

UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

ATLANTIC HIGHLY MIGRATORY SPECIES
ADVISORY PANEL MEETING

Silver Spring, Maryland
Wednesday, September 9, 2020

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

2 (9:02 a.m.)

3 MR. BROOKS: So let me just give sort
4 of an official, formal good morning to everyone.
5 Again, Bennett Brooks, with the Consensus Building
6 Institute. I just want to thank everyone for
7 joining in. I know this is now our second
8 official AP meeting where we are online, in a
9 Webinar format, not in person or around the table.

10 Obviously, this is not unfamiliar to you
11 all. This is our current life. Thankfully we've
12 got technology to allow us to have pretty good
13 conversations. And so that's where we'll be for
14 the next two days. I just want to thank you all
15 for, you know, rolling with this. In a minute
16 I'll come back and give us a more formal welcome
17 and look at the agenda, and the ground rules. But
18 what I would like to hand this off to Sustainable
19 Fisheries Director, Kelly Denit for her to welcome
20 us, and we'll hear from Randy Blankenship.

21 Kelly, it's all yours.

22 MS. DENIT: Great. Thanks so much,

1 Bennett. Good morning, everyone. It's a
2 wonderful to virtually meet you, and I look
3 forward to the day when I can actually meet many
4 of you in person.

5 Some of you I know already from previous
6 lives here at the National Marine Fisheries Service.
7 So welcome to the AP meeting. I'm really looking
8 forward to talking with you all here over the next
9 couple of days. So I thought I'd just kick us off
10 with just a little brief intro about me and then
11 happy to answer any questions, and then, of course,
12 hand it over to Bennett and then the group to run
13 through the agenda. And I will try to keep things
14 short because I know that the days are long when
15 you're sitting on the video and it's hard to stay
16 focused and concentrated.

17 So first, let me thank Matt, and Pete,
18 and all the rest of the crew that helped make sure
19 that this Webinar goes off, and help me answer all
20 the tech questions that come in. And so I'll just
21 jump right in a little bit here.

22 So many of you I know from when I first

1 started in the ADC, back in 2005. I was working
2 on ICCAT, and so I was working in NMFS
3 International Affairs so I have some good
4 familiarity with our various HMS issues, as well as
5 that organization as a whole, which, of course,
6 overlays a lot of what we are grappling with.

7 And from there, I went to work for the
8 NOAA administrator, serving as a program
9 coordination officer, which staffed the new
10 administrator on fisheries issues. So that gave
11 me a really great breadth of the NMFS mission
12 across all of our domestic responsibilities, and I
13 really enjoyed that. It also really helped me
14 focus in on how much I love and appreciate the
15 domestic fisheries management for all the good,
16 bad, and challenges that that entails.

17 And so that brought me to sustainable
18 fisheries about nine years ago. And I've been
19 working in the office since that time in various
20 positions, have experience dealing with
21 (inaudible) programs nationally, as well as the
22 Atlantic States Marine Fisheries Commission, our

1 engagement with the Regional Management Council.
2 In particular, I've spent some time working with
3 the New England Council up in the Northeast.

4 And so I've moved my way, and then,
5 poof, here I am, named as a director back in July.
6 And so I'm really looking forward to meeting you
7 all working together here in the years to come. I
8 know that there are some very challenging issues
9 that we're grappling with right now, and I'm doing
10 my best to get up to speed as quickly as possible.
11 And Randy and the HMS division are an incredibly
12 hard-working group, and they have been doing a
13 fantastic job of educating me on the key upcoming
14 issues, many of which we're going to talk about
15 here over the next couple of days.

16 Some things for you to know about me, I
17 really value input and the opportunity to hear
18 diverse sets of perspectives. I understand that
19 that's the modus operandi here at the AP and so I
20 really encourage you all to keep that up.

21 I know it goes without saying, but we do
22 really appreciate your candor in these discussions

1 and hearing your different perspectives on the
2 issues. I also know that most of you are taking
3 time off of the water or from your day job to
4 participate in these conversations and I just want
5 to reinforce how much we appreciate that. I know
6 that that's not easy and in particular in this
7 virtual world where you're trying to concentrate
8 on a little TV screen or computer screen for long
9 periods of time, it's a challenge. And so wanted
10 to acknowledge you all are taking the time out of
11 your days to do that. I know how important your
12 input to our process is. And so we really
13 appreciate you taking that time.

14 I also know how hard COVID has been on
15 the fishing industry. And I'm sure that there
16 have been challenges that we have faced. There
17 are challenges that are going to continue to come
18 up and likely that will continue into the next
19 year or so. So just know that we are here to
20 listen and hear what those concerns are and do our
21 best to help us be able to navigate through that
22 as best we can.

1 And I know that we will all work
2 collaboratively through the upcoming challenges
3 from the pandemic to a whole host of other issues
4 from sharks and depredation to exploring
5 opportunities for expanded research to bluefin
6 tuna, to billfish to cover it all. And so I know
7 that there are a host of things that we are going
8 to go through over the next couple of days.

9 I also appreciate that we are not always
10 going to see eye to eye and just want you all to
11 know that if there are situations which I know are
12 going to come where Randy and myself are making
13 decisions that some of you, or many of you, may
14 not agree with, that we will be as transparent as
15 possible in those decisions and in communicating
16 what our rationale is for the decisions that we've
17 made.

18 So with that, I appreciate your
19 attention here for the last few minutes. I'm
20 really looking forward to hearing the conversation
21 over the next couple of days and I would be happy
22 to answer any questions if anybody has anything

1 that they would like to ask right now.

2 MR. BROOKS: Great. Thanks, Kelly. We
3 can see if there is any quick questions for Kelly.
4 If not, then I think what we will do is just hand
5 it off to you Randy, for you to give a quick
6 welcome. And then I will do an agenda review.

7 MR. BLANKINSHIP: Sure. Thanks Bennett.
8 Appreciate that. And thank you, Kelly for your
9 comments. I just want to add to those from my
10 perspective. Welcome to each of you on the
11 advisory panel and to members of the general
12 public that are also listening in, we are glad
13 that you are with us as well. I'm looking forward
14 to getting input from the advisory panel on
15 several subjects over the next two days. And for
16 members of the public, know that we've got two
17 public comment periods at the end of each day.
18 Bennett will go into more detail about that, but
19 we're looking forward to getting all the input
20 that you all are prepared to give us.

21 I also want to just briefly echo what
22 Kelly was saying in the way of thanks to each of

1 you for the time that you're giving to us. It's
2 very important to get the input that you all have
3 from your individual perspectives. Those
4 perspectives will help us to develop the best
5 measures that we can. The time that we get to
6 spend together also facilitates two-way
7 communication. It keeps us all better informed
8 about the things that are happening nationally,
9 internationally, and also more on a local level
10 from each of your perspectives as well.

11 So it is very important to get each of
12 your perspectives as we go through this. I know
13 that helps us to better understand even things
14 that are happening, whether it's broadly or like I
15 said, locally, the local economic effects, local
16 effects of storms of which there have been several
17 this year. And I do want to specifically mention
18 the recent impact of Hurricane Laura on southern
19 Louisiana and East Texas and particularly the
20 impact to some of our HMS constituents there in
21 southern Louisiana.

22 We know that the devastation from that

1 storm was great and that there have been other
2 storms earlier this year that have also had some
3 localized impacts to some areas. So if some of
4 those aspects along with some of the pandemic
5 issues that can also be local that are
6 perspectives that are very important for us to
7 hear.

8 Among the many individual AP members
9 that I could continue to thank for their time and
10 all of that, I do want to spend a little bit of
11 time and take this opportunity to specifically
12 thank Randy Gregory from North Carolina for his
13 service on the advisory panel. I understand that
14 Randy will be retiring soon. And I just wanted to
15 specifically mention and thank him.

16 I know that he and I have shared several
17 meals together over the years at advisory panel
18 meetings and have had the opportunity to
19 communicate and collaborate multiple times
20 including collaboration on a green-stick
21 characterization project years ago. It's been a
22 pleasure to work with Randy and I hope that our

1 paths will cross again whether it's in fisheries
2 or maybe pursuing some other interest; we share
3 interest in waterfowl actually. Anyway, thanks
4 Randy for your time.

5 That's it for me if you want to take it
6 back over.

7 MR. BROOKS: Okay, great. Thank you,
8 Randy. And let's jump in here. So me just start
9 by saying we have -- I'm certainly not going to
10 read all the names of folks who are on the call,
11 but we got a very strong turnout. Again, please
12 take a look at the participant list. You can see
13 the list of panelists, which are both speakers and
14 AP -- HMS staff. And then again if you scroll
15 down you will see attendees and you will see who's
16 here. But we got a really strong section of
17 researchers, commercial and rec fishing,
18 fisherman, ENGOS, counsel reps, state reps,
19 commission reps. So I think we can have a very
20 good discussion over the next two days.

21 Again, this will be a two-day meeting.
22 We definitely took notes on the conversation we

1 all had when we met last time in May. And I think
2 a couple of takeaways we had were one, we just
3 need a little more time. So this meeting is a two
4 day meeting, not a one-day meeting. We tried to
5 build more time into all of the topics. I think
6 we came away feeling like there was a need for
7 more time for you all to be sharing your
8 perspectives and for the HMS staff to hear from
9 you all. So we very much tried to expand that
10 time and we built in breaks and a long lunch.

11 And again, as Kelly said, these calls
12 are challenging. It requires a lot of
13 concentration and a lot of focus. And certainly
14 having breaks are very helpful in that. So please
15 count on that throughout the two days.

16 Just to give us a scan of our agenda for
17 the next two days, we will start as we normally do
18 with an overview of recent activities and
19 rulemaking which Randy will walk us through.
20 After a break we will hear about Amendment 12 and
21 where that stands, which is around several
22 different national policies. And then FMP

1 objectives.

2 We will break for lunch at 11:30. And
3 please take note of that, from 11:30 to 1:00 will
4 be lunch. So if you need to schedule calls or do
5 other things, that's a great window to do it. We
6 will come back at 1:00 and we will get an update
7 on the 2020 fisheries economic situation. I think
8 this was a really strong briefing last time in
9 May. Obviously, this is also extremely relevant
10 for folks on this call and we want to take some
11 time catching us up on that.

12 We will then get a law enforcement
13 update and then after a break we will hear an
14 update on bluefin tuna fishery this season. And
15 then for members of the public who are on, at 3:00
16 we will shift to public comment and we will have a
17 half hour for that. So anyone who is wanting to
18 make a comment, that would be the moment for you
19 to be weighing in. During the rest of the
20 conversation, it is just among the AP members and
21 HMS staff as relevant.

22 Tomorrow we will start again sort of

1 8:45, ask you to join in, make sure we are dealing
2 with any technical issues. We will start up at
3 9:00. And then much of tomorrow is going to be
4 very shark focused. We will start with an update
5 on the shark review program, SHARE. Then after a
6 break we will continue talking about sharks and
7 that will focus on shark depredation, an issue
8 that we know is of great importance.

9 Again, tomorrow will be from 11:30 to
10 1:00. So if you need to schedule calls et cetera,
11 that is your best window. We will come back from
12 lunch tomorrow. We will hear from leadership. So
13 both Chris Oliver and Sam Rauch will be here to
14 talk with you and to hear from you, as they tend
15 to do.

16 Then we will have our last presentation
17 at this meeting will be on research and data
18 collection in support of the spatial fishery
19 management update, which we will refer to the
20 acronym as PRISM. And then again tomorrow will be
21 another opportunity for public comment at 2:45.
22 And then we will wrap up at 3:15 and adjourn by

1 3:30.

2 So that's the game plan for the agenda.
3 If there are any issues that folks thought would
4 be on the agenda or think need to be on the
5 agenda, as we do in person, let us know that. Put
6 something in the chat. Again, that's that sort of
7 -- that quote bubble. If you click on that, that
8 will call up the chat. Put it in there. To the
9 extent that we can accommodate it, we absolutely
10 will do our best. But that's the way to let us
11 know if there is something.

12 Just in terms of ground rules, our usual
13 ground rules apply. So to me that will sound to
14 contribute. You are here because you have
15 important perspectives and we need to hear from
16 you. And you all have different perspectives and
17 different nuances, so please weigh in. When you
18 do that, however, recognize that there is 40 -- as
19 many as 40 AP members on this call. So being
20 succinct in your comments and making sure and
21 creating room for others to fold and is really
22 important. So we ask that of you all.

1 Listen hard to each other. Integrate
2 perspectives. As Kelly said, there's a lot of
3 perspectives around this table and the Agency is
4 always trying to understand, where's the overlap.
5 What's the path for that can best address the
6 various interests around the table. And the more
7 you're thinking along with them, that will help.
8 And then ask questions of each other. If someone
9 has stated something that you don't understand
10 where they're coming from, ask questions of each
11 other. Let's learn from each other.

12 Again, reminder, AP panelists are the
13 primary discussants. That's who will be opening
14 up to questions and comments during the most of
15 the day with public comment periods at the end of
16 the day.

17 I will run the queue just as I normally
18 run it when we are in person, which is I will try
19 to take people in the order that they -- that I
20 see hands go up. But that said, I also want to
21 bring in people who haven't been weighing in. So
22 I'll hop around a little bit. Or if they are

1 having a bit of a dialogue, I will try to keep
2 that going best we can in this virtual
3 environment. So just keep that in mind.

4 Again, if there are any tech issues
5 along the way, if you're losing contact, please
6 reach out to either Pete Cooper or Nic Alvarado.
7 And you can email Pete at Peter.Cooper@NOAA.gov or
8 Nick at Nicholas.Alvarado@NOAA.gov. So again, any
9 technical issues please just reach out to them.
10 With that, I think that's all I want to say by way
11 of starting up here other than to remind folks, be
12 comfortable.

13 Again, I think the best way to get to
14 these meetings is to take care of yourselves.
15 Have a glass of water. Have coffee. Have snacks
16 so you can keep yourself focused. Please do
17 whatever you can to avoid other distractions. If
18 you are emailing during these meetings, it's going
19 to be really hard for you to hear what's going on.
20 So please stay focused. You will benefit for it
21 and we all will benefit for it.

22 So with that again, I just want to see

1 if there are any questions about our plan, any
2 suggestions on other agenda items to cover. And
3 if you do, just throw something in the chat. I'm
4 not seeing anything in the chat and I'm not seeing
5 any hands raised. But Pete, if you can back me up
6 on that one and let me know if I'm missing
7 anything. If not, then I think Randy, I'm going
8 to hand it back to you to dive right into the
9 overview of recent activities in rulemaking.

10 MR. BLANKINSHIP: All right. Thank you,
11 Bennett. And I will make the transition here to
12 hopefully share my screen appropriately.

13 MR. BROOKS: Yeah. We are seeing it.
14 Yep, and you are in presentation view. You're
15 good.

16 MR. BLANKINSHIP: Bear with me. Is that
17 my presentation view? Can you hear me?

18 MR. BROOKS: Yes, Randy. We are good.
19 Sorry I was on mute. Randy, you there?

20 MR. BLANKINSHIP: I am here, yeah.

21 MR. BROOKS: You are good. Go ahead.

22 MR. BLANKINSHIP: Okay. Thank you, very

1 much everybody. And this is an overview
2 presentation that we normally kickoff our AP
3 meetings with to give a bit of an update on
4 several different topics. In this presentation I
5 will be touching on, and giving an update on
6 various subjects that we don't have dedicated
7 agenda items for. And so follow up on this
8 presentation will be the time to discuss or get
9 comments on the items in this presentation. The
10 items here on the right of the slide are the items
11 that we have dedicated agenda items for and the
12 discussion on those items will happen following
13 those presentations as the agenda moves along.

14 So giving an update on some of the
15 things that have happened since we last met in
16 spring back in May with the advisory panel, of
17 course we've had the proposed rule for swordfish
18 and shark retention limits and that comment period
19 ended in June. So that is one thing that has
20 occurred. We also have released draft Amendment
21 12 which is a dedicated agenda item. We will be
22 hearing more about that a little bit later.

1 We also had several inseason actions,
2 adjustments to retention limits for swordfish and
3 for sharks. We had some inseason fishing closures
4 for bluefin tuna and sharks. And then quota
5 trends for bluefin tuna from the reserve to the
6 harpoon.

7 And on the operations side, since the
8 spring AP meeting and through today, we have
9 issued 17 exempted fishing permits, scientific
10 research permits, and letters of acknowledgment.
11 We have several more that we are working on. We
12 also have issued five shark research fishery
13 permits, registered a considerable number of HMS
14 tournaments, although not as many this year as in
15 past years. Most likely related to the pandemic
16 situation.

17 We also have conducted 14 shark
18 identification workshops and protected species
19 workshops. Something to note here is that,
20 related to travel restrictions and other
21 restrictions associated with the pandemic, we had
22 four workshops that were canceled earlier this

1 year. But we have been able to conduct them since
2 then and have actually scheduled five additional
3 workshops to provide some additional opportunity
4 for the folks that need to attend these workshops
5 to be able to attend them and meet the
6 requirements and regulations.

7 We have a little information about HMS
8 news subscribers. Percentages for shark --
9 recreational shark endorsements and commercial
10 sale endorsements on the charter head boat permit.

11 And of note at the bottom is I wanted to
12 bring your attention to the new structuring of
13 that HMS permits website. This is what we call
14 the HMS permit -- I'm sorry, the NMFS permit shop,
15 which is where most of our open access permits are
16 issued through. And also where reporting of
17 landings for swordfish and billfish and the
18 reported landings and discards of bluefin tuna
19 occur.

20 And so we've restructured that to
21 streamline it to move some content to be housed on
22 our main NMFS webpage, but then also establish

1 appropriate links to information from the HMS
2 permits webpage to the main webpage while still
3 wanting to maintain that source of information
4 that so many of you have become accustomed to
5 going to for information for recent years in the
6 tuna fishery for other updates of information. So
7 we've tried to maintain a lot of that.

8 Please take some time when you have the
9 opportunity, to go ahead and explore the
10 restructuring of that. Give us feedback because
11 feedback will help us to continue to improve that
12 system.

13 I wanted to touch on the implementation
14 of the bluefin tuna area base-d and weak hook
15 management measures. This was the final rule that
16 published in early April of 2020. Since then we
17 have been implementing the monitoring areas for
18 this -- that were implemented by this final rule
19 and wanted to just give a quick report out on the
20 monitoring activities there.

21 In April and May for the spring Gulf of
22 Mexico monitoring area, there were no pelagic

1 longlines sets within that area and the fishing
2 activity that took place in that area during that
3 time period were -- that was by pelagic longline
4 vessels were actually participants in the
5 Deepwater Horizon Oceanic Fish Restoration Project
6 using gears other than pelagic longline. Also in
7 June at the Northeast United States monitoring
8 area was monitored and there were no pelagic
9 longline sets in that area in June.

10 After this final rule back in early
11 April, later in April we were sued over the final
12 rule. Just a quick update about that. The
13 administrative record and a supplement to the
14 record were filed earlier this year. And briefing
15 is expected to be completed by the end of the
16 year. Also another update on litigation for
17 Amendment 5B on dusky sharks and that is that the
18 most recent round of briefings have been completed
19 this summer for this lawsuit. And we are
20 currently waiting for the guidance or decision
21 from the court.

22 More of an update here on sharks on a

1 couple of different topics. In this slide I will
2 touch on the ban on the sale of fins in some of
3 the different states, and bills in front of U.S.
4 Congress, and stock assessments and kind of the
5 status of that. So this issue of shark fin sale
6 bans and bans on possession of shark fins has been
7 identified as a management based research priority
8 to try to get a better handle on the impacts of
9 those fin bans.

10 And we identified that in the document
11 that we released earlier this year, which is the
12 management based research priorities document.
13 It's at that top link on this slide. I invite you
14 to take a look at that. This, I'm highlighting
15 this fin sale ban issued here, but there are many
16 other topics that are highlighted in that
17 management based research priority needs document.
18 So take a look at that if you will.

19 Related to the fin bans, as I mentioned,
20 several bills have been in front of U.S. Congress.
21 Florida has a bill that's not yet signed. New
22 Jersey has a ban that becomes effective in January

1 2021. And then also we've highlighted your
2 message from the Agency from Chris Oliver that was
3 released back in January that give some of the
4 Agency perspective on this issue.

5 Related to assessments for sharks, the
6 Atlantic blacktip assessment is underway. The
7 hammerhead research track will be starting in
8 2021. And porbeagles are being assessed by ICCAT
9 this year and results of that are pending.

10 Also, we've been working on Amendment 14
11 of the HMS Fishery Management Plan. We continue
12 to work on developing that draft and anticipate
13 that it will be coming out a little bit later this
14 fall or winter. You can put on your radar that
15 you may be hearing from us as we try to set up,
16 another touch base with you all, perhaps via
17 another webinar or conference call or something
18 along those lines to get your input on Amendment
19 14 when we have that out. A little bit of an
20 update here on Amendment 13 that is related to
21 bluefin tuna. We continue to work on developing
22 the draft environmental impact statement and

1 proposed rule for this. We had scoping in 2019
2 and we anticipate that we will be able to have
3 this out probably early in 2021 and then move
4 towards working on a final DEIS and a final rule
5 later in 2021 and implementation then and/or 2022.
6 Remember that Amendment 13 has several different
7 things that it tries to address, and we will be
8 working on modifications and updates and revisions
9 to the IBQ program, some work with the purse sein
10 fishery and modifications to handgear fishing.

11 Also wanted to just mention the
12 electronic technology plan that HMS is looking to
13 update in the near future. The initial HMS
14 electronic technology plan was completed in 2015.
15 It is intended to encourage the consideration of
16 electronic technologies to complement or improve
17 existing fishery dependent data collection
18 program. We are working on updating this plan as
19 part of a national initiative and intend to
20 provide that to advisory panel members later this
21 year for some input before we finalize the plan in
22 early 2021. So this is another thing to put on

1 your radar screen that you may be hearing from us
2 about in the near future.

3 Touching based on something that has
4 been an important issue through this year as we
5 all have been dealing with the pandemic situation,
6 and that is with observer coverage. Just an
7 update here. We have observer blanket waivers
8 that were issued by the Southeast Fisheries
9 Science Center over two-week periods. Those dates
10 of the blanket waivers covered April 6 through May
11 4. And since then, waivers have been issued on a
12 case-by-case basis based upon local situations,
13 health situations, and those kind of things that
14 may exist.

15 It is my understanding that observers
16 are being placed once again in the pelagic
17 longline fisheries and certainly we've had them
18 operating in the shark research fisheries. And it
19 remains the case that observers are an essential
20 component of commercial fishing operations and
21 provide critical information necessary to keep the
22 fisheries open and to provide sustainable seafood

1 to our nation.

2 We as an agency continue to monitor the
3 health situations, recommendations, and are
4 committed to the health and safety of fishermen,
5 observers, and others while we're working to
6 fulfill our mission to maintain our nation's food
7 supply and conserving marine life. This remains a
8 very important issue and the Science Center, of
9 course, operates our Pelagic Observer POProgram
10 and it is something that they are paying extreme
11 attention to.

12 This is a slide that -- where we provide
13 links to updates on landings. So if you would at
14 your -- as you have the opportunity, utilize these
15 links to see what the landing updates are, also
16 the latest information related to permanent
17 registrations. One bit that I wanted to highlight
18 is that in this slide, related to blue and white
19 marlin and roundscale spearfish landings, as we've
20 highlighted in the last -- actually in agenda
21 items with you all at a meeting I think about a
22 year and a half ago or so, we highlighted our

1 monitoring program and some of the ability that we
2 have to implement in season management measures as
3 each fishing year progresses.

4 As we monitor the landing throughout the
5 year, we assess those landings and account for
6 them against the ICCAT established 250 landing
7 limit for all of these three species combined.
8 That is a requirement and a limit that is
9 established by ICCAT. Under the regulations, we
10 had the authority to increase minimum size limits
11 to slow the pace of landings if that limit is
12 being approached. And then also to restrict
13 fishing to catch and release only if the annual
14 landings limit is reached or projected to be
15 released.

16 Recently there have been high levels of
17 permanent landings of white marlin and roundscale
18 spearfish and blue marlin. And we are evaluating
19 all of the available data sources and will be
20 working to determine the need for in season
21 action.

22 Shifting gears to the paperwork

1 reduction act, this is something that we highlight
2 in this presentation from time to time. When we
3 have renewals of paperwork reduction PRA
4 authorities or burdens that are approved by OMB.
5 And it is something that we need, often times, to
6 get public input on and comments on. I've
7 highlighted here three information collections
8 that are those numbers there under the first
9 bullet, and what each one of those is regarding
10 within our HMS histories.

11 So we request that if you are inclined,
12 we would love it if you have public comments about
13 this and any of these data collections, that you
14 email any of your comments, whether they are in
15 favor of or in support of the data collection that
16 we are doing related to these topics or anything
17 else that you might want to express. Please send
18 those comments to the email address on the last
19 bullet on this slide. Your input on these issues
20 will be very helpful to us.

21 So one other thing that I wanted to
22 highlight in this presentation and inform you all

1 of, is something we've been working on internally
2 within HMS Management Division to accomplish
3 several goals. And this is realignment of HMS
4 Management Division. It's something that you
5 might not otherwise know is going on, but it's
6 something that certainly is going to be very
7 useful for us within HMS management and within the
8 Office of Sustainable Fisheries as a whole. The
9 goals that we are trying to accomplish with this
10 are two clarify our organizational structure
11 around functional groups, also in this process to
12 increase organizational prioritization of fishery
13 reporting and monitoring and participating in
14 national fishery management initiatives.

15 Doing this will help us to better meet
16 our strategic and long-term needs particularly as
17 they relate to budget and in the process what we
18 will be doing is shifting from where we've been
19 over the last couple of decades, which is
20 organization around or branches within HMS
21 management that had been generally organized
22 around geography. We've had the Northeast branch

1 up in Gloucester. We've had the Southeast branch
2 located in St. Petersburg, Florida. And then
3 we've had the two branches headquartered in Silver
4 Spring --the fish group that concentrates on
5 managing sharks and other species as well. And, a
6 then our operations branch out of their
7 headquarters.

8 So we will be moving from that
9 four-branch organization to a three-branch
10 organization that is organized around functional
11 groups. Those functional groups are products and
12 services that will be headed by Pete Cooper,
13 reporting and monitoring functional group headed
14 by Brad McHale, and the rulemaking functional
15 group headed by Karyl Brewster-Geisze.

16 So as we go through this, we definitely
17 don't want to lose some of the very good things
18 that were in place when we had -- when we've had
19 the organization that we've been under over the
20 last, you know, couple of decades. Part of that
21 has been somewhat, not only geographic based, but
22 also has a species expertise component. And we

1 don't want to lose, certainly, the species
2 specific or even fishery specific expertise. We
3 will be working to maintain that. Rest assured we
4 will not lose the very good support that we get
5 and that you all get from both aspects of our
6 organization even as we move to functional group.

7 So the next slide that I have is just a
8 very high level organizational chart that just
9 explains what I just went through. We've got our
10 federal employees that are represented on this
11 organizational chart, but also contractors that
12 work with us that aren't shown here. And one of
13 the things in addition to the goals that I
14 outlined before, one of the things we are working
15 to accomplish is a more equitable distribution of
16 direct reports among the branch chiefs, and this
17 will help us achieve that as well. You will
18 notice that one position in this reorganization
19 that we will be looking to -- that's not filled
20 right now, but we will be looking to fill is the
21 assistant to the division chief that we hope to be
22 able to post in the near future.

1 So with that, there is a lot that's
2 happening. That they try to get the slide up
3 there. There is a lot that's happening outside of
4 HMS Management Division. Of course a big part of
5 that this year has been related to the pandemic
6 and we will have more information related to that
7 in our coming presentation. But I want to take
8 the opportunity to highlight some other things
9 that might impact HMS fisheries. We've got a list
10 of them here and on the following slide and I will
11 just touch on them briefly. We got links to more
12 information that you can follow up on.

13 One is the pelagic longline take
14 reduction plan changes on the proposed rule that's
15 been in development for quite some time. That is
16 expected to be released shortly. There is also
17 the expansion of the Flower Garden Banks National
18 Marine Sanctuary that has been an initiative for
19 quite a while in the National Marine Sanctuary's
20 office. There was the proposed rule that was
21 published in May. Comment period ended this
22 summer. And more information can be found at

1 those links.

2 Other things that are happening include
3 the Gulf of Mexico Coral Amendment 9 final rule
4 that's in development. Also expansion of the
5 Florida Keys National Marine Sanctuary and
6 information is available at that link.

7 Aquaculture has been an ongoing initiative. HMS
8 Management Division is participating with our
9 colleagues in the Southeast regional office on
10 aquaculture topics and have been involved in
11 multiple consultations of site analyses.

12 Also we've received requests from the
13 Gulf Council for modification fishing access in
14 the eastern Gulf of Mexico around Madison-Swanson
15 and Steamboat Lumps. So that will be something we
16 will be working on in the future. And then also
17 there was the June 5th presidential proclamation
18 related to the Northeast Canyons and Seamounts
19 that led to the prohibition on commercial fishing.

20 Also happening is the Southeast for-hire
21 electronic logbook reporting which is a project
22 spearheaded through the Southeast and the South

1 Atlantic Council and the Gulf Council have been
2 involved in. And the final rules that have
3 recently published working towards implementation
4 in January 2021 of this for-hire electronic
5 reporting process. And we've been involved in --
6 behind the scenes in working with the Southeast
7 folks on that along with working with ACCSP and
8 GARFO to incorporate HMS Catch Reporting elements
9 and eTRIP and the eVTR.

10 The overall work that we are embarking
11 on is of course to eliminate the need for
12 duplicative reporting and meeting the HMS
13 requirements for reporting. So we will keep
14 continuing to work through these processes.

15 Offshore wind is an ongoing topic and
16 certainly important to many of you. We remain
17 engaged in coordinating with GARFO, the Southeast
18 regional office and science centers, on project
19 reviews, and supplying information on HMS
20 fisheries. We've got a lot of information linked
21 here on this slide. So please follow up with this
22 as needed.

1 Looking ahead for upcoming dates, draft
2 Amendment 12, which is out now, the comment period
3 ends October 26. And then on the horizon we have
4 several upcoming rules of actions listed here.
5 They include the 2020 annual northern albacore,
6 swordfish, and bluefin tuna Reserve quota
7 adjustment that should be out soon, the 2021 shark
8 specifications proposed rule, Draft Amendment 14
9 that I mentioned earlier, and the swordfish and
10 shark retention limits final rules that can be
11 expected in the future, Draft Amendment 13, and
12 the spatial management data collection proposed
13 rule that is expected most likely in mid-2021.

14 So with this Advisory Panel meeting,
15 we've got communication goals. Goals for all of
16 us is to be aware of issues, stay informed, and
17 engage in dialogue. In all of this let's respect
18 each other and our individual points of view. We
19 all have the right, and this process is intended
20 to reflect the ability for everyone to express
21 their points of view because the Agency needs to
22 hear them.

1 You as AP members have roles, and that
2 is to listen and engage in the discussions, but
3 also to share information back with your
4 constituents and then bring ideas and advise the
5 Agency. On our end, we need to make sure that we
6 abide by domestic requirements and international
7 requirements and keep you all informed about
8 issues, listen to you, and then make decisions
9 based upon the input that we get.

10 So for contacting the HMS AP, the -- of
11 course our offices through the federal --
12 throughout (inaudible) right now are closed. That
13 may change in the future, but for now we are still
14 closed, and we are working remotely. If you need
15 to contact us, please email specific staff. We
16 are monitoring our phone lines. So if you call
17 the HMS phone line, the main phone line in Silver
18 Spring this is that here, leave a voicemail. We
19 will get back with you.

20 With that, I will open this up to
21 questions that you may have. Thanks.

22 MR. BROOKS: Great. Thanks Randy, very

1 much. I will note that a question was asked
2 whether these materials will be made available.
3 Yes, as always, these presentations will be on the
4 AP website. I don't know if Randy, your
5 presentation is loaded already, but if it's not
6 there, it should be made available. My --

7 MR. BLANKENSHIP: I think it is. I'm
8 pretty sure that it is up there already.

9 MR. BROOKS: You think it's up there?
10 Okay, great. So again folks, just hit up the HMS
11 AP site. You will see it there. Let's see if
12 there any questions or comments on anything that
13 Randy has presented. Again, you can throw a
14 comment into the chat or you can raise your hand.
15 If you hover over your name you will see a little
16 -- will see a little hand icon on your
17 participant's panel. You can just raise your
18 hand.

19 I'm not seeing any -- oh, yes. Shana
20 Miller, why don't you jump in here.

21 MS. MILLER: Hi. Am I unmuted?

22 MR. BROOKS: You are unmuted.

1 MS. MILLER: Great, thank you. So I
2 just wanted to make a few comments about the Gulf
3 of Mexico, their restricted areas reopening like
4 Randy, you had discussed at the beginning of your
5 presentation. As you know, we've argued through
6 the public comment period that that was a
7 premature reopening and there is now more evidence
8 that it was premature. We heard last week in the
9 IAC public webinar on the 2020 western bluefin
10 assessment that there were in 2013 and 2014 was
11 some of the lowest on record. But once the gear
12 restricted areas were put in place in 2015,
13 recruitment for 2015 through 2018 went back up.

14 So it's concerning that the decision to
15 reopen the GRAs will send those -- that
16 (inaudible) back down. And we also heard last
17 week that the stock is now subject to overfishing
18 even though the official status is not
19 overfishing. That was from the 2015 to '17
20 levels. And so overfishing started in 2018 and
21 continues now. And it would be incredibly
22 unfortunate if reopening those gear restricted

1 areas, which all the data suggested those gear
2 restricted areas were success, it's incredibly
3 unfortunate if reopening those areas will lead to
4 strict quotas going forward, which would of course
5 require not only decreased IBQ, but also decreased
6 quotas for the commercial and recreational
7 sectors.

8 Now we heard at the AP meeting in the --
9 I forget when that it was. And we heard again
10 today Randy, that not a single longline got fished
11 in that area this year. So it's still really
12 unclear to me what -- who wanted these areas
13 reopening what the justification for reopening
14 was. Now I also heard that there was a lawsuit
15 contesting this rule. I don't know. We are still
16 really hoping that NOAA decides to reverse this
17 decision.

18 So anyway, thank you for the
19 presentation Randy. I know you guys have been
20 very busy under difficult circumstances this year.
21 So thank you.

22 MR. BLANKENSHIP: Thanks for the

1 comments Shayna. I will point --

2 MR. BROOKS: Thanks.

3 MR. BLANKENSHIP: I will just say and
4 point to the final rule for a lot of information
5 in response to previous public comment on this
6 issue. Shana, your comments are heard. Thank
7 you.

8 MR. BROOKS: Thanks Randy. Thanks
9 Shana. I've got Marty Scanlon in the queue. I
10 will just note Cliff Hutt has put in the chat, a
11 link to all the presentations. So if you haven't
12 found that yet, you could go on the chat and just
13 find a link there. Marty, the floor is yours.

14 MR. SCANLON: Can you hear me?

15 MR. BROOKS: We can, thank you.

16 MR. SCANLON: I've got several things.
17 This quite a bit there that Randy covered here.
18 So I hope you give me the opportunity to address
19 all the different issues. I will start off with
20 the monitoring area.

21 I do have one question before I even get
22 into the details of my questions. We see on our

1 VMS machines there, there was a notation in there,
2 there is a new column in there to mark whether or
3 not we are working in the monitoring area in the
4 northeast. Should we be checking that box off,
5 yes, only in the month of June or throughout the
6 year? That's my first question. Maybe Randy can
7 quickly answer that and then I will continue.

8 MR. BLANKENSHIP: So I'm going to pause
9 -- I'm just going to put a pin in that and let our
10 folks that are involved in monitoring that area
11 provide the answer specifically to that technical
12 question.

13 MR. SCANLON: Okay, very good. Thank
14 you, Randy.

15 MR. BLANKENSHIP: And I think they can
16 probably do that in the chat. That would probably
17 be the best way to do that.

18 MR. SCANLON: Okay.

19 MR. BROOKS: Yeah. That's what I was
20 going to suggest. Go ahead.

21 MR. SCANLON: In my other question kind
22 of respond -- it's kind of in response to Shana

1 Miller as far as those areas that were opened.

2 First of all, Bluewater W, we were not pushing to
3 get the GRAs opened.

4 And the other question and the point
5 that I want to make is the fact that they were no
6 sets made in the Northeast June closed area, just
7 goes to demonstrate the responsibility of the
8 pelagic longline industry itself. That we had
9 said all along that if there is bluefin in that
10 area, we fear that there's bluefin in that area
11 and that we're going to have a problem, that we
12 are responsible enough to have the area open and
13 not for us to abuse it.

14 So just this past year demonstrates the
15 responsible efforts of the PLL industry in those
16 particular areas that have been in question. We
17 are more than capable under the IBQ system to
18 maintain the bluefin tuna effort in those
19 particular areas.

20 Other than that, the size that I believe
21 that Shana is responding to in ICCAT, really
22 that's not been finalized. So I think that's a --

1 she's putting the cart in front of the horse as
2 far as that goes there. So that's kind of a
3 problem right there, that's not finished there.
4 So that's not really been finalized.

5 Getting to Amendment 13, the
6 implementation of late '21 or '22, the problem we
7 have, and I voiced this opinion to Chris Oliver at
8 the last AP meeting that I think we attended. Our
9 concern is that we, by not resetting the bluefin
10 tuna IBQ, the initial bluefin tuna IBQ to deplete
11 at the beginning of each year, at the end of A7 --
12 through the A7 two-year review, we are at a great
13 disadvantage here. You're going to the final
14 stages of Amendment 13 and we have never reset
15 that, reset the IBQ. As a result, we have not
16 gotten any further with bluefin tuna dispersals
17 from the Reserve. So we've been handicapped
18 throughout this entire process. Now you're
19 looking to finalize something that again, until we
20 reset that IBQ, I'm afraid that there's going to
21 be decisions made in the A13 process that pertain
22 to us that are going to be completely unfair. So

1 that's a major concern of us right there.

2 The other question I have is, as far as
3 electronic technology. Number one, is that going
4 to include getting us out of the paper logbooks
5 and into electronic logbook monitoring just like
6 with the bluefin tuna IBQ system? Is that a
7 possibility? Is that part of that? The other
8 question I have is, in the electronic technology,
9 will there be any changes in our VMS units? And
10 if so, what is the -- what might that be?

11 Okay. And then getting back to --
12 touching base on the observer waivers. The
13 industry, and especially myself, is very, very
14 disappointed that they were making these -- they
15 went out and made a protocol to reemploy -- deploy
16 these observers on our vessels. However, they not
17 once called me, or called any of the fishermen, to
18 engage with them on what our opinions and what our
19 concerns were throughout that entire process. It
20 was basically, do as we say, don't do as we do.

21 They're sitting in their office just
22 like everybody, all of you are sitting in your

1 office. You've not been returned to work. Yet
2 you're making a determination on vessels that you
3 never even set foot on. You have no idea the
4 confinements on those vessels and you're making
5 precedent, you're setting precedent and protocol
6 that basically had the potential to endanger each
7 and every one of the lives of not only our
8 vessels, the captains, the crews, but their
9 families as well. So I will let you answer those
10 questions there, Randy.

11 MR. BROOKS: Thanks, Marty.

12 MR. BLANKENSHIP: Okay. Thanks, Marty.
13 So related to Amendment 13, I hear what you're
14 saying. Thanks for the input on that. And we
15 will take that certainly into consideration about
16 the timing of the proposed rule and final rule
17 aspects.

18 On electronic technology, the comments
19 -- two comment that you made there, those are very
20 good. I know that we'll be taking those to heart
21 as we work on developing the electronic
22 technologies plan. The answer I think in short is

1 yes, the plan would cover both of those topics,
2 but it's a plan, it might not have all the
3 specifics of implementation, but will facilitate
4 further work on those topics.

5 And then on observer waivers, thanks for
6 the input there. Certainly, we can pass that
7 along to the Southeast Fisheries Science Center as
8 they continue to work on the process and protocols
9 for placing of their --

10 MR. BROOKS: All right. Thanks, Randy.
11 And I will note in the chat, you will see a
12 response from Craig Cockrell on using the VMS area
13 code. So please take a look at that if that's of
14 interest to you.

15 Let's see if there any other comments or
16 questions on Randy's presentation. And if there
17 is not, what we will do is go to the break early
18 and then come back early. I always know with this
19 group, some issues just need more time, but I
20 don't want to give it up.

21 Anyone else have any questions or
22 comments at this point? Okay. I'm not seeing

1 anything. So if that's the case, let's go to our
2 morning break a little bit early. Let's return at
3 10:15. So we will have not more than 15 minutes
4 for the break. We will return at 10:15 and we
5 will hand it off at that point to Rick Pearson to
6 walk us through the Amendment 12 presentation.

7 So with that, Randy, unless you have
8 anything else you want to add, let's go to a break
9 and we will reconvene at 10:15.

10 MR. BLANKENSHIP: Sounds good, thanks.

11 MR. BROOKS: Okay. Thanks, everybody.
12 See you in minutes.

13 (Recess)

14 MR. BLANKINSHIP: All right. Just for
15 folks who are on the line, we will be starting up
16 in about two or three minutes again, so grab
17 something to drink or whatever you need again to
18 be comfortable and plan on starting up in about
19 two, three minutes.

20 Rick, you are able to hear me?

21 MR. WEBER: Yes, can you hear me?

22 MR. BLANKINSHIP: I can, perfect.

1 MR. WEBER: Okay.

2 MR. BLANKINSHIP: Marty Scanlon, if you
3 can hear me, if you can lower your hand raised
4 that would be helpful. Thanks.

5 And just everyone, once you raise your
6 hand, after we've acknowledged you and you had a
7 chance to speak, if you can lower that's great,
8 then I can keep that queue as fresh as possible.

9 Thanks Marty. All right, Matt, if you
10 can hand the control to Rick Pearson, if you
11 haven't already that would be great, and he can
12 get his slides up.

13 So if folks are back here, what I will
14 invite you to do is again just get comfortable.
15 You should be seeing Rick Pearson is going to
16 present to us on Amendment 12, National Policies
17 and FMPF Objectives. This is a subject we've
18 heard about oh, at least two or three times over
19 several AP meetings. But Rick, I will hand it off
20 to you and I expect we will have about a 40, 45
21 minute presentation or so, and then be able to
22 open it up for any questions and comments.

1 Rick, are you succeeding in getting your

2 --

3 MR. PEARSON: Can you see that?

4 MR. BLANKINSHIP: No we are not -- yes,
5 now we are.

6 MR. PEARSON: Okay. Thank you, Bennett.
7 Hello everyone.

8 This morning I'm going to be discussing
9 Draft Amendment 12 to the HMS FMP. It was
10 released on August 25th, and the comment period
11 ends on October 26th. The purpose of Amendment 12
12 is to address recent Magnuson-Stevens Act National
13 Standard 1 guidelines, final rules and NMFS policy
14 objectives. There are five topics in Draft
15 Amendment 12, to reassess and revise the HMS FMP
16 objectives, to adopt the use of international
17 stock status determination criteria for
18 ICCAT-managed HMS, to review and update
19 standardized bycatch reporting methodologies for
20 HMS fisheries, and the fourth topic is to
21 establish triggers to determine when to review
22 allocation decisions for quota-managed HMS. The

1 last topic would be to revise the timing for
2 release of the HMS stock assessment and fishery
3 evaluation or SAFE report.

4 So the first topic is to reassess the
5 HMS FMP objectives. There's currently 16
6 objectives in the FMP. Per the final rule
7 revising national standard guidelines, FMP
8 objectives should be assessed on a regular basis
9 to reflect the changing needs of the fishery over
10 time. FMP objectives should be clearly stated,
11 practically obtainable, framed in terms of
12 definable events and measurable benefits, and
13 based upon a comprehensive, rather than a
14 fragmentary approach to the problems addressed.

15 So those were our goals, to have been
16 clearly stated, practically obtainable, and so on.
17 In the Draft Amendment we described four
18 methodologies that we use to assess the FMP
19 objective. I'm not going to go into those in
20 detail here, but some was public comment, others
21 was just to see if we couldn't streamline the
22 objectives.

1 So I'm going to go through these
2 relatively quickly, and I'd like for people to
3 focus on the second column which says, "Current
4 FMP Objective," and then the last column which
5 reads, "Rationale." So the first FMP objective is
6 to prevent or end overfishing and adopt a
7 precautionary approach. What we have done is
8 we've replaced Atlantic tuna, swordfish, billfish
9 and sharks, with Atlantic HMS.

10 We noticed when we were going through
11 the FMP objectives that in some places we saw the
12 species, and in other places it says HMS, and in
13 other places it says Atlantic HMS. So Atlantic
14 HMS is already defined within the regulations, so
15 in all places we tried to replace with Atlantic
16 HMS. So that's the major change in the first
17 objective.

18 The second FMP objective, the current
19 objective is to rebuild overfished Atlantic HMS
20 stocks, and control components of fishing
21 mortality both directed and incidental. The
22 change to this objective is we removed the words

1 both directed and incidental because those are the
2 only two sources of fishing mortality. So that's
3 the major change to the second objective.

4 The third objective is to minimize
5 bycatch, to minimize to the extent practicable,
6 post-release mortality in the directed billfish
7 fishery. We changed this objective by clarifying
8 that this objective refers to minimizing bycatch
9 and bycatch mortality in all HMS fisheries. The
10 fourth objective is to establish a foundation for
11 international management through entities such as
12 ICCAT and to achieve optimum yield for these
13 fisheries throughout their range. So the major
14 change here is that we also added other RFMOs,
15 regional fishery management organizations, and we
16 removed the words beyond the exclusive economic
17 zone because the term throughout their range
18 already incorporates this concept.

19 The fifth objective is to minimize, to
20 the extent practicable, adverse social and
21 economic impacts during the transition from
22 overfished fisheries to healthy ones. So the

1 major change in this objective is that we removed
2 the words during the transition from overfished
3 fisheries to healthy ones because minimizing
4 economic impacts to the extent practicable should
5 be an objective regardless of the stock status.

6 The sixth FMP objective is to provide
7 the data necessary for assessing fish stocks and
8 managing the fisheries. We got a little bit more
9 specific on this objective to explain some of the
10 types of data that would be necessary. So we
11 added the words identify, collect, provide, and
12 utilize to include other activities that -- that
13 reflect NOAA fisheries work. And we also added
14 the words of support and enhance the effective
15 assessment and management of Atlantic HMS
16 fisheries to broaden that language.

17 The seventh objective is to manage
18 Atlantic HMS fisheries for continuing optimum
19 yield. We did not make any change to that FMP
20 objective.

21 The eighth objective is to coordinate --
22 better coordinate domestic conservation and

1 management of the fisheries. We replaced in the
2 words of the fisheries -- again, for -- again we
3 replace the words fisheries for Atlantic tuna,
4 swordfish, sharks and billfish with Atlantic HMS.
5 And we also -- this one, if you were to read FMP
6 objective 8, we were somewhat unclear exactly what
7 it meant. So we attempted to clarify that
8 overlapping regional participation refers to
9 coordination between overlapping states, state
10 commissions, fishery management Council
11 jurisdictions. And we also added the concept of
12 regional variations in HMS fisheries. So we tried
13 to better clarify what that overlapping regional
14 and individual participation means.

15 The ninth objective is to provide a
16 framework to take necessary action under ICCAT
17 compliance and/or conservation recommendations.
18 We made no change to that objective.

19 The tenth objective is to promote
20 conservation and enhancement of the areas
21 identified as EFH. We added the word identify to
22 better reflect our work to identify Atlantic HMS

1 EFH. So it reads, "promote, identify, conserve,
2 enhance, and analyze impacts on areas identified
3 as EFH."

4 The eleventh objective is to simplify
5 and streamline HMS management. We inserted the
6 word Atlantic before HMS.

7 The twelfth objective is to promote the
8 live release and tagging of Atlantic HMS. We
9 added the concept of promoting careful handling of
10 -- careful handling, live release and tagging of
11 Atlantic HMS. So we added the concept, in
12 addition to live release and tagging, also
13 carefully handle those species.

14 The thirteenth objective is to maintain
15 the highest availability of billfish to the U.S.
16 Recreational fishery by implementing conservation
17 management measures to reduce fishing mortality.
18 Again here, we just inserted the word Atlantic
19 before billfishes.

20 The fourteenth FMP objective is to
21 optimize the social and economic benefits to the
22 nation by reserving the billfish resource for its

1 traditional use, which in the United States, is
2 entirely a recreational fishery.

3 After much discussion we decided to
4 remove this objective as it's no longer needed.
5 Billfish recreational fisheries are adequately
6 addressed in objectives 3, 5, 7, and 13. Also,
7 the Billfish Conservation Act of 2012 as amended
8 in 2018 already prohibits any person from offering
9 billfish or billfish products for sale or other
10 commercial uses, with the exception of billfish
11 that are landed in Hawaii or Pacific Insular
12 Areas, and they remain in those areas.

13 The fifteenth objective is to increase
14 understanding of the condition of HMS stocks in
15 HMS fisheries. We added, again, the word Atlantic
16 here, and we also expanded upon the type of
17 information that could help with understanding
18 Atlantic HMS stocks and fisheries.

19 And the sixteenth objective is
20 consistent with other objectives, to create a
21 management system, make fleet capacity
22 commensurate with resource status. We decided not

1 to make a change to objective 16.

2 So in addition to revising current FMP
3 objectives we are proposing to add three
4 additional HMS objectives. So the left-hand
5 column is the new FMP objective, and the right-
6 hand column explains the rationale. The first new
7 objective would promote understanding of,
8 compliance with, and enforcement of HMS fishery
9 management regulations.

10 This addresses the need for effective
11 outreach to HMS constituents such as the
12 commercial and recreational compliance guides, and
13 all of the other outreach materials that Atlantic
14 HMS Division provides, and to promote
15 understanding and compliance with Atlantic HMS
16 regulations.

17 The second objective that we added is
18 to, consistent with other objectives, consider
19 ecosystem-based effects to support enhanced,
20 effective, HMS fishery management. So the second
21 one that were adding clarifies what we consider
22 ecosystem-based effects in HMS fishery management.

1 One of the methodologies that we utilized in
2 reassessing FMP objectives was to consider some of
3 the work that other fishery management councils
4 have done when they conducted similar exercises.
5 And we saw pretty regular use of ecosystem based
6 fishery management, so we decided to adopt that.

7 And the last new objective that we are
8 proposing is to promote the development of
9 technologies to improve HMS fishery reporting,
10 reduce bycatch of non-target- species, and enhance
11 fishing opportunities. This acknowledges the need
12 to promote and utilize emerging technologies in
13 HMS fishery management.

14 The second topic in Draft Amendment 12
15 is to review stock status determination criteria
16 or SDC for ICCAT managed highly migratory species.
17 The Magnuson-Stevens Act specifies that annual
18 catch limits and accountability measures apply to
19 all fisheries, unless otherwise provided for under
20 an international agreement in which the United
21 States participates. So that would incorporate
22 highly migratory species which are managed under

1 ICCAT.

2 For these stocks, the National Standard
3 1 guidelines provide that NMFS may decide to use
4 the stock status determination criteria defined by
5 the relevant international body. So this could
6 apply to ICCAT-managed Atlantic tunas, swordfish,
7 billfish and pelagic sharks in ICCAT fisheries.

8 So I'm not going to spend too, too much
9 time on this table except to indicate where the
10 red circles are. First of all, the ICCAT stock
11 status determination criteria are different for
12 determining the overfished status of a stock. But
13 they are the same when considering whether or not
14 overfishing is occurring.

15 So for the overfished ICCAT threshold in
16 all instances is BMSY, so it's generally more
17 restrictive than the domestic stock status
18 threshold. Currently, we went through all of the
19 ICCAT managed species and it would not change the
20 overfished status for any species currently.

21 Previously, I believe it was bigeye tuna, there
22 would have been overfished under ICCAT SDC, but

1 not overfished -- I'm sorry. But not overfished
2 under domestic stock status. But since that time,
3 the stock status for bigeye tuna has changed, and
4 so for all species there's not going to be any
5 real impact. The one thing that will change is
6 that under the domestic stock status, overfished
7 criteria, we -- HMS Management Division has to
8 state unequivocally whether or not a stock is
9 overfished.

10 So as you can see for sailfish and blue
11 sharks, we say not overfished. However, the ICCAT
12 determination is a little more uncertain because
13 of data deficiencies in some instances. So for
14 sailfish and blue sharks they say not likely
15 overfished. But that will be the main thing that
16 would change by adopting ICCAT stock status
17 determination criteria.

18 By adopting ICCAT stock status
19 determination criteria, it would reduce the
20 confusion associated with a stock having different
21 international and domestic stock statuses. It
22 would avoid a terminology mismatch. However, it

1 does not result in any impacts at this time.

2 While the status of some stocks could, in theory,
3 change from not overfished to overfished due to
4 different thresholds, there are currently no
5 international managed HMS stocks with B assessed
6 -- B/BMSY levels that are currently between the
7 domestic and the international stock status
8 determination thresholds.

9 As always, we will continue to follow
10 ICCAT recommendations by adopting rebuilding
11 management programs based on ICCAT's determination
12 of stock status, which is how the Atlantic HMS
13 Management Division has always operated. Any
14 future ICCAT recommendations will continue to be
15 implemented domestically through the formal
16 rulemaking process, including NEPA analysis,
17 public review and comment under the Administrative
18 Procedures Act and adherence to all other
19 applicable law. So again, we do not anticipate
20 any impacts as a result of adopting ICCAT stock
21 status determination criteria.

22 The third topic is to conduct a review

1 of HMS standardized bycatch reporting methodology,
2 the Magnuson-Stevens Act requires that any FMP
3 with respect to any fishery must establish an SBRM
4 to assess the amount and type of bycatch
5 occurring. Required procedures include, but are
6 not limited to observer programs, electronic
7 monitoring and reporting technologies, VMS, and as
8 well as self-reported mechanisms including
9 logbooks.

10 On January 19, 2017 NMFS published a
11 final rule that defined SBRM as, "established
12 consistent procedures used to collect, record, and
13 report bycatch data in a fishery." It clarified
14 the requirements to identify SBRMs in FMPs,
15 explain how an SBRM meets its purpose based on a
16 fishery-specific analysis, and it provided regular
17 review for standardized bycatch reporting
18 methodologies.

19 The final rule required a
20 fishery-specific analysis when reviewing an SBRM.
21 So we reviewed and updated the standardized
22 bycatch reporting methodology for all HMS

1 fisheries. We addressed the characteristics of
2 bycatch occurring in each fishery. We provided a
3 description of the feasibility of the methodology
4 from cost, technical, and operational
5 perspectives. We addressed the uncertainty of the
6 data resulting from the methodology, and we
7 explained how the data resulting from the
8 methodology will be used to assess the amount and
9 type of bycatch in the fishery.

10 So we went through each fishery and
11 addressed these four requirements. These are the
12 fisheries that we -- for which we reviewed and
13 updated SBRM, pelagic longline, bottom longline,
14 commercial handline gear, commercial buoy gear,
15 gillnet fisheries, green-stick fishery, and the
16 purse seine fishery. We also addressed SBRM in
17 the recreational handgear fishery, including rod
18 and reel, handline, green-stick, speargun for
19 bigeye, albacore, yellowfin, and skipjack tunas.

20 So if you read the Draft Amendment
21 you'll see the descriptions of SBRMs for all of
22 these fisheries. Amendment 12 ensures consistency

1 with the SBRM. The final rule required that all
2 FMPs must be consistent with the final rule by
3 February 21, 2022. And it requires that we
4 conduct a review every five years to verify
5 continued compliance with the standardized bycatch
6 reporting methodology requirements.

7 MR. BROOKS: I'm just going to jump in
8 for one second, Rick. I just want to acknowledge
9 that I know that there's at least one person in
10 the queue with a hand raised. We're just going to
11 wait until the end of Rick's entire presentation,
12 and then open it up. So go ahead, Rick.

13 MR. PEARSON: Thanks Bennett. The
14 fourth topic is the consideration of allocation
15 triggers for quota-managed HMS. NMFS published a
16 fishery allocation review policy directive in 2017
17 that creates a transparent process for assessing
18 when a fishery allocation for a quota managed
19 species may need to be reviewed and what should be
20 considered. It describes a three-step mechanism
21 to ensure that fishery quota allocations are
22 periodically evaluated, and for fisheries with a

1 quota allocation triggers should be identified
2 within three years, or as soon as possible.

3 Only one criteria would need to be
4 triggered to initiate allocation review. Some
5 examples of triggers that could be used include
6 public interest, time, or fishery indicators. So
7 these were just examples that were in the policy
8 directive of things that could be considered as a
9 trigger to initiate potential review of quota
10 allocations.

11 So these are the five potential triggers
12 that are proposed in Draft Amendment 12 to
13 initiate an allocation -- a quota allocation
14 review. Public comment received by NMFS with new
15 information to review, that's the public interest
16 component. A maximum of 10 years between review
17 of the allocation core management group and/or
18 species; that's the time component. A species
19 and/or management group stock status change based
20 on a recent stock assessment or ICCAT
21 recommendation, which would be considered a
22 fishery indicator.

1 A change in effort or participation in
2 HMS fisheries again, that would be a fishery
3 indicator. Finally, implementation of a national
4 rulemaking that impacts HMS fishery management,
5 which would be a change indicator. So if you're
6 going to submit comments on Draft Amendment 12 for
7 this fourth topic, these are the five potential
8 triggers that we are proposing.

9 The policy directive, more important
10 than requiring that we establish allocation
11 triggers, it established a three-step process for
12 adaptive management, and so by establishing these
13 triggers, that is step 1. The second step in the
14 process of adaptive management is conducting a
15 fishery allocation review. And really, the first
16 question that would need to be asked when doing
17 this review is, are the FMP objectives being met?
18 And if the FMP objectives are being met, then it's
19 quite possible that no further review is needed.

20 The other component to a fishery
21 allocation review are, have fishery conditions
22 changed? And if fishery conditions have not

1 substantially changed and the FMP objectives are
2 being met, then it's quite possible that a review
3 is not necessary. However, if FMP objectives are
4 not being met, and fishery conditions have
5 changed, then it's quite likely that we would go
6 forward with step 3, which is an analysis and
7 evaluation of allocation options for an HMS FMP
8 amendment.

9 And as with any other action, that would
10 require a formal rulemaking process with formal
11 analysis under NEPA, and other regulations, as
12 well as the need to solicit public input. So it is
13 just a more transparent process. However, what I
14 want to indicate is that this is not substantially
15 different than the process that we currently
16 review. This just lays out a more transparent
17 adaptive management process for how we would
18 conduct fishery allocation review.

19 So if an allocation trigger is met, then
20 we conduct a review; are FMP objectives being met?
21 Have conditions changed? If they have, and FMP
22 objectives are not being met, then we would

1 proceed forward with a rule-making process. This
2 is just a schematic that was actually contained in
3 the policy directive. But it goes through the
4 same process, or it describes the same process
5 that I described in the previous slide. So you
6 can see, you know, going from step 1 to step 2, if
7 the objectives are being met, and no other
8 relevant factors have changed then no need for
9 allocation to be updated, returned to triggers.

10 And the last topic and Draft Amendment
11 12 is -- addresses the timing and publication of
12 the HMS SAFE report. Currently, the HMS FMP
13 specifies that the SAFE report will be released to
14 the public by the winter of each year. There have
15 been instances where we have not been able to
16 achieve that goal, so therefore we are proposing
17 to adjust the publication date for the SAFE report
18 to account for unexpected delays. For example
19 last year, we were impacted by the government
20 furloughs, so we were unable to achieve the goal
21 of getting it out by the winter of each year.
22 There have also been issues with data

1 availability, staff availability, and the
2 occasional national emergency.

3 So we are proposing to adjust the
4 publication date, yet still remain compliant with
5 Magnuson-Stevens Act requirements that a SAFE
6 report be published periodically. And we will
7 strive to continue to release the SAFE report
8 annually, in the fall of each year.

9 So the timeline for Amendment 12, the
10 comment period ends on October 26. These are the
11 instructions to submit comments at
12 regulations.gov. The key thing here is to enter
13 NOAA-NMFS-2019-0096 in the search box. We are
14 going to conduct two webinars later on in the
15 month of September, and we anticipate that the
16 final FMP will be released in mid-2021.

17 So we will open the floor to comments or
18 questions at this time.

19 MR. BROOKS: Great. Thanks Rick, very
20 much. So we -- as I mentioned at the outset, you
21 know, we've deliberately stuck to this agenda so
22 that there is sort of ample time for conversation,

1 and for questions. So please do not be shy about
2 weighing in, and if we wind up having fewer
3 questions or comments, then we can always go to
4 lunch early.

5 Right now, I've got six folks in the
6 queue. Marty Scanlon, I think I saw your hand up,
7 so why don't we start with you. And after folks
8 make their comment, again, if you could lower your
9 hand that would be helpful.

10 Marty.

11 MR. SCANLON: Can you hear me?

12 MR. BROOKS: Perfectly.

13 MR. PEARSON: Yes.

14 MR. SCANLON: Okay. Well, the just --
15 you know, in this provision that is, 4 and 5, you
16 know, it's being incorporated in this proposed
17 rule. Just I want to remind you that since 1999 a
18 portion of every regulatory action has been
19 blatantly ignored. Moving forward, sociological
20 and economic impact to the industry needs to be
21 moved front and center on all new regulations. I
22 mean if this rule is intended to address the

1 executive order to revitalize and to deregulate,
2 or to fix the regulations within these industries,
3 that has to be front and center if we were actually
4 going to achieve the objective, and that is to
5 revitalize these fisheries.

6 I mean this has been blatantly ignored
7 over the past 25, 30 years. And it really needs
8 to be addressed. That's really all I have to say.

9 MR. BROOK: Thanks. Thanks, Marty.
10 Dewey. All right.

11 MR. PEARSON: And Bennett, I just like
12 to say one thing.

13 MR. BROOKS: Okay.

14 MR. PEARSON: I forgot -- I may have
15 mentioned, I don't recall, that there is no
16 proposed -- and this is an unusual amendment.
17 There is no proposed rule for implementing
18 regulations associated with it. I just wanted to
19 reemphasize that. But Marty, thank you very much
20 for the comment.

21 MR. BROOKS: Thanks. Thanks, Rick.
22 Dewey, you're up.

1 MR. HEMILRIGHT: Yeah, can you hear me?

2 MR. BROOKS: I can, thank you.

3 MR. HEMILRIGHT: I have two questions.

4 One of them has to do with the latter, about the
5 SAFE report, information in the SAFE report. And
6 I was wondering if it was possible in the future
7 you could include the LPS survey, the recreational
8 LPS survey and charter/headboat in this SAFE
9 report which is very important, given that the one
10 that used for stock assessments and various
11 things. Include that in the SAFE report, the LPS
12 survey?

13 And the second question is, will using
14 the more conservative ICCAT status determination
15 criteria for overfishing potentially trigger any
16 provisions in the Magnuson Act that would impose
17 more restrictive potential regulations on U.S.
18 fisheries as compared to the status quo?

19 MR. PEARSON: Thanks Dewey. No, I don't
20 think that it will because we currently, as a
21 result of the Atlantic Tunas Conservation Act, or
22 ATCA, we are -- the United States is required to

1 adopt ICCAT recommendations. And those ICCAT
2 recommendations are based upon SCRS stock
3 assessments which use the ICCAT stock status
4 determination criteria. So we are currently,
5 effectively, utilizing ICCAT stock status
6 determination criteria for management purposes.

7 However, if you look in the SAFE report
8 you will see, there's, like, page after page of
9 stock status determination criteria because we
10 have to go through and list both the ICCAT SPC and
11 the domestic SPC, and it gets quite confusing. So
12 we're hoping to reduce some of that confusion.
13 But to directly answer your question, I don't --
14 I'm certain that it should not have any
15 significant impact on HMS management measures.

16 MR. BROOKS: Thanks Rick. Let me get a
17 few more people in. We've got a pretty good queue
18 running here. And again, as folks have already
19 talked to us, Marty, so if you can just lower your
20 hand so I won't think you want to get back in.

21 Katy Westfall, let's go to you next.

22 MS. WESTFALL: Hi everyone. Thanks so

1 much for the presentation, Rick. I have a comment
2 and a question. So I appreciate your work on the
3 FMP objectives, and I think on the whole that --
4 all the revisions make it more clear and
5 consistent, and streamlined. And I particularly
6 appreciate the addition of the technology related
7 objectives. I wanted to also suggest a climate
8 change related objective which could be something
9 along the lines as seeking to understand the
10 impacts of climate change on each of the fisheries
11 and helping to improve the adaptability of
12 management as appropriate. Or this could also be
13 potentially rolled into the new ecosystem
14 objective that's being proposed.

15 And then, I also wanted to address the
16 SBRM part of the amendment. So as we all know,
17 HMS are across fisheries and in non-HMS fisheries
18 and could be reported differently depending on the
19 fisheries. So sometimes in pounds, sometimes in
20 individuals, and it can be really difficult to
21 pinpoint where mortality is occurring. So I was
22 hoping that this review of the SBRM would provide

1 the Agency the opportunity to standardize bycatch
2 across HMS fisheries and non-HMS fisheries.

3 I didn't really see this addressed in
4 the Amendment and I'm wondering if the Agency was
5 planning to work with councils like the South
6 Atlantic and the Gulf of Mexico to report data in
7 the same way so it really allows us to understand
8 where mortality is occurring so that we can both
9 effectively design management measures and not
10 unfairly hold any particular fishery accountable
11 when the mortality might be occurring somewhere
12 else.

13 MR. PEARSON: Thank you very much for
14 that recommendation. That's correct, we did not
15 necessarily consider, or address that.

16 MR. BROOKS: Okay. We will --

17 MR. PEARSON: Let -- Okay. Well, we
18 were going to --

19 MR. BROOKS: No, go -- go ahead, Rick.

20 MR. PEARSON: When we were reviewing
21 SBRM primarily, you know, exclusively for HMS
22 fisheries, and so that is why. But thank you very

1 much for that recommendation. And also for the
2 recommendation to address climate change. And
3 that could be something, I agree, that we roll
4 into the ecosystem based fishery management
5 objective, or make it a standalone one. We'll
6 consider that thank you.

7 MR. BLANKINSHIP: So I'll just jump in
8 to add on to what Rick was saying there related to
9 SBRM and the standardization across the fisheries.
10 So one of the things that I believe the final rule
11 for SBRM that was published a while back that Rick
12 mentioned, did provide for fishery specific
13 aspects to the development of a SBRM. And I'll
14 just highlight that that was recognized that there
15 often times needs to be fishery specific
16 differences.

17 MR. BROOKS: Thanks, Randy. Let's open
18 it up to David Schalitc and then to David
19 Kerstetter.

20 MR. SCHALITC: Hello? Can you hear me?

21 MR. BROOKS: Your line is open, David,
22 and we can hear you.

1 MR. SCHALITC: Thank you very much.
2 Rick, you did a yeoman's job. This is terrific.
3 Thanks very much for the presentation
4 and for all your work. Just a couple of
5 questions.

6 Regarding the section regarding the
7 proposed new HMS FMP objectives, and that section,
8 I think the second part of that is talking about
9 considering ecosystem based effects in HMS fishery
10 management. My simple question here is, is the
11 ecosystem based fishery management approach now --
12 is that now found in Magnuson; is that supported
13 by Magnuson-Stevens?

14 MR. PEARSON: David, I don't know that
15 -- I'm sorry. I don't know the answer to that
16 question.

17 MR. SCHALITC: Okay. So will just flag
18 it then. My next question is --

19 MR. PEARSON: I do know that there's an
20 awful lot of work that's going on with regards to
21 EBFM.

22 MR. SCHALITC: Yeah, no, I prefer that

1 as well. But I was unaware that Magnuson-Stevens
2 supports that approach. And I was wondering if
3 that -- we can find out off-line.

4 As it regards the precautionary approach
5 that you mentioned earlier, is there a definition
6 of a precautionary approach in Magnuson-Stevens,
7 or in the HMS FMP?

8 MR. PEARSON: There are certainly Agency
9 published papers on what constitutes the
10 precautionary approach.

11 MR. SHALITC: Okay. Okay. All right.
12 And then, just, I guess, one other thing I have --
13 oh yeah. There's something that relates to what
14 Dewey mentioned earlier. Is it within the scope
15 of this discussion, or this public comment period
16 that we would talk about what goes into the SAFE
17 report? Or only when the SAFE report is being
18 published?

19 MR. PEARSON: David, I think that we
20 would consider any comments that are considered,
21 not just with regards to the timing of the SAFE
22 report because we're always -- and as a matter of

1 a fact, the SAFE report substantially was changed
2 this year, reorganized and additional things were
3 added and subtracted and so forth. And so I think
4 that we would always be willing to accept
5 suggestions on what should be contained in the
6 SAFE report to make it more useful for our
7 constituents.

8 MR. BROOKS: That sounds like a yes.

9 MR. PEARSON: Yes.

10 MR. BROOKS: Okay.

11 MR. SCHALITC: I'm in complete agreement
12 with Dewey on what he said. And the last item is
13 this. I'm getting a sense that there is an
14 attempt to being made to kind of narrow the gap
15 between the way ICCAT says things and the way
16 Magnuson- Stevens says things. So in the case of,
17 for example, the term optimum yield. You know, I
18 don't believe optimum yield shows up in the ICCAT
19 definition at all. I think that the closest
20 terminology that I recall being used by ICCAT is
21 maximum sustainable catch. And you're discussing
22 this with, you know, and you're working on this,

1 have you come across -- isn't there any conflict
2 there between those two terms, in your view?

3 MR. PEARSON: It doesn't sound like it.
4 Maximum sustainable catch versus optimum yield. I
5 would have to, you know, investigate that a little
6 bit more but it sounds like a very, very similar
7 -- two very, very similar concepts.

8 MR. SCHALITC: It does.

9 MR. BROOKS: David, if it's okay with
10 you if that's --

11 MR. SCHALITC: I'm done.

12 MR. BROOKS: -- was your questions.
13 Okay. Great. And if you have more we'll get you
14 back in.

15 Let's go to David Kerstetter. And
16 again, if folks have already asked their
17 questions, if you could lower your hand. Thank
18 you. You're up.

19 MR. KERSTETTER: All right, thanks,
20 Bennett. Thanks Rick, really nice work. Just a
21 quick question going to the FMP objectives and
22 their revisions. You talked about in objective 4

1 how you revised it to also include other RFMOs,
2 presumably, maybe for WECAFC purposes.
3 Regardless, you didn't repeat that language in
4 objective 9, and I'm just kind of curious why you
5 didn't for consistency? Thanks.

6 MR. PEARSON: Thanks Dave, that
7 question, that is certainly something that we
8 could consider in objective 9, adding other RFMOsR
9 because those two objectives are somewhat related.

10 MR. KERSTETTER: Exactly. That was --
11 thank you very much.

12 MR. PEARSON: Thanks, David. Let's go
13 to Kristin Foss.

14 MS. FOSS: Okay. Can you hear me?

15 MR. BROOKS: Yeah, we've got you.

16 MS. FOSS: Okay great. Thanks for an
17 excellent presentation, Rick.

18 So my comments are in reference to the
19 HMS objectives, and I think this could be an
20 opportunity to make some of them broader, and more
21 holistic, especially, and how HMS fisheries
22 interact with other counsel, or federally managed

1 species. For instance, it could allow HMS the
2 flexibility for opportunities to look at the shark
3 degradation issue, or increased interactions with
4 sharks. So for example, if you look at, like,
5 objective 15, you could add the information and
6 how these fisheries interact with other federally
7 managed species, just continue that extra
8 flexibility. Thanks.

9 MR. PEARSON: Thank you.

10 MR. BROOKS: Great. Sorry, did you want
11 to comment on that?

12 MR. PEARSON: No, that's a good
13 suggestion. Yeah, we were just trying to expand
14 upon that. Could you repeat -- I'm sorry, I'm
15 trying to break this down, how we could -- what we
16 could add to the revised FMP objective 15. I
17 didn't get everything.

18 MS. FOSS: Yeah, sorry. So objective 15
19 says increased understanding of the condition of
20 the HMS stocks and HMS fisheries, so perhaps you
21 could add information like and how these fisheries
22 interact with other federally managed species.

1 MR. PEARSON: Okay.

2 MR. BROOKS: Great. Thank you. All
3 right, let's go to Jason, and then we'll pick up
4 Rick Weber.

5 Jason. Jason, your lines open if you
6 want to talk.

7 MR. SCHRATWIESER: Oh, I'm sorry, I have
8 myself on mute. Good morning. Thanks, Rick for
9 the presentation.

10 Since this amendment clarified some
11 things about quotas and allocations, I wanted to
12 ask how does the timing of this amendment -- does
13 it influence or impact anything that will
14 potentially happen in Amendment 14 regarding shark
15 allocations or quotas; or are the two mutually
16 exclusive? Thank you.

17 MR. PEARSON: I have not read Amendment
18 14 in its entirety yet. I'm just --

19 MS. BREWSTER-GEISZ: I can answer that
20 if you want.

21 MR. PEARSON: Okay.

22 MR. BROOKS: Go Karyl.

1 MR. PEARSON: Thank you, Karyl.

2 MS. BREWSTER-GEISZ: Yes. Hey, Jason.

3 This amendment, Amendment 12 is exclusive from
4 Amendment 14. Amendment 14 will deal only with
5 sharks. Amendment 12 is much broader than that
6 and in terms of the quotas and the (inaudible) is
7 specific to ICCAT interactions, not to the
8 domestic sharks that we're dealing with in
9 Amendment 14.

10 MR. BROOKS: Thanks, Karyl.

11 MS. BREWSTER-GEISZ: Yeah.

12 MR. BROOKS: Rick Weber.

13 MR. WEBER: Good morning all. Rick,
14 just really a note. I think you're going to get a
15 little squinty-eyed skepticism at removing the
16 billfish goal. I am not saying that you are --
17 that your analysis is wrong. I would note that
18 one might say that your new outreach goal could be
19 captured by existing goal 15, or that both of them
20 might be covered by goal 6 about providing data,
21 comparably, an ecosystem based new goal might
22 arguably be covered in the full reach of number 10

1 on EFH.

2 My point is stuff feels better when it's
3 there. And as we're talking about taking a goal
4 away, just be aware that some of us feel better
5 when it's there. I'm not saying you're wrong.
6 I'm not saying it's not covered. I'm not saying
7 it's not established elsewhere in law. I'm saying
8 we feel better when it's there.

9 MR. PEARSON: Thank you very much, Rick.

10 MR. BROOKS: A little redundancy never
11 hurts. Is that the gist of it Rick?

12 MR. PEARSON: Yeah, I'm certainly not
13 surprised to receive that comment, Rick. And I
14 appreciate it. I really do think, though,
15 objective 13, maintain the highest avail -- and we
16 kept this, maintain the highest availability of
17 billfishes to the U.S. recreational fishery by
18 implementing conservation management measures that
19 will reduce fishing mortality may address that.

20 But believe me, we had a lengthy
21 discussion about removing objective 14. We had a
22 really great team working on this FMP amendment,

1 and so I think that we appreciate your comment and
2 we'll certainly consider it as we move forward
3 with Draft Amendment 12. Thank you, I totally
4 understand.

5 MR. WEBER: That's all I'm saying, and
6 I'm probably speaking ahead as you go up for
7 comments that people will give you a little
8 squinty look at why you've chosen exactly one goal
9 of 16 to take away.

10 MR. BROOKS: Thanks Rick, for the
11 observation.

12 MR. PEARSON: Mainly because of the
13 Billfish Conservation Act of 2012 as amended in
14 2018, that's the primary reason.

15 MR. BROOKS: All right let's -- I've got
16 a few more folks in the queue. I think I've got
17 three more that I'm seeing right now, so will go
18 Alan Weiss, then Tim Pickett and then to Bob
19 Humphrey.

20 Alan, you're up. Alan, your line is
21 open, you might need to unmute yourself on your
22 phone too, or something. Alan, we are not hearing

1 you. Let's try to unmute you again. Alan, can
2 you talk?

3 All right, let's go to Tim, and then
4 will come back -- double back to you, Alan.

5 Tim Pickett.

6 MR. PICKETT: Can you hear me?

7 MR. BROOKS: Yeah.

8 MR. PICKETT: Okay. Yeah, no, I just
9 wanted to emphasize a couple of things, you know,
10 and were going to get into it tomorrow with the
11 shark depredation stuff so I won't focus on that.
12 But you know, one thing that I noticed in this
13 whole document is that I'd like to emphasize, or
14 maybe it could be emphasized in the final document
15 is how important it is to engage the public.

16 All of the fisheries management plans
17 and rulemaking and everything involved is
18 incredibly complicated. I still struggle to
19 understand it myself and having been to these
20 meetings for a long time, and everything like
21 that. The general public has no idea how these
22 decisions are made. Has no idea how fishery

1 management plans are developed, and I think it's
2 very important to put extra emphasis on engaging
3 the public through public comment, through, you
4 know, addressing the concerns of the public, and
5 really engaging them in the rulemaking process
6 because the public will appreciate fisheries
7 management decisions better if they're involved in
8 the process.

9 You know, I don't know if this is the
10 appropriate avenue for it, but I mean especially
11 with dealing with the last couple of weeks and
12 working with these guys on the shark depredation
13 stuff that I'm sure we'll talk about tomorrow.
14 And I have a bunch of letters from some people in
15 my area about that. You know, I wouldn't say that
16 they're ignorant to the process, but they -- but
17 it's an incredibly difficult thing for them to
18 understand. And I think a lot of it is because
19 they are not engaged in it through I would say
20 maybe surveys or whatever.

21 So there gets to be a little bit of an
22 inherent distrust in them in the process because

1 they're not engaged in it as much. And, you know,
2 I see some stuff in this document that talks about
3 further engagement of the public. Maybe some
4 simplified documents that show why does, you know,
5 okay this is the floor, or the limit that we've
6 established with this fisheries management
7 process. This is what went into it. If you want
8 to look into it further, here's where you look
9 into it. Something for them to get some
10 information on it because a lot of the guys don't
11 feel engaged and there's a knee-jerk reaction to
12 get irritated about it if they're not engaged in
13 the process. So that's my only comment.

14 But you know, a great presentation,
15 Rick.

16 MR. BROOKS: Can I ask a quick question,
17 Tim? Bennett here. Is that just sort of a
18 general comment on A12 or a little bit more
19 targeted?

20 MR. PICKETT: That's just a general
21 comment. I appreciate the inclusion of public
22 comment and triggering a review of things. That

1 was just, you know, my appreciation of that and I
2 just wanted to emphasize that.

3 MR. BROOKS: Okay. Great. Thanks,
4 appreciate it. Bob Humphrey.

5 MR. HUMPHREY: Yes, can you hear me?

6 MR. BROOKS: We can.

7 MR. HUMPHREY: Okay. My question and
8 comment involved objective 8, which ends with a
9 rather vague, "other relevant factors." And I
10 wonder if it's reasonable to assume, or expect
11 that that would include recognizing, or
12 acknowledging local and regional differences in
13 fishing patterns and participation. And if so,
14 would it be worth including that wording?

15 MR. PEARSON: Bob, would you repeat that
16 again, because I do believe that we have added
17 regional variations. That was one of the concepts
18 that we tried to incorporate in the revision. But
19 could you sort of elaborate upon the comment a
20 little bit, please, so I can better understand it?

21 MR. HUMPHREY: Yeah. It's -- let me
22 read it here. "Regional variations." That too is

1 a little vague. And maybe that answers my
2 question. But it's unclear to me, and what sort
3 of prompted this is I'm from Maine, and I look at
4 the way people fish bluefin in Maine versus
5 Massachusetts. It's like night and day, the
6 proportion of commercial to recreational over a
7 matter of 50 miles or 20 miles. And that can have
8 a big impact on stock assessments. It can have a
9 big impact on catch per unit effort, quotas, et
10 cetera.

11 MR. BROOKS: Bob, is the issue that
12 regional variation is just a little vague when
13 folks look at it? Is that the heart of that
14 comment?

15 MR. HUMPHREY: Yes, I think historical
16 fishing patterns is a much clearer statement, and
17 maybe we could tweak that a little bit, so it says
18 regional differences in fishing patterns and
19 participation and participation levels.

20 MR. BROOKS: Okay. Thanks.

21 MR. PEARSON: I just want to say one
22 thing, Bob. I appreciate that comment, and I hope

1 that somebody -- I haven't been able to write the
2 whole thing down. I hope somebody captured that.
3 But objective 8, when we looked at the current FMP
4 objective this is one that we really struggled
5 with regards to what it was saying originally. So
6 I'm not sure if we clarified it in any more in the
7 proposed revision, but that was what we were
8 trying to do because we kind of struggled with
9 objective 8.

10 And I'm glad to see that you're having
11 some of the same kind of questions that we had
12 about objective 8 and I appreciate that that
13 you've read it that carefully. And also, raising
14 the issue of regional variations in fishing
15 patterns and so forth. So we'll take a look at
16 that, and I appreciate that you looked at this
17 objective in such depth.

18 MR. BROOKS: Thanks, Bob for the
19 comment. The last person I have in the queue is
20 Alan Weiss.

21 Alan, you're up. And your line is now
22 open. And we are still not hearing you, Alan.

1 Alan are you on a phone as well? Sometimes one
2 can double mute yourself if you're on the phone
3 and on your computer. I think the only other
4 suggestion I would have is if you can maybe put
5 your comment or question in the chat we can try to
6 pick it up that way. And maybe during lunch if
7 you can reach out to Pete, he can try to
8 troubleshoot that and see what's going on. I'm
9 not quite sure why we're not picking you up, but
10 if you have a question or comment, if you would
11 throw it in the chat, even if it's not in time to
12 get an answer here, we can certainly incorporated
13 into the comments that Rick is getting here.

14 Is there anyone else who would like to
15 comment at this point? We have another 10 or 15
16 minutes on the agenda if we need it. And if we
17 don't, that is also fine. I'm sure you wouldn't
18 mind getting sent to lunch a little bit early.
19 But any questions or comments for Rick on this?

20 And I am tracking the chat, I'm not
21 seeing anything from Alan there yet. So while
22 folks ponder whether they have any last comments,

1 I would just sort of do a quick summary. So Rick,
2 a number of complements coming your way for the
3 very thoughtful, comprehensive work, so nice work.
4 And thank you. A few comments on the SAFE program
5 to include the rec LPS survey and the SAFE report,
6 the standardized bycatch reporting period to
7 consider standardizing bycatch across both HMS and
8 non-HMS fisheries.

9 Regarding the standardization of ICCAT,
10 to think about whether there's any conflicts
11 around terminology, et cetera. Any inconsistency
12 concerns. I think we heard clearly from you,
13 Rick, that your sense is all is good there. But
14 that was just a caution I think we heard.

15 A number of comments around FMP
16 objectives, one to consider adding climate change,
17 a climate change related objective, or adding it
18 to the ecosystem based objective. Look at
19 consistency between objectives 4 and 9,
20 specifically around other fishery management
21 organizations, regional fishery management
22 organizations.

1 Broaden the link that's already in
2 number to include other federally managed
3 fisheries. To Rick's point, just recognize that
4 removing objective while -- might make very good
5 sense, it could raise some eyebrows, because some,
6 I think the word was, squishy responses. So I
7 thought to consider.

8 In objective 8 to try to add a little
9 more specificity to the phrase regional variations
10 to more specifically talk to historical fishing
11 patterns, et cetera.

12 And then I think a general comment from
13 Marty related to objective number 5 which was just
14 talking to the importance of the program, focusing
15 really hard on adverse economic, I don't think
16 there was a particular language recommendation
17 there as much as a reminder to the agency that
18 that's something that he and others are looking at
19 very closely.

20 That's my summation of what I heard.
21 Yeah?

22 MS. McLAUGHLIN: This is Sarah.

1 MR. BROOKS: Yes, Sarah.

2 MS. McLAUGHLIN: We just wanted to
3 follow up for David, just bear with me, I've got
4 to have a couple of windows open here. We did
5 look into the EBFM issue. We kind of scroll up
6 here.

7 David, there's a section on the National
8 Marine Fisheries Service EBFM policy on legal
9 authority mandates, and it addresses the
10 Magnuson-Stevens act. And I could paste the link
11 in here in the chat. How about I do that?

12 MR. BROOKS: Thank you, Sarah. That
13 would be helpful. Thanks.

14 Rick, any final comments are
15 observations from you? Pearson.

16 MR. PEARSON: No. I just want to thank
17 everybody for the kind words and the fact that you
18 all have dug into these five topics and we
19 certainly appreciate your comments, and we will
20 certainly take them into consideration as we move
21 forward with Draft Amendment 12. That's all.

22 MR. BROOKS: Great. Good. Yeah, thank

1 you all. That was very helpful, focused feedback.
2 I'm sure it will help Rick as he moves forward
3 with that.

4 So it's 11:20, I think we should just
5 let folks break for lunch early. I am not going
6 to bring us back early because I want to protect
7 at that time for folks who may have planned that
8 for things like phone calls, and I don't want to
9 cut into that time if people have set up calls.
10 So let's plan, however, on reconvening at 1:00
11 p.m. sharp so folks can sort of get back on at
12 around five of or so that would be good.

13 I think that's it. Randy, Pete, anyone
14 else from the HMS team, anything to add before we
15 go to break?

16 MR. BLANKINSHIP: No, I don't have
17 anything to add.

18 MR. BROOKS: Okay. And I just want to
19 say to folks before you go to break, I think my
20 recommendation would be that you stay hooked into
21 the webinar if you can, just go on mute, turn off
22 your videos so we don't have any problems picking

1 people back up. But I'll leave that to you. And
2 as well, if you've got any electronics that are
3 running low on battery charges, lunch is a good
4 time to get your phone or computers charged.
5 We'll catch you at 1:00. Thanks everybody.

6 (Recess)

7 MR. BROOKS: Okay. It's 1:00, I think
8 we should get going because we still have a number
9 of things to cover and want to make sure that none
10 of these topics gets squeezed.

11 So thanks everybody for coming back. I
12 hope everyone was able to use the break to kind of
13 just step away from the computer a little bit and
14 come back focused and ready to dive into sort of
15 the Part Two of our day, which will start with a
16 conversation around the 2020 Fisheries' Economic
17 Situation Report. We'll then get a law
18 enforcement update, we'll have an afternoon break
19 about 2:15 or so, and then we'll have a bluefin
20 tuna update, and then finally at 3:00 we will have
21 public comment.

22 To that point I got asked a question,

1 the key to how the public let us know that they
2 want to get into the mix. And we'll ask you to
3 raise your virtual hands just as we've been having
4 panelists do, the AP members do at the appropriate
5 time. You can also, for some reason we're not
6 seeing or that's not working, you can also just
7 throw a comment in the Chat saying that you'd like
8 to have an opportunity to speak during public
9 comments, so we'll make sure to get folks in.

10 Again, to AP members, we've tried to lay
11 out our day today and tomorrow with enough time
12 for comments. So I think we had a really good
13 conversation on 8/12. I was glad we had as much
14 time as we did to cover that, and hopefully we'll
15 have something similar. We're hoping to leave at
16 least 10 or 15 minutes for conversation after the
17 next two items. So.

18 With that, let me hand it off to George
19 Silva and Cliff Hutt. I want to just remind us
20 that in May I think we got a really good
21 thoughtful presentation on how this kind of odd
22 moment in our collective lives has been playing

1 out economically. Obviously we are still all deep
2 in this situation, and wanted to give them a
3 chance to come back and share some of the latest
4 information that they have.

5 And I want to invite folks, in addition
6 to just, you know, weighing in with questions or
7 comments after their presentation, feel free to
8 throw your perspectives or experiences in the Chat
9 as well. I think that will be interesting for all
10 of us.

11 So with that, Cliff, George, over to
12 you.

13 MR. SILVA: Thanks, Bennett. Well
14 thanks everyone, sorry to be presenting right
15 after lunch, especially the dismal science.
16 Hopefully everyone had a good lunch and had some
17 time to digest with that early break. But I want
18 to jump right in here.

19 This is a continuation basically of the
20 presentation I provided with Cliff in the Spring
21 Advisory Panel Meeting. And at that meeting we
22 provided a Preliminary Economic Situation Report

1 for 2020. Now that we've gotten the summer behind
2 us, we made a major update to this presentation,
3 and we're excited to provide you with the updates.

4 So first I want to give you an overview
5 of what we're going to cover in this presentation.
6 I'm going to start with a kind of a big picture,
7 U.S. Economy wide kind of map of the various
8 economic indicators to update you with where we
9 currently stand.

10 I'm going to be using some high
11 frequency indicators. These indicators occur on a
12 more daily/weekly basis, so we can kind of get a
13 better real-time picture of where things stand.

14 From that topic then I'm going to jump
15 into Atlantic HMS landings, specific information
16 with revenue, price trends, commercial vessel
17 activity. And at that point Cliff Hutt's going to
18 jump in and provide his expertise on the for-hire
19 sector and recreational fishing.

20 So first I'm going to start with the
21 highest frequency indicator that I was able to put
22 my hands on that relates to our fishery, and this

1 is the Open Table Network data. This data
2 represents reservations for seated patrons at
3 restaurants across the U.S. on the Open Table
4 Network, and it looks at 2019 versus 2020 percent
5 changes.

6 As you can see, and as we discussed in
7 the early Spring AP Meeting, it was a dramatic
8 reduction in seated patrons at restaurants. I
9 mean virtually it went to just about to zero at
10 the end of March, 100 percent reduction in seated
11 diners. But luckily since then we've had an
12 improvement, really starting around June and then
13 working our way through the summer months there's
14 been a pretty substantial recovery. Still way off
15 from what it was in 2019, but the numbers are
16 looking, had kind of fluctuated around 60 percent
17 reduction in seated patrons.

18 And then most recently, actually I just
19 looked up the data for this weekend for Labor Day,
20 and we were at just minus 18.92 percent on Labor
21 Day versus the previous year. So it's a big
22 dramatic, I mean it's more of a one-day indicator.

1 It's probably more around on a normal day about 35
2 percent, but people definitely got out on Labor
3 Day. So that kind of takes us kind of an update
4 on the restaurant market.

5 And the reason why we focused on the
6 restaurant sector when looking at kind of forward
7 looking indicator that would impact Atlantic
8 highly migratory species is because 68 percent of
9 all consumer expenditures for fisheries products
10 were made at food service establishments as of the
11 last data reported in 2017.

12 Really the restaurant activity provides
13 us with a proverbial canary in a coal mine for the
14 economic shifts that occurred since 2020. And as
15 we can see, there's definitely been some changes,
16 some dramatic changes that occurred in the spring
17 and some rebounding that's happening now in late
18 summer.

19 Moving on, since our last meeting I was
20 able to obtain what the Census Bureau provides for
21 total U.S. restaurant and bar sales. And this bar
22 chart shows the change from a year ago in millions

1 of dollars. And I also put the percent change at
2 the top, or at the bottom of each bar to kind of
3 help us walk through this.

4 So as you can see, in February of 2020
5 we were at actually better than average sales of
6 food service and drinking places, up 5 percent;
7 the economy was doing really well. But in March
8 the impacts were starting to take place with a 27
9 percent reduction in total food service and
10 drinking place sales. And that hit almost
11 basically a record monthly low percent change in
12 April of 2020 with a minus 52.4 percent U.S. Wide
13 reduction in food service and drinking place
14 sales.

15 That improved to 38.1 percent in May,
16 and in July, which I think I believe is the latest
17 figures that are available in this advanced retail
18 sales sector indicator, is at minus 18.9 percent.
19 I'm assuming that August it probably improved a
20 bit more as well.

21 And the one good thing about this
22 indicator is in addition to dealing with seated

1 patrons, it also handles the take-out
2 establishments, outdoor seating, those type of,
3 and smaller restaurants that are not necessarily
4 part of the Open Table Network.

5 So jumping from the restaurant and bar
6 sales, I wanted to give you an update on travel.
7 Travel is very important for Atlantic highly
8 migratory species, especially our recreational
9 sectors and tournaments. Here the green lines
10 indicate the 2019 passengers that went through TSA
11 checkpoints. As you can see it was usually over
12 two million and was as high as two and a half
13 million. The blue line shows total travelers in
14 2020.

15 I went and pulled the data this morning
16 for September 7th, and the number jumped up to
17 935,000 travelers that went through TSA
18 checkpoints. That's still a 59 percent reduction
19 compared to the same weekday last year. So some
20 improvement but we're still a ways off. Kind of
21 comparable to the restaurant Open Table Network
22 sales.

1 Then going from travel we also take a
2 look at tourism for kind of the similar reasons
3 for these travelers that are potentially buying
4 charter boats, doing recreational angling, moving
5 around to our different areas.

6 Hotel occupancy hit a low of 22 percent
7 in April, which is probably unprecedented. And
8 then it recovered throughout the summer months,
9 kind of has flattened out. And as of the last week
10 of August, August 29th, I just updated the
11 numbers, it is at 48.2 percent, so a little bit
12 off from the previous week that we have on the
13 graph here. That's a 27.7 percent reduction
14 compared to the comparable week in 2019.

15 Shifting gears from tourism, we kind of
16 look at other parts of the economy that are also
17 important for us, which includes consumer
18 confidence and unemployment. Unemployment's been
19 a big headline item. Unemployment claims averaged
20 1.7 million prior to March. The number of people
21 receiving unemployment peaked at 24.9 million as
22 of May 9th, and claims have decreased down to 13.3

1 million as of August 22nd. So that's the latest
2 information I have at my disposal on unemployment
3 claims.

4 Some of the claims numbers are getting a
5 little complicated because some people's ability
6 to claim have expired, so there's some caveats
7 associated with that number as can be expected
8 with such dramatic changes in the economy.

9 Jumping to the unemployment rate over
10 time, there were some records in March and April.
11 April had the highest rate of unemployment since
12 1948 at 10.3 percent, or 14.7 percent, 10.3
13 percent is how much it changed from March to
14 April.

15 Thankfully, it has decreased from that
16 14.7 percent figure. As of August we're at 8.4
17 percent. And it was a pretty substantial
18 improvement in unemployment from July to August
19 with a decrease of 1.8 percent.

20 And then I bring in the concept of
21 consumer confidence. And often consumer
22 confidence is tied to folks' feeling of wellbeing

1 and often relates to their consumer purchase
2 decisions. And it also impacts business planning,
3 how likely businesses are going to invest capital
4 into their operation. Two big indicators there
5 are the Consumer Confidence Index. It was down
6 from 118.8 in March to 86.9 in April, which was
7 the lowest level in nearly six years, and has
8 since recovered to 84.2. These are just index
9 numbers, they're kind of hard to pin down.

10 The Consumer Confidence Survey really
11 reflects prevailing business conditions and likely
12 developments for the months ahead. It details
13 consumer attitudes, and buying intentions with
14 kind of a date available by region and by
15 demographic.

16 The University of Michigan Consumer
17 Sentiment Index is a little different, but tracks
18 similar items. It's down from 101 in February to
19 a low of 71.8 in April, and has since recovered to
20 74.1 percent in August. Not a huge recovery in
21 that particular metric.

22 And that index is based on a five

1 question survey about current family financial
2 conditions, the family's outlook for the future,
3 business conditions, and the timing of buying of
4 major household items. So that kind of walks us
5 through employment and consumer confidence.

6 Now we'll get into kind of the
7 substance, the meat of the substance in terms of
8 Atlantic HMS. So our primary indicator is based
9 on our eDealer data system and SAFIS data systems
10 for bluefin tuna. These are dealer reports on
11 dealer purchases from vessels. So as we can see
12 here, the blue bars indicate 2019 landings and
13 total ex-vessel value. And the green bars are the
14 2020 comparable numbers for each month. Right
15 next to each of them I put a percent change from
16 the previous year so we can kind of walk through.

17 January we had an excellent month, we
18 were percent ahead of 2019 revenues for vessels.

19 February it was also a strong month,
20 with positive percent increase. March it kind of
21 slowed down dramatically, it was only a plus 7
22 percent, but then the economy started shifting.

1 In April the impacts were substantial though,
2 there was a 56 percent decrease in ex-vessel
3 value. And as you can see, that green bar is very
4 small compared to our typical revenues in the
5 fishery. May was also down 36 percent versus the
6 prior year, but it was up substantially from
7 April.

8 In June, the recovery did not really
9 kick in for our vessels, really kind of a
10 testament to the flexibility of the fleet. It was
11 only down 12 percent versus the prior year. In
12 July it was up substantially, but still off from,
13 you know, kind of really given 2019 revenues for
14 fishery in the prior year.

15 So kind of with that in mind I kind of
16 broke it out by species here to see if there are
17 any real big trends. And there's lots of numbers.
18 Some of you might be interested in the details.
19 I'll just kind of pull in some numbers that really
20 might pop out at you.

21 In June and July we saw a big increase
22 in albacore. Kind of the word is that there's

1 been some new market developments in albacore.
2 The landings were really small in 2019 so I
3 wouldn't really make much of this trend. It's not
4 really a trend, this is an anomaly. Landings for
5 yellowfin have been bouncing around a bit, there's
6 really no trend; you know, it was a big
7 improvement in June but July it was off, kind of
8 almost neutral measure.

9 Swordfish is off for a huge gain in
10 July, but there's lots of caveats to that one.
11 Really swordfish had a terrible July of 2019 so
12 that's kind of really bumping that year over year
13 change, probably would have been better to look at
14 a multi-year baseline instead of a one-year
15 baseline. We also did hear though that there are
16 some anecdotes of increased demand for swordfish
17 which is coming from the northeast by consumers.
18 And some reports from a few dealers that there's
19 been a decrease in imports that have been coming
20 in for swordfish.

21 So I think this is new, I didn't cover
22 pricing in the spring meeting. But I think we got

1 some questions and some thoughts about it. Here
2 bluefin tuna, this is the light blue line is 2019,
3 hopefully not too hard to see, but I didn't want
4 it to be too prominent either. The bright red
5 line is 2020, which is the line we want to focus
6 on. And the numbers that have been put on these
7 lines are the 2020 average dressed weight
8 ex-vessel prices associated with bluefin tuna. As
9 you can see, for the most part prices have been a
10 bit down from 2019 but did recover in July, pretty
11 much a comparable pricing, about 4.80 per pound.

12 Getting into bigeye, bigeye has really
13 been consistent throughout 2020. It's very
14 comparable to the 2019 pricing at 5.68 a pound as
15 of July.

16 Yellowfin tuna is a bit different story
17 and might be associated with what I've been
18 seeing, some of the bouncing around of total
19 landings by revenue. It's been consistently lower
20 priced than the 2019 line. You can see that blue
21 line, it's consistently above the red line. And
22 it did kind of catch up a little bit in July, but

1 there's still quite a gap in the two years in
2 average ex-vessel price for yellowfin tuna.

3 Swordfish is a bit interesting story,
4 and might be something worth looking at a little
5 bit more carefully. Really the pricing was very
6 comparable in January and February, and even into
7 March. April though we saw a bit of an increase
8 in swordfish prices above 2019. And that increase
9 continued into May, even a larger gap, and has
10 consistently stayed above 2019 prices through July
11 where it's at a reasonable, you know, 4.86 a
12 pound. Not ideal but it's still a pretty decent
13 price.

14 And then I threw in one of our more
15 popular shark species, the average ex-vessel price
16 per pound for meat of blacktip shark. And here
17 the story, as you can see, is 2019/2020 prices
18 were very comparable to each other through March,
19 a little bit lower this year. But then after
20 March and April, prices started to climb and it
21 has now consistently been or kind of substantially
22 above 2019 prices as of July at \$1.39 a pound.

1 At this point I kind of covered pricing
2 and revenue. I just wanted to come kind of to
3 what I consider the high frequency indicator for
4 HMS activity, which is our VMS information, which
5 gives us a very near real-time update on what's
6 going on out in the water. These numbers are for
7 all Atlantic HMS vessels equipped with VMS, in
8 this particular slide. VMS is required by vessels
9 equipped with pelagic longline on board. Bottom
10 longline vessels fishing off of South Carolina and
11 North Carolina and Virginia, from January through
12 July. Gillnet vessels issued a directed shark
13 permit in near kind of the Southeast U.S.
14 monitoring area from December through March.

15 This particular indicator on this chart
16 is the number of pre-landing reports, which it
17 tell us that a trip has occurred. And it kind of
18 says the start of the HMS trip and the buyers that
19 provide the total number for each month of trips
20 that departed. The blue bar is 2019 again, and
21 the green bar is 2020. Trips were a bit off
22 already in February, down 25 percent. I think it

1 was somewhat weather related. March was
2 comparable, which to me says it was kind of
3 recovering given that like March so many issues
4 were occurring by the end of March. April we see
5 that real economic dramatic impact of a 54 percent
6 reduction in number of HMS trips that occurred.

7 But amazingly, by May the fleet bounced
8 back. There's only really almost comparable to
9 2020, minus 1 percent. June was also right on par
10 with 2019. July there was a 13 percent
11 improvement in the number of trips taken. And in
12 August was also very comparable. And some of this
13 has to do with what we're hearing on the water
14 from our previous surveys, that more trips are
15 occurring although some of them are shorter and,
16 you know, with a bit less activity. We'll kind of
17 jump into that in the next slide.

18 This is specific to the pelagic longline
19 fleet. There we also collect VMS records on each
20 set deployed. And that really, we can use that as
21 an indicator and measure of effort for the fleet,
22 high frequency effort.

1 As we can see in this graph, February
2 was on par with 2019. March there was a 20
3 percent increase and that was, you know, we get a
4 quick indicator on that, you know, change in
5 economy from pelagic longline fleet effort changes
6 that VMS picks up.

7 One thing I wanted to note while we here
8 at March, is that we did do the survey, a rapid
9 survey of the fleet. And when we did that survey
10 in March, fishermen told us about April fishing
11 plans. And what we've heard from the fishermen
12 was 32 percent planned to fish in April, 30
13 percent did not plan to fish in April, and 38
14 percent were kind of undecided, depending on
15 marketing conditions.

16 We can see here that really that 63
17 percent reduction really ties in with the
18 fishermen's expectations that they told us at the
19 end of March about what was going to happen in
20 April. So it really kind of, you know, validated
21 that survey, that rapid survey analysis that was
22 we provided at the May 18th meeting.

1 By May there was still a substantial
2 decrease in effort, a 33 percent reduction in
3 effort. June, you know, just like the trips,
4 there was a slight boost in effort in June. And
5 July was just off by 5 percent. And August we
6 will see a 7 percent decline, a little bit off
7 from the prior year.

8 And, you know, that kind of takes us
9 through really our commercial fishing fleets
10 activity. At this point I just want to take a
11 little breath, introduce Cliff Hutt, and let him
12 discuss the for-hire fleet and recreational
13 activity.

14 MR. BROOKS: Yeah. Bennett here, I'm
15 just going to jump in and remind folks that we'll
16 take questions and comments after the full
17 presentation. And, George, I'd like to give you a
18 heads up that you're about 20 minutes in, which
19 means about 10 minutes left, if that works.

20 MR. HUTT: Yeah. My portion is briefer
21 than George's.

22 MR. BROOKS: Okay.

1 MR. HUTT: So as you remember back in
2 May we did a preliminary assessment of the actual
3 report on the for-hire sector in the Southeast
4 that would be active, the area where active
5 fishing was really going on at that time in April
6 and May. So we were really focusing on North
7 Carolina and Texas. And of the 400 captains we
8 spoke to, 100 percent of them were reporting
9 bookings being impacted starting in mid to late
10 March, and 97 percent of them reported trip
11 cancellations extending to May and June.

12 Something we now have preliminary update
13 data available from MRIP for March through June as
14 well as preliminary June effort data from the OPS.
15 The dockside surveys for MRIP, the APIS survey,
16 they actually point over areas of survey which
17 collect catch data, unfortunately were largely
18 discontinued by most states due to the pandemic.
19 Throughout all of April and most of May, and in
20 many states into June. Fortunately, the dockside
21 sampling for the LPS which start in June, was not
22 affected and was able to continue.

1 George, next slide. Here we have MRIP
2 estimates of charter efforts, comparing 2019 and
3 2020 estimates for the northeast and southeast for
4 the March and April wave on the left side of the
5 graph, and the May and June wave on the right
6 side. You can see very minimal for-hire effort in
7 the northeast anyways in March and April, and what
8 little there was largely wiped out. At the same
9 time in the southeast we started having a bit of
10 for-hire effort in March and it really picks up in
11 April. We saw an 81 percent reduction overall
12 over those two months in for-hire effort in the
13 southeast.

14 But we started to see evidence of a
15 strong rebound in May and June in MRIP. For that
16 time period the northeast only saw a 30 percent
17 reduction and the southeast only saw 10 percent
18 reduction. And given the way a lot of the timing
19 of a lot of state reopenings were scheduled times
20 when it was happening, most of them kind of
21 starting to happen before Memorial Day weekend.
22 We could start most of the reduction in effort was

1 probably actual seen in May, while June was seeing
2 a good rebound. Next slide, George.

3 Here we have charter vessel effort by
4 state for the LPS in the month of June. And
5 overall the LPS actually saw a 44 percent increase
6 in for-hire efforts in the month of June. And I
7 remind you, the LPS starts data collection in the
8 month of June, so we don't have LPS data from
9 previous to that.

10 The amount of the bounce varied from
11 state to state. And a couple of states, like New
12 Jersey and Virginia, we saw a decrease in for-hire
13 effort, particularly in Southern New Jersey where
14 it was probably cut in half. But in Maryland and
15 Delaware, which are kind of combined in the LPS,
16 we saw over 120 percent increase in for-hire
17 charter effort in the month of June. There was a
18 very good fight, we understand, for yellowfin tuna
19 and bigeye tuna and kind of the school blue in
20 different areas. And so there was a big increase
21 there.

22 We also saw roughly a 60 percent

1 increase in for- hire effort in Massachusetts and
2 New York. Next slide.

3 Now turning to private fishing effort.
4 Looking at the MRIP numbers. Here it is very
5 interesting, somewhat different than what we saw
6 for for-hire. We see for the northeast, both in
7 March, April, May, and June, the overall
8 decreases, 36 percent decrease in March and April,
9 20 percent decrease in May and June. And from the
10 southeast, for both of those waves they actually
11 saw a slight bump in fishing effort.

12 Getting outdoors and fishing is one of
13 those activities that, you know, it's one of the
14 few things you can kind of do safely during the
15 pandemic, and it seems like there's been a lot of
16 as well evidence and we're starting to see
17 evidence of the data that a lot of people were
18 kind of turning to these activities for their own
19 private, you know, with their own private boats as
20 an alternative of something to do. And so we've
21 seen increases in output here.

22 And I imagine if we broke this down by

1 state it might vary quite a bit, depending on the
2 restrictions in the individual states, the level
3 of those restrictions. But unlike the for-hire
4 sector in the southeast we actually saw an
5 increase in effort. Next side, George.

6 We saw a similar pattern in the LPS for
7 the month of June. We saw a 100 percent increase
8 in private boat fishing efforts in the State of
9 New York. About 46 percent increase in
10 Massachusetts, 19 percent increase in Maryland and
11 Delaware. But, you know, New Jersey, it was kind
12 of a push, the effort level stayed fairly stable
13 compared to the previous year, and Virginia we saw
14 a 40 percent decline whereas the government put a
15 bit more stringent limitations on access. But
16 overall there was like roughly a 40 percent
17 increase.

18 And on our last slide here we have HMS
19 tournament impacts. All HMS tournaments are
20 required to register at least 30 days in advance
21 of their event, although some of them will do it
22 months in advance. We had eight tournaments

1 actually report to us that they were cancelling
2 their events due to the pandemic and five others
3 reporting that they were postponing until later in
4 the year. But beyond that, we also kind of looked
5 at a comparison of how many tournaments were
6 registered each month in 2019 compared to 2020, to
7 look for potential impacts here.

8 Generally there aren't a whole lot of
9 tournaments in winter. Did see slight increases
10 in number of tournaments in February and March
11 that were registered. In April we started to see
12 a climb. We only saw a 33 percent decrease in the
13 number of tournaments registered, although we
14 suspect some of those registered tournaments in
15 April and May have cancelled and not told us that
16 they had done so. However generally there aren't
17 many there. I had already subtracted out the
18 tournaments that did inform us they had cancelled.
19 From May we saw a 30 percent decline. Again,
20 there may have been additional ones cancelled and
21 just didn't inform us.

22 Where we really started to see a big

1 reduction was in June where we saw a 44 percent
2 reduction in registered tournaments, which started
3 to rebound in July and August where we saw 24
4 percent, and then August of 6 percent increase.
5 We do know that several of the major tournaments
6 that happen in August and September, starting with
7 white marlin open and the mid-Atlantic did go on
8 and were quite successful.

9 And that kind of brings us to the end of
10 our presentation. Provided a few links here to
11 resources for folks, that were provided back in
12 the May presentation, but we still provide them
13 again here as information has been updated on the
14 site since then.

15 MR. BROOKS: Great, thank you to both.
16 Again, really interesting to see all that
17 information. We've got about 10 or 15 minutes for
18 questions or comments. So I've got a couple folks
19 in the queue already. And again, I want most of
20 you to share, you know, with a question or a
21 comment, you know, or if you just want to throw
22 something in the Chat, that works. And obviously

1 in addition to all the COVID impacts. You know,
2 we're already had, you know, some impact, so
3 certain feel free to fold that in or ask questions
4 there. Gregg Hinks, over to you. And then to
5 Marty Scanlon.

6 MR. HINKS: Can you hear me?

7 MR. BROOKS: Yep, perfectly.

8 MR. HINKS: All right. I was just
9 curious, I assume the main driving factor between
10 the decrease of value from the HMS local landings
11 in March was probably due to closure of
12 restaurants, but are there any other driving
13 factors that you can cite us that cause that
14 decrease in value?

15 MR. SILVA: Sure, I'll turn in here.
16 We've heard anecdotally, but I don't have the
17 data, I think it just came out and I haven't got
18 my hands on it yet. But there is some decrease in
19 imports, some cheaper products. Food costs have
20 also gone up and so that when general food
21 products, when costs goes up, it also increases
22 seafood pricing and also the revenue. And there's

1 been a strong demand for grilling, so home
2 grilling or home cooking, so there might be some
3 benefit.

4 MR. BROOKS: Hang on. Hang on one
5 second. We're getting a bunch of background
6 noise. So if you're not George could you just
7 mute? Thanks. And then we can get Greg and we
8 get back on ice from there. Go ahead.

9 MR. SILVA: I think that was pretty much
10 the conclusion. I mean it's still kind of
11 anecdotal. I'm sure some of our dealers, AP
12 members that deal with seafood probably elaborate
13 on some of those numbers. But also some
14 fishermen, you know, they'd really rather not be
15 on shore too much and have, you know, pursued, you
16 know, a little bit more time at sea.

17 But there's been a lot of innovation in
18 the market as well. We have quicker trips, some
19 dockside sales, some people are pursuing direct to
20 consumer by obtaining dealer licenses in some
21 localities for some of the products. So those are
22 all contributing factors, but it's hard to pin it

1 down on one thing right now.

2 MR. BROOKS: Thanks, George. Greg, did
3 you have another question regarding this?

4 MR. HINKS: No, I'm all done, thank you.

5 MR. BROOKS: Okay, great. Marty
6 Scanlon, over to you.

7 MR. SCANLON: Can you hear me okay?

8 MR. BROOKS: Yep. Thanks.

9 MR. SCANLON: Yeah. I just want to
10 touch on a few of these things, and I can probably
11 answer some of those questions for you, and
12 probably some ideas of how we can elaborate on
13 some of the other topics.

14 One thing about tourism that can
15 misleading. Number one is that like in New York,
16 I mean 90 to 95 percent of the occupancies in the
17 City of New York during the early stages of the
18 pandemic went to the homeless people. So, you
19 know, how many actual people were tourists that,
20 you know, it wasn't very many people in the City.
21 The City looked like a ghost town. So those
22 numbers definitely could be very misleading there.

1 As far as swordfish goes, you know,
2 we've had a very good year on swordfish. It's
3 been dealt a significantly better year on
4 swordfish up and down the bank here from Cape
5 Hatteras all the way to the Hague Line there. On
6 top of that, you know, we've been more inclined to
7 target swordfish because of the closed restaurants
8 there in the high grade sushi market. You know,
9 we've almost had to force ourselves to target
10 swordfish over these last several months here.

11 And that, you know, leads us up into
12 bigeyes here. And as you mentioned about the
13 swordfish price, well wait until you see the
14 prices in August and September when the Canadians
15 start to flood the market. You are going to see a
16 substantial drop in the revenues coming into these
17 vessels at this point because of that.

18 Bigeyes, last year is kind of an unfair
19 year to even judge bigeyes because we had an
20 unprecedented year of bigeyes in the northeast
21 here. It was probably our best bigeye season in
22 history. Reports of bigeye, both sides of that

1 marine monument, unbelievable, from all through
2 July and August. So that had a significant change
3 in that.

4 Also, you know, all three had depended
5 on the high grade sushi bigeye market pretty much
6 from this time now from September, October,
7 November, it's been our primary source of revenue
8 and has bailed out most of the fleet over the past
9 several years. We probably have caught I would
10 say 60 or 70 percent of our income in those three
11 months alone. So with the restaurants remaining
12 closed and that high grade sushi market being very
13 limited, that's going to be a major concern to the
14 fleet.

15 Yellowfins, well the yellowfin market
16 that began last year ends up in the northeast here
17 isn't producing bigeye here, it's producing small
18 yellowfins. That, to go along with the
19 recreational sector being able to catch as many
20 yellowfins as they want right up to into 20
21 pounders. I mean they're just flooding the
22 market, in the backdoor market, you know, they're

1 coming in there and they just flood the market by
2 bringing them in the back door so, you know,
3 they're not even being counted on.

4 So as far as HMS activity, you know,
5 during the pandemic, like you say, we were forced
6 to change our fishing habits. You know, we were
7 forced to develop new markets. And the imports
8 were being shut down because of limited flights,
9 so that was a benefit. But we still had to find
10 enough product that we still needed to pair the
11 product we have with our swordfish in our domestic
12 market those times of year, you know, February,
13 March, and April, just because of the primary
14 closure. Those are our primary areas where we
15 caught swordfish, historically. And we've been
16 denied since they closed that, I believe in 2000.
17 So we were very limited on how many swordfish we
18 could catch. I know myself, my fishing activity,
19 I had to be in on a Wednesday to catch whatever
20 truck was going out. There was one truck each
21 week that was going to market my fish and bring
22 them. So we had to stay on a very strict

1 schedule. And that's another reason for this trip
2 being, you know, extremely short. Plus on top of
3 that --

4 MR. BROOKS: Marty, just quick, if you
5 could wrap it up, just have several people who
6 want to jump in here.

7 MR. SCANLON: Okay. You know, the
8 shorter trip, yeah, I'll just wrap this up. The
9 shorter trips here increases our high end product
10 on all fish. So that also helps us with the
11 overall market, you know. So all of that has had
12 a factor in why those numbers are where you're
13 looking at.

14 MR. BROOKS: Thanks, Marty, very much.
15 Let me get in a couple folks we haven't heard from
16 yet today. So we'll go to Scott Taylor and then
17 Mike Pierdinock, and then back to you Rick Weber.
18 So, Scott, you go it.

19 MR. TAYLOR: So I made it through the
20 entire morning without you guys having to hear
21 from me. That was pretty amazing.

22 I've got a similar but little bit more

1 perspective on the data, some things that from
2 being down here in South Florida I think may offer
3 a little better explanation as to where some of
4 the pricing has been and where some of the
5 problems have been.

6 Traditionally in the winter months when
7 the northeast fleet is not fishing for swordfish
8 and the areas are closed in the way that Marty has
9 laid out, because we're unable to fish with the
10 major driving force with the swordfish market, our
11 imports that are coming in, primarily into the
12 Miami corridor. That pretty much constitutes the
13 driving force in that market, the Brazilian fish,
14 fish coming out of Panama, Costa Rica, make up the
15 lion's share of that. And the fish just were not
16 there this winter. Not because they couldn't be
17 caught, because there was no airline cargo
18 availability.

19 The flights dropped off absolutely
20 dramatically and they were not able to move the
21 freight, and it still is a problem all the way as
22 of today. But conversely, what drives the

1 yellowfin market through the Miami market has
2 always been the Venezuelan boats, and I put that
3 in parenthesis, that are moving their product
4 through the Trinidad market. Now the plane
5 situation out of Trinidad into Miami was somewhat
6 different. There was a couple of carriers,
7 AmeriJet and Caribbean Air in particular, that are
8 primary carriers into that market. They're
9 strictly freight, and they actually ramped up and
10 so there was a tremendous amount of yellowfins
11 during those months that made it in, and that
12 supply has continued to increase. It's one of the
13 other reasons why we see the higher quality
14 yellowfins price being depressed that's there.

15 Marty also pointed out a pretty valid
16 point. You take a look at these numbers in the
17 next couple of months, the Ex-vessel price in
18 Boston today on swordfish is \$3.50. From all the
19 Canadian fish pouring across the border it just
20 absolutely is unbelievable to me that all the
21 effort, the sacrifice that we've made as a fleet,
22 essentially goes to the benefit of this Canadian

1 fishery at the expense of us. I know we couldn't
2 fish at those numbers, and that my understanding
3 is that there's a lot more behind this that's
4 going to come.

5 The market is not supporting this volume
6 of product coming in to start with, and so,
7 George, it's great to see this market kind of
8 stabilizing. But it's stabilized at unsustainable
9 levels. You know, we flat out can't survive with
10 where we are. I mean the prices are depressed,
11 and with the interest being to see what that trend
12 has looked like over the last five years from
13 ex-vessel price and effort and all the other
14 things.

15 And the last comment that I wanted to
16 make was that I found it interesting and something
17 that I know that Marty and Blue Water and all of
18 us have kind of advocated for is that I saw, you
19 know, that there was a mention in your slides
20 there to actual set effort. What a novel idea of
21 being able to use that as a metric, because that's
22 really the more telling issue is that effort by

1 set by particular boat. And I think that that's
2 an important factor as we look to regulate some
3 things, you know, moving forward.

4 So, you know, in general, and I'll wrap
5 it up, I want to give somebody else a chance. You
6 know, in general it's a damn lousy situation that,
7 you know, we're seeing overall depressed pricing.
8 It's going to get worse again through the summer.
9 A lot of the restaurants and dealers that we do
10 business with, the sort of systemic problems for
11 restaurants operating at even 25 or 30 percent off
12 of their normal volume, have not even begun to
13 show themselves yet. That we have seen half a
14 dozen failures here in the last 30 days. A lot of
15 people were propped up through the government
16 through, you know, the Payroll Protection Program
17 and some other things that kind of kept them
18 economically, you know, alive. I'm afraid that we
19 haven't completely seen, you know, the fallout on
20 that.

21 And my final point is that now we're
22 beginning to see a resumption of the imports

1 flowing back into the country. And the first
2 thing that these restaurants are going to want to
3 do is to cut food costs. If their volume is down,
4 they want to get their food cost down to a more
5 manageable level. And they either do that by
6 forcing, you know, the market price down and what
7 they're willing to pay for the product, and the
8 nature and the mix of the product that we're
9 selling, or in augmenting that obviously with the
10 cheaper imports that are coming in.

11 MR. BROOKS: Thanks, Scott. Thanks,
12 Scott. And let me remind folks, after you talk,
13 lower your hands. Let's go to Mike Pierdinock
14 first, and then we'll go to Rick Weber and then to
15 Marcos. And I'm going to try to push us, I'm
16 giving you no more than five minutes or more, I'm
17 going to steal some time from our break, but we'll
18 go to law enforcement update around 10 of.

19 MR. PIERDINOCK: Thank you, Bennett.
20 Can you hear me?

21 MR. BROOKS: Yes, we can.

22 MR. PIERDINOCK: Okay. Thank you.

1 Great presentation George and Cliff, thank you for
2 the details.

3 I mean here in Massachusetts we continue
4 to, we all, and this is all sectors in the public
5 and the businesses continue to suffer from the
6 restricted COVID measures. You know, let's
7 specifically look at the commercial fleet with
8 bluefin tuna. There's a lack of an international
9 market, lack of a local market, lack of a national
10 market. And one thing that the seafood dealers
11 have done up here is they're self-regulating and
12 they're limiting days in which they will purchase
13 fish or accept fish, and that appears to have
14 helped stabilize things, which there's been a
15 credible job at that end.

16 But still, as you can see, the landings
17 are way down for various reasons. But there's no
18 lack of fish. God help us, there's no lack of
19 fish. From giants to all the way down to
20 schoolies and recreational less than 73 inches.
21 And for us for the for-hire fleet, we roughly have
22 a reduction of 50 percent of our bookings, and a

1 lot of that has to do with the timing of when the
2 measures were implemented in March and when they
3 were liberalized with opening of hotels in May.
4 And with us we still have a 14-day quarantine
5 period so that has significantly impacted us, that
6 anybody from the northeast is not subject to that,
7 and we've lost a considerable amount of tourists
8 that would come and fish and come to the state as
9 a result of those quarantine measures.

10 One thing I think is credible, it's been
11 done here in Massachusetts and is the key, is that
12 the State of Massachusetts has made it a point to
13 not deny the public or someone recreationally,
14 whether they're going after oysters or lobsters or
15 striped bass or haddock, all the way up to bluefin
16 tuna or pelagics, that they did not want to deny
17 them the ability if they safely went out there to
18 catch those fish, that resource, and put food in
19 the plate. There's many people here that are
20 suffering, they need the ability to do such, and
21 it's credible, and I'm happy to see, that that has
22 continued to make sure that occurs.

1 Now when you look at the data it shows
2 upticks in recreational effort or landings or so
3 on in New York and Massachusetts. I attribute
4 that to COVID to some extent because your typical
5 weekend angler during the COVID restrictions would
6 just be here on the weekend. But they were home,
7 and a lot of them were fishing every day, so there
8 was an increase.

9 But I think another point here is that
10 the fish, and I'll make it specifically bluefin,
11 this year has been a tremendous year for schoolies
12 and recreational size less than 73 inches. And no
13 doubt there's plenty of commercial fish around.
14 But catching them off the beach, catching them a
15 mile off the beach, catching them near shore
16 where, as you know, bluefin, where they go is
17 based on temperature, forage fish and so on, and
18 they cycle through the years of where they go, but
19 this seems to be they're back, and they're back
20 here in tremendous numbers. And I think as a
21 result of that, that's also indicative of the
22 increase recreationally of such.

1 And I think ultimately what it shows, if
2 you look at it further, I'll finish up here, is
3 that we have cycles of why we will all of a sudden
4 seen schoolies or recreational size fish, they
5 cycle, maybe we see them every 10 years, 20 years,
6 so on up there which is subject to a bunch of
7 variables. But if you look at climatic shift and
8 the continual movement of our stocks, whether it's
9 lobster now in the Western Gulf of Maine, whether
10 it's black sea bass as it moved into Massachusetts
11 State Waters, as well as other species, I think
12 that we've seen the same with bluefin tuna where
13 we used to see it maybe every 10, 20 years, for
14 example, but now we're seeing it year after year.
15 And now we're on year three. And when you see
16 Mahi and white marlin and bonito and Jeffreys and
17 chillies, where I'd be excited when I saw it south
18 of Nomans with increased temperatures, it's
19 indicative of that shift.

20 So that about sums it up. Thank you for
21 your time, appreciate it.

22 MR. BROOKS: Okay. Thanks. I'm not

1 going to be able to push this conversation much
2 past five of because we need to get to law
3 enforcement, and everyone should plan on no more
4 than a five minute afternoon break. Rick, I ask
5 you to jump in here and brief the conference as
6 you might.

7 MR. WEBER: I'll be as brief as I can.
8 But I consider this report one of the more
9 important ones, and I didn't think that until the
10 end. But the more I'm looking at it, the more I'm
11 liking it. I eventually think I want to go back
12 and say to Randy that as you're making up your new
13 branches, perhaps economics should be a fourth or
14 you should figure out very clearly since we are
15 the Department of Commerce, very clearly where
16 this data should live amongst your branches
17 because it is that important to all of us.

18 Three quick points. I want to follow up
19 on what Scott is saying with a personal anecdote.
20 There were a bunch of us restaurants who survived
21 the summer just fine because we were allowed full
22 capacity while we were outside and are not going

1 to go into the fall and close Labor Day, right
2 after. And I would look for the closure of a
3 bunch of restaurants that survived all through the
4 summer seemingly just fine, but cannot go to lower
5 capacity, and those of us in the northeast cannot
6 continue in the weather that we know is coming.

7 George, I have two specific notes on
8 slides. Angel Willey, I'm throwing this to you at
9 the very end, fair warning, Angel.

10 On Page 9, George, I really like this
11 slide. I find that it leaves us with just a
12 little question though of when you only look at
13 percentage up and percentage down, it doesn't
14 summarize, I wish there was one more row at the
15 bottom that would tell us where we were in total.
16 Because being well off in April may be offset or
17 more than offset with the up in July, and it's
18 difficult to judge when you're only looking at
19 month over month how that all comes together.

20 Along those lines, to the extent that
21 we're all advisors within the Department of
22 Commerce, I'd love to see count this year, you

1 know. We are not the recs, the academics and the
2 environmentals are not as in touch as everyone
3 else. And so I think this chart is a really good
4 start to summarize where the market is so we can
5 give our best advice. But those two refinements
6 would help a lot.

7 And finally, on Page 19 the big fight in
8 Maryland/Delaware charters. I only know this
9 anecdotal, Angel may be able to clarify. I think
10 there was some rule that passed in Maryland that
11 prohibited recreational but permitted charter.
12 And so you would actually see a COVID spike in
13 charter fishing because you weren't allowed to go
14 out if you weren't fishing except on a charter
15 boat. And with that I'm out. And maybe you folks
16 can tell me whether I just lied.

17 MR. BROOKS: Go ahead.

18 MR. HUTT: I mean if Angel wants to jump
19 in that's okay. I was going to say he's not
20 wrong, there was a time period where going out in
21 private boats was not allowed. You were only
22 allowed to go fishing if you were fishing for

1 food. But the charter industry was allowed to
2 remain open as original, ruled to be a part of the
3 food supply industry. And Angel might have more
4 specifics she can clarify on that. But that did
5 happen. I'm not sure of the timing when that
6 changed though, it may have been before June.

7 MR. BROOKS: And, Angel, if you want to
8 jump in briefly with an answer, feel free. And
9 then I'm going to hand it off to our law
10 enforcement base/

11 MS. WILLEY: Cliff was right, but I
12 would have to check on the timing of that, of when
13 that change happened.

14 MR. BROOKS: Okay. Maybe Angel can
15 maybe find that out by tomorrow, you could throw
16 in the Chat? If that's possible. All right. And
17 I'll note that, Wally Jenkins note if that's true,
18 charter versus boating restrictions.

19 Marcos, thank you very clear to throw
20 his comments in the Chat. I will take him up on
21 that so we can push to the next topic. Thank you
22 all for the comments on this but obviously this is

1 a very important topic which I tend to give it
2 more time. And if we wind up being short on
3 public comment again we can certainly come back
4 and have more conversation here.

5 With that I want to hand it off to the
6 law enforcement folks. And we're going to hear
7 from Katie Moore with the U.S. Coast Guard, and
8 then Kevin Swiechowicz with Office of Law
9 Enforcement. So, if we can hand it over to Katie
10 who is ready to start. Katie, the floor is yours.
11 You are on mute, Katie. Katie, you're on mute.
12 Go ahead. Yep, you're good.

13 MS. MOORE: Thank you. Katie Moore,
14 U.S. Coast Guard. I'll be giving my enforcement
15 report, what we're seeing at sea and what we're
16 working on in the policy front and to help with
17 implementation.

18 So this is what I tend to flow with,
19 tell you what we're doing to effect domestic
20 regulations. Anything received from foreign
21 fishing vessels operating in our waters or on the
22 high seas, potentially doing something illegal.

1 And then also what we're working on in the policy
2 front.

3 So in comparison to this time last year,
4 we're operating at about 12 percent less of our
5 resource hours to domestic fisheries. And this
6 was an increase in air hours. Fewer numbers of
7 small boats as well as fewer numbers of
8 competitors. I don't think you would be
9 surprised, you know, COVID-affected people in
10 mission priorities, but I wanted to let you know,
11 compared to last year we're already 100 HMS
12 boardings more than we completed for the whole
13 fiscal year of last year and we still have one
14 month to go when I pulled this data.

15 So in breaking down our boarding
16 activities I'd like to let you know where they are
17 accomplished. So District 1 is essentially New
18 York through Maine, District 5 is the mid-
19 Atlantic and New Jersey through North Carolina.
20 District 7 is South Carolina, the Caribbean, and
21 most of Florida, including Mexico, and then
22 District 8, which is the Gulf of Mexico, excluding

1 Florida.

2 So we do have boarding goals that are by
3 aspects of the fishery, that being commercial,
4 passenger, as well as recreational pleasure. And
5 you can see here that the highest number of
6 boardings were in the northeast. We also had done
7 a large number of recreational fishing vessel
8 boardings. That was based on the fact that we
9 deemed this a priority. We heard your concerns of
10 past, and we have taken that under advisement.

11 So what we're seeing out there is actual
12 a large number of suspected violations. So I'm
13 going to break these out chronologically. The
14 first two that we saw in May were out of our
15 southeast. The majority of these violations tend
16 to be HMS permits, lacking those. Also not
17 retaining the fish in the appropriate form, well
18 let's see. So I have designated whether or not
19 this was recreational or commercial, if it had
20 been passenger I would have done so as well. But
21 these were just recs and commercials.

22 So there was the possession of

1 undersigned sailfish, not in whole form. We had
2 an issue regarding concerns about fishing in
3 Bahamian waters and then returning to the U.S.
4 This was information I believe we received from
5 HMS AP on the last webinar, but wanted to let you
6 know we did conduct a post operation, we did see
7 other violations of non-HMS species, which I'm not
8 reporting because I'm just telling you about the
9 HMS species here.

10 We wanted to let you know we appreciated
11 that information, we do take it under account, and
12 this was an operation that we also did with
13 partners, so it wasn't just Coast Guard.

14 Down in the Gulf of Mexico, District 8,
15 we had issues with lack of permit, filleting at
16 sea and then there was also an issue with
17 retention of shark fins.

18 In the northeast we actually had a lot
19 of activity starting in June. It was possession
20 of bluefin tuna without permit. We also had
21 multiple cases of possession without permits.
22 There was one issue of filleting at sea that was

1 done by a commercial. And to date the rest of
2 them were overages as well as fileting.

3 Very active at station Shinnecock in
4 June. And we had an issue with filleting at sea,
5 yellowfin tuna, still in the northeast. Again
6 filleting without, fileting at sea, and lack of
7 permits.

8 So we do have in the Gulf of Mexico,
9 staging IO came across, actually it wasn't an HMS
10 vessel, but they had shark fins on board, they
11 thought they were blacktips. We weren't positive
12 about it. We also had a case from Station New
13 London where there was filet at sea. It was hard
14 to detect what tuna species it was. We thought it
15 might be bigeye but we weren't positive about
16 that. So a lot of activity in a three-month
17 period.

18 So folks there is action on the water,
19 our eyes are open, and as you can see here, there
20 is value in us retaining ability to board, even
21 during COVID.

22 So I wanted to let you know about the

1 launch situation. Along our southwest border we
2 have directly had high numbers of Mexicans coming
3 across usually into U.S. Waters to fish. We
4 capture this by detections as to whether or not
5 Coast Guard sees it or one of our state or federal
6 partners.

7 Interceptions means it's a Coast Guard
8 asset on the scene with a fishing vessel so that
9 we can have the end game, which is an
10 interdiction. So the goal in interdiction is to
11 seize the catch, seize the gear, dispose of the
12 gear, and repatriate the nationals back to Mexico.
13 That is done through Customs and Border Patrol.
14 We also develop a key package that goes to the
15 Mexican government so Mexico is aware of it, that
16 there were the center of this interaction and may
17 face enforcement and prosecution as a priority on
18 their side of the water because as you can see
19 here, we're very active on the water and incidents
20 keep happening.

21 So compared to prior years, you can see
22 that we're about double. It was our highest year

1 on record in terms of detections. This was the
2 highest year on record for the actual
3 interdiction. So the number of Mexicans that we
4 did meet personally, we took their catch and their
5 gear. I would say COVID did have to abbreviate
6 some of our posture for it, but this was about
7 double the normal interdiction rate that we have.
8 So we are active on the water, as a threat it
9 continues.

10 We did have one incident where one of
11 the Mexican operators failed to heave to at our
12 direction, and that has been less frequent lately,
13 but in cases like that we can take them, should we
14 choose to, and prosecute them in U.S. courts. And
15 that's for failing to heave to, it's not for the
16 fishery issue. So the Mexican launch threat is
17 very active.

18 And what we detected in those cases were
19 longlines and sharks. But because we are no
20 longer taking the catch back shore side to further
21 document, we are disposing at sea. And because of
22 COVID, some our day work especially as to sharks,

1 did not fit into the species level. And these are
2 cases only where an HMS species was documented in
3 that catch. But as you can see here, we were
4 getting multiple incidents, sometimes we would see
5 seven different vessels at the same time. And
6 when that happens hope says you're going to get
7 all seven. So it is still a very active threat.

8 Now on the high seas it is a departure
9 from the Gulf of Mexico issue. We've had
10 incidents of three vessels that were located in
11 the Atlantic, to which we saw and thought they
12 might be potential IUU fishing, which could
13 involve HMS species. So the first one was Ocean
14 Star No. 2. We saw that off of the mid-Atlantic.
15 And this was a sighting, these were not boardings.
16 Whenever you have a boarding you have to have
17 certain jurisdictions authority, flag state
18 approval in certain circumstances to get on board.

19 So the first one, Ocean Star NO. 2. We
20 saw it off the mid-Atlantic. We took pictures and
21 we thought that it was harvesting without
22 registration under ICCAT. And after doing

1 research, the hull documentation did not match
2 with the nationality that it had indicated. So
3 what we did here is as part of the U.S. Delegation
4 to ICCAT, working with NOAA, Department of State,
5 we requested that ICCAT add this particular
6 fishing vessel to the IUU vessel list.

7 I wanted to let you know that there is a
8 lot of coordination, a lot of steps to ensure that
9 the photo documentation is analyzed in a policy
10 decisions, it's made and coordinated very fully so
11 that we are best using our resources to have the
12 most effect on the vessel. This was not a Coast
13 Guard independent action. So thank you to all the
14 partners that were participating in this. And it
15 even went into Interpol and interagency work of
16 information.

17 The second line is the high seas off the
18 mid- Atlantic, Maximus. I say this is ongoing.
19 We took a picture and there was indications that
20 it may be operating as a carrier vessel without
21 ICCAT authorization. So transshipping without
22 being registered appropriately under ICCAT. What

1 we have been doing is been working with the flag
2 state to get additional information to see what
3 they are aware of as well as to see what action
4 they may be taking to further research this
5 vessel's activities.

6 So working with other countries takes a
7 bit, but we are also very mindful with our own
8 partners of this potential illegal action. This
9 was a sighting, and we continue to work on it.

10 The third one was Mario 11. We came
11 across it as Coast Guard was responding to a
12 search and rescue case since it was off the
13 southeast. It had shark fins on board. Due to
14 different translation issues it was hard to tell
15 exactly what they were doing, but they said they
16 were fishing. So the action that we did was
17 working with the flag state. The flag state and
18 the U.S. government, relayed information to ICCAT
19 to alert them as well as to alert potential port
20 and market states the potential for illegal
21 fishing by this vessel, and to work toward
22 potential IUU listing.

1 And so the IUU listing process under
2 ICCAT can also be respected by other RFMOs
3 internationally. When we look at one individual
4 we also look at additional information, including
5 possible connections to other fishing vessels
6 where illegal activity may be occurring. So
7 wanted to flag here that we are working very
8 proactively with this flag state, who has been
9 very cooperative.

10 But those were opportunity sightings
11 that we had which typically don't report each year
12 because we typically don't have that. And so I
13 think this shows to you the importance of the
14 Coast Guard case to not just looking at the
15 domestic fleet, but what is happening on the high
16 seas.

17 So we will continue into fiscal year '21
18 to prioritize HMS species and boarding targets of
19 high concern with you. We have several precedents
20 of fisheries in this one (inaudible). Some other
21 things that you might hear about in the very near
22 future. This month there is going to be a roll

1 out of the United States Coast Guard's Counter-IUU
2 Fishing Strategic Outlook. So I mentioned in the
3 spring that IUU fishing is a higher priority than
4 it has been for the U.S. Coast Guard. This
5 document articulates that concern in the vision
6 forward. This was supposed to come out last month
7 but I hear it's supposed to come out this month
8 now.

9 We are active in working with the
10 Maritime Securities and Fisheries Enforcement Act,
11 so the States Act interagency working group on IUU
12 fishing. And the Mexican launch issue is actually
13 a sub-group of priority. So there is
14 acknowledgement of the frequency of those
15 incursions is not at a level we're comfortable
16 with. So there's 21 agencies as part of that
17 interagency working group. So we're very
18 optimistic it will make a difference.

19 So we continue to work as part of the
20 ICCAT Delegation on issues such as at-sea
21 inspector exchanges, sharing intelligence like we
22 did with our high seas fishing vessels we sighted,

1 working on transshipment issues, as well as
2 responding to suspected fishing activities,
3 illegal fishing activities sightings.

4 There was effort this year to look into
5 an ICCAT patrol with Canadian partners. COVID
6 impacted that. That was going to be done in
7 conjunction with our Northwest Atlantic Fisheries
8 Organization patrol.

9 We were successful in having a patrol
10 off of Africa, and that was in partnership with
11 Cabo Verde. They just got back. In it we cleared
12 five vessels for their activities, we boarded
13 four, and one there was a verbal warning. It was
14 a vessel permitted to fish, but it was entering
15 the Cabo Verde EEB2 waterway. So it wasn't, I
16 wouldn't say it was a huge violation, but it was
17 not compliant.

18 So if you have any questions, here is my
19 contact information, and I wanted to let you know
20 that we do have new District Fisheries Officers.
21 They are military members who rotate out, and this
22 year in the Districts that are affected by HMS we

1 have three out of four new Fisheries Officers. So
2 Lieutenant DeVonte Weems is one that I'm bringing
3 him on board HMS issues more so than he had been
4 in the past.

5 But I appreciate everybody trying to be
6 safe and compliant on the water. And if you have
7 any questions, I defer to Bennett as to when you
8 take them.

9 MR. BROOKS: Okay. Thanks very much.
10 I'm going to go ahead and ask Kevin to give your
11 report first, and then we'll see how much time we
12 have left. Which I knew it was going to be
13 pinched, but go ahead, Kevin.

14 MR. SWIECHOWIEZ: Okay. So to start I
15 guess just some preliminary comments. Loren
16 Remsburg should be providing the update from
17 General Counsel's working section, and she's going
18 to be addressing recently charged NOAA packages.
19 And that information is available on the General
20 Counsel Enforcement Section Website. So rather
21 than address those we can leave that for the
22 comment periods, and in particular first to let

1 Loren to discuss.

2 Also, secondly, I cannot comment on any
3 ongoing investigations and things that may be
4 occurring or have recently occurred. So I'm just
5 going to head that off.

6 Overall I'd say it has been similar to
7 what the Coast Guard said. We did not slow
8 operations as far as field level law enforcement.
9 Enforcement officers and agents were still
10 conducting work dockside and on the water. Our
11 efforts were to maximize contact and, well,
12 maximize public contact with minimized physical
13 contact. So we maintained social distance but we
14 did maintain our presence on the docks and still
15 conducted operations the same as we normally
16 would.

17 Overall I would say we did see COVID
18 affects, as everybody already talked about. The
19 commercial markets seemed to have slowed at the
20 beginning of this. But at least, again we have no
21 hard data on this yet because the season's not
22 over and the MRIP surveys and LPS surveys, things

1 aren't completed. But I can say from a field
2 level we have seen the COVID spike in both vessels
3 actively engaged in this fishery as well as effort
4 per vessel. Again, probably due to COVID. People
5 have a lot more time, they're being not limited to
6 weekends, they are allowed to have more time
7 available to go out. Instead of one trip a month
8 they can go out three or four trips a month if the
9 weather window is there and the fish are nearby.
10 Those people are more prone to pursue these fish.
11 I can say I've seen far more effort this year than
12 I ever have in the last five years.

13 Some particular spikes were shark
14 fishing appeared to be the biggest spike of all
15 the HMS that I saw. Most of the field gathered
16 data from speaking with some of these people who
17 were first-time fishermen. They chose sharks
18 because it was easier and cheaper than jumping
19 right into tuna and traveling 30, 40, 50 miles
20 offshore, depending on where the bite was.

21 So we have been actively enforcing the
22 regulations. We have been detecting violations,

1 and they have been happening widespread along the
2 coast just about anywhere HMS species have been
3 available we've still conducting the same amount
4 of work.

5 I'll just kind of leave that at that.
6 Again, we can't comment on ongoing investigations,
7 but we are aware of the issue in Jupiter, Florida,
8 and the agency is engaged in that as well as the
9 Florida Wildlife Commission and anything related
10 to basically ongoing cases would have to be held
11 off for now. But I'll just leave it at that.

12 And if there's any questions, you can
13 feel free to take them if we have time. I'll
14 defer to Bennett on that.

15 MR. BROOKS: Yeah. No, let's certainly
16 take a couple of questions. Again, I assume we're
17 going to go with no more than a five-minute break
18 so we can get some questions in here.

19 Marcos, your hand is up. I don't know
20 if that's left over from before or whether it's a
21 new question since you didn't get to jump in on
22 the last topic, your turn. If you want to jump

1 in, Marcos.

2 MR. HANKE: Yeah. It was from before,
3 thank you very much.

4 MR. BROOKS: Okay. Great. Dewey,
5 you've had a smiley face by your name for a while
6 here. Is that just because you're happy, or did
7 you want to get into the conversation? Dewey, are
8 you there?

9 MR. HEMILRIGHT: I was laughing where I
10 hadn't heard from Scott Taylor all day.

11 MR. BROOKS: Okay, let me push on.
12 David Schalit.

13 MR. SCHALIT: Radio check?

14 MR. BROOKS: We can hear you, David.

15 MR. SCHALIT: Okay. Great. I have a
16 comment and a question. Katie and Kevin, thanks
17 very much for the presentations.

18 The first issue I wanted to bring up is
19 this question of misidentification of species. In
20 a situation in which there is a boarding and the
21 fisherman says that the species he has on board
22 is, let's say just for the sake of argument,

1 yellowfin, and the agency or the Coast Guard says
2 that it's another species. Okay.

3 I'm not all that to conversant with how
4 that kind of an issue is resolved, but in my view
5 the best way to handle this would be by doing
6 genetic barcoding, which means taking a small
7 sample of tissue of the fish and sending it to a
8 lab, for something like \$12, and finding out
9 precisely what species it is.

10 Now it would be impossible for me as a
11 fisherman to do that because that sampling would
12 need to be done by either the agency or the Coast
13 Guard. And I'm wondering if you folks have
14 considered using genetic barcoding because it is
15 so incredibly cheap these days. That's one
16 question.

17 The other issue I wanted to ask about is
18 I notice that there seem to be an inordinately
19 large number of boardings in Shinnecock, and I'm
20 wondering if all the bad boys are in Shinnecock or
21 is there some specific, is there a reason why so
22 many boardings have taken place there rather than

1 elsewhere in the northeast. Thanks.

2 MR. BROOKS: Thanks, David.

3 MR. SWIECHOWIEZ: I'll let Katie Moore
4 in particular address the Coast Guard/Shinnecock.
5 But my basic understanding is that's the Coast
6 Guard station that those crews were located out
7 of, and the boardings weren't necessarily
8 occurring solely in Shinnecock.

9 And to your question about the
10 misidentification of species. Genetic barcoding
11 is available, however it's not often necessary.
12 We make our identifications based on morphological
13 features, the same as we have presented in the
14 outreach flyers in order to determine species. If
15 the fish is maintained in proper form, as the
16 regulations prescribe, to include the correct
17 fins, shape, and we are able to get an accurate
18 identification from that.

19 In a situation where they may have been
20 in a pelagic sea and there's an argument as to
21 what the species was, it was yellowfin, it was
22 this, it was that. We can do genetic barcoding,

1 however it's not necessary because the fish wasn't
2 maintained in proper form. So the species is
3 really irrelevant to the pelagic sea violation.

4 And genetic barcoding is more expensive
5 and time consuming when you factor in the actual
6 efforts it takes, the toll on the resource, and
7 the certification of the laboratories, as well as
8 the backlog. So I can say with confidence it's
9 significantly more than \$12 a sample, but it is an
10 option available to us, and when it's needed it is
11 utilized.

12 MR. SCHALIT: Thanks.

13 MR. BROOKS: Rick, your hand is up. Is
14 that left over or is that a new question?

15 MR. BELLAVANCE: Of course.

16 MR. BROOKS: Rick, can you jump in? All
17 right. Mike Pierdinock.

18 MR. PIERDINOCK: Thank you, Bennett,
19 thank you Katie and Kevin. Katie, you referred to
20 Ocean Star Number 2, Maximus and Mario 2. What
21 countries do they belong to? Are they the latest
22 2020 vessels that have issues, or are these

1 vessels that are ongoing non-complying ICCAT
2 vessels?

3 MS. MOORE: These are opportunistically
4 sighted vessels, so it was not a directed
5 operation. These vessels were documented as
6 Senegal. And we have been working with Senegal,
7 and Senegal has been a strong partner with us.
8 However, there were some communication issues and
9 whether or not Senegal respected their registry.
10 So I would say it is one of those where it's an
11 onion and we peel back what is truthful
12 information, what is current information, and I
13 would say Senegal has been a very approachable
14 partner, and when they obtain something that looks
15 wonky, they have been partnering with us to go to
16 ICCAT actively to ask other port states to assess.
17 So those were opportunistic, they were not
18 targeted based on any prior history.

19 The question about Station Shinnecock,
20 it was one of those holdouts where we just had
21 very motivated folks and they were patrolling in
22 their AOR. So I would say no, it is not saying

1 that that's where the hotspot of non-compliance
2 is. That's more a reflection of our effort
3 detecting essential non-compliance. Okay. That's
4 more a reflection of COVID effort, detecting
5 potential non-compliance.

6 MR. PIERDINOCK: Were all three from
7 Senegal, all three of those vessels?

8 MS. MOORE: I know that we continue to
9 work to get full information, and some are the
10 partners that we have been working with have been
11 beyond Senegal to determine what is really true.

12 MR. PIERDINOCK: So maybe just because
13 I'm not informed enough about this. So you have
14 some vessels, like the Ocean Star, which is from
15 Senegal, the two other they're not sure of. So if
16 such vessels are out there, am I correct to assume
17 then they're harvesting fish illegally right off
18 our coast?

19 MS. MOORE: So these were on the high
20 seas, and part of the reason why it takes so long
21 to get this information is because HRKA analyzes
22 our data sources, NOAA OLE analyzes theirs, and

1 when we feel like we need to move a step further
2 we have to make sure the information is releasable
3 to foreign partners. We have to communicate it
4 through NOAA as well as Department of State
5 concurrence to alert them of potential
6 non-compliance.

7 So it could have been just a fishing
8 vessel operating totally legally. So it takes a
9 couple months for the translations to happen and
10 the correspondence to happen. So what I would say
11 right now is I do not want to reflect that Senegal
12 is a country with broad issues of non-compliance.
13 They have been a strong partner, and we keep
14 looking into this case to figure out the next step
15 forward with ICCAT. But regarding Ocean Star 2,
16 yes, Senegal had our back and we actively conveyed
17 that internationally, that that was a vessel of
18 broad interest to board.

19 MR. PIERDINOCK: Thanks.

20 MR. BROOKS: I think I'd like to get us
21 into a break. There might be one or two folks who
22 had a comment or questions. Marty, Rick, if you

1 are wanting to jump into this let me invite you to
2 post your question or comment in the Chat, and
3 then ask Kevin or Katie or Lauren to weigh in as
4 appropriate in the Chat so we can keep the
5 conversation going that way. But I do want to get
6 folks a minute break before we jump into the
7 Bluefin tuna.

8 I also want to just direct people to
9 look at the Chat barcode. Thank you. It's a good
10 quick synopsis of what's going on in the markets
11 economically in Puerto Rico in the last
12 conversation.

13 So thank you for those presentations.
14 Let's go for a quick five-minute break. We will
15 start at 2:00 with the Bluefin tuna update.
16 Thanks everybody.

17 (Recess)

18 MR. BROOKS: Matt, did you hear that?
19 Are you able to throw the control to Sarah so she
20 can get her presentation up?

21 All right. Well while Sarah is calling
22 up the presentation, let me welcome folks back

1 here. Hand it off to Sarah here to give us the
2 bluefin tuna update. If they'll look at the 2020
3 season, I will note that we do only have a half
4 hour for this presentation and discussion. And we
5 will need to do a sharp stop at 3:00 for public
6 comments. If there are additional comments and
7 public comments go short, we can certainly double
8 back, so just plan on that. We'll take this up to
9 3:00, break for public comments, and then if time
10 allows, double back as needed.

11 Sarah, over to you.

12 MS. McLAUGHLIN: Okay. Are you seeing
13 my full screen?

14 MR. BROOKS: We are. Thank you.

15 MS. McLAUGHLIN: Okay. I'm Sarah
16 McLaughlin with the Northeast Branch of the HMS
17 Management Division, and I'm going to present
18 summary information for the bluefin tuna fishery
19 so far this year, with a focus on the hand gear
20 fisheries.

21 And I'm glad I'm following the economic
22 presentation. Noticeably what we're seeing in

1 total reference to 2019 is an increase in
2 recreational landings, decrease in commercial
3 landings, and an increase in the number of bluefin
4 tuna dealers.

5 Here is our summary of inseason actions
6 we've taken this year, it includes a few
7 transfers. We transferred 19 and a half tons of
8 General category quota from the December 2020 time
9 period, back in time as we say, to the January
10 through March 2020 period. We did that last
11 December to provide notice of the adjusted January
12 to March quota before it started this year.

13 We did our annual adjustment of the
14 Purse Seine and Reserve category quota in
15 February, that based on there being no Purse Seine
16 landings in 2019. In that same action we
17 transferred 51 tons to the General category quota
18 for the January through March period.

19 We also transferred three metric tons of
20 Reserve category quota to the Harpoon category in
21 July.

22 For both 2019 and 2020 we raised the

1 recreational daily retention limit from the
2 default of one bluefin a day, 27 to less than 73
3 inches to the limits shown on the table. So this
4 is the same information we would have seen last
5 year.

6 Separate and next for private charter
7 and headboats. And we sometimes abbreviate this
8 as two plus one for the private boats, meaning two
9 school bluefin and one large school or small
10 medium. For charter boats it was three plus one,
11 and for headboats it was six plus two, or six
12 bluefins and two large school or small medium
13 bluefin.

14 At the bottom we also show the trophy
15 fishery closures and retention limit. For trophy
16 north it was quite early this year in May,
17 compared to late June last year.

18 This shows the commercial limits and
19 maintain the default levels for both the General
20 category of one fish per day and for the Harpoon
21 category that's two large mediums and unlimited
22 giants per vessel per day. The January to March

1 fishery closed on February 24th and the Harpoon
2 category closed on August 5th.

3 This is a new graphic. It shows that
4 there was a relatively large increase in the
5 number of tuna dealers this year. During the
6 previous five years the total number of tuna
7 dealers has ranged between 375 and 400, that
8 ballpark. In 2020 there are 491. Each part is
9 broken out with dealers, with bluefins and BAYS at
10 the bottom. BAYS only, so that's bigeye,
11 albacore, yellowfin, skipjack. BAYS only is in
12 the middle and bluefin only above the tab. The
13 number of BAYS tuna permits has remained
14 relatively transient for the last six years,
15 between 66 and 79. But the number of bluefin
16 dealers has increased 33 percent, with 425 this
17 year from a previous five year average of 319.

18 This slide shows that the growth in the
19 number of dealers in 2020 have been largely due to
20 an increase in the small and medium volume
21 dealers. The number of dealers that landed more
22 than 10 percent of the bluefin landings annually

1 was relatively similar to last year. However the
2 number of dealers that landed smaller amounts of
3 the bluefin harvest, like 1 percent, 1 percent, is
4 much higher in 2020.

5 In this slide gives us data through
6 mid-August is the Harpoon category since August
7 5th.

8 This slide breaks down the Harpoon
9 category landings information. It shows that
10 giants represented 75 percent of the Harpoon
11 category landings this year. At the bottom is
12 success rate information. For example you can see
13 that under trips landing at least one bluefin, 13
14 percent of the trips landed only large mediums,
15 and 45 percent landed only giants. On the bottom
16 rows you can see that the most successful trips
17 landed only one fish total, with 36 percent at one
18 fish, with four to eight fish occurs second at 35
19 percent.

20 This slide is summarizing information
21 for Harpoon gear caught bluefin, so this is
22 Harpoon both in the General and Harpoon

1 categories. There was less fish in weight overall
2 by mid-August, but about the same number of
3 Harpoon category vessels with landings last year
4 and this year.

5 This table shows the percentage of
6 Harpoon category trip landings, various possible
7 size combinations of Bluefin. So most successful
8 trips begin where there was at least one bluefin
9 landed, zero large medium and one giant. So 26
10 percent across the zero row and down the one
11 column. That's the most common combination.

12 In these landings we relate to bluefin
13 tuna dealer imposed limits, such as the number of
14 bluefin purchased per vessel or per day.

15 This graph charts the Harpoon category
16 quota and landings for 2020, including the 30
17 metric ton July transfer. With landings totaling
18 about 79 metric tons following the August 5th
19 closure.

20 This table shows General category
21 landings for the January through March period and
22 the June through August period. They plan to

1 account for overharvest in these two periods from
2 the reserves, and data had continued to come in.
3 Obviously August 31st has passed, but we're still
4 tracking the data through the end of August. So
5 it looks like preliminarily there's about a
6 24-metric ton overharvest in the January period
7 and about 36 of the June through August. So we
8 know we're going to have to account for that 16
9 metric tons over harvest so far this year.

10 This graph tracks the General category
11 quota and landings for 2020, including the
12 transfer to be made for the January through March
13 period. There were two transfers, number one came
14 back in time from December, and another one came
15 in from the Reserve.

16 So as I think I already mentioned, we
17 know we're about 60 tons over the cumulative of
18 the period since January. And in here you'll note
19 that the landings become kind of stepped after the
20 major dealers implemented the days where they
21 weren't purchasing bluefin. So you can see that
22 it's starting the first week of August where it

1 ticks up.

2 This is a graphic we've used in the
3 Amendment scoping document to show the General
4 category base for subquotas in the middle. We
5 have the landings for each time period in 2018 on
6 the right and 2019 on the left related to those
7 FMP-based allocations for each period.

8 And the take away message here is that
9 it's pretty close. Conditions obviously vary
10 annually but we generally use the inseason actions
11 to manage the fishery consistently with the
12 successful allocations. And we consider the
13 numerous regulatory determination criteria when we
14 do that for each of those actions so there's
15 considerations of like variation in seasonal
16 distribution, abundance, migration patterns, and
17 also things like catches that have been made to
18 date for a particular category and the likelihood
19 of that segment needing to close if we didn't make
20 any adjustments, et cetera.

21 This figure shows average General
22 category price per pound for 2019. The green for

1 me now looks like it's kind of a teal blue, and
2 2020 is the darker blue. So as you can see, the
3 summer prices were lower this year. And I think
4 this is consistent with what George and Cliff were
5 showing, that this is just for the General
6 category where I think some of those graphs they
7 were showing included everything, you know,
8 Harpoon, longline.

9 And this figure at the top here shows as
10 a percent of landed bluefin that were exported
11 through 2019. There's a continued pattern of
12 reduced exports since 2012. And although it's not
13 shown on here, preliminary 2020 market information
14 is showing about 22 percent have been exported,
15 which is obviously a drastic drop in the market
16 conditions, which we talked about earlier, like
17 (inaudible) states.

18 In the tables for 2019 it shows the
19 average price and the total ex-vessel value for
20 both exports and domestic bluefin.

21 And here is a slide we update annually.
22 It's the best available annual estimates of U.S.

1 dead discards for 2020, sorry, there's a typo in
2 that first bullet. The best estimate for 2020 is
3 the preliminary 2019 estimate of 8.1 metric tons
4 for the pelagic longline fisheries. Again, there
5 was no purse seine activity so it's just coming
6 from the longline fisheries. We account for their
7 discards annually and report them to ICCAT. And
8 the final 2019 estimate and preliminary 2020
9 estimate will be available next summer in July.
10 And we're continuing to refine the reporting
11 methodologies for commercial handgear dead
12 discards.

13 Since January 2015, the General, Harpoon,
14 and Charter/Headboat categories have been required
15 to report the bluefin catch on-line or by phone.
16 And in 2016 we launched phone apps to make that
17 process easier. This year, given the anticipated
18 increase in bluefin that could not be sold to a
19 dealer, we set up a line to record these fish to
20 get more active law enforcement consistent with
21 the regulations.

22 Outreach and compliance assistance has

1 continued. Outreach and recording continues,
2 including the outreach by the Office of Law
3 Enforcement and citations continue to be issued.

4 This slide shows vessel reporting
5 compliance by comparing vessel reported landings
6 with the standard of dealer reported landings. So
7 the findings show the continued improvement of
8 compliance from the General category, which
9 includes the charter/headboard landings. And
10 there's high, 75 percent or greater, but variable
11 compliance by the Harpoon category.

12 That's it for our data summary. We also
13 wanted to get some input on as we consider the
14 renewed use of restricted fishing days or RFDs,
15 which we had in place in the mid-90s through
16 mid-2000s. And we're considering using them again
17 in the future.

18 So here I just wanted to remind folks
19 that the intent of restricted-fishing days is to
20 improve distribution of fishing opportunities
21 throughout the General category sub-period. And
22 the current regulations say that on a restricted

1 fishing day no person aboard a vessel that's been
2 issued n Atlantic tuna General category permit may
3 fish for, possess, retain, or land a bluefin of
4 any size class, and catch and release or tag and
5 release if not authorized from such vessel.

6 And I will also say that we will
7 annually publish a schedule of restricted-fishing
8 days in the Federal Register. Restricted-fishing
9 days can be waived, and we did this quite a lot in
10 the 2000s, where we had the schedule, the days
11 were known, but then as we got closer to, you
12 know, as we progressed through the summer and it
13 became apparent that we really didn't need to be
14 pacing the landings, and we would change the
15 retention limit from zero to something else, which
16 we would warrant, sometimes it was two fish, in
17 order to allow maximum utilization of the quota or
18 subquota.

19 So we welcome your thoughts on
20 restricted-fishing days. In the past they've been
21 like June through the fall, some years it was
22 November, December, January. We used to have an

1 offset fishing year of June through May, so we
2 would announce those three months in a row. So
3 it's really been a wide range of months. We
4 welcome your thoughts on the number of days per
5 weeks. I think in the past it was like three
6 days, like Sunday, Monday, Wednesday. Sometimes
7 those days corresponded to closures of the
8 Japanese market, but not all of them. And so
9 we're interested in which months, how many days a
10 week, which days of the week. So we welcome your
11 input on that and any other questions you have on
12 the presentation.

13 MR. BROOKS: Great. Thank you. Thank
14 you, Sarah, very much. I want to just note in the
15 Chat is a question that I think is really for the
16 law enforcement side. It's a comment question
17 from Walt Golet on boarding at sea, so if I could
18 ask Katie or Kevin to take a look at that and try
19 to see if they can get any answer in the Chat,
20 that'd be great.

21 I also have a quick question for you,
22 Sarah, from George Purmont. Can you provide any

1 information on the number of boats in 2017-2020 in
2 General category and Harpoon?

3 MS. McLAUGHLIN: That sounds like a data
4 request.

5 MR. BROOKS: That does sound like a data
6 request. Maybe someone can look at that while we
7 field other questions or comments.

8 We have a little bit more than 10 to 15
9 minutes for this, and I know in particular the
10 program is looking for feedback on this question
11 of RFDs. So which month, number of days per week
12 and which days of the week. So if folks want to
13 weigh in on that it'd be great. You can certainly
14 do that in the Chat as well, which would be
15 helpful for us to know. But let me open it up.

16 Marty, I see your hand up. I don't know
17 if it's left over from the last batch or whether
18 you want to weigh in here.

19 MR. SCANLON: No, I'm good there.

20 MR. BROOKS: Okay. In that case let me
21 invite folks to jump in here. Again there's a
22 very specific question that the HMS folks are

1 looking for some feedback on restricted-fishing
2 days, or anything else that's on your mind.

3 Sarah, just to maybe just spark a little
4 response. If you get silence, what will you do?

5 MS. McLAUGHLIN: We're going to keep
6 talking about it. I think we defined the purpose.
7 We heard earlier, you all known that the dealers
8 kind of self-imposed these no-purchase days, and
9 that started I believe the first week of August,
10 and it has continued through September, where I
11 believe they are not buying fish on Tuesdays,
12 Fridays, and Saturdays. I'm sure David Schalit
13 will correct me if that is not correct.

14 MR. SCHALIT: That is correct.

15 MR. BROOKS: Yeah, I've got a couple
16 people in the queue now who want to jump in. Let
17 me go to Greg Mayer, and then to David Schalit,
18 and then Mike Pierdinock. Greg.

19 MR. MAYER: Yeah. Thanks. Sarah, great
20 presentation. I have a question about the
21 increase in the dealers, specifically the bluefin
22 dealers. Do you think that that is individual

1 fishermen, Slide 7 I think. Do you think that's
2 individual fishermen that are just trying to get a
3 dealer permit so they can move the fish on their
4 own? Because when you looked at it, I think it
5 was maybe the next slide where it showed there is
6 a big number of dealers that aren't selling any
7 fish. Is that something new this year, I mean has
8 that been a trend where there's been more guys
9 trying to get into it to be a bluefin dealer?

10 MS. McLAUGHLIN: I think it's pretty new
11 this year. I think last year we had a situation
12 where dealers were not consistently buying fish
13 all the time. So there may have been some amount
14 of increase last year, or at least interest in
15 doing that. And, yeah, a lot of them are vessel
16 owners that are obtaining a dealer permit. And we
17 do tell them that they need to check with their
18 states because there are HACCP regulations and
19 other state requirements for handling fish that's
20 going into their food stream.

21 So I think some of them have gotten the
22 permits and haven't used them. And again, Diane

1 and Nick and our office group can find out more
2 about this. But, yes, some of this is just,
3 vessels who have also gotten a dealer permit. And
4 I think that's kind of not just in bluefin, but
5 it's been happening across fisheries during this
6 pandemic as people are trying to do whatever they
7 can to move their product.

8 MR. MAYER: Yeah, that's kind of what I
9 thought. I had a North Carolina dealer permit for
10 a while. And I dropped it because mostly what I
11 would try and sell was tuna. And for me to keep
12 up with the paperwork was just too much, trying to
13 run a boat and keep up with everything. I thought
14 it was easier to do it right through a dealer.

15 But that's what I was looking at with
16 all those extra dealers. I figured that was guys
17 were trying to move their own fish now and selling
18 to restaurants or what have you.

19 MS. McLAUGHLIN: Yep, yep.

20 MR. BROOKS: Thanks. You mind handing
21 it over to David Schalit. Your question in the
22 Q&A here. There you mention an increase in record

1 landings, recognizing that LPS data may be
2 preliminary. Can you give some insight into
3 what's been seen, or is your statement primarily
4 based on antidotal information from Willy
5 Goldsmith?

6 MS. McLAUGHLIN: In any one of the
7 discussions, Willy, that you've been involved in
8 two webinars in the past months and these
9 discussions about the assessment... We know that
10 the Large Pelagics Survey is seeing high landings
11 this year but I don't have preliminary data to
12 share with you. I think I need to point you to
13 the Office of Science and Technology for that.

14 MR. BROOKS: Thanks. David Schalit.

15 MR. SCHALIT: Can you hear me? Okay,
16 great. Yeah, I think that there are two parts to
17 this, to the RFD question. The first part is the
18 fact is that we've had since 2016 we've had a
19 hyper abundance of bluefin tuna along our
20 coastline. And that has resulted in a much higher
21 than usual landings, tuna landings. And the other
22 part of that of course is COVID. So if you have

1 in a sense a kind of perfect storm happening this
2 year in which we have this problems that couldn't
3 exist since 2016 of heavy landings, exacerbated by
4 the fact that the restaurant business and
5 wholesale fish business has shrunk back so
6 dramatically during this time.

7 I think my discussions with the high
8 volume dealers and with the Asian fleet suggests
9 that there is a certain concurrence in terms of
10 the objectives here. One of the key objectives
11 that seems to be coming out of these conversations
12 is the idea that RFDs might, and I say might,
13 provide the opportunity to increase fishing
14 opportunity that would result in more fishing,
15 let's say during the fall season, than we've had
16 in recent years.

17 Obviously the issue with COVID is
18 another really unique situation for which there is
19 virtually no playbook. These dealers are working
20 with restaurants who've had no cash flow for at
21 least three months. And the big question in their
22 mind is, yes, if they can sell the fish to that

1 restaurant, but will the restaurant pay them? So
2 there's a credit problem taking place there.

3 So concurrently with that of course we
4 also have a problem in Japan, this problem has
5 existed until very recently, we had no lift. This
6 was something that was mentioned, I believe by
7 Marty, that there just virtually were no flights
8 available to take fish to Tokyo until more
9 recently. Now I believe there are four flights
10 per week. Which is really nothing compared to
11 what we're used to.

12 So as far as RFDs are concerned, one of
13 the biggest problems the dealers are having is the
14 fact that they are implementing this on their own
15 without any regulatory backing. And the net
16 effect of that is that you have fishermen who are
17 pre-fishing on closed days and delivering the fish
18 on open days. So that will result in having a
19 spike of landings on an open day. Where if that
20 pre-fishing didn't take place, you would have
21 lower landings. So it's very hard for them to
22 control this.

1 MR. BROOKS: Thank you, David. I'm
2 going to jump in a little bit just because we're
3 getting really short on time. I would love to
4 hear however, do you have some thoughts on our
5 RFDs in terms of months, days, and weeks, or no?

6 MR. SCHALIT: That's the important
7 question. Yes, definitely. I believe that this
8 is a commercial decision that needs to be made by
9 the people who are doing the marketing and the
10 agency itself. In other words the agency needs to
11 make sure that their needs are met. In other
12 words, what they're looking for is increased
13 fishing opportunity, and that has to be a part of
14 the calculus in determining which days, et cetera.
15 Right?

16 And then there's the issue of the
17 dealers where the dealers know that on certain
18 days they just can't do anything with the fish.
19 For example, a fish can't be sold domestically on
20 a Friday. Those shippers have to go out on
21 Tuesday or latest, Wednesday, for domestic sales.
22 And then of course you have this schedule in Tokyo

1 which is, you know, they have two days per week in
2 which they're closed, and there's no point in
3 having a fish sitting there for 24 hours that's
4 intended to be fresh when it's sold. So you have
5 all these various concerns that are really related
6 to marketing, and you can get that information
7 from the dealers. And I believe if that solution
8 is going to be one in which the agency and the
9 dealers agree on a strategy. So, yes, there is an
10 answer, but go talk to the dealers and really have
11 that be really information rich.

12 MR. BROOKS: I'm going to push on to get
13 a couple more folks in. I again will warn you
14 that at 3:00 we're going to have to quit this for
15 public comment, and if we have time we will come
16 back.

17 Rick Bellavance, you've not been in the
18 conversation yet today, let me get you in here.

19 MR. BELLAVANCE: Thank you, Bennett.
20 Can you hear me?

21 MR. BROOKS: Yes.

22 MR. BELLAVANCE: Thanks, folks. I have

1 just a couple of quick things. First I just want
2 to offer my thoughts on the bluefin commercial
3 dealer issue and the spike of dealer applications
4 this year. I wonder if it might be partly due to
5 the fact that, especially in the northeast anyway,
6 a bunch of states developed dockside sales
7 programs for fin fish for their commercial
8 fishermen to help create a way for them to get rid
9 of some of the fish that the dealers weren't
10 taking. And through that process, if you had a
11 federal permit you needed to get a federal dealer
12 permit to go along with your state permit for your
13 vessel. And on that application there was a check
14 the box field where you would just check all the
15 different species that you were applying for. And
16 I just wonder if folks clicked on every species
17 they could think of to get the permit, not knowing
18 exactly what was going to come out of the dockside
19 sales programs. Maybe that accounts for some of
20 the increase in the number of permits.

21 As time went on we learned, in Rhode
22 Island anyway, that histamine fish were prohibited

1 from dockside sales so it wouldn't surprise me if
2 some folks ended up dropping their permits for
3 those types of fish going forward. So I'd be on
4 the lookout for that. I'm not sure, but that's my
5 gut instinct.

6 And then one quick last thing that I
7 just wanted to mention is most of the folks on the
8 Advisory Panel and all the staff and everybody
9 have heard me advocate for electronic reporting,
10 and once that recording take things, and I just
11 wanted to let you guys know that this is going to
12 be my first ECR with the ACCSP trips app today,
13 and all that seems to have gone through. I got a
14 confirmation that that data was pushed through.
15 So that's going to help streamline reporting for-
16 hire and commercial fishing industry, it looks
17 like it is well on its way. So I just wanted to
18 say thanks for everybody listening to me and
19 putting up with my rant.

20 MR. BROOKS: Thanks, Rick. Tim Pickett,
21 we haven't heard very much with you so let's get
22 you in here before the public comment.

1 MR. PICKETT: Okay. Can you hear me?

2 MR. BROOKS: Gotcha.

3 MR. PICKETT: Yeah, okay. I'm just
4 wondering, you know, how I guess, you know, it's
5 kind of an A7 question, but how do we still have
6 8.1 metric tons of, how are we estimating 8.1
7 metric tons as discard from the longline fishery?

8 MS. McLAUGHLIN: Well the size,
9 regulatory size discards.

10 MR. PICKETT: Okay.

11 MS. McLAUGHLIN: 73 inches.

12 MR. PICKETT: Okay. So they would be
13 discarded short fish would be the 8.1 metric tons?
14 I just wanted to know if there was a size
15 application on that. Okay. All right.

16 MR. BROOKS: Okay. Mike Pierdinock, we
17 have 65 seconds.

18 MR. PIERDINOCK: Thank you, I'll try to
19 make it quick. I know --

20 MR. BROOKS: You only got 60 seconds,
21 go.

22 MR. PIERDINOCK: Here in Massachusetts

1 is definitely the fleet, the General category
2 fleet was purchasing those permits. It was
3 promoted by the State of Massachusetts in order to
4 put food on the table. So I would suspect that
5 uptick is a result of that.

6 As far as RFD goes, here in
7 Massachusetts, as they mentioned earlier, the
8 seafood dealers are self-regulating. And the
9 latest is that you contact them and they tell you
10 whether they're going to buy. And right now it's
11 Sunday, Monday, Wednesday, Thursday. And they'll
12 tell you whether there's availability or not
13 availability. That's worked very well. And the
14 fact that it's a private sector and it has worked
15 well, I would just almost say let's stay with
16 status quo and keep it at that and if they have to
17 change to have national fishery service manage
18 that in the future then maybe it could be
19 considered.

20 As far as the RFD's definition, I want
21 to make sure that we as charter/headboat vessels
22 with commercial endorsements, as you know, we have

1 the ability to recreational fish or commercially
2 fish and declare such when we land and at sea
3 either commercial fish or recreation or so on, and
4 that if that are RFDs that it would not prohibit
5 us from doing such.

6 Did I make it?

7 MR. BROOKS: You did. Thanks.

8 Excellent. Sarah, thank you very much. And
9 again, if we wind up having limited public comment
10 we can certainly double back here. I just want to
11 call people's attention to the queue for two
12 things. There's been some responses from Loren
13 Remsbergom and Kevin Swiechowicz to Walt's
14 question, so I encourage you to take a look at
15 that as well. Marcus Drymon provided a link to
16 Seafood, he's sending word about the Seafood
17 Relief Program relative to tuna, so you might want
18 to take a look at that. And then I think that's
19 it for the Chat.

20 With that, thanks everybody, I want to
21 open this up for public comment. So anyone who is
22 not an AP member who is on the line and would like

1 to have an opportunity to comment, it would be
2 very helpful if you would, again, virtually raise
3 your hand or throw something in the Chat so that
4 we can see that you're interested.

5 A note I got earlier, Glenn Delany, I'm
6 thinking you are wanting to have an opportunity
7 for public comment, if you are still on the phone?
8 I see your hand, Glenn, so let's start it off with
9 you, Glenn. You should be open and able to talk.
10 Glenn, are you there? You are unmuted from our
11 side. Glenn, if you're hearing me, can you throw
12 something in the Chat, it means you're hearing us.
13 Any idea what's going on there?

14 All right. Randy, can you put a thumb
15 up that you're hearing me so make sure I'm being
16 heard? Okay.

17 MS. MCLAUGHLINc: This is Sarah again.
18 Could somebody send me that link that you
19 mentioned? Who was it that sent a link on --

20 MR. BROOKS: There's a link in the Chat
21 and it was from Marcus.

22 MS. McLAUGHLINc: Okay. I can't see it

1 but I don't know why.

2 MR. BROOKS: Oh, you know what, it might
3 have been to me separately. Let me copy it and
4 show it in the Chat to everybody.

5 MS. McLAUGHLINc: Thank you.

6 MR. BROOKS: Thank you for pointing that
7 out, didn't catch that. Glenn, are you still not
8 able to hear us? Okay. Are there any other folks
9 on the call, members of the public, who would like
10 to have an opportunity to comment?

11 Okay. I just dumped that piece from
12 Marcus in the general Chat for everybody. Glenn,
13 if you could reach out to Peter Cooper by email,
14 we can try to figure out why we're not being able
15 to reach you.

16 SPEAKER: (Inaudible)

17 MR. BROOKS: Okay. Great. Let's open
18 that up for that person. And again, if you could
19 start with your name and any affiliation would be
20 helpful.

21 Molly, are you there, can you hear us?
22 Can you hear us again?

1 MS. LUTCAVAGE: Can you hear me? I
2 didn't hear the name correctly. If it's Molly
3 Lutcavage, yes, that would be me.

4 MR. BROOKS: Okay. Yes. Molly, we can
5 hear you, and yes, it's your turn, so please.

6 MS. LUTCAVAGE: Excellent. It's Molly
7 Lutcavage. I'm the Director of Large Pelagic
8 Research Center in Gloucester. And I apologize, I
9 wasn't able to sit in on the entire conference,
10 I'm actually six hours earlier. But I've been
11 asked by a number of fishermen and colleagues to
12 comment on behalf of the small fish question and
13 issue. And also I only had a minute or two the
14 other day.

15 But I wanted to point out, hopefully to
16 Dr. Randy Blankinship who we haven't met yet.
17 But I need to make sure that people are aware
18 Large Pelagic Research Center are still conducting
19 and did conduct work on the small fish since about
20 1997, including a number of workshops that
21 included consideration of small fish tagging,
22 aerial surveys. We conducted and started the

1 Tag-A-Tiny Program to see the feasibility of tag
2 and release of the recreational size fish. And we
3 also were appointed by the Southeast center and by
4 strides in technology to go after the R&D that's
5 necessary to bring, say aerial surveys and direct
6 assessment into this area of capabilities. So
7 that included split-beam, multi-beam sonar
8 studies, drone trials, and everything else.

9 So I would like people to understand
10 that it's not simply a matter, as scientists know,
11 going back out there like we did from 1993 to '97
12 and taking pictures of fish. The expectations for
13 identifying say pelagic, is so much higher than at
14 a regional bar. And I want to point out that this
15 incredible body of scientific work that is
16 available for consideration on trying to go
17 forward. And I'm not sure what your awareness of
18 our scientific work is, so I wanted to just say
19 let's examine the scientific work that has been
20 done before a lot of recommendations to simply
21 send our associates out to do the work.

22 And the second comment is that the work

1 was comprehensive, and include other scientists,
2 including workshops with expert technology and
3 others. So again, please let's not forget history
4 or the science that was done by, or led by less by
5 Al Kersky. And thanks for letting me get the
6 comment in.

7 MR. BROOKS: Thanks. Thanks, Molly.

8 MR. BLANKINSHIP: If I could just for a
9 second, let me, Randy Blankinship.

10 I thank you very much for your comments,
11 they are well received. And of course this is the
12 proper comment period, and we welcome comments on,
13 you know, anything related to HMS.

14 We haven't been discussing the actual
15 latest bluefin tuna assessment update at this
16 particular meeting on the agenda. That was, of
17 course, discussed in the webinar last week which
18 you referenced, and will continue to be discussed
19 as more information becomes available to do for
20 fall, and when recommendations are provided by the
21 SCRS. And those discussions will take place
22 within the process for the ICCAT Advisory

1 Committee, will be one of the primary areas.

2 So I just want to provide additional
3 context, folks, just adding on there. But I do
4 want to thank Molly for her comments, in fact they
5 are relative.

6 MR. BROOKS: Okay. Let's see. Let's
7 try Glenn Delaney again. Glen, are you there, are
8 you hearing us, and can we hear you?

9 MR. COOPER: Bennett, this is Pete. I
10 got a message from Glenn, he's having audio
11 problems, so I'm trying to work on it with him for
12 the moment. I'll let you know when we get it.

13 MR. BROOKS: Okay. Thanks, Pete. I
14 don't think I'm seeing any other hands for members
15 of the public. So we have a little bit more time.
16 I know that there might have been some comments
17 that were sort of not aired on the bluefin tuna
18 update or back to either law enforcement or the
19 fishery economic situation report. So I want to
20 use about 15 minutes for that. Before I do that,
21 though I know right before lunch we were unable to
22 get Alan Weiss into the mix because there was

1 again some technical issues on his end. He did
2 have a chance to talk with Rick Pearson offline
3 during the lunch break. But I think, Alan, if I
4 understand correctly, you wanted an opportunity to
5 at least just very briefly tell the group what
6 your comments were so people have the benefit of
7 that.

8 MR. WEISS: Yes, thank you, Bennett.
9 Can you hear me now?

10 MR. BROOKS: I can. Thank you.

11 MR. WEISS: Okay, great. I actually
12 haven't communicated with Rick Pearson yet, but I
13 had a couple of questions in regard to his
14 presentation.

15 And the first one is that is how the
16 updated goals and objectives of the FMP are going
17 to relate to the provisions in the Magnuson Act
18 and the Atlantic Tunas Convention Act that require
19 the United States fishing industry to have a
20 reasonable opportunity harvest its ICCAT quota and
21 also to minimize the disadvantage the manage the
22 U.S. Fisheries relative to foreign competitors.

1 MR. BROOKS: Rick, are you there, do you
2 want to jump in?

3 MR. PEARSON: Yes. I have to admit that
4 I missed the first part of the question.

5 MR. WEISS: I understand you're in the
6 process of drafting any updates to them relate to
7 the provisions in Magnuson and Atlantic Tunas
8 Convention Act on these points, specifically not
9 disadvantaging U.S. fishermen relative to their
10 competitors, and also to provide U.S. fishermen a
11 reasonable opportunity to harvest skipjack quotas.

12 MR. PEARSON: Well, first of all, you're
13 correct, that provision is a requirement of the
14 Magnuson-Stevens Act. But I think, and I don't
15 have -- one of the objectives for us is minimizing
16 adverse social and economic impacts. So I believe
17 that that objective would, you know, incorporate
18 fully utilizing the ICCAT recommended quota. But
19 we can certainly take a look, you know, to see if
20 that concept could be incorporated even better in
21 the objectives.

22 But I think minimizing adverse, you

1 know, social and economic impacts would be the
2 closest objective to address that quota.

3 MR. WEISS: Well it might be similar,
4 but I would say it would do well to stress the
5 greater specificity, and, you know, I think it
6 should be relatively easy, not just referring to
7 those specific sections of the law which we think
8 are critical parts of that.

9 The other thing I would just ask about
10 is by drafting the ICCAT benchmarks for say global
11 fishing, what would happen under the scene where
12 we were in an overfished situation and it isn't
13 moving forward as quickly as maybe they should.
14 Would we be running the risk of getting ourselves
15 in a bind where basically the domestic management
16 of fisheries by ICCAT by domestic system requires
17 it to move faster than ICCAT has been actually
18 moving when the circumstance presents itself.

19 MR. PEARSON: It's interesting that you
20 posed those two sort of class acts because
21 oftentimes we're told not to move faster
22 domestically than what ICCAT recommends so in

1 order, you know, to provide full utilization. But
2 the fact that mass agreement is required to
3 implement recommendations, that is generally been
4 proven our management system.

5 And another important point, and Sarah
6 and Randy might want to jump in on this, is that
7 we fully participate, you know, in all of the
8 ICCAT discussions and negotiations and try to move
9 those negotiations along as fast as we can,
10 knowing that taking unilateral, if the United
11 States were to take unilateral action for other
12 migratory species for which they may only consist
13 of one small component of fishing mortality, seems
14 self-defeating. So that's the whole purpose of
15 ICCAT is to try to get agreement amongst the
16 contracting parties.

17 MR. BLANKINSHIP: I'll just jump in real
18 quick to add along that track there with Mr.
19 Weiss' comments. So I'll just add on that the
20 Magnuson-Stevens Act actually, you know, has
21 provisions for management of species by RFMOs, and
22 it accommodates that process. And it's through

1 that process the United States then advocates for
2 it and promotes the principles and approaches.
3 However, we still must abide by the ICCAT
4 recommendation, and management facilitates that.
5 You know, even if, for example, the combination by
6 ICCAT doesn't necessarily, well if it is instance
7 of overfished, that has been the case for years,
8 and the case in fact we've recorded times that for
9 instance even in existing situations with bigeye
10 tuna and other species.

11 So this would not be a new situation
12 that we've created or effected differently by
13 Amendment 12 and that currently exists. I do want
14 to circle back to the previous question, Alan, and
15 that was related to provisions of the Act of not
16 fully utilizing the quota, not basic managing
17 fishermen. And it is absolutely the case that the
18 provisions and specifications of both Magnuson and
19 ATCA continue to apply even if each objective is
20 not specifically outlined, each of those things
21 that apply from Magnuson and ATCAA agree with
22 that. We don't have to have objectives that are

1 responsive to the requirements of that. And I
2 just wanted to make that clear.

3 I hope that was a good one, we might
4 want to think about how we think (inaudible).

5 MR. BROOKS: Thanks, Randy. I think I
6 have got in Chat that maybe Glenn Delaney is able
7 to connect in now. Can we try to open up his line
8 again?

9 MR. DELANEY: Can you hear me?

10 MR. BROOKS: We can hear you, Glenn.

11 MR. DELANEY: Sorry about that.

12 MR. BROOKS: No worries.

13 MR. DELANEY: I missed some of the
14 question and answers so I may be repeating
15 something. I apologize if that's the case.

16 My comment is with respect to one of the
17 AP member's comments on Randy's presentation this
18 morning on the bluefin area based management final
19 rule. I just wanted to express some concern that
20 the audience will be misled or misinformed by what
21 was said by the AP member.

22 Those of us on the ICCAT Advisory

1 Committee, including that AP member, were just
2 last week very clearly advised, if not admonished,
3 by our U.S. ICCAT scientists, that the results of
4 the recent SCRS bluefin species working group
5 stock assessment update is very much preliminary,
6 it has not been adopted by the SCRS and should not
7 be cited as if it is final. And that seemed to be
8 the implication of the commenter.

9 This is particularly important in light
10 of the substantial concerns we've discussed on the
11 ICCAT Advisory Committee meeting with the
12 reliability of a number of data inputs and other
13 aspects of the assessment, including especially
14 the reliability of the LPS data for small fish
15 that are used for two of the more important CPUE
16 based indices of abundance. And as well as for
17 recruitment estimates. And this, among many other
18 parameters of uncertainties, you know, that stock
19 assessment roughly.

20 You know, overall we heard lots of
21 reports of a complete disconnect between the
22 science and what the fisheries are experiencing on

1 the water for all groups and sectors, commercial
2 and recreational.

3 So I just wanted to make sure that's
4 clear, the HMS AP, which did not have the benefit,
5 or many of which did not have the benefit of the
6 IAC briefing that we received on the preliminary
7 results of that assessment update, and don't want
8 them to be misinformed.

9 And then finally, I just note that I
10 don't know why this Gulf of Mexico gear restricted
11 area issue, and perhaps the northeast gear
12 restricted area continues to be such a concern for
13 that AP member and the organization they work for.
14 Given that it's per Randy's report, there's
15 virtually zero bluefin interactions by the pelagic
16 longline fleet in either the Gulf or the northeast
17 area, and also given all the far more important
18 ICCAT science and management challenges that we
19 face.

20 You know I realize that a lawsuit has
21 been filed, and that was mentioned by the AP
22 member commenting. I also just note that that

1 organization that they represent funds the
2 organization that filed that lawsuit. So. It's
3 unfortunate, but that's where we are in that
4 process. The rule is in place, it's obviously not
5 impacting spawning bluefin tuna in the Gulf of
6 Mexico, and I hope we can move forward and that
7 the HMS AP will not be distracted by those
8 comments.

9 Thank you very much.

10 MR. BROOKS: Thanks, Glenn. I want to
11 do two things. I want to give Shana an
12 opportunity to weigh in here. And I think I also
13 want to ask that the public comments not be
14 pointed at individual AP members. It's not the
15 intent of the public comment period, so I would
16 just encourage folks to weigh in on a topic and
17 not weigh in on an individual.

18 Shana, I want to give you an opportunity
19 however to just weigh in. Could we have a good
20 line for Shana Miller, please?

21 MS. MILLER: Thank you. Can you hear me
22 now?

1 MR. BROOKS: We can now, thanks.

2 MS. MILLER: Yes. So I just wanted to
3 respond as far as the assessment results go that
4 while, you know, of course the SCRS report is not
5 finalized yet, you know, we did hear those results
6 on a public webinar last week. And, you know,
7 while they might change, it's hard to imagine that
8 the take home messages would change given the
9 preliminary results are already posted on the
10 ICCAT website.

11 And as far as the lawsuit goes, just to
12 clarify that my organization as well as PEW, which
13 I assume Glenn is referencing as far as a partner
14 organization, has nothing to do with the lawsuit
15 funding or otherwise. So. And as Bennett said, I
16 think it's pretty inappropriate for a public
17 comment statement to be targeted at one person,
18 and hope that doesn't happen again. Thanks.

19 MR. BROOKS: I will note that no one was
20 called out by name, but obviously our intention
21 here is to focus on issues so I think we all
22 presented that way, that will make for the best

1 conversation we can have.

2 Are there any other public comments at
3 this point? I don't think I can see any. And we
4 are just about out of time. So there is a couple
5 things.

6 I just want to, you know, before we do
7 some more, you know, some more logistic stuff
8 before we sign off, and then Randy, hand it off to
9 you for any final comments you might offer.

10 Just a reminder, tomorrow we will once
11 again reconvene at 8:45 in terms of getting hooked
12 in on the call. So if you can join 8:45 that
13 would be great because we will start at 9:00
14 sharp.

15 To AP members, when you logged on, put
16 the AP in front of your name, great. For those of
17 you that didn't see that though, we again
18 encourage you to just put an AP in caps before
19 your name, that will be helpful for everyone as
20 well.

21 I don't think we have any overflow items
22 at this point from today. If there's anything

1 pressing, let us know, we could use a couple of
2 minutes at that 9:00 welcome recap if we needed
3 to. And then again, tomorrow the plan is to talk
4 about the shark review at 9:15, shark depredation
5 at 10:30. Again, an hour lunch from 11:30 to
6 1:00, so if you need to plan calls or topics, that
7 would be the time to do it. We'll hear from
8 leadership at 1:00, and then we'll hear about the
9 PRiSM effort at 1:45. Public comment tomorrow
10 will be at 2:45, and we will have a wrap-up at
11 3:15 and then adjourn by 3:30. I think that's all
12 I want to flag at this point. And, Randy, I want
13 to hand it off to you.

14 MR. BLANKINSHIP: Thanks, Bennett. Just
15 to briefly say that I think today went really well
16 as far as being able to get a lot of really good
17 input from you all. I appreciate once again all
18 of the comments. I know that we intentionally
19 designed the agenda to provide, you know, quite a
20 bit of time for comment and discussions Bennett
21 has highlighted. I think it came out pretty well
22 actually so far.

1 As you all know, sometimes it can be
2 quite challenging to design an agenda in a format
3 that not everybody's completely used to and to
4 deal with the technological aspects to it and to
5 be able to pull it off, you know, pretty well.
6 And I think that today went well.

7 Thanks for all your presence and
8 participation. Look forward to tomorrow and to
9 all of our on the agenda tomorrow, and I think
10 that there's a lot to discuss. So we'll see you
11 in the morning.

12 MR. BROOKS: All right. Thanks
13 everybody. Have a good rest of your afternoon,
14 I'll see you tomorrow.

15 (Whereupon, at 3:27 p.m., the
16 PROCEEDINGS were adjourned.)

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