuilding Alternative D3, on Slide 14.
3 Establish the foundation for developing a
4 program.

5 There's a lot of hedging language in
6 there. What does that translate into, in terms
7 of actual time frame to get to where we're seeing
8 real action?

9 MR. DuBECK: So, this is similar
10 language we have for bluefin tuna, swordfish that
11 we would pretty much just be working with ICCAT
12 to determine a rebuilding program.

13 Depending on what comes out this
14 November, the next assessment in 2019, but work
15 with them to develop a rebuilding program. So,
16 it's kind of working with ICCAT for that.

17 MR. HUETER: So, something in the next
18 year? Or are we talking five years away?

19 MR. DuBECK: TBD? It depends on what
20 is done at ICCAT.

21 MR. BROOKS: All right. I am -- Scott,

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1 is your card left over? Okay. So, I'm not
2 seeing anyone else wanting to weigh in on the
3 monitoring/rebuild.

4 So, you've got plenty of feedback on
5 the rec and commercial pieces, do you need any
6 other conversation on this or are you good?
7 Okay. Thanks, everyone, very much, appreciate
8 it.

9 And at this point, let's shift here to
10 the MRIP folks, who are going to come up and give
11 us an update on their Fishing Effort Survey
12 Transition Plan.

13 So, John Foster and Dave Van Voorhees,
14 with the Office of Science and Technology. Okay.
15 So, we're not going to have Dave with us today,
16 but John is here and we'll cover it all. Thanks,
17 John.

18 MR. FOSTER: Okay. Thanks very much,
19 everyone, for having us today, giving us the time
20 to talk about a lot of big improvements and
21 transitions we've made within MRIP, Marine

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1 Recreational Information Program.

2 Dave Van Voorhees couldn't be here
3 today, he had a family emergency over the
4 weekend. So, I'll just be covering the full
5 presentation. So, let's get started.

6 So, just as kind of a refresher we
7 like to do at the beginning of any of these
8 presentations, just to give folks, again, a quick
9 reminder of how we calculate total catch. And
10 total catch here just means any type of catch,
11 landings, releases, combined, total catch.

12 And essentially, we break it up in two
13 components. We have separate surveys, which we
14 use to estimate effort, in terms of total numbers
15 of angler trips, and then, we have other surveys
16 that we use to estimate catch rate.

17 The effort surveys are generally
18 offsite surveys, telephone surveys, mail surveys,
19 things like that. And the catch rate, the
20 surveys we use to estimate catch rate or catch
21 per trip, are onsite, dockside, shoreside,

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1 intercept surveys of anglers as they complete
2 their fishing trips.

3 You take the information from both
4 surveys, essentially multiply them together, and
5 that then produces the total catch estimates.

6 And I'll point out today that this
7 talk is focused on our more general surveys, a
8 new mail survey called the Fishing Effort Survey,
9 as well as our Access Point Angler Intercept
10 Survey.

11 Again, these are the general surveys.
12 They're not the highly specialized, large pelagic
13 survey. That set of surveys is undergoing its
14 own sort of redesign and improvement process
15 right now.

16 I believe you had a presentation on
17 that at the last meeting from Yong-Woo Lee from
18 our office. But again, and I'll try to remind
19 that, as we get to some results today, that these
20 are, again, just estimates from the general
21 surveys.

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1 MR. BROOKS: And, John, I think he's on
2 the phone, by the way.

3 MR. FOSTER: Oh, Yong-Woo's on the
4 phone?

5 MR. BROOKS: Yes.

6 MR. FOSTER: Okay, great. Okay. So,
7 over the past -- since MRIP was created in 2007,
8 we've been working on improving the designs of
9 the surveys. And today, I'll be focusing on what
10 we now call the Fishing Effort Survey.

11 This is a new mail survey, that will
12 replace sort of our legacy telephone survey, a
13 random-digit dial Coastal Household Telephone
14 Survey, that was used to estimate shore and
15 private boat trips along the Gulf Coast and
16 Atlantic Coast.

17 And the new mail survey has a number
18 of key features that are improvements over the
19 old telephone survey, I'll get to those in a later
20 slide.

21 But essentially, it uses a full list

1 of residential households from the United States
2 Postal Service, as well as state angler
3 registries or license lists, as the sampling
4 frame. Which has a number of key benefits that
5 I'll mention in a moment.

6 Now, the results of this change, which
7 I'm sure many of you have heard about, is that,
8 overall, the results we get from the new survey
9 -- again, this is for private boat and shore modes
10 -- are higher effort estimates compared to the
11 old survey. And there are some reasons for that
12 that I'll speak to, and happy to take questions
13 on that as well.

14 But the estimates are more accurate
15 that we're getting now. For private boats, the
16 increase is on the order of two to three times
17 increase in effort estimates. And for shore
18 mode, it's higher, at about five to six times.

19 And I will go through some results
20 showing sort of before and after estimates for
21 both effort, as well as catch for a select number

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1 of species later on in the talk.

2 The second survey that I'll talk about
3 today is our Access Point Angler Intercept
4 Survey. Again, this is the dockside/shoreside
5 intercept survey, where we are intercepting,
6 interviewing anglers as they're completing their
7 fishing trips.

8 This went through a similar redesign
9 project. It was implemented in 2013 and
10 addressed a number of criticisms from the old
11 MRFSS Intercept that had been reviewed by the
12 National Research Council in 2006.

13 Specifically, one of the main
14 criticisms was the MRFSS Intercept focused on
15 sort of the most productive times of the day.
16 This new survey expands to full coverage and
17 eliminates many potentials for bias that existed
18 in the old survey, where it focused, again, on
19 the most productive times of day.

20 And then, there were a number of other
21 improvements to sort of the estimation

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1 methodology that make the new survey far more
2 statistically sound than the previous one.

3 Okay, some bullet points for the
4 Fishing Effort Survey. So, one of the key
5 problems with the Coastal Household Survey was
6 that it was a random-digit dial of residential
7 telephone numbers, landline residential
8 telephone numbers.

9 That meant that right off the bat, it
10 was highly inefficient for contacting anglers.
11 So, we had to make many, many calls to intercept
12 just a small number of anglers, to get their
13 fishing information.

14 Because the new Fishing Effort Survey
15 uses angler license lists in part as its frame,
16 again, it's far more efficient for contacting
17 anglers.

18 The next point is that, because it's
19 a mail survey, it's going to a household, it has
20 the ability for the questionnaire to get to the
21 most knowledgeable person in the household about

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1 the household's fishing activity.

2 With a telephone survey, it was a cold
3 call to whomever picked up the phone and they
4 were allowed to report fishing for the whole
5 household.

6 So, they may or may not have been the
7 most knowledgeable person. They may or may not
8 have been willing to go bother the person that
9 did know about fishing in the household.

10 And we called that the gatekeeper
11 effect. So, that tended to reduce the number of
12 households that would report fishing through the
13 telephone survey.

14 We're also seeing about a three times
15 higher response rate for the mail survey,
16 compared to the telephone survey. Telephone
17 survey response rates had been falling over time.

18 That's true of most, if not all
19 random-digit dial telephone surveys done in the
20 U.S., it's not limited to the survey we were
21 conducting. And again, with much higher response

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1 rate, you get much higher quality information.

2 The two last points, the questionnaire
3 for the Fishing Effort Survey is designed to
4 increase response rates, it's designed to not
5 only increase response rates for anglers, but
6 also for non-anglers. We need the non-anglers
7 to respond to the survey as well.

8 It also is designed to minimize burden
9 on the respondent, so that they're more likely to
10 complete the questionnaire and send it back to
11 us.

12 In the telephone survey, we would
13 frequently get people just dropping off of the
14 call after a few minutes, because they didn't
15 feel like going through all their fishing trips
16 or they felt the call had become burdensome. So,
17 we would get incomplete responses because of
18 that.

19 And then, finally, we get more
20 complete and more accurate answers to the Fishing
21 Effort Survey, because people have time to think

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1 about the numbers of fishing trips they're
2 taking, consult with any logs they might keep or
3 journals, look at calendars, things like that.

4 Again, with the telephone survey, it
5 was a cold call and people were expected to
6 provide their information during that call,
7 without time to think about or consult any
8 information they might have on their fishing.

9 Both the Fishing Effort Survey and the
10 APAIS survey designs were extensively peer
11 reviewed, with a report coming out from the
12 National Academy of Sciences in 2017 that was
13 very favorable for both surveys.

14 The Fishing Effort Survey, they
15 described as having major improvements over the
16 Coastal Household Telephone Survey, the old
17 random-digit dial telephone survey.

18 As well, the new methods for the
19 Access Point Angler Intercept Survey, they
20 describe as being state of the art. So, again,
21 a significant improvement over the old design

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1 that it had replaced.

2 Now, recognizing that there were going
3 to be big impacts to the estimates coming from
4 the transition from the telephone survey to the
5 mail survey, a Transition Team was put together
6 within MRIP that had representatives not only
7 from the Agency, but also regional management
8 councils, interstate commissions, as well as
9 individual states.

10 And they came up with essentially a
11 three-step process for transitioning us from the
12 old estimates produced through the old surveys to
13 the new surveys and new estimates.

14 Essentially, that first consisted of
15 a benchmarking period. So, for three years, we
16 conducted both the new mail survey, the Fishing
17 Effort Survey, as well as the old telephone
18 survey, the Coastal Household Telephone Survey,
19 side-by-side. And that was 2015 through 2017.

20 And then, at the completion of that
21 benchmarking period, we developed a calibration

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1 method.

2 Essentially, a modeling approach that
3 would use the estimates produced from both
4 surveys during the three-year benchmark period,
5 as well as the historical telephone-based
6 estimates and auxiliary information that would
7 help explain the differences between the two sets
8 of estimates and go back through time, all the
9 way back to the beginning of the MRIP time series
10 in 1981.

11 Once that calibration method was
12 developed, it would then be applied to the
13 estimates and allow us to essentially convert the
14 old estimates at the old scale, or currency, into
15 the new scale, or the new currency, and be
16 comparable with the estimates that we would have
17 in 2018 and moving forward.

18 And then, once that conversion or
19 calibration had been done and the estimates were
20 available that were now comparable across the
21 entire time series, those would be available for

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1 use in stock assessments and then forwarded into
2 management decisions.

3 So, a question that comes up
4 frequently is, what's going to be done or how
5 will annual catch limits, ACLs, for 2018 be
6 evaluated, given that they were calculated or
7 established based on the old estimates, before
8 any calibration had been done?

9 And fortunately, the calibration
10 model that was developed allows for calibrating
11 in either direction. So, historic estimates that
12 were based on the telephone survey can be
13 calibrated to be comparable with estimates based
14 on the mail survey.

15 But it can also work the other way.
16 So, 2018 estimates that are based on the mail
17 survey, the new survey, can be sort of back-
18 calibrated to be comparable with the old
19 estimates, the old time series.

20 And so, for ACLs that were set for
21 this year based on the old estimates that haven't

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1 been through a new stock assessment, we can
2 produce estimates that are essentially scaled
3 down to be comparable with the older time series
4 and the ACL based on the older time series.

5 So, that -- again, the estimates that
6 are used -- the estimates in the ACL will
7 essentially be comparable, until a new assessment
8 can be done and new ACLs can be produced using
9 the new estimate series, the new calibrated
10 series.

11 Okay. So, now I'm going to run
12 through some sort of comparison result slides.
13 We'll start with effort, fishing effort, and
14 then, we'll go through several HMS and pelagic
15 species.

16 And again, all of these slides -- or
17 I'll say it this way, none of these slides include
18 results from the Large Pelagics Survey. These
19 are all limited to the more general surveys,
20 either the Fishing Effort Survey or the
21 combination of the Fishing Effort Survey and the

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1 Access Point Angler Intercept Survey.

2 Okay. So, we'll start with private
3 boat fishing effort and, again, this is Atlantic
4 and Gulf Coast wide.

5 And just to orient you to the slide,
6 the blue series is the new calibrated effort and
7 the -- based on the Fishing Effort Survey. The
8 orange series there is the sort of original
9 effort series, based on the old telephone survey.

10 And these estimates are at the annual
11 level. Again, full Atlantic and Gulf Coast wide.
12 And they represent total numbers of angler
13 fishing trips. So, not vessel trips, these are
14 angler, individual angler trips.

15 And for -- I need to put a few labels
16 here on the slide. So, the difference between
17 the two series is, roughly 1.9 or approximately
18 two. So, the new series, the blue series, is two
19 times larger than the orange series, for the
20 years 1981 through roughly 2000.

21 And that is due to sort of the way

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1 that the calibration model is structured. There
2 are a set of terms or affects in the model that
3 are essentially just trying to account for the
4 overall difference between the two surveys,
5 between the telephone survey and the mail survey.

6 Sort of a gross difference between the
7 two, accounting for everything. The difference
8 in the contact mode, mail versus phone. Having
9 an interviewer versus a self-administered
10 questionnaire.

11 The length of one questionnaire versus
12 the length of the other. The types of questions
13 that are asked. Sort of, all of that together,
14 that all contributes to the difference between
15 what we see in the mail and the telephone
16 estimates.

17 So, that's one set of effects that go
18 through the entire time series. But starting in
19 2000 and moving forward, through 2017, there was
20 another important effect for wireless telephone
21 use.

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1 So, essentially, starting in 2000, the
2 percentage or proportion of households that only
3 had a wireless phone or primarily used their
4 wireless phone, whether they had a landline or
5 not, has been growing, fairly significantly.

6 And that effect is in this model, to
7 account for it. And it was one of the main
8 drivers for what we saw as the sort of declining
9 quality of the telephone survey. Again, the
10 telephone survey was based just on a landline
11 telephone frame, had no wireless coverage at all.

12 So, the proportion of U.S. households
13 with a landline phone and that were reliably
14 answer that landline phone, after things like
15 caller ID were in place, was declining. Not just
16 for our telephone survey, but across all national
17 telephone surveys that are based on landline
18 phones.

19 So, the size of that effect in the
20 model grows, again, from 2000 moving forward.
21 And it accounts for the increasing difference in

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1 the estimates.

2 So that, by the time you get to the
3 last three years, sort of the benchmark years of
4 2015 through 2017, that difference is closer to
5 three times, again, for the full Atlantic and
6 Gulf Coast.

7 Now, we see a similar -- I'll shift
8 now to shore effort. And we see a similar result
9 that we saw for private boat, except that the
10 differences, again, are larger. And I'll put the
11 same labels up on the slide.

12 So, again, from 1981 until about 2000,
13 the difference here, I apologize, let me get to
14 the value, the difference here is a little below
15 four. It's about 3.8 times. So, the blue line
16 is about 3.8 times, the estimates there are about
17 3.8 times larger than the orange series.

18 But that, again, starts to increase
19 with the addition of the wireless telephone
20 effect into the calibration model. And by the
21 time we reach the last three years, 2015 through

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1 2017, it's up to just over five times. So,
2 again, the new estimates are a little more than
3 five times larger than the original estimates.

4 And everything else here is the same,
5 these are still total number of angler fishing
6 trips at the annual level.

7 Okay. So, now, I'll switch gears to
8 catch. I'll go through several species. We'll
9 start with harvest, total harvest. And then,
10 I'll show a second slide, which is total catch,
11 so it'll be harvest plus releases.

12 Again, this is Atlantic plus -- it
13 includes the Atlantic Coast and the Gulf of
14 Mexico. And it is in numbers of fish, so these
15 are not pounds or harvest or total catch in
16 weight, these are in individual numbers of fish.
17 Annual estimates, again, for the full Atlantic
18 and Gulf Coasts.

19 And we see a similar -- although the
20 pattern is much different, the overall changes we
21 see are very similar to what we saw for effort.

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1 As the effort change is the biggest driver for
2 the changes in the catch estimates as well.

3 So, overall, over the entire time
4 series, there was an increase of about 1.44
5 times. That's about a 44 percent increase in the
6 yellowfin tuna harvest, or landings. Again, for
7 the entire time series, 1981 through 2014.

8 But you see, that does vary, if we
9 look at the individual year ranges. And these,
10 again, are based on whether that wireless effect
11 is in the model or not.

12 So, it's less than that, it's about a
13 30 percent increase, when there was no wireless
14 effect. So, 1981 through 1999. Then, it
15 increases to, during the benchmark period, 2015
16 to 2017, it's over a doubling, about 2.3 times
17 larger.

18 And again, that is right in line with
19 what we expected to see, based on the differences
20 we saw in the effort estimates, between the new
21 mail survey and the legacy telephone survey.

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1 Very similar story when we look at
2 total catch. So, again, it's just the harvest
3 plus releases. Overall, there's a, over the
4 entire time series, again, about a 50 percent
5 increase.

6 Less in the earlier part of the time
7 series, which increases as we move forward
8 through time, until we get to the last, most
9 recent three years, the total catch is about two
10 and a half times larger for yellowfin tuna after
11 the calibration is applied.

12 Okay. Now, Atlantic sharpnose shark.
13 Again, starting with harvest. And this is once
14 again Atlantic and Gulf Coast. Similar to the
15 results for yellowfin, although a little bit
16 larger.

17 So, overall, here, we have about a
18 doubling for the entire time series. A little
19 less than that for the earlier part, but it
20 increases to about 3.4 times in the most recent
21 three years.

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1 For total catch, again, for Atlantic
2 sharpnose. Now, the increases are a little bit
3 larger here, for total catch.

4 And again, there is certainly more --
5 or there is a shore component for a sharpnose
6 catch, which would explain why we would expect to
7 see somewhat larger differences for sharpnose
8 than for a species that's primarily or entirely
9 a boat-based catch.

10 So, here, the overall is a little less
11 than three times increase. And that, again,
12 increases over time, until for the last three
13 years, it was more like three and a half times
14 increase after the calibration. Again, that's
15 for total catch for sharpnose, in numbers of
16 fish.

17 For -- now, moving to blacktip shark.
18 Again, this is harvest. Similar results that we
19 saw for sharpnose. Again, overall, it's about a
20 doubling, which is in line for most of the
21 blacktip catch, or much of it, coming from boat

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1 mode versus shore.

2 And again, a general increase over
3 time, with the most recent three years being more
4 like a tripling of the catch. Although, you can
5 see the general trend is a decline in the
6 landings.

7 For total catch, differences are a
8 little bit larger. And again, these are
9 estimates just from the general surveys, they do
10 not include any of the LPS estimates.

11 A similar trend, you will of course
12 see, there is one large estimate there. I'll
13 stop just for a second. The calibrations
14 themselves are not data-smoothing exercises.

15 There are aspects of them that we have
16 in place to help smooth the estimates after the
17 calibration, but essentially, the calibrations
18 themselves are just trying to explain the
19 differences between the surveys. Either for the
20 effort survey or also for the design changes that
21 were part of the intercept survey.

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1 We calibrated well over half a million
2 catch estimates across all of the species, all of
3 the states, all of the fishing modes, all of the
4 years.

5 And with that many estimates being
6 calibrated, there will be individual ones that
7 will have sort of an outlier result. And this
8 is one of them.

9 We are working, we have a rare event
10 species project going on now that is looking into
11 how best we can address these, sort of at our
12 level, at the estimation level, before they have
13 to be addressed at a subsequent step, like at a
14 stock assessment level or at the management
15 level.

16 But that work is ongoing, so for now,
17 these estimates will still need to be adjusted
18 how they have been previously, which is left up
19 to the assessment folks at the assessment process
20 and then, folks downstream of that.

21 And I'll finish with dolphin. Again,

1 a similar result that we've seen for some of the
2 other species, where the catch is essentially all
3 from boat modes.

4 Overall, for harvest of dolphin, about
5 a 50 percent increase for the entire time series,
6 which increases over time. For the last three
7 recent years, it's between two to three times
8 increase, again, for harvest.

9 And I'm sorry, I'm rushing through
10 these quickly, I want to make sure that there's
11 time left at the end for questions.

12 Again, for total catch, a similar
13 picture. A little more than a 50 percent
14 increase over the entire time series. It again
15 increases over time, the differences increase
16 over time. And for the last three years, about
17 a 2.8 times increase after the calibration is
18 applied.

19 Okay. So, just a few slides, sort of
20 shifting gears back to management and assessment
21 impacts.

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1 What happens now, what are the impacts
2 of these calibrated estimates? And of course, I
3 can't give you specifics on that, but I'll try to
4 lay out just some sort of general points.

5 So, right now, the fully calibrated
6 estimates are available for use in stock
7 assessments. And I have a slide coming up that
8 sort of gives the schedule of assessments for
9 some priority species, but it's by no means
10 complete.

11 Once the results are available from
12 the assessment, then that filters into things
13 like stock status determination, is overfishing
14 occurring, and is the stock overfished?

15 Also, feeding into setting new annual
16 catch limits, based on the assessments using the
17 updated calibrated estimates.

18 And then, finally, the full time
19 series has been calibrated, so the information is
20 also available for allocation decisions, at the
21 councils or commissions or folks, management

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1 folks that need to use that information.

2 So, here is, sort of the assessment
3 schedule for the rest of this year into 2019 and
4 2020, for some key species. This is mostly just
5 for your general awareness.

6 It is by no means complete, but you
7 can see that striped bass, summer flounder,
8 blacktip shark, red snapper, are all scheduled
9 for assessments this year, in what remains of
10 this year. And then, a larger number of species
11 next year. And then, a few into 2020.

12 So, some key takeaways. The big
13 driver here, the big result is that there's a
14 large increase in effort, as we changed from the
15 old telephone survey to the new mail survey. And
16 again, this is only effecting private boat mode
17 and shore fishing modes.

18 The biggest change of the two is in
19 the shore mode. And so, those stocks, those
20 species where there is an appreciable amount of
21 catch coming from the shore are going to have

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1 larger increases, relative to species that are
2 almost entirely or entirely from boat modes.

3 Again, we see an overall increase in
4 the differences across time. That's being driven
5 by that wireless effect, or the model taking into
6 account the increased use of wireless phones in
7 households, and really, the declining use of
8 landline phones, even in the households that
9 still have one.

10 For the 2018 ACLs, we are able to
11 back-calculate -- because the old telephone
12 surveys stop at the end of 2017. So, for 2018,
13 all we have in place now for private boat and
14 shore modes is the new Fishing Effort Survey.

15 So, calibration model that was
16 developed, again, allows us to take the new
17 estimates for 2018 and back-calibrate them to be
18 comparable with the old estimates and to be
19 comparable with ACLs for 2018 that were set using
20 the old estimates.

21 And then, finally, the information is

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1 available for use, and I showed a schedule of
2 some assessments, to start incorporating the new
3 estimates into the process.

4 Okay. So, just a couple more slides.
5 So, again, what's our status now and what is it
6 moving forward?

7 So, revised estimates are available
8 for use as assessments come up. Again, we will
9 be back-calculating the 2018 estimates to be
10 comparable with ACLs, existing ACLs, so that they
11 are in the same currency, or essentially, scaled
12 the same, so that you don't have a big disconnect
13 there. That's for this year.

14 For 2019, we'll start to see, we may
15 see this sort of preliminary management changes
16 coming out for species that were assessed at the
17 end of this year. And we will continue to see
18 more and more assessments incorporating the new
19 calibrated estimates.

20 And then, finally, in 2020, we'll
21 start to see, again, more of the effects of the

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1 calibration coming out in management, as well as
2 additional assessments.

3 We have a number of upcoming
4 presentations similar to this one, that we'll be
5 giving through the rest of this month at various
6 councils, council SSCs, individual state agencies
7 and commissions.

8 So, we have three for the rest of this
9 month, and then, several more being scheduled for
10 October. And I suspect we will continue making
11 these kinds of presentations well through the end
12 of the year.

13 So, I apologize, I had to go through
14 that very quickly. But thank you for your time
15 and I'm happy to take any questions.

16 MR. BROOKS: That was great, John,
17 thanks very much. We do have a few folks in the
18 queue and I suspect we'll get a few more. I've
19 got Rusty, Rick, Pat, and then, I think I see
20 Katie and David, as well. So, Rusty?

21 MR. HUDSON: Thank you, John. Rusty

1 Hudson from Directed Sustainable Fisheries. I
2 have a couple of things. I've been having to
3 keep up with this MRIP calibration thing for a
4 while.

5 And the big thing that bothers me is
6 percent standard error, especially when it busts
7 the 50 mark. Even some people speculate, 30 to
8 50. But 50 is highly unreliable.

9 As an outlier, a red flag to me, in
10 that blacktip, slide number-- Page 15, with this
11 huge spike for 2009, in the Gulf of Mexico, you
12 should separate this out.

13 Because you don't have like a real
14 cross-fertilization going on, except a little bit
15 maybe in the Keys for blacktip. Same with the
16 sharpnose. And we individually assess them.
17 And so, that's what we're going to start doing
18 with the Gulf blacktip.

19 But this 2.6 million animals for 2009,
20 when you look at the actual Atlantic, is
21 2,469,467 animals, huge peak, biggest period.

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1 For the same year, in the Gulf of Mexico, it's
2 only 165,906 animals, grand total. I mean,
3 harvested, dead discards, and live releases. And
4 they had a very low PSE over there, 23.6.

5 Only 155 percent change from the base,
6 whereas this calibration on the Atlantic side for
7 this blacktip is 726 percent above the base.
8 That's just incredible.

9 I see a lot of two, three, four
10 hundred stuff in some of the stuff, even 500,
11 whatever I look at. So, that should be
12 separated.

13 The second thing is, is that you're
14 breaking it up 1981 through 1999. Our shark FMP
15 started in 1993. The State of Florida basically
16 closed off our waters and highly regulated what
17 was left of the recreational and commercial in
18 1992, so that both West and East Coasts.

19 So, there's a dramatic drop in effects
20 over on both coasts from the commercial, but for
21 the recreational also. And so, I personally

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1 think that that is an error and I don't know where
2 you'll get to the bottom of that before we do the
3 stock assessment for the Gulf of Mexico blacktip.

4 But shortfin mako, out of the 38
5 different annual landing years, you have 12 with
6 PSEs above 50. So, those -- one-third is
7 unreliable. And yet, we have to ICCAT and also
8 whatever we do here to get to the bottom of that.

9 And of course, Texas is not on your
10 radar, because they don't do MRFSS, APAIS, MRIP,
11 et cetera. They're a world unto their own.

12 And so, John, I look forward to seeing
13 how all this shakes out, because we have Gulf
14 blacktips finishing right now, but I'm not sure
15 exactly on the update if he's managed to make a
16 correction for this. But I don't think so,
17 because they still have to put these recalibrated
18 MRIP numbers in. So, that's said.

19 But our Atlantic blacktip, I can't see
20 having this spike in our Atlantic blacktip full
21 benchmark, when it comes to be finished here in

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1 two years.

2 So, that's just what I wanted to say.

3 And so, thank you very much for your
4 presentation, I'll see you in Charleston.

5 MR. BROOKS: Thanks, Rusty. Rick
6 Weber?

7 MR. WEBER: Yes. John, you mentioned
8 a couple of times that this does not do LPS.
9 Yet, the majority of our interest is in LPS. How
10 does what you've just talked about touch LPS?

11 Will we see comparable expansions?
12 Is the effort going to change, but the catch
13 profile going to be different? What -- thank
14 you. I have a follow-up as well.

15 MR. FOSTER: Sure, thanks, Rick. So,
16 for LPS, the redesign project is still ongoing,
17 and really, just in the very early phases.

18 It was sort of on hold for a while,
19 as we had a number of staff turnovers in a fairly
20 short amount of time, but it is now re-engaged
21 and going again and I think -- and Yong-Woo sort

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1 of laid out the schedule for that.

2 So, a lot of design decisions really
3 haven't been made at this point. But I can
4 speculate a bit on likely changes. The effort
5 survey for the LPS is, again, in my opinion, it's
6 in very good shape.

7 There weren't really criticisms of
8 that methodology. It is based on a permit list
9 that has very good information, is generally very
10 complete.

11 And so, I would not personally expect
12 to see large changes to the effort survey design.
13 And I would not anticipate seeing large changes
14 to the LPS effort estimates, at the outcome of
15 the redesign for that.

16 It will, however, still likely need to
17 have a calibration, similar to what was done
18 here. But again, I would not expect the effort
19 to be changing to this degree.

20 Really, the only contribution to the
21 effort I might expect to lead to some changes

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1 would be from the Large Pelagic Intercept Survey,
2 which is where the bulk of the redesign work
3 really will be taking place.

4 There is a component of the effort
5 that comes from the Large Pelagic Intercept
6 Survey, to account for vessels that are either
7 fishing out of state or are fishing, for whatever
8 reason, without a permit, or are not on our frame.

9 They may have bought their permit so
10 recently to their trip they were intercepted for
11 that it didn't have time to get through the
12 process for us to have them on our effort survey
13 frame.

14 But that is generally a, sort of a
15 more minor component compared to the effort
16 estimate directly from the effort survey.

17 However, there will likely be changes
18 to catch rates with the redesign of the intercept
19 survey, the Large Pelagic Intercept Survey. So,
20 we would expect to see differences in the catch,
21 but again, I would not expect to see such large

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1 systematic differences at the end of the LPS
2 redesign and calibration.

3 MR. BROOKS: Rick, you had another
4 question?

5 MR. WEBER: And yet, there's yellowfin
6 tuna being right in the slide, so we say we don't
7 have LPS, but we're expanding yellowfin. So, I
8 guess, Brad, this is really more of a question
9 for you.

10 How does that make it into SAFE and
11 through you, how does it make it to Craig, and
12 how is this going to affect our ICCAT reporting,
13 and are we going to go back and revise numbers?

14 Where does this go? Because I'm
15 looking for a commitment from you guys that
16 you're going to be correcting the record, as we
17 move to a more aggressive model.

18 And I know that's not always
19 comfortable to do over there, but we can't just,
20 again, take the hit of, oh, we've got better
21 numbers now. If we need to correct the record,

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1 we need to correct the record.

2 MR. McHALE: So, I think a lot of those
3 details have yet to be seen, exactly how these
4 numbers ripple through the entire process, not
5 only as far as the catch statistics, task one
6 data that we're reporting through ICCAT, but
7 ultimately, how they then work through the stock
8 assessment process.

9 Because I think, as John had
10 mentioned, even with the MRIP, and if folks have
11 been privy to other council presentations on the
12 same matter, that even though these results have
13 been recalibrated and they're being recalibrated
14 back in time, that until they kind of make it
15 through the full cycle of the stock assessment,
16 you still continue to have this disjointed
17 system, even though you mentioned they can be
18 back-calculated to that more historical format.

19 And there are going to be some
20 challenges for us, you're absolutely right, Rick,
21 where we are so heavily dependent upon our Large

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1 Pelagic Survey information.

2 But when you're capturing, say,
3 whether it be yellowfin or shortfin mako or some
4 of our other pelagic species south of the Large
5 Pelagic Survey range, we are going to have to
6 devise a way to fold those in, and those
7 discussions are still ongoing.

8 MR. WEBER: Fair, it's a big deal, but
9 fair to not know yet. Thank you.

10 MR. BROOKS: Thanks, Rick. Pat, and
11 then, Katie.

12 MR. AUGUSTINE: Thank you. John, very
13 good explanation and presentation. A couple of
14 basic questions. And again, it relates now to
15 the councils, primarily, and not to HMS So much.

16 Now that this recalibration has been
17 done on all these pieces of fish, when -- is it
18 possible for the SSC to go back and recalibrate
19 based -- each of the stock.

20 I'll take black sea bass, porgies, or
21 even summer flounder, to go back and recalibrate

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1 their quotas based on your new recalibration of
2 what the harvest actually was?

3 Or do we, the public, have to wait
4 until a new stock assessment is completed of the
5 existing value of the stock in each of those
6 species? In other words, when do we marry those
7 two together?

8 And as I've asked Gordon Colvin every
9 time I talk to him, which is ten times a week,
10 it's a great program and recalibration is great.
11 The fishermen are now saying, you have told us we
12 caught more fish and by the way, party boat,
13 recreational shore boat, all of them caught more
14 fish.

15 And that means there must be more fish
16 in the ocean in that species. Does that mean our
17 quota's going to go up? So, when is the SSC
18 expected to take an action on this? Do you have
19 any idea on that, John?

20 MR. FOSTER: The short answer,
21 unfortunately, is no, I don't know the specific

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1 SSC schedules.

2 The information I do have, though, is
3 that the point where they will be married, I
4 think, to answer your question, would be when the
5 new assessments are done. And the information
6 then flows downstream of that into the management
7 process.

8 In terms of, at this point, when we
9 have ACLs already in place that were based on the
10 old series of estimates, the bridge for that
11 situation, again, is to take the new 2018
12 estimates and back-calculate them to be
13 comparable with the old series.

14 As far as I know, there's been no
15 discussion to try to get at that from the other
16 direction, which is to take the 2018 ACL and do
17 some form of calibration to it to get it in line
18 with the new 2018 estimates. I'm not sure I
19 answered your question, but --

20 MR. AUGUSTINE: Just a quick follow-
21 up. If that's the case and then, let's see,

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1 GARFO looks at what the actual harvest was, say
2 for 2018, and it's being measured against the ACL
3 that's been projected to 2018-2019, we're
4 overfishing every stock.

5 So, there's going to be a full
6 disconnect, unless the world is made aware of
7 this recalibration, really is not going to be of
8 any effective value until the stock assessment is
9 completed on the stocks that we are presently,
10 quote, overfishing. You following what I'm
11 saying?

12 I mean, there's no question in my mind
13 that this recalibration is probably the best
14 thing that's happened since MRFSS was MRFSS and
15 now we've gone through this.

16 The acceptance level of the public is
17 really questionable, because it's like, okay, old
18 garbage out, new garbage in, new garbage out,
19 whatever.

20 But at the end of it, when the numbers
21 hit the road, out for the public, black sea bass

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1 is overfished, summer flounder's overfished,
2 porgy's overfished, cod fish is overfished, all
3 these species are overfished based on your new
4 calibration, which is now the new standard.

5 What happens with the Magnuson-
6 Stevens Act, which says, if overfishing is
7 occurring, you have to set in a management plan
8 to correct it? And that could be a monster
9 looking at us in the near future. And I'm just
10 wondering when that was going to happen. But
11 thank you for the information.

12 MR. BROOKS: Thanks, Pat.

13 MR. FOSTER: I'm sorry, can I follow up
14 to that real quick? So, again, the estimates
15 that we would be using to monitor an ACL in 2018
16 would not be the new estimates. It would be the
17 back-calibrated. So, they should be coming down.

18 So, we shouldn't see -- you're right,
19 if we just used the new estimates against the
20 ACLs set with the old numbers, then, yes, I think
21 we would see species after species being

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1 considered overfished or exceeding ACLs.

2 But we're not doing that. So, again,
3 the back-calibrated 2018 estimates are designed
4 to be comparable with the 2018 ACLs.

5 MR. BROOKS: Thanks, that's helpful.
6 Katie, and then, David, if you still have a
7 comment.

8 MS. WESTFALL: Thank you, John, for the
9 presentation and for the really important work to
10 improve the accuracy of rec estimates. I'm
11 curious which species, out of the HMS species,
12 you're seeing the greatest effects for?

13 You gave us a couple of example and
14 I'm just wondering, you mentioned shore-based
15 fishing, there's a five times effect, was that
16 correct? Which species would you say you'd see
17 the greatest effects for?

18 MR. FOSTER: Well, so, I'll apologize,
19 I don't have sort of summarized information for
20 all of the species. But you're absolutely right,
21 it would be those species that have the largest

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1 components of their catch coming from shore.
2 Whether it's releases or harvest.

3 So, any of the more near-shore species
4 that have more shore interaction are going to be
5 the ones that would be more impacted, relative to
6 those that are either entirely offshore catch
7 coming from boat modes, or primarily.

8 And then, there's a spectrum in-
9 between, as more or less of it is coming from
10 shore or the boat modes. And I'm sorry for that
11 general answer, but that's the best I can do at
12 this point.

13 MS. WESTFALL: Will you all be
14 presenting, I mean, maybe HMS, presenting kind of
15 which species you're seeing these effects for
16 more? Is that -- it seems to me that this
17 obviously has important management and science
18 considerations.

19 And those species that have a greater
20 -- the rec estimates are going to be
21 significantly higher and species that are

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1 experiencing overfishing and overfished might be
2 species that you'd want to prioritize in getting
3 the stock assessments completed and updates in
4 management completed.

5 I'm just curious, Brad, how -- I know
6 you guys are still working this out, but if you
7 could speak to that a little bit.

8 MR. McHALE: Yes, I guess my response
9 would be similar to the one I just provided Rick.
10 So, we do have staff already kind of going through
11 those numbers, you know, honing in on the highly
12 migratory species that are captured in the
13 survey.

14 And we're looking at those numbers a
15 number of different ways. One is, just as you
16 had mentioned, those that are either overfished
17 or overfishing is occurring. Obviously, those
18 that are internationally managed.

19 And as Rick had mentioned, the
20 complicating factors are then revising numbers at
21 that ICCAT level. And then, potentially, what

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1 does that then look like?

2 If you're going to say, revise the
3 U.S. catch number at ICCAT prior to it having
4 gone through a stock assessment, does that
5 retroactively put the United States in a
6 noncompliance situation?

7 So, there's multiple layers to this
8 onion that we're continuing to peel back and
9 trying not to cry the whole way through.

10 MR. BROOKS: Nice analogy.

11 MR. McHALE: But I think, as we get a
12 stronger hold of the numbers and do those
13 comparisons, they'll be shared back.

14 Whether that will be something in the
15 form of the SAFE report or if we do something
16 more specific, just to the recreational catch
17 statistics, or if a byproduct has re-evolved
18 through the Large Pelagic Survey, reevaluation.

19 But we'll make that information
20 available, we're just not quite there yet,
21 because we haven't gotten our own hands around

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1 those dynamics.

2 MR. BROOKS: I'm sorely tempted to keep
3 that onion analogy going and talk about
4 caramelized onions and -- go ahead.

5 MR. FOSTER: Just very quickly. I did
6 want to mention, for anyone that has a
7 familiarity with using our web queries, we have
8 new web queries up now that will allow you to
9 compare sort of the before and after sets of
10 estimates.

11 There's actually three sets of
12 estimates that you can compare. There's the
13 original estimates. There's a set of estimates
14 that just show the effects of the APAIS
15 calibration, the intercept survey calibration.

16 And then, there's a third series that
17 shows the combined effect of both set of
18 calibrations, the APAIS calibration as well as
19 the Fishing Effort Survey calibration. And you
20 can see those either in tabular data output or
21 graphs, similar to the ones that I've shown

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1 today.

2 MR. BROOKS: Great, thanks.

3 MR. McHALE: And we can make that link,
4 for those that don't already have that available.
5 We can make sure that that gets circulated
6 around.

7 MR. BROOKS: David?

8 MR. SCHALIT: Yes, definitely, the
9 link. To, let's see, Rusty's point, I absolutely
10 agree, we should be looking, for many of these
11 species, at the Gulf and the Atlantic separately.

12 And I want to make a comment regarding
13 yellowfin. This is a very long time series that
14 you have, going back to 1980. I am very familiar
15 with recreational landings going back to 1995.

16 And if you drill down in that data,
17 you'll see that the general trend is downward,
18 but there are these occasional spikes, every
19 couple of years. A spike could be no more than
20 three weeks in length, in which you have
21 landings.

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1 But what's occurring here, I can see
2 from the calibrated harvest, is that those
3 spikes, which I'm saying are very brief, are
4 being amplified.

5 And it's -- so, if I wanted to really
6 understand what's going on here in this
7 particular graph, I would say, I need to zero in
8 on that, let's say, to where we have the level of
9 granularity of a month, month-by-month.

10 This would give you a much better
11 sense of what's going on. But as it stands right
12 now, it's all being smoothed over, by the line.
13 And so, it gives a false impression of, I believe,
14 not false, an amplified impression of what's
15 going on.

16 Then, I want to just mention that,
17 it's interesting, you had done some work on mahi
18 already -- well, before I get to mahi, can I --
19 I have a special request. Can we have a report
20 on the status on recreational landings of bigeye,
21 like within the next 30 days?

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1 Because we have a big problem coming
2 up at ICCAT in November and we need to know where
3 we stand on bigeye. This is a bigeye year at
4 ICCAT. It's going to take up all the psychic
5 space for that ten-day meeting.

6 And to not have accurate recreational
7 landing information is going to disadvantage us,
8 particularly because there is, it seems to me, a
9 foregone conclusion that we will be renegotiating
10 the allocation key, for all fishing countries,
11 all bigeye fishing countries.

12 So, that would be a special request
13 from me to you guys.

14 Then, just to mention, mahi, which is
15 a very important species, both for recreational
16 and for commercial fishermen, it is kind of the
17 cucaracha of the Atlantic.

18 And I think that, to Pat's point, the
19 way it seems to make the most sense is that we
20 take this data and we incorporate it in the next
21 stock assessment and see what comes out the other

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1 end, right?

2 Okay, well, it just so happens that
3 mahi is not listed on the stock assessment
4 schedule and I can confirm to you that there has
5 never been a peer reviewed stock assessment on
6 mahi and the South Atlantic Fishery Management
7 Council refuses to have one.

8 So, this is going to be a problem for
9 it. This is an epipelagic species that is
10 important to all the pelagic longliners here,
11 myself, and the recreational fishermen. And yet,
12 we have no peer reviewed stock assessment, ever.
13 So, thanks very much.

14 MR. BROOKS: Thanks, David. Thanks.
15 Yes, John?

16 MR. FOSTER: So, thanks very much, just
17 a quick reply on the level of presentation for
18 the estimates.

19 When the link is distributed for the
20 web queries, the estimates, you can drill down
21 to, within year and region, you can drill down to

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1 state, mode, private boat, well, not usually
2 relevant here, but private boat, charter boat, as
3 well as two-month wave, within the queries.

4 So, you can drill down quite a bit.
5 We don't have it -- within the queries
6 themselves, we can't drill down below the two-
7 month wave, that's our sort of standard time
8 period for estimation.

9 But we also make the survey data
10 available, so that it can be teased down further
11 than that. Although, when you start teasing down
12 very far, you can run into sample size issues,
13 where the data really are too sparse trying to
14 support an estimate at a very fine scale.

15 But, yes, this level of aggregation
16 really was just to summarize for this
17 presentation, but you can get much more detailed
18 through the queries at the website.

19 MR. BROOKS: Thank you, John. We're
20 about ten minutes into your lunch, but I want to
21 get Rick and Mike into the conversation. So,

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1 Rick, go ahead.

2 MR. BELLAVANCE: Thanks. A couple of
3 quick questions. One is a clarifying question
4 for something that Pat said.

5 I just want to make sure I understand
6 completely that the estimates that are being
7 created in the new Fishing Effort Survey are
8 strictly for private and rental and shore
9 fishermen, nothing to do with charter boat or
10 party boats, those estimates are going to stay
11 the same, no increase there?

12 MR. FOSTER: That's correct. There's
13 no change to the effort surveys for the for-hire
14 modes.

15 There are some changes, generally
16 much, much smaller in magnitude, but they're
17 coming from the Access Point Angler Intercept
18 Survey calibration, which was the second one that
19 we described here.

20 So, that change, because that
21 intercept survey covers all of the modes, there

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1 will be some changes for the charter modes
2 related to that calibration.

3 But as far as the large changes that
4 you're seeing coming from the Fishing Effort
5 Survey, you're absolutely right, those will not
6 impact the for-hire modes, they are just private
7 and rental boat mode and shore mode.

8 MR. BELLAVANCE: Thank you. I also had
9 a question on the validation. How is it that the
10 program validates the results or the data they
11 receive from the FES or the APAIS survey? How
12 do they go about validating that data?

13 MR. FOSTER: So, I'll start with the
14 APAIS. For new interviewers, there is a -- we
15 have a procedure in place where the sort of
16 supervisor level folks within the states, that
17 supervise the individual field samplers, they
18 will contact a percentage of the interviewed
19 anglers for each interviewer.

20 And I believe they're -- for new
21 interviewers, it's a much higher percentage, but

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1 for sort of long-term interviewers, I believe
2 it's a ten percent validation sample.

3 So, at the end of every interview in
4 the field, we collect, we ask for a name and a
5 telephone number, solely for this purpose. And
6 so, we call that the validation sampling for the
7 intercept survey.

8 So, those anglers are re-contacted and
9 they're asked a standard set of questions about
10 whether they were interviewed, was the
11 interviewer courteous and prepared, and just a
12 standard set of sort of quality assurance
13 questions to validate that that sampler is indeed
14 collecting information, or doing their job
15 appropriately.

16 In terms of the effort surveys, we are
17 -- we do a number of quality control checks on
18 the data, but we are reliant on the anglers
19 providing quality information.

20 And again, we do a number of sort of
21 logic checks to identify cases that are highly

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1 suspect. If an angler is reporting an outlier
2 number of trips through the Fishing Effort
3 Survey, we do a number of different comparisons.

4 How close do they live relative to the
5 coastline? Does it make sense that someone that
6 lives 100 miles from the shore would report 60 or
7 100 trips for a two-month period? Numbers that
8 are just simply illogical. And then, those data
9 points are edited or excluded.

10 But if the -- so, we have a number of
11 those types of checks. But if the data get
12 through all of those checks, then we use it. We
13 don't have any method to try to re-contact the
14 mail sample to confirm their data with them.

15 But again, the data they provide are
16 screened through a number of quality control
17 procedures. And if they fail those procedures,
18 then they're removed from the sample.

19 MR. BROOKS: Thanks.

20 MR. BELLAVANCE: Thank you. And my
21 last question is, when I look at your query,

1 recreational statistics query page there, if I
2 look at 2018 data, is that going to be in the new
3 FES numbers or is it going to be calibrated back
4 to the dumbed down version, I guess?

5 MR. FOSTER: All of the 2018 estimates
6 that are available from the website will be the
7 new, in the new -- they'll be based on the new
8 surveys and reflect -- they'll be in line with
9 the calibrated estimates.

10 They won't be -- there will not be any
11 that would be in the old currency or base --
12 scaled to the old estimates.

13 MR. BROOKS: Mike, you are in the
14 unenviable position of being between lunch and
15 everybody.

16 MR. PIERDINOCK: I'll make it quick.
17 John and Brad, you've had quite a lot of questions
18 here from people around the table and your
19 responses are, you're not sure. That's
20 consistant with -- we're not sure how this is
21 going to end up.

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1 I know we haven't had the opportunity
2 to review species-by-species the results of the
3 MRIP data for each species.

4 At that point in which we do that is
5 when you're going to integrate into the stock
6 assessment and the public will be provided
7 appropriate time to then review and comment on
8 the outcome of that.

9 And the question is posed then, how do
10 we use this in the interim, for bigeye or other
11 stocks that may be necessary at ICCAT? As far
12 as ICCAT goes, I look at it as a positive, United
13 States is always at the forefront.

14 We're trying to help with MRIP, we're
15 trying to fix the system to make better data, we
16 went through this process to hopefully come out
17 with better data. So, I look at it that way.

18 We -- this may actually not be bad
19 news, somewhat with what Pat was saying. I mean,
20 it's an effort change, but the stocks may be
21 actually more robust than what's been estimated.

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1 I think this provides us an
2 opportunity that there's many instances, black
3 sea bass, for instance, we've been saying years,
4 there's loads of black sea bass. This shows that
5 there is.

6 So, I hope that that would provide the
7 National Marine Fisheries Service or other
8 federal or state entities an opportunity to
9 listen to what our observations are and see that
10 and that there's some examples here where it
11 reflects the fact that our observations were
12 inconsistent with the stock results and the stock
13 was sound.

14 So, once again, I caution, this data
15 is yet to be adequately reviewed, subject to
16 public comment, and until we see how this is
17 integrated into risk assessments and the outcome,
18 I can't conclude one way or another the good, the
19 bad, and the ugly about this, other than my
20 opinion is, is that the stocks may be more robust
21 than what's estimated, which is the good news.

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1 Thank you.

2 MR. BROOKS: Thanks, Mike. And,
3 Wallace, I see your card up and --

4 MR. JENKINS: Yes, I just --

5 MR. BROOKS: -- want to give you a
6 chance --

7 MR. JENKINS: -- have one comment on
8 slide eight. Randy and I are sitting here,
9 looking at this, for the private boat effort
10 being the highest in 2007, which in our
11 recollection was, like, the worst year ever to go
12 fishing, because diesel prices were \$4 a gallon,
13 we had the lowest participation in HMS
14 tournaments, and now, ten years later, the trend
15 has been down since then.

16 It's just counterintuitive to what
17 we've actually experienced on the ground. I'm
18 not saying it's right or wrong, it's just an
19 anomaly from the way our experience has been.
20 So, just for your information.

21 MR. BROOKS: Thanks. John, thank you

1 very much, appreciate it. And I'll let everyone
2 get to lunch and we will reconvene at 1:30 sharp
3 to talk about Amendment 14. Thanks.

4 (Whereupon, the above-entitled matter
5 went off the record at 12:20 p.m. and resumed at
6 1:37 p.m.)

7 MR. BROOKS: All right, so we wanted
8 to jump into our last topic for this meeting which
9 is Amendment 14, the Domestic Shark Management.
10 And I think, Karyl, you're taking the lead on
11 this?

12 MS. BREWSTER-GEISZ: Yes.

13 MR. BROOKS: Charge on.

14 MS. BREWSTER-GEISZ: I am taking the
15 lead. All right, thank you everybody who came
16 back after lunch. I now know that you guys are
17 the hardcore shark group so let's move forward.

18 You know you're in trouble when the
19 third slide I show you is full of acronyms. So
20 I will do my best to remember not to use the
21 acronyms through the presentation, but if I

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1 forget, remember the third slide has them all
2 listed. And Pat is telling me, no, don't do
3 that.

4 So, this presentation has to do with
5 what we have decided to call Amendment 14. It
6 is going back and looking at pretty much how we
7 do shark quotas for all of our shark species.
8 And it's not just commercial, it could also be
9 recreational or discards. So, we're looking at
10 it, it's a full picture.

11 And so why are we doing this? Part
12 of it is because of the new National Standard 1
13 guidelines. So, I think we're all familiar at
14 this point with the National Standard 1, prevent
15 overfishing, achieve optimum yield with the
16 guidelines providing guidance on how to do that.
17 In 2016, the Agency released revised guidelines
18 that have a lot more flexibility in them than
19 we've considered before for sharks.

20 Generally, throughout the guidelines
21 you're looking at the overfishing limit being

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1 greater than the acceptable biological catch,
2 which is but greater than the annual catch limits
3 or total allowable catch. You can have them
4 equal as well if you have the justification for
5 that.

6 So I don't know if you remember when
7 Deb Lambert and others were here from Office of
8 Sustainable Fisheries presenting the new
9 guidelines to the AP. This slide should look
10 fairly familiar.

11 They did round up all the council
12 meetings too. This basically goes over that.
13 That the OFL, or overfishing limit, which is the
14 maximum amount of catch without overfishing, is
15 greater than the acceptable biological catch,
16 which generally is greater than the annual catch
17 limit.

18 And then you have your annual catch
19 target, and that's to address management
20 uncertainty. There are some exceptions. If you
21 have international stocks or stocks with annual

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1 life cycles. For most of our shark species we
2 do not have that.

3 Within HMS, we first did our stock
4 status determination criteria, or SDC, back in
5 the 99 FMP. And I'm looking around the room,
6 there's a lot of you who are around when we did
7 those, all that stock status determination
8 criteria based on the '96 Magnuson Act.

9 In 2006, when we consolidated the
10 billfish with all the other HMS species in the
11 FMP, we just incorporated that without change.
12 In Amendment 3, back in 2010, 2011 when they were
13 revising the National Standard guidelines back
14 then, we established our annual catch limit
15 mechanism for sharks.

16 In Amendment 5b, just recently, we
17 clarified that the annual catch limit for
18 prohibited shark species is equal to zero.

19 All of you who look at our SAFE report
20 every year should be fairly familiar with this
21 chart so I am not going to spend a lot of time on

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1 it. I just want to point out, this is a summary
2 of our stock status determination criteria's and
3 how we determine whether or not a species is
4 overfished or overfishing is occurring.

5 If you remember, Rick and Sarah talked
6 a little bit about that yesterday with Amendment
7 12 and whether or not we want to have to similar
8 criteria for our international species and some
9 of the RFMOs.

10 All of you, as I already said, you're
11 hardcore shark people so you might remember this
12 diagram here about how our annual catch limits
13 are set for our non-prohibited shark species.
14 Summary of this is that our OFL is equal to our
15 ABC which is equal to our ACL. All of them are
16 equal.

17 I know that's all alphabet, so that's
18 over fishing limit is equal to the acceptable
19 biological catch, which is equal to the total
20 liable catch, which is what we get from the stock
21 assessment.

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1 We take that total allowable catch and
2 we split it into three sectors, our discards, our
3 commercial landings and our recreational
4 landings.

5 We then take the commercial landing
6 sector, and that is our annual quota, commercial
7 quota, which is then split into our annual catch
8 target, which is when we close the fishery when
9 we reach 80 percent. That was the rule. You
10 might remember Lauren presenting last year on our
11 85 or our 84 percent rule.

12 And then we have the accountability
13 measures and that's where we take any over
14 harvests off the next year.

15 So, when we were looking at this and
16 looking at how we're doing over time, which I
17 think Katie Westfall you asked at the last AP
18 meeting, we went through all of our different
19 management groups and we're like, you know, some
20 of the time we're really good, some of the time
21 we're not, we need to do something. And so

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1 that's how we came up with the idea of Amendment
2 14 and pretty much where we started and why we're
3 doing this.

4 This is just a quick example of what
5 I mean by some of the times we're good, sometimes
6 we're not. If you look at 2015 and the non-
7 blacknose small coastal sharks in the Atlantic,
8 we only reached 69 percent of the harvest. Or
9 69 percent of the TAC of the total harvest.

10 And that total harvest is commercial
11 landings, recreational harvest and discards. So
12 obviously we can land a few more small coastals
13 or discard a few more, whatever, to get to that
14 total allowable catch.

15 If you look at blacktips in the Gulf
16 of Mexico, we're actually at 92 percent. I
17 consider that pretty good. It's not at a hundred
18 percent, but it's not over and it's not all that
19 far under the total TAC.

20 Blacknose sharks in the Atlantic, yes,
21 we were way over, 229 percent of the TAC. We

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1 have addressed that. That was the rule where we
2 had limited retention limit of blacknose sharks.
3 So we are working towards that in other ways.

4 But overall, we're looking at this
5 going, now with the new National Standard 1
6 guidelines, we should be able to take a look at
7 this and see if there are other ways of addressing
8 things.

9 So, preliminarily, this is what our
10 purpose and need are for this amendment. I say
11 preliminarily because we are in the beginning
12 stages of this amendment. This is pre-scoping.

13 Anything you say today can definitely
14 change were we end up with this. So we've
15 noticed that the shark harvest has been variable
16 and that we need to review the process for setting
17 our total allowable catches, acceptable
18 biological catches and annual catch limits to
19 determine if changes are needed.

20 And also consider some of the new
21 things in the National Standard 1 guidelines

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1 regarding phase-ins of ABCs, carry-overs,
2 overfishing determinations and just see how we
3 incorporate all of that into our HMS process.

4 So we have four potential draft
5 objectives for Amendment 14 focusing on the ABC
6 control rule, the process for establishing the
7 TACs and the ACLs, the process for addressing
8 under and over utilized sector ACLs and for
9 considering the increased management flexibility
10 that's now allowed in the National Standard 1
11 guidelines.

12 So, these are the topics we are going
13 to be focusing on in the presentation. If there
14 are other things at the end that we're going
15 through them and you're thinking, we really need
16 to focus in on those or you're looking at this
17 list going, why do we even need to consider that,
18 it's not relevant, definitely want to hear all of
19 your thoughts on that.

20 So, hang on, this does get kind of
21 into the weeds but we do try to keep it high-

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1 level. So the first thing we're looking at is
2 the ABC control rule.

3 So we decide what and ABC, or
4 acceptable biological catch is there, up on the
5 slide. I don't want to read it for you. And
6 then the control rule is the rule or policy to
7 make sure we don't exceed the ABC.

8 So we are looking at potentially three
9 options for an ABC control rule. Our current
10 process is the ABC acceptable biological catch is
11 equal to the total level catch.

12 And that's what we get from the stock
13 assessment. And that is what we then split into
14 those sector ACLs, commercial landings, discards
15 and recreational harvests. All of that is equal,
16 so that's the first thing we're looking at.

17 The second thing would be to look at
18 whether or not we want a standard ABC control
19 rule across all of the sharks. In short, an ABC
20 control rule really looks at how confident we are
21 with the assessment process, how certain are we

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1 that that total allowable catch, that ABC that
2 comes from the stock assessment, is really
3 accurate.

4 So, if we were to create a standard
5 one, for example, we could say the ABC is going
6 to be 95 percent, 80 percent, 50 percent of the
7 overfishing limit that's established in the
8 assessment. Pick one of those numbers, we use
9 it for all shark species regardless.

10 Option 2 would be create a tiered ABC
11 control rule. So in this case we're looking at
12 each individual assessment and, or maybe a lack
13 of assessment in determining, all right, because
14 we don't have an assessment, we're not all that
15 sure of the OFL, we're going to have maybe a wider
16 buffer between the OFL and the ABC.

17 Or maybe this is a really good shark
18 stock assessment, we can have a much smaller
19 buffer. So those are the three options we're
20 looking at for an ABC control rule. Definitely
21 looking to hear experience around the table on

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1 what people like, don't like, what other
2 councils, states have done these, this situation.

3 Moving on. ABC phase-in provisions.
4 So this would allow us, if we get the really bad
5 result, bad result meaning something is really
6 overfished or overfishing a lot more than we were
7 expecting, a lot more than we've accounted for in
8 the past, we could phase-in any changes over a
9 maximum of three years.

10 So this is a graph that sustainable
11 fisheries was sharing when they did the National
12 Standard 1 rollout. So that top red line is the
13 overfishing limit, the blue line is the ABC.
14 This is all hypothetical example, none of these
15 numbers are real, none of this is real,
16 hypothetical.

17 If you can see, in 2014 to 2015 the
18 OFL dropped down dramatically. And so if you
19 were to follow just a standard ABC control rule,
20 you would drop that ABC down dramatically to
21 match it. Under a phase-in, approach you can

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1 phase in that change over three years. And
2 that's what that black line does. So it's not a
3 complete immediate drop.

4 So we are looking at four potential
5 options under the ABC phase-in control rule. So
6 we don't use it, that's where we are right now.
7 That's Option 1. Option 2 would be to use this
8 approach for any increase or decrease. So this
9 could go either way.

10 It could be that decrease or it could
11 be stock assessment is much cheerier than what we
12 thought possible. Suddenly we could increase the
13 quota tremendously and maybe we want to phase
14 that in over three years.

15 Option 3 would be to only use the ABC
16 control rule, unless the stock is in an
17 overfished or overfishing status. So if the
18 stock assessment shows that it's overfished, we
19 wouldn't use a phase-in.

20 Option 4 would be to use the phase-in
21 control rule at any point, unless the stock is

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1 both overfished and overfishing. So, if we have
2 a stock assessment that says both overfished and
3 overfishing we would not use the phase-in control
4 rule.

5 And so these are potential options.
6 As I said, we're pre-scoping on this, nothing is
7 written down, no determinations have been made.
8 Moving on to the next topic. Establishing shark
9 total allowable catches and annual catch limits.

10 So this is what we did in Amendment 3.
11 There's that diagram again right now. We split
12 everything up into those three sectors. And the
13 annual quota for the commercial fishery is our
14 commercial ACL.

15 So we have several options under here.
16 One is, of course, no change to what we currently
17 do. The second one would be to create and
18 actively manage all of our sector ACLs. So this
19 is where I said it could be a recreational quota
20 as well, it doesn't have to be. We do have that
21 sector ACL but we don't not actively manage it,

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1 we look at it.

2 In the future, once we have those
3 estimates from MRIP or LPS once the stock
4 assessment is done and we make adjustments as we
5 need to. But we're not opening or closing the
6 recreational shark fishery throughout the year to
7 try and manage and make sure we don't exceed that.
8 So that's Option 2.

9 Option 3 would be create sort of a
10 reserve quota. Just like what we have with
11 swordfish, bluefin tuna. And that would be a
12 buffer to make sure that that ABC is never
13 exceeded. Because right now, if all of the
14 sectors, the commercial discards, the commercial
15 landings and the recreational, if all of them go
16 over, we are over our ABC because we don't have
17 that buffer. So that's what this would do is it
18 would create a buffer.

19 We could use that reserve similarly to
20 how we use it for swordfish and bluefin. As we
21 are meeting one of the quotas, we transfer quota

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1 out of the reserve into that sector. Option 4
2 and Option 5 are kind of sub-alternatives under
3 both two and there where we could create specific
4 ACLs for only complexes without the species.

5 Right now we are getting more and more
6 species specific. We have a sandbar quota, we
7 have a Gulf blacktip quota. But they're also all
8 linked to one another. Do we like that approach,
9 do we want to change that approach?

10 Option 5 would be to get moved more
11 and more toward species specific ACLs. So,
12 picture not just a sandbar quota but a lemon shark
13 quota. A great hammerhead quota not just a
14 hammerhead complex quota.

15 Moving on, fourth topic, carry-over
16 provisions. This is, you don't catch all of the
17 quota in year one, year two, how much can you add
18 on to carryover.

19 Right now in our regulations we allow
20 up to 50 percent if the stock is healthy. So
21 it's not overfished, overfishing is not

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1 occurring, we don't have an unknown status, we
2 allow 50 percent to be carried over.

3 Option 2 would be to allow for
4 carryover of any unused portion as long as we do
5 not exceed the ABC. Option 3 is to distribute
6 the underharvest to the sector in which the
7 underharvest occurred. So if the commercial went
8 under, we would give it to the commercial. If
9 the recreational went under, we would give it to
10 the recreational.

11 Option 4 would be to distribute any
12 underharvest according to the proportions. So
13 if the commercial went under but nobody else did,
14 then that commercial underharvest would get
15 proportioned out between commercial wreck and
16 discards.

17 So I do have some tables explaining
18 that in number format for those of you who like
19 to look at numbers and tables. In both of these
20 examples, the acceptable biological catch is 700.
21 And then we give examples of what the annual catch

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1 limits would be for the different sectors. And
2 the total allowable catch is 500.

3 So under Option 1, which is the status
4 quo, we allow up to 50 percent of the
5 underharvest. The underharvest for the
6 commercial landings was 50 so we would add that
7 underharvest on.

8 And Options 2 and 3 come out to the
9 same amount. This was, I forget at the moment,
10 allowing for the carryover of any unused portion
11 and distributing it to the sector where the
12 underharvest happened. And then Option 4 is the
13 one where we proportion it out. Of course this
14 is the overfished stock, so we wouldn't allow it
15 in some cases.

16 We're at not overfished stock, so this
17 is the next table. We would allow it, and that's
18 why some of these numbers have changed. So I will
19 let all of you, if when you get home, if you're
20 interested, go back, work through the math.

21 On to multi-year overfishing status

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1 determinations. This is the last major topic in
2 this presentation. Right now, the Agency
3 determine stocks status annually. I'm sure you
4 all look out for the stock status report that the
5 Agency releases. How many stocks are overfished,
6 how many are overfishing.

7 And when you look at the last year of
8 data for determining the sets, always the most
9 uncertain. So in the National Standard 1
10 guidelines it actual allows for you to look at
11 three years when determining overfishing status.

12 So we have a couple of options for
13 this. The no action is, we don't do that, we
14 don't allow for multi-year overfishing, we just
15 have our straight, when fishing mortality is
16 greater equal to fishing mortality, and that's
17 why.

18 You could compare the three year total
19 harvest to determine the overfishing status or
20 you could use some sort of meta-analysis looking
21 at the certainty to account for variance and

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1 compare that to a three year average to determine
2 overfishing status. I want to make sure you note
3 that this could be used to declare a species
4 either has overfishing occurring or has no
5 overfishing occurring.

6 So I have another table with numbers.
7 This goes through the three years. The
8 overfishing limit is 500, the total harvest in
9 each of the three years, in years one and two, is
10 less than 500. It's a little bit over in year
11 three but that average is under 500.

12 So, in this example we would say, at
13 the end of three years the species is no longer
14 experiencing overfishing. Whereas in years one,
15 two and three we would have said, overfishing is
16 occurring based on that stock assessment.

17 So, many of our shark species, we
18 don't have stock assessments all that frequently.
19 So this would allow us to change that status in
20 between stock assessments. If we are below the
21 OFL and our total harvest.

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1 So we have a number of questions for
2 all of you to consider. What do you think the
3 ABC control rule structure should be? Should we
4 change the mechanism for establishing total
5 allowable catches and annual catch limits?
6 Should we implement days in and carryover
7 provisions? Should we allow for multi-year
8 overfishing designations?

9 I think I mentioned a few times this
10 is pre-scoping. This is pretty early on. We're
11 still working through all of these issues.

12 We are hoping to scope later this year
13 with a potential for pre-draft at our next AP
14 meeting. And if we are trying to be really,
15 really optimistic, maybe a proposed rule a year
16 from now with a final amendment in 2020.

17 Ian, myself and Guy DuBeck are all
18 working on this, so when you go home and you're
19 sitting there thinking about this and you're
20 looking at these tables going, I don't understand
21 these numbers, I don't understand this concept

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1 anymore, feel free to give any of us a call or an
2 email. Be happy to walk you through it.

3 So with that, I think we're ready for
4 the discussion.

5 MR. BROOKS: So, would it make sense,
6 Karyl, I'm assuming, to take it topic-by-topic?

7 MS. BREWSTER-GEISZ: Sure. I'm
8 always inclined to do that so we don't bounce
9 around. So why don't we start with the ABC
10 control rule options, and if you wouldn't mind
11 flipping back to the options there.

12 So, thoughts, comments or questions on
13 the options, there we go, for the ABC control
14 rule. Rusty. And again, just keep comments
15 right now on the ABC control rule.

16 MR. HUDSON: On the council level
17 where we've been dealing with this for the last
18 eight years, we have to phase stuff in 2010, 2011,
19 et cetera, et cetera. We don't use TAC.

20 We don't use total allowable catch at
21 all. It goes ABC could be equal to a greater ACL

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1 and then sub-divided into sector ACLs.

2 ACT comes in for the uncertainties and
3 in particular with the recreational. And you got
4 the carryover scenario. You would have
5 uncertainty with the recreational until you get
6 the final numbers.

7 A half a year or after the year
8 already ended. And normally you set your head
9 or your three years of head, depending on how you
10 want to try to do it, the fall before you open up
11 the season.

12 Also, you know, the idea of OFL
13 equaling ABC, generally we have an SSC that
14 handles all of this ABC control rule stuff. And
15 we have silly things like a PSTAR analysis that's
16 a further penalty of ten percent and stuff like
17 that, on top of when you don't have overfish and
18 overfishing not occurring.

19 Our carryovers, I don't know about a
20 50 percent carryover of unused stuff but
21 generally it's only good for the following year.

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1 So all of this stuff is fleshed out on a SSC
2 level, but we don't have an SSC at the HMS AP.

3 And so there's a lot of things that
4 I'm going to have to construct as a written
5 comment, I know that is due by October 1st, but
6 back to buffers. I hate buffers.

7 We already got scientific buffers and
8 now you're throwing a whole bunch more management
9 buffers, which you already create behind closed
10 doors without our vote. And at a council level,
11 at least all of that is fleshed out after the SSC
12 then reports what they've developed.

13 But we don't, again, we're in a
14 different situation with the secretarial plan.
15 So I have to depend on the scientists behind the
16 closed doors, deal with the managers behind the
17 close doors, come up with the numbers that we're
18 going to fish with.

19 And unless the status is known, and
20 some of that can change with all these
21 operational assessments that are going to be

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1 tying in, in this MRIP numbers. But sandbar
2 won't change because it's not really part of
3 that. And so, I could just keep carrying on
4 about it but I'm not. I just think that you can
5 get rid of TAC and just create your sector ACLs.

6 If you feel like you've got too much
7 uncertainty with something or if you have
8 overfishing occurring, and you have to stop the
9 overfishing, then you're going to buffer down
10 anyway before you give us the quota. And the
11 allocations for the different sectors.

12 If I think of something else I'll
13 raise my card back.

14 MR. BROOKS: Thanks. Jason.

15 MR. ADRIANCE: Thanks, Bennett. So,
16 kind of along the same lines I have several
17 questions/comments.

18 The biggest one being, who's going to
19 determine your ABC control rule because like
20 Rusty said, most councils have an SSC that does
21 that, and those SSCs can actually go away from

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1 their ABC control rule if within the discussions
2 of a particular assessment there is evidence to
3 allow them to do that and they have a
4 scientifically valid reason to do so.

5 To while there may be one ABC control
6 rule that's a tiered approach they can divert
7 from that. And I'll just tell you from personal
8 experience, it consumes a lot of discussion at
9 the Gulf SSC, the control rule. And it's as cut
10 and dry. So I think this needs a lot of work.

11 MR. BROOKS: And I guess the question
12 I heard in there is, so, is there an analog to
13 the SSC in this process or how do you think about
14 that?

15 MS. BREWSTER-GEISZ: So that would be
16 HMS in consultation with the science centers.
17 Which is what we've been doing all along anyway.

18 But this is why we wanted to have the
19 discussion to see what people think about ABC
20 control rules and how the SSCs work. We don't
21 have one, we've never worked in that structure,

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1 so it's always good to get feedback.

2 MR. BROOKS: Anna.

3 MS. BECKWITH: Yes, I forwarded to you
4 a link to our working comprehensive ABC rule
5 amendment. We had these exact discussions at the
6 council level in June.

7 We're going to have another hack at it
8 in December, but our current state of affairs and
9 background and some thoughts that we have are all
10 sort of contained in this. And primarily a
11 phase-in and carryover provisions and how the
12 South Atlantic is considering them.

13 So, I've sent that to Karyl. And if
14 you guys have any questions I'll be happy to, not
15 take up the time here, but work with you guys on
16 that.

17 MR. BROOKS: Thanks, Anna. Katie.

18 MS. WESTFALL: Yes, my question is
19 along the lines of what Jason and what Rusty
20 mentioned. So, Karyl, you mentioned that your,
21 you'll work in conjunction with the Southeast

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1 Fisheries Science Center.

2 So, will they present kind of a
3 recommendation, is that something that we can
4 also take into consideration as we comment?

5 MS. BREWSTER-GEISZ: Do you mean
6 present a recommendation on the presentation or
7 do you mean --

8 MS. WESTFALL: Just on the option, on
9 the different options that are presented here.

10 MS. BREWSTER-GEISZ: So they, we're
11 actually working directly with the science center
12 on these options. At this point, no, they're not
13 providing recommendations, they're actually
14 helping us write it.

15 MS. WESTFALL: Got it. And then on
16 Slide 10, where you give a few examples of where
17 there might be exceedances of the TAC, it would
18 be great to see this for all species managed by
19 TACs, all the species and species groups, and
20 then to see it for a multiple, over a series of
21 time.

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1 MR. HUDSON: On Slide 10, again, those
2 examples from 2015, of course the blacknose,
3 we've remedied that situation already.

4 And furthermore, for the Atlantic
5 blacknose area south of 34 degrees north, we
6 would like to see an update because these animals
7 are as big as they grow, they're as thick as we've
8 ever seen them in history. And that's something
9 that needs to be took in.

10 The only difference is, is that we're
11 on a biannual thing. Everything else is the same
12 with the Gulf. The Gulfs on an annual
13 recruitment, or pupping. And so something is not
14 right.

15 Maybe they had a lot of pressure over
16 there from the shrimp boats, but I know that we
17 don't have to worry about blacknose in the Gulf
18 it's only the Gulf, I mean the Atlantic side south
19 of Wilmington that we're allowed to harvest them.

20 But it's good now because we're
21 actually getting more efficient at catching the

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1 small coastals. Maybe more people will do that
2 and go from there.

3 But I just wanted to throw that in
4 there. If you could update this, the next
5 iteration with 2016 or 2017 numbers, it would be
6 useful to, like Kate said, just look at all of
7 what we're looking at.

8 Because some of that stuff is going to
9 be overfished. Maybe overfishing occurring or
10 maybe it's a healthy stock and that's where we
11 can do the things like 25 percent carryover we're
12 doing currently with blacktip in the Gulf of
13 Mexico.

14 But then again, you have that
15 coexisting issue with the large coastal and the
16 hammerhead linkage and that's causing problems.
17 So no matter how big the blacktip quota can get,
18 the other stuff is constraining the whole
19 utilization.

20 MR. BROOKS: So, other than Rusty's
21 suggestion of getting rid of the TAC and going

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1 straight to ACLs, I think the general comments
2 here are, this is a lot to digest, a lot of
3 questions about process.

4 You know, what's the analogue of an
5 SSC and how does that work and what's the
6 transparency and what's the dialogue and how do
7 people plug in with that. And then a specific
8 data request around, it's a really helpful table
9 that's comparing the TACs total harvest and if
10 you could replicate that for us and others that
11 would be good.

12 MS. BREWSTER-GEISZ: Yes, we have
13 that, it's just a lot of information. And we've
14 been struggling on how just to share it amongst
15 ourselves because it's kind of overwhelming to
16 look at it for all the different species and all
17 the different harvest levels and all the
18 different TACs and ACLs. It's kind of mind-
19 boggling. So that's why we tried to put it just
20 short and sweet here.

21 MS. WESTFALL: Appreciate that Karyl.

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1 And other more kind of general question, on the
2 previous slide, on Slide 9, I'm really curious.

3 So, this diagram interprets catch as
4 landings and discards and doesn't really take
5 into account catch and release and mortality that
6 can occur from that. So I'm curious where that's
7 incorporated.

8 And for some species that's important
9 in the sense where there's substantial catch and
10 release fisheries and where mortality can occur
11 during catch and release. So where is that
12 mortality accounted for?

13 MS. BREWSTER-GEISZ: So that would be
14 in the, like, are you talking about the
15 recreational catch and release? That would be
16 what we mean by landings and discards, so it's
17 both live and dead discards.

18 MS. WESTFALL: But, that doesn't
19 include any mortality from species that are
20 released alive and later die as a result of post-
21 release mortality.

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1 MS. BREWSTER-GEISZ: Yes, we include
2 that. That's what I meant by the mortality from
3 the live discards.

4 MS. WESTFALL: Got it. Thank you.

5 MR. BROOKS: Thanks. Rusty.

6 MR. HUDSON: Discards. We don't need
7 to make decisions about discards at this level,
8 that's done on you all's level with the stock
9 assessment and stuff like that. That's some more
10 of that scientific buffering that could be put in
11 there just so that we don't have to think about
12 it. I mean, we're not the SSC, we just want to
13 be seamless and know what we're going to be able
14 to fish.

15 MR. BROOKS: All right, let's push to
16 the second, oh, sorry, Mike.

17 MR. PIERDINOCK: Just a quick one with
18 the discards. I'd be concerned that the
19 experience with other species that there's lack
20 of good data to then determine that a certain,
21 let's say ten percent of what's discarded dies

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1 and as a result then they put it up to 50 or 100
2 percent or so on.

3 We've seen that with cod and other
4 species so I'd be concerned if that was done due
5 to a lack of good stock assessments, stock
6 details and then how that could be done to the
7 detriment of us. So something just to keep in
8 mind. Thanks.

9 MR. BROOKS: Katie, do you want to
10 jump back in -- okay. All right, so let's switch
11 to the second topic which was the phase-in, ABC
12 control options. Again, we've got different
13 options there including no action. There we go.

14 Any comments or thoughts on that that
15 you'd like Agency to hear here? Again, you get
16 to noodle on this till October 1st, right?

17 MS. BREWSTER-GEISZ: We don't
18 actually have a deadline for this.

19 (Off-microphone comment.)

20 MS. BREWSTER-GEISZ: Yes, October 1st
21 is Amendment 11. We don't have a deadline for

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1 this. We are hoping to scope later this fall.
2 So obviously, the earlier the comments the
3 better, but we'll take them whenever.

4 MR. BROOKS: Rick's going to field
5 this out. Let's hear it.

6 MR. WEBER: I'd say I like the idea
7 of both phase-in and probably phase-out. I mean,
8 I don't think species suddenly go bad in a year
9 or get better in a year, so probably phasing
10 things in and out make sense.

11 MR. HUDSON: You know, sitting three
12 to five years out in the rejections and stuff
13 like that saves us a lot of issues. The phasing
14 in stuff, that's again, back behind the doors you
15 know.

16 Normally, when I'm at an SSC meeting,
17 I'm able to comment on each thing and then bring
18 a written comment in and the close out and follow-
19 up, but at this point we're going to have to
20 depend on you all because we're not like the
21 council here at all.

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1 And so, what we just need to know is
2 that you feel good about the quotas you're giving
3 everybody to fish on or the ACLs people are going
4 to have the fish on in the future.

5 But setting it three to five years
6 kind of gives you a sense of stability about
7 stuff. But then you also need to have stock
8 assessments that are either updated because the
9 full benchmarks are good enough, and that should
10 be done in a timely way.

11 Some species, because of the length of
12 time, five, ten years. But generally, I'd like
13 to see five. I don't like waiting ten and 20
14 years for an assessment. Thank you.

15 MR. BROOKS: Thanks, Rusty. Okay,
16 I'm not seeing anyone else wanting to jump in on
17 this one. Next one is TAC, establishing shark
18 TACs and ACLs. We've got five options up here
19 to consider. Anyone want to weigh in on these
20 thoughts, questions? Note to self, not for after
21 lunch.

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1 (Laughter.)

2 MR. BROOKS: Not before or after lunch
3 either, that's true. Okay. Everyone is still
4 sort of digesting this.

5 Next one was carryover. So, four
6 provisions here. That's what I get for how do
7 you handle unused portions of TAC.

8 And Rusty is out of the room so you
9 can completely go.

10 MR. WEBER: For Rich Ruais.

11 (Laughter.)

12 MR. WEBER: I will speak per rollover.
13 Probably even if it is experiencing overfishing
14 there needs to be some consideration. I think
15 it makes it easier on you guys and it softens the
16 bad news because if you don't release from the
17 reserve quick enough or something like that,
18 sometimes the quota is not fully taken because of
19 your actions.

20 You know, one of the questions you're
21 going for is, should we have a reserve. Well,

1 that's going to put more of it on you to whether
2 or not the quota is fully taken.

3 And to say, well, sorry, we didn't
4 release from the reserve fast enough and we're
5 not going to get it back to you next year, is
6 going to put you in a perpetual hot seat where if
7 you, because I'll just speak in favor of the idea
8 of reserve, you guys have shown through two
9 species that you can be trusted with a reserve so
10 I'll speak pro reserve now.

11 But it seems to me that if you are
12 going to risk not fully allocating, you need to
13 give yourself some ability to rollover. So, in
14 general, I am pro rollover because there
15 shouldn't be anything magical about December
16 31st.

17 I mean, just because it didn't, it
18 wasn't caught in the fourth week of December but
19 it was caught. Rollover works to some level,
20 even in an overfished species, give yourself that
21 latitude, in my opinion.

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1 MR. BROOKS: Thanks. Bob and then
2 down to Pat.

3 MR. HUETER: Okay. So, I like the
4 idea of splitting this between the overfished and
5 not overfished categories. And I would say for
6 the overfished, keep status quo. And for not
7 overfished I think we can loosen up a little bit
8 and go to Options 2 and 3.

9 MR. BROOKS: Pat.

10 MR. AUGUSTINE: Thank you. I'm
11 hearing a lot from --

12 (Telephonic interference)

13 MR. AUGUSTINE: I would combine 1 and
14 3. Primarily because if a particular sector is
15 not overfished for whatever the condition is,
16 whether its weather, gear, whatever it happens to
17 be, it seems as though they should have the first
18 shot and go from there.

19 And again, the reason for the
20 allowable carryover, it depends upon what your
21 harvest is that year. If you're able to get out

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1 to the animals to get them, fine, if not,
2 recreation is the same way. So I would go with
3 1 and 3 as being the two that I would recommend.

4 MR. BROOKS: Thanks, Pat. David and
5 then up to Mike. Sorry.

6 MR. CARR: So, I'm going to agree with
7 both Bob and Pat. My only concern here is the
8 under reporting in the recreational fishery and
9 concern about that we're not properly accounting
10 for what is actually being landed or dead discard
11 in the recreational fishery.

12 I think the commercial fishery is
13 doing a really great job of reporting what
14 they're catching, what they're not catching.

15 I'm for rollover. I agree December
16 31st is not meaningful to a fish, but I'd be wary
17 of large carryover over, close to that 50 percent
18 in the recreational fishery.

19 MR. BROOKS: Thanks. Mike.

20 MR. PIERDINOCK: I have more of a
21 question with Number 1. I mean, you're allowed

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1 to carryover 50 percent.

2 Do they, to some extent right now, may
3 do some portion at each one of these options with
4 the carryover the 50 percent or is it just split,
5 goes directly, if there is no ACL it just goes to
6 one pot or pie or it goes to commercial, it goes
7 to rec, and maybe it's 20 percent, maybe it's not
8 the full 50 percent?

9 And I'm assuming right now they make
10 that decision based upon the health of the stock
11 and the way things look or whether they would
12 take the whole 50 or is it automatic at the whole
13 50?

14 So, I guess I have a few questions how
15 it works now because with what all of them are
16 saying I would agree with different versions of
17 that, but I'm already curious if we're already
18 doing that to some extent. Thanks.

19 MS. BREWSTER-GEISZ: Questions are
20 good. So, you are correct, we are doing
21 basically 1 and 3.

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1 So, if the commercial has an
2 underharvest we give them up to 50 percent of
3 their commercial quota back. But we're generally
4 not looking beyond there until we have all those
5 rec numbers, which could be years later.

6 MR. PIERDINOCK: Instead that always
7 provide the difficulties we've said because we've
8 had this happen all the time. We can't go out
9 and tell our clientele what our bag limits and
10 seasons are or so one because we don't know likely
11 till May with a lot of our species at what it's
12 going to be for the upcoming year because there's
13 always a lag time with the rec data.

14 So, I don't know if there's anything
15 also that could expedite that and change that.
16 I don't think it's possible, but not under the
17 present scheme of things. But that 50 percent
18 may, how do you deal with that 50 percent may
19 then take into consideration that lag time.

20 MR. BROOKS: Anyone else want to jump
21 in on this? Clearly a lot of support for

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1 carryover and a couple of different variants of
2 what that might look like.

3 All right, then the last topic on this
4 one is the multi-year, multi-year overfishing
5 options, which there are three. Anyone care to
6 weigh in on that one?

7 MS. WESTFALL: Just a question,
8 Karyl. And just to make sure I'm understanding
9 this correctly.

10 On Slide 29, with the multi-year
11 overfishing example. So you're saying that if
12 there is underharvest over multiple years, just
13 that alone could change the stock status without
14 a stock assessment?

15 MS. BREWSTER-GEISZ: Yes. I'm not
16 sure I would call 490 compared to 500
17 underharvest so much, but it is under the OFL.
18 Maybe it stayed under the ABC as well. And yes,
19 that could change it.

20 So, as an example, the only one I can
21 think of, and Meghan is not going to be happy

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1 with me, is dusky sharks. We remain low. We
2 could declare no more overfishing in three years
3 under this example.

4 MS. WESTFALL: I would certainly
5 caution against changing stock status without a
6 stock assessment.

7 And then just more generally,
8 appreciate all your all's work on this, and a lot
9 to chew on. And certainly we'll be looking at
10 all the various options and looking, thinking
11 about providing comments later on. Thank you.

12 MR. AUGUSTINE: Yes, quick question.
13 A dumb question, I should know the answer, and I
14 probably do.

15 Aren't we under the umbrella of
16 Magnuson-Stevens, relative to overfishing?

17 MS. BREWSTER-GEISZ: Yes.

18 MR. AUGUSTINE: Okay, so if we had
19 multi-year overfishing, could we go back to your
20 previous slide please? Well, we probably could
21 use a method such as PSE, but at the end of the

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1 day, any action we take we do not allow for a
2 multi-year overfishing when overfishing is
3 occurring.

4 Anyhow, overfishing is occurring
5 where under that control. So, I have to ask the
6 question, why aren't we taking any action? I
7 mean, hopefully you can answer, I don't know.

8 MS. BREWSTER-GEISZ: So, let me try to go
9 through this a little bit. If you look at this
10 graph --

11 MR. AUGUSTINE: Yes.

12 MS. BREWSTER-GEISZ: -- you have the
13 stock experiencing overfishing for a number of
14 years then it starts dipping into no overfishing
15 and then overfishing again and then overfishing,
16 and then the last year it has overfishing.

17 Under this approach you could use a
18 three year approach to determine, is that last
19 year of overfishing really overfishing. So if
20 you only have, at the end of the stock assessment
21 only one year with overfishing, maybe on average

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1 it's still no overfishing.

2 Alternatively, the other way.
3 Alternatively, if you set the overfishing limit,
4 such as in that table to be a certain amount and
5 you're always below that, then you could also
6 declare no overfishing without a stock
7 assessment.

8 MR. AUGUSTINE: Thank you. Thank you
9 for that, Karyl, it was very helpful. So why
10 don't we go to a five year average as opposed to
11 a three year average because of the extreme
12 length of time between stock assessments?

13 Would that not give us a more
14 smoothing out over the years? I mean, you would
15 have a better idea of that than I do.

16 MS. BREWSTER-GEISZ: I was just
17 confirming. Magnuson requires three years. No
18 more than three years.

19 MR. AUGUSTINE: I thought Magnuson
20 was ten years.

21 MS. BREWSTER-GEISZ: For the over,

1 multi-year overfishing.

2 MR. AUGUSTINE: Thanks for that
3 clarification.

4 MR. BROOKS: Bob.

5 MR. HUETER: Yes, just briefly. This
6 one I agree with Katie on. Don't change this.
7 This make me very nervous to start smoothing out
8 and taking averages and then declaring
9 overfishing is not happening. It takes the
10 Agency off the hook and I think we need to be
11 more risk adverse in this particular case so I
12 would say no action in this measure.

13 MR. BROOKS: Thanks, Bob. Mike.

14 MR. PIERDINOCK: Can you go back down
15 a slide with the, can you go back to the slide
16 that has all the different ones listed?

17 The three year, number three. My
18 understanding is that's there as a result of the
19 variability we get with MRIP data every year and
20 how that pulls our hair out and then works to our
21 detriment.

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1 So, it is an acceptable methodology
2 now to be used to look at an average over three
3 years so I would hope you could do the same with
4 these species, thanks.

5 MR. BROOKS: Sonja.

6 MS. FORDHAM: I agree with Bob and
7 Katie, thank you.

8 MR. BROOKS: Could you take more time
9 to say that please?

10 (Laughter.)

11 MR. BROOKS: Sorry. Ben.

12 MR. CARR: So, I would almost argue,
13 we use no action for in the case of overfishing
14 and smoothing for labeling things as no
15 overfishing. I'm concerned of things being
16 listed as no overfishing when it's not actually
17 the case.

18 Kind of like the phase-in approach
19 where it would be phased, we phase out of an
20 overfishing situation over three years, but if
21 there is a catastrophe, we drop right into an

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1 overfishing based on stock assessment. Or not
2 stock assessment, reporting.

3 MS. BREWSTER-GEISZ: So just to
4 clarify, you want to have it smoothed out if we
5 are going to declare no overfishing, but if we're
6 declaring overfishing, just one year? Thank you.

7 MR. BROOKS: Thanks. Pat, your card
8 back up?

9 MR. AUGUSTINE: I'm good. I'm just
10 going to say I agree with Mike on Number 3.

11 MR. BROOKS: Okay. All right, so,
12 several cautions around smoothing for under,
13 using that for underharvest, but then a, I guess
14 several, most weighing in on, several weighing on
15 a no action than a couple of other bits there.
16 A couple of other opinions, so.

17 Karyl, did you need any other
18 conversation on this?

19 MS. BREWSTER-GEISZ: No.

20 MR. BROOKS: Mike does.

21 MR. PIERDINOCK: Just want an overall

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1 comment. It was stated right at the beginning
2 that the reason for trying to do, or to having
3 this discussion and the changes, how confident we
4 are with the stock assessments.

5 And when I hear that right off the bat
6 it concerns me because the sharks are the
7 forgotten sons of the fishery and the stock
8 assessments for some of them are good and many of
9 them are not. So, I just worry for those there
10 we don't have good data and good stock
11 assessments if we're going to make changes, it's
12 only going to make things worse.

13 So I just want once again would want
14 us to proceed with caution on how we go with this
15 ultimately.

16 MS. BREWSTER-GEISZ: Thanks for that.
17 I do want to clarify, when I said uncertainty
18 about the stock assessments and then in terms of
19 the ABC control rule, that is what that's trying
20 to control for is how certain we are with the
21 stock assessments, not that we are uncertain

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1 about all of our shark stock assessments. Does
2 that help clarify?

3 MR. PIERDINOCK: Yes, that clarifies
4 it. But then just simply with that, that for
5 many of our species the stock assessments are
6 very suspect and anytime I see any kind of change
7 to hopefully help things it seems as though
8 things get worse.

9 If we do change it, when we start at
10 the beginning and bad data in is bad data out, so
11 I'd just like to point that out. Thanks.

12 MR. BROOKS: Pat, is your card back
13 up?

14 MR. AUGUSTINE: Well, just an overall
15 comment would be, and I just wrote it because I
16 was going to ask to speak at the end of it. I
17 just think the overall changes that we're talking
18 about making is going to make the whole process
19 more complicated, more convoluted, more difficult
20 for the public to understand, and is it just going
21 to create work or will it truly effect the ability

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1 of the Advisory Panel to offer up comments on a
2 whole new process.

3 And the final comment is, how many
4 years is it going to do this and get it converted
5 from where you are now to where you're going to
6 go?

7 I mean, Karyl, I look at the timeline
8 for it and quite frankly, it looks pretty
9 ambitious, because from what we've looked at
10 right now, goodness gracious, I don't know how
11 many staff folks you're going to have work on
12 this, because the parts that we've talked about
13 so far, it appears to me it's going to take quite
14 a lot of staff effort.

15 Not that you're not capable of doing
16 it, that's not the issue. The point is, the end
17 product, is it going to end up in a positive,
18 more positive approaches to what we're trying to
19 accomplish or are we going to convolute the
20 issue.

21 It just seems to me that old KISS

1 statement, you know, keep it simple stupid, it
2 just seems to apply. And here we're attacking
3 every single part of what you've done since you
4 set this whole process in motion.

5 I mean, you asked a question on Number
6 1, no action. And the point that came to my mind
7 right away is, do we need any action, is that
8 piece broken. I'm not sure right now.

9 I mean, the options that you have
10 presented for each one of these elements, very,
11 very comprehensive. And each one of them in
12 itself can create a volume of work.

13 And I'm not sure how much statistical
14 analysis goes into it, what the comparative
15 analysis is, what you have to do in terms of
16 research and digging out historical stuff, what
17 you have to do to convert, if you will. And at
18 the end of the day, what have we gained. And
19 there's so many things on your plate right now
20 and I really need to bring that forward because
21 this looks like it's very ambitious.

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1 Although in the very end it may be
2 very, very valuable, but is it the right thing
3 now? I don't know, Karyl, you'll have to --

4 MR. BROOKS: And I think that's part
5 of why the Agency is putting this forward is to
6 share some very, very early thinking and get a
7 sense from the panel on whether this makes sense
8 or whether there are parts of it that makes sense
9 or none of it makes sense.

10 MS. BREWSTER-GEISZ: Yes, I
11 definitely appreciate your comment, Pat.
12 Personally, I am really excited about this
13 amendment. I think this could be a really good
14 thing and could help simplify and clarify for
15 everybody around the room, and those of us in
16 HMS, on where we are and what our quotas are and
17 what our limits are.

18 When we first started that, we've
19 been, I've been working, many of us in this room
20 have been working on this over the years. This
21 shark TAC, okay, now we have an assessment on

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1 this, how do we adjust it, what is this TAC.

2 It took us a couple of years to pull
3 together the table that we now have in the SAFE
4 report on what all the various TACs for all of
5 our species management groups. It shouldn't be
6 like that. It should be simple.

7 And it should be fairly easy once we
8 get a stock assessment for all of you to look at
9 it and go, okay, this is what HMS is likely to do
10 as a result. And we don't have that right now.

11 Right now, I get panicked calls from
12 some of you, from the fisherman going, what are
13 you going to do? What is this going to mean for
14 me? And so that's why we're doing this.

15 I am actually really excited. You are
16 correct, it's going to be a lot of work. I have
17 Ian in charge of this, along with Guy and I know
18 it's going to be great. So, hold on, sit tight
19 --

20 MR. BROOKS: That's really helpful to
21 hear, Karyl, and provide some helpful

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1 perspective. Anna, you were wanting to jump in?

2 MS. BECKWITH: Yes. I mean, I
3 haven't tried to have individual opinions on the
4 things because I come from everything from a
5 South Atlantic perspective, but these things have
6 been discussed at the different councils.

7 And a lot of this additional
8 flexibility has been begged for by the councils
9 through our council process. And some of these
10 things are things that we have been asking for,
11 to add flexibility because of the unknowns of our
12 data and because of the high PSEs and all of the
13 uncertainties that we have to deal with.

14 So, there's cost and benefits to each
15 of these things. There is cost and benefits to
16 phasing in and phasing up.

17 The Pacific Council has a quick, I
18 think it's slow up, fast down. The South
19 Atlantic is considering a different version.

20 I mean, the councils are having these
21 discussions and analyzing the benefits and the

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1 determents to each of these things for the
2 specific needs for each region. But there's a
3 lot of information, a lot of thought.

4 And some of these things are going to
5 help make sure that the industry doesn't take a
6 huge hit. And that they might be able to ride
7 out a couple of bad years through a phase-in
8 process so that you don't lose your economic base
9 for some of these fisheries, which is instances
10 that we've had at the South Atlantic and the Gulf.

11 So, I think there's a lot of intellect
12 and thought that has gone through for some of the
13 council discussions that you guys would be able
14 to pull from, but I think as councilmembers, I
15 don't want to say, well, I think this is the best
16 because, what you guys do is different from what
17 we do. But I think from the discussions that we
18 have at the councils, I think there is a lot of
19 insight to the positives and negatives that you
20 guys can take from this.

21 MR. BROOKS: Thanks, Anna. We are

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1 due to go to public comment. I'll take one last
2 comment here from the AP.

3 MR. FRAZER: So, just, I mean, from
4 the Gulf Council's perspective, one of the things
5 I noticed is that you don't have an analogue to
6 an SSC, and that point was brought up by a number
7 of folks. But you should probably strive to
8 describe to this AP what that analogue might look
9 like. Because that group of individuals, whoever
10 they are, are going to essentially develop your
11 ABCs, right?

12 And the AP, I would think, then would
13 weigh in on what the ACLs are. With advice from
14 that kind of body, right, because they would tell
15 you what the consequences are being more or less
16 conservative, any particular instance would be.

17 So, you kind of need that
18 transparency. You need to build that in to your
19 document or your process so people have faith in
20 what you're trying to do.

21 MR. BROOKS: Great, thank you very

1 much. Do you want to shift to public comment,
2 unless, Karyl, you've got anything left? Nope,
3 okay. All right, thanks everybody.

4 Glen, you're here as our public.
5 Anyone else in the room who will be wanting to
6 make public comment? Okay, Glen.

7 MR. DELANEY: Thanks for the
8 opportunity. You can't imagine how difficult it
9 is for someone like me to sit here all day and
10 speak once.

11 (Off-microphone comment.)

12 MR. DELANEY: Yes. I am going to
13 address Amendment 11, Mako. As you guys
14 hopefully know we submitted extensive comments on
15 the scoping in May and kind of addressed three
16 different overall issues.

17 One was an outline to, sort of a step-
18 wise analysis of the process in the context of
19 both the Magnuson-Stevens Act and the ICCAT
20 process itself, including that my view of
21 Amendment 11 is premature and should have waited

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1 until after the ICCAT meeting in November.

2 Obviously, that input was not
3 accepted, but I reiterate that and hope that it
4 goes well. We also addressed each option, of
5 course, in the scoping document.

6 I don't expect much change in our
7 comments on the proposed rule. I just want to
8 re-emphasize what Marty and Scott and probably
9 others have said, which is, you know, we support
10 the option that is consistent with ICCAT
11 Recommendation 17-08, i.e., live release with
12 electronic monitoring.

13 But I want to preach a little on the
14 issue the U.S. should not unilaterally get ahead
15 of or go beyond what our ICCAT obligations are.
16 If we do it undermines the very premise and point
17 of the need for multilateral management of highly
18 migratory species.

19 That's why we have tuna RFMOs,
20 including ICCAT. We cannot rebuild northern mako
21 unilaterally even if we terminated our fisheries

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1 and took half down to zero.

2 And then the bottom line, no matter
3 what the agency must not allow this to become a
4 choke stock by virtue of a domestic hard TAC.
5 That would be the end of our fishery.

6 A third part of our comments address
7 some of the scientific issues, shortfalls, we had
8 identified, several of which are being addressed.
9 The conversion factor on dressed whole weight, a
10 couple other items just basically reporting data.

11 I think our SAFE report and our ICCAT
12 report we had different numbers. I think you
13 guys have reconciled that, appreciate it. But
14 since I think David and others brought it up and
15 Sonja was defending the data and the confidence
16 the SCRS has in this particular stock assessment
17 I just want to highlight a little bit of
18 information which is according to the data
19 submitted to ICCAT in the 2017 SCRS stock
20 assessment.

21 In 2016 the U.S. had actually risen to

1 third among all ICCAT nations in its north
2 shortfin mako landings, only behind Spain and
3 Morocco.

4 And if you just kind of take -- And
5 this is something I brought up at the ICCAT IAC
6 meeting this spring and in our comments here,
7 when considered in the context of the number and
8 the size of the vessels in the U.S. pelagic
9 longline fleet with the level of pelagic longline
10 fishing effort in our fishery as compared to the
11 number and size of the vessels and quantity of
12 fishing effort in the industrial scale pelagic
13 longline fleets of other ICCAT nations it's hard
14 to take that data, landings data reported to
15 ICCAT seriously.

16 In 2006 while the U.S. reported
17 northern shortfin mako landings at 296 metric
18 tons, industrial scale pelagic longline nations
19 such as Japan reported landing 75 metric tons,
20 Taiwan, seven metric tons, China, four metric
21 tons, South Korea, one metric ton, Philippines,

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1 zero metric tons.

2 To think that, you know, industrial
3 scale pelagic longline nations, like Taiwan,
4 might be landing less than 100 fish, China less
5 than 50 fish, it's beyond implausible, it's
6 absurd.

7 So to say that, you know -- I know
8 that SCRS feels better about the 2017 stock
9 assessment as compared to the 2015. They
10 emphasize that they felt like the data had
11 improved and some of their analyses had improved,
12 but we also need to keep in mind that, you know,
13 the difference between the conclusions of the
14 2015 stock assessment and the 2017 stock
15 assessment were 180, profound.

16 I mean in 2015 we thought we had a
17 success on our hands, shortfin mako was close to
18 fully rebuilt, if you will, without a rebuilding
19 plan, but it wasn't far from -- it wasn't a stock
20 of enormous concern, we were feeling good about
21 it.

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1 Of course, everything has turned
2 upside down two short years later. So I think
3 we have to be a little bit, you know, have a
4 healthy skepticism of the stock assessments when
5 the go 180 like that, and hopefully in 2019 things
6 will even be better.

7 I would note that even in the SCRS
8 recommendations in their inter-sessional meeting
9 they held this summer, which I believe Sonja
10 attended, in their recommendations of the report
11 of that meeting they definitely recognized the
12 need to improve the reporting of Task I data by
13 nations, and that was also noted in the text of
14 the document as well. Just as an aside --

15 MR. BROOKS: All right, Glenn, just a
16 quick, two things, one, we do need to push to
17 close and also just in your comments if you could
18 not call out, single people out I'd appreciate
19 that.

20 MR. DELANEY: Okay, sorry. Weren't
21 you at the meeting? You said you were at the

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1 meeting. Okay. Sorry, about that, I apologize
2 if I violated protocol.

3 But the SCRS I just noted also
4 recommended the study of circle versus J hooks in
5 terms of catch retention and mortality, so I
6 would just call that attention.

7 I know you guys had some discussion of
8 that earlier today, so you might look at that
9 inter-sessional report. It's posted on the ICCAT
10 website now.

11 And then the final thing I just want
12 to say is that your reference to the last six
13 months, first six months of data for this fiscal
14 year, or fishing year, to be submitted to ICCAT
15 in October, and there is really two things I just
16 want to mention.

17 As I discussed with Brad there really
18 are two conceivable timeframes for reporting that
19 data. We did not have the Emergency Interim Rule
20 in place in January.

21 In fact, we didn't have it in place

1 until March, and I suspect most nations probably
2 didn't have those measures in place immediately
3 in January since the meeting was in November
4 prior.

5 So, you know, we might have two sets
6 of data to be reported, and I'm not sure how you
7 are going to reconcile that, January through June
8 or March through August, but I just wanted to
9 call that to the attention of the group that that
10 is something that we need to pay attention to.

11 And then the second thing is that, you
12 know, this performance data of our fleet is
13 fundamental to developing the U.S. position and
14 posture at the ICCAT meeting in November.

15 And I think there was a suggestion
16 earlier that it might not be available to the
17 ICCAT advisory committee at its meeting in
18 October, early October.

19 And, you know, I think, you know,
20 again, this is going to really drive what the
21 posture of the U.S. is going into to that meeting

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1 so I sure hope that even if the data is somewhat
2 preliminary that the ICCAT Advisory Committee
3 should have an opportunity to consider that and
4 make recommendations for what U.S. positions and
5 posture should be going into the meeting.

6 That's our function and that's, you
7 know, one of the pivotal issues for mako at ICCAT
8 this year and mako is one of two pivotal issues
9 facing ICCAT this year, the other being tropical
10 tunas.

11 So, again, I just stress that I hope
12 you can get that to us even if it's in preliminary
13 form. And that's it. And, again, I apologize,
14 I didn't mean to call anybody out.

15 MR. BROOKS: No worries. Thank you.

16 MR. DELANEY: Thank you.

17 MR. BROOKS: Appreciate your comment.

18 Any other public comment? Yes, please. Just,
19 again, introduce yourself, please.

20 MS. PFLEGER: Hi. I am Mariah
21 Pfleger with Oceana. I heard a lot of back and

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1 forth about the science for shortfin mako. I
2 think Enrique helped with that.

3 Maybe next time we talk about this,
4 and I'm sure we will talk about it, maybe he can
5 do a little presentation on the data and the
6 conclusions that they came to. Thanks.

7 MR. BROOKS: Thanks. Any other
8 public comments? Any public on teleconference
9 who want to make a comment? If not --

10 OPERATOR: If those of you on the
11 telephone conference would like to have a
12 question --

13 MR. BROOKS: Okay, with that then,
14 Brad, I think we head to your wrap up.

15 MR. MCHALE: All right. Well I
16 appreciate for all of you sticking out to the
17 final end here. Hopefully we don't have too much
18 of a comical ending to the meeting.

19 I think as Margo prefaced pretty much
20 at this stage, I haven't seen these slides, I
21 remind staff that their annual reviews are taking

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1 place over the next week or two, so hopefully
2 they considered that while they were developing
3 this.

4 I am not necessarily going to read
5 everything, but I figured, you know, we'll stay
6 course and just make sure we touch on some of the
7 highlights.

8 So we spoke a fair amount about wind
9 energy and various communications the agencies
10 have on the phone as well as from fisherman to
11 fisherman and how to kind of maximize the impact
12 of our voice, our data, and how do we get that
13 into that BOEM environment so that it can
14 actually be considered.

15 A clarification on the hammerhead
16 listing and an update on the oceanic whitetip
17 listing, so I think that we'll follow up with you
18 there on that, Sonja.

19 A clarification or a lack of data for
20 the EFP issued to Cape Cod groundfish permit
21 holders. I think we really kind of touched on

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1 that.

2 They just haven't really operated
3 underneath that EFP, but yet we'll continue to
4 see whether or not that's a worthwhile effort
5 next year.

6 Then ultimately how best to saturate
7 our permanent universe with information instead
8 of having it be more of an opt in to get the HMS
9 news, listserv, perhaps finding methodologies
10 where we are sending that out to all permit
11 holders and maybe have more of an opt out type of
12 an option.

13 A clarification on the timelines
14 associated with the cost earnings survey for the
15 General category there, pretty much how long the
16 participants have to get those reports back to
17 us, so if we can get that clarified that's a
18 known.

19 Request to consider allowing
20 headboats to fillet. I know that we touched on
21 that. You know, again, we'll always be open to

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1 consideration, but, you know, the last time we
2 ran at this in between the spring meeting and
3 this fall meeting it didn't necessarily fare well
4 for the cost benefit analysis, but, again, we're
5 always kind of open to see what new information
6 might present itself that would change that.

7 And with regards to EBFM road map, you
8 know, how the science center work is tied to the
9 HMS and regional plans, how it crosses into
10 prioritization with the S-K and other requests
11 for funding proposals, ensuring that we include
12 state and territory regions such as Florida,
13 Puerto Rico, that have unique EFH and nursing
14 ground issues that should be addressed, that EBFM
15 is important and the forage fish ties as it
16 relates to target fish and then the interplay
17 there.

18 That's kind of been an ongoing theme
19 and comment driving the, or a big component of
20 EBFM. And also the need to consider interactions
21 of other species, whether it be marine mammals,

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1 you know, dogfish, et cetera, as those
2 populations either grow or decline and what some
3 of the implications are as it ripples through the
4 ecosystem.

5 And then coordination with PR to
6 factor in the endangered species take in the HMS
7 fisheries, such as the smalltooth sawfish. And
8 then ultimately how does EBFM, does it implement
9 in parallel with MSE protocols, some of the data,
10 the timing, or lack thereof.

11 And I think the phytoplankton in
12 regards to herring I think was the example I think
13 Mike had maybe mentioned at one point. And then
14 segueing into a little bit more of a reporting
15 plan to include some economic information in the
16 SEFHIER and using that as a community health
17 tracker.

18 And then ultimately the need to
19 consider HMS fisherman and the impact of
20 additional regulations as part of that overall
21 ecosystem, not to exclude the end users.

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1 Bluefin tuna management to date, so
2 appreciate the improvements from, I'm assuming
3 from last year to this year based upon the
4 diligence of keeping tabs on things and then
5 adjusting accordingly.

6 We had some inquiries regarding the 17
7 dead discards by area. Which ultimately we
8 provided, but what we did not necessarily provide
9 were those associated with the handgear fishery,
10 so we will take that away as a tasker to get that
11 back out.

12 And then some inquiries regarding the
13 2018 LPS catch data and our conference in that,
14 and just as an FYI I believe the July information
15 was released yesterday, so now we have June and
16 July available and I think the historical
17 patterns are essentially playing out.

18 It's like where we'll normally see one
19 spike either in June or July the other month tends
20 to be less, so it kind of has a balancing out
21 effect, and I think we are seeing that trend once

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1 again.

2 There was also some interest of where
3 that catch is occurring, so that state-level data
4 is available as well. I did a quick spot check
5 of it last night and it looked like Maryland and
6 Delaware combined was a big contributor to where
7 a lot of the school fish landings were being
8 reported from.

9 And then there was a number of
10 questions about plans for enforcing the
11 commercial Fishing Vessel Safety Act and how they
12 apply to General category vessels, charter
13 headboat vessels, and there we kind of mentioned,
14 well, we'll continue to collaborate with the
15 United States Coast Guard and we actually already
16 have a few additional phone calls set up to figure
17 out how we can get our databases to communicate
18 more efficiently.

19 So a theme that we have heard for a
20 couple of meetings, looking at report and
21 compliance rates when providing additional

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1 fishing opportunities or quota as it relates to
2 transfers from the reserve category, show the
3 General category compliance rates with the
4 commercial Fishing Vessel Safety Act.

5 I think that's something we might be
6 able to produce for the spring after those
7 dialogues with the Coast Guard solidify a little
8 bit more.

9 The request to have the inspection
10 decal numbers requirement as part of the
11 application process, I know that we have touched
12 on that around the table a few times and there
13 are some logistical issues with that, but it
14 doesn't mean that we won't continue to kind of
15 look at that as a potential option to verify that
16 those vessels are compliant.

17 We touched on the discards, and then
18 end category trophy opportunities, folks would
19 like to see those increased. Some of the
20 feedback regarding the weak hook and the area-
21 based management was to really look at what

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1 Amendment 7 has accomplished given the individual
2 accountability and then remove redundant measures
3 or fleet-wide restrictions.

4 You know, if we are unable to
5 accomplish that, the trend, the vessels moving
6 overseas, it all likely would continue.
7 Obviously concerns about external forces, driving
8 decisions, that aren't necessarily being
9 expressed around the table are based on science
10 and, you know, that it's not all about the
11 biology, but we as managers also need to factor
12 in some of the social and economic dynamics that
13 are coming into play regarding our fisheries and
14 then, in turn, the management thereof.

15 And then I believe David had kind of
16 just bluntly come out and said it is, you know,
17 are there folks that would like to see pelagic
18 longline fisheries here in the United States go
19 away, if so, step up and have your voice heard.

20 If not then we should all be kind of
21 collaboratively trying to figure out how to make

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1 that fishery work for the benefit of all U.S.
2 fishermen in the United States quota attainment,
3 et cetera, et cetera, et cetera.

4 And I think that kind of plays into
5 this next bullet here is that not only NMFS but
6 other groups need to help the pelagic longline
7 fleet before it's too late, you know.

8 And I think that it was mentioned that
9 if all of a sudden we don't have that voice at
10 the international table there are implications
11 that will ripple through this entire room if we
12 are unable to have that voice there.

13 And then requesting for some
14 additional representation whether from DOC to
15 join us so they can actually hear the discussions
16 that we have as it pertains to these issues versus
17 having I think something abstract.

18 More on the weak hook and area-based,
19 so feedback to remove weak hooks altogether and
20 anticipated benefits that swordfish lands would
21 go up, some requests to maintain them but more on

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1 a temporal basis or a seasonable basis or perhaps
2 more in the established gear-restricted areas.

3 When it came to the spatial management
4 areas we had requests to keep those that were in
5 the Gulf of Mexico. Marty had expressed that
6 communication protocols and the take reduction
7 team is a vital tool to avoid interactions and
8 then ultimately that time and area-based
9 management is outdated given what has been
10 brought forward in Amendment 7.

11 When it comes to the 3-year review
12 some suggestions on how to re-analyze the
13 economic data to kind of tease out things that
14 might be masked there.

15 We are averaging across the fleets
16 maybe hiding let's say some less than desirable
17 information there but it may be more accurate and
18 reflective of what is transpiring in the fishery,
19 whether you do that on a daily basis as well as
20 make note of how costs can increase over time on
21 various aspects, whether it be fuel, bait, or

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1 what have you.

2 Other kind of general comments, don't
3 undo the success that stem from Amendment 7,
4 desires to have more flexibility regarding the
5 area designations, Atlantic versus Gulf of
6 Mexico, and the ability to kind of have
7 flexibility to go from one area to the next versus
8 the current construct, and then this ongoing
9 theme of ensuring that the quota allocations are
10 going to those vessels that are on the water and
11 getting lines wet.

12 There seemed to be a pretty unanimous
13 kind of voice around not a not allowing permanent
14 sale of IBQ and we'll be looking to other IFQ
15 programs as well as to help inform this.

16 I believe the southeast might be
17 starting to back away from some of how they
18 implemented their IFQ programs and to stay true
19 to kind of some of the overall objections of
20 Amendment 7 and carry it forward into 13 is to
21 not allow sinks to exist or stockpiling to exist,

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1 that the quota needs to get to those that are
2 actually using it real-time.

3 There was a lot of discussion about
4 sunsetting the Purse Seine category fishery and
5 then stemming from that how does quota get, if
6 that were to occur where does quota get
7 redistributed to and the acknowledgment that at
8 least 25 percent of that current purse seine
9 quota is really just dedicated to the IBQ
10 program.

11 And so if, keep that in mind during
12 any sort of future discussions regarding what to
13 do with that quota if that is the way the agency
14 were to go. And then obviously providing
15 reasonable opportunities to harvest our quotas as
16 mandated by ATCA.

17 And then we had also heard to extend
18 the January fishery so the closure date I believe
19 is extending out to the end of the April and I
20 think there is, you know, just discussion
21 regarding the time period, subquotas in general,

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1 look at the Angling category trophy categories
2 given that they are so small, if there is any
3 sort of reallocation that could take place there.

4 And then keep our mind open to,
5 dependent on how things shake out for bigeye,
6 potentially a retention limit required there as
7 well.

8 Regarding charter/headboat and
9 electronic logbook reporting, so make sure we
10 don't lose sight of the impact that outreach can
11 have as far as bringing folks along and learn
12 from some mistakes that took place in some of the
13 other efforts the agency has undertaken, whether
14 or not to start off with pilot programs and
15 whether or not there are pre-existing systems to
16 kind of build on versus creating a new additional
17 stovepipe, and then, you know, taking a look at
18 those folks that may make the most sense to start
19 a program off with.

20 And I believe as Marcos had mentioned
21 maybe honing in on the for-hire captains in the

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1 Caribbean as an example of a good fit to start a
2 pilot program.

3 Who should be required to report?
4 Non-for-hire/for-hire trips, captains doing for-
5 hire trips currently. You know, so essentially
6 what sort of information should we be getting
7 and, again, what trips should it be associated
8 with.

9 How to get buy-in, you know, that ties
10 into outreach. Obviously, funding is a key
11 component and trying to identify that very early
12 so you don't necessarily develop this grandiose
13 program and then all of a sudden you realize that
14 you really don't have any functional way to get
15 that into play.

16 Be very clear about our goals, what is
17 that we are trying to do, what are the minimum
18 data elements that we need to see, and then
19 ultimately, you know, other than just, you know,
20 counting fish for the sake of it, is it being
21 used for stock assessment, is it being used for

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1 validation, being very clear what that
2 information is intended to be used for and,
3 obviously, the need for either validation or
4 enforcement to groundtruth that information.

5 And then, obviously, needing to seek
6 a little bit more clarity on how we define
7 stringent. We want to know whether it's timing,
8 whether it's data elements, especially for those
9 constituents that have overlapping reporting
10 requirements to clarify some of the systems that
11 they would actually have to report to when they
12 have multiple options.

13 When it comes to Amendment 12
14 regarding the objectives, in Objective Number 1
15 ending overfishing, taking precautionary
16 approach, you know, taking the opportunity to
17 recognize international trend towards management
18 procedures and harvest control roles, and it's
19 also helpful to show changes in kind of redline
20 strikeouts so folks can, you know, literally
21 line-by-line see where our changes in any sort if

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1 the objective language would exist.

2 Regarding stock status determination
3 there was some support for one set of thresholds
4 to align the international with those that are
5 being used here on the domestic side, you know,
6 to be able to consider what are the operational
7 implications, obviously with bigeye being
8 assessed and being here on the forefront at his
9 year's ICCAT annual meeting and ongoing concerns
10 about unilateral action, you know, if ICCAT does
11 not take action what does that then mean here on
12 the domestic front, and we've touched on that
13 kind of theme a few different times, whether it
14 be shortfin related or, you know, at a grander
15 scale here, just national policy, and then
16 implications for bluefin tuna which currently has
17 an unknown status here domestically. You know,
18 so what are the ripple effects of some of this.

19 When it comes to SBRM, although it
20 doesn't look like we have the bullet here that we
21 should spend a considerable amount of time

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1 developing SBRM for spearfish based tunas. Okay.

2 You know, considering species level
3 and fishery level, trying to look at it both ways,
4 trying to figure out what makes the most sense,
5 standardization is important for when looking at
6 SBRM for all the various shark species.

7 And then when it comes down to
8 allocation criteria, you know, trying to
9 determine what a 10-year, when you look at the
10 time horizons questions about whether the 10-year
11 maximum would force regulatory changes,
12 essentially what are the ripple effects of when
13 some of those triggers are hit.

14 As it relates to public comment on
15 bluefin tuna area-based management weak hooks,
16 given the individual accountability, you know,
17 these other requirements are either inefficient,
18 redundant, and play a significant role in the
19 declines of the target catch landings as well as
20 the number of active participants.

21 You know, to really consider the

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1 executive order in eliminating redundant
2 regulations, and I will take that one step
3 further in regards to the current administrative
4 procedures that we execute our FMP amendments or
5 regulatory amendments through.

6 Concerning that our quotas will be
7 reallocated to other countries, that is
8 definitely apparent in the swordfish fishery.
9 That has been an ongoing concern.

10 And then, again, concerns regarding
11 time horizons of when actions might be able to be
12 finalized and the need to have some sort of
13 relief, the here and the now regarding some of
14 these potential duplicative or redundant
15 requirements.

16 On the 3-year review, it appears that
17 the IBQ program objective of reducing the
18 longline catch and dead discards of bluefin, but
19 also need to make sure that the pendulum is
20 swinging back so we are not necessarily
21 overshooting that objective and we are actually

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1 utilizing quotas, again, as mentioned on previous
2 slides under ATCA.

3 You know, there is no conservation
4 basis for not fully catching our quota based upon
5 how that quota is issued out and at the ICCAT
6 level all of it is assumed mortality.

7 And that the goals of Amendment 13
8 should be to fully utilize, or one of the goals
9 of Amendment 13 should be to fully utilize the
10 longline portion of that bluefin tuna quota and
11 should reform our performance metrics to disperse
12 quota to those vessels that are active and
13 getting their lines in the water.

14 Regarding NMFS bottom longline shark
15 survey, questions on variables, i.e. whether the
16 hooks have changed over time, whether or not
17 switches in bait might have implications on catch
18 rates, and then, obviously, tracking of the
19 physical environment variables and monitoring
20 those and the potential implications on catch
21 rates. I think water temperature was a key item

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1 there.

2 Questions regarding the survey
3 stations on whether or not the locations were
4 changing over time or whether or not they were
5 static for consistency and what may make the most
6 sense given some of the environmental changes,
7 and there is the interplay there.

8 Support for the survey's decision to
9 occur in the spring, questions about sex ratios
10 and age ratios of the different species, and
11 questions regarding the apex predator bottom
12 longline survey and the bottom longline survey
13 out of the Pascagoula Lab and some of the
14 differences there, and then folks were looking
15 forward to the 32-year report.

16 Trends in sharking season abundance,
17 so concerns about the indices and if they are
18 weighted or ranked properly, questions on why the
19 split between the observer, bottom longline
20 observer indices given the change, and the
21 research fishery and the protocols, and I think

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1 we touched on that.

2 The observer indices data review
3 should consider, you know, who is the lead of the
4 program, so some of those internal dynamics of,
5 that morph over time and, you know, with any
6 particular program and whether or not they
7 influence results.

8 Questions on whether temperature can
9 be incorporated into the assessment models, spend
10 some time there, and a question on the peak of
11 the curve in the plot on abundance, and if we
12 compared the data to historical data on
13 abundance, and how close are we to getting back
14 to the biomass that we saw years ago. And then
15 ultimately when is the target date for the next
16 sandbar assessment.

17 All right, so on to Amendment 11.
18 Concerns about catch data from other countries,
19 I think that came up even just as recently as the
20 public comment we just had. I think Glenn had
21 some really good numbers there that kind of

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1 highlighted those concerns.

2 That the U.S. should use the SCRS
3 suggestions for total prohibition of landings is
4 one comment we heard. The U.S. should slow down
5 and not necessarily get ahead of the ICCAT
6 recommendations knowing that this will be another
7 topic of discussion at the annual meeting coming
8 up.

9 There was some support for the
10 preferred commercial alternatives, and/or a
11 combination thereof of A(2), A(3), and A(5). We
12 should encourage all countries to use EM, and so
13 that is just more of a negotiating or priority as
14 we head over to ICCAT.

15 And then ultimately there was a lot of
16 support around the room as well for alternative
17 B(2) that mirrors the ICCAT recommendation that
18 differentiates minimum sizes both for male and
19 female.

20 And then a few questions regarding
21 circle hooks and then I think we responded to

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1 those based upon what was put into play for A(5),
2 A(5) (b), actually, for duskie's versus the
3 expansion of that geographic given the mako
4 dynamics.

5 MRIP, so I think everyone understood
6 pretty clearly that the Large Pelagic Survey
7 estimates have not currently been impacted by the
8 MRIP re-calibrations.

9 But that exercise is going to be
10 taking place in the future, that we also do not
11 expect that that LPS re-calibration exercise
12 would result in the same level of changes between
13 the existing estimates because of how that survey
14 is designed and where the private vessels, as
15 well as the shoreside angler, is not, or at least
16 the shoreside isn't nearly as prevalent in some
17 of the Large Pelagic Survey there.

18 It was noted that LPS continues to be
19 our primary source of recreational catch
20 estimates and then ultimately what do we do with
21 the MRIP estimates as they pertain to, you know,

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1 essentially North Carolina, South, and down
2 through the Gulf, and whether that be
3 domestically or as well as information being
4 reported up to ICCAT.

5 And then teasing out the estimates
6 based upon either the Atlantic or Gulf. There
7 were a number of requests that that would be
8 beneficial to connect, separate those two out
9 versus having them lumped, and then if we could
10 refine the timeframe or sampling waves that it
11 could also be very informative of getting at a
12 higher level of resolution, at least of teasing
13 those numbers out, but I think as John had
14 mentioned there is also then risks that come
15 along with trying to dive too deep into it that
16 your PSEs and certainties can also be impacted.

17 So for the fishing effort survey and
18 the transition plan essentially all stock
19 assessments moving forward will be using the new
20 catch estimates, so obviously that's really where
21 the full cycle is where you get out of this apple

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1 and orange comparison, because until that data
2 can work through the entire process, and then
3 ultimately what would the implications on ACLs be
4 as an end of that process.

5 And, currently, John had mentioned,
6 the ability to take catch estimates and back-
7 calibrate to reflect the old survey
8 methodologies, so, you know, that information
9 still has value no versus waiting for that entire
10 cycle to cycle through.

11 And then examining ways to address
12 highly variable estimates, kind of some of those
13 outliers or the rare event species like HMS and
14 ways to make more precise or catch estimates
15 there, which tends to be an ongoing challenge.

16 And then for Amendment 14, we just
17 talked about that and Karyl is excited. So
18 noteworthy dates and upcoming actions, comments
19 on the draft, EBFM implementation plan are due by
20 September 30th.

21 The comment period for Amendment 11

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1 wraps up on October 1st. We will have proposed
2 2019 commercial shark quotas coming soon, very
3 soon.

4 The final rule regarding the bluefin
5 tuna and albacore will also be coming very soon.
6 And then NOAA Fisheries is conducting a review to
7 evaluate whether, or how to deal with the
8 National Bycatch Report and how to improve on
9 that.

10 And those comments are due -- and I
11 know we haven't really touched on that one here,
12 but I think something was just announced here
13 during the meeting, so you'll probably see
14 something in your email, but feedback is
15 requested by October 31st on either how to
16 improve that report or what to do with that
17 report.

18 And then when it comes to oceanic
19 whitetip shark recovery outline, that is
20 available here, so we have that link. And so
21 reminders to AP members, get your travel vouchers

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1 done by September 14th.

2 It's just money, come get it.
3 Otherwise, don't -- Don't jam up Pete. Where is
4 Pete?

5 MR. COOPER: I am right here.

6 MR. MCHALE: Pete gets angry when he
7 gets jammed up.

8 MR. COOPER: Very.

9 MR. MCHALE: Let's not make Pete
10 angry.

11 MR. COOPER: I sent you all the email
12 about it, so follow the email.

13 MR. MCHALE: Yep. And if folks could
14 return their tents and badges so we can reuse,
15 renew, recycle. Please do me a favor and
16 complete the AP satisfaction survey and, you
17 know, I genuinely appreciate all of your time and
18 effort once again on contributing to these
19 discussions.

20 I would like to thank the staff for
21 all the hard work of especially making me not

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1 look like an ass in the front of the room. That
2 is a challenge that they really had to contend
3 with this year.

4 I hope everybody safe travels on their
5 way back to wherever you are venturing to. So
6 with that we are done.

7 MR. BROOKS: Okay. Thanks,
8 everybody. I think we are adjourned. Thanks.
9 See you in the spring.

10 (Whereupon, the above-entitled matter
11 went off the record at 3:19 p.m.)

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