The Committee met in the Ritz-Carlton Pentagon City, 1250 South Hayes Street, Arlington, Virginia at 8:30 a.m., John Quinn, Chair, presiding.

PRESENT

JOHN QUINN, New England Council; Chair
TERRY STOCKWELL, New England Council; Vice Chair
JIM BALSIGER, Alaska Region
LEANN BOSARGE, Gulf of Mexico Council
JOHN BULLARD, Greater Atlantic Region
ROY CRABTREE, Southeast Region
MICHELLE DUVAL, South Atlantic Council
ED EBISUI, JR., Western Pacific Council
WARREN ELLIOTT, Mid-Atlantic Council
CARLOS FARCHETTE, Caribbean Council
STEVE FREESE, West Coast Region
JOHN GOURLEY, Western Pacific Council
JOHN GREENE, Gulf of Mexico Council
DOUGLAS GREGORY, Gulf of Mexico Council
MARCOS HANKE, Caribbean Council
BOB HARMAN, Pacific Islands Region
DAN HULL, North Pacific Council
MICHAEL LUISI, Mid-Atlantic Council
CHRIS MOORE, Mid-Atlantic Council
TOM NIES, New England Council

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CHARLIE PHILLIPS, South Atlantic Council  
MIGUEL ROLON, Caribbean Council  
CARRIE SIMMONS, Gulf of Mexico Council  
KITTY SIMONDS, Western Pacific Council  
CHARLES TRACEY, Pacific Council  
BILL TWEIT, North Pacific Council  
GREGG WAUGH, South Atlantic Council  

NOAA STAFF PRESENT

SAMUEL RAUCH, Acting Assistant Administrator for Fisheries  
PAUL DOREMUS, Deputy Assistant Administrator for Operations  
FRANCISCO WERNER, Director, Scientific Programs and Acting Chief Science Advisor  
ALAN RISENHOOKER, Acting Deputy Assistant Administrator for Regulatory Programs  
TOPHER HOLMES, Office of Legislative Affairs  
ADAM ISSENBERG, NOAA General Counsel  
EMILY MENASHES, Office of Sustainable Fisheries  
CAROLINE PARK, NOAA General Counsel  
MIKE PENTONY, Greater Atlantic Region  
MARK STROM, Northwest Fisheries Science Center  
BRIAN FREDIEU, Office of Sustainable Fisheries  
HANNAH HAFEY, Office of Sustainable Fisheries  

ALSO PRESENT

BILL BALL, House Natural Resources Committee Staff  
JEFF LEWIS, Senate Commerce Committee Staff  
MATT STRICKLER, House Natural Resources Committee Staff  
DAVE WHALEY, Council Coordination Committee  
REBECCA LENT, Marine Mammal Commission
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8:28 a.m.

CHAIR QUINN: I call this meeting to order. My name is John Quinn. I am the chair of the CCC and the chair of the New England Council. First I want to welcome you here. I know we had a good session yesterday with the council members. And so the first order of business is to introduce ourselves. So we will go, starting with me, to the left. Again, John Quinn, chair of the New England Council.


MR. BULLARD: John Bullard, regional administrator, GARBO.

MR. PENTONY: Mike Pentony, ARA for SF and GARBO.

MR. ELLIOTT: Warren Elliott, vice chairman of Mid.

MR. MOORE: Chris Moore, executive director, Mid-Atlantic Council.

MR. LUISI: Mike Luisi, chairman of the Mid-Atlantic Council.

MR. PHILLIPS: Charlie Phillips, vice chair, South Atlantic Council.

MS. DUVAL: Michelle Duval, chair, South Atlantic Council.

MS. BOSARGE: Leann Bosarge, chair of the Gulf Council.

MR. GREENE: Johnny Greene, Gulf Council vice chair.

DR. CRABTREE: Roy Crabtree, Southeast Regional Administrator.

MS. SIMMONS: Carrie Simmons, deputy at the Gulf Council.

MR. ROLON: Miguel Rolon, executive director, Caribbean Council.

MR. FARCHETTE: Carlos Farchette, council chair, Caribbean.

MR. HANKE: Marcos Hanke, vice chair, Caribbean.


MR. GOURLEY: John Gourley, vice chair, Wester Pacific.
MR. EBISUI: Good morning, Mr. Chair, committee members. Ed Ebisui, chair, Western Pacific Council.

MS. SIMONDS: Kitty Simonds, the executive director.

MR. FRESEE: Steve Freese, West Coast Region, Sustainable Fisheries.

MR. TRACEY: Chuck Tracey, executive director, Pacific Council.


MR. BALSIGER: Jim Balsiger, regional administrator, Alaska.

MR. HULL: Dan Hull, North Pacific Council chair.

MR. OLIVER: Chris Oliver, executive director, North Pacific Council.

MR. TWEIT: Bill Tweit, vice chair of the North Pacific Council.

MR. STROM: Mark Strom, acting science director, Northwest Fisheries Science Center.

MR. ISSENBERG: Adam Issenberg, NOAA general counsel, Fisheries and Protected Resources Section.

DR. WERNER: Cisco Werner, acting chief science advisor, Fisheries.

DR. DOREMUS: Paul Doremus, deputy assistant administrator, NOAA Fisheries.

MS. MENASHES: Emily Menashes, acting director, Office of Sustainable Fisheries.

MR. RISENHOOVER: Alan Risenhoover, acting deputy for Regulatory Programs.

MR. RAUCH: Sam Rauch, acting assistant administrator, NOAA Fisheries.

CHAIR QUINN: And maybe we will go around the outside - introduce yourselves.

(Off microphone introductions.)

CHAIR QUINN: Okay. Thank you very much.

I also want to welcome the administrative officers who are meeting simultaneous in the next room over and will be coming in and out during the course of at least today, if not tomorrow as well.

So I am going to now turn it over to Sam Rauch for purposes of welcome and then start in on the first agenda item.

MR. RAUCH: All right. Thank you,
John. Welcome to everyone and thank you for being the new CCC chair this year and to Tom Nies for all the work that your council has done helping set up this meeting and planning for the next meeting up in Gloucester.

I understand that you're going to be stepping out briefly this afternoon and Terry is going to be taking over. So we will try to suffer through that. Hopefully, we will be fine.

I look forward to our discussions this week. I am going to start, as we seem to always start with some personnel discussions. I'll talk a little bit about transition.

I will turn it over to Alan to talk about the implications of number of regulatory directives we received from the administration and then once we are done with that we will probably take some questions on that and then transition to our budget discussion.

But first, transition. So last night, as you may be aware, the secretary of commerce was approved by Congress. So he'll technically get sworn in at some point and start at - officially at some point this week.

That's a good thing because we have not had significant political direction. We have had a very few number of political folks, most without titles, in the department.

Now that the secretary is in place we will start filling in some of the title positions. There will be nominations and those kind of things that'll go through and we will get - start getting back to sort of regular order.

We have been in about a month of somewhat uncertainty without a secretary. Now that we have a secretary a lot of things can fall into place again. So we look forward to that.

We do not, at this point, have a NOAA administrator announced, much less approved. We do not have a Fisheries AA announced, much less approved.

I think now that we have secretaries some of those things will start to happen. I don't know what the schedule will be. Your guess is as good as mine as to when we will get around to doing that.

But now that there is a secretary those things will start to happen at a relatively - at
a lot quicker pace than they were before. So hopefully we will see new people at that point. Whenever we get the new AA I will go back to my prior job and we will - I'll talk about that in a minute.

But we are also looking for the new administrator. Paul is also - just so you're aware, is acting as an assistant secretary for conservation and management, which is one level under the NOAA administrator.

There is two of those. That's a Senate-confirmed position. We are also expecting at some point the president will nominate somebody for that position.

So Paul is wearing two hats. I am also the deputy assistant secretary for international affairs, I think. Many of you may remember Russell Smith, who was important for a lot of our international negotiations.

That is a political position. I am acting in that role until there is a political appointee there as well.

So as I said, I am acting as the AA. Alan is acting as the deputy AA for regulatory programs, which means he oversees the regional offices and headquarters offices, sustainable fisheries, habitat, protected resources and aquaculture.

Because Alan is acting, Emily is once again acting as the head of sustainable fisheries like she did before. So that - if you'll recall three years ago, that's basically what we are doing. We are doing that again.

Richard Merrick - maybe many of you remember Dr. Merrick, who was our chief scientist for a long while. He is retired.

And Cisco Werner, who introduced himself, he's acting in that position and he will do that for the duration until we can find a permanent person to fill that slot.

Addition here - we have got - still got the - is Mark here? Did Mark - yeah. Mark is acting for the Northwest Center director. John Stein retired. Mark is acting for that once again until we can fill that slot.

Kristen Koch, is she here? She is the acting for Cisco at Southwest Center. And then we do have actually for real a new director, John Hare, who many of you have met, is the new Northeast
Center director for real.

So he will be doing that for the foreseeable future, I hope. So that's that in the regions. In the West Coast Region, Steve Freese is acting. Bob Turner, who is retired, was the SF ARA for the West Coast Region. Steve Freese is acting for that position - Steve, there you are - while we look for a replacement there.

So I think that's all. Oh, one other person I wanted to introduce and make sure you knew who that is. Kristen Gustafson, who introduced herself before, she is - she is actually the deputy general counsel in charge of most of the attorneys who work with us. She is sharing time as acting general counsel - NOAA general counsel, which is a political position. So she is right now the NOAA general counsel replacing Lois Schiffer until that position is filled.

So I just wanted to say a few things about our priorities and directions before I turn it over to Alan. One thing is we have not gotten any directions on any specific issues from the administration on anything at this point directly relevant to fisheries.

It's not surprising. We didn't expect to get anything. Now that the secretary is confirmed we expect that that will start to happen.

My initial discussions with the administration has been very supportive of the council process. A lot of the folks that are with this administration were with prior Republican administrations, understands the values that the partnership that we have with councils, the values that the council brings to this table and they have been very supportive.

We'd like to see that continuing. That has had some bearing in the regulatory discussion. I'll let Alan talk about that. But I think that's a good sign. So I do not expect, and we certainly aren't proposing, any radical changes. The Hill staff will come in here and tell you what their view is on the Hill for things.

But, in general, I think there is broad-based - seems to be broad-based support for the council process, for it to continue, for it to go, essentially, unchanged. Maybe there is some tweaks here or there. Maybe there is some changes.

But the process is sound. It has led
to good results for U.S. fisheries and fishermen and that's what I expect to continue. We will see when we get the leadership and things happen.

But for right now, I am not concerned about the future of this organization or anything else. I think that a lot of the good measures were put in in past Republican administrations.

I think they view that taking - the Republican Party takes a lot of credit for some of the good things that have been done and I think that they want to see that continue.

At least, those are the discussions that I've had with a number of folks so far. Not folks in leadership because we haven't had the folks in leadership yet, but folks who might be influencing them.

So I am looking forward to that. I think it will continue. I think we are in a good stead. I think we have got a good solid footing to show how much value this has been to the country and I see this continuing.

I do want to - there is been a lot of questions in particular about regulations that have not been directed particularly at us but at the government writ large and we do issue a lot of regulations - a lot of regulations that come through the council process, most of them.

And so I want to have Alan talk about that for a few minutes and then we can have, if there is any questions for me or Alan, if you want before we move on.

Alan.

MR. RISENHOOVER: Thanks, Sam, and good morning again.

I think we all know that regulations have been a focus of this administration and there is a lot of moving parts on that with memorandums, executive orders and legislation on the Hill.

I am going to try to cover those three areas just broadly and quickly and then I think the takeaway message is, as Sam said, from a fisheries management council perspective and the regulations needed to issue fisheries regulations, we have been doing well and those are moving through. And as the beginning of any new administration there is always some time to get the new folks up to speed, get them familiar with what our processes are and what's going on.
Timing is probably the one thing we need to talk a little bit about. So we have been working primarily under two of the new administration's requirements.

The first is the January 20 regulatory freeze pending review memorandum. That's also the one we will call the Priebus memo. And then secondly, there is a January 30th executive order on reducing regulation and controlling regulatory costs. So those are the two primary ones. I'll mention some others as we go through.

So first, under this Priebus memo, it required initially that any regulations that were not effective January 20th be delayed for 60 days beyond January 20th.

So at the start we initially delayed several regulations from whatever their effective date was to 60 days from January 20th, which was March 21st.

There were probably a handful of those, 10 or so, that we delayed that. It included several regulations. We then subsequently worked with the new administration and changed that effective date to an earlier time.

For example, we were able to move bluefin tuna effective date back toward February so we could apply some more quota to that fishery as it moves forward.

So the administration has been very good at listening to our concerns about we need to regulate fisheries and the way we do that, obviously, is through regulations.

So we can talk about those. We only have four that are currently still delayed until March 21st, some bycatch testing manual requirements, South Atlantic Snapper-Grouper Reg. Amendment 16, some dolphin-wahoo actions and the SBRM.

The others we have been able to adjust to a date that aligns better with the regulation of their fisheries.

In general, and again, this is in general – as Sam mentioned, we don't have new political appointees onboard.

But at the present, fisheries regulations seem to not be subject to that memo as long as they've come up through the council. So as things come forward in general we are able to
move those along.

    There is a briefing requirement that we talked to the folks in the new administration, again, just so that they know what's going on and we have, hopefully, no surprises so that there won't be any further review of those fisheries regulations under that regulatory memo.

    For other regulations, and we issue some under the ESA or the MMPA, those are still pending review and we will work those up as they come through.

    And, again, with Secretary Ross confirmed now, I think we may see a little bit of slowing. As new people get on board we will need to brief them, get them familiar with our process and what the pending regulations are.

    So, again, thanks to folks at the councils and the regions for taking the time to get me and Emma Htun some more information on these regulations just so we can get them moving through as we need to.

    Also, NOAA and the department general counsel have been very helpful with us working with OMB, again, to keep those regulations moving.

    The second broad - well, I guess it's an executive order I'll speak a minute about - is the two-for-one memo that we have heard about.

    So that executive order requires that any regulatory actions under Executive Order 12866, which has been around a long time, that are deemed significant are subject to that memo.

    When it comes to fisheries regulations and national marine fisheries, NOAA fisheries regulations in general, we don't have many significant regulations.

    But we will continue to work with OMB on which ones will be determined to be significant and will be applicable to that two-for-one requirement.

    Also, that executive order requires a cost accounting that you have no new cost without offsetting costs. So, again, both the two-for-one and the cost accounting we are still working with NOAA, the department and OMB on how we will implement those.

    But, again, right now we don't have any fisheries regulations - counsel-derived regulations - that fit that criteria. So they
would still fall under the executive or the regulatory freeze memo but in general we have a process in place that lets those go forward.

So since we only issue a handful of those, that's something we will be looking at in the near future and working with folks to make it work for us as well and make sure people understand that.

Just a final note on nonregulatory actions, there was some early concern about publishing anything in the Federal Register. Now working through the department we are publishing notices for meetings, notices of intent to issue IESs or other actions. Those are all going fairly normally right now or as they have in the past.

Again, we may get a question now and then on what does this mean and what are you doing. But that, again, is normal for any new administration.

Just a quick note on in-season actions that don't actually change the code of federal regulations but implement those - we are able to move forward with those typically without any review.

Just we are giving folks downtown and up the chain any heads up if they may be controversial or kind of a major closure of fisheries, things like that.

So those are the two main things - that Priebus memo and that one executive order. Friday a new executive order was issued that's going to establish some regulatory reform task forces at each department and within each agency.

Since we only got that last Friday we will, again, be working with the new administration to figure out how we implement that effectively.

The other part of this story is there is a lot of legislation on the Hill right now addressing regulatory reform.

We are looking at those. We can talk more about those during the legislative piece if we need to. None of those have passed yet, I don't believe, and have been signed.

Some of them sound very similar to the things I've outlined here, especially Executive Order 12866.

So I think we are seeing some move to put in legislation some of the requirements of
these executive orders. But, again, we will continue to work internally with those and make sure we represent the Council regulations and the need for those to go forward.

So I think the bottom line is right now things are moving. There may be a little bit of a slowdown as we - as we brief anybody, again, as we do with any new administration. So time considerations in talking with the regional administrators.

I've indicated that we need to be very careful about telling people we think something will be done by a certain date because we don't quite have the process moving smoothly yet, again, but I think we are getting very close to that.

So, again, the sooner we get regulations in the sooner we will be able to brief up our chain and get those out in a timely fashion. So without that, I'll stop and see if there are questions.

CHAIR QUINN: Thank you very much to both of you. Questions? Mr. Stockwell.

VICE CHAIR STOCKWELL: Thank you, Mr. Chairman.

Alan, you mentioned deemed significant subject to the memo. What does it - what does significant mean?

MR. RISENHOOVER: Okay. Under the Executive Order 12866 a significant regulatory action is any rule that has an annual effect on the economy of $100 million or more, creates a serious inconsistency or interferes with other actions planned by the agency, has a budgetary impact on entitlements, grants, user fees or loan programs or raises novel, legal or policy issues that the administration and the Office of Management and Budget would like to look at.

VICE CHAIR STOCKWELL: Thank you.

MR. RAUCH: And I would add that's not a new set of criteria. That's been around for decades.

MR. RISENHOOVER: Yeah, a long time.

MR. RAUCH: Right.

CHAIR QUINN: Any other questions?

Going once, going twice.

All right. I guess we will move on to the next topic. Paul Doremus, management and budget update.
DR. DOREMUS: Thank you very much. It's a pleasure to see everybody here this morning, have an opportunity to talk to you about our overall situation with the budget.

I am actually going to step through a few things, the budget status as it stands today and with some particular attention to council funding issues that have been addressed by this body for some time and then a couple of points on our major grants of interest to you and EMER and Saltonstall-Kennedy grants and then just a very quick note on our approach to the way ahead.

These slides have been posted so you've had a chance to look at them. And I'll step through some of the front end of this fairly briskly. We do always like to point out where we are in the federal budget cycle but it seems the federal budget cycle always seems to change a little bit and that's the case now. It's especially the case in transitions.

We have, as you know, and I am actually going to start in the bottom left here with kind of where we are with the FY '17 budget. We are moving in a continuing resolution pattern. I'll have a little bit more to say about that.

But that's sort of a hold in terms of decision making on the budget. We did get House and Senate remarks but there is no scheduled conference.

And '18 is also delayed. The president has announced his intent to put forward what they are calling a skinny budget - it's, like, a budget outline - in mid-March and we are getting just a - we expect to get a glimpse into that imminently and start to get a sense of how those priorities are going to come forward and what their bearing will be on NOAA, among other agencies.

And then we also are anticipating - right now, in a normal budget year we would be working at the front end of the FY '19 process and that is being pushed back because of the status of '18 accommodating the timing of the transition.

So that's - those are some key adjustments. This is laid out in sort of a linear way for you to see that.

But the key thing is the appropriations environment in this quite significant shift in the policy environment and we expect that to possibly
One thing we don't know is what the decision making will look like at the time that the current continuing resolution lifts, which is April 28th.

Those have been at various points in time. I would have dealt with CRs in the past - those are decision points for Congress - and we are optimistic that we will carry through with a full year CR, given that, I believe, attention will shift to FY '18 as a policy discussion.

But there is some possibility in '17 still that there could be some adjustments to the budget - rescissions, in effect. So we don't - we don't know and can't guarantee that we will have, effectively, an FY '16 level budget throughout FY '17. So that's a piece of uncertainty there.

And on our time frame here for any single budget, this is always helpful to point out where things go and the many, many steps from our thinking internally to the agency on what our requirements are, what that means in terms of a balanced budget, going through the formulation process with the president's request, all the adjustments made by Congress.

But what often gets left off in people's thinking and calculations are these last couple of pieces which add time and also adjustments. The apportionment process, which gives us authority to spend, sometimes adds additional time and can be a delay between appropriation and when grantees, council's commissions, among others, see resources in any given year and then there is also adjustments in the form of rescissions and other costs and you all with your council table are familiar with that -- that council and commission line is adjusted up from other lines and it's adjusted down for rescissions, for management administrative costs as the primary things. And we have been over that detail at great length and happy to talk about that as always.

But we do like to point out that there is a lot of steps but there is also a big set of adjustments in time required after an actual appropriation.

Just a couple of quick slides recapping where we are in FY '17. So we are progressing under continuing resolution. These are our top line
numbers comparing the president's budget for FY '17 with '15 and '16 so you can see the progression there in terms of what the request level has been and then the response level in these blue-shaded columns from Congress and the enacted budgets for the '15, '16 and '17.

The budget that we have the greatest or, really, our program budget -- our operations research facilities budget coming out of the House and Senate for FY '17 was around $855 million. So relative to the PB, the program funding request, it was about 5.5 percent below that request level and just a slight bit about half a percent above our FY '16 enacted. So '17, largely, continuity from the year prior.

The reason the president's budget included increases, so what has been not pursued in that 5.5 percent delta is captured in this table and we have showed this to you, I believe, in the past and this is a very helpful cut.

I think the big takeaway here is because of the long-term trends in our budget and growth in demand for a lot of our core capabilities we have been focusing a lot of our investments in, essentially, shoring up these core mission functions where we have demand outstripping capacity and that shows up in all these budget lines and we were asking in particular for significant increases in our ESA MMPA Section 7 consultations and EFH consultations.

Similar kind of situation there. This is a throughput issue. The number of staff determines how many consultations can be conducted.

We'd like to have increased capacity there so we don't become a rate limiting factor in the permitting process. And there has been, pleasantly, some responsiveness to that in both the Senate and the House mark. Not at the level of our request but notably. And likewise, we have some other key things here including facilities that we put in the core capacity investment line.

We asked for a range of things as well in the science front and very little of that was tended to in the House and Senate marks and we wouldn't anticipate that to change if there were a bill.

And we also have here noted some
strategic issues where we are dealing with new needs and this is carrying on a little bit of a mark in FY '16 where we are focusing on IUU and trying to enhance that capacity and this was an additional add related to the management of fair trade and to bring in our state enforcement partners in some of the IUU international related issues and that also was acknowledged in the Senate mark and not the House mark in partial measure.

So that's a very nice quick kind of synopsis of the state of play. Bottom line, from my vantage point, largely inability to address new needs and reduce stability to maintain core capacity where we have accelerating demand and really fundamentally staff or resource limitations when it comes to things like facilities and physical infrastructure assets.

So that's the reality of '17 that we'll carry forward with us. I've already mentioned the continuing resolution extending through the 28th. Pretty close to the '16 level. It's slightly below for technical reasons.

And as is typically the case under continuing resolutions we can continue contract activity. We can continue with work that has already been awarded.

We can't do new starts. That's the big difference in continuing resolutions and operationally that makes -- that's significant for all agencies.

And, again, we are hoping for a fully year CR but we are not out of the woods with that if there is some possibility that that decision could be altered and we have some adjustments to make in '17. If that happens it would likely be downward reduction.

Quick note on discussions, picking up on the last CCC meeting where there was some discussion of the explicit direction that was provided and this got to the challenging language that we were dealing with as well.

So, first, this is just a timing issue and I do want to make a little bit of a correction here. We have made a big effort to try to move as quickly as possible under the terms of the CR to move out money to those -- back it up one slide -- these existing grants where we know and we have a long-standing grant commitment.
We have been trying to move as quickly as possible under the terms of the CR and we were anticipating right now having at this moment about half of the anticipated FY '17 level out of council's commissions.

And that was our expectation. We are actually not there. We understand from our -- right now, the grants are still being processed by our grants -- by NOAA's grant management office and those grants, we are told, are imminent.

It should be a matter of days. So a little bit of a mea culpa here for the -- for the overly optimistic accounting. But that's just emblematic of what we have been trying to do. We have been pushing the system hard. We have been trying to move resources through to the maximum extent allowed and we don't control the whole process but we will stay on it and in a matter of days those of you who haven't seen your second FY '17 allocation that is within days of hitting.

So we should be at a 50 percent level soon and, again, I will just note the possibility of adjustments in the balance of FY '17. May not happen but it could, and I just want you to be aware of that.

So we will keep you posted with any changes in this but we are moving towards as early as possible release of funds.

And then this is the second issue. There is timing and then there is adjustments, and there was this language that I understand everybody talked about at great length in the Senate CJS report language detailed here where this interesting phrase of equal proportion was directed for amount above the FY '16 level.

And at the time that we all last spoke we were kind of looking at different ways that that could be exercised. And what we think would make most sense from our interpretation of the circumstances is to use this notion of proportionally literally. The increase would be allocated proportionate to the size of the -- of the budgets as this sort of, if you will, base distribution would indicate.

And we provide a detailed table and backup. I can get into that if you would like -- I think it's slide 24, 26, something like that -- that shows what that would actually mean if you
split it 50/50 or if you split it proportionally. In the net, it's a -- it's a fairly small difference but it is an allocation difference and we just wanted to give you a heads up what our interpretation of this is.

Proportional is proportional to the existing budget and not a 50/50 or some other type of split and that's where we think it would make most sense. So welcome to -- I'll get into those details if you would like to in the Q and A session here shortly.

A couple notes -- we do like to, as always, emphasize some of our external grant programs that we are heavily indebted to our partnership with you to execute -- to formulate, to execute and we are very excited about these areas. Obviously, one of the top tier ones for us is our electronic monitoring and reporting grant program. This has been exercised to our National Fish and Wildlife Foundation partnership where we have been able to complement federal money.

So the match here is noted in the third bullet. It is about $3.23 million and we are very pleased National Fish and Wildlife was able to bring in the Gordon and Betty Moore Foundation as an additional funder in this area. But our 16 grant program had this nice combination of resources and we are anticipating continuing to press ahead in this direction.

Our goal of integrating electronic technology into our core management process and getting all the benefit in terms of quality, accuracy, speed, which is a big one, is -- remains a goal and we are playing that out as aggressively as possible and as resources such as these grant resources allow us to on a region by region basis.

So we are very optimistic and are pleased to have this type of grant capability and the type of partnership in place to be able to exercise it and all of your contributions on a regional level in particular I think are well known and well appreciated as we move forward there.

We also have a Coastal Resilient grant that's due. What changed with this in FY '17 was the consolidation of these grants in the National Ocean Services budget, carrying forward what previously had been sort of two reliance-oriented granting efforts, one in NOS, one in NOAA
fisheries, and these are fundamentally oriented towards what you could broadly call the resilience of coastal communities.

The orientation of the -- this kind of simple cut on the difference between these two is the orientation of the Natural Ocean Service grants is towards built infrastructure, human community interactions and the orientation of natural fish and -- the Natural Marine Fishery Service portion of this is around the coastal ecosystem dynamics, around the natural infrastructure, which has a big bearing on the coastal communities and the built infrastructure.

So they are obviously complementary. We are running them as a unified grant program. There was a funding announcement put out but we are, you know, estimating what the funding available for this will be. But we are still in this uncertain place with FY '17. So that remains an estimate at this point in time.

On the Saltonstall-Kennedy front, this is a wonderful grant program that we have been very pleased to be able to continue to advance. We have not changed priorities. We anticipated around $10 million being available in FY '17. We haven't changed priorities from previous years, and I am going to return to this in a minute but keep that kind of list in mind of seven priority areas because I do think, looking ahead, we might want to come back to this.

One thing we did change -- so the priorities were steady -- one thing we did change was the process a little bit. We introduced a preproposal mechanism and this was designed and approved to be effective by our initial look at things to decrease the number coming in for full review and increase the quality of the ones that do come in for full review and that is how things did indeed play out.

We received 667 preproposals, encouraged about 256 to come forward and we got a few more than we encouraged. So 277 applications being received.

So we reviewed a lot of short proposals to be able to give the option for full development of more -- of complete proposals and our attention is turning to those now.

So the schedule here includes, as
always, our technical review process, which is the real core of the review -- competitive-based technical review. And we anticipate the top 90 applications going forward for the full panel review after that.

And in the end, like last year, our rough anticipation is that available funding will cover about 50 applications. That's what we are expecting.

So pretty big demand knocking down from 667 ideas to 50. Clearly, there is a lot of capability out there and we are pleased to have the resources that we do have to be able to go after really significant regional efforts in each of those priority areas.

I do want to kind of pause here and thank the councils and commissions for their contributions to this process at many levels, one, just conceptually at the level of formulating the priorities.

And I do think, and we have had some internal discussions just starting now, looking ahead to FY '18.

Should we have the advantage provided by Congress to continue this program in the future, which we do hope for, we will have an opportunity to look at those priorities again and I think it's time for us to rethink those, at least in number and composition. And has been the case in the past, we will come back to you for that.

Your contributions bringing regional perspective in on where the priority areas should be and how we should modify those as absolutely critical to the long-term success of this process and we will look forward to your thoughts and engagement there.

Also, the other area is in the actual execution of the review process and we are very grateful for the help that the councils provide to the national program in the review process itself.

Your nominations for panel members are critical. To get the right people on these panels, obviously, key. In a lot of cases, my understanding is that councils are sending staff to these panel meetings that are coming up in April here, it's noted, and everybody's kind of sequestering themselves to go through this massive review process in the first few days of April out
in Boulder.

And some of your staff will be sitting in on that process and I think that that'll be a very -- as always very informative and very intense few days. And coming out of that once we get panel scores and a ranking we do ask and provide an opportunity for your final review concurrence.

We look for balance by priority, balance by region. I think you're familiar with that process and we appreciate your perspective and input as we move towards that. So continuation in FY '17 of how we did things in '16. The only difference was this proposal process.

We have got our overall timing working a lot better. We are anticipating in FY '18 a plan for an FY '18 process that would be even a little bit more accelerated. We would like to get out a federal funding opportunity notice in June, if that's at all possible. So earlier in the summer so that we can provide due attention to the very extensive application and review process that SK grants require.

And I am going to make a quick note, and that is while there is a lot of change in our policy environment there isn't a lot of change in demand for what we do.

In my thinking, that's the bottom line. And we are going to have -- I am going to see in the coming days, weeks, months some opportunity to really think through how we execute our priorities but our priorities fundamentally aren't changing.

We are both feet on the ground and our two core mission functions of ensuring the sustainability of fisheries and fishing communities and recovering and conserving protected species.

We are always trying to tighten up the organization that supports that enterprise and we have a continued commitment to organizational excellence and a lot of things that we are doing on the operational side to that end.

But the demand for these things, the underlying mission drivers in Magnuson, in the Endangered Species Act, the Marine Mammal Protection Act and many, many other statutes that we implement, those being the core that drive these two functions, those have been with us for some time and we anticipate continuing to meet those
objectives at whatever level of resourcing we are able to realize in what is obviously going to be a very competitive environment for federal funding in the coming months and the coming couple of fiscal cycles, as we will see shortly.

But these are our core -- our reason for being here and we are really looking forward to carrying on with the full agenda and dealing with the core business of sustainable fisheries and fishing communities and the good work that the councils contribute to that process.

As Sam mentioned, new people coming in and so for some of you who have been around and seen these transitions for some time one of the great and interesting things is seeing people come in to the Department of Commerce with a lot of thinking about economic policy, a lot of thinking about trade and very often not realizing how much of the Department of Commerce is dedicated to managing fisheries.

And it's always a good educational process people get in. There is so much depth to the Magnuson-based execution machinery that we have in place. The council-led process is absolutely central to it all and it is a process that I think, once people understand how it works, is impressive, very business-like and in the interest of the nation, the regions, the resources and the people to continue forward and we are looking forward to maintaining our press ahead on our priorities.

We are maintaining our core business functions in this area. Historically, it has been a bipartisan function. It's about the resources in the communities and we hope that that's the type of environment that we have moving forward and can maintain business as usual to the greatest extent possible.

So with that note, I will open it back up and turn the mic back over to the chair. Thank you, Mr. Chair, and willing to answer any questions you may have.


MR. TRACEY: Thank you. Thank you, Paul, for the presentation. Very informative.

A quick question about 2017 budgeting. Has the -- has NMFS decided -- well, maybe a little
backup.

So in the last couple years, there is been some changes in how the region has received their discretionary funding -- their phase two and phase three funds -- and I was wondering if the decision has been made for '17 on how those might be allocated similar to '16 or more like '15. So I guess that's my first question.

My second question involves the temp funding -- request for proposals that went out this fall and how close NMFS is to making a decision on those programs.

DR. DOREMUS: Well, on the first question, I think carrying forward with the process in '16 is most likely. The temp funds I don't have a -- off the top of my head I don't know the timing on those.

But that is an area -- we are looking, generally speaking, at the timing and resource flow across the board and temp funds are getting a lot of tension in that regard.

But I don't -- I don't have a precise answer for you at this point in time. But we will get back to you as soon as we do have one.

CHAIR QUINN: John Bullard.

MR. BULLARD: Well, I had a question on SK and I know I could ask you this, you know, offline but I didn't want to ask it in front of --

DR. DOREMUS: You put me on the spot instead, huh?

MR. BULLARD: In front of the councils because it's a concern. I wanted to see if it were shared by others.

And it is, as you've said, an incredibly valuable program. We put a lot of effort into it but we are very happy to do so because of what it can do for the industry.

And the concern in have is that as you note in the -- in the figures it's an incredibly competitive program and the priorities, I think, are good priorities.

One of the attributes of the program is it tends to encourage partnerships between members of the academic community and members of industry. But it is a challenge, I find, in our area, to develop those partnerships and to reach out to industry, and I think many members of industry see it as a -- as a closed shop or hard to break into.
And I think that one of -- as it gets competitive and people start to weed out the weaker proposals they -- I think the way they focus on it is to get to which has the best scientific merit or the greatest research value and that can tend to weed out the ones with industry participation.

And so I wonder and I don't think this is a research program, although it provides necessary research for the industry. I note that one of the most successful applicants 10 years ago was Ken Coons, whose son is now a senator from Delaware.

I wonder if there could be a criteria and the reason I raise this in front of this wider group is it may be just me that sees this as a problem and if so, you know, you should ignore this. But if others see industry participation as something that should be further encouraged then I wonder if one way to tweak this might be in the criteria to add something -- to look at how well does this proposal foster or encourage science industry partnerships or something like that so that as people are going through the various levels of review that criteria is being looked at if is a legitimate goal.

So those proposals that do foster that necessary partnership between science and industry that do that well are still being scored well and still staying near the top.

And, again, I say that because I may be the only one who thinks that that is important but that's why I wanted to raise it in front of the group.

DR. DOREMUS: Thank you, John. Thank you, Mr. Chair. A couple of observations on that and I would encourage and welcome input from others as well and thank you, John, for putting it out in that spirit.

We have heard these kinds of concerns before and we have made a number of changes and I think there are three areas that we have been tending to and continue to do so to try to make sure that these funds are as available to industry as anybody.

And I think one thing we do want to keep an eye on, just as a contextual note, is what is most valuable about this type of program is the core concept of competitive merit and I think we need

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to stick to that.

So my comments are oriented around how to make industry-oriented proposals more competitive and to get more of them because it looks like we aren't at this point in time getting the level that we would like to see.

So a couple of things that we have introduced into the process self-consciously to address the issue of industry access to SK funds.

One is the actual composition of priorities and I am going to point here to this one called promote, develop and marketing, which is very, very expansive and is intended to be the -- there is industry equities in all of these. Data collection, aquaculture is hugely industry oriented and where we have a lot of industry contributions already -- bycatch obviously.

But there is also -- we added in, I think -- was it FY '16, Dan, that we added that or earlier? FY '15. We added to promote, develop and marketing in as a priority to try to encourage greater diversity in industry -- direct industry applications and that has -- that has yet to really take off. We are not getting as many quality proposals there as we would like to see.

So I think the priorities area and continuing to tune that is one way to address, John, the observation that you made. The other is industry engagement.

We hold webinars on applying to federal grants is -- of any type is a bit of an art in itself. Academic institutions make this a core business function. It's how they get their resources. They are very good at it.

So we have done two things here on the engagement front. One is direct outreach to industry to make sure they know about this. They know what the criteria are, how to apply, what the topic areas are, what kind of things have to be in a competitive proposal. But we also encourage industry to do joint ventures, particularly with academic institutions that have the sort of grant-making institutional capacity and history to be more -- generally be more competitive in science, research-based grant programs.

So we have been encouraging joint ventures and have been seeing a lot of those. The third major area, in addition to the priorities,
the engagement strategy -- the third major area is one that all of you contribute to and that is making sure we have the right composition of panelists.

In the technical review we ensure that but also in the constituent review, which is designed to bring in that type of perspective and all of those things are they working perfectly? No. Are they helping? I believe so, and we'd like to push them more aggressively and would welcome, Mr. Chair, any other comments that people might have on this part of how SK is currently functioning.

CHAIR QUINN: Great. Before we go on to any additional questions, any comments on the SK issues that have just been brought up? Comments or concerns in your region?

Okay. Seeing none, back to the open question session. Gregg?

MR. WAUGH: Thank you, Mr. Chairman. Thanks, Paul. We got word yesterday our grant is being processed so thanks for moving that along.

A couple of questions. Going back to that slide number 11 about the wording on how you split that potential increase and how you equal proportions.

That language is not operative yet, right? It needs to -- if it's approved in the conference mart then that comes into play and we are -- okay. And we are wondering -- a little background of why the council commission line was combined and what is the potential for splitting that line apart to where the council and commissions are separate. I am wondering if you could shed any light on that.

DR. DOREMUS: I do not know the history on when they were combined -- when they were put together in that formulation, and we have actually been moving with a lot of encouragement, generally speaking, from our broad budget and policy community.

We have been moving more towards aggregation and disaggregation of the budget. At different points in time our budget was very, very highly parsed into a lot of pieces and there has been an effort over some time to modify the budget so that like programs are aligned and better managed both fiscally as well as programmatically.

And I do believe our grant programs to
our key authorized strategic partners -- the
councils and the commissions -- make sense to look
at together. We do -- we are able to and provide
information to you already on how that line breaks
out in great detail and we can always speak to the
component pieces.

But for the actually budget process
itself I think it does make sense to look at them
holistically and for our kind of deliberations and
engagement with you we can always break down into
the component pieces.

MR. WAUGH: Thank you.
CHAIR QUINN: Tom Nies.
MR. NIES: I guess I got a couple budget
questions. With respect to this one on the
commissions, could you remind me which slide it was
that explains how you're interpreting this? Did
you say there was an example and you said you could
get into it in more detail?

DR. DOREMUS: I think it's slide 24. I
can page that here -- 24 or 26. It's in your backup
slides near -- oops, okay. Mike's going to need
to help me here because I went too far.

But there is a slide that shows what the
execution of a 50/50 versus a proportional would
actually look like and I will go slower through the
stack to try to call this up.

That's your council table, which shows
the detailed breakout that we are typically looking
at. That's our SK regional breakout. Oh, it's
not here. Sorry about that.

We can provide it. But all this does
is show you the '16 level, the '17 request level,
which you know, and then it breaks out what the
numbers would be if we did a 50/50 split versus a
proportional split and I'd be happy to make that
table -- it's just a table -- and make that
available to you and what the implications would
be.

So this, again, is for the delta from
'16. So the '17 request from the president has an
adjustment to base in it of, like, leave $784,000.
Yes. And if you split it 50/50, the regional
council's addition would be $392,000 and -- if you
split it 50/50 and the interstate fisheries
commissions -- the three commissions would add 36
and the Interstate Fisheries Commission, Atlantic
Cooperative Management would increase by $356,000.
So that total of those three things would be $784,000 adjustment to base, and in a proportional split the addition to the regional councils instead of $392,000 in a 50/50 the proportional would be $595,000.

It will be proportionately less, obviously, for the fish commissions -- about 18 for the three commissions and 171 increase for interstate fisheries commissions -- again, all totaling 784,000 and this is all if there is a delta and if this language is implemented that's how it would break out. So those are the numbers and it's just a table that shows what 50/50 and proportional would mean in terms of the fiscal breakout. And we can make that available later.

MR. NIES: Thank you. I have another question related to the budget and then with the chair's permission one more on SK funds. I am trying to talk slowly to make sure our next people can get in the room.

With respect to the budget, so far we are only getting the PPA amounts. We are not getting the NEPA and the SSC stipends, I believe, is what you say in your slide.

Do you have any idea when or if we might see the rest of it? Are we waiting to see what happens at the end of this continuing resolution or --

DR. DOREMUS: Yes, that's exactly it. So right now we are about or within days, in a couple instances, half of the mainline. Here's what Tom is talking about. This regional council line is what I am -- 50 percent of this line is out and these lines we are not able to distribute not knowing these additions in these different programs -- NEPA, ACL implementation, et cetera -- and these add, I think, in total around four or so to the budget for the councils and commissions and we can't distribute those until after we get the clarity on the balance of the fiscal year and we know what those numbers actually are.

So the intent is to move on that, again, as quickly as possible once we have the authority to do so. But right now we don't.

MR. NIES: And am I remembering right, the current CR runs out sometime around the end of April?

DR. DOREMUS: April 28th.
MR. NIES: And if I might, Mr. Chair, one more question on SK. With respect to the process, in past years you've come to the executive directors before this meeting in Boulder this year where you asked us to take a look at the nominations going to that panel and you've said, you know, what do you think about the numbers by priority and what do you think about the numbers by region that are going forward to that meeting?

If you anticipate doing that this year, I wonder if it would be possible to give us a little bit more information. I always find it difficult to give a reasonable evaluation of that without knowing what the full universe that was submitted.

You know, when you asked me how does the distribution look by region and I see Alaska gets two or three, I tend to look at it and say, you know, that doesn't seem fair, given the magnitude of the fisheries out there.

But on the other hand, if it turns out that there were only two or three submitted for the Alaska region, well, then perhaps it does make sense.

But I always find myself when you -- when you send that email out and ask us for that I always find myself struggling on how to give you an honest answer unless I just look at it and say well, you know, you didn't give enough to New England -- you should give more.

And the other thing is that sometimes it seems like there is some conflicting guidance. You know, you've sent basically the same email a couple times in a row and sometimes I am rustling because it seems like that issue is difficult to deal with and then sometimes I feel like the guidance on how to evaluate this is a little bit confusing.

You know, in one place it says consider these five factors. In another it says consider these four factors, and I am, like, okay, which is it -- which one are you looking for.

DR. DOREMUS: It's actually the six factors.

MR. NIES: Six.

DR. DOREMUS: Thank you, Tom. We will certainly be happy to look at providing greater contextual information. If you or others on the CCC would like to advise us on what would be most
helpful in making those kinds of considerations we would welcome that input. We are always balancing flooding you with information versus the -- versus not.

And we will look at the criteria closer to make sure that -- and anything that you see as an internal contradiction. I wasn't aware of that but we will look closely to make sure that the criteria are clear. And these questions of balance are always difficult and there is a lot of things you need to take in consideration.

We did have for a number of times very, very well in excess, if I recall, years ago of 50 percent of SK funds going to the Northeast and in part that was because that's where all the applications were coming from and in part it reflects the greater density of academic institutions that do marine and coastal and fisheries-oriented research in that region. And yes, Alaska has large fisheries but it doesn't have as deep a research and technical base. So there are reasons to expect regional variation like that.

But generally speaking, we are hoping to -- we didn't want to have more than 50 percent going to one region. That's generally a good sense of -- sign of things not being quite balanced. And we have been encouraging even areas where we get low volume of applications -- we have been encouraging a larger number of stronger applications.

We have been investing a fair amount trying to make that happen, for instance, in territories and even put kind of a priority area there to draw that forward, recognizing that there are kind of structural disadvantages to receiving high quality applications when you have an even more distributed research and scientific enterprise in different parts of the country and our territories.

So those are things we try to pay attention to. Your -- one of the ways we get a check on our sense of balance is by seeing what your kind of executive judgement is on these matters. So your input alone is helpful to us when you eyeball it and say, you know, this is about right or it isn't and for what reasons.

So we want to use common criteria. We will make sure that it's either four or five but
not both and provide as much contextual information as we have and that would be helpful to you in making those kinds of judgment.

CHAIR QUINN: Thank you. Any other questions for Paul? Gregg.

MR. WAUGH: Thank you, Mr. Chair.

Paul, you know we have asked about funding into the future for fishery independent data programs and particularly in the Southeast we have seen the available funding level at best and without some of the supplemental funding from the center our Monument program which provides the fishery independent data for our snapper-grouper fishery would face severe cuts.

We don't even -- we don't have any fishery independent programs for some of our major fisheries -- king mackerel, Spanish mackerel, cobia dolphin, wahoo, and we have looked at this and looked at what resources would be necessary and they are significant.

But I was just wondering if you have any feel for where we are likely to see available funding for fishery independent data programs as we move into the future.

DR. DOREMUS: Thank you. This is -- I am glad you brought that up. It does relate to a number of things here. One is long-term priority and we have heard both through this venue, through our regular work with the councils as well as through our efforts to work even more closely with the state marine resource directors, all of whom have put these types of data programs as their number-one priority and it is ours as well.

We are working hard. If you look at some of those core -- the types of things that you mentioned -- CMAP, RMAP, the FINN funding -- that -- those funding levels have been flat for a decade or more and, you know, in real terms with inflation, cost of doing business, that's actually a year by year erosion of capability. We are well aware that one of the things we have done for the last few years is actually use a portion of the SK funds to help augment the highest priority data gaps in those programs in some sort of data modernizations efforts as well.

It's not long-term solution. It's a year by year. It's not guaranteed that we can do it every year. It's subject to the availability
of SK funds.

But that signal and that concern from the council community, from the commissions, from our state directors, has been uniformly allowed and the best and only available resource we have to work with was SK funding.

So we have tried to put more resource onto the existing grant programs because of that year after year erosion of capability and their need are very significant and our dependency on those data streams is very high.

The opportunity to start new ones is a challenge and I think what you're going to hear, and we saw this when we did our Science Center reviews of all the data programs and all of the regional Science Centers, there are going to be choices involved. We need to look at what the highest priority data streams are, what's required to do them most efficiently, and areas where we have existing data gaps we will need to look at tradeoffs.

If we are to take those on, what -- how do we do that with our existing resource set and those are the choices that you all, in our collaboration with the states, will be a part of informing as we go forward in this kind of environment.

So we -- bottom line, high priority. We will do whatever we can to protect funding for those data collection efforts and but it's a difficult environment and I think we are going to have to face the cost of data collection pretty seriously in the coming years.

CHAIR QUINN: Kitty.

MS. SIMONDS: Hi, Paul. So what is the total SK pot?

DR. DOREMUS: We are estimating $11 million for the Saltonstall-Kennedy grant program for FY '17.

MS. SIMONDS: No, no, no. I am talking about the total SK pot.

DR. DOREMUS: That's it.

MS. SIMONDS: Ten million dollars?

DR. DOREMUS: You might -- you might be thinking about the promote and development account.

MS. SIMONDS: Right. Exactly.

DR. DOREMUS: Okay. Yeah. So that --
MS. SIMONDS: But I mean, that was -- that was the SK fund. I mean, that was the name of the act.

DR. DOREMUS: No, it's slightly different. So just to -- it's a -- it's budget arcane but very significant.

All of this -- the Saltonstall-Kennedy grant program is a component of the promote and develop account which is funded through import fees on seafood and some other products.

MS. SIMONDS: Right. I understand.

DR. DOREMUS: So that varies in any given years based on import receipts, essentially import tax receipts -- and it has been on the order of low 130s. And Congress makes the decision -- we estimate what they think they are going -- what they've done in the past, what we think they will do in the future. But Congress, since the 70s, has used those tax receipts to offset portions of the operations research and facility budget that to promote in development type things -- our core fisheries functions. There is four PPAs that it funds.

So, in effect, they are displacing -- through those tax receipts they are displacing the need for appropriated resources and whatever -- and then they leave a balance for Saltonstall-Kennedy grants or they don't.

In FY '11 and FY '12 there was no Saltonstall-Kennedy grant program because Congress decided to put all of the promote and development funds on this offset.

And that could happen again in the future but in recent years Congress has seen the benefit of the SK program where -- as all of you have seen and contributed to.

And what the actual level is is a function of that internal congressional decision making and the actual size of the tax receipts.

MS. SIMONDS: Right.

DR. DOREMUS: So we can estimate future years but it's guessing on both those fronts.

MS. SIMONDS: Right. No, I understand the program. I just, you know, didn't remember what it is today. So 130 -- I remember when it was $10 million, like, 25 years ago. So it's grown considerably.

DR. DOREMUS: Yeah. Seafood imports
have grown enormously. That's a benefit to the SK program and it's something for us to think about from a national seafood supply point of view.

But yes, imports have been up and those tax receipts have continued to grow and they probably will again in FY 18. So we think that number is likely to increase.

(Off microphone comments.)

DR. DOREMUS: Yes.

CHAIR QUINN: Any other questions for Paul? Gregg.

MR. WAUGH: Thank you, Mr. Chairman. And so going forward, you know, budgets level at best likely declining. So it seems imperative that as we look to address our data needs we are going to have to avoid any duplication of effort.

And one of the things we are looking at is we have -- in our for hire fishery our head boats are completing electronic reporting now. Our chartered vessels we have just approved an amendment that will be sent for formal review that will put log books on the federal charter vessels. We have also received approval for a project that will look at electronic reporting in the private recreational fishery.

And so we see a move to electronic reporting as a way to address a lot of our data needs with significant cost savings as long as we don't develop duplicative systems to handle that data. We have got pilot projects where that data is going to the ACCSP program now. The agency can pull the date from there.

And I know that you all were trying to fill some staff positions dealing with electronic technology and I was just wondering if you were going to be able to do that so that we have folks that we can reach out to as we explore ways to use electronic reporting to meet some of our data needs.

DR. DOREMUS: Thank you. Couldn't agree more on all fronts. Cautionary note, though, on the cost piece. I think, as is often the case with data modernization efforts and bringing new types of data on stream you need to take a long-term perspective on the cost dimension and I do think in many areas electronic gathering of information, of processing, distribution, is
obviously more efficient, more cost effective. But EM/ER types of programs generally I don't think are going to necessarily drive down our costs. We hope -- we are going to use them as effectively as possible. I think we need to look at our data collection systems in their entirety and ask the same types of questions.

We have very, very complex data systems, if you will -- data gather from lots of different sources using different types of techniques.

So there is data integration challenges. There are interoperability challenges. So there is a lot of areas where I think we can focus on generating efficiency gains.

They very often will require some up-front investment to get those capabilities in place and operating at a level you get the long-term savings. So that's the cautionary note.

Staff -- it's a priority but, like our fiscal environment, we are in a challenging environment for staff and I am remiss in not making some note of this in the budget discussion.

One of the things that the new administration has done that you all are, I am sure, quite well aware of is implemented a 90-day hiring freeze.

But the bigger issue is the hiring freeze is intended to be replaced by a policy that we don't yet know the details about that will involve some sort of attrition-based process reducing the number of federal government employees. That's the stated goal.

So we are going to be looking at staffing shortfalls and staffing priorities in the context of a net decline in our staff levels.

We have seen a decline in recent years. We are several hundred positions down from where we were in FY '11. Our workforce used to be in total close to -- around 3,400. It is now slightly below 3,000 and we don't know how much further we are going to be asked to take it down.

So the cautionary note on the staff hiring priority is it's a tough environment for bringing people on board, period. And like the data collection comment that I made about prioritization we are going to have to do that in terms of where we backfill staff through the normal
process of attrition, generally 4 to 5 percent in most agencies.

And we hope to have the flexibility to be able to address highest priority needs in that replacement process so that we can maintain a commitment to our strategic priorities.

CHAIR QUINN: Any other questions?

Leann.

MS. BOSARGE: Yeah, just out of curiosity that promotion and development import tax bucket, what species make up the bulk or the lion's share of those import taxes? Do you know off the top of your head?

DR. DOREMUS: I don't know. I saw the list once and it was astounding large. There is a very, very large number. But I don't recall where the largest receipts come from. I think we could find that information and provide it to you and we will do so. It's a -- it's interesting and the composition has changed over time.

We will look it up. It's been a long time since I looked at the list. But it's a very, very long product list. But you're probably right in assuming that the bulk of it comes from a limited -- a more limited number of high import, high volume import areas. So we will find it out and see if we can provide it to you.

MS. BOSARGE: Thanks. I would venture to guess there is some of it that comes from where I hail from -- a good bit of it. I just wondered out of curiosity.

CHAIR QUINN: Any other questions? Seeing none, we are going to make a slight change in the agenda. We are running ahead of schedule. We think it's important that we do the legislative outlook and the Magnuson-Steven reauthorization in tandem.

So we are going to pull up from the afternoon session the conflict of interest and Adam Issenberg is going to do that. Then we are going to take a break and then do those two back to back.

Adam.

MR. ISSENBERG: Thank you, Mr. Chair. So this -- the recusal issue is -- the conflict of interest issue is a topic that we have discussed. I was trying to count --I think it's the last four meetings -- and I think, as most of you will recall, I think the genesis for the discussion
on this has been a couple of recusal decisions coming out of the North Pacific Council specifically relating to the manner in which an interest in a subsidiary is attributed for purposes of calculating the 10 percent threshold when determining whether recusal is required.

We have discussed that -- the basis for the 10 percent threshold and for the allocation approach specifically being that you -- that we attribute the entire interest in a subsidiary to the council members' interests.

So, for example, if there is a business that has a 40 percent interest in a subsidiary we don't attribute 40 percent of the harvest by that subsidiary but we attribute the full harvest, 100 percent, to the council member in terms of determining a financial interest.

The other thing that we have discussed in this context is, you know, an interest in greater transparency and predictability in how recusal determinations are made.

And while at the last council meeting I think I hope we have exhausted the discussion of attribution, I think the open point has been the development of additional procedures to provide more transparency and predictability.

So to that end, in your briefing books I believe you have two documents. You have a four or five-page policy directive -- draft policy directive and then you have a 10 or so page set of procedures. And we provide those to you for your review. I think you've only had them a few days so we are not necessarily anticipating that you're going to have extensive comments on them today.

But I'll briefly describe what's in the two documents. The first document -- and I should say that both of these documents were existing documents governing -- addressing financial disclosures and recusals.

We have elaborated on both of those things, primarily on the recusals. So the policy directive, which is the shorter document primarily, the new piece of it is primarily two things.

One is a requirement for regional recusal determination procedures and the second is a requirement for the development of regional and headquarters-based websites to contain all
procedures related to recusal, recusal -- actual recusal determinations so that those are available for review to, you know, provide a basis for comparing how these standards are being applied across regions, and then also to include any appeal decisions that are made by NOAA general counsel on appeal from the recusal determination by a designated official.

The -- so that's what's in the shorter document, the policy directive. The longer document, the procedural guidance, primarily contains two pieces.

One is it sets out the standards that we have discussed for the attribution of financial interests and I think you'll find that the standards there are largely or, I should say, fully consistent with the discussions that we have had most recently at the last -- the last spring meeting in St. Thomas. And then it also sets out guidance for the development of the regional procedures.

As I've discussed at prior meetings, the point here is not to have different standards across regions. The substantive standards that should be applied from region to region should be and have been fully consistent.

The point of the regional procedures is to recognize that fisheries vary from region to region, from counsel to counsel and the nature -- the way in which the procedures are applied, the recusal determinations are made may vary from region to region because of differences in those fisheries.

So the procedures address the thing -- the procedural guidance addresses the things that should be in the regional procedures.

There is eight or 10 points there. I think I am going to -- I am going to focus on four of them because I think those are the most significant.

One is identifying the fisheries and sectors that will be reviewed for purposes of making the determinations. I know that that has been one question that has come up is how do you identify whether an interest is in a particular fishery or sector.

So each set of regional procedures should identify how those determinations will be made based on the nature of the fisheries in the
particular council's purview.

The second is the timing of recusal
determinations. Each region -- each set of
regional procedures should address when those will
be made and as well as how notice will be provided
to council members and to the chair and the
executive director.

And then the last point is procedures
for identification of the designated official. I
think these vary from region to region in part
because in some regions you tend to have a single
NOAA GC attorney who attends the meetings for the
full length on the meeting. In other regions you
may have people subbing in and out, depending on
particular species or stocks or particular issues.

And then the last piece of that is that
the guidance also addresses the procedures for
council review and input on the specific regional
procedures and provides that each council should
have the opportunity to review those procedures at
at least one meeting.

So that's kind of a big picture overview
of what's in these two documents. The -- we are
interested in your input on the documents.

Our thought on this is that we'd like
to provide each council an opportunity to consider
this at one of their council meetings if their -if
they choose to do that. And then to tee it up for
a discussion if you think it would be useful at the
May meeting and then we would expect to finalize
these two documents soon after the May meeting and
get the regions started on the regional recusal
determination procedures.

Those would initially be developed by
NOAA GC in the NOAA GC regional offices in
coordination with the NMFS regional offices and
then as I mentioned they would be provided to the
councils for input by the councils.

And I think that is everything I have
and I am happy to take questions or comments.

CHAIR QUINN: Thank you very much,
Adam. Questions? Gregg.

MR. WAUGH: I've got a couple of
questions but first on the timing issue, you know,
our council meets next week. Council members
haven't seen this. So the first council meeting
we'd be able to address it would be June. So I see
some serious issues with your intended timing.
MR. ISSENBERG: You know, I mean, I think we can certainly adjust that to ensure that your council has an opportunity to review it in June and, you know, would not finalize until after we received input.

CHAIR QUINN: Chris.

MR. OLIVER: Hey, thanks, Adam. Can you help me with Section 3.1.2.2 versus 3.1.2.3? I am trying to figure out the difference. I had a brief moment of joy when I thought you all had revisited the attribution -- the attribution question.

But you're telling me you have not revisited the attribution question. But I am confused at the difference between those two sections.

MR. ISSENBERG: Okay. So you're in the longer document, right?

MR. OLIVER: Yes. Yes. Sorry.

MR. ISSENBERG: Okay. And that's 3.1.

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MR. OLIVER: Point 2.2 and .3 -- their attribution section, which was our issue, obviously.

MR. ISSENBERG: So the distinction between those two sections relates to whether you're looking at the interest of a subsidiary or a parent.

So 3.1.2.2 relates to -- that's the section that really relates to the question that we have discussed in the past. How do you allocate or attribute the interest of a subsidiary to the parent.

3.1.2.3 is a broader question that I don't think we have actually discussed in detail in our prior meetings on this and it wasn't specifically the topic of one of those recusal determinations that gave rise to this discussion. That relates to how you look at whether you attribute the interest of a parent company to the council member.

So if -- on that second point if the council member has an interest in a company or organization and that is partially owned by another organization do you attribute the parent company's interest to the council member and on this particular point we have followed guidance that is in the general office of government ethics
The question that we have discussed about how you deal with a -- with a subsidiary is not addressed in those regulations because that's something unique to us.

In the Office of Government Ethics Regulations, the regulations that apply to federal employees generally you attribute any interest. There is not a 10 percent threshold like there is in the recusal regs because there is slightly different language. It talks about any direct interest rather than a significant interest, which is the Magnuson standard.

So for the subsidiary situation, we have to decide how to determine what's a significant interest. In the parent situation there is this Office of Government Ethics Regulation that says if there is greater than a 50 percent interest then if the council member's business is more than 50 percent owned by the parent then you attribute the parent's full harvest.

If it's less than -- well, it doesn't specifically speak to harvest because it's not in a fishery situation. But you attribute the parent's full interest. If it's less than 50 percent then you don't.

So I know that's confusing. We can try to provide some additional clarity on that. But that is, again, not the situation that we have talked about in the past.

CHAIR QUINN: Follow up?
MR. OLIVER: So just -- I am sorry, I was confused. So just to be clear, the situation that we have talked about in the past where we argued for a different attribution policy that has not changed?
MR. ISSENBERG: That has not changed.
MR. OLIVER: Thank you.
CHAIR QUINN: Warren.
MR. ELLIOTT: Thank you, Mr. Chairman.

Thank you, Adam. I am just wondering, having just reapplied for my council seat and I filled out NOAA Form 88-195, I saw that it's set to expire on 3/31/17. So I am just wondering is this discussion going to lead to the development of a new financial disclosure form?
MR. ISSENBERG: No. This is not going to change the form. The form was recently revised.
within the last few years in response to an IG report and I think at this point it's up to date.

CHAIR QUINN: Bill.

MR. TWEIT: Thank you, Mr. Chair, and thanks, Adam. I do appreciate the walk-through. I am trying to think about the requirement then for a process for identifying the fishery or sector of the fishery affected by the action, and I have two questions about that.

One is, clearly, then that -- once that's defined for each action that then describes the universe of attribution. Is that the --

MR. ISSENBERG: Right. That's the issue and that was an issue in one of those recusal determinations from the North Pacific Council.

MR. TWEIT: So each region then has its own ability through this to define its universe a little separately? Is that correct? Because you're leaving this up to each region to define a process.

MR. ISSENBERG: I think the issue there was that, you know, there was some question and some disagreement with that particular action and I don't recall the details of it about whether to look at a specific sector or a broader element of the fishery and the idea here is to look at the way the fisheries are comprised in each particular council and to provide some predictability as to how those determinations will be made, recognizing that fisheries are composed differently and managed differently across councils and across regions.

And so the guidance is not prescriptive as to how that will be carried out. But the idea there is to enable a local solution so that there will be predictability as to how those decisions will be made so that it won't come as a surprise that we use -- that, you know, this sector as opposed to this broader composition in terms of making the attribution decisions.

MR. TWEIT: And then one final on that. So is the sort of suggested intent then that this happen essentially when the council first sees maybe the first draft of the regulatory impact review or the NEPA documents -- that there be an additional section that would essentially identify the fisheries or sectors that would be looked at for recusal at that point so the councils would then have an early warning then of who's likely to be
affect? Is there a -- I am trying to think just
about the mechanics of this and how that
contributes to the council's understanding of what
may come up at final action.

MR. ISSENBERG: No, I think that's a
good point. You know, we -- I haven't -- we haven't
specifically talked about it in terms of, excuse
me, the NEPA document or the RIR. That's one
possibility.

You know, I think that's -- that's
something to work out that I think, again, may vary
from council to council depending on how complex
the particular fisheries are. But I think, again,
the point is to provide early notice for the sake
of predictability so that's something that, you
know, the North Pacific Council could discuss with
the Alaska section with Lauren Smoker and, you
know, try to figure out what would work best in that
context and other regions could do the same.

CHAIR QUINN: Michelle.

MS. DUVAL: Thank you, Mr. Chairman.
So Adam, if I am reading the policy directive
appropriately, the burden lies on both the regional
office as well as the executive director to review
council members' disclosures and make a
determination prior to every council meeting as to
whether or not a recusal determination might be
needed?

MR. ISSENBERG: The recusal
determinations are the responsibility of the
designated official who is the -- under the
regulations a NOAA general counsel attorney.

I think what you're reading is there is
a reference in the policy directive to a
requirement for the regional office and the
executive directors to occasionally review the
financial disclosure forms to ensure they are
complete.

MS. DUVAL: What I am reading is
reviewing, and this is in terms of the
responsibility of the executive directors
reviewing current financial disclosure forms prior
to council meetings to determine the potential for
a conflict of interest in advising the regional
office, NOAA GC, et cetera.

So I am just wondering who starts the
dance. That's all.

MR. ISSENBERG: Again, in terms of who
starts the dance, I think that may depend -- you know, that's one of those things that may vary from region to region based on the complexity of the fisheries and how often this comes up.

You know, this never comes up in some fisheries. It comes up every meeting in others. And so, you know, I think that responsibility to sort of identify early where there may be situations I think is shared for a reason because, you know, there are a number of people who may have knowledge of a potential conflict.

So I think the responsibility to, you know, spot an issue and raise an issue is a sign to a number of different people. I think it's shared by the executive director, the regional office and NOAA GC.

The responsibility to actually make the determination is in the hands of NOAA GC.

CHAIR QUINN: Gregg.

MR. WAUGH: Thank you. And so following up on that then there is -- is this a new responsibility on the executive directors to look at this prior to each meeting and then in the more detailed document post-council meeting action it says that council ED should record instances of recusal and submit these records to the NMFS regional office.

We record all our meeting. So that would be in the minutes. Is this looking at a separate memo, if you will, after each meeting and then compiling that data at the end of the year and providing that?

MR. ISSENBERG: On the first question, I don't think that's a new requirement. I think -- I think the language is clarified a little bit in the documents. But I think that requirement has been there.

On the second question, think the point of providing the report afterwards is that since now we are going to have this website where the recusal determinations are supposed to be reported on the website we need a mechanism so that we can ensure that, you know, those recusal determinations are identified and then they get on to -- they get into the hands of the person that has to put them on the webpage.

The mechanics of it in terms of a memo,
you know, I think that's something that, again, you know, that may be a comment you'd want to provide so that we can, you know, we can flesh out how the mechanics work.

CHAIR QUINN: Tom.

MR. NIES: I am looking at Section 3.1.1, which is the information to be used for recusal determinations and I guess I am struggling a little bit to understand how the different bullet points are consistent.

So the very first bullet points says NOAA GC will use information reported on a member's financial interest form and any other reliable and probative information provided in writing to NOAA GC.

So, you know, I am not quite sure who provides this information to NOAA GC -- if something comes in, you know, over the transom and how is NOAA GC supposed to evaluate whether it's reliable and probative.

And then you look down at the last bullet and it basically says NOAA GC is not responsible for determining the veracity of reported information on the financial interest form. They are just to assume that what's reported on the financial interest form is correct.

So, you know, I can easily envision a situation and I think we actually had one in our council about two or three years ago where NOAA looked at the financial interest form and said there is no conflict of interest and then we get a letter in that said well, yes, there is, you know, and we want you to make a determination and rule that this -- there is a conflict of interest in this case.

And I don't quite understand how NOAA GC is supposed to make the evaluation of whether information they receive, say, from a third party is reliable and probative and particularly if it conflicts with information that they are supposed to assume is correct because it was provided on a financial disclosure form.

MR. ISSENBERG: I think the basic point there is that, you know, we take the forms. Unless we have other information -- this may need to be clarified -- unless we have other information we assume that information is complete and correct.

We can't ignore other information
that's provided to us. I am not familiar with the situation you reference. But I do know that within the last few months we had a situation in other council where we received a letter from someone who said, you know, I am not going to go into the details but this council member has a conflict because they have an unreported interest in this company that will be affected by council action and what the designated official did in that situation was to first contact the council member, get information from the council member and ultimately, you know, made their best determination as to what was reliable and what was probative.

And I think -- I don't know if it's in this section -- but it does say -- well, okay, it's the second bullet that says NOAA GC may contact the council member to better understand the reported financial interest or any information provided in writing to NOAA GC. You know -- you know, we can think about whether we should clarify that in the even that we have outside information.

You know, in that instance we should consult -- you know, I think it would be prudent to consult with the council member to get their input on that other information. But I don't think that we could ignore other information that comes in.

CHAIR QUINN: Any other questions? Seeing none, it's now 10:15. We will take a 15-minute break until 10:30 and then get back on the legislative outlook.

Thank you.

(Whereupon, the above-entitled matter went off the record at 10:15 a.m. and resumed at 10:37 a.m.)

CHAIR QUINN: All right. We are going to start -- we are going to start the next session. Can you please get back to your seats so we can start the session?

The next session that's scheduled on the agenda is the legislative outlook. I am going to turn it over to Topher Holmes to lead the discussion and then introduce the congressional staffers that are here for comments.

Topher.

MR. HOLMES: Thank you. As he said, my name is Topher Holmes. I am with the NOAA Office of Legislative Affairs.
As in past years, we are usually asked to provide a legislative update. But rather than have me tell you what’s going on on the Hill we like to invite our partners from the Hill to come down and talk with us as well.

With us today we have Jeff Lewis, counsel of the -- on the Senate Commerce Committee, Subcommittee of Oceans, Atmosphere, Fisheries and Coast Guard, and we also have Bill Ball, professional staff with the Water Power and Oceans Subcommittee of Water Power of House Natural Resources, and Matt Strickler, senior policy advisor on the minority staff.

So we like to invite them down to provide their perspectives on the recent changes in the election, changes to the committees and outlook -- possible outlook on upcoming actions within the committees themselves.

So these guys are on our authorizing committees. They have oversight over, obviously, Magnuson-Stevens as well as other legislation relevant to all of us.

So with that, I'll turn it over to Jeff Lewis.

MR. LEWIS: Good morning, everyone. Thanks for having us here this morning. It's a pleasure to be with you.

As Topher said, I am Senator Bill Nelson's counsel on the Senate Commerce Committee staff for fisheries and Coast Guard issues on the Oceans, Atmosphere, Fisheries and Coast Guard Subcommittee.

We are excited about some of the changes in our subcommittee lineup this Congress. We have -- we are sad to have lost Senator Rubio from the committee and to have lost him as our subcommittee chair. He's gone over to Appropriations now.

But we have Senator Sullivan of Alaska as our new chair and so I think that we are going to see a very active subcommittee this Congress, looking at a variety of issues that will no doubt be Alaska-centric but will probably also touch on issues in other regions of the country -- other management regions.

I was looking at some of the materials on the website in advance of the CCC meeting and I saw that you had information on the new Republican members of the committee and the subcommittee but
maybe you went to press before the news came out about the Democratic side. So I can tell you now that Senator Peters of Michigan will be our new ranking member on the subcommittee, replacing Senator Booker, who will stay on the committee but will no longer be ranking.

Senator Cantwell will remain on the committee as will Senator Blumenthal -- subcommittee, excuse me -- as will Senator Blumenthal, Senator Schatz, Senator Markey and, as I said, Senator Booker. And we have added Senator Baldwin of Wisconsin, another Great Lakes state senator to the committee and to the subcommittee.

So I think that she has a great interest in NOAA dry side issues. But I am sure that she'll wade into some of the -- some of the marine fishery management and other wet side issues as well.

In terms of legislative outlook, I would say that there seems to be an interest among our members in looking at a Magnuson-Stevens Act reauthorization.

There was a brief flirtation, you may recall, those of you who may have been following it, last year with the possibility of starting a reauth process. But it kind of foundered in spring of last year.

So I don't know about timing of those things. I can tell you that the first thing out of the gates that we anticipate at this point will be a subcommittee hearing in the latter half of March dealing with Coast Guard issues, which, of course, also loom quite large for our subcommittee.

After that I would imagine we will see some sort of a foray into fishery management issues and so we will keep you posted on that.

That's my kind of main update that I can give you at this point so I'll turn it over to the others.

MR. BALL: All right. Well, first and foremost, they always tell me the guy that speaks in the middle is the one that gets forgotten. So let's hope that doesn't happen.

Most of you guys know me. I am Bill Ball. I work on Natural Resources Committee for Chairman Bishop. I took over for this guy a couple years ago and I am working on it, you know.

I haven't done that great of a job but I am working on it. We got a lot done last
Congress. No, but we are very excited. We got some new members. Chairman Bishop's still there but on the subcommittee Fleming is gone from Louisiana. We now have Doug Lamborn from Colorado, not somebody who would typically have a lot of fisheries interest, I know.

But because of that we brought Daniel Webster, who came to the committee, from Florida as our vice chair on the subcommittee to kind of help balance out the subcommittee between the fisheries issues and the Western water and power issues.

So we have a good roster. We have some new members. New for coastal we have Webster. We have David Rouzer from North Carolina and we have -- shoot, who am I forgetting? Oh, Mike Johnson from Louisiana.

So we do got some good fisheries representation for districts that are -- these issues are important, too.

Before I get into anything I kind of want to thank the -- right at the end of the year I was able to work with these guys to get the Pacific fisheries bill done that was specific kind of to the North and South Pacific conventions and had some other pieces in there.

So certainly a special thanks to the councils of interest -- the Northwest and Pacific Councils. They worked a lot with us, with all of us and spent a lot of time on the phone with us trying to walk through that bill and we greatly appreciate that input.

You know, you guys are the ones on the ground dealing with the stakeholders. So it's super valuable that we have an open line of communication to you guys and so far it's been nothing but that.

So also, you know, I think it was maybe it came out of the CCC last year -- the letter that the councils wrote supporting a provision in last and this Congress' MSA reauthorization.

It's very important to us, which is MSA is the ultimate management authority in federal fisheries management regardless of if it's in an MPA or otherwise. I think we'd all agree here that federal fisheries management in this country is probably the best anywhere and, you know, what better way to show our councils that we support what
they do and their progress they've made and allowing them to do their job. So appreciate that as well.

Getting into the new -- the new Congress, I mean, this is much more than a new Congress. Obviously, this is a new administration. I think the priorities of this administration have already been, we have already seen, are very different, at least on the big picture.

You know, obviously, it's all about jobs and reg reform right now and some other stuff that's not important to us right now. But and, you know, that, to us, is huge.

Coming from somebody who's been on the water all my life and from a commercial fishing family I know that we have -- commercial fisheries have been continually bearing the burden of federal regulation and it's really choking a lot of different -- a lot of different industries.

So that's big. You know, it's not just reg reform but it's working to get more power to the regions, to the councils and commissions and so that they can make a decision based on this open democratic transparent process that we have through the councils.

Some other things, I guess. Kind of, you know, following up on what Jeff said, it's kind of hard to give a comprehensive legislative outlook because we don't know who's going to be where.

You know, the people that come into these different leadership positions in Commerce, NOAA and NMFS are going to have a huge input and driver on how we kind of navigate through legislative issues this next Congress.

So, you know, definitely looking at another MSA bill I know Congressman Young wants to lead those efforts again. He's already put a bill out there that's largely the same as what passed out last year, with some minor changes.

We have been talking with him a lot and I know, you know, with Sullivan over in the Senate that's big, too. You know, that's a pretty dynamic duo to, hopefully, we can get some stuff done.

But to that effect, with a bill like that, you know, we kind of have to see who's where, how the pieces fall before we can move ahead with something like that because we want to make sure
that with this new administration we are as much as we can be in coordination and lockstep with them on things.

So certainly going to be looking to working with all you guys on that but it's kind of echoing what Jeff had said. It's something that's probably not going to come down the pike immediately because we got to kind of see where the pieces fall before we take on something of that magnitude. Whereas in 2015, you know, we came right out of the gates in the House doing that bill and were out -- by June it was out of the House. We will probably take a slower approach, wait for things to get into place and then try to put something together that we can get done.

You know, outside of that, again, kind of just feeling things out until we get people in place. We are going to be looking at a couple things.

A big -- again, a big thing to us is this administration's push for regulatory reform. You know, they've done the reg EO early on and they've also done the task force stuff and some other things. So I think that's going to be huge, going forward, and kind of to that effect, you know, as we look ahead we are going to be, you know, certainly looking at any way we can -- we can lessen the regulatory burden on U.S. industry and that definitely applies to the fishing industry.

So Chairman Bishop will be reaching out to each of the councils and formally requesting comments on how we can relieve the regulatory burden on ESA and MPA and in Magnuson on behalf of the councils and the people on the ground.

We -- you know, he very much values you guys' input. You know, he's -- well, he's from Utah. You know, we have had him. He just got back from the West Pacific where he was out in Hawaii and American Samoa and Guam and CNMI. You know, he's been to New Bedford.

He's been down to -- he's been to Long Island. He's been to Southern Miami -- or Southern Florida on fishery stuff. So, you know, he's, while somebody that doesn't deal with these things directly he understands the regional differences and he really understands the part that the councils play and your input's invaluable.

So you will be seeing that coming from
MR. STRICKLER: Thanks, Bill. Thanks, everybody, for having me today. My name is Matt Strickler. I know a lot of you as well. I worked for the minority staff on the House Natural Resources Committee. Our ranking Democratic members is Raul Grijalva, who represents the Third District of Arizona, which has not been a coastal district for about 250 million years. But he does care very deeply about ocean conservation and fisheries management in particular.

Our subcommittee ranking member on the Water, Power and Ocean Subcommittee is more directly involved with fisheries issues and that's Jared Huffman from Northern California. He has a lot of fisheries' interests in his district and he will be handling kind of the -- you know, taking the lead on most of these issues as they come through the subcommittee.

We also have kind of a different look than the rank and file of our committee membership this Congress. We have got six new members, some of whom are coastal. Colleen Hanabusa from Hawaii is back in the House now after a brief hiatus. Nanette Barragan from California, also a coastal district, is a new member. Darren Soto from Florida. Jimmy Panetta from California is replacing Sam Farr, so an important coastal district there represented on the committee. And then Don McEachin from Virginia and Anthony Brown from Maryland who are not coastal members but both have interests in the Chesapeake Bay and a lot of coastal issues for those states as well.

So given that and given the fact that, you know, it seems like Magnuson reauthorization is kind of our biggest, you know, fisheries and oceans issue before the committee this Congress, we are hopeful that the process will look a little bit different than it has recently.

Last Congress, as Bill mentioned, partially because, you know, the bill that had gone through was kind of old business. We had an expedited process where we didn't have any oversight hearings, where we didn't have, you know, a legislative hearing on a bill. We went straight to markup and then straight to the floor.
Our members hope is that given our new membership, given some of the -- you know, there is just some small changes to the bill but also the fact that the National Standard 1 guidelines are out and need to be implemented that we would have a more robust and kind of inclusive and deliberative process looking at reauthorization attempts this time around.

I think it's been made clear, given what's happened the last two Congresses, that H.R. 200 is not going to be the vehicle for Magnuson reauthorization.

I think, you know, we need to take a fresh look. I am interested to see what the Senate comes up with and I am hoping that Bill and I can sit down and maybe some of our members and kind of talk through the -- you know, the suite of issues, the things that are in H.R. 200 and then also a number of things, particularly on the recreational side that aren't included that we need to pay some attention to.

So that's the -- kind of the minority perspective on what we are hoping for this Congress on that big piece of legislation.

Other things that are hanging out there, we have already passed through the House under suspension of the rules the Dungeness crab management bill, which is a good step.

We couldn't get it done last Congress because of some issues there up in the Senate. We had similar issues in the Senate this time. My understanding is that a certain senator from Louisiana is holding that bill over red snapper issues.

So we have got some troubleshooting to do there. So we are hopeful there if this can be gotten through the House quickly that we can make that happen at some point soon. But kind of remains to be seen.

I mentioned the red snapper issue. I am sure that we will have continued oversight action on the committee on that issue, and although it does seem that the -- you know, the Gulf Council and all the stakeholders down there are making some good progress on, you know, alternative management. So that's encouraging to see.

That's pretty much what I have as far as an update. Bill mentioned the Pacific
fisheries bill that got done last Congress, which was good. You know, obviously, implementing the new treaties and getting some -- you know, some additional fixes for our IUU enforcement legislation.

The last thing, I guess, I'd like to say is, you know, given the regulatory freeze and all the uncertainty around the one in one out policy, I just want to give a shout out to Sam and Alan and their team for doing such a nice job of lining up rules to get things that are really important out the door and kind of keep the -- you know, keep the trains running so we don't have too big of a bottleneck.

I know a lot of those kind of rules that maybe the big picture political folks don't think about are necessary to -- you know, to get -- you know, get fisheries opened and closed and modified in real time. So, you know, the -- NOAA's team has done a really nice job with that so I just want to say thanks. Happy to answer any questions as well.

MR. HOLMES: So I think we will be moving to Dave Whaley here shortly. But before then, if there's any questions that you guys would like to ask of the congressional staff, please. Mr. Chair?

CHAIR QUINN: Bill.

MR. TWEIT: Thanks, Mr. Chair. Bill Tweit from North Pacific Council but also from the state of Washington.

So definitely interested in what your thoughts were about the next steps for Dungeness crab on the Senate side.

MR. LEWIS: So I am glad you asked that question. The bill -- is it a Herrera Beutler bill? Yeah. That the House has sent us has been held at the desk in the Senate. We have plans to mark up the Senate bill as well, which is identical -- an identical companion just for purposes of fullness of process.

I don't anticipate any changes in committee to the bill because it's very simple and straightforward in what it does. And we have been able to -- through the majority staff, Fern Gibbons, who wasn't able to be here today, by the way, but sends her regards -- has confirmed apparently that the certain senator that Matt referred to is not objecting to the legislation.
So that's kind of an update from what the conventional wisdom was just, you know, as of a week ago. We were still thinking that maybe it was somehow entangled in the question of state management of red snapper in the Gulf of Mexico and the perception that it's kind of -- you know, everybody's equal but some are more equal than others kind of Animal Farm treatment.

So that's, I think, as a result of that bill that it bodes well for the legislation that maybe we can actually get it done promptly.

CHAIR QUINN: Any other questions?

Kitty.

MS. SIMONDS: I have a question for Matt. Hi, Matt.

MR. STRICKLER: Hi, Kitty.

MS. SIMONDS: Section 5 of H.R. 200 -- I was curious to know what your side of the aisle thinks about that particular section which says that -- which says that the Magnuson Act should be in control in terms of all the other acts.

MR. STRICKLER: Sure. Thanks for the question, Kitty.

I think my side's been pretty clear that our members had some concerns with that language. I mean, obviously, the Magnuson Act does a -- has done a very nice job of managing fisheries' resources.

There are other ocean resources out there that people have, you know, an interest in protecting and conserving. Whether that be, you know, marine mammals, you know, other protected species -- sea turtles, sea birds, things like that -- and also habitat areas that the Magnuson essential fish habitat protections do not give enough -- you know, enough legal strong protection to.

So I think -- you know, the idea of, you know, of making sure that anyone who's managing a sanctuary or, you know, another marine protected area, or has authority for implementing a different statute than the Magnuson Act is working closely with the councils and working closely with NMFS to implement those laws in a way that, you know, has the least impact on sustainable fisheries is what our folks are looking for.

But we certainly are not -- you know, our members are not in favor of any sort of
preemption language.

MS. SIMONDS: Okay. Thanks. And my other question is which subcommittee does monuments come under? Marine monuments -

MR. BALL: Yes. So terrestrial-based monuments would go to the Federal Land Subcommittee. We would handle marine-based monuments.

MS. SIMONDS: Okay. Good. Thank you.

CHAIR QUINN: Any other questions for the panel? Seeing none, we will move on to Dave Whaley.

MR. WHALEY: Thank you, Mr. Chairman. For those of you who don't know me I am an advisor of the CCC. I am a former Hill staff, worked on the Hill for 32 years.

I survived it so these guys will survive as well. I lost a little hair and what I have is gray but part of the job.

For those of you who were not living under a rock, you know there was an election in November, right? It wasn't just a presidential election.

We also had 34 senators who were up for reelection and every single member of the House of Representatives was up for election.

As a result of that, we have seven new senators and as a result of Senator Sessions going downtown to be the new attorney general we now have eight new senators. So these guys have some new folks to work with.

As a result of the election, we have 55 new House members. In addition, there are now four vacancies in the House. Three of those vacancies are a result of House members being appointed to positions with the administration and one is result of a member retiring or resigning to take a state attorney general position. So there are four openings that still need to be filled.

The breakdown of the Senate and the House right now, the Senate has 52 Republicans, 46 Democrats and two Independents. The House has 238 Republicans, 193Democrats and the four vacancies.

The reason I mention this is because the party with the majority of seats control the committees, they control the agenda in the committees.
They control the agenda on the floor. And the ratio of members on the committees is basically the same ratio as the ratio in the full House or the full Senate.

So you'll notice the Senate is a very close ratio overall. You'll notice on the committees it's a very close ratio between Republicans and Democrats.

It's a little different in the House, a little bigger margin. So the Republicans have more members on the committees and the subcommittees.

As these guys mentioned, we have some new leadership in both the Senate and the House committee that you guys are interested in.

As Jeff mentioned, we have a new chairman of the Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard -- Stan Sullivan from Alaska -- and a new ranking member, Gary Peters from Michigan, a noncoastal state, although when I used to work for a Michigan member we always thought we were coastal because we viewed the Great Lakes as being coastal states -- not as far as the Magnuson Act is concerned.

On the House Natural Resources Committee, as Bill mentioned, on the Subcommittee on Water, Power and Oceans we have a new chairman, Doug Lamborn from Colorado -- again, not a coastal member -- and the ranking member, Jared Huffman from California, is a coastal member and is returning in the ranking position.

Since it's a new Congress, new members, some new chairmen, there may be some new priorities. We are going to have to see how that shakes out. The Congress has only been in session for a little over a month. But here's some general things to keep in mind.

On the Senate Commerce Committee on the Ocean Subcommittee, only seven of the 15 senators are from coastal states. So less than half. So there are going to be other priorities for that subcommittee.

Having said that, the chairman is from Alaska. He has control over the agenda. So coastal issues may take a priority.

On the House Natural Resources, the Water, Power and Ocean Subcommittee, only eight of the 19 members are coastal. More importantly,
probably, eight of the members -- eight of the 19
are from California and two more are from Western
states.

So 10 of the 19 members are probably
interested in Western water issues. So that is
probably going to be a big priority for that
subcommittee.

Some general things about legislation,
and I'll try and do this quickly so that we can go
to more questions -- as of Sunday, I didn't have
a chance to look at this again last night but there
have been 1,200 bills introduced in the House and
407 bills in the Senate, and that doesn't include
commemorative that are for, you know, National
Easter Day or whatever.

More specifically, there has only been
one Magnuson Act reauthorization bill introduced
so far and that's H.R. 200 that we are going to talk
about in a little bit.

In both the House and the Senate, as was
mentioned, bills have been introduced to extend the
state management of the Dungeness crab fishery.
The House has already passed that. Looks like we
have some good reports on maybe getting that done
this year.

As Kitty is aware and has brought to my
attention a couple times, there is a bill to amend
the Billfish Conservation Act that was introduced
on the Senate that I think Council has a little bit
of heartburn with.

There is also -- I don't know if anybody
has noticed this -- there is also a bill to
authorize the secretary of commerce to award
competitive grants to combat certain species of
lionfish in both the Atlantic and the Gulf of Mexico
that was introduced in the House. So there are
bills that are very targeted to specific fisheries
or specific problems that I'll try and keep you guys
up to speed on.

On some of the other issues of interest
that you all have expressed interest in, on the
issue of national monuments -- now, this isn't just
marine monuments but includes changes to current
monuments, boundary changes or to change a national
monument from a monument to some other federal
designation.

For example, there is a bill to make a
national monument a national historic park and the
reason they do that is under the national historic
park generic legislation there are rules on what
you can and can't do in a park which may be different
than what you can and can't do in the monument.

So there are a number of those bills. There are eight bills in the Senate that have
already been introduced and seven in the Senate.
So this is an issue that even in the first month
people are already paying attention to the fact
that we have a Republican House, Republican Senate
and Republican White House has some people thinking
that they might actually get some monument changes
done this year, and that's going to be true of some
of these other issues as well.

Regarding bills that amend NEPA or
exempt certain action from NEPA reviews, there have
been five bills in the House and three in the
Senate.

On the issue of Endangered Species Act,
there have been nine bills introduced in the House
and four in the Senate and there have been two bills
that would affect the National Marine Sanctuaries
Act.

Both are in the House. There has been
one bill in the House that would amend the MMPA and
so far there has only been one bill that mentions
red snapper and that's H.R. 200, which we will talk
about a little bit later.

As mentioned before, the continuing
resolution goes until April 28th. That means that
both the House and the Senate need to do something
to either extend that or finish out the fiscal year.

So let's take a quick look at how the
Appropriations Committee stacks up. On the House
Appropriations Committee we have a new chairman,
Congressman Frelinghuysen from New Jersey, and the
ranking member is Congresswoman Lowey from New
York, so both from the same region.

Of the 52 members of the committee only
15 are coastal in the House. On the Commerce,
Justice, Science and Related Agencies Subcommittee
the chairman is Congressman Culberson from Texas
and the subcommittee ranking member is Congressman
Serrano from New York. And of the 11 members on
that subcommittee only three are coastal.

The committee has announced what they
call Member Day, which is where they have an open
day for members of Congress to come in and talk
about their priorities, what programs they like, what programs they don't like. That Member Day for the Commerce Subcommittee is today. So we will know at least a little bit later on who actually testified, what they testified about.

On the Senate Appropriations Committee, the chairman is still Senator Cochrane from Mississippi and the vice chairman, which is the term they use rather than ranking member, on that committee is Senator Leahy from Vermont. Of the 31 members, 16 are from coastal states. So that's good.

And on the Commerce, Justice, Science and Related Agencies Subcommittee, the chairman is Senator Shelby from Alabama and the ranking member is Senator Shaheen from New Hampshire. And of the 17 members, 11 are from coastal states.

The Senate Commerce Subcommittee has not scheduled any hearings or at least has not announced any hearings on the Commerce, Justice, Science bill so far. So stay tuned.

Finally, as was mentioned earlier, Secretary Ross was confirmed by the Senate yesterday by an overwhelming vote of 72 to 27 and the word is that he will be sworn in Tuesday.

So, obviously, once that happens, the ball stars rolling on other appointments. And lastly, it hasn't been mentioned yet today but for those of you who are interested, the State of the Union is tonight.

We don't know how much specifics the president will get into on issues. You may remember President Obama, at one point, did bring up salmon and the confusing management. So anything could come out in the State of the Union.

So thank you, and if you have any questions -- I know that was a lot of stuff to throw at you, a lot of numbers -- but if you have questions please let me know.

CHAIR QUINN: Thank you very much, Dave. Any questions of Dave? Kitty.

MS. SIMONDS: Legislation is my favorite subject. So Dave, you brought up the just introduced recreational bill having to do with billfish.

So the service never completed a final rule, correct, Sam? And why was that?
MR. RAUCH: So we submitted a proposed rule to OMB. OMB had indicated it was significant and we talked about that earlier.

We submitted it to OMB in the last administration. OMB never acted on it, and as is the normal course for most of these bills, if OMB doesn't act on it they request this at the very end of the term to withdraw them all -- to have a clean slate for the next president.

So we withdrew it. So that's the status of it. We never issued a proposed rule. We withdrew it from OMB consideration.

MS. SIMONDS: I guess what really bothered me about that legislation because we had some discussion when that was going on is that that whole bill was prefaced, especially in the preamble, about how all of the billfish were in the toilet.

And so we said well, great, that's on the Atlantic and the Gulf but not so in the Pacific Ocean so why should we have to follow the same management as, you know, whatever was being proposed.

So, you know, we tend to -- we intend to argue this one out. I think it's unconstitutional to make us in the Pacific Ocean not be able to sell our fish when that's what we have been doing all of these years, and our billfish are healthy.

So my suggestion to those people in the Gulf and the Atlantic is if their fishery is so bad, why do they have those kill tournaments? You know, people -- it's out there who brags about how many billfish they've killed.

Well, you know, stop fishing. So I just thank you, Dave, for bringing that up because I almost forgot to mention this. Thanks.

CHAIR QUINN: Dan.

MR. HULL: Thank you, Mr. Chairman. My question is related to the North Pacific Fisheries Commission and the implementing legislation. I am not sure if it's best answered by the staff or Dave or even perhaps Sam.

And, as you know, the legislation provides for three of the five commissioners to be the chairs of the council to the Western Pacific and the Pacific and the North Pacific.

And when it was signed by the president
he said in a statement that there were some concerns about the council chairman representing the U.S. and it's my understanding that that -- there was some difference of opinion between Department of Justice and NOAA counsel and the State Department about what the roles of the council chairs were as commissioners. And I wonder if, going forward, how that might be resolved.

CHAIR QUINN: Adam.

MR. ISSENBERG: Thank you, Mr. Chairman.

We are -- so we have been working with DOJ and the State Department. We have actually been talking to them over the course of the last week or 10 days to address that issue.

I am not really prepared at this point to talk about the substance of the issue but we are working with -- working on that issue.

We are, certainly, letting our partners at DOJ and State know, you know, about the council's interests and ensuring their representation and participation on the delegations and I hope that we will have a solution fairly soon. But that's really the most I can say about it at this point.

MR. WHALEY: I guess -- Bill, did you have any --

MR. BALL: Well, I just wanted to kind of reiterate that in this -- working through that bill that was an extremely important provision to us and our members.

And there was -- seemed to be a little bit of difference of opinion. You know that the Justice Department, obviously, wrote a letter to the Senate on their bill and had some issues with it.

But I think it's pretty clear what the -- what our members' intent was and I know I'd asked maybe a week ago of NOAA and there seemed to be no clarification.

So I'd assume you guys could give us clarification of better because, again, that was a piece of that bill that was extremely important to us that these councils are involved because I think we have seen in the past that sometimes the negotiations don't always go in favor of U.S. industry.

We want to ensure that our industry is only supported. So we think the councils do a
great job bringing their things to the table.

CHAIR QUINN: Adam.

MR. ISSENBERG: And just to reiterate
the point, I think all three agencies recognize the
importance of having the council's involvement
and, you know, we are working very hard to find a
structure that will allow for that.

MR. HULL: Thank you. If I may, Mr.
Chairman, I guess it's my understanding that --
just a comment that the council chairs, as
commissioners, we certainly recognize that the two
other commissioners, whether, I think, it would be
State or National Marine Fishery Service or the
Coast Guard would be lead delegation.

So with respect to the roles of the
council chairs I'd be -- definitely be interested
to learn more how that's resolved.

I guess a general question, though, is
what -- what do you see as the time line for formally
establishing the commissioners then and the
advisory panel or advisory board and the
organization so that we would all be ready for a
July NPSC meeting.

CHAIR QUINN: Sam.

MR. RAUCH: I don't have an answer. We
will get back to you on that.

CHAIR QUINN: Kitty.

MS. SIMONDS: So my question is why is
it an issue now when it wasn't an issue in 2006?
In the Western and Central Pacific Commission,
there are five commissioners.

Four are not government employees.
Two of them are chairs or designees of the two
councils and -- three councils, right? But no, you
don't have one. The Pacific Council and us, and
then the other two are industries -- industry
representatives.

So, you know, one government -- we just
have one government commissioner and that
government commissioner always leads the
delegation.

So why now? No problems before.

MR. ISSENBERG: You know, I can't speak
specifically to the Western and Central Pacific
Commission.

You know, as I said, we are working to
ensure a structure in this context that will ensure
council involvement.
MS. SIMONDS: Okay. So whatever you decide is not going to affect the Western and Central Pacific Commission and the U.S. delegation.

MR. ISSENBERG: That hasn't been part of the discussion at this point.

MS. SIMONDS: You need to follow this very closely.

CHAIR QUINN: Any additional questions on the legislative outlook? Topher, you? Great. All right. Much appreciated for your participation. Good transition into the MSA reauthorization. I am going to turn it over to Sam for a minute and just one comment. Sam made reference.

I've got a -- I am going to miss the afternoon session so I am going to turn the gavel over to Terry Stockwell for the afternoon session. So Sam.

MR. RAUCH: Yeah, I'll be brief. I just want to -- on the agenda is a discussion of the MSA reauthorization so there might be legislative discussions.

I want to reiterate that although the federal people are participating here in the CCC we are not going to be taking a position. We don't have any position on legislation. It would be inappropriate for us to take one.

And so while we appreciate the views, from our perspective of the CCC we are going to be abstaining from this discussion.

CHAIR QUINN: Thank you very much. I am going to turn it over to Gregg Waugh, who's the chair of our legislative committee. Gregg.

MR. WAUGH: Thank you, Mr. Chairman. The legislative committee met on January 30th via conference call and the materials are included in the meeting materials.

And that legislative committee -- there is a committee report included. The committee -- I am the chair. Michelle Duval representing the South Atlantic Council, Terry Stockwell the New England Council, Kitty Simonds the West Pacific, Dan Hull North Pacific and David Whaley is an ex-officio member.

So the committee reviewed H.R. 200 with the intent to work from the last CCC letter. We
had received input that in all likelihood we could be requested to provide some comments fairly quickly and we wanted to have a comment letter that would be able to be used.

And so we worked very closely from the previous letter and that's included so that you can see what changes were made.

The idea when we approached this was to try and build this comment letter based on the previous position so that we could approve that at this meeting and have a quick response.

The other issues that are in a working paper the legislative committee will continue to work on those and, indeed, if anyone finds something in this letter is too controversial right now it'll get bumped into that working document.

So the attachment two is a draft position paper. We will get into that in a few moments. And one thing we wanted to clarify, and we should have some discussion to make sure this is correct, our interpretation of the intent of what we were trying to do is not a specific response to H.R. 200.

It's to work from our general comments but to have those be informed by what's in H.R. 200. So we just want to verify that you all are comfortable with moving forward.

And as I said, what we'd like to do is get approval of that letter if not today by close of business tomorrow if at all possible.

You also have the text of H.R. 200 as well as some summary materials that Dave Whaley put together. Once we get finished with the letter other items that we want some clarification on or the committee members there may be some interest in adding to the legislative committee.

There are lots of amendments and interest in the Gulf so it might be good to have someone from the Gulf. We could also look at the makeup of the House and Senate Committees and we may want to add some members with some particular expertise there.

So with that introduction, if we could just work through this draft position paper, and my suggestion would be that we go through page by page and see if anyone has any issues with what's on the page and then move through.

And, again, if there are any complex
issues then we can just remove those from the letter and I'll revise the letter and distribute it to everybody again so you'll have it if, indeed, we want to see it again before final approval.

CHAIR QUINN: That sounds like a good approach, Gregg. Before I do that, I am going to call on Matt Strickler just for a quick question.

MR. WHALEY: Sorry, I meant to say this before we all left the table. But I am going to stick around for this discussion. I think Bill and Jeff are too. We are certainly interested to hear what the councils have to say about H.R. 200 and Magnuson reauth.

CHAIR QUINN: The floor is yours, Gregg.

MR. WAUGH: Thank you, Mr. Chair. So with that, we have got a general introduction, mentioning that we looked at H.R. 200. Point out that our discussions were informed by this legislation but not specific to it. And then we get into the management flexibility, the first item dealing with rebuilding plans and then management of mixed stocks. Are there any questions or comments on the information on Page 1?

CHAIR QUINN: No problems with Page 1? Seeing none.

MR. WAUGH: Then if we move to Page 2, we are dealing with transboundary stocks, data limited fisheries -- deal with those two sections. Any questions on those two?

CHAIR QUINN: Chuck.

MR. TRACEY: Thank you. I guess maybe just a little clarification on what is meant by a transboundary stock. Are we talking about international transboundary stocks? Are we talking about council -- multiple council transboundary stocks or what's -- what specifically is being discussed there?

MR. WAUGH: My understanding is it would address both because we do reference the illegal unreported unregulated fishing. So I think it would cover both.

MR. TRACEY: So this includes stocks that are subject to treaties and the like as well?

MR. WAUGH: Yes.

CHAIR QUINN: Tom Nies.

MR. NIES: I have a question on the
transboundary stocks and I think it's actually a sentence that was carried over from our letter last year. But I am struggling a little bit with the first sentence because I was trying to figure out what particular section of H.R. 200 it's talking about.

I mean, this is very specific. So as we support language to develop annual and in-season quota trading programs for transboundary stocks. And I was having difficulty figuring out what specific language in H.R. 200 proposes that. I just couldn't find it. If you could point it out to me.

MR. WAUGH: And there may not be. This, as you say, comes from a previous letter and that predates my involvement here. So I am not sure why that was put in there originally.

But, again, these comments are -- this is not just a specific response to H.R. 200. So it's building off those prior comments.

CHAIR QUINN: Any additional comments on transboundary or data limited? Tom?

MR. NIES: No.

CHAIR QUINN: Okay. Gregg.

MR. WAUGH: Okay. Then in terms of definition of overfished and transparency, any questions there?

CHAIR QUINN: Chuck.

MR. TRACEY: Thank you. So I guess with regard to the distinction between overfished and depleted, I think that -- you know, I think that's a good approach. You know, I know there is some discussions about whether depleted is the actual right word.

But it seems like there is also been some previous discussion about making a distinction in the Act between overfished and overfishing or in this case depleted and overfishing.

The terms overfished and overfishing are kind of used interchangeably in the act and I think it would be worth taking a look at that a little closer, maybe look at some of the previous suggestions we have had on that to make sure that that -- if that remains a CCC position that we address that issue specifically.

MR. WAUGH: And Chuck, is that something that -- it seems to me that's something
that we should address in this working paper to develop it because we don't have any wording now. And maybe you have some suggested wording because, again, what we are looking to do is have this initial letter ready to go in case we get requests for comment and then things like that, to me, would go into the working paper. The legislative committee will work on that between now and May and then bring another version to the CCC in May.

MR. NIES: That would be fine.

CHAIR QUINN: Anything else on overfished or transparency? Seeing none, Gregg.

MR. WAUGH: Thank you.

CHAIR QUINN: Chuck -- sorry.

MR. TRACEY: Thank you. On transparency, I guess I am struggling with this one a bit in particular with regard to the SSC link there.

You know, having video or audio recordings available for SSC meetings is -- I guess, to me, that -- I struggle with that. It seems to be -- seems to me that the SSC -- you know, while the meetings are open to the public and that they are, certainly, you know, want to be transparent, their ultimate recommendations come to the council and the council approves those recommendations or not. And I am not -- I am not sure I see the need for, you know, broadcasting or keeping an archive of those meetings. It certainly would be a logistical issue for our council to accommodate that.

I guess if somebody -- I mean, if people are really interested they should be coming to the meeting anyway. But there is also a requirement in there for a 30-day limit on providing transcripts, which, when we have two council meetings in 30 days I don't know how we possibly get transcripts out, you know, within 30 days.

That seems also like a unreasonable time limit on that. So I guess I would -- I would not -- would not be in favor of including support for that particular aspect of the bill.

CHAIR QUINN: Gregg.

MR. WAUGH: Yeah. Chuck, the 30 days, is that coming out of H.R. 200? Okay. Yeah, because that's not in the letter, and our council, we routinely webcast and record and produce minutes from our SSC and actually our SSC minutes are our
top seller. There is a lot of demand for those minutes and they get read, analyzed, scrutinized, dissected.  

MR. TRACEY: Well, we produce SSC minutes as well but the broadcast -- you know, that requires somebody to be there with the microphones and another hard internet line and sometimes those are difficult and expensive to come by.  

CHAIR QUINN: Chris Oliver.  

MR. OLIVER: I guess I just want to echo what Chuck said. Our SSC produces extremely detailed lengthy minutes that capture the discussions and the recommendations. But having to webcast and record those I am not sure where that's coming from or why it's necessary.  

Obviously, council meetings are -- we do full audio transcripts, if you will. We no longer do written transcripts. We have searchable audio and we webcast them. But I just don't understand the need to do that for our SSC meetings as well.  

You know, we have an advisory panel, too. We have committees and, you know, where do -- where do you stop. But I just don't understand the inclusion of the SSC in terms of recording and webcasts.  

CHAIR QUINN: Gregg.  

MR. WAUGH: Well, again, that was right out of the last letter and we do qualify it by saying to the extent practicable. So it gives you some flexibility. But I think Dave may be able to offer some additional explanation.  

MR. WHALEY: I think we are talking about two different things here. One is that the letter talks about the council's agreeing with the idea of transparency. The question, I think, that you guys are raising is specifics that were in the legislation which, I think, would be good to raise later on.  

But just as an aside on this, the language that's in H.R. 200 has been around for a number of years. In fact, it was in the bill when I was on the Hill three years ago.  

The concern was not necessarily with your two councils and the SSC process. But there are some councils where the SSC's deliberations were viewed as being secretive, not transparent and at a time when fisherman couldn't be there to
participate or to watch.

So the concern was that we wanted --
that Congress wanted to have rules in place so that
the SSC was a very transparent process.

Now, if there are specifics about that
that are going to make it unworkable I think those
are things that you guys need to communicate to
congressional staff.

But the idea is that the SSC process
needs to be as transparent as the council process
and, again, that was coming from specific regions
and not necessarily either of yours. Is that
helpful?

CHAIR QUINN: Terry Stockwell.
VICE CHAIR STOCKWELL: Thank you, Mr.
Chairman.

We agonized over this issue at length
several years ago, and as Gregg just pointed out,
at that point including also in our subgroup's
discussion, the -- to the extent practical resolved
all the angst that we had in the past and we had
in the subcommittee.

And I do want to comment that much like
South Atlantic, the SSC meetings are of keen
interest to New England. They're well attended.
We record everything and the recordings are well
-- you know, are well reviewed.

So I am comfortable with the language
as it stands.

CHAIR QUINN: Michelle.
MS. DUVAL: Thank you, Mr. Chairman,
and I think, you know, we carried over those
sentences from the previous letter that point out
the difficulties in terms of, you know, the budget
concerns and the difficulties with video
recordings of meetings as well.

So I think we point out that, you know,
the challenges associated with producing that --
those types of recordings. I mean, we webcast our
SSC meetings and we have the audio recording that
is available and the transcripts that are produced
but we don't have the -- a video recording of the
meeting at all.

CHAIR QUINN: Anything additional on
that section? Chuck.

MR. TRACEY: Thank you. With regard
to the last sentence there talking about developing
a policy and its SOPPs, I guess it seems like it's
been difficult to modify and get SOPPs approved in a timely manner.

So I would -- you know, I think if there is another mechanism to do that we have our council operating procedures, which are, you know, I guess, less formal or less binding then SOPPs but it's something that we routinely review and it's available for people to see how our advisory bodies operate and the council operates and I guess I would make a request that there be other vehicles besides SOPPs for documenting these procedures.

CHAIR QUINN: Gregg.

MR. WAUGH: So we can add after that or similar document, because we have a handbook that we update routinely.

CHAIR QUINN: Tom.

MR. NIES: I wonder if it would be helpful for this section if we perhaps modified the first sentence or maybe the second sentence a little bit, and I might have to massage this.

But in order to address the issues raised by Chuck and I think to some extent Chris, you know, the first sentence which talks -- supports a transparent public process including clear documentation of all council and SSC meetings, and then period, and then a sentence that says something like, you know, this requirement could be met through webcasts, recordings, detailed minutes or summaries -- a sentence like that so that we make it clear that yes, we want the SSC and council meetings to be clearly documented but because of the regional differences between the councils and remoteness of locations and things like we don't really want to prescribe how that role is met as long as it is met.

You know, that there is a -- like you say, you do detailed minutes of our SSC. Our SSC gives a report of their decisions but I would hesitate to call it detailed minutes.

But if anybody wants to go back they can listen to the recording of the decision. So it seems like any of those methods would meet the requirement.

The way the first sentence is worded now it seems like we are leaning to prefer webcasts and recordings which, I think, there is at least some councils that are leaning that way. It's just a suggestion for some edits that might make that a
little more palatable to people.

CHAIR QUINN: That sound good?
Without objection, we can maybe tweak that language in the final draft. Done with the transparency section? Okay. Move on to Page 3.

MR. WAUGH: Then we have got NEPA compliance, and maybe we will take these one at a time because I imagine there will be some discussion on them.

So NEPA compliance first.


MR. TRACEY: I'll start if off, I guess. Well, you know, this is something that our council has been interested in for a long time and I think a couple years ago we had a NEPA white paper about maybe some ways to accomplish that. I don't think we were -- have been totally satisfied with the -- with the NMFS response to the previous Magnuson Act reauthorization.

So, you know, I guess I would support having something in there about this. I think my initial thoughts are that, you know, what's in there is something we -- what's in 200 is something that I think we could work with.

But I guess I would support the -- having something in the letter like that.

CHAIR QUINN: Gregg.

MR. WAUGH: And can you provide me some wording that you would like to see in there and then we will put that in the revised to present tomorrow.

MR. TRACEY: Thank you. Well, you know, again, you know, if we are not talking specifically about 200. We are just talking about this general letter. I think what's in here is good.

CHAIR QUINN: Yeah. The intent of this letter is to be, you know, overarching, not specific to 200. So I think that general language like that would be sufficient. So Chris.

MR. OLIVER: Okay. Then with that clarification, I guess the language that's in there now I think is probably appropriate.

As I mentioned before, I have actually -- I've been -- this NEPA reconciliation has been sort of my pet peeve for a long time and I actually -- I think -- well, let me just say that the language that's in H.R. 200 I have some serious concerns with
which I am afraid that it implements a process -- as much as it pains me to say implements a process that -- a whole new process that basically leads us right back where we started and so I am not sure that the language that's in H.R. 200 is the right fix.

But since we are not specifically talking in this letter to that provision I guess the language that's up there is probably appropriate, and I just wanted to make that note.

CHAIR QUINN: And I think following the completion of review of this letter we are going to talk specifically about 200. So I think at that point in time we can raise those issues. But this discussion is about the letter -- the general letter.

Anything else on the NEPA compliance section? Seeing none, Catch Share program section. Doug.

MR. GREGORY: Thank you. That last sentence I think we should talk about where it says management -- it could reduce the council's ability to implement the appropriate management program for their fisheries that could include new catch share measures, I think we need to add that could include modification of exiting catch share measures or new catch share measures because we are looking at a five-year review of our IFQ program, or catch share program, and if we want to do any major change we have to go through a referendum and the people in the fishery with the existing program that like it are going to support status quo and our hands are effectively tied at being able to really effect any changes that we might have overlooked in the initial implementation of it.

CHAIR QUINN: Is that acceptable, Gregg?

MR. WAUGH: Yes.


MR. NIES: I don't know if we brought this up before so maybe this is something we want to add to the list for May rather than addressing this letter.
But do any of the other councils have concerns over the current data confidentiality provisions? We have run into -- occasionally run into problems within our council with data confidentiality restrictions making it sometimes difficult to provide information to fisherman that they need in order to determine what they think about a proposed management measure, typically in the catch share program, because the data confidentiality provisions, for example, apply to the permit owner and in some cases the permits have changed hands, the permit owner may have died, whatever.

This has become problematic. But there is also been some issues surfacing in our region a little bit about, you know, how much of the data should really be protected, to what level of protection is needed when you're talking about data that's being used to manage a public resource.

And we have actually heard some of this from some members of the industry as well as other people. So if this is an issue that's come up in other regions maybe we should add this as something for the work group to talk about and bring back in May. But I don't know if it's come up anywhere else.

CHAIR QUINN: Gregg.

MR. WAUGH: Thank you, Mr. Chairman.

It has been an issue in our council. We have some species. Rec fish is one that we can't track the quota. You can't show what poundage has been landed.

We have had issues before where stock assessments -- difficulty doing a stock assessment because of data confidentiality.

So yes, it's an issue and I think, as we deal with the loss of fish houses in our coastal communities it becomes increasingly difficult to even look at annual landings at the state level.

So I wouldn't say we have any sort of consensus from our council on what should be done but I agree with the suggestion to make that an item that's looked at in the work group.

CHAIR QUINN: Fair enough. Anybody else on that section? On to the other federal statute section. Comments or questions on that section? Chuck.

MR. TRACEY: Thank you. I just had
some general comments on that and this seems like it needs a little bit more -- you know, maybe some little explanatory language that might go in there. So I do have some suggestions. I can read them to you if you'd like or add something like when fisheries' restrictions are put in place through other statutes frequently the fishing industry and stakeholders are not consulted.

An analyses of impacts of fishery-dependent communities are not considered and the regulations are either duplicative, unenforceable or contradictory. So just a little more explanation of why -- what the problem is.

CHAIR QUINN: Gregg.

MR. WAUGH: Yeah, Chuck. If you email that to me I'll add it in this revised Word version.

CHAIR QUINN: Anybody else on the other federal statutes section? Seeing none, policy directives section. Tom Nies.

MR. NIES: I agree wholeheartedly with this sentiment. I am just not entirely convinced the sentiment belongs in this particular letter, unless we are thinking that maybe we need legislative action to cap the number of policy documents the agency can publish. Two.

MR. WAUGH: Two for one -- applying the two for one here.

CHAIR QUINN: Any comment?

MR. WAUGH: And I would encourage the legislative committee members to chime in here because this is something that -- a paragraph that we added and there was -- there was some discussion should it -- should it go in here or is it better in some sort of other outreach venue and we'd be looking for guidance from you all.

CHAIR QUINN: Dan.

MR. HULL: Thank you, Mr. Chairman, and this was a particular section that we wanted to make sure that the CCC had a full enough discussion on and could come to grips with.

I guess as I read through it again, I agree with Tom, it probably doesn't fit quite as well with the rest of the -- of this general comment letter and -- but could potentially work in some -- in other communications that -- in work that we provide along the way.

CHAIR QUINN: Anybody else on the policy directives section, in or out? Michelle.
MS. DUVAL: I am good with that approach as well. I mean, we did talk about this and the additional burdens on council. So I am fine with the suggestion to, I think pursue that through communication through other means.

CHAIR QUINN: Should I make the suggestion that we put the policy directives back into the working group? If that's acceptable then we can revisit it in the future? Okay.

And then the general comment section.

Any questions or discussion on that section that's carryover from the prior letter or new language?

MR. WAUGH: That was from a North Pacific letter.

CHAIR QUINN: All right. No questions, comments? We will move on to the next section if there is a next section. Right. So if people have edits that were discussed if you get them to Gregg and he could edit the document, get it back to us tonight or first thing tomorrow then we could have a motion under other business tomorrow or somewhere else that we can fit it in to adopt the letter as edited. Sound like a plan? Very good.

All right. That portion is concluded.

Now, back to you, Gregg.

MR. WAUGH: So that -- one other item we wanted to ask was there any additional CCC members that wanted to volunteer to be on the legislative committee, and let me take this opportunity to thank the legislative committee. They did a lot of the heavy lifting putting these comments together.

And in looking at the working document that was left from before, there is a lot of sticky issues in there and we have got a few we added here.

So we would definitely benefit from some additional participation. You can give -- speak up now or give that some thought between now and when we deal with the final letter and, again, I think it would be good, given all the interest coming out of the Gulf, to have someone from the Gulf, and then we heard from the legislative briefing some of the committee people.

So if we have some good contacts there we can look for some volunteers there. And then I guess directing the legislative committee, which you all sort of already had is to work on revising
and updating that latest working paper that was
dated January 2015 and bringing that forward at the
May meeting.

I don't know the utility of trying to
get into any of the specifics right now in H.R. 200.
We heard, during the legislative briefing, that
that's likely not to be the vehicle that was going
forward.

Certainly, some of those issues are in
the -- in the working group but we are open to the
discussion here. And I don't know, Dave, if you
wanted to add anything to that.

MR. WHALEY: I don't know how to say
this. Yes, one of the staff did say that H.R. 200
was not going to be the vehicle but I didn't hear
the other two agree with that.

So I don't know that that's the case.
There is -- there is no other bill out there in
either the House or the Senate yet. So -
CHAIR QUINN: I'd make a suggestion.
Maybe we could open up the floor for a couple of
minutes of comment. I know a few people who had
some thoughts on specific sections in H.R. 200. So
maybe open the floor to that. Chuck.

MR. TRACEY: Thank you. I guess -- I
guess before we get to that just to address the
legislative committee membership.

Pacific Council would like to
participate on that but I am not sure we are quite
ready to name a name yet, just -- and I guess one
question.

We had thought that perhaps somebody
other than our chair or vice chair might be a
possible contributor. Another council member
that's the chair of our legislative committee, for
example, might be interested, if that would meet
with the other councils. We'd be all right with
that if we had another designee to do that.

CHAIR QUINN: Doug.

MR. GREGORY: My response is the same.
We will help with identifying a staff person to help
with that.

CHAIR QUINN: And there is no objection
to it? Not -- a member other than the chair or the
vice chair? Tom.

Any other general comments on H.R. 200?

Doug.

MR. GREGORY: I am thinking I'll bring
that to our council in June for a review. We did review it in 2014 but that was before we were given advice that we can't support or object to specific items.

So it might be worth us taking another look at it, since it's essentially the same thing with a different viewpoint of how this or that might impact us.

CHAIR QUINN: Anybody else on H.R. 200?

Chuck.

MR. TRACEY: Thanks. I've got several specific comments or questions or issues that I think -- I don't know if we are going to -- I guess maybe I'll just raise them and see if there is anybody -- toss them out there and see if anybody rises to the bait.

But there were several things in the bill that I thought were interesting and probably worthy of comment. One of them was the emergency rule language, which is different than what we have had before, which I believe is now instead of two 180-day periods are now two one-year periods.

So I think that's something worthy of a comment. There is the use of terms like informal transboundary agreement. I am not sure what an informal transboundary agreement is. There is also the use of terms like species rather than stocks for transboundary issues.

So there is some need for clarity there. There is a requirement for stock assessment plans and timeline which, you know, could be problematic for the Pacific Council. We have over 90 stocks in our ground fish fishery management plan. Many of them we never have enough data to do a stock assessment on.

There is some call in there to require the use of certain data sources as best available scientific information and so I have some concerns about requiring the use of as opposed to requiring the consideration of and, you know, so the determination of what's the best available science should not be dictated. I think it should be considered but I am -- you know, I am troubled a little bit by requiring its use.

And I got another note here that I can't recall what it means so maybe I'll just give it -- give it a rest.

CHAIR QUINN: Any comments as to
Chuck's suggestions or additional comments on it?  
John.

MR. GOURLEY: Thank you. We'd like to echo the concerns of the BSAI. We have had some problems in the Western Pacific on published papers where the authors have taken the results and put out press releases, and I am not quite sure whether appropriate.

It would be like junk science, and we need to very cautious about being required to take some of this data that people are collecting and having to use it for stock assessments. I think it would -- it would really -- it could possibly really hurt us and confuse the issue. Thank you.

CHAIR QUINN: Thank you. Any additional comments? Dave.

MR. WHALEY: If I can piggyback on that sentiment. The language also not only -- not only tells the councils what information they have to use but it also says that if you don't use some of the information that's submitted you have to explain why you didn't, and I think that may be a real burden on councils. So that -- pay attention to that language as well, if you would.

CHAIR QUINN: Tom Nies.

MR. NIES: You know, I am not sure this might be an answer to Chuck but the language informal transboundary agreement seems to refer to an understanding that we have with Canada, to be honest. That's the exact language we use to describe how we jointly manage three transboundary stocks on George's Bank.

The paragraph before that addresses ACLs when there is an international agreement and then that paragraph talks about ACLs when there is foreign fishing that is outside of an international agreement or an informal transboundary agreement.

I don't know if the staffers can clarify that but that didn't look unusual to me because of the term of art we are using on how we manage those George's Bank stocks.

MR. WHALEY: Yeah, that's my understanding as well that there were a number of stocks that were under a transboundary agreement. There were some that were not under a formal agreement.

NOAA had concerns that the language that was in the act didn't cover those fisheries
despite the fact that they were very similar to those that were under an agreement. So this was a catch-all provision to cover a couple very specific issues in your region and I think there may have been one in the Caribbean region as well.


MR. WAUGH: Mr. Chairman, I think that's everything we had to cover. Thank you and, again, we -- if there are any additional individuals besides the Pacific and Gulf Councils that are interested serving that let us know. Dave had -

MR. WHALEY: One last thing. I provided for the legislative committee a section by section as well as a bullet point paper and also a paper that described the changes between H.R. 1335 which passed the House last year, and H.R. 200, which is the bill this year.

I don't know if those are on the website or if they've been distributed to everybody but if you want those we can make those available.

CHAIR QUINN: Tom Nies.

MR. NIES: Yeah. With respect to that, they were distributed to everyone. They were not put on the NMFS CCC webpage because of some concerns that were expressed.

I'd have to look. I think they were put on a Regional Fishery Management Council webpage but I need to double check that. I don't know if they made it there yet.

CHAIR QUINN: All right. That concludes the morning session. We are ending a little bit early but we had scheduled an hour and 15 minutes for lunch.

So if we get back at 1:15. There is some sense that the National Standard 1 may take longer than the allotted time. So it's probably good that we have an extra half an hour in the afternoon.

So with that, we will adjourn for lunch to reconvene at 1:15.

(Whereupon, the above-entitled matter went off the record at 11:59 a.m. and resumed at 1:18 p.m.)

VICE CHAIR STOCKWELL: Okay, good afternoon everyone. We are going to reconvene the CCC. I hate to jinx us but we are running a little
bit ahead of the schedule, and because of that, we have had a request from another federal agency, the Marine Mammal Commission, to briefly address the CCC. So, Rebecca Lent.

DR. LENT: Thank you very much. Thank you, Chair, and thank you all for the opportunity just to spend a couple of minutes to tell you about the Marine Mammal Commission in case you've never heard of us.

So again, my name is Rebecca Lent and after a 22-year career at the National Marine Fisheries Service I went over four years ago to the Marine Mammal Commission.

This is a federal nonregulatory agency charged with oversight and implementation of the MMPA. So we work with Department of Interior, Bureau of Ocean Energy Management, Fish and Wildlife Service.

We work with the Navy and other military. But our biggest collaborator, customer and partner is NOAA fisheries.

So the idea is that we take a look at how these agencies are doing with implementing the MMPA. We provide formal letters with recommendations and comments on proposed rules, draft policy guidelines, other issues.

The agencies are not required to follow the recommendations of the commission but they are required in 120 days to give us a reason in writing for why they weren't able to follow our recommendations.

So in my exit interview with Sam Rauch -- I am sure you remember Sam four years ago -- Sam said, whatever you do, Rebecca, don't sit down there two miles down the road and just write us letters. Come and see us. Let's work together.

Really good advice, and so that's what we have been doing. A lot of emphasis on front loading, trying to avoid problems before they become crises, before they become lawsuits.

I am not sure we can actually keep track but we are trying our best to make it more of a conversation and a partnership. So we like to convene players around the table, work on public-private partnerships. I am really happy that NOAA fisheries has joined us in a number of those, including bycatch partnership that we announced at the Our Oceans Conference, and Kitty

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and Terry were there, where we had NGOs, fishing industry and others joined us in putting money forward for various bycatch efforts.

I just want to tell you about two highlights of what we are working on right now. We are focusing very heavily on the Arctic and most specifically the rights of indigenous populations to harvest marine mammals.

This is part of our job. It's part of our mandate. And we have had listening sessions in the Arctic. We had an annual meeting wrap-up there. We send our commissioners up there to work with the indigenous populations. It's really important effort that we think we'd like to be able to continue funding -- allowing.

And our other big area is fishery bycatch, global bycatch, domestic bycatch. Globally, fishery bycatch is still the number-one direct source of mortality for marine mammals around the world and a lot has been done in the United States, as I am sure all of you would agree around the table.

So we are focusing a lot on foreign fisheries. We have people -- we have a marine mammal commission rep on each of the TRTs but I want to branch out more into some of the efforts underway at the Regional Fishery Management organizations, efforts underway for capacity building in developing countries. Sometimes it's small-scale coastal fisheries. And one of Sam Rauch's favorite rules, which is the MMPA import rule, which we started -- I can say we because it was about 10 years ago when we first got the petition.

But the idea is leveling the playing field for U.S. fishermen. Our fishermen have to compete in the market with foreign product, which comes in at huge volumes. For shrimp, TEDs are required in foreign fisheries. But for gillnet cut fish, pingers are not required. But Sam's going to change that. Thank you, Sam.

As part of this effort to address bycatch, we want to be more engaged with the Fishery Management Councils. I was really fortunate that we were invited to come up to the New England Fishery Management Council.

The big reason behind that was we wanted to announce our annual meeting was going to be in your back yard. But I hope that we can get to some
other council meetings. We won't do it without asking you first to check into the agenda to see if we could just come up and listen and learn.

We are having our annual meeting in April -- April 5, 6, and 7 in Woods Hole -- near Woods Hole -- and the two big topics there, one of them is recovering marine mammal populations, and I know this is an issue on the West Coast, and it's -- for gray seals it's becoming a bigger issue in New England -- and the other one is North Atlantic white whales and entanglement with fishing gear as well as ship strikes.

We are inviting DFO -- Department of Fisheries and Oceans, of Canada and we hope some Canadian constituents will come as well. Again, this whole idea of making sure we are looking at the bigger problem for marine mammals.

So that's our report, Mr. Chairman. I did leave our annual report -- it used to be about 600 pages long. Since I got there, it became a two-pager with a lot of links. But it should be -- give you a nice glimpse of what we do and I look forward to working with you at your future council meetings.

Thank you, Mr. Chairman.

VICE CHAIR STOCKWELL: Thank you, Rebecca. Are there any questions before she leaves? Gregg.

MR. WAUGH: Thanks, Rebecca. One of the issues we have struggled with is, you know, as these stocks continue to rebuild by definition you're going to have more interactions.

And when you look at ecosystem management -- we had a council member from North Carolina whose saying was there was only so much carbon out there -- you got to choose what it's in.

And is there any discussion in you all's community about what an appropriate population is for the multiple species and how we deal with them at that higher population and have fisheries?

DR. LENT: Thank you, Gregg. Well, there are levels that are specified either in the Marine Mammal Protection Act or in some of the guidance that's been prepared primarily by the National Marine Fishery Service. There is an OSP -- optimum sustainable population level. There is K, which would be as much as the system can hold. But I think what's really important, as you say,
is to focus on where these interactions are increasing.

We mentioned at the New England Council it's no longer, in some cases, a matter of how fishing affects marine mammals but how marine mammals impact fishing, and we need to pay attention to that.

I was really hopeful, and maybe Sam has an update for me, but really hopeful that we would have the nonlethal deterrent guidelines ready for public input in time for our annual meeting. Doesn't look like that's going to happen.

But that's the kind of thing that the NMPA actually provides for. It's to develop guidelines for dealing with whether it's fishing or property -- coastal property and that type of interaction. So there are levels that are specified. There are measures in NMPA for dealing with recovering populations. I guess the smart people in Congress thought maybe this is actually going to work -- we are going to have recovery of some populations and we are going to have some critters like gray seals coming back to where they used to be and now there are humans. So an important problem. Thank you.

VICE CHAIR STOCKWELL: Other questions? Seeing none, thank you, Rebecca.

DR. LENT: Thank you very much. I appreciate it. Thank you.

VICE CHAIR STOCKWELL: Okay. We are moving on to the National Standard guidelines. Sam.

MR. RAUCH: Thank you, Mr. Chairman -- Vice Chairman, I'll call you at this point.

As you know, we published the final revisions to the National Standard 1 guidelines on October 18th, 2016. We have then gone around to most of the councils except for the Western Pacific and given specific presentations to Western Pacific.

One is scheduled in March, I believe. We have also met with a number of the SSCs around to discuss the guidelines. So I want to first thank all the councils for hosting us and allowing us the opportunity to have those discussions. I think they've been very useful both on our end and hopefully on your end as well.

We are going to have Emily go through
a brief presentation that summarizes the topics that we have gleaned from all of these discussions. We also know that before this meeting you gave us a list of 25 questions about implementing the National Standard 1 guidelines and we do not have -- we may answer some of them but we don't have a comprehensive set of answers right now.

We are committing, though, that we will get you those answers in writing. I am thinking that it would be useful to have -- the questions are good questions. It would be helpful to put them out in some way that it's publically discernible for everybody to see and it's comprehensive.

So we are going to get you that at some point here. We just don't have them today. We may answer a few of those questions, and we may get some more clarity from you on what some of those questions are.

But with that, Emily, do you want to go through the presentation?

MS. MENASHES: Thank you. Yeah. So as Sam said, what we wanted to do today, and we just have -- I don't have too many slides -- just kind of touch on the -- kind of finish the National Standard 1 guidelines. Some of the major themes, not necessarily an all-inclusive list of everything we heard at all of the council meetings but some of the major things that we heard and then talk a little bit about next steps and then, as Sam mentioned, we were hoping to use the time today to hear more from you, whether it's expanding on the questions that you provided us or other observations that you had that maybe aren't on that list.

I do believe the list of questions is on the -- on the webpage so that you could kind of see that compiled list as well so that we can make sure that we are as responsive as possible as we respond to those specific questions and then also help us figure out, as we are moving forward, are there additional areas for clarification, guidance work or tools that we should be working on to make the National Standard 1 guidelines as useful as possible.

So as Sam said, the NS 1 final rule published in October, and just to remind you our objectives when we started out with this process
of updating the guidelines was to both improve and streamline them, hearing some of the challenges that people had had going back to the initial guidelines that came out after the Magnuson was last reauthorized and then also provide some more flexibility to meet the Magnuson requirements. There was a lot of flexibility.

Some of them weren't fleshed out as much in the guidelines as they could have been so we tried to -- kind of listening to those -- some of those concerns tried to be clear about some of those areas where there is flexibility within the guidelines that still meet the requirements of the Magnuson Act.

And then just to emphasize, unlike the last guideline revisions, this latest one does not establish any new requirements or require councils just to revise current FMPs. It just provides some additional clarity and some tools and flexibility so that if you choose to revise your FMPs you can use these guidelines to help you do that.

Overall, reception of the final rule was fairly positive, which -- and there weren't really any big surprises, which we were happy with.

We had a fairly extensive process of getting public comment throughout the process. As Sam mentioned, I think most of you except for the Western Pacific Council yet, have had presentations by our two NS 1 experts -- Erin Schnettler, who's here today, and Deb Lambert, who I am not sure if Deb is here today or not.

We have been around to all the councils except the Western Pacific. We will be seeing them in March. Also have given presentations to a number of the SSCs and then other groups as requested.

We had some initial webinars when the rules rolled out and had fairly healthy participation in those webinars as well.

We are happy to continue to give presentations, talk about the various groups about NS 1 as needed. And as Sam said, thank you for making time for us on your agendas and for providing good comments on the proposed rule and continuing to talk with us about how to make the guidelines work as well as possible.

So I was going to go through a couple of slides, just pulling out five of the topics that
have gotten the most attention across the council meetings.

Again, this isn't everything that we have heard on this and this isn't necessarily also the more detailed questions that we have gotten from you recently but just sort of some of the high level points that have gotten a lot of attention across multiple councils.

The carryover ABC control rule is probably the topic that's gotten the most council attention where there has been a lot of interest in how to figure out how to use that flexibility.

You know, we have heard things about how to implement that within the ABC control rule and have tried to talk to the -- talk to all of you about there is multiple ways that we could use those carryover provisions within the ABC control rule. Some of the frameworing processes that are used already could be modified to explain in an FMP up front how you would account for ACL underages and use them again in the future.

We have also received a number of kind of implementation questions about when a council could use and how to apply a carryover provision in the fishery.

So, for example, if an underage occurs in year one, do we have to apply that in year two or can we move that to year three to allow time for data to come in and fully understand that. I think we have talked with folks that talked -- that, you know, a strict reading of the guidelines suggests that an underage from year one would be applied to year two but recognizing that there is probably some flexibility to carryover some amount into year three.

But, ultimately, what a lot of this goes back to is, you know, considering the natural mortality, other population dynamics and the reasons for the carryover when establishing those ABC controls to account for carryover and that's sort of the fundamental aspect of that provision within the National Standard 1 guidelines.

We still require the SSC to make those ABC recommendations. That hasn't changed a well. One of the other topics that has gotten quite a bit of attention is the stocks in need of conservation and management.

When we -- when we rolled the rule out
-- we recently had the UCIDA finding. There has been a little bit more examination of what that means and how it might apply to different fisheries.

GC is here and can go into that a little bit more detail. But a lot of the issue with UCIDA is that it's very fact specific. So we are still looking at an analysis of the 10 factors that we listed in the rule and the specific facts in the case with each fishery that you are managing in terms of whether the UCIDA lawsuit applies and makes -- affects how you may manage your fisheries.

We have gotten a lot of questions about how the 10 factors -- how do we use them, how do we apply them, document those and how do you incorporate the analysis and the conclusion on whether you need to add or remove a fishery from an FMP related to that. That was also addressed quite a bit in your questions and we are working on some additional clarity there.

I did want to say one other point was that, you know, intentionally we are not prescriptive in the guidelines about those 10 factors and how to use them, believing that because of the variation in fisheries around the country it was important to leave that flexibility. And now we recognize we have heard from folks that potentially there are some more questions that we can help respond to.

Three of the other topics that have gotten a bit of attention across the councils is the aggregate MSY and choke stocks. I think the basic point here is that, you know, ultimately the concept of aggregate MSY is not intended to allow overfishing.

It's intended to allow for an approach that better accounts for multi species interactions. But we still need to, where we can, manage the ACLs and prevent overfishing. That's a core requirement of this.

In terms of the multi-year overfishing status determination, we had a lot of questions on implementation on that. I mean, that is something that does need to be described with an FMP if you're planning to use that flexibility. Again, we will continue to work with you on understanding your questions there.

And then last but not least, we have
gotten a number of questions about the relationship between NS 1 and Magnuson reauthorization. A number of the bills that had been introduced in the past addressed NS 1 issues and so questions about where did NS 1 address some of these issues that had been raised in previous Magnuson bills that had been introduced.

We did put together a crosswalk between H.R. 200 and the NS 1 guidelines. There were about five topic areas that overlapped and those have been made available on the website for you to look at in more detail on.

So in terms of, you know, next steps, as I said, today we'd want to hear from you a bit more about your questions, other concerns, issues, perspectives you have on the revised guidelines. The list up there is sort of a compiled list of the topics that you all had sent us. There is multiple questions under each of those topics but just kind of to remind you about the main topics that you all had sent us recently.

And, you know, as I said up front, we want to -- and Sam said we will -- we have committed to responding to your questions as much as we can. They may be frequently asked questions.

We are also looking at the technical guidance. The RESTREPO 1998 report is kind of the core technical guidance that we currently have. That's almost 20 years old so we are having some conversation about whether there is a need to update, relook at some of those aspects within the technical guidance.

We are having some folks that are talking about some of those technical questions already. So something that we have put out there. We have not -- don't have specific plans in place about what we would do, how we would approach that. But we are having some discussions. So some of the input we all get from you may help also us focus on what some of those issues are where we may want to do some further work.

And then with that, I will turn it back to the chairman and then for further discussion.

VICE CHAIR STOCKWELL: Thank you, Emily. Are there questions or clarifications on her presentation first? Bill.

MR. TWEIT: Thanks, Mr. Chair. Thanks, Emily. That was really useful.
Did you describe any potential timing for coming up with your thoughts about the UCIDA case?

MS. MENASHES: I would turn that over to GC, if you want to respond.

MS. PARK: Sure. I don't think that there is necessarily going to be -- if your question is is there going to be some new document or something that comes out, like, on a time frame, I think that at least as far as general counsel on the attorneys in the regions that are advising each of the councils they will be working with you on individual FMPs and other regulatory actions to ensure that it's consistent with or takes into consideration different concerns that have arisen as a result of that case as well as the NS guidelines, like, what they've laid out.

So I don't think that we are necessarily envisioning the a new document under certain time frames. It's just as questions arise I expect it's going to be very fact and situation specific.

Like, in a particular case what does the record look like, how is the council thinking about the different factors under the NS guidelines. But I don't envision that we will be doing some kind of definitive document that's going to be applied across, you know, all the regions.

VICE CHAIR STOCKWELL: Other questions? Gregg.

MR. WAUGH: Thank you, Mr. Chairman. One of our questions is sort of timely in that we were asking whether that control rule needed to be modified to include the phase-in. We are looking at phase-in in our golden tilefish fishery. Does that have to -- does the control rule have to be modified, put in an amendment and effective before the council can use a phase-in provision? Or can we concurrently modify the control rule and lay that out and use the phase-in in one amendment?

MS. MENASHES: I think the -- and, again, these are some of the very case specific things that sort of hearing from you about the more detailed of your questions.

But the -- within the NS 1 guidelines was the idea that in order to phase in changes to the ABC you should articulate that in the FMP and when you're using those provisions.

So that needs to be done kind of
up-front to explain those criteria and the process for that. Whether or not you could sort of do some of those within one action I think is something we’d be happy to talk to you about. But we do need to have that sort of how you would use those provisions documented in the FMP.

VICE CHAIR STOCKWELL: Further questions? Tom.

MR. NIES: I guess I am a little confused about the next steps here. Are you -- do you have specific questions you're going to ask us to elaborate on today from our list of questions you gave us or do you envision contacting the councils that pose the questions to explain further what they mean and then come back to this at the May meeting? I am a little confused about what process you want to follow.

And that kind of bears on whether I want to get into detailed questions about some of our questions or not.

MR. RISENHOOVER: Well, Tom, I think it's a little of both where we have your questions. We are going through them now, preparing answers, and as Sam and Emily indicated we thought everybody could learn from those responses.

And since we only got those questions a week, 10 days ago, something like that, we haven't gone through our whole review. So if there are certain areas that go beyond the 25 or so questions you all asked or if there are ones -- you know, as Gregg brought up, we can give you some initial thoughts and responses.

But a lot of times I think the questions are asked with a specific goal in mind or you want to go a specific direction and we had headquarters may not know all the background with that. We would reach out to our field folks to make sure they are aware of those questions and what the individual implications may be per council, region, fishery, what have you.

So I think a little bit of back and forth. If you have some specific things or want to add some additional flavor to the questions you ask that would help us answer them instead of we give you a document with the answers to 25 questions and kind of missed what you were going at in those.

VICE CHAIR STOCKWELL: Sounds like you're queued up, Tom.
MR. NIES: So I guess I'll -- we had several questions on the concept of stock complexes in aggregate MSY and I won't repeat the questions which are listed here but you can look at them. Some of them in some cases are quite detailed in part because we thought it might be easier to -- for you to frame answers if you were looking at somewhat specific examples rather than nebulous examples.

But the underlying -- I think the underlying thrust of it is that some of the discussion of what's required if you have a stock complex or an aggregate MSY in the guidelines we found somewhat confusing because in our read anyway in some cases when you read the guidelines that it seems to imply that you can do certain things.

But when you read the responses to comments it seems to be more constraining than what the guidelines actually say.

And so, you know, as an example, one of the bullets we have got there, the one that starts -- second one down, I think -- that starts response to comment 17 sort of highlights the problem.

It says even when aggregate level MSY is estimated, stock specific MSY must still be used to inform single stock management. Other annual reference points within the ACL framework must also be specified in order to prevent overfishing from occurring in single stocks.

So this particularly attracted attention in our council because we have under development a fishery ecosystem plan where the proposal on the table right now is to establish functional groups which will have catch by functional groups and then an overall cap on the ecosystem as a whole much like the North Pacific's cap, and then individual stocks would have a minimum biomass level.

But you'll notice what I left out of that discussion was any ACL for individual stocks, any overfishing level for any individual stocks.

And in some cases when you read the guidelines themselves it implies that yes, you can do that and in fact we have gotten some comments from some of the people involved in our EBFM process who work for the agency that says yes, you can do that.

But when I read the responses to
comments I read this to say no, you cannot do that because, you know, you're supposed to have these individual status determination criteria which includes individual ACLs, overfishing stuff, all that stuff that's defined.

And then there is some other examples here. So, you know, I think, you know, without getting into more detail than that I think that there is some confusion in our minds about exactly what we can and cannot do with stock complexes in aggregate MSY.

And it's not just related to the concept of choke stocks but it's related to the agencies and our interest in pursuing ecosystem-based fisheries management at a -- you know, at a fundamental change level from the way we manage now in New England, anyway.

I don't know if that helps you understand our questions, where we are coming from or not.

MR. RISENHOOVER: Well, I'll start and then Emily, you're -- as Emily mentioned, we have got some other experts in the room who can follow up on that.

And I think what that illustrates, Tom, is some of the background -- we need to answer the specific question you're asking. So I glanced at that question and some of the initial thoughts folks had on it and it sounds like you're talking about the Skate fishery or are you talking about others?

Because I think part of this is going to be very specific to the fishery; on whether you have information? Have you set ACLs in the past? Are those stocks subject to overfishing? Are they not?

What level of information do you have? So part of this is going to, on our part, require a back and forth with John and Mike and perhaps the Center folks in the Northeast to answer these questions. Whereas if we just answer broadly and you try to apply it to a specific question we don't want you to think oh, I'll just take that general answer, apply it to a specific situation and then we have to go no, wait a minute, now that we know the details perhaps it's a slightly different answer.

MR. NIES: I'll follow up. I mean,
you're exactly right. I mean, we chose -- the three examples we highlighted there were one of them is an existing plan. One of them is an existing plan that could be modified and the third is an FMP that is, you know, in the early development stages.

So, you know, that's -- we chose those examples. You're right, the first one is the Skate FMP. That's exactly where it came from. The next one is potentially the ground fish FMP and the third is the idea of an EBFM fishery ecosystem plan.

MR. RISENHOOVER: And so that's part of the concern that we don't sit around this table and make those sort of decisions.

That's something you should have at your individual council meetings to discuss are Skates different than, say, another one and what are the specific, I don't know, facts, instances around that, whether fishermen can determine the different between Skate A and Skate B. I don't know that from sitting here.

So we will try to give a broader general answer to these 25 questions. Some of them, you know, we can answer with broader question, with broader answers.

Others we were a little cautious that, you know, us answering a question we may not know the background enough to give you a good answer and we want to explore that.

And also, you know, as -- you know, I don't know that we want to go council by council but hear the concerns, the questions, the issues you all have and that'll help us prepare better answers as we go along.

VICE CHAIR STOCKWELL: Thanks, Alan. Thanks, Tom, for teeing off this conversation. Is there discussion from the other councils on these questions? Michelle.

MS. DUVAL: Thank you, Mr. Chairman. I will just say that, you know, the questions that have been posed by the New England Council about use of aggregate level MSY approaches I think are also applicable to the South Atlantic given, you know, our -- the nature of some of our mixed stocks and the fact that we don't have MSY estimations for them yet we do have annual catch limits, you know, just based on landings only types of approaches and we have aggregated them into stock complexes with
the help of SSC.

So, you know, I guess since so much as there might be some generalities that could be applied to these situations and help us determine if we can use this, you know, we'd appreciate it. But recognize that every fishery is individualized and that, you know, we may be approaching you all for more guidance on this as we, you know, look to try to utilize some of this flexibility.

And then if I might, Mr. Chairman, just, you know, another question and, again, this is in the list of questions. It's coming from the South Atlantic. But in terms of how long we have to end overfishing, I know we talked about this a little bit before.

I mean, the Act says end overfishing immediately but we have two years to go through that FMP and rule making process.

So what do we do? I mean, we have been in a -- we have requested emergency action before to, you know, reduce our annual catch limits, you know, significantly by over 60 percent to try to get down to a point where we are below an overfishing level. But do you all have any generalities on what immediately means?

MR. RISENHOOVER: Yeah, I think part of it is as you know you have to have an ACL in place. So, you know, what is your management framework.

Can you just simply change the ACL to get below that overfishing level? Or do you need a plan amendment? Do you need to bring that stock into management. So, again, some more specifics help inform the answer to that where I could say, you know, immediate is by the next season, right?

Or immediately is, you know, within two years. But I think immediate has -- and the lawyers are probably thinking about this, too -- you know, some term of how fast can you do it, right.

If you need some sort of plan amendment or to even bring the stock under management that's going to take longer. If it's a stock currently under management and you get new advice can you just simply change the ACL and how would you change the ACL depending upon the plan? Caroline.

VICE CHAIR STOCKWELL: Go ahead.

MS. PARK: And I think just to add to what Alan was saying, so the provision you were describing the end overfishing immediately comes
out of the rebuilding provision of Magnuson.

So when a stock's been declared overfished two years -- I don't have the exact language in my head but two years to develop the plan to rebuild and end overfishing immediately that's triggered by the determination of an overfished stock. But separately we have -- and that's in 304(e) of Magnuson -- separately under 303(a)(15) all FMPs are supposed to have a mechanism established for specifying the ACLs and their accountability measures to address the overfishing.

So I think what Alan was describing is, you know, you could have a rebuilding plan where you're trying to create the new rebuilding plan that will end overfishing. But our FMPs all have mechanisms or should have mechanisms for ACLs.

So there might be a variety of tools available to address the overfishing. It could be your existing ACL framework working fine while you're revising.

It could be that some bigger changes are needed. So it's going to depend, I think. In that part of the statute -- the 304(e) -- it is, just for me personally, kind of interesting because 304(e) pre-existed the ACL requirement.

So to some extent how do these things work together. I mean, all FMPs are supposed to have the ACL mechanism to ensure overfishing doesn't occur. So it's -- I think there is just going to be a variety of tools available and then the question is what's happening with your science, your fishery at the time as you're trying to develop the building plan.

We will probably at that point ask okay, which of these tools is the right one to be using. Is it just change the ACLs? Is it something more major that's needed.

VICE CHAIR STOCKWELL: Gregg.

MR. WAUGH: Thank you, Mr. Chairman.

Just to follow up on that, then can we agree that immediately doesn't mean that we should always request emergency action?

MS. PARK: I believe that emergency -- I am going to say -- be bold and say that's correct. It's not that just as soon as you have an overfished situation you're supposed to say boom, I am going to request an emergency rule in our measures.
We have to take a look at what the existing regulatory framework is. It could be that your ACL mechanism is working great -- there is no need for an emergency rule. It could be that we'd have some serious concerns and the council wants to make that request.

And so I would say there is not a once size fits all. I think we want to look at the very specific facts. When invoking the 3058 emergency rule or interim measures to reduce overfishing provisions we will want to make sure does it fit the facts, does the record support use of this -- of one of these tools or not.

But, again, it could be that your existing regulations already provide an ability to adjust the fishing levels as needed. So yes, not one size fits all.


MR. RISENHOOVER: Just while they are thinking, one other thing to think about is kind of the outline of questions Emily presented it's the general areas councils were interested in or wanted additional clarification.

If you could -- you could look at those and just make sure those are correct or if there is another one or something like that. Again, part of it is we need to answer your general questions.

We need to answer your general questions. We need to answer your specific questions. We need to keep answering those as different issues come up. But in general are those the four, five, six, whatever that is areas.

VICE CHAIR STOCKWELL: Thanks for the prompt. We will see if it works. Is there a response? Anybody have any thoughts or comments before we move on? I mean, this is a pretty big deal. Tom.

MR. NIES: So, again, this relates to next steps. Then is the idea here that we should have this on our agenda in May for further update? I am a little puzzled here about whether we need another discussion of this or not. There doesn't seem to be a lot of discussion going on now.

(Laughter.)

MS. MENASHES: Well, I do think they are -- as I said, we have already started kind of working on responses. So there are some of these
questions that are pretty straightforward and I think we can provide written responses to much sooner than May.

There may be some of them where, as we get into it and whether we ask you some follow-up questions or talk with the region and the Center where it's a little bit more complicated and maybe as we have talked about some of them are very fact-specific situations which we may be able to provide some general clarity but, again, wouldn't want that to necessarily confuse what's happening in a specific situation.

You know, I think we are just sort of finishing up the rounds and we have one more council to talk to. Absorbing a lot of that information about what we are hearing from the councils about where we may be able to provide some clarity where there may be some other tools or some other guidance that would be helpful.

And so I think part of it is -- I mean, I hope we would be able to not come back in May and have to discuss these same 25 questions -- that we can resolve those prior to that.

We may have some more clarity by then about areas of technical guidance that we may be thinking of focusing on. But, again, we are still internally even just starting to talk about that, following up from what we are hearing from the councils and the SSCs as well. So I am being wishy washy on whether we want to actually talk about that in May.

Whether we will have anything at that point I don't -- I don't know that we will have an answer to that.

So part of what we were thinking about is as we -- we are working through the draft responses is recognizing that some of these may be very issue specific.

Some may be things we can answer more completely, that having everyone here was potentially a good opportunity if you wanted to clarify your questions, provide some more perspective or maybe some of the councils may have some additional things to add on to, you know, questions that North -- that New England had or questions that somebody else had as well.

So we are fairly flexible on that. I don't think we need to plan to go through these 25
questions in May, though.

VICE CHAIR STOCKWELL: Is there further discussion? Chris.

MR. OLIVER: The question may be for Tom or Emily. One of the questions that came up repeatedly in our review, at our SSC and at our council was this issue of the 10 factors and what consider means in terms of the number of them or some implied or implicit weighting of them, and I'd be happy if you had any initial thoughts on that question, Emily. But my questions to the bigger group was -- or to Tom -- were, were we the only council that brought that question up or were others -- did others struggle with that as well?

MR. NIES: I think you were the only one who worded it that way. I think the Western Pacific had some questions about what's the process for considering the 10 questions and I think there might have been one other -- one other council that was a little curious about the waiting factors, much like you are.

VICE CHAIR STOCKWELL: Is there further discussion? Everybody clear about the next steps? Crystal clear, right?

Okay. Thank you, Sam, Alan and Emily. I think, Emily, you're still on deck for national bycatch reduction strategy update.

MR. RAUCH: Well, let me introduce that. So a year and a half ago at the June CCC meeting 2015 we talked about how reducing bycatch was a key mandate for NMFS and the councils.

We have collectively done an awful lot over the years to reduce bycatch and oftentimes we don't get full credit for how far we have come in those -- in those efforts.

So one of the things we needed to do is to -- is to better assess that. We have talked with this group over the years about how we have done it, how we can better keep track of what the bycatch is.

We also saw an opportunity to improve the coordination and effectiveness of our efforts and to clarify both national and regional priorities.

So our meeting last February we had just released the draft of a new national bycatch strategy. Our older one was over 10 years old at
the time. So we released a draft of the new one.
We also had just released a draft of the proposed
standardized bycatch reporting methodology rule,
which both of them together look from different
angles, talk about bycatch.

So we discussed that with this group
then. Since that time, we have finalized both of
those documents after taking into account not only
the views of the various councils but also of the
public as well.

So we wanted to take an opportunity here
to close the loop to give you an update on the final
product that we issued. We have a short
presentation that summarizes the final version of
these two projects to make sure that you're aware
of them and what the next steps are and we also want
to be clear that as we have throughout the councils
have been an important part of this, an important
part of the strategy. They've been an important
consideration and the SBRM rule and so we want to
make sure that we continue moving forward along
that line.

So we have got this -- Emily, are you
going to do this as well?
MS. MENASHES: Unless you want to.
MR. RAUCH: No, I don't want to. I
want you to do it.
(Laughter.)

All right.

MS. MENASHES: Yeah. As Sam said, we
have done a lot of work over the last year in
particular. About a year ago, we rolled out the
draft bycatch strategy and the standardized
bycatch reporting methodology, SBRM proposed rule.
So we have completed both of those efforts.

They are not necessarily over. There
is always more to be done. But we thought this was
a good opportunity just to kind of highlight the
final results of all of those and kind of close the
loop on that discussion with all of you.

The bycatch reduction strategy we
finalized in December. The goal of that strategy
is guide and coordinate our efforts to reduce
bycatch and bycatch mortality in support of
sustainable managing fisheries and recovering and
conserving protected species.

So fairly broad scale wide reaching
goal for that. And we wanted to use that process
both to affirm our commitment to minimizing bycatch and bycatch mortality across -- it's across all of our mandates. It's not just Magnuson but also work that we need to do under MMPA and ESA as well.

We wanted to make sure that people understood that we had accomplished a lot. There have been a lot of work that is done. There is a lot of progress that we have made but that there is always additional work that you can do and improve our coordination internally and with our partners to reduce bycatch and bycatch mortality.

There are a couple of things I just sort of wanted to highlight that were areas that we got a lot more comment on on the draft strategy and one of the things that we heard a lot about and we heard this from the councils as well was just some clarification of the statutory authorities. Both the draft strategy and this final strategy cross over all of the statutory mandates that NOAA fisheries has.

But we did try and be aware that that was -- how specific solutions are implemented does depend on the statute that is sort of driving that whether it's Magnuson, Marine Mammal Protection Act or Endangered Species Act.

So in the -- you know, we clarified still in the strategy that we are talking about bycatch broadly but that the development and implementation of specific measures to address bycatch occurs according to the appropriate statutory authorities.

We also includes some more detail in the final strategy explaining the distinctions between those three primary statutory drivers that we have.

We are not putting out a new definition or new requirements for bycatch. It's still drive -- it's still driven by, you know, in the case of fisheries what's the definition of bycatch in the Magnuson Act.

When you're dealing with the Endangered Species Act what are the take issues that you're dealing with. So those still kind of drive the specific solutions and then as well as how you implement them.

We also got quite a bit of comment about the topic of utilization, which was something that we originally had incorporated into the overarching goal in the draft strategy.
We pulled that out of the top level goal. It's still within the strategy as something -- we think it's important to be aware of and try and work on. But we recognize in this strategy that reducing bycatch can include minimizing the amount of bycatch and minimizing the impact of that bycatch -- mortality, serious injury, adverse impacts -- but also looking for opportunities to increase utilization of fish that would otherwise be economic discards.

But one of the comments we got was some confusion and concern that that -- are we intending that to override conservation and management issues and we wanted to clarify that no, this is still within our overarching responsibilities to address those conservation and management requirements of the statutes that we are working under.

But we did think it's an important aspect of, you know, both addressing bycatch as well as potentially providing economic opportunity to look at bycatch in the lens of increasing utilization.

And then, you know, so we tried to highlight but, you know, in some respects this isn't necessarily a new thing. There is already a priority under the Saltonstall-Kennedy program about supporting development of new products from markets for seafood. So that concept is already in there but it is something that is a little bit different and that we did get a fair amount of comment on.

The bycatch strategy identifies five objectives and then the -- so this is organized a little bit different. I think we had six in the draft strategy. The evaluation and improvement was something we pulled out as its own objective, recognizing that's really something that cuts across sort of all of these other objectives. And so, again, that was an area where, you know, slicing and dicing it different ways and trying to see what made the most sense in terms of the flow of the process of, you know, monitoring research, taking management action, enforcing and all of that.

So the strategy identifies these five objectives as well as, you know, ongoing efforts to evaluate and improve, which is fairly well built into the council process already.
For each of the objectives, and I am not
going to go through these, we have a series of
actions that are intended somewhat at more of the
national level. We are not intending that
necessarily every fishery, every region will be
dealing with an action -- all of those actions when
we start to get into the implementation of it but
trying to organize the areas that we are working
on and trying to identify the priorities in these
five main objectives was one of the things we worked
a lot on, trying to clarify it with the final
version.

So the next steps are development of
both national and regional level implementation
plans. We are actually already working on the
national level plan, which we are trying to capture
those things we would do out of headquarters and
there is a number of those things or do in
coordination nationally that are identified as
actions in the strategy as well.

And we are targeting sometime this
spring or early summer to have a draft of that we
would share for review and comment.

And then following on that, there will
be development of regional action plans. Our
current plans are those would be developed with the
region and Center -- appropriate region and Center
working together and also reaching out to the
councils and other partners in the area to get input
on the more regional-specific priorities that
should be worked on in that -in that area. So there
is a little bit of a nesting of sort of more national
level efforts that we can take with more
region-specific actions.

So that will be coming later this year.
We also -- as Sam mentioned, we completed the rule
making for the standardized bycatch reporting
methodology final rule that was published January

MSA 303(a)(11) requires that any FMP
establish a standardize reporting methodology to
assess the amount and type of bycatch occurring in
the fishery -- the final rule focused on the process
for establishing, documenting and reviewing SBRMs.

We recognize that all FMPs have
established SBRMs consistent with the Magnuson but
they've been implemented in different ways and both
the documentation and explanation in different
FMPs varies considerably.

So the intent with this rule was to try and clarify the basic requirements for establishing SBRM, have some greater transparency in the review development updating SBRMs going forward.

We have never had regulations on this provision of the Magnuson Act before. There has been different kinds of guidance that have been out there.

But due to the variation of approaches around the country we have had some different levels of litigation on this issue as well.

We thought that it was important to interpret -- to provide an interpretation of the basic requirements of this Magnuson provision.

Some of the key components of the rule were defining standardized reporting methodology to include the data -- data collection recording and reporting procedures, and this is something that is separate from both the assessment that happens related to fish stocks and bycatch in those -- related to those fish stocks as well as the conservation and management measures that you would take for bycatch.

We do require that the SBRM procedures be documented, which are specifically the procedures to collect, record and report bycatch data documented in FMP and -- but that there are a little bit more flexibilities for the analysis and documentation of sort of the justification behind that.

And we have identified four considerations that councils must assess in establishing and reviewing SBRMs. They are fairly general and inherent in all of them or explicit in all of them was recognizing that there is a great deal of diversity in the fisheries and that different SBRM are going to be appropriate in different fisheries depending on the circumstances for that fishery.

So that was a very important thing for us to embed and recognize that regional variation. And some fisheries, due to the characteristics of bycatch, may require more robust monitoring whereas others -- it's a different situation.

So the character -- the considerations relate to the characteristics of bycatch and the
fishery, the feasibility of the methodology from a cost, technical and operational standpoint, the uncertainty of the data that results from a methodology, understanding that, understanding the quality of the information that you're getting, and then how that data will be used to assess the amount of bycatch occurring in a fishery.

In terms of the next steps, as Alan mentioned at the beginning of today, this was one of the rules that was caught up in the delay. So we had delayed the effective date to March 21st. But the date by which FMPs need to be consistent with this final rule is still February 21st, 2022. So that's five years to go through both a review of your FMPs for consistency with the rule and then to do any amendments to those FMPs if they are needed.

And we were clear that we are not expecting necessarily that all FMPs will need to be amended. That's why this sort of sets of a process of a review first.

There are some that are already going to be consistent with this on SBRMs that go forward than this. But there are some that -- some of the process and the documentation and the explanation may require an FMP amendment.

And that is that. We will take questions.

VICE CHAIR STOCKWELL: Thank you, Emily. Are there questions or comments on her presentation? Gregg.

MR. WAUGH: Thank you, Mr. Chairman. Thanks, Emily. The last slide we have the five years must be consistent and then you've got bullets under conduct a review and then amend FMPs. Does that mean that your FMPs have to be amended within that five-year period if necessary?

MS. MENASHES: Yes.

MR. WAUGH: And I guess that means then we have to get that to you with at least a six-month lead in terms of meeting that time line, roughly?

MS. MENASHES: I think -- right. The normal amendment process and the timing. I mean, obviously, there is some amendments that are able to move much quicker, some that take longer. So but yeah, it would be kind of walking back that time line appropriately, depending on the changes that you might be including in an amendment.
VICE CHAIR STOCKWELL: Is there further discussion? Questions? Tom.

MR. NIES: This is a self-evaluation for consistency?

MS. MENASHES: We had -- the councils in consultation or working with fisheries would do that. I think ultimately -- I can't think of the language exactly -- is that the review should provide information so that NOAA fisheries -- the secretary ultimately can make that determination about whether it's consistent.

So we were not terribly specific about the exact mechanism but recognizing that it needs to be a coordinated effort of reviewing it, kind of agreeing that it's good or needs some changes and then the normal process of actually making any amendments if they are needed.

VICE CHAIR STOCKWELL: Kitty.

MS. SIMONDS: So I am just going to say that I just talked to Bob and so the region will take care of ours so we don't have to do it.

MR. HARMAN: In coordination with the council.

(Laughter.)

VICE CHAIR STOCKWELL: Chuck.

MR. TRACEY: Thank you. Thank you, Emily. Just a quick question on these -- the requirement to comply with the new rule.

Have you reviewed the existing plans for their compliance with the -- with what's likely to be in the new rule and have you spotted any problem areas that council should focus on?

MS. MENASHES: So we have not gone through the rule and cross walked it with every FMP and, you know, we don't have our own list of where we think changes need to be made. But leading up to the development of the proposed rule, we did a very extensive look at trying to identify all the individual SBRMs and what we found is they exist but they are very difficult, in some cases, to pull the pieces together that create that package for what the SBRM is, various levels of documentation in different places across fisheries.

So there is a lot of variability. So we did, you know, do a very in-depth review of what's out there feeding into the proposed rule. But we haven't necessarily done that end point and I think we think it's fairly important for that
discussion to happen kind of in the council process about what we want.

You know, part of it is going back and looking at here's our bycatch, here's the characteristics of what we have, here's what we'd like to do, here's the kind of monitoring and information we think is important for this fishery.

So bringing that into the council process, having a good, robust and then transparent discussion we think is fairly important and that -- and recognizing that that's going to take quite a while is why we built in a fairly long time horizon for bringing existing SBRMs into compliance with the criteria that we laid out in the rule.

VICE CHAIR STOCKWELL: Chuck.

MR. TRACEY: Thanks. Maybe just a quick follow-up. So is there any integration between the bycatch reduction strategies and the reporting methodology?

I mean, so the regional plans for the bycatch reduction strategy is that going to address what's in the reporting methodology or are those two completely separate animals?

MS. MENASHES: The bycatch strategy references implementing the SBRM rule and there are a number of aspects of the bycatch strategy as well that talk about how we can improve our monitoring, how we can improve our reporting.

But what we have in the strategy right now is more sort of a national, kind of higher level look at some of the major issues that we think would be important to be working on, going forward.

It doesn't necessarily get into the specifics of more fishery-level SBRMs and it doesn't necessarily lay out beyond kind of what's in the rule making itself what we would do to implement the SBRM. It's pretty high level in terms of implementing the final rule.

VICE CHAIR STOCKWELL: You're on a roll.

MR. TRACEY: You know, so just to follow up again, the -- but the plan is that there would be regional bycatch strategy implementation plans developed.

And so my question is, you know, is that -- is that part of the process for identifying improvements needed in the reporting methodology or not?
MS. MENASHES: Yeah, I think that could be as well. Yes.

VICE CHAIR STOCKWELL: Gregg.

MR. WAUGH: Thank you, Mr. Chair. I know in the past we had an issue with funding for bycatch programs. How are we going to handle that? Because, I mean, I can see we can look at self-reported data but there is always a feeling that you need some level of observer coverage and that is costly.

And if the councils have to put together a plan that lays out the requirements then how do we -- how do we deal with the funding? And I guess Paul isn't here. Maybe he's off sorting that out.

MS. MENASHES: Well, we have no new money and I think as Paul said we are not necessarily anticipating a lot of new money.

But one of the things that we did build into and we talked a lot about this in the -- in the SBRM rule itself is that feasibility of the methodology and trying to make sure that there was some discussion at the council level for each fishery. There may be the ideal of what you would like to have but then what really can we do both from a cost and then a technical as well as an operational standpoint.

So that trying to get out that we need to have that discussion that would allow us to balance that and there is also an aspect in the rule that looks at, and I can't remember the exact term we used, but kind of the scalability, adaptability of an SBRM to different situations.

And, for example, they've done this with the Northeast Omnibus Amendment where there is sort of different formulas, different resources as you have. Then it may change how you're applying those resources to meet your SBRM requirements.

And so recognizing that yeah, we may not have the resources to meet the gold standard of what people would like so how do we -- what guidance do we have from the councils in terms of prioritizing that but still meeting the overarching objectives of the Magnuson Act to have these standardized reporting methodologies in place.

So that was some of the discussion that we thought was fairly important to have and then to recognize that we are not going to be able to
do everything we'd like to do and getting some
guidance in the FMP about how you may prioritize
and deal with that if you don't have the full set
of resources that you would ideally like.

MR. WAUGH: Just a quick follow-up.
Then are we still looking to industry both
recreational and commercial to foot some of the
costs?

MS. MENASHES: The rule does not
address that. I think that's sort of a broader
discussion than specifically with that. But,
obviously, it's one of the ongoing issues about how
do we cover and pay for costs of monitoring that
it's greater than the resources we have available.

VICE CHAIR STOCKWELL: Leann.

MS. BOSARGE: Yeah. Thank you. I
guess my comment is more of an overarching national
type comment, and as I read through your national
bycatch reduction strategy there was one action
item that kind of jumped out at me and it's -- I'll
just read part of it.

It says review the data and analysis
presented in the national bycatch report to ensure
that the report informs national bycatch policy and
an understanding of national bycatch trends, and
that that was really the part that jumped out at
me because there will be a lot of effort that goes
into going through this data and really trying to
understand it a little bit better.

And I always try to look for the
positive in things, even bycatch. And so I can
almost see where bycatch, if we ever got deep enough
into it and had the right trends analyzed that it
could almost be a leading indicator for the
councils to manage their fisheries.

And I mean that in such that as we see
fish moving into areas where maybe they have never
been before or that we have never documented
historically in our fisheries management that
they've been before as we are seeing some climate
change things I think you're going to see that show
up first in your bycatch, right. Now, fishermen
are entrepreneurs so eventually it's going to get
landed.

But I think that first it would show up
in your observer bycatch. And if that kind of
trend information can be parsed out and fed back
to the councils I think it could help us be much
more proactive managers rather than reactive.

We may see the change coming sooner than we have a problem because all the allocation is over here but the fish are over here now. So I guess that would be my one take-home is that as we go through this if we could multitask and look for those types of trends.

And I don't mean fish -- let me be kind of specific here -- so if you're looking at, like, king mackerel gillnet bycatch in the South Florida area, what I would like to know is what specific species are starting to show up in that bycatch that maybe were never there before or what species do you see significantly -- statistically significant change increase or decrease in.

So species by species within the bycatch, not the target fishery per se. But I think that would be interesting information if that could ever be garnered for us to utilize in a positive way.

VICE CHAIR STOCKWELL: Is there further discussion on bycatch? Seeing none, thank you, Emily. We are down to our one last agenda item of the day. I suggest we take a short break and sidebar and see if we can't -- Tom, Sam and Brian and I sidebar and see what we can't move from tomorrow into this afternoon.

So let's -- it is now 2:28. Let's reconvene -- I mean, 2:26. Let's reconvene at quarter of 3:00.

(Whereupon, the above-entitled matter went off the record at 2:26 p.m. and resumed at 2:50 p.m.)

VICE CHAIR STOCKWELL: Okay. Good afternoon, everyone. We are going to reconvene for our last segment of the day.

Following Kitty and Ed's presentation on the monuments, we are going to move two agenda items from tomorrow onto this afternoon's agenda. One is going to be an update on the SSC meeting from Chuck and if there is time Sam is going to discuss EBFM roadmap implementation, and finally Tom will give us a brief update on what he thinks he's heard today for next steps.

So Kitty and Ed, take it away.

MR. EBISUI: Thank you, Mr. Chairman.

You know, beginning two administrations ago, Western Pacific region -- large parts of the
Western Pacific region came under National Marine Monument control.

The Antiquities Act began to be used to expand monuments into the marine environment. We, in the Western -- and this has affected every island group in the Western Pacific including the Pacific Rim Islands. There is huge areas that's being taken out. But the most offensive part of it is that sustainable responsible fishing has been displaced from the US EEZ through the large parts of these monuments.

So we think that current political climate at the Hill and also at the White House presents an opportunity for us to rectify some of these issues.

If I had to make an analogy to surfing, for example, I think we would be at water level. We will see the sets rolling in from the horizon. We know it's time to get into position and take off -- go for it. Now's the time. So with that, I am going to turn it over to our illustrious executive director, Ms. Kitty Simonds. Kitty.

MS. SIMONDS: Thank you, Mr. Chair, Eddie.

So right now, monuments in the United States comprise one-quarter of the entire U.S. Exclusive Economic Zone and for us and the Pacific -- well, it says 51, I always used 52 percent of our entire U.S. jurisdiction is under the Marine National Monuments.

And as Eddie pointed out at the beginning, you know, we need to take this back. We need to take it back to the Magnuson Act and for the Regional Fishery Management Council to manage fisheries.

So as you see up there at the top, I have a list of those Magnuson-Stevens Act regulations or management regimes that the council put in place beginning in 1986.

That's when we did our first huge no trawl enclosure in 1986 in the entire US EEZ of the Pacific. And then following that, our long line fishing prohibitions, false killer whale, southern zone closures, bottom fish, ground fish -- many of these things were in the late '80s.

And then alongside of that is, of course, what the Antiquities Act did to all of this so as you can see many -- the -- many of the Marine
Monument closures overlay our council's management regimes. Most all of them do.

And so for us, I mean, as Eddie said, this is a huge thing for us. We are in the middle of the Pacific Ocean surrounded -- just surrounded by ocean.

So it's not like having a 200-mile closure. We are talking about a 400-mile closure because we are going around the islands -- as opposed to closures, you know, on the continental U.S. when it's just one side.

And so these are all the different areas and when they were established -- 2006, that's an overlay on our protected species zone. Rose Atoll, the very same thing -- we already had a closure.

Pacific Remote Islands, we had smaller closures, and then the -- this huge 50 to 200, 400 miles around the Northwestern Hawaiian Islands.

So here we also are showing the Northeast Canyons Monument that was established at the same time that ours was last year. So this is, adding all of this up, 25 percent of the US EEZ has been closed to Monuments.

So we did the side by side in the Antiquities Act and the Magnuson Act and, obviously, the Antiquities Act wasn't meant to determine marine monuments. It was to protect Indian artifacts from grave robbers and these designations were to be the smallest area compatible.

They don't require public process like NEPA and APA and they don't have to be consistent actually with anything. So then, of course, you see what we follow our primary law is the MSA and we have to be consistent with 10 national standards and, obviously, our process is public.

So this is the staff's play on words so, you know, monumental problems. Direct impacts to displaced fishermen -- so now our fishermen, if you remember what the map looks like, have to fish outside of the 200 mile zone and compete with China, Japan, Korean and Taiwan.

And believe me, those countries are fishing right outside of our 200-mile zone in the Northwestern Hawaiian Islands.

We have seen the enforcement reports and then there are those programs out there now.
where -- free programs where you can go and see where people are fishing. You can even identify the fishing vessel.

So currently the buoys from Chinese vessels are inside of our 200-mile zone and we have asked enforcement about this. I mean, is that fishing? You know, so we are waiting for an answer to that question.

Then impacting shoreside businesses -- you know what that looks like -- and national security. We include that because what's happening is that we are considering this a weakened -- you know, weakened U.S. fisheries and the fewer fisheries we have out there that fosters increased imports. The U.S. already relies on foreign imports for 90 percent of the seafood it consumes.

We don't see any material conservation benefits. If anybody has one they should let me know. And, obviously, this -- we consider this federal overreach and increased administrative burden.

We mentioned here poor federal agency implementation record because in the areas where the Monuments were established -- the Northern Marianas and the Guam and American Samoa -- this was in 2006 -- it's taken them that long, the feds, to develop management plans. And also the CMNI were -- they were promised millions of dollars, a federal center -- all of those things. All the promises that were made to our islands have never been realized.

And obviously, we can't expect the next administration to, you know, keep the promises of the previous administration but at least whatever the feds promised to do with the island areas in terms of developing Monument plans.

Now, the Congress has provided funds -- $3 million, I think, a year for Monuments. But the islands don't see any of those funds. They are used by NMFS and Fish and Wildlife Service for projects, and we have asked them over and over again to meet with the islands, to see what their needs are -- not necessarily federal needs, because they are the one -- the islanders are the ones, you know, impacted. And then obviously, you know, public process, no local government co-management and zero adaptive management.
So what are we talking about here. I need -- really needed to show you this quote from Ray Hilborn, who is a member of our SSC. And this is what he calls these monuments -- fake protection.

That's true, because there is really hardly any enforcement as well out in our part of the world. We might get Coast Guard, let's see, once a quarter flying up to the Northwestern Hawaiian Islands, and as I said to you earlier that's where all the foreign fishing takes place -- right outside of our zone.

And I love that word corruption, don't you? It's wonderful. Okay. Moving on. You get the picture.

So in keeping with today's administration, this is what we are saying. Really, return our U.S. fishermen to U.S. waters. They are not in U.S. waters. They've been kicked out of U.S. waters and they need to be brought back in.

So one of the terrible things that has happened really is in American Samoa, where 52 percent of their GDP is dependent on the canneries, there are two canneries there and last December the U.S. American cannery shut down because the purse seiners normally delivering fish for canned tuna couldn't fish anymore in those PRIAs that we showed you earlier.

So the farther they have to go and fish and the closer they will be to places like Thailand and Kiribati, they will go and deliver their fish there because they are saving fuel.

So it really makes no sense to have these Monument closures and for our cannery -- a U.S. cannery to shut down because U.S. fishermen can't deliver to a U.S. cannery.

So this is the action that we are proposing that the -- you know, the SSC -- we have a discussion about how we can remedy this travesty and if you -- in your books I think was provided some of the reviews on what -- what can, you know, the next president or another president actually do and the ABA and the Congressional Research Service says that -- I mean, they kind of think that a president can't just remove Monuments.

Well, what we are interested in is fishing and so I wanted us to have a discussion
about removing Monument fishing prohibitions, about making this request, because then, I mean, what would happen after that, right, is what? Removing these restrictions returns management of these U.S. waters to the Regional Fishery Management Councils and in this case us, in New England, and without the Monument fishing restrictions our regulations would continue to apply and U.S. fisheries would be managed according to MSA national standards.

So our regulations in the Western Pacific are still in place. We have actually never removed them because it does take council action to remove regulations.

So our regulations would be in place because that's what we want. We want to keep those that we put in place when we have them implemented by the government.

All right. That's it. That's our presentation. Oh, wait. Mahalo means thank you. This is a cartoon that our newspaper did when the first Monument was established so 10 years ago and -- yes, '06. And so we thought it was pretty funny. Wait until it happens to you.

VICE CHAIR STOCKWELL: It has.

MS. SIMONDS: So do you guys want to add anything to this?

MR. GOURLEY: I am sure they've already heard me rant on Monuments. But I just thought I'd let you know that in the Marianas we had a very unique Monument set up.

The Pew came in and had a very high-dollar campaign and it was kind of thrown out by the White House. We ended up with a Monument consisting of three different components.

The first component was basically a no-take area surrounding three Northern Islands. Second component was the Marianas Trench where only the bottom was part of the Monument. So the water column was not part of the Monument, which allowed us to fish. That was something that we put in. And the third component are the volcanic subterranean spots -- there is 30 of them -- and the water column, again, was not part of the Monument, which allowed us to fish.

So we thought we negotiated a pretty good deal when we knew we were going to lose in the first place.
I just found out last night that the Pew
is going to come back -- it's one of my favorite
NGOs -- and that they have started the sanctuary
process in the Marianas and I have got a document
that they submitted to NOAA their vision on what
a marine sanctuary is going to be for the Marianas
and it covers 57 percent of our EEZ. No take,
nothing. They are taking our rights away from us.
And with Pew's money and their sophistication of
the -- manipulation of media, we are going to have
a battle on our hands.

But we are going to fight them. But
wait -- you guys, wait until these NGOs --
high-dollar NGOs with staff, 50, 60 staff that do
nothing but work eight hours a day, five days a week
to take your rights away. Wait until they come in
to your water and take your rights away. It
doesn't feel good. It doesn't feel good at all.

Sorry.

MR. EBISUI: I guess I'll give closing
arguments here. I'll be brief. I think the cause
is just. The time is absolutely right and we are
asking all of the councils to join us because this
is, in the last analysis, an MSA question and
affects all eight regional councils. Thank you.

VICE CHAIR STOCKWELL: I don't know
where to begin. Thanks for your presentations.
Questions for the West Pacific. Chuck.

MR. TRACEY: Just a question of
clarification on your presentation, Kitty. Your
request is for the Trump administration to remove
fishing --

MS. SIMONDS: Monument fishing
prohibitions-

MR. TRACEY: Monument fishing. So all
-- is that all Monuments?

MS. SIMONDS: Yes. All Marine
Monuments.

MR. TRACEY: All Marine Monuments in
the United States territory.

MS. SIMONDS: Yes.

MR. TRACEY: Thank you.

MS. SIMONDS: And give it back to us to
manage.

VICE CHAIR STOCKWELL: Mike.

MR. LUISI: Thank you, Mr. Chairman.

As a follow up to that question, we are talking
about all current Marine Monuments. But is there
a thought that this request would extend to amendments to the Antiquities Act for future Marine Monuments that are -- that could be designated?

MS. SIMONDS: Well, there are -- there are bills that were mentioned earlier on the Senate side -- introduced on the Senate side that would add, you know, NEPA or some public process for future designations.

That's all -- that's all I know. We are pretty much sticking to fishing because fishing is our business, not necessarily Monuments. So --

VICE CHAIR STOCKWELL: John.

MR. BULLARD: Okay. I don't pretend to know the situation nor the impacts in the Western Pacific. I certainly know and lived through the Monument situation in the Northeast.

My questions has to do -- one of the differences between the protections afforded under the Monument and those afforded under the Magnuson-Stevens Act is that Magnuson-Stevens regulates fishing, period, and Monument regulates all uses.

And so in a time where there is intense use of the -- intensifying uses of the ocean and, again, I don't pretend to know what the situation is in the Western Pacific, but at a time when you have renewable energy and other uses competing with fishing, the Antiquities Act governs all those uses or prohibits all of -- or can prohibit all those uses.

MS. SIMONDS: It's whatever the proclamation says.

MR. BULLARD: Right. It's whatever the proclamation says. So my question to you is in thinking about that certainly that was one of the things that was mentioned in terms of the differences of protections under Antiquities Act versus MSA.

In the seamounts, for example, not that anyone right now is talking about laying cables or putting renewable energy out there but Monuments afford protection there whereas habitat protection in the New England Council is right now has that under active consideration under MSA. But MSA wouldn't protect against that.

So what are your thoughts about the added levels of protection that Monuments can afford for those uses?
MR. EBISUI: I don't think the Antiquities Act is a sole legal authority for such things as renewable energy and other things. I think that Antiquities Act was originally meant to be terrestrial and for the protection of artifacts.

In our particular case, in the last expansion of the Monument from 50 to 100 -- from 50 to 200 miles out in the entire EEZ of the Northwestern Hawaiian Islands, the justification was given that it was to protect shipwrecks and aircraft that lay on the bottom three miles deep and we fish the top 600 feet.

Nevertheless, Antiquities Act was to protect those shipwrecks and aircraft. So I don't know if I answered your question directly but I think that -- I think there are more specific statutes and regulations that govern other marine activities beyond fishing.

VICE CHAIR STOCKWELL: Other questions? Leann.

MS. BOSARGE: And John, to your question -- so some of those activities that you were mentioning aren't those activities that through our council process that we have avenues by which we can put HAPC status, for example, on certain areas and that may not afford as much protection as an area might get under the Antiquities Act.

But it does trigger those consultations when -- at least I know for oil and gas in the Gulf of Mexico, okay, because we have, obviously, a lot of that.

But it triggers that consultation that okay, now, if you're going to go into that area that we have designated as an HAPC and do anything related to oil and gas that's going to be a bottom disturbance, you know, whether it's laying a pipeline, drilling or even removing a structure that's already there like a current platform or something in that nature it triggers a consultation to make sure that you aren't going to damage that environment -- that you mitigate as much of that risk as possible to do what you have to do.

So I mean, I think there probably are some avenues through the open and transparent process that we have to provide some of those protections that you were kind of alluding to maybe without going through this Antiquities Act.
VICE CHAIR STOCKWELL: Kitty.

MS. SIMONDS: Well, to his point, I guess we have all heard and read in the newspaper that, you know, the president will be considering rescinding all sorts of things. So, I mean, that's as far as we know. We don't know anything more specific than that. But as I said, you know, we are the fishing people and that's what we are concerned about.

VICE CHAIR STOCKWELL: So my take-away from your presentation was that your intent is for the SCC to send a letter. Do you have a draft letter to -- for us to review?

And I would preface that with a lot of us -- I am going to start off from New England -- we are going to need to share that with our council before we can be anywhere near ready to sign off on it. So Kitty.

MS. SIMONDS: And that's because why? Some kind of bad advice you get from your lawyers?

VICE CHAIR STOCKWELL: The clear and transparent process. We work with our council. We are not going to have a unanimous opinion.

So Kitty, what's your next step?

MS. SIMONDS: Yeah. Well, so we are all -- not all of us but a few of us are developing a letter that we will have and that we will be able to discuss with you all tomorrow and let's see where we go from there.

Obviously, we understand those of you who need to go back to your councils. You know, we are sent here by our council to get the job done.

VICE CHAIR STOCKWELL: We'd be sent somewhere else if we -

(Laughter.)

So Kitty, when you -- when you draft your letter can you forward it to Brian for him to distribute to the gang here so we can have a chance to review it before tomorrow's other business?

MS. SIMONDS: Oh, yes. Yes. Yes. Three or four of us are working on it.

VICE CHAIR STOCKWELL: Jim.

MR. BALSTGER: I think it's a clever thought but I missed who the letter would be written to.

MS. SIMONDS: Trump.

VICE CHAIR STOCKWELL: Doug.

MR. GREGORY: I find it interesting
that you point out that now that in Monument it's been established it's then considered to become a sanctuary and it looks like that this is the process that's going to be followed throughout the entire EEZ for establishing sanctuaries because this is easier to establish it once it becomes a monument and has been identified as such. And so these will probably become sanctuaries at some point.

MS. SIMONDS: Yes, and that's why that one is in the works because that sanctuary that's being proposed will overlay, you know, the Monument.

And in Hawaii the sanctuary program is trying to make a sanctuary out of the Northwestern Hawaiian Islands. So they are moving to do this, the sanctuary program. They have no enforcement. They have no money. But they want to be in charge.

VICE CHAIR STOCKWELL: Leann.

MS. BOSARGE: Yeah. Well, Kitty, I was going to mention that we actually have a fairly sizeable expansion going on in the Gulf right now with one of our sanctuaries with the Flower Garden National Marine Sanctuary Expansion.

Now, I must say I think we have a much friendlier relationship in the Gulf, believe it or not. It's one of the things, I guess, we do in a friendly environment.

But with Pew and with the sanctuary system and we actually, you know, came in on the front end of that process and we have some of those people that overlap on our SSCs and APs for our council and we sat down at the table with them, and we talked about the boundaries and we talked about the risk to fishing in those areas and we -- they came to our meeting, you know, to give us their presentation because I believe that is a statutory regulation that they have to come and at least consult with the councils and let us know what they are going to do in those areas and try and garner our feedback. They don't have to do what we ask them to do but they have to come and listen and, you know, take us seriously.

So what we did to help them, although they don't have to listen to us, is we actually went a step beyond that. And this is our white paper and it is essentially if we were to write the regulations for that expansion for their preferred alternative in that expansion, this is what they
would be. And we detailed it out to flesh it out for them because, you know, fisheries management is not something they do on a day to day basis and they don't have the staff for it.

So we said here, if we were going to do it this is what it would look like. And it is somewhat outside the box. It's not your typical fishing regulations.

It's a tiered approach where different things are prohibited. The closer you get to your actual closure area, your hard core closure area, which is easier for us maybe to identify in the Gulf because we have so much oil and gas activity that the oil and gas industry actually has a very narrow scope of a no-activity zone within a sanctuary whereas the fishing regulations tend to expand much farther than that. There is a much wider buffer for fishing, although we don't drop dynamite in the water like oil and gas does. It's strange the way that risk is evaluated sometimes.

But they work very well with us and we put a lot of time and effort into it, and we don't know what's going to come of it yet but we do hope that that working relationship that we had with the sanctuaries as they continue their expansion, you know, will work out well for us.

MS. SIMONDS: Well, and I remember the person who was the head of that sanctuary program and he was a very -- I don't know if he's still there but he was a very good person to work with.

And but we have a different situation out there and, you know, fishing is our top agricultural production is fishing. We don't have pineapple anymore.

We don't have sugar cane anymore. And while, obviously, we have the military but as far as agriculture is concerned it's fisheries. Well, you just look at the map. That's what we have.

So, you know, those of you on the continental U.S. probably have other products that -- you just said oil and gas. We don't have that where we are.

We have no industrial activities out our way. It's the ocean. So it's very important to us and, as I said earlier, you know, closing down the U.S. cannery is a travesty in our part of the world.
So maybe it's difficult for you to understand that we are surrounded by all of these foreign countries.

And so closing all -- those areas like Wake Island, Johnson Island where our fishermen can't fish but foreign fishermen are all around every one of these places. And I explained about enforcement, so it's just not fair for us.

And the sanctuary program in Hawaii, the humpback whale sanctuary program -- let's see. I believe they have 20 people and what they did to the state of Hawaii is a little bit of money for half a person. We don't consider that co-management. Then they have another 20 or 30 people for the Monument. What do -- I asked them what do you all do every day, because it's education and outreach.

They don't have regulations. And, of course, they stay away from fishing regulations because then that would involve us.

So it's a very different situation where we are and I am glad that you have nice relationships. I do have one side of -- I do have good relationships with part of the Pew and that's the international Pew people. We work together on the commissions. Yeah, so I'll leave it at that.

VICE CHAIR STOCKWELL: Michelle.

MS. DUVAL: Thank you, Mr. Chairman.

So we also have a national marine sanctuary expansion going on within the South Atlantic jurisdiction. It's the Monitor National Marine Sanctuary, and I sit on the sanctuary advisory council for the state of North Carolina and we also have a representative who is one of our other council members as part of that and that truly is an historic maritime artifact, National Marine Sanctuary.

But we did, during those scoping meetings, you know, provide some comments to the sanctuary administrator and it's my understanding that the -- that in terms of any fishing regulations within a marine sanctuary that the fishery management councils have priority in terms of determining what those fishing regulations are.

So that was one of the points that we brought up in our letter. So I am just wondering in these instances where national marine sanctuary status is being pursued on top of a Monument
designation, it seems like those things are in conflict with one another then because you have a Monument designation where there have been fishing activities that have been prohibited.

But if then a concurrent sanctuary designation is being sought it's -- I mean, the regulations for the sanctuaries require that the fishery management councils be the ones that develop any regulations with regard to fishing. Just something to point out.

VICE CHAIR STOCKWELL: John.

MR. GOURLEY: Yeah, it's -- the sanctuary process does allow the Fishery Management Council to suggest fishery management measures.

However, if I am not mistaken, the actual marine sanctuaries program is the person or group that decides whether they are going to be implemented.

That's the problem, and I think that happened in Hawaii where we developed fishing regulations for the Northwest Hawaiian Islands Monument and then at the last minute National Sanctuary said oh, we are not going to allow fishing.

So you guys that are working with Pew, be careful, because I know the advanced document I got for the sanctuary process that is going on -- that has just started in the Marianas, the advanced document I got, no fishing. No nothing. It is a no-take sanctuary that they want to impose over 57 percent of our EEZ. Thank you.

VICE CHAIR STOCKWELL: Kitty.

MS. SIMONDS: You know, there are several differences here. For one thing, our territories don't vote for the president. They don't have voting rights. They are delegates. That's one thing.

The second thing is all of our monuments were -- are -- have been from the White House. Okay. So that's pretty different.

Your sanctuaries are not White House driven. It started with the Clinton administration and the CEQ, and I am sorry to hear that Ellen Athas has passed away but she was the person who was pushing for a monument in the Clinton administration.

So our senator and Senator -- who was
chairman of Commerce Committee then from the -- from the Gulf? Hollings -- Fritz Hollings.

The two of them went to see Clinton and asked him not to do the monument in Hawaii and they then decided there would be a coral reef preserve.

So that's what happened there. And then in the next administration was the young Bush administration and that CEQ, at the very last end of his administration -- I would say six months or something -- decided to do these monuments and that other monument.

So, you know, ours have been White House driven and it was always -- for the Northwestern Hawaiian Islands it was look to the prize. They felt that because of the coral and all sorts of things. Of course, between zero and three miles, not out 50 miles or out 200 miles.

So I think, you know, we have different situations. And so you all have senators and congressmen and we really only had one at the time and he's gone.

So different -- very different. I don't think we can compare our situation with anybody else's.

VICE CHAIR STOCKWELL: Doug.

MR. GREGORY: Yes. When the Flower Gardens Banks National Marine Sanctuary came to the Gulf Council to formally -- I introduced their draft environmental impact statement.

About four of them came, three from headquarters, and one of them is NOAA's general counsel that just flat told us that sanctuary has total authority to do fishing regulations any way they see fit within their boundaries. I was of the impression of the same thing that Michelle was saying. But we -- that's apparently not true.

VICE CHAIR STOCKWELL: To that point, Adam.

MR. ISSENBERG: So just to be clear on this, the sanctuaries act does provide a provision that requires NOAA to give the councils the opportunity to establish fishing regulations within the sanctuary.

The sanctuary program provides -- I forget what the terms are -- like, the goals and whatever they are for the -- for the regulations.

The council has the opportunity and, you know, the sanctuaries program -- NOAA, through
the sanctuaries program does have the ultimate, you know, say in determining whether those regulations satisfy the goals and requirements and whatever it is of the sanctuaries program. So that's -- that is the way the process works under the statute.

VICE CHAIR STOCKWELL: Tom.

MR. NIES: I won't belabor the point. You know, the Stellwagen Bank National Marine Sanctuary is located, I don't know, 12 miles off of the city of Gloucester, something like that. It's a -- for centuries it's been a historic fishing location. We manage fishing on the sanctuary grounds. It's a -- at times there is a continual -- battles is too strong a word -- there is a tension between the sanctuary managers and the fisheries managers.

So far the agency -- and there is a provision where, as Adam pointed out, the sanctuary can request management measures and give us the opportunity to implement them.

But at present, we do all the managing of fisheries on Stellwagen Bank and there are actually some steps the sanctuary has to work through before they could impose fisheries management regulations there.

And I believe part of it -- and Adam may correct me -- is because of the way the designation letter was written for the Stellwagen Bank Sanctuary, which specifically specified that in part.

So I think -- you know, I think we have gotten a little off track from today's discussion about what we wanted to say in Monuments and wandered into sanctuaries.

I think there is some differences in how sanctuaries are treated from region to region that kind of obscured Kitty's main point, which is trying to write a letter to the president suggesting we remove fishing restrictions from the National Marine Monuments.

VICE CHAIR STOCKWELL: John Bullard.

MR. BULLARD: Two things. One, I would like Kitty in the West Pacific describe the situation in the West Pacific. I would like to describe, because they are different as the Western Pacific said and so I'd like to describe a little bit how the Northeast Monument came into being.

But I'd also like to pick up on what Tom
said and Adam said, a little bit on the sanctuary versus Magnuson. In my experience, I think it comes down to when a sanctuary says we are going to protect resources, you know, the sanctuary National Ocean Service and NOAA both come under the same umbrella.

And so when the sanctuary says well, we are going to, you know, protect shipwrecks, well, councils say well, we don't have management plans for shipwrecks and so the sanctuary says right, that's our ball game.

When they say we are going to protect fish habitat or we are going to protect codfish or we are going to protect corals, then the council says well, guess what, we have a management plan that does that. So you're now on our turf.

As long as the council can say, we are managing those things then the council is in a much stronger position to say, that's our ball game, not your ball game.

And it goes up to the umbrella group and the council's in a much stronger position because the council is already managing that. The sanctuary doesn't need to manage that.

Now, if I can take just a couple of minutes to draw some differences, I think. The Monument, as I think was described in Western Pacific, is Antiquities Act no public input is required, you know, since Teddy Roosevelt's days. That's the Antiquities Act. As one fisherman said in a public meeting held in New England, the president can make a decision watching TV in his PJs. That's the law.

Now, what happened in New England despite the law is there was a lot of interchange. There were public meetings and so more interchange than was required by the law happened.

The NGOs also played a heavy role advocating for not just the area, the canyons and the seamounts that Kitty put up on the map but they really pressed for an area in New England called Cashes Ledge.

That was really the flagpole stake in the ground that they were looking for. Articles in National Geographic -- I mean, it was a big campaign.

As you guys talked about, when they put on a campaign they put on a campaign. And the New
England Council in a habitat amendment that they had done, because we have all talked about how councils through Magnuson Act can protect essential fish habitat, had protected Cashes Ledge and it was made abundantly clear by the people sitting right to my right that Cashes Ledge was protected by the council already under Magnuson Act and that was listened to by the people in the White House and they said, well, you know what, because of that we are not going to make it a monument and so Cashes Ledge was taken off the table. And the canyons which at one point there were, I think, 10 or so that were considered were reduced down to three and the seamounts, which have right now virtually no fishing activity, were kept in place. And our -- an extension of what is protected in international waters under NAFO.

So that's -- that is the back and forth that went on in the designation. There is an impact with red crab fishery. There is an impact with a lobster fishery. Those are exempted for seven years to give those fisheries time to adapt and there is an impact with commercial HMS.

So I just say that because it's a situation that's different. It's while you put -- this is the Jim Balsiger moment -- you put everything up on a map it looks like it's the same size. It's not the same size. Ours is considerably smaller than what goes on in the Western Pacific.

At the same time this was happening the mid-Atlantic was passing the Frank R. Lautenberg Deep Sea Coral, which was an area I think four or five times bigger than what the president did -- 15 canyons and broad stock area size -- an area the size of the state of Virginia, through the Magnuson Act.

So at any rate, just wanted to let you know same tool -- the Antiquities Act. Different conversations with stakeholders and there was one positive decision. I say positive in that it was affirmative to make a monument but just as importantly one negative decision, which was, in my opinion -- I don't think there is press in the room that -- I saw him. He's there. He's not taking notes, no. That was the prize that was negatively acted on -- that is, Cashes Ledge was decided not to be a monument and that was based on
what the council did.

       So anyway, that was New England in three minutes.

       VICE CHAIR STOCKWELL: Good discussion. Is there further -- is there further discussion pending receipt of Kitty's letter?
       Seeing none, thank you. We will look forward on our inbox tonight.
       Chuck, you ready as you can be?
       MR. TRACEY: Ready enough, I guess.

       So I was just going to give a brief update on the Scientific Coordination Subcommittee meeting that's scheduled to occur that the Pacific Council is going to host.

       This is also known as the National SSC or formerly known as the National SSC meeting. But in fact we are trying to correct usage of the proper acronym there. So it's the SCS meeting.

       So you do have a report in one of your tabs there. I am not sure what number that is off the top of my head. Just to kind of summarize what's in the report. Hopefully, you all had a chance to look at this.

       We have got a committee planning the meeting. It's comprised of the chairs and designees from each SSC from the regional folks and their staff member.

       They've met twice by webinar so far and their next scheduled meeting is March 31st. They are basically planning on having a monthly meeting to coordinate all this.

       We have tentatively -- well, more than tentatively scheduled, I guess, the dates for the meeting to be January 17th to 19th, 2018. That is the week of the Martin Luther King holiday. So we are thinking that travel on Tuesday and meet on Wednesday, Thursday, Friday and then travel home on Saturday.

       So the venue is going to be San Diego. We are getting close to concluding negotiations for a venue. I think we are down to two options, one that is definitely available and one that we are going to see if we can drum up some competition with.

       The title or the theme of the meetings is management strategy evaluations as tools to provide management advice in the face of uncertainty and environmental change.
So the -- just to refresh, the management strategy evaluation process is basically that which is used to sort of tune your management procedures to balance the tradeoffs among conflicting fisheries management objectives.

So one of the questions that the committee has been addressing, sort of a general planning question, is to determine how much of the meeting should be about the practice of doing management strategy evaluations versus the specific rule at the SSC with respect to conducting a management strategy evaluation. So that's something we met on February 17th to discuss that and I think the bottom line being that it is important to talk about the practice of doing MSEs and not just let this be a SSC-centric how do we -- how do they go about conducting one. But it's more important to be broader and to have some information on how the councils can engage in this.

Another issue that came up was the socioeconomic component of management strategy evaluations. That's very important. So they are -- they want -- the committee wants to make sure that the councils send their socioeconomic experts to this meeting so there is good representation. They've developed some subthemes to address. There is focus questions under each subtheme, suggested lines of inquiries that could be further explored.

I am not going to go too much into detail of those. They are there for you to look at for your SSC folks or other advisory bodies to consider and provide input through the -- through your SSC chairs to the -- to the planning meetings.

There are some general questions though that are sort of relevant to all the subthemes that I'll just touch on briefly and they are, first, how do we implement MSE into the decision making process; secondly, how to prioritize the integration of MSE into the council workload; third, how will the output for an MSE process be integrated into the council process including how other advisory bodies plan and technical teams and advisory panels play in guiding the council decisions; looking at quantifiable performance metrics that are related to each council's specific objectives and those defined by the
Magnuson-Stevens Act; and then, finally, what issues are facing the councils and the SSCs to compel MSE approach.

And the decision was that these questions would be best addressed in a sort of synthesis section at the end of the meeting. So once they go through their focus areas and answer all the detail questions then they can sort of synthesize this into something that would be more generally useful to the councils in terms of implementing this.

So that's really all I've got on the -- on the process and where we are at. Again, you know, I can -- I can list the subthemes if you want -- evaluating and modifying harvest control rules, dealing explicitly with model uncertainty, estimating and accommodating uncertainty in fishing -- overfishing limits, the stock biomass and fishing mortality and adjusting harvest control rules in changing environments/non-static maximum sustainable yield.

So those are -- those are the subthemes that will go into that. So that's really all I've got for you. I'll be happy to answer any questions.


MR. NIES: Chuck, I got a question for you and it relates to your careful use of the correct term for this meeting.

It's not the national SSC meeting, and it -- and it relates to some of the general questions you're asking here and let me give a little context to why I am asking them.

I've probably sat through dozens of our SSC meetings over the last few years and have heard maybe not dozens of times but have certainly heard numerous times my SSC members say our role is not to define the process.

Our role is to push the system. We don't really care what the process is. And so, you know, I look at those general questions relevant to all subthemes and particularly number C where it says how will the output of an MSE process be integrated into the council process. I would argue that my SSC feels that's not their role to figure out how to do that.

And so I think if the -- if the purpose
of this SCS meeting is to address questions like that, I think we have to make sure that the people who show up are representative and familiar enough with how the council process actually works.

Perhaps our SSC is the only one that takes this stance and but, you know, I've heard it repeatedly from them and it relates to another question that I think, hopefully, the answer is going to be a simple one, which is yes, and that is that what limited MSE work we have done and we have got one going on now is really being done not by -- it's a joint effort between the council staff, who does the objective and goal-setting part of MSE, and the Science Center -- the Northeast Fisheries Science Center, which is doing all the technical work.

Now, it seems to me that at least some of these questions are going to need a lot of those type of technical experts there from the Science Centers who may or may not be participants in our SSC or our normal teams.

So I guess I am curious whether you've had any discussions with -- explicit discussions with, you know, the Science Centers about how they will support this particular meeting.

I don't know. Maybe it's too early to ask them that question. But if we haven't asked them that I think we should ask that because I think they are going to be key participants in addressing some of these questions.

MR. TRACEY: Thanks for those questions, Tom. I guess to answer your first question about how will it be integrated in the council process and the role of the SSC in that, you know, we are -- we are, of course, inviting council staff, who I hope will provide some context for that and but I think it's also important, of course, that the SSC -- the SSCs recognize that that is an important element and that they -- you know, they have to contribute to that process and, again, I think with council's staff and we also, of course, will have support from National Marine Fishery Service there.

So they -- and you're right, the Science Center probably will be largely contributing to many of these -- many of these evaluations. And, of course, there are Science Center staff on a large number of the SSCs anyway. So there is a little
bit of cross-fertilization there, I guess.

So with regards to explicitly communicating with the Science Center leadership about that, we really haven't gotten too far along that way but I am glad to see Cisco's here to hear this conversation.

The support we have got from Cisco's former Science Center has been -- has been outstanding and so -- and likewise from the Northwest Center. You know, there is a lot of interest in this, I think, and so we have approached them about, for example, for funding this SCS meeting and I've got positive responses from that. So I think there is certainly interest and commitment, you know, to participate in that. But maybe I'll ask Cisco if he's had any thoughts about that.

Cisco, have you had any thoughts about Science Center participation in the SCS 6 meeting?

DR. WERNER: No. Like you said, our -- you know, the work that you outlined with the Northwest and Southwest has been pretty natural, I guess. So I haven't heard anything not proceeding along the lines of what you were saying from our folks. So --

VICE CHAIR STOCKWELL: Are there other questions for Chuck? It's my understanding that officially the SSC -- I mean, the CCC is supposed to bless this process here. Are there any objections to the game plan that Chuck's laid out? Seeing none, looks like you have the green light. Thank you very much.

MR. TRACEY: Thanks, and we will have another update for you at the May meeting as well. So if there is any additional follow-up we can deal with it there.

VICE CHAIR STOCKWELL: Okay. We are moving into our last agenda item of the day. We are moving the -- we are not moving into the last agenda item of the day. We have a time conflict so we are going to wrap things up for the day. Tom.

MR. NIES: Give me -- you want to take, like, a five-minute break? I'll send something to Brian.

VICE CHAIR STOCKWELL: Yeah. There is a five-minute cookie break and Tom and Brian are conspirators, and we will -- we are almost done. So five-minute break.
(Whereupon, the above-entitled matter went off the record at 3:50 p.m. and resumed at 4:04 p.m.)

VICE CHAIR STOCKWELL: Okay. Just a couple of announcements before Tom runs through this and I need Brian for my fact checker.

Brian, we are changing the webinar address tomorrow. Is that correct? Correct. So for those of you listening on the webinar, there will be a new address tomorrow and under other business tomorrow I have the CCC letter and I think the last order of business for today is Tom's summation and then we are going to conclude early -- go to the bar.

Is there any other business that I missed? Catcher policy? No? Well, if there is we can add it in the morning. So I'll turn it over to Tom.

MR. NIES: I thought that we'd go through this today. Just might save some time tomorrow since we only have tomorrow morning and maybe early afternoon to run through Paul and Chris Moore and a couple of other predecessors' leads here.

Going through the agenda items I tried to keep track of what the follow-up actions are. I think the one I left off there is that -- the MSE reauthorization. Gregg will be distributing a draft letter to us that reflects the changes that we talked about today and we will review that tomorrow.

I think the -- so to walk through this real quickly, we will get an update on the legislative outlook probably from Dave Whaley at the May meeting.

MSA reauthorization -- in addition to the letter we are talking about adding some members to the working group. They will consider the overfished/overfishing issue that was raised, data confidentiality provisions.

We lifted the policy directive out and I'll put it somewhere else rather than in the letter where it was -- my rather cryptic note there.

Conflict of interest and guidance update -- I got the impression that Adam will want to come back in May and talk about that again -- the conflict. Yeah, typical lawyer. Okay. All right. So that will be on the agenda for the May
meeting. National Standard 1 guidelines Q & A's -- we are expecting some responses from NMFS prior to the May meeting. I got the impression that there really is not any interest in having this on the May CCC agenda.

Is that accurate? I said consider putting on there. What I -- but afterwards I talked to a few people that said they didn't seem to see any reason to have NS 1 again on the May agenda. If that's wrong let me know and I'll keep it as a possibility.

So seeing -- okay. Sorry.

MR. TWEIT: Pending some response -- potential responses to some of those questions could we not entirely delete it at this point and leave it as a possible discussion item, for May?

MR. NIES: Sure. We can leave it as a possible discussion item. I guess I am a little concerned. There is only, you know, a little more than eight weeks between now and the May meeting.

We heard the agency today be a little concerned that they got our questions too late to provide us any meaningful answers at this meeting. I don't know when we are going to get your responses. Do you have any idea?

MS. MENASHES: We have begun drafting them and so I think we can go back after the discussion and look at, you know, the -- what's the best way to give a response to make sure we are being responsive and hearing everything to varying -- like I said, we also discussed today there are some issues that are fairly general and fairly straightforward, others that may be more fact specific.

So we want to be clear on that. But no, I think -- I think we will be able to provide responses prior to the May meeting.

MR. NIES: Okay.

MS. MENASHES: So I don't know exactly. Two weeks, three weeks. But, you know, hopefully fairly soon.

MR. NIES: So I will remove the question mark there and we will consider keeping it on the May agenda, if that suits everybody, and make a decision later.

National bycatch reduction strategy -- I don't believe there was any follow-up on that.
Marine national monuments -- we are expecting to review a draft letter tomorrow afternoon or tomorrow under other business.

And for SCS-6, we approved their plan for moving forward. We did not get to the EBFM roadmap because Sam had to leave.

This is all I had for follow-up actions from today. If I left something out please let me know and I'll update this.

VICE CHAIR STOCKWELL: Gregg.

MR. WAUGH: Thank you, Mr. Chairman. Tom, on the budget update it would seem like we'd want that for the May meeting because we should know where we will be at that stage.

MR. NIES: Yeah, I meant -- I mean, tomorrow we will go over draft agenda -- the elements that we have so far for the May meeting and my expectation is as we do every meeting we will have a NMFS update in priorities and a management and budget update.

I guess what I meant by saying inconsistent use in the action column but I guess as far as I know we didn't say there was anything more we had to do at this meeting or in anticipation of the next meeting on the budget other than our other issue that we will talk about.

VICE CHAIR STOCKWELL: Dan.

MR. HULL: Thank you. Mr. Chairman. Tom, can this be sent out to everybody just so we have this evening --

MR. NIES: Yeah. Absolutely.

MR. HULL: Thank you.

MR. NIES: And I'll erase the question mark.

VICE CHAIR STOCKWELL: Anything else for Tom tonight? Seeing none, is there any other business for the day? Tom's exercising his elbow.

So with that, thank you all for a productive day. We are going to adjourn and reconvene tomorrow morning at 9:00 a.m.

(Whereupon, the above-entitled matter went off the record at 4:11 p.m.)
The Committee met in the Ritz-Carlton Pentagon City, 1250 South Hayes Street, Arlington, Virginia, at 9:00 a.m., Terry Stockwell, Acting Chair, presiding.

PRESENT

TERRY STOCKWELL, New England Council; Acting Chair
JIM BALSIGER, Alaska Region
LEANN BOSARGE, Gulf of Mexico Council
JOHN BULLARD, Greater Atlantic Region
ROY CRABTREE, Southeast Region
MICHELLE DUVAL, South Atlantic Council
ED EBISUI, JR., Western Pacific Council
WARREN ELIOTT, Mid-Atlantic Council
CARLOS FARCHETTE, Caribbean Council
STEVE FREESE, West Coast Region
JOHN GOURLEY, Western Pacific Council
JOHN GREENE, Gulf of Mexico Council
DOUGLAS GREGORY, Gulf of Mexico Council
MARCOS HANKE, Caribbean Council
BOB HARMAN, Pacific Islands Region
DAN HULL, North Pacific Council
MICHAEL LUISI, Mid-Atlantic Council
CHRIS MOORE, Mid-Atlantic Council
TOM NIES, New England Council
CHRIS W. OLIVER, North Pacific Council
HERB POLLARD, II, Pacific Council
CHARLIE PHILLIPS, South Atlantic Council
MIGUEL ROLON, Caribbean Council
CARRIE SIMMONS, Gulf of Mexico Council
KITTY SIMONDS, Western Pacific Council
CHARLES TRACEY, Pacific Council
BILL TWEIT, North Pacific Council
GREGG WAUGH, South Atlantic Council

NOAA STAFF PRESENT

SAMUEL RAUCH, Acting Assistant Administrator for Fisheries
PAUL DOREMUS, Deputy Assistant Administrator for Operations
FRANCISCO WERNER, Director, Scientific Programs and Acting Chief Science Advisor
ALAN RISENHOOVER, Acting Deputy Assistant Administrator for Regulatory Programs
NED CYR, Office of Science and Technology
ADAM ISSENBERG, NOAA General Counsel
EMILY MENASHES, Sustainable Fisheries
MIKE PENTONY, Sustainable Fisheries
MARK STROM, Northwest Fisheries Science Center
BRIAN FREDIEU, Sustainable Fisheries
HANNAH HAFEY, Sustainable Fisheries

ALSO PRESENT

LUIZ BARBIERI, Florida Fish and Wildlife Commission
STACEE KARRAS, National Academy of Sciences
RICK ROBINS, Former CCC Member
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9:04 a.m.

ACTING CHAIR STOCKWELL: Good morning, everybody. We are going to reconvene the CCC. John Quinn is unable to return again today, so I will be your Acting Chair.

For time management reasons, I wanted to check in with everybody concerning other business. We have the CCC letter that Gregg has perfected. We have some discussion on the monument.

Is there anything else that we need to have on the list? Chris, do you have, Chris Oliver, something for other business?

MR. OLIVER: Oh, I'm sorry, yeah. The one issue I wanted to bring up, I actually talked to Alan and Melanie about, sorry Emily last night. I was channeling Eric there. Which was the status of the Catch-Share Program review guidance. And so I got the answer I needed, but the rest of you may benefit from it as well.

ACTING CHAIR STOCKWELL: Okay. Thanks for that. So we have got two or two and a half issues for other business.

And with that, we are going to move right into the science update. Cisco?

DR. WERNER: Good morning, everybody. Thank you, Mr. Chairman. So I am Cisco Werner. I have had a chance to meet several of you who I hadn't had a chance to meet before, but it's -- hopefully I get a chance to say hi to everybody before the end of the day.

And thank you for the opportunity to present some science updates that -- some of which you have already heard in the past and we are just telling you where we are and the scheme of things in terms of how we are progressing.

And then there are actually a couple of asks that we will probably sneak in there, so while you are not looking, we will probably say we need your help on some things.

I also wanted to start off by saying that this presentation and everything in it, you know, is really a team effort by a whole bunch of people.

Patrick Lynch is here to my left. Roger Griffis, who couldn't make it today. And also Rick Methot. And those of you who know Rick,
he had a small medical thing, but he is doing great. Everything is looking, you know, really well and he will be back on board pretty soon with us.

So the topics I wanted to talk about, the outline or these four topics: The Stock Assessment Prioritization Process and that is going to be largely an update. I will talk a little bit about the Climate Science Strategy and in particular where we are with the regional action plans.

And then I'm going to talk about the Stock Assessment Improvement Plan, which is in your folders or it was sent to you and that will come with an ask in terms of comments from you, as well as the discussion on the Best Scientific Information Available, which is not in your documents, but we will be sending out shortly and hopefully we will be able to get comments from you on that one as well.

So really quickly, the Stock Assessment Prioritization, this is an update item. You know, as we know, Stock Assessment Prioritization is a process by which objective advice is developed by Science Centers, Councils, SSCs and this advice goes into the development of a prioritized portfolio of right-sized, if you will, assessments for each stock.

And what I'm going to get into in Slide 5 is a table which summarizes where the process is in the different Councils, different regions.

As you know, this is a process where we look at a number of things, you know, whether it is the stock status, the fishery importance, the ecosystem importance, you know, the assessment information, new things to come up with this prioritization. And the results are -- you know, that do come out of this discussion involving all these different bodies that I mentioned earlier, you know, are advisory. They are non-binding and they are implemented on a regional basis with the idea really to support allocation of resources within a region.

They are not intended to support redistribution of resources, you know, or, you know, to redistribute resources to non-assessment activities.

The -- again, this is something that you have seen before. The prioritization follows a
step-wise process, if you will. It's a systematic process that involves, you know, collecting the data, looking at the FMPs.

Then there is a series of factor scores that are developed by the team that is assembled. And then in turn this identifies, you know, the assessment targets, which include the frequency of the assessments as perhaps a level of assessment, the kind of data that would go into the assessments.

And then there is also factor weights, which are assigned by management on teams and then ultimately there is a rank-weighted score that comes up with, as I said, an objective prioritized list.

And the status of the efforts that have gone on over the past year, the PFMC completed its prioritization and it was used to schedule the 2017 groundfish assessments. The North Pacific Council is in progress.

One thing is that there is a request to work on an MSE to evaluate the proposed changes. And this process is not dissimilar. I think ICES, you know, the International Council for the Exploration of the Seas also, you know, looks at it, looks to MSEs to evaluate the process itself.

Different -- the Western Pacific Data Gathering is underway. The Northeast and the Middle Atlantic, there is ongoing discussions and coordination of the Councils within our CC. The South Atlantic is the same. There is prioritization scores, you know, working with the SSC and, you know, other input to be folded into the SEDAR planning.

The Gulf Council, the data gathering is underway and the Caribbean they are still -- there is an initiated discussion within Council, but -- and that's a typo down there in the bottom right, it should say it's awaiting new fishery management plans.

So they are all kicked off in some ways and they are in different stages of -- different statuses, put it that way.

So that was an update on the prioritization.

I want to now move next to an update on the climate-related issues. So this -- in 2015 I think, we published the NOAA Fisheries Climate Science Strategy and the goal of the strategy is,
as it says up there, to increase the production, delivery and use of climate-related information to fulfill out mandates. And the -- I think all Councils received presentations, either by Jason Link or science center directors or others, on what goes with the process behind the Climate Science Strategy. And it really is based on, if you want, four questions, which are there on the right.

You know, we need to find out what is changing, which we achieve through monitoring. Why is it changing? And so that is a research element.

How will it change? And this is the projections or the forecast of future states. And then how to respond, which are the different management strategies that we would bring, ultimately coming up with perhaps climate-based reference points.

And as a result of that process, the larger Climate Science Strategy at the national level then proceeded with the development of, what I'll call, these regional action plans. And I think there are copies of the Regional Action Plan document on your table that were brought in this morning. I think you received them previously, but they are here again if you want to look at them and also if you need more of these documents, they are available.

And this is a large effort. The Regional Action Plan which is that bigger bubble in there and the other seven bubbles around it are the status of the Regional Action Plans for the various regions: The Bering Sea, Northeast, South Atlantic, etcetera. And you can see little dates on it.

The latest one that we rolled out was for the South Atlantic. I think that was rolled out maybe about a month ago or maybe three weeks ago. And so we have got six out. The Caribbean one, my understanding, it is underway. So hopefully it will come out soon.

And then there are some others that are still to be done. I know that the Alaska Fishery Science Center has at least two to three more that they want to develop for a couple of other LMEs. The did -- the first one they did, I think, was for the Southeast, the Bering Sea, but now I think they
are working next on the charts that you see one.

And the results of these action plans are that -- are to outline how it is and to perhaps state how it is that we developed that critical information, you know, that then results in information that is used for management that then in turn, you know, helps decision making in terms of the resilient -- generating resilient, you know, resources and communities.

Let me see where I am. Next slide. And I want to make sure I don't forget to thank everybody, you know, for your help, all the Councils for your help in the development of the Regional Action Plans. This was something that we worked on very heavily, you know, and closely with the Councils to the various management bodies and advisory panels within the Councils. And it was something that, as a result, turned out into, what we feel is, each one of these products is a very solid and robust outline of how it is that we move forward.

And like I said, the questions, you know, of what, why and how are outlined in the strategies that we have in there. There is, you know, probably a couple hundred action items that the various Regional Action Plans have developed and identified. And these are ones that we will be reporting annually and following annually to see how we are making progress on that.

As an example, here is, you know, when we say what is changing? The checkmarks, the red checkmarks are activities that are ongoing. You know, so we are maintaining monitoring of fisheries or we are tracking distributions of the species. And these in turn then fold into, you know, strengthening ecosystem status reports and early warnings.

And one way of doing this is through ecosystem -- I'm sorry, Integrated Ecosystem Assessments. And on the West Coast, there is an example that, you know, we provide, you know, a yearly report to the Council in terms of what happened and what we think might happen, which leads to the second question, how will it change?

And so, you know, there is activities having to do with vulnerability analyses of fisheries and also beginning to look at how climate and fisheries research informs the stock
assessments. And the Alaska Region, I know, and
the Alaska Science Center, you know, I have been
looking forward and their IPCC modeling related
work and their forward looking projections in terms
of what the forecast of changing oceans and fish
stocks, you know, might be.

And then how to respond is to build, you
know, this understanding which is, you know,
becoming more quantitative into MSEs. And so if
you can actually look at some of these scenarios,
possible future scenarios, then you can fold these
into MSEs and then evaluate fishery management
strategies.

And again, as I mentioned, on the
Alaskan/the West Coast, these are underway as well
as I know on the Northeast, you know, in the Gulf
of Maine and such, these activities are progressing
very nicely.

The next topic is the Stock Assessment
Improvement Plan and this is again an update, but
this is one of the ones that does come with an ask.
And I think you have received presentations on this
before. The idea here is to update a Next
Generation Stock Assessment Enterprise, you know,
it's an update to the 2001 Stock Assessment
Improvement Plan and it really is looking at as we
move towards, you know, more holistic and
ecosystem-linked view of our marine systems, we
have more capabilities, technological
capabilities in terms of measurements, let it be
acoustic, optical, etcetera. We have more data
streams that we can bring into the assessment.

And also as we work towards that
prioritization that we talked about earlier, we can
also look to having, you know the Stock Assessment
Improvement Plan also, you know, resulting in a
process that's more timely, efficient and
effective.

It focuses on developing a strategy or
guidance, strategic guidance that focuses on
current issues and research capacity. It
capitalizes, as I said, on recent scientific
advances, you know, advanced technologies and the
new ships and new capabilities that we have in
measurements and it also aligns with current legal
mandates.

And the figure here is just over time
starting in about 2001. The green bars are the ESA
dollars, if you will, and then the little blue line is the number of assessments that are conducted on a yearly basis.

And so it -- if I were to say something in general, I guess what we are trying to do is moving away from sort of the original intent of the 2001 SAIP, which was to strive for more detailed assessments for all stocks, to perhaps looking at the available resources and the new technologies that we have to see, you know, which stocks are in most need of assessment and the level of which those assessments need to take place.

The Stock Assessment Improvement Plan that I -- as I said, is in your documents or was emailed to you. Basically, it's -- the first two sections are background in terms of, you know, what has been accomplished since 2001. It assesses also where we stand with our current assessment enterprise. And then it talks about the Next Generation of Stock Assessments.

And I touched upon some of these briefly, you know, the idea of expanding the scope of the assessments to include ecosystem and economic linkages, the use of new data collection and modeling capabilities and then also beginning to consider also the prioritization process to help assess the level and scope of the assessments as well as identifying the data gaps that are out there.

And now comes, I think, the ask, which is this is a request for review by the Councils and the proposed approach might be to counsel staff to coordinate the review with the SSC or a subset of the SSC, because the document is substantive. You know, rather than attract changes, a set of comments that comes to Patrick and others, you know, hopefully if there could be a file of comments with line number, you know, references not embedded in the document would be helpful in terms of how to incorporate these.

And then, you know, clearly, you know, whatever comments come, you know, is something that would have to be discussed within Councils and, you know, we throw data out there of April 28th of this year to see if it's possible to get the comments from the Council.

And let's see, the points of contact are Patrick, again, who is sitting here with me or Rick
And you know, both of them are available for discussion or questions either by email, phone or in-person if needed. You know, maybe scheduling visits to the Councils and meeting with the Councils, as appropriate.

And the last topic I wanted to update on was the discussion of the Best Scientific Information Available. This is a document that is still in preparation. It's in draft form, so you don't have it. It was not sent out. We are finalizing it and we need to do a couple more internal reviews before we send it to you for comment.

And the idea here is that we, you know, have been working on a document that describes and tries to formalize the process by which stock assessments are determined to represent the Best Scientific Information Available, the BSIA.

And the main objective of this effort is to align perhaps the parallel processes of stock status determination that we do at NMFS and also the setting of ACLs by the Councils in such a way that there is a common understanding of what represents BSIA.

And you know, this is a slide or, you know, the process here is one that you are all familiar with and what we need to do is make sure that NMFS can ascertain that it is acting on the basis of BSIA when -- while making stock status determinations when we sign-off on the Council recommendations.

Where we need clarity? And that question mark shouldn't be there. Clarity is needed, you know, when -- you know, to determine when in the process BSIA is decided. The SSC's role in contributing to the BS -- in contributing to NMFS' BSIA determination; how the BSIA is documented or how the BSIA determination is documented; and when then goes into becoming a SAFE report, you know, when it is prepared.

And I'll give you a brief. This is taken from the document that, as I said, is still in draft form that you haven't seen. But these are draft -- this is a draft summary of recommendations that you will see.

And No. 1, you know, documenting the BSIA process that occurs regionally. You know, how it is documented and the contribution of the
SSC to the BSIA's determination.

We perhaps have become a little bit granular here in terms of the assessments and their reviews. You know, should consider perhaps four elements of the level, of the fishing level recommendations, so the BSIA for harvest policy and the SSC basis.

The BSIA for over-fished or over-fishing status and over-fishing status.

And also the BSIA for the fishing level recommendations.

So that part has to do with how that is determined at these various stages or for these various elements.

And if -- also then No. 3 there talks about if a plan team or an SSC is the reviewing body, then there perhaps should be also a formal separation of the rule when they make a recommendation on the above. So this is perhaps, you know, making sure that people, you know, separate the hats that they are wearing at different stages of the process.

And also, we would like to, you know, consider terms of references for assessments and their review, you know, for the upcoming Stock Assessment Improvement Plan.

And finally, we suggested there could be a senior NMFS liaison available to each SSC throughout the process as needed.

ACTING CHAIR STOCKWELL: Um-hum.

DR. WERNER: And so the final slide, I think then, is the request for review by Councils. Hopefully the document might be available in the next month or so. It is not as lengthy as the Stock Assessment Improvement Plan. I think it is more like on the order of 15 to 20 pages or something.

MR. LYNCH: Less.

DR. WERNER: Less than that. And as I said, when -- hopefully within a month or so we will have finished the document, you know, editing it and internal review and send it out for comment. And like before we requested that, you know, we -- that Council consider the document and provide comments to us say by June 30, by mid-year June 30 of this year.

And the contact folks are the same plus Deb Lambert. And that information is there. And with that, I will stop and end my report. So thank
you for your attention. And thank you, Mr. Chairman, for the opportunity to present.

ACTING CHAIR STOCKWELL: Thank you very much, Cisco. Are there any questions or comments from the CCC on the science update or the timing related to the Stock Assessment Improvement Plan, SSC, review? Yes, Doug?

MR. GREGORY: Yes, I'll lead off. No comment on the prioritization. The Stock Assessment Improvement Plan, we are not going to be able really probably get it to the Council with detail until our June meeting and -- which means -- and I don't know if we can do the BSIA by then by running that through the SSC.

The BSIA that you are representing here seems to have some problematic areas. Like when is the NMFS decision memo going to be? It needs to be before the Council even starts deliberating on what the SSC is recommending to them, not after the fact or after it's submitted to NMFS, because it would seem like that would be a good way if you -- for NMFS to say well, we don't like what you are presenting, but we will just say it's not best science data, so we need that up front in the process of deliberation.

And the other thing that concerns me is where you say that -- and I understand NS2 trying to separate reviewers from other people that are making recommendations, but with the stock assessment process, Item No. 3 where you say "If Plan Team or SSC is the review body, then you need formal separation with their role as recommenders."

When we have something called an update or a standard assessment, the SSC is intimately involved in doing that assessment and that's the same body that recommends the ABC. So that needs to be fleshed out.

You know, and we only have -- the Southeast is not like New England or the North Pacific where they have a plethora of stock assessment scientists. We are very limited in the expertise we have in the Southeast, so that seems problematic.

But -- and even though it, like you said, is going to be 20 pages, this could actually be more difficult to analyze than the other one. Thank you.
DR. WERNER: So I'll first thank you for the comments and thank you for the opportunity to respond. On the timing issue, I understand and, you know, the Council's plates are all pretty full, particularly at the beginning and end of season, and so I would -- I know it's probably going to be hard to meet some of these deadlines. So I think we should expect that there is some flexibility there.

On the comments of the BSIA, I think you bring up a couple good points in that they need to be fleshed out. The first one having to do, I think, with Item No. 3, right, where you said that there is this formal separation. It is something that I think a lot -- you know, it happens at several Councils. As you said, sometimes the same people doing the assessments and sitting on SSCs are the ones that are going to have to wear that different hat.

And I think this is exactly one of those points that we would welcome input in terms of how that can be done, fully-recognizing that the people are stretched in terms of, you know, double hatting already, so I think that's an important point.

And then I think the same goes for your comment on NS2 in terms of how -- you know, what view or what advice and you might bring to that draft.

But I wanted to open this and see if Patrick or anybody else had any response to the comments, which I think were pretty relevant.

MR. LYNCH: Sure. Thanks, Cisco. For the BSIA document, in particular, I think what we are trying to do with that is create an opportunity to address those issues and get some documentation and a process in the region that handles both what you said, having stock status determined in time to make ACL recommendations, so hopefully aligning that process and establishing the steps so that that doesn't get jumbled.

And in terms of No. 3 for the dual role of SSC and assessment and reviewer and recommender, that is okay. All we are saying here is that there -- you know, they can do both jobs. It's just that we are requesting a separation temporally. That, you know, they focus on the review of the assessment either -- probably before they are making decisions on what to recommend for an ABC, just so that they
are somewhat objective in those two roles.
But it's okay that the same people be used to do both.

ACTING CHAIR STOCKWELL: Doug?
MR. GREGORY: Just briefly. Currently, because NS2, I think, proposed rule was -- has been out for a number of years now, so with the current process, we do send a subset of our SSC to do the assessment. And then it is reported back to the full SSC.

And one thing that has been a point of confusion with some Members was well, now, do I recuse myself because I was on the Assessment Team? And we have never gotten clarity on that, so this could do that part of it.

But again, it depends on -- you know, SSCs are made up of a variety of disciplines and those that are not stock assessment people usually balk at trying to approve something that is a stock assessment without leadership of the analysts that are on the SSC. But it will be interesting to work through this. We appreciate it.

ACTING CHAIR STOCKWELL: Chuck?
MR. TRACEY: Thank you. Thank you, Cisco. With regard to the BSIA, I'm -- I guess I am struggling a little bit to understand exactly what the document is going to be. When we met in May of last year, the subject came up and we were told that there would be a white paper to sort of explain the situation, lay out some background and those sorts of things.

So which we have not seen yet, so I'm not sure, is that what we are getting or are we getting a draft policy direction-type procedural document that has already got everything laid out? So I guess I'm -- a little clarity on what we are getting, if we are getting both of those or not.

And then I guess just to touch briefly on the Stock Assessment Improvement Plan, that time line is not going to work for us. That almost seems like a two meeting process really for -- I mean, it's a large document. The SSC is going to have to spend a fair amount of time going through that. And then the Council is going to need some time to digest their comments.

So I don't see all that happening, you know, over the course of one Council meeting. I see the SSC doing it once and then their document
-- their comments being available to the Council with a couple of weeks for them to digest that prior to them taking action.

DR. WERNER: Thanks, Chuck, for the question. So I'll start with the second one first and then I'll pass it on to Patrick, since I wasn't here for the main meeting, so I just want to make sure that there is continuity in what was said in May and what you will be receiving.

So I think the timing issue is a very real one. And as I said, you know, I realize how full the plates are already at the Council meetings and the process of having to ensure careful review. So I talked to Patrick about this in terms of, you know, what that means in terms of, you know, whatever time line we have here.

You know, hopefully, you know, we thought that we would try to have the document published, the SAIP document, this calendar year, but maybe we can compress things on this side, but we will again, fully acknowledge the difficulty in a thorough and deliberate review of the document.

So with that, I'll then pass to the question of what was said and what was presented in May and what the current document is, so to -- that you will be receiving.

MR. LYNCH: Yes, thanks. I believe Jane DiCosimo gave the presentation in May on BSIA. And we were planning on sending forth a white paper. That white paper has been tossed around quite a bit internally within NMFS, so we have been wrestling with it over several months trying to get that where everyone in the Agency is happy and comfortable with sharing it with everybody before it goes to the next step of review with you all.

And we have been discussing also what shape that document should take, whether it is a white paper or policy directive. Right now, we are at the -- we are still thinking it's a white paper, but we have another round of internal review, hopefully we are going to do this month and send it out to you all. So I believe it will come through as a white paper or a technical memo.

ACTING CHAIR STOCKWELL: All set? You all set, Chuck?

MR. TRACEY: Yes. So I think it will be helpful if it was in the form of a white paper and then you all follow on with some more formal
directive-type paper, so it would give us a chance
to digest it and understand the background.

  ACTING CHAIR STOCKWELL: John?

  MR. GOURLEY: Thank you. We had
several comments on the BSIA. And it seems like
we need to improve the communication process
between NMFS and the Councils in determining BSIA,
because we have come up with a problem where there
has been disagreements on what constitutes BSIA and
what doesn't.

  And you know, there is another question
that prompts is that who makes the determination
on what BSIA can be used for each stock assessment? Say for instance the SSC or NMFS? Who makes that
decision?

  There seems to be a lot of details that
need to be worked out. In fact, even carrying to
the -- what is BSIA? What constitutes BSIA? Can
all the data or can all the scientific information
be reviewed by the SSC and let them make the
determination? Is it reviewed by NMFS? Is --
does each regional Council make their own protocol
to determine what BSIA is?

  These are the kind of questions that we
have that would, hopefully, be included in the
white paper.

  DR. WERNER: Thank you, Mr. Chairman.
Thanks for the question. And, Kitty, did you want
to follow-up before then or should I?

  MS. SIMONDS: Well, I was going to give
the example. And I think I talked to you about it
last week, which is the Council, okay, you know,
determined the ACLs for several years into 2018.
And then last year a stock assessment was done by
a graduate student and we have a process that is
called the WPSAR process.

  And the different tiers and so for, you
know, different stocks, we put them into the
different tiers. So for this one, it was for Kona
crab and somehow this stock assessment did not go
through the WPSAR process, which it should have,
which meant that it needed two more reviews.

  So then the region asked the center to
review it and they did. And this stock assessment
said that this fishery was over-fished. And so
then the region then sent it on to the lawyers. So
this went on for a whole year last year without them
talking to us about it.
So in December, I get a call from the lawyer saying that they can't approve the ACL for this one stock because of what it says. So we said well, are you accepting, you know, information that hasn't gone through the process that we all determined, signed onto?

And so that -- so the other thing is that so the 2016 ACLs weren't approved until January of this year, so a whole fishing year went by without ACL determination just because of that one stock.

So it's really -- I mean, it's confusing. It doesn't make any sense. And then with the legislation coming up with we need to be looking at and accepting all kinds of reports. So what should have been done?

I think that the Center and region should not have reviewed that, the stock assessments, until it went through what we have already determined that stock should have gone through three reviews. So that's our dilemma. So what does that mean then for us in this next year? Just leave it alone or go through the whole business of reviewing everything?

DR. WERNER: All right.

MS. SIMONDS: I don't want to do anything like that.

DR. WERNER: Thanks, Kitty. And I think both sets of comments are perhaps reflective of why this process and the document needs to be, and not just the document, but, you know, sorting out exactly what, when and where and how and how it is documented needs to be clearly spelled out.

And I'm not saying it is going to be necessarily straightforward, but there is that timing issue that was alluded to earlier in terms of how you go back and forth in terms of, you know, the status determination and the SSC's work.

At the end of the day in terms of the determination of BSIA, it is NMFS that does that determination. And so we need to ensure that the questions that you just raised are -- shouldn't be raised. I mean, that there should be a process by which we -- you know where you stand in that process. And admittedly, it is a back and forth process and involves several people.

But before I finish, I do want to flag if, Sam, you wanted to offer a comment, because it's something that we talked a little bit about. And
I'm not sure if you want to or not. But you know, in terms of how that -- how this document and how this white paper can help alleviate some of these legitimate questions that are still out there.

MR. RAUCH: I would just say that you are right. The statute requires us, because this is an actual standard, to ultimately make the determination. So we have to do it.

The question though of how much deference to give to the Council process is a valid one. Right? There are -- we could give varying degrees of deference. A lot of deference or not. When we do it is a good question. We want to make sure and whether we do it once or twice. You know, we may do it earlier and later, because in the end when we do the regulation, we have to make those findings.

All these are good questions. I think that what we would like to see is a process that gets a substantial amount of deference to avoid the situation you are in. If we all say -- in determining when it is available, right? You know, we have talked -- I have talked with you, Kitty. We have had talks with other things about if we set out a process for the development of science data and inclusion into the process, it might not be available until it goes through that process, just because it's new.

Having a common understanding of that when that is the case, when there might be exceptions to that that we all understand, that's what our goal is here, because we do want to avoid confusion. We want to set up a process that gets a lot of deference. It doesn't do anybody any good to go through and to set up this elaborate process that is expensive, it takes time and then to have it set aside.

So that's -- you know, I think we agree that we should do that. It's complicated. We're trying to get the indication right, but that's sort of our goal in this whole thing.

ACTING CHAIR STOCKWELL: Dan, Bill and then Gregg.

MR. HULL: Thank you, Mr. Chairman. Just briefly I want to echo Chuck's concerns about the time line for providing comments back. We do have an April Council meeting, but this would be in addition to our already full agenda and trying
to fit it in with the SSC. So I just want to voice those concerns. I appreciate some of the leniency that you have suggested you would give us.

ACTING CHAIR STOCKWELL: Bill?

MR. TWEIT: Thanks, Mr. Chair. Thanks, Cisco. A couple of questions about the Stock Assessment Prioritization process.

The North Pacific Council did, indeed, provisionally approve it. One of the concerns that we wanted to have addressed though before we went ahead and sort of fully committed to implementing it over a longer term is we still have questions about how the Agency is going to prioritize stock assessment funding relative to other fishery research efforts.

We understand that the Stock Assessment Prioritization problem helps us make smart choices about how we are using the stock assessment funding itself, but we still would like a sense of how the stock assessment funding fits into the bigger funding picture and whether if we end up finding deficiencies in the Stock Assessment Prioritization, whether that funding is going to get simply diverted out of stock assessment or whether it is going to be used to take on additional tasks within the stock assessment process that we currently aren't able to.

So it's a question of are we looking for efficiencies here or are we looking for cost-savings? And we are hoping for some kind of formal response from the Agency on that before we firmly commit.

DR. WERNER: Thank you. Thank you for the question. So getting -- going to this slide and perhaps the last bullet is that this -- the prioritization process is not one where we are seeking to redistribute the resources out of the region and/or to non-assessment activities.

So there may be some redistribution within assessment activities, but I think your question was can it go to other activities and the answer is no, that is not the intent of the prioritization process.

MR. TWEIT: Thanks. I would definitely -- certainly appreciate seeing that in the PowerPoint. I think that most of the Council Members, at least North Pacific, can appreciate seeing that in a formal response as well.
DR. WERNER: Thank you. Yes, I believe it is in the document. I'm looking at Patrick. I think that statement is explicitly in the document.

MR. LYNCH: Yes.

DR. WERNER: But I take your point.

MR. TWEIT: Yes. And then a second question that is sort of related. As we grappled with the tool and we certainly see a lot of potential in it, but it was with very mixed emotions that we had the debate around this adoption of the Stock Assessment Tool, because within our Council family at least, there is a pretty large amount of comfort in the current stock assessment process. It has got a pretty strong amount of stakeholder buy-in. And there is a lot of confidence that this Stock Assessment Prioritization gives us, essentially, the scientific foundation for the kinds of harvests we are currently achieving. And most of our stakeholders are very aware that any reductions to the stock assessment process that we currently have that increase the uncertainty in our efforts, directly lead to decreases in allowable harvests.

Most of our stakeholders get that increased uncertainty means decreased yield. And so a fair number of them were nervous that -- not just nervous, extremely concerned that adopting this process would lead -- would likely lead to increased uncertainty in at least some of the stock assessments, even with all the assurances that are trying to take that into account.

So as a Council, we thought it was worthwhile to try to, essentially, establish a definition for what is success. What a successful implementation of this would look like. And that definition was that we would not see any actual measurable decrease in harvest, but at the same time, we would actually see a measurable increase in some of those other stock assessment activities, such as developing multi-species modeling, such as beginning to further integrate climate impact and climate change, kinds of information in the stock assessment, so that they become more responsive to the environmental indicators that we are seeing in the Bering Sea right now.

We see those as very desirable potential outcomes, but we wanted to actually be
able to measure in some way whether or not we are actually getting more of that without losing any harvest. And I'm -- it makes sense as a measure of success, but it also seems like a bit of a tall order in terms of actually being able to achieve that.

And I'm wondering if you have had an opportunity to review the Council's motion on that and that thought about what success would look like, if you have any thoughts on whether or not you think we will actually be able to measure whether this is successful or not.

DR. WERNER: Okay. Thanks for the question and the comments. And I agree with you just about on everything, particular in the end in terms of how -- you know, you want to make sure that you keep success where it is. But I think, you know, speaking for the North Pacific region and the West Coast and all that, we know that a lot of things changed in, you know, these past couple of years, you know, with the warming conditions that we saw and the impact it has had on certain stocks and whether they moved or whether they, you know, changed in other ways.

So I think you bring up a point of, for example, as we see -- so status quo right now is working, perhaps, is one way to look at it. But we know that it is going to be different. And so how is it going to be different among the different stocks? And what kind of information will we need to bring into those different stocks as we say well, different things are happening and perhaps we need to pay different attention, a different level of attention or, you know, bring in new methods or new data to be able to address those changes is, I think, inevitable.

We are all doing that even to the point of, you know, different ways of conducting surveys. The timing of surveys and so on. So things are being perhaps shaken up a little bit, you know, as we see the ocean changing.

But I think that the quantitative way that -- a quantitative way of doing -- of asking the question that you are asking, as the one that you proposed, is to do an MSE of the process itself. Is that correct?

And so I think that, as I mentioned in my presentation, ICES, you know, that has been
doing these assessments for probably over a century or so and have perhaps a systematic way of doing their assessments and so on, are also inviting perhaps thinking about given that things are changing, research is maybe more limiting in some ways, how do you reprioritize, if you will, or how do you prioritize under the new conditions that we are facing?

And I think it will be interesting to see the MSE of the prioritization and see if that gives you that sense of confidence in terms of not giving up the success that you have had so far while still taking into account the fact that you might have to think about how to prioritize the stocks given that some might be affected differently by the different conditions.

But I think this is a very fair comment and I think there might be a quantitative way forward, objectively forward to try to at least get a first cut at the answer to the questions that you are asking.

ACTING CHAIR STOCKWELL: Gregg?

DR. WERNER: And I'm sorry, Patrick, could we follow-up? Is that all right?

ACTING CHAIR STOCKWELL: Yes.

DR. WERNER: Yes, thank you.

MR. LYNCH: Sorry, thanks. One, I want to thank you and your Council for all the effort you put towards — any attention towards the results of this process. There is a couple of reasons why I think we are — even before the results of the MSE come out, why we are pretty encouraged that you will meet success as you have defined it.

In particular, I think most of the stocks that for whom the frequency was decreased, are stocks where your harvest rates are pretty far from the ACLs. So in those cases, I think those harvest rates shouldn't be affected too much.

At the same time, the process really focused on prioritizing what you guys call full assessments. And so even when there are gaps or, you know, it is done and it goes from every year to every two years, there is still a plan to update catch advice in those interim years, so that, you know, the new catch advice and the new forecast can be done, so your Council is still getting fresh advice, it's just not the full comprehensive, you
know, thorough assessment that is done every couple of years.

ACTING CHAIR STOCKWELL: All set, Bill? Gregg?

MR. WAUGH: Thanks, Mr. Chairman. Cisco, thank you for the presentation. Roger Pugliese, who is on our staff, has worked a lot with you in the past and we look forward to working with you in your new role.

Just to chime in a little bit on the timing. Our Council, too, won't be able to get comments until June. Our Council meets four times a year and we have set meeting weeks. Our SSC meets twice a year. We do on occasion pull them in for webinar meetings for specific items.

But I think just overall in terms of us providing comments to the Agency, I think it would be helpful if you all sat down and looked at the meeting schedules for Councils as you are coming up and build-in at least one meeting for the Councils to address. I think it will save a lot of this back and forth when we are talking about when we can comment.

The concern that I wanted to express was with the Climate Action Plans. And we are resource-limited as you well-know in the Southeast. And if you take Table 1 from the Gulf Plan and Table 1 from the South Atlantic Plan and look at them, there are a lot of tasks in there identified as able to be done with existing resources and personnel.

And a lot of it is just coordination and so forth. But we are concerned that our needs, assessment needs and data needs aren't being met now. And we are just concerned that layering this on top of existing work duties and other issues that are coming, we are wondering what the net impact is going to be on the other deliverables to our Council.

DR. WERNER: Thank you for the comment and questions. And do, please, give my best regards to Roger. It has been a long time since I saw him, but we did work closely together on, I think it was, Atlantic menhaden, if I remember right.

And with regards to the timing, I'll just repeat what I said. I fully understand the difficulty of -- that everybody has, so we will work...
with you as best we can. And like you said, you know, we're looking at the calendars and bringing up perhaps a revised, more reasonable schedule is something that we will do.

And then with regard to the Regional Action Plan and the challenges, I think this is something I'm wearing -- you know, if I wore my hat as Center Director of the Southwest, I understand what you said. You know, it's -- our benches are pretty thin as they are and, you know, the Climate Action Plans, the Regional Action Plans are -- they are ambitious.

I would like to think that they are necessary in the sense that we know that things are really happening and, again, you know, different parts of the country are getting hit pretty hard with some strong signals, you know, whether it is warming, whether it is acidification, whether it is other things, so we know we have to pay attention to it somehow, because it will affect the work that we do.

But it is a challenge to say we are going to do it with the people we have, because you can't just say that and just add something else to, again, an already full plate on those folks.

So it will require, again, if I wore my hat as the Center Director, you know, rethinking, you know, whether there should be some reassignments in response to emergencies and urgencies that may, you know, perhaps take precedence over other activities. So this is a discussion that I think we all need to have, you know, within centers, with Councils, with the regional offices and see how the best way it is to deal with these unforeseen and sometimes pretty acute things that the ocean throws at us.

So thank you for the comment.

ACTING CHAIR STOCKWELL: Kitty?

MS. SIMONDS: And that's what I wanted to ask you about was about money. So in the budget for '17, do you have an increase and was stock assessment a line or other lines that you can use to do this work? Because I mean, obviously, it's enormous. But I already heard you talking about people. I'm just asking you about line items and if you are going to get an increase?

DR. WERNER: Are you talking about the -- I'm sorry?
MS. SIMONDS: Stock assessments.

DR. WERNER: So thanks for the question. Are you talking about the prioritization or just in general?

MS. SIMONDS: Well, no, in general to do all the work that you are talking about here. I know what we are going to get two more stock assessments in our center. I mean, if the ban is lifted, so we have five, so we will have seven. But I was just asking in general about line items that you have used to support this work.

DR. WERNER: I'm looking at people who might know the budget. Ned, do you mind commenting? I'll ask Ned to see if he can comment.

DR. CYR: Yeah, I don't think I have a special crystal ball on this one. We are all waiting to find out whether we are going to get a budget this year or whether --

MS. SIMONDS: Sure.

DR. CYR: -- we will have a continuing resolution. But I think, at this point, we are not anticipating major changes.

ACTING CHAIR STOCKWELL: Is there further discussion on the science update? Leann?

MS. BOSARGE: Yeah, maybe a little less heated part of the update, the Climate Science Strategy. I just wanted to say that the one for the Gulf was very informative. It was actually a very pleasant read when I read through it with two screaming children in the background. If I can read it with that going on, you did a good job.

So I really like the regional assessment portion where you got into a good bit of detail, you know, on specifically in the Gulf of what we can expect. You know, the Gulf -- I guess when we sit around our table, we realized that the changes that we may see may be a little bit different than what happens on the East or West Coast where you have, essentially, the north/south coastline, generally speaking versus where we are, a basin that is, you know, semi-enclosed.

And most of our ocean water comes through two -- comes in one straight and goes out the other, so it is going to be a little different. We are not exactly sure what we are going to see change-wise, as far as the movement and the changes in our fisheries.

You gave some very specific examples of
things that may happen in the assessment portion. You even talked about, you know, delay and development of certain shrimp in other parts of the world, not our penaeid shrimp, but that's a good example of something that we can use.

And as each individual Council Member reads this and they have a certain expertise and background in certain fisheries, it will actually help them to say oh, uh-huh, okay, this may be something we need to look towards changing in our management. It is going to conflict with what may happen in nature. I appreciated that.

The one thing that I think maybe could be improved upon, so the models that you mentioned in the paper give us a good idea of the trajectory that we are headed down, but it gives us forecast in centuries.

So you know, the Loop Current is going to weaken sometime this century and that's good, we need to know that, but it would be a lot better if we kind of knew where we were on that path, right? So that's kind of a big gap.

And the -- how I see us getting more precision and pinpointing where we are on that path is in direct conversations with the men on the water, because they see it already. The men that have been on the water for 40 years, they can tell you what the changes are, you know, not from last year or the year before.

And so where I'm going with this is in your action items and in your objectives, I only found one, No. 14, on the list that actually involved the fishermen. And the PhDs are important. I don't want to -- please, I'm not trying to underestimate their importance, but I think the fishermen are just as important.

And in that action item, it even states that that is something we are going to pursue only if we have increased funding, not level funding. And so I think that probably needs to be bumped up on the list. I think that there is a wealth of knowledge and that's an asset that we have to be sure we never forget and we put it at the top of the list.

So that's my only comment. Thanks.
DR. WERNER: First, thank you for the comments. You know, the one on the screaming children in the background kind of reminded being in the office, you know, and other people screaming in the background.

But anyway, the three points that I think you brought up, which are pretty good. I mean, first, the difference in the Gulf about not being north/south, you know, the other coast, you know, you say well, you know, they will move up or down. They will move north and something new will come in.

You know, you guys have sort of a ceiling, you know, it's like where are they going to go? And that presents a challenge, you know, are they going to be, you know, leaving the system altogether? That's a question to look at and sort of the longer time frame, which you alluded to.

I think the real tricky part in the challenge of forecasting is sort of into the seasonal to inner-annual scale, so you can -- you know, we are pretty good at telling you what is going to happen in a week to two weeks. We are probably pretty good at telling you what is going to happen over 10 years or so, but of equal if not more importance is what is going to happen, you know, in the next three or four months or the next, you know, year.

And there are some advances that have happened in that and I think that it perhaps should be -- we should think about prioritizing. You know, how do we understand better that no man's land of the seasonal to inner-annual scales, which I think is important to our decision making. So that's something that perhaps we as -- collectively should think about how to do.

And then with regard to the talking to the fishermen, the outreach and the communication part is huge, not because it's a one-way conversation, but I think it's exactly for what you said.

You know, speaking from the experience that we had on the West Coast with the warming and all of that and the things that we were saying, we actually -- you know, when we would make those comments, we would -- you know, the fishermen, let it be recreational or industry, would come in and say well, but you didn't see -- you didn't talk
about this, this, this and this. You know, the things that they were seeing and it actually made us go back and look at things in different ways.

So I think that it is essential that we have that communication, because they have, basically, the eyes on the ocean all the time and they will see things that we didn't. So I think the original Action Plan should have that outreach and communication, the two-way outreach and communication as an essential component.

So I agree with you and we will make sure that we strengthen that and encourage that that happens. So thank you for your comment.

ACTING CHAIR STOCKWELL: Seeing no further hands, I want to thank everyone for a good conversation and thank you, Cisco and Patrick, for being here with us today. I think you probably got the feedback that you were seeking.

DR. WERNER: Thank you very much. Thanks for the opportunity.

ACTING CHAIR STOCKWELL: With that, we are going to move right on to the EBFM Roadmap Implementation. Sam?

MR. RAUCH: Okay. I've been asked to give a brief discussion of the implementation of the roadmap. Let me just say at the outset, as we have said before, there really is not a lot new here. The Councils have taken the lead on most of the principles of Ecosystem-Based Fisheries Management for years.

Many Councils have an Ecosystem Plan already in some formulation. There may be a little bit of differences between the Councils. Most Councils have made -- are actually leading the way on trying to find linkages between ecosystem dynamics and the fisheries that are important to all of us.

Our effort here has been to try to help that and to amplify that and to provide additional coordination to those processes.

In May of 2016, we did release the EBFM policy. We have talked to a number of Councils about that. It lays out the six guiding principles of the -- of what we think of as EBFM management, so that there is sort of common understanding of what we are talking about when we talk about EBFM.

It reinforces NMFS' commitment to this process, which we have been committed to for well
over a decade. It sets out a framework for how you might think about EBFM and do that. And so these are the principles. I'm not going to read through the principles. We have had a discussion at various places with this group and the individual Councils about what is in here.

What I want to talk about is where we are going from there. So we released a roadmap in November that guides the implementation of these six principles. It identifies a set of specific short, medium and long-term actions that could be taken to help further the development and coordination of EBFM in the various regions.

And it does call for a set of regional implementation plans in, I believe, 18 months. This allows the regions, the science centers and the Councils to work together on what is feasible, what is not feasible, what should our reasonable goals be. It is not intended to force the Councils down a path that they do not want to go, but it does -- it is intended to help us all set common goals and objectives for what might be done along this line.

It lays out that there are -- as we have said all along, this is something that Councils are in general doing. There are a lot of ongoing efforts to do these kinds of things that the Councils already use and others already use to implement EBFM. We are not reinventing the wheel here, but we are trying to create a mechanism to leverage a number of these systems efficiently into the process.

We want to help coordinate this. We want to help make sure that when a particular region or Council is doing something great, that there is a convenient way to share that information. If the Councils have a goal in mind and many of you do, we want to try to help facilitate how that could be done.

We did want to provide some structural thinking to that, but it is flexible, so that if there is different ways that people want to think about it, I think there is plenty of room in the roadmap, in the framework to do those kinds of things.

It does help us internally coordinate that, so that we can be more efficient at those kinds of issues. I will say there was, to answer
Kitty's question from before, that she has not asked about this yet, some in the President's 2017 request, funds for this activity in the budget. It didn't make it in any marks in the 2017 President's Budget. It's probably not particularly useful trying to figure out what the '17 funds available, since we are under continuing resolution. Who knows what will be in '18. So that's the answer to your question before you ask it.

MS. SIMONDS: So you only have money for mapping?

MR. RAUCH: A lot of this can be done without money, but we do recognize that a number of it does take staff time and resources and we understand how the Councils are stressed in terms of having sufficient resources to devote to all these things. We want to be understanding about that.

There are a number of roadmap actions that are in place that were detailed. As I said, there is 20 continuously short-term actions, many of those have already been completed. There are 29 mid- or long-term actions. A lot of where you are talking about where you need money to do things, those are all in the mid- and long-term actions. We recognize that some of those long-term actions may not happen if there is not funding available.

If you don't ask for it though, you definitely won't get funding. So this helps set aside some goals and objectives of what you might be able to do if you -- if we were actually to be able to fully achieve the vision in the strategy.

So what are the next steps? It calls for the development of regional implementation plans within 18 months of the roadmap, so that's sometime in late 2018 or mid-2018. This is an opportunity to highlight in each region what each Councils are doing already along those to further Ecosystem-Based Management areas where we think we need to build, areas where we see barriers to further implementation, where there are things that we want to go to, but we can't go, because maybe we don't have the money or something like that.

So this is a way to set out for ourselves and our public constituents some goals and objectives and have a discussion about where we are, where we want to be, what might be preventing us from where we want to be. Maybe there is nothing
that is preventing us from where we want to be and
this just sets out some expectations for all
concerned about what we intend to do.

So as we start to develop these plans,
we are interested in hearing from you about how to
use the existing resources, since we are all
resource limited in order to support this process,
including things like engaging the stakeholders,
prioritizing the various milestones. You have
seen the milestones that we have put in there. Are
they the right ones? You know, are there different
things that we should prioritize about that?

So that's where we are. I'm happy to
take questions about that. The documents are
released. They are out there. Our challenge for
the next 18 months is to look at that and actually
see what is achievable in the mid- and long-range,
if anything. We hope that some things are
achievable. We think some -- many of these things
will be achievable.

There are a lot of resources that we
have that can bring to bear on this, even without
new budget initiatives. There are resources that
-- you know, there are objectives that you all have
that we can help facilitate. So those are-- that's
the process. It is a while, but we know how -- you
know, there are lots of competing parties in the
Council. We do have an 18-month deadline. I
think that's a little bit flexible, but that's
where we are.

So I'm happy to take questions, Mr. Vice
Chairman.

ACTING CHAIR STOCKWELL: Thank you,
Sam. Are there questions for Sam? Chris?

MR. OLIVER: I don't know if it's a
question as much as a comment and it's kind of
repeating comments that I have made before, Sam.
And I mean, this is a really laudable initiative
and I hope that it is compliment -- ends up being
complimentary to our currently ongoing efforts,
but I'm still extremely concerned.

Even when you look at the short-term and
the immediate -- or Intermediate Regional
Implementation Plan in 18 months and I know that
I'm having a hard time reconciling your comments
about using existing resources or in the document
it says reassigning existing personnel to this
project, because even if -- and I don't remember,
I think Paul during this made mention of a 3,000 employee number the other day, it has got to come from somewhere.

So even if you don't get extra money, but you are moving personnel around, that's a resource commitment. And you know in our case, we are working aggressively on a Fishery Ecosystem Plan for the Bering Sea. We have staff devoted to that.

We have 15 people on our staff and we don't have any room to move people around. But just being engaged in development of a Regional Action Plan that is due in 18 months, I frankly don't know -- I don't think you want to do this without close cooperation of the Council, but I frankly don't know how we are going to do that when we have staff that we would want to be key on this issue that could be a very time-consuming issue on their part that simply don't have any more hours in the work week.

And so the personnel -- and the document mentions a number of new FTEs and maybe you are able to reassign those from somewhere else and they are not really new FTEs, but they are resources coming from somewhere. So I am just really concerned about the Council's ability to effectively engage in this in the short-term over the next 18 months or two years without some additional resources.

And by resources, you know, Kitty counts it as money. Well, money translates into personnel. But we have 15 people on the staff and we don't have anybody to put on this. So I don't know what we are going to do to be effectively engaged with it.

MR. RAUCH: I will say that from our perspective we do envision a national EBFM coordinator and a headquarters local program, much like our Catch-Share Program was, which was designed to facilitate the Councils. That's our vision of how this is going to happen.

We have -- when we were doing the catch-shares, we had in headquarters a group of people that would help the Councils through some of these issues, you know, doing what the Councils wanted to do on that.

We did not push catch-shares when the Council didn't want to and we recognized limitations.
So we are trying to create something like that in NMFS, as well that I think we had envisioned hiring folks, but that's not in the short-term cards at least. So we are looking to transfer. We will see whether we can do that. We understand the limitations that the Councils have and we want to work with you through that.

I think we should -- this is still a laudable effort that we should try to do, whether or not we can do it or not, I think we all have to look at the existing resources that we all have to bring to bear. And I think we want to be understanding about that.

ACTING CHAIR STOCKWELL: Okay.
MR. OLIVER: I have a follow-up.
ACTING CHAIR STOCKWELL: Chris?
MR. OLIVER: And I agree with you, Sam, it is a laudable effort and it could be very helpful to us, but there is two aspects to the resource commitment.

One is the immediate aspect, whether it's hiring FTEs or moving people around in the short-term.

But the other part of it is once you build this structure and Regional Implementation Plans, to use that phrase again, the ongoing care and feeding of that is going to not go away. It's probably going to grow.

And so there is a short-term and then I think probably a bigger, a longer term resource commitment that is implied by it.

ACTING CHAIR STOCKWELL: Gregg?
MR. WAUGH: Thanks, Sam. You know, while we share some of the concerns about resource limitations as well, but we are committed to working with you on this. We have got a situation in our area where right now we have got Red Snapper rebuilding. Between the Red Snapper and the Lionfish, what we are hearing from the fishermen, particularly the divers that are down on the bottom, they are concerned that we shouldn't be worried about Red Snapper. We should be worried about the other species, because Red Snapper and Lionfish are consuming everything.

And in the pelagic side, we have got rebuilding shark populations that are eating king mackerel off the fishermen's lines. So we are very interested in looking at how you put this together.
We are going to be getting a red grouper stock assessment and that is going to like show over-fishing and over-fished. And that seems to be a species that is really dependent on these periodic blooms in recruitment for whatever reason.

And so we have got to be able to factor this stuff in and not just look at ACLs and having to shut fisheries down and the resulting disruption in our data collection program.

So we are very anxious to work with you and look forward to anything that we can do in working with Cisco and trying to address this and better understand how we deal with these multiple species in our environment.

ACTING CHAIR STOCKWELL: Tom?

MR. NIES: Thank you for the update, Sam. I'll just be brief. As you know, the New England Council was not really satisfied with the EBFM Roadmap. We felt there were a lot of shortfalls in it. We are also concerned with working on the Regional Implementation Plan, particularly in the way the roadmap turned out. But we, you know, will try, subject to resource limitations, to work with the region to come up with an implementation plan that works in our area.

MR. RAUCH: Thank you.

ACTING CHAIR STOCKWELL: Other comments? Seeing none, thank you, Sam.

It is 10:20. It looks like our next agenda item is going to be the better part of an hour, so let's take a check-out break and reconvene at 10:35.

(Whereupon, the above-entitled matter went off the record at 10:21 a.m. and resumed at 10:43 a.m.)

ACTING CHAIR STOCKWELL: Okay. CCC, we're going to get rolling as soon as everyone sits. Okay. We are going to reconvene the CCC and shortly move into the National Academy of Science Review and Recommendations on MRIP. Before we do, those of you who have not yet received a copy of Gregg's perfected letter from our discussion, our 15,000 foot discussion letter yesterday, please, see your EDs. I have just sidebarred with Kitty and there is going to be the redraft or an edited monument letter that should also be distributed for our review. So, please, look on your screens for
those.

So without further ado, I'm going to turn it over to the National Academy of Science.

DR. BARBIERI: Thank you, Mr. Chairman. And before I get started, I want to thank you for the opportunity to come and give this presentation.

As many of you probably have heard already, this past year the National Academies of Science conducted a study, right, put together an ad hoc committee and conducted a study to review the Marine Recreational Information Program which is the overarching fishery survey, Recreational Fishery Survey Program for the nation.

And what I'm going to be doing today is going through a summary of those results of the study and then address any questions that you might have.

But before I get into the meat of the presentation, I want to point out that Stacee Karras is sitting back there. She is the National Academies staffer who served as study director for this study and was sort of our guiding light and guardian angel, at the same time, and really, really helped us condense all this large amount of information into something that is intelligible to all of you.

And Stacee wanted me to remind you, and I think that's a good idea, that our report, there is a PDF of the pre-publication report at the National Academies' website, ripe for your free download and review. Please, just don't -- try not to do that before operating heavy machinery, right, because it can be dangerous.

And there are some study summaries and Stacee has some hard copies. The bottom line, if you don't want to go through the entire tome, you can actually get some of the main findings and results and those are also available for download at the NAS' website. But just in case, she has some hard copies here.

So with that, to refresh your minds about this study, you know, the origin and process for this study, back in 2006, the National Academies actually completed a previous review of the Marine Recreational Fisheries Statistics Survey, the MRFSS, and that review called for a number of significant improvements to the survey
In 2007, those recommendations were actually codified and inserted into language explicitly within reauthorization of Magnuson-Stevens Act. And to the extent possible, it was there directive to the Agency that they should integrate most, if not all, of those recommendations into a revised and improved survey program.

So now, 10 years later, after that set of recommendations generated the creation of MRIP, right from MRFSS to MRIP, an evolutionary process. Now, we are asked to review the new survey program and to evaluate whether all of those recommendations had been met and whether the science and products coming out of that survey are actually at the level that they should be to provide science inputs in management and assessment.

So very briefly, I'm not going to read this for all of you, but the committed charge was really structured in a way that you would have a very technical evaluation of the survey sampling and the statistical estimation of the survey itself, but it also included all the dimensions that come with the implementation of recreational fishery surveys.

So looking at the strength of the scientific process and the engagement of the external scientific community and regional inputs into the development of the survey and implementation of the survey, both from a stakeholder perspective as well as a regional and state partner perspective.

An evaluation of the degree of coordination between those multiple jurisdictions that have to deal with fisheries, assessment and management of the data products that come out of MRIP and to find out whether that level of coordination met the parameters that we felt should be matched.

And then, of course, the importance of continuity. So if we have a new server that is now improved and it's now better prepared to provide the products that we need for assessment and management, how do we maintain that continuity in the data series to make sure that our stock assessment management process is actually comparable across time lines?
Here at a glance, a picture of the list of Members, of the Study Committee, right, and the idea there was to bring together different levels of expertise in different areas of knowledge. All right?

So we had folks that were stock assessment scientists and fisheries managers and others that were professional statisticians and social scientists, so an integration amalgamation of a number of different areas of expertise that actually addressed the different dimensions that we need to have for a recreational fishing survey.

And then, of course, the staff that -- from the National Academies we felt blessed really to have just phenomenal staff. And Stacee is our program officer and study director. It was really peace of mind and guiding hand that helped us achieve all of this.

We held four meetings throughout different areas of the country and the idea was to collect input from regional stakeholders and regional scientists and state partners and fisheries Councils throughout the country that could then help us collect all the information and evaluate all of those issues that were integrated into our study in terms of reference.

One clarification here that I think helps you understand the contents of the presentation is that, you now, over time, MRIP has really become a family of surveys really that are integrated, you know, into regional-, state- and federal-level processes for data collection.

What our Committee actually reviewed was really focused the Fishing Effort Survey, the two main components of MRIP, the FES, the Fishing Effort Survey, and the Access Point Angler Intercept Survey, or APAIS.

So those are the main overarching, the backbone of MRIP that is the overarching survey for the country. And these two components is what we mainly reviewed.

So in terms of you going through this presentation and seeing some particular module survey that can or cannot help you in your region, it probably was not evaluated in detail by this review, even though we commented and we have parts of the report that talk about the connectivity and the communication and how those surveys actually
get integrated into this broad framework.

And now in terms of results for the Fishing Effort Survey. And the presentation is going to breakdown then these two main components of the survey, the Fishing Effort Survey and the APAIS.

In the Fishing Effort Survey, the Committee, after review, decided that there was a major improvement really to what had been used before under MRFSS, right? And that a Coastal Household Telephone Survey that employed the random-digit-dialing and that the methodologies and procedures that had been developed as part of this new FES into MRIP were addressing, capable of addressing, a number of the previous concerns and then now this portion of the survey is really scientifically sound and producing the results needed.

A few comments about the frame and how all of this ties into our assessment of how much better the Fishing Effort Survey is now compared to what it used to be in the past. Prior studies that were conducted by NMFS really were able to determine that using this address-based sampling, and you are going to see later on my using the ABS acronym later, as a way to reach out to households in coastal states and when we augment that frame with the licensed data from all the different states, we really achieved a level of efficiency that is just statistically sound and produced much better results.

So for example, these mail surveys, which is a major improvement from before for the Coastal Telephone Household Survey to the FES, it's now a mail survey. And these mail surveys have much higher response rates than the telephone surveys and you can think about the evolution of cellphones and the fact that we now have portability in terms of area codes and the fact that it's very difficult for you to stratify and sample folks from a specific area just by using the telephone.

Not to mention, answering systems that allow you to screen your calls, right? And a lot of those calls that come in, we don't necessarily respond. And this pattern of studies were evaluating then the responsiveness, the rates of response by the use of snail mail actual surveys
and they came to the conclusion that the responses were much better, much more efficient actually to the rates of three times what the response rates had been for the Coastal Household Telephone Survey.

So a major improvement there that brought a level of statistical soundness and validity to the study -- I mean, to the survey that was considered a significant improvement.

And I had thought about deleting this slide before, because I thought this was too much in the weeds, but I felt that this group might have an appreciation for the sequence here of events and that led to this combination of the ABS, the use of the ABS supplemented by a licensed framework, right, for increasing the effectiveness of the Fishing Effort Survey.

Because back in 2006, one of the key recommendations out of the NAS review report was that MRIP formed, working with NMFS, a National Saltwater Angler Registry. And having that registry would generate what is called a sampling frame or basically the phonebook, so to speak, the list of addresses to be sampled. Right?

So that would allow the development of probabilistic sampling and the application of a number of survey sampling techniques that are much, much better than the ones that had been used before.

Well, it just so happens that in that reauthorization of Magnuson, that specific recommendation was requested, right, as part of the Act to be followed and the creation of the National Saltwater Angler Registry was initiated after that process.

However, NMFS realized after the fact that because states already had their own licensing systems in place, that those licensing systems had their own particular obligations to their regions or states or particular fisheries, right? There would be an inefficiency to create something that was just a one-size-fits-all that wouldn't incorporate those states originally-based sampling frameworks or licensed frameworks.

So basically, what we have right now is a process where you actually draw from those state licensing frames to form the National Saltwater Angler Registry and you supplement that with the ABS and you have an optimized sampling frame now.
to survey.

But that gives you an idea of the status since 2006 and the recommendation that a National Angler Registry be established to where we actually ended up with in MRIP and where those decisions were made and why they got to that point.

Despite the improvements of the Committee identified for the FES, there is still some recommendations, some improvements that we felt could enhance the survey even further. And those were, for example, looking at this two month recall period, right, which has been an issue.

So the use of different recall periods and reporting periods, one month, two month, has been an issue for -- has been discussed quite a bit within that framework of estimation that comes out of the survey and we recommended that the Agency continue evaluating the effectiveness of that two month recall period and whether there are improvements that can be brought about by addressing that issue.

You know, the original study that recommended a two month period is now old, so to speak. And having an update to that study would be a good thing.

Also consider evaluation of perspective data collection. In this case to work with the recall period, you would have the pre-selection folks that are randomly drawn from the frames to receive the snail mail survey, right, to also receive logbooks and those logbooks can be implemented according to different formats, so electronic or paper, but that they would receive these logbooks that would then assist them in developing a record of their fishing during those two month periods that are used as a wave right now.

Right? So this would improve with the recall issue and improve with the recordkeeping in terms of the number of trips that people took and where to and how they were fishing.

And we also recommended a further evaluation of this electronic data collection process for FES. There is a major interest and the Agency has been responsive to that. There is a major interest in pursuing more electronic reporting within all surveys, including the Recreational Fishing Survey.

But we felt that there are some
behavioral and cognitive attributes associated with survey responses to paper versus electronic platforms that need to be further investigated. So there are specialists in cognitive science, right, within the social sciences that have developed some guidelines of how that response, the level and the type of response can be impacted by changes in platform.

So we encourage the Agency to continue pursuing the use and implementation of electronic platforms, but we warn them that looking further into this, into those cognitive issues would be advisable.

Now the second component of FES -- of MRIP goes beyond the FES. So you have the Fishing Effort Survey as one component and you have the Angler Intercept Survey.

So we encourage the Agency to continue pursuing the use and implementation of electronic platforms, but we warn them that looking further into this, into those cognitive issues would be advisable.

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So in one you actually estimate the fishing effort. The other one you estimate the catch per effort and you multiply the two to generate the total estimates of total catch.

So the APAIS is the part of the survey that is conducted dock-side, right, and there are these interviews that by working with states, the MRIP program is collecting information on catch per effort after fishing trips through these access points.

And the evaluation of this new and revised APAIS was also very positive. And statistically and from a survey sampling methodology perspective that the new and improved APAIS is much, much better than it was done before under MRFSS and that the survey now, this portion of the survey now, really addresses and meets all the statistical requirements that had been recommended by the previous review panel.

So a little bit more detail in case you want to know the components that we based our recommendation on. So now, the APAIS, unlike how MRFSS was conducted, is now conducted throughout the day and night with emphasis on the business period. So there is a probability-based sampling protocol that is established that has taken into account three estimation procedure so now you can actually maximize efficiency, but avoid some of the potential biases that existed before in terms of different fishing levels at different times of day and the ability of samplers to be out there and
collect that information.

Also samplers are no longer allowed discretion in sampling location. You know, before they were given for cost-efficiency the ability to -- if they went to a site that wasn’t very hot, they would have the ability to move around to a different spot and that sort of breaks the principles of probabilistic sampling that need to be in place for an unbiased estimation procedure. So now, they are no longer allowed to change those assignments.

The number of interviews used to have a cap and there is a case in the, I guess, Gulf of Mexico, right, where you would see that all the longer trips that would return to the dock later in the afternoon had a lower probability of being sampled and representing the database because when a sampler would meet that cap, he or she was able to stop sampling for the day.

So now with this removal of the cap and the application of probabilistically-based sampling protocol, they have taken care of this issue.

And the last bullet there is basically, you know, going into what I just explained that now because you use this site/time combination that is probabilistic- determined, you actually have much more efficient estimates that also bring with them the statistical soundness that was desired.

The site register for APAIS now is much more flexible and much more integrated with our -- with the state and regional partners. So folks at the state level, they are there sampling different sites and have knowledge about the functionality of specific sites and the level of fishing going on in different areas and different times can now have more input in coordinating with the MRIP staff in adjusting the so-called heat factor associated with those sites, the site register.

Out-of-state anglers are sampled now in a way that is more efficient. So the estimation now takes that into account and can actually be more inclusive of those out-of-state anglers than the way that it was done before.

However, despite these improvements, there are a couple of things that we felt still provided room for improvement, so to speak. So one is that we still have an issue that we had before with MRFSS and we still have with MRIP is that the
inability to sample private access sites, right? In some states this is not a problem. Some areas it's not a problem.

In other areas where you have a multitude of private sites, that may be a problem. We don't know if it is, but right now, basically, because we only -- MRIP only samples the public access points, we have an assumption there implicit that the catch by unit effort in those public sites is actually the same or very similar to what is happening from the private access sites. And this may or may not be true. So it's an issue that we felt should be looked into further.

And the other, especially for our region, I'm actually from Florida and very familiar with fisheries in the South Atlantic and the Gulf and this is an issue of the discard information, because the volume of recreational discards in our area can be very large. And our ability to account for those dead discards is complicated and this adds a level of uncertainty to our estimates of total take that we feel need to be addressed.

So right now the discard are largely self-reported and there is no formal validation process in place other than what is being investigated. There are some pilot studies conducted within that MRIP framework that are looking into this, but we feel that this needs to be expanded and implemented at a broader level.

Another issue that I always had questions about regarding the effectiveness of the APAIS for the For-Hire Survey, this is a big issue in Florida, was how the small vessels, right, the fishing guys that fish the back country and they are not going to their fishing sites using marinas, that they actually go into fishing ramps just like private anglers, how are they being sampled to the degree that they are being effectively sampled?

And now, the new MRIP/APAIS procedure uses this hybrid frame to integrate both private and the smaller vessel guided-trips, so we now have a much better coverage and inclusiveness of that sector that before wasn't as well-sampled.

The for-hire charter and the headboats are surveyed separately. They have their own particular set of procedures given the differences in the nature of those fisheries. And the fact that they draw from different frames and
statistically you have to treat them differently and they continue being different.

Electronic logbooks, you know, this refers to what I mentioned before. The Agency has been trying to keep up with this 21st Century technology development and the use of electronic platforms to increase the timeliness and the cost-effectiveness and perhaps even the accuracy of reporting.

So we were pleased to see that through that MRIP Pilot Study program that the Agency is investing into testing some of these platforms. I mean, those in the South Atlantic and the Gulf are familiar with the broad scale of electronic reporting pilots that are taking place now. And hopefully those will be used to inform additional improvements to the survey.

So recommendations that came out of our report on the APAIS, you know, in summary is for small area estimation, small domains, you know, both in time and space, we need to be careful. I mean, the survey wasn't designed to provide estimates at that level of resolution.

So unless you attached the broad survey, some additional modules that can handle that level of granularity, it's something that can't really be easily incorporated at this point, at least not everywhere. So we recommended that the Agency continue investigating development of those procedures, because we know, and I can tell you in Florida that this is the case for us, that we would need some fairly high resolution estimates for stock assessments and we see that this would be an added benefit.

I already mentioned the difference, potential differences in CPUE between private and public access points, so we recommended that they continue looking into this, the issue that I mentioned before as well of anglers reporting catch using either an electronic app or any other electronic platform versus reporting to just a regular reporting procedure that they use right now or the traditional interview process.

And finally, that emphasis on the discards, on the better accounting and validation of the discards be pursued further. This is an issue that has multiple implications not just for the survey, but as you probably can imagine for
assessment and management as well, so this is an issue that we felt needed to be looked at more. Now, outside of those two more technical discussion points that the review encompassed, right, we wanted to look into the degree of Scientific Review Evaluation and Certification that the survey has developed, that the program, the MRIP program as a whole has developed to better connect with state and regional partners and address their needs that way.

And we felt that the processes that NMFS actually put in place are much improved and that they are now -- they have provided a framework for more integration of regional- and state-based needs. That doesn't mean that in all areas and for every region we are there in terms of having those surveys implemented, but that the process is there now to allow for that to happen. You know, it's one of those things like just add money and make it happen.

And of course, the idea is that by having this process in place, we can now start working more closely with the MRIP program. You know, folks from the states and from the different regions in trying to develop those add-on modules that can be helpful to our specific needs.

And just a quick overview of the different factors that we felt contributed to the success in implementing this broader framework for Scientific Evaluation Review and Certification.

There was a significant increase in staffing. You know, the engagement of consultants, there is a formal process in place for engagement of specialized consultants that has really provided a major benefit to the different regions and states. And I can tell you, personally, in Florida we have benefitted greatly from this working with the MRIP program and getting their consultants and their staff to provide a lot of assistance as we try to implement for the Gulf some more Red Snapper refuse-specific modules that would stratify our sampling differently.

And we are pleased to see that we are able to get that support and assistance from them. They have facilitated and several of us here in this room have participated in a number of the workshops, conferences and symposia that have been trying to communicate with the scientific -- and
engage the scientific community nationwide on the needs of the survey and engage additional scientific inputs going forward.

And what I believe have been the two key issues for enhanced regional and state engagement is the development of this pilot studies program that now allows us to go in and work with the MRIP program in developing more specific, more specialized surveys that can be tested, right, and then implemented broad scale after they are refined and provided all the necessary scientific review.

And NMFS has then developed a certification process where their consultants work with other folks within the statistical survey and estimation in fisheries assessment management communities to review and certify the survey.

So by this certification, you bring them into a level that they are considered providing the basic information for assessment that is acceptable. And you will remember earlier today just this whole discussion about Best Scientific Information Available and discussion about stock assessment improvement processes and how we are trying to generate more cohesive like frameworks for assessment and management in this process fits into that very well.

And our briefly highlighted recommendations regarding this issue is that the pool of consultants is great and we love it and we felt that it is extremely effective, but more of it is needed. Timing for this, of course, may not be ideal, but we wanted to make sure that we actually presented that as a formal recommendation that expansion of that pool would bring some efficiencies into the way that the survey is implemented now and the efficiencies into the way that the regional certification process takes place that would be very welcome.

And of course, expanding the scope. Right now most, if not all, of the consultants involved are actually professional statisticians, right? And if we can expand their pool to include more psychologists, social scientists and cognitive scientists in there that can provide some additional information on the issues that are now less technical, but technical of a different nature, to improve the survey.

Moving on to the degree of...
coordination. I will try to speed this up. The bottom line here is that the degree of coordination now is really very good. And I work with SSCs in the Southeast and I interact with the Councils and the science center there for our Southeast region fairly often.

I work with state partners in the Gulf and the South Atlantic and I can tell you that this degree of coordination has really improved significantly, right, especially because these Regional Implementation Teams have been put in place, so the fishery folks in the region now have a way to channel their communication with the MRIP program and articulate their needs more effectively.

Let's see, yeah, and then what I had mentioned before in terms of that national perspective in the certification process, this is -- this was a topic of a lot of discussion within the Committee, because, you know, some felt that what we need is to have more diversity in the survey that addresses more of the specific needs within different regions and different areas in different fisheries. And we all agree that that's the case.

But what we call national perspective, and we feel that the survey has achieved now is a process, a formal process to bring all of those specialized surveys under an umbrella that through the certification assures that they meet the minimum requirements and that the data that are coming out of these other more specialized surveys is compatible with the general survey, can serve as an add-on and actually improve our assessment management process.

Some recommendations there, right? The first one there is, I guess, you know the MRIP elephant in the room, right, the issue on whether MRIP is really compatible with the needs of in-season management for ACLs.

And I know that his has been a very serious point of discussion throughout multiple Councils. And we feel that the survey right now has the technical expertise and through their pool of consultants, they have the ways to look further into this and provide us with some more explicit matrix on data applicability. But the Committee just didn't have, at that point, all the pieces in
place to reach a conclusion one way or the other regarding that issue. But we recommended that the Agency pursues this further.

And then the other ones is really, you know, continue doing more of the same as far as reaching out to the regions and strengthening that connection with the regional and state partners. It has paid off. It has really brought up a number of benefits that we feel should be continued and incentivized.

And you know, the issue that we felt going around the country, right, the need to have that national perspective and we felt that there was a little bit of a lack of understanding in some areas that you can actually have both. You can have a national perspective and the diversity in survey design and implementation that addresses regional and state needs.

It's just a matter of having your national perspective as a set of standards they will have to meet, right? And we feel that that is still in place, but we felt that NMFS needed to go a little further into articulating that to the regional and state partners so that's more fully understood.

Communications. This is a long one and I'll try to go through it briefly. But basically, we felt that this was an area that the MRIP program needed to invest more and needed to reach out to other parts of the Agency and actually work more cooperatively. Basically, have other components within NMFS come and provide some assistance in contextualizing a lot of this regarding fisheries assessment and management, meaning the other components, right, that have not -- that have to understand just the survey itself, because the survey given all the challenges that it faces now in producing estimates that are addressing managers' needs, is being, I guess, evaluated in a way that goes beyond what any survey can produce.

You know, there are other dimensions of this discussion that go beyond just the survey, so this is something that we feel that the Agency should do more of.

At the same time, we feel that the MRIP program itself has been relying a bit too much on regional and state partners for that degree of one-on-one communication of anglers. So we were
encouraged to see already some staffing redirection or enhancement in that way in creating more of a pool of communication specialists within NMFS that can expand the direct communication with anglers.

And obviously, the challenges in communication, like a lot of what has been discussed today, involves potentially additional resources. Right? So we understand that, but we wanted to make sure that this was presented at least conceptually as a recommendation to be looked at. That we needed to expand the group of experts now working within the Agency and perhaps even within a consulting group type of framework to be more engaged and provide more assistance on the communication side.

We feel that the same model that was used for statistical consulting could be expanded to include some of this other communication expertise and that this would be beneficial.

The first recommendation there, I already alluded to previously, is basically to have the -- you know, the survey is complex. And the survey results get integrated into a number of other dimensions that have to do with assessment and management. And that the program, the MRIP program itself would greatly benefit by getting further assistance from within the Agency to help articulate the role of MRIP within those different dimensions. And the fact that there are other components there to integrate into that whole process that transcend just the survey itself.

You know, to put it bluntly, it's just not to have the survey completely blamed for things that are not necessarily setup to be products of the survey, right? So we felt that that would be a benefit to be articulated.

And then in terms of something that we heard almost universally was that the for-hire sector really would like to have a more hands-on involvement in having a look at their own data. Not data that is provided from other captains and other folks in the fishery, but their own data that this would bring a level of transparency and a level of engagement from that community that would be beneficial to the perception of the survey.

Plans for continuity. Obviously, continuity is a big issue and NMFS has been looking
into this and the MRIP program over the last six, seven, eight years and has been conducting a number of calibration workshops. The Committee felt that, I guess because of resource limitations, there was limited evaluation of side-by-side surveys in some areas, so the calibration gets to be quite complicated when you don't have those side-by-side surveys taking place.

It's one of the advantages that we felt or the way that NMFS is now with the MRIP program is implementing the FES, right? There is a three year time horizon for side-by-side between the Coastal Household Telephone Survey and the FES, so we are going to have that calibration data there available for that purpose.

And the last one there is really just, you know, a matter of having more engagement from the assessment and management community to help articulate some of the points that this calibration could bring in terms of continuity for assessment and management. That those things need to be evaluated more explicitly perhaps as this calibration process goes on.

And then, you know, the calibration procedures that are being used right now are adequate. We felt that looking further into this in some of the more complex calibration procedures would be worth it, but in the time being, what they have put in place right now is addressing immediate needs.

Some of those issues that are coming up in terms of assessment and management regarding continuity and calibration could potentially be addressed by a, you know, look through a stock assessment process.

For example, adjustment of catchability functions or a more detailed evaluation of catchability functions that can account or help account for some of this transition in data streams.

And in conclusion, our three main points were the redesign has really yielded impressive results. We were very, very pleased to see that from a technical perspective, the survey now meets the standards that we felt were required. And that all the significant recommendations that were made back in 2006 have been addressed to our satisfaction.
Additional challenges remain, of course, nothing is perfect, right? So there is room for improvement here and we made those recommendations.

You know, if you go through our report, there are a number of them that are very explicit and will give you quite a bit of guidance in understanding what we are trying to articulate there.

But we felt that the main issues were the non-response, potential non-response issues; the recall period; the look into this electronic data collection, right? The issues that could be associated with that, with an increase in the implementation and the need to be careful on getting results that are comparable.

And then the expansion on the communication and outreach of MRIP, particularly as it relates to assessment and management communities to have them have a better understanding of how those things are being implemented and can be integrated into that process.

And, Mr. Chairman, I think this completes my presentation. I'm available for questions.

ACTING CHAIR STOCKWELL: Thank you, Luiz, for a very detailed presentation. We have time for just a handful of questions. Gregg, then Charlie and Michelle. And we will be concluding the questions at 11:45.

MR. WAUGH: Thank you, Mr. Chairman. Thanks for that presentation, Luiz. And I was glad to see recommendations for alternative data collection methods. We have had two proposals approved. One to look at outreach in our charter boat sector and given that we are submitting a charter boat amendment for electronic reporting similar to what is already in place in headboat, that is critical and will help with headboat as well.

We also got a project approved that will look at a recreational stamp, electronic stamp and electronic logbook reporting targeting Red Snapper and Snapper Grouper. And this is something we would like to continue to have some discussion at the CCC level.

We would like to explore more, and you
touched on this some, alternative ACL Tracking Methodologies. I think a lot of the issues are not problems with MRIP, but it's how we are using or misusing, abusing MRIP.

We want to also look at the flexibility to explore alternative methods to estimate the private angler catch.

And then we have got one, it's sort of a minor issue, but not so minor, is this weight conversion issue. The Southeast Fishery Science Center has a different weight conversion than MRIP. And this causes all sorts of delays and issues. And we thought it was going to be resolved, but it hasn't yet.

And so the weight estimates that are used in the Southeast in tracking our ACLs are different from the weight estimates on MRIP site. And that doesn't do any of us any good when anglers go and see two different versions of a number.

So I was glad to see that and we would really hope to have a continued discussion on this at the May CCC level. Thanks.

DR. BARBIERI: Thank you, Gregg.

ACTING CHAIR STOCKWELL: Charlie?

MR. PHILLIPS: Thank you, Mr. Chair.

Luiz, good to see you here, good presentation. And so I guess my question is, and you brought up some of the problems with self-reported discards and the recall bias, and as you well know, our - some of our PSEs on our MRIPs are very, very high on rare or rarely intercepted species, but we still have to use these numbers on, you know, when to close the seasons, recreationally.

So I guess my question would be how high do the PSEs need to be before they become impractical to use? I'll use that as a term of as lack of a better term.

DR. BARBIERI: Well, there is not one -- just a one answer to that question, Charlie, because it depends on the life cycle of the species that you are talking about and generation time and the level of fishing it's subject to. So there are -- you know, especially not region. A variety of stocks with different life fishery attributes and all sorts of issues that come into play.

Now, ACCSP, the Atlantic Coastal Cooperative Statistics Program has conducted, and I have participated in their workshop, I guess it
was two or three years ago, right, sort of like a formal evaluation of that question. And basically, the results that came out, and this, you know, took into account some simulation studies and some additional type of research that was done in the region, was that PSEs up to and including 60 percent were not having substantial impacts on assessment results, right?

Now, you also have to take into account that you can assign, within the stock assessment framework, different weights to different data sources and that those weights, in many cases, are related to the degree of confidence that you have in those data in the uncertainty that you estimate to have there.

But the bottom line as far as our report is concerned and the way that we wanted to articulate this was, basically, that by having that regional framework in place now, right, there is an opportunity that is being provided for us to follow-up and work with the Agency in developing whatever specific modules or add-on surveys, right, we need to add to evaluate our specific needs.

Because one may be needed off the coast of Oregon, it would be very different, right, from the coast of Florida and so on. So you know, one of those things that the Academies in NMFS wanted to do was to have this sort of roadtrip for the co-chairs to go to different management bodies and difference science data collection bodies and, basically, give this presentation, address these kind of questions, but encourage regional folks as they look through their regional implementation plans for MRIP to engage and develop modules that are cohesive within this MRIP framework. And that certification process would allow for that.

Do you want to add to that, Stacee?

MS. KARRAS: (Speaking off mike) Yes, if I may just to say that one thing that we recognize as being helpful in creating the Statement of Tasks was that MRIP is a portion of a much larger management framework, as Luiz pointed to earlier, and that its usefulness for things like in-season management or particular fisheries was going to be beyond the scope of our study, because we just couldn't address every, you know, aspect of the fisheries management process.
So what we tried to do is really look at how those two component surveys worked from a statistical soundness perspective and, you know, recognizing that for particular types of fisheries, it may work better or worse, but the framework for it was, from our perspective, a much more statistically sound survey than what had been presented to us 10 years ago in the MRFSS.

ACTING CHAIR STOCKWELL: Michelle?

MS. DUVAL: Thank you, Mr. Chairman. Thanks, Luiz, for that presentation. I really appreciate it. Gregg and Charlie have already touched on one of my concerns, which was regarding the alternative techniques, alternative estimation techniques that could be used for small domains. I guess, you know, I feel like there is a little bit of a chicken and an egg. You know, who -- how do we move forward with use of these techniques?

And my understanding is that the Councils have the opportunity to go ahead and do so, you know, in conjunction with their SSCs and, you know, potentially the science center in order to determine what might be more appropriate to increase the precision of estimates for certain species that are rarely intercepted.

I guess it would have been nice to see maybe a subtly stronger recommendation that, you know, the Agency perhaps take a greater role in being proactive in that regard. I mean, you know, I'm the one who gets my head bit off when I talk about cobia. It's not Roy.

So not that I want Roy to get his head bit off, but he has escaped pretty much all of that ire. So I guess I would have liked to have seen something a little stronger there.

And then the other thing just I know that your focus was on APAIS and the Fishing Effort Survey. Was there anything from -- so did you at all talk about any of the other surveys that are used in other parts of the country that are kind of, you know, under the umbrella of recreational estimate, you know, fishing estimation and whether or not there are some lessons learned from those other surveys that could be brought into MRIP?

DR. BARBIERI: Yes. And, Mr. Chairman, excuse me? Right. Yes. So we do discuss and I think it's Chapter 5, right? If you
go and look at the Chapter 5, there will be some comments, conclusions or recommendations there that are, you know, specific to some of those other surveys.

Now, we did not receive enough material in this review to review those surveys in detail, right? But I think that more importantly, Michelle, from what you brought up and Charlie, too, and this is why I backed up to this slide, right, to me, this is a component here that is critical, right?

The release of this report, I don't think should be seen as the end of the conversation. It's actually the beginning of one, right, that there are processes in place, there are processes in place, there are Regional Implementation Teams in place that should be reaching out to all of us and helping us articulate our particular needs.

And for example, rare event species in the Southeast is one of them or creating a more specific stratum that will be dealing with offshore species, right?

So when you think about Southeast U.S., I can tell you that about 90 percent or 95 percent of the saltwater fishing trips are actually inshore, right? So they are not really focused on the offshore reef fishery. So you are already sampling something that is focused on finding the 5 percent of the trips.

So having that additional level of stratification to handle inshore and offshore separately brings a phenomenal level of accuracy of precision.

Now, through this Pilot Studies Program, my colleagues from the Gulf, who we recognize that we have been working the five Gulf states, our working in evaluating under the guidance of MRIP in developing surveys, testing surveys and developing surveys they can address some specific needs.

And the reason that we are working with MRIP so closely on this is because they bring a lot of stuff to the table that we want to take advantage of. You know, their own staff is very knowledgeable, but they also have these consultants that can bring a level of expertise and guidance that is very helpful.

So it's a matter of, and I actually
scheduled lunch with Gregg today and I was going
to invite Madam Chair, you as well, from South
Atlantic, to come with us and talk about this,
because is -- you know, just because they serve on
the South Atlantic SSC is -- you start articulating
how we can work through our original implementation
plans, right, to reach out to the MRIP program and
bring to us additional module of surveys that if
they are done correctly, they can be integrated
into that big framework as an add-on, right, and
address some of those needs.

Obviously, this would require
resources and this is going to be a problem, but
the process is in place and I think that discussion
should be continued.

ACTING CHAIR STOCKWELL: Before I go to
Leann, are there other questions for Luiz? I ask
that because we are running shy on time today and
shortly afterwards, I'm going to ask people whether
or not they want to work through lunch. So, Leann
and then John, do you have a question?

MR. GOURLEY: I was just going to make
a comment.

ACTING CHAIR STOCKWELL: Okay. Well,
let's -- Ned, how long is your presentation?

DR. CYR: The presentation shouldn't
be more than around 10 minutes or so.

ACTING CHAIR STOCKWELL: Okay. So we
will do a time check after Ned. So, Leann and then
John and then we are going to move right into Ned.

MS. BOSARGE: Thank you, Mr. Chairman.

Luiz, I see your strategy. You kept your
presentation as long as possible, so we wouldn't
have any time for questions for you. So you are
a wise man. So I'll try and be brief.

So obviously, in the Gulf and in the
South Atlantic, we have a stakeholder buy-in
problem, at this point, with MRIP. There is not
a lot of belief in the system.

My one suggestion would be I think it
is time to take it on the road. I think you need
to find a person you like least in the MRIP office
over there and get them a T-shirt that says I am
MRIP with a big target below it and they need to
go -- but I mean, I'm saying it jokingly, but I am
being very serious.

I think that that's a lot of the reason
that the Council process is so successful, because
we are accessible and they can come and they can
scream at us, and that's a good healthy part of it,
and say this is what you are doing wrong and then
we can get them involved in the system and show them
the details where we have got to work out the kinks.

But MRIP to me, I think from that
private angler/public sector, seems like something
that is just kind of very vague and in the shadows
somewhere. They can't reach out and touch it,
right? So I would encourage you to take it on the
road and go see the public and let them scream and
let them ask their questions and show them how we
can work through this and make it better. And how
we are all working together, state, fed, you know.
So that's my one suggestion.

And then, you know, obviously, Red
Snapper is the elephant in the room for the Gulf
and South Atlantic most of the time and MRIP is a
big piece of that. And I like these add-on modules
where you are able to go and tweak some things and
do it a little differently, especially since these
are now very short seasons, the federal side of it
anyway.

And it seems like one component that we
are having problems with are the private landing
areas and we are not sure, like you said, if those
numbers really line up and are parallel with what
we see from public landing sites, where we
intercept at public areas. But I would encourage
us to remember that there is one more public area
that we could intercept and that's on the water.

Now, obviously, you want to capture the
whole trip, not a piece of the trip, because you
are trying to get the landings data out of it, but
I think if we worked close enough together, I mean,
if you are making intercept at the pass, you know,
where I'm from, right, if you are catching them at
the pass coming in, more than -- I mean, at that
point we are in state waters.

If it's an offshore trip with Red
Snapper, which is what you are trying to capture
a lot of times, surely you have gotten 99 percent
of that trip, right, of what is going to happen on
that trip. And you can -- these are state
enforcement people or state employees that are
capturing a lot of this, actually doing --
physically doing the intercepts and they have those
vessels in their arsenal, in their assets, they are
used to doing offshore boardings. It's not something that is out of the box for them.

So obviously, that has a whole host of a can of worms from a survey and a sampling perspective that I am sure you are wise enough to work out. But just, you know, something out of the box that maybe we could think about if we see that that is an issue at those private landing sites for that type of add-on module.

DR. BARBIERI: Mr. Chairman, just very briefly?

ACTING CHAIR STOCKWELL: Very briefly.

DR. BARBIERI: Yes, Leann, you are spot on, right? I mean, both issues are -- you know, and I encourage you to read through the report, at least the summary, you know, of the report because some of those issues that you brought up are addressed there and they are very important. And I agree that they are very, very important.

But I just wanted to also point out that our next briefing is going to be to Gulf States Marine Fisheries Commission, right? And we had already a briefing to Atlantic State Marine Fisheries Commission. So we are trying to go around the country, there would be one in the Pacific as well, right, and reach out to the regions and try to bring some of this engagement from their part to work more closely on those add-on modules.

So very good.

ACTING CHAIR STOCKWELL: You get the last word, John.

MR. GOURLEY: Thank you. You know in the Western Pacific we have had a chronic problem just like everybody else with data collection, organization. Our problem is compounded by the distances between the island groups, the cultural differences as well as cost to try to get people together and that is for Kitty's key to go ask Sam for more money.

MS. SIMONDS: I'm going to the Congress.

MR. GOURLEY: So anyway, we started kind of with an Ad Hoc Committee about four years ago that has basically evolved into what we call the FDCRC, which is the Fishery Data Collection and Research Committee. And this is a Council-led process that contains Members from the NMFS Regional Office, the Science Center and the -- also
we have a Member from DOI, which is the U.S. Fish and Wildlife Service. Now, that Member is there because they provide money to the local agencies and each of the local agencies in the four island groups are also Members of the FDCRC.

I guess that was -- that got all the representatives.

So this is a formal agreement as much as you can have a formal agreement in the Western Pacific. And we all signed the agreement. The agreement goes over the data collection program. It identifies data gaps. It describes the data collection programs and I'm talking both commercial and recreational.

The process is -- was actually formalized to its current state, I think, probably a year ago, year and a half ago. It is working and I think it is bringing a lot of the issues together at one table. And I just wanted to let you know that this is what -- this is how we are handling it in the Western Pacific. And just FYI. Thank you.

ACTING CHAIR STOCKWELL: Well, thank you, Luiz, and to your whole team. Appreciate all the hard work you do.

We are going to move right into the MRIP Strategic Plan.

DR. CYR: Thank you, Chairman. I'm going to give a brief informational presentation on where we are with regard to the development and various strategic plan.

But before I start, I just very briefly would like to thank Luiz, and Cynthia and Stacee and the Committee for their tremendous work which yielded a lot of very useful recommendations to the MRIP program, which we are in the process of implementing now.

So the MRIP Strategic Plan is largely being driven by the recommendation from 2015 GAO review of our Recreational Data Collection programs. There were a number of recommendations, but the major one was that we should develop a comprehensive strategy to guide MRIP data collection efforts.

So we initiated a strategic planning process led by the MRIP Executive Steering Committee and there was a subgroup of that team that included representative from the Councils and the
Western Pacific Fishery Management Council was on that team. The Atlantic States Marine Fisheries Commission, the Gulf States Marine Fisheries Commission, Regional Office of Science Centers and MRIP staff, which pulled this together.

We held off on the development of this plan until we had the National Academies review, because we wanted to make sure that we could crosswalk and incorporate the recommendations that were coming out of the Academy review and make sure that we were appropriately incorporating them.

It includes overall program goals and strategies, including communications, as Luiz mentioned is an issue. And it includes time lines for and program management -- program measures.

The structure of the plan is familiar to anyone who has looked at a strategic plan before. There are statements of our vision, our mission and our values and a number of goals. And then tiered off of those are metrics for how we measure them. Strategies for getting out the tactics were a very specific level implementation. And then what we expect to be the outcomes of those.

So MRIP's vision. We intend to be the trusted source of U.S. marine recreational catch and efforts statistics.

To carry out collaborative multi-institutional efforts to develop and implement a national recreational fisheries statistics program.

And we do that by focusing on collaboration and partnership. This is not just the National MRIP programs highly dependent on the states, Councils, Commissions and, of course, the recreational anglers for information.

An overall commitment to meeting needs for high-quality data and science-quality assurance. Transparency and commitment to scientific robustness, integrity and innovation.

So the Strategic Plan has six overall goals and I'm not going to go into each of these in detail. Eventually, you are going to have an opportunity to review the plan. But you will find, I think, that the Strategic Plan goals address many of the issues that were identified in the National Academies review and their recommendation and a number of the issues that have also been identified in the MRIP Regional Implementation Plans that many
of you had a hand in developing.

So I'm not going to walk through all six
of these. What I am going to do is give you an
example of one of these goals and sort of how we
are further defining it, so that we can get down
to a concrete tactical level and show you exactly
what we intend to do.

And again, there are six of these goals.
This is the fifth goal, operate collaboratively.
I think this one is relevant for this forum because
we are talking about working with state,
interstate, regional and other partners.

So you see we have an overall goal and
then we have a couple of metrics, a number of
regions with up-to-date MRIP Regional
Implementation Plans and the number of states and
FINs that are actively engaged in MRIP survey
operation. So that's how we will know whether or
not we are accomplishing what we have set out to
do here.

Then we have a number of strategies that
help us to get to meet this goal. And then you can
see specifically the outcomes that we intend to
meet as a result of taking those strategies and
tactics.

And so I just want to show you, again,
we have got the goal. We have got the metrics. We
have got the strategies. And then under each of
those strategies, so here we had three strategies
5.1, 5.2 and 5.3. This is just an example.

So under Goal No. 5: Operate
Collaboratively, under Strategy 5.2:
Create, maintain inventory, and
support partnership data needs and priorities by
enabling regional identification of data needs,
preferred methods, and priorities.

There are a number of very specific
tactics. For example, developing the Regional
Implementation Plans for MRIP staff to attend and
actively participate in FINs and FIN partner
meetings.

In regions that don't have a FIN, like
the Caribbean, create and maintain some sort of an
Ad Hoc Regional Implementation Team to allow us to
collect that information and address it.

And this last one I think is highly
relevant here and that is to on an annual basis,
specify national priority setting criteria for
providing support for needs identified in the Regional Implementation Plan.

So look across the Regional Implementation Plans and determine what the MRIP program is going to increase our support for on a national basis based on those needs that are identified there.

So that's it. And again, when you see the plan, you will see that we have gone through each of these six goals in this level of detail with tactics, with milestones, with timelines. It's very detailed. Again, it incorporates all the recommendations that came out of the National Academies, plus many of the Regional Implementation Plans.

We are aiming to have a final draft of this, which has been reviewed by the Internal Teams and this small group of partners by the end of March. And at that point, we are going to send out a notification and a request for review from this community and we will give you around a month to six weeks to do that review.

But we aim to have this plan finalized by sometime around the end of May of this year. And I'm happy to take any questions now and look forward to all of your feedback in the review process.

Thank you, Chairman.

ACTING CHAIR STOCKWELL: Thank you, Ned. Question on the Strategic Plan? Yes, Gregg?

MR. WAUGH: Yep. Thanks, Ned. One statement first and then a question. A month to six weeks isn't going to cut it for us to review it. You've got to take a look at our Council schedule and give us a Council meeting to discuss it.

But I raised this point earlier during Luiz' question. I'm not sure you are the appropriate person, but we are really facing some critical issues in dealing with this wait conversion issue. Is there a time frame for resolving this? My understanding was the center's approach was deemed better and that was going to be adopted by MRIP nationally, but it doesn't seem to have happened.

Is there a time frame for resolving this, so we don't have two sets of numbers out there?

DR. CYR: Sorry, Gregg, I don't have
any specific information on that, but I can get back
to you on it.

ACTING CHAIR STOCKWELL: Other
questions for Ned? Seeing none, thank you, Ned.
We will see you again in May.

Okay. It's 12:03. Do folks -- the
sense of the Committee here, do you want to work
through lunch or do you want to take lunch and come
back in an hour?

Okay. More nods for lunch than not.
So it's -- let's start in one hour. This
afternoon, we will surely find something that we
will stumble over and we have a dead certain
adjournment time at 3:30. So let's be back at
1:05.

(Whereupon, the above-entitled matter
went off the record at 12:03 p.m. and resumed at
1:06 p.m.)

ACTING CHAIR STOCKWELL: Okay. Good
afternoon. We are going to reconvene the CCC and
welcome back Rick Robins. Thanks for being here
today.

MR. ROBINS: Thank you, Chairman
Stockwell. And it's great to be back at CCC today
and see so many friendly faces, although I have to
confess that I'm reminded in very clear terms about
my good friend, John Bullard, that I shouldn't read
too much into that, because it was after all at a
CCC meeting that John reminded us that, as he
described the relationship between the Councils
and the Agency, that we are friendly, but we're not
friends. But I am glad to count him as a close
friend.

So with that, I want to thank the CCC
for the opportunity to attend the FAO meeting,
which was now some time ago, but last July in Rome
on behalf of the CCC. And it was a great
opportunity and truly a learning experience for me
as I went to that.

But the FAO was formed in the wake of
World War II in 1945 in Quebec City when 42
countries came together and determined that it was
necessary to form the Food and Agricultural
Organization of the UN to address the significant
social emergency of hunger.

And so today the FAO, as we know, is
obviously much larger. There are 194 member
nations comprising the FAO, so the membership is
indeed global. And they have three strategic goals that very much closely follow their original purpose, which was focused on hunger and food security.

So the eradication of hunger remains one of their primary goals. The elimination of poverty in a sustainable management and utilization of natural resources. And of course, that's a close interest and overlap with our programs and considerations here in the U.S.

So with respect to fisheries, the FAO has a structure and an organization for the Committee on Fisheries that was established in 1965 and that is the deliberative body that brings together all the member nations and member states and they are able to come together and address issues of international importance on fisheries and aquaculture.

And they meet every two years, so that's the primary meeting of COFI. In the interim they have a bureau that meets periodically, the bureau meets, I believe, on a quarterly basis and so some of these administrative issues are hashed out there and things like the development of the agenda for the next COFI occur at those bureau meetings.

Interestingly they work by consensus at the COFI meeting. And the plenary sessions are huge, so with all the delegations in the room, there might be 800 people there at a COFI meeting. And if you can imagine, we run our meetings in one language, they are running them in the six official languages of the UN.

And they have a very impressive translation capacity. They are translating in real-time orally as presenters are making interventions. And all of the documents that go out and are developed during the meeting have to be translated into the six languages of the UN. So they go out in Arabic, Chinese, English, French, Russian and Spanish.

And the consensus process, you know, it makes our look very crisp by comparison. I'll just put it that way. But the way it works, the member states offer interventions. They make interventions on an agenda item and at the end of an agenda item, since they are working towards consensus, the chair will try to summarize what they have heard on that agenda item.
The -- up at the dais the Secretariat's Office of the FAO is also represented. So the Secretariat will contribute further to that summary. And then members may intervene again and say well, that's actually not what I heard or they may want to further elaborate on some of the summaries, because the summaries importantly form the starting point for the beginning of the drafting of the final report.

So as the week goes along, the work product that comes out of this is the final report. And there is a Drafting Committee that does that work.

So there are interventions and then there are interventions. Here, our own John Henderschedt is intervening on behalf of the United States and it's not a reality show, but John did weigh in and bring forward a number of interventions on behalf of the delegation very effectively.

So the Drafting Committee includes representatives of each region and the North American region includes the U.S. and Canada, so the two nations take turns participating on the Drafting Committee. And this year was Canada's turn in the barrel.

Now, I have this picture up here just as a note that the Committee works very late. So the products will come out of the COFI plenary session. The plenary may go until 8:00 at night and then at some point thereafter, the chair's summaries go to the Drafting Committee and the Drafting Committee will go into the wee hours of the night.

So be prepared that if you are on the delegation of COFI 33, which will be in two years, it will be the U.S. turn in the barrel on the Drafting Committee.

So the highlight of COFI 32 was really focused on IUU. And the major point of that was that there was a welcoming into the entry of force of the agreement on Port States Measures and that occurred immediately before the meeting and that was a major milestone in terms of combatting IUU fishing.

And there is not a single international estimate of IUU fishing, but some of the numbers that have been put out there are of a scale that
demands attention. And so they have talked about potentially 10 or 20 plus million tons of fish a year being caught through IUU fishing, which the FAO characterizes as posing a significant risk to food security and marine ecosystems and the fisheries economies that depend on sustainably-managed fisheries.

So it is internationally perceived as a very big issue. It obviously has been the cooperative focus of FAO to try to interdict that and develop strategies to do that. And so the FAO agreement of Port States Measures is basically a framework that allows the member states to introduce at least minimum standards for how they would deal with foreign-flagged vessels when they come into those port states.

There were other foci of interest. The Code of Conduct for Responsible Fisheries for the FAO can be thought of perhaps as being similar to our Magnuson-Stevens Act or at least our national standard. So that's the framework by which they ensure the sustainability of their fisheries. It has recognizable references in it to maximum sustainable yield.

I mean, if you look through the concepts that are articulated in there, they are all very familiar to us as we implement the U.S. system. And yet, it was very interesting, they had their annual report and they noted that over 30 percent of the world's fish stocks are over-fished. And so that for me was a very pointed reminder of just how effective the U.S. management system has become over time and how well our results benchmark against our -- against global standards and against our peers internationally.

They also highlighted the importance of small-scale fisheries, which we know from our own experience can contribute significantly in some areas to total fisheries output. And they have developed guidelines for the sustainable management of small-scale fisheries.

They highlighted the fact that there is a need for reviews of regional fisheries bodies and they also are developing a new Climate Change Strategy Document. They have already got one for 2011 through 2016. The new one would cover the period 2017 through 2020 and that was wildly supported. And we did hear through the process of
intervention on this subject that climate change is affecting fisheries and it is expected to affect fisheries around the world. So there was common interest in this.

And there was also talk about the importance of really focusing on governance coordination as it relates to this as we consider shifting fish stocks and what that means for us. Obviously, in the Mid-Atlantic region that has been an issue of concern for us on the East Coast going back some time.

One of the issues that was not resolved that is important, and this relates to the enforcement framework and enforcement tools for the Port States Measures, and that is the Voluntary Guidelines for Catch Documentation Schemes. So we might think of these in terms of Catch Certificates, Catch Certifications, things like that that would allow for better tracking of the product all the way from catching through the marketplace.

And that was proposed to be addressed, but there was some disagreement at the end between the EU and Brazil in terms of how chartered vessels would be dealt with and whether the flag state or the port state would deal with that. And so that is proposed to be resolved through a technical consultation and that ought to occur in April of this year and then that will be finalized by the FAO at their July meeting.

The FAO/COFI meetings also include side-events and these are a very interesting fora, I think, to consider. They have daily 90-minute sessions in the middle of the day. They include presentations and panels and these are fora for exchanging experiences and experiences with fisheries technologies and management systems. They are wide-ranging in nature. They covered a lot of different topics for this event.

And I'll just highlight one of them. Google Earth was there and some of you may be familiar with this project, but Google as brought in a system whereby they are able to use big data to address some of the IUU fishing. And they have combined this with satellite photography and this heat map is basically AIS data. But they have been able to use this to interdict illegal transhipment in some very remote parts of the ocean.
So in those regions and jurisdictions that have problems with illegal transhipment and transhipments are often a source of the disposal of IUU catch, so this is a big issue for law enforcement. And they have been able to play a role in assisting some governments in interdicting those illegal transhipments at sea.

So looking ahead, Bill Gibbons-Fly from the U.S. Department of State was elected Chair of COFI for COFI 33, so he will be -- he is the Chair now and will be for the next two years.

And I had just taken away from the experience a couple of thoughts that I wanted to leave with the CCC and that would be that I think it would be constructive to have a dialogue with state. And if that has to occur through the Agency, you know, however, you wanted to consider that, but to at least get updates from state with respect to the bureau activities that occur periodically.

And as they go through the process of developing the next agenda for COFI 33, so the CCC can be aware of it and see what issues are being highlighted as issues of international importance, so that the CCC can be effectively engaged for the next COFI meeting.

Also, the side-events are really a great venue for collaboration and I think comparative discussion about management systems and how -- seeing how other jurisdictions and other management bodies have dealt with problems within their jurisdictions.

And in that sense, I think the U.S. has a lot to offer that could -- that the Regional Councils could bring to the table and also learn through those types of exchanges. So you know, I think it would be a great idea to consider at least participating in one of those side-events.

We didn't have time to do that this time around, but as you look forward to 2018 and have that time to plan, perhaps the U.S. could consider through the CCC either hosting, organizing or otherwise participating in one of those side-events.

And that's all I have, but, again, thank you very much for the opportunity to do that. I'll be glad to take any questions if there are any.

ACTING CHAIR STOCKWELL: Thank you
very much, Rick. Questions for Rick? Bill?

MR. TWEIT: Thanks, Mr. Chair. Rick, thanks very much for representing us.

What do you think some of the -- you said IUU is kind of one of the major themes at 2016. Do you have a sense of what will be the big issue in 2018?

MR. ROBINS: Well, Bill, one of the points that came out of their annual report this time is that aquaculture production has just now matched wild fisheries production around the world. And so I would be surprised if aquaculture doesn't remain a significant core area for the theme for the next one.

But with the wild fisheries, I would think there -- there is still a lot of areas of interest internationally in, you know, whether it is this traceability issue and looking towards the next step of that, so, you know, by then they should have worked out the Catch Documentation Schemes.

And I would imagine there would still be some residual issues related to implementation of the Port States Measures. So I think some of that IUU side of things will continue to carry forward. And otherwise, there is a pretty wide range of issues for the small-scale fisheries and other community types of models for managing fisheries. And I think you will continue to see some of those on the agenda for the next meeting.

ACTING CHAIR STOCKWELL: Other questions for Rick? Leann?

MS. BOSARGE: Okay. Thank you, sir. Thanks for the presentation. I was actually interested in the IUU portion.

Did you discuss shrimp at all at the meeting? It sounds like more you were discussing, I guess, intervention of actual vessels offshore, whereas, you know, with the shrimp a lot of it is pond-raised and then imported into this country, but there is a lot of circumvention and such.

Did you discuss anything related to shrimp in that context?

MR. ROBINS: Leann, we did not. We had a -- there was one side session on IUU monitoring and that was focused on this at-sea side of things. And there was another one on the technology and that was also focused on that, but they did have information, the same Google Earth technology is
being used to characterize some of the aquaculture
that is occurring in the near coastal areas. And
so they are trying to figure out how to use that
to also at least serve for estimating the scale of
some of those operations.

ACTING CHAIR STOCKWELL: Kitty?

MS. SIMONDS: I want to thank you, too.
I used to participate in those meetings in the late
'80s and the '90s when we were trying to get FAO
to deal with turtles and birds. And the side-event
thing is really good, because we hosted one with,
I can't remember her name, but the shark lady,
Sonya. She and I -- yes, we invited the Asian
countries to a side meeting and had good
discussion. So I'm really glad that we are back
in doing this sort of thing.

Now, my question to you folks is does
your State Department rep come to all of your
meetings? Who? Anybody? Anybody's State
Department person?

UNIDENTIFIED SPEAKER: No, never.

MS. SIMONDS: Okay. Well, we force
ours to come. And so we are always engaged in
finding out about things. It's like that meeting
that he and I went to, that State Department
meeting, I happened to see it on a list and I said
hey, Fly, you need to invite the Councils. But if,
you know, this is done on a regular basis, I think
that that would be a really great thing.

And like the Port States Measures that
has been going on for years. We sent our, you know,
representatives to all of those FAO meetings,
because it's important when you look at our
geography of why American symbol is important for
those measures and then, of course, getting the
U.S. to help pay for monitoring.

So anyway, thanks. It's great and I
hope we continue to do this.

ACTING CHAIR STOCKWELL: Thank you,
Kitty.

MR. ROBINS: Thank you, Mr. Chairman.

ACTING CHAIR STOCKWELL: Anybody else?

John? Sorry, I didn't see you.

MR. GOURLEY: Thank you, Mr. Chairman.

Great overview. I am interested, too, in the IUU.

How are they monitoring IUU? And, you know, are
the vessels tied to a particular country that are
involved primarily in IUU or are they like lone
wolves going out catching fish and then going to the nearest port to off-load their catch? How does that work?

MR. ROBINS: John, I think in terms of the flagging it's probably a combination of those. And the minister of fisheries from Indonesia spoke and she said that their law enforcement had interdicted a vessel in their EEZ. And when they went to the wheelhouse, they found 28 flags in the wheelhouse.

So they have potentially flags of convenience, you know, flags from inland states and, you know, that bear no relationship to the actual vessel and where it is and what it is doing. So and that's why the Port States Measures are important from an enforcement standpoint.

But also the RFMOs, you know, play a role in terms of how they establish regulations and rules for some of the fisheries on the high seas, right? So in terms of requiring VMS and things like that.

But this Google issue is interesting and that's not something we could consider here in the U.S. with our confidentiality requirements, etcetera, but, you know, they view transparency -- I mean, some of those governments have viewed transparency as being key to fighting this. So they have been able to use that technology to witness some of these illegal transhipments. But it's, I mean, a complicated issue.

And I think on the enforcement side, the Catch Certification Scheme when that is finalized, that should also provide a tool that is able to be used to track the fish all the way through the market and that ought to provide another layer of opportunity for enforcement.

ACTING CHAIR STOCKWELL: Michelle?

MS. DUVAL: Thank you, Mr. Chairman. So, Rick, this is a completely ignorant question because I have zero idea of COFI and I appreciate you enlightening me on it.

But in terms of the focus on aquaculture and the statistic that you just provided that, you know, aquaculture produced seafood as roughly equivalent to wild harvest seafood. I mean, what -- and we have heard concerns in the past about, I guess maybe, the standard for aquaculture development in other parts of the world and, you
know, being careful what you are actually eating. What it comes from, another country.

I mean, how is the organization -- was there any conversation about sort of tackling standards for aquaculture raised seafood and having some kind of level playing field in that regard?

MR. ROBINS: Well, the FAO has a Blue Growth Initiative and that drives a lot of their discussions. And, frankly, when you think about a Blue Growth Initiative relative to wild harvest fisheries, I mean, I'm not sure where the headroom is around the world for that. You know, if you look at the state of foreign fishing fleets, some of them are just at massive states of overcapacity.

So it's not clear to me where that growth comes from, but a big element of that is, of course, aquaculture. So they do have standards for aquaculture. And I wasn't participating in any of the aquaculture side-events. I was more interested in the wild fisheries. But aquaculture is a big focal point for the FAO, because, again, their ultimate interest is in sustainable productivity related back to food security.

So that is a big area of focus for them. And I'm sure it will be at the next COFI meeting, it will be -- I would think it would feature prominently on their agenda.

ACTING CHAIR STOCKWELL: Anything more for Rick? Seeing none, Rick, you gave your presentation to Brian, right?

MR. ROBINS: Yes.

ACTING CHAIR STOCKWELL: So Brian, you're going to have that on our -- the presentation with our meeting materials so those of us who want to read it again have the opportunity?

MR. PAWLAK: It should be there now.

ACTING CHAIR STOCKWELL: Okay. Great. Well, thank you very much, Rick, for representing NMFS and I hope you enjoyed your trip to Rome.

MR. ROBINS: Thank you, Mr. Chairman.

ACTING CHAIR STOCKWELL: All right. Folks, we are on to other business. And I would like to start with the MSA Reauthorization letter.

MR. WAUGH: Thank you, Mr. Chairman. We distributed a letter and we have had some
additional edits. And I'm going to let Dan cover that and how we want to proceed from here.

MR. HULL: All right. Thank you, Mr. Chairman and Gregg.

So after consultation with Adam about the draft letter and some further discussion with Dave Whaley and Gregg, we suggest that the CCC take a step back and address the concerns that Adam has raised.

Essentially, I think we need to rephrase some of the text so that it reflects more technical review of the MSA issues and how they affect our ability to fulfill our responsibilities and the goals of MSA.

And I don't think the revisions will be significant and we should be able to -- we will be able to retain our overall message. But having said that, we may be in a position where we are asked more directly, more directly than yesterday for example, for our comments on MSA prior to the May meeting.

And since this letter will go out under the signature of the CCC Chairman, we suggest that the Legislative Committee take one more crack at it with some revisions and that a new draft be circulated for approval by the CCC, so that if we receive a specific request for comments prior to May, we would be in a position to respond in a timely manner.

ACTING CHAIR STOCKWELL: Thanks, Dan. Are there questions for Dan? Tom?

MR. NIES: I just want to make sure I understand your last sentence. So the idea is that this would be circulated and we would, we meaning John Quinn, would only sign it if we receive a specific request. If not, we would hold on to it until we receive a specific request?

MR. HULL: Yes, that's correct.

MR. NIES: Okay.

ACTING CHAIR STOCKWELL: Is there any opposition to this? Seeing none, thank you for the additional input, Dan.

MR. HULL: Thank you.

ACTING CHAIR STOCKWELL: Kitty, you are up.

MS. SIMONDS: I'm up and I'm sitting down.

ACTING CHAIR STOCKWELL: You're up.
MS. SIMONDS: Okay. Everybody, we have -- listening to the concerns and issues from all of the Councils and wishing to inform the Administration, the new Administration of who we are and that we are the Fisheries Management people, you all have a copy of the redrafted letter and what we have done is removed the ask.

So that's the part that is gone that people had issues with. In terms of needing to go back to their Councils and having them review and so -- and by the way our original letter, we did ask Adam to review that letter, so he had no legal issue, so he, obviously, has no legal issues in this one because we have removed that paragraph.

So if you are all ready to sign, I'm waiting with a pen. But I do know that I was talking to you folks at Mid-Atlantic Council and he asked, and I think this is fine, that while you all are signing this letter, we will give you two weeks to do it with your Executive Committee if that's what you want to do. Everybody has, you know, a different way of dealing with things and to get back to me within two weeks. And if everything is fine, I shall take care of sending the letter.

Because you know last year, I mean, it took a while to get that letter going because we had to go round and round. I think it took like two months to get the letter finally out. So and that's why I'm asking you all if you agree to this version, if you folks would sign this version, I'll hang on to it until you get back to me within two weeks, within two weeks, yeah, if you are in agreement with that.

ACTING CHAIR STOCKWELL: Adam?

MR. ISSENBERG: Thank you. Thank you. I just want to make clear, I did take a look at the letter. I reviewed it to see whether it raised any lobbying concerns. I don't think it does because it is a communication with the Executive Branch and not Congress. But I wanted -- I just wanted to clarify that it wasn't necessarily for any legal issues. I don't think that is really, you know, something that in this context we would look at because, you know, I don't know what you have seen or the Agency would take a position on the letter.

MS. SIMONDS: And, Adam, that's the other letter. We haven't gotten to that letter
yet. We are talking about the first one that you reviewed last night.

MR. ISSENBERG: Right.
MS. SIMONDS: And -- right. And you had no legal issues.

MR. ISSENBERG: Right.
MS. SIMONDS: This is to the President, yes. Okay. Thanks.

ACTING CHAIR STOCKWELL: Mike?
MR. LUISI: Thank you, Mr. Chairman.

And to Kitty, yes, what you suggested we can agree with. I would like to have the opportunity to take it back for just a couple of weeks, vet it through either our Executive Committee or I can talk with Chris and Warren and perhaps we send it to the full Council, but we can decide on that later.

The thing that I -- something that I just wanted to bring up in listening to this conversation just over the last few days, as you presented it originally, there was a lot of great passion to it. There was something you wanted out of this action. You wanted some reaction to the letter that you are sending.

And it was a very passionate presentation and I mentioned on our first day that I had concerns about signing something with the suggestive nature of the first letter, just given the volatility of this current Administration. And I wanted to have an opportunity to discuss this with our Council.

The second edition of the letter, I think, loses that. Well, it obviously loses that ask. It loses that passion and it loses any reactive -- any reaction by the Executive Branch when received.

So I -- and the only person that can answer this is you and the folks from your Council, but is that -- did you intend to just have an informative letter go to the President or did you intend to really be asking for a reaction to the letter?

And I would just hope that the need for speed, I guess is the easy way to put this isn't the reason why you are pulling back from what it was you were originally intending.

And our Council meets in just a few months. I think within a few months all of our Councils will probably be together at some point.
and we could have those discussions.

So I'll just lay it out there. We are comfortable with it as it is, but if it's not meeting the needs of your Council, you know, my suggestion would be maybe to hold back, at this point. But again, that's for you and your group to decide. Thanks.

ACTING CHAIR STOCKWELL: Kitty?

MS. SIMONDS: Well, obviously, the need for speed is where I'm coming from. I think we need to get something out there. We have our own first 100 days is what I -- is my thinking. And I'm willing to compromise on this. There are other initiatives going on that asks the question. And I think that you saw a few of them.

Our Governors out in the Western Pacific wrote a letter to Trump and actually handed it to him on Monday when they met with him, so he does have a letter from our people out there asking to remove the monument of fishing prohibitions.

And there are other initiatives, but I think that it's important for the Councils to get out front and I'm fine with us -- with all the Councils not asking the ask, because, you know, I think the more letters we get out there about us, that's what is really important.

So I'm fine. And as I said, I have the pen ready and so don't leave until you sign that letter.

MR. LUISI: Don't send --

MS. SIMONDS: But thank you so much.

MR. LUISI: -- it until we give you the thumbs up. That would be my aspect.

MS. SIMONDS: Well, I have said that before. I don't like to repeat things unless I have to. Oh, and thank you, thank you very much. So anybody else with comments? I hope not because we have lots of letters to go through.

ACTING CHAIR STOCKWELL: Herb?

MS. SIMONDS: Where is the other one?

MR. POLLARD: Very brief comment.

Yes, Kitty, so --

MS. SIMONDS: I thought he was going to edit this. I'm going, no, no, you had your chance.

MR. POLLARD: No, I think the changes and the references as they refer to the resolution that we all signed eight months ago make the point pretty clearly and we are on board.
ACTING CHAIR STOCKWELL: Is everybody comfortable with the game plan of a two week review? Seeing no opposition, congratulations, Kitty.

MS. SIMONDS: Thank you all very much.

ACTING CHAIR STOCKWELL: You've got one more letter, I believe, that you have helped generate.

MS. SIMONDS: Okay. All right, the second letter. This is a 30,000 foot leveled letter that we all discussed. This letter is going to the Honorable Wilbur Ross, who by the way I saw on TV where his fancy shoes that cost $500 that he wore last night to the State of the Union. So that's an interesting tidbit, don't you think?

Okay. So from the original letter what we did was -- Tom suggested that we congratulate him on his appointment. And so that has been added in there. And then we added the worth of the fisheries, both recreational and commercial. We kind of forgot about that, but here is a business guy, so, you know, that's in there.

So then we do have some recommendations on what we discussed before: Partnerships, priorities, baseline funding for sustainable management. I don't -- I'm sure that the way we wrote this includes the NMFS in terms of funding, but although we didn't mention the NMFS. And then funding -- finding efficiencies in the management and regulatory processes.

So we got it all on two pages. And if you agree, I have another pen ready for you all to sign.

MR. NIES: I thought the plan --

MS. SIMONDS: What?

MR. NIES: I thought the plan that we discussed was this one would be signed by the CCC Chair and he was supposed to consider trying to hand-deliver it?

MS. SIMONDS: Don't you think it's nice having all of the Chairs signing?

MR. NIES: I can go either way. I'm just saying what we talked about.

MS. SIMONDS: Yeah, I know. Okay. Well, if you all want to do that, somebody has to go redo this paper. Since we are all in this mood of, you know, all of us together, this is new Administration, I think we should do it this way, unless Quinn really wants to be the only signatory
on this letter.

MR. NIES: I guarantee he will want to be a signatory on the letter.

MS. SIMONDS: Right. So but the other thing is somebody mentioned, I think, that we really should all ask for an appointment to meet with Mr. Ross. And I think that you should do that. And you can invite us or you can do it yourself. So why don't you do that letter?

ACTING CHAIR STOCKWELL: Comments or questions for Kitty? Dan?

MR. HULL: Thank you, Mr. Chairman. I support the letter. I think the message it tries to -- it is sending is a good strong one, it's a productive one.

To Tom's point, I think having all the Council Chairmen sign shows the geographic breadth of what it is that we do. So I think that's a good thing.

ACTING CHAIR STOCKWELL: Okay. Other comments? Seeing none, you better get your pens ready.

Yeah, just in a sidebar from Tom, what we are going to do in order to get John Quinn's signature on there is to get all of yours and we will get John's signature on there and Northern Council will be responsible for sending in the letter. Is everyone agreeable with that? Okay. Doug?

MR. GREGORY: Kitty, would you email us the monument letter also?

MS. SIMONDS: Oh, yes.

MR. GREGORY: We didn't get a copy in here.

MS. SIMONDS: Well, as soon as you sign this, we are going to make copies right now, so you can take them with you or if you prefer email, that's fine, with the signatures.

MR. GREGORY: No, I'm talking about the monument letter. The one that we are given two weeks to review.

MS. SIMONDS: Oh, you have that, but it's this one. Yes, it was -- I know it was put on your desk or maybe your chair. Anyway, okay, fine.

MR. NIES: It would be easier to give an electronic copy, so we can --

MS. SIMONDS: Okay.
MR. NIES: -- get it to some of the people we need to get it to.

MS. SIMONDS: Okay. You will get it today. How's that? Okay. Do you have to see the first pages?

ACTING CHAIR STOCKWELL: Any more letters, Kitty?

MS. SIMONDS: Well, I was thinking about two more, but you said you wanted to end the meeting, so I need at least an hour.

ACTING CHAIR STOCKWELL: Permission denied.

MS. SIMONDS: I didn't ask you. You suggested it.

ACTING CHAIR STOCKWELL: Okay. Thank you. We are moving on towards the end of our agenda. Tom, you have got some review or CCC decisions?

MR. NIES: Yeah, give me about one minute to send something to Brian, so he can get it on the board.

Okay. If you look at the screen, Brian has got an update. The version you are seeing here should look similar to what you got yesterday with the exception of the two lines in red.

The MSA Reauthorization, the plan is to have the Legislative Work Group working the letter circulate it to the EDs and then we will hold on to it and John Quinn will send it, if we ask for comments on Magnuson Reauthorization.

Down at the bottom the Marine National Monuments, this is a letter we just talked about. The plan is to get signatures and send it out after two weeks giving the Councils a chance, if they feel it necessary, to vet it with whoever they need to vet it through.

Moving on to the next page, these are the items that we talked about today. We got the science update, no real CCC action. I just noted that we are expecting to be asked to comment on the Stock Assessment Improvement Plan and the Best Scientific Information Available document as well.

The next step is going to be talking about a future agenda, so that's not listed here, so I won't go into that.

The EBFM Roadmap, there is really no follow-on CCC action.

The MRIP review, Gregg Waugh agreed to
take the lead or offered to take the lead on alternative approaches. I had left out that he had three or four bullet points on what that meant. I didn't put them all on the screen here.

And we are expecting that we will come back in May CCC meeting to talk about this. The expectation is we will probably need somebody, and I'm not quite sure who, from the MRIP program to be there to discuss it. And I don't know who that would be offhand.

UNIDENTIFIED SPEAKER: He is not here.
MR. NIES: Yeah, the scientists are not here.

UNIDENTIFIED SPEAKER: Yes, we will get somebody.

MR. NIES: The other thing is that he did point -- Ned did point out that the Strategic Plan will probably be circulated for comments sometime between now and our CCC meeting.

The FAO meeting, Rick Robins report, I just put down here that, you know, he suggested that we try and think ahead a little bit. So my suggestion is that perhaps for the February meeting, next year we try and get an update, I think I got this term right, on COFI 33. I don't know if we should ask for that from International Branch of NMFS or from the State Department directly, but we will work -- whoever is -- Chris Oliver will worry about that next year, not me. So that's his agenda.

And then the other business is we just approved the letter that my secretary is circulating for signature for approval to the Department of Commerce.

(Laughter)

MR. NIES: Sorry. So I think that summarizes the action items. I don't know that there is any more, if there is anything I missed here.

ACTING CHAIR STOCKWELL: If not, we will move on.

MR. NIES: There is actually a couple of items here you might want to refer to the agenda. The first step is that there was a request that we sort of summarized the CCC current work groups and what is being planned.

Over the last couple of years, we have had some back and forth about what is a work group,
what is just Councils cooperating with each other. I don't really make a lot of distinction here between those two groups, but I just wanted to summarize the activities that went on.

I think that the general feeling is a CCC Work Group is a group that the CCC actually tasked to do something and report back to them. We have some other interactions between the Councils that are really just Council-to-Council trying to figure out how people do business and coordinate. You know, some people call those work groups, some people don't.

The big work group that I think we have now is the Legislative Work Group, Chaired by Gregg. I believe the Gulf and the Pacific Councils agreed to assign somebody to them, to that work group, but I don't believe they identified a name yet, so presumably, they will let Gregg know who that is.

There was some discussion on Monday that there is a budget issue that a few people wanted to talk about and those are the folks that are listed up there and the plan is that we will come back. There is some question in my mind based on yesterday's presentation whether we still want that group to get together.

MR. WAUGH: Thank you. I think we do, but just at least to have some discussions between now and then and just a slight change, Mike was going to think about it and get back to me on whether he was going to participate. So I don't want to tag him, but Chris already committed to be on there.

MR. NIES: Chris Moore?

MR. WAUGH: Yes.

MR. NIES: Oh, okay. Sorry.

MR. WAUGH: And Chuck as well. So we -- and so Mike is still a question mark. He is checking to see.

MR. NIES: Yeah, I'm noting that on mine. Brian said put --

MR. WAUGH: And we haven't asked Terry. I don't know, Terry, if you want to participate in that? Okay.

MR. NIES: Another work group that we have that sort of blurs this line between Councils exchanging information and actual work group is the Habitat Work Group. These are primarily composed of the staff members at individual Councils who
work on habitat issues. That is currently chaired by Michelle Bachman, who is from the New England Fishery Management Council.

I think initially the Pacific Council was not participating in this, but either are now or is considering that they will now.

And kind of at the request of the Pacific, we put a short -- Michelle put together a short summary of what they are working on this year. So that is in the agenda item if you would like to look at it.

Of course last year the Habitat Group worked together and with the funding and assistance of the Fishery Service, they held an EFH Summit. There is at present no similar activity planned for this year. So at this stage, it's kind of a coordination exchanging information type. You can look at the document and see what they are working on.

Moving on, I'm not quite sure on the MRIP issue that was identified on the agenda before that was primarily raised by Gregg to look at alternative methods. I don't know if there is other people who want to be involved in that or not.

MR. WAUGH: I mentioned it to Doug a couple of times. They face the same issue, so I'm hopeful Doug will find someone who would participate.

And while I have the mike, if I could just go back up to the budget for a second?

MR. NIES: Yes.

MR. WAUGH: We had put Bob Beal on there as well.

MR. NIES: He is not a Member of the CCC.

MR. WAUGH: Right. So --

MR. NIES: I thought we were going to invite him.

MR. WAUGH: -- an ex-officio Member. Is that how we would do it?

MR. NIES: Sure.

MR. WAUGH: Okay.

MR. GREGORY: Despite being stubborn and joining, I just want to raise -- I do have a concern about the number of groups and I guess the thing that concerns me most is the say communication of social science. I mean, I can see us having an Economics Group. I can see us having
a Stock Assessment Group.

I mean, and we are trying to cut back
on the number of meetings we go to that aren't
absolutely necessary. So if some of these could
-- if we could just do them by webinar for the most
part, I would be comfortable. It's just things
seem to be proliferating, that's all.

MR. NIES: So this is -- let me back up.
This is kind of where -- well, I'll get into a couple
of things. I mean, I understand the point. This
is where the question of work group and just
Councils talking to each other comes up.

The Social Sciences Group really just
started out as, I think, six -- I'm not even sure
it was all the Councils. I think it was originally
like six or seven of the Council Social Sciences
people started having a conference call
periodically to compare notes.

And then eventually, it expanded a
little bit and they held a meeting out in Hawaii
and they, you know, did this once. But right now,
they mainly, I think, periodically have conference
calls.

The Communications Group, I'm not that
familiar with. I think it is a little bit more
formal. They have held a meeting at least twice.
They are tentatively planning another meeting next
year in Alaska based on their thing.

Those are the only ones that are going
on now.

My concern and some people know this
quite well is that, you know, I feel like if you
are going to have one of these groups actually do
something and hold a meeting to get together, that
ought to be at the tasking of the CCC. They
shouldn't just decide it is time -- they shouldn't
decide or one Council shouldn't just decide that
oh, let's have a meeting of this group and let's
plan a meeting, unless the CCC tasks them for it.

I don't know that every Council feels
that way, but that's kind of how I look at it. So
you know this year we had the Administrator's
Officers meet next door during this meeting, but
the way that worked is they were interested in
meeting, because they talk to each other once in
a while, and they got, I think, Mike, primarily at
the South Atlantic Council, talked to Gregg, Gregg
talked to me, we polled all you guys, do we want
to have the AOs meeting? They said yes. They put together an agenda. We at least sort of waved our hands and said the agenda looks good and then they met.

You know, I prefer that because then we have some control, Doug, over what you said about whether we really want to have a meeting and whether we think they are doing something productive.

The AOs will provide a report to us and our -- of what went on at this meeting at our May meeting, at least a written report. I'm not sure anybody will deliver it in-person.

So I don't know if that helps or hurts.

MR. GREGORY: Well, I respectfully contend that the AO has probably talked to each other more than we talked to each other.

MR. NIES: Right.

MR. GREGORY: And now we are having a meeting of the Deputy Directors. I mean, I just see this proliferating and all these back channel communications around among the Councils really without the EDs being involved or sometimes even knowing about the conversations.

MR. NIES: Well, this is -- I share that concern. I felt like the AO meeting in Key West was kind of sprang out of nowhere and so that's why this time when we planned the AO meeting, we first circulated and said, you know, let -- EDs do you want a meeting? And then the same thing with the Deputies meeting last fall, we said there has been some suggestion of a Deputies' meeting. Do the Executive Directors agree to that or not?

When I say Deputy or senior staff, not everybody has a Deputy. But I agree that -- I mean, I think we should exercise some control on how often these occur.

As far as I know, there hasn't been a Deputy's meeting in a long time, right? I'm looking at people who have been around a lot longer than I have. Chris?

MR. OLIVER: Just some general comments to follow-up on Doug.

I kind of agree with Doug and I think we need to be a little careful and a little clearer on what are CCC Work Groups and what are not.

And I recall the -- my recollection of the genesis of the Social Sciences Group was really that is not a -- it wasn't a creature of the CCC.
It was more a staff level initiative. And not that it shouldn't continue, but I think it -- I don't -- they are not reporting to the CCC.

When you talk about our Administrative Officers, they are meeting -- again, I don't see them as a -- it's not an AO Work Group of the CCC. It is a separate meeting that happens to be held be -- for largely some reasons of convenience and overlapping issues. But it's not, and correct me if I'm wrong, as if they are reporting to the CCC in terms of the CCC having to take some formal collective CCC action in response to that report.

So maybe that's an important nuance. But I see them as not a work group of the CCC. They just happen to be meeting in conjunction this time, but as Doug pointed out, they talk a lot more than that on the side.

And so it's kind of like the Social Sciences Group, I don't see those as CCC Work Groups. And I just think we should be clear what is a work group of the CCC that is comprised of Members, primarily of Members of the CCC. Thanks.

ACTING CHAIR STOCKWELL: Gregg?

MR. WAUGH: Thank you, Mr. Chairman. Yeah, and I don't disagree with anything Chris said. But, to me, I think coming back to Tom's comment, we -- the Executive Directors need to be involved, be in contact with our Chairs and Vice Chairs, because all of this involves expending funds and we need to be involved and know what is going on before we commit resources to it.

And the Administrative Officers, I would agree, they are not a CCC Work Group, but they may bring items that the CCC needs to address.

And it just seems to me before any group meets, it should be coordinated through the EDs and we should get a report back, a written report, so we know what went on. And then if there are any action items coming out of that, then they can be bumped up for us to take action.

But I agree, we need to separate what are CCC Work Groups and then what are other groups that get together periodically.

ACTING CHAIR STOCKWELL: Chris?

MR. OLIVER: I think that your point is a good point regardless of whether they are CCC Work Groups or staff work groups. I know, you know, my staff doesn't travel with the Social Science or
Communications Groups without some travel approval through myself or the Deputy Director, so we are typically somewhat in the loop on that anyway.

MR. GREGORY: I speak for Tom. I think what happened in the past is a group will get together, staff had arranged a meeting or planned a meeting and then they go to the ED and go well, you know, we have all agreed that we are going to have this meeting. Is it okay if I can go, you know? Well, you don't want your staff to be the only one not going.

So I'm taking care of that at my end, but it seems like a common problem, because I remember the comments you had in the past about the AO meeting. I think the first communication meeting kind of sprung up on us and it might at times put us in a bind.

ACTING CHAIR STOCKWELL: Kitty?

MS. SIMONDS: Well, I thought -- I mean, in the past when we also had ESA groups, we had MSA groups. But didn't we all -- all the Executive Directors had to agree to it and if they didn't, we kind of, those of us who wanted these groups to have meetings, talked people into having one.

But you know, I -- like him, I have to approve these things before I -- you know, they will ask me about it. See the Communications Group, which is -- I mean, I consider it a good group. They are the ones who come up with documents. They did a great 40-year history last year.

And so actually we hosted them last year to work on that 40-year history. But it should -- I mean, we should -- the Executive Director should all agree to this before, you know, it is communicated to the staff.

And it depends like for us, I think we called that Communications Group together and if I didn't ask you all, I apologize after the fact, but I am sure that I brought it up because I think I brought it up this time, too, about why we wanted to have a webinar and that was really to look at that 30,000 foot whatever. But starting at wherever each Council -- whatever they could think of for the five issues and all that, because I thought it was important that we should do that.

And so yeah, so maybe it's just the way everybody communicates with their staff or their
staff communications with -- you know, I know somebody didn't pay last year that I paid for. Was it you? Anyway, so it is an issue with some Councils.

But -- and as I said, if everybody agrees and some people can't pay for theirs, I pay for it because I think it is very important.

ACTING CHAIR STOCKWELL: Tom?

MR. NIES: So well, you know, I preface this by saying I don't consider all of these working groups and I don't. I mean, to be honest, the only one that I -- up there that right now that personally I consider a work group is the Legislative Work Group.

However, last year, everyone started referring to the Habitat Work Group as a work group, so, you know, that's why I added that. I look at the budget really is CCC Members saying we are going to bring back information for this and the same with the MRIP point.

Social Sciences, I view as staff-to-staff interaction.

The Communications Group is, frankly, one that give me a lot of heartburn because while I think the Communications Group is important, I find that the group tends to charge down roads before they have checked to see whether we want to go down that road.

And, you know, my staff and others have spent a lot of time preparing background documents that, you know, I'm not sure we really wanted to prepare, you know, because they feel obligated that they are committed to working with this group and so they feel committed to sharing that information.

So you know, Gregg and I have talked about this. Not to put him on the spot, we have talked about this a little bit. I mean, this is kind of why, you know, I floated out the idea that, you know, if these groups are actually going to meet or actually work on a joint product or something, the EDs ought to be involved at an early stage saying yeah, this is something we want you to do, you know, before they start spending their time on it.

Because I find with my staff, once they get involved in a group like this, they feel committed to it. And if, you know, the group starts going, they start contributing to it. You
know, now it's great for me to say -- you know, I used the last Communications Group meeting, I said no, we are not going to out there, you know? And then the next thing I know everybody is beating up on me and my staff members saying why aren't you guys participating? And eventually I caved, you know, and I paid for it, Kitty.

MS. SIMONDS: Well, I think I offered and then I said well then why don't we meet in Denver if people don't want to come to Hawaii, you know. I think we did support that meeting though for a number of things.

But you are right about the EDs, you know, knowing about things. Like for example, I think some of the things that the Communications Group talked about was in terms of getting out stuff to the new Administration is for us to talk about, but we can talk -- we are going to do this all in May.

But like to talk about should we have another managing our nation's fisheries? You know, those kinds of things because that's important. A document is important, but, right, I think that it should come from us. They can like talk to us about things and then we should have more -- we used to have a lot of teleconferences, you know, right, in the past. Maybe once a month we would all get on the phone and talk to each other about our issues, complain about NMFS, you know, asking for money, but that doesn't happen. It hasn't happened that way for over the last several years. Everybody has sort of gone their own way. So we should be communicating often, then we wouldn't have these problems.

ACTING CHAIR STOCKWELL: Chris?

MR. OLIVER: When you say we should be communicating, Kitty, I'm sorry to belabor it, but you mean the EDs --

MS. SIMONDS: If there is something --

MR. OLIVER: -- or do you mean the CCC?

MS. SIMONDS: No.

MR. OLIVER: Back to we should be separate. What are CCC Work Groups that are comprised primarily of CCC Members, rather than staff?

MS. SIMONDS: Yes, yeah.

MR. OLIVER: Thanks.

MS. SIMONDS: I'm talking about the
EDs. We should be talking about things that we think are important that we might want to see happen, so and I don't know if you are saying that. Okay. Say we EDs agree that we should have a month, then we go to the chairs and ask them what they think for something like that, you know? And then we go to NMFS and ask them for money, if we all agree.

So I don't know. There are different levels. It just depends on what it is, you know.

ACTING CHAIR STOCKWELL: Doug?

MR. GREGORY: Yeah. And I question how long habitat will go forward. You know, when I first got here it was planning the Summit and that was done and it was very successful. And of all the things we address at the Council, habitat is not the major thing we address. It's more like status determination criteria, ACLs. So much like we form ad hoc advisory panels, I think maybe some of these things should have a sunset date or purposefully think of them not extending on in perpetuity.

ACTING CHAIR STOCKWELL: Tom?

MR. NIES: So I have found that at times it is quite productive for the staff to talk to each other about how they do their jobs, you know, and share information. Habitat is one of those, I think, in part because of some conversations at habitat and in part because of some people who move from one coast to the next.

There has been some pretty extensive development of a tool that is used to evaluate habitat, so it is now being used, I think, potentially in the Mid-Atlantic region, the Mid-Atlantic Council areas, I believe. It was developed in New England I think it has been used in the North Pacific as well or is being used up there.

So, you know, I think these informal contacts, I don't want to necessarily discourage informal contacts, I just want to make sure that they don't get out of hand.

Now, habitat started out as informal contact between the staffs. They were basically getting on a conference call periodically and sharing information. It potentially has expanded from that, but I think this year really all they are planning to do is conference calls right now.
where they coordinate. There is a little summary on the webpage about what is planned for this year.

So I don't know if it's a good idea to, you know, squelch these sort of informal contacts between Councils.

MR. GREGORY: If I may, I'm sorry, I didn't mean to go that far, but do we really continue it as a work group, a formal work group of the CCC?

MR. NIES: Well, I'm perfectly happy to go back and tell them you are not a work group any more, but does anybody have a better name, I mean?

ACTING CHAIR STOCKWELL: Michelle?

MS. DUVAL: So I don't -- I mean, just looking at this slide that is up here on the screen, I mean, I certainly don't see, you know, any of the communications amongst those of us who have some concerns and topics of discussion with regard to MRIP that we would like to follow-up on. I don't see that being -- that's not a work group.

That's just, I think, to let everybody know that hey, this is one of the follow-up topics of conversation that is going to occur informally amongst, you know, those Councils for whom this is an item of interest between now and the May meeting. And you know, if we have any type of progress or new information to report to the CCC that other folks could benefit from, then we will go ahead and do that.

But I don't see this notice of MRIP up here as being a work group. I see this slide is just like encapsulating here is the conversations that we have had. I see one work group up there really it seems like, and that's the Legislative Work Group, because it seems to me like budget is maybe not necessarily a work group.

We haven't come up with a task. I don't know. Maybe I missed something in there.

MR. NIES: Okay. That's exactly how I intended this slide, that this is just, you know, what is coming out of this meeting that we are following up on.

And you know, people asked, you know, what is going on? So that's why I summarized the Social Sciences and the Communications Group, too.

UNIDENTIFIED SPEAKER: Why don't you move to the next slide?

MR. NIES: Brian, turn the page. Oh,
okay, so I'm not going to give you a whole lot of
details, because I have found that people don't
remember the details, so we will send an email
later.

Our plan is for the May CCC meeting, as
it is going to be held in Gloucester at the Beauport
Hotel, I think you will like it. It's a relatively
new hotel. It's about a year old right on the
waterfront. It is right near the working
waterfront in Gloucester. In fact, one of the fish
piers is pretty much across the street.

So it will be nice, I think, to have the
CCC at a working port. May is not a big month in
Gloucester right now for fisheries, but it will
still be nice to be there.

We plan to send the details out in an
email to everyone in mid-March. Then we will send
them to NMFS in the mid-April, I think, I promised
Emily that.

The social events, we are hoping for
two. Right now, we are planning a dinner cruise
with a lobster bake on board on Tuesday night, I
think. And then a cocktail reception at the Cape
Ann Museum on Wednesday night.

We will have a sign-up for that. There
will be -- here, obviously, will get charged for
those meetings and we will probably need you to
confirm and provide your check probably by roughly
mid-April, maybe the third week of April, so a
couple of weeks before the meeting.

There is one question I had. You know,
in the past some of these CCC meetings have been
a full three days: Tuesday, Wednesday and
Thursday. I think more recently they have been a
little shorter than that.

So we don't have a full agenda figured
out yet, but I'm tentatively thinking that perhaps
the way to proceed, and I'm looking for some
feedback here, this is the week of Mother's Day,
which is the 14th of May this year, also my 40th
anniversary, so if I can avoid traveling on that
day, that would be a good thing.

So what my thought was is Monday a
travel day. Have our pre-CCC meeting Tuesday
morning and then convene the full-fledged CCC
starting Tuesday afternoon and then run it until
sometime on Thursday, depending on what the agenda
looks like, either until, you know, early Thursday
afternoon or Thursday late afternoon, but anyway end on Thursday afternoon.

So at most it would be a two and a half day business meeting of the CCC. But if people think the agenda is going to fill up, then, you know, I'm perfectly willing to back up and have our pre-meeting Monday afternoon and go from there.

So I'm interested in some feedback. What -- and hold that thought because if Brian moves to, I think, the next page, this is kind of what we have for the agenda so far. A couple of these items are sort of standard.

The only one I have added is a Council issues round-robin, which we might want to do if new NMFS leadership is in place. We may not need to do it if they are not there and I guess depending who the leadership is.

We had asked for a legislative outlook. I think it will just be an update. The Legislative Working Group, I think, is planning a report for this meeting as well.

We had asked NOAA GC for an overview of recent legal actions. They were sort of willing to do it this meeting, but suggested maybe May might be a better time for that. I believe they also plan to come back and talk about the Conflict of Interest report.

We will certainly need some sort of update on BSIA.

I'm not quite sure about the Stock Assessment Improvement Plan, whether we will need an update on that.

There is a placeholder for the National Standard 1 Guidelines discussion. I think that depends in part on how much information we get from the Agency between now and the May meeting.

And then the item that we talked about a few minutes ago or this morning was the MRIP discussion would be on there.

This is what I have so far. The Agency really hasn't had a chance to think about what they may want to bring to this meeting, so there has nothing been added there.

But my opinion is that, you know, it looks like we could -- probably, you know, a two and a half day meeting might be sufficient for us.

ACTING CHAIR STOCKWELL: Feedback for Tom? Chris?
MR. PHILLIPS: It may be, Tom, and I guess I suspect there will be other agenda items that come up between now and then that will get added. I would just ask that you don't shorten it any more than two and a half days, because I think if, you know, we -- this one -- this meeting may be -- ended up being close to two days, two and a half might be short.

I mean, we -- that's a long way to travel for a short meeting, so I would ask that we leave open the option of the Council only meeting on Monday afternoon. Maybe we can get by with doing it Tuesday morning and then have two and a half days of meeting, but I would just ask that we plan on a full two and a half days at least.

MS. SIMONDS: I agree. Make an impression.

MR. NIES: Okay. I mean, if it's the preference, we will go ahead and continue to plan the pre-meeting on Monday afternoon and that way if we go all the way to Thursday afternoon, we have had our full three days and, you know, we can fiddle with the agenda, I suppose. And if it doesn't go a full three days, leave earlier Thursday afternoon. If that's what people prefer, that's what we can do. I don't know if the Agency has a preference.

ACTING CHAIR STOCKWELL: Sound good to everybody? I see nodding heads, Tom, so it looks like Monday afternoon it is.

MR. NIES: Okay. And one last item. If you look at the other business, there is a short draft agenda for the Deputy Director senior staff meeting. If anybody has anything they want to add to that, it's probably easiest to email it to me, because I probably won't write it down and remember it now.

But this is just some of the topics that they are thinking of. They will probably sit in on a number of our sessions, too, so it doesn't fill a full three days, because they plan to move back and forth between it.

ACTING CHAIR STOCKWELL: Chuck?

MR. TRACEY: Thank you. Just a question on the Deputy meeting. Is there a plan to have them report to the full CCC or not?

MR. NIES: Yes.

MR. TRACEY: Okay.
MR. NIES: Yes, there is. I haven't actually talked to Chris Kellogg and figured out whether we would do it at the end of this meeting, which would probably be the best thing rather than wait, you know, 10 months to do it, but, you know, we will have them report.

MR. TRACEY: I guess I would also as far as the agenda goes, I would like to provide another update on the SCS meeting as well, which, by the way, is a CCC Work Group or a subcommittee as spelled out in the terms of reference.

ACTING CHAIR STOCKWELL: Gregg?

MR. WAUGH: Tom, back on the agenda for the next meeting, we had also talked about concerns about the level of funding for Fishery-Independent Data Programs and we were going to ask NOAA for some guidance on what might be available in the future or not available in the future.

MR. NIES: Okay. Would that be something you guys would want to cover in the management and budget update or would you want to do it, since it's more specific-related to science? I mean, we can work that out later, I suppose.

MR. WAUGH: We'll work it out. We'll figure it out.

MR. NIES: Okay.

ACTING CHAIR STOCKWELL: Chris?

MR. OLIVER: Just in the interest of trying to make this meeting last all afternoon here today, the -- can you go back to the Deputy meeting issue and the AO meeting issue again? Because I know we talked earlier about having a report from the AO in May.

Does that mean there is going to be another AO meeting in conjunction with the CCC meeting?

And then secondly, if the Deputies are meeting, what is that meeting about? I guess, I'm out of the loop on that because my Deputy typically attends every meeting anyway. And so what are they discussing and reporting to the CCC on?

MR. NIES: So in answering your first question, no, there is not another AO meeting.

Mike Collins, who works for the South Atlantic Council, has agreed to prepare a short written summary of any topics they discussed highlighting anything that they really think we may need to take action on or want to bring to our
attention.

And he will provide that. I suspect that Gregg will wind up delivering it, because my AO is out on medical leave, so she wasn't here and she won't be at that meeting either.

With respect to the Deputies' meeting, the agenda is -- that has been pieced together by a couple of the Deputies is on the board. They want to talk about, I guess what I would say is, what I would generically call, internal management issues, right, to see how other Councils are doing things and compare notes.

You know, how we work on NEPA documents, how we work with the external agencies. You know, there is a wide -- I get the impression there is a wide variation on how well documents move through some regions. So are there things we can learn from the Councils where it goes well that we can share with the Councils where it doesn't go well?

You know, some of that may be based on what the Councils do. Some of it may be based on what the regional offices do.

They want to talk a little bit about staff management and development. In fact, quite a bit on staff management and development.

ACTING CHAIR STOCKWELL: Further feedback for Tom?

Seeing none, we are coming to the end of our business. Is there any further business before the CCC?

Seeing none, before we adjourn, I want to thank Brian very much and staff. You have done a yeoman's job.

(Applause)

ACTING CHAIR STOCKWELL: And appreciate a lot of good hard work the last couple of days. We will see you all in Gloucester in beautiful May. Bring your coats.

This meeting is adjourned.

(Whereupon, the above-entitled matter was concluded at 2:20 p.m.)