

U.S. Department of Commerce
National Oceanic and Atmospheric Administration
(NOAA)
National Marine Fisheries Service (NMFS)
Atlantic Highly Migratory Species Advisory Panel
Public Meeting
Wednesday, Sep 7, 2022

The Panel met at the DoubleTree by Hilton Silver Spring, 8777 Georgia Avenue, Silver Spring, Maryland, at 9:00 a.m., Bennett Brooks, facilitating.

Members Present:

Jason Jason Adriance, Louisiana Department
of Natural Resources

Charlie Bergmann

Peter Chaibongsai, the Billfish Foundation

Daniel Coffey, Harte Research Institute for
Gulf of Mexico Studies

Dustin Colson, Atlantic States Marine
Fisheries Commission

John Depersenaire, Viking Yacht Company*

Marcus Drymon, Mississippi-Alabama Sea
Grant - State Representative for
Alabama

Yamitza Rodriguez Ferrer, Puerto Rico
DNER, Recreational and Sport Fisheries
Division*

Sonja Fordham, Shark Advocates
International

Steven Getto, American Bluefin Tuna
Association*

Willy Goldsmith, American Saltwater Guides
Association

Walt Golet, University of Maine School of
Marine Sciences, Gulf of Maine
Research Institute

Marcos Hanke, Caribbean Fishery
Management Council

Dewey Hemilright, Mid-Atlantic Fishery
Management Council

Evan Hipsley, Jr.*

James Hull, Hull Seafood

Stephen Iwicki

Bob Humphrey, Sport-Ventures Charters and
Casco Bay Bluefin Bonanza

Lisa Kerr, Gulf of Maine Research Institute*

Christine Kittle, Florida Fish and Wildlife
Department

Jeff Kneebone, New England Aquarium

Chad McIntyre*

Robert Fly Navarro, Fly Zone Fishing

Jeff ODEN, F/V Sea Bound

Tim Pickett, Lindgren-Pitman, Inc.*

Steve Poland, North Carolina Division of

Marine Fisheries*
George Purmont*
Mark Sampson, Ocean City Charterboat
Captains Association*
Martin T. Scanlon, F/V Provider II
David Schalit, American Bluefin Tuna
Association*
Gregory Skomal, Massachusetts Division of
Marine Fisheries*
Perry Trial, Texas Parks and Wildlife
Department*
Rick Weber, South Jersey Marina
Alan Weiss, Blue Water Fishing Tackle Co.*
Katie Westfall, Environmental Defense Fund

*participating by webinar

NOAA NMFS Staff Present:

Randy Blankinship, Division Chief, Atlantic
Highly Migratory Species Management
Division
Heather Baertlein, Atlantic Highly Migratory
Species Management Division
Karyl Brewster-Geisz, HQ Fish Branch Chief,
Atlantic Highly Migratory Species
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Craig Cockrell, Atlantic Highly Migratory
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Pete Cooper, Branch Chief, Atlantic Highly
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Dan Crear, Atlantic Highly Migratory Species
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Becky Curtis, Knauss Fellow, Atlantic Highly
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Tobey Curtis, Atlantic Highly Migratory
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Guy Dubeck, Atlantic Highly Migratory Species
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Benjamin Duffin, Atlantic Highly Migratory
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Russ Dunn, National Policy Advisor for
Recreational Fisheries
Steve Durkee, Atlantic Highly Migratory

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Caroline Good, NOAA Fisheries
Cliff Hutt, Atlantic Highly Migratory Species
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Brad McHale, Atlantic Highly Migratory
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Sarah McLaughlin, Atlantic Highly Migratory
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Ian Miller, Atlantic Highly Migratory Species
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Delisse Ortiz, Atlantic Highly Migratory
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Larry Redd, JR., Atlantic Highly Migratory
Species Management Division
Tim Sartwell, NOAA Fisheries
George Silva, Atlantic Highly Migratory
Species Management Division
Nick Velseboer, Atlantic Highly Migratory
Species Management Division
Tom Warren, Atlantic Highly Migratory
Species Management Division
Tiffany Weidner, Atlantic Highly Migratory
Species Management Division
Jackie Wilson, Atlantic Highly Migratory
Species Management Division

Also Present:

Matt Brookhart, Eastern Regional Director,
Office of National Marine Sanctuaries,
NOAA
Leann Hogan, Eastern Regional Operations
Coordinator, Office of National Marine
Sanctuaries, NOAA

Contents

Welcome and Introduction	6
By Bennett Brooks	6
By Randy Blankinship	6
Overview by Randy Blankinship	13
Economic Situation Report	35
Proposed Hudson Canyon National Marine Sanctuary Designation	53
Recreational Roundtable 1: National Saltwater Recreational Fisheries Policy Update	87
Open Mic Topics	123
Recreational Roundtable 2: Brief MRIP Update	125
Daily Wrap-up	169
Adjourn	171

Proceedings

(9:02 a.m.)

Welcome and Introduction

By Bennett Brooks

Mr. Brooks: All right. Good morning, everyone. It is nice to see you all and be back together again. I feel like we were here actually quite recently. Feels like just three months ago, which I think it was about three ago or four months ago. Anyway, it's nice to see everyone. And, folks, AP members who are on the line, it is good to see you all as well. And I'll repeat what I said last time, which is it's really nice to have the option of being hybrid here and making sure that we can have everybody in the mix.

I'm getting a little bit of feedback here. Is everyone else hearing that?

Participant: Yes.

Mr. Brooks: Let's see if that's any better. See if I move that away from the computer that's better. Can you guys still hear me?

Participant: Yes.

Mr. Brooks: Okay. All right. So let me hand it off to Randy Blankinship to give us a welcome. And then after we hear from Randy, I'll come back and orient us to the next two days and just get us all situated.

Randy, over to you.

By Randy Blankinship

Mr. Blankinship: Thanks, Bennett.

Good morning, everybody. It's really great to see you all here in person and also virtually. We're really glad to be with you and glad that you could be with us for the next couple of days. Thanks for

making the time out of your schedules to join us. You know, as we always say, your input and sharing of information is extremely valuable to us and we look forward to getting that at every opportunity that we can. I hope that you and your families are well as we continue to move forward on hopefully what continues to be the backside of the pandemic. We are really thankful and glad that we are able to have the in-person component once again as we did back in the spring.

I hear a lot of feedback going on there of some sort.

Mr. Brooks: Yes, folks -- hang on one second. Just folks online, if you are not -- I guess you are probably all muted, but just please double check.

Mr. Blankinship: There. That time it didn't happen. Okay. But the advantages of having some of the in-person conversations and all of that are great and glad to be able to be moving in that direction.

We have a full agenda, a lot of items that are of interest that we will be discussing, and we are providing obviously some opportunities for input on a lot of these items of interest. This meeting is one that -- where we are kind of in between some of our rulemaking initiatives and so we don't necessarily have a rulemaking item on the agenda for your input, but we do have some other very important agenda items that are -- that will definitely benefit from your thoughts, from your input.

The Recreational Roundtable this afternoon, which we've done periodically from time to time that the agency has had a very intentional approach to, some of the topics on climate and economics and other topics that will be very important as time moves forward. We also have queued up, of course, timely issues like the Hudson Canyon Sanctuary proposal, and we received several requests for the discussion of that topic from you all leading up to this meeting.

We encourage you, as we always do, to share your

thoughts and perspectives from each of the stakeholder groups that you represent. Please don't hesitate to speak up and share that information as the discussion goes on.

So thank you very much and I'll turn it back over to you, Bennett.

Mr. Brooks: Great. Thanks, Randy. And let me just - - before I say anything else, to the AP members who are online, if you are able to do this and in a situation where it works, we encourage you and really would appreciate your turning on your cameras. It just really helps to make this feel like we're all together and we can see each other. So if you can do that, appreciate it very much.

So we've got a pretty good turnout here at the moment. I think we've got about 40 or so Advisory Panel members either around the table here or online. So, thank you and welcome. And we have a really good mix of the different types of folks that are brought together.

We don't have any real changes in composition today. We do have -- John DePersenaire is going to be sitting in for Mike Pierdinock, but other than that I think we've got all of our regular AP members here in the mix.

I will note that this will be the last meeting for a number of folks who have been stalwarts around this panel for a very long time, and we'll talk about that more later and create an opportunity later for some -- to hear from folks. But I just want to acknowledge right at the outset here.

The agenda over the next two days; Randy gave us a little taste of that, but just in a little bit more detail, first of all today will run from now until about 5:15 or so. We'll hear from Randy with his broad overview of activities that have happened or are coming. We'll get an economics update, which is something that's been happening since the pandemic and has been very well received and is

really interesting and important information.

As Randy mentioned, we'll have an opportunity to talk about the Hudson Canyon proposed marine sanctuary. And then this afternoon will be dedicated to -- the entire time to a recreational roundtable. So creating one of those opportunities to really hear from the panel sort of broadly what's on your mind as well as some presentations to kick that off.

Tomorrow we'll open up with a quick welcome from Kelly Denit and then we'll hear a topic which I don't think we've heard before, which is around HMS climate vulnerability assessment. So that will be a new piece of information for you to start thinking about and hearing. We'll hear from leadership. Sam Rauch will be with us tomorrow, so we'll have an opportunity to hear from him and from him to hear -- for him to hear from you. And then we'll also hear from the International Affairs, Trade and Commerce Division. There are a number of questions that have come up in conversations from you all, from members of the public, and so it will be a chance to hear from them on any number of issues that intersect with the work that you do and is often on your mind. And then we'll close with a presentation from Enforcement.

And tomorrow we'll go until 3:00 p.m., so as always having you for the full time is appreciated.

I'll just note we will have morning breaks. We will have afternoon breaks. And lunch will be at the same time each day from 12:00 to 1:30. So again, if you need to make calls and do other work, which we totally acknowledge and appreciate, it would be great if you could slide it into that period so we can get you focused during the other times.

To members of the public that are here, first of all thank you. Appreciate your taking the time to listen in here in the room or online. And we will have public comment at the end of each day, so please if there are thoughts that you have, jot them down during the course of the day and then we will look

to hear from later.

Just a little bit more specifics. This morning is going to be the HMS overview, economics update, Hudson Canyon presentation, and then again after lunch will be an update on NOAA saltwater recreational fisheries policy and then the roundtable.

We will have -- invite everyone to a social hour, no-host social hour downstairs after the meeting, and that's always a nice time for you all to get to chat informally with each other. So I would just encourage you all to do that.

Just a quick hit at ground rules. Usual stuff. Please contribute so we can hear from you. I mean, I say it every time, but you're all here because you have a different perspective and expertise and these conversations are richer and the HMS staff is better for it if they can hear from you and know what's on your mind because they can't actually read your minds.

Share time. When you contribute, so that we have a chance to hear from everybody else, listen hard to what each other is saying, ask questions of each other, try to integrate what you're hearing. And if there's convergence, again that's always helpful to the agency, though this is not a consensus-seeking body by definition. But it is helpful to know where perspectives converge.

Always focus on best available data and the information that you can bring to this discussion to share with others and just characterize the kind of data that you're bringing to the table so people understand what it is, where it comes from.

AP members are primary participants, so the conversation, except for public comment, is around this table or around the virtual table for AP members who are online. If there are other folks with expertise, I'll look to Randy or others from the HMS staff to bring those people in as relevant during our conversation.

Just a couple of points on the hybrid world that we're still in here. It's great because it gives us a chance to participate from afar. It's got its own challenges and it just sort of takes all of us to make it work.

So just a couple of things here: If you're in person, there's those red, yellow, green stickies which we gave out last time. We've made them available again. Green means hey, it's -- I'm just -- everything's normal, whatever, you want to come up and be a close talker, I'm good with it. Yellow means I'm here, but a little distance. And red means please really looking for a lot of space and respect that. So I just ask people to be mindful of that, respect people wherever they're at. We all have different situations, conditions. Last time I kept my mask on the entire time because I needed to do that. So just do whatever you need to do.

I will note in particular avoiding side conversations if you're in the room is really important just for the sound quality for people who are -- it makes it really hard for folks online if there's back noise.

If you are joining online, as I mentioned, AP members, please stay on camera so we can see you. When you come on line, please pause before you start. Just do like a two count, because it just takes a second for the folks behind me to throw the switch so that we can hear you. And if you don't pause, we'll miss the first couple of words of what you're saying.

And to all the AP members, when you start talking if you could just say your name first just so our recorder can capture that would be great.

Online, you'll be muted unless you're talking. To contribute just raise a virtual hand which you will see at the bottom of your screen. If that doesn't work, I can't count on seeing you if you wave your hand because I don't have that many boxes to see you. So if you're having any trouble, just please email Pete or Craig or throw something in the chat

and we'll see you.

Speaking of the chat, my general caution is use the chat; don't use it -- don't overuse it. And by that I mean if someone says a comment and you really agree, you can say like totally agree with what Jeff said. That's great. It's a way to hear what other people are thinking and sharing at the time. If you have a piece of advice to give or some information, great. What I like to avoid is having a conversation -- two conversations running at the same time in the chat and in the room because then we're not really able to pay attention. So just use it with care.

I will try to balance our -- how people weigh in, so between folks who are in the room and folks who are online, and I'll just sort of toggle back and forth and keep a queue running. As always, I'll generally take people in the order in which they come in, but if there's a conversation going back and forth, I also want to allow for that dialog, so with your permission.

If you have any tech issues, please just chat or email Craig or Pete. And we will be recording this meeting, so please be aware and just engage accordingly.

One last note which I'll repeat at the end of the day: tomorrow, as I mentioned, we'll hear from leadership as we do at every meeting. And as I said at the last meeting, it's always a little awkward for me when there's about 10 hands that go up and I know I'm going to get to maybe 3 to 5 people. And that's a bit of a painful place to be in.

So we've talked and what we'd like to do is just invite you as caucuses -- this is optional, but like if a caucus wants to sort of just talk informally between now and tomorrow morning, and sort of if as a group you say, like, this is the key point, the key question we want to raise and get in front of leadership, designate somebody, let us know that. You do not have to do that. If you don't do that, if that doesn't feel comfortable, that's okay. But then

it will just come to me and I'll make the choice and I will just try to make sure we're balanced across the caucuses. So your call. We invite you to do that. Up to you.

That's it. Stay comfortable and focused.

And with that, let me just pause to see if there's any questions, anything on the agenda folks need to raise. And if not, then I will hand it off to Randy. Anybody? Online anybody?

(No response.)

Mr. Brooks: Okay. I think we're good to go. And I think you all know just turn your name plate on its side so I can see you if you want to get into the conversation.

Randy, it is all yours.

Overview by Randy Blankinship

Mr. Blankinship: Thank you, Bennett.

So we'll start off with the overview presentation that we have traditionally given at the beginning of our AP members -- AP members -- AP meetings. And this presentation of course is an opportunity for us to share kind of the status of where we are with rulemakings, with inseason actions, with some potential topics that we've heard from AP members leading up to the meeting that they want to have some time to discuss. And we can do that on the tail end of this presentation. And one of those happens to be related to the General category bluefin tuna season and how those -- how that season is progressing so far this year.

Also we'll be able to give an update on several different issues like essential fish habitat five-year review, some of our operations information, an update on litigation, Paperwork Reduction Act renewals where we solicit comments on those things. We'll also touch this meeting on the AP term

limits, as Bennett mentioned. And then also updates on several different issues outside of HMS Management Division's purview that we want to keep you informed of and make you aware of.

What we won't discuss in this overview are the things that we have dedicated agenda items for. That's the things listed on the right-hand side of this slide.

Before we jump into a lot of the information that I want to share, I do want to highlight that we have some staff changes in HMS Management Division, some new faces that I wanted to mention.

Becky Curtis is our Knauss Fellow located in the Rulemaking Branch under Karyl Brewster-Geisz. Becky was with us in the spring, but I want to make sure that we give her a least a shout out. And where -- there she is, right here, so that you know that face. And Becky will be with us with her fellowship extending through -- or continuing through the rest of this year.

We also have a new contractor in our Products and Services Branch under Pete Cooper. That's Tiffany Weidner. And Tiffany is right back here. She has spent recently some time working with natural resource management agencies in a couple of different states and we're really glad to have her on board.

And then also we have a big change happening with the upcoming retirement of Tom Warren. You all have seen Tom Warren's face up here and heard his voice quite a bit related to Amendment 13. Tom is going to be retiring the end of January and so this is his last AP meeting. He is -- where is Tom? There he is, right back here. Those of you that know him, please take an opportunity to say something to him. I know he'll appreciate that.

So related to our rulemaking initiatives I wanted to give you all an update about that. We have completed some of these initiatives since the May

AP meeting. Those include the finalization of the bluefin tuna and northern albacore quote rule. The General category restricted-fishing days rule. And that has been implemented so far through this season. We also had the shortfin mako shark no retention final rule that has been implemented as well as the swordfish quota adjustment annually to carry forward underharvest from the previous year. And in a foreshadowing, the 2023 shark season proposed rule, which we'll actually file tomorrow. So you can be on the lookout for that.

We also have upcoming, that we're very close to finalizing, is the final rule for Amendment 13. You might remember that we had -- the final environmental impact statement was released before the AP meeting back in May and we discussed that FEIS at that time. And this is the final rule that implements that amendment. We anticipate that it will be out shortly.

We also are working on finalizing Amendment 14 which deals with shark ABC Control Rule and setting up management for -- further management measures to follow on for implementation. Also the final shark fishery review, or SHARE document is on the horizon.

We also have the proposed Amendment 15 which deals with spatial management. You remember this is an initiative we talked about quite a bit over the last few AP meetings. And that we anticipate coming out early in 2023.

And then we have the proposed rule later this fall, we anticipate coming out, that will consider prohibiting retention of sharks that are listed as threatened under the Endangered Species Act. Those include scalloped hammerhead within the deep distinct population segment that includes the U.S. Caribbean and also oceanic whitetip sharks throughout their range.

We have several inseason actions that we've done since the AP meeting in the spring. Those included

quota transfers for shark related to -- in regard to the Gulf of Mexico aggregated large coastal sharks and Atlantic hammerheads. And then also several inseason actions as we always do related to bluefin tuna. And those are listed here. And the most -- well, actually one that I want to bring to your attention is down towards the end of that list on bluefin tuna, and that is the quota transfer of 90.5 metric tons from the Reserve to the General category. And that is filing this morning, so consider this to be part of the rollout of that inseason action. You should see that coming out on our HMS news email later this morning, if not already.

So related to bluefin tuna and the General category, wanted to talk a little bit about this season. Every year in the bluefin fishery seems to have unique circumstances, as Sarah McLaughlin refers to them each year as a snowflake, and this year is no exception. Certainly the market conditions in this fishery have been interesting this year with the -- certainly effects of the pandemic still lingering out there, but also fuel costs being very high and exchange rates, foreign exchange rates also affecting the market.

And so we have on this slide presented kind of some information related to the issue of unsold bluefin tuna in the General category. So this occurs where in the General category the commercial handgear directed fishery for bluefin tuna where fish may be caught, brought to the dock, but then are not sold to a dealer. There is a process for those fish to be reported under regulation, but when those fish are reported as unsold, they may not then enter into commerce. And a big reason for that is related to food safety concerns with histamine issues and the caring for those fish.

And the data table here shows numbers of fish over the last few years that have been landed in the fishery and then reported also as unsold. You can see that there have been in some of the years a relatively small number of unsold fish that were

reported as unsold. And 2020 was an exception. That was really in the thick of the effects of the COVID year that greatly affected the markets. We had a number of fish, more than usual that were reported as unsold. And then in 2022 you see a slight uptick as well, which is likely the effects of, like I mentioned before, some of these market issues: high fuel costs, exchange rates, not making that foreign market quite as possible as it sometimes is.

So through this we certainly have heard a lot of concern from stakeholders in the fishery and requests for the agency to take on action to try to deal with certain aspects of it. Those include a request for rulemaking related to icing requirements, requirements for verifying buyers before a vessel goes fishing, changes to restricted-fishing days, and modifying retention limits. And so we wanted to at least mention this, provide some opportunity for discussion and follow up to this presentation on this.

As we think about and hear from you all about this issue and as we receive requests for rulemaking, if we were even inclined to do that, keep in mind that rulemaking takes time. This is an issue that we definitely want to get information about, but any action is one that takes some time.

I want to provide you with an update related to a recent happening related to our implementation of the Endangered Species Act. We in July requested reinitiation of consultation under Section 7 of the ESA. And this was in relation to the 2020 biological opinion for the pelagic longline fishery which established several different thresholds for takes and for total mortality of different species that are listed under the ESA.

And in this particular case there were concerns related to giant manta ray, which is a species that is -- has very few interactions in the fishery, but the limits that were established or thresholds that were

established under the biological opinion were very low. And so what we have in this fishery is probably what represents a change in information related to the available data that funneled into the biological opinion. So this consultation is under way and we will keep you up to date on it as it progresses.

Another issue we wanted to provide an update on is related to essential fish habitat and our five-year review for HMS EFH. This was announced in April and we had a request for information to help us consider information as we went through this five-year review of data.

That solicitation of information was out through June of -- June 6th of this year. And so we are -- we received some good input. We appreciate the input that we received, some from Maryland and then also from Oceana, and other sources of information across the agency as well.

We will be reviewing that information and working on this five-year update and we'll keep you posted on that. We anticipate that the review document will be out in the spring.

This slide presents some of our operation numbers that we like to put before you just to kind of keep you up to date on a lot of the operations that we have going on within our Management Division. I won't go through them all, but they're for your consideration.

And then I also wanted to provide an update on litigation. This is specific to dusky sharks and Amendment 5b. In June the U.S. Court of Appeals for the D.C. Circuit upheld NMFS' approach to dusky shark management granting the government's cross-motion for summary judgment. After a protracted legal battle over several years this case has been successfully resolved.

I want to also spend a little bit of time just refreshing memories about HMS catch reporting options and also provide a little bit more

information, recent updates on this.

So this is related to the permit types of HMS Angling, Charter/Headboat, and Atlantic Tunas General and Harpoon category permits for reporting of bluefin landings and dead discards. Also billfish and swordfish landings. And remember that those reports are required under regulation to be made within 24 hours of returning from a trip. And the mechanisms for reporting that have existed all along continue: the HMS Permit Shop website, the HMS Catch Reporting smartphone app. But then also SAFIS eTrips mobile and online is an option that's now available for these permit holders that submit state or federal vessel trip reports via eTrips. So this is a new feature.

But no matter which option, as I mentioned before, the reports must be reported within 24 hours of the end of the trip. And so that is under our HMS regulations. That's something to be aware of for perhaps different timelines that might be associated with some of the trip reports under other requirements.

It is the case that North Carolina and Maryland fishermen are still required to complete their Catch Card reports.

And also I want to highlight that at least as of May 18th the commonly-used GARFO FishOnline reporting app for VTR reporting and then also the Bluefin Data LLC VESL reporting platform is -- those do not satisfy the requirements for HMS catch reports. And if vessel operators are utilizing those reporting platforms, they will need to submit a separate HMS report through the other reporting opportunities that are provided above. Be aware that that is a separate type of report that needs to be happen with that -- needs to occur with that.

So related to the Paperwork Reduction Act -- very exciting aspect of our work -- we are highlighting that we have a renewal of the PRA authorization for Atlantic recreational landings and bluefin tuna catch

reports. And this is out for public comment right now. We would appreciate any public comments that you all have. Please submit them through the contact information that's here. Specifically we're interested in the utility of the data, the accuracy or burden estimate -- the accuracy of the burden estimates, ways to enhance quality of the data collected, and how to minimize reporting burden for these particular data collections.

The comment period on this ends September 19th.

As always, we provide a link to some of our landings updates for the different species groups that we have, and this slide provides those. Please take a look at that if you're interested.

And then coming to the topic of HMS Advisory Panel term limits, which we are implementing now. We've talked about this of course last year in a couple of consecutive AP meetings that we were working and thinking about implementing. At the May meeting we announced that we were going to implement term limits.

So this applies for AP members who have served three consecutive terms. And when those -- that third time expires, they will not be eligible for renomination at that time and they must sit out one year and then they will be eligible again for nomination and could serve up to another three consecutive terms.

So we are implementing that beginning with this year. And we have some of our AP members that will term out. We've listed them on this slide. We are sorry that we are going to have to term, you know, these folks out, but we do not wish to certainly preclude any of these stakeholder groups from continuing to engage in the process. And the nomination process will continue. We will have another request for nominations this fall, so please keep that in mind and be on the lookout for that. Anybody can nominate anyone and we will be going through our normal process of evaluating those

nominations.

Related to the folks that are terming out, those are Pat Augustine, Andrew Cox, Shana Miller, Steve Iwicki, Jeff Oden, and Marty Scanlon. And we want to provide an opportunity for those of you that this will be your last AP meeting, at least for now, to have a chance to do brief comments if you wish to the AP. And we will be doing that tomorrow right after lunch and before the Office of Law Enforcement update. So keep that in mind for tomorrow.

So there's a lot happening outside of HMS Management Division. The following things we are providing information on just to keep you informed on some of that and encourage you to look at some of the links that we provide for more information.

These include the shortfin mako shark Endangered Species Act 12-month finding which continues to be in review. That's been an issue happening for a while and we anticipate that more information will come out. Undetermined exactly how soon, but before too long.

We also have the Shark and Dolphin Report to Congress that was required under the Joint JES language that accompanied the 2021 Appropriations Act. And that report was finalized and has been -- and was submitted on August 22nd. And we put out that information a little bit earlier back in August when it was released. Please take a look at that report.

We also have the offshore wind topic, and of course that continues to be something that BOEM is working on. And we in HMS continue to engage with the regional -- with the regions within NMFS and the Science Centers as we supply information to help inform BOEM in this initiative. Of course we had dedicated time on this topic back in May and have heard quite a bit from you all as time has gone on on that topic as well.

There's also the Right Whale Vessel Speed proposed rule that is out for public comment right now that would change the mandatory speed restrictions and the sizes of vessels that that applies to. And comments are due on that by September 30th.

So also continuing are work related to restoration from the Deepwater Horizon oil spill and the impacts and damage that was -- that occurred as a result of that spill. Deepwater Horizon's strategic planning continues to happen and -- on the agency's front. And the Deepwater Horizon Ocean -- Open Ocean Trustee Implementation Group released a strategic plan in the spring to help inform the future of restoration. We encourage you to take a look at that plan and see what is in there. And we continue to work through that process on several different initiatives.

One of the things that is highlighted in that plan is the -- in that strategic initiative was the need for restoration particularly of and prioritizing blue marlin and yellowfin tuna as being damaged in the Gulf of Mexico and restoration efforts to restore that damage.

Also something that you all have heard quite a bit about over the last several years is the Deepwater Horizon Oceanic Fish Restoration Project, which was the project in the Gulf of Mexico that worked with the voluntary cooperation and partnership with pelagic longline vessels in the Gulf of Mexico to -- for those vessels to actually not fish with pelagic longline gear in the first half of each year that they participated. And then the restoration that occurred as a result of dead discards from those vessels not occurring then was accounted for or credited towards restoring injury that occurred from the oil spill. So the pelagic longline fleet in the Gulf of Mexico were important partners through that project.

That project has now completed. It was a six-year project and 2022 was the last year of it. So that will

wrap up. And there are some -- I think some wrap-up summaries of that project that are being developed now, and you can probably see those coming out in the coming months.

I also wanted to highlight an additional project that was developed under Restoration Plan 2, I believe, for Deepwater Horizon restoration efforts. And this is one that is an active project. It is a feasibility study basically to look at hotspot mapping and to evaluate the feasibility of hotspot mapping and communication networks in different fisheries and whether different fisheries have -- would be feasible for further development of hotspot mapping, the idea being is that with the -- through hotspot mapping that some bycatch species could be avoided in fishing efforts and then that avoidance could result in lower mortality which then might help restore damage that was caused by the oil spill.

So this is a project that is out right now and that the agency and its implementing partner, the National Fish and Wildlife Foundation, are asking for input and expressions of interest on this. And so you'll see at the bottom of this slide there is a link to more information and an opportunity to submit expressions of interest or even questions related to that. And I encourage you to take a look at that information.

I also want to mention that Gray Redding with the National Fish and Wildlife Foundation is right back here on this side of our room with the white mask on and raising his hand. And he is available to answer questions immediately following that this morning. I think he has to leave a little bit later, but he certainly -- if you wish to ask him any questions, he's available to talk about that.

So in wrapping up I wanted to just kind of go through and reiterate some of the things that Bennett spent some time on, and that is that this process is one where -- it's a very valuable process

where we engage with you all to share information and depend upon you all to help disseminate that information out to your constituent groups, but then also we depend upon you all to funnel that information from those same groups back to us. And as we do that we intend to and always strive for respecting each other's opinions through that process.

We, in the division and in the agency, are continuing to work through the process of transitioning back into the offices. A lot of us are teleworking a lot and this depends a lot of times on local COVID levels and whether we can get into the offices. Some of us are able to be in the office more often than others. And once again that depends on local COVID levels. But the information here on this slide and the phone number is still a good way to contact us as well as via email, which many of you take advantage of all the time.

So with that, I look forward to hearing your input on these topics and this presentation and as well as other thoughts that you may have on other issues. This could be a potentially good time to bring those up.

Mr. Brooks: Okay. Thanks, Randy, for that overview.

We've got about 20 minutes for discussion here. And we'll do a mix of again in the room and online, so if you're on line, just raise your virtual hand, please. And let's start off with Marcos.

And -- oh, and Sonja. Thank you.

Marcos?

Mr. Hanke: Good morning, everyone. I just want to make sure the group is aware that I sent a letter after receiving some letters from the fishermen in the U.S. Caribbean and also participation on the Council requesting some revision about the Caribbean's mobile permit after some time. We've --

was able to identify some things that we need to address to enhance buy-in, to enhance the data collection compliance, enforcement and other aspects of the permit.

And basically we in the U.S. Caribbean, historically, skipjack tuna have been used as bait for deep-water fishery. Nowadays, the availability of other sources of bait due to the gasoline fluxes are scarce and that's creating a big problem for the fishermen to perform one of the most important fishery in the U.S. Caribbean, which is the deep-water snapper. And that -- those interrelationships between different other resources and fisheries with HMS is important to address.

There is a lot of details on the letter. I don't want to go over it at this time. I just want to be on record that we sent this letter and they're going to hopefully keep hearing about it, they're going to use the guidance from the HMS personnel that always support the Caribbean on this effort to make it better for the underserved communities in the U.S. Caribbean. And the Caribbean's mobile permit is a step on the right direction and I think we can make it better. Thank you.

Mr. Brooks: Thank you.

Let's take two more folks in the room and then we'll go to David Schalit online. Charlie and then Sonja.

Charlie?

Mr. Bergmann: Thank you. Charlie Bergmann. I have a couple of questions, but

I'll --

Mr. Brooks: Charlie, if you can move your other mic away?

Mr. Bergmann: -- I'll limit it to one for the time being and maybe ask more later.

The reporting scenario that you kind of went

through on recreational swordfish, how well is that being received by the fishers and how well are they responding?

Mr. Blankinship: So I think you're asking about the new reporting opportunities for some of those vessels that are submitting vessel trip reports via some apps and the opportunity to report swordfish, billfish, or tunas through those same apps. Is that what you're talking about?

Mr. Bergmann: Well, it's become -- this incidental fishery has become a directed fishery in the swordfish and they're very successful in how they prosecute the fishery. I'm just wondering how well the reporting is from those participants in that fishery.

Mr. Blankinship: So just to kind of wrap up my thought where I was going with a new opportunity, we've heard good responses from at least those let's say charter/head-boats that are -- or vessels that have commercial trip reports that they must submit through the regional reporting requirements where they are using eTrips and using that opportunity to accomplish multiple reporting requirements through one app. That has been very well received. So just to close the loop on that part of it.

Related to recreational reporting for swordfish, that continues to be something that the agency prioritizes. We know that there are challenges in a lot of areas for underreporting and we look for -- that has been a priority for quite some time and continues to be for -- that we highlight for the Office of Law Enforcement. And we actively look for ways to continue to prove that.

Mr. Brooks: Thanks.

Let's go over to Sonja. And Marcos and Charlie, I'll let you put your cards back down just so I know they've been covered.

Ms. Fordham: Thank you very much. Sonja Fordham, Shark Advocates International.

I had one question and then a few comments that I couldn't find covered anywhere in the agenda, so I hope you'll indulge me just a bit. I'll try to be brief.

My question is on the proposed rule for the ESA list of Elasmobranchii. You highlighted the hammerhead and oceanic whitetip, so I just want to clarify that that would be also particularly including manta rays. So that's the question.

And then a few things on reporting, rulemaking, and other things happening outside HMS.

On reporting the pelagic shark quota, the "other pelagic species" now covers oceanic whitetips, makos, and threshers. So we heard that mako is under a zero limit, oceanic whitetip soon to be prohibited. So that leaves a whole lot of metric tons for common thresher sharks. And I'll just flag what I did last time that I'm concerned that we -- when we look at the percentage of quota that's taken for that category, it looks quite small and might present a misleading picture to the public.

And as you know, that quota was established for many, many species, but as we've discussed those other species have been taken away. It's not clear that the quota has been appropriately reduced to reflect those changes.

And the fact that the species is commercially and recreationally valuable and also has never been assessed sort of adds to my concern.

And as I mentioned before, there's hope for increased congressional appropriations for more assessments, HMS assessments including possibly some funding that could be specific to species like threshers that are classified by IUCN as threatened.

And I do understand that the SEDAR -- SEDAR has a specific priority process and a long-term schedule,

but I just want to once again urge the agency to get creative like they did with hammerheads and look for a partnership with independent scientists to better -- to get a better handle on this data of the common thresher population and to outline a process where we might revisit the appropriateness of that quota level. And I will note that that request aligns with a recent resolution from the American Elasmobranch Society that Karyl is very familiar with that will be formally submitted very soon.

So speaking of the American Elasmobranch Society and rulemaking, I just want to flag that in less than two weeks the United States will propose -- we anticipate they will propose at the Northwest Atlantic Fisheries Organization another attempt to provide better protection for Greenland sharks, possibly the longest living vertebrate.

And so we're very grateful for that proposal. We're hopeful that the other parties will accept it. And we just want to flag it for the domestic staff to say that we'd like you to begin rulemaking on a prohibition on Greenland sharks or add it to the Prohibited Species List for the reasons that are listed in the U.S. proposal, particularly the extreme longevity and low fecundity.

And then just on the topic of other things happening outside the HMS Division, last time I flagged some CITES issues, but I didn't see them covered in tomorrow's international trade presentation, so I'll just reiterate that the Conference of Parties to the Convention on International Trade and Endangered Species, or CITES, is happening in two months' time and there are a number of Elasmobranchii listing proposals on the table. Specifically, to add more hammerheads, guitarfishes, and requiem sharks to Appendix 2, which in a nutshell would require parties to restrict exports to levels that are not detrimental to populations and to document those findings as well as the trade.

So just yesterday NOAA and Fish and Wildlife

Service received a whole lot of supportive comments for these proposals from the NGO and animal welfare community. So we're hopeful that the U.S. will reemerge as a shark conservation leader at CITES and support them as well as proper implementation.

There are also proposals to uplist and thereby strengthen Caribbean protections for several Elasmobranchii species under the SPA protocol. We appreciate that NOAA has some reservations with some of these, but we just want to flag in particular the oceanic whitetip proposal and hope that the U.S. will support and prioritize adoption of it -- go a long way to leveling the playing field for our fishermen, which has been a common theme at NOAA's Oceanic Whitetip ESA Recovery meetings or workshops.

Those proposals do offer this opportunity to level the playing field both through SPA and CITES, and again something that's common ground. I just want to stress that those proposals particularly under CITES are of great interest to the conservation and animal welfare community, as well as several circles within scientific and fishing communities and a large number of United States citizens. So ideally we would better integrate --

Mr. Brooks: Sonja, you need to --

Ms. Fordham: Yes, I'm wrapping up. We would better integrate those policy realms as they affect fisheries and do a bit more to encourage other countries to do the same. Thanks very much.

Mr. Brooks: Thanks.

Randy, do you want to -- quick answer to her first question?

Mr. Blankinship: Yes, in answer to your question about mantas and whether they're included in the proposed rule for no retention of scalloped hammerhead and its distinct population segment

and oceanic whitetip, it's not included. Mantas are not defined as HMS under the regulations and that rule would affect HMS fisheries.

Mr. Brooks: Thanks. I'm going to let you connect offline.

Ms. Fordham: Thank you.

Mr. Brooks: Great. Let's go to David Schalit online and then we'll come back into the room to Stephen and over to you, Marty. And then we'll go to Rick.

And, David, hang on a second. We got to open up your line before you jump in.

Participant: All right. Give it a shot.

Mr. Brooks: Okay. David, come on in.

We're not hearing you yet.

(No response.)

Mr. Brooks: Okay. Let's stay in the room, then. We'll work on what's happening there.

Stephen, why don't you come in?

Mr. Iwicki: Okay. Steve Iwicki. Just following up on the recreational swordfish comment, if I'm reading the reports right, the reporting is definitely on a downward steady decline for the last four years and it is becoming more of a recreational targeted fishery. So I think the issue really is education because most of the people I talk to that know about it don't know about the reporting requirements. So it's something to definitely take a look at in terms of the education. That's all I got. Thanks.

Mr. Brooks: Thanks, Steve.

Marty, over to you.

Mr. Scanlon: Yes, I have several things here. First on page 2 we talk about the A13 Final Rule and one

of the things that is absent within that rule is how to deal with new entrants, people that are looking to reenter the fishery. That's a major concern of the industry for that.

Number 5, on page 5, unsold bluefin tuna. You see how many fish are unsold, but how many of those fish were landed below the level of profitability? Where are those numbers? You know, that's a big issue. I mean, you might as well -- if you're going to lose money on them, you might as well just throw them away. All right?

Number 10, page 10, eTrips. Extremely difficult to navigate the website itself and it's very, very time consuming. I myself -- I was supposed to follow somebody here; I think it might be Jackie, after the last meeting and I never had an opportunity. I tried touching base a couple times and we never really connected there. But very difficult to fill out those forms and to navigate through that whole process right there. Very, very time consuming. I'm three, four trips behind and each trip takes at least an hour to two hours to get through. All right?

As far as hotspots in the gulf, you know, identifying them, to me I have fears of additional closures. When you start talking in that term where, you know, you might be able to identify particular hotspots, but, you know, the answer may just be to use, you know, additional techniques in order to avoid unwanted interactions.

All right. As far as page 16 on the Deepwater Horizon, the majority of the industry was never compensated for the damage done in the Gulf of Mexico by Deepwater Horizon, and that's been a failure of this -- of NMFS itself. I mean, those fish are highly migratory fish and the fact that those fish in that area was damaged had a dramatic effect on the entire fishery, not just those vessels in the Gulf of Mexico.

As far as -- the last thing I want to touch base on is term limits. Talk about a disconnect between

National Marine Fisheries and the Federal Government and the people that are actually doing the work here, I mean this panel, the people that sit at this panel, you don't just walk in this room, sit at this table and come up to speed with everything that goes on. I mean this stuff goes back. You know, stuff we work on today goes back 10 years. I mean it's a process to understand what's even going on and where we have to go, what's been done in the past. And to interrupt that process and interrupt the progress that's made by this panel is really, you know, disappointing that the Federal Government and NMFS itself doesn't see that.

So that's all I have to say for now.

Mr. Brooks: Thanks, Marty.

Yes, Randy?

Mr. Blankinship: Thanks, Marty, and I really appreciate the comments on a lot of different topics there.

On Amendment 13 I appreciate the expression there about new entrants. Just as a reminder, I think you're aware -- just for a general reminder, that Amendment 13, the final preferred alternative related to kind of new entrants, under the dynamic system for allocation of IBQ that new entrants would be available to -- would lease IBQ. Once they have IBQ and active effort in the fishery, then they would enter the system and have allocation from then on under that dynamic allocation process. So there is a mechanism for new entrants via that approach.

Mr. Brooks: Thanks. We seem to be having some technical difficult in terms of getting David heard in the room. Thanks for folks who weighed in on the chat.

Participant: Give it a shot.

Mr. Brooks: Give it shot? Okay. We're going to give

it another shot. And understand the folks online have been able to hear him.

David, why don't you try to come in again?

(No response.)

Mr. Brooks: All right. We are still not hearing him in the room. Are folks online hearing him?

Dr. Golet: He can hear you, but he can't talk.

Mr. Brooks: Okay. All right. Let us go to a break which we're scheduled for anyway. Let us try to work out what's going on technologically because we absolutely need to hear from people online. So let us take our break now. We'll come back, hopefully get that fixed.

And if we do, David, we'll bring you back in before we go to the next topic. Thanks all for the good morning session and we'll see you at 10:15. Thanks.

(Whereupon, the above-entitled matter went off the record at 9:59 a.m. and resumed at 10:14 a.m.)

Mr. Schalit: Okay. All right. Good morning, everyone. Sorry for the delay.

Randy, thank you so much for that very comprehensive presentation.

What I'd like to talk about briefly is the issue of what happened this summer, in July, with regard to bluefin tuna landings. There was a seven-day period in the middle of July in which approximately 90 metric tons was caught, and this had a roll-up effect in several areas.

One was that the dealers were swamped with inventory and some of the refused to take deliveries for approximately a week, until they were able to get rid of that inventory. The prices collapsed, which, of course, affected the dealers and the fishermen. And in addition, it also affected the

longliners because it's the same market they're selling to. Further, this collapse of the bluefin price did have a negative effect on yellowfin and bigeye pricing.

And so, what I'm looking at is the possibility that we'd like to engage with you on, this idea that perhaps there may be something we can do of a frameworkable nature that could be put in place in time for next season that addresses this problem.

We're looking at various ideas that we want to suggest to you. We think it's an urgent matter because we don't know -- you know, the problem with bluefin is that it's the word highly in highly migratory. It's suggested no two events happen in exactly the same way every year, but we believe that it would be precautionary and prudent for us to find a way to build a little more flexibility into the RFD program, so that we would be able to address, hopefully, this kind of event.

This 90 metric tons that was caught between the 10th and the 17th of July -- thank you very much, Diane, for the data -- represents 30 percent of the total catch for the entire summer subquota period, and it represents approximately 48 percent of the total catch for July only. So, it's a substantial amount of quota that came in in one week's time, which, then, of course, had the effect of shortening the summer fishing season, which closed, I believe, on the 8th or 10th of August, if I'm not mistaken.

So, what we're looking at at this point is the possibility of the agency having the authority to implement an additional restricted-fishing day. There are other possibilities that we would like to explore with you, with a view toward, hopefully, taking early action on this, so we can avoid, or at least have an impact on this, if it happens again next year.

So, my takeaway on what happened this year, this is the first year in which we are having RFDs beginning June the 1st -- or sorry -- July the 1st.

Last year, we had RFDs, but they were only implemented on the 1st of September. So, my takeaway at this point -- and I believe that this RFD scenario is somewhat of an experiment at this juncture -- is that there needs to be a recognition of the fact that, when implementing RFDs, you are actually increasing the derby effect, so to speak. In other words, when fishermen are not able to get out on the water on the day on which they are ready to go, they're going to do so more vigorously than they might otherwise. So, I think that there needs to be something done that sort of counterbalances that sort of, quote-unquote, derby effect.

And that's my comment for now. Thanks very much.

Mr. Brooks: Great. Thanks, David. I'm glad we were able to get you in there, and we could hear you loud and clear.

I know we don't have time to talk about this now, but, Randy, if you have a quick comment you want to say, and then we can move to economics.

Mr. Blankinship: Yes, I just would say thank you, David, for bearing with us through all of that technical difficulty to get you to be able to share that information, and appreciate those thoughts. And we will certainly keep them under consideration.

Mr. Brooks: Great. Great. Thanks, Randy. Thanks, David.

At this point, let's shift to hearing from George Silva and Cliff Hutt for an update on economics and what they've been seeing.

Economic Situation Report

Mr. Silva: Thank you for that introduction. I'll jump right into it, since we're a little bit behind schedule.

My name is George Silva. I'm the Economist for Atlantic Highly Migratory Species, and my colleague,

Cliff Hutt here, will also add to this presentation.

I want to give a 2022 HMS Fisheries Economic Situation Report update. And during this update, we're going to cover some big topics. We'll start with the big picture of the macroeconomic indicators. And then I'll discuss more HMS-specific information about landings revenue, price trends, and commercial vessel activity. Then, Cliff Hutt will jump in and discuss the recreational sector, the for-hire fishery, private boat data, and our tournament information.

So, let's jump right into the meat of this. Key macroeconomic indicators. So, this is a little bit different in this presentation, but I thought it would be a good opportunity now to step back a little bit. We've been in this pandemic for a couple of years now, and a lot has changed in the economy and I wanted to walk through where we are right now.

First, we'll start with the Department of Commerce's flagship economic indicator, which is the Gross Domestic Product. The Gross Domestic Product is a comprehensive measure of U.S. economic activity. It measures the value of final goods and services produced in the United States.

Last year, we saw some impressive numbers in 2021. Real Gross Domestic Product was up 6.9 percent. It's an unprecedented recovery from the recession that was initiated by the pandemic in 2020.

But things changed a bit at the beginning of 2022. The first quarter estimates were that the Gross Domestic Product was down 1.6 percent, and by the second quarter of this year, we saw at least a preliminary estimate of a 0.6 percent decrease in Gross Domestic Product.

One thing to keep in mind is a lot of businesses have been rebuilding inventories this year, and inventories are not finished goods. And so, that does affect to some degree, especially in the first

quarter this year, the Gross Domestic Product numbers. Well, we'll be keeping an eye on that some more as the year progresses.

One of the big contributors, or one of the interesting components of this, is inflation. As you probably keep an eye on this, the Consumer Price Index release for July indicated that annual inflation was at 8.5 percent. We haven't really seen inflation like this over the past 40 years, and it's something that impacts all sectors of the economy. The inflation is at this point fairly broad in the different categories that it impacts.

And even the Producer Price Index, which looks at the production side of the economy and their prices, it showed similar inflation, if not higher. I think it was more like 9.8 percent in terms of producers in comparison to the Consumer Price Index, which looks at households.

One unique aspect is employment. And this is something that's probably unprecedented in the economic history, where we have a declining Gross Domestic Product, high inflation, but very strong employment continuing. The unemployment rate is at 3.7 percent, as of last Friday's jobs report. We also saw last Wednesday the JOLTS Report indicated that job openings are continuing to rise. I think there is almost two jobs for every person seeking jobs out there.

And we also have a rebound in the participation rate, which is important. That's something that we've been keeping an eye, you know, economists have been keeping an eye on over the past couple of years. A lot of people had dropped out of the workforce during the pandemic for various reasons. There's been a rebound almost to 2019 levels at this point. It's a pretty substantial recovery in the workforce participation rate.

And given this backdrop, the Federal Reserve has been taking action. The interest rates are rising with the Federal Reserve increasing their reserve rate to

between their target rate to 2.25 to 2.5. I just kind of summarized it as 2.5. And they've increased .75 percent over the past two months.

There's expectations that the Federal Reserve, especially given comments by the Federal Reserve, indicating that rates will continue to rise probably for several months, as the Federal Reserve tries to target and decrease inflation by pulling cash out of the economy. And this will probably likely continue until inflation is down towards their target rate. I mean, their target rate is 2 percent inflation and we're quite a ways off from that. So, we expect that to continue throughout the rest of the year.

The next issue that's really relevant to HMS is the U.S. dollar. The U.S. dollar is very strong. We're back at unprecedented rates against the euro. We have one dollar to a euro. I think, actually, yesterday I saw 99 cents to the euro, last night. I didn't quite update the slide live, but I think I've never seen that number myself. Maybe there was a brief window at the beginning when the euro first started, but I think that's brand-new territory for the euro to the dollar.

And also important to HMS, especially with our tuna markets, is the Japanese yen to the dollar. And basically, there's been a 19-percent increase to the Japanese yen in 2022.

And finally, we get back to the issue of supply chains, which has really been kind of the catalyst for a lot of the issues in the economy. There's a new indicator out that's called the Federal Reserve Bank of New York Supply Chain Pressure Index. That index indicates that global supply chain pressures have declined a bit in July, but the continued pressures remain at historically high levels, as they've kind of used that indicator that looks at shipping, rail, various material availability. It's pretty comprehensive you know, it's a bit of all different sectors of the economy.

And I'm sure members of the AP have experienced

different supply chain issues. I personally am experiencing a supply chain issue getting appliances at my house. That's this week's challenge.

But let's take a look a little bit deeper into inflation, because this is a new component. I don't think we really talked about this in the last AP meeting where I gave an overview of the economic situation.

Seventeen percent of current inflation can be attributed to food prices, and, you know, fisheries is definitely in the business of food production. And here, we can see that, as I mentioned before, the 8.5-percent inflation. That food's actually at 10.9 percent, which is even higher, and it's a large contributor to general inflation.

And the one interesting thing to note is that, around February, there was an inflection there where food inflation started exceeding the Consumer Price Index for all items. And on the chart here, you can see the blue line and the orange line cross right around there. And that's really when the conflict in Ukraine started, and that's a new component, too, to this evolving economic picture.

Ukraine is a major grain producer and affects global markets, both in food production and it also affects the energy markets with this conflict. And that supply shock really kicked in, I guess, really starting at that February time period and right into March, and is now more pronounced.

I had a little more detail to this in terms of fisheries. I've been looking at a new product by IRI and 210 Analytics that tracks the grocery supply chain and keeps an eye on grocery prices.

Groceries were up 12.3 percent at the end of June. This is at the retail level. Fresh seafood was up 21.3 percent year over year in that same time period of June, and this is in comparison to total seafood, which exhibited 11.5-percent increase in prices at that retail level.

The one thing to keep in mind, though, is there's a bit of a shift again. People last year were buying more seafood products at home and pushing demand in the retail sector. It looks like this year sales by volume has been down 22.2 percent in the grocery retail sector. I know this is not a big part of HMS sales, but it's one of the indicators that we can look at. And two things come to mind with that decline in volume.

First is the price levels. It's starting to have an impact; people are making choices based on prices and working their way down to cheaper products.

And secondly, there's been a rebound in the restaurant and dining-out sector. And so, to some degree, grocery sales have kind of gone back to more pre-pandemic levels in terms of seafood and that aspect.

Another interesting thing I think, in the beginning of the pandemic I kind of thought there was going to be fuel issues, and really, there never really was. If anything, there was a decline in fuel prices in 2020 a bit due to lower demand. People weren't commuting.

In the supply chains, I thought there could be issues in the refineries that never really materialized. I kind of didn't even, I think, talk about it the last time we did an Economic Situation Report, but, man, things dramatically changed with fuel at the end of 2021 and into 2022.

As you can see here, the green line is showing you the diesel retail prices, and they've really escalated in 2022; in fact, dramatically impacting fisheries. I know many vessel operations, you know, half their costs are almost in fuel costs. And right now, the last number I saw was the average diesel No. 2 price in the U.S. was \$5.08, according to the Department of Energy. And so, we'll be keeping an eye on that. This conflict and various global activities surrounding fuel production have really impacted the supply chain of diesel and all other

fuel products.

I probably jumped around a little bit, but I wanted to also bring back the slide that I always used to start out with, which was the restaurant activity. And I wanted to also bring it back to where we started.

This is Open Table's reservation system. It's kind of a good way to get a quick pulse on the activity at restaurants. During the pandemic, there was, basically, almost a 100 percent decline in reservations at restaurants. That rebounded even by the end of 2020 to some degree. By 2021, really, we started seeing a major rebound towards the summer. And right now, we're currently only 3 percent off of 2019 levels in the reservation system.

Of course, some of this could be offset by just changes in the participants in restaurants. So, I'm still assuming we're somewhat down, but I just wanted to kind of bring that whole picture in and tie it back to kind of what we're seeing in the grocery chain, the change in kind of dynamics from retail purchasing of seafood at home versus going out and purchasing seafood out at restaurants.

And a similar number is from the Census Bureau, which tracks advanced retail sales for food services and drinking places. And you can see the pandemic's effect in this data. Starting in February of 2020, just before the pandemic, retail sales were, basically, up 10 percent over 2019 numbers. And then there was a dramatic decline in March and April of 2020, and the rebound back to 2019 levels started, basically, in March-April of 2021. In July of 2022, we're back at above 32 percent of 2019 levels.

One thing to keep in mind -- and I'm sure you're well aware -- is inflation is not adjusted in these numbers. And so, one thing to note is that, basically, \$100 in February of 2020 is basically equivalent to \$114 today, with, basically, 14.5 percent inflation that occurred over this entire time

period. And if you go back, really, in comparison to 2022 and 2019, that's like a 17.7 percent increase in inflation. So, I would knock off about 15 percent off of these numbers to get you to more of what you're talking about today in terms of real change in sales at food service and drinking places.

Travel. Recent travel numbers are now, basically, getting very similar to 2019, even though we're really at almost a reduced capacity in terms of air travel. TSA has been tracking numbers. And I was looking at this weekend's numbers, and they do seem to appear for the week to be exceeding 2019 numbers. So, at this point, we're at a pretty much full recovery, at least for the people shuffling around the airports. Whether they actually get to their destination would be a different story, but they're definitely moving around the airport and going through TSA's checkpoints quite a bit.

Now, bringing you back to HMS, taking a look at commercial landings, we've largely recovered to 2019 levels in nominal dollars. And really, the big recoveries, looking at June -- July is a little bit preliminary. So, I wouldn't put too much credit on that 6-percent decline. It's not anywhere near 2021's numbers, though. We did see a huge increase in 2021 for July fishing, but this year we're still like 6 percent off of that. But, as we get revised numbers, it might be more closer to about, I'm guessing, probably around zero percent given late reports and adjustments in the data as time goes on.

But, really, going back to June, June was up 24 percent over 2019, and there's been a steady increase since 2020, if you can look at that graph there. Really, the graph shows you that kind of the blue is in 2019; green, 2020; orange, 2021, and that purple is the most recent year, 2022, showing you total landings by dollar value.

Now, let's jump into prices, and this chart could be a little bit, I guess, a little bit more controversial.

This is bluefin tuna average ex-vessel prices.

For the month, really we've been exceeding 2019 prices for most of this year actually, and really, with only a dip occurring in July. But we do know that there have been market issues with an uptick in unsold fish this year and the market not basically being able to clear out at times due to supply fluctuations -- too many fish coming in in short windows of time. But, overall, its pricing is pretty strong, nevertheless, for the year.

Yellowfin tuna, it's a little bit different story. Yellowfin tuna prices starting climbing back to 2019 levels in February, peaked in April this year at \$4.83, but have since declined and been at lower than 2021 numbers, just kind of a little bit off of 2019, and really not keeping up with inflation at this point. So, that's something to keep in mind as depressing.

Is that a little bit better? Okay. I guess I had to twist it around a little bit. Sorry about that. Thanks, Bennett, for letting me know.

Swordfish. Swordfish is a more interesting story to me. We in the past have had issues with swordfish pricing being rather weak and really impacting the fishery. This year, swordfish prices are holding up substantially well, really trending above 2019 to 2021 numbers; in March and April we're really close to 2022 numbers, but, more recently, we're getting \$5.97 on average in July, which is excellent, really, in comparison to the past three-four years, and probably, to some degree, keeping up a little bit with inflation, but, you know, it's really tough, given the current environment.

Looking at the fishery activity this year, this is fishing activity based on the number of VMS pre-landing reports. This gives us an indication of the number of trips being taken by HMS vessels. This includes pelagic longline vessels, but also bottom longline vessels fishing off of South Carolina and North Carolina and Virginia from January through

July; gillnet vessels and some directed shark limited-access permits operating near the Southeast. So, it gives us kind of a sampling across the HMS fishery, commercial fishery.

Most of 2022 months experienced an increase in commercial vessel trips. However, most months still were below 2019 levels, except for March and June of this year. And we really saw a real increase in June with 38 percent above 2019 levels, and in March it was a little bit up, up 6 percent.

Pelagic longline fleet effort, this is specific to measuring pelagic longline vessels set reports, reported via their VMS units. And here, we saw that the year started out kind of weak in January, down 51 percent compared to 2019 levels, but, then, it was back up to 2019 levels in February and kind of continued that way for most of the months, except it was a bit off of May, but that's really because May was very active in 2019, more so than any kind of pandemic effect. So, I just wanted to point that out.

I think effort is off a little bit, overall, probably slightly down, but the past few months have been a pretty good, you know, kind of just off by single digits, more or less, or maybe low double digits, like around 10 percent.

And I think that kind of gives us kind of the overall picture of commercial fishing. And with that, I'll pass it on to Cliff Hutt.

Yes, I can switch seats with you. It's probably easier. Okay.

Mr. Hutt: Hi, everybody.

Now, for a change of pace, we'll talk a little bit about what we've been seeing in the recreational fishery. Primarily for this, for economics, we're looking at fishing effort in different sectors.

Let's start out looking at the LPS charter vessel trip effort by month. Generally, we never really saw LPS

effort go down for the pandemic. If anything, fishing effort went up substantially.

Here, the first column for each month is kind of the 2015-to-2019 average monthly effort, with the subsequent columns being 2020 and 2021. For June, we had June LPS effort data for 2022, and the July data, the preliminary data -- sorry -- the preliminary July data actually came out yesterday, and we actually had an estimate of 4,500 charter trips for the month of July this year, which is, I believe, a record. So, we're seeing, despite the high gas prices, we're still seeing a lot of charter effort going on in LPS.

For private vessel trips, generally, in 2021, effort continued to be up. We have for the last two years seen a bit of a dip in effort in the month of June, which, traditionally, was a slower month getting started in the LPS. Just we saw a big increase in effort that month in 2020. Pandemic restrictions were just kind of being relaxed in most states. A lot of people just really wanted to get out that year.

However, the preliminary July numbers that just came out are also still very high. We had around 16,000 private vessel trips for the month of July. Last year was kind of the all-time high at 18,000 for a single month. But, at 16,000, it's still well above the previous pre-pandemic average.

Still waiting to analyze the May-June numbers for 2022 from MRIP. Generally, for the South Atlantic, we saw a big dip in effort in 2020 for those first months of the pandemic, but, overall, effort was up following the pandemic, and most months we are seeing that kind of normalize a bit more in 2021, with effort numbers kind of getting back down to what they were kind of pre-pandemic in most months.

For private boat effort, a little more noise there. Still seeing effort kind of up a good bit in a lot of time periods, but it's just dealing with the randomness and the variability of the MRIP data. Still a lot of

wide (audio interference) on that, but, as a general rule, HMS effort was kind of up in the South Atlantic last year.

It gets a little harder to kind of look at patterns in the Gulf of Mexico for HMS-directed trips due to the high variability of the data. But, as a rule, 2021, the numbers seem to be kind of back down to reflect the previous five-year average compared to the high numbers we were seeing in 2020. And that seems to be kind of bearing out with the preliminary data for 2022 that has come out so far. And kind of similar patterns in the private boat effort for the Gulf of Mexico, but, again, this data, in particular, is so variable, it's hard to really discern patterns.

Next, we look at tournaments. The pandemic had a lot more impacts on tournaments compared to private and charter boat effort because of the restrictions of these being big events where a lot of people were gathering. In those initial months of the pandemic, we saw big drops in the number of registered tournaments or events being cancelled because of COVID restrictions.

As a general rule, we have seen those events largely all kind of come back in most months. We've seen pretty much a full recovery. There's been a bit of a continued lag in the months of May and June, which were those months that were really kind of hit the hardest by the pandemic. Those are kind of the months when tournaments are really getting started and we still had a lot of COVID restrictions when those events were happening in 2020. Not all of them have come back yet.

Part of that could be due to the fact that maybe you had more cancelled events in 2020 that year and they just haven't come back. But another issue, completely independent of the pandemic, is those were also very popular months for mako tournaments. And given the restrictions in that fishery now, that could explain why maybe some of those events just haven't come back.

And that pretty much wraps up the presentation. This slide is just some resources that we've shared in the past. But we're ready for comments and questions.

Mr. Brooks: All right. We've got about 10 minutes for questions or comments. So, let's open it up.

A quick question from Yamitza in the chat earlier was: George, did the data on HMS landings include landings in the U.S. Caribbean?

Mr. Silva: They did include it historically. This year's numbers probably do not yet include the Caribbean. So, for the first seven months of this year, the numbers are probably not quite yet in there, since we get those in batches.

Mr. Brooks: Great.

All right. Let's start online with George Purmont. So, we can open it up. We'll do George and Jimmy, and then we'll come back in the room and do Marty and Charlie.

George, come on in.

Mr. Purmont: Can you hear me okay?

Mr. Brooks: Yes, we can.

Mr. Purmont: Hello?

Mr. Brooks: Yes, we can hear you.

Mr. Purmont: Okay. Thank you.

Nice presentations, and I appreciate it.

Is there any discussion about the prices of imported tuna over the past five years? We acknowledge that, while we produce fish, we also compete not only against ourselves, but we compete against imports. Any idea about the -- do you have a handle on the value of imported tunas over the past five years?

Mr. Silva: In the last presentation, we did provide some information on imports and the import value. There was concerns that the imports were coming in pretty dramatically.

During that presentation, if I recall, import levels actually were a bit off, probably in response to reduced shipping, with air travel being reduced and just vessels', also, shipping costs going way up.

This year, I haven't compiled that information. Usually, it's more on a volume and total value and less on the individual prices, but we can take a look at that. That will probably come out with our next edition of our SAFE Report. Keep an eye on that in the winter of this year.

Mr. Brooks: Great. Thanks. Jimmy Hull, why don't you take yourself off mute or we'll take you off mute, and then you can come in. Just wait two seconds.

MT. HULL: Yes, thank you.

Jimmy Hull, Ponce Inlet, Florida.

Thank you for that report on the economics and effort.

And we've had really good weather this summer. So, a lot of that overall HMS effort has relied on good weather for all the sectors.

I'm a commercial shark fisherman food producer, and I target blacktips and small coastals. The commercial fishing effort for sharks out of northeast Florida is quite small. I'm pretty much the only guy out of Ponce Inlet that still sets a longline for sharks.

I know we're in between rulemaking on the agenda. However, we're underharvesting the shark quotas, and it seems that inseason actions aren't being taken to toggle up these trip limits, which could help us catch these quotas and provide food and

economic opportunity.

We have built a really good market for shark meat, and we're doing quite well in the fishery. We're supposed to be managing these species for maximum sustainable yield and optimal yield. You can look at the quota monitoring for the last several years on the large coastals and the small coastals and the blacknose, for instance. It's just we're catching 30 percent on the blacknose for the last three-four years. We separated that -- or we didn't separate it. And I understand that amendments coming up that are in the works are supposed to fix some of this underharvest.

So, I just wanted to bring that up; that we're not catching our shark quotas. A lot of it has to do with the trip limits that are in place, and there should be an effort to try to let us catch more of these sharks, and, in particular, the blacknose south where I'm at. I mean, there's lots of blacknose, and, of course, you've got me limited to eight head per trip. So, we're throwing back animals, wasting the resource, and here we are only catching, basically, 30 percent of the quota.

Thank you.

Mr. Brooks: Thanks very much. Now, let's come into the room and let's go with Marty, then Charlie, and then over to Peter.

Mr. Scanlon: Okay. On slide 5, you talk about the restaurants, or, yes, it's on page 5 there. You talk about the Open Table there. But I don't know whether that indicates included in those restaurants is the takeout portion of that, because I know one of the benefits that came out of the pandemic is the development of the takeout market in the restaurant industry -- big time.

I mean, overall, there was almost no fish takeout pre-pandemic, and now, that's a big portion of what they're doing here right now. So, I don't know whether that's indicated in that table or not.

Mr. Silva: Yes, Open Table does not include takeout volume. It's just number of diners.

The next slide on -- I think it's slide 7 -- did include takeout.

Mr. Scanlon: Right. Okay. That was one of the benefits, you know, things that came out of there that was positive there.

On slide 8 here -- where am I here? -- you talk about HMS landings here, and a lot of that has to do with the availability of crew. I mean, all through the pandemic, crew was probably the No. 1 detriment to the industry right there, the availability of being able to crew these boats. So, that was a big issue right there.

Also, I think on slide 12 there you're talking about the trips. This particular January, where you see the numbers are down, we had extremely bad weather in January. I mean, the weather was just absolutely brutal with all the Arctic fronts coming through there. So, that would be an indication of that, along with slide 13 would be weather-related.

As far as slide 11, as far as the price of swordfish is concerned, you know, a lot of it has been there's been lower availability of imports this year. The imports are way down. And that should indicate the work that needs to be done in protecting us against the imports coming into this country and affecting our market right there. You can see right there how the price is higher as a result of being the less availability of those imports.

So, on top of that, you know, the method of which these swordfish are being landed, especially from the pelagic longline industry, the method of deepsetting that gear has a dramatic increase on the quality of those fish. So, that's another reason for that price being higher than it normally is.

So, all of those factors have an effect there.

Mr. Brooks: Thanks, Marty.

Okay, Charlie?

Mr. Bergmann: Oh, it's a heck of a thing following both Marty and Jimmy Hull. They take away my thunder that I was ready to -- but I want to follow up on what Marty was talking about with the restaurants.

Those seated diners are a percentage. How many restaurants were closed down? I mean, we've lost a lot of white tablecloth restaurants that were the mainstay of the swordfish and the tuna fish markets for the pelagic longline fishery, and I don't see that reflected anywhere.

But when you say it's 3 percent off of 2019 levels, 3 percent of the existing restaurants? I mean, are we apples to oranges here?

Mr. Silva: It's 3 percent over the overall network. So, there are numbers of restaurants that have stayed open the whole time, but this one includes all those closures as well. And there could be new additions to their network, you know.

So, it is an imperfect measure because they're not the only provider of that kind of software that the restaurants use, but it's just a good, quick indicator to see kind of the daily pattern. There's very few sources that get you that high-frequency data. So, yes, there's some good points in there.

There have definitely been restaurant closures, but there have been, also, kind of talking about the takeout, there's been this whole surge in ghost restaurants, ghost kitchens. And that's, to some degree, offset a lot of the retail physical presence restaurants out there, especially in urban areas.

Mr. Brooks: Thanks.

I'll go to Peter in one second. I just want to note in the chat Heather noted to, Yamitza, your question

that there is a little bit of a delay in some of the 2022 Caribbean data. So, just note that in the figures you're seeing.

And then a quick question as well from Yamitza: Are Puerto Rico HMS tournaments included in the HMS tournament impacts?

Mr. Hutt: Yes.

Mr. Brooks: Yes. The answer to that is yes, Yamitza.

Okay, let's go over to Peter for probably our last comment or question.

Mr. Chaibongsai: Just a quick question. What are ghost kitchens?

Mr. Silva: Sorry. That's a fairly new phenomena where a kitchen does not have a retail presence. It, basically, uses those apps like GrubHub, and you see them appear, but their address is like -- they don't have a storefront you could walk into. They're mainly just for delivery.

Mr. Chaibongsai: So, not like a food truck?

Mr. Silva: No. So, they're usually commercial kitchens that are leased out. Sometimes restaurants lease out their kitchens in the evening.

Mr. Chaibongsai: All right. Thank you. That's the first I've ever heard of that. So, I appreciate understanding that.

I saw that you put up the average ex-vessel price for swordfish, yellowfin tuna, and bluefin. Will we have access, or could I get access, to looking at some of the other species as well? And the one I'm kind of looking at would be potentially some of the shark.

The reason I bring that up is because of the fact that one of the first things that you brought up was the fact that the price for food has gone up more than general inflation. And I would think that, with

NMFS wanting to, obviously, help our community, and specifically, the commercial sector, you would want to market a cheaper protein, which would be sharks.

And I know we talked about this in the last meeting during spring, but this would be an absolutely great point to continue to market the shark fishery, especially Jimmy mentioning the fact that there's an opportunity, right, because we haven't fulfilled our quota. I think this would be a really opportune point, especially if inflation is going to continue at this point, to look at that.

So, if maybe in a sidebar, or something like that, to where we could get access just to kind of look at what the price levels are, I would appreciate that. Thank you.

Mr. Silva: Yes, no problem. One thing to start with is last year's 2021 HMS Fisheries Economic Situation Report in the Advisory Panel kind of archives. Because there we had, I think, blacktip prices in that last presentation. This one, I just didn't want to do too many slides. So, I kind of pick and choose.

Also, our SAFE Report would also have shark prices. Because there we put out that report annually, but there it's a little bit more complicated because we do have it by the complexes in there. So, if you want to look at a particular species, it might be a little more challenging.

And then we have on the SHARE Report on the shark fishery. There we do break it down by several individual shark species, and it has a pretty long history. That's probably the longer history of data that you can get info on it.

Proposed Hudson Canyon National Marine Sanctuary
Designation

Mr. Brooks: All right. George and Cliff, thank you so much.

And folks around the table, feel free to continue to pepper them with questions as we move through today and tomorrow.

Let's now shift to our next topic and invite LeAnn Hogan, who some of you may know and recall, and Matt Brookhart to come up. They're both with the Office of National Marine Sanctuaries, and they are going to talk to us and give us some background and the status of the proposed Hudson Canyon National Marine Sanctuary designation.

So, just take those two seats; it will be perfect.

And we have an hour for the presentation and Q&A.

Nice to see you.

Ms. Hogan: Hello. You, too.

Mr. Brookhart: All right. Thank you so much for giving us the opportunity to speak to you all today.

I want to thank Randy and Sarah for the invitation to come and speak about a proposal to designate an area in and around the Hudson Canyon as a National Marine Sanctuary. We're here today to talk to you about the process of sanctuary designation; to talk to you a little bit about the Hudson Canyon area and the nomination that we received to consider this area as a National Marine Sanctuary, and then, of course, take any questions that you might have about the process, of which we are in the very earliest of stages in terms of the designation.

So, my name is Matt Brookhart. I am the Regional Director for the Eastern Region of the Office of National Marine Sanctuaries. This is my 21st year with NOAA. I'm based here in Silver Spring.

Ms. Hogan: Hi, everyone. It's good to see a lot of familiar faces.

I'm LeAnn Hogan. I am also with the Office of National Marine Sanctuaries, and I am in the

Eastern Region, based in Silver Spring.

Mr. Brookhart: Okay. So, I'll give a few slides here on the Office of National Marine Sanctuaries, who we are, what we do, and then I'll turn it over to LeAnn to talk a little bit about the Hudson Canyon proposal. And then we'll wrap up the presentation and open it up to you for any questions that you may have.

So, the Office of National Marine Sanctuaries is now in its 50th year. We are part of the National Ocean Service, as you can see on the slide here. The National Ocean Service is one of six line offices within NOAA. Sanctuaries, as I said, 50th year of existence; 1972 is when the National Marine Sanctuaries Act was originally implemented.

Here's a map of the current National Marine Sanctuary System. You'll see three different icons: existing sanctuaries in a circle. We do manage two Marine Monuments, and then the yellow boxes represent proposals for National Marine Sanctuaries or sanctuaries currently in designation. We have two here in the Eastern Region, both in and around the State of New York, on the western side of the State in Lake Ontario and on the eastern side on now what we're talking to you today, the Hudson Canyon.

The interesting thing about this map, too, that I hope you can see is that we do cover these areas of national significance around the contiguous United States into the Western Pacific, and include some fairly large areas, such as Papahānaumokuākea Marine National Monument in the northwestern Hawaiian Islands.

So, a couple of bullets on the Sanctuary Program's management objectives. In managing the National Marine Sanctuary System:

We seek to conserve for future generations areas of special national significance in the ocean and Great Lakes.

We seek to strike a balance between resource protection and sustainable uses.

We also seek to employ innovative, transparent, and community-based problem-solving with a focus on non-regulatory solutions.

We also seek to customize management actions to meet the needs and features of individual Sanctuaries. One size does not fit all with National Marine Sanctuaries.

We also seek to enhance our efforts through a diverse array of partnerships. Partnerships are sort of what makes our world go round. And we also strive to use the best available science in our decisionmaking.

We do rely on a series of management tools. Many of you know that Marine Sanctuaries focus a lot of our efforts on research and monitoring and outreach and engagement.

We also have a very strong maritime history and heritage program. We rely heavily on the time and effort of volunteers.

As I mentioned, while we are a regulatory program, we do focus on non-regulatory actions. We employ Sanctuary Advisory Councils, which I'll talk to you about a little bit more in the next slide.

We promote recreation and tourism. We promote indigenous and tribal engagement.

And as I mentioned, we rely heavily on partnerships. Sanctuary Advisory Councils are a really unique tool to the National Marine Sanctuary System. They represent an advisory body whose sole purpose is to provide advice and recommendations to the Office of National Marine Sanctuaries, typically, through the National Marine Sanctuary Superintendent.

As you can see from this slide, although this is not a

hard template for all National Marine Sanctuaries, this is, typically, what you will see with seats on the Advisory Council. These are folks that represent interests and different sectors in and around the sanctuary community who help to steer management at the beginning stage of the sanctuary all the way through its maturation and evolution.

You can see commercial and recreational fishing seats, research seats, recreational seats, conservation seats, et cetera. They're, typically, made up of voting and non-voting members, and they are term-limited. So, we often see folks coming in and out of these Councils, but these seats, typically, remain pretty close to what you see here on this map.

Just a quick note on the difference between monuments and sanctuaries. A big difference here, in that there is a stark difference in the authorities under which they are designated.

National Marine Sanctuaries are designated under the National Marine Sanctuaries Act. We have our own organic legislation which drives how sanctuaries are designated. Sanctuaries are always designated under the Sanctuaries Act in conjunction with the National Environmental Policy Act, NEPA.

Marine National Monuments are designated under the Antiquities Act, typically, under Executive Order by the President. We have very little say in the monument designation process, although we do manage two Marine Monuments at this time.

And the sanctuary process is really steered by a three-to-five-year window for designation, which involves multiple opportunities for public input that influences -- and we'll talk a little bit more about this -- the Draft Environmental Impact Statement, a Draft Management Plan, and a proposed rulemaking.

So, this slide here, I admit, is a little wonky, but it's

a real important one for this group. And this is the National Marine Sanctuaries Act, Section 304(a)(5). And what 304(a)(5) really does is it requires us to provide the appropriate, relevant Regional Fishery Management Council or regional fishery management authority with the opportunity to prepare any draft fishing regulations that the Council may deem necessary to implement a sanctuary designation.

So, in other words, this section of our Act requires us to go to you and the other Councils -- in the case of Hudson Canyon, the New England Council and the Mid-Atlantic Council -- to seek your advice and input on whether or not you feel any new regulations are warranted as part of that sanctuary proposal.

The Council can provide us with three -- we have three pathways to follow. The first is you can recommend new fishing regulations for this area. You can choose to recommend that no new regulations are necessary. Or you can choose to not act on the matter at all.

We take your recommendations very seriously. Letters have already gone out to Randy, to the Councils in New England and in the Mid-Atlantic to begin the 304(a)(5) process. We are seeking your input now on this question of whether or not any new fishing regulations are warranted as part of the sanctuary proposal for Hudson Canyon.

I will say that, as part of the nomination we received from the Wildlife Conservation Society -- this is what started the whole idea of the Hudson Canyon proposal -- they recommended strongly to us that fisheries management remains in the hands of the Councils and other regional fishery management authorities because their assessment was that the Fishery Management Councils were managing fisheries adequately and there was no need for any new fishing regulations in this area under the Sanctuaries Act.

We tend to agree with that point. We have to analyze all of the comments that we have coming in as part of the open public comment period right now, but we are really looking forward to your response on this question of, are any new fishing regulations warranted for this area or needed?

We will come back to this, if you have -- I'm sure you'll have additional questions on that. But this 304(a)(5) process is a really important part of any sanctuary designation that we begin.

So, as I mentioned, the sanctuary designation process, I, in 20-plus years of being here, have never seen a sanctuary designated in under three years. It's always been closer to about five years. And the reason for that is the extensive public process that we like to emphasize and rely on, as we develop a proposal from start to finish.

Right now, we closed the public comment period on August 8th for the initial scoping process. And the initial scoping was simply a request of the public to provide any input you feel as to whether you feel the sanctuary is a good idea. If you feel it is not a good idea, we posed several questions that LeAnn will talk about as to what we would like to get specific information on. But this is the very earliest phase of the designation process. And so, we are in the process now of analyzing the 15,000 comments we got on the initial scoping proposal.

Once we have analyzed those comments, LeAnn and the rest of her team will begin to formulate the beginnings of the Draft Environmental Impact Statement. That will be the fundamental document for the designation for the public to review.

We hope to have a Draft Environmental Impact Statement, or DEIS, along with a Draft Management Plan and a proposed rulemaking, in a 16-month timeframe, if everything goes according to plan. I can't tell you how many times I've said that and it's never gone according to plan. But that's our hope, is that that 16-month window is when an EIS will hit

the street for a 90-to-100-day public comment period.

One distinction I would like to make now: in our proposal for scoping, we did not purposely include any specific boundaries at this point because we are so early in the process. We asked the public to provide ideas and thoughts on where they would like to see boundaries for the Hudson Canyon area, but we do take scoping seriously and are hopeful that, in processing these comments, that we have some initial thoughts and ideas from the public as to where they would like to see proposed boundaries -- plural -- that we would put into the EIS for further analysis to come out of these scoping comments.

Typically, we would have three to four alternatives in the EIS that will include three or four different boundary options. Those boundary options right now are literally a blank slate. We don't have any predetermined or preconceived ideas. Even though the nominating community, led by the Wildlife Conservation Society, did propose a boundary, we are not looking at that boundary as an official NOAA action.

So, once we have the DEIS out for public review, along with the proposed rule and the Draft Management Plan, the Draft Management Plan is what will contain all of our non-regulatory actions. That's where you'll see your education and outreach programs, our research and monitoring programs, et cetera.

Like I said, we hope to give 120 days or so of public review of that. We, then, take that and go back to the drawing board again; process all of the public comments we get on the DEIS, and formulate our final plan.

Once the final plan is done, the U.S. Congress has 45 days of continuous congressional session. That's a term that I don't understand why that's still in the National Marine Sanctuaries Act, but it is 45 days of continuous congressional session. So, that doesn't

mean 45 calendar days. They've got to be in session for 45 days, but that's their window to review the final proposal.

Congress can weigh in and say, We don't support this. But it's not the authority of any individual Congressman or Member of Congress. It has to be taken up as a bill by Congress on the Floor.

But, once Congress lets that 45 days has past, if there is no comment from Congress, then the sanctuary is final. And again, that usually is in that window of four to three to five years, typically, closer to four or five.

Okay. So, that's 50 years of the Sanctuaries Act in about 15 minutes. Again, we will take questions from you all here. I'm sure you have some.

But now, I'd turn it over to LeAnn for some more details on this particular proposal for Hudson Canyon.

Ms. Hogan: Okay. Did you get all that? That's a lot.

Mr. Brookhart: Yes.

Ms. Hogan: Okay. So now, you have a general idea of the Sanctuaries Program. I'm going to talk specifically about the Hudson Canyon nomination.

We received the nomination in 2016. Like Matt said, it came from the Wildlife Conservation Society. We evaluated the nomination against our 11 National Significance Criteria and management considerations. And in 2017, we put it on our inventory for potential sanctuary designation.

So, in the nomination, they state that a sanctuary designation could do several things.

It could support long-term conservation of marine wildlife habitat and habitats in the area.

A sanctuary designation could highlight and support sustainable economic uses of the Hudson Canyon,

including fishing.

And I want to just reiterate what Matt said about that the nomination was clear that the fisheries in the Hudson Canyon area are well-managed by the Fishery Management Councils and the Highly Migratory Species Management Division, and should continue to be managed under those authorities.

The nomination also states that a designation could include uses such as oil and gas and mineral extraction in the area, and it could expand ocean education, outreach, and also, monitoring and research programs in the area.

All right. A little bit about Hudson Canyon. I'm sure many of you in this room know about the area.

The canyon starts about 100 miles southeast of New York City. It is the largest submarine canyon along the Atlantic Coast. There you can see a graphic with the Empire State Building -- it's probably kind of tiny -- and it gives you size and scale. It is about 7-1/2 miles wide and can reach depths of 2-1/2 miles. Because of the diverse sediments and flux of nutrients in this area, it is truly an ecological hotspot and an abundance for marine life.

A little bit more about the area. There are nationally significant natural resources here, and it supports an abundance of both resident and migratory marine life in the New York Bight and in the Mid-Atlantic Region.

And the robust biodiversity of the canyon directly supports the local economy and is a very important area for both commercial and recreational fisheries.

The yearly migration of whales and birds through the area attracts whale watchers and birders. And as you all know, the Hudson Canyon provides both ecological and economic value to coastal communities throughout the region.

So, a little bit more about the goals for the

proposal. The proposed sanctuary designation is based on Hudson Canyon's diverse qualities and is guided by the policies and the purposes of the National Marine Sanctuaries Act.

We have identified five overarching goals for the proposed designation.

One, to support the long-term conservation of the area's marine wildlife, habitats, and marine cultural resources.

We want to work to identify and raise awareness of the indigenous connections to the area.

Also, to highlight and promote sustainable uses of the area.

And I want to reiterate that fishing occurs across the vast majority of sanctuaries, and we have always seen well-managed fisheries as a really important part of our sanctuary system and our sanctuaries.

We also would like to expand ocean science and monitoring in an education and awareness of, the Hudson Canyon area.

And we want to provide a platform for collaborative and diverse partnerships that support effective and inclusive long-term management of the area.

And really, we want to shine a bright light on Hudson Canyon, to bring awareness to the specialness of this area and to bring this place to people that probably don't know that it exists.

Okay. So, next steps. Matt talked a little bit about where we are. The scoping comment period closed August 8th. As Matt mentioned, we have no boundaries or management actions at this early phase.

But some of the topics that we will address in the DEIS and the Draft Management Plan will be boundary options that meet the goals of the

proposed designation.

As Matt mentioned, we do not have proposed boundaries, but I would like to highlight that in the WCS nomination there are proposed boundaries, and we encourage the public to look at those, but they do not serve as a starting point for NOAA at this point. They are just another data point and a reference point.

We will look at the natural and cultural resources in the area; the indigenous and tribal heritage of the area.

We will consider non-regulatory actions and a regulatory framework that is most appropriate for management in this area.

And we also be considering a permanent name for the sanctuary.

And as Matt mentioned, we're looking at the DEIS and the Draft Management Plan about 12 to 16 months from now.

All right. So, that is it on the specifics of Hudson Canyon proposal.

If you have questions -- and we'll have time for questions -- if you have additional questions after we wrap up, you can always email me. We do have a website specific to Hudson Canyon, where we'll be posting information.

But that is all we have, and we will take questions now.

Mr. Brooks: Perfect. Let's try to start with clarifying questions, just making sure we understand what the designation is and how this process works, and then open it up for reflections and comments.

Rick Weber? Can you stick to a clarifying question without a preamble?

(Laughter.)

Mr. Brooks: Okay, we'll come back to you.

Mr. Weber: It's a big clarifying question on, what is a sanctuary?

(Laughter.)

Ms. Hogan: Okay. Are you serious?

Mr. Weber: No, no, no, that wasn't the question.

(Laughter.)

Ms. Hogan: Oh, oh, okay.

Mr. Weber: It's broader than that, and I'm just going to keep harkening back on these themes.

I was involved with this five years ago when it first raised its head. I was deeply opposed to it at that time. It just seemed like a new level of bureaucracy that was redundant and unneeded. Times have changed.

I am -- I'll just call it out -- I'm concerned about wind, not because I'm necessarily opposed to wind. But the core of your concept is to preserve heritage. And part of this heritage of many of the people in this room -- and I shouldn't just point to the AP because many of the people in staff get involved with the ocean because they care about the ocean; they care about the wildness of the ocean.

Having a place that you can go to where you can actually see the Milky Way at night, a place that you can go to where you are entirely deprived of modernity and development -- windmills, to me, can be a threat to that; that ability to escape it all.

I do not believe for a moment that, if the wind was strong through Yellowstone, someone would propose putting a windmill in the middle of Yellowstone because they would say -- I mean, there are people who are opposed to stacking of rocks because it deprives the next person of their wild experience. And we're talking about putting

modern structures into the middle of a wild area.

Your pieces such as oil and gas, if when we go about doing zoning -- you know, I mean, when I think about Manhattan, somebody decided residential should happen here; commercial should happen there; we'll save these as absolute parks, but no one ever saved a forest, a place that you could get away from it, truly get away from it all, and see Manhattan Island as it was when someone got there, and allow hunting in it, and to be able to do all of those things.

If that is what a sanctuary is, my mood is changing, but I need some guidance from you guys as to whether or not that is what a sanctuary is. And therefore, that is my clarifying question.

(Laughter.)

Mr. Brookhart: I think it's a great summary of -- I probably couldn't have said it better myself, as to what my view of an National Marine Sanctuary is.

One thing that we have to, I think, consistently clarify is, to your descriptions, sanctuaries are multi-use areas. Sanctuaries are not, as an analog in the ocean, a Marine Monument. As an analog in the terrestrial environment, sanctuaries are not parks. They're not National Parks.

There are some things that are analogous to National Parks, but they're probably closer to a National Forest in terms of we are required by our own statutory authority to promote compatible multi-use.

In what you described, Rick, that is consistent with what I understand from a sanctuary. At the same time, the Sanctuaries Act is clear that our primary purpose is conservation or protection for future generations.

So, that environment, inherently being recognized as unique or nationally-significant, we are required

to try our best to do what we can to preserve or conserve that area for those purposes, while at the same time, as you said, allowing for hunting; in our case, allowing for fishing, which is what we do across 98 percent of the National Marine Sanctuary System.

So, I think what you described is very consistent with our opinion of what a National Marine Sanctuary is and what our vision for a Hudson Canyon National Marine Sanctuary could be, and what I think the nominators in this larger metropolis of New York are hoping for -- that in the backyard of New York City, that people have this place, as you described, to sort of call their own; and to recognize it as an amazing place that's part of New York, part of New Jersey, part of this New York Bight.

So, what we typically do -- you mentioned oil and gas -- there is no standard set of regulations or non-regulatory actions that come with any National Marine Sanctuary, but there are things that are often very consistent. Prohibition on the development of oil and gas is one of them that you get at every National Marine Sanctuary.

Other things, like altering the seafloor, dumping for purposes of water quality, these are the types of things that, from Stellwagen Bank to humpback whale, and everything in between, those are the types of regulations that you typically see.

And I'll stop here in just a second. But to your earliest point about redundancy, this is where I think sanctuaries do provide unique value added. There is no other authority that provides explicit prohibitions on those types of activities in the open ocean that we're aware of.

Ms. Hogan: Can I? I don't know if --

Mr. Brookhart: Yes, of course. Yes.

Ms. Hogan: And I just want to add -- because that's

a good, general kind of explanation of the prohibitions and the regulatory measures -- but one of the other values of the sanctuary program on the non-regulatory side is our ability to bring the people to the place through visitors' centers.

We do have visitors' centers around the sanctuary program. A lot of times, if the sanctuary is offshore, it's hard for people to get out to the sanctuary. So, we really value our ability to do outreach and education, bring the place to the people. And in the Hudson Canyon example, that's, I think, a really important thing to highlight.

Mr. Brooks: Thank you.

Let me go online to two people. Then, we'll come back into the room. Let me bring in two folks I don't think we've heard from yet today. Let's go, first, with Tim Pickett, and then Alan Weiss.

So, Tim Pickett, if we can get your line open? Just wait for a second. Okay, Tim, it should be good.

Mr. Pickett: Have you got it?

Mr. Brooks: We've got you.

Mr. Pickett: Can you hear me?

Mr. Brooks: Yes.

Mr. Pickett: Can you hear me?

Ms. Curtis: I think you're hearing him online. I'm not sure if you can hear him in the room.

Ms. Hogan: Yes, we can hear you.

Mr. Pickett: Can everyone hear me in the room?

Okay. Rick did a great job of summing up the concerns for wind. I guess I would follow up. You know, he was pretty much getting at this, but why it wasn't even mentioned anywhere in the list of potential restrictions? That's my question and I have

a comment that I'll throw in there right now with fishing regulations.

I mean, my personal belief is we work very, very hard on refereeing the regulations we currently have in place and that they work. Sometimes they work too well, in my opinion, but I would hope that they would defer to the current regulations that we have in our industry, particularly the pelagic longline industry, that we have in place. A lot of them have proved to be very, very effective, and I would hope that they would continue to consider deferring to the regulations that we currently have.

A lot of times, our industry, you know, has a black eye on it in terms of the stuff with turtles and things like that. But I would hope that the agency would stand up behind the regulations that they helped develop and kind of quell that knee-jerk reaction that the general public has been force fed, I think, untruthfully -- media outlets and things like that.

So, that's my comment, followed by my clarifying question much earlier. Thank you.

Mr. Brooks: Thanks, Tim.

So, the question is, again, sort of, why isn't wind energy mentioned sort of upfront?

Mr. Brookhart: Yes, that's a great question. And the short answer is why wind is not -- why we didn't mention wind right now as sort of one of the, quote-unquote, standard things that you see with prohibitions and sanctuaries. It's because there has been no wind up to now.

Oil and gas, dumping, these types of things, have been in our sort of ocean realm from the early days of the '70s when the Sanctuaries Act was first established. Wind is a brand-new technology. And in all transparency right now, the authorities that manage wind, as they stand between NOAA and the Bureau of Ocean Energy Management, are not clearly defined quite yet.

There are some disagreements and some differing opinions on how any wind proposal could ever even be permitted in a National Marine Sanctuary from our perspective and from BOEM's perspective. And that's something right now that we are actively negotiating with BOEM to try to better understand these authorities.

In the very earliest days of wind, which is the last couple of years, in terms of our considerations for sanctuaries, the initial leadership on both sides of our organization and BOEM I think had reached an impasse. But we're now in a different space, as you say, Rick; it's a new day. We're talking with new folks at BOEM, and I think we're in a place right now where we can have constructive conversations about the extent of these two authorities.

What it really boils down to is BOEM's belief as to whether or not NOAA can permit or authorize a wind project in sanctuaries -- they believe we cannot -- and whether we believe we have the authority to do that, should we ever be able to meet the permit criteria that should allow a wind project, which is an interesting question.

But, right now, it's not an easy one to define. There is not a definitive answer on it, but it's something that is coming up a lot, both in California and here in Hudson Canyon.

The last thing I'll say, and then I'll turn it over to LeAnn, is one of the reasons we did not include specific boundaries at scoping was because, as many of you know, lease blocks are already being sold for wind and alternative energy projects in the New York Bight.

The moment we announced the proposal for designating Hudson Canyon, we heard from the wind industry, because WCS's nomination, the Wildlife Conservation Society's nomination, did include a boundary that, when they developed it, those lease blocks were not on the books yet, and it clipped one of those lease blocks. And so, we heard

from wind immediately: What are you guys doing about this?

So, we didn't want everybody focused on that issue. That's one of the reasons why we did not include a boundary in the original scoping proposal.

What do you want to add?

Ms. Hogan: No, I was just going to add that.

Mr. Brookhart: Okay.

Ms. Hogan: That's good, yes.

Mr. Brookhart: So, I hope that answers the gentleman's question.

Mr. Brooks: That was definitely on point. Thank you. Very good.

All right. Let's go over to Alan Weiss, and then we'll come back in the room. And let me just note I've got about seven or eight people still in the queue. So, if people can be as focused as possible in their comments, so we have time to get everyone in.

Alan?

Mr. Weiss: Thank you. Can you hear me okay?

Mr. Brooks: Yes.

Ms. Curtis: Yes.

Mr. Weiss: Can you hear me okay?

Ms. Curtis: Yes. Yes, we can.

Mr. Weiss: Okay. Thank you. I have several questions, actually.

First, in the terms of designation listed in the Marine Sanctuaries Act, it says that you can stipulate the types of activities, or you have to stipulate the activities that will be subjected to regulation.

So, I've heard some nice statements this morning regarding yielding to existing fisheries management authorities. Is it your intention, when you set the terms of designation for the sanctuary, not to list fisheries as something that will be regulated by the National Marine Sanctuaries System?

Mr. Brookhart: Okay. You said several questions. So, I'll take that one first.

That is a fantastic question. And again, it's a bit wonky, but the gentleman is absolutely correct. So, what he's referring to is every new National Marine Sanctuary has what we call the terms of designation. The terms of designation do several things, including -- including -- the boundaries, coordinates for the boundaries. But they also have to include the types of activities that could be subject to regulation.

So, if you look at that in the inverse, if fishing is not included in the terms of designation for any given sanctuary, then NOAA does not have the authority, the Office of Marine Sanctuaries does not have the authority, to regulate that activity, because it is not listed in the terms of designation.

So, that's a really important point, as this proposal goes forward. If fishing is to be regulated under the Sanctuaries Act, it has to be listed, fishing, as a term of activity, as a term of -- in the designation document for this particular sanctuary.

Now, the last thing I want to say on this, too, is I can't answer the gentleman's question at this point, Will we or will we not include that? That is what we view as the purpose of scoping, and the purpose of NEPA and the DEIS.

But, by the time we release that DEIS, we will have to include the terms of designation. And those will include all activities that we are proposing to be subject to regulation.

So, what I'm saying is, at the earliest point possible

would be the DEIS, at which the public will be aware of whether or not we are including fishing as an activity that could be subject to regulation. It has to be in there for us to include it in our regulatory package.

Ms. Hogan: And I'm just going to add that the 304(a)(5) process that Matt highlighted, that is why we started that process so early, because the input that we receive from the Highly Migratory Species Division, from the Councils, Should new regulations be included under the Sanctuaries Act? Yes? No? What do you recommend? -- that input and the analysis for the 304(a)(5) process will help inform the DEIS and the terms of designation.

Mr. Brooks: Alan, on behalf of everyone else in the queue, I'm going to ask you to limit yours to just one more question, so I can get other folks in.

Mr. Weiss: This begs the question, then, of whether, once those terms of designation are established, whether they can be amended in the future.

Also, in the sanctuary designation standards, in Section 303(a)(3), you have to determine that existing state and federal authorities are inadequate or should be supplemented to ensure coordinated and comprehensive conservation and management.

And I'm wondering how you would make the determination that fisheries that are being managed now under the Magnuson Act, the Atlantic Tunas Convention Act, the Endangered Species Act, the Marine Mammal Protection Act, under the authorities of ICCAT, the Mid-Atlantic Council, NMFS's Highly Migratory Species Division, and NMFS's Protected Resources Division are inadequate or somehow need to be better coordinated.

Mr. Brooks: Thanks, Alan.

Mr. Brookhart: Yes, these are really good questions. So, thank you for these.

And so, I can quickly summarize answers to both questions.

So, regarding the gentleman's first question about amending the terms of designation, the way that any term of designation can be amended is by following the original process by which the sanctuary was designated. So, what that means is, for any time we want to consider a change to the terms of designation, we have to go through this process again. We have to go back out for public review and comment. We have to issue a public statement and associated NEPA analysis that says we are proposing to change the terms of designation, Public, what do you think?

That would also include the 304(a)(5) process with all of you if it was changing the terms of designation to include fishing. So, I hope that is clear.

And then, the second question --

Ms. Hogan: Is 303(a)(3) of the --

Mr. Brookhart: Oh, right. So, yes, the gentleman is also correct in that, in our analysis that goes into the DEIS, we are required, under Section 303 of our Act, to include information that shows how our actions, whatever actions we're proposing, regulatory and non-regulatory, provide comprehensive, coordinated, and collaborative management within the scope of other existing authorities.

So, the answer to the gentleman's question is that analysis will be included in our DEIS as well.

Mr. Weiss: Great.

Mr. Brooks: Thank you. These are great questions and really clear answers. So, thank you both.

Mr. Weiss: No, thank you.

Mr. Brooks: All right. Let's come back into the room. Let's go to Marty, and then over to Willy.

Mr. Scanlon: Well, I'd like to just defer, you know, just in case Alan may have any other questions, I'll just give my time to him, if he wants to ask another follow-up question here. Okay?

Mr. Brooks: Sure. Alan, did you have another question you wanted to jump in on?

Mr. Weiss: Well, I think I covered everything. And the only thing I would add is that the answers that we're hearing are that a lot of things are to be determined. Offshore wind, to be determined. And the stance on fishing regulations and existing authorities, to be determined, and able to be amended.

So, really, if you get a sanctuary, you're going to be open to some risk, either a small future risk down the road or an immediate risk of more stringent regulations being layered on top of all the layers and layers of regulations we already have from various authorities.

The other thing is, I'll point out that the 304(a) coordination process that has been spoken about is just, it's a consultative process. It doesn't mean that you actually follow the recommendations of the existing management authorities. And my understanding is that, routinely, those recommendations are not necessarily followed or they're augmented in some way that has not been requested or supported.

So, there's a lot of stuff that lurks behind or beyond the somewhat reassuring words, or mildly reassuring words, that we've heard, which are more preliminary and general in scope.

Thank you.

Mr. Brooks: Thanks. Thanks, Alan.

And I'll note Jimmy Hull giving a big thumbs-up in the chat to your comment there.

Willy, let's go over to you.

Mr. Goldsmith: Thank you. Thanks, Matt and LeAnn. Just a quick question, kind of following up on Rick's, and then, also, you had mentioned about offshore wind.

I will skip a preamble, but I just have a quick quote from a proposed sale notice in The Federal Register earlier this year in the Pacific. It says, BOEM does not have authority under the OCS Lands Act to issue leases, right-of-way grants, or right-of-use and easement grants within any unit of the National Marine Sanctuary System.

And I just want to confirm, based on what I'm hearing today, that that is not necessarily the opinion that you guys have, or that NOAA Fisheries has, NOAA writ large has right now. And if that isn't the case, if that difference of opinion persists between BOEM and NOAA, do you anticipate that getting resolved before the DEIS process, the Draft Management Plan, and all that?

Because I think what we're hearing here today is that the offshore wind issue is a really critical piece of this conversation. As Rick said, I think folks who may have had concerns with sanctuaries previously might be viewing sanctuaries very differently, depending on the answer here. So, I think this is a really critical piece of the question for the next round.

Next.

Mr. Brookhart: Yes, thank you for a good question. I would amend, I think, what you said, or at least try to clarify what you said. It is that I think we do agree with BOEM's statement that they do not have sole authority to consider a wind proposal within a National Marine Sanctuary. Where I think the discrepancy lies now is, what is the authority of NOAA and the Office of National Marine Sanctuaries in considering any proposal that would occur inside of a National Marine Sanctuary, in conjunction with

BOEM's authority for outside of the National Marine Sanctuary? So, in other words, what we're trying to clarify at this point is, what authority do we have inside of a National Marine Sanctuary that BOEM does not have?

Does that make sense? The look on your face is kind of.

(Laughter.)

Mr. Goldsmith: I think if you could say that one more time, it would be very helpful. Sorry. Sorry to ask that. Thank you.

Mr. Brookhart: Yes. So, there's two ways in which we can consider a wind proposal within a National Marine Sanctuary. It's either through a permit -- we would have to permit it -- or we can authorize another agency's authority, right, or their permit. That's what we're trying to figure out right now: can we do either?

Permits in National Marine Sanctuaries are not a blanket permit. We don't just say -- X interest comes to us and says, We want to do this. -- All right, we'll permit that. We have several criteria which we have to follow that meet the standards of the National Marine Sanctuaries Act to issue a permit for any activity that would otherwise be prohibited in a National Marine Sanctuary.

So, it's not a blanket process by which we just say, Here's your permit. We have several things we have to consider, especially if there are regulations on the books that would otherwise prohibit, in this case, a wind turbine in a National Marine Sanctuary, which could include how it's anchored to the seafloor or things of that nature, if it's going to discharge, et cetera.

So, that's really where the issue boils down to right now. It is, what is our authority in being able to even consider a permit or an authorization for a wind turbine?

Ms. Hogan: And I don't know if you said this, but BOEM feels that they're the only ones that can authorize and permit wind turbines.

Mr. Brookhart: That's correct.

Mr. Goldsmith: Sorry, you may have mentioned this. I was trying to follow the conversation there. But, in terms of this discussion, do you anticipate any resolution here over the course of the process before the next round of comments for this sanctuary?

Mr. Brookhart: I can't -- all I can say at this point is it's of highest priority for both agencies right now to try to get this resolved, for obvious reasons. And that's, right now, I don't -- I can't predict whether or not that's going to be -- all this will be included in our EIS, though. We will have to include an analysis of our authorities under our Act in order to consider activities that may occur within this proposal.

Mr. Brooks: Great. Let's go over to Charlie. And I think I've got about four more people total.

Charlie?

Mr. Bergmann: Well, I just wanted to make one comment about -- actually, I've got a few comments -- one comment about the idea of bringing the Hudson Canyon area to let the folks in New York know about the wild ocean. I can tell you -- and I'm sure there's people in this room that can tell you -- when the ocean gets wild, you don't want to be there.

(Laughter.)

Mr. Bergmann: But I have a question on the boundaries and where you have to specify that. Do you have to redo that every time you have an expansion? And the reason I'm asking is more so along the Florida Keys right now, expanding out to the deep-water coral area, which would have an effect on this group here.

Mr. Brookhart: Yes. So, it's a good question.

I think I would answer it in the flip, which is, if an expansion is ever considered, yes, we would have to follow this process for any proposed expansion of Hudson Canyon or any other National Marine Sanctuary, like we do in the Florida Keys.

Mr. Brooks: Marcos, your card was up before. Do you still have a question?

Mr. Hanke: Yes. I trimmed down my comments just by saying the terms of designation not to include fishing activities and related matters is appropriate in this case, from what I heard from the group. And I wanted just to restate that.

Mr. Brooks: I think that was a question that was specifically asked of the group, and we've heard that from a couple of folks now. Thank you.

Bob, you had your card up before.

Mr. Humphrey: Sure. I apologize for carrying out this issue, but it's still not clear to me.

There seems to be some question whether you can allow wind, but can you not allow wind?

Mr. Brookhart: Yes. So, currently -- and it will depend on what regulations are ultimately implemented for the Hudson Canyon proposal -- but if a wind turbine, any part of that proposal, violates those regulations or is not in congruence with those regulations, then, yes, that wind turbine would be prohibited. So, we can --

Mr. Humphrey: Which regulations?

Mr. Brookhart: So, for example, right now we do not have a distinct prohibition on wind in a National Marine Sanctuary. We've never had the need to do that. However, what you often get is a prohibition on altering the seafloor. So, that means that, if you're digging a hole in the sanctuary seafloor to anchor cables, that's prohibited.

We often have prohibitions on discharge. So, if a wind turbine is discharging oil or other matter from the turbine into the sanctuary, that's prohibited.

So, if and until there is a directed or distinct prohibition on wind, which we don't have in any National Marine Sanctuaries, they are often prohibited via those other types of regulations.

Mr. Brooks: And just to ask a follow-up on that last thing, and a distinct prohibition would be something that would come from within NOAA just adding it? Or does that have to come from outside of NOAA Fisheries?

Mr. Brookhart: It would come through this process right now, through the designation process. It would be, if there is to be a distinct prohibition on wind, that would be part of the EIS that I have referenced and would go out for public review.

Mr. Brooks: Yes, I think we're getting closer to the heart of the questions now. Thank you.

All right. David Schalit, you had a question. Let's go online to you. And again, just wait a minute, a second or two, before chiming in.

Mr. Schalit: Can you hear me?

Ms. Curtis: You should be good now.

Mr. Schalit: Yes?

Mr. Brooks: Yes.

Mr. Schalit: Can you hear me?

Ms. Curtis: Yes. Yes, we can hear you. Go ahead.

Mr. Schalit: Okay. Fine. First, I want to say yet again that I don't want to attend any meetings that Rick Weber isn't attending.

(Laughter.)

Mr. Schalit: And then, regarding Hudson Canyon,

the proposal for the Sanctuary of Hudson Canyon, I get what you're saying in connection with oil and gas exploration. And I believe that the way you're handling it is kind of with a baseball bat instead of with a scalpel.

The proponents of this sanctuary, they are making many statements that suggest that it would become more of a theme park. Lots of people would be going out there and that sort of thing. I don't see that happening to any great degree, and I believe that there is nothing to prevent boats from going out there to look at whales. And certainly, there's no point in going diving out there because human beings can't dive to any depth greater than 150 feet, and there's no way you could see any of the bathymetry at 150 feet. So, my sense is that the theme park aspect is discounted.

It highlights the issue of oil and gas exploration. The problem that we have, that I have -- and I would assume the 28,000 permits that are deeply vested in Hudson Canyon -- is the fact that marine sanctuary law provides no Marine Sanctuary with statutory authority over a petition. Okay? That means that, in the extremely unlikely event that fishing should be one of those items/activities listed on that list of yours, then, ultimately, it's National Marine Sanctuary that decides on fishing.

Now, that becomes a problem for us -- that is, the Highly Migratory Species Advisory Panel, or highly migratory species fishermen -- because the fish that we are targeting in Hudson Canyon are actually managed by a regional fishery management organization, an international organization. And NOAA is adhering to the guidance that they are receiving with regard to the fish and managing these species through its HMS Management Division. Okay.

So, what has happened, it seems to me, is that, when marine sanctuary law was written, it was not contemplated that they would be dealing with highly

migratory species managed by a regional fishery management organization. There is a lot of language in the law which allows for an active role by the Fishery Management Councils, but nothing to do with HMS. HMS is not mentioned anywhere in NOAA and marine sanctuary law.

So, the consequence is that, whereas, with demersal or benthic species, you will find that there is a process in place in marine sanctuary law which requires that the Councils, the Fishery Management Councils, are consulted and do play an active role. However, no such roles exist for highly migratory species.

Now, I believe that NOAA Marine Sanctuaries does not have the budget or the bona fides to make any decisions regarding the management of highly migratory species. So, it seems to me that this mechanism which is lacking in your law needs to be developed.

Otherwise, we are going to be a checkbox. You know, the Highly Migratory Species Advisory Panel will be a checkbox in your process. You'll come to us. You'll tell us -- you'll say what you want to say, and then you'll go off and do what you want to do.

We had this experience with the Flower Garden Banks. And what I'm thinking is that I believe that we all need to be cognizant of the fact that there is no role contemplated for highly migratory species that involves people such as ourselves, who are deeply involved in the process of managing those species, currently in marine sanctuary law.

Thank you.

Mr. Brooks: Thank you, David.

Care to jump in?

Mr. Brookhart: I can respond to that. I appreciate the comment, although I respectfully disagree. I think that the way that we have always interpreted

Section 304(a)(5), which requires us to consult with Fishery Management Councils and, as you see here, other fishery management authorities, we have always considered HMS to be those other fishery management authorities.

And I think that is evidenced in this case by the fact that I have sent Mr. Blankinship a request under 304(a)(5) to get the opinions of HMS as we develop our DEIS.

So, I certainly do not mean to be disrespectful of the comment at all, but I do want to say that we have always interpreted that section to include, under the clause of other fishery management authorities, highly migratory species.

Ms. Hogan: May I add to that?

Mr. Brookhart: Yes, of course.

Ms. Hogan: And I would also add that, in the very limited instances in the sanctuary system where fishing has been addressed, it has always been in conjunction with the Fishery Management Council, working with NOAA Fisheries, to address the issue.

Mr. Brookhart: Right.

Ms. Hogan: Never in isolation with just the Sanctuaries Act.

Mr. Brooks: If you guys have five more minutes, I'm going to go into a tiny bit of overtime. I've just got two folks we haven't heard from.

So, Shana Miller. Let's bring Shana in online. And then, after that, I think I saw, Christine, your card went up, is that right?

Ms. Kittle: Yes.

Mr. Brooks: Okay.

Ms. Miller: Hi, everyone. Can you hear me?

Ms. Curtis: Yes, we can.

Ms. Miller: Okay. Great.

Thanks, LeAnn and Matt, for this presentation. And, LeAnn, it's great to see you back in the HMS world. I'm sorry that I'm not there in person.

But I just wanted to highlight I think LeAnn and Matt have done a really job of going over what a sanctuary is and isn't. And, you know, as Matt said, 98 percent of sanctuaries allow fishing. So, the impetus behind this proposal, as I understand it, is more about the energy development side of things, which most people on the AP are worried about already, and then also raising the visibility of this really important area right outside of New York City.

And so, I think it's also a very inclusive process. I think it's important to remember that the original proposal was submitted -- what? -- six years ago? And we have years left in it, as I understand. So, this is a very deliberate, careful, thoughtful, inclusive process that the AP is being consulted today, and will continue to be consulted about. And there are plenty of options for, opportunities for public comment as well.

And so, I think this is something that I certainly support, and I really appreciate you guys giving this presentation and update today, and look forward to the DEIS coming out next year.

So, thanks.

Mr. Brooks: Great. Thanks, Shana.

Let's go to the last word, over to Christine.

Ms. Kittle: So, just kind of a thought, thinking in the future for future comments. Something that we're running into with the Florida Keys Marine Sanctuary is their definition of traditional fishing and what is managed under traditional fishing. We're coming up with new gears, new opportunities, especially with

climate change and different types of fishing that are developing that are not falling under what they consider traditional fishing that was allowed when it was first designated.

So, I'm just thinking, as far as HMS species with different species coming up to the northern areas, trying to define what -- I guess my concern is you may not regulate fishing, but you're going to have to somehow define what fishing is and what fishing techniques are going to be allowed in this sanctuary.

So, just kind of some future thoughts and comments, when you guys start developing, I guess, what would be allowed in the sanctuary, whether you manage it or not.

Mr. Brookhart: Yes, thank you for that comment.

And I will just say that you raise a good point about the sort of ever-changing nature of this term traditional fishing. I think we can absolutely commit to the idea that, as we develop the DEIS and have to include definitions, which is part of that process, historically, we've done this; we will continue to do this. We will work with HMS. We will work with Randy and his team. We will work with GARFO. We will work with Sustainable Fisheries, and certainly, allowing for review of those terms and having them help us define those terms as a matter of sort of the intent and the content of our EIS.

But I hear you loud and clear that that's, for a lot of different reasons, that's sort of a moving target in terms of how that's defined.

Mr. Brooks: Great. Thank you all.

Thank you both for a really good presentation and really good conversation.

Great questions and comments from the panel. This last hour is exactly what this panel is about. So, thank you all.

You asked, very specifically, are regs needed or not? I think from folks we heard from, pretty clear this is a well-managed fishery and no regulation -- new fishery regulations are not needed.

You didn't ask about wind energy, but you got an earful. So, I think a pretty clear indication that that's on a lot of people's minds here. And so, just duly noted.

And a little bit of some concern that there's a lot to be determined, and to be determined is always a little bit unnerving.

So, Jeff, last bite here?

Mr. Oden: Thanks. As someone that lays his head every evening 16 miles from the original Marine Sanctuary in this country, and finds myself on the outside looking in as a fisherman, you know, it's hard to be in an industry that is losing access at every avenue, be it BOEM, be it Monuments, possible sanctuaries. It's hard to not be suspicious of this.

And, anyway, that's pretty much all I've got to say.

Mr. Brooks: Thanks, Jeff. We are six minutes into lunch, and we want to let you get your lunch. So, we will reconvene at 1:30.

In the afternoon will be the Recreational Roundtable. So, we'll see you all then.

(Whereupon, the above-entitled matter went off the record at 12:06 p.m. and resumed at 1:31 p.m.)

Mr. Brooks: Welcome back. I hope everyone had a good break, got some lunch, did whatever work you needed to do. For the remainder of the afternoon, we're going to be delving into recreational fishing issues and we're going to have a recreational roundtable.

Initially, we'll hand the mic off to Russ Dunn and Tim Sartwell who will talk to us, give us an update

on national saltwater recreational fisheries policy. We can spend -- and I think a touch on the Rec Summit as well, I believe. We can spend up to 90 minutes on that if there are questions and comments that run that long.

And then we'll spend the rest of the afternoon really in a roundtable. And the HMS folks will open up with a brief MRIP update. And then as we do with the roundtables, we will -- that's better, yeah.

It's really kind of an open mic format and understand kind of issues you are thinking about in this area that you want HMS to think about. And we'll just sort of hear what's on your mind and try to capture all of that. For members of the public online or in the room, we will have public comment at 4:45.

So if you have public comment, again, please jot down any thoughts you have. And we'll fold it in then. For folks who are online public, we do ask you not to use the chat during the -- for public members not to use the chat during the HMS meeting itself.

But again, use the chat during the public comment section. Just try to do this just the way we would if we were all here in the room at the same time. And again, we will wrap up by 5:15 today.

And then there will be a no host social hour after that downstairs. So I think that's it. With that, Tim and Russ, over to you.

Recreational Roundtable 1: National Saltwater Recreational Fisheries Policy Update

Mr. Dunn: All right. I'll steal your mic if I can. All right. So for those of you who I haven't met, my name is Russ Dunn. I'm the national policy advisor for recreational fisheries.

I sat where you're sitting years ago, starting in 1998. And then I worked for HMS for a number of years. And now the last 10 or 11 years I've been

doing this recreational fisheries job. With me is Tim Sartwell, and I'll ask Tim to introduce himself.

Mr. Sartwell: Yeah, Tim Sartwell. I work for NOAA fisheries in the office of communications. But the vast majority of my work is with Russ and the National Recreational Fisheries Initiative. And yeah, I have not sat where you've sat. So this is my first time at the table. Thanks.

Mr. Dunn: Yeah, it's fun to see a lot of faces that have been here for a long time, Rick Weber and others, yeah. So today what we're going to do is start off with a discussion about the saltwater recreational fisheries policy. And then Marcos was good enough to remind me that I have not spoken with you all about the Rec Fish Summit that occurred in March that a number of you came to.

So at the end of the policy update, I sent a couple of slides quickly to Pete Cooper. And if you all are interested, we could walk through that. If not, we can talk on the side.

But we'll turn to that at the end of the policy discussion if that works for folks. All right. So let's see where we're at. So a little background on the summit -- I mean, sorry, on the policy.

So in 2014, the Morris-Deal Commission released its report on recreational fisheries management. And they recommended among other things that the agency develop a policy covering saltwater recreational fisheries. A month later, NOAA in conjunction with the Atlantic States Marine Fisheries Commission hosted what was then the second national summit on rec fish.

And the participants there were extremely interested in us pursuing that recommendation. So we were able to commit to doing so at the end of the summit. After a substantial public input in February of 2015, we released the policy which is what we are talking about today.

We released that down to the Miami Boat Show in conjunction with an event with the National Marine Manufacturers. So next slide, please. So fast forward to today as I mentioned, and we'll talk about more in a little bit, we hosted the 2022 Rec Fish Summit with Atlantic States again. And in going through the discussions there, we realized that there were some gaps in the policy.

You can see the first two highlighted bullets there. Climate resilient fisheries was not addressed. Climate is not addressed in any way in the policy.

And balancing ocean uses -- why do I keep fading in and out? Balancing ocean uses, if you attended the summit, you realize that was sort of a code for wind and marine aquaculture. Those are not addressed in the summit either -- I'm sorry, in the policy either.

So we thought all right when we came out. Let's step back and open up the policy for updating and make sure it maintains its relevance. So with that brings us to today's discussion. I'll go over the comment period and all that at the end of the presentation. But what you see here -- yeah.

Mr. Brooks: I'm seeing a note from Shana that she's not hearing Russ. Can folks online tell us if you're hearing us in here? Are you hearing Russ? Jimmy Hull says yes.

Okay. Shana, can you put in the chat whether or not you're able to hear now? Others hearing. Jackie, can you hear? Okay. Shana, maybe something on your end.

Okay. All right. I think everyone seems to be hearing. If you need, if you could reach out to Peter or Craig and maybe we can try to troubleshoot what's happening on your end. Sorry.

Mr. Dunn: Yeah, no problem. Thanks. So what you see here are sort of general discussion questions. So if you would as we run through the policy discussion here, keep these questions in mind. We'll

come back at the end. We'll put this slide up again as we ask for your input and guidance here.

And these are just discussion and prompt questions. Don't feel to be in the discussion that you're constrained to these. And I would just ask as you think about comments whether you provide them now and/or submit comments at a later date, remember that this is a national policy.

We can't get into the minutiae of every issue in this national policy. This is broad in scope and then sort of works its way down through regs in terms of our approach to recreational fisheries. Next slide, please.

So policy purpose, why bother to have one? Well, in short, it's a guidance document. It's a tool that helps us shape the agency's approach to recreational fisheries by articulating our basic stance, our goals, guiding principles, et cetera. That's what it does internally -- I mean, externally.

So it also serves as an internal touchstone during decision making as we look at things in the management and with our leadership. Then externally, it serves as a tool for the public to help understand what is our sort of management philosophy. How do we approach recreational fisheries? Next slide, please.

A policy statement, the existing policy statement really essentially just sets forth our commitment to accessible recreational fisheries for the benefit of the nation. It's a fairly straightforward statement that I think still holds up pretty well. Next slide.

Policy scope, so for any policy, obviously it's essential to know to whom it applies and to what the policy refers or pertains. So after many, many discussions, we ended up leaning on the MSA for guidance while trying to include really a broad range of activities. You can see the MSA definition in part inside the scope of the policy.

And that's one of the questions that's before us right now which is, is the scope appropriate? Should it be expanded to include more non-commercial or subsistence type issues? Or should it remain sort of strictly traditional recreationally focused? Next.

So slide 7, policy goals, you can see the goals here. And in short, they are support and maintain the resources on which recreational fisheries depend. I think everybody recognizes if we don't have healthy resources to fish on, we don't have a good fishery, right?

Promote rec fishing for the benefit of the nation. That's something which comes really directly from the purposes of Magnuson. And then enabling long-term participation through science-based conservation and management.

As a science-based agency, we do things -- we make decisions based on science. And obviously we want to make sure that there is a robust fishery available, not only at the present time but for future generations as well. So guiding principles, in crafting the original policies, we felt it was important to not only set out our position and goals but also how those goals might best be achieved.

And this is how the guiding principles were born. And I'll touch a little bit more in depth on these in the next couple of slides. So ecosystem conservation enhancement, I think again as I mentioned with the first of the goals, without healthy ecosystems, we not only won't but we can't have healthy and robust fisheries.

And we thought it was essential to really recognize that relationship within the policy. And we've pursued this through a number of avenues such as supporting habitat conservation and restoration, directly engaging anglers in the restoration conservation projects, 14 in the last four years -- three or four years where we directly provide funds to engage and involve anglers in conservation -- habitat conservation actions and various workshops.

In terms of reducing release mortality, we provided over a million dollars' worth of descending devices in the last few years and other release years.

You see it in the management approaches of the Councils and whatnot by shifting -- starting the shift to EBFM, forage fish, conservation, et cetera. So through multiple -- the agency approaches it through multiple avenues. Promoting public access, so you can't have recreational fisheries if anglers either can't access the resource or don't know about fishing opportunities.

And again, we want to directly acknowledge this in the policy with a second guiding principle. This is one where we have done quite a bit of work through things like photo contest with Bonnier Corp. Bonnier owns things like Saltwater Sportsmen, Sportfishing Magazine, Marlin Magazine, et cetera.

We did a couple of national photo contests with them trying to promote sustainable recreational fishing, participating in National Fishing and Boating Week activities with external partners like the Recreational Boating and Fishing Foundation, National Marine Manufacturers, American Sport Fishing Association, and others. We've sponsored take a kid fishing type opportunities and other family friendly events, developed videos, highlighting fishing opportunities in different parts of the country. So there have been numerous activities that we have sort of pursued under this promote public access guiding principle.

Coordinating with state and federal management entities. It's sort of cliché to say, but we all know that we're in this together, right? And the policy recognizes that the surest path to success is in partnership with the other management entities that are out there, whether they're at the state or the federal level.

In terms of coordinating with our management partners, again, I think we have a pretty strong history of this. The summit is an easy one to point

to that we just helped. For example, that is literally co-hosted with the Atlantic States and Marine Fisheries Commission.

The Gulf States Commission was on the steering committee that developed the agenda for it. All three Commissions were involved in the summit. All the Councils had people at the summit, so our management partners were there at the table. And like I said, we've done that every four years.

We have directly provided education materials, conservation geared to the states. And in terms of other federal partners, we work closely with DOI, Department of Interior, Fish and Wildlife Service on the Sportfishing and Boating Partnership Council. That is a new -- not a new. That is a federal advisory committee like MAFAC which I think most of you know Marine Fisheries Advisory Committee reports to the Secretary of Commerce and advises her.

Well, the Sportfishing and Boating and Partnership Council is sort of a sister federal advisory committee for Department of Interior. There was a change in legislation last November which made that advisory committee advisory to the Secretary of Commerce as well. So we are now fully engaged, full partners with them.

Just an FYI, keep your eyes open at the close of this year, beginning of next year. We'll be soliciting for nominations for that as we get the new charter drafted with DOI. So in four or five months you should see a solicitation for that. I'll be sure to reach out to HMS and ask them to push it out to all of you. Let's see. Next slide, I think.

Innovative solutions, so this is an area where not only is there a need to advance innovative solutions but also that need extends to trying to advance innovation and get it out on the water, make sure it actually accomplishes something. And again, so we've seen this with barotrauma where we supported a series of workshops, national and

regional workshops all around the country on barotrauma. And those workshops helped, for example, spur private sector development of release devices like the SeaQuilizer.

We've been working with different parts of the agency on bycatch, hotspot mapping. From the management perspective, I think we're beginning to see this play out in terms of things like in the Mid-Atlantic with rec reform that's going on there. With our scientists, we've got acoustic and high res video surveys that have really advanced in the last few years.

And for example, in empaneling the MAFAC task force on electronic reporting, we're all trying to push forward innovative solutions to some of the range of challenges out there. Scientifically sound and trusted info, so for a science-based agency, this is a pretty basic tenet, right? And I think we recognize that one of the surest ways to build trust and collect good data is through partnership and collaboration.

And it was also one of the key messages coming out of the summit. So it's an approach that we have actively pursued in the past through years and continue to. For example, coming out of the summit, hearing some of the concerns that were out there from data gaps in certain fisheries to water quality issues.

Our program was able to quickly partner with a number of NOAA offices as well as external private sector folks to fund, for example, sampling of Pacific rockfish, copper and quillback, in specific, there were some data gaps. So we supported for-hire sampling of those species.

Water quality sampling in Florida connected to harmful algal blooms, we teamed up with again the for-hire fleet and the commercial fleet in this instance. And then out in Hawaii, a collection of stomachs and gut content analysis with the rec community. So it's something that we see the value in and really activity pursue.

And then communicating and engaging with the public. So this is something that you've probably heard me say in the past. It's always critical. It's something that no federal agency is particularly good at, including NOAA Fisheries, and can always be improved.

But this is, I will say, an area where we spend a lot of time and money. And again, we've talked about the summits, the roundtable discussions that often follow those summits where we go to each region and follow up. Production of recreational fishing videos.

During COVID, we couldn't get out and about, so we turned to video platforms that came out on certain regs and requirements, release techniques, all sorts of stuff. Another aspect to communicate and engage is the marine resource education program. It's a program which I'm sure a number of you know about it where fisherman, both commercial and rec, are brought in and really given a comprehensive understanding of the science and management process.

Our program worked with others within NOAA to find long-term funding for this. And now it's in pretty good shape for the foreseeable future. And then it extends all the way down to coming talking with you all.

Recently, the NOAA administrator, Rick Spinrad, was out in Alaska. He participated in a recreational fisheries forum out there on bycatch in particular in recreational fisheries. So it runs the whole gamut of engaging with anglers. Next slide.

So this is a brand new slide. Just stuck this in this afternoon or this morning. So the comment period on the -- so you won't have this if you have a copy of the presentation that arrived prior.

So the comment period, we opened it up August 1st. It goes through the end of the year, through December 31st, inclusive of those dates. We're

doing in-person and virtual sessions all around the country with advisory panels, advisory committees, Councils, Commissions, the general public, et cetera.

We've got -- you can see on screen a couple of Council meetings, Commission meetings, and state director meetings that are coming up. This isn't an all-inclusive list. This is just the ones that we have firm dates for at the moment.

We've got some public webinars. We just did one last week I think it was. We've got a couple more scheduled. We may do a few more, and you can give us comments today. You can email or call me and there's links here to commenting online through a specific portal. So next slide.

Okay. From the comments that we have received to date just to briefly touch on this, there's been a decent emphasis on incorporating climate in some way. Not a big surprise because that discussion is in part what spurred us to go back and revamp the policy or update it. There's interest in additional education and engagement focused within the policy.

Basically, the comments we've heard are go out to the angler. Come meet us where we are. Don't make us come to you. Support other efforts by the Council to engage. And have a more visible presence in the regions.

Equity and environmental justice is an interesting one. And this sort of brings in what is the scope of the policy. There's real interest in -- on the part of some in expanding it so that we ensure, for example, that shore-based fishers who may not be able to access recreational, federally-managed resources in federal waters.

If those species come in short, how can they partake in fisheries on federally managed fish. For example, where a minimum size may go up for a particular species, say summer flounder, it may

reach the point where shore-based anglers don't have the opportunity to retain those because that size class may not make it all the way to shore, things like that. Angler representation, there's always interest in more representation of anglers on Councils -- both on Councils and at Council meetings.

There's interest in something which you all sort of already have, the EEZ permit. We're hearing a lot of interest around the East Coast about instituting one or more permits to fish recreationally in the EEZ. And obviously, HMS already has that sort of permit in place for its anglers.

Data reporting is -- there's interest in more and better and more timely data, improving sampling frames, and trying to figure out how to better incorporate anecdotal data from fishermen. And finally something near and dear to many of you here, depredation is a big one, both by marine mammals and sharks as well. All right. So at this point, I'm going to turn it over Tim who is going to sort of walk us through the discussion portion.

Mr. Sartwell: Thanks, Russ. Yeah, and just on that last slide real quick, those guiding principles. I'm getting a little bit of feedback. Oh, that was Russ.

Those are direct inputs that we received. But the comment portal also asks, what are other things that we need to be considering or considerations for NOAA Fisheries? And that's where the topics things is coming back.

We're not directly looking for those issues. But that's just what's coming through in the general comments that we've received thus far. So just wanted to clarify that.

And so as we said, we're going to leave the discussion questions up on the board. We are happy to take any thoughts -- just general thoughts at first. We'll listen to what you've got to say now.

And then if we still would like to walk through these question by question, we can do that as well. So I'd like to open it up to you all and just get some direct feedback on what you heard today, what's in the policy, if you've had a chance to look at it. I think Pete distributed our discussion guide. So with that, I'll open it up to you all for any general comments.

Mr. Brooks: Great. Folks, general comments or questions, clarifying questions? Yeah, Willy.

Mr. Goldsmith: Thank you guys for the presentation. Just a couple of quick comments and then a quick question on some of the guiding principles. And obviously we'll be thinking about this more here in the coming months.

But I guess going down the list here for advanced innovative solutions to evolving science, management, and environmental challenges, I think if it's possible to really emphasize the importance of collaborate in there with the recreational community. I think that's alluded to also in there. But obviously, NOAA has got a long history of collaborative research with the commercial fleet.

And I think there are opportunities to further collaborate with the rec center and in science as well as in management. Second, on number 3, kind of going in reverse order here, coordinate with state and federal management entities. Russ, I think you were in the room for the Hudson Canyon discussion this morning. Oh, you weren't? Okay.

Well, in any event, during the Hudson Canyon discussion this morning, there's a lot of folks talking about kind of NOAA and BOEM, who well those two agencies are working together. And I think given what went on at the rec summit about offshore wind in particular, maybe being more explicit there about what agencies and not just fisheries management but others that might be engaged that could be important for recreational fishing. And then lastly a question, and it comes up a couple times, both in the policy itself as well as guiding principles number

2 here.

Promote public access to quality recreational fishing opportunities. And I'm just wondering from your guys' perspective and just broadly, I think access can mean different things to different people. For some folks, it can mean access to be able to go fish on a beach that could've been privatized, but it's able to be fished by you, a member of the public.

For others, it might mean the opportunity to catch and release. For others, it might mean harvest. And I'm just wondering within this policy, is that term defined anywhere? Or is that something that we can consider adding to here? Thanks.

Mr. Dunn: It is not currently defined. And in large part because of what you just said. Because it has such a broad potential set of meaning to different people because it also -- it goes to things like the allocation policy.

If you don't have a sufficient allocation, it's hard to promote public access to the resource. So it is such a broad term that it's hard to -- we might do ourselves a disservice if we define it. That is not to say we won't consider it. If people have suggestions on definitions for it, we'll look at those.

We'll think about it ourselves. But no, it's not currently defined. And off the cuff, I wasn't planning on defining it. That doesn't mean we won't consider it.

Mr. Bergmann: Russ, I wasn't going to talk too much about this or anything about it. But you said something about the access of the fishery for recreational fishing. Is there any concept of reducing the participation of these fisheries given the shrinking quotas that are upon us these days?

Mr. Dunn: In the policy, there is not. I will say that there is certainly talk at Councils and different things about the concern of two related factors which are complicating management. And that is

increasing participation, for example, as so many people are moving to the coast around the country coupled with improved efficiency, right?

So you've got these two dynamic factors combining to really sort of strain in some fisheries, not all fisheries, the capacity of the resource. And how do we manage that? So there is nothing in there explicitly now.

I don't know if there will be or not. You're the first one to raise this, and we've only had a couple of meetings so far. But it's certainly something that I'm sure we'll give a lot of thought to about how does the federal family of managers and state managers, how do we cope with those two factors together?

Mr. Sartwell: I will add that the concept of the EEZ permit is better defining that universe of offshore anglers. And I think that is something that we've heard many times and in many venues now. It's really identifying what that universe of recreational anglers looks like now.

Mr. Bergmann: Do you happen to have any literature of what you're defining as a EEZ permit? I mean, some of the folks down in the Gulf would love to see something like that.

Mr. Dunn: So I'll tell you that we've seen suggestions for -- I just call it an EEZ permit. Some people call it a federal permit. Call it what you want.

But from the MAFAC, recreational subcommittee produced a paper that touched on it. The National Academies of Science touched on it in their review of MRIP and fisheries that are managed under ACLs. There are a number of Councils that either have one in place such as the Mid-Atlantic has it for tilefish, I think.

The South Atlantic has considered it in the past but has decided to revisit the issue for I think it's snapper-grouper. HMS obviously has an angling

permit. We heard the idea raised at the Gulf Council the other day by some fishermen. So it's an issue that in the last ten months has popped up in numerous places. So it didn't surprise me that it quickly made the list of things to consider.

Mr. Brooks: Steve, just to remind folks online if you want to get into these, raise your hands. Thanks, Tim, for doing that. Steve?

Mr. Iwicki: Thanks. Steve Iwicki, recreational. So I get this is a national policy. Twenty years ago, I helped write the National Counter Drug Strategy for the White House.

I know what you're facing in terms of trying to get specific enough. And I wrote about five pages before this policy was published to submit it forward. The common thing back then which I still think today is a combination of the education along with the state type regs.

And I realize that's different Councils and stuff. But for instance, if you were to go to the Jersey/Delmar reef which is about 28 miles from Cape May, 16 from Delaware, a little more from Ocean City, Maryland. There's three different sets of rules of what you can bring back from the same species, the sea bass, fluke, whatever.

The education is really where trying to get people to understand what they've got to report. We talked a lot about swordfish this morning for that too. But the challenge really is you can do these -- host these events. But that's not really getting the message out. The message is getting out through fishing clubs and other types of things and public stuff, tons of stuff on social media.

But at the recreational level, the average guy goes, well how come if I dock my boat ten miles away in Delaware, I can bring in sea bass and fluke all year around but I can't do it in New Jersey? And then you got New Jersey and New York is a whole other - - I get it's all complicated. But somehow there has

to be -- there should be a national level goal to try to equalize that to maximize the recreational angler's ability to take fish home.

Mr. Dunn: Just so I'm clear because I think you started out talking about outreach and education so anglers understand what the rules are. So that's one aspect. But then at the conclusion here, you're suggesting a more uniform set of regs?

Mr. Iwicki: Well, I mean, it's a combination of both because, for instance, I fish out of Cape May, New Jersey. And I know what all the rules are. I carry an HMS with a shark endorsement. I carry a tile permit, maybe another one in the future from what you're saying.

But the average person two years into a tile permit, the average fisherman who is targeting tilefish doesn't know they require a free permit that they have to apply for, let alone do reporting. And so it's a matter of this whole education. Back five years ago it was all about educating the recreational community on reporting on tuna catches.

The swordfish is just as bad in the recreational community today. But again, it's the trust with the recreational community is being broken from the standpoint of the regs like the example I gave where if I'm fishing the exact same spot but I'm a Maryland boat, a Delaware boat, or New Jersey boat all traveling the same distance. I had different size limits, and I had different retention limits.

So somehow I know it's tough to work across all the Councils and all that. But there should be some type of national goal in your objectives here, guiding principles that is designed to unify the government. And I know it's all consensus, I had the same problem in the counter drug world, to have the maximum ability to retain fish because otherwise all those reg guys are going to look at you, flip the bird, and go I'm going to keep what I catch.

And the slot limit in New Jersey for fluke this

summer is a great example. Two fish between 17 and 18 inches, one over 20. And how many people they caught two over 20 released one. You'll never know, but it's not a lot.

So there should be some type of goal in here, though, as a guiding principle that is focused on equalizing and maximizing the catch while you're also focused the second issue on the education to the right groups and the right venues and the right online kind of stuff too. Because we were talking about swordfish and all the pictures posted by rec anglers on Facebook and every other fishing group that are not getting reported. I can guarantee it. So that's really the two points I got, education, then trying to get a little more commonality to the regs.

Mr. Brooks: Thanks, Steve. Let's go online to Tim Pickett, and then we will come back in the room to Marcos, to Jason, and to Dewey. Let's bring in Tim first.

Mr. Pickett: Can you hear me?

Ms. Curtis: Yes, yes, we can.

Mr. Pickett: Perfect. Just to kind of echo the previous comments there, it does get dicey when you look at -- here in South Florida you can not only transect federal and state waters, but you can transect international as in a different country waters. Then you're in federal waters, and then you're in state waters coming home.

So that can get kind of complicated as well. And most people don't know the clear cut regulations for that, let alone the relationship between federal and state regulations. In terms of outreach, what I've always found regulation-wise, the best outreach in terms of my area at least is write tickets. I've come up with this a lot in terms of our sword fishery down here.

It's really interesting in terms of the commercial guys -- smaller commercial guys around here all

looking to get up with their safety equipment and stuff like that because people started -- the Coast Guard started really kind of cracking down on that stuff down here. So consequently, everyone got up to date on all that stuff. The issue with guys in the Keys fishing over the line in the Bahamas there where it goes over the piece of bottom that everyone sword-fished on recreationally.

A couple guys got written tickets. And now it's cleared out quite a bit. So outreach in terms of getting tickets written for not reporting swordfish or not having HMS permits, all of that stuff, that's as good of an outreach as you can get.

People tend to pay attention really quick when their buddy got busted for not reporting a swordfish or they got caught fishing over the line and got caught without checking into the Bahamas, stuff like that. Guys get tickets and things and word gets out.

That's an incredibly strong education tool. That's my kind of input on that in terms of outreach. That works better than anything. It might not be the easiest way of doing it. But it certainly works pretty well.

Mr. Brooks: Thanks, Tim. Marcos, why don't you jump in and then over to Jason and Dewey.

Mr. Hanke: Even though I'm going to repeat some of the comments, I think it's important to make sure that they're strong enough. It's hard not to be specific on some details and things that come up to mind. But bear with me.

Explore, I think we should explore a variety of communication and data collection strategies with a region-by-region flexibility at the same time. That's super important. Coming from the Caribbean for sure, the way to take the message and to address the fishermen and which of the fishermen you're addressing, shoreline bay, boat owners, jet skis, kayakers. All of those are very different animals, right?

Anyway, also in terms of data collection related to climate change, for sure we need to do that. And the importance in case of the Caribbean, our fish don't go north or south. The reef fishes, they go deeper.

The vertical migration or movement of those fish, that's super important. That bring me to the point of the lack of information of characterization of the fishery. Sometimes we collect data on what you caught or whatever.

But there's no initial form in which every so often the people have to fill up, okay, what you're fishing, which gears you are using, spinning, conventional, live baiting, just some general characterization to create that baseline that will be super important, very helpful. And this is from personal experience. The effect of the social medial virtual life on the operation -- on the private operations.

In the past, I did catch and release only, tarpon fishing, very high end, high tech, the way I like to fish. But because of the social media, one guy ate a snapper, show the picture on the social media. Now everybody wants to eat red snapper on my trips and I cannot get rid of it. Right. Otherwise, I have to close my business.

And this effect is very important. I don't know how to include on this list of things. But basically, I think it will be the effect of the new virtual life that we have on the dynamic of recreational fishing. That's all my comments. Thank you.

Mr. Brooks: Marcos, can you just say a touch more about the effect. Are you saying to use it proactively to get messages out or anticipate the impact that it's going to have on how rec fisheries operate the second?

Mr. Hanke: Both, both, both, what you just said, yes. I just gave one example. There's tons of example of the same.

Mr. Brooks: Thanks. Jason?

Mr. Adriance: Thanks. I wanted to circle back around to the permit idea. So we've had a permit in Louisiana for offshore species since about 2013. And it's helped us tremendously in defining that offshore universe and refining our estimates better.

I think it has its uses. I would ask that if you go down that route, work with some of the states that already have something similar to avoid extra burdens on anglers or duplication. Along those same lines with better data collection, better fisheries depend on data collection.

That's one thing we considered when we left MRIP and went to LA Creel, we looked at what are those essential questions we need for management? And we tried to trim our survey down to that. So once again, reducing that burden.

It doesn't need to be a 50-question MRIP questionnaire to necessarily get what you need to manage and potentially get better data. So I think those are just some considerations. What are those inputs you really need and all that economic data, all those add-ons?

That can be -- I know it's a side thing every couple years with MRIP. But could it just be a separate survey that's done so you're not tying someone up at a dock forever? And potentially, they're avoiding answering those questions because they knew, great, this is going to be a 45-minute interview. So just some thoughts. Thanks.

Mr. Brooks: Dewey?

Mr. Hemilright: Public access -- promoting public access comes with a price. And the price is not just permitting. It's also got to be reporting.

The recreational industry is a vast wealth of industry that is supported in this country, jobs and different things. But one thing it is lacking is our surveys,

whether it be MRIP that is used for a rare event. So this part of promoting public access needs to come at a price where there's got to be reporting of what the catch is and very similar to a deer hunter.

There's these shows on TV, Texas Law, Louisiana Law, North Woods Law, where they go out there and you watch them. If they catch red drum, they got to be tagged. I mean, the public that wants to use this resource that's out in the ocean has got to be some way buy into the accountability of reporting what they're catching, which helps in stock assessments to give them that data of quality recreational fishing opportunity if they so choose to take it home because right now it's presently lacking.

I look at the commercial industry and the snapper-grouper fishery in the South Atlantic. There's 540 vessels. That's all that's permitted in the pelagic longline industry.

The reporting and activities and vessel monitoring systems and camera systems and logbooks that I got to go through to be accountable for using that resource. I see the recreational industry wanting access. But it comes at a price that it doesn't seem -- it's willing to account for their catch.

Because one thing about when you have caught your ACL in the commercial side and you're closed down. You don't go fishing. You're not out there fishing for other species, catching red snapper.

Or we've looked at the different management things. So it comes at a price that I don't know if they're willing to say, hey, there's only so much of a buffet out there and we need to account by actually reporting what we're catching. And Steve mentioned the Mid-Atlantic Council's tilefish that was implemented about two years -- a year and a half ago, yet we have 890 people that have been issued permits.

But the number for reporting is not very high. So

maybe we need -- I think the word that's used has been compliance assistance because you can count more on social media in a day or two that's reporting throughout the whole thing. But I just see it as that part of what we use, like, we got the LPS survey that goes from Virginia and Maine and yet we got MRIP that goes from sound of -- North Carolina south. And we see the differences in the two.

So you're going to have to spend some more money on MRIP or you're going to have to get the recreational folks that get a permit and report their fish. I mean, this is clearly not going the way for accountability that needs to be done. And I don't ever here that part talking. All I hear is about promote. But promoting comes as a price.

Mr. Brooks: Thanks, Dewey. Bob, why don't you jump in?

Mr. Humphrey: Thanks. And I apologize if I ramble a little because I'm formulating these thoughts right now in my head. I don't disagree with Dewey. But I'm old enough to remember a time when I started fishing, there was no EEZ, there were not regulations, there were no permits, there were no licenses. We simply went fishing.

And I think the more regulation permitting requirements you add, at some point, it becomes a disincentive for people to want to go fishing. I live in Maine. It's vacationland.

We have people, they come up in the summer. Where can I go fishing? What do I need? Oh, I need a permit. Well, how do I get that?

I'm not against it. I'm still old enough to be a little resistant. But I've come around because I understand the things that Dewey said. There is a reason to have a permit. It's so that we can gather information and protect the resource and manage it more effectively.

And I think it's key to get that message out to the people. Advise them. Educate them as to why they need a permit. It's not just so that the government gets their one dollar or two dollars or six dollars. It's so that we can ensure that there are still fish out there for people to catch.

Mr. Brooks: Great. Charlie, did you want to get back in? Or is that just a leftover card? Okay. Jeff, your card is up. Let me bring in you.

Mr. Oden: I don't even know where to start because the truth is I'm at this HMS meeting today and --

Mr. Brooks: Hey, Jeff. Can you --

Mr. Oden: And truthfully, I want to be at the South Atlantic webinar tonight because I've got an awful lot to say and I've already said it via public comment. But I hear the discussion on trying to get more access for anglers. Well, the fishery I'm concerned about is one I've just recently reentered.

I bought a boat last year. I've got another guy running my longline vessel. And I went back into a fishery that I was in until 16 years ago when I got ran out of it. And it was snowy grouper.

And there's enough -- in my case, I'm one of the few that can afford to go offshore commercially anymore on a fishery that used to be 94 percent commercial. MRIP came along and reallocated 11 percent of that away from us.

And ironically, they utilized numbers on the MRIP side that said, well, we had this many anglers back then. And they automatically used MRFSS to do the catch and intercept which was 6.6 pounds instead of the 26.8 pounds from the MRIP. So the Council has utilized this on an ACL which is 5,723 with the old MRFSS data. It would be 16.68 on the MRIP.

This fishery, how do you allocate that to 20 million anglers on the southeast coast? That's a question I would definitely love to hear because the truth is

that fishery should have never been -- you can take all the commercial guys out of it. And they gave that fishery four months for 5,700 fish to be allocated between Key West and the Virginia line.

And I think everybody in the industry knows now why we are having to pay 43 percent next year. They're cutting us by 43 percent on that particular fish because there's no accountability on the other side of that fence. And that's where we're at.

That's what public comment is tonight on the South Atlantic Council. So I think you all need to realize, yeah, as Dewey said, access comes with a price. Is there a tag? Are you going to do a tag? And how do you allocate 1,668 tags between that many million anglers? So --

Mr. Brooks: Thanks, Jeff. Christine?

Ms. Kittle: So I guess mine is more of a process question. So we have these guidelines. And I'm wondering if some of these guidelines kind of combat or contradict what could potentially be achieved in other guidelines.

So I was wondering if you guys have, like, a prioritization or what -- how are guys going to focus on the guidelines if they are going to compromise, let's say, access? Like, we have to preserve our resource. So we have to somehow compromise access. Or how are you guys going to go from, I guess, these guiding principles to actions?

Mr. Dunn: So as you sort of alluded to and the way the policy has been used to date is that this sets forth sort of the general approach and guidance on how the agency should approach management decisions with regard to recreational fisheries. And then what we do is provide this, the policy, to the NMFS geographic regions, right? So that includes both a center and a regional office.

And that's where sort of the rubber meets the road so to speak, right, the Councils are the ones that

ultimately make management recommendations which they come back to us for approval or not. But the agency then relies on the regions to essentially incorporate the information and the policy into their thinking as they're sitting at the table talking with the Councils and then integrating that with obviously the legal requirements that we have to. If something is overfished, we can't start to ramp up access to it obviously.

It's going to have to be rebuilt according to the Magnuson Act. So long story short, essentially because we're sort of a region centric organization, this is simply guidance that goes out to regional leadership. And then they figure out at the table with the Council sort of how best to abide by the guidance in this. Again, this is guidance as opposed to Magnuson statute and how best to implement it.

Ms. Kittle: Can I do a follow-up question? Sorry. Can I have a follow-up question? So with that, I mean, I think you guys have a hard issue with just defining recreational because I feel like people's interest in the fishery is so different when you're talking about recreational sector. You have your for-hire which may be more business or economics.

And then you have pleasure and diving incorporated as well. So I don't see anything in the guidelines talking about identifying different, I guess, interest in the fishery, how these potential access or future regulations will be tailored to that. So I don't know if that comes down into, like, the scope of the policy where you defined, I guess, what recreational fishing is. But I didn't know if you had any thoughts on that or if there's been discussion on, I guess, how you're going to streamline something that has a lot of different interesting components to it.

Mr. Dunn: Yeah. No, I think that for a national-level policy, it would be very difficult to get into how are we going to approach each specific segment of a fishery. How are we going to handle spear fishermen? How are we going to handle shore-based

guys and private boat, for-hire, charter versus head boat?

It would be a little unwieldy to do that. And so you take it at a sort of larger macro level. And then as issues come up before a Council or a Commission, then we have to sort of look at each of those issues in terms of its impact across those, just keeping these in mind. But we can't write a policy at such a detailed level. You could never capture all the nuances in all the fisheries from literally Maine to Guam at that level, so --

Mr. Brooks: We're back to Steve.

Mr. Iwicki: Yeah, so just one quick question. This has been out for five years. What do you feel it accomplishes?

Mr. Dunn: So it's actually I think done quite a bit in terms of first and foremost focusing the Agency's attention on recreational fisheries. I mean, when this first came out within the Agency, recreational fisheries were akin to a water cooler type conversation. It was rarely a central focus of leadership or regional leadership.

It is now a central component at most, if not all, of the leadership discussions when management issues come up at the regional and national level. Some of that is forced by the policy and some is just circumstances. So it's focused on the agency's attention on that.

It's also allowed the agency to expand resources in terms of staff and dollars on specific interest, concerns, priorities of anglers, allowing us to get out of the engaging, identify old sessions like this. This sort of roundtable never happened prior to issuance of the reg policy. So there's a whole range of responses.

Mr. Brooks: Marcos, did you want to get back in for a sec, and then --

(Simultaneous speaking.)

Mr. Hanke: Yes, I forgot one. I forgot one comment that I think is super important. I think we are all discussing things related to enhanced data reporting or data acquiring, especially through self-reporting and other methods.

And that's something that for sure I don't see on the single page that was going around so evident. But it's evident to everybody on this table that is super important. And there is examples on the Gulf and other places where that route is already taken and is going to be an example for the rest of us and at the national level to think.

Mr. Brooks: Jeff, I'm assuming your card is left over. No worries. Okay. Tim, let's go over to you to talk a little bit about the summit.

Mr. Dunn: Okay. This one could be a little rougher because we didn't add these slides until right before. And I haven't done this one in a while. So bear with me as I run through this. I'm a little rusty on this one.

Okay. So as we mentioned, we did the summit the end of March. We had about, what was it, 175 people there in person, about 90 people online each day. You can see the topics up there on screen.

We talked a little bit about climate-resilient fisheries and very little about balancing ocean uses which as I said was really primarily wind and marine aquiculture. We had a steering committee comprised of primary recreational anglers from across the spectrum and all around the country and including Atlantic states, marine fisheries, Commission staff, Gulf States Commission staff. Pacific was invited. They had an issue. They couldn't get a staffer to it. And then Tim and I.

And really the anglers drove the agenda, and you see the agenda topics there. All right. So on the climate, we had a climate panel and then some

breakout discussions. And on the panel, we had NMFS, scientists, and policy folks.

We had anglers from both Pacific and Atlantic coasts. We had MAFAC -- or Mid-Atlantic Council staff on there as well. And it essentially provided an overview of the state of the client science as it relates to the ocean, its impacts on the ocean environment.

We heard from the anglers, their observations and perspectives on climate change that they're seeing out there, the importance of habitat to climate-resilient fisheries. And we heard from the Council there on the climate scenario, planning, and as I recall HMS going through climate vulnerability assessment right now. So all that was sort of discussed by the climate panel.

What we heard were that changes on the water are becoming obvious and really hard to ignore, that there are winners and losers out there. Some of the areas are gaining fishing opportunities. Northeast, it seems to be in some respects a winner with additional species arriving. Others are seeing more challenges like the Gulf of Mexico is seeing more water quality issues and severe weather impacting the marinas, et cetera, with hurricanes.

What we heard with participants at the summit were concerned about essentially adverse impacts to the health and availability of species and what that means for access and opportunity down the road. There was concern about a lack of sufficient scientific baseline to, A, understand what is going on, and B, monitor over time. They're concerned about loss of access to the resources.

Either the fish are just gone, they've changed migration patterns, or there's damaged infrastructure. So they literally don't have access to get out and fish. And then that the pace of change in the environment is exceeding the ability of the science and management process to adapt.

It's something that we heard over and over. They told us they specifically were interested in or are interested in seeing NOAA leadership on climate issues, including inter-Council governance issues meaning how are those fish as they move north, south, or disappear? How are the Councils going to manage that process? How are you going to give anglers in regions that are gaining fish access to those or representation in management for those species?

And there was interest in engaging more on climate, letting people know what we know, what we're concerned about from the scientific perspective. And then an overarching theme that came up first in this discussion but then throughout was this idea of improving the regulatory and scientific nimbleness, that the process on either side of that equation is just too slow to keep up with changes out there. If you have anything to add, just jump in.

Mr. Sartwell: Yeah, no. I think nimbleness or nimble was the word of the day when we talked about climate and the alternative ocean uses. It is a long an arduous process at times. And just the pace of change in the oceans puts us behind the ball to start off with. So nimbleness was the big takeaway on that day.

Mr. Dunn: Okay. Ocean uses, so again, this was wind, energy, and marine aquiculture. We had two panels on this. We did not have breakouts.

And we had folks from BOEM who came and talked about their process, from industry who came and told us about sort of what they're doing, planning and their process for engaging. We heard from NMFS and from anglers. And we heard about plans for lease sales, the comment periods, permit and construction.

From anglers, what we heard was their experiences both on the water where there is infrastructure in place from both wind and aquiculture as well as their experience in the policy arena. How did they

engage? How could that engagement be improved?

And we did this all sort of with in the eye of not resolving wind and aquiculture related challenges, but rather helping anglers to understand how to better engage in the process and the steps that are out there. So what do we hear from the collective discussion? There's concern out there about impacts to target species, forage fish, habitat, access, et cetera, from both construction perspective and the operational perspectives, both in long term and the short.

There's concern again as you heard under climate that there's a lack of comprehensive understanding of baseline conditions and the ability to monitor and that there's a lack of rec data, primarily location data, needed for planning and development in terms of ensuring that angler's interests are duly considered in the process. And that really pertains to the private rec angler. There's location data for the for-hire guys.

But the private guys, will they often have it on their plotters? It is -- there's no way to collect it. They don't turn it in. There's no mechanism to deliver that.

There's no requirement to collect it. There's no mechanism to collect it and deliver it to BOEM and the industry we're development in these blocks. We heard interest in improving monitoring in that the anglers told us that they are interested in early and frequent stakeholder involvement in all aspects of both planning and development of this new infrastructure.

And then among those folks who were or are comfortable with infrastructure in the water really means folks in the Western Gulf with the oil and gas, there was immediate interest in maintaining structures long term after decommissioning. Because as I think you probably all know, people love to fish on the rigs down there. And the same concept follows for wind infrastructure. Next slide.

Rec data, so we had to panels here with NMFS staff, Commission staff, state and Council staff and anglers. And basically data came up in literally every conversation, right, across the conference. And what also became apparent was a general lack of confidence in federal catch and effort statistics relating to rec fisheries.

And all of this in our opinion sort of reinforced the need for the data discussion which what we tried to do was bring a better understanding to the summit participants of the recreational data systems that are in place. And how those data are used -- how they're collected, how they're used in monitoring, how they're used in assessments. And then an understanding of the role that uncertainty plays in all of the data collection and assessments and management and how -- try to identify with the groups on how public confidence might be improved over time.

So the primary concerns that were voiced, first one was essentially that there's a concern that the data are being used beyond their capability. More or less, as you probably know, MRIP was really designed originally to produce sort of annual region-wide estimates of catch and effort. But because it's frequently the only game in town, it's often used at a much smaller geographic or a temporal scale.

And that has certain challenges associated with increased uncertainty. They were concerned about high levels of uncertainty. And those high levels of uncertainty are undermining trust among anglers.

There's frustration that anglers' concerns over data are essentially really either, one, not being heard, or two, heard but not being addressed seemingly. And if they are being addressed, that fact is now being effectively communicated back to anglers. There was concern that climatic shifts are adding to all this uncertainty around the data.

And then interestingly, there was very open -- I won't say consensus -- comment that funding for

data at the agency for rec data collections is inadequate. There was interest in more better and more timely recreational fishery-dependent data as well as independent data that can support assessments in management of rec fisheries. They're interested in having a better understanding of how to incorporate science into the science and management process and interest in greater fed and state joint engagement with the public on data collection.

I guess one last thing on data. So I thought it was interesting that really for one of the first times, there was a very clear short discussion raised about data improvements versus intrusiveness. And some of the sort of data experts said, look, we can achieve commercial level data quality out there.

But it's, A, going to be expensive. And B, it's going to be extremely intrusive. And the question sort of becomes -- not answered but becomes what level of burden will recreational fishermen ultimately accept? Where's the balance between the demand for better data, the need for better data, and the willingness to accept the burden it would come with, whatever that level is?

Let's see. Rec management, the last group. There were two panels on management flexibility and optimum yield. We heard from Council staff and anglers about ongoing activity in terms of management flexibility from the South Atlantic Council, the Mid-Atlantic Council, Pacific Councils, and the recreational quota entity up in Alaska.

That's a mechanism to essentially buy quota from the commercial sector from willing sellers and to benefit the for-hire sector up there and loosen regs if they can collect enough quota. There was also a conversation about optimum yield and its potential as a tool to inform management. And what became clear I think quickly was that going back to flexible or alternative management, it means many things to many people.

For some, it was how to deal with issues of data and management uncertainty while maintaining fishing opportunities. And for others, it more or less really was code for how do we circumvent ACLs and avoid or minimize using MRIP data. There was support for pursuing alternative management approaches.

And it really sort of came down to an interest in speed versus risk tolerance. And some felt it was time to just move forward with new approaches. And others felt, well, that's okay. But let's take our time to really understand what these alternative approaches mean, what they could mean for the fishery.

The takeaways for me really were that people want faster, more nimble management responses, more fishing opportunity, more regulatory stability, more accounting or compliance with catch limits. But at the same time, lower risk to the fishery resources and fishery participants. So it's simple to summarize but not easy to achieve.

Mr. Sartwell: Yeah, and that optimal yield discussion was coming out of one of the last NAS recommendations. This wasn't just a left field concept that was dropped in. I think there's a lot more to learn, explore there with the recreational community about the concept of optimal yield. But that was really our first step in understanding that concept moving forward.

Mr. Dunn: All right. So just to wrap up the slide and this slide actually may be a little bit out of date. Let's see. What have we done so far? Well, we talked to various offices within the agency to sort of glean what they had gained from the summit.

We talked to the Commissions about how to try to move forward with some of the summit findings. We issued a final summit report that was drafted by the contractor who facilitated the meeting beginning of July. We identify -- you can see on a web page that we've identified a number of sort of responsive agency actions.

I touched on a couple of those earlier. They were just minor examples of some of that collaborative research with rockfish and water quality monitoring, et cetera, which were sort of direct outcomes of interest and conversations at the summit, and then initiated the review of the policy which is how we got here today. And that brings us to the end. So sorry that was a little rough, but --

Mr. Brooks: No, that was great. So we've got about a little less than 15 minutes. So if folks have questions about anything that we just heard, this is the moment. And folks on the line, be sure to raise your hands too.

Let's go back to the corner with Jason Adriance and then up to Steve.

Mr. Adriance: Thanks. I want to give my two cents on the climate and the habitat which according to our inflation numbers this morning is probably less. And I don't want to be a Debbie Downer. But I think as our habitat continues to change and we're on the front lines in Louisiana, you talk about not having a good baseline.

But I think no matter what's bringing about those changes, I think in the near geologic future, the carrying capacity of our habitats are being reduced. And this is for all fisheries and not just recreational. And I think one thing to consider going into the future is you talk about optimum yield.

Those numbers will likely be decreasing into the future as we move forward and lose more and more habitat. That may have impacts to where we think we can recover stocks to as we lose these important habitats. And I think that's probably something that needs to come out and be thought about in some of these discussions. Thanks.

Mr. Brooks: Jason, is that sort of more for the policy piece, the earlier conversation? Or is it more in reaction to this last presentation?

Mr. Adriance: Wherever it fits in. But the climate and habitat made me think about that.

Mr. Brooks: Okay. Fair enough. Charlie?

Mr. Bergmann: Russ, that was a hell of a presentation. But I'd like you to slip back to page 4 or slide 4. And in that, you talked about how the folks were looking forward to fishing on the wind turbines and were kind of excited about it. Did the charter fleet or the charter boats there, did they raise the question of radar problems?

Mr. Dunn: I don't remember if that was specifically raised there. It certainly has been raised. I recall in some of the studies in the Mid as those fields are being developed is of real concern with the radar shadows, et cetera, it's certainly something that, for example, Rick Bellavance and others have raised with me. But I don't think it specifically came up there.

Mr. Sartwell: Yeah, Rick was on our panel, Rick Bellavance, a charter fisherman up there who fishes on those often. And he didn't bring that up as a concern explicitly. We've had other conversations where he said it's caused him some issues.

But we had him up there because he fishes quite often. And he wasn't pro or anti. He was just giving his experience for what he did around the wind farms. And it's a conversation piece when fishing is slow to him.

Mr. Brooks: As luck would have it, Rick is online. Rick, if you want to jump in on this, just -- yeah, but Rick, if you want to jump in, just raise your hand. Go ahead, Charlie.

Mr. Bergmann: I'm just wondering. As costly as this new radar system that they're saying is going to be both in the actual cost of the radar but also with the cost of doing the extensive training, one would think that -- I mean, this is going to be a safety at sea issue for the commercial fleet as well as the charter

fleet. I would think that they would have a keen interest in this. I'm surprised they don't.

Mr. Iwicki: Okay. This is Steve Iwicki. So I'm glad to see a lot of the bullets that I was discussing are in here. But just to keep a real simple example about data collection, so two Sundays ago, I'm sitting ten miles off Cape May trying to target fluke. And I caught over 50 sea bass, all shorts except three.

Labor Day, I'm sitting 30 miles offshore targeting fluke, and I caught over 50 sea bass, all keepers except three. They were all released. But there's no way to report that data.

And that's the kind of thing that's missing. And everybody will say, oh, sea bass is overfished. But there's a simple example of how do you give the rec community an opportunity to share a report like that, that is exact opposite results of keepers and shorts and the population that were all bycatch trying to catch fluke. So just something to keep in mind.

Mr. Brooks: All right. I am not seeing any raised hands online or in the room. Any remaining questions either of you have that you want some last feedback on?

Mr. Sartwell: Yeah, I think just a quick reminder. I know this was all just off the top of your head. If you got time to think about it and would like to add something more, feel free to reach out to Russ directly.

We do have the online comment portal that's on the web page that you can access and put any types of information in. And the comment period closes on December 31st. So we welcome any comments between now and then.

Mr. Brooks: Great. All right. Thank you both very much. Thanks for all the input, AP members. We are about five minutes ahead of schedule.

Randy, I'm thinking we just make the break 20 minutes and give people a little bit more of a break and then come back at 3:15 sharp into the rec roundtable. All right. Thank you all very much.

(Whereupon, the above-entitled matter went off the record at 2:53 p.m. and resumed at 3:17 p.m.)

Mr. Brooks: So we want to shift to --- keep focused on the recreational fishing discussion but really shift into the roundtable part. I'm going to hand it off to Randy and Brad and Cliff here. They've got a pretty short presentation.

And then, again, we just want to open it up for the HMS staff to hear what's on your mind as you think about this issue. What do you think of the issues they should be thinking about as they look forward here?

And then to any members of the public who are in the room or online, just a reminder that we will have public comments at 4:45, so an hour and a half from now.

So, with that I'm going to hand it off to -- I don't know if it's Brad or Cliff. Cliff?

Open Mic Topics

Mr. McHale: I'll take it -- I'm going to see if I can make Pete's life a little more hellish with some technical challenges that seem to come with me being at the front of the room. So, good afternoon, everyone. Brad McHale, HMS. I think I know most of the folks around the room.

One thing before we kind of really got into the meat of kind of what this roundtable discussion is, I wanted to make a slight clarification to one of the statements Russ Dunn had made in his previous discussion about how he was referring to how recreational fisheries didn't get the love of the agency around the coast.

I'd like to say that HMS gave recreational fisheries love before recreational fisheries getting love was cool in the agency, so just wanted that right up on record.

(Simultaneous Speaking.)

(Laughter.)

Mr. McHale: Very good, very good.

Participant: Well done.

Mr. McHale: So with that clarification out of the way, really kind of what this next session is going to be about is sharing just a really quick presentation regarding some of the MRIP and Large Pelagics Survey challenges and changes that are coming down the pike as we're continually evolving, but really kind of just to hear about what issues that you all may have as it relates to recreational fisheries.

And I think we've touched on a lot of them already today. A lot of them may transcend what the HMS Management Division is directly in control of, but we want to give them air time, as well as just to make sure that, whether it's Cliff or I, as the current HMS recreational coordinators, or Randy as the Division Chief, that we don't have any blind spots, that we're completely missing something.

We clearly recognize that we're not going to have necessarily all the answers, and some of the challenges transcend just the recreational fisheries, given the dynamics of HMS management, but that's really kind of what this is designed.

I think you'll recall that, you know, the regional Council process have kind of been doing the same by having these roundtables, and trying to kind of get the issues out and vetted, and then discussed to try to figure out how they'll influence what changes may or may not be either feasible or warranted as we collectively move forward. So with that, why

don't I turn that microphone over to Cliff here, please.

Recreational Roundtable 2: Brief MRIP Update

Mr. Hutt: Good afternoon, everybody. You know, as Brad just said, the goal of this discussion is to hear your thoughts, ideas, and concerns about recreational HMS fisheries issues. It's an open discussion based on whatever is on your mind regarding our HMS recreational fisheries.

I'm going to provide a brief presentation with a few ideas on the following slides of topics to discuss. These are mostly topics that we have been hearing about recently from other AP members or other members of the fishery, issues of concern to them.

And then when we wrap up this presentation, we'll have an open discussion to solicit your thoughts and ideas.

I'll start out with a brief update on the efforts to update our HMS MRIP Regional Implementation Plan. We had a more detailed presentation on this back in the spring, along with an update on the LPS redesign effort which is currently wrapping up.

The original plan was released back in 2017. The purpose of these plans were to identify regional data needs and set agency priorities for improving different regional recreational data collections, in our case, HMS, over the next five years.

We gathered feedback from you all back in the spring, and I will be presenting to the ICCAT Advisory Committee next Friday. And we plan to circulate a draft of the new plan later in the fall with our agency partners for their review.

Existing priorities that we want to continue and expand include, of course, completion of the Large Pelagics Pilot Survey and implementation of the new design, hopefully in 2024.

Efforts to expand Atlantic HMS recreational fishery data collection such as assessing the addition of more offshore sampling in the general MRIP surveys like the Access Point Angler Intercept Survey, dockside survey, to improve our percent standard errors, or those PSEs.

And consider the possibility of expanding the LPS survey in terms of getting it started a month or so earlier in some states where we're starting to see our offshore fisheries kicking off earlier than they have in the past.

Also, our continued efforts to make sure that HMS charter and headboat vessels are included in the new federal for-hire logbooks, continuing to identify ways to reduce reporting burden, such as what Randy discussed about earlier today, adding our catch reporting into the, say if it's eTrips application that's very popular among those who have to do those for-hire logbooks.

Efforts to improve and expand our data collections on recreational shark fisheries and obviously efforts to get our recreational data collections going again in the Caribbean, like MRIP.

New priorities we're kind of identifying, compared to the last five-year plan, were things like establishing data collections to quantify shark and other depredation events in the Atlantic and Gulf of Mexico, maximizing reporting compliance with existing HMS catch reporting collections, and incorporating electronic data capture, via things like tablets, into efforts such as the Large Pelagics Intercept Survey.

Moving on to other issues we've been hearing a lot about from, in recent months the last year or so, of course, offshore wind impacts to HMS recreational fisheries, there is clear need for better spatial data on recreational fishing activity.

Currently the LPS is one of the few recreational data collections that actually gets any kind of spatial data

on where trips are actually occurring. Other ones now, the new Gulf of Mexico for-hire logbook includes a vessel monitoring system requirement. So they're getting spatial data now. But that's really only started in the last year.

HMS, of course, is continuing to coordinate with GARFO, SERO, and the science centers to assess impacts of offshore wind development to our fisheries. But again, we have limited data and resources. And external researchers are conducting a number of studies, particularly tagging studies, on numerous species.

HMS tournament issues, HMS tournament issues have been rounding their head quite a bit this past summer. We had a number of controversial shark tournaments down in the state of Florida.

In particular, it drove a lot of controversy and backlash that really came out of a lot of misunderstandings regarding tournament regulations. And NOAA's role in regulating those events, you know, whether or not we have the authority to cancel individual events; and we do not. Misinformation about the shark regulations themselves and what tournaments were legally allowed to do or not.

And we've received continued requests, both to have more shark tournaments, which we don't really organize them, so, you know, that's up to the fishery but, you know, for both tournaments that allow landings of sharks versus catch and release only events.

We are actively working to improve our online communications products related to tournaments to try to better inform the public and media about all these issues, what our role

is in regulating tournaments and what it is not.

And one other issue that did pop up repeatedly was the need to clarify that if you have a shark

endorsement on, say, a General category permit, that only authorizes you to target sharks during tournaments. It does not authorize you to target and retain them outside of tournaments. Outside of tournaments, if you've only got a General category permit, you're strictly fishing commercially.

We've also had some issues come up with our bluefin tournaments. We've received comments expressing concerns about tournaments that are targeting bluefin tuna under General category regulations, you know, essentially General category and Charter/Headboat permits, participating in tournaments where they're targeting trophy-size bluefin tuna but under the General category quota.

There were concerns raised about such events resulting in short-term derby-style fishing, essentially, sometimes late in sub-quota periods or when market conditions were questionable to justify fishing for commercial size fish resulting in increased no sale events, and some individuals suggesting that tournaments should be required to indicate what size class of bluefin tuna are being targeted, currently, we only ask what species they're targeting, not what size classes, and some suggestions for even prohibiting tournaments on what are essentially a commercial fishery.

We have received multiple comments about issues dealing with vessel registration delays and the impact that is having on permitting. Basically, you have to have either a U.S. Coast Guard or a state vessel registration number in order to get an HMS permit. In some cases, new vessel owners, it's taking months for them to get their registrations. And during that time, they can't get a permit and they can't go fishing.

The U.S. Coast Guard District 1, which covers Maine to New Jersey, has told us, based on our inquiries to them, they are being proactive on this issue. And they particularly wanted to stress the requirement for having U.S. Coast Guard Merchant Marine

examinations, if your vessel was required to have one, and that oftentimes the failure to have that, you know, those examinations are what's delaying some of those registrations.

U.S. Coast Guard told us they have been sending out letters to NOAA permitted vessels without current exams and recently sent out a marine safety information bullet to commercially permitted fishermen to remind them of this requirement.

Another big issue now is the proposed rule to amend the right whale vessel speed regulations. Currently, vessels 65 feet or over are, you know, required within these areas, these speed restriction areas, to travel at no more than ten knots or 11 and a half miles per hour. They are proposing to extend those regulations to vessels between 35 and 65 feet and substantially broaden some of those seasonal restriction zones.

As you can see on the chart now, the current ones are those areas in those dash marks where the color blocks are what they are proposing to expand those to. And most of those kind of range from roughly, you know, November to sometime in April. Although up in the north, you have some that are running from, like, into late May or even late June.

Basically what they have found, the agency has concluded that lethal vessel strikes are impeding recovery of the endangered right whales and that just under half of lethal strikes, since these speed restrictions were put in place in 2008, were with vessels that were less than 65 feet of length. And that's why they feel they need to broaden the vessels that are under this requirement. And the comment period is open until September 30th.

Some quick analysis, you know, from our permit data and size data we have on our vessels indicate that approximately 15 percent of HMS Angling and 33 percent of HMS Charter/Headboat vessels fall within that 35 to 65 foot range and have home ports within the areas that could be affected by

these proposed speed zones. So it's a substantial number of our permit holders on the recreational side.

And with that, I'm going to ask you to share your thoughts and let us know what you think on any of these issues or any other recreational issues affecting the HMS fisheries.

Mr. Brooks: Great, thanks, Cliff. So

data collection reporting, HMS tournament issues, sharks, bluefin tuna, offshore wind, vessel speed, depredation, vessel registration delays, what else, what's on your mind related to recreational fisheries that you think is important for these folks to hear, for the AP to talk about and be thinking about going forward? The floor is yours. Bob?

Mr. Humphrey: Somebody's got to be first, right? All right, I want to talk about bluefin tuna tournaments. And I pose a rhetorical question. What's the problem? Is it something that we really need to fix?

Depending on who I talk to, I get two different answers. Either the data are not available, or the data show that there's no additional impact on quota as a result of bluefin tuna tournaments that target commercial fish.

I can only speak for my own tournament which has 60 boats. I know all the fishermen who participate in that tournament. And they would all be fishing anyway, whether it was a tournament or not. They sign up for the tournament just like buying a scratch ticket. If they catch a fish, they might make a few more bucks than they otherwise would make. But for the most part, it's not adding effort or landings.

I think it's also important to put things into perspective. Bailey Island Tuna Tournament started in 1938. The tournament that I run started, I don't recall the year, but it ran for 21 years as Sturdivant Island. And then we changed it, revamped it, and

next year it will reach 30 years which is before quotas, before the General category even existed.

And then I would just add sort of a personal comment. There's some concern that tournaments, recreational tournaments, are taking quota away from commercial fishermen. But the handgear commercial bluefin tuna fishery is more of a pseudo-recreational, commercial fishery than a true commercial fishery like the Longline fishery.

Most of the boats in Maine are people who fish for bluefin on a day off from their regular job which may be driving a bus, auto mechanic facility, moving company, carpenters, builders, lobster fishermen, scallopers, draggers, this is a hobby. They don't -- few if any make their full time annual income fishing for bluefin tuna. And that's all I have to say. Thank you.

Mr. Brooks: Thanks, Bob. Let me go to David Schalit online. And then we will go over to Marty.

Mr. Schalit: Becky, can you hear me?

Ms. Curtis: Yes, go ahead.

Mr. Schalit: Okay. With regard to Slide Number 6, my reaction there is that you posed the question on Slide Number 6, I believe, or a suggestion that we can learn how to coordinate and improve the data that BOEM would be using in analyzing these lease locations for offshore winds.

And I think that's a terrific idea. I mean, I'm always, definitely I don't think that we'd be able to do this quickly enough to deal with the present issue. You know, the offshore wind lobby has greased the regulatory wheel significantly in Washington to accelerate this process. And I don't think we can improve our data fast enough to have a positive impact on some of the decisions that are being made.

So one other possibility which was used in Europe

only in a few locations was that we don't know what the impact will be of placing wind farms in certain areas relative to the marine biota and species that live in -- or move in and out of that area.

But what they did in Europe was there's an area that has been leased to a company that's going to erect a wind farm. And the scientists go in before any construction takes place, and they set up a grid on the ocean floor. And they survey the marine life that exists in that area at different times of the year in that grid.

Then the company that's actually building the wind farm comes in, and they erect the wind farm. And then a few years after the wind farm is erected, they do another survey using the same grid. And they can see what changes have taken place as a result of the wind farm.

Now obviously, you know, it's obvious to everyone that in doing this we're not avoiding damage which could conceivably take place to the marine life in the area. But absent any kind of approach like this, we will never have any idea as to what actually takes place with -- or the impact of these wind farms.

So it seems to me that this is something that, you know, I brought up with BOEM. And I suggested this is just something the developers could undertake themselves. If they wish to invest, and to make money in our EEZ selling wind energy, well then they can, you know, they could find a way to invest to have scientists conduct this work, as an absolute minimum. So that's something that, you know, I'd like to explore further.

Then I think I should probably comment on your Slide Number 8. That is the slide that relates to tournaments. Essentially, I am not opposed, we are not opposed to bluefin tuna tournaments. And we recognize that there have been tournaments that have been in existence for a very long time. And that's fine.

But what we're seeing is, as a result of what we call the Wicked Tuna effect, we are seeing more and more tournaments coming online targeting giant bluefins. And I don't think that the, I think that this -- National Marine Fisheries needs to consider a decision here as to how far they want this to go.

In other words, for a tournament, let's say, that's been in existence for a while and hasn't targeted giant bluefins, maybe they targeted juveniles, or not, I'm not sure, they suddenly decide they want to take on, they want to include giant bluefin in their tournament. Well, they would then, under these circumstances, inform the agency of this fact.

But then they would just go ahead and do it. And so there's nothing, there is no process in place which asks the question is this a good idea or a bad idea. Do we need to increase the number of tournaments that's over what we have now or, you know, what is the best thing for the fishermen and for the fish? And those questions, to my knowledge, are not being asked. And that is my concern with regard to tournaments.

As I stated, there is no problem with these longstanding tournaments. They're fine. I mean, I think that Bob was absolutely correct when he said that the guys that go into his tournament are guys who are going to be fishing on those days anyway, right.

But we're not talking about that. We're talking about something that's unusual that's happening now as a result of the fact that we have not one but two cable television shows that are dedicated to bluefin tuna. And so this is where the concern comes from. And I think we could benefit from more dialogue on this. Okay, thank you.

Mr. Brooks: Thanks very much, David. Let's come back into the room. We'll go to Marty and then over to Amy.

Mr. Scanlon: My questions concern the proposed

rule to amend right whale speed regulations. Number one is I don't understand why, if the vessels are between 35 and 65, why the vessels under 35 wouldn't be subjected to the same regulations.

And the other thing is how do you monitor that? I mean, you're going to have speed cops or speed cameras out there. How are you going to enforce that, you know. I mean, to me the only way to really enforce that is to make it that, you know, each vessel that goes outside of the state waters be equipped with the VMS unit to monitor the speed.

And then I would answer, you know, if every vessel that fished outside of three miles had a VMS unit on their vessel, it would eliminate a lot of the blank spots in the data that you're trying to, you know, address right now.

And what with holes in the data, if every vessel that fished in this country had an operating VMS unit on it, not only would it protect, you know, it would give you more information for the fishery science. It would help this rule right here. But it's also a real safety help.

You know, I mean, I know in the country of Iceland every vessel that goes offshore has to have a VMS unit on it. And that's so that the Coast Guard can monitor where their location is at all times.

And if that vessel disappears, the Coast Guard knows the exact location where they last found that vessel. So it's a real safety benefit to every fisherman. And it's a big help to the U.S. Coast Guard and their ability to, you know, search and rescue.

So, I mean, there's a call right there for utilization of VMS throughout all fisheries in this country right there. So I don't know how, you know, whether that's going to take any traction or not. But, I mean, I don't know why 35, you know, there's plenty of vessels that go pretty fast. And they're

just as capable of running over one of them right whales under 35 feet as it is a boat over 35 feet, you know, or even closer to over 65 feet.

I mean, why is there a limitation at all? If you're trying to protect the right whales, and that's one way you're doing it, every vessel should be subjected to that. So that's all I have to say on that there. The rest of this stuff is really, you know, not much to my business.

Mr. Brooks: Thanks, Marty.

Amy, why don't you jump in.

Ms. Dukes: Thanks, Bennett. Just real quick guys, on Slide 6, I'm sorry, seven, you made a bullet point about the online communication products related to tournaments to become better to inform the public. Is that going to include actual transparency to the data that the post-tournament reports provide some sort of aggregated method to be able to showcase that to folks?

And as a follow-up to that, any information on the compliancy of those tournaments that are registering with their post-tournament requirements to report back to you?

Mr. Hutt: So, I mean, this question of, like, what do individual tournaments report has come up before. The issue is, you know, because of our various privacy rules, confidentiality rules, we can't share the data reported from individual events.

So, I mean, we do have aggregate reports in our SAFE Report. And we could certainly potentially expand, you know, the aggregate reports that we share online and with the public on our system.

But, you know, it gets tricky, given the number of events too, and the rule of three and all that in trying to organize in a way where you're not going to be kind of tipping your hand on who this data is from. But, I mean, increasing compliance with

reports is absolutely a priority.

Mr. McHale: Yeah, so just building off Cliff there, you know, sharing the data derived, that has a challenge that we've all faced around this table.

The compliance in regard to the reporting aspects, I suspect, we'll have something this spring that could share back on -- just like we've done metrics with compliance with vessel reporting and some of the other aspects that --- I suspect we'll be able to aggregate that information to show, like, a percentage, I think, is how they displayed it in some of the other categories.

I think we'll be able to do something similar, as well as then take that as a teaching moment, whether it be for tournament directors or ourselves, on how best to build off of Dewey's comment, seek compliance assistance before things actually elevate to our law enforcement divisions.

Ms. Dukes: And, Bennett, if I may have one follow-up as well, is there a reason why hull ID numbers, since they're unique identifiers to each vessel hull, could not be a place holder for the U.S. Coast Guard and/or state registration numbers because of the extensive time that it's taking, not only at the U.S. Coast Guard level but at the state level as well, to get those numbers to those entities so that they could get their HMS permits faster?

Mr. Brooks: Is there any comment on that?

Mr. McHale: Maybe I'll just make one comment. I think it's something that we could look into. Across the agency though, it's typically that's state identification or Coast Guard documentation numbers that are the vessel IDs across all the databases.

An individual around the table has pointed out for years now, and rightfully so, that if individuals are unable to mark their vessels with that state registration or Coast Guard documentation number,

which only has about ten characters, how would they then take that VIN number or hull identification number and then put that on the side, and on the roof, and everywhere else, so then the Coast Guard can then identify that vessel from the air and kind of do what they need to do.

So I think there's some merit to it. But I think there's also challenges of how readily accessible is it to then find that number in an enforcement type situation without doing a boarding and then crawling around to access that hull number. Not that it's insurmountable, but when you're talking 25,000, 30,000 vessels, it takes on a little bit of a different nature, so not outside the realm but something that's administratively challenging, I'll say.

Mr. Brooks: Okay, let's go online. We've got a couple of AP members who want to get in so, John, the person there, and then over to Tim Pickett. And let me just remind folks who are not AP members, we will be going to, so Caroline, we'll be going to public comment in a an hour from now, so at 4:45.

But, John, why don't you come in.

Mr. Depersenaire: Yeah, thank you, can you hear me okay?

Ms. Curtis: Yes.

Mr. Depersenaire: Okay, great. Thank you. John DePersenaire with Viking Yacht Company. I just wanted to touch on three points real quick, first on the idea of starting the LPS earlier in the season to accommodate some of the -- part of the fisheries, the HMS fisheries, a little earlier than we've seen in the past.

I would also recommend looking into extending that at the back end of the season as well. It's pretty common now for those at New Jersey to encounter yellowfin into December, you know.

And I understand with bluefin too, which always had a strong fall fishery, you know, we have mandatory reporting for them. But for things like albacore and yellowfin, which we can see, you know, in December, it would be nice to have LPS capturing those which are not necessarily captured through mandatory reporting.

On the point about the issue of the inability of new boat owners not being able to get an HMS angling permit, I also think a hull ID number is a suitable proxy, I think, for state registration.

My original thought was that -- well, my understanding of that program, the Angling category program was to, or for the permit was to capture -- that was for the data collection vehicle. It wasn't necessarily something that we were looking to use for enforcement for limited entry.

And in fact, those same boats can go out and fish for summer flounder, black sea bass, other federally managed species, without having that state registration number available to them at the time. And that's perfectly legal.

So I think there's a way that we can accommodate this problem which clearly is out of HMS's hands. So I think it's time to start thinking about how we accommodate this problem with state DMVs, because it's clearly not getting better in the foreseeable future.

And then, finally, I just wanted to make a comment on the slide I mentioned that LPS and the Gulf VMS was the only source of data on the recreational side, specifically talking about activity in the wind leased areas.

And I just think it's important to understand that there's a really broad set of information that we can tap into. Most boats in the HMS fishery on the recreational side have really advanced marine electronics.

You know, I've routinely pulled tracks from the device's demo boats to kind of see where it's fishing in and around the leased areas that went in the last round of auctions, you know. So there's a whole bunch of data. We just need to find ways of doing it.

And I know part of Russ' presentation was this idea of incorporating the recreational sector more in data collection and cooperative research. I think this is a perfect project for that. So that's my thoughts. Thank you.

Mr. Brooks: Thanks, Tim. Jeff Kneebone, why don't you come in, if you just wait one second.

Ms. Curtis: All right, go ahead.

Dr. Kneebone: Great, can you hear me?

Ms. Curtis: Yes.

Dr. Kneebone: Great. Thanks, everyone, just a couple of comments. One, I just wanted to kind of echo what John just said. I think Cliff briefly acknowledged that everyone understands that we have a general paucity of information about fishing activities in the wind energy areas.

And just to go with John, I think we need to think outside of the box and figure out new ways to incorporate new data quickly. Because this is obviously accelerating. And as a person who's trying to do work to try to monitor the impacts on this large coastline endeavor, the more data we have sooner is going to be beneficial.

And then, secondly, it's just a comment not related to any of these slides, but I hope it's still relevant. But I just wanted to touch briefly on the idea of angling, HMS Angling category permits for land-based shark fishing. I think I made this comment as a member of the public a couple of years ago.

But the fishery is growing, and it's obviously a state waters fishery, but a lot of the fish that are being

caught are prohibited species like sandbars, duskies, and sand tigers. And they're spreading regulations between states.

So it would be good to talk about how to coordinate on that a little bit better since, you know, these are federally managed species that are basically engaged, being targeted by now separately managed state fisheries. And I'm specifically thinking related to things like making sure there's some way to see if we can get the anglers to engage in, like, the training that comes with the HMS Angling category permits.

So, right now they don't need a permit. They are exempt from all that or don't need to be exposed. But it might be good to try to rectify that. Thanks so much.

Mr. Brooks: Great, thank you. We have ample time for more comments. But I don't see anyone's -- good job, Rick. I was just trolling right there, you know.

Mr. Weber: I was just making notes.

Mr. Brooks: Perfect, go ahead, Rick.

Mr. Weber: Brad, I'm also going to hit on this hull ID or something else, just hoping we can find an idea in here. If you did issue that, perhaps it would be on a six-month or non-renewing basis. The idea of giving someone enough time to get the registration from the permitting authority, or from the registering authority, you know, just as a stop-gap measure, not that it would be a new, valid numbering system but rather a recognition of these people are, yeah, a temporary plate kind of thing.

Or, you know, maybe it doesn't even take a number. Maybe it takes you saying, you know, if you don't have any of these, give us this additional, this alternate information. But it will only work once, something. I don't know what it is, but it is a real problem. And somewhere within permitting is the

answer.

Tournaments, we came really close to the marlin cap last year, too close. In that scenario, I am really a free and open market person. But in that scenario, I'm not sure we should be continuing to add billfish tournaments when the existing tournaments are bringing us that close to the line.

I'm not sure that I don't agree that maybe tournaments are an application, if you will, or at least somewhere in your language there needs to be the prerogative to cap tournaments based on different factors, including availability of resources. And I've got Peter's eyebrow going up, so I will defer.

(Laughter.)

Mr. Chaibongsai: So I will politely disagree with --

Mr. Weber: You're welcome to do that.

Mr. Chaibongsai: -- with Rick on that.

Mr. Weber: It's a roundtable, man, a roundtable.

Mr. Chaibongsai: Right. So obviously I think a lot of us know here, especially within our sector, how important some of these communities are and dependent on some of these tournaments, especially if some of them are being established for the first time or being brought back, depending due to the pandemic, as I think you brought up before, and so forth and so on.

I think one aspect that I might be able to understand a little bit better if we go that route, or if that's even considered, which I wouldn't, but would be looking at tournaments that would have a minimum amount of fish harvested or going to the point of these tournaments, 211, whatever it was I think the current number is for 2022, I think that's what it was in the one slide.

But anything that's established as of 2025 would

have a cap of, okay, this is what it is, because these other ones may be grand-fathered in. Or, while I'm not completely suggesting it, you could also say catch and release.

Because I would also say the importance of some of the harvesting of some of these marlin have been absolutely instrumental in learning about them as well and is the only way that our scientists, or the NOAA scientists, have actually learned about the life history of marlin is through the collection of these species as well.

So while I understand Rick's standpoint as a tournament director, and battling other ones, I would also state the fact that, if we don't harvest some of these individuals, and we don't understand the economic factor of some of these tournaments to some of these smaller communities, or the impact that they have, you know, we need to step back a little bit and understand how important those tournaments, not only economically but also biologically, are.

Mr. Brooks: Peter, just to clarify, so the recommendation is if you are going to establish a date, you would do it three years out or so?

Mr. Chaibongsai: Yeah, I mean, that was --

Mr. Weber: There would be a future cap and maybe consider some sort of catch and release type option if needed. Did I hear that right?

Mr. Chaibongsai: Yeah. And the date was just more of a --

(Simultaneous speaking.)

Mr. Chaibongsai: Yeah, something in the future and more of, out of respect of the tournaments that had been around for 30-plus years, for, you know, 20 years, I don't know what the number is, but those that have been established, that have had historical -- and actually, what would be really good is if they

have been reporting really well, right.

So going back to the compliance aspect, if you're relying on tournaments to report all of their information, and they have scientists onboard collecting data, that would be key thing that I'd be - that I think the foundation would be all for.

The other thing too, thinking about tournaments, and not just for billfish but historically in the past, at least with billfish, there were shoreside data collectors from NOAA. I don't think that happens anymore. At least in the Gulf there were, to where there were NOAA employees or NOAA reps that would collect on land all of the data there. And then eventually it switched over to the tournaments collecting that. Maybe a really good idea is to, if you have the resources, which I know is kind of laughable sometimes, but to have that come back or have a representative, or have a third party consult come in and do that as well, maybe even just to verify what the tournament is seeing. Just a thought.

Mr. Brooks: Great. You got a couple of sharp, not sharp, but animated responses to some of your comments. I know Brad wants to jump in, so I'm going to let him in, and then I'll take it back over to you.

Mr. McHale: Well, just a common theme, kind of what you were discussing as it relates to billfish, and kind of what Bob was bringing up regarding bluefin, and kind of what are some of the problems and challenges.

I know right before the agency, with billfish, when we started to approach that limit, certain regulatory changes come into play. And it's says zero retention. And obviously if some tournaments were to precede others, or those of historical nature, it changes those dynamics.

And similar to at least some of the bluefin tuna tournaments that take place, predominately on

commercial size class fish, on the assumption that the trophy fisheries have been closed, those fisheries are managed in a commercial capacity. And so, you know, what is the problem?

I think your point there, Bob, is pretty sound of, well, would a lot of these vessels be fishing anyway, assuming the fishery is open. I know at least for this past year, some of the challenges is, well, what happens if there's a restricted date or the fishery closes?

The burden isn't necessarily then on the agency, per se, but it then falls on that tournament director to then scramble if they haven't had the foresight of then can you pivot to that sort of a model where all of a sudden would you have the same buy-in participation?

And so those are some of the challenges, I think, collectively that are before us. And I think we'll continue to have that dialogue. Because I think in my 20 years of doing this, I don't think I've heard of anything that resembled a limited access tournament permit raised around the table.

And I'll take anyone here's suggestion. But, you know, there might be some interpretations, yeah.

(Laughter.)

Mr. McHale: So, anyway, it's just some interesting dialogue, as these fisheries have all been changed, of how they ultimately adapt to preserve kind of some of the aspects of the fisheries that have been so attractive, whether it be billfish or bluefin, for that matter.

Mr. Blankinship: Yes, just to add on, Peter, to one of your comments, I believe NOAA's Southeast Fisheries Science Center does still coordinate dockside interviewers at billfish tournaments.

Mr. Brooks: There were a couple of reactions to your left that I just wanted to just sort of let in for a

quick bite, and then I'll go back to the queue that I've got growing here.

Mr. Weber: Yeah, I was just continuing in a conversational format with Peter and Brad. You know, I mean, again, it is a roundtable, after all. It is, you know, that Wicked Tuna effect that is being discussed in tuna also happens within the tournaments. All of a sudden everyone with a club is suddenly coming along. And there are people who have not been here for 30 years who are not here, who are not committed to the fish.

And it is possible, particularly in that 250 realm, that those of us who are maybe, as you say, temporally at the end of August, you know, it is a concern. And I don't want that, what you just said was, oh, the tournament director might have to scramble. I don't have the ability to move my end of August tournament to the end of July, you know. Even if I see it coming, I don't have the ability to say, okay, we're going to do it earlier now before the fish run. I don't have that option.

And so as we were talking about registrations, if pain occurred, you know -- and I'm still not directly saying limited access. I am not. That said, I think we need to keep an eye on a pile-on effect, you know, that could get to that situation, that could cause us to have to have the discussion, understanding that it can take years.

You know, I mean you and I have discussions. If it's not in the regs, it's not in the regs. It's not an authority that you have. Where I'm trying to get to is if this pile-on effect occurred, do you have the tools you need to help those of us who are running businesses too. You don't have quota allocation to reshuffle for us. You can't reach into reserve and go, well, we know we're out.

And we don't even, based on ATCA, have the ability to go, well, we're going to go over this year, but we'll have to pay it back next year. Two-fifty is hard. There is no reserve, there is no over quota,

there is no pay it back. And so the billfish tournaments may be in a slightly different situation than most of everything else that you're talking about because of that.

(Simultaneous speaking.)

Mr. Weber: That's all, I just --

Mr. Brooks: Thanks. Amy, did you want to come back in, or did it get covered?

Ms. Dukes: Peter got me. It's really the compliance on the reporting and getting that up front.

Mr. Brooks: Great. I've got a few more cards up. Let's get Bob and Dewey in, and the we'll go online to Tim. And then we'll come back in the room, so Bob and then Dewey.

Mr. Humphrey: Yeah, so I'll be brief. I just want to sort of support Rick, and David, and Peter's comments. It would be very easy for me to say sure, we should look at a limited entry. But that's easy for me to say, because I'm on the inside looking out. And if I was in the opposite position, I would feel very differently.

And I still feel for those people. I think everybody should have an opportunity to have access to the fishery. However, and I don't think you would take any offense, Rick, I think we need to start the discussion now, not wait. Let's put a big star next to that, and let's start talking about what, if anything, we might be able to do.

Mr. Brooks: Thanks. Dewey?

Mr. Hemilright: Yeah, given that this is a roundtable, I just want to make sure I'm hearing right. It sounds like to me that we're looking at limited access and a control date possibility of 2025

--

Mr. Brooks: Well, let me just jump in. Because --

Mr. Hemilright: Because Peter was saying, like, so the date.

Mr. Brooks: Yeah.

Mr. Hemilright: And so in the commercial fisheries it's called a control date. And so that's the terminology that would be used. So set a control date, and do limited entry, a possibility of limited entry in that time period, looking at it to where you can only have a certain amount of tournaments based on you only have a certain amount of quota. And there is no place to go get more quota. It's not set up that way. So I was just curious if that's what I was -- sounded like I was hearing. Thank you.

Mr. Brooks: Yes-ish is what I would say. I think all the things you just said have been said. But I would say they are wrapped in a -- I'm not sure if this is really something to do yet. But we need to start thinking about it, and these options, or something that looks like this may be things we need to start thinking and talking about.

It's more of a kind of, hmm, things are looking a little murky, and we need to start thinking differently. So I would say not with a -- I think it isn't -- I wouldn't say with a certainty that you said it like that's the idea that is emerging today, let's go for it. It's an idea and a need.

(Simultaneous speaking.)

Mr. Brooks: These are just comments and some ruminating, did I get that right, over here?

Mr. Chaibongsai: Yes.

Mr. Brooks: Okay, hence the roundtable.

Mr. McHale: And that's exactly what this session is for, is just for the dialogue. And so just to be clear, that's all this is, is the dialogue to make sure we have things on our radar as we're seeing it from the agency's perspective, as informed by all of your

collective perspectives. There's nothing proposed or on the table, necessarily, as a result of the dialogue itself.

Mr. Weber: And I was expressing just a pain point, a concern, and a potential, potential, if a better idea comes along, you know, should size limits ramp as we get closer? I don't know what the answer is. I know that I'm at the end of August, and I got to little squirrely last year as numbers were coming along.

And I'm asking the agency if there is something in your bag of tricks or needs to be in your bag of tricks. I threw out one idea, Dewey. It was not the idea. It was to start a discussion which we have clearly, successfully started.

(Laughter.)

Mr. Brooks: Well done, Rick. Okay, let's go to Tim, Tim Pickett, online, and then we'll come back in the room and go to Charlie and to Marcos.

Mr. Pickett: Okay. I'm going to comment on the right whale speed proposal here just quickly. I'm pretty familiar with the right whale issue. I actually wrote my master's thesis on some fishing gear entanglement stuff from an engineering perspective.

Just kind of, you know, as a cautionary tale to the way the kind of right whale regulations go, it's so data-deficient in such a sensitive subject that the needle will never move the other direction.

You know, I think reducing, you know, you're getting into the envelope of small commercial boats and mostly recreational boats being bound by this. In the times and the areas where it's being proposed doesn't sound horrible right now. You look at the amount of effort that happens that time of year in those places, it's not a massive amount.

But what it does is it starts precedents. Because nothing in the realm of the right whale management

ever seems to work the way everyone that writes the rules intends it to work and to stop interactions completely.

There's never been a stop in the lobster industry in terms of, you know, sinking groundlines didn't make the right whale problem go away. Weak links didn't make the right whale problem go away. And there's really no research that shows that it helps or hurts.

I mean, it hurts the fishermen in all those cases. But there's no research that says that it helps, because it's such a small -- in order to move that needle to say okay, yeah, well that solved our problems, we don't need anything else, there's never going to be anything that way unless there's no boats in the water and there's no fishing gear in the water.

So it's just kind of a cautionary tale. I've followed this for a long, long time, since I was in graduate school. And whereas this might not seem like that big of a deal right now, I look at it as a precedent that allows, okay, well maybe we'll push this date back another 30 days. Maybe we'll push it another ten miles offshore, you know. And it kind of opens the door for more of that. So I just wanted to say approach that with caution.

Mr. Brooks: Thanks, Tim. I'm going to invite Caroline Good into the conversation. Caroline, who works with NOAA fisheries, I think wanted to share some information on the speed rule, so, Caroline?

Ms. Good: Oh, sure. Thanks, Bennett. Hi, there. I'm Caroline Good. And I'm with the Office of Protected Resources, and I'm a large whale ecologist and a lead for the right whale speed rule.

I just wanted to answer a couple questions that were raised earlier regarding the vessel sizes that are included in the proposed amendments to the rule.

And the first thing I wanted to explain was the

reason that that 35-foot cut-off was selected, and that the smaller vessels were not included, had to do with the data that we have available regarding right whale vessel strike events in U.S. waters, vessel strike events involving unidentified large whales that may include right whales, based on where and when they occurred, and additional information we have actually from other right whale vessel strikes outside U.S. waters.

And what we have found is that vessels, when you get into smaller sizes, although they still definitely can strike right whales, what we're not seeing are lethal interactions.

So it doesn't mean that you may injure a whale, but you're much less likely that those result in a lethal outcome to the whale meaning an immediate mortality or a very serious injury which we consider an injury that is more likely than to result in a mortality of that whale.

And so that's where that came from essentially. We suspect that part of that has to do with a combination both of the vessel's speed but also probably the mass of the vessel as well. Most vessel strike mortalities occur because of a combination of both the blunt force trauma and lacerations, either due to lacerations from interaction with the propeller or by the hull itself. So it's really kind of combination event that usually results in a mortality. So I just wanted to clarify that.

The other question too was about enforcement. And we're very well aware that the proposed changes will increase enforcement challenges for the speed rule. And we've already been working for several months with the NOAA Office of Law Enforcement on that issue.

Because as many of you are aware, most vessels under 65 feet do not have, do not use AIS. They are not required to have AIS by the U.S. Coast Guard. But what we found in our data, based on the best information we have available is that a third of

vessels in that 35- to 65-foot class do use AIS.

And our OLE office is also in the midst of investigating a number of additional technologies for tracking vessel speeds, from land, from vessels, and to be able to monitor off-water vessel activity so that we can appropriately enforce any changes to the rule in the future on vessels that do not carry AIS.

We also have initiated some early conversations with the U.S. Coast Guard too about expanding those AIS carriage requirements as well to additional vessel types and sizes.

Mr. Brooks: Thank you so much, Caroline. That's helpful. Let me bring the conversation back into the room and bring in Charlie and Marcos. And then we'll bounce back to online where we've got a couple of other people wanting to come in. So Charlie?

Mr. Bergmann: Thank you. This is a question for Rick. And I have to go down memory lane a little bit here. In Amendment 7, we established, or HMS established an IBQ for the Gulf of Mexico or for the pelagic longline fishery. And the IBQ, I guess, I don't know, was that individual bycatch or individual bluefin quota. Would the tournament groups entertain the thought of an ITQ, individual tournament quota?

Mr. Weber: It wouldn't be easy. I understand. It wouldn't be easy. Many times we don't even know how many boats we're going to have, let alone what they're going to catch. You know, it is something that we are, as a tournament operator it's very much out of our control, both how many people are going to fish, we wish there were more, but then how well they're going to fish.

As some type of insurance policy, possibly, Charlie. I could see that, you know, in the spirit of a roundtable, yeah, I could see something working that would be more as at a minimum than at a

maximum, you know, that I knew that I had 20 billfish available to me, not that I can't catch more than 20, but rather that I know that I have enough to get my tournament going. Yeah, I could see that.

But at the other end, tournaments in general have done a pretty good job, and I mean when we got close there last year, or two years ago it was, a number of us came forward and raised all of our minimums and tried to get back away from that line.

I think we are moving in the right direction. That said, as I admitted, these things, you know, if they don't have the tools to help me, they can't help me. And so this conversation, that I admit I sort of stirred, was designed to say next time you open these things up, because this feels a bit like a scoping meeting to me, it's sort of a recreational scoping meeting. Like, what do you all want to talk about? What are your potential pain points?

And I can't say that two years ago I wasn't nervous watching that bite be that good and that strong all summer long. I was concerned as we went through it, you know. So yes, having some type of minimum that was available to me, that's a possibility.

Mr. Brooks: Yeah, Charlie.

Mr. Bergmann: Yeah, I got it on record. I hate individual fishing quotas. I think they're terrible. Look what happened to Snow clams there in Cape May, right. But if it was some sort of a mechanism that you all could come together where, you know, well, you got a finite number of permits, and you could divide that up amongst the tournaments on the size of the tournaments and however you have to do it to work it out. But there would be -- or set it up so they're transferable.

But if you start running low in the fall, then there's a way to transfer some of the tournaments that didn't catch the billfish, just a roundtable thing.

(Laughter.)

Mr. Brooks: Thanks. I want to just call in a quick comment from the chat here from Chad McIntyre. It just says, "I fish numerous tournaments, and very few are still kill tournaments. No reason to prevent further release tournaments from coming online."

So I just wanted to make sure folks are seeing that. Okay, we'll let you ponder while I work my way through a couple of other folks. Marcos?

Mr. Hanke: I really agree with the points brought, especially by Rick. And I'm concerned for the same reasons on my point before on the virtual life that we live. The potential tournaments that we can have, they expand the possibility of reaching the 250 marlin and that cap that we have when we are fishing or paying attention on. I can see a big problem on that.

And I think it's a good idea maybe for the agency to create a group of tournament organizers and to create a progressive set of tools to prevent or to know what is doable or possible into the future, for example, the minimum size range that Rick already explained.

Also I heard, and I see in some tournaments that if you catch a marlin that is 400 pounds first day, second day have to be bigger than that.

And there is a great combination of other tools there between tournament operators that can be taken in account. I think a smaller group, specialized smaller group to address those first starts in tool box will be very recommended. Thank you.

Mr. Brooks: Very interesting, Marcos. Thank you. Walt?

Dr. Golet: All right, thanks, Bennett. I'll just comment from the scientist perspective on all of this. We value, I guess, I can't speak for all the

scientists, but I'll speak for my lab and what we do. We obviously have very large biological collection programs that go on for billfish and tunas.

And I guess I would say you never know where that sample you need is going to come from. And so, last year, sorry, not to highlight you, Rick, but in about three days we ended up with three marlins that were either at or over 1,000 pounds, certainly a rare event that happened.

And fortunately, you know, with the Home Depot close by, and people willing to work with me, Rick included, you know, know lopped the heads off of those and put them in a freezer for me. And those are going to be used this year for a validation study on billfish age and growth which, you know, we did for tropical tunas and had a huge impact on the assessment.

So I would just, you know, build on that that, you know, while we do collect thousands of samples throughout the Atlantic, we collect them from the PLL, we collect them from the recreational, and everybody in between, you just kind of never know where that valuable sample is going to come from. And we try to be there for them.

And the other part of this is that I would also highlight is, you know, I go to -- well, it doesn't matter whoever's tournament, Bob's tournament I do this Saturday, or Rick's, and I pull eyeballs and show kids. And you'd be surprised at how many thousands of people get an education about why we're doing this and always a scramble.

Actually NOAA supports this work. It's the federal government that supports these research projects to, you know, sustainably manage the species and stuff. So it has a multiplicative effect. It's not just the tournament itself, it's an education component to this as well as the research. So just adding my two cents. Thanks.

Mr. Brooks: Thanks, Walt. I've got a couple of folks

online who want to jump in. Before I do that, Amy, I see that you have landed on the side of you will speak.

Ms. Dukes: Very engaging conversation. Walt, I appreciate what you just said, because research, conservation, and education are a part of all of this. And, Charlie, no, we're not going to, please don't go down that road. You're freaking me out.

(Laughter.)

Ms. Dukes: But I do agree with tournaments changing to a more conservative measurement than perhaps what the recreational anglers are doing when they're out fishing. The 99 inches in a billfish tournament is rather small. I would like to see billfish tournaments increase those minimum sizes to be able to prevent maybe the catalyst. Oh, my God, August, we're getting our 250 range.

And I also think there are some angler behavioral changes that could also be preventing some fish coming back to the docks when they're not going to qualify for a tournament, or they're not going to beat the fish that's already on the docks. So I just think that there's a lot more that we can do before we perhaps go down a limited tournament entry path or adding an individual tournament quota there.

Marcos, I really loved your tools in your tool box, and I'm all about that. So that's just --

Mr. Brooks: Good. And I've missed Steve over here to my left. He's in my facilitation blind spot, ha, ha.

Mr. Iwicki: That's okay, just real quick. A true recreational question, could there be any consideration moving the trophy line for rec fisherman down to, like, Ocean City, Maryland? Because that would give us a snowball's chance in hell of maybe getting a trophy in the spring or maybe in the late fall.

But there's a lot of boats from, like, Ocean City, Maryland, to Egg Harbor that just never get a chance. Because it's closed in the spring well before they're there, and the odds of getting them in the winter, you know, getting towards the end of the year as well. But just something to consider for the rec trophy. The numbers wouldn't be significant, but at least it'd give people a chance.

Mr. Brooks: Thanks, Steve. Let me shift us back to online, Steven Getto and then David Schalit. Steven, we'll let you know when we got you open. You are open.

Mr. Getto: Thanks, Bennett. Can you hear me?

Mr. Brooks: Yes, we got you.

Mr. Getto: With respect to the bluefin, can you hear me all right?

Ms. Curtis: Yes, you're good.

Mr. Getto: Great. With respect to the bluefin tournaments, why not operate them on the recreational quota. There is plenty of quota. You could include recreational anglers in the tournament, and just tag the fish not for sale.

Then you eliminate a lot of the problems with the exception of the General category boats who are commercially oriented anyway. They probably shouldn't fish in tournaments to begin with. So it's just a consideration. There's plenty of quota there to operate with. Thanks.

Mr. Brooks: Thank you. Let's go to David Schalit.

Mr. Schalit: Hi, Bennett, can you hear me?

Ms. Curtis: Yes.

Mr. Schalit: Okay. Actually just listening to Steve's comment, I'm reminded that John Graves, you all remember John Graves, right? John Graves told me that it would be possible to determine a relationship

between giant bluefin and juvenile bluefin on the basis of productivity. In other words, this number of giant bluefin will be equivalent to that number of juvenile bluefin. And then I asked Craig the same question. And his response was he thought it could be done.

But anyway, that's not the reason why I put my hand up. I just thought I'd mention that. I have a suggestion. And since we're talking about recreational roundtable recovery of a plethora of issues, it seems to me that a key element here, obviously, is outreach. And outreach is not our strong suit, okay.

So I've been thinking about that, and what we have is a situation where many people are not getting the advisories that come out on right whale, specific areas where we're being told to go slow, because right whales have been found.

I receive those emails, but I don't know very many people who do. There's also many other issues that relate to the recreational and, by the way, commercial fisheries that don't get into the hands of the people that need to see them.

So what I'm thinking is this, is that we have 28,000 outstanding permits, approximately, okay. And of those 28,000, only approximately, correct me if I'm wrong, Brad, 5,000 are receiving HMS notifications, okay. That's a very small number relative to the universe of HMS permit holders.

So if we were to make a small modification to the permit application form in which we ask the person who wants to take out a permit which fish they intend to be targeting, okay, then they could they could receive, automatically receive, because we're capturing their email address when they get a permit, to automatically receive notices from HMS that relate to the species they're targeting.

The reason why I'm emphasizing that is because I know that fisherman have complained to me

endlessly that they hate receiving emails from NOAA that don't have anything to do with them, okay. The point is that today, if you really don't want to receive these kinds of notices, it's a very simple issue. You just scroll to the bottom of the page and click unsubscribe. So anyone can opt out whenever they want.

But I think in first instance, we're going to have -- there are going to be so -- we're going to have much better coverage and much better access to the fishery if we expand that email list to include all permit holders. Thank you.

Mr. Brooks: Thanks, David. I've got Jason, Marcos, are you back in? Okay, so then Jason, and then over to, Amy, are you back in? No, okay. So Jason?

Mr. Adriance: Thanks. And in the spirit of Brad sharing the love and following up on Steven, some extra trophy bluefin in the Gulf of Mexico would be nice, since we're just sharing our thoughts here. Thank you.

Mr. Brooks: Well, about an hour ago it seemed like this conversation was going nowhere. Thank you, Rick.

(Laughter.)

Mr. Brooks: You breathed new life into our roundtable here, well done. All right, I don't actually have anybody in the queue left which is fine, but I don't want to --- maybe even referred. No, not Rick. You're not getting back in the queue, Rick. We don't have the time for that.

No, but we do have about 15 minutes left if there is anything else. A lot of, I mean, this is exactly what this conversation is for. So thank you all. You know, clearly the star of our show here for the last hour and some has been around what I'm going to call vaguely some sort of tournament controls. But that's to sharp a word.

But what I'm really hearing is a lot of brainstorming around the, whoever just said it, you know, a conservative approach to managing tournaments and what could be in the tool box, as Marcos was saying, and really pulling together a group to start thinking about what are the tools you could have to sort of start stepping up, ramping up, as you see problems occurring. Lots of good ideas on the table there.

I did hear a couple other pieces just around the tournaments, that the giant bluefin tuna targeting might be a problem that needs some attention. A couple of pieces right here at the end from Walt on the offshore wind piece, comments there really centered around there is more data out there that can be used, that could be found to try to identify where rec fishing is occurring and what does that say about offshore wind siting and issues that need to be addressed there.

On vessel speed, some questions around, you know, why 35, how do you enforce it? We heard some responses to that from that Caroline, and then just a more general comment there that, while the rule itself doesn't seem like it would be particularly painful given how it's crafted right now, and where vessels are spending their time, it's sort of slippery slope precedent and some concerns around that.

And then several comments also around the vessel registration delays and a question around could you use hull numbers. Is there something that could be done on vessel hull numbers to work past, or at least until the delays get dealt with, get fisherman back on the water.

So that's what I heard. Brad, Cliff, anything you want to add or any questions?

Mr. Hemilright: Yeah.

Mr. Brooks: Dewey, something you want to say?

Mr. Hemilright: Well, we had an issue under the

other business I wanted to bring up and was wondering if it's the appropriate time. It's not a recreational issue in this roundtable discussion, but I was wondering. It was to an email that I sent to Randy --

Participant: Hold on for one second, okay?

Mr. Hemilright: All right.

Mr. Brooks: We have a little space here, so this probably is a good spot. I just want to mention two other notes, two other things came up and then give Brad and Cliff the chance to weigh in.

Sort of under the other category of issues that came up, the question around --- do you need think about angling permits for land-based shark fishing and this question around outreach that David Schalit brought up at the end. So that's what I've got. But, Brad, Cliff, anything you want to add to that or any questions you want to put back out to the panel based on anything you heard or didn't hear?

Mr. McHale: So I have one. And it's really just a continuation of a theme that continues to pop up everywhere, and it's recreational reporting, you know. So Russ did an excellent job of sizing kind of how the sentiment coming out of the summit was, whether there was, kind of, support. You know, we need better information derived from our recreational fisheries.

David Schalit just mentioned is there a way that we can get notices out to the regulated community, those permit holders. Russ also mentioned it in the policy.

And I think David had also kind of mentioned outreach, although we as an agency do it, I think we can all recognize around the room that, you know, if Uncle Sam tells you to do something, hey, here are all the benefits, that doesn't necessarily land. And we can all recognize that and be self-aware.

What I continue to struggle with is seeing some of the data gaps, and whether it's from trying to see parity amongst the compliance, between what our commercial fishermen are held to for a particular standard versus the volumes of our recreational fishermen, of ultimately how do you modify that culture.

When it comes to, you know, the diversity in our recreational fishery, and how engaged folks are to actually derive viable information from that broad of a spectrum of users, and the role that we, as the agency, play, we, the role that state agencies play, we, the media, whether it be print, whether it be television, whatever it may be, various associations.

You know, I know the Marine Manufacturers Association raised, like, I don't know how we, as a collective group that have vested interests in the natural resource management, and then the commercial and recreational opportunities derived from that, how we ultimately get over that hump to actually start to get information that then does further strengthen us, whether it's a conversation regarding wind, or resource allocation, or access, or anything along that line.

I just know that continues to be a struggle -- and has, obviously, around this table for years -- of what role we all have to play in there, and then where do we ultimately gain traction. Because I don't see traction there. I think we talk about it, I think it gets a lot of airtime, but, you know, in looking at the data, I just don't see it.

And I know Tim said, well, start writing tickets. I know that I'm involved in some efforts that are looking to do just that. But we also recognize that'll only go so far, that this isn't necessarily going to be a government-mandated success story. Like, this is really going to have to come from some sort of cultural shift.

So anyway, just to plant that seed of continue to think of what everybody's respective role is given all

of our different hats, because after years and years of doing this, we're still not there. And it is a huge gap as far as informing how we manage these fisheries. So I guess I'll just leave it with that light note.

Mr. Brooks: Thanks, Brad. All right, we are going to go to public comment in eight minutes. So, Dewey, let me hand it off to you to raise whatever the issue is. And then, you know, we'll see how far we can take it before public comment.

Mr. Hemilright: Yeah, I think I can sum it up in less than eight minutes. It has to do with the, on Page 21 and Page 32 of the 2019 HMS Compliance Guide, the definition of the snapper group or demersal species and identifying if it's a --- which trip it is. If you have a tri-pack and a snapper-grouper, I'll just read it.

Guys with HMS tri-pack and South Atlantic snapper-grouper should be able to capitalize on having both permits while fishing, also given the variability of weather and other factors.

The closed area around Cape Hatteras area is from January 1 to July 15th for bottom longline fishermen, should be able to possess both HMS and snapper-grouper species used in bandit reels which are allowed gear for snapper- grouper species in the South Atlantic managed area during the closed area time.

The snapper-grouper demersal species, Maine, less shark species, have limited trip limits and quotas were a very valuable economic to add to the catch. So I'm talking about being able to de-couple the demersal species on a given trip that's an HMS species.

Because you're not going to be bottom longline in a closed area. And yet you could go have your HMS species and go bandit fishing to be able to capitalize on a trip limit of snowy grouper of 200 pounds. Because I believe there's a five percent tolerance in

the definition.

So if you had 200 pounds of snowy grouper that you're allowed, what would be your -- you would have to have, like, 40 boxes or something of an HMS species.

Am I asking the right question about de-coupling? Jeff's brought it up a bunch of times, but he's too scared to bring it up.

(Simultaneous speaking.)

Mr. Hemilright: And so I'm bringing it up for him on this sidebar. But I sent a earlier request that may not have got on Randy's desk, I mean, email that might have been July 27th about this. And I'm just reoccurring, asking about it since we have some time. And I know we need to fill that time with a -- this has been something that's been ongoing.

And I think, given our vessel monitoring systems, and everything in the pelagic longline industry, and all the things that are in place, that there should be a way to de-couple this and allow people that have the tri-pack permit, and also possess the snapper-grouper, to have a limit of the species that's allowed for the permit they have on the vessel.

Mr. Blankinship: Yeah, Dewey, thanks for bringing this up.

Mr. Oden: Yeah, thanks, Dewey. Actually I think they were going to give this to me as a going away present, being today is my, or tomorrow is my last meeting. I think they were actually planning on just, you know, letting me know on the way out the door.

But it's not just the five percent. It's the fact that we're literally not allowed to even tow a handline for a mahi on the way offshore, according to an observer. And, I mean, you know, why is it the industry always has a headwind? I mean, we never have a tailwind for anything. It's an uphill climb.

I mean, versatility is our, you know, it's our saving grace really, in every fishery. You know, it's our ability to adapt to the conditions at a given time. Again, like he says, maybe it's weather, who knows what it is.

But, you know, it just makes no sense that we're sitting here with two permits or multiple permits on our boat, and we're excluded from doing anything but one thing. As soon as we leave the dock, you know, if we've landed PLL species we're discounted from doing other. And it's ludicrous.

I mean, it's like we had the discussion last night, the charter goes home, you know, they leave, and they can carry a charter offshore. And if they catch a giant, then they can go ahead and the DEC say, well, we're going commercial today. And anyway, whatever they catch first is, they're allowed that flexibility. And we're allowed none. So it's a simple fix.

I mean, none of us are going to set bottom longline for sharks. None of us want sharks anymore. We're not allowed to catch them. I mean, a brown shark we can't keep anyway. Show us a shark we can keep now, other than the thresher. So, anyway --

Mr. Brooks: Thanks. I want to give Randy a chance to respond to the thoughts. I want to note that we did briefly lose audio with our online participants, but I'm seeing that I think we have it back.

Mr. Blankinship: Thanks, Dewey and Jeff. And so, Jeff, this may not be gift, the parting gift as you're heading out, but do appreciate that you're raising it again. This has not been a lost issue for us. And I think we actually had touched base a couple of AP meetings ago to indicate that it wasn't.

It is an initiative that we have some staff assigned to continue to investigate, you know, how progress could be made on that issue. It is something that we balance with other priorities. We don't have enough resources to be able to tackle everything,

but we haven't lost sight of it.

And we plan to continue to take a look at this issue. And we will be coming back in a future AP meeting to touch base on it too. I don't know if it'll be the spring, maybe it will be. But we will not lose track of it.

Mr. Oden: Thanks.

Public Comment*

Mr. Brooks: Thank you, Jeff. All right, I think it is time to turn to public comment. So for any members of the public who are here in the room, if you will just raise your hand, we'll know you want to get into the conversation.

And anyone online, if you will just, ditto, raise a virtual hand again, you can find that at the bottom of your screen. You'll see a little hand that looks like this next to a little smiley face.

We always ask folks to limit their remarks to three minutes or so and remind everyone that public comment is not an opportunity for a -- it's not structured to be a back and forth with the AP or agency but rather an opportunity for you to share a comment and for the AP members to hear it, and for the HMS staff to hear it as well.

And for anyone who does want to weigh in, it would be great if you could start with your name and affiliation and topic, just so we know who you are. So, with that, let me see if there's anyone on the room who wants to make a comment or anybody online. And I am looking for ---

Participant: Bob Heuter, he had his hand up.

Mr. Brooks: Bob Heuter, are you still on? I'm not sure Bob's --

Participant: Yeah, he's still there.

Mr. Brooks: He's there? Oh, there he is. Okay, yeah,

Bob. Let me bring you in.

Mr. Heuter: Are we good to go?

Ms. Curtis: Yes, go ahead.

Mr. Heuter: Okay. Thank you, Bennett. And hi, everyone. I'm Bob Heuter, former AP member and chief scientist for the non-profit research and conservation Organization, OCEARCH. I'd like to bring the AP's attention to two issues involving recreational shark fishing that are relevant to the conversation this afternoon.

The first is the emergence of shark kill tournaments for the purpose of culling shark populations due to complaints over shark depredation, an impression that we now have too many sharks. Now, Cliff touched briefly on this trend earlier.

Let's recall that the collapse of Atlantic large coastal sharks in the late 20th century began with an increase in recreational shark fishing in the mid-1970s, including a large spike in kill tournaments that glorified the killing of sharks and the dumping of their carcasses.

This is the recreational equivalent of commercial shark finning. Both are irresponsible and wasteful. Whereas finning has been prohibited in this country, kill tournaments to cull shark populations have not. In some ways, these tournaments are worse than finning, because they are held with much public fanfare, and they teach our kids that it's okay to kill these undesirable and dangerous animals and dump them into a landfill.

Today these tournaments are now being resurrected to reduce shark numbers in areas where recreational fishermen target other species, so the fishermen don't have to compete with the sharks.

In NOAA's recent report on depredation, there's an interesting passage about Ernest Hemingway's experience fishing for giant bluefin tuna and marlin

in the 1930s. Quote, they found it nearly impossible to land giants or marlin in the deep waters off Bimini before sharks apple-cored them, unquote.

This passage reveals what a thriving, balanced marine ecosystem actually looks like. And somehow, we've forgotten this. Kill tournaments for sharks that are done for the purpose of culling their populations, despite what their media spin might say about them being for science, is turning back U.S. leadership in shark observation and fisheries management 50 years to the Jaws era.

If my friend, Peter Benchley, were still alive, he's be horrified to see this reversal in public understanding and stewardship after all the gains we've made to rebuild our large coastal shark populations over the past 25 years.

The second issue is the targeting of prohibited species of sharks by recreational charter captains. Among these prohibited species are the white shark, which is slowly making a comeback after decades of decline. The prohibited species designation is designed to prevent retention of incidentally caught species and reduce preventable fishing mortality.

But there's a harmful inconsistency in the NOAA rules in that prohibited species such as white sharks can still be chummed, targeted, hooked, and brought to the boat without any special permits or gear restrictions as long as the sharks are eventually released. No special handling practices are required.

Some charter captains are taking advantage of this loophole and profiting from it. And their own photos on their business websites show these animals are often gut hooked.

It's time that NOAA stop looking the other way on this practice. Prohibited species should not be targeted by anyone other than the researchers who've met all of the stringent criteria for conducting responsible research to better

understand and protect these highly vulnerable fishes.

In summary, I ask the AP and NOAA to consider these two measures. First, rein in the growing trend of recreational kill tournaments to cull shark populations through education, rule-making, and strict enforcement.

And second, end the practice of targeting prohibited species by making it illegal to fish purposefully for such species without the necessary research permits and/or NOAA letter of acknowledgment that must undergo public review.

Thank you all very much for your consideration of these views.

Mr. Brooks: Thanks very much, Bob. Let me see if there is anyone else online or in the room that wants to make any public comments.

(Simultaneous speaking.)

Mr. Brooks: You've got somebody? Christina Vaeth, for some reason you showed up on my screen and then went away. But you are back up, so let's open you up. Okay, Christina, the line is yours.

Mr. Vaeth: Are you there?

Ms. Curtis: Yes.

Mr. Vaeth: My name is Scott Vaeth. I'm a commercial shark fisherman and also hold swordfish permits. I was just wondering if HMS has looked anymore into power assist on the buoy fishing.

Mr. Blankinship: Okay. So that's not a public comment, but I will answer the question. So this is related to buoy gear used for swordfish which is restricted to being deployed in retrieved by hand power. And the question is about whether we are looking and evaluating power capability on buoy gear.

A little bit of history, under the Deepwater Horizon Oceanic Fish Restoration Project that I mentioned earlier today in the alternative gear program, buoy gear was one of the alternative gears that was being used.

And under an exempted fishing permit, and we had restrictions that were regulation exceptions under the exempted fishing permit that allowed then for power haul-back with buoy gear, which allowed for buoy gear to be fished deeply more easily, therefore being fished in the daytime when swordfish are deeper, much like deep dropping with rod-and-reel.

And so that platform within that program allowed for data collection of what that gear in the catch would look like. And the Oceanic Fish Restoration Project has concluded this year.

There are -- I don't believe we have any active EFPs right now for using buoy gear with power haul-back. So as of right now no, there aren't any active, but we are interested, I would say, in the potential to continue to collect data on that type of activity, perhaps in the future, should the opportunity present itself.

Mr. Brooks: Thank you. All right, let me just do one last check for anyone else. Pete, are you seeing anyone else online who wants to weigh in that I'm not?

Mr. Chaibongsai: No hands.

Mr. Brooks: No, okay.

(Simultaneous speaking.)

Daily Wrap-up

Mr. Brooks: That's who just spoke. It's Christina, but it was actually Scott Vaeth.

All right, if we have no one else, then I think we should probably move to close and get us out a little bit early.

So just -- I guess to just -- before we close up, let me just do a couple of things, one, just to preview the agenda for tomorrow, again just to remind anyone who wasn't here this morning, we will start at 9 o'clock.

We'll hear initially from Kelly Denit, who will be here to say a quick howdy. We will then have a leadership update. Sam Rauch will be here. So we'll have a chance to, again, hear from leadership and for you all to share some thoughts with him. We will talk about the HMS climate vulnerability assessment which is, again, I think, a new topic for this group. So we'll have a good conversation on that.

After the break, we'll hear from Chris Rogers with International Affairs, Trade, and Commerce for some updates there. And after lunch we will come back for an enforcement update, and then public comments, and we expect to wrap-up no later than 3 o'clock.

I will, as far as the leadership update, let me reiterate what I said at the outset of the meeting which is it would be fairly awesome if caucuses wanted to sort of talk informally between now and the morning and let us know if, you know, there was a person you wanted to designate to sort of raise and issue to leadership that is important, and just let us know that.

We don't want to take your voice, but it would be great if we knew who to actually point it to. It's an offer. You do not have to do that. Again, if folks don't, then we'll just handle this the way we always do and just see who wants to, you know, sort of comment to leadership.

And I will just try to make sure I'm working across the different caucuses, so up to you. It's just an offer we wanted to put out there, if that made sense and sounded helpful rather than leaving me to just kind of roll the dice.

Lastly is social hour this evening downstairs. Just as

soon as anyone wants to get down there, I'm sure they're there to help you. And I think that's all I have. But, Randy, over to you.

Adjourn

Mr. Blankinship: Thanks, Bennett, just quick comments to say I really appreciate the good discussion. This was a very interesting day, and appreciate all the comments that we had. Thank you very much, looking forward to another good day tomorrow.

Mr. Brooks: Thanks, everybody. And thanks, online folks, for hanging in there. See you tomorrow.

(Whereupon, the above-entitled matter went off the record at 4:55 p.m.)