

UNITED STATES DEPARTMENT OF COMMERCE  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

COUNCIL COORDINATION COMMITTEE MEETING  
(Via Webex)

Silver Spring, Maryland  
Wednesday, May 28, 2020

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2 Attendees:

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5 Caribbean

6 MARCOS HANKE  
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7 MIGUEL A. ROLON  
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12 DALE DIAZ  
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15 CHRIS MOORE  
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16 MIKE LUISI  
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19 DR. JOHN QUINN  
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## 1 P R O C E E D I N G S

2 (1:50 p.m.)

3 MR. SOLIAI: Good morning everyone, good  
4 afternoon, good evening, wherever you may be.  
5 Welcome to the second day of our May CCC Meeting.  
6 I hope everybody had a good rest. I apologize, I  
7 had to leave yesterday because I still had to go  
8 to work while all of you were partying up. So I  
9 figure I'll have a good day today.

10 So we'll start where we left off  
11 yesterday. Yesterday we completed the public  
12 comment to Item Number 6 on our agenda. Do we  
13 have recommendations ready from yesterday?

14 MS. SIMONDS: Archie, no, we're taking  
15 them at the end of the day. Thank you.

16 MR. SOLIAI: Okay. All right. We'll  
17 move on with Management and Budget update, and  
18 Brian Pawlak.

19 MR. PAWLAK: Thank you. Everyone, this  
20 is Brian Pawlak speaking. I assume that folks can  
21 hear me? It kind of cleared up a little, now it's  
22 coming in loud and clear.



1           I think Nicholas is going to help with  
2           the presentation for me here. And I'm going to  
3           ask him to advance slides when I'm ready to go.  
4           So if there are any awkward pauses, I might be  
5           clicking back and forth through my screens instead  
6           of looking at the present slide as well.

7           I appreciate the invitation to come talk  
8           to this group again. Let's do it. With this  
9           presentation I give a couple (inaudible) this  
10          group. But I walk through the (inaudible) where  
11          we are in the budget process. Probably most  
12          interest and most specific to this group is at the  
13          slide toward the end here, we'll talk about where  
14          our council budgets and where we sit with the  
15          current active budget, or more specifically the  
16          President's budget as well.

17          So again, glad to be here, glad to take  
18          questions at the end, I think that's the format.  
19          We'll take questions from Watson at the end of the  
20          meeting.

21          So I think if you go onto the next  
22          slide, Nicholas. As I said, we'll look at FY20

1 where we're already enacted. We'll look back and  
2 address some of the things we discussed last  
3 meeting when we talked about characterizing and  
4 putting into the grafts some of the budget lines  
5 in a more simple format than that's involved and  
6 running to an FY21 project request and actually  
7 rolls up, you know, the different budget lines you  
8 got that we are all considering as base budget.  
9 That rolls that up into the President's budget to  
10 a singular budget line with the Councils  
11 commissioned budget line. So we'll get to that in  
12 some detail as well.

13 Ready to go to the next slide. And as I  
14 typically do, some background here just on the  
15 type of budget process. I know it's not something  
16 everyone lives every day so we'll walk through  
17 just a bit of how the whole process works and the  
18 schedule and where we are.

19 I did have a chance to talk to a number  
20 of the Executive Directors two months ago and we  
21 got into some details on the President's budget.  
22 Glad to go over those all again for the larger

1 crowd here. But hopefully this should go  
2 smoother, since we did walk through that some. I  
3 think still this framing can help how the budget  
4 works, budget cycle, budget process here.

5 Just flagging where we are now, so start  
6 on the right hand with the green writing here  
7 which is the waiting for Congressional marks on  
8 FY20/21. So that's where we are right now.  
9 Congress has actively considering the '21 budget.  
10 A lot of communication back and forth between the  
11 Hill and the agency on questions and answers and  
12 we're obviously fast working to put together a  
13 budget proposal for this year.

14 But that typically does for us in the  
15 spring and summer months, it gives a signal for  
16 what might get enacted, a very strong signal from  
17 the house and a set of marks that are typically  
18 concluded by the end of summer, usually a pretty  
19 strong indication of where the (inaudible) enacted  
20 is. That's probably not final until it is  
21 enacted, but it gives us a chance to plan and  
22 communicate with Congress between any House or

1 Senate markup between now and their final markup  
2 and potentially make changes and adjustments and  
3 input to Congress on what the impact might be in  
4 any particular proposal.

5           You know, I started here on the  
6 right-hand side which is waiting for congressional  
7 markups. Let's zoom all the way back over to the  
8 left-hand side of the slide here where October, as  
9 most people know, is the start of our fiscal year,  
10 beginning in October, 2019.

11           We are under CR, a couple CRs first  
12 quarter. First CR, sorry, CR for those continuing  
13 resolution, so authority to operate without a full  
14 budget from Congress. And we ended up with an  
15 enacted budget December 20th, so that was pretty  
16 good for us this year. It was at least earlier  
17 than many years in the past.

18           And for those not familiar with the  
19 budget process, we have the CRs extend all the way  
20 into March and April before we get the money from  
21 Congress. And for all of us work we can make  
22 decisions, so we're glad to see at least we got it

1 in the first quarter.

2 And even under the CR, I think good news  
3 for us, at least a success story that I credit my  
4 grants team for, we were able to do a lot of the  
5 grants, execution of the Councils early, start  
6 that process early and get a lot of the awards  
7 made regardless of the CR. In the years past,  
8 it's been good for a while now. We often had to  
9 wait until the CRs were completed and marked after  
10 that so we can get awards out. We're doing much  
11 better than that across the board the last couple  
12 of years, and I think this year early we got 100%  
13 of the first year in new awards out the door in a  
14 pretty timely fashion.

15 Let's look at the calendar again. The  
16 President's budget release in February, talk about  
17 that briefly. See where we are in just a fixed  
18 schedule there with the check is going to point to  
19 the highlight where we are. And we're already  
20 starting to talk with, generally, with, you know,  
21 budget FY22. But those conversations obviously  
22 remain kind of administratively confidential until

1 we get a chance to release the President's budget.  
2 So we should be involved in two, if not three,  
3 budget years at any time in the budget talks.

4 Go to the next slide. I think a couple  
5 of things might be missing there. Thank you, it  
6 was cut off at first. So this is just a big  
7 highlight graphical display of where we are in the  
8 FY20 active budget. The active budget looks quite  
9 strong for us and close to \$950 million. We can  
10 get an active budget as characterized by this  
11 illustration and illustration proposals. Active  
12 budgets continue to be way above and beyond the  
13 President's budget request. The trend is actually  
14 increasing every year so money was getting from  
15 Congress is a strong signal for our organization,  
16 for our activities.

17 The graphics on the front of the page  
18 there, you can just see the different program  
19 areas, protective resources, fishery signs and  
20 management, enforcement, and habitat conversation.  
21 Slight increases in all of those areas we have  
22 each year. And that's generally good news for

1 fisheries. A number of these increases do come  
2 with what we're seeing in an increase in  
3 congressionally directed language, either  
4 suggestions or direct "you shall" language for how  
5 we spend some of this money. So we don't have  
6 flexibility to route all this money as we choose,  
7 we find ourselves influenced by Congress. So  
8 overall good picture of the general trend of what  
9 was going on with our budget, particularly in  
10 light of some other happenings we see is bearing  
11 across the government in the past few years.

12 Next slide. This is just a reference  
13 slide really. We noted the President's budget,  
14 even though it's in February now, the Blue Book,  
15 if you're not familiar with our process, is a  
16 document that characterizes all the NOAA level  
17 budgets at a pretty high level, a pretty high  
18 summary level, goes into a lot of details,  
19 probably not going to get it here. But this is  
20 just a reference page pointing to this if you need  
21 it, a little bit overtaken by time and events  
22 here. It's been out for a while but just

1 reference it here if you need it.

2           Go to the next slide. I'd like to show  
3 this slide just for no official reason, it's  
4 within the NOAA budget. We go from the 18 percent  
5 of the total budget, just flag it because as we're  
6 always talking about it's within the Council  
7 funding and being with the NOAA fisheries. We are  
8 obviously within (inaudible) lots of  
9 considerations for (inaudible) by hitting ceilings  
10 and hitting (inaudible) ceiling. And this is  
11 close to \$5 billion number here for NOAA. We're  
12 part of that, we're part of that community, part  
13 of that group. Any considerations we have in  
14 budgeting have been made in the light of NOAA and  
15 the other groups that obviously participate as  
16 this chart depicts. And it's obviously coming  
17 more and more apparent even this year without some  
18 of the white ships sailing, we're highly dependent  
19 on OMAO and the funding they receive for us to  
20 operate our surveillance platforms.

21           Next slide. You get here just a glance  
22 again, a visual snapshot of where we sit in our



1 budgeting and how it's spent for the past years.  
2 But we're here just depicting kind of the level of  
3 funding across the different years but in 2018  
4 enacted, 2019 enacted, 2020 enacted, to the 2021  
5 present budget request, so not enacted. So you  
6 can see across the board there where some changes  
7 have been made. But fishery disaster mitigation  
8 fund, a couple of years of that provided by  
9 Congress, that was not provided in '20 enacted  
10 budget for starting preparations. We obviously  
11 received some other disaster funding, but not this  
12 Corps- based program.

13           Again, the President's budget largely  
14 focuses on eliminating grant programs overall for  
15 fisheries, roughly \$100 million, \$110 million  
16 reduction in the President's budget compared to  
17 enacted. And you can see just that the Pacific  
18 Coast Salmon Recovery budget here, the orange bar,  
19 that's one of the large grant programs hit and  
20 used to meet the President's budget, fielding  
21 requests in the President's budget process. And  
22 as well as enforcement, you can see the same there

1 in the blue. We are still are (inaudible)  
2 enforcement cooperative agreement program, but  
3 that has not been accepted by Congress in any of  
4 the past years of proposals.

5 In this particular snapshot here and I  
6 think we can go through this slide. Nicholas, it  
7 might be a little further, I think you can pick up  
8 where we get House marks and Senate marks until we  
9 get an enacted budget. It is here just depicting  
10 where we had some problems with language which no  
11 longer exists. I just flag it here because I know  
12 there's a couple questions via email from the  
13 Council Chairs and executives that was in fact  
14 sustainable fisheries, on this particular  
15 language. So the House marked 2020, so house  
16 marked basically the draft of budget or initial  
17 budget proposal from the house side. It had this  
18 language regarding issues to ecosystem plans, and  
19 it provided this funding, or referenced this  
20 funding and (inaudible). The big red X here is  
21 obviously crossed zeros, that that language did  
22 not make it into the final budget.

1           There's one remaining, conference  
2 reports and the final budget. But what was  
3 changed in the language was the big green check  
4 box here next to the language that it retained.  
5 The committee encourages NOAA to work in an open  
6 and collaborative way with states during actions  
7 that effect state waters, pretty generic  
8 statement.

9           So this flag here, I have no questions,  
10 although the last couple months regarding this.  
11 I'm just flagging more directly, you know this  
12 250K is not available, it was part of the  
13 allocation process since this language did not  
14 sustain itself in the final budget. The language,  
15 as with the big green check marks here, indicates  
16 it did sustain itself.

17           And the Senate marked language, this did  
18 get retained in the final budget that was an  
19 existing mark which just points to prior changing  
20 work. And again, pretty generic statement and I  
21 don't think any direct specific acts in here as  
22 some of our shell items would be. I think it's

1 just an encouragement statement of an approach  
2 that I think we all, you guys already undertake.  
3 So that's a rough single pass presentation, but we  
4 had this language just come up that we discussed  
5 before.

6 Next slide please. All right. So this  
7 is probably more the substance of what everyone is  
8 interested in and focused on is the 2020 Council  
9 funding. So this would be enacted funding in  
10 2020. As you can see, we still have an FY20, the  
11 Regional Council's issues and commission budget  
12 line of PPA. This is the presentation here is  
13 only for the regional Council's portion. You can  
14 see the '19 levels that is the first of like 20  
15 spend line levels in the second column and the net  
16 breakout across all of the Council's pretty  
17 standard display of what we've been presenting  
18 before for the Council's budget. Again, small but  
19 slight increase in '20.

20 The Fisheries Management Program PPA,  
21 look at the left-hand side of your screen, second  
22 row. This is the place where we talked last

1 meeting, where you see Councils received a regular  
2 upgrade for a good 10 years, 15 years of regular  
3 appropriations, or regular allocation of  
4 (inaudible) management budget lines. Not the  
5 Council ones, not the line above it. As we  
6 discussed last meeting, the Fisheries Management  
7 Program that services PPA, it will grow, was  
8 comprised of a number of different things, four or  
9 five different things that were based on  
10 decisions, some a decade ago.

11           With FY20, we talked about, as Chris  
12 Oliver likes to call them, like the phrase he  
13 uses, the crumbs. Scoop those the crumbs display  
14 them in here into one budget line, and your grant  
15 awards I think hopefully reflected the fact that  
16 it was one budget line and not all the disparity  
17 for much of the lines that used to have it here.  
18 And that was for FY20, it shows FY20 amounts.  
19 Similarly this is data collection surveys and  
20 assessments, PPA. There's a portion of the  
21 funding from that budget line, below, of 11,000 or  
22 12,000. It's typically gone directly to the

1 Council as displayed here. And then FY20 if we  
2 retain that affinity to the budget line, the  
3 appropriated lines, but do a little bit of rolling  
4 up and cleaning up to keep it simplified with the  
5 grant awards. We'll talk about it in a couple of  
6 slides here, the FY21 one President's budget, we  
7 go a step further and roll all of these lines and  
8 the amounts, the dollar amounts as well into the  
9 larger regional Councils' line and basically  
10 solidified that as your base in the FY21 budget.

11 Can you go on to the next slide, please?

12 So the display here is just showing the  
13 supplemental PPAs, or the crumbs, the differing  
14 levels of funding that you've got from this  
15 management program lines in the orange, the orange  
16 part of the bar graph there. This is the Fish  
17 Management Program and Services that was  
18 (inaudible). A peer review analysis I think was  
19 kind of some of the things that were had in the  
20 other categories of funding. The right green  
21 line, the very bottom line, the stock assessment  
22 line, so just like the table above, it's the same

1 display of information but puts it in a bar graph  
2 form.

3 (Inaudible) 15. We talked about  
4 this before, is the amount of  
5 funding received in extra funding  
6 outside the fisheries Councils'  
7 base, has largely been static,  
8 remain the same. But we have the  
9 one drop up there in '18,  
10 activating Chris Oliver's input,  
11 what are you doing, would be more  
12 to the rate of streamlining effort.

13 So largely that number has been the  
14 same, it's stood that way for a number of years.  
15 Our decision was to roll that into your base and  
16 give you flexibility on how you manage that as the  
17 basic as this was static, it's that much in mind  
18 with the consistency if you get it. And it just  
19 gives you some accounting for one, and gives you  
20 more flexibility in spending there. You can step  
21 away from the exact uses you were, which they  
22 provided this money for in 2014 or even closer. I

1 think the next slide will show that even a little  
2 bit more.

3           Go on. So here you've got the same  
4 information largely displayed similarly but rolled  
5 back and now we're including the Regional Councils  
6 Fisheries' Commissions budget line, again the  
7 combined budget line Council commissions. Up  
8 above where your portion comes from. So this is  
9 the budget line, this is the line that Congress  
10 puts money into between Councils and fish  
11 commissions, and councils comes out as a portion  
12 of that is explained in previous slides. So  
13 enacted budget later on \$40 million, the  
14 President's budget for that budget line in total,  
15 we're looking at \$40 million. But if you drop one  
16 line below, that top line to the Regional  
17 Councils' line, you'll see what we're requesting  
18 in the President's budget is \$33 million, 33.9  
19 million, an increase of the FY20 enacted. You can  
20 see to the right in the gray column, that increase  
21 is just shy of a \$6 million increase for Regional  
22 Councils.



1           And next line I will walk through that  
2     in detail what -- go back, go back. I'll walk  
3     through that in detail of what that \$5.9 million  
4     increase is. The next slide. Just swaging what  
5     can cause confusion when you go to the Blue Book,  
6     when you hear about the Council and Fishery  
7     Commission's budget line, you have got to remember  
8     that the display in some of the appropriated  
9     documentation is the line that contains Fishery  
10    Commissions and Councils, as we're often talking  
11    about just the Councils' portion. That can throw  
12    people off.

13           And you see how we get to our number  
14    here. We have Regional Councils, this top flat  
15    line for the Councils. Somewhere we get the  
16    headroom for that is the back off of the enacted  
17    amount, the amount that Congress gave fish  
18    commissions, interstate fish commissions. And we  
19    reduced that in the President budget and are able  
20    to get some room in Regional Councils,  
21    Commission's overall budget line.

22           A good part of the story line here

1     though is the President's budget is asking for  
2     Regional Councils to take the last year's  
3     President's budget and compare to enacted. It's a  
4     strong statement but Regional Councils, I think  
5     they're good statements, a strong statement but  
6     also a good statement in the President's budget is  
7     the President's budget request for Commissions and  
8     Councils', I'm sorry, Commissions and interstate  
9     commissions is more than the President's budget  
10    has been in the past, still shy of enacted but  
11    it's still a statement of support for the  
12    commissions that I think it's closest to an  
13    enacted budget.

14             Thank you. Can I have the next slide?  
15    I want to spend a little time to show how we build  
16    Regional Councils' budget that you just saw at  
17    this point. And now this is just now coming down  
18    to you guys since the Councils' budget line is no  
19    longer the Commission budget line. So you see  
20    what we have here, we have an FY20 enacted budget  
21    27.9 million. What we have done in the '21  
22    President's budget is we've asked for a technical

1 adjustment, 4.85 million. This is basically the  
2 crumbs, this is the miscellaneous items we have,  
3 our fish national programs rolled up and asked to  
4 be placed, taken out of those budget lines and put  
5 into this budget line. And although this  
6 parenthetical statement here, right here, this  
7 45.1 blue, says budget neutral. This is budget  
8 neutral but we also added about 4 percent to that  
9 number to cover for any inflationary costs or  
10 increases like that that that might happen over  
11 the years. This is even a little more than just a  
12 budget neutral, so called. So in addition to that  
13 technical adjustment which includes a spike from  
14 the actuals, we also had room to ask for basically  
15 1.1 million, and that comes from placing  
16 consideration for end program adjustments.

17 We come to the next slide. I know this  
18 gets quite detailed, and we can take questions  
19 after this about it, these tables are a bit  
20 confusing. They're confusing for me and I look  
21 probably every other day. So effectively it looks  
22 like the FY21 proposals are the same numbers

1 presented possibly in the same way. You have your  
2 Regional Councils budget line, very top number  
3 there in the left-hand corner. (inaudible)  
4 allocation for 33.8 million. What that's  
5 comprised of in the space of just showing you,  
6 we've rolled up stock adjustment support that was  
7 in the past, computer new support of the past, and  
8 that is rolled up into the top line numbers for  
9 the Councils.

10 And one reason I display it this way is  
11 the Executive Directors had asked, they still want  
12 to keep (inaudible) allocation on this, an  
13 allocation process that (inaudible) formula, one  
14 that over the lifetime type year between the  
15 (inaudible) fisheries. So the formula will remain  
16 in effect, it is my understanding is the desire of  
17 the Council, for the base funding for the  
18 Commission, Council on Commissions and Council  
19 line. But right now the desire, at least in the  
20 immediate year, is to keep the allocation as it  
21 was distributed, stock assessments or peer review  
22 support.

1 (Inaudible) showing it here to the  
2 present where that money comes  
3 from. You got the bottom couple  
4 rows here you see that's just kind  
5 of faded out right here, because  
6 that actually depicts what's  
7 getting rolled up in those budget  
8 lines. You'll no longer see from  
9 those budget lines an allocation to  
10 your  
11 (inaudible) that should be in the  
12 President's budget accepted, that  
13 will be in the Councils' budget  
14 line.

15 Next slide. This is what it looks like  
16 when it's cleaned up. This is it cleaned up a  
17 little bit more, basically the same table as you  
18 saw before, it's just a little cleaner with  
19 showing a display of kind of budget lines are just  
20 clearing so we have FY21 budget of 33.8 million.  
21 You can still see the support for stock systems  
22 and peer review support which will come out of

1 that top budget line but allocated a bit  
2 differently than the formula based approach, is my  
3 understanding and desire from the Executive  
4 Directors. Again, some of this I'm just showing  
5 it cleaned up a little bit.

6 Next slide, please. Kind of summing up  
7 here, winding down here. The present budget  
8 reflects strong support for the Councils. You've  
9 got some programmatic increases here in the 1.1  
10 million there that was there. You've also got a  
11 simplified budget structure including the  
12 technical HEV and that allows us for a little bit  
13 of inflationary increases in that. And I think  
14 given particularly when you saw in those earlier  
15 graphs of the reduction that you've seen to other  
16 parts of fisheries, a strong statement of support  
17 here for the Councils from the President's budget  
18 and increases that we received from the Hill as  
19 well which showed strong support for the that as  
20 well.

21 Next slide. Again, just showing what we  
22 presented on '21 is a request to Congress, present

1 request. We'll have to see what the Congress does  
2 and see what they will do in the enacted budget.  
3 We will hope to have that first signal of that  
4 here in the next couple months if not next couple  
5 weeks from the House and Senate marks. It also  
6 gives us time to discuss with the Hill if they  
7 have questions about our proposals and, you know,  
8 changes that need to be made. We had briefed the  
9 Hill on this (inaudible) a couple (inaudible) that  
10 tell a story well and explain it well, and we're  
11 just now waiting to see what the next budget cycle  
12 will be.

13 Next slide. That's it. So besides me  
14 not being able to see anyone's faces during this  
15 talk, I hope that was clear. If not I'd be glad  
16 to take questions and try to address them. If we  
17 need to go back to slides I can maybe point me to  
18 the page number, slide number to get back to. But  
19 I turn it back to the Chair to direct the  
20 questions I believe.

21 MR. SOLIAI: Thank you, Brian, very  
22 informative presentation. So I'll open it up for

1 questions and/or comments. We'll take the same  
2 order that we did yesterday, started from the  
3 North Pacific.

4 MR. WITHERELL: I don't have any  
5 questions or comments.

6 MR. SOLIAI: Okay. Next, Pacific?

7 MR. TRACY: Yes, thanks. Question on  
8 Slide 13, Brian. So you mentioned a 4 percent  
9 increase, inflationary increase, and I think you  
10 said that the third column there, the 4851  
11 represented a 4 percent increase. Then I see in  
12 the next column over that's also an inflationary  
13 program adjustment. So were there two sort of  
14 inflationary increases to the budget?

15 MR. PAWLAK: Yeah. And this gets really  
16 into the budget process. The first number, the  
17 4851, we were able to present to NOAA that this  
18 kind of fisheries, this is the technical ATV we  
19 need, we will put that forward. Like I said, it  
20 will be added, some buffer for inflationary  
21 possibilities.

22 The second number, although it's the



1 same terminology in a different way, it's really  
2 an inflationary increase that Congress gives us.  
3 So it's kind of two places you got the increase  
4 based on inflationary. This won't be counting in  
5 the map to kind of get there. And one way to view  
6 it is it's kind of irrelevant in this, that that's  
7 the money, that would be the proposed budget. How  
8 we add it up there is I don't think it's  
9 (inaudible) is what the number is. But it shows  
10 the mechanics of how we produce them. So the  
11 funds are inflationary. But I think the bottom  
12 line was that those increases exist and it's kind  
13 of, it's less role of how they got there.  
14 Obviously the technical ATV is very relevant, a  
15 lot of reasons to sustain them. A portion of that  
16 is inflation and a portion of it is programmatic.  
17 If that helps.

18 MR. TRACY: Yeah, thanks. We always  
19 just like to know, you know, we do like to get our  
20 hands dirty a little bit.

21 MR. PAWLAK: Yeah, I guess.

22 MR. WITHERELL: But we do appreciate the

1 (inaudible).

2 MR. SOLIAI: Thank you. Marc, you have  
3 any questions?

4 MR. GORELNIK: I do not.

5 MR. ANDERSON: And none here.

6 MR. SOLIAI: Okay. Thank you. Moving  
7 on to the Caribbean Council?

8 MR. ROLON: We don't have any comment at  
9 this time. Thank you.

10 MR. SOLIAI: Thank you, Miguel. Gulf  
11 Council?

12 MS. SIMMONS: Yes. Thank you, Mr.  
13 Chairman. No questions. I just wanted to thank  
14 Brian for helping us and meeting with us and  
15 answering all our questions. Appreciate that.

16 MR. PAWLAK: No problem.

17 MR. SOLIAI: Thank you. The South  
18 Atlantic?

19 MR. CARMICHAEL: No questions, thank  
20 you.

21 MR. SOLIAI: All right. Mid-Atlantic?

22 DR. MOORE: No questions. Thank you.

1 MR. SOLIAI: New England?

2 MR. NIES: I don't have any questions  
3 Mr. Chair. Thank you.

4 MR. SOLIAI: Thank you. Western  
5 Pacific?

6 MS. SIMONDS: No questions, but again to  
7 also ditto Carrie, really thanking Brian for all  
8 the back and forth that we went over the last  
9 several months. And we really appreciate it and  
10 thanks for this comprehensive presentation.

11 MR. SOLIAI: Thank you. Thank you  
12 again, Brian, for a very informative presentation.

13 MR. PAWLAK: Any follow up afterwards  
14 feel free to reach out. I know it's kind of hard  
15 with this format, I can't see you folks' reactions  
16 looking at it this way without (inaudible).

17 MR. SOLIAI: Phil or Marc?

18 MR. ANDERSON: I do not have any.

19 MR. GORELNIK: And none here.

20 MR. OLIVER: Mr. Chairman. Thanks a  
21 lot, Brian that was the shortest budget discussion  
22 I recall in CCC.

1                   MR. PAWLAK: Well we did a lot of  
2 discussion last few months and weeks through email  
3 and some other things, that might have helped a  
4 lot I think.

5                   MR. SOLIAI: Thanks again. Okay.  
6 Moving along to our next agenda item. Funding for  
7 Basic Surveys. So I'll turn the floor over to  
8 Cisco. I do apologize, we're still having  
9 technical issues here with my camera, so if you  
10 can't see me, we're going to try to work on it as  
11 we go along. So I'll turn the floor over to  
12 Cisco.

13                  MR. WERNER: Great. Thanks, Mr.  
14 Chairman, great to be back again today.

15                  If I can have the first slide please,  
16 Nicholas. Yeah. So this is an item, I'll be  
17 covering a couple of things. The discussion on  
18 basic surveys, and the funding associated with  
19 that. But there was sort of a substantive request  
20 for the presentation which is, it is related to  
21 ongoing funding for surveys but also the second  
22 part is research on critical information needs and

1 items. It talked about the research on critical  
2 information needs had to do with, what kind of  
3 data do we need to collect, how are we collecting  
4 it and where do we see going in the future.

5 So if I could have the next slide  
6 please. It is a bar chart that, see when it comes  
7 up. There we go, thanks. It's a bar chart that  
8 you might have seen in some form before so it's  
9 the last 15 years of, in this case, white ship  
10 days at sea (DAS). So this is the only OMAO  
11 conducted days at sea, as I said, for the last 15  
12 years.

13 The green bars are what we refer to as  
14 DAS funded days, which means this is funding that  
15 OMAO has. And the yellow bars are what we refer  
16 to as program funds, which is something that we  
17 provide, we being fisheries, provide to OMAO to be  
18 able to conduct surveys that otherwise they  
19 wouldn't be able to do. Again, this is only  
20 dealing with OMAO's survey, charters are separate.

21 And as you see, a couple of things  
22 emerge. Over the last 15 years there's been a

1 decrease in the number of days at sea. There are  
2 some fluctuations, some having to do, you know, in  
3 the middle point there, 2010, '11, '12, when the  
4 economy, took its hit and downturn back then. And  
5 then, there was a moment when it increased a  
6 little bit and then it's dropped down again and  
7 that drop most recently had to do with the  
8 decision by OMAO to invest in mechanical and in  
9 other upkeep of vessels. The hope is that this  
10 last downturn would then pick up, and we're going  
11 to see if that really happens or not.

12 And then, we could get into the details  
13 of the differences in the little yellow bars but  
14 as you see, it varies from year to year depending  
15 on the number of issues that we could get into.  
16 But the message here is the one that you see of a  
17 constant decrease with somewhat fluctuating  
18 signals on top of it.

19 With regard to the charter days that  
20 would be a separate issue. And I don't have a  
21 slide for that. We of course, for example last  
22 year we received support for charters for the

1 Alaska surveys and West Coast Groundfish survey  
2 and others. That is handled in a different way and  
3 like I said, we can talk about that separately if  
4 you wish.

5 The bottom bar there that's hard to  
6 read, but those are basically the numbers, the  
7 dollar amounts. Not the bottom part, but the  
8 bottom strip of numbers down there are the dollar  
9 amounts that we again, NMFS, would attribute to  
10 those yellow add-ons, you know. And for example  
11 this year, we had about \$2.7 million that we were  
12 going to contribute to these white ship surveys  
13 that would have resulted in about 180 added days  
14 on the white ships. That money is all coming back  
15 because we are not going to be able to conduct  
16 some of those surveys. And again, we can talk  
17 about that later.

18 So I'm going to get a little bit now  
19 into the research and into the critical  
20 information needs for progressive broader  
21 portfolio that we look at to make it happen.

22 Next slide, please? This is a slide I

1 borrowed from Bob Foy. Actually it's a version of  
2 a slide that he presented earlier in the year to  
3 the Council, to the North Pacific Council. And  
4 it's emblematic or it's representative of the  
5 balancing that has to happen in terms of the  
6 survey and research portfolio that all the science  
7 centers have, where you have to balance directed  
8 fishery surveys, ecosystem surveys, marine mammal  
9 surveys and stock assessments and also the  
10 activities having to do with, observer or  
11 socioeconomic research as well.

12           And we need to balance this because,  
13 there's a number of issues that we acknowledge  
14 that are going on, and some of these came up in  
15 discussion yesterday that, deal with environmental  
16 variability and changing climate that we need to  
17 account for, we need to use that and build  
18 resilience, at least understand, these shifting  
19 states. Balance that with evolving management  
20 tools, and also anticipate changes of habit.

21           So we can't assume that things will  
22 remain the same. We know that they won't remain



1 the same. So we have to strive to balance, what  
2 our information needs to address the pallet, if  
3 you will, of activities that we take on.

4 And the next slide, please, would  
5 suggest then that, taking at the same pallet now,  
6 but dropped to the background we use that  
7 information to provide the best, advice to  
8 fisheries management which, in turn, relies on our  
9 stock assessment of each system and the economic  
10 assessment activities.

11 So that's part of our research portfolio  
12 that's expanding our mission in complexity and  
13 scope, if you will. Again, there is increased  
14 uncertainty if we don't do this, and a couple of  
15 times yesterday there was a mention of the  
16 non-stationarity of the system. We realize that  
17 that non-stationarity implies that we have to  
18 evolve in what we think and what we sample. And  
19 that's part of that balance that we have to look  
20 at.

21 If I can have the next slide please.  
22 I'm going to jump back now into surveys. So I

1 went from days at sea and where we are to  
2 expanding mission to now I'm going to end just at  
3 a very high level just kind of reviewing existing  
4 survey methods and where we're going to go from  
5 here.

6 This slide here is just a collage of  
7 things that I think you're all familiar with which  
8 talks about how we do surveys in a classical  
9 sense. On the left side, where we have the white  
10 ships that collect fisheries samples, they do  
11 acoustics, and they do trawl surveys. And that's  
12 perhaps our meat and potatoes, if you will, of how  
13 we've done things quite successfully.

14 On the right side or the right half of  
15 the slide are things that, maybe two, three years  
16 ago were relatively new. And they still are, but  
17 we've made a great deal of advances on them. The  
18 picture of the sail drone on it, three years ago  
19 we were wondering if it was going to work. This  
20 year, we are relying on some of it. I shouldn't  
21 say relying, but that we're using to perhaps make  
22 up some of the lost surveys. So it's robust

1 enough that we now launched it up to the Bering  
2 Sea. As well as some of the new technologies that  
3 we talked about in terms of video capabilities,  
4 many of which were pioneered on the Pacific  
5 Islands and in other places to be able to look at  
6 systems that are in untrawlable habitats and other  
7 places.

8 So this is, right now what I think would  
9 be a reasonable representation of our current  
10 universe of survey methods, at least a good chunk  
11 of them.

12 The next slide, if we could go to it, is  
13 where we're going. If you notice one thing, you  
14 have to look kind of hard here, where's the ship  
15 in the slide? And as a matter of fact I  
16 accidentally may have not included a ship in this  
17 slide. I know it's by accident because ships  
18 certainly are part of the future. But there are a  
19 whole lot of other things that we will rely on in  
20 terms of our information needs for research,  
21 assessment, and management advice.

22 And we've talked about how unmanned

1 systems are part of it, we've talked about  
2 molecular approaches are part of it certainly, you  
3 know, in some places we're looking at it and we're  
4 beginning to build understanding of what can and  
5 can't be done. At the same time there's, again,  
6 unmanned systems in terms of listening to sound,  
7 and in the case of marine mammals. Whale  
8 vocalizations are listened to with deployed active  
9 acoustical moorings and others that don't require  
10 us necessarily to be there, being there at sea.

11 And all of this comes together in the  
12 broader sense of big data. We've all heard of the  
13 term of big data. And the picture there on the  
14 top right is supposed to represent an ocean of  
15 data, all those binary zeros and ones are that.  
16 And as well as increased computational capability  
17 and increased artificial intelligence components.  
18 And so the way that we think about how data is  
19 going to be five, 10, 15 years from now, is going  
20 to be quite different than, say, in the previous -  
21 going backwards - five, 10, or 15 years. I mean  
22 we expect there to be a significant jump. We

1 expect there to be data that is not only collected  
2 by us. I mean we will be part of a big data effort  
3 where we begin to bring in data from sources that  
4 we weren't the preparer of. And also how we  
5 analyze it. It's not just a matter of how the  
6 data was collected, but how we analyze it. And I  
7 think that this is something that clearly is part  
8 of where we're going.

9           And the next slide, if I could, please.  
10 You've heard me talk about this before, but now  
11 these strategies, these four strategies on  
12 unmanned systems, artificial intelligence, omics  
13 and Cloud computing were released earlier in the  
14 year. These are now final, available in the  
15 public domain and released. This is something  
16 that Admiral Gallaudet and a whole host of teams  
17 participated in developing this. This is a  
18 crossline office priority, it was presented also  
19 at the White House at a meeting in I think in  
20 November last year.

21           And these strategies represent the next  
22 steps that we're helping define. The next step is

1 the development of what's called the  
2 Implementation Plan. The implementation plans  
3 take the ideas of these four documents, or the  
4 ideas of what it is that we can do to how we're  
5 going to do it. And the target for the  
6 implementation plan on how we're going to do it is  
7 sometime later this calendar year. Again, this is  
8 a multi-line office effort, with crossline office  
9 teams working on it.

10 If I could go to the last slide, I'm  
11 done with the presentation and I want to thank you  
12 and open it for questions. But again, in summary,  
13 hopefully I was able to tell you where we are in  
14 terms of our operations day to day right now, how  
15 our mission is perhaps expanding and getting more  
16 complex. And again, I don't think this is new to  
17 anybody because I think yesterday's conversations  
18 very nicely captured that, as well as where we're  
19 going in this next step.

20 And I'll close by saying, we talked  
21 before about a next generation data acquisition  
22 plan. And this next generation data acquisition

1 plan will look forward five, 10, 15 years from  
2 now, so different horizons in terms of what data  
3 needs to be collected, how it will be collected,  
4 how it will be analyzed, and so on.

5 And so why don't I stop there. Again,  
6 I'm glad to take questions on any of these. And  
7 again, thank you for your attention.

8 MR. SOLIAI: All right. Thank you,  
9 Cisco. Great presentation. We'll open the floor  
10 up for any questions. North Pacific.

11 MR. WITHERELL: Thank you, Mr.  
12 Chairman. This is Dave, Cisco. I have a question  
13 regarding funding. What happens to the funding  
14 that was set aside for surveys in 2020. And will  
15 those be, according to all those additional funds  
16 that were set aside for the Pacific and the North  
17 Pacific, what happens to that? Will all that  
18 funding be available for surveys in 2021, or even  
19 2022?

20 MR. WERNER: Yes, thanks for the  
21 question. My answer is that, when I spoke to the  
22 folks up at the Alaska Center, they are already

1 working on forward funding surveys for next year.  
2 So they're working to have a full suite survey  
3 next year to make up for this year and hopefully  
4 more, if there are additional. So the short  
5 answer to your question is that we're moving ahead  
6 with it. The current estimate is that we probably  
7 will not have a problem with forward funding some  
8 of these surveys and be able to conduct them. So  
9 they would be available for that, yes.

10 MR. WITHERELL: Just a follow up  
11 comment. You talked about kind of a new  
12 technology in modeling approaches. I'm kind of  
13 curious, do you see that as substitute eventually  
14 for our bread and butter, you know, bottom trawl  
15 and acoustic surveys, or do you foresee our  
16 standardized surveys continuing indefinitely and  
17 then enhanced by technology?

18 MR. WERNER: I think a little bit of  
19 both. I think that for the foreseeable, and  
20 that's why I want to be careful to say that our  
21 next generation data acquisition should be thought  
22 about in terms of the next five years, the next 10



1 years, and the next 20 years. So we're not going  
2 to turn on a dime, I think that, for the next five  
3 years what we need to do is continue what we're  
4 doing, the bread and butter that we do well. I  
5 mean we're doing a lot of things very well, which  
6 we hopefully will be able to see how we enhance  
7 the data that we collect, and then if there are  
8 ways that we can slowly transition from the way we  
9 did it to hopefully -- at some point -- proven  
10 improved ways of doing things, then we would do  
11 that.

12 But it's a process, it won't be an event  
13 in terms of how we move forward to the new  
14 observational data collection and analytical  
15 capabilities. Each one of which will take time  
16 and as I said, it's not an event when we're going  
17 to change from one to the other, it'll be  
18 something that we do slowly and gradually.

19 MR. WITHERELL: Thank you.

20 MR. SOLIAI: Thank you. Pacific  
21 Council?

22 MR. TRACY: Thanks for the presentation,

1 Cisco. I don't have any questions. I do maybe  
2 something for the Western Pacific staff. I was  
3 not able to see Cisco's presentation. I was  
4 wondering if we could get that posted. It looks  
5 like the presentation under this agenda item was  
6 the one from yesterday. So just so we can go back  
7 and take a look at that presentation. So thanks,  
8 Cisco, appreciate the input. Glad to hear that  
9 the forward funding aspect is a possibility.

10 MR. WERNER: Yeah. Thanks, Chuck. And  
11 there are two presentations so if you have any  
12 problems getting either one of them I'm glad to  
13 just share them with you directly, so.

14 MR. SOLIAI: Go ahead, Chuck.

15 MR. TRACY: Thank you. You did a good  
16 job.

17 MR. ANDERSON: Thanks very much. Well  
18 this may be my last chance in this forum to  
19 reiterate some of my concerns I've expressed  
20 previously, Cisco. And first of all let me just  
21 say I appreciate the forward thinking and  
22 pro-active approach that the Science Center is

1 taking in terms of either acquisition with looking  
2 ahead to improvements and how we can enhance a lot  
3 of the data collection that we have that we know  
4 is so important to doing an incredible job of  
5 managing the stocks and complexes.

6 In the meantime I know that we have been  
7 challenged to provide and find sufficient funding  
8 for those kind of specific surveys, both bottom  
9 trawl and acoustic surveys. And I certainly  
10 recall when we were in North Carolina last year  
11 that we had a significant concern about the  
12 significant reduction in the number of days that  
13 were available with the reduced funding for trawl  
14 surveys in particular. I think those were largely  
15 associated with charter vessels.

16 So again, I appreciate the pro-active  
17 way the Science Center is moving ahead, but at the  
18 same time I just want to again reinforce my  
19 concern for those basic approaches to surveys that  
20 we have used and have been improving upon along  
21 the way, particularly in the acoustic world, that  
22 have enhanced our ability to do a better job of

1 stock assessment.

2 And so while all of the innovative  
3 approaches are appreciated, I don't want us to go  
4 in that direction in such an aggressive way that  
5 we lose sight of the importance of the basic data  
6 that's needed for managing our fisheries and the  
7 stocks that are within the various Regional  
8 Councils purview.

9 MR. WERNER: Yes. No, thanks, Phil, a  
10 lot, and point taken. And this year, we did have  
11 the full suite of surveys covered. And we had to  
12 unfortunately cancel the first two for Covid  
13 reasons, obviously. Then what we did was perhaps  
14 juggle so that the two surveys that are left over  
15 in August/September would be with the higher-end  
16 vessels, if you will, charter vessels still to be  
17 able to do the things that we're missing and  
18 mitigate perhaps some of the loss of the first two  
19 surveys.

20 With regard to, not losing sight of what  
21 works and works well, I fully agree with you.

22 It's something that we need to ensure that if and

1 when there is an evolution to something else, it's  
2 only once we know that it is as good as if not  
3 better than what we had before. Hopefully also I  
4 think it should be better.

5           You know, in a broader I'm not trying to  
6 take a philosophical stance but, I think that this  
7 year, points out, how important it is to have  
8 different ways perhaps of conducting surveys and  
9 collecting data that are not so vulnerable to an  
10 event like this one. I'm not saying this event,  
11 meaning the Covid, is trivial, it was a huge  
12 event, but it left us, without being able to  
13 collect data that would have been very helpful.  
14 And some of those images that I show with the  
15 advanced technologies and such, which look very  
16 futuristic, are not that futuristic. They're  
17 actually quite within reach of what we can do.

18           I think that maybe, this year, this  
19 catalyzes us even more to accelerate how we get  
20 there so that we were not in a position like this  
21 again. And it doesn't have to be necessarily an  
22 event like this one, of the magnitude of Covid.

1 But, there are other cases that can happen where  
2 services are suspended, which could have to do  
3 with government shutdowns or furloughs or whatnot,  
4 that could happen just at the wrong time in terms  
5 of when the season is there.

6 And so I think that, we need to start  
7 thinking about how we can be more resilient so  
8 events like this cannot derail us in any one year.  
9 I've gone along with that because I wanted to say  
10 that we need to do both. We need to ensure that  
11 we've collected data that we need to have in order  
12 to provide the assessments and the advice, but at  
13 the same time how to think about making sure that  
14 we're not one bad streak event away from not being  
15 able to collect the data.

16 But for next year we're back on track,  
17 hopefully, for the full suite of surveys on the  
18 West Coast, and hopefully deliver the information  
19 that we need to deliver.

20 Again, I'm sorry, Phil, I went long, but  
21 it's a very important question and I appreciate  
22 your point.

1                   MR. ANDERSON: Thanks. Thanks very  
2 much, Cisco, for the response. And I do want to  
3 just express our appreciation to you and Kevin  
4 Werner and Kristen for working through that issue  
5 that we hadn't discussed since last year. So  
6 thanks very much.

7                   And thanks very much, Mr. Chairman, for  
8 allowing me to ask the question.

9                   MR. SOLIAI: No problem. Thank you,  
10 Phil, good points. Caribbean Council?

11                   MR. HANKE: Hello everyone. Marcos  
12 Hanke, Caribbean Chair. I don't have any comments  
13 at this time aside of saying that I enjoyed the  
14 presentation, Cisco, especially your answer to  
15 Phil's request on the previous term. Thank you.

16                   MR. WERNER: Thank you.

17                   MR. SOLIAI: Thank you, Marcos. Gulf  
18 Council?

19                   MS. SIMMONS: No questions, Mr. Chair,  
20 thank you.

21                   MR. SOLIAI: Thank you, Carrie. South  
22 Atlantic?

1 MR. CARMICHAEL: No questions. Thank  
2 you, Cisco, for the updates.

3 MR. WERNER: Thank you.

4 MR. SOLIAI: Mid-Atlantic?

5 DR. MOORE: Thank you, Mr. Chair.

6 Thanks, Cisco, for the presentation.

7 I have a statement, I think but I'll  
8 certainly get back to you. I really like the way  
9 that you describe this non-stationary survey  
10 operations. And I like it because it really  
11 indicates to me that you're thinking about this  
12 evolutionist process.

13 I'm curious about the how and the when  
14 part. I assumed these implementation plans would  
15 be available later this year. I'm assuming those  
16 are going to be dealing with the how and when  
17 part. I'm wondering if those will also include,  
18 you know, the rotation plan related how to things  
19 might change on the East Coast related to some of  
20 the things brought up yesterday. All the wind  
21 energy development, aquaculture, that kind of  
22 thing.



1                   MR. WERNER: Thanks, Chris, good  
2 question. I'm going to take probably more  
3 indirectly than directly. I mean, I think that  
4 all of these, each one of these approaches,  
5 whether it's unmanned systems or 'omics or others,  
6 indicate how we will need to adapt to changes  
7 associated with windfarm positions and things like  
8 that will give us ways of collecting data that we  
9 didn't before. And so one can imagine that  
10 perhaps we could deploy on that system in areas  
11 where ships can't go, or we could use some of the  
12 'omic approaches to do that.

13                   So I think that those disruptions that  
14 we're seeing in how we're collecting data  
15 conventionally, to put it that way, in places like  
16 the East Coast might be mitigated somewhat by  
17 these new methods. I would say that's probably  
18 more into, I mentioned the five, 10, 20-year  
19 horizon that the next generation data acquisition.  
20 It probably falls into the 10 year horizon in  
21 terms of, having those techniques there to take  
22 over, again the disruption that we might see in

1 places like the East Coast.

2 But having a heads up of what might be  
3 coming also helps us focus in terms of how we take  
4 these four topics that I talk about, the next  
5 strategies, and focus them, perhaps in some areas  
6 are phase and blend. Maybe there's a reason to  
7 focus and phase them in first in places like in  
8 NRTs where we know some of the questions will be,  
9 and then expand them to other areas.

10 So I hadn't thought about it, but it's a  
11 good question and I can see how we should  
12 definitely consider that in terms of an  
13 implementation that includes the phasing in part.  
14 What should we do when, and why. And I think  
15 these are very good points.

16 DR. MOORE: Thank you.

17 MR. WERNER: Thank you.

18 MR. SOLIAI: Thank you. New England  
19 Council?

20 MR. NIES: Thank you, Mr. Chairman. I  
21 just dropped in halfway through the presentation.  
22 On one of your earlier slides on those that look

1 like a number of days available for surveys in  
2 2005 through 2020, it dropped almost in half, from  
3 roughly 2,000 to roughly less. But it wasn't  
4 clearly to me what was included in those. So I  
5 think you mentioned charter vessels were not  
6 included. I'm assuming that our seas weeks are  
7 not included in that either. And I'm curious how  
8 the change in days would look if those were added.  
9 Would we see a similar decline, or would the  
10 amount of survey effort look a little better than  
11 it did on that chart?

12 MR. WERNER: To answer the question I  
13 think the first part of the question, if I heard  
14 right, was the drop between 2005 and say 2012 or  
15 something like that. I think a lot of that had to  
16 do with, that we lost several ships, i.e. the  
17 Miller Freeman, the David Starr Jordan. So there  
18 was a big hit to actually lose some vessels that  
19 were decommissioned.

20 Some of the yellow bars were actually to  
21 reinstate some of the ships that were about to be  
22 decommissioned, like the Miller Freeman, in the

1 2007/'08 survey period. We actually, for lack of  
2 a better term, helped delay its decommissioning.

3 And then there's also some funding that  
4 went to charters in those days. I don't know if  
5 the sum total remains close to the 2000 days or  
6 not, even in that first half of this chart. But  
7 I'm going to assume that overall there's been a  
8 sort of a gradual decrease in the number of days,  
9 irrespective of attempts to make up for it with  
10 charter. So unfortunately, we can't make it all  
11 up with charters, and there's been some loss in  
12 days at sea.

13 MR. NIES: Mr. Chairman, I think my  
14 Vice-Chair, Mr. Reid, has some questions.

15 MR. SOLIAI: Go ahead, you still have  
16 the floor.

17 MR. NIES: I'm checking to see if he has  
18 a problem. I'm not sure what's going on.

19 MR. SOLIAI: We can come back to him  
20 after the --

21 MR. REID: How about now, can you hear  
22 me now?

1 MR. SOLIAI: Yes, we can hear you, but

2 --

3 MR. REID: Okay. Sorry, I'll make it  
4 quick. Sorry I wasted your time.

5 So I appreciate your answer to Dr.  
6 Moore's question, but the timeline of five to 10  
7 years to deal with windfarms is really, that's too  
8 far. We're going to have windfarms and we're  
9 going to be the poster child on how to deal with  
10 them when it comes to surveys and a lot of things.  
11 Because windfarms are going to come to a Council  
12 near you, that means all of you, pretty soon, and  
13 we've got to figure this out. And I would really  
14 appreciate if you rethought your timeline and  
15 helped Dr. Hare and his staff out because they're  
16 going to be faced with quite the show.

17 My other question. That's not a  
18 question. So my question is about our survey, our  
19 white ship. You said some of the money, I think  
20 you said some of the money that is being not spent  
21 on surveys now is going to be used for vessel  
22 upgrades or vessel maintenance; is that what I

1 heard?

2 MR. WERNER: That was in the prior  
3 years, in like 2000, let me see if I can see the  
4 bar. Starting in 2018 you began to see sort of a  
5 drop in the green bar there. And that was for,  
6 maintenance and refitting the vessels. Once this  
7 period of bringing the ships back up into full and  
8 safe capacity is completed, we will hopefully see  
9 an uptick in DAS - but we haven't seen the uptick  
10 yet. Hopefully we'll see it. But the answer to  
11 your question is that the maintenance and other  
12 things were things that happened in the previous  
13 years. Now hopefully we'll see an uptick in the  
14 years to come.

15 MR. REID: Well my concern is with the  
16 Bigelow. I mean right now we have a ship towing a  
17 skiff net for a survey. And that trawl itself has  
18 proven to be pretty unstable, which certainly  
19 effects our survey results. I mean it's a  
20 cooperative effort between the New England Council  
21 and the Mid-Atlantic Council, it's called NTAP,  
22 Northeast Trawler Advisory Panel. And the

1 industry guys have been on the Bigelow trying to  
2 get that thing to hold its spread, and it hasn't  
3 been working. So if there's any way to spend some  
4 resources on getting that survey gear to do its  
5 job, that would be much appreciated in New England  
6 and the Mid-Atlantic because we're not getting the  
7 results out of the trawl itself that we should  
8 have, and it really effects definitely.

9           You know what an inefficient trawl, an  
10 under- performing trawl, an over-performing trawl,  
11 however you want to look at it, skews survey  
12 results, and that's something that's got to be  
13 solved, and right now they can't get it done. So  
14 I would appreciate if you could help us out with  
15 that. Thank you.

16           MR. WERNER: Yes. Okay. Thank you.  
17 And, yes, I'm in touch with John Hare. As a  
18 matter of fact I think we're supposed to be  
19 talking tomorrow so I'll be sure to bring this up  
20 tomorrow.

21           With regard to your first question  
22 though on the time series, on the five to 10

1 years. Just a real quick answer. On stock  
2 assessments, it depends on the establishment of a  
3 time series. And understanding, what the data  
4 that we collect say in the time series. It would  
5 be great to do it sooner. Like I said we need to  
6 build up the data sets that emerges from unmanned  
7 systems with the data from molecular systems and  
8 others and understand what they say relative to  
9 the data for which we have a pretty good  
10 understanding, say, acoustic data.

11 So that's getting a little bit  
12 technical, but if we can accelerate that and if we  
13 can compress the time, I agree with you that that  
14 would be important because the clock is ticking,  
15 to put it that way. So thank you for your  
16 comment.

17 MR. SOLIAI: All right. Thank you.  
18 Moving on to Western Pacific.

19 MS. SIMONDS: Thank you, Mr. Chair. So,  
20 Cisco, we're concerned about surveys in our part  
21 of the world. So this year the Rainier was  
22 supposed to be going off to the Marianas to map



1 and next year it was scheduled to go out to  
2 American Samoa to map. Will these two surveys be  
3 done next year?

4 MR. WERNER: We're working on exactly  
5 which survey we're going to do. We believe the  
6 Rainier is going to be back in the Western  
7 Pacific. How we, I guess deploy or where the  
8 Rainier goes is something that I'm speaking with  
9 Mike Seki as well as the folks in the National  
10 Ocean Service to see, to find out right now it's  
11 between the surveys that can drain a little bit in  
12 Samoa, in American Samoa, as well as, being able  
13 to conduct at Mariana.

14 MS. SIMONDS: Okay, why don't I did say  
15 this. We are hoping that those two surveys will  
16 be at the top of your list.

17 MR. WERNER: They are. And we'll do  
18 which parts of the two surveys we can do. And we  
19 understand fully well the impacts that both  
20 regions have felt.

21 MS. SIMONDS: True. Yeah. And this is  
22 repeating ourselves, but we do have an overfishing

1 and overfished bottom fish fishery in American  
2 Samoa, and we have an overfished fishery in the  
3 Marianas. So we'd like to get as much information  
4 as possible.

5 Oh, yeah, the other thing was this. So  
6 if there are moneys that you aren't going to be  
7 using this year, we're hoping that you would apply  
8 them to some of the work that needs to get done  
9 out here. For example, you know, processing light  
10 history samples from 2012. I mean we have issues  
11 out here and so we'd like to see that get done,  
12 that's very important to us.

13 Next is, so thanks for bringing up, you  
14 know, non-stationary, because as you recall, this  
15 was going to be one of our big items for the  
16 annual meeting that we're going to have. And so,  
17 you know, if we could do that we're just short  
18 shifting, maybe we can do a longer, you know, have  
19 longer, better discussions on this because we're  
20 anxious for you to, you know, for us to discuss  
21 this project.

22 MR. WERNER: That would be great. So

1 not just what it is, but so what are we going to  
2 do about it? How do we incorporate it in an  
3 analyses and if I agree, it'd be fun to talk  
4 about.

5 MS. SIMONDS: Right. Because this is  
6 going to be your two hour slot. So anyway. Okay.  
7 So remember my two earlier requests.

8 MR. WERNER: Absolutely. Thanks, Kitty,  
9 good to see you. Thank you.

10 MS. SIMONDS: All right.

11 MR. SOLIAI: All right. Thank you,  
12 Kitty. Thank you, Cisco, I'm glad that at this  
13 time we can appreciate the challenges that we face  
14 at West Pac.

15 MR. WERNER: Thank you, Archie. Thank  
16 you, Mr. Chairman.

17 MR. SOLIAI: We'll move on to our next  
18 agenda item. Fishery Management and Services PPA.  
19 Turn the floor over to Tom.

20 MR. NIES: Thank you, Mr. Chairman. I  
21 believe Nicholas is going to run the presentation  
22 for this. I'll give them a second to key it up.

1           Today I'm going to report on some  
2       discussions from the Executive Directors held on  
3       how we'd like to see our budget information  
4       presented. I'll try to do this pretty quickly  
5       because it appears that Brian has already  
6       incorporated those ideas into the presentation he  
7       showed us for the 20/21 budget.

8           Next slide, please. For a number of  
9       years we've seen a slide similar to this one you  
10      described, the funding provided to the Councils  
11      with the three PPAs and a number of activities  
12      underneath some of the PPAs, the original logic  
13      for the funding was clear. And I emphasize  
14      original logic because over time I think the link  
15      between why it was provided and how it was spent  
16      got a little vague in some cases.

17           Last fall NMFS came to the CCC and  
18      suggested simplifying this table by providing  
19      information only as three PPAs without the list of  
20      activities. We talked about that a little bit and  
21      the Executive Directors agreed to discuss the  
22      issue and provide a recommendation on a budget

1 display as well as how to handle future changes.

2 While in November NMFS suggested to us  
3 to do two PPAs. The President's budget proposal  
4 for 2021, as you heard from Brian, proposed  
5 simplifying this further to one PPA, the Regional  
6 Council PPA.

7 Next slide, please. The Executive  
8 Directors held a pretty extensive conversation  
9 this spring, both by email and through a number of  
10 Council calls to talk about this issue. We  
11 identified a number of concerns. I'm not going to  
12 go over all of them, but I think the three that I  
13 show here are the main ones.

14 The key points, they were concerned that  
15 we don't want to lose track of the two activities  
16 that are not distributed using the Council  
17 distribution formula and that do not historically  
18 go to every Council. We believe that it's  
19 important that this detail not be lost going into  
20 the future. So this leads us to our  
21 recommendation.

22 Next slide, please. We support the use

1 of one PPA. Brian spent considerable time  
2 explaining that to us, and it does sound like a  
3 good idea. And we'd like to see the budget  
4 presented to us in two separate activities under  
5 that PPA. With a slight name change to what was  
6 being presented before, we recommend stock  
7 assessment support, peer review support activities  
8 be listed separately, and a third activity titled  
9 Council Management Programs, would also be shown.

10 Now we also talked a little bit about  
11 how to deal with the money as the budget is  
12 changed or if the budget is changed in the future.  
13 So what we propose is that we're going to  
14 basically call 2019 the base year, and the 2019  
15 dollar values for the stock assessment support,  
16 peer review support would remain fixed at the 2019  
17 levels.

18 This is very, I think almost identical  
19 to what Alan Risenhoover suggested last November,  
20 where he said we should take off the top of the  
21 overall PPA and the remainder is distributed using  
22 the agreed-upon formula.

1           The only exception to this is if the  
2 overall PPA declines by more than 10 percent from  
3 the 2019 value. If that should happen, we would  
4 like to be consulted again on the distribution.

5           We also had some other provisions. I  
6 don't know whether I need to get into the needs.  
7 I'm perfectly willing to talk with Brian or  
8 perhaps Jenni separately to talk about that. And  
9 just briefly some of the ones where the set-aside  
10 dollars, the people who get the set-aside dollars  
11 agree to a different distribution we should be  
12 able to relay that to NMFS, do not need to seek  
13 CCC approval for that.

14           If the overall PPA is increased  
15 specifically to allocate more money for peer  
16 review report, stock assessment report on a  
17 recurring basis, that would become the new basis  
18 to set aside, replacing the 2019 value. We can go  
19 over these provisions with SFB online as  
20 necessary.

21           Final slide, please. Well, almost the  
22 final slide. So this chart probably looks very

1 much like what Brian showed you for fiscal year  
2 20/21, President's budget proposals. I think the  
3 numbers are pretty close if not identical. This  
4 is the idea we are proposing, and it looks like  
5 it's okay with Brian. Now when we talk to Brian  
6 he suggested we bring it to the CCC to make sure  
7 that we all approve it, first of all. It was  
8 primarily the EDs, but also to make sure we can  
9 answer any questions that SFB may have for its  
10 distribution, if there any.

11 And that completes my presentation. We  
12 can go to the next slide and I'll attempt to  
13 answer any questions with the help of my fellow  
14 Executive Directors.

15 MR. SOLIAI: Thank you, Tom. We'll open  
16 the floor up for questions. Start from the North  
17 Pacific.

18 MR. WITHERELL: I don't have any  
19 questions.

20 MR. KINNEEN: I don't have any questions  
21 either, Tom. Thanks for the presentation.

22 MR. SOLIAI: Thank you. Pacific



1 Council?

2 MR. TRACY: Thanks, Tom, for the  
3 presentation, and thanks all the EDs for working  
4 on this. I don't have any questions at this time.

5 MR. SOLIAI: Thank you. Caribbean  
6 Council?

7 MR. HANKE: I don't have any comment at  
8 this time. This is Marcos Hanke.

9 MR. SOLIAI: Thank you. Gulf Council?

10 MS. SIMMONS: I don't have any  
11 questions. I don't know if our Chair or Vice  
12 Chair do.

13 MR. SOLIAI: All right. Maybe not.  
14 South Atlantic?

15 MR. CARMICHAEL: No comments. Thanks,  
16 Tom, for capturing the deliberations.

17 MR. SOLIAI: Mid-Atlantic?

18 DR. MOORE: No comments. Thank you, Mr.  
19 Chair.

20 MR. ELLIOTT: Nothing from me, Mr.  
21 Chair.

22 MR. SOLIAI: New England?

1                   MR. REID: Thank you, Mr. Chair. I'm  
2 not going to ask a question myself, but I would be  
3 interested after the Western Pacific talks if  
4 there are any questions from the fisheries.

5                   MR. SOLIAI: Thank you, Tom. Thank you  
6 again for the presentation. Western Pacific?

7                   MS. SIMONDS: No questions. But again,  
8 Tom, for all of your hard work.

9                   MR. SOLIAI: Ditto from me. Thank you,  
10 Tom. All right. That concludes that part of the  
11 agenda.

12                   Why don't we take a five-minute recess.  
13 So we'll reconvene at, it's after what, 3:00 p.m.  
14 over there? Yeah, we'll take a five minute break  
15 and then come back.

16                   (Break taken)

17                   MR. SOLIAI: All right. I think we're  
18 ready to get back on track here. So let's resume  
19 with Legislative Issues. Hi, David, good to see  
20 you again.

21                   MR. WHALEY: Good to see you, Mr.  
22 Chairman. Thank you.

1                   MR. SOLIAI: I turn the floor over to  
2 you.

3                   MR. WHALEY: Thank you. And hello  
4 everybody. Before I start I wanted to, I know  
5 everybody has bad days, they don't like their cups  
6 and I got a little note today from Fish News from  
7 NOAA, and there was a headline that I think might  
8 make you feel better on days when you're feeling  
9 bad. The headline was "Researchers probe Orca  
10 poop for micro plastics." So any time you think  
11 you've having a bad day, just realize you don't  
12 have to deal with Orca poop.

13                   Mr. Chairman, in Washington we're  
14 dealing with a lot of the same problems that  
15 everybody else is dealing with, dealing with  
16 changes and how we do things. Unfortunately, for  
17 an institution like Congress that's as old as it  
18 is, change isn't easy, and Congress is not very  
19 nimble.

20                   At this point Washington, DC and the  
21 surrounding area are still a hot spot, so  
22 restrictions have not been lifted. We might see

1 some relief starting tomorrow, but at this point  
2 we're still considered a hot spot. And as a  
3 result a lot of members of Congress are not real  
4 excited to come back to DC, surprisingly enough.

5 At this point all of the House office  
6 buildings and all the Senate office buildings are  
7 closed to the public. So holding public hearings  
8 is rather difficult. We might see a little bit of  
9 change now. The Senate only has a hundred members  
10 so it's a little easier for them to social  
11 distance when they have hearings or are dealing  
12 with things on the Senate floor. The House, with  
13 435 members, it's a little tougher. But last week  
14 the House of Representatives changed their House  
15 rules so that they could do proxy voting and can  
16 hold remote hearings. So we might see a little  
17 more action on some issues, we might see some  
18 hearings to start again.

19 Yesterday was the very first day that  
20 the House has done proxy voting. And at the same  
21 time that this was approved, the Republicans now  
22 filed suits, saying that proxy voting is

1       unconstitutional. So we're not quite sure whether  
2       the House of Representatives is going to be able  
3       to keep doing its business or not.

4               I usually start this presentation with a  
5       little civics lesson. For those of you who don't  
6       remember, we're in the 116th Congress, Congress  
7       lasts two years, and we're in the second year of  
8       the 116th Congress. So at the end of the year the  
9       116th Congress will end, we'll start a new  
10      Congress, and everything that was introduced, all  
11      the bills that were introduced in the 116th  
12      Congress go away. Like I say, the memories are  
13      still there but the action is gone.

14              So when we start the 117th Congress in  
15      January we have new members, we're going to have  
16      potentially new committee jurisdiction for  
17      committee members. We might have new subcommittee  
18      jurisdictions. So a lot of things can change  
19      beginning next year. But we still have a little  
20      bit more 116th Congress to go.

21              Having said that, at least at this point  
22      Congress intends to be out of session for two

1 weeks in July. They intend to be out for all of  
2 August. They intend to be out of session for part  
3 of October, then the election is in November, and  
4 it's likely we will be back in the end of November  
5 and early December for a lame duck session.

6 Brian talked a little bit about the  
7 appropriations process for fiscal year '21. Both  
8 the House and the Senate Appropriations Committees  
9 have held hearings on the commerce budget, so we  
10 don't need to have any more hearings, but they do  
11 need to mark up. And it looks in the House, if  
12 the lawsuit goes forward and prevents the  
13 appropriations Committee from doing remote voting,  
14 we'll have to wait for members to come back to  
15 actually have them vote on the appropriation  
16 bills.

17 At this point none of the 12  
18 appropriation bills have passed either House, so  
19 we're a little behind where we should be. It's  
20 logical that we will see the continuing resolution  
21 at some time before August, and I expect that  
22 we'll be back for a lame duck so some of the

1 appropriation bills do pass then.

2 Brian talked about budget numbers. One  
3 of the big things that Congress is going to be  
4 looking at in the next couple years is, Congress  
5 has just passed a couple trillion dollars' worth  
6 of the aid packages. We don't know how that's  
7 going to affect future budget negotiations, so  
8 that's just something to keep in mind. The rosy  
9 NOAA numbers are good now, but they might not be  
10 good for long.

11 I mentioned the election in November, on  
12 November 3rd. You know, we have the coronavirus,  
13 now the West Coast has murder hornets, we're about  
14 to have infestation of 17-year cicadas here in DC,  
15 and now we've got an election year. We've got a  
16 presidential election year, we've got all 435  
17 members of the House of Representatives are up for  
18 election, and one-third of the Senate is up for  
19 election.

20 Of the Senators, there are 17 coastal  
21 Senators who are up for election or seats that are  
22 up for election. So there could be a big change

1 in coastal representation in the Senate. So the  
2 NOAA are not allowed to lobby, but if we get some  
3 new Senators in, you need to introduce yourselves  
4 and do a little education so folks understand what  
5 the Councils are and what they do.

6 As per the elections, please don't ask  
7 for any predictions because I was wrong last time,  
8 and there's no way I'm going to be right this  
9 time.

10 We talked about the relief package a  
11 little bit yesterday, the \$300 million that was  
12 provided for fisheries disasters under the CARES  
13 Act. The House has also passed a bill called the  
14 HEROES Act, which had another 100 million for  
15 fisheries disasters. It was part of a really  
16 large relief package. The House passed it subject  
17 to the Senate. The Senate said it was dead on  
18 arrival, they didn't like the size of the package  
19 and they didn't like some of the provisions that  
20 were in there. So it was dead on arrival.  
21 However, the Senate appears to be working on their  
22 own package. So that's good news, and the fact



1 that fisheries were in the initial package, I  
2 think is an indication that fisheries are on the  
3 radar screen, so I think that's good news.

4 One other thing that was touched on  
5 yesterday a little bit was the Commodities  
6 Purchase Program under USDA. There was a \$470  
7 million purchase through the USDA's Section 32  
8 Program. There was some fish that was involved in  
9 that. That's also good news because USDA doesn't  
10 always have seafood on their radar screen. I know  
11 there have been a number of members of Congress  
12 who've been pushing the USDA to remember the other  
13 protein when they're talking about beef, poultry,  
14 and chicken. So the fact that they're thinking  
15 about seafood is good. I suspect there will be  
16 more commodity purchase program purchases coming  
17 up, so hopefully we'll see some more seafood  
18 purchased.

19 I know one of the big issues you're all  
20 interested in is the Magnuson-Stevens Act  
21 re-authorization. Just so you don't forget, the  
22 last time the Act was reauthorized was in

1 2006/2007, and it reauthorized the Act through  
2 fiscal year 2013, so we're due for a  
3 reauthorization. In my opinion laws need to be a  
4 little more adaptive. They need to be a little  
5 more up to speed, they need to be a little more  
6 fresh. So I think we're due for a  
7 reauthorization.

8 We had some progress going into the  
9 115th Congress, the House of Representatives  
10 passed a bill. The 116th Congress, due to a  
11 number of things including the impeachment process  
12 and now the coronavirus, taken a little wind out  
13 of their sails. So we're still making progress  
14 but not anything happening on the reauthorization  
15 this year.

16 So far in the 116th Congress there's  
17 only been one bill that would reauthorize the act.  
18 There are about 32 other bills that would amend  
19 the act, but only one bill actually reauthorizes  
20 it. That's Congressman Young's bill in the House,  
21 which is based primarily on the bill that passed  
22 the House in the 115th Congress.

1           Having said that, Congressman Huffman  
2       from California is the Chair of the House Natural  
3       Resources Subcommittee on Water, Oceans, and Wild  
4       Life, the WOW Subcommittee. You may remember last  
5       year he announced that he was going to be viewing  
6       the listening sessions and he at least initially  
7       said he was going to try and do a listening  
8       session in each of the original Council areas.  
9       He's done seven so far, with a couple of those  
10      being in the same region. So it's not seven out  
11      of eight regions that are done, they're actually  
12      three regions that are still on the planning  
13      stages. Those three are New England, which was  
14      planned but got postponed because of the  
15      coronavirus. Chairman mentioned he wanted to do  
16      one in Alaska. And the last one is the Caribbean.

17                So with the delay of Congress being in  
18      session and with the Chairman not able to travel,  
19      it's a little unclear if he plans to still do  
20      those three or not. But his original plan was  
21      those listening sessions were going to help him  
22      draft a bill, reauthorization bill that he was

1 going to introduce sometime this spring, which  
2 would be right about now. So if he wants to do  
3 the last three, that tells me that he won't have a  
4 bill introduced until summer or fall at the  
5 earliest. And at that point I think it's unlikely  
6 that we would see any movement in the House.

7 As far as the Senate is concerned, the  
8 Senate has not had any hearings and there have  
9 been no bills introduced this Congress. You may  
10 remember in the 115th Congress there was a staff  
11 draft, it was sent out for discussion. That bill  
12 was never introduced and I have not seen any  
13 indication that it's likely to be revised or sent  
14 out again for comment. So not a lot of action in  
15 the Senate.

16 Speaking of Chairman Huffman, so he's  
17 been doing these listening sessions. He also held  
18 what was called a virtual roundtable on May 18th.  
19 This was before the House rules were changed to  
20 allow remote hearings. So this was not an  
21 officially sanctioned committee hearing, but it  
22 was set up to mimic one. It was done very much

1     like we're doing this, it was a Webinar format.  
2     Unfortunately, because it was not an official  
3     function of the committee, the committee  
4     Republicans did not attend or participate and the  
5     administration, although asked to participate,  
6     declined to do so. So it was, again, it was not  
7     an official committee event. It did not follow  
8     the official committee rules for an official  
9     event, so it's out there if you want to watch it.  
10    It was on the Committee webpage. But it is likely  
11    the format that committees will follow in the  
12    future, if you want to see how it was done.

13            Another issue that's come up quite a bit  
14    in our discussions today and over the last couple  
15    months is aquaculture. As you may remember, there  
16    was an aquaculture bill that would allow  
17    permitting of aquaculture facilities and Federal  
18    loggers that was introduced in the last Congress  
19    on the Senate side. That bill was not  
20    reintroduced to this Congress, although I'm  
21    hearing rumors that it might be introduced in the  
22    very near future.

1           Having said that, there is a bill that  
2           was introduced in the House that was based on the  
3           Senate bill from the last Congress. The  
4           interesting thing, it was introduced by the  
5           Chairman of the House Agriculture Committee and  
6           not a coastal member. So that's kind of  
7           interesting, but we'll see where that goes.

8           Again, because the House has had some  
9           problems holding hearings and the rules are a  
10          little bit in flux about whether they can hold  
11          hearings, it's unclear whether they're going to do  
12          much with aquaculture the rest of this year.

13          There's been talk that the end of the  
14          session staff might try to put together a  
15          fisheries package of small bills that are likely  
16          to be less controversial, and try and move a  
17          package through. I think chances for that are  
18          becoming less likely, but we'll see.

19          Finally, we've talked a little bit about  
20          the executive order and the request for Councils  
21          to come up with ideas of how the administration or  
22          others could look to the future and help the

1 industry. I've talked to a few of you folks off  
2 line about this. With an interest in the  
3 administration in growing the Blue Economy, and  
4 with at least the Senate Commerce Committee  
5 holding one hearing on opportunities for Blue  
6 Economy, I think the executive order, plus the  
7 interest in the Blue Economy, plus the pandemic,  
8 have really started people thinking about where we  
9 want the industry to be in the next couple years,  
10 in 10 years, in 20 years.

11 I would encourage you to think big. You  
12 know, we've talked a little bit off line about the  
13 aging of the fleet. You know, we've got a lot of  
14 old fishing vessels out there, and up until now we  
15 haven't been real excited about increasing  
16 capacity. But is this something we might want to  
17 think about for the future if we want to have  
18 clean environmentally friendly vessels out there.  
19 If so it may mean new shipbuilding.

20 I know a lot of Councils have been doing  
21 visioning sessions, so some of the things that  
22 have come out of your visioning sessions might be

1 great ideas. I wouldn't think just in terms about  
2 things NOAA can change. If there are things that  
3 you think we should be looking at for statutory  
4 changes, think big. And if you have any ideas  
5 that you don't think are appropriate to send to  
6 NOAA in response to the executive order, feel free  
7 to send them to me. I've had some discussions  
8 with Congressional staff, they're looking for  
9 ideas of where we think the industry should be in  
10 the future. And I think they would like some help  
11 from the Councils in that respect.

12 So, Mr. Chairman, with that I'll wrap  
13 up. And if there are questions I'm happy to  
14 answer.

15 MR. SOLIAI: Thank you, David, very  
16 informative presentation. I'm glad to hear what's  
17 going on over in Washington. All right, we'll  
18 start with North Pacific.

19 MR. WITHERELL: Thank you, Mr.  
20 Chairman. I don't have any questions, my Chair or  
21 Vice-Chair might.

22 MR. KINNEEN: None from me. Thanks for



1 the presentation.

2 MR. TWEIT: This is Bill Tweit. Dave,  
3 thanks very much for that presentation. In  
4 particular I'm curious about your thoughts about  
5 thinking big in terms of statutory changes. You  
6 also sort of implied maybe we should be thinking  
7 more about setting up conditions for financing for  
8 vessel replacement too.

9 And I'm wondering if you see any  
10 vehicles moving for either those you've already  
11 said Magnuson is probably not moving soon. You  
12 mentioned a small package of potentially less  
13 controversial fishery issues. But do you see any  
14 vehicles that we should be looking at that might  
15 offer some promise of some of the kinds of  
16 statutory changes that you think might be possible  
17 at this point?

18 MR. WHALEY: The short answer is no.  
19 There are going to be some tweaks that are going  
20 to be put into whatever new aid packages are put  
21 together. I don't think the big picture items  
22 like changing vessel financing issues are going to

1 be in those.

2           However, I think what you guys come up  
3 with could lay the groundwork for things that are  
4 going to come out in the next Congress. Things  
5 that are going to come out in the next five years.  
6 I think what people are thinking about now just  
7 because of the combination of the pandemic,  
8 executive order, and the Blue Economy issues, I  
9 think this is kind of a time where people are  
10 going to be looking at what packages or what  
11 proposals we're putting together, kind of  
12 blueprints for the future.

13           So I don't think anything is likely in  
14 the short term, but I think what you might put  
15 together could really form the basis of what  
16 people talk about in the next few years.

17           MR. TWEIT: Thanks. Mr. Chair, this is  
18 Bill Tweit again. I have a second question if I  
19 might.

20           MR. SOLIAI: Yeah, go ahead, Bill.

21           MR. TWEIT: Thank you very much. Dave,  
22 some EOs survive presidential elections, some EOs

1 don't. As I look at this one I can see some  
2 reasons for this one to survive. There's a lot in  
3 there that is sort of overdue relative to the  
4 fishing industry, food industry in general. So it  
5 seems like that. So I've been wondering if you  
6 have any thoughts about what we could be  
7 collectively doing to ensure that at least this  
8 emphasis on the importance of the seafood  
9 industry, that this EO embodies what we could do  
10 to have it survive a presidential election.

11 MR. WHALEY: Yeah, that's a good point.  
12 I think a lot of executive orders have longevity.  
13 Often times it's the way they're implemented that  
14 makes them a little more controversial and makes a  
15 new administration come in and have second  
16 thoughts about them. But I think you're right  
17 that the push that's in this executive order I  
18 think could have long- lasting effects. And I  
19 think the suggestions that come from the Councils  
20 and from outside folks to the agency may lay the  
21 groundwork for a lot of thought into the next  
22 administration, whoever that might be.

1 MR. SOLIAI: Thank you. Next thing  
2 we'll move on to the Pacific Council.

3 MR. TRACY: No, thank you, I don't have  
4 any questions right now. I don't know if Phil or  
5 Marc might have something.

6 MR. GORELNIK: I do not.

7 MR. ANDERSON: None, thank you.

8 MR. SOLIAI: Thank you. Caribbean?

9 MR. HANKE: I don't have any comment at  
10 this time. This is Marcos Hanke.

11 MR. SOLIAI: Thank you, Marcos. Gulf  
12 Council?

13 MS. SIMMONS: No, we don't have any  
14 questions. Thank you, David, as always.

15 MR. SOLIAI: South Atlantic:

16 MR. CARMICHAEL: No questions. Thank  
17 you.

18 MR. SOLIAI: Mid-Atlantic?

19 MR. MOORE: Thanks, Mr. Chair, we do not  
20 have any questions at this point. Thanks.

21 MR. SOLIAI: Thank you. New England?

22 MR. NIES: Thank you, Mr. Chair, this is

1 Tom Nies. I've got a question that I think isn't  
2 really directed at Dave, it might be more  
3 appropriately directed to either Mr. Oliver or  
4 Mr. Rauch.

5 The order that we received to talk about  
6 the executive order I don't think specifically  
7 requested recommendations on statutory changes.  
8 Is that something that the administration would  
9 consider at least approaching?

10 MR. RAUCH: This is Sam. It did not ask  
11 for statutory changes, and the ability for us to  
12 implement that through executive order or  
13 regulatory ruling blended into that Congress. And  
14 there are our considerations on the Council  
15 regarding lobbying. I think, and I don't know  
16 whether Adam is still on the phone, I think the  
17 Councils could still, under any circumstance,  
18 recommend eventual legislative changes to us, we  
19 may or may not decide through the President, to  
20 recommend them to Congress. I think that is, my  
21 understanding it is okay, but we would need to be  
22 cautious that the Council should not be making

1 legislative requests where, you know. I don't  
2 know if Adam is on the phone, if you want to speak  
3 to that.

4 MR. ISSENBERG: Yeah. Hi, this is Adam.  
5 I think Sam's got it right. I think, you know,  
6 there's no ban on lobbying the executive branch,  
7 and I think that would include suggesting to the  
8 executive branch that statutory changes would be  
9 appropriate. You know, and then as Sam said, I  
10 think it would ultimately be up to the  
11 administration to decide what to do with that.

12 You know, it is important to be cautious  
13 in terms of how the Councils are communicating  
14 with Congress. You've heard me say this many  
15 times before. So, you know, that is probably the  
16 safest way actually for the Councils to sort of  
17 lay out any vision they have in terms of some  
18 potential statutory changes, whether it's pitching  
19 big or small.

20 MR. WHALEY: If I can jump in, Tom, you  
21 know, a Council might suggest that NOAA provide  
22 statutory drafting assistance for clarifying

1 aquaculture authorities. That's not making a  
2 suggestion to Congress, but that's suggesting that  
3 the agency suggest to Congress something.

4 MR. NIES: Thank you, Dave. Thank you,  
5 Mr. Chairman. I believe Dr. Quinn, my Chair, has  
6 a question. I'm not quite sure how to raise his  
7 hand.

8 DR. QUINN: Yeah, I do. Thank you very  
9 much, Mr. Chairman. Dave, I may have missed it,  
10 I had a little technical problem here. But any  
11 sense on the Stimulus 4 Bill, A on it's passing; B  
12 if there would be anything in there for fisheries  
13 related issues, whether at the Federal or State  
14 level?

15 MR. WHALEY: Yeah, John, the House has  
16 passed a large package that included the 100  
17 million for fisheries disasters. The Senate  
18 didn't like the size of the bill and didn't like  
19 some of the provisions that were in it so the  
20 Senate said it's dead on arrival. But they are  
21 working on their own package and I think there's  
22 interest in both Houses of doing a fourth stimulus

1 package. I don't think it'll be as big as the  
2 last one, but the fact that fish were included in  
3 the CARES Act, and were included in the House  
4 version I think is a good sign.

5 DR. QUINN: Thank you.

6 MR. SOLIAI: All right. Thank you.

7 Moving out to the Western Pacific. I think we've  
8 got some issues that we'd like to ask so I pass it  
9 over to Mr. Gourley.

10 MR. GOURLEY: Thank you, Chairman.

11 Yeah, Dave, thank you. It was a great update with  
12 not a whole lot going on. Of course it's  
13 expected.

14 I wanted to make a comment. The EO was  
15 very refreshing and I think it does, you're right,  
16 Dave, I think that gives us a unique opportunity  
17 to get some ideas put on the table and, you know,  
18 maybe make some progress.

19 However, I just can't get over the fact  
20 that the Congress actually works against U.S.  
21 Fishery by passing laws such as the Billfish  
22 Conservation Act of 2018 whereby it basically



1 prohibited us in the Western Pacific to sell  
2 sustainably caught billfish to the guys in the  
3 U.S. Mainland, who obviously need help catching  
4 fish. And we've got also the Shark Fin Sales  
5 Elimination Act, the House passed their version.  
6 I think there's a couple versions in the Senate  
7 floating around. But some reading that's coming  
8 out of Florida that is going to hurt U.S.  
9 fishermen that fish for Sharks.

10 And, you know, I don't know what to do  
11 about it, I don't know if you can do anything  
12 about it. But I'd like to maybe suggest that  
13 these particular legislation that effect one  
14 Council and not the others, that perhaps the CCC  
15 can come together in a collective voice to put  
16 together letters, recommendations, to the Congress  
17 that this does not benefit U.S. fisheries, and  
18 works against U.S. fisheries. And it's a little  
19 bit off line, it doesn't quite follow the EO, but  
20 it just doesn't make any sense that Congress works  
21 against the very thing that we want to try to  
22 promote.

1 I kind of just wanted to get that off my  
2 chest. Thank you.

3 MR. WHALEY: John, if I may, I would  
4 think it would be appropriate for your Council to  
5 point out that with the interest in reducing the  
6 seafood deficit and maintaining U.S. Jobs, that  
7 bills are like that are counterproductive and that  
8 the agency should work with Congress to make sure  
9 that sort of thing doesn't happen.

10 MR. GOURLEY: Point taken. Thank you.

11 MR. SOLIAI: Thank you everyone. Do we  
12 have any comments from NMFS before we move on?  
13 No? All right. Thank you, David.

14 MR. WHALEY: Thank you.

15 MR. SOLIAI: Before we move on to the  
16 next agenda item, if we could just backtrack to  
17 the last agenda item, the Fishery Management and  
18 Services PPA. I think, Tom, you wanted the floor  
19 back but I failed to give you the floor back. And  
20 I think NMFS may have some comments on that  
21 particular matter?

22 MR. NIES: Yes. I just asked if NMFS

1 have any questions. I didn't hear any, but maybe  
2 just didn't really give them a chance.

3 MR. SOLIAI: Anyone from NMFS?

4 MS. WALLACE: Hi. This is Jenni. Yeah.  
5 We didn't have any comments on that. And, Tom,  
6 Brian and I would be happy to meet with you and  
7 talk with you further. But we're good.

8 MR. NIES: Thank you.

9 MR. SOLIAI: All right. Thank you. All  
10 right, we'll move forward to our next agenda item,  
11 the Legislative Work Group Report, and David  
12 Witherell?

13 MR. WITHERELL: Thank you, Mr.  
14 Chairman. I'll wait for Nicholas to load the  
15 PowerPoint.

16 So I've taken a Hawaii theme to this,  
17 thinking that we would all be on the beach some  
18 time around now had we not had the pandemic. So.

19 Next slide. We have a few new members  
20 as part of the Legislative Work Group or  
21 Committee. John Carmichael, Josh Demello, and  
22 Ryan Rindone. They have replaced other members.

1 John, of course, replaced Greg Watt, and Josh  
2 DeMello replaced Kitty, and Ryan has replaced Don  
3 Frishke, I believe.

4 Next slide. So we had a committee  
5 meeting in March and we reviewed the updated  
6 report on MSA preauthorization of the legislative  
7 issues from Dave Whaley. You heard that report  
8 just now. We also reviewed the working paper that  
9 had been revised to reflect the changes that the  
10 CCC approved back in November. And we drafted a  
11 consensus statement for the new topic, Timing for  
12 FMP Revisions. And we also made a recommendation  
13 that in future drafts the working papers that we  
14 include a date when consensus statements are  
15 approved or maybe when any Council revises its  
16 regional perspectives.

17 Next slide. So just a review of the  
18 changes that were made, the working paper. And by  
19 the way, the updated version is posted as part of  
20 the agenda materials. We have a stand-alone  
21 executive summary, we have the new topic, Timing  
22 for FMP Revisions. And we've organized the paper

1 into the three topic areas as listed, with all the  
2 different issues within those topic areas.

3 Next slide. So this is the part that  
4 needs approval from the CCC. This is the work  
5 group's recommended consensus statement for timing  
6 for FMP revisions. I'm not going to read it, but  
7 it is there. I think the last sentence really  
8 captures the challenge for all the Councils and  
9 the note that if we rush to meet a deadline  
10 without adequate time for scientific analyses and  
11 public input, it results in less than optimal  
12 decision making, and in fact can increase the time  
13 it takes to beget a regulation implement.

14 Next slide. So assuming that the CCC  
15 will agree with the recommendations and our  
16 changes to the working paper, we'll make the  
17 changes, new changes with the consensus statement,  
18 and as we change any or make any revisions to the  
19 paper in the future, we'll also include that year  
20 and date.

21 And that's the last slide I believe.  
22 That concludes my presentation, Mr. Chairman.

1 MR. SOLIAI: All right. Thank you,  
2 David. Do we have any questions for David? North  
3 Pacific?

4 MR. KINNEEN: This is Simon. None for  
5 me. Thanks, Dave.

6 MR. SOLIAI: Thank you. Pacific  
7 Council?

8 MR. TRACY: None for me.

9 MR. SOLIAI: Caribbean?

10 MR. HANKE: No comment at this time.  
11 This is Marcos.

12 MR. SOLIAI: Thank you. Gulf?

13 MS. SIMMONS: No questions, just --  
14 well, maybe one. Dave, who is that in the  
15 pictures, it's not you. Thank you for your work  
16 on this.

17 MR. WITHERELL: The first three pictures  
18 come from one of my Council members, Andy Mezirow,  
19 who has a place in the Big Island. The last  
20 couple pictures, the ones that I took, and the  
21 first one was me under the umbrella at Turtle Bay.

22 MR. SOLIAI: Nice.

1 MR. WITHERELL: Daydreaming.

2 MR. SOLIAI: Great shots. South  
3 Atlantic?

4 MR. CARMICHAEL: Gentlemen, nothing for  
5 today. But thanks.

6 MR. SOLIAI: Mid-Atlantic?

7 DR. MOORE: No questions, thanks.

8 MR. SOLIAI: New England.

9 MR. NIES: No questions from me.  
10 Thanks.

11 MR. SOLIAI: West Pac?

12 MS. SIMONDS: No, but we wish we were  
13 out on the beach too, Dave. But thanks a lot.

14 MR. SOLIAI: Don't we all? All right.  
15 Any questions from NMFS? Maybe not. All right,  
16 we'll move forward. Next item is the CCC  
17 Committee and Working Groups Updates from the  
18 working groups. So the first one is SSC, Marlowe  
19 will report on this.

20 MR. SABATER: Thank you, Mr. Chairman.  
21 I request Nicholas to put up my PowerPoint,  
22 please. And while he's doing that I would like to

1     thank the (inaudible) for the great leadership in  
2     heading the Scientific Coordinating Subcommittee  
3     in planning for the workshop.

4             All right. Thank you. If you could  
5     move to the next slide. This will just be a brief  
6     update on the status of the planning for the  
7     tactical SCS. So here, in 2019, that's pretty  
8     much setting the theme for the workshop. There  
9     was a series of conference calls that was made.

10            And if you go to the next slide, these  
11     are the three themes that, you know, the three  
12     themes that the CCC approved last year. The first  
13     one is how to incorporate the existing system  
14     indicators in the stock assessment process. This  
15     session focuses on approaches to incorporate  
16     ecosystem indicators in the SCS and about other  
17     approaches. This theme session will also explore  
18     the current and future ability of ensembles and  
19     multi-models in the assessments and the monitoring  
20     process.

21            The second theme is developing  
22     information to support management of interacting



1 species in consideration of EBFM. This session  
2 focuses on how best to address these  
3 recommendations on a regional and a national level  
4 as well as the development of elements and  
5 consideration that should be considered for  
6 inclusion in the developmental national  
7 guidelines.

8 And last, but not the least, how to  
9 assess developing fishing level recommendations  
10 for species exhibiting distributional changes.  
11 And the primary focus of this session is to  
12 address how stock assessments and fishing level  
13 recommendations should best accommodate stocks  
14 whose geographic distributions are modified with  
15 climate variability and climate change.

16 If we go to the next slide, please. So  
17 for early part of this year, the SCS continued the  
18 planning. We talked about the logistics and  
19 getting plenary speakers.

20 So move to the next slide. The plan  
21 date was supposed to be for August 4th to 6th of  
22 this year in Sitka, Alaska. We were going to have

1 80 participants, to include SCS members plus one  
2 Council staff and plenary MNFS and invited  
3 speakers. And we were planning on doing several  
4 species studies for future and selective theme.

5           However, we go on to the next slide.  
6 Everybody, yep, this thing happened and so, go to  
7 the next slide, please. The decision was made to  
8 reconvene or to convene the meeting of National  
9 SCS-7 for 2021. The meeting will likely be in  
10 August of 2021. The two keynote speakers that was  
11 identified are still available. And we're still  
12 in the process of soliciting one more keynote  
13 speaker. And also in the process of lining up  
14 case by the use.

15           So that's a short presentation of the  
16 status of the National SCS Planning, Mr.  
17 Chairman. And if you have any questions, Diana  
18 Stram is also on the line to answer specific  
19 details. That's it, Mr. Chair. Thank you.

20           MR. SOLIAI: Thank you, Marlowe. Do we  
21 have any questions for Marlowe? North Pacific?

22           MR. WITHERELL: I don't have any

1 questions, Mr. Chairman. I just wanted to note  
2 that we decided to postpone that meeting given the  
3 uncertainties of quarantines and other things that  
4 might be happening in Alaska in August even though  
5 our current rates, catch rates are low. But  
6 allowing us to rollover our carryover money allows  
7 us to spend that money in 2021. So it was a  
8 relatively easy decision for us. Thank you. My  
9 Vice-Chair, Bill Tweit, may have a question.

10 MR. TWEIT: No questions, thank you.

11 MR. SOLIAI: Thank you. Pacific  
12 Council?

13 MR. TRACY: Thanks. No questions.

14 MR. SOLIAI: Caribbean?

15 MR. HANKE: No questions or comments.

16 This is Marcos. Thank you.

17 MR. SOLIAI: Thank you, Marcos. Gulf  
18 Council?

19 MS. SIMMONS: No questions, thank you.

20 MR. SOLIAI: South Atlantic?

21 MR. CARMICHAEL: No questions, thank  
22 you.

1 MR. SOLIAI: Mid-Atlantic?

2 DR. MOORE: No questions, thank you.

3 MR. SOLIAI: New England?

4 MR. NIES: No questions, thank you.

5 MR. SOLIAI: West Pac?

6 MS. SIMONDS: Nothing. Thanks, Marlowe.

7 MR. SOLIAI: Thank you, Marlowe. Do we

8 have any questions from NMFS? If not we'll move

9 on to the Habitat Working Group, Josh DeMello.

10 MR. DEMELLO: Thank you, Mr. Chair. My

11 name is Joshua DeMello, I'm the Work Group Chair

12 of the Habitat Working Group. And this is going

13 to be a report on what we've been working on.

14 Next slide. Just as an introduction to

15 what we've been working on and who we are, for

16 those that don't know. The Habitat Work Group was

17 created in the May CCC meeting in 2014 as an

18 informal working group. And the Councils put

19 their habitat specialists on this work group and

20 also some of the NMFS personnel. And so their

21 initial task was really to look at developing this

22 EFH habitat summit that was convened in 2016.

1                   And so between 2016 and 2019 we've  
2 really been working on the outcomes of that  
3 summit. And which resulted in another workshop in  
4 August, 2019 in Portland. And so during the last  
5 meeting we reported on that. And so I wanted to  
6 give you an update on what we were continuing to  
7 work on.

8                   Next slide, please. And so at this  
9 Portland workshop there were some actions that  
10 were suggested that the CCC could take. And one  
11 of them was to provide coordinated outreach with  
12 the action agencies that deal with the EFH and to  
13 remind them of the important role that the  
14 Councils play.

15                   And the second was to have the habitat  
16 science priorities that are shared across the  
17 regions, and the Councils could communicate that  
18 to NOAA's fisheries leadership at both the  
19 regional office and the fishery science centers.

20                   Next slide, please. And so at the last  
21 meeting the CCC requested that the Habitat Work  
22 Group come back with more detail about the Council

1 and staff workload relating to the future CCC  
2 actions. And the CCC was concerned with the  
3 Council and staff load and wanted to know if this  
4 additional work would be adding to what we're  
5 working on as habitat staff. And so what we  
6 really are looking at is trying to make our  
7 workload more efficient and effective. And these  
8 are two of the ways that we can do this.

9 And so the first, next slide, is the  
10 habitat partner engagement. And so we drafted a  
11 letter that explains the Council's role in EFH  
12 designation because while the regional offices  
13 work with these action agencies on consultations,  
14 the Councils are the bodies that actually  
15 designate EFH. And this would allow us as Council  
16 habitat staff to have these productive  
17 relationships that these action agencies could  
18 actually participate in the Council process and  
19 know who we are and talk to us when there are  
20 issues with EFH.

21 And so the habitat work group would like  
22 to request CCC send this letter to our agency

1 partners.

2 Next slide, please. And then the second  
3 one is to do an engagement with the fishery  
4 science center. So what we really want to do is  
5 to tell the fishery science centers what we need  
6 and ask what they have that they can help with us,  
7 help us with our habitat management. And so we  
8 really looked at it being narrowly focused up  
9 front. And so we picked climate change, climate  
10 based management, and what tools are available  
11 that we could use in either designating the EFH or  
12 refining the EFH.

13 Next slide, please. So through this  
14 workshop or Webinar, we would communicate what the  
15 Council management needs are, we would get a  
16 better understanding of what the science centers  
17 have available to us and what the outcomes  
18 hopefully being increased dialogue with the  
19 science centers and then looking at what's  
20 available nationally and regionally to use for our  
21 regional needs.

22 Next slide, please. And so we're really

1 looking at holding one national Webinar for two  
2 hours that looks at where each region is in terms  
3 of climate science research and the capability for  
4 how these regions can use this information. We  
5 can hear how the managers are using research tools  
6 and hear from the science centers on what really  
7 is available for us. And through that we can  
8 develop an engagement plan for maybe a more  
9 regional level discussion or national discussion  
10 if there's something that is available for  
11 everyone. And then we would identify methods that  
12 maybe one region is using that we could use in our  
13 own regions.

14 Next slide, please. And so the CCC had  
15 the concern about workload, but we're really  
16 looking at refining the coordination so that we  
17 can work more effectively and provide increased  
18 communication with those that deal with habitat.  
19 And through this we'll be able to enhance our  
20 habitat staff and their ability to address our  
21 habitat mandates overall.

22 Next slide, please. And that's where



1 everyone wishes they were this week. Thank you,  
2 Mr. Chair.

3 MR. SOLIAI: Thank you, Josh. All  
4 right. And do we have any questions? North  
5 Pacific?

6 MR. WITHERELL: Nothing from us, Mr.  
7 Chairman.

8 MR. SOLIAI: Pacific Council?

9 MR. TRACY: No comments.

10 MR. SOLIAI: Caribbean? Nothing from  
11 the Caribbean?

12 MR. HANKE: No, no questions. Thank  
13 you. No questions, thank you. This is Marcos.

14 MR. SOLIAI: Gulf Council?

15 MS. SIMMONS: I don't have any  
16 questions, Mr. Chair, but I don't know if our  
17 Chair does, Dr. Frazer.

18 DR. FRAZER: I'm good for right now.  
19 Thank you.

20 MR. SOLIAI: Thank you. South Atlantic?

21 MR. CARMICHAEL: No comments. Thank  
22 you.

1 MR. SOLIAI: Mid-Atlantic?

2 DR. MOORE: Thank you, Mr. Chair. I  
3 have one quick question for Josh. Did you say  
4 that you were looking for approval of that offered  
5 habitat partner engagement letter from CCC today?

6 MR. DEMELLO: Yes.

7 DR. MOORE: So, Kitty or Mr. Chair, how  
8 are we going to handle that today?

9 MR. SOLIAI: Sorry, say again?

10 DR. MOORE: How are we going to handle  
11 that recommendation today? Are we going to add it  
12 to our list of recommendations or do we need a  
13 separate motion for that particular letter to go  
14 out to the partners?

15 MR. SOLIAI: Maybe we can add it to our  
16 list and handle it at the end.

17 DR. MOORE: Sounds good. Thanks.

18 MR. SOLIAI: All right. New England  
19 Council?

20 MR. NIES: Thank you, Mr. Chair. If I  
21 might indulge, I've got a couple questions and a  
22 couple comments. I guess my first question is

1 it's not clear to me who we're sending the letter  
2 to. Josh, could you tell me who the audience is?

3 MR. DEMELLO: So prior to the workshop  
4 last August we sent out a survey to anybody we  
5 worked with on habitats. So that includes Army  
6 Corps, the U.S. Navy, the states and territories,  
7 those folks that work, that have consultations  
8 with the regions. And so we are considering  
9 sending out the letter back to those same people.

10 MR. NIES: You know, I'm willing to  
11 support the letter, I'm still a little concerned  
12 about what would -- I would note that the letter,  
13 I think, allows each individual Council to get  
14 those people contacted and figure out at what  
15 level they want to interact with them. You know,  
16 dealing with I'm not sure how many states, at  
17 least five states and the Navy and the Army Corps  
18 of Engineers and everybody else, where I have one  
19 staffer that deals with habitat issues who's fully  
20 involved in their normal daily work. I don't know  
21 if this is actually going to be helpful or lead to  
22 overload. But, you know, we can address that

1 internally I think.

2 My next question is the enhanced  
3 coordination part. You know, the idea of the  
4 Webinar, obviously a two-hour Webinar is not any  
5 big deal. I'm a little nervous about the follow  
6 on to the Webinar. You know, one of the  
7 objectives that's listed on the enhancing  
8 coordination sheet is clearly communicate Council  
9 management needs in making a connection between  
10 science and research and Council's management  
11 applications with coordination with the original  
12 offices.

13 It seems to me that that's a regional  
14 approach that it is not necessarily going to  
15 benefit from national level approach to enhancing  
16 coordination. So I hope we recognize that, you  
17 know, once we have this meeting, that it could be  
18 that the need for the CCC's Habitat Working Group  
19 to communicate New England's management needs to  
20 the far distance science center. I don't see a  
21 lot of value in going through that group. And so,  
22 you know, I think that group needs to keep that in

1 mind, that while there may be national level  
2 issues that should be raised to all the science  
3 centers, it remains if all of us are going to have  
4 our own management issues that are easier to  
5 communicate directly. Thank you.

6 MR. DEMELLO: Thanks, Tom. I think it's  
7 the intent of the group, and there may be habitat  
8 issues that you folks might coordinate with the  
9 Mid-Atlantic Council over with your regional  
10 office, and there may be some that the North  
11 Pacific and the Pacific and the Western Pacific  
12 might want to get together on as well. And so  
13 after the national Webinar I think it really does  
14 go back to the regional approach.

15 MS. SIMONDS: Mr. Chair.

16 MR. SOLIAI: Yeah, go ahead.

17 MS. SIMONDS: So I'm thinking if we  
18 think we need to have a little more discussion,  
19 understanding about this, we can move this to the  
20 September meeting. It's up to the Councils.

21 MR. SOLIAI: Tom?

22 MR. NIES: I don't think we need to move

1 it.

2 MS. SIMONDS: Okay. Okay. So the  
3 recommendation is as it was laid out by Josh?

4 MR. SOLIAI: Yeah, I think we're in  
5 agreement. But unless there's any objections, I  
6 think we're in agreement, so we'll put that  
7 towards the end when we can go over  
8 recommendations.

9 MR. NIES: Okay.

10 MR. SOLIAI: Thank you, Josh. That  
11 leads us to our next item, Council Member Ongoing  
12 Development.

13 MR. GOURLEY: Mr. Chair? Excuse me,  
14 Chair.

15 MR. SOLIAI: Go ahead.

16 MR. GOURLEY: Yeah, I would make a  
17 comment if I could on the EFH. I think the idea  
18 of having -- I'm sorry?

19 MR. SOLIAI: No, I'm sorry I skipped  
20 over West Pac.

21 MR. GOURLEY: I didn't want to bring  
22 that to your -- just thought I'd barge in.

1 MR. SOLIAI: Go ahead.

2 MR. GOURLEY: I wanted to make a comment  
3 on the EFH. Oh, and thank you, Josh, for the  
4 update.

5 I like the idea of the Council getting a  
6 tad bit more involved in EFH. I think our  
7 involvement would be obviously from region to  
8 region could be different depending on the  
9 challenges we have. I know in the Western Pacific  
10 EFH consultations, especially with the Corps of  
11 Engineers, has become very contentious.

12 I work in the trenches, I do  
13 environmental permitting, and I just finished an  
14 EFH consultation which I thought had gone down the  
15 wrong road. That is a personal opinion. It seems  
16 like EFH has taken on a life of its own and it's  
17 being driven by, of course, NMFS. But it seems  
18 like the intent of the EFH, as in conserving and  
19 minimizing impacts to habitat that's being used by  
20 MUS, has kind of reached a point where it's very  
21 broadly interpreted. And I think it would be a  
22 good time by the Councils reaching out to the

1 other permitting agencies such as the Corps to sit  
2 down and figure out, perhaps better defining what  
3 EFH is, especially since we did the ecosystem  
4 component switch for our re-fish coral reef  
5 system, and possibly talking about policy  
6 directives and how to stop EFH consultations so  
7 that the permit conditions that are generated will  
8 actually do something rather than make somebody in  
9 an office feel like they're doing something.

10 Just my opinion, just thought I'd let it  
11 out. Thank you.

12 MR. SOLIAI: All right. Thank you,  
13 John. Do I have any comments from NMFS before we  
14 move on? If not, we'll move on to Diana Evans,  
15 Council Member Ongoing Development.

16 MS. EVANS: Okay.

17 (Recess)

18 MS. EVANS: Good afternoon, or good  
19 morning to those further guests. My name is Diana  
20 Evans. I'm the deputy for the North Pacific, and  
21 I'm going to present the Steering Committee Report  
22 for the Council Member Ongoing Development or CMOD



1 Steering Committee. Just as a context, I'd like  
2 to remind the CCC that the Steering Committee is  
3 chaired by the North Pacific Vice-Chair Bill  
4 Tweit, includes representatives from each of the  
5 councils, many of the executive directors, some  
6 staff, and one or two council members. That  
7 membership is listed in the report that we  
8 provided.

9 In the November 2019 CCC Meeting, the  
10 CCC established this ongoing council training  
11 program with the purpose of providing a policy  
12 neutral setting to promote exchange of information  
13 on fishery management among the eight councils and  
14 National Marine Fisheries Service to educate  
15 attendees on developing fishery science and  
16 management issues and to improve skills important  
17 for effective public decision-making in our  
18 fishery management council setting.

19 And in November, we outlined a process  
20 for holding facilitative two-to-three-day  
21 workshops every other year that would involve  
22 council members and council and National Marine

1 Fisheries Service staff. They would each be  
2 focused on a particular topic relevant for fishery  
3 management, and we established a process of  
4 sharing costs for those meetings, 50-50 percent  
5 between National Marine Fisheries Service and the  
6 councils, and the councils can split their 50  
7 percent equally for those shared costs of meeting  
8 space and hiring facilitators, and then each  
9 entity would pay for their own travel.

10 If you could advance to the next slide,  
11 please, Nicholas. So we met in March to prepare  
12 for this meeting to provide some additional  
13 planning or to continue planning for that first  
14 training session. The first and most important  
15 task was to identify who would be the host council  
16 for the very first training, and fortunately the  
17 New England Council Tom Nies volunteered to host  
18 the first event in 2021, so he is doing the bulk  
19 of work to develop and put out requests for  
20 proposals for our facilitator to run that meeting  
21 and to organize logistics for the meeting, and  
22 he's also coordinating with NMFS to receive the

1 share of the NMFS' share of cost estimated based  
2 on our proposed budget of \$55,000 which is what  
3 they will provide for the 2021 meeting.

4 They are providing that out of this  
5 year's budget, so there is a timeline on being  
6 able to put the RST in place in order to receive  
7 that money in time in the 2020 year funds. And so  
8 one note about that, because we haven't gotten the  
9 RST out yet, we don't have the final estimate for  
10 what the cost will be for that first training, but  
11 NMFS is limiting their contribution to \$55,000,  
12 and we estimate that it will cost about \$110,000  
13 total for shared cost. So the councils will share  
14 the remaining cost equally.

15 The CCC, when we talked about this last  
16 November, raised three concerns on the proposal  
17 for this training that we tried to address at our  
18 Steering Committee Meeting. The first one was  
19 that we want these meetings to be by invitation  
20 only to allow people who are attending to feel  
21 comfortable sharing having a (inaudible) stage of  
22 information, and so based on a suggestion by Mr.

1       Issenberg, we have developed and clarified in the  
2       Terms of Reference that at these training meetings  
3       there would be no decisions made, no council  
4       business conducted which is the requirement in the  
5       (inaudible) for when our meetings need to be  
6       public, so that's expressly included and clarified  
7       in the Terms of Reference.

8               There was also a concern expressed about  
9       travel costs. Each council will pay for travel  
10      for its own members, and so there was some concern  
11      about making sure that those costs are equal among  
12      councils. Tom is planning to select a central  
13      location for the meeting that takes that tax rate  
14      into account and also trying to host the event  
15      close to a major airport, so that again, just  
16      trying to minimize travel cost to the extent  
17      possible.

18              And then the third concern that the CCC  
19      raised was the proposed size of the workshop,  
20      trying to make sure that we have a group that is  
21      not so big as to not be effective so that all of  
22      the participants in the meeting have an

1 opportunity to talk and it's not dominated by loud  
2 voices. First of all, make sure that we will have  
3 special facilitators that will help to ensure  
4 through the format of the workshop that we do give  
5 a voice to everybody who's participating, but we  
6 did discuss this at the Steering Committee level.

7 I think perhaps in November we might  
8 have misrepresented in our proposal the size of  
9 the workshop. I think the one I presented to you,  
10 I talked about a workshop that is not to exceed 50  
11 persons. In reality, it's really a maximum  
12 attendee number of 42 persons, 4 persons from each  
13 council. We were thinking probably 3 council  
14 members and 1 staff person, and then 10 persons  
15 from National Marine Fisheries Service, and in  
16 discussion with the Steering Committee, we would  
17 really like to maintain that level of membership,  
18 or, excuse me, participation in the workshop.

19 I think it's really important to be able  
20 to try to extend the training opportunity to both  
21 council members and staff, and so if we reduce the  
22 number of council participants that might affect

1 the ability for council members to cycle through  
2 during the course of their terms on the council,  
3 and then also for National Marine Fisheries  
4 Service to have representation both from  
5 headquarters and from the regional offices.

6 We really wanted to keep that number, so  
7 after our discussion we concluded, and we'd  
8 request that the CCC endorsed the original  
9 participation size as proposed 42 members, 42  
10 attendees plus the facilitators and invited  
11 speakers, and we proposed that in general this  
12 program would make sense for the CCC to evaluate  
13 it after we've had one, or we're suggesting two  
14 meetings of the training session to see if it's  
15 still serving its purpose as being effective,  
16 being cost effective, and if it's meeting the  
17 needs that we have identified.

18 So given that, if you could advance to  
19 the final slide, Nicholas. There are two  
20 potential action items for the CCC at this  
21 meeting. One would be to approve the Terms of  
22 Reference. They are posted on the agenda

1 materials as a separate document. They include  
2 that statement about what's the purposes of the  
3 training session, and the fact that it's going to  
4 be specific that no policy decisions or  
5 recommendations would be made by attendees at the  
6 meeting. We can see the three purposes listed out  
7 in the slide here.

8 It also includes a description of  
9 encapsulation from our proposal of how the  
10 training workshops would operate. The intent is  
11 to have these workshops every other year and the  
12 membership includes that element of having the CCC  
13 review the program after two meetings and consider  
14 its effectiveness and whether it's meeting its  
15 needs. Full disclosure, we are looking for the  
16 CCC to approve the Terms of References, however  
17 because we have this constrained timeframe that  
18 Tom is working under to get the RST out and  
19 awarded so that he can get the funding from NMFS  
20 for support for their share of the workshop for  
21 2021, he has gone ahead and put the RST out with  
22 the draft Terms of Reference that you're looking

1 at today.

2 And then the second topic for the CCC,  
3 action item for the CCC, would be to endorse the  
4 topics for that first training in 2021. If you  
5 take action now to endorse the topic, we'll go  
6 ahead and make planning arrangements for the  
7 meeting next year, and so there were three  
8 essential topics that we talked about as a  
9 Steering Committee and number in the proposal.  
10 Originally the proposal before the first topic  
11 from the Steering Committee is to explore new  
12 approaches to ecosystem-based fishery management.  
13 That was of interest to -- several of the councils  
14 felt that that would be of interest to their  
15 members.

16 We had some discussion about that the  
17 new approaches component might morph as we get  
18 further down the road with the planning, maybe try  
19 to focus this session or this training on some  
20 particular subset of issues that are particular  
21 interest to councils, and we would have the  
22 facilitator poll the councils to find what that



1 pressing question might be. There also, you will  
2 note that there's a synergy with EDFM with the  
3 national efficacy workshop that you just heard  
4 about, so if we can plan to maybe have these two,  
5 the management component and the science workshop,  
6 both address complementary aspects of  
7 ecosystem-based fishery management question that  
8 the (inaudible) could be useful and interesting.  
9 And then the second component that you see listed  
10 up here is Skill Development in our proposal for  
11 how we would do these trainings. We want to just  
12 focus on educating members and staff on a  
13 particular theme but also including some component  
14 of a skill for council members, particularly, and  
15 so the one that seemed of most interest for all  
16 councils would be the topic of developing  
17 successful motion, so we would try to plan in  
18 maybe a two-hour session of skill development with  
19 respect to developing motions.

20 So with that, that summarized our  
21 discussion of the Steering Committee. I would  
22 suggest that the -- I don't know if Bill Tweit has

1 any additional comments he wants to provide, or  
2 perhaps Tom as well, as leading the charge on  
3 developing the RST and working with a contractor.

4 MR. TWEIT: This is Bill Tweit. Diana,  
5 that was a fantastic and very thorough  
6 presentation. Thank you so much. I just want to  
7 thank the fellow members of the Steering  
8 Committee. It's been a very productive working  
9 group. Particularly thanks, Diana, for her  
10 efforts to keep us on track as well as her  
11 excellent work at recording our decisions and  
12 communicating our outcomes and then finally thank  
13 Tom and the New England Council for being willing  
14 to -- if the CCC approves this, for being willing  
15 to take this on.

16 I think many of us were saddened when  
17 the fisheries forum ceased to exist, and as we'd  
18 really appreciated the services the fisheries  
19 forum had provided to the councils that I think we  
20 said it took for granted how easy it was that it  
21 didn't look very easy and certainly as now having  
22 seen what it takes, at least in part as the

1 Steering Committee, hats really off to them for  
2 what they have done, but I think we're on a great  
3 path here assuming the CCC agrees to support this,  
4 to be able to replace those functions, I think  
5 they're very valuable and they'll help us make our  
6 council system even better, so thanks to all.

7 MR. NIES: If I might, Mr. Chair, this  
8 is Tom Nies, so I'd like to thank Bill for  
9 chairing the Steering Committee and Diana for  
10 doing a lot of the work, and I'd like to also  
11 thank the Agency and Stephanie Hunt for coughing  
12 up part of the cost for this program because I  
13 think that'll really help the councils, and I  
14 think the NMFS' participation will be very  
15 valuable for us.

16 MR. SOLIAI: All right. Thank you,  
17 Diana, for the very good presentation, and I want  
18 to thank New England Council for offering to host  
19 our (inaudible) Training next year, so we look  
20 forward to the details. Do we have any questions  
21 from the North Pacific?

22 MR. WITHERELL: They don't have any

1 questions at the moment.

2 SPEAKER: None from me either. Thanks,  
3 great job.

4 MR. SOLIAI: Pacific Council?

5 MR. TRACY: Thanks. I don't have any  
6 questions. I don't know if Phil or Marc might  
7 have questions.

8 MR. GORELNIK: I do not. But thanks to  
9 everybody for putting together the report for us,  
10 the very well thought out thing (inaudible).

11 MR. ANDERSON: Yes, and the only comment  
12 I have is I also regret the past thing with the  
13 fishery forum and looking forward to seeing how  
14 this new approach works, but that's my only  
15 comment.

16 MR. SOLIAI: All right, thank you.  
17 Caribbean?

18 MR. HANKE: No comments. Thank you very  
19 much for the presentation.

20 MR. SOLIAI: All right, Gulf Council?

21 MS. SIMMONS: Yes, thank you, Mr.  
22 Chair. Thank you, Dianna and Tom and everybody

1 for all your hard work on this. It looks like a  
2 great proposal. With all these meetings kind of  
3 stacking up next year, I guess it's going to be  
4 really difficult perhaps to find a date that's  
5 going to work for everyone, so I guess the sooner  
6 we might have an idea when that would be the  
7 better.

8 I know you're just trying to get the  
9 call for proposals out to get a facilitator right  
10 now, so I guess all in the same vein, if a  
11 particular council can't make those dates or could  
12 only send one person, would the intent be to open  
13 those slots up to another council or to the  
14 science center staff or other NMFS staff to fill  
15 those spaces so that you add 42 people for every  
16 meeting; would that be the intent?

17 MS. EVANS: Hi. Thank you, Carrie,  
18 through the Chair. We haven't really talked about  
19 that issue or that particular nuance. So I don't  
20 really have a good answer. I think we could  
21 probably -- I think that we would not necessarily  
22 want to have a preponderance of people only for

1 one council, well, because it seems like we'd  
2 defeat some of the object of having that  
3 cross-council connection, but maybe I guess I  
4 haven't thought that through. I don't know if  
5 others have thoughts on that.

6 MR. TWEIT: This is Bill. In our  
7 experience, fisheries forum was always able to  
8 find dates that seemed to work evenly well for all  
9 the councils, and so, yes, as Diana said, we  
10 really haven't grappled with that. I think we  
11 just went in thinking if the fishery forum could  
12 find those dates, we probably can, too. If we  
13 aren't able to, that does strike me as a difficult  
14 question to answer because Diana is absolutely  
15 right if it starts being dominated by just a few  
16 councils then it really loses a lot of value  
17 quickly.

18 MS. SIMMONS: Okay, thank you very much.  
19 I think that'll be a big challenge and I just feel  
20 like we have a lot of meetings in 20/21 that we've  
21 kind of deferred with the national SSC meeting and  
22 others, so that I know as we progress to this

1     assuming to have some spare dates, the sooner, the  
2     better perhaps.

3             MR. SOLIAI: Thank you. I agree with  
4     Carrie, sooner the better if we could have that  
5     now scheduled for next year. South Atlantic?

6             MR. CARMICHAEL: No comments, thank you.

7             MR. SOLIAI: Mid-Atlantic?

8             MR. MOORE: Thank you, Mr. Chair, I have  
9     one quick suggestion. Thanks, Diana, for the  
10    presentation. I had noticed that the proposed  
11    topics included EBFF. I'm hoping that we plan  
12    also to have a discussion about EAFF, and just  
13    hope that the Mid-Atlantic Council will get  
14    involved with to talk about that I'm sure later,  
15    but that would be helpful. Thank you.

16            MR. LUISI: Mr. Chairman, I also have  
17    something. This is Mike from the Mid -- just  
18    (inaudible) another question and thanks,  
19    everybody, for all your hard work. In thinking  
20    about who would we might want to suggest to go to  
21    this meeting, would the intent of this meeting be  
22    relatively along the same lines as the fisheries

1 forum where you didn't necessarily have to be a  
2 seasoned pro or a veteran for being able to  
3 develop, you know, your skillsets as a council  
4 member.

5           You know, we have a number of new  
6 council members coming onboard this year. It  
7 would be nice to have the agenda and the subject  
8 matter and the facilitation be, you know, set up  
9 so that folks who have not spent a lot of time  
10 around the council table would (inaudible) be able  
11 to (inaudible) gain a lot of knowledge from the  
12 meeting. I just would let Diana know as a  
13 suggestion. Thank you.

14           MS. EVANS: Through the Chair, if I  
15 might respond to that, the one stipulation that we  
16 did talk about was that this would be available to  
17 council members after their first year on the job,  
18 if you like, because that first year you have the  
19 opportunity to attend new council member training,  
20 and I suspect still getting your feet underneath  
21 you, but we were thinking of having this be  
22 available to council members who've had that first



1 year and have some, you know, experience with the  
2 council topics and the council mission.

3 MR. LUISI: That helps. Thank you,  
4 Diana. I admit if you said that during your  
5 presentation, I'm sorry I missed that. Thank you.

6 MS. EVANS: (inaudible).

7 MR. SOLIAI: Thank you. Any other  
8 comments from New England Council?

9 MR. NIES: I don't have any comments,  
10 Mr. Chair.

11 MR. SOLIAI: All right, thank you.  
12 Western Pacific? Have anything --

13 MS. SIMONDS: I don't have any, and of  
14 course thanking everybody, I'm going to refer to  
15 John. Did you have a comment on this, Gourley?

16 MR. GOURLEY: No, I did not. Thank you.

17 MR. SOLIAI: All right, thank you.

18 Thank you, again, Diana, and moving on,  
19 (inaudible) Council?

20 MR. SOLIAI: All right, do we have any  
21 comments from NMFS? And there being none, we'll  
22 move on to administrative update on voting

1 recusals. Oh, I think we need a break. Why don't  
2 we take a 15-minute break at this junction.

3 Sorry, Adam, we'll come back to you. We'll take a  
4 15-minute recess --

5 MR. ISSENBERG: Okay.

6 MR. SOLIAI: -- and then we'll come  
7 back.

8 (Fifteen-minute recess.)

9 MS. SIMONDS: (inaudible) after we  
10 completed the administrative section because we  
11 are doing some last minute work on recommendations  
12 that we'd like to quickly go through, but there  
13 are -- you know, councils have some edits, so we'd  
14 like to get back in and complete the agenda, and  
15 then we need to have a break to complete the  
16 recommendations for -- we need half an hour and  
17 they will be preliminary recommendations, but we  
18 want to make sure that everybody at least got to  
19 see them, and we will complete the recommendations  
20 and send them out tomorrow with all of the EDs and  
21 chairs and vice-chairs having reviewed the  
22 recommendations. So, Mr. Chairman, can we go back

1 in and complete the agenda?

2 So apologies, Adam.

3 MR. SOLIAI: Yes, apologies for the  
4 delay and the miscommunication on our part, so  
5 continue on with our agenda, but before I do so, I  
6 just want to make an announcement for public  
7 comments, the same announcement that we made  
8 yesterday, that any members of the public  
9 interested in making public comment at the end of  
10 today should send a private chat to Nicholas  
11 Pieper; he's listed as the host at the top of the  
12 panelists list with your name and your  
13 affiliation, and we ask that you keep your  
14 comments under three minutes.

15 And so from there, we'll go back to  
16 administrative, voting recusals, so turn it over  
17 to Adam. Thank you, Adam, for your patience.

18 MR. ISSENBERG: Thank you, Mr.  
19 Chairman. So I've got two items to address. I'm  
20 going to take them one at a time and we'll stop  
21 after each of them for any comments or discussion,  
22 and I think at least the first should be fairly

1       brief, and that is an update on the voting recusal  
2       regulation. As you all will recall, the agency  
3       had issued a proposed rule to amend the voting  
4       recusal regulations last year, and we are finally  
5       at the point where we are putting a final rule to  
6       clearance within the Agency. So we have taken  
7       into account all of the comments.

8               We've looked at them very carefully. I  
9       know several of the councils submitted comments  
10      and we have paid very close attention to those.  
11      As I'm sure you understand I can't at this point  
12      talk about the substance of the final rule. All I  
13      can say is that I'm very hopeful that we will have  
14      a final rule published this year, and I'm even  
15      more hopeful that it will be published before the  
16      September meeting.

17             As much as you all probably don't want  
18      to hear me talk about this again at another  
19      council meeting, I'm hoping that we can keep this  
20      off the agenda at the next council meeting, so  
21      what I'd really like to see is for this to be out  
22      by the September meeting, but of course I can't

1 promise that. That is subject to the internal for  
2 review as well as OIRA clearance.

3 So that is my report, and I'm happy to  
4 take any questions or comments.

5 MR. SOLIAI: Thank you, Adam. Do we  
6 have any comments or questions from the North  
7 Pacific Council?

8 MR. WITHERELL: Yeah, well, we probably  
9 do. My question, Adam, is, it comes out in  
10 September and you didn't want it on the agenda;  
11 well, how do we ask you any questions we might  
12 have relative to the final rule and interpretation  
13 in the final rule?

14 MR. ISSENBERG: Well, I'm happy to talk  
15 about it again. If you want to hear me talk about  
16 it again, I'm happy to do it.

17 MR. WITHERELL: I appreciate that.  
18 Thank you. Our chair or vice-chair might have a  
19 comment.

20 MR. KINNEEN: Yeah, no questions. This  
21 is Simon, just a quick comment that, you know,  
22 this has been dragging out for quite a while, but

1 we do appreciate your attention in trying push it  
2 forward and do hope that it can be resolved by  
3 September, so thank you.

4 MR. OLIVER: Simon, this is Chris.  
5 Actually I noticed they drug it out a long time,  
6 and so I'll do whatever I can to help get us  
7 across the finish line on this.

8 MR. KINNEEN: All right. Thanks, Chris.

9 MR. SOLIAI: All right, Pacific Council?

10 MR. TRACY: Yeah, thanks, Adam. I'm  
11 looking forward to seeing the final rule out.  
12 Will there be an opportunity or will you direct  
13 NOAA GC staff to brief the councils on the results  
14 of this once it's out so that everybody is aware  
15 of features in it (inaudible)?

16 MR. ISSENBERG: Yes, you know, I think  
17 we can certainly recommend to our NOAA GC regional  
18 offices that they offer briefings to each of the  
19 councils. The final rule as was the proposed rule  
20 was, you know, vetted through a NOAA GC working  
21 group that includes members from each of the GC  
22 regional offices who work with all of you, so

1 they're all familiar with it.

2 MR. TRACY: Okay, thanks. Phil or Marc,  
3 do you have any other comments or questions?

4 MR. GORELNIK: I do not.

5 MR. ANDERSON: Nothing here.

6 MR. SOLIAI: All right, thank you.  
7 Caribbean, do you have any comments or questions?

8 MR. HANKE: No comments at this time.  
9 Thank you.

10 MR. SOLIAI: All right. Gulf Council?

11 DR. FRAZER: No comments.

12 MR. SOLIAI: No comment. All right,  
13 South Atlantic?

14 MR. CARMICHAEL: No questions, thank  
15 you.

16 MR. SOLIAI: Mid-Atlantic?

17 MR. MOORE: No questions acknowledged,  
18 thanks.

19 MR. SOLIAI: All right, New England?

20 MR. NIES: No questions or comments.  
21 Thank you.

22 MR. SOLIAI: All right, Western Pacific?

1 I guess the only comment I would have, Adam, thank  
2 you for the presentation and we look forward to  
3 seeing that final ruling when it comes out, that  
4 just want to reiterate the concerns that we've  
5 expressed and the comments that we've provided and  
6 the letter that our council has sent to you  
7 currently as it sits.

8           You know, if the proposal applies as  
9 proposed, essentially our industry members will  
10 have to recuse themselves from voting on issues,  
11 so we hope that that consideration could be made  
12 to reconsider the attribution of employees so that  
13 it could be agreed better than if on the original  
14 proposal.

15           MS. SIMONDS: Right. Thank you, Archie.  
16 Right. I think the bottom-line explanation was  
17 that you as an employee could be influenced by,  
18 you know, the president, or whatever, of the  
19 multibillion-dollar corporation, so, you know,  
20 obviously I don't look forward to the final rule,  
21 but it is what it is for now.

22           MR. ISSENBERG: Well, thank you, and,



1 you know, as I said, we have looked at all the  
2 comments very carefully, and, you know, considered  
3 them and the rule will address it to the comments.

4 MR. SOLIAI: All right, thank you. Are  
5 there any comments from NMFS? No? All right,  
6 we'll move on to the next item, Adam, the FOIAs.

7 MR. ISSENBERG: Yes. So on this one, I  
8 don't really have a presentation. I know that the  
9 councils requested an opportunity to talk about  
10 FOIA. I have to confess that I am not entirely  
11 sure, you know, what the issue is, but I  
12 understand there are some issues with, you know,  
13 concern about the burden of FOIAs on the councils,  
14 and so, you know, I'm happy to address any  
15 comments or questions on the issue.

16 MS. SIMONDS: Right. Carrie, I think  
17 you had some questions about this, and then I have  
18 a comment.

19 MR. SOLIAI: Sorry, Adam. Are you done?

20 MR. ISSENBERG: Yes, I'm done. I can't  
21 hear Carrie, though.

22 MR. SOLIAI: Okay. Carrie?

1 MS. SIMMONS: Can you hear me now?

2 MR. ISSENBERG: Yes.

3 MS. SIMMONS: Okay.

4 MR. ISSENBERG: Yes, we can.

5 MS. SIMMONS: We had a presentation, I  
6 believe, from someone in the FOIA office a couple  
7 of years ago regarding some issues we have in our  
8 region with the FOIAs, and it primarily had to do  
9 with estimating cost. So I don't have the  
10 specific right now, but it just seemed like each  
11 of the regions estimate cost of (inaudible) FOIA  
12 request very differently, so if you could provide  
13 the best point of contact when we have questions  
14 and we receive another FOIA in the future when  
15 we're estimating fees that would be great for  
16 right now.

17 MR. ISSENBERG: Okay. Yeah, we can  
18 provide a point of contact for that and provide  
19 some guidance, but I don't necessarily have a name  
20 for you right now, but we can get back to you and  
21 we can also suggest that, you know, we could  
22 consider providing some guidance on how costs are

1 estimated.

2 MS. SIMMONS: Thank you.

3 MS. SIMMONS: Okay, so I guess it was  
4 like a year or so ago I was in NOSS (phonetic)  
5 offices and my understanding is that there was an  
6 initiative having to do with FOIA and the  
7 councils, but so it was just recently that I guess  
8 Mark Graf was working on, so then but when I  
9 queried Tucker (phonetic) about it after the  
10 federal register notice went in, he said that  
11 you're not continuing the initiative, so I'm  
12 really not sure what the initiative was all about,  
13 but it sounded interesting to this council because  
14 I think we get more FOIAs than any other council.

15 I was checking with the other councils,  
16 and some of them maybe one in five years, so  
17 obviously we're interested in what was that  
18 initiative that you all were looking at.

19 MR. ISSENBERG: Yeah, and I do know a  
20 little bit about that, and I think perhaps calling  
21 it an "initiative" may be overstating (laughter)  
22 what was really an idea, and, you know, and

1 exactly what the line between idea and initiative  
2 is, I don't know, but --

3 MS. SIMONDS: Okay.

4 MR. ISSENBERG: -- you know, I think my  
5 understanding is that Mark Graf who is the NOAA  
6 FOIA coordinator, and had a conversation with you,  
7 Kitty, about, you know, ways to potentially  
8 relieve some of the burden on the councils, and I  
9 think part of the issue was the burden of  
10 searching and were there some of that work for  
11 doing the searches could be brought back to NMFS  
12 and NOAA.

13 And I think Mark's idea was to, as I  
14 understand it, redefine what would be considered  
15 an Agency records, and to say the only things that  
16 were on NOAA servers or was addressed to a  
17 NOAA.gov address were considered Agency records,  
18 and I don't fully understand the scope of what he  
19 was proposing. I think part of what he was  
20 thinking was assuming that the councils all used  
21 NOAA.gov email addresses or at least had been at  
22 their disposal.

1           But in any event, you know, and this is  
2 not to disparage Mark, but I will say that, you  
3 know, I don't think Mark in floating that idea  
4 really fully understood, you know, the council  
5 system or how, you know, the councils relate to  
6 the Agency, and I don't think that there's really  
7 a legal basis to suggest that the documents  
8 reflecting council business aren't Agency  
9 documents and that the Agency doesn't have control  
10 over those.

11           You know, I think if -- you know, this  
12 is really beyond my purview, but, you know, I  
13 think that if the councils all wanted to operate  
14 under NOAA.gov, email addresses on the server then  
15 conceivably, you know, some of that work could be  
16 brought back to NMFS. I'm not speaking for NMFS  
17 as to whether they're willing to take on that  
18 work, but, you know, I'm not sure that's something  
19 that you all want to, you know, do in any event.

20           MS. SIMONDS: All right, well, thank  
21 you, for this explanation. I'll have to think  
22 about it in case I want to bring it up again.

1 MR. ISSENBERG: Okay. Fair enough.

2 MR. SOLIAI: All right, thank you.

3 We'll go around the table. North Pacific, do you  
4 have any questions or comments?

5 SPEAKER: I don't.

6 MR. SOLIAI: Pacific Council?

7 MR. TRACY: No questions.

8 MR. SOLIAI: Caribbean?

9 MR. HANKE: No questions or comments.

10 Thank you. This is Marcos.

11 MR. SOLIAI: Gulf? Carrie, you have  
12 anything else to add?

13 MS. SIMMONS: Thank you, Mr. Chairman.

14 I think Kitty's question kind of reminded me of  
15 what our original questions were a couple of years  
16 ago when we had this presentation and it builds on  
17 that, and that is the burden of our staff doing  
18 those searches and not being able to bill their  
19 time for the searches because we don't have a NOAA  
20 email address. So like I already mentioned, if  
21 you can provide a point of contact in the future  
22 for us to reach out to for the next time I receive

1 one of those requests, that would be very helpful.  
2 Thank you.

3 MR. ISSENBERG: Yes, we can do that.

4 MR. SOLIAI: Thank you. South Atlantic?

5 MR. CARMICHAEL: No questions, thank  
6 you.

7 MR. SOLIAI: Mid-Atlantic?

8 MR. MOORE: None. Thank you, Adam.

9 MR. SOLIAI: New England?

10 MR. NIES: None. Thank you.

11 MR. SOLIAI: West Pac? I think Kitty  
12 covered it. Do we have any comments from NMFS?

13 MR. OLIVER: No, nothing.

14 MR. SOLIAI: All right. All right, at  
15 this time, I'll take public comments. Mr.  
16 Nicholas, do we have any public comments?

17 MR. PIEPER: Yes, we do. We have two  
18 people interested in making public comments. The  
19 first is Greg DiDomenico, and he represents Lund  
20 Fisheries and Viking Village fisheries. I will  
21 unmute him in a second here.

22 MR. SOLIAI: Thank you.

1           MR. PIEPER: Greg, we should be able to  
2 hear you now.

3           MR. DIDOMENICO: Good afternoon, can you  
4 hear me?

5           MR. PIEPER: Yes, we can hear you.

6           MR. DIDOMENICO: Excellent. I'll be  
7 brief. I know you guys have had a long couple of  
8 days here. My name's Greg DiDomenico. I was  
9 making some comments here on behalf of Lund's  
10 Fisheries in the Viking Village Fisheries. The  
11 industry (inaudible) extremely concerned about the  
12 reinstating the observer coverage during the  
13 time of this COVID virus, and we were wondering if  
14 the Agency or anybody else had guidance on what to  
15 expect over the next 60 to 90 days regarding that  
16 topic, and would they be at least following  
17 state-by-state quarantine guidelines and until  
18 such times those were lessened or changed?

19           We were certainly hoping that the Agency  
20 would be able to tell us if they were going to  
21 continue the exemption of the observer coverage at  
22 this time. Thank you.



1 MR. SOLIAI: Thank you, Greg.

2 MR. ISSENBERG: Are you on, Sam?

3 MR. RAUCH: I am.

4 MR. SOLIAI: Okay.

5 MR. RAUCH: Mr. Chair, we'd like to  
6 respond to that briefly.

7 MR. SOLIAI: Yes, go ahead, Sam.

8 MR. RAUCH: Thank you. We have  
9 observers in place in much of the country. We've  
10 been trying to be very differential to state and  
11 local guidance. It creates a difficult scenario  
12 of when you've got various jurisdictions that put  
13 up quarantines and other types of things, but  
14 we've managed to maintain or reconstitute an  
15 observer program in much of Alaska, the West  
16 Coast, the Southeast, and we are looking at that.

17 Right now, we've got the Northeast as  
18 being the one area in the country which currently  
19 has a waiver. I think that waiver expires  
20 shortly. We are looking at whether to extend  
21 that. I expect a decision on that soon. I think  
22 it expires tomorrow or over the weekend. We

1 expect a decision about that soon. I do think  
2 that these waivers are a short-term thing.

3           There is nothing inherently more  
4 dangerous between an observer and a fisherman, and  
5 so we need to be somewhat understanding about what  
6 the true natures of the dynamics are. We're  
7 working with the observer providers to try to make  
8 sure that when those waivers are lifted, they're  
9 done as safely as possible. But bearing in mind,  
10 in most of the country we currently do have  
11 observers back on boats around the country, but  
12 we're working on that. I expect a decision on  
13 whether to extend that waiver for the coming weeks  
14 shortly.

15           MR. SOLIAI: All right. Thank you, Sam.  
16 All right. For our next public comment, Nicholas,  
17 please.

18           MR. PIEPER: Yes, the next public  
19 comment is from McGrew Rice, the charter boat  
20 captain, and I am unmuting it now. McGrew, we  
21 should be able to hear.

22           MR. RICE: Can you hear me okay, Archie?

1           MR. SOLIAI: Yes, go ahead, McGrew. You  
2 have the floor.

3           MR. RICE: Okay. Yeah, this is  
4 regarding legislative part of the agenda today.  
5 I'm just reiterating what John Gourley said about  
6 the billfish act that was passed by Congress and  
7 have had an immediate effect on our Hawaii  
8 longline fishery with pricing and being able to  
9 get rid of the fish. Now with the shutdown, not  
10 being able to export billfish into the U.S., even  
11 more devastating to the industry.

12           Congress did not follow the science on  
13 this act being that the blue marlin is not being  
14 overfished and not in an overfish state, and as  
15 this act does, it took the whole country in wear  
16 one size does not fit all, and also on that Hawaii  
17 releases more blue marlin than anywhere else in  
18 the world. Our charter fleet really has an  
19 80-percent release rate.

20           Also I'd like to reiterate a little bit  
21 what I said yesterday about the CARES Act being  
22 that our charter fishing fleet is a

1 hundred-percent shutdown and with no end in sight.  
2 Listening to our governor, we don't have our  
3 permits and basically I'd say a third of that  
4 fleet will be out of business here being that  
5 they've been shutdown for eight weeks with no  
6 tourists coming into the state, and we can't even  
7 take charters from the people that are here that  
8 want to go fishing. So, anyway, that's all I  
9 have. Thank you.

10 MR. SOLIAI: Thank you, McGrew. Does  
11 anybody else want to respond to that? No? Okay,  
12 all right. Do we have any other public comments,  
13 Nicholas?

14 MR. PIEPER: No, that is it.

15 MR. SOLIAI: Okay, thank you. I'm going  
16 to ask if we are ready to proceed. I know we  
17 needed to take another break so we can finalize  
18 our recommendations.

19 MR. OLIVER: Mr. Chairman, Chris here.  
20 Can you hear me?

21 MR. SOLIAI: Go ahead, Chris.

22 MR. OLIVER: Yeah, I'm sorry. I was

1 double-tasking here, but did you want revisit that  
2 -- I know there was one issue we wanted to revisit  
3 that could affect the comments and that was the  
4 comment extending the comment period on the  
5 knowledge of unknown stock status. I just want to  
6 say that I don't think we're under any burning  
7 legal deadline to get that completed. I'm  
8 perfectly amenable to giving the councils  
9 additional time.

10 I guess my question is: I know often in  
11 my experience in the North Pacific when we're  
12 dealing with these kind of technical issues, we  
13 were able to get that council input through the  
14 staff or some combination of staff and our SSC or  
15 individual SSC members with the relevant expertise  
16 without convening a formal meeting, for example,  
17 of the council or SSC, so I guess my question to  
18 those (inaudible) and Tom and the others is, how  
19 much time do you think we need, Tom; if we gave 30  
20 more days, would that do it?

21 MS. SIMONDS: What do you think? I  
22 think for --

1 MR. TRACY: So this is Chuck.

2 MS. SIMONDS: -- us it's okay, but --

3 MR. TRACY: You know what? So our next  
4 council meeting is in two weeks, the SSC. Of  
5 course they've already, you know, done a -- filed  
6 a Federal Register notice and all that business.  
7 This isn't on our agenda, but, you know, we  
8 wouldn't be able to, you know, run comments  
9 through our SSC and then in the council until  
10 September, so I --

11 MR. OLIVER: And that's why I added that  
12 there was an alternative mechanism to do it a bit  
13 more formally through your staff and consultation  
14 with the appropriate expertise on your SSC. So  
15 that's why I asked; that's a long time.

16 MS. SIMONDS: Right.

17 MR. TRACY: Well, that's not the way we  
18 like to do business, but I don't know, maybe I'll  
19 ask my chair or vice-Chair that question.

20 MR. OLIVER: Okay.

21 MR. ANDERSON: This is Phil. Chris, I  
22 mean, I understand that waiting, and it sounds

1 like for us to go through our normal process which  
2 would take us essentially to the end of September  
3 before we provide you some response is too long  
4 period for you, is what I'm hearing, so in the --  
5 if that is true, and, you know, we will make our  
6 best efforts to set up an opportunity to provide  
7 comments probably through far more from Chuck to  
8 your office utilizing our expertise that we have  
9 in the council, but I would request that we be  
10 given until July 1st to provide that if we're  
11 going to need to use that alternative approach.

12 MR. OLIVER: Yes, thanks, Phil, and I'd  
13 also note that here we're all operating virtually  
14 anyway, and it may not be a stretch to pull  
15 together a teleconference, if you will, to get  
16 that review of clearance, so maybe I'll get Sam or  
17 Jenni to opine on the timeline issue and what the  
18 impacts and downsides are waiting longer than,  
19 say, another month or so.

20 MS. WALLACE: Yes, hi, this is Jenni,  
21 or, Sam, did you want to go?

22 MR. RAUCH: No, go ahead.

1 MS. WALLACE: Yeah, I mean, we've been  
2 working on the stock for quite some time, so, you  
3 know, we are interested in getting it out sooner  
4 than later, but really appreciated hearing from  
5 you all yesterday of your interest to take a  
6 closer look. I think the recommendation of the  
7 July 1st seems reasonable giving councils that  
8 opportunity, and then that gives us time to really  
9 get back in and finalize that.

10 The other comments I kind of wanted to  
11 make is that we anticipate this really being a  
12 living document, so it's quite a one-and-done type  
13 of thing, so as you're going through the review  
14 and when we send it back to you, I will reiterate  
15 that I just wanted to make sure that that's clear.  
16 There will always be times when there's time at  
17 issue (inaudible) in the future as well.

18 MR. OLIVER: So, Phil and others, how  
19 about if we say, look, we recognize the need for  
20 extra time. We'll look at it at least until  
21 through June, July 1st, and if it looks like  
22 that's going to somehow be problematic, we'll



1 cross that bridge then if we need to.

2 MS. SIMONDS: Chris, is it possible for  
3 the Pacific Council to amend the FR notice and to  
4 include this subject in their SSC and council  
5 notices? I mean, that does happen, you know.

6 MR. OLIVER: When's your meeting?

7 MR. TRACY: The SSC starts the 10th.

8 MR. OLIVER: Okay, so within 23 days. I  
9 think Sam or Adam could weigh in on that question.

10 MS. SIMONDS: Yeah.

11 MR. RAUCH: Well, I'd defer to Adam, and  
12 my point, we try to be rigorous about these  
13 fishing making documents being on the agenda. I  
14 think your comments on our proposal, not really  
15 the same kind of council decision that I would be  
16 overly concerned about. It might technically not  
17 -- it's not really the same kind of decision as if  
18 you were taking final action (inaudible). We're  
19 just providing comments on a document then, so I  
20 don't know that you need the full notice  
21 opportunity, but maybe I am getting out ahead of  
22 my (inaudible) council. We'll let Adam weigh in.

1           MR. OLIVER: Yeah, I (inaudible) -- I  
2 like your answer.

3           MR. ISSENBERG: No, I think that's  
4 probably right. You know, I don't know what the  
5 individual council practices are, so, you know, I  
6 would leave that up to each council to decide what  
7 their (inaudible). But at the end of the day, you  
8 know, I think that, you know, there is probably  
9 not much of a problem with (inaudible) discussing  
10 these (inaudible) documents --

11           SPEAKER: (inaudible).

12           MR. ANDERSON: Mr. Chairman, this is  
13 Phil Anderson again, if I may?

14           MR. SOLIAI: Go ahead, Phil.

15           MR. ANDERSON: So as I think about this,  
16 this will be a significant violation of our normal  
17 protocols in terms of getting including our  
18 advisory panel, our SSC, and members of the public  
19 in terms of weighing in on comments that we  
20 provide to NOAA Fisheries on a topic like this, so  
21 I want to put that out there, and that of course  
22 the added difficulty of trying to have these

1 meetings in the virtual meeting mode adds to the  
2 difficulty, frankly, of taking things on kind of  
3 on ad hoc basis which is pretty much what this is  
4 going to be. But I want to put that out there.

5 I appreciate Jenni's remark about this  
6 being a living document and so forth, and that  
7 suggests to me that there is opportunities down  
8 the road that if what you end up with is something  
9 that is problematic for one or more of the  
10 councils that we have a chance to come back, but I  
11 do just want to put it out there that this is a  
12 significant department from our normal way of  
13 doing business, at least in the Pacific council,  
14 in terms of providing comments to NOAA Fisheries  
15 on matters like this.

16 MR. SOLIAI: All right, thank you. I'll  
17 ask the other councils if they have any comments  
18 on this particular matter. North Pacific?

19 MR. WITHERELL: Thank you. The only  
20 thing I have is should we anticipate an email from  
21 you requesting our comments, and with some  
22 specifics or we just take this discussion and

1 communicate it with our SSC and council?

2 MS. WALLACE: This is Jenni. I'm  
3 willing to send out an email with attaching the  
4 document and giving maybe a line just to finalize  
5 this for everybody.

6 MR. WITHERELL: That'll be helpful.  
7 Thank you.

8 MR. SOLIAI: Caribbean?

9 MR. HANKE: No comments at this time,  
10 thank you.

11 MR. SOLIAI: Gulf Council?

12 MS. SIMMONS: Yes, thank you, Mr.  
13 Chairman. We can meet the July deadline, but it  
14 -- well, I think we can meet it. We may not have  
15 a formal SSC review, but we could get a couple of  
16 SSC members perhaps do it. I have a question I  
17 was thinking of now: Jenni, do you know if the  
18 Regional NMFS staff have had a chance to review  
19 this document?

20 MS. WALLACE: Yes. We were very  
21 involved, and they were a big part of it.

22 MS. SIMMONS: Okay. Thank you.

1 MR. SOLIAI: The South Atlantic?

2 MR. CARMICHAEL: Yes, thanks for the  
3 opportunity to comment on this some more and the  
4 extra time. Like the others, we have a council  
5 meeting coming up starting June 8th, so we will  
6 have to take Sam's recommendation and go ahead and  
7 put it on our agenda as another business topic,  
8 and we can run it through and do whatever SSC  
9 comments we can because obviously to go through  
10 the regular process of setting up even a webinar  
11 meeting and getting it in the federal register  
12 notice and all that is going to put us, all of us,  
13 quite a bit later than July 1st, so we'll do the  
14 best we can with the extra time y'all are giving.  
15 Thanks.

16 MR. SOLIAI: Well, thank you.  
17 Mid-Atlantic?

18 MR. MOORE: Thanks. No additional  
19 comments.

20 MR. SOLIAI: New England?

21 MR. NIES: My only comment is to thank  
22 Mr. Oliver. We appreciate this opportunity.

1 Thank you.

2 MR. SOLIAI: Thank you. Kitty, do you  
3 have anything else from West Pacific (phonetic)?  
4 No? All right, thank you, Chris. Do we have any  
5 other issues that CCC wants to revisit at this  
6 time?

7 MR. OLIVER: Just, Mr. Chairman, it's  
8 Chris again. I don't know how you want to handle  
9 this or wait and talk about this later, but there  
10 was a minor question or a suggestion of maybe  
11 unless we need to more frequently go to monthly  
12 CCC calls after this, to touch base, and then the  
13 other issue was the discussion of a fall meeting  
14 which typically in D.C., which that was still in a  
15 tentative mode of whether we're going to be back  
16 open and operational, and so I don't know if you  
17 all wanted to have any discussion of that before  
18 we close out today.

19 MR. SOLIAI: I'll open it up for any  
20 comments in this manner (phonetic).

21 MR. WITHERELL: I'll comment. Hey,  
22 Chris, I find the monthly calls for (inaudible)

1 highly (inaudible). I find those helpful even  
2 (inaudible) frequency.

3 MR. OLIVER: That seems like a good  
4 frequency you said, Dave?

5 MR. WITHERELL: Yes.

6 MR. OLIVER: Good. Okay. And obviously  
7 if something comes up that we need to talk about,  
8 we'll go over this.

9 MS. SIMONDS: So, hey, Chris, this is  
10 Western Pacific Council. We, too, look forward to  
11 these discussions that we have had every other  
12 week. I think that probably we've all learned  
13 more about issues and things going on than we  
14 normally would have, so, you know, I advocate  
15 continuing to do this, and if it's on a monthly  
16 basis, I think that's great.

17 MR. OLIVER: Okay.

18 MR. CARMICHAEL: Chris, it's South  
19 Atlantic, and I would say it would be nice if you  
20 guys start going back to some regular business, if  
21 we could hear, you know, the status of folks  
22 returning to regional offices and science centers

1 within each of our regions and the progress on  
2 getting folks back on the boats.

3 MR. OLIVER: Yes, we will definitely  
4 keep you notified of any developments there.

5 MR. KINNEEN: Chris, this is Simon, just  
6 with respect to scheduling and meeting in person  
7 in the fall time versus doing it virtually, it  
8 just seems like it's going to be too early to  
9 really have an intelligent conversation about that  
10 at this point, so just look forward to catching up  
11 on those (inaudible).

12 MR. OLIVER: Yeah. I agree, Simon. I  
13 think it's a little early to make the call of  
14 whether we have an in-person or virtual meeting in  
15 September. I think we need to see what transpires  
16 over the next few weeks at least.

17 MR. KINNEEN: That's good.

18 MR. TRACY: This is Chuck. Yeah, I do  
19 appreciate having the biweekly briefings. I think  
20 they've been very helpful, and I appreciate the  
21 added communications. I mean, I think I would  
22 prefer to have them maybe monthly from here out.



1 I think in terms of the COVID response, we've all  
2 kind of digested that and kind of have other  
3 (inaudible) go off of that, but certainly that if  
4 we could get something regularly scheduled is much  
5 appreciated.

6 MR. OLIVER: Yeah, I think the regular  
7 discussions that we've been having have been very  
8 helpful, and I think they would be in a non-COVID  
9 environment as well, so that's something for us to  
10 think about longer term. (inaudible). Thank you.

11 MR. SOLIAI: Thank you, Chris. I think  
12 we're all in agreement, good path moving forward.  
13 All right, at this time, I'm --

14 MS. SIMONDS: Right. And, Archie, let  
15 me just add that the EDs, we'll continue to talk  
16 about that fall meeting, you know, but we'll be  
17 monitoring with NMFS, you know, over the next  
18 months or next several months.

19 MR. SOLIAI: All right. Okay, so at  
20 this time CCC needs about another 30 minutes to  
21 finalize our recommendations, so we're going to  
22 take a break. It is 10:41 my time, so we'll take

1 a break for 30 minutes, and if we can cut it  
2 short, we'll let everybody know. All right, thank  
3 you.

4 (Break, 5:41 p.m.)

5 MR. SOLIAI: All right, thank you for  
6 your patience. The recommendations are being sent  
7 out to everyone now as I speak, and I think,  
8 Nicholas, once you receive it, if you could please  
9 put it onto your screen and share it.

10 MR. PIEPER: Will do.

11 (Pause, recommendations posted on  
12 screen)

13 MR. SOLIAI: And while we're waiting for  
14 these, I do want to say that these are a draft  
15 recommendations that were developed by the council  
16 and they were refined. They will be refined and  
17 distributed to the council tomorrow. There won't  
18 be any additional recommendations, but what you'll  
19 see is basically a rough draft. Nicholas, have  
20 you received it?

21 MR. PIEPER: Not yet. I believe it will  
22 be here any second.

1 MR. GORELNIK: I emailed it to him from  
2 Marc.

3 MR. SOLIAI: There we go. All right,  
4 again, I just want to remind everybody that these  
5 are draft form, and they'll be refined and sent  
6 out to everybody tomorrow, so we'll go through  
7 these one-by-one, then I'll introduce a motion and  
8 ask for a second starting from Day 1, and no  
9 recommendations on the operations and the rule  
10 making.

11 For the CARES Act, the proposed  
12 recommendation is the CCC recommends that if any  
13 additional funds are provided and mitigate the  
14 impacts of COVID-19 on the fishing industry,  
15 commercial for hire recreational subsistence are  
16 traditional; distribution of those funds should  
17 take into account the use of other relief  
18 programs. Some entities may have additional  
19 opportunities to access programs through the SBA,  
20 USBA, PPP Program, et cetera.

21 As a general principle, entities that  
22 receive support from other programs should be

1 given lower priority than those that do not. The  
2 funding allocations should consider lost revenue  
3 during the actual period of loss and the loss  
4 should be directly related to COVID-19. So I'll  
5 introduce that as a motion, and I'll ask for a  
6 second.

7 MR. HANKE: Second.

8 MR. SOLIAI: All right. Can you  
9 co-second it, please?

10 MR. HANKE: Marcos seconded (inaudible).

11 MR. SOLIAI: Okay. Marcos seconded.  
12 Are there any objections? All right, hearing  
13 none, we have consensus.

14 (Recommendation adopted, no nays.)

15 MR. SOLIAI: I'll move on to the next  
16 one. And no Recommendations for the NMFS updates.  
17 So for the promoting Seafood Executive Order, for  
18 the record the CCC expresses its appreciation to  
19 President Trump and to Chris Oliver for the  
20 Executive Order and notes that each council will  
21 be developing responses to the Executive Order in  
22 the coming months. Proposed recommendation in

1 response to Assistant Administrator for NOAA  
2 Fisheries, Chris Oliver's May 19th, 2020 letter  
3 sent to the councils on behalf of Secretary Ross,  
4 CCC reiterates the statements and recommendations  
5 it has made in its May 16th, 2017, letter to  
6 Congress. Secretary Ross and Interior Secretary  
7 Zinke in its June 27, 2016, letter to President  
8 Obama and its May 24th, 2017, outcome statement and  
9 recommendations regarding Marine National  
10 Monument, the CCC agreed to expeditiously submit  
11 these letters to Secretary Ross in the batch of  
12 individual council recommendations regarding  
13 EO13921 on promoting American Seafood  
14 Competitiveness and Economic Growth. So I'll  
15 introduce the motion and I'll ask for a second.

16 MR. GOURLEY: Second. John Gourley.

17 MR. SOLIAI: Seconded by John Gourley.

18 Are there any objections? Hearing none, we have  
19 consensus.

20 (Recommendation adopted, no nays.)

21 MR. SOLIAI: We'll move on to the next  
22 recommendation. If could, scroll down, please.

1 Thank you. Status of Policy Directives and  
2 Prioritization Development: The CCC requests NMFS  
3 continue to develop and implement a mechanism for  
4 notifying and tracking the development of all  
5 policy directives, procedural directives, and  
6 associated supplements such as regional  
7 implementation plans. I'll introduce this as a  
8 motion and ask for a second.

9 MR. ANDERSON: Phil Anderson. Second.

10 MR. SOLIAI: Seconded by Phil Anderson.  
11 Are there any objections? Hearing, none, we have  
12 consensus.

13 (Recommendation adopted, no nays.)

14 MR. SOLIAI: The next one is the NS1  
15 Technical Guidance Workshop Workgroups. CCC is  
16 concerned that a tech memo addressing data gaps in  
17 alternative management may not provide the  
18 adequate guidance to resolve conflicts that arise  
19 between scientific advice on the demands of  
20 current laws and policies. The CCC is also  
21 concerned that the guidance may not adequately  
22 address the need for status determination criteria

1 for model-resistant stocks. All right. I put  
2 this in as a motion and ask for a second. Do we  
3 have a second?

4 MR. KINNEEN: I'll second. This is  
5 Simon.

6 MR. SOLIAI: All right, seconded by  
7 Simon. Do we have any objections? All right,  
8 there being none, we have consensus.

9 (Recommendation adopted, no nays.)

10 MR. SOLIAI: The next one is the NMFS'  
11 status on changing stock Status from "Known to  
12 Unknown". Proposed recommendation is the CCC  
13 welcomes the opportunity to develop opportunity to  
14 review and comment on the draft procedural  
15 guidance for changing assessed (phonetic) stock  
16 status from "Known to Unknown". I'll introduce  
17 this as a motion, and I ask for a second.

18 MR. FRASER: This is Tom Fraser. I'll  
19 second that.

20 MR. SOLIAI: All right, seconded from  
21 Tom. Are there any objections? Hearing none, we  
22 have consensus.

1 (Recommendation adopted, no nays.)

2 MR. SOLIAI: And move forward to funding  
3 for basic surveys. (inaudible) recommend CCC  
4 requests NMFS to provide more information on plans  
5 and strategies and how NMFS will deal with the  
6 delays in the NOAA ship and chartered surveys on  
7 any alternative use of unused funding from FY2020.  
8 Put this in as a motion and I ask for a second.

9 MR. KINNEEN: I'll second that. This is  
10 Simon Kinneen.

11 MR. SOLIAI: All right, seconded by  
12 Simon. Thank you. Are there any objections?  
13 Hearing none, we have consensus.

14 (Recommendation adopted, no nays.)

15 MR. SOLIAI: The next one is Fishery  
16 Management and Services PPA. The CCC recommends  
17 NMFS support the use of one PPA with three  
18 activities for the councils. One, Stock  
19 Assessment Support, Former Expand Annual Stock  
20 Assessments, two, Peer Review Support, Former  
21 Council Peer Review, and three, Council Management  
22 Programs. In addition, the 2019 values for SCS



1 and PRS should not change but with one exception.  
2 If the SCS and PRS are allocated, the remainder of  
3 PPA should be distributed using the established  
4 council formula. This approach should be  
5 revisited if total PPA declines by more than 10  
6 percent from the 2019 total amount, i.e., less  
7 than 28 million. All right, I'll put this in as a  
8 motion. Do we have a second?

9 MR. ANDERSON: Phil Anderson. Second.

10 MR. SOLIAI: Seconded by Phil. Do we  
11 have any objections? Excuse me. All right,  
12 hearing none, we have consensus.

13 (Recommendation adopted, no nays.)

14 MR. SOLIAI: Legislative issues, the  
15 report on legislative and outlook and MSA  
16 authorization. CCC requests NOAA provide  
17 statutory assistance for clarifying agriculture  
18 authorities. I'll introduce the motion and ask  
19 for a second.

20 MR. GOURLEY: John Gourley. Seconded.

21 MR. SOLIAI: Seconded by John Gourley.

22 Do we have any objections? Hearing none, we have

1 consensus.

2 (Recommendation adopted, no nays.)

3 MR. SOLIAI: Next one, Legislative  
4 Workgroup Report. The CCC endorses and approves  
5 the CCC working paper as revised including a  
6 stand-alone executive summary, reformatting of the  
7 issues in the three major topic categories,  
8 updates to the council comment letter section,  
9 addition to the dates when the CCC consensus is  
10 approved and perspectives modified, and inclusion  
11 of a new issue timing for F&B revisions and its  
12 associated consensus statement. I'll introduce  
13 the motion and ask for a second.

14 MR. GOURLEY: John Gourley. Seconded.

15 MR. SOLIAI: Seconded by Gourley. Thank  
16 you. Do we have any objections? All right,  
17 hearing none, we have consensus.

18 (Recommendation adopted, no nays.)

19 MR. SOLIAI: The next one is the  
20 Habitat. CCC approves the habitat partner  
21 engagement letter approving sending the letter.  
22 The CCC further endorses the fisheries science

1 center engagement webinar. All right, I'll  
2 introduce the motion and ask for a second.

3 MR. REID: Eric Reid seconds.

4 MR. SOLIAI: Seconded by Eric Reid.

5 Thank you. Do we have any objections? Hearing  
6 none, we have consensus.

7 (Recommendation adopted, no nays.)

8 MR. SOLIAI: CMOD:CCC approves the Terms  
9 of Reference and endorses the topics for the 20/21  
10 CMOD training as proposed by the Steering  
11 Committee. I'll introduce the motion and ask for  
12 a second.

13 MR. MOORE: Chris Moore. I second.

14 MR. SOLIAI: Seconded by Chris. Thank  
15 you. Do we have any objections? Hearing none,  
16 motion is carried.

17 (Recommendation adopted, no nays.)

18 MR. SOLIAI: Administrative on the  
19 voting recusals? CCC requests that NOAA GC  
20 regional offices brief councils on details of the  
21 final ruling on voting recusals. I'll introduce  
22 the motion and ask for a second.

1 MR. KINNEEN: I'll Second. This is  
2 Simon.

3 MR. SOLIAI: Yes. Seconded by Simon.  
4 Do we have any objections? All right, hearing  
5 none, we have consensus.

6 (Recommendation Adopted, No nays.)

7 MR. SOLIAI: And FOIA. The CCC requests  
8 that NOAA GC provide guidance on how costs are  
9 estimated for FOIA requests as well as the POC for  
10 follow-up questions. I'll introduce the motion  
11 and ask for a second.

12 MR. ANDERSON: Phil Anderson. Second.

13 MR. SOLIAI: Seconded by Phil Anderson.  
14 Are there any objections? No objections, we have  
15 consensus.

16 (Recommendation adopted, no nays.)

17 MR. SOLIAI: And finally, other  
18 business? The CCC agrees to continue holding  
19 monthly calls with NMFS. I'll introduce the  
20 motion and ask for a second.

21 MR. HANKE: Second. Marcos Hanke again.

22 MR. SOLIAI: All right, seconded by

1 Marcos. Any objections? And there being none,  
2 motion is carried, and that's it for our  
3 recommendations, but again, like I said earlier,  
4 we'll be refining these recommendations and  
5 sending it out to everybody via email, so thank  
6 you for your indulgence.

7 (Recommendations adopted, no nays.)

8 MR. SOLIAI: All right. So that brings  
9 us to the conclusion of our agenda. I'm going to  
10 go down our list and ask all the councils if they  
11 wish to make any final comments. So we'll start  
12 with North Pacific.

13 MR. KINNEEN: Thanks, everyone, and  
14 thanks, Kitty and staff, for listing what was a  
15 really (phonetic) virtual CCC (inaudible). A lot  
16 of coordination went into making that happen. Do  
17 wish that we were meeting in Hawaii but very much  
18 looking forward to next year. You know, us in  
19 Alaska, we would prefer that to be in February, so  
20 but we'll just take what we can get, just really  
21 appreciate the coordination and collaboration with  
22 the other councils in NMFS, and we'll see you next

1 year.

2 MR. SOLIAI: Thank you, Simon. Pacific  
3 Council?

4 MR. ANDERSON: Just echo the comments of  
5 Simon relative to the banks to the West Pacific  
6 Council and, you, Mr. Chairman, for a great job in  
7 chairing the meeting. These are tough ones to do.  
8 I may have to put in a special request so I can  
9 join you next year in Hawaii, but we'll see how  
10 that goes, so thanks very much and thanks to all  
11 the National Marine Fisheries Service staff who  
12 contributed to a successful meeting as well, and  
13 thank you, Chris.

14 MR. SOLIAI: Thank you. Thank you,  
15 Phil. Who do we have next? Caribbean?

16 MR. HANKE: Thank you, everyone, for a  
17 great meeting. I certainly agree with the  
18 previous comments. I'm still waiting for the  
19 machines to arrive at my door, so (inaudible)  
20 (laughter). Thank you to everyone.

21 MR. SOLIAI: Thank you, Marcos. Gulf?  
22 Gulf Council?

1 MS. SIMMONS: Yes, thank you, Mr.  
2 Chair. We would just thank you for holding this  
3 meeting and getting through all each agenda items.  
4 It was a long and aggressive meeting schedule, and  
5 thank you for getting us through that, and Chris  
6 and his staff, thank you.

7 MR. SOLIAI: Thank you, Carrie. South  
8 Atlantic?

9 MS. MCCAWLEY: Yes, I just want to say  
10 thank you, Mr. Chairman, and thank you for hosting  
11 the meeting, thank you to NOAA staff, and we look  
12 forward to the work on the national standards that  
13 are going to wrap up soon hopefully, and we really  
14 appreciate the calls that NOAA has been hosting  
15 every two weeks; now, we're going to monthly, but  
16 that's been really helpful to hear about the COVID  
17 impacts and how NOAA is responding and what the  
18 other councils are doing, so thanks again,  
19 everybody.

20 MS. SOLIAI: Thank you, Jessica. Mid  
21 Atlantic?

22 MR. LUISI: Thank you, Mr. Chairman. I

1 go all the same sentiments from my colleagues  
2 around the country. Having had done a few of  
3 these meetings now, I recognize the challenges  
4 that can come with them, but you and your team  
5 from the West Pac did an amazing job of putting  
6 this meeting together, and I look forward to  
7 seeing you all hopefully sometime soon. But  
8 before I break, I would like to recognize someone,  
9 and I've asked Chris Moore to send along a Power  
10 Point slide to Nicholas, so if Nicholas -- don't  
11 know if you can put up that slide and share your  
12 screen.

13 MR. PIEPER: Yes, I can do that.

14 MR. LUISI: That will be great. Thank  
15 you. Okay, great, thank you very much. I would  
16 like to take this opportunity to recognize a very  
17 good friend and colleague currently serving as our  
18 council's vice chair, Mr. Warren Elliott. Over  
19 the next few months, Warren is going to be serving  
20 out his third term on the council and therefore  
21 this will be his last CCC meeting.

22 Warren and I both stepped into our



1 leadership roles back in 2016 when I think you  
2 probably remember when you were there, Rick  
3 Robbins and Lee Anderson were chair and  
4 vice-chair, and over the past four years we've  
5 learned a lot together, and Warren has done a  
6 fantastic and tremendous job serving as vice chair  
7 to our council. He has been an amazing support  
8 both to me and to Chris and our council staff  
9 during the 23 meetings that we've sat together as  
10 well as all these various leadership meetings that  
11 we attend as chair and vice-chair of the Mid.

12 Warren is an incredibly and highly  
13 respected member of our council, not only for the  
14 work that he did for the nine years he served the  
15 Mid but for his ability to represent all of us in  
16 the Mid-Atlantic on various New England  
17 committees. For those of you who have had the  
18 opportunity to spend any time and meet Warren over  
19 the years, you already know him to be a confident,  
20 a kind, a thoughtful, and a very generous person.  
21 He is certainly going to be missed.

22 So with that said, if I could ask

1 everybody to take five seconds to take yourselves  
2 off of mute, if that's possible; I would like for  
3 you to join me in congratulating Warren with a  
4 mutual round of applause for the first time for  
5 his time spent on the Mid-Atlantic council and the  
6 CCC. Congratulations, Warren, and thank you.

7 (Applause) Thank you, Mr.  
8 Chairman.

9 MR. WARREN: Thank you. Thank you very  
10 much, Mike, and thank you to all of you. It's  
11 been a pleasure. I was really hoping to, you  
12 know, end the term in Hawaii, but this is okay as  
13 long as everybody is safe and healthy, so thank  
14 you all very much. I appreciate it.

15 MR. SOLIAI: Thank you. Thank you,  
16 Michael, and Warren. As chair of this CCC meeting  
17 I want to thank you for the services that you've  
18 provided to our nation's fisheries, and we wish  
19 you well as you sail off into the deep blue  
20 yonder. Best of luck to you in the future.

21 MR. WARREN: Thank you so much. I  
22 appreciate it.

1 MR. SOLIAI: All right, we'll move  
2 forward to New England Council.

3 DR. QUINN: Chairman John Quinn. I just  
4 want to say ditto to all the great work that the  
5 hosts have done and also my good friend Warren  
6 Elliott. We've been traveling around both the CCC  
7 and NICC together, so I wish him well, and then I  
8 just close in one a quote a relative new vice  
9 chairman Eric Reid. I was on the phone with him a  
10 minute ago and I said, "How'd you like the first  
11 live CCC meeting," and he said, "This is where the  
12 action is. We talk across the country about  
13 important issues and policy issues, so it's really  
14 great to be part of this," so thank you.

15 MR. SOLIAI: All right, thank you. So  
16 at this time I'm going to ask just --

17 MS. SIMONDS: Archie? Archie, excuse  
18 me, before you move to the left to, I can't end  
19 the meeting without mentioning one more time about  
20 our, and I hope you all, you know, smile as this,  
21 the staff, has informed me that I have mentioned  
22 overfish and overfishing bottomfish for American

1 Samoa 12 times in 2 times, so this is the last  
2 time, but what I wanted to show you is that  
3 fishery we're talking about, do you see this right  
4 here? It's called Auvili. It's a hand-crank  
5 reel.

6 This is how they fish in American Samoa  
7 for those overfished and overfishing bottomfish,  
8 so showing that to you and then right next to it  
9 is the electric wheels that we use in Hawaii and  
10 y'all use everywhere else, but just so you know  
11 that -- I don't know -- it might look prehistoric  
12 to you, but this is how they fish in American  
13 Samoa for bottomfish. So thank you very much, Mr.  
14 Chairman, you can proceed.

15 MR. SOLIAI: Thank you, Kitty, you're  
16 not including the many times that I've mentioned  
17 overfished and overfishing for bottomfish also,  
18 so. (laughter) But it just highlights the  
19 importance of the issue. At this time, I'm going  
20 to ask Chris Oliver if he has any final comments.

21 MR. OLIVER: Yes, thank you. Thank you,  
22 Chairman Archie. I might mispronounce your last

1 name, so I'll go with Chairman Archie. By the  
2 way, Kitty, I've fished for what's now called  
3 (inaudible) a similar device when I was a kid, so  
4 that's neat to see. Just thank you, Chairman, and  
5 Kitty, of course, and all your staff for pulling  
6 off a really good meeting, and our people, too,  
7 that contributed to it especially, you, Nicholas,  
8 for the logistics and just wish we were all there;  
9 like everybody else said I wish I was there  
10 instead of here and look forward to when we can  
11 all meet again together, so, yeah, and appreciate  
12 the discussion, always good to talk to all of you  
13 and wish all of you the best in health.

14 MR. SOLIAI: All right, thank you,  
15 Chris. All right, on behalf of the Western  
16 Pacific, I want to thank everybody for making the  
17 time this week and taking it out of your busy  
18 schedules. Especially want to thank Chris, Sam,  
19 Cisco, and Paul, you know, for being with us this  
20 week. You know, in midst of everything that's  
21 going on and all the challenges that all the  
22 councils face on a day-to-day business, I think

1 the COVID-19 really escalates, you know, the  
2 problems that we face, and certainly having this  
3 meeting virtually instead of in person, you know,  
4 adds to that and not being able to be actively  
5 participating, you know, in the work that we do  
6 day to day really complicates for us, not being  
7 able to fish, not being able to provide for our  
8 families which essentially what this is all about.

9 But I think the biggest impact to the  
10 Western Pacific is particularly to the commercial  
11 fisheries is the inability to fish in 83-percent  
12 of the US EEZ in waters around Hawaii and 52  
13 percent of the U.S. EEZ in our region especially  
14 due to the Marine National Monument fishing  
15 restrictions. I think we've highlighted on that  
16 particular issue yesterday and hopefully there's  
17 something that can be done about it, but I want to  
18 thank everybody, and I want to thank Chris, first,  
19 you know, for your support on the executive order.  
20 I think that was a great initiative moving  
21 forward.

22 But I want to thank all the other

1 council chairs, vice-chairs for being with us  
2 today, and I want to also thank the staff for all  
3 the councils for, you know, participating in this  
4 council, the CCC meeting. Hopefully the next  
5 time, if we're not able to have it in Hawaii, I'd  
6 be more than happy to host it again here in  
7 American Samoa and invite all of you to our  
8 beautiful shores.

9 For those of you that haven't been here,  
10 just think of Hawaii 40 years ago, so maybe that  
11 can be a possibility sometime in the future, but  
12 I'm saying that I look forward to seeing you all  
13 in September, and as I normally do, every council  
14 meeting that we have, it's customary we open it  
15 with prayer, and we close it with a prayer. So  
16 I'll close this meeting with a prayer, and I'll  
17 say it in English for the benefit of all of you.

18 Our Gracious and Heavenly Father, we  
19 come before Thee with humble hearts as we express  
20 our appreciation to your love and your guidance  
21 and your protection upon this CCC meeting and our  
22 federal partners as we conclude this day. Thank

1 you for your guidance in the last two days  
2 especially for your blessings as we continue to  
3 sustain our fisheries as mandated by law.

4 Father, we ask you that you lift this  
5 CCC family, bless our federal partners, bless our  
6 nation and this world as face they COVID-19  
7 pandemic and then may you find a cure so that we  
8 can all be protected. We ask that you forgive us  
9 all of our sins, Father, and be with us, and be  
10 with our council families. In Jesus' name, we  
11 pray. Amen.

12 MS. SIMONDS: Amen.

13 MR. SOLIAI: And I know on that note --

14 SPEAKER: Amen.

15 MR. SOLIAI: -- we stand adjourned.

16 Thank you.

17 (Whereupon, at 6:55 p.m., the  
18 PROCEEDINGS were adjourned.)

19 \* \* \* \* \*

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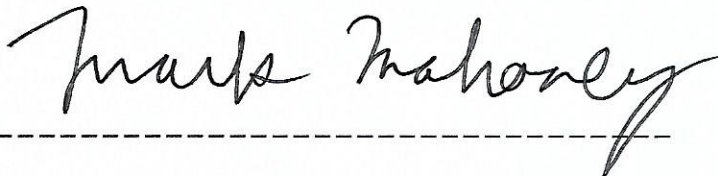
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CERTIFICATE OF NOTARY PUBLIC  
STATE OF MARYLAND

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



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Notary Public, in and for the State of Maryland

My Commission Expires: June 7, 2022