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- JOHN CARMICHAEL
- CONGRESSMAN ED CASE
- MORGAN COREY
- KELLY DENIT
- PAUL DOREMUS
- TOM FRAZER
- FERN GIBBONS
- MARC GORELNIK
- JOHN GOURLEY
- MARCOS HANKE
- EVAN HOWELL
- CONGRESSMAN JARED HUFFMAN
- ADAM ISSENBERG
- MIKE LUISI
- CHRIS MOORE
- TOM NIES
- BRAD PETTINGER
- NICHOLAS PIEPER
- JOHN QUINN
- SAM RAUCH
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MIGUEL ROLÓN
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CHUCK TRACY
BILL TWEIT
ED WATAMURA
CISCO WERNER
DAVE WHALEY
MS. WING
DAVID WITHERELL

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MR. PIEPER: Let's get started with Webex things while we're waiting for the last couple of people to get here. So if you're not familiar with the software, all the controls are at the bottom. You should be able to see the mute button, the video button, and the share your screen button. Most of you won't have to worry about that, but please do keep yourself muted at all times unless you are speaking.

If you have any issues, you can click on the chat button also on the bottom right and look up my name, I'm SF Webex as I'm shown on screen, and just send me a message and I will try and help you out. And if you need to share your screen and for some reason you are unable to, same thing, just let me know, but we should have that all taken care of.

CHAIRMAN GORELNIK: Thanks for that, Nicholas. Are there any questions on the technical matters before we get started?
All right then. Well, let's get started then. It's 10:32. So welcome, everyone. Good morning to those in the West. Good afternoon to those in the East. I am Marc Gorelnik, Chair of the Pacific Fishery Management Council and the 2021 Chair of the Council Coordination Committee, which means you only need to put up with me for two meetings.

I'm pleased to call to order this meeting of the Council Coordination Committee conducted via Webinar. This meeting is open to the public and copies of the meeting agenda and other documents used are available on the Regional Fishery Management Council website www.fisherycouncils.org and the NOAA Fishery's website.

Members of the public will be provided an opportunity to provide the CCC with our comments on each agenda item taken up by the CCC. There will also be opportunities at the end of each day to testify on items not on the agenda, after presentations, before we open to CCC members
for questions or clarification. When all presentations are completed, public comment will be heard followed by CCC discussion and action as appropriate.

Members of the CCC should used the raised hand feature and wait until called on by the chair to engage in questions and discussions, otherwise, your microphone should be muted. Please note that the Webinar chat feature should be used for technical issues and not to make public comment or support or criticize policy positions.

If possible, please sign in or change your name once you have connected to the Webinar to your first and last name followed by your affiliation, for example: Marc Gorelnik, PFMC or Ryan Wolf, NMFS West Coast Region. Let me remind CCC members and others to speak directly into their microphones so that all can hear. Lastly, I ask that CCC members and members of the audience to turn off the sound ringers on their cell phones and, as I said before, mute your connection while
the CCC meeting is in session.

So at this time I'd like to have all CCC members introduce themselves and I'll start with the Pacific Council. I am Marc Gorelnik Chair of the Pacific Council, as I mentioned. With me is my Vice Chair Brad Pettinger, our Executive Director Chuck Tracy, and our Deputy Executive Director Mike Koerner. I'll now call on the other councils for their introductions.

MR. WITHERELL: Dave Witherell Executive Director. On the phone I have my Chairman Simon Kineen, Vice Chair, and Deputy Director Diana Evans.

CHAIRMAN GORELNIK: Thank you very much, Dave. Western Pacific?

MS. SIMONDS: Kitty Simonds the Executive Director. We have here our Chair Archie Soliai meeting in American Samoa and we have Michael Duenas the Vice Chair from Guam and Ed Watamura the Vice Chair from Hawaii.

CHAIRMAN GORELNIK: Thank you very --

MR. GOURLEY: Don't forget John Gourley.
MS. SIMONDS: John Gourley from the CNMI. It is, what, 2:30, 3:30 in the morning there.

CHAIRMAN GORELNIK: Well, thanks for staying up late with us, John.

Caribbean Council.

MR. ROLON: Miguel Rolon, Executive Director.

MR. HANKE: Marcos Hanke, Chair. Present. Thank you.

CHAIRMAN GORELNIK: All right. The Gulf of Mexico Council.

MS. SIMMONS: Carrie Simmons, Executive Director, Gulf Council.

MR. FRAZER: Tom Frazer, Chair, Gulf Council.

CHAIRMAN GORELNIK: All right. The South Atlantic Council.

MR. CARMICHAEL: Thank you. John Carmichael, Executive Director. We also have on the line Chairman Mel Bell and Vice Chair Steve Poland.
CHAIRMAN Gorelnik: Thank you.

Mid-Atlantic Council?

Mr. Luisi: Hi, everyone. I'm looking through the list. This is Mike Luisi. I am the Chair of the Mid-Atlantic Council. I believe that Chris Moore, he was planning to be on this call, and Wes Townsend who's our Vice-Chair on the call as well, so, but I'm here and I can't see everybody. I'm scrolling through all the names, but Chair of the Council is here for the Mid-Atlantic. Thank you.

CHAIRMAN Gorelnik: All right. Thank you very much, Michael. And now the New England Council.

Mr. Nies: Thank you, Mr. Chair. This is Tom Nies Executive Director and I think my Chair and Vice Chair will introduce themselves.

Mr. Quinn: John Quinn, Chairman.

Mr. Reid: Eric Reid, Vice Chairman.

CHAIRMAN Gorelnik: Welcome all. Now I'd like to call on Dr. Paul Doremus the acting NOAA Assistant Administrator for Fisheries to

Anderson Court Reporting -- 703-519-7180 -- www.andersonreporting.net
provide his welcoming remarks and introductions.

MR. DOREMUS: Thank you, Mr. Chair.

Welcome to everybody and really do appreciate the Pacific Council hosting our virtual event here today and getting everything orchestrated and off to a good start. Mr. Chair, if you would like to handle the business on approval of the agenda and the minutes and then I can just combine my opening remarks with agenda item one and just get right into the topic of administration priorities and transition update, if you'd like. That would work well from my vantage point.

CHAIRMAN GORELNIK: Excellent. So then that's exactly what we will do. So, let's start with the approval of the agenda and the minutes.

The proposed agenda and the transcripts from the September 2020 meetings are in the Brief and Materials under tab one. If anyone has any proposed modifications, we'll start with the agenda. Please raise your virtual hand.

And I'm not seeing any hands. Archie, please. Archie, your hand is out. Are there any
proposed modifications to the agenda?

MR. SOLIAI: Mr. Chair, do you hear me?

CHAIRMAN GORELNIK: I can hear you now, yes.

MR. SOLIAI: I just wanted to make a motion to approve the agenda and the minutes.

CHAIRMAN GORELNIK: All right. Very good. We have a motion to approve the minutes.

Is there a second?

MR. PETTINGER: I'll second.

CHAIRMAN GORELNIK: A second is by Brad Pettinger of the Pacific Council. If there's any discussion? I'm not hearing any. I'll call into question all those in favor of approving the agenda, please say 'aye.'

Are there any opposed? And I'm not hearing any oppositions, so we have an agenda. So, we have a road map now. So now let's turn to the minutes of the September 2020 CCC meetings and first I'll ask if there are any corrections to those minutes? Raise your hand. I don't see any hands, so I'll entertain a motion.
Archie, I see your hand is up again. Go ahead.

MR. SOLIAI: Yeah, I'll move, Mr. Chair.

CHAIRMAN GORELNIK: Archie, you're moving to approve the minutes. I need a second.

MR. PETTINGER: I'll second.

CHAIRMAN GORELNIK: A second by Brad Pettinger. Thank you. Is there any discussion on this motion? Not hearing any. I'll call the question of those in favor of approving the minutes of the September 2020 meeting say 'aye.'

Opposed, no? Any extensions? All right. The minutes are approved. Thank you very much. We're making some progress. So now that we've taken care of that, I'll turn the floor back over to Paul for his introduction.

MR. DOREMUS: Thank you, Mr. Chair, and, again, very much appreciate your hosting of this event and welcome to everybody all the participants signed in today. It's wonderful to be able to connect with everybody around the country, all early morning, afternoon, late at
night, wherever you happen to be. It's a wonderful capability to pull everybody together quickly.

When we last spoke in February, the administration had just released a whole series of executive orders and moved down very quickly as we are all quite well aware, on a whole series of priorities related to, obviously, COVID-19, recovery, building back better, a major campaign theme enacted very quickly with a lot of provisions.

A huge focus as you well know on climate change, racial equity, and a number of other topics. The administration clearly moved out quickly how to plan, and we are working very aggressively and have a great opportunity to tomorrow connect in greater detail both step through the executive orders related to our work in fisheries to our overall science and management responsibilities, and focus, in particular, on Executive Order 14008, which we are all quite familiar with by now, tackling the climate crisis
at home and abroad especially the provisions in
there related to 216(a) around the 3530 conserving
land and borders and 216(c) focused on making
climate resilient -- making fisheries and
protective resources resilient in the face of
climate.

Huge topics, big issues, and we are
very, very grateful for the work that the councils
already have undertaken at the front end of all of
this and providing opportunities for either Sam or
for me to attend your spring meetings to hear your
thoughts around 216(c), in particular, this whole
issue of climate resilience. And it's a massive
topic in all of the events that I've participated
in as well as in our capturing the various lines
of input from around the country. Just a
fabulous, I think, testament of the very deep
knowledge and historical perspective that we have
readily available to us through the councils. And
the changes that we're seeing in the marine
environment are clearly very profound and raising
significant questions that all of you put forward
related to science support, to deepen our understanding of climate related impacts, and some focused attention to a whole range of different management issues that come in the wake of that.

So, wonderful input. This is clearly a long-term issue that we're going to be working together on for some time. It is a very present issue, it's not theory, it's a reality for us today, and this is something that's very urgent and touches all of us in one way or another, but in often very different ways, region by region.

And we have also some recent developments, as I'm sure you're all aware, just two weeks ago the administration true to the requirements under Section 216(a) released Conserving and Restoring America the Beautiful, this preliminary report that put forward recommendations for achieving conservation in 30% of our lands and borders by 2030.

This will be a big focus of our discussion tomorrow and we're very pleased to have Letise LaFeir joining us. She is the Senior
Advisor to the NOAA Administrator. She'll be talking with us about the recommendations in the report, how we see things evolving from here, and we really look forward to a true to all the initial input that we got around this broad topic on both 216(a) and (c). We look forward to a very substantial engagement and a long-term engagement on these issues. I'm sure, like me, that all of you are very pleased to see the recognition that has come forward throughout this whole process and in this America, Conserving and Restoring America the Beautiful document with the strong recognition of the role that all of us play in addressing these topics.

Also, since February we've seen the American Rescue Plan passed, the American Jobs and American Family Plans introduced. The jobs plan in particular is a very expansive proposal building on new job creation opportunities, focused very heavily on rebuilding the nation's infrastructure.

We'll certainly be looking at that plan
with our fishery's management lens and the overall health welfare direction of the fishing and seafood sector to see if there are opportunities for the fishing industry with respect to investments and port revitalization, job creation advancing, fishery science investments, and research and development in federal agencies, new technologies to address climate change there's a lot that can support the combined goal that we see here in the jobs plan around investment strengthening and climate resilience and the job creation and the basis for future sustainable growth. So a lot to look at there.

Meanwhile, in terms of the human side of the transition, the people involved, the other big news of late is that the administration has nominated Dr. Rick Spinrad to be the next NOAA Administrator. Very well known to us here in NOAA, in the organization, having served as the Assistant Administrator for the National Ocean Service for the office of Oceanic and Atmospheric Research, served as Chief Scientist in the Obama
Administration for a period of time, and just an extraordinarily experienced, credentialed, thoughtful and deeply knowledgeable person that we really look forward to working with.

The confirmation process is underway, a lot of preparation. He is scheduled to go forward with his confirmation hearing in just a couple of days on the 20th. And we hope that there'll be a vote following not too long in the wake of that and we will have our first Senior Appointee from the -- at the NOAA level that is politically confirmed by the Senate and we'll anticipate further appointments in the wake of his arrival including the appending appointment of a NOAA Fisheries Assistant Administrator, which of course we await and I will be continuing to act in that capacity until a new appointee is selected.

So we have an awful lot to look forward to. We have already started, internally, given the very significant signs and the very -- it's really the magnitude of the issues that are being addressed. We're looking and drafting and have
produced and are internally working now, a draft strategic plan. This is where we can look at our core mission mandates and the administration's priorities and show what we can do to contribute. Where the alignment is in advised on the range of ways in which we see our ability to respond more effectively and more strategically to the extraordinary pressures that we're all feeling throughout all components of the fishing and seafood sectors and in all of our management responsibilities, not just related to recovery from COVID, and in the development in a more resilient fishing and seafood sector in the future, but also tending to this very comprehensive and very challenging impact of climate on living resources and our scientific and management regimes that are trying to respond.

So that will be covered at a high level in our strategic plan and look forward to future engagement with you on that. Meanwhile, we're dealing with other sorts of changes and I will shift here into part B of the update having
covered some of the transition administration
issues here just now. I wanted to give you a
little bit of update as we have been doing in our
meetings on where things stand with our effort to
run the organization in the context of the
pandemic changing as it is and what the outlook is
in the coming months.

There has certainly been a lot of
developments since our last meeting and we have
seen most favorably in the grounds for greatest
optimism is the increased rate of vaccination in
the country and the gradual impact that's having
on the presence and the sort of transmission risk
of COVID-19 around the country. We still have a
long way to go and while there's great grounds for
optimism, there's also great reasons for prudence
and for staying consistent and true to our
risk-based approach to managing our organization
and ensuring the health and safety of our people
particularly as we start to move into phases of
unwinding of the COVID-19 related restrictions
allow us to use our facilities to greater extent.
We're continuing the phasing process that all of NOAA is. We're following NOAA in departmental guidance and the protocols established over some time now on understanding the phasing status of our facilities in different parts of the country. So at this point in time we still have of the 42 facilities that we're tracking, we still have 11 that are in phase zero, which is a mandatory telework mode and a number or just over 30 that are in phase one, which is a maximum 25% occupancy. That's an option to use our buildings to that level, but it just sets, in our mind, a context for gradual reintegration of the formal work place into our work.

We have been working throughout this pandemic, all of us have, not without enormous disruption and we certainly want to bring the formal work place back into our reality as soon as we can and to be able to work in person and all of us know by virtue of not having been able to do that for so many months, all of us know the benefits of doing that.
We are still taking this as a slow steady, flexible kind of requirement. Vaccines are certainly helping, but we're not completely out of the woods. So there's a lot of thinking in the federal government now around mask requirements, all these things, that's getting worked in as our plans adjust, but we're not going to see a wholesale, rapid, and certainly not a kind of universal change in our operating model in a short time period. There will be plenty of notice.

It will evolve region by region as the nature of the COVID tracking that we're doing varies a lot by region, and we'll look forward to gradually, in effect, constructing our new normal, much used phrase nobody knows exactly what that means, and we're going to have to build that as we go.

We intend to use the pipes, the flexibilities, virtual connectivity, teleworking, various types of flexibilities in how we are using staff to keep the organization moving, prioritize
areas where we have to be in the field, when we have to get at sea, those are obviously have been and continue to be our highest priorities for reintegration of formal work place participation. And that will continue throughout the year, but things are not going to be what they were prior to this pandemic. I think that that's universally understood. And I think there's also no real universal understanding of what the new operating model is going to be. We'll build it as we go and adjust to the presence of COVID.

And as many seem to be in the public health community seem to be indicating true for the nation it will be true for our organization and all of our processes. We're going to need to adjust to the presence of this virus and how it evolves and we're still not real sure what that will look like, but we certainly have a more favorable path ahead of us than we have had for many, many months. So, I'm extremely optimistic about that.

I do think we have learned some good
things and in some aspects, you know, there's a silver lining in every cloud, and we have learned some things that I don't know that we would have learned without an incredible, exogenous shock like this, that I think we should keep in mind as we kind of walk our way towards this new normal and continue to emphasize in terms of how we can connect and bring people into our discussions when needed and ensure that we have the sort of broadest availability of input channels, which is very central to how we operate in so many of our fisheries, discussions, and operations.

And our third item here the fisheries update and upcoming priorities is on post-pandemic council operations. And I wanted to turn to Sam Rauch on this piece to talk a little bit longer with you about lessons learned from the pandemic and how we might be able to think about our council operations going forward from here as we have more and more opportunity over time to work in person and get back into using some of our modes of work, in person work that we very much
favor and are all familiar with. So, Sam, can I
turn it over to you on this topic?

MR. RAUCH: Yes. Folks, can you hear
me?

MR. DOREMUS: Yes, you're coming through
great.

MR. RAUCH: Okay. Thank you. So as
Paul indicated the purpose of this session is to
think about the challenges of this past year and
to put some of the opportunities along side that.
This is a difficult thing to think of because the
past year has been really difficult and tough and
I think it is -- you can't really say that there
are many good things that have happened, but we
did learn some things and we did learn some things
about how we can operate.

I know the councils had to transition to
a virtual meeting which was very difficult and
created, I've heard from many of you individually
how difficult it had been, but there are a couple
of things that we have learned about that. And as
we have the opportunity to sort of reconstitute
the council process, I know some of you are, in the next few months or next month or so maybe, are going to try to come back into with some in person meetings.

As we rebuild this process together, I think it is a good time to think about what other remote experience would we retain, what should we jettison, how would we continue to operate? I think we are all in agreement that one of the functions of the council meeting is the discussions that happen in person and you can never -- this year of virtual meetings cannot replace that. I think we are not better off for doing that all remotely.

I think we do want to go back to some substantial part of that, but we do need to be mindful that one of the things that happened over the last year is the entire council system became more accessible to a segment of the community that were unable to participate in the council process before. Council meetings, as much as you try to move them around to be in places where the
stakeholders are, you can never be where all the stakeholders are all the time, and it can be expensive to travel to and participate in council meetings.

But we have seen, with various degrees of issues, that we have a larger suite of participation from the public virtually because it has been easier for them to call in or to remote in through their computer and to participate. And that has brought it's own set of issues, but it is at a minimum allowed a broader suite of participation than the normal participation we get.

And as we think to, and I will talk about this a little more tomorrow, to some of the administration's priorities in terms of environmental justice and equity. There are a lot of aspects to that, but one of the aspects of that is to look at the ways that underserved communities can participate in the governmental decisions that affect their lives. It is hard for people who have difficulty meeting their
day-to-day needs to set aside the extra time or resources to participate in the council and it has been easier for some of those folks to participate in this last year despite the overall difficulties the year has presented.

And that is one of the things we want to talk with you about is how to preserve that, how to preserve their participation of these communities that otherwise would not have participated. Recognizing that it is not been easy, that there have been some issues that have come up, but how can we do that to have meaningful participation by all people regardless of their economic circumstances, their race, their national origin, their income levels, or wherever they come and if you look at the administration's view of equity, it includes all those things.

So we would like to talk about that as we transition back to in person meetings: How can we retain some of that and still go back? I think we have learned, at least on the fishery side, we have learned a lot about our own staff and how we
staff up and telework and those kind of issues and I know some of those issues are facing you all right now as you reconstitute and rebuild our workforce. I've heard, you know, variously that you all going back into the office? Some of you already are, some of you are not for a while. How are we dealing with that?

And then the last issue is, you know, is there a cost model to virtual versus in person meetings? Have we saved any money that we could spend on other things by doing this, or have we not? Because some of this is, you know, subcontract, so we couldn't get out of and we just lost that money. But is there any opportunity for cost savings by presenting at least some of our meetings virtually and then maybe being able to use some of that money on other council priorities.

So those are some open-ended questions, those are some things that we would like to discuss. Participation, you know, you've heard from Paul about how we're thinking about
reconstituting our workforce back in the office
and about, sort of, you know, is there an
opportunity here to save some of the cost and
shift that to other council priorities and maybe
there's not, but what are your opinions of that?
So those are the questions we'd like to pose, and
with that I would like to open it up.

And, Mr. Chair, I don't know how you
would like to run this discussion, but I think we
anticipated we would open it up for our council
CCC based discussion at this point.

CHAIRMAN GORELNIK: All right. Thank
you, Sam. Yes, what we're going to do is folks
who want to participate in the discussion ask
questions, seek clarification, should raise their
hand, and then I will call on you and we can do
this as rapid fire as people raise their hands.

Chuck Tracy.

MR. TRACY: Thanks, Mr. Chair. Thanks,
Sam and Paul, for the presentation. I had a
question about (inaudible) returning to our
(inaudible) meetings. I was talking with our West
Coast region folks recently, we were talking about trying to have a partially in-person meetings in September and they mentioned that the approval for travel is sort of limiting, I guess, how much participation staff may be able to accommodate to attend our meetings. So, I don't know if that's -- I guess my first question: is travel approval a regional issue, as it has been in the past? Or is it elevated, I guess, to -- because of the universal nature of returning to travel. And if there are limitations associated with that, when do you think they would ease such, you know, in addition to perhaps just the top level, I suppose, being able to travel council meetings. We might need some staff to support our processes and our management team and those sorts of things.

MR. DOREMUS: Mr. Chair, if I could respond to that. There's -- thank you, Chuck, for raising that topic. It's a very important one. The department, during the course of the pandemic, did put in place travel approval requirements that are highly centralized and those still hold. I
expect that we'll be able to change that gradually. We don't have a timeline on when that might happen. We have already asked and the sentiment was that we're not quite ready yet. And I do think this is one area where the availability and ability to handle information around people being vaccinated can help looking forward, looking ahead can help a lot in facilitating travel-related decisions. I do expect it sounds like the region already communicated to you that we will walk back into our ability to participate in person with processes and make some choices about what the most important functions are that need to best be tended to in person and prioritize those. Participation council meetings have always been a priority, when it comes to travel.

So, we'll work our way there, and I think working in concert with you, making it clear what you feel are the areas of highest priority that you would like us to focus on in terms of in person presence to the greatest extent possible. We'll try to make that happen, but it will need to
be cleared all the way through the NOAA Administrator at this point in time. We'll certainly let you know when that changes. I do think it will change, but that's the system that we have in place right now. And it's prudent to plan for that through September. I do expect that things will improve between now and then and I hope provide a little bit greater flexibility.

CHAIRMAN GORELNIK: Chuck, do you have a follow up?

MR. TRACY: Yeah, thanks. Maybe just a quick one. So, my discussion with our regional staff was in the context of the region and I was just curious if (inaudible) would also be eligible to gain approval to travel to our council meetings.

MR. DOREMUS: We would certainly support that. Again, at this point in time NOAA would have to concur, so I don't want to over promise, but I would certainly support that and we'll make every effort to make sure that folks can be where they need to be as we get greater flexibility and
lower risk for being able to travel. So, it is regionally specific in timing and circumstances, so we do try to collaborate with the regions on their priorities and support those in terms of getting full power of approval.

CHAIRMAN GORELNIK: Thank you, Paul.

Mike Luisi?

MR. LUISI: Thank you, Mr. Chairman. I just wanted to say to the comments that Dan made, I think -- I know there's a cost saving to not having meetings in person, but, you know, as part of both the Mid-Atlantic Council and, as a representative on the Atlantic States Marine Fisheries Commission, I feel, like, that cost savings may, I think - personally, I think we should try to get together more often, and, you know, I know cost is an issue, but being in person, it makes a huge difference than being virtual or being, you know, on the phone. So those are my thoughts. I've talked to, I mean -- and I'll represent, you know, my commission, my council members as many of us have spoken about,
you know, the complexities of dealing with things like allocation over the phone, it just makes it really tough. So, you know, I'll turn -- maybe I'll -- and then Chris Moore, I just talked to Chris a little while ago. Maybe Chris might want to add something to that. You know, we're working to get back to in person meetings, but maybe Chris might want to add a few comments as well from the Mid. Sorry to put you on the spot, Chris, but I've done it a thousand times before, so it's all good.

CHAIRMAN GORELNIK: Is Chris with us? I don't see him presently.

MR. MOORE: I am, Mr. Chairman.

MR. LUISI: Chris is here. He's got his hand up.

MR. MOORE: So, it's up to you, Mr. Chairman. If you want me to go now, you have a number of other hands as well.

CHAIRMAN GORELNIK: Oh, you know what, why don't you go ahead since you're following along with Michael, and then we'll come back to
the list.

MR. MOORE: Great. Thank you, Mr. Chairman. So, yeah, there are a couple things that I just wanted to mention. You know, I think everyone that's been involved in our CCC calls knows that we are planning to have -- we, the line of council, are planning to have a hybrid council meeting in August. So that particular meeting is going to be in Philadelphia. We also have meetings scheduled in October and December that we expect to be hybrid as well.

As you might expect, and for folks who have thought about it they know this, it's going to be very complicated. And one of the things I haven't explored as much as I'd like, is what do we have to worry about from a legal perspective if (inaudible) in person in Philadelphia and some are on the line virtually and we have motions and things happening, how does that work? Do we have any complications or things we have to worry about from a legal perspective, we need to think about it. I know that Carrie has probably talked to her
region about it more than I have, and maybe she
has some insight into what they're telling her.
But, yeah, I'd like to just have a general
discussion about that. Thanks.

CHAIRMAN GORELNIK: That's a good
question, Chris. I don't know if Mitch wants to
respond to that now. I see Adam is with us, but
we'll see if Mitch wants to respond to that hybrid
meeting question.

All --

MR. ISSENBERG: Sorry. Hi, this is
Adam. I was trying to figure out how to raise my
hand and I couldn't.

CHAIRMAN GORELNIK: There you go.

Welcome, Adam.

MR. ISSENBERG: So I can just speak up.
I -- you know, we'd be happy to -- I don't know if
you've talked to the folks in GC or East or about
this. We -- I'm not sure, Chris, exactly what
your concerns are. You mentioned the fact that
some people would be remote and some people would
be in person and motions and things like that, so
I don't know if you're concerns are procedural or something else. But, you know, I think in a broader perspective, I'm not sure we have the sort of time to talk about those things today, but I think, you know, what might make sense would be for you all to -- I'm sure you all have similar questions and we have regular meetings with all of our attorneys who work with the councils and NOAA GC could certainly get together and work together to make sure we've got answers for all of these questions for all of you as we start to approach, you know, returning to either in person or hybrid meetings.

MR. MOORE: Mr. Chairman, if I could?

CHAIRMAN GORELNIK: Yes, please.

MR. MOORE: Yeah, so thanks for that, Adam. The question was more about our SOPs (Standard Operating Procedures) and all council SOPs probably don't really talk about these hybrid kind of meetings; right? And if, in fact, we're limited by our current SOP might not allow us to interact virtually with council members when 75
percent of the other council members are in person; right? We wouldn't get to vote, their votes wouldn't count, so those are my concerns. You know, beyond that, we have logistics and process questions and other things that we need to work out or starting to think about it. But that was my general question just in terms of that, like, what do we have to do prior to August to make sure everything's going to work. Thanks.

MR. ISSENBERG: Mr. Chairman, if I may. Thanks, Chris, that was helpful. You know, I think it would be -- I think when we first moved to virtual meetings, as you'll recall, we provided, NOAA GC provided, you know, a lot of guidance on sort of procedural requirements, and I think, you know, it wouldn't make sense and we will put together a working group to, you know, help you think about the transition back to, you know, back to in person meetings, hybrid meetings, and answer some of these questions which I'm sure many people share.

CHAIRMAN GORELNIK: Chris, are you good
with that?

MR. MOORE: Yes, thank you. Thank you, Mr. Chairman. Thank you, Adam.

CHAIRMAN GORELNIK: All right. Mel Bell followed by Tom Nies.

MR. BELL: Thank you, Mr. Chair. I was, basically, going to second what Mike had said, but serving the same roles he does on council and then on the commission and we're all struggling with this as we try to figure out how to get meetings kind of back into a more normal setting. But I do think, yes, cost savings are great associated with the ability to do this remotely in some cases, but we -- I think the quality often of the meeting itself and the interactions between, in our case the council members or commissioners, you lose that, you know, when you're not together. And I know from a commission stand point, you know, we're looking at options moving forward and actually going to be discussing it in an executive committee meeting this week because of a survey we did, but I think, you know, don't sell short the
value of actually meeting together when we can. And I know, you know, no one here is in control of when that will be possible (inaudible), but, you know, and also, Chris brought up things that I was thinking about as well is just making sure whatever we do how we run meetings is totally within the SOPS we're following, we're totally legal in how we're doing it and how we (inaudible) in all. But I think there is value in utilizing the video conferencing as a tool, but the sooner we can kind of all get back in the room and we don't want a situation where, you know, everybody's there and our (inaudible) partner isn't there because they're part of the process, you know. The sooner we can get back to everybody back in the room, that'll be a great thing. Thank you.

CHAIRMAN GORELINIK: Thank you, Mel. Tom Nies.

MR. NIES: Thank you, Mr. Chairman. You know, moving forward, we'll probably with a mix of in person and virtual and perhaps hybrid meetings.
But I wanted to give Mr. Rauch's some feedback on his comment about reaching out to underserved communities. When we did notice an uptick in attendance in a lot of our committee and council meetings, that the virtual meetings -- I'm not sure I would characterize that as reaching out to the underserved community.

You know, I would look at the attendants list and the attendees, I think, were more people that may not have chosen to participate in a particular discussion or meeting, but because it was convenient to them, they did. But I'm not sure they were necessarily new attendees or new communities that were reaching out to.

You might recall that we held an in person public hearing outdoors under a tent on one of our management actions. And to be honest, the main motivation for that was complaints from, arguably, an underserved community that they were not comfortable participating in the online mode and they were insistent that we had an in person meeting because they felt more comfortable
providing commentary in person.

And, you know, we've seen that before with some of the other underserved communities in other areas where, on rare occasions, we've been able to have a translator in place and translated to the -- during the meeting and increased participation that way, which is not something we can really do in the virtual world. So, I'm only speaking to our experience in New England, but I'm not sure I would characterize increased attendance as successfully reaching out to underserved communities in our case.

CHAIRMAN GORELNIK: Thank you, Tom.

Sam, you had your hand up. You want to respond to some of these comments?

MR. RAUCH: Yeah, I was thinking, Mr. Chair, that the comments were done and I could wrap this up, but if there's another comment, I would defer. I was thinking I could close out this discussion.

CHAIRMAN GORELNIK: All right. Well, there are a number of hands up, but I'm not sure
if they're artifacts from past -- Mike Luisi, Mel
Bell, and Tom Nies? So, you need to manually
lower your hand when you're done and if,
certainly, if you have additional question or
comments, leave your hand up.


MS. SIMONDS: Okay. Thanks. Aloha from
the Aloha State. What I'd like to say, Sam, is
that what happened with us going all virtual is we
did get fisherman and others from the neighbor
islands calling in because they wouldn't be able
to afford to come to our meetings, but the biggest
thing was we got the enviros all on and speaking:
PEW, Ocean Foundation, Conservation International,
Wild Oceans, Earthjustice. So they all
participated where, and normally if they don't
participate in our meetings even when we have, you
know, face- to-face meetings, but once we went
virtual they have all been on our meetings, making
comments, and maybe we're working well together.
So, I did want to mention that. Thank you.

CHAIRMAN GORELNIK: Okay. Thanks,
Kitty. Are there any other questions or comments on this - on the NOAA Fisheries update and if not, I will then turn back to Sam. I don't see any other hands. So, Sam you've go the floor.

MR. RAUCH: All right. Thank you, Mr. Chairman. And thank you all for those who commented. I appreciate your thoughtful approach to these issues and they're not easy and I do not want to -- I agree with all of you about the value of in person meetings and I do believe we will eventually, and hopefully quickly, go back to in person meetings. Whether it's fully in person or hybrid where some of the voting members are not present, I think that's a unique model that we'll have to consider.

We were considering some of that last spring when all this started and I know general council gave some advice at that time, I don't recall exactly what it was about how to deal with some voting members being there in person and some not and how that related to your various SOPs so I appreciate general council offering to work with
you on that.

And also, the different issue in terms of the voting members versus the general public, and I appreciate the thoughtful approaches to trying to incorporate some avenue for public comment both broadcast your council meetings to a broader communities and to hear from them and maybe, as some of you indicated it has not been as successful, I would encourage you to -- I know I've talked to a number of councils, I know you all do think about how to reach out to these various communities.

Maybe it is in person, although in person is difficult to do, maybe it is virtually. I think that that's going to be an issue we want to talk about with some intention of what the council, is that how to continue to incorporate the views or reach out to communities that haven't participated in the past, but are stakeholders in this process and now the opportunity to do that. And I do appreciate (inaudible) maybe the virtual is not quite the fantasy that we think it is.
And so, I didn't anticipate that we would come to some complete resolution of this. I do think this is an issue to talk about. I know various councils are in different places, you're on different schedules, and you have different criteria, different situations that you're looking at, but I do appreciate the discussion. And I think we should continue talking about these kinds of things.

And I'm pleased to know, Kitty, that you're going to get along with the environmental groups from now on. Thank you.

CHAIRMAN GORELNIK: Thank you very much, Sam. So, on this agenda item, I think we've heard from NMFS, we've had our question period with NMFS. Now would -- comes public comment, if any, so I think Nicholas is handling public comment.

Nicholas, do we have any requests in the public to comment on this agenda item?

MR. PIEPER: I have not seen any.

CHAIRMAN GORELNIK: All right. Great. And so before we conclude this agenda item, I'd
like to see if there's any further council
discussion or action. So I'm not seeing any
hands. We've had a good discussion, a number of
important unanswered questions. It's all new to
us, so we're going to have to feel our way through
this, but we're smart and capable, we'll figure it
out, I'm sure. So I believe that concludes this
first agenda item of the CCC meeting -- well, the
second, actually, after the approval of the
minutes. So we'll bring this now to our next
agenda item which is the NOAA Fisheries Science
Update. And I think that Dr. Werner has that
agenda item or, Sam, let me know if I'm wrong.

MR. RAUCH: It is Cisco.

MR. WERNER: Yeah, that's correct. Hi.
Happy to jump in, Mr. Chairman and members of the
council. I will be talking about -- I've been
providing an update together with Evan Howell who
I'll introduce after I give a couple of slides on
the status update of the science enterprise, in
particular on the fisheries surveys and MRIP catch
estimates. And I'll just jump straight into the
presentation. So the next slide, please.

I'll be talking about the large scale fishery surveys. I've provided updates in the past two months in terms of where we are on the getting back out on the water again, and I'll give you a more fresh update in terms of where we are and where we go next. So if I could go to the next slide, please.

This is a look at the last five years of the surveys we've conducted in terms of days at sea, DAS stands for days at sea. Both using NOAA vessels, which are in blue, and also charter vessels, which are in gray. And what you see is a three years prior to COVID. We were averaging just under 3,000 days combined between charters and NOAA vessels. You see the drop that took place within the COVID year.

And then, of course, we are also now looking at a 2021 plan. And it's a little bit lower than the previous three years and I'll talk a little bit about that in terms of the challenges that, you know, that we've -- that resulted in a
smaller, slightly lower days at sea associated
with logistics and other issues, but I think the
good news is that we see that we are slowly coming
back to the cadence that we would like to be in.
And so the next slide, if I could, please. There
you go.

It says that we're back on the water.
And, in fact, we are. What you see there is a
picture of the Sette taking off from Pacific
Island on it's way to Guam. And it's actually now
doing the survey out there, this is an acoustic
survey that is conducting out there. Probably one
of the more challenging surveys that we have this
year given the distances involved, the number of
people involved, et cetera, but I'm - we're all
very pleased to say that we were able to, in fact,
getting out on the water and actually conducting
it right now.

As I said, you know, we still have, as
of right now, a shelter in place and other
protocols that we have to follow and having to do
with resulting in a cadence of, as I said, 45 days
at sea then followed by 16 days on shore. You know, this, of course, will evolve as new protocols emerge from, you know, in terms of COVID, but right now that's in part of the explanation for why we can't aim to have, you know, the full days at sea as we did in previous years.

The surveys that were identified going forward, you know, are balanced between data gaps that may have emerged, prioritizations associated with the assessment needs, as well as logistics that I talked about. And so that's resulted in the schedule that we're trying to execute this year. In addition to the surveys that we're conducting right now, we continue to explore mitigation options, use of advanced technologies, unmanned systems, un-crewed systems such as sail drone that I talked about also last year that we were able to conduct from in the Bering Sea.

We were also able to conduct some optically-based instruments with cameras using artificial intelligence in machine learning; in
places where we were not able to deploy our white ships and this is in collaborations with fishers and fishing industry, which, again, took advantage of development in advanced technologies that allowed us to actually conduct surveys and be able to provide data for assessment, as well as expanded collaboration with industry stakeholders and partners.

And so I'm going to go into an example on this last one that we're planning. It's not -- it hasn't been executed yet, but the next slide focuses our activity on the U.S. West Coast and it's looking at a number of partnering opportunities with our white ship, in this case the Reuben Lasker, as well as private fishing boats, as well as advanced technologies with sail drones, as well as with the California Department of Fish and Wildlife aerial surveys. And in addition, it's a collaboration with our partners in Mexico.

And the idea here is that this is an area or survey that we've been trying to conduct
going from the northern tip there on Vancouver
island all the way down at the bottom you see the
inside of the map there, you see the different
lines covering from, as I said, from Canada
halfway into Baja, and then it continues all the
way into the Gulf of California.

And again the coverage here is
important. There's a number of questions of on
the fisheries along the West Coast. And by
bringing together the advanced technologies, again
the sail drones, the different partners, the state
and our partners in Mexico, we're, actually,
again, trying to execute quite an ambitious survey
that would address the number of questions that we
have. This is again an example of despite the
challenges that we've had, I mean, we are trying
to take advantage of how we learn to work under
these conditions and actually try to do things
that we haven't before.

This is a survey that we hoped to
conduct, you know, starting this summer of this
year. There are still some issues to work out,
but that's the plan that we have going forward for this particular U.S. West Coast Coastal Pelagic Species Survey, CPS Survey.

And so the next slide is where we are now just a, sort of a numerical account of where we are of completed, underway, planned and postponed surveys. We have eight completed surveys, seven of them on NOAA vessels, one on a charter. We have six currently underwater four (inaudible) two NOAA vessels. And we have 42 planned surveys upcoming.

We've had to postpone or cancel some surveys. In some cases it was weather, some cases it was mechanical, in some cases the logistics just didn't allow for the survey to go out earlier in the year. And so far, you know, we're well on our way to, as I said, you know, meet the target that we set for ourselves in this fiscal year.

And the last slide is basically a review of what I said. COVID, of course, created a number of unique challenges in FY-20 (phonetic), but in FY21, we're on track to resume many of our
at sea survey operation. We continue, in addition to standard the fishery survey, if you will, to develop advanced technologies as well as exploring collaboration and partnerships, you know, that could result in short and long term strategies for data collection.

And I also do want to just include a sincere thanks to everybody who has made possible getting back on the water. There's -- to conduct a survey, it takes -- there's a thousand moving parts to get the ships and the people out there and there's just a -- even under normal circumstances this is a challenge, but under these circumstances to be able to get out really did require a lot of people getting together and figuring things out. So thanks to everybody for making that possible. And I think my part of what I wanted to update you, you know (inaudible). I would like to introduce Evan Howell the speaker following me. Evan is our new, Dr. Howell, is the recent as of last August or September Director of NOAA's Office of Science and Technology. And
Evan, if you don't mind, I'll turn it over to you and maybe you can give a little bit of a background, where you came from, and go into the presentation.

Evan?

MR. HOWELL: Sure. Thanks. I hope everybody can hear me and see me. It's great to be here. And, yes, as you said, I came over the Office in Science Technology during, you know, this last year, as we've been talking about. So it's been an interesting transition. In some ways I feel new, in some ways I feel fully indoctrinated. But it's the first time being in this combined CCC space, so I appreciate the introduction.

And it's nice to virtually meet people. I agree it'd be really nice people in person, it gives me a much better sense, not just who people are and where they are, but what the issues are for the respective councils.

So, I did come. I was in the Pacific Islands for about 25 years. Started out as a
contractor and then as a federal employee at the Pacific Island Fishery Science Center, so very familiar with the Western Pacific Regional Fishery Management Council. See some familiar faces. Hello to everybody out there. And looking forward to meeting everybody else.

So today, as part of the Science and Technology portfolio, as you know, the national program, MRIP, Marine Recreational Information Program, you know, is under our purview, and so I wanted to talk today about the 2020 Catch Estimate. So if you don't mind going, you can even go to the next slide, I'll provide the outcome for the 2020 estimates, talk about some impacts from COVID, what was done to get the 2020 Catch Estimates. And then, of course, talk about our 2021 outlook.

So, just as a spatial reminder, MRIP is the national program that has regional applications and regional programs that are run both through federal survey programs as well as state partnerships. We have different programs
that run with different parts of the region. So, in terms of the space, I really like seeing Hawaii and the Mariana Islands in the center of things, but it's not to scale, as you know, but regionally, if you look at the different programs that we're looking at across the country, and if you go to the next slide, what you'll see -- and this'll become important as we talk about impacts -- is we have different types of surveys that are done to collect different points of information.

So we have different surveys that are done along the East Coast or in the Southeast to collect information on catch or actual samples. But we also have mail and telephone-based survey efforts for -- to catch fishing effort. And those are in different parts of the country, as well. And so you can see, on the left, the federal ones as well as the ones in the blue, which are our state partnership surveys, that are our certified surveys, or commissioned certified surveys, both on the West Coast for the general state surveys and Louisiana, as well as some specialized state
surveys to try to improve our ability to do in-season management or have the states, you know, do the in-season management part in conjunction partnership with us in the Gulf region.

So again, just to give you an idea of the national program, regional implementation, but also different types of surveys to get different data collected through the survey efforts. So, if we can go to the next slide, please.

So this is just kind of an introduction to the results, you know, the overarching take home story is the pandemic has minimal impacts on the mail and telephone surveys that were used to estimate the recreational fishing effort. But the pandemic did have impact on the shore side and actually sampling, as you can expect, in the Atlantic Gulf and Pacific Coast. And this did create significant gaps in the data that was used to estimate the recreational catch.

And so, of course, the catch rate and the effort gives you the total catch, which is used in the management of many of these species,
to give you a total recreational catch that's there. So we did have minimal impacts, as you can possibly expect on the mail and telephone, but it's this in-person, and it will show what those impacts are. So if you'll could go to the next slide, please.

So in terms of the 2020 data collection, and we can go -- The Access Point Angler Intercept survey, it is an in-person survey from Maine to Mississippi. And there were certain decisions during COVID to either suspend, modify, or resume, that were made at the state level. And I'll show the differences in that in an upcoming slide. But the states were in charge of understanding what to do in terms of their in-person surveys.

But between March and August of 2020, the 17 states either suspended, reduced, or modified their conduct of this Angler Point Intercept survey. As of August 1, 2020, all the state partners had resumed the shore side sampling. But as of April 1, 2021, all of the ACCI headboat sampling still remain suspended. So
we're waiting for that.

So the conduct of our APAIS survey does continue to be impacted by social distancing guidelines, as well as the sampler safety protocols, but we have, you know, again, the shore side sampling but not the ACCI headboat going. And just to look overall at our APAIS results, if you go to the next slide.

This is a lot of information in a heat map, but what's good to see about this is if you look at the Y axis, that's through time of 2020. And then, if you look at the X axis, this is actually the different states and you can see them broken down. And what you're seeing is that as you go south to north in the graph, this is the comparison of how much data was collected through APAIS in 2020 compared to the three-year average from beforehand.

So one would be the maximum. That means that you've done exactly as much in 2020 as you did in the last three-year average. And then the zero would be nothing was collected, and that's
those gray boxes. And so anything in gray means that no data was collected. And you can see that this was very variable, state by state.

(Interruption)

CHAIRMAN GORELNIK: Did we lose you, Evan?

MR. WERNER: It appears we might have lost Evan. Hopefully he can recover indeed.

CHAIRMAN GORELNIK: We'll give him a moment here.

MR. WERNER: Okay. Thank you.

CHAIRMAN GORELNIK: I don't know if you have a way to text him and see what sort of difficulties he's having. We can wait a few minutes, but --

MR. WERNER: Yeah, I just texted him. I'm hoping he's getting my messages. I'll let you know if I hear otherwise, but, yeah, hopefully he'll be back on. Thank you.

CHAIRMAN GORELNIK: Let's take advantage of this time, then, to see if there are any questions on Cisco's portion of the presentation.
I see Ed Watamura has his hand up. Do you have a question for Cisco?

MR. WATAMURA: Yeah. Hi, how's it going Cisco?

MR. WERNER: Hello.

MR. WATAMURA: Yeah, I had a question. When you were -- when you are doing the observations in Guam, are you looking at the bottom fish stock abundance? First question. And second question is, in Hawaii when they did similar surveys, they did -- there was coordination with fishermen to see what the fish were and is that same thing being done in Guam?

Thanks.

MR. WERNER: Yeah, thank you. So, the survey that's being conducted in Guam this year is mainly a marine mammal survey. I think the fishery survey effort is going to be largely next year, and we're planning that one carefully now that that's, again, a particularly challenging survey, and so we postponed that one to next year.

MR. HOWELL: I'm back, if you can still
hear me.

MR. WERNER: Yeah, we just went to a couple of questions on the survey. So, I don't know, we'll come back to you.

MR. HOWELL: Yep.

MR. WERNER: And so, the question was what the survey was in Guam and I was just saying that that one is largely a marine mammal survey.

And in terms of the surveys that are happening in the Hawaii region for bottom fish, this year -- and Evan maybe came back at the right time -- I believe, that in the Hawaii area, there will be bottom fish surveys again as they were last year; is that correct?

MR. HOWELL: Yes. Yes, that's the plan.

MR. WERNER: Yeah, and for the bottom fish for the Guam area, it's going to be, and some are on other places, that's a survey that we'll be conducting next year.

MR. WATAMURA: All right. Thanks, Cisco.

MR. WERNER: Thank you.
CHAIRMAN GORELNIK: All right.

MR. WERNER: Evan, we lost you as you were explaining the heat map. So, you were just talking about the gray areas of the heat map when you broke off.

MR. HOWELL: Well, this was a great crisis intervention I got to do as my wifi crashed. But, I appreciate the patience. I'm back. I'll go back to the heat map, if you don't mind. I don't see the slides any more, so I'm not sure if we could go back to those. Yeah, we don't have this problem in in-person meetings. I haven't fallen asleep during a presentation yet, but maybe it'll happen when we come back.

So, yeah, if you go to the heat map, what's nice about -- you know, I'm not sure if you saw -- the gray is just a zero count; so, meaning that we didn't collect any information in 2020. We see that in April, but the states were able to come back really rapidly. And you're seeing more in yellow and green, and that means that a lot of the information, almost up to a 100 percent, 75
percent, was conducted in a lot of these areas. So we were able to get some pretty good coverage in APAIS even though there were impacts. So again, this heat map is available for you to look at in the presentation, but we wanted to show how there was state variability in this. So, we can go to the next slide.

So again, another survey with the large pelagics, and we did continue to get reported trips via telephone. So the collection of the Large Pelagic Survey catch rate and effort data was conducted with minimal disruptions because we were able to do this through telephone. We had field samplers that were validating and reported effort, but the biological sampling remained suspended for this pelagic survey.

In terms of the Headboat Survey, again, this is suspended in North Carolina to Texas. And we have state creel surveys that did have, again, intercept surveys that experienced similar disruptions and modifications to the standard sampling procedures. Again, you see the impacts
on this in-person, especially when you had
sampling procedures or things that were in very
close contact. Go to the next slide, please.

So, in terms of the Fishing Effort
Survey in the For-Hire Survey, in the East Coasts
and also the Gulf states, I'm sorry, and Hawaii,
the off-site mail and telephone surveys continued
with minimal disruptions. Again, same principle.
Preliminary wave-level estimates were published
throughout the year for the effort and the effort
estimate components that were normally derived
from APAIS were monitored as we evaluated ways to
do the estimation option at the end of the year.
So again, for the effort, we were able to produce
the waves as normal, with minimal disruptions.
So, next slide.

And so then, if we talk about what these
impacts were in terms of the estimate, so we
continued to publish the estimates for shore,
private boat, and for-hire effort through 2020 and
we published the preliminary. The estimates were
produced using the standard methodology, but, of
course, some of the components were lacking from
the APAIS because those were normally derived and
there were some impacts from the APAIS survey.
So, 2020 estimates are available at the two-month
wave level, and that's in terms of the effort.
So, the next slide.

If we start to talk about the catch,
this is where we do see significant data gaps.
And because of the data gaps in real time, the
decision was made not to publish the preliminary
catch estimates for the waves two to six as
normally done -- those two-month waves in 2020.
We wanted to see -- wait for the entire year and
get the information at the end of the year. So,
the first annual wave-level catch estimates were
produced in April, so we saw this at the Gulf
Council last month, and are available at the
website.

So, there were a number of options to
understand how the data gaps would be evaluated
and it was determined through looking at different
options, complicated to simple, and with some
advice from the survey statisticians that we work with, that we -- a simple imputation approach was selected using data that was weighted down from 2019 and 2018 to fill in gaps from 2020.

So, using that, you know, we were able to get to the wave estimates at the two-month level. So you will see published that you have the two-month level now that were done based on the imputation approach. The imputation approach doesn't have a huge impact. We looked at what would happen if you didn't have the data imputed from -- to fill in the gaps. It's not a large part of the data gaps that were there, but it was significant enough that we wanted to use the imputed data to fill in the data on wave estimates and then final reports.

So, we will revisit this also once we have 2021 data and it becomes available. And in that way we'll be able to bracket 2020 with the year before and the year after. We don't have a year after, obviously, right now, so we're using the two years before.
Oh great, thank you. So yeah, so once again, you have the annual estimates that were released and we were also able to go back with the imputed approach and do the two-month estimates as well for 2020. So, if you go to the next slide.

And so what do we expect for 2021? Obviously, as we've been talking about in the last presentation, there is still COVID impacts. We're hopeful that these will diminish over time. And states have put a great deal of effort into developing effective sampler safety protocols. We do still impact -- there will some impact to the samplers' ability to collect the length, weights, and counts for 2021, but we're hopeful that this will improve throughout the year.

There may be some impacts, depending on the state, with state budgets, in the ability to conduct the surveys, depending about furloughs, hiring restrictions, we're not sure, but we are optimistic that data collection will be very much improved in 2021 as compared to 2020. And when we complete the APAIS data from 2021 and they're
available in '22, we can go back then and evaluate
the effects of using that 2021 data in the
imputation. Again, the imputation currently uses
2018 and 2019, the data we have available to fill
in the gaps. But once 2021 is there, we'll take a
look at using that, as well, with 2019 to do the
imputation.

And that should be the end of the
slides. And again, I appreciate it. I appreciate
the patience when I dropped off the face of the
Earth, and I'm happy to take any questions people
have. If I can't answer them today, I will take
them and I can answer them for you later. But I
appreciate your time. Thank you.

CHAIRMAN GORELNIK: Thank you very much,
Evan. And don't worry about that technical
difficulty. But we know that's not something that
would have happened in an in-person meeting. So,
another reason to have those. We have some hands
up. Ed, your hand is up. Is that from before, or
do you have a new question? Ed Watamura.

MR. WATAMURA: Yeah, I have some new
questions, but I can wait for the other hands, if
they're ready to go.

CHAIRMAN GORELNIK: All right, fair
enough. So we'll go -- I have three hands up:
Michael Luisi, John Carmichael, and then we'll
come back to you, Ed. Okay?

MR. LUISI: Yeah, thanks for the
presentation. So, I guess my question is to the
service. So, if there's going to be a new
evaluation of the information, if you're going to
bracket what you've come up with for 2020 with
2021 data, how are 2020 data going to be used in
the upcoming assessments? I might have missed it
in the presentation, but -- because we have some
assessments coming up, and just wondering whether
or not that information's going to be used in
there. And whether or not we have to wait through
this year to figure out if there's going -- are
there going to be changes? So, well, I'm dancing
around it. Are the data final? Are they final at
this point? Or is there a possibility they can
change based on what happens in 2021? I guess
that's my big question. Thanks.

MR. HOWELL: No, I appreciate the question. It's a really good one. And so, I'm going to also be like Kelly and Sam, if you want to add any of the management implication side of it. From the scientific perspective, this is the best that we have available. Now, I can say best scientific information available that means something. This is due to the estimates that we have. They are final, they are published. If, for some reason, 2021 provides us information from a scientific standpoint that we feel greatly enhances the numbers that we have, then I think we need to take a look -- the serious determination.

I don't expect it would make huge changes and that we would use these 2020. We would also -- I will take this back with the team, as well, because we understand that there are potential implications. So no, I would not wait. I think that you need to use the information that we have on hand. But because this was such an unprecedented year, it is in our best interest to
take a look at 2021. And if, for some reason, we see that there were huge changes based on getting new information in 2021, then we can approach that at that time, but for now, no, 2020 is published. We're standing behind those numbers. But it is a great question and I appreciate it.

MR. LUISI: Yes, thank you so much for that. I appreciate your answer. Thank you.

CHAIRMAN GORELNIK: All right. John Carmichael followed by Ed Watamura.

MR. CARMICHAEL: All right. Thank you, Mr. Chairman. And thank you for the presentation. I have a -- maybe a potential clarification and then a question, and it has to do with the Southeast Headboat Survey. It says it is suspended, when actually that's the sampling component. So the dock-side or the onboard sampling component is what's suspended. But the operators of those vessels are still submitting their data. So we are still getting the catch and effort and the other aspects of it. So it's not fully suspended in terms of how that seems to read
in that slide. So I think that would be important, particularly for any fishermen that might be seeing this and go wait a minute, we're still submitting our data. We want -- you know, they weren't told you no longer have to report. So the big part of the survey is continuing.

And then my question is, given that and seeing what we see in the heat map diagram, which -- and I really appreciate that. That's a really good way of showing the reality of last year. You know, you can see that those states where the Southeast Headboat takes place, all returned the MRIP sampling largely by June of last year. And yet the headboat is continuing to not do, you know, essentially the APAIS equivalent to collecting the lengths on the APAIS and potentially going onboard some vessels. And I can understand concerns with going onboard, but it would seem like the time is certainly here where we could start to see more return to dockside sampling, particularly given the CDC guidance recently, and even Dr. Fauci telling us we can
return to normal, and that takes place outside and that's very important data.

So -- and then to just reflect back upon the earlier discussion about priorities for (inaudible) returning to normal, I would say collecting data should be very high on the priority list. You know, we can deal with people participating remotely in meetings, but when we lose a year, and possibly two years of data collection, we never get that back. And that's going to be an uncertainty in stock assessments forever. So that's my comments on that, to lead off the discussion. And I would be interested in what y'all think about when headboat sampling may return.

MR. HOWELL: So (inaudible) you said for clarification, yes, I agree with you. It's our component and that's the in-person component, which getting into the question about when that might resume, then I am going to defer back; it's part of the overall safety that the agency is looking at. So I take your points. I hear you.
I appreciate them. And that's -- yeah, I would look forward to discussion as well, and I think we're all looking to when we can get out and do the data collection again, as well.

MR. WERNER: Sorry, if I could jump in?

CHAIRMAN GORELNIK: Go ahead.

MR. WERNER: Yeah, sorry, apologies.

Echoing John's point about the importance of the data collection, in part, that's what we're trying to show is how we're trying to get out there to collect the data; whether it's with advanced technologies, whether it's, you know, combining with industry partners, or any which way we can, we'll try and do that. So I couldn't with you more, John, than what you said. So I appreciate the comment.

CHAIRMAN GORELNIK: All right. Ed Watamura. Let me just remind folks that after you raise your hand, you've been called on, please remember to lower your hand, or else I'll think you've got another comment. So, Ed, please go ahead.
MR. WATAMURA: Yeah. So, as you reported, numerous efforts in the area of data gathering and monitoring have been basically by COVID-19, the question that I had was over here in the Western Pacific, like, will we also be subject to the imputation method?

MR. HOWELL: Hi, Ed. It's good to see you.

MR. WATAMURA: Hi.

MR. HOWELL: So, no. Most of the -- there's not as much impact. You don't have the in-person as much in the Western Pacific. So the imputation is not going to be there, and most of it is through the mail. And so, because you have the offsite mail and telephone surveys in the fishing effort, you're not going to have the same impacts and the same imputation. Imputation is mostly for APAIS Catch that we had.

MR. WATAMURA: All right. I just wanted to say that, for the territories, we've got the Catch-It Log-It app that's being implemented and gaining some -- more and more interest. And we're
hoping that that would be an additional data gathering source for you, especially for the bottom fishermen. You know, like, the question I had, also, was in American Samoa, there seems to be very few participants in the bottom fishery. And you know, we're wondering whether -- or, you know, how appropriate an expansion-extrapolation type of, you know, data usage is really appropriate for someplace like American Samoa.

We are, you know, they're faced right now with a situation where the stock assessment, you know, show that it was overfished and it's not a good situation for the fishermen because they're really just kind of struggling to feed their families and their villages. And we're kind of scrambling to find a way so that they can do that. I was wondering that, you know, while this data was being gathered and extrapolated in American Samoa, especially, you know, at some point, it must have been kind of obvious to the scientists that it just didn't seem to match their reality of that fishery.
So I would hope that, in the future, you know, we could have some more collaboration with the Council, with the scientists, with the Council and with the fishing community, to say hey, wait a minute, you know, this doesn't look right. Because, as it happened, the complete stock assessment was done and now we were forced to do an ACL and it's just not matching reality and it's inappropriate. So I was hoping that, in the future, we could have more collaboration. Thanks.

MR. HOWELL: Sure. I appreciate your points. And so we're very familiar. There are several apps that are in different stages of development. I think we're interested in all of them, as well as trying to understand how to use the information that comes in, in a survey, a probabilistic survey way, that leads us to exactly what you're saying -- getting information that we'd use to represent what the fishery looks like. And that is the challenge for all of us. And I think we're all in different stages of trying to get to that. And we could all argue and debate.
While we all want the same thing, what's the best way to get there? And every year, we get better.

And so I know very well what you're talking about with the surveys always in American Samoa, when we release the stock assessment results. So we heard first hand at the Council meeting. So I think that, yeah, we're very interested in continuing to work with the FINs and West Pac FIN here on how we do that data collection. So thanks for your comments and I'll take those back.

MR. WATAMURA: I appreciate (inaudible) that can be done. Thanks, Evan.

CHAIRMAN GORELNIK: All right. Thank you. Carrie Simmons, and then we'll come back to Michael Luisi, who has his hand raised.

MS. SIMMONS: Yes. Thank you, Mr. Chair. Thank you for the presentation. So, now that the 2020 landings are finalized, is it largely up to the regional office to decide -- make the determination whether overfishing occurred in 2020 for some of our high-profile
species where we're trying to end overfishing and rebuild the stock -- will those determinations be worked out later based on confidence of the imputations, or is there any discussion about, perhaps, waiving any types of accountability measures or payback measures for these stocks that are in overfished or overfishing conditions based on these imputations that were done in 2020?

Thank you.

MR. HOWELL: I think that's a great question. I'm going to ask if, Kelly or Sam, you have any input on that from the management side.

MR. RAUCH: Maybe you can restate the question for me.

MS. SIMMONS: So, as the 2020 Recreational Landings have now been finalized, if there is an overfishing determination, would that be primarily up to the region to decide how those imputations were done, if there was questions about that, in order to determine that overfishing occurred in 2020 and various payback measures may have to take effect, or would those potentially be
waived due to the uncertainties of those
imputations? Have you all talked about that at
all?

MR. RAUCH: Unless Kelly has a different
view, I do not believe we have discussed whether
or not we would waive any of those at this point.
Or how we would conduct that yet. Kelly, do you
have anything to add to that? I do not believe
we've discussed it at that level of detail.

MS. DENIT: That's correct. We haven't
discussed that yet, Carrie. And those decisions
on overfishing, overfished, those are made at the
AA level based on the information that we have.
So those are conversations that we will need to
have.

MS. SIMMONS: Thanks.

CHAIRMAN GORELNIK: Chuck Tracy.

MR. TRACY: Thank you, Mr. Chair. I
have a question for Cisco back on the survey, too.
Just kind of looking at slide six on the planned
surveys, it looks like there's about half of the
NOAA surveys are sort of a challenge (inaudible)
and their numbers, but not many of the chartered surveys. I'm just kind of wondering what the difference there is, if chartered surveys are just planned to be later in the season or what is going on with the charter surveys. Doesn't look like any of them have been addressed.

MR. WERNER: Yeah, hey, thanks. Thanks, Chuck. Yeah, those are probably ones that will happen later in the season at this point. That's correct. Yeah, particularly, you know, (inaudible) the Northwest and the Southwest. And there's a lot of the Northwest surveys that will take place on charter vessels, later on.

MR. TRACY: Thanks.

CHAIRMAN GORELNIK: All right. I'm not seeing any other, further hands or questions. I want to thank Cisco and Evan for their presentation. And so, now we will go to public comment, which is done by folks raising their hand. Nicholas, do we have any raised hands from the public?

MR. PIEPER: No, we do not. And I'd
like to verify that the last time you chat message, don't believe the public have the ability to raise their hands. So they'll just have to send a message to me to let me know if there's any public comments. But as of now, there are none.

CHAIRMAN GORELNIK: And you're identified as SF Webex?

MR. PIEPER: Yes. I'm the person SF Webex, or Host.

CHAIRMAN GORELNIK: All right. So, the public would need to click on that and send a chat message if you wish to be added to the list of speakers under Public Comment. So, right now we don't have any. So, we'll close public comment on this agenda item and we'll see if there's any further Council discussion or any action on this agenda item. I'll look for hands. And I don't see any hands.

We already had a good discussion. Some great questions were posed to Cisco and Evan on this. And Sam got in the discussion. So unless I see a hand going up, I'm going to deem this Agenda
Item Number 3 completed. And so it is. Great.

So that concludes the first portion of today's agenda. We now have on the agenda a break. So we will break until 3:25 Eastern Time. And everyone will have to make their own calculations for their time zone. Basically that's in about 18 minutes. So we'll take a break and we'll come back then. And we'll pick up with the legislative outlook, we have a number of speakers there. So we'll see you then.

(Recess)

CHAIRMAN GORELNIK: All right. It is 3:25 Eastern, 12:25 Pacific, and we will get started now with our next agenda item, which is Legislative Outlook. And, we are honored to be joined by a number of congressional members, and we also have a video from another.

So, I first want to see if -- before I can do any introductions, to make sure that Representative Huffman and Representative Case are present. I do not see them on the list. Of course, maybe I'm just not noticing. Nicholas,
can you let me know whether you see these gentlemen?

MR. PIEPER: Yeah, Marc. I have not seen either of them yet.

CHAIRMAN GORELNIK: All right. Well, we do have a plan B. Representative Young was invited and had planned to join us and was unable, so he did send a brief video. Before we start the video, I'll provide an introduction. I think Representative Young is well known everyone here. He's currently the dean of the House of Representatives, and that is the longest serving member.

He was one of the original sponsors of the Fishery Conservation and Management Act, now known as the Magnuson-Stevens Act, and has been involved in each reauthorization. He has introduced legislation to reauthorize the MSA in the last couple of congresses. And, he's the only member of the House still serving that voted on the original bill.

So, we do have a video. So, if we could
start that video. I'm not sure who has it. I certainly don't have it. There we go. Thank you, Morgan. The audio. Morgan, I'm not hearing anything here. Is that a problem on my end?

MS. COREY: No, that's not just you, Marc. I can't hear it either. I'm going to restart, and just let me know if you can hear it.

MS. DENIT: Still nothing, Morgan.

CHAIRMAN GORELNIK: Well, I think that having his audio would be very helpful. I know that Christine Sur of Representative Huffman's office is with us. I don't know if she has an update on --

MR. DOREMUS: Marc, I can update you. We're going to get him in here.

CHAIRMAN GORELNIK: Okay. Great.

REPRESENTATIVE HUFFMAN: Congressman Huffman here by audio. Can you hear me, Marc?

CHAIRMAN GORELNIK: Absolutely. If you will allow me to provide a brief introduction, I will then allow you to speak. We all know, I think, Representative Huffman, I certainly know
him and I fish with him, so, there's that. He's a Democrat of the 2nd Congressional District of California.

Mr. Huffman has represented California's northern coast since 2013 and is chairman of the Water, Oceans, and Wildlife Subcommittee of the House Natural Resources Committee. He also serves on the Select Committee on the Climate Crisis. Prior to serving in the House, Representative Huffman represented the North Bay and the California State Assembly and was a senior attorney for the Natural Resources Defense Council. It's my pleasure and honor to introduce Jared Huffman.

REPRESENTATIVE HUFFMAN: Well thank you so much for that introduction, Marc. And, I apologize that you're not seeing me by video. We were having some trouble logging in, and rather than continue to fiddle and get my camera working, I thought I would at least join you by audio. So, I hope this can work. And, it's also great to be here with my colleague, Congressman Ed Case, and,
of course, to hear from Congressman Don Young.

So, as all of you know, in an effort to include as many viewpoints as possible in this MSA reauthorization process, I undertook a National Listening Tour. We did eight listening sessions, covered seven management regions during a 2-year process that was unfortunately interrupted by the pandemic. But, we continued part of it remotely.

This was co-led by my wingman, I'll call him, Ed Case of Hawaii, and together, occasionally joined by other colleagues, we heard from 80 different experts and stakeholders in addition to getting public comments from dozens of members of the public, in persona and online. We didn't get to as many places physically as I would have liked, but I am hopeful that this is not the end of the conversation, that we'll continue to hear from stakeholders from all regions as we go forward.

And, the summary of what we've received by way of feedback is reflected in what we released last December, a discussion draft, and
revisions for that bill are underway with the bill that we will be introducing very soon. So, this includes taking into consideration the positions that you folks have laid out in the CCC policy paper on Magnuson reauthorization, and also some input we've gotten directly from various council members.

So, I plan to continue this maximum transparency stakeholder inclusion approach as we go forward through the legislative process. I'm a firm believer that good process makes good policy. And, frankly, one of my frustrations in tackling conflict issues in my 9 years in Congress is that so much of it has just evolved to backroom deals to really close proceedings that aren't delivered that aren't inclusive, that aren't transparent. So, we hope to do a process reset, and I hope the politics will kind of reset along with that.

I am looking forward to continuing to work with my colleagues on this, and I think it is crucial that we try to find agreement where we can to address the urgent needs in fisheries.
management. And, so, we're going to keep trying hard to make it bipartisan, if that's possible. It's not an easy thing to do in Washington these days. But, I promise you the effort has been there and will continue to be there.

So, the draft that Representative Case and I have developed -- I want to emphasize -- does not reinvent the Magnuson framework. It really reaffirms the basic policy framework of Magnuson, but it also recognizes that it has been a long time since the last Magnuson reauthorization.

And, there are new needs, some new realities, and a few new considerations that really should be reflected in a 21st century bill that endeavors to improve fisheries management and strengthen fishing communities. Many of the concerns we heard during the listening tour, as I mentioned, are reflected and addressed in this draft.

So, I know I don't need to get into too much detail, but just a few top lines for you as a
refresher. The draft includes provisions to further prepare fisheries and communities for climate change. It includes improvements to support fishing communities.

And, a great example of that would be disaster relief, a program that had not been fast enough or adequate enough, in my experience, and certainly based on a lot of the feedback we've received. The draft includes provisions to increase transparency and public participation, and also advancements in electronic technologies and improved data.

That was a consensus that we seemed to hear just about everywhere, was that more resources, more technology, these were areas of broad consensus, and then provisions to strengthen sustainability, such as essential fish habitat consultation.

So, we incorporated several bipartisan bills into this draft, and that includes some that go beyond the Magnuson Act but are also really important for fishing communities and fisheries.
management. That includes Representative Chellie Pingree's Working Waterfronts Act, Representative Suzanne Bonamici's NOAA Sexual Harassment and Assault Prevention Improvement Act. The draft previously included additional bipartisan fisheries bills that were signed into law earlier this year, so we won't need to continue to put those in the bill.

I want to mention that I know that, from the council perspective, any potential new requirements under an already strained budget situation could be a potential concern. So, we're definitely going to continue looking at funding levels, to make sure that you all are adequately supported. And, we will continue to push for more funding from our appropriators here at Congress. This will not be the only thing we do on marine fisheries management.

In closing, I just want to reiterate that you're going to see a sustained commitment to good process from Representative Case and me. That means that it needs to be collaborative and
open, and our discussion draft is the starting point for that.

I will keep working with stakeholders and experts and colleagues in Congress throughout the legislative process, and, as I mentioned, we're going to make every effort to try to make this bipartisan. So, I really appreciate you inviting me and look forward to our discussion. Thank you, Marc.

CHAIRMAN GORELNIK: Thank you very much. Is Representative Case with you?

REPRESENTATIVE CASE: Yes, I'm right here.

CHAIRMAN GORELNIK: All right. Great. Representative Case, allow me to provide a proper introduction. Representative Ed Case is a Democrat, 1st District of Hawaii. Mr. Case is serving in his second term in Congress after having previously served in the 2nd District. He sits on the same subcommittee that Mr. Huffman chairs -- Water, Oceans, and Wildlife. Mr. Case also serves on the Commerce, Justice, Science
Subcommittee of Appropriations, which covers NOAA.

Mr. Case practiced law between his two congressional stints and was senior vice president and chief legal officer of Outrigger Enterprises, a hotel and resort company. Representative Case, welcome.

REPRESENTATIVE CASE: Thank you so much. Welcome to each and all of you from Washington, D.C. and to my friends and colleagues in the Western Pacific. (Speaking Hawaiian) Aloha. Talofa. It's good to be with you again. I appreciate the opportunity to be with you here today with Chair Huffman and other of our colleagues. I want to keep my own remarks short, because we'd love to get into your discussion and questions.

So, I was able to go on a number of Chair Huffman's listening sessions. The listening sessions for the North Atlantic and for the Northern Pacific and for other parts of our country was quite eye opening for me, and I took away a couple of things to pass along to you.
I think the first thing to pass along to you -- and I wasn't sure that this was going to be the answer -- but, MSA is generally working. That's a pretty basic place to start, because that means what we want to do is to update and upgrade and improve an existing act as opposed to trying to replace it. I think that's positive.

I think that the issues that I heard expressed by the people in the listening sessions, there weren't that many that were universal to all of the listening sessions. There were areas where we needed to improve, and I think everybody was pretty much on the same page. But, where there were concerns, they tended to be a little bit more, you know, localized.

And, so, I take very seriously your caution that we not solve any problems for any one council -- perceived problem at least, with some broad mandates that will upset the applecart for all other councils. And, of course, that's always the balance when you craft or improve national legislation to find the things that should be
national. The mandates should be national and consistent. And, then you find on the areas that should be addressed on a more regional or local basis. And, I think we're trying to sift through that all.

So, from my perspective, pretty good news overall, areas that I feel needed to be upgraded included representation on the councils from a broader diversity of folks, to some extent activities of councils, whether they were in consonance with statutory mandate or not. But, these are things that we can all work through and solve together, I think.

So, I'm going to stop there and simply thank you for the partnership and to reinforce Chair Huffman's statement in spades, if this is an open, transparent process where we all want to talk very openly and civilly with each other about how to move into the next generation of MSA.

CHAIRMAN GORELNIK: Thank you very much, Representative Case. I want to see if we can give another shot at that video from Representative
Young. So, see if we've got the audio worked out.

MR. PIEPER: Marc, I'll try again, see what we can do here.

CHAIRMAN GORELNIK: Thank you.

REPRESENTATIVE YOUNG: Hello, I'm Congressman Don Young and I want to thank the Council Coordination Committee for having me speak to you today. I'd like to be there personally, as you well know. You know, COVID-19 has caused a lot of problems, but that's not the real problem we have today.

There's a crucial way of securing necessary economic opportunities to manage our fisheries as we've done. You know, as an original co-sponsor of the Stevens-Magnuson Act, it was supposed to be the Gerry Studds-Don Young Bill, but in reality it's work. As an original sponsor, I've watched it work, and, you know, it's one of those things that I believe very strongly in. It's very important for the fishing industry, the State of Alaska, and, of course, the nation as a whole.
We know that we believe in a sustainable yield and a constant working on that with the councils, and that's been very successful and I don't like the idea of someone trying to undo it. There are people within this legislative body that would like to change the system and put all the power back into the secretary's hands instead of the council's. I think that would be a bad mistake. And, we're in this for the conservation and continued sustainable yield.

I've been working on a bipartisan effort to make sure that this happens. Mr. Huffman is a subcommittee chair. I've talked to the full chairman. They have some different ideas, but I believe I the long run, with the help of my delegation on the senate side, Senator Murkowski and Senator Sullivan will keep anything harmful from being done to the Magnuson-Stevens Act. This is an issue which we have to continue to work on and pursue.

We know that the President's come down. Why? I don't know, the 30 by 30, which he wants
to take 30 percent of the ocean and 30 percent of the land mass away from activities other than just to look at. That would be detrimental to the fishing industry and especially online. We already have regulations, already have laws that take care of all those problems.

So, we have to continue to watch this concept of fishing is not evil, it is good, as long as you manage it as we have in Alaska. I'm very proud of that and I'll continue to work with you. Keep working together. Keep having the councils together.

Thanks, Dave Whaley, for working with me on this issue. He helped write the bill, so he knows what he's talking about. And, I am with you all the way into making sure that the Stevens-Magnuson Act, or the Young-Studds Act, is reality implemented as it should be, even with a little bit of latitude, which I think is important for the councils. Some people say no. I say yes.

So, we'll see what happens. It's going to take your help and your efforts and your
coordination to make sure this happens. Thank you
and have a good conference, and God bless you all.
This is Congressman Don Young.

CHAIRMAN GORELNIK: All right. We
should thank Congressman Young for that video.
So, we have with us still Representatives Huffman
and Case who are probably willing to respond to
questions from the CCC. But, first, Adam, do you
have any admonitions for us as we engage in this
discussion with these congressional members?

MR. ISSENBERG: Yes. Hi, everyone. I
was asked to just, you know, reiterate some of the
rules relating to lobbying as it relates to
council activities and to remind you all that this
is a council forum, and, as such, participants are
constrained by the constraints on lobbying using
grant funds.

And, just a reminder of some of the
basic rules related to that, the main point is
that it is not permitted to lobby, which is to
seek specific legislative action, using council
funds. What is allowed is, where there's a
specific request to do so, to make a technical or factual presentation related to the performance of the grant. So, just some guidelines on how to, you know, distinguish between those.

What is appropriate is to talk specifically about how particular legislative proposals might affect the council's ability to do its work, to try to be specific about those concerns and to avoid advocating for specific outcomes, recommending specific outcomes, supporting this or opposing specific outcomes, and, you know, just sort of general high-level policy discussions about legislative proposals.

So, I hope that's helpful. I'm happy to answer any questions. But, otherwise, I will let you get back to the discussion.

CHAIRMAN GORELNIK: All right. Thank you very much, Adam. So, I want to be respectful of the time of representative Huffman and Representative Case. So, let's see if there are any questions or, you know, within the limits we have that Adam has just set for it. Let's have
some discussion. John Gourley.

MR. GOURLEY: Thank you. And, to
Representatives Huffman and Case, welcome. You
said that it was going to be -- MSA legislation
was going to be dropped fairly soon. Do you know
if it will be dropped this month or in the month
of June? Do you have a more accurate date when it
will be introduced?

REPRESENTATIVE HUFFMAN: This is Jared
Huffman here. I'll try to be as specific as I
can. We're waiting for legislative council to
finalize the process of giving us a bill that
could be introduced, and, if I had any more
specific data I would give it to you. I promise.
But, leg council has been a little slower than,
you know, historically, we would have expected.
If we can get it introduced this month, I would
love to do that, but if it leaks into next month,
it wouldn't shock me.

MR. GOURLEY: Thank you very much.

Appreciate it. We look forward to looking at it.

REPRESENTATIVE HUFFMAN: Thank you.
CHAIRMAN GORELNIK: All right. Further, there must be some questions. Tom Nies.

MR. NIES: Thank you, Mr. Chairman.

Thank you, Congressman Huffman and Congressman Case. I'm Tom Nies. I'm Executive Director of New England Fishery Management Council. I'm curious if you're committee will be asking the councils for technical comments on the impacts of the draft legislation. As Attorney Issenberg just pointed out, we can only provide that information if we receive a specific request. And, while I know there were some specific requests, I think, on some earlier bills, I don't believe all the councils received specific requests. Would that be your intent when the legislation is dropped?

REPRESENTATIVE HUFFMAN: Thanks for that question, Tom. I do understand. There is very specific process. And, I should say that in addition to Congressman Case and I being committed to making this transparent and deliberative and inclusive, we want to make it ethical and keep everybody out of trouble. So, we're going to do
1  it right. And, when we have a bill in print, we
2  will initiate the formal process of getting
3  council feedback on the bill in print.
4  But, I also want to emphasize that we
5  have read your white paper where you put out
6  principles that you think are important from a
7  council perspective for Magnuson reauthorization.
8  And, we've had individual conversations with some
9  council members along the way. So, it is not like
10  we have -- we've not had some input, but we will
11  definitely formalize that input going forward.
12
13  MR. NIES: Thank you.
14
15  CHAIRMAN GORELNIK: John Gourley.
16
17  REPRESENTATIVE HUFFMAN: Ed, if you're
18  trying to speak, you're muted.
19
20  REPRESENTATIVE CASE: Apologies. I
21  would just add, quickly, that this is quite
22  unusual in terms of preparing legislation. Most
specific approaches that we sent out there for folks to weigh in on. And, so, that level of advance discussion and openness is unusual. And, so, I hope that that will give people comfort that we plan on following the exact same approach after formal legislation is introduced.

CHAIRMAN GORELNIK: Thank you. Chuck Tracy.

MR. TRACY: Thank you, Representatives Huffman and Case, for coming and presenting your views to us here today. I just did want to mostly say thank you for your listening to us, and I think that it will be a unique approach to legislation. And, I agree with your statement that transparent process is key to good quality. I think that's sort of the mantra here at the councils. We firmly believe that open meetings and getting lots of public input and opportunity is really key to locked doors, so I just wanted to thank you for that unique approach that you're taking.

REPRESENTATIVE HUFFMAN: Thank you,
Chuck. I appreciate that.

CHAIRMAN GORELNIK: John Gourley, your hand is still up?

MR. GOURLEY: Yes, thank you. I had a second question. Representatives Huffman and Case, are y'all planning to hold legislative hearings in Washington, D.C. on the reauthorization? And, are you planning to continue with your -- another round of meetings around the country for it, or can you give us some insight into that?

REPRESENTATIVE HUFFMAN: Yes, John, there will definitely be hearings. So, I would imagine there's probably one hearing in the house and then hopefully moving through a markup. And, then, I can't say what the Senate would decide to do, but, along the way, we will continue to have conversations with all types of stakeholders.

And, I should clarify that, even after the formal listening tour was over, I found myself in really large virtual meetings with groups of stakeholders in Alaska and other places. So, this
has really been an almost continuous feedback loop
and I would expect that will continue for some
time.

    MR. GOURLEY: Thank you, gentlemen.

    CHAIRMAN GORELNIK: The CCC is awfully
shy. Are there any further questions? I'm not
seeing any further hands. I want to thank both
Representative Huffman and Representative Case for
joining us. You're certainly welcome to stay with
us as we continue this agenda item on Legislative
Outlook, and we appreciate your willingness to be
with us.

    REPRESENTATIVE HUFFMAN: Well, thank
you, Marc, and I want to thank my good-looking
colleague with the working video camera, Ed Case.
That's one of many reasons he's a great guy to
work with. And, thank you, Marc, for showcasing
the beautiful Farallon Islands behind you, so --
if I'm not mistaken, right?

    CHAIRMAN GORELNIK: Indeed, those are
the North Farallon Islands, a place I'd like to be
when the weather is good but not when the weather
is not.

REPRESENTATIVE CASE: I want to say thank you, also. I was very puzzled by why my chair was not on video, because he's not shy to go on video. So, I wasn't sure what that was all about. But, we look forward to working with each and all of you further. Mahalo.

CHAIRMAN GORELNIK: All right. Thanks, again. And, again, you're more than welcome, or your staff is welcome to stay with us. Next, we have some staffers that have joined us, and I'm going to ask Dave Whaley to provide some introductions to see if they have anything to share with us and to see if we have any questions of them. So, Dave, are you with us?

MR. WHALEY: I'm here, Mr. Chairman. Thanks. First of all, let me thank the staff that are willing to participate, and also thank the members for taking time out of their busy schedules. I know there's been floor action today in both the House and Senate. So, I'm glad folks are willing to participate.
We've got a panel of congressional staff today. There are two main committees that deal with fishery and ocean issues in the U.S. Congress. There's the Senate Commerce, Science, and Transportation Committee, and there's the House Natural Resources Committee. We have bipartisan staff, or I should say partisan staff but from both sides of the aisle, both committees that are joining us today.

I've been looking on the participants list. I see three of the four, and hopefully the fourth will join us. But, we have Nikki Teutschel from -- she's Senior Professional Staff with the Senate Commerce Committee. She works for Senator Cantwell and has for quite a number of years. So, she works on the democratic staff on the committee.

Hopefully, we'll soon see Fern Gibbons who is the policy director for Oceans and Surface. With the Senate Commerce Committee, she works for Senator Wicker and obviously works for the Republican staff.
On the House side we have Lora Snyder who is Deputy Staff Director for the full committee and also the staff director for the Water, Oceans, and Wildlife Subcommittee. She works for Congressman Grijalva, the chair of the committee and works for the Democrat staff. And, we have Annick Miller who is professional staff on the Natural Resources Committee. She works for Ranking Member Westerman and works for the Republican staff.

So, those are quick introductions.

Going by seniority, I think Nikki is the most senior. So, Nikki, if you want to start off. I know folks are interested in not only what's going on with the Magnuson Act reauthorization but also any other fisheries issues that your bosses might be interested in, or you want to break out your crystal ball and tell us what you think is going to happen in the next 2 years, that would be great.

MS. TEUTSCHEL: Thank you, Dave. And, I apologize now if I have to hop off quickly. The
Senate is pretty busy today, working on a competitiveness bill that is being managed by Senator Cantwell. So, it's an all-hands-on-deck situation over here.

My name is Nikki Teutschel. I work for Chair Cantwell from Washington State on the Senate Commerce Committee. I am the Ocean Subcommittee lead and I also oversee the maritime policies and the Surface Subcommittee. I've worked for Maria for more than 10 years, and I'm a proud member of the Seagram (phonetic) mafia, which I know a number of folks are on this call.

I want to kind of keep it brief, as I said, in case I get pulled. Senator Cantwell's been talking a lot about salmon infrastructure, which in her mind is habitat for fish, essential fish habitat, stock assessment, science. She's just trying to capture that this infrastructure process should include natural infrastructure and another from Washington State. You know, we know salmon management is a little separate from you all, but nothing captures that better for us than
talking about this in the context of salmon.

So, she has been pushing Secretary Raimondo and others to start looking at some solutions. We're trying to work with our colleagues to get more oceans tax (phonetic) in that package, because we do see this as a rare opportunity to make some meaningful investments in fishery science, habitat, and the like.

In addition, a number of our members are interested in ocean acidification and other science-type bills that affect fisheries. With respect to Magnuson-Stevens, we have little bills here and there that may amend Magnuson, including the Shark Fin Sales Elimination Act, which is actually on -- in the bill that's on the floor in the Senate this week and top out of committee last week.

But, we haven't had a lot of pressure to look at reauthorizing Magnuson in the Senate. St. Cantwell believes that Magnuson is working, and, while there are little improvements that perhaps could be made to various processes, -- and you
should talk about those -- as a whole, we need to protect Magnuson and look forward to doing so, as she is Chair.

Let's see. I'm trying to think of other fisheries things. Forced labor in IUU is a hot topic these days. We're hearing a lot about that from a number of committees. Senators Wicker and Cantwell work together to secure the Maritime Space Act that passed a couple of years ago and the National Defense Authorization legislation. I think it's likely that there will be some followup to that activity in a bipartisan manner.

Also, we're cognizant that members are talking a lot about SIMP improvements. But, you know, in the Senate I think we need to see the outcome of SIMP. SIMP is in its infancy. We're hearing that NOAA has a lot on its plate on SIMP. We want to make sure that that program is acceptable, and we'll be looking to know and to make sure that it's working as is before we put more on NOAA's plate.

Just, more broadly, the Senate is --
it's a 50/50 Senate, which is really interesting. That means our committee is half Democrats, half Republicans. So, every bill we pass has to be bipartisan. (inaudible) time my boss operates normally anyway, but it's a little more acute. I think, on one hand, folks would say that's a challenge, but on the other I think it's a real opportunity, because fisheries should be bipartisan. We work very well with the number of our colleagues across the aisle.

With respect to Magnuson, getting a Magnuson out in a 50/50 Senate would be a Herculean task. Perhaps we can use this challenge and opportunity to focus our efforts on areas where we do have bipartisan insurance and opportunity and keep us focused on what's achievable.

So, to that end, you know, I know we hear from a lot of constituencies or are surrounded by folks on this all the time. Fishermen are not shy in Washington State and across the country, but if there are things you'd
like us to be smarter on, to be considering as
we're looking at opportunities, our door is always
open. So, it's nice to meet you all, and thank
you for including us.

MR. WHALEY: Thank you, Nikki. That was
great. I don't see if Fern is on. Fern, if you
are, do you want to say something? If not, we'll
go to Lora. Lora, are you there?

MS. SNYDER: Yes, hi. Thank you. Yes,
I'm Lora Snyder. I'm the deputy staff director
for House Natural Resources Committee and the
subcommittee staff director for Water, Oceans, &
Wildlife. I'm not going to speak much about
Magnuson reauthorization, since you just heard
from my subcommittee Chair and one of our favorite
members of the WOW subcommittee, Mr. Case. I
think they gave you a pretty good recap.

Kind of jumping on some of the topics
that Nikki was discussing, I think one of our
priorities through the American Jobs Plan is
focusing on ways to get additional funding to
coastal communities to do shovel-ready projects to
restore habitat, to make communities more resilient.

In Chair Grijalva's Ocean-based Climate Solutions bill, there is a title in there that, without the energy assessment standalone bill, Ann got into the broader HR2 infrastructure package from last year on shovel-ready restoration projects. We do add a section in there that says to prioritize grants if the applicant can demonstrate that they are working with fishermen, especially fishermen who have been negatively impacted by the pandemic.

We modeled the program, the overall program off of the 2009 RF (phonetic) funds, the stimulus funds, and it was hugely successful. So, I think that's one of our top priorities within the House Natural Resources Committee in addition to Chair Grijalva's Ocean-based Climate Solutions bill.

I know we heard from a number of you on that bill. It will be reintroduced, I think, in the coming weeks. I do want to (inaudible) that
30 by 30 section is not going to be included, because that's going to be part of -- that's already part of items planned. So, there is the title on climate ready fisheries that we've made significant changes to. I hope folks will take a hard look at that bill, because I think that there's a lot of good stuff in there for the fishing community. We're looking at working waterfronts, et cetera.

Nikki also touched on the issue about illegal fishing and human trafficking within the seafood supply chain. The last Congress partnered with her colleagues on the Ways and Means Committee to request the International Trade Commission to conduct a report, looking at how much illegal fishing is coming into the United States (inaudible) 2.4 billion worth of seafood, 11 percent of it.

It also looked at the impact to domestic fishermen, and I think it's taking $60 million off the table away from domestic fishermen. So, we worked with Subcommittee Chair Huffman and
Congressmen Garret Graves who just (inaudible) to bipartisan piece of legislation, the Illegal Fishing and Forced Labor Prevention Act that was introduced last week. That will be a top priority of the committee.

We do think that there are a lot of opportunities for SIMP to be expanded, not only for additional species but also to help give the United States Government more tools to identify human trafficking within the seafood supply chain and to ensure that that's not entering our market.

So, we're looking at that. And, then, I believe Congressman Huffman talked about this in the context of MSA, but we also -- the essential fish habitat, consultations, language, we have made changes to that. That's also included in Ocean-based Climate. It's in Magnuson and in the Magnuson draft as well. And, then again, just working on some of the smaller goals that Congressman Chair Huffman (inaudible).

MR. WHALEY: Great. Thanks, Lora. I still don't see Fern on the list. So, Annick, are
you ready to go?

MS. RIVERA: Sure.

MR. WHALEY: Perfect.

MS. RIVERA: Annick Miller. Nice to see most of you. I have been with the committee for almost 3 years. I mostly work on western water issues, but I have been known to work on ocean policy throughout the years. As you've heard from the majority, so I won't really bore you with many details. Since we are not in charge, we don't really get to control the agenda.

But, we look forward to the discussions that Chairman Huffman has talked about with potential MSA reauth, especially the hearings in the regular order. We definitely believe that anything that we're talking about when it comes to MSA reauth, or any of these bills that we're discussing, should go through regular order and we should have the opportunity to have all stakeholders engaged.

Aside from that, I know a lot of our coastal members, including Mr. Graves, are very
interested -- or the Gulf Coast on the red snapper issue, which I will not be going into right now. I will save you all from that.

But, aside from that, we have -- yeah, a lot of our members are very interested in any potential changes to MSA that have been introduced, and the IUU issue for sure is one that is a hot topic. But, we look forward to having hearings and going through regular order to discuss these issues and obviously to hear from you guys.

MR. WHALEY: Thank you, Annick. Mr. Chairman, do we want to open up for questions, and are staff willing to stick around for a few more minutes?

CHAIRMAN GORELNIK: Yes, I think that if there are any questions of the staff, we want to be respectful of their time. But, if they're willing to stick around for a few minutes to see if there are any questions from the committee and CCC, and, of course, if you have questions of staff, you would please raise your hands and I
will call on you.

I'm not seeing any hands. Dave, do you have any questions? Bill Tweit, please go ahead.

MR. TWEIT: Thanks, Mr. Chair, and hello to Nikki in particular. Good to see a face.

MS. TEUTSCHEL: Hey, stranger. (Laughs)

MR. TWEIT: I appreciate everybody's time here today. I understand you all are working really hard at the moment, and that's great. One of the issues that we have been hearing more about and, in fact, was highlighted some by Sam Rauch from the agency this morning with some of his introductory remarks -- our ability to reach out to underserved communities. And, for us on the North Pacific Council, that's a really cross-cultural as well as a gigantic geographic challenge.

And, just wondering, what kinds of tools you think Congress may be thinking about to provide councils with assistance in that. It definitely broadens our workload, it broadens our sort of time demands on us, our resources and all
But, we also see it as something that we've certainly gained experience with this through the pandemic that's been one of the -- sort of the unexpected consequences of the pandemic is that some of those underserved communities have felt more isolated from us because we couldn't meet in person, but others have taken advantage of the opportunities that we've afforded to meet with us virtually more. And, so, we're really grappling with this issue of -- they can't take a diverse range of outreach. That's clear as well. And, that's going to be a challenge for us, also.

So, back to the basic question is, what kind of tools do you think Congress is sort of thinking about for helping us address that?

MS. TEUTSCHEL: Thanks, Bill. I'll take the first crack. You know, I appreciate you bringing that up. I think that's a big issue across the NOAA enterprise, not just fisheries and councils but something they should be thinking
about (inaudible) large. I think the obvious answer is appropriations. There needs to be more funding for councils for a lot of things, including this.

I think, in addition, the last 4 years showed us some of the challenges we have and opportunities for improvement, I'll say, to keep it positive, on tribal consultations specifically, and what more NOAA can do both from a staffing infrastructure perspective with interacting (phonetic) with our tribal -- that are recognized treaty tribes as well as -- you know, I think there's a real interest in Indian country, as it's been described to me.

And, in talking about not only having that consultation relationship on regulatory issues, including many of the actions councils take, but also on policy and larger initiatives where indigenous knowledge and tribal treaty rites are affected, again, through NOAA's enterprise.

So, I'm not sure what the answer is right now, but it's something that we are talking
a lot about and are considering as we're working on -- Senator Cantwell's working on a NOAA Organic Act. NOAA has never been authorized, and so we're looking at kind of strengthening the role for tribes at that level. If there are recommendations from the CCC on additional tools besides money that we can work with you all on, we are all ears, because this is a really important issue.

MS. SNYDER: I'll just jump in, because on (inaudible) on Thursday Chair Grijalva's (inaudible) that it looks into the requirements of tribal consultation, tribal federal actions. We're having a hearing on that on Thursday, and Chair Grijalva is the author of the Environmental Justice for All bill. So, this is definitely a top priority of his.

I will (inaudible) attention on this a little bit, the ability to host things virtually has actually opened up the ability to hear more voices. We've actually, through conducting our hearings online and virtually, we're able to get
such -- so many more stakeholders that probably
couldn't afford to fly to D.C. on short notice to
testify.

So, we have found that it's been really
valuable to get more perspective in place. So, I
will also encourage the CCC and the councils that
-- to allow virtual participation. And, that
shouldn't be too expensive. So, that would be one
thing I can -- I mean, I would suggest outside of
-- like a (inaudible) appropriations. The other
ting that we're also -- again, because of, you
know, my boss's priorities and where he has been a
leader, those shovel-ready restoration projects,
that bill, also where I said it prioritized
working with fishermen, it's also prioritizing
some habitat restoration projects, living
shoreline projects that are, again, good for fish
in under-resourced communities as well.

CHAIRMAN GORELNIK: Anything further
from staff in response to Bill's question? Thank
you. And, thank you, Bill, for the question. Are
there any other questions of our congressional
staff?

MR. WHALEY: Mr. Chairman, for the record, when I used to come up to these meetings, I got peppered (phonetic), and I can't believe nobody's going to ask any more questions.

CHAIRMAN GORELNIK: I think people are being very polite, which is nice. But, I've not known this to be a shy group. So, let's see if there's anything -- any further questions. Or, maybe government is working so well that we don't have any further questions. I'm not sure what the answer is. Kitty.

MS. SIMONDS: Well, I have to be very careful here. I don't have a question, but I just did want to convey concerns for our region. The United States has three tuna fisheries in the Central and South Pacific, and our fishery is one of them. The other is the American Samoa tuna fishery, and the other is the U.S. (inaudible) fishery.

So, our concerns are with illegal, unreported fishing, and we monitor global
FishWatch, which I hope everybody does as well. And, the seafood competition, we are in huge competition, because our fishermen have to fish alongside of China, Japan, Taiwan, Korea. And, as you all probably know, China increased its longliners in the last 5 years from 100 to several hundred, and Taiwan has 2,000 longliners out there.

So, our big concerns are in the international arena, and I think it's wise that there are -- there is legislation out there and if anybody needs any information about all of this out here, we have it all. And, the U.S., the U.S. Provides aide to many of these countries and billions of dollars. So, really, looking at and supporting U.S. fishing is what needs to happen. So, thank you.

MS. SNYDER: Thank you, Kitty. I'll just respond really quickly. The ITC report that was finalized, I think, 2 months ago did identify China as the top importer of illegal seafood. I think they're the highest amount, and we do think
that the IUU report by NOAA, that there's
certainly room for improvement.

The bill (inaudible) that -- I don't
think it's posted yet, because it was just
introduced last week, but we'll make sure that you
guys have it. And, to Nick's point, I promise
everything will go (inaudible). (Laughs) We are
planning to have a hearing, and we had two
hearings on the issue in the last Congress as
well. And, we'll continue that dialogue and I'm
happy to send it to the CCC to ask for CBA
(phone) as well. And, we're happy to do that.

MS. SIMONDS: That's all I can ask for.

(Laughs)

CHAIRMAN GORELINK: All right. Thank
you. Eric Reid?

MR. REID: Yes, thank you, Mr. Chairman,
and thank you, Ms. Teutschel, Snyder, and Miller.
My question is about the industry's interaction
with alternative energy. I'm from New England. I
guess we're the first one over the edge when it
comes to interacting with wind farms.
So, my question is, how do you see the industry as a whole being better able to enhance its participation and interaction with not only our politicians but with these foreign companies? At this point, I would say we are an underrepresented community at this time, and I'd just be interested to hear if you have any ideas or suggestions on how we can have more meaningful input in the outcomes of some of these cumulative impacts for thousands of wind turbines. Thank you.

MS. SNYDER: Yes, I think, well, early engagement is obviously very important by the agencies and by industry. I guess I recently was looking through all of the mitigation pieces of the EIS for the proposal up in New England. And, at some point it doesn't need to be here, but I'm curious, because it seems like there are a lot of proposals on the table to help mitigate the concerns, but would love to hear some more specific feedback from the fishing community on their concerns around this mitigation component.
MS. RIVERA: I'll jump in.

CHAIRMAN GORELNIK: Go ahead, please.

MS. RIVERA: I have mostly a question for you guys. Do you think both NOAA and BOME (phonetic) talk to each other very well and listen, or have you different opinions on that? Not to put NOAA and BOME on the spot, but.

CHAIRMAN GORELNIK: Well, the only hand up I see is Dave Whaley. I'm not sure if he wants to respond or if there's a CCC member who wants to respond to that. I'm not going to offer an opinion. I'm not sure if the question was rhetorical.

MS. RIVERA: It doesn't have to be rhetorical, but it might be. (Laughs)

MS. SNYDER: So, I have a suggestion. You asked for some of us to -- one of the things that we definitely, for a period of time, a lot of -- we are hearing mainly from fishermen and offshoremen (phonetic). And, one of the things that we heard a lot was that their proposals are in the historical fishing area. But, that
information is not public, unless the vessels have AIS on them.

And, then we went -- it's -- we had to know and asked some questions about what percentage of fisheries have BMF (phonetic) requirements, so even where NOAA would know where fishing is happening. And, this has actually come out a few times, because NOAA had this website that shows where wind activity can happen, it shows where fishing activity is happening, but it doesn't include all fishing activity.

So, one of the things that I do think is really important is that fisheries have AIS or BMF. So, we actually can make smarter decisions for other uses of the ocean. So, I am a huge proponent of AIS for that purpose, too, and also for -- Kitty just mentioned Global Fishing Watch and being able to identify illegal fish coming into our country that uses AIS, BMS.

I think it's just a very valuable tool, and I'm helping to determine where different activities should take place and also helping to
determine illegal fishing activities. So, that is one thing that I think is very important.

CHAIRMAN GORELNIK: Eric, you had your hand up since the start of this topic. Go ahead.

MR. REID: Yes, sorry, Mr. Chairman. I opened Pandora's box. Sorry about that, but, to that point, Ms. Snyder, it's very impressive that you know about AIS and I'm happy to talk to you offline, not to waste everybody's time here. But, your point about AIS should not fall on deaf ears, especially for fisheries, not necessarily in New England but around the rest of the country that have no data on where they work. So, that was a great answer and I would -- you know, anytime you want to talk about offshore wind, I'd be more than happy to have a conversation with you. And, thank you very much for your time.

MS. SNYDER: Thank you.

CHAIRMAN GORELNIK: Ed Watamura. (No response) Ed, you're muted. There you go. (No response) Ed, we're not hearing you.

MR. WATAMURA: Yes, I just wanted to
(inaudible) answer your original question and
(inaudible) BOME --

CHAIRMAN GORELNIK: Ed, your audio is
not really readable, so.

MR. WATAMURA: (inaudible) Russian
(phonetic) energy --

CHAIRMAN GORELNIK: Can you try that
again, because we really couldn't understand what
you're saying.

MR. WATAMURA: The BOME (inaudible)
energy at (inaudible) has met with us and have
laid out their proposal and the location
(inaudible) of where they're thinking about doing
the wind farms here (inaudible) -- oh, I have my
mic on. I don't know why --

CHAIRMAN GORELNIK: All right. Well, I
think you provided some input on -- it sounded
like with your work with BOME. Is that right?

MR. WATAMURA: How about now?

CHAIRMAN GORELNIK: Yes. Try it again.

Go ahead.

MS. SNYDER: Perhaps he could type it in
the chat.

CHAIRMAN GORELNIK: Yes. Why don't you try that, Ed. I think there is an audio problem.

MR. WATAMURA: Yes, the summaries that I've -- I'm not hearing --

CHAIRMAN GORELNIK: Yes, I think that there is a bandwidth issue somewhere in the pipe here. But, Ed, let me --

MR. WATAMURA: Yes, I guess I'm not coming -- the connection must be not good. Sorry.

CHAIRMAN GORELNIK: It kind of comes and goes. Dave Whaley, your hand has been up awhile. What say you?

MR. WHALEY: Thanks, Mr. Chairman. I was just going to ask another question, if we wanted to move on to another issue.

CHAIRMAN GORELNIK: Why don't you go in and ask your question and then we'll come back to Ed, and hopefully whatever is limiting his bandwidth will be resolved by then.

MR. WHALEY: Okay. Before I do that, I understand Fern Gibbons is online as an attendee.
She had some trouble logging in as a presenter, but maybe the Webex host could move Fern Gibbons into a panelist or participant mode.

The question I was going to ask was, we've talked among the executive directors and some of the council members quite a bit about the 30 by 30 executive order. Councils around the country have done a lot to protect habitat, to set aside areas to protect marine mammals, and have done other closures. I just wondered, from congressional staff's point of view, if you have any insights on what the administration might consider as conservation and whether the closures that councils have worked on count toward that 30 percent number.

MS. RIVERA: I'll let Lora go first on that one.

MS. SNYDER: (Laughs) I believe in the report that NOAA put out -- and NOAA can speak to -- the administration can speak to this better than I can -- but, I believe they're working with USGS to do the mapping and identifying. Is it 23
percent that's already been protected or is it 26 percent that's already been protected? Because, those seem to be the two numbers that are out there.

I will say, from Chair Grijalva's perspective and our perspective, with the Ocean-based Climate Solutions bill, we had the 30 by 30 section in there. Now, I don't know if people picked up on this, but we did try and very much acknowledge the work that councils had done, and not just for closed areas but for areas where it was -- some of them were destructive fishing gears were not allowed, that low bycatch fisheries or whatnot.

We did say identify what those are and look and see what other additional protection that Magnuson-Stevens is not able to -- you know, from whether it could be mining, drilling, whatnot. But, go and look at what the councils have already done. Don't use that as like low-hanging fruit to just completely ban those areas when there's been council action and a lot of stakeholder input in
what not to do. They're good measures to protect habitat and species. What else could be layered on for those protections?

So, that we called out in our person (phonetic) of the bill, and they do (inaudible) might think that that is important. And, then I think for terms of council protection, there is a question -- is that permanent? And, then there is also the question of -- for -- Magnuson is not able to protect everything, you know, from everything. So, what additional protections need to be in place for those areas outside of Magnuson? So, I mean, that's just where we are coming from, our perspective, but I can't speak for the administration on their plan.

MS. RIVERA: From our perspective, I mean, obviously we don't want to see full closures that will affect fisheries. The report doesn't really go into too much detail, at least the one that was released on the ocean side. So, we look forward to seeing what the administration puts out when it comes to the ocean component of it.
Obviously, we've listened to our witnesses when we talk about MPAs. We clearly are not huge fans of it. So, that tells us our first LTR (phonetic) perspective on increasing MPAs in general.

MS. GIBBONS: This is Fern. Maybe I'll just jump in, because I think I'm live. Sorry I'm late. So, I work with Ranking Member Wicker and it's our position the U.S. already has the strongest ocean conservation laws in the world and we (inaudible) we are able to, which is obviously more limited than we would like, we'll continue to convey to the administration that we have laws on the books. We don't need arbitrary goals (inaudible) actually serve conservation needs.

CHAIRMAN GORELNIK: Dave?

MR. WHALEY: I think Nikki got off the line as soon as I asked that question. So, she's probably the smartest of the group. Mr. Chairman, if I could have one more quick question that relates to some issues that are going to come up later in the CCC meeting. But, I know Senator Wicker had an aquaculture bill in the last
Congress. Not much had been said about aquaculture legislation for the 117th Congress yet. I just wondered if any of your bosses have an interest where that issue ranks in a priority.

MS. GIBBONS: I mean, we think aquaculture can be a really important part of the overall (inaudible) economy, where the aquaculture initiative is largely (inaudible) by the (inaudible) office for us, but I will meet with them and say that they are taking last year's bill as a starting point but doing yet another round of stakeholder feedback and input and trying to really see if they can't get to a consensus product (phonetic). By the fact that the bill has not yet passed, it's a pretty heavy lift, because there are a lot of equities to consider, and I think that we're -- I know that commercial fishing interest is very high on the list of folks, that they would want any process -- they would want any process to be in close (inaudible) with the commercial fishing industry, because that's obviously really important to some folks, to
Mississippi specifically, but nationwide generally.

So, it is a work in progress. It's an important topic, but we don't yet have a workable solution, a passable solution.

MS. SNYDER: And, then, from our perspective, our position on aquaculture is in the Ocean-based Climate Solutions bill. We think that all aquaculture is created equal. We are more supportive of what we're (inaudible) restorative. Ocean aquaculture is still looking at primarily bivalve (inaudible). So, if you look at that bill, you'll see where we are in aquaculture.

MS. RIVERA: I'm going to stay out of that one for now.

MS. SNYDER: That's a signoff, too.

(Laughs)

CHAIRMAN GORENLIK: Well, thank you for your time. We value your participation. I see (inaudible), if you stick around, Chuck Tracy has his hand up.

MR. TRACY: Thanks, Mr. Chairman, and
all of you for coming in to give us your thoughts.

I just wanted to follow up with Lora. I should mention some of the aspects of the 30 percent conservation objective and the permanence of areas, and I guess that's something that the council has some thoughts about and some discussions about. So, I guess any feedback you could provide, now or in the future, as to what you mean by permanence of our closed areas would be helpful. I mean, I think there's been some questions about whether the council's regulations are permanent. But, you know, I think they're pretty permanent as far as we're concerned, but (inaudible) any (inaudible) on that would be awful to us.

MS. SNYDER: Well, I mean, they can change the regulation. I think of this as difficult. Again, I can't speak for the administration, but as we were drafting some of this language, like the (phonetic) address some of the questions that we are asking ourselves.

And, one of -- oh, I forget if it was
like deep-sea coral -- because I think we had a provision last time that was basically like if the council designate like a deep-sea coral area, then we lay on it a bunch of protections, too, and then layer on other protections for closed areas.

And, there was concern while -- for the councils, but the councils just go and do closed areas to get these additional protections and then open them back up. So, we just did a review. I think we said it needs to be looked at every 5 or 10 years, I think, is how we dealt with it. But, I think that those are -- and more (inaudible) speaking to some of the feedback and concerns and comments that had been (inaudible) about that and looking at some of the definitions. So, certainly, I'm sure it's going to be something you all will be discussing with NOAA as they are working on their next report.

MR. TRACY: Thank you.

CHAIRMAN GORELNIK: Mr. Whaley, your hand was up?

MR. WHALEY: Yes, thank you Mr.
Chairman. Before we move on to the next item I just wanted to put in a shameless plug for the CCC Working Group paper, position paper on the Magnuson-Stevens Act Reauthorization. It's been something that the councils have, the CCC in particular, has worked on for a number of years; when I was on the Hill, it was a very valuable document and I think the work that's been done on it makes it a really valuable resource.

And lastly, before I get in trouble with Adam, I just wanted to note there are a lot of new members of the House, Natural Resources Committee, and there are quite a few new members of the Senate Commerce Committee. For those that might represent coastal districts, I think we're allowed to invite them to council meetings to help educate them on fisheries issues; but as Adam told us, we need to be careful about lobbying, but I just want to put in a plug, if you're having a meeting, an in-person meeting, and you know there is a new member of congress who's not familiar with fish issues, give me a yell.
CHAIRMAN GORELNIK: Or staff.

MR. WHALEY: Or staff.

CHAIRMAN GORELNIK: All right. Well, I'm not seeing any more hands. Thank you to each of the staff members who joined us, you're always welcome, either at CCC or at council meetings, and hopefully one day we can all meet in person to have these discussions. So, with that, thank you to the staff, you're welcome just to hang with us if you'd like, but we're going to move on within the same agenda item. I'd like Dave Whaley to provide a wrap, if you will, on legislation and then we will go to the legislative work group report after that.

MR. WHALEY: Thanks, Mr. Chairman. I know a lot of legislative issues have already been brought up; I'll just note a couple of quick ones. Obviously, right now we only have one Magnuson-Stevens Act Reauthorization Bill that's been introduced. Chairman Huffman noted that his might be introduced as soon as the end of the month, so we'll look forward to that. So far
there are no Aquaculture Permitting Bills that have been introduced; as Fern mentioned, that's still a priority for Senator Wicker, so we might see something before too much longer. Forage fish legislation, there is no House Bill, but there has been a Senate Bill that was introduced by Senator Blumenthal from Connecticut. As mentioned, there are shark issues or shark bills that have been moved, there are currently four shark bills that have been introduced; one of those was added to the Endless Frontiers Act Bill, which is being considered by the Senate right now, this week; so, it's possible that there will be a Shark Fin Prohibition Bill that will pass the house this week. Last year we had a Driftnet Bill that would have banned West Coast driftnets for certain fisheries. That bill passed both the House and the Senate, but was vetoed by the President. It has been reintroduced in both the House and the Senate, so I expect action before too much longer on that.

One other issue that I was going to
bring up was the, Congressman Grijalva had introduced the Ocean Climate Solutions Act that Lora talked about. It was a fairly comprehensive bill that included a lot of issues that the councils might be interested in. It was 259 pages, so I was, I was killing myself trying to do a summary last year. As Lora mentioned, it's likely to be reintroduced soon; so once it is, I will try and do a review of that.

Lastly, it was mentioned that Rick Spinrad has been nominated as the Under Secretary for Oceans and Atmosphere for NOAA. On Thursday morning a 10:00, the Senate Commerce Committee is going to do a hearing on his nomination and he will be testifying, so for those of you on the East Coast that are awake and want to watch that, you might get some insights into Mr. Spinrad.

And lastly, the NOAA Fisheries AA is not a Senate confirmation, is not a Senate confirm, confirmable position, easy for me to say, but I suspect the Senate Commerce Committee will do a hearing on whoever that nominee is, and I'll let
you know when I hear about that. So, Mr.
Chairman, unless there are questions for me, I'll
shut up.

CHAIRMAN GORELNIK: Well, look. We have
a question. Go ahead.

MR. TWEIT: Thanks, Mr. Chair. Hey,
Dave. The -- you mentioned that the Drift Bill
Net Ban is moving through, that has one other
element to it, totally unrelated, and that's the
authorization of an unspecific council to raise
revenues for an RQE. My understanding is that
that's attached, but in a slightly different
language. Can you enlighten me on that?

MR. WHALEY: I have not looked at that
language specifically. I know they were talking
about putting it in the Senate bill at least; I
don't know if it's in the House bill. Let me get
back to you on that.

MR. TWEIT: I appreciate it.

CHAIRMAN: GORELNIK: Any further
questions of Dave on his wrap? All right. Thank
you very much, Dave, for your help. We'll now go
to the Legislative Work Group report and Dave Witherell.

    MR. WITHERELL: Thank you, Mr. Chairman.

Morgan's going to help me and load the PDF of my first presentation from the Work Group. Stand by until that comes up.

    CHAIRMAN GORELNIK: No problem.

    MS. COREY: Yeah, just a moment, Dave.

    MR. WITHERELL: Thank you, Morgan. I have a very brief report of Legislative Work Group activities and embedded in the presentation is a short picture story, if you will, of what I did in my free time during the COVID lockdown. Next slide.

So, we have membership on the Work Group from all of the different councils, as well as Dave Whaley as an ex-official member. This was my last meeting as Chair of the Work Group and, according to our bylaws, I guess, if you will, and Tom Nies will step up to the Chair for the next two years, and the CCC will need to approve a new Vice Chair to take that role. Next slide.
So, we did have a meeting since the last CCC meeting. If you remember at the last CCC meeting, the group passed the Legislative Work Group with revising the Consent to Statement for Aquaculture, because in 2020 the 5th Circuit Court had issued an opinion that NOAA didn't have the authority to issue regulations for Aquaculture, and the councils didn't have the authority to, or ability to adopt the Aquaculture FFP. So, the Work Group worked on a Consent to Statement for your approval at this meeting. We also received a status report on MSA Reauthorization, another bill from Dave Whaley similar to what you heard today. We took a look at our working paper relative and specifically to the references to very old legislation pre 2019 legislation. Many of the links were no longer working, so we decided to take those links out of the working paper and just include a pointer to the fisherycouncils.org web-page that contains all the council letters, comment letters on legislation, and all of the links to the various fishery legislation that we
will keep updated.

Fourth, we talked about whether or not we wanted to add additional topics at this point for the working paper based on the legislation that was introduced in the last congress, and we decided to wait and see what was introduced in this congress, and see if there were other topics that we needed to address in the future. Slide.

And here is the proposed Aquaculture statement, Consent Statement from the Work Group. I'm not going to read it here, it is attached to the Work Group minutes, but basically it says that the CCC believes that the councils do have an important role, particularly with regard to permitting and review of Aquaculture operations. And the statement really discusses what the benefits that the councils bring to the table in doing so. Next slide.

So, the next steps for the Work Group would be to update the working paper to include a new Consent of Statement on Aquaculture and to continue adding and refining our regional council
perspectives, and you recall that we try to keep
those updated and we put a date noting when the
last update in the working paper from now-on-out.
And we do have some updates from the South
Atlantic and New England included in the draft
that's posted for this meeting, CCC meeting.

Additionally, of course, we'll continue
to track various fishery bills, including MSA
Reauthorization. Next page.

Just to reiterate at this meeting, we'd
be looking to have the CCC approve a Consent to
Statement for Aquaculture and to make a motion to
select a new Vice Chair; and as I mentioned, that
Vice Chair will assume the chairmanship of the
Work Group three years from now.

Mr. Chairman, that concludes my
presentation. You can put on the next slide,
Morgan, if anyone wants to see the final project
I'm working on too. Thank you, Mr. Chairman.

That concludes my report.

CHAIRMAN GORELNIK: Thanks, Dave. Both
the report and your handiwork are very impressive.
So, let me see if there are any questions of Dave on the work group report. John Quinn.

MR. QUINN: Chairman, I don't have a question, but at the appropriate time, I have a couple of motions to make; so after the question, I'd be happy to put a couple motions forward.

CHAIRMAN Gorelnik: All right. John, thanks for that. What we'll do is, we'll see if there's any questions here, then we'll go on to see if there is any public comment, and then we'll come back to council discussion and action. So, let me see, before we go to public comment, I want to make sure we've answered any questions there may be on the report. And, John, your hand is still up for motions, which will be later; is that right or do you have a question? There you go.

All right. I'm not seeing any hands for any questions on the report, so I will next see if there's any public comment, so I'll turn to Nicholas and see if there's any public comment, if anyone has chatted you with a public comment request on this agenda item.
MR. PIEPER: No, I don't see any comments as of yet.

CHAIRMAN GORELNIK: All right. All right, so that will take us to council discussion and action on this agenda item; so, now would be the appropriate time for folks to raise their hand for discussion or motions. John Quinn.

MR. QUINN: Thank you very much, Mr. Chairman, and I would like to move that the CCC approves the Legislative Working Group's proposed Aquaculture Consents of Statement.

CHAIRMAN GORELNIK: All right. Thank you, John, for that motion. We will need a second on this motion, if someone will raise their hand to second the motion. Chris Moore raises his hand to second the motion. So, John, do you want to speak to your motion at all?

MR QUINN: No, I think Dave Witherell explained it and I think he said it was a rather lengthy one, and I assume people have reviewed the document.

CHAIRMEN GORELNIK: All right. Thank
you. Let me see if there's any discussion on this motion. Raise your hand if so, and if not, I will call the question, so unmute yourselves so you can vote. So, all those in favor of this motion say "I", oppose "No", "Extensions". (Motion passed with no nays voiced) The motion passes unanimously. John, thank you very much for that motion. Is there, or I think you said you had a further motion?

MR QUINN: Yes, I have a further motion, yes. My second motion is that I nominate Dr. Carrie Simmons for the position of Vice Chair of the Legislative Working Group. In making this motion, I want to thank Dave Witherell for all of the work he's done, I know it's a challenge to get deep into some of these legislative matters; and I want to congratulate my colleague and friend, Mr. Nies. I think I want to congratulate him to ascending by bylaw to the chairmanship.

CHAIRMAN GORELNIK: All right. Thank you, John, for that motion and I agree with everything you just said. Do we have a second on
this motion? Tom Frazer seconds the motion, and so, John do you feel you need to speak any further to this motion?

MR. QUINN: No, I think in my making of the motion I added the comments I wanted to add.

CHAIRMAN GORELNIK: All right. Is there any discussion on this motion? I'm not seeing any hands, I'll call the question, so everyone unmute. All those in favor say "Aye," "Opposed," anyone opposed? (Motion passed by voice vote, no nays voiced) All right. I wouldn't be surprised if Carrie voted no, a lot of responsibility there, but the motion passes unanimously. As was stated, many thanks to Dave Witherell for his service and leadership on the committee. Good luck to Tom and to Carrie in your new positions on the Legislative Committee. So, John, do you have anything further?

MR QUINN: No, those are the only two motions I wanted to make, so thank you, Mr. Chairman.

CHAIRMAN GORELNIK: Thank you very much
for moving us along there. Let me ask the CCC, is there any further business on this, either discussion or motions, on this agenda item?

Okay. I'm not seeing any hands, so we have no further business here. I think, I want to thank John for the motions and I think that was a very informative agenda item; but that concludes the legislative outlook agenda item and will take us to our next agenda item, #5 integration of the ESA section 7 with MSA, and I think there is a slide deck on this, is there not, Kitty?

MS. SIMONDS: Right, there is, yes. So, who has it?

CHAIRMAN GORELNIK: Morgan's bringing it up?

MS. SIMONDS: Right. Thank you and I am ready to rock and roll here.

CHAIRMAN GORELNIK: All right. Rock and roll.

MS. SIMONDS: I've provided a summary in your briefing materials, so hopefully ya'll have read that one pager. So, let's go with the next
So, you know, the ESA Policy Directive started with a CCC recommendation that lead to a joint Working Group of the CCC, MAFAC and NMFS. We wanted to find ways to better integrate the ESA consultation process into the Magnuson Council process. Each council had different levels of involvement and experiences with ESA consultations.

For our council, our ability to review draft BiOps and the coordination between council management, actions and BiOps, had changed over time. So, the 2015 ESA Policy Directive was significant. It recognized the unique role councils have in ESA consultations, and that the councils to be involved without being designated as an action agency or advocate.

It also outlined processes for councils to coordinate with NMFS early in the consultation process, as well as opportunities to review and provide input on the draft BiOps in RPA'S or RPM's. So, our council, and other councils as
well, established a regional agreement with our region, and we have been utilizing that agreement to request review of draft BiOps.

While the policy directive and our regional agreement have helped improve our coordination with FFD in front-loading the consultations, once in formal consultation, we are still in the dark.

So, we recently reached out to the other council executive directors to find out what their experience has been. Next slide.

Of the eight councils, five of us have utilized the policy directive for ESA consultations. While the North Pacific, the Gulf and the Caribbean, have been lucky not to have contentious BiOp issues, where they needed to turn to these procedures. Next slide, please.

For those of us that have utilized the policy directive, lack of communication and coordination from NMFS remains the primary issue for our consultations. When the councils request for early coordination, particularly with any
RPM's or RPA's that may be considered, requests are often not granted and the councils do not have an opportunity to provide input until the draft or file BiOp is available to the public.

The policy directive includes quite a few discretionary provisions and "language for NMFS". For example, the directive says that NMFS does not need to involve the council if there is a time constraint. These types of languages limit the opportunity for council involvement contrary to the original intent of the directive. Next slide, please.

The Pacific Council continues to have a much better experience with consultations than some of us. We have had cooperative responses from NMFS, and the West Coast regional office is usually the one initiating requests for council assistance on consultation matters. They have had success in utilizing the consult process to develop measures to address ESA issues in advance or while the consultation is ongoing. Their experience provides a possible framework for the
future of NMFS and councils for meeting on ESA consultations. The last slide, please.

The ESA Policy Directive may benefit from an update based on our experiences over the last six years. The Council Coordination Committee may wish to consider working with NMFS to address the following improvements.

One, strengthen the relationship between NMFS and councils on ESA consultations for fisheries by adding more specificity on how NMFS involves the councils in these consultations and timing of council's involvement. Require more direct communication from Protective Resources Division to the councils early in the process to ensure effective and meaningful council involvement. Consider providing draft BiOps and draft RPM's and RPA's to council staff for input in advance of these drafts being made available to the public. Consider developing a process for NMFS to work with the council on ESA issues through the normal council process, rather than through RPM's and RPA's, resulting from
So, we would like to hear NMFS's perspective on moving forward with updates to the policy directive. We also understand that NMFS has an inner agency working for ESA consultations for fishery actions, and we're very much interested to learn more about that effort and how councils may coordinate with that group. Thank you, Mr. Chairman.

CHAIRMAN GORELNIK: Thank you very much, Kitty, for that. So, Sam Rauch, please.

MR. RAUCH: Yes, Mr. Chair, I am happy to provide a brief response in advance of whatever CCC discussion is on this issue. And I would recommend that you all go back and look at the 2015 policy, which was updated in 2018, and it does layout a lot of the salient points that Kitty has raised; and it was 2015 and it was, at the time, a novel approach for all of us; and I think that council, the CCC and MAFAC, spent a lot of time in there trying to get it right. And, it may well, if the CCC would like, benefit from us
looking at it again and seeing how well it has been implemented in the last six years. I am not going to pretend that it was perfect then or is perfect now, and I think we should always be willing to look at our processes and see whether they can be improved or not. So, if the CCC desires, we are more than happy to work with the CCC on that.

A couple of points I would raise; One is, when we developed this policy, we benefitted substantially from the facilitation that MAFAC, our Marine FACA committee, provided in that; and one thing I would ask the CCC, if they do go down this road, is would you seek further input on MAFAC? I think that they were helpful last time in getting us to some resolution and they could be helpful again, but that is something for the CCC to consider if we are going to engage in the review process.

Sue, a couple of other practical things that I would encourage you to keep in mind, which may be different now, but did seem to be important
at the time. We heard from the councils that there was a concern on the council's end as well, in terms of the requirements on the council, that the council did not want to get overburdened with this discussion. Some councils clearly desired a stronger role in this, other councils, though, were worried that if we required review of all opinions, that would be burdensome to them; that may or may have not have changed. That was an additional, I did not hear mentioned, but that was an issue that, I believe, formulated some of the councils approach to this directive, and I would encourage you to consider that.

The other one that I would just point out in terms of the three recommendations, I think that we were perfectly willing to talk about them. The second recommended bullet that was offered, which is providing draft BiOps to the council staff for input in advance of the drafts being made available to the public. The policy extensively talks about this potential and determines for legal reasons that anything that we
give to the councils has to go through, it is a public dissemination, and there's processes that we do; so, while we can give a draft to the council, we cannot give the council a nonpublic review. I do not believe general council has probably not changed his view on that since then, so I think that we would have difficulties addressing this particular recommendation, not that we can't talk about it, but I just offer that up, but the policy itself talks about that possibility and says that legally we cannot do that; if we give it to the councils, it is a public document at that time.

And with that, I am happy to engage in any discussion, but those are a few points I wanted to just raise to the CCC's consideration.

CHAIRMAN GOLENIK: All right. Thank you, Sam. I think that there is probably going to be some fair amount of council discussion, which you would typically do after public comment, although we haven't yet had any public comment. Maybe I'll see if there are any questions of
Kitty, and if not, we'll move to public comment
and we'll return to council discussion and action,
if any. So, I'm not seeing any hands or any
questions of Kitty, so let me - well, Archie, go

MR. SOLIAI: Thank you, Mr. Chair. I
don't have a question for Kitty, I have a question
for Sam and perhaps Paul, but I'm not sure if he's
still on the line.

Can you hear me?

CHAIRMAN GORELNIK: Yeah, I can hear
you. You know, I'd like to hold off on that,
that's really more along the lines of council
discussion maybe, and this is a council CCC
presentation.

MR. SOLIAI: All right.

CHAIRMAN GORELNIK: Chuck, do you have a
question for Kitty or is yours more along the
lines of CCC discussion?

MR. TRACY: Well, I'll let you decide
that, but (inaudible) on Sam's statement.

CHAIRMAN GORELNIK: Okay. Well, I think
we're going to have considerable council discussion on this issue and, I would like to give the public an opportunity first to provide any comment on the report that Kitty provided; and then we will move, then we will entertain all of this discussion.

So, Nicholas, do we have any requests from the public to speak on this agenda item?

MR PIEPER: None for this agenda item.

CHAIRMAN GORELNIK: All right, so, with that brief detour for which I apologize, we'll now go to council discussion and we can have a vigorous discussion with Kitty and with Sam and whomever. So, Archie, why don't you go first and then Chuck.

MR. SOLIAI: Thank you, Marc. Good to see you. I just want to say before I ask my question that we are still COVID-free here in American Samoa. I'm very proud of that and our borders are somewhat opened, so hopefully sometime soon we can maybe meet here for a future team meeting.
But, I wanted to ask one of the NMFS leaderships, believe that the ESA Policy Directive has improved integration of the consultations with MSA actions? I'm not sure if, Sam, you had covered that in your address.

MR. RAUCH: Mr. Chair, I can respond.

CHAIRMAN GORELNIK: Please.

MR. RAUCH: I do believe it has improved integration. It recognizes that there is a role for the councils in these consultations without you being an action agency or an applicant, which was an improvement. There has been these agreements, integration agreements that many councils have worked on that have clarified roles, and that have helped. I would defer to the councils in this review as to whether or not we think we are where we want to be, and I get the sense from at least Western Pacific, because of this agenda item, maybe you do not believe we are where we need to be.

But, I certainly think we could agree that it has improved, this process improved
because of the effort that the CCC went through in the development of this policy.

CHAIRMAN GORELNIK: Archie, does that answer your question?

MR. SOLIAI: Yeah, thanks and based on the presentation, it's concerning that, you know, some of the councils are facing more challenges than other councils, and hopefully that improvement can continue to progress for the betterment of the council process. Thanks.

CHAIRMAN GORELNIK: All right. Chuck, and then Kitty.

MR. TRACY: Thanks, Mr. Chair. Sam, just a quick question, or clarification. So, you mentioned that the second bullet on the last slide was a legal concern in terms of providing a draft to the council in advance of the public drafts. So, the second bullet actually says council staff; so, is there a distinction between providing the public release drafts to staff as opposed to providing it to the council for, you know, inclusion in its' briefing book, for example?
MR. RAUCH: Mr. Chair, I can respond. Thank you. I do not know. I think that is an issue we could look at. I know that the policy talks about providing it to the council. I do not recall off the top of my head that it made this distinction between council and council staff. Maybe there is something there. I think we could look at that, I'm not sure that that makes a difference, however. I mean, if we look at FOIA as a guidance off the -- well, I don't want to prejudge what that might or might not be. I don't think. I reread the policy recently and I don't recall there was a distinction between council and council staff. I could be wrong about that.

CHAIRMAN GORELMINK: All right. Kitty?

MS. SIMONDS: Thank you, Sam. Yes, well, you recall we, you agreed to look into developing a directive when we were all there. When (inaudible) was the Chair and, yes, and then you tasked MAFAC to assist with this. And I can't remember his name, but he was a lawyer, and it was just him, not really the committee, and they took
two years to get to this directive; and, of course, we said we wanted to see something like this because the relationships were all different among the regions and the councils. And we wanted to at least try to get some kind of standard, we think, for all of the councils and whether a council uses it or not is something else. It's up to them, and the region, I suppose.

But, getting back to that, what Chuck brought up. We think that there is a distinction and I'm glad to hear that you guys, you know, would consider looking into that. Sharing a draft with the staff really -- you know, I understand sharing it with the council because the council is a public body, so then it becomes, you know, public. But, sharing drafts with the staff, I think is really important for us, especially out here. I don't know what other councils, but you know, our recent several year consultation process with swordfish was very, very difficult, and didn't end very well. So, I'm glad to hear that you all will consider looking at that.
And so, I did ask about the Interagency Working Group, that we understand there is something going on regarding consultations, ESA consultations with, for fishery actions, and so we wondered what that group is all about, if you could tell us about it, and is it possible that we could discuss some of these kinds of things with that group?

MR. RAUCH: Mr. Chair, if I could respond.

CHAIRMAN GORELNJIK: Please.

MR. RAUCH: Yeah, thank you, Kitty, and thank you for reminding me I had neglected to address that, you did raise that, I apologize.

We do constantly look at how to improve the ESA/MSA interactions. Obviously, this is a frequent consultation paradigm for us and we want to get it right. We've had a number of recent litigation challenges to various fishery actions in terms of whether certain reinitiation triggers had been met, how we deal with new listings, and those kinds of things, and we are looking at that.
And I do think that we are happy to discuss some of these things. I don't think that group's currently working on these issues from this, and is more looking at what is the nature of the reinitiation obligation, when and how to do that. And we are happy to discuss that, once we actually think about that a little bit more, with the councils, with the CCC of the individual councils, and are happy to try to formulate. I don't know that that group would be the group if we wanted to work on this, but we would be happy to work with you on creating the right function to address the kind of issues you want to raise here; and to share with you some of our thinking, where we've progressed some of that thinking on some of these other issues.

MS. SIMONDS: Okay, thank you.

CHAIRMAN GORELNIK: Thanks, Sam.

Archie, your hand is up, do you have a further question, comment, discussion?

MR. SOLIAI: No, I'm sorry. I forgot to put it down, but I do have a motion when we get
towards council action.

CHAIRMAN GORELNIK: All right. Very good. Well, let me just see, let's exhaust any discussion. Is there further discussion questions, anything folks want to raise before we come to council action, CCC action? Archie, please go ahead.

MR. SOLIAI: Yeah, just a quick question on those Working Groups, Sam. Is that Working Group also addressing better coordination between the councils and the Science Centers?

CHAIRMAN GORELNIK: Sam?

MR. RAUCH: Mr. Chair, I do not believe that that's the subject of the Working Group that Kitty was referring to, which was limited to the kind of questions I outlined. We, I don't know that we have a Working Group, but we constantly are trying to improve coordination between the councils and the Science Center, and the council (inaudible), and also the public on these issues, but I don't believe we have a specific Working Group that is looking into that at the moment.
CHAIRMAN GORELNIK: All right. Thank you, Sam, for that answer. So, Archie, I'm not seeing any further hands for discussion, so if you have a suggestion for CCC action, please go ahead.

MR. SOLIAI: Thank you, Marc. I appreciate this discussion and the comments from Mr. Rauch in regards to reintegration. But, I would like to move that the CCC requests NMFS to work with the councils to strengthen the relationship between NMFS and councils on ESA consultations for fisheries by updating the ESA Policy Directive to improve the process and timing for council involvement in ESA consultations. These may include, but not limited to:

1. Requiring more direct communication from PRB to the councils early in the process to ensure effective and meaningful council involvement.

2. Providing draft BiOps and draft RPM's and RPA's to council staff for input in advance of these drafts being made available to the public.

3. Developing a process for NMFS to work with the council on ESA issues through the normal
council process rather than through RPM's and
RPA's resulting from consultations.

And suggest further that the CCC request
that NMFS coordinate with council staff from each
region for the Interagency Working Group on ESA
consultations for fisheries. And, I put that into
a motion, Mr. Chair.

MR. HANKE: Second.

CHAIRMAN GORELNIIK: Who offered that
second, is that Eric?

MR. HANKE: This is Marco Hanke,
Caribbean.

CHAIRMAN GORELNIIK: Okay. Thank you
very much.

SPEAKER: That's why I had my hand up.

CHAIRMAN GORELNIIK: Okay. All right.
So we have a motion and a second. So this motion,
do you want to speak to your motion Archie, as
necessary?

MR. SOLIAI: Pardon, Mr. Chair?

CHAIRMAN GORELNIIK: Yes, go ahead,
Archie.
MR. SOLIAI:  I make the motion, Mr. Chair.

CHAIRMAN GORELNIK:  All right.  So, okay.  And -- so, let me see if there's any discussion on the motion that's before us.  Tom Nies?

MR. NIES:  Thank you, Mr. Chair.  I would like to speak in favor of the motion.  You know, it has been a few years, anyways, since this policy directive was put in place.  There's been some experiences, that, I think, pointed out the experience with the Pacific Council that maybe has some lessons for us that will help the rest of us, you know, help us perhaps refine this and make it a little better.

You know, I am little hesitant about -- I am glad to see that the motion really doesn't say let's establish a CCC Work Group because I think, you know, sometimes when we establish additional Work Groups, that it drags things out. I recognize that we're going to have to figure out a way on how to interact with this, with the
agency on it, but I think this is a good approach
for us to follow.

CHAIRMAN GORELNIK: Sam.

MR. RAUCH: Thank you, Mr. Chair. Just
one question about the motion, as I had raised the
original policy was developed, as Kitty
elaborated, with the assistance of MAFAC. This
motion does not discuss that MAFAC is meeting next
week, I believe, or the week after that. But, as
I read the motion, this is not, the CCC would not
be favoring any further involvement from MAFAC in
this issue. And I would just, I don't know what
to intend because it was really done with MAFAC,
and I just would like to get an understanding. I
don't know whether it's appropriate in this motion
or not, but just an understanding of whether or
not the CCC believes MAFAC would be involved
should this motion pass. That was my only
question. Thank you.

CHAIRMAN GORELNIK: All right. Well, I
see Kitty has her hand up. Please go ahead,
Kitty.
MS. SIMONDS: Well, yes, that's, when you were talking about that and I was thinking about that suggestion, but I don't really know those members. I'm not sure, and you said it yourself, about whether or not they would be an appropriate group to involve. You know, I would have to ask you what you think about that, because you probably know those members and, you know, I don't. I mean, what other tasks, kinds of tasks like this policy have you all tasked with them, you know, over the last several years?

MR. RAUCH: Chair, if I may?

CHAIRMAN GORELNIK: Please.

MR. RAUCH: I would say MAFAC turns over, much like the council does, but there are not the same sort of permanent members that the council, or longer-term members of the council. So, I think MAFAC would have a very different look now than it did in 20 -- I don't remember when their report came out, sometime in advance of 2015. So, they haven't -- yeah, so it would be very different. And the individual that you
talked about who was very active is no longer on MAFAC.

So, I cannot say that. They do have protective resources expertise. They, to some extent, were helpful within the last process in that they were a neutral arbiter between some defined views, if I could say this delicately, between the councils and CCC, and I thought they were helpful. But, I don't particularly have a view, I just, I do feel that if we undertake this review again, we should at least tell them whether or not we would expect them to be involved or not. I don't have a view as to whether they would be helpful or whether we're in that same sort of position. I don't think we are, I hope we are not, with very defined and ardently held views, I think we hopefully can be constructive while working together. But, they were helpful, I think, in the last process getting to this, that; and they might be again. But, I leave that up to you. I just think that we should address whether the CCC believes they should be involved or leave
it up in the air one way or the other. And, I don't know how, what they mean in terms of this motion. It's just, that is a question that I have about this motion because it doesn't mention that at all.

MS. SIMONDS: Right, exactly. Well, you know, I think we should wait and have a little bit more discussion about including that entity because now that, you know, you've talked a little bit more about their roles the last time; I think that I need to have a talk with the other executive directors and if we do want to change things, I mean, you know, we can write you a letter to say that we would like to include them. So, I think for now, I think we should leave this the way it is, but we will take that into consideration, about MAFAC, I need to find out a little bit more about them as well. So, is that okay with everybody else? I see Nies with his thumb up, so.

CHAIRMAN GORELNIK: Well, Chuck Tracy has his hand up, so I'm going to call on Chuck.
MS. SIMONDS: Okay. Thank you. Thank you, Sam.

MR. TRACY: Thank you, Mr. Chair, and thank you, Sam, for the question or the comment on MAFAC. I guess just speaking to the motion in general, I, you know, I'm not really weighing in on whether MAFAC should or shouldn't be involved in the process going forward, but it does seem like this motion is a little bit, is proposing a little bit different process than the original effort completed in 2015; and that one was in order to develop a policy directive and put some pen to paper, and lay out some specific guidelines. This seems a little bit more towards encouraging conversations and cooperation, and some flexibility.

And so, with that being said, I guess I would note that Pacific Council has had a fair number of interactions on ESA listed consultations that we've worked through the council process since this policy has been undertaken. But, I guess I will also note that I wouldn't say that
all of those, certainly not all of those and maybe
not many of those, you know, necessarily strictly
follow the guidelines that are in the policy
directive either. You know, I think a lot of,
we've had to be flexible with what the region has
needed from the council and what they have been
able to provide to the council, and we've kind of
worked around that. And, so I guess I would say
that, you know, I think this motion maybe gets to
that sort of process a little bit more than
revising the policy directive, for example.

So, to the extent that that is
understood, I think this a reasonable approach at
this point, and not (inaudible) benefit from
involvement of other parties and perhaps may not
benefit them at all, but I just kind of wanted to
be clear that, you know, I'm not sure writing down
rules that we aren't quite able to follow for
whatever reason, as they try to implement them.
You know, we should be cautious about that and to
encourage the regions and the councils to work
together to find ways to accommodate what
involvement is practical (inaudible). Thanks.

CHAIRMAN GORELNIK: Thank you, Chuck.

Is there further discussion on this motion? And if not, I will call the question, so please unmute yourselves. So, all those in favor say "Aye," oppose "No," "Extensions"? (Motion passed by voice vote, no nays) The motion passes unanimously. Thank you, Archie, for the motion.

Let me see if there is further action or discussion by the council on this agenda item, I'll look for a raised hand if there is; and if there is not, then that will conclude this agenda item #5 on day one of this CCC meeting.

The remaining business we have is really to see if there is any public comment for items not otherwise on the agenda, and I'll go back to Nicholas to see if there has been any request for public comment. I do see a hand raised amongst the attendees, Kate Wing.

MR. PIEPER: Yes, she would like to make a public comment. I'm going to unmute here.

CHAIRMAN GORELNIK: Okay. Welcome.
MS. WING: Hello, everyone. Nice to see some of you visually and hear your voices. I am Kate Wing and among other things, I'm a member of the Net Gains Alliance, which is an organization that's working to support data modernization for fisheries in the U.S. and all over the world, as best we can.

I wanted to just share with this group, if you haven't already seen it, an open letter on NOAA leadership that we recently released. I've put it in the chat that's going to all panelists and it's a public letter, so if (inaudible) wanted to share it with all of the participants, you're welcome to do so.

Because we are an organization focused on data improvements and digital transformation, we highlighted a number of key issues that we're hoping that the new and incoming NOAA leadership will move forward, including things that we see NMFS already doing, such as supporting staff training and professional development, prioritizing hiring new data staff, updating data
policies and practices, and working on explainable AI and advanced AI for fisheries data, as well as continuing to implement the Fisheries Information Management Modernization Program that they adopted as a result of the workshop they held in the fall of 2019.

So, we're excited to see the progress that's been made on fisheries data improvements at the agency, and we've presented on these topics at CCC meetings in the past and some of you have been very involved with Net Gains over the last four years that we've been doing this work, and we really appreciate your time. So, I wanted to just bring this letter to the group's attention and make myself available if folks wanted to talk further about it. You're also welcome to contact me or anyone else in Net Gains if you want to follow up on any of the recommendations we make in this letter. But, we look forward to continuing to work with everyone in the fisheries community to get us the data we need to make the best decisions we can for the fishing communities and
the ocean. Thank you.

CHAIRMAN GORELNIK: All right. Thank you very much, Kate. Are there any questions by members of the CCC to be addressed to Kate? I'm not seeing any raised hands. Thank you very much, Kate, for your public comment. And, Nicholas, are there any other requests for public comment?

MR. PIEPER: So far I've not received any messages.

CHAIRMAN GORELNIK: All right. Well, thank you for your help, Nicholas. I believe that concludes our business for day one, but before we adjourn for day one let me just see if there are any raised hands, if anyone on the CCC has any final thoughts or complaints about the way I've run day one. Well, no raised hands, I'll take that as good news.

All right. Folks, thank you very much. We will meet again tomorrow at 1:30 eastern for day two. We will continue with our agenda, which will start with recent executive orders. So, until tomorrow morning/afternoon, enjoy the rest
of your day.

(Whereupon, at 5:32 p.m., the PROCEEDINGS were continued.)

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CERTIFICATE OF NOTARY PUBLIC

DISTRICT OF COLUMBIA

I, Mark Mahoney, notary public in and for the District of Columbia, do hereby certify that the forgoing PROCEEDING was duly recorded and thereafter reduced to print under my direction; that the witnesses were sworn to tell the truth under penalty of perjury; that said transcript is a true record of the testimony given by witnesses; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was called; and, furthermore, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Mark Mahoney

Notary Public, in and for the District of Columbia
My Commission Expires: March 31, 2022