

Council Coordination Committee
May 22-24, 2018. Sitka, Alaska
Meeting Transcript

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Dan Hull Welcome everyone! It's fitting for the CCC to meet here in Sitka. Sitka stands out among Alaska's coastal communities as a home to diverse and robust subsistence guided and unguided recreational and commercial fishing interests and I can attest to the fact that they are all very engaged and well representative in both the state of Alaska and federal fisheries conservation and management issues. And as an example, this afternoon you'll have a chance to see an electronic monitoring demonstration outside here along the waterfront, which highlights the innovation of the halibut and black cod longline fleet, and the work of the Alaska Longline Fishermen's Association here in Sitka, that was instrumental in EM development. In addition, Diana Evans is going to give a presentation this afternoon on the development of EM on smaller longline vessels in the North Pacific Council. And this is a good example of how collaborative partnerships, which is the theme of this CCC meeting, work in practice in our own council process. There are several other agenda topics from the North Pacific, and other regions and EFPs, and citizen science that also explore what collaborative partnerships mean. And I hope it stimulates some discussion among us this week and beyond about how to build on these successful examples throughout the council system. I don't think there's a single way to define or to conduct work that's collaborative, but I've come to believe - and I think others would as well - that it's a critical part of what makes this council system work effectively with our partner agencies and all of our stakeholders. There's one small addition to our agenda before I turn it over to Chris. After he provides his update, and before we begin the budget update, we'll take a short period for any members of the public who want to provide comment to the CCC. I just ask that you would keep it brief if you wish to do so. Maybe you just want to come up and say welcome to the CCC. But we'll include that in our agenda. And that's all I have. Mr. Witherell, did I miss anything?

David Witherell Thank you, Mr. Chairman. I just wanted to make sure that everybody knew that the Internet is the public wi-fi and there is no password.

Dan Hull All right. Mr. Oliver.

Chris Oliver I have a few comments, Mr. Chairman. Thanks. And it's really good to be back in Alaska, and I feel entitled to join you and welcoming everyone to Alaska and to Sitka. I've spent many hours, days, and weeks in this very room over the years in Council meetings. Many of them sitting in the exact seat I'm sitting in now. So throughout the next couple of days I'll have to be vigilant to remember which hat I'm wearing as I sit to your right. 3:12

And so it's good to be here and I guess I just wanted to make a couple of comments in appreciation and recognition of a number of our CCC members who are terming out this year. Johnny Green, vice chairman from the Gulf of Mexico Council. David Crabbe from the Pacific Council. Carlos, who's not here in the room yet who's chair of the Caribbean Council. Charles Phillips, chair of the South Atlantic. And certainly last but not least, Dan, yourself, Mr. Chairman, terming out as chair of North Pacific Council. So I wanted to just express that recognition and appreciation for all that you've done

and certainly the many years I've worked with you, Dan, as Council ED. Council EDs, Doug Gregory is retiring. So I think this will be your last meeting, Doug, and congratulations to Carrie Simmons for being named your successor as your executive director. On the NMFS personnel front, they don't have any big announcements we can make, at this time. I think, many of you know certainly from the last meeting that Doug DeMaster, who's been the longtime director of the Alaska Fisheries Science Center, is retiring on June the first later this week and hopefully we'll be able to soon announce the successorship to the Alaska Fisheries Science Center directorship position. Many of you know and have worked with Emily Menashes who is the sustainable fisheries director and has often been acting director of sustainable fisheries. She has moved to the National Ocean Service recently as their Chief of Staff. So that's a big hole. Emily was a really great person on our staff so we'll miss her.

I just want to make a couple of comments about-- you're going to hear shortly from Brian Pawlak who's going to give you a budget update and I know that's an issue of keen interest to the CCC. Certainly, it always has been when I was council member of the CCC. Brian's going to give you an overview of our 2018 budget. One of the priorities of the administration that I've talked to you about at our interim meeting and to some of the councils individually that I've met with thus far, and I'm still trying to get around to all of you, but regulatory reform, regulatory efficiency, we've asked the councils to-- I think by the end of June or first of July to provide us a list of various regulations that you think could be removed, taken off the books. The other aspect of regulatory reform is looking at things that the council wants to do but simply doesn't have the resources to do and I know in the North Pacific we refer it to as items in the batter's box. And there's a lot of those things that have the possibility of greatly enhancing our fisheries performance through regulatory-- while we may be promulgating regulatory actions, they're actually regulatory actions that create efficiency and maximum output from our fisheries. So we look at those in the context of the overall regulatory reform agenda and Brian's going to give-- when we got our 2018 [omnibus?] appropriations bill, the good news, bad news on that is for the councils perspective there was actually an increase in the council commission line item. The bad news is it basically said any increase over 2017 goes strictly to the commissions.

And so I know someone who had admits knowledge of the genesis of that language, but perhaps not optimal from the councils perspective, but we did and were able to sit down with our staff and look at the budget. And Brian's going to go over the details and it's not a huge amount in the scheme of things, but we were able to identify an additional million dollars to provide to the councils in FY 18 which we expect to distribute among the existing distribution formula of the councils. So it's not a lot, but its some and in some cases perhaps the equivalent of an FTE or certainly the ability to deploy additional contracting services to get at some of those issues that we know you want to get at, but simply don't have the resources for and I know that even in looking at the counsels on average and the size of your professional analytical staff, a single FTE can represent essentially a 12 to 15 percent or 20% increase in your total staff. So that's not an insignificant increase. So we were able to identify that amount of additional funding for the counsels that we'll be making available to you in FY18. When looking at the out years in the budget, 19/20, I'm learning a lot about how that budget process works, and I can't say a tremendous amount about it other than I've been one of the people over the years that's argued and argued that the council's baseline needs to be increased. And the way that process works-- we don't

necessarily get to say, "Here's what we want." But I guess all I can tell you is you can rest assured that my perspective hasn't changed in terms of doing whatever I can to get the counsels' baseline funding increased. So stay tuned on that.

One of the things that you've heard me say and one of my core priorities has to do with our basics science mission, and paramount in that science mission is our stock surveys and stock assessments around the country, maintaining those stock assessments and surveys in areas where they are currently robust, and improving them in areas where they're perhaps not as robust. And so that's going to remain a top priority for mine. It's becoming more and more challenging. We've had a lot of internal discussions about how to maintain or enhance those stock baselines, stock surveys, and assessments while still maintaining other aspects of our core mission. So that will remain at the top of my list. We'll talk a little bit about socioeconomics and that information, but I'm going to save that off until Rauch Don, our [reg?] fish coordinator later in the meeting is going to report on our recent annual-- or our third national recreational, salt-water fisheries summit. And we had a lot of discussions about socioeconomic analyses and where certain areas are lacking and where we would like to see them improved. So we'll talk more about that under that particular agenda item. So that's all I really had to say at this point, Mr. Chairman. I wanted to give you a little bit of a prelude to the budget discussion. And following public testimony, Brian is going to go through that in quite a bit more detail.

Dan Hull

All right. Thanks very much, Chris. Do any of the counsels have questions for Chris? Just a brief overview of-- no. All right--

Are there any members of the public who wish to comment to the CCC? All right, it's not a requirement. So you'll have a chance to talk to folks on the side during the breaks and throughout the next couple days. So Brian Pawlak will come up next and provide us with a budget update. And for those of you who-- others who are going to give us presentations, around the table, you'll have an option either to use a remote to change the slides from up here, or if you'd like to sit up at the table and do it from there, it's entirely up to you.

Brian Pawlak

Thank you. Just let me check if I'm able to drive here. Maybe not. Here we go. We can do it this way. All right, thank you, chairman, for having me and I appreciate the chance to be able to go over the budget environment again. For some of you, this presentation will look familiar since we've done this a few council coordination committees meetings running. But I also know there's often new people in audience, different people in the audience, so we'll also kind of do some of the broad overviews of just kind of how the budget process works. It's complicated and convoluted, as Chris was alluding to. And some of it just doesn't seem to make sense sometimes, as Gregg Wall and I were just talking about how you get money and the difficulties we have in getting it out the door, even when we know we actually have that funding coming to us. So I'll do just a broad overview of where we are on 2018. Obviously, last time we talked, we did not have an '18 budget yet, but we did have the FY19 president's budget, which I presented last time. So throughout the presentation, I'll just do some comparisons of where we were from last time we met, where we did not have '18 yet, but we had the president's budget out, and characterize kind of some of the distinctions between those two. And then, of course, we'll talk specifically about some of the council funding.

And I assume most of you have this up on screen here. So I don't know if the pointer's going to help at all because it's all behind you. But here, just characterizing, it's the

classic federal budget timeline slide that some of you might be really getting sick of seeing, or maybe it's brand new to you. I don't know. But it's something I present in every budget presentation just to remind folks that we're typically running in three consecutive budget cycles. And the unique thing about our federal government cycle, we're often, or usually, almost always since I've been doing this, and I think this my job, we're running behind the budget cycle, meaning this point here where I'm pointing to in September, October of '17 is where we ideally would have our new budget for '18. We haven't had that in the first quarter in quite some time, so we've been operating on continuing resolutions up until just March. And from that continuing resolution is where we now know-- or sorry, after that continuing resolution is where we can finally know our budget numbers, know where we're heading, and then I'll talk a little bit about the efforts to get the money then out the door. FY19. When we met back in February, we already had the president's budget out. You saw that budget presented to you then with lots of projected reductions or planned reductions. But with the benefit of seeing what happens in '18 in the enacted budget, it gives you some idea of what might be happening in '19, even though the president's budget had quite a few reductions in it. Then also what we're doing about right now at the NOAA level and DOC level is we're starting to plan the FY 2020 budget. And as Chris somewhat referenced and referred to, that really is administratively confidential. That is not something that you can share and discuss. That's the early planning stages of the out-year budgets, but that's already in progress and already starting.

This is just kind of the process flow for the budget. I know people love after lunch looking at flow diagrams. But I think it's just important to point out what it takes to get money out the door. And what we are starting to see right now, the House and the congressional action for FY '19, their first mark-ups, their first commentary basically on the president's budget that we talked about last time. Senate, we should see in a couple of weeks. And hopefully, mid-June, end of June, we'll have a full House and Senate markups so we'll know where we're headed in the budget process for '19. But for '18, we just got our appropriation. And I know the frustration you guys feel, and that we actually have with NOAA, too, is this process over here on the green side and how we get the budget out the door and the execution process. And again, I've talked about this before, but if you haven't heard it, it's a good reminder too. After we get an appropriation. We are not able to legally spend money or award money, obligated money until we have apportionment from OMB. That apportionment process can take us up to two months. And it did just take about two months this year, that's why we just got approval last week for our operations research funds, the funding that the councils use. So once again, appropriation. We have to get apportionment, the money isn't in our accounts. We don't even have the ability to get it out to you, I don't even have the ability to get the money out to my regions and science centers until that apportionment happens. And that often comes a month at least, two months after the appropriation. And then our ability to allocate and allot that to different FMCs, different programs, so they might be able to award it out secondarily after that I think can take even a little longer.

So as I just mentioned, March 23rd is where we got our omnibus budget. I think a good news is that all the budget lines were at or above the 2017 level. The '18 president's budget decreases that we've talked about in quite a bit of detail here in past meetings, none of those decreases were accepted. So Congress basically rejected the proposed president's budget, pretty much across the board for no officers.

Including, [inaudible] some interest in this group from the office of law enforcement's reduction [inaudible] cooperative enforcement agreements. So that reduction was not sustained. And so that money was all put in back and enacted in Congress. This slide here is just a big snapshot where we stand in our kind of budgetary environment between the different years. You can see the enacted amount there on the left. Really, the blue and the stuff below the orange, red, whatever color you want to call that. Basically, that's our core operations research budget. That component of the budget across '17, '18, and even in the president's budget remains relatively flat. And it has been for a number of years, at about \$850,000,000. So even though the threat of president budget reductions, all the talk of budget austerity across the budget world, and even some of the really significant cuts that other agencies have taken, or even other parts of NOAA. In general, NOAA Fisheries is in good shape in our operations, in our operating budget that we aren't seeing significant reductions, although we are having cost of living increases which I'm sure we're all aware of. Facilities increases coming up. Things that are just still requiring more pressure on our budget, even though relatively so, the budget has remained flat.

Specifically, in '18, enacted budget here - again, on the lefthand column here - what this slide here is just highlighting is the places where we got increases in '18. Again, this is something above and beyond something we requested or asked. This was a Congressional add. That's down this column, I'll walk through them here in a second. FY19, it just gives you a comparison of what that looks in the FY19's president's budget. I mean, bottom line, the president's budget is really largely built before Congress enacted the budget. And so the president's budget generally backs out any increase that Congress had provided for us. But just real quickly, walking through some of these highlights, Congress gave us two million more in our marine mammal, sea turtles, and other species line. That's our core baseline for protected species, which a good portion of this funding is going toward improving our consultation and backlog and consultation as well. Some science efforts and some focus on our, kind of the right whale issues we're having right now. Northeast groundfish research, just skipping here because I wasn't going to do every one, we're supposed to have questions. Specific direction from Congress again to focus in dedicated and increased effort in groundfish research. Again, directed allocation by Congress.

Same thing with the next one, the observers in At-Sea Monitoring Program. \$10.3 million increase to us to ensure that NOAA Fisheries provides coverage for the at-sea monitors within the Northeast Ground Fishery. Slight increase for Seafood Import Monitoring Program. Aquaculture increase. With about half of that aquaculture increase, again directed by Congress to go out in competitive grants for pilot projects. We can demonstrate kind of proof of concept in the aquaculture development, as well as some Congressional direction to ensure our, kind of our centers of excellence for aquaculture, of that the labor and staffing remains level at those places, and some directed language as well as focusing on off-bottom oyster research and shellfish disease within that. So it's fairly decent increase, but a lot of direction with it on what to spend it on. And I'll just jump to the regional councils and commissions here. We'll talk about that in a little more detail. As Chris said, the overall budget line sees a \$1.6 million increase. We'll get into the details on that, but that increase is directed by the Senate totally to the state commissions, and we'll talk about how we split that out and such. Fisheries Disaster Assistance, this is money provided for past disasters, declared fisheries disasters, and we don't have the determination yet of how we'll allocate that or quite how we'll use that yet. Requirements for us are to

develop spending plans. Submit that through NOAA, submit that through OMB to determine and get approval before we determine how to spend that.

Budget increases that are not necessarily within Fisheries budget but are important to us, and hopefully some of these important to you, within our NOAA mission support line or our facilities line that's managed at the NOAA level, not at NOAA fisheries, we have funding to continue working on and rebuilding our Mukilteo research station, which is our Northwest Fishery Science Center. It's one of our small labs just north of Seattle, but the building was actually condemned at one point and we're seeking funding to completely rebuild that building. Line item that I think is important to kind of Chris's point of maintaining core stock assessments and maintaining some of our core business functions. One of our biggest rising costs, particularly with our science centers and within NOAA Fisheries, is our facilities' maintenance and repair buildings, and just rising rent. We're in a lot of very old buildings, and those buildings are asbestos hazards, bad carpeting, leaking windows, all the things you can manage that comes from that. That is largely been borne by the programs that pay for those costs, but NOAA has been asking Congress to provide us some funding to cover that. This is NOAA-wide funding though, so this isn't just NOAA Fisheries. If NOAA Fisheries sees a couple of million for this, I'll be happy. I'd be happier if I got it all, but. Some portion of this [inaudible] will go to NOAA Fisheries to address some of our backlog maintenance issues, which allow us to maintain our core stock assessment requirements and other portfolios.

Fleet recapitalization. Good item for us to make sure that the white boats are rebuilt as well as some just deferred maintenance on our fleet since as I'm sure some of you are aware, we've got a lot of problems with keeping our fleet operating and running. So this again is nothing, I think, new from last time we talked. This is really just a reminder of where we are in FY19. These things that you're seeing here on this slide and these reductions are same reductions that were provided in the FY18 budget, so that's nothing new here. Again, these are the same reductions that Congress in enacting the 18 budget did not accept. And I think the only ones worth really kind of noting up here, just so there's no confusion, the Re-fish Doc assessments item there, second one down. That is just an elimination of the Gulf of Mexico largely the red snapper Re-Fish Complex added funds that Congress gave us a couple years ago. So the zero number here at 19 doesn't mean all Re-fish Docs [assessments?] are at zero, this is just a portion of funding that was meant to be a femoral, that wasn't meant to be long-term. The president has requested to back out. So again, I don't think there's anything new here. It's 18 president's budget deductions. Congress did not accept any of those, those reductions role into the 19th president's budget as well as we talked about when you guys were in DC in February I believe. Sorry. Some additional reductions in the FY 19 budget though, the first two items here are again things that-- sorry, let me go back. Wrong button. First two items, here again, this is things Congress just gave plus-ups for us. Again, nothing we asked for, Congress had a priority interest in this. They gave us increases of this level and 19th president's budget just backs that out. What is new in 19 is this additional reduction for habitat restoration grants out of our community-based restoration program. That's a new reduction in 19, so you can kind of see the trend here. 18 large reductions in president's budget. 19 they're adding additional cuts in the president' budget to hit the ceilings that they want to hit.

Besides budget numbers, there's often language in the budget that's important to pay attention to. Okay, we'll hit the first one in a little more detail so we'll skip that for

right now. Second one, Fisheries management council fund report, we also have a separate slide in here to talk about that. This second item here is a direction from House in Senate to do a reporting requirement on kind of how the councils manage funds and want some daylight into the kind of fiscal practice of the councils. I've got a separate slide to talk about that so we'll hit that. I already talked about the At-Sea Monitoring Program Standardized Bycatch Reporting Methodology language where it's basically directing them to spend after we pay for SPRM that we make sure we cover the At-Sea Monitoring cost fully. Other language important is we've got this stay lifted on [Shrimp and Abalone?] that was put in place when the SIMP program was I think enacted by January one of 18. Is that correct, Sam? I think. So that is effort we've got ongoing now to figure out to put in requirements and practice in the place so we can have a documentation scheme for our domestic shrimp and abalone. And red snapper again, the language retains the five million dollars that we were just talking about for red snapper assessments in the Gulf of Mexico.

So the first one I'd say we'd dive into a little bit more specifically is the Fisheries management council fund report. So the specific direction from Congress here was to provide within 90 days. Complete accounting of the last five years of funding activity of any fund or grant program controlled or managed by each council, including the use of such funds influenced in meditary process in the state or territory. I don't imagine anyone's doing that so that might be easy to report on. Reports shall be done annually, published online. Unique thing about this language here using-- reports shall be done annually appropriations law is used only good for one year. So for them to ask for something annually in one-year appropriations law is a question of do we have to do it annually? And this would be a discussion with Congress on that. But long story short here, I think we're going to be able to answer this direction assignment without a whole lot of work if any work from the councils. We'll still have to clarify because as you well know I think you guys all do at least annual if not bi-annual kind of fiscal status reports. You have to hire out a third party, that report is done by generally an accounting firm. And there's really been no material weaknesses found in any of those reports for years running. Katy's nodding her head. So we already have that report and that documentation. I don't think Congress knew we had that requirement. It's actually a requirement of not just of the councils, it's any federal entity that receives more than \$750,000.00 in grants or some threshold for that is required to do that reporting. So we're trying to work through the current reports we have, the current mechanism we have and see if we can answer this for this year.

Councils funding, this is your funding, directly the funding provided to you. So hopefully this week, I know Gregg Wall I'm glad to hear you guys since you guys were getting close. I know you guys just received some funding yesterday, or today even, to round out the majority of funding. But again this is the challenge we have with-- this is the [inaudible] administrative budget line, this is the Fish council's line. Our challenge in getting funding out to you is that we don't have the apportionment signed in time enough to issue the full amount. So we are capped at the amount we can send out the door in grants to you so as soon as that cap gets-- that's why we do the multiple releases over the year. Release what we can get out, we get out to keep the accounts full but we can't do the full amount without the full apportionment. And as soon as we get that, we try to get that out and this week, if you're not already seeing it like some of you have, you should see your next third release of funds, hopefully, this week. And then, of course, we'll have, I think, for those that then haven't completed the full set of funding, there'll be a fourth set of funds to be issued to get the full

apportioned amount. Again, this is as-- Gregg and I were just talking about this before we started the meeting, it's not a process we have a lot of control over in NOAA fisheries. It's driven by OMB; it's driven Commerce. We complained about it, probably just as much as you guys. We looked for avenues to try to get NOAA and Commerce to look for ways to alter this. It's not easy because it's a really-- and it's important. But it's a very small blip in the whole budget on getting a priority for this and changing this process, for just these accounts.

Again also what Chris referred to earlier, the good news is these budget lines actually went up. So between '17 and '18, you have in the Regional Council Fisheries' Commission line, so this is the core budget line that funds Regional Councils Interstate Fisheries Commissions and some Atlantic Cooperative Management Act funding. Inactive numbers between 7 and 18 went up. That's good news. It went up \$1.6 million. The challenging news for everyone in this room is the language here underneath the table, language put in through the Senate which basically says any increase in that budget line will go to the Commissions. Again, don't know what really the genesis of putting that in there or how that gets in there. There was a multi-year, several years in a row, where the Commissions were not receiving ATBs but the Councils were. I don't know the history why that exactly was, it was something driven by the Department of Commerce that prevented us from requesting ATBs for the Commissions but we were allowed to request them for the Councils. I can only guess that folks were frustrated with that, and so Language Gap put in to spread the ATBs last year if you remember, more proportionately, which we did a little bit of a spread. I guess they were not satisfied with that spread last year, so I can only presume they weren't satisfied by this plan which said, "Put the whole amount to the Commissions."

So basically what we end up doing-- actually your slide that you might have posted or got issued to you yesterday or the last week before here, is probably showing some different numbers here. My office, the budget office, initially spread that 1.6 million increase just by proportioning the budget so it's just the math by what these different numbers were. We've since heard back from The Hill and others that the intent was to make sure the portion was spread equally among the International Fisheries Commissions and the three Commissions. So basically we put 400,000 to the three Commissions and 400,000 to the International Fisheries Commissions. One thing we're trying to do and I've talked to the Appropriations Committee about this just a few months ago, is that we are now able to request-- I mean, NOAA Fisheries is able to request ATBs for the Commissions and we did in '18. We hope to be able to do that again. So hopefully knowing that we can request that funding and that funding comes in, I would be hopeful that that language would go away since we can request ATBs in both places.

One thing I should mention here too, and I think Dave is going to talk about this a bit more, we presently have a house mark out as well, just last week. I haven't dug into it too deeply. I do think that the house mark presently shows an increase in the total Regional Councils Commissions line. I think it might even be up to 37 million-- Dave might correct me when he gives his talk or talks about it. But there's no language in the house mark that requires that increase to go to the Commissions. But again, it's a long way to go-- Senate has to weigh in on that. Yeah, I think Chris already kind of highlighted this and gave indication of this, that \$1,000,000 would be provided to the councils above your core base funding that comes from that budget lines we were just talking about. So this is our base resources within NOAA Fisheries that we're prioritizing to be put to the councils for the purpose of the kind of deregulation,

regulatory efficiency, reg-reform. However, you want to refer to it. And as again, Chris said, you guys know more about this than I do. From the last CCC meeting, the effort that you guys are doing to identify lists of those things in the on-deck or the batter's box and helping with that already ongoing effort that's going to be provided here as well. And I think that's what I've got. I'm glad to take some questions, Dan.

Dan Hull

All right. Thanks very much, Brian. Are there questions from the councils? Kitty.

Kitty Simonds

The regional councils over the years have been involved in at least getting to the NMFS at the beginning of their planning for the budgets. That was our opportunity to influence the budget. So when is our opportunity to influence the NMFS budget before you start going into secrecy?

Brian Pawlak

Well, anything out year is going to be quote "secret". But I think it's constant. I mean like I said if we go back to that-- I don't want to zoom all the way back. Okay.

Kitty Simonds

Well, one year you all gave us a contract that we all worked on. And we did a five-year budget to influence the future years and that didn't last for very long, so.

Yeah. Well, so-- I mean I couldn't get back to the timeline. So right now FY20 planning it's already underway. I won't say it's over, but that's already in the works.

So we should start for 21?

Brian Pawlak

2021 would be the next available and most opportune place to start engaging.

Kitty Simonds

Because I mean that's what we should be doing actually. And we were talking about what happens when we send in our research priorities and funding that goes along with that? How does that figure into your budgets planning? And so that's really important for us to know. Otherwise, why are we developing all of these things?

Yep. We've probably had more top-down direction on budget in the last few years than we've ever had, so.

So my other question is about aquaculture. You said that's most of the funds the Congress designated whatever to be spent on. So how much is left in terms of discretionary?

Brian Pawlak

I don't have a good number off the top of my head. I can go back and look at what "discretionary" and how you define that--

Thank you.

--becomes a challenge. But again, most of that increase was already directed from Congress on where to go. But we can go back and look at what is "discretionary" and define what that might mean.

Sure. Yeah.

Because obviously, a huge portion of that goes to labor.

So you did get an increase in protected species right?

Correct.

Kitty Simonds

Right. So did our region get an increase in protected species money?

When you say region, you mean?

The West. The Pacific Islands region.

I have not seen the spend plan for that yet so I do not know.

Okay. Well, I did ask the regional administrator. So I'm waiting for an answer because I did ask him if there was some spare funds around that we would appreciate increasing our \$200,000 commitment, which is about what it cost our staffer, our protected species staffer, and a few projects. You know we do help the region in terms of drafting documents for ESA. It's one of our largest commitments. So that's why I'm asking you about that.

Okay.

And the last thing I want to say what's that its kind of interesting that a letter from all of the enviro organizations could influence the Congress so much to include that language there about reporting for the counsels to report on-- I forget the exact words that you had up there.

Funds.

Administrative funds. So that's my comment.

Dan Hull

All right. Thank you. Thanks, Kitty.

Chris Oliver

Just a general comment to Kitty's first question. I alluded to this earlier that for many years I sat around this table and made the argument to plea that why doesn't NOAA Fisheries put us in the beginning of the budget process for an increase in our counsel baseline because I just didn't understand why they couldn't just do that. And I'm learning that it's not that easy to just do that because of this black box budget process unfolds, we aren't necessarily given the luxury to say, "Here's what we want in an ideal world." So all I'm saying is that my attitude about getting that base up for the counsels has not changed but I've gained a greater appreciation for the difficulties in doing that.

So NOAA probably tells you what you-- gives you parameters on what you can increase or not.

It's a combination of OMB and NOAA and back and forth that we go through in that process.

Kitty Simonds

Yes. Because you remember that year when we all visited OMB, we visited NOAA, we made all these rounds to try to get people to understand why we needed an increase. I think that the budget for the regional counsels is just horribly low compared to all of the things that we are responsible for and so we've just never been able to get there no matter what we've all tried together with NMFS as well.

Dan Hull

Other councils. Chuck.

Chuck Tracy

Mr. Chairman, thanks Brian for the presentation. A couple questions just on clarification on a couple things first, so starting with on slide nine where you had all the close-ups for '18 and drop backs for '19, they were just negatives but particularly I'm wondering about aquaculture '19. It seems like that's an agency priority that we've been hearing a lot about lately. And to see that the agency is requested a drop in that budget just curious what the rationale for that was?

Yeah. We'll get the slide pulled back up there too since I screwed the system up.

[silence]

Yeah, while she's pulling that slide up I think it just shows the 5.7 million dollars in aquaculture-- well we got an increase in '18 so the '19 budget is built-- the president's is built is before we know the actual amount. So they have to still stick to the 19 ceiling that they're given. So anything increase in the Senate or House by [inaudible] is almost automatically going to come out. So that's not an increase that the administration requested. Obviously, still, a state of priority and folks are still working on things and prioritizing that, but basically, with the budget built before that, ceiling's already kept even where it's a "priority", you're unlikely to get the administration to retain that. Particularly the timing of the budget because they just have to meet their ceiling. So it's almost more of an accounting exercise more than it's a statement of policy. So Congress obviously likes aquaculture. Put it in there. It's just the present budget doesn't sustain it.

Next question. You mentioned that OMB needs to sign the apportionment. First question, do you know when that will happen? And will we have to wait until then to find out what our PPA line and our management program and services items are? We didn't get our typical slide with that information out there.

Brian Pawlak

No. Yeah. Because we don't have it updated yet. You mean where it shows the-- I think it might be in the background, actually, [inaudible]--

It's 17.

It's 17. Right. Right. So it's the 17th background, which I didn't have the 18th update. So we literally just got our apportionment signed last week. So late last week, the apportionment was signed. So we can start moving the money out and putting the money out. The slide in the background that shows the kind of non-base funds, the other funds that I think ACL-- I think as we mentioned in that last CC, assuming we're level-funded, the councils expect to see that same funding. And so that should be the case again. Since we've got level funding, you can expect the same level of funding from those additional sources, for lack of a better word. [inaudible] not a number that's consistent with.

Chuck Tracy

And so then that implies there are no changes in the rescissions and those sorts of things?

Brian Pawlak

Correct. We don't think there's going to be anything significant from that to reduce those lines. There shouldn't be many surprises at this point.

Chuck Tracy

Okay. And then the regulation funding, Chris? Thanks for your million dollars. Appreciate that. I guess the question is, what's expected for the councils from that? Is that just for the purposes of reviewing the regulations and providing our recommendations to NMFS by July first? Or is this some sort of an ongoing thing? Or is this going to be a new management and program services line item that's going to continue on for the foreseeable future?

I think Chris is wanting to jump in.

Chris Oliver

I will, and you can help clarify, Brian or Sam. But under the banner of reg reform, deregulation, I mentioned earlier, there are kind of a couple of different aspects to that. Getting rid of regulations on the books that no longer make sense. And I know in the West Pacific, we've had some prime examples of those that hopefully, we've recently addressed, at least to some degree. But also, getting at some of the things in

the queue that will result in better regulatory efficiency. So it's a pretty broad net, I guess. There are a lot of the things that you are doing and can be doing with this admittedly small additional amount of money. It's a pretty broad net that I think you can deploy and [inaudible] funding, so.

Yeah. I think your question on the-- I may be reinterpreting the question-- on longevity. I think the hope from Chris is that again, assuming everything stays the same, and we're level-funded, and there are no surprises on rescissions or large reductions, we would hope to be able to continue it.

And I would say we did ask the councils to give us a list of deregulatory actions. This part of money would be available for that, but not necessarily limited to that. Some of that might not require any council action at all. So as Chris said, it is there if that's what you use it for. It's not required that it be used for that.

Dan Hull

Okay. Thank you. And maybe something that's not on your presentation. Maybe getting back to what Kitty mentioned. The five-year grant process. If you could give us an update on that, last we heard, there were some expected changes in the timing of that particular with regard to development of 2020 budgets, since that's the first year of our next five-year grant. And so what we might expect--

Brian Pawlak

Yeah, I don't think there's any changes that are negative or worrisome. My understanding is there was a webinar and a workshop such and such with the intent of your administrative officers back in April. So we're on a good path for that. I think the award period is up until January 1st, 2020, so we still have a lot of time to prepare. A lot of time to get things done. I think the one things that we're changing, which are actually positive, is NOAA Grants Management Division - so the folks who manage all our contracts and grants - they have had a requirement that any first year funding of a five year award you couldn't receive partial funding. You had to receive full-year funding or none. Given all the challenges we just talked about with apportionment, that was a go challenge at the start of any five-year award. So we've already talked to NOAA Grants Management Division. They were going to lift that requirement. So if, and likely we're in this long-term CR kind of stage that we are, we will be able to do partial funding in the first year of the new award. Rather than, I think, from five years, four and a half years ago, when the challenge was NOAA wasn't allowed to issue your full year-- they weren't allowing us to issue a partial year award until you had full-year award ready, which obviously makes it real award challenge. So that's the most significant thing, but other than that, I think it's June of '19, I believe when request for applications will be out. So we still have basically a full year to get those out. Everything I've heard it was on schedule and on track and the benefit of having GM detail is we do not have to adhere to their policy of full-year funding or none for the first year of a five-year awards.

Thank you. Others. Tom? And then, Greg.

Tom Nies

Brian, I guess I've got one comment and one question. The comment is, should the President's budget for the Council Commission line item decline from the current level, as the President's request, I would hope that the agency takes the decline out of the Commissions.

Brian Pawlak

I'll leave that as no comment from me.

Tom Nies

The other question and you don't have to go into detail, but you said the apportionment got approved, I think. Is that correct?

Brian Pawlak Yes.

Tom Nies Do you know if we will be able to tell how the ASM money can or cannot be spent as a result of that apportionment? I know there've been a couple discussions going on.

Brian Pawlak So we have a spend plan that we have provided, at least to DFC at this point. I don't think the full spend plan has made it to the Hill yet, so we'll get feedback from the Hill on that. So I do not have an absolute answer to that right now.

Dan Hull Greg.

Gregg Waugh Thank you, Mr. Chair. Thanks, Brian, for the presentation. And I told you thanks personally. I'd like to thank Chris and everybody that was involved. Our regional grants folks, as well. When we get advances of our fund, we get advances of our baseline. We also frontload our SEDAR stock assessment process, so we were starting to sweat quite a bit before we got this last slug of money. So thanks again to everybody for their help in getting that to us in this difficult year. And it's reassuring to hear that, in the next five years grant, that we'll be able to get partial advances on that. And it was glad to hear, too, about that million dollars, and that'll be helpful. Particularly given if it's multi-year. Then that will allow us to not just identify regulations that need to be removed, but also to work on ones that need to be adjusted, that can result in regulatory efficiency. So thanks, appreciate it.

Dan Hull Thanks, Phil.

Phil Anderson Thanks. And thanks for your presentation and thanks, NOAA Fisheries, for the million dollars going to the councils. That is a significant contribution to our budgets, and we appreciate it. My question had to do with the fisheries disaster assistance and the allocation of those funds between the various disaster declarations. I think we've got like nine of them on the west coast and just wondered about the timing and process for making those decisions.

And you're referring to the 200 million [inaudible]?

Yeah. There were 20.

Brian Pawlak We have two pots of disaster funding. Which I don't have the 200 million dollars with a disaster supplemental which came a few months ago.

That's the one speaking. I'm sorry.

Okay. All right. So we presently have, again, a spend plan or allocation tune, should call it spend plan? Allocation for that at OMB as well and we're waiting for approval from OMB to be able to communicate that back out to how that would be spent. We need Hill and OMB approval on that allocation. By allocation, I mean, there's 200 million. I don't remember the number of disasters Allen, do you remember the number?

Like around 11.

So that's 200 million and how the potential break out of that disaster funding would go to those 11 disasters. We have a plan for that. Not ready for public consumption yet but it's at OMB and Hill to be approved. The timeframe for when it gets approved is still, probably, several months out. It'll take a while. I mean, even once we have the funding known and the spend plans approved, if that was all done and everything is perfectly set, there's a legal review in our GMD grants management division review at

Department of Commerce. So I would be surprised if it's anytime within three months. It'll be a while.

Dan Hull

Chris, Brian?

Chris Oliver

To clarify, Brian is sort new to this disaster process too like myself, but first is the big, sort of-- to oversimplify it, two primaries. First is the allocation of the available funding amongst the 11 or 12 different disasters, which is the first stage we're in now is simply getting that concurrence between the Hill and OMB on what that basic distribution is. Then come step two which is developing specific spend plans for each of the disasters within that. That has to go through a similar process of back-and-forth and review and approval. So people that have been asking me, and now given my recent experience in this and the back-and-forth involved, it may be three, four or more months before people could actually expect to see money in there available. It is--

Yeah. I think that's probably-- to be frank, that's probably optimistic. The administration has a lot of interest in how the disaster funding will be spent. So it'll take time for review and clearance for sure. Berry.

Brian, could you cover the 20 million dollars as well. Just to make sure we know both processes.

Brian Pawlak

So the process is still very similar. I mean, we still have to do an allocation for the 20. The allocation would be based on, obviously, not the disasters that were considering the 200 million. And again, same thing we have to do an allocation of that 20 that would go to Noah, up to OMB for review. And then pending any interest that NOAA and Hill has on that we would determine the spent, but Alan knows more on the details there for sure.

Yeah. And just the one added thing on that is we still have a number of disaster requests. We have not made a decision slash determination on. So the first step is to work the administration to determine whether per Magnuson Act and other statutes. Those were, in fact, disasters. So we're pushing those as well through kind of the same series of level that Chris mentioned.

Yeah, and then, therefore, in '19 house mark again, just a mark-- they did continue additional \$20 million in physician disaster assistance in '19, just to prove context. [inaudible] continue it's an additional, meaning it's the '18 budget, and then the '19 has 20 as well.

Dan Hull

Any other councils? Okay. Thanks very much, Brian, and as you said, we've seen this presentation before. However--

Brian Pawlak

I hope it doesn't get boring.

It doesn't. I think it's beneficial for us to, after mulling it over in February and understanding some of the details better, to see it again.

And I'll take any feedback, too, on different stuff you want to see as such, as we keep putting these together for the different meetings, too, so thanks.

Dan Hull

All right. Great. Very helpful, and again, thanks to Chris and the agency for the additional million at a time when funding across agencies is extremely tight. Okay, that takes us to our bycatch update.

Sam's going to the front table.

Sam's going to the front.

Thank you.

Sam Rauch

All right. So thank you. I am going to give the bycatch update. [inaudible]. All right. So I was going to update you on activities under the bycatch strategy and a number of other things related to bycatch. As we've discussed or others have discussed with the CCC before, we finalized the National Bycatch Reduction Strategy in 2016. It updated our strategy-- w/e hadn't updated the strategy for more than a decade and some of the concepts in the prior strategy were unclear or no longer relevant, so we decided to take a fresh look at it and to update it. It didn't create any new definition, legal requirements, or requirements for the councils. But it did serve to clarify a number of things that we thought about bycatch. It addressed it broadly in multiple statutes. I would say the councils are responsible for dealing with bycatch under the [inaudible] which the national standard requires us to minimize bycatch to the extent practical or to minimize the mortality associated with bycatch. But there are other statutes that deal with bycatch, too, including the Endangered Species Act, Marine Mammal Act, Protection Act, and other kinds of things, that also require us to address bycatch in different ways. And there's a large confusion about bycatch in much of the public, conflating the bycatch of things like endangered species, things that you do not want to catch, versus economic bycatch, which is a normal part of fishing. And some parts of the catch you retain, and some parts you don't, and how to address that, which, if you manage it, account for it, is not a sustainability issue, but it has other implications. And we're still required under the Magnuson Act to address it. And so we tried to articulate the difference between what we consider regulatory discards, those prohibited species catches, issues, and economic discards.

And also, to understand that one very legitimate way to deal with bycatch, to reduce bycatch, is to actually create an economic value for that land in catch. If it is landed, if it is sold, if it is put to economic use, it's not bycatch. And it is, in fact, full utilization and that was a strategy that we wanted to articulate. So that was, basically, a review of the 2016 [guidelines?]. It did envision, at the time, implementation plans. At the time, we had envisioned that each region in the councils would do one of the many regionally based implementation plans, which would not necessarily create new activities, but would highlight within the region the various bycatch activities that had either gone on or were planned, were slated, for the future, that they would be reasonably based. And I would put this in the context that the councils have done, over the last two decades, three decades, four decades, enormous amount of work to address harmful bycatch. To put our nation's fisheries on a sustainable footing, and often, before we started this effort, I recall the CCC meeting, I think, in Charleston, South Carolina where we were talking-- or maybe it was Virginia Beach. Where we were talking about the fact that the councils did not get enough credit for all of the things that they had done to address bycatch and the fact that the United States is one of the leading countries in terms of bycatch management. And so the idea was to highlight things that we had done that was contributing to significant improvements over the decades of bycatch numbers and things that we intended to do.

But we are mindful, hearing from both the councils and our own regional staff about the workload that this and many other sort of regionally based initiatives have been putting on both the councils and the regional staff, and so we decided not to have

regionally based plans because of the workload issues. Rather there was going to be a single, national strategy which our staff was going to lead, which we're still going to try to collect the activities that we have done and planned to do. And the councils are invited to provide input for whatever reasonably specific task they would like to put into this plan, but that this would be an effort that we were going to deal with nationally and have a single, national implementation plan as opposed to eight regional plans or however many regional plans we decided to come up with. So the request - it hasn't gone out; it's going to go out shortly - was that the councils can offer input into the regionally specific tasks that are planned or we'd like to be planned for the national, to sort of accumulate in one place all the things that we are doing or plan to do. In the fall, we will put that plan out so people can look at that and provide comments. And then, sometime in 2019, we would roll out the single, national plan.

In addition to the bycatch reduction strategy, we have put out a national bycatch report. And the report was first published in 2011. And it had a significant lag in terms of accumulating the data. I think the data at the time was updated through sometime in the early 2000s. I don't remember the exact date. And we put a number of updates since then to bring the information in the report more relevant. And I think the last report was 2015 or 2014. Something like that. It is not current. It takes a long time to accumulate and standardize these bycatch numbers. But the more recent updates do better reflect where we are as opposed to the first one, which was somewhat delayed. And we were criticized, not only by this group but by others, for not having made more progress than we did because the numbers were only through the early 2000s, were about a decade old. But it was our first attempt to nationally look at these, but it didn't reflect the significant management contributions that we've taken in the last 10 years. And so it wasn't a particularly accurate picture. And we've been trying to update that. And I think the more recent updates do better reflect where we are. We were going to do a holistic update to the report in 2017 to have a second edition of the National Bycatch Report, which would look at the methodologies that we use, the way we collect the data, and not just sort of update it with the new numbers, but to actually look at the whole way which we do things.

We decided that it was going to be issued at the end of 2017. But we decided to postpone that and instead to provide another update, which I'll talk about in a minute, of the numbers. But we want to just take a more holistic look internally before we put this out. We want to look at the recommendations for the strategy, how the bycatch-- how the report estimated bycatch, and how could we better modify to guide the policy and priorities for bycatch reduction, how to adjust sections of the report to remain consistent with more recent policy directions, such as the Standardized Bycatch Reporting Methodology Rule, and other kinds of things. And to look at how you can better align the report of the recommendations with the resources that we have to account for that. So we are still working on a second edition of this report. And we do welcome input into that. By the Summer we'll be sort of rolling this out and seeking various areas for improvement. But the second edition of the report will be delayed somewhat until we can take an account of all of that. In the meantime, as I said, we are going to provide another update of the numbers that are in there that will bring the more current-- and I don't actually know what the most recent year of the data will be. Cisco, do you know that? I think it may be through 2016. It's 2015 or 2016. It's a several year delay, but it is not the decade delay of the first one. So I think we're getting closer to real time. I don't think we'll

ever be in real time. But it is coming. We expect to release that in Summer 2018. It'll provide updates for 81 different fisheries and includes some new estimates in methodologies for some additional species. But it will not be the comprehensive review of the buckets report that we still expect at some point in the future.

And the last thing I was going to update on is the bycatch Introduction Engineering Grant program. This is a longstanding program that we've had in our Magnuson Act authorizations for a number of years. Last year or this year we've got 2.3 million in FY18 funds for this program. We received 53 applications for 9.4 million dollars worth. Actually, we're not going to be able to fund everything. We are doing technical review of that and we will look to make decisions in the early Fall. I think that's the normal schedule for when we do that. But it is over-subscribed. But it has been a very useful program to help us design gear and other kinds of things to allow fishing to occur without mostly the unwanted bycatch the regulatory-- the [inaudible] species bycatch that we deal with. Mr. Chairman, that is the brief update on bycatch. I'm happy to take any questions.

Dan Hull

Okay, thanks very much, Sam, for the update. Are there questions?

Kitty?

Kitty Simonds

So, our industry and the council have worked together in the past on some of these bycatch projects. But for some reason this year, we weren't notified when this was available. And not just us. The North Pacific Council as well. So we didn't have the opportunity to take advantage. So I was just wondering if you had some kind of a process for notifying us when these funds would be available-- either through the center, the region, or some way so that the councils are notified altogether, same time that these funds are available. So we missed this year working with the industry on something for the longline fishery. And I don't know what you guys missed up there, but I know that the two of us were not notified. If anybody else was notified, I don't know about that.

I presume you're talking about these funds? The [crosstalk]

Yeah. Yes, yes, yes.

I don't know any-- do you know anything about the notification?

Yeah, I--

It would be nice.

I had heard that too, Kitty. And we do notify people pretty widely. It goes out--

But do you notify the councils? Is all I care about.

Sam Rauch

In Fish News, it goes out to our regions. I think in the past those have gone to the councils. But certainly, in the future, we can make an effort to notify you personally and directly. I do understand some of your staff may have gotten notice anyway.

Kitty Simonds

No, I don't think so because I wouldn't be talking about it if it was a mistake on our part. Thank you.

Dan Hull

Other questions for Sam? Dave?

David Witherell

Sam, in the National Bycatch Report update, is it going to be any break out of the amount of that bycatch that is regulatory discards versus economic discards?

Sam Rauch There hasn't been in the past. And so I do not expect that there will be in this update. I think that's one of the issues we would look at when we get to the overall report. The way that we account for these and report on these, it's a relevant question. When we did the 2011 Bycatch Report, we didn't break it out that way, and it created this confusion. And it is something I would like to see. I don't expect this most recent update, which just churns the most recent data, I wouldn't expect that to have it in there. I don't know exactly the details of what's going to be in there. I haven't seen it, but I wouldn't expect it to be. But I do think that's something we should look at as we create a new reporting methodology. I should use that term. I do when I report.

Dan Hull Chris?

Chris Oliver I just would kind of echo what I think Dave is getting at, is that that is an important distinction to make. And I think it goes kind of hand in glove with the whole notion that I've referred to before, is to put bycatch in its appropriate context and that all bycatches aren't necessarily bad. And I think that inherent in that distinction, is some of that aspect.

And that is one of the points we were trying to make in the strategy, is that there's different kinds of bycatch and there is some amount of bycatch of endangered species and other kinds of things which you do want to try to eliminate for various reasons. But there's a whole suite of bycatch which is purely economic and if you've accounted for the discards, and you've accounted for their removals from the ecosystem, it doesn't have the same sustainability concerns. You're still required [in effect?] to minimize it to the extent practical. But the practicability finding then creates economic and other kinds of issues that you need to take into account. But that was one of the reasons that we split that out in the strategy as an important goal to look at the different kinds of bycatch and what role they play in sustainability.

Dan Hull Other questions? Guys are going easy on Sam. Oh, there's another one, sorry. Chuck.

Chuck Tracy Thanks. Actually not a question, but I did want to say thanks to Sam for considering the workload implications of the development of regional and national policies. That's a topic that we'll discuss further at this meeting. But it's nice to know that you're willing to consider that, so thank you.

We specifically changed our approach to this based on that.

Dan Hull Kitty.

Kitty Simonds I just wanted to point out to Sam that I like it when he talks about full utilization and I'm just waiting for the Hawaiian green sea turtle to be taken off the threatened list because they will be for utilization. Thank you.

Dan Hull All right. Any other counsels? Okay, thanks very much, Sam. We're a little ahead. We can continue with the next agenda item and then take our break. So our next will be-- Alger is here? Is Brett here? And if he's-- is he? He's stepped out. We'll just take our break then. Let's come back at 20 minutes to the hour, and that will give us time to find Brett and we'll continue. [music]

All right, if everybody will take their seats, we'll continue with the presentations. Brett Alger's next with the electronic technologies policy development. You probably remember back in February, we had a good discussion around this in D.C. and so he's going to bring us up to speed.

Brett Alger

Thanks, Dan. Apologies to everybody. I was working across the street and got a bunch of text messages, so I apologize. I promised Cysco I'd buy the first round tonight at open bar, so .

Dan Hull

That's all right, we're ahead of schedule.

Brett Alger

Thank you. Three things largely that I want to hit on today as an update from a conversation we had in February is just to give you an update on sort of the conversation that we're having about how we will and when we would try to update our 2013 electronic technologies policy directive. I'd say, in large part, it's going to stay put but I'll highlight sort of the changes that we foresee coming and then also where I would see the new regional electronic technology plans going in the very near future. I'll touch on the EM cost allocation procedural directive that I presented on and just a little bit of some conversations we've had around developing some national standards, best practices, minimum requirements around some of our EM programs, and then lastly, I can give you a little bit of an update on where we are with video storage. I think it's important, although it's a little dry, to step through specifically what are the objectives that are lined out in the policy directive as far back as 2013. It laid out eight very specific objectives to encourage everyone to adopt new technologies. The second one there I think is really important, especially designed to be effective and efficient and the key there being meeting all needs, so not just the agency, but the councils, states, commissions, and especially fisherman. Consider a combination of technologies. I think a lot of times we think about just EM or just ER, but we fail to forget that there's VMS as a technology, moving from paper to tablets in our observer programs, dockside reporting, and other data requirements or data collection points where we can move to new technologies.

Consider EM for compliance with retention regulations. Many of our fisheries, we have maximized or full retention fisheries and EM could be a tool to meet those monitoring needs. Utilizing open source code and data standards. We don't want to necessarily get locked into one provider or one programmer. We want to make sure that we're nimble in how we develop our different programs and our software, especially. Know if fisheries will assemble guidance and best practices that some of the ongoing procedural directive development and guidance that we're working on. Considering a range of funding authorities and then lastly that eighth objective is coordinating costs between the agency and the industry and therein lies the EM cost allocation procedural directive. Stepping through, I mean, this is basically the two-page directive right here on the screen, this first slide and this next slide. But the idea is that the directive lays out who's the authorities and responsible for seeing these programs forward. Of course, the agency science and regulatory board. That second bullet, I want to point out to everybody. It says technical assistance from ad hoc working group. So the agency developed, about three or four years ago, a national technologies working group that I now chair. But it consists of regional staff from around the country, general counsel, law enforcement, and other program support to see these through and report to the agency on our development. And then lastly, our guidance is going to be subject to the leadership council within the agency, concurrence with Chris.

In terms of implementation, the idea is that it's being led by our regional offices, but in consultation with our centers, councils, states commission, industry, and others. And then lastly, I want to point out where I think you're going to see or we could see maybe the biggest or most change from the original directive, which is this last

section, on how we measure our effectiveness. And in my mind, this is where we developed our regional technology plans originally in 2015. So the three bullets that you see there are basically what's in the current directive, and it's pretty bare bones. Develop a schedule of where and how we adopt the technologies, track the progress through monitoring the different FMPs, and then review this biannually by the regulatory and science boards. And so a couple of weeks ago when we had our ET working group meeting, we talked through about, "Okay. How can we make these plans sort of regionally focused but also nationally coordinated?" If you think about sort of the end-to-end spectrum of where they are now, they seem to be more of a reporting exercise to headquarters. I was personally involved in the one in New England, so I appreciate the frustrations that folks have. We want to try and bring them back into the middle somewhere so that the regional staff, regional leadership, the councils can find more utility in the plans than they already had, and so that they feel very regionally focused, fisherman focused.

There was interest in trying to make them-- rather than update them biannually, just do them once a year, and then allow the regional conversations, whether they be council, actions, or briefings that I might give for [inaudible] leadership or the opportunities to maybe get into the nuance and details of some of the updates that maybe leadership seeks, as opposed to putting them through this formal regional plan. And so talking a little bit, I guess, where we see things going forward, the idea was we-- and this is still very draft. It was a conversation two weeks ago. But the idea would be we'd hope to update this policy directive this fall in time for the 2018 leadership council. The directive would include new guidance on the plans, a new plan template, and an EM cost template. And then we would develop the new plans in time for the 2019 funding cycle. So one of the elements that a lot of staff talked about is how can we use these plans to both internally recognize what are our resource needs, but then also externally with our partners such as NFWF and others that may have an interest in helping us develop these technologies. So the next set of bullets you see down in the 2019 regional ET plans. The basic elements that we talked through as a group were requiring that each region develops a five-year vision for data modernization; have sections within the plan that talk about the various council actions that you're undertaking, whether it be EM, ER, VMS, or others; recognize that a lot of what people are working on is still in the research and development and the pilot phase, but we want to make sure people are aware that that's ongoing.

Talk a lot about data integration and interoperability. The idea that we start to examine the data coming into the Wheelhouse and the other places in our fishery's dependent data collection and try to synergize those from the outset and then behind the scenes once the data's been collected. Folks really want to recognize and highlight the impediments of the implementation of these technologies and very specifically identify what are the resources needs. In terms of tracking performance, we want to try and build out some tables that track the development across these different technologies, number of vessels and things like that rather than FMP level. And then lastly, we want to try and develop a new EM cost allocation or cost template. Several years ago, the template that we developed was really into the weeds. It was a two-page paper or less or more. It was really hard and difficult to fill out because we've tangled a lot of our programs based on how we funded things. So we funded some stuff internally. NMFS funded some stuff. So it was really challenging to get an apples to apples comparison across offices, across regions about how much things are costing. And the idea would be now that we have the cost allocation procedural

directive hopefully being finalized this Fall, that would give us a bifurcation of how we can then articulate some of those costs based on the industry, and then based on the agency.

Lastly, some more updates really quick. The EM cost allocation procedural directive-- so far, I've presented to the New England council in April. I'll be presenting to the observer advisory committee this Friday, and then the North Pacific Council I presented last week at their Observer Advisor committee. I would say that so far, the conversation has been really good, and open, and honest, and transparent. If there are other councils or people that have questions, certainly get in touch with us. I think the New England Council actually has a recording of the presentation I gave. So in the interest of timing, if folks want to check that out, you can hear the presentation that I give. And then, just a reminder that the comments are due August 1st. Talking about standards, minimum requirements, best practices-- we had a really good conversation on this up in Portland, Maine where we had our meeting. And the idea here is that the National Working Group is going to start working through these issues that you see listed here. First and foremost, it's just-- we've been working on video retention because it's a pretty important issue. But the idea would be that we would sort of sort through all the programs around the country in the EM space in terms of what they're using for hardware, software, how they're auditing the providers, how they're giving access in managing the video, how are they transmitting the video. So we can start to see where we divergent or similar, and then basically be able to start drafting out further guidance that we can then run in front of you folks and other interested parties.

And I want to make a really important point here. If you remember back in February, Bill Tweit had some very good interest and questions about how the councils can play a role in making sure that they are aware and having input, I guess, these very specific issues. And I actually had a conversation last week with Bill on this. And we talked through this. And I think as long as we can follow this model where the regional staff can sort of compile information and we can build those out in sort of this kind of draft guidance documents and let a regional staff work with you at the council level through the council committees and other bodies and continue to provide updates, say, to this group. He was more than supportive of sort of that model moving forward that we're just trying to be transparent and upfront for you all to pair your different actions around developing technologies, especially electronic monitoring. Lastly, I just want to take a couple of minutes and give you some highlights of the video storage survey that we are, I guess, still undertaking. So we reached out to 16 programs and pilot projects. We wanted to make sure that we had a representation of each of the five regions in the HMS program just to get a sense of what have they been doing with the video when it comes into their possession.

There's a wide-ranging and diverse group of contractors involved in EM around the country, which shouldn't be a surprise. Most of the video is physically retrieved, either by mail or in person. The one exception being a pilot project that'll get started in New England in another month, where they would be wirelessly transmitting the video. All of the video being collected in all the programs and pilots is encrypted. Most of the video is reviewed within 10 business days or less. This next point I think is really interesting. So generally speaking, video is accessed five times or less in year one, and most of that access is all at the very upfront of when the video is collected, meaning somebody looks at it initially, it looks okay. Then a reviewer makes sure that there's species, and counts, and weights, and all the data you're collecting for. And

maybe there's some QA/QC of that, but by in large, as time goes by, fewer people access the video. You go about your day, you've got more video coming in, you're doing all your other things, the video isn't accessed as much as the year goes by, which makes sense. And then lastly, there is a pretty common video file type, which, for people really into the weeds on the technology, that's important.

I think this next slide really highlights the disentanglement that I mentioned earlier about how we've funded our programs in the past. So, if you look on the y-axis, there are going to be the six different programs or regions, and then the different colored boxes are just the storage practices if you will. So in Alaska, they have a compliance program with their catcher-processor vessels, where the video's stored right on the vessel. In some of our programs - Alaska and west coast the video goes to Pacific States. In other cases, it's going to a third party. We have some programs that are using Amazon web services cloud, and then in the southeast and Pacific islands, they're storing it right at the science center. So, that's just to say right now, in order to develop future models and consistency across our programs, this is some of what we're trying to work through and figure out the best practices, and the most cost-effective for all of us moving forward.

And so moving forward on storage, as I mentioned in February, this shouldn't be a surprise to any of you, but essentially, we need to develop a new storage requirement for video that becomes a possession of the federal government. So we would work with the National Archive and Records administration to develop a new retention schedule for video and images. That comes with a 6-month process, a 45 day comment period, and [inaudible] publishes federal register notice. I'll take a moment to pause here. When I talked with Bill Tweit last week, he said it would be really helpful to have a heads up when that comment period is going to be available so that the councils can be informed to make an informed comment during that comment period. And then the second piece there being, presuming we move forward most of our programs on the third party model, is we would create a procedural directive and guidance to the regions about as they develop their actions and develop their regulations, what is going to be the time requirement for fishing industry to retain the video prior to getting rid of it after the data has been submitted to the agency. And with that, I thank you for your time.

Dan Hull

Okay. Thanks for the update, Brett. Are there questions from the councils?

Yeah, Gregg.

Gregg Waugh

Thank you, Mister Chairman. Thanks, Brett, for that presentation. We've got a requirement for video recording that was included in our Snapper Grouper Amendment back in 2008. And it makes the-- for our Snapper Grouper commercial permit holders and for-hire permit holders, if selected by the center director, they have to use video monitoring. So my question is, this cost sharing, is that something that would be done by NMFS if they were to select them? Just tell them that they have to cover the costs? Or is this something that the councils will have to initiate an amendment to put in place, a requirement for that cost sharing?

Brett Alger

I think I understand your question. I'm not familiar with the reference you made. What I can foresee, and I'll give you just an-- I'm going to go to a different region, because I have an example in my mind that I think addresses your question. So in Alaska right now, there's a set of vessels, we'll get to see one tonight, that runs video cameras 30% of the time. The agency actually runs the system that does the observer

deployment and the EM selection, but it requires that vessel to run EM. In my mind, in a future model, where the fishermen would be responsible for the video review and the storage, we would be selecting through whatever-- analytics go into selecting observer deployment. We would be selecting the vessel to actually run the cameras, but it would be their responsibility and how we were structured within the program, or the Fishery, for them to pay for the review and the storage. Now as a kind of the third-party model, some of that video is then reviewed by the agency to make sure that the provider's extracting the data properly, that video would become the agency's responsibility to store. I don't know if I answered your question.

- Gregg Waugh Partially. Just to follow up. So then in that situation, would NMFS just inform them that they have to now start covering that cost? Or does the North Pacific have to initiate an amendment to make that a requirement?
- Brett Alger Okay. I got you. So that's part of what's baked into the cost allocation procedural directive. It sort of lays out, "okay. These are the draft bins of cost between the industry and the agency, and it articulates a transition plan for programs that are already in existence that have it's own funding mechanisms, how we transition over to the sort of the two-party model." But in other cases, the southeast doesn't necessarily have any active kind of EM programs. I think the idea would be in building your program whenever you choose to do that. You would follow the guidance that's being, the ink would dry this fall.
- Dan Hull Thank you.
- Yeah.
- Brett Alger I think the press behind that is we've talked with the CCC before is the-- where it's a new program, it's a new monitoring program, whether it's electronic or any other kind of monitoring program, currently, NMFS funds for new programs of this type are fully subscribed. So there's no additional federal funds that we could just provide to support a new program. So either the program has to be designed such that it is contingent on federal funding. And if federal funding doesn't come through, it doesn't happen. Or the industry will have to fund it, and that's the model that Brett is talking about. So for new programs, there's no general fund for new programs it remains a question about some of these existing programs, whether or not they would transition to that model or not. But most of these are brand new, particularly, if you're talking about creating a new model for the program for a new fleet. There are no federal funds absence of new appropriations, and I don't know the prospects for those. And so that's where you would have to figure out how. It's either voluntary or it's either contingent federal funding or the industry will have to pay the funds.
- Dan Hull Charlie.
- Charlie Phillips Well, after what we went through when we had a discussion of putting BMS on the badge, we didn't think it was expensive, 50, 60 bucks a month if they have to pay for-- got selected and had to pay for the electronic monitoring. I'm not sure I want to be in the room with fisherman when we tell him that. I won't see much of an appetite. I don't think of developing any electronic monitoring knowing that battled it may very well result in.
- Dan Hull I think Chuck-- Chuck, did you have--?
- Chuck Tracy I'll wait a minute if somebody else has something.

Dan Hull So, Tom.

Tom Nies So Brian just told us that 2018 budget has money in it to fund the Groundfish At-Sea Monitoring Program. That's not the exact language but I think that's a pretty fair characterization. If vessels are using EM in order to comply with that program, will the agency fully fund those costs this year under the Appropriation Bill, or do we know yet?

Dan Hull Sam.

Sam Rauch I guess we don't know yet. That is the question that is relevant as Brian-- Brian is not here. I don't know where he went. I think that plan is being discussed with Hill at the moment, and so we don't know the answer to that yet. That is a consideration that we're looking at in discussion.

Dan Hull Yeah, Dave.

David Crabbe Thanks. I have a question about standards minimum requirements and best practices. And with the technologies changing all the time and new equipment coming out, and lowering cost and storage of volume, I was wondering if he intends to build in standards where there's flexibility where this can be-- where new technologies can be replaced and used easily? Because I did see in your list here under a bullet point hardware and software, and with hardware requirements, but that could be something that could change through technologies.

Brett Alger Absolutely. I'll give you a really good example. Actually, tonight when you talk with Steve, and he might mention it, but sometimes there's wiring negates put in the vessels for EM systems that can conflict with the BMS that's onboard, and you can get the wiring does funny things. And so that would be a case where it's like you're not required to that in your EM program, but you'd probably should think about doing it. Same with software, hardware. There's some things that you should think about and some best practices, but by no means that we're going to say, "Everybody has to use this physical camera across the board." So what we did when we talked to this issue is we basically said, "Let's find where there's some commonalities and some differences, and then let's determine, maybe this is a standard that we could set for all of our programs because it does meet all of our needs." But most of the time in most cases, it was, "These are things you should think about." They're really good ideas, but we're not going to require them.

Thanks.

Dan Hull Brett, I haven't had the chance to go through our observer advisory committee minutes in detail, but I understand that they expressed some concern about having to fund the video review on the storage cost. And if I remember it correctly, it's because, in the analysis for integrating EM into the observer program, those costs were to be borne by the agency and to have a shift in the policy like this could have a significant effect perhaps on ability to use EM or rates for coverage. So how does that give way into the policy development?

Brett Alger Yep. So I think the conversation was around to bring everybody in the room together, and the idea was, in June of 2019. The grant that has been used to fund the EM program in the North Pacific is essentially expiring and so the agency would be going out with a new contract to hire an observer company and an EM company. And there's been some back and forth of whether that should be one contract or two

contracts. The conversation last week was around the-- the draft contract did talk about having the agency pay for review and storage. The pushback or the response that the agency had in the room speaking for them was that it's still a draft contract. It's not necessarily that it's final, and that the agency is going to pay for video review and storage. But then we sort of started talking about, "Okay. Well, even if it was - let's just say it was - that contract might only go for a year, or two years, and that there would still be that transition plan that we talk about in the procedural directive. That the next contract would put those costs onto the industry." But hopefully, the notes capture my recollection better.

Dan Hull

Sam?

Sam Rauch

Not to get into what happened at North Pacific, because I don't know the details of that, but there's a very relevant question. If the agency does pay or assumes the cost of video review and storage, those are definitely federal records and they must be retained for a specific length of time. The cost - because they are federal records and are potentially reviewable, and all that, for federal records - goes up exponentially. If they are not federal records, if, instead, they're like your tax receipts - which you keep, and we may have the ability to ask to see on occasion, but they're not federal records - the cost of storage and review can go down markedly. And so it is a dramatic cost savings because somebody's got to pay that. The industry's paying it or the tax payer's paying it. It's not just growing on trees, right? Somebody's paying for that, and the cost can go down markedly on whoever's paying for it if it's not a federal record. So there is a lot of incentive to make it not a federal record and to make it the cost manageable because we've seen these video costs if you have to store them for a long time can get quite high.

Dan Hull

Thanks for that, Sam. Chuck.

Chuck Tracy

Thank you. Thanks, Brett. It's like four topics about the ET policy directive, and the regional ET implementation plans. And I guess the third bullet under the first big bullet says, "Develop new ET plans before 2019 funding cycles." I guess first question is, hasn't that already started? Have we already missed that deadline? And secondly, the regional ET implementation plans in 2019, so I guess maybe just a little bit more on the involvement with the Council on developing these plans. What do you have in mind? What the schedule might be?

Brett Alger

Yeah. So the funding cycle, everybody's like, "Funding? Cool. I want to listen." What that is basically a reference to, we have internal appropriations that we use to run kind of a competitive RFP process for our EM and ER programs around the country, and that usually kicks off-- it's happening right now. So the idea was if those plans can be used to articulate the resource needs that can help develop the decisions around where we move the funding. Equally, National Fish and Wildlife Foundation has a pot of money that they spend out, and that cycle is just starting now, here in the late Spring. So by having the plans in time - say February or March of 2019 - they can then be used as a very strong resource developed collaboratively about what other resource needs, and how we can help make our decisions appropriately. In terms of how the ET plans are developed in concert with the Council, I'm not sure how that happened in the past. I don't know if those were presented to the Councils when they were in draft form before. I mean, I'm not opposed to the idea that the staff can work with the Councils on doing that, but I'm not familiar with how we've done that in the past.

Dan Hull Chuck?

Chuck Tracy Thanks. Well, I guess my recollection is that the West Coast Region staff worked with Council staff to craft a plan. I think the Region took the lead in it. We provided comments on it. We did get a look at a draft - the Council did - then kind of adopted that for public review, if you will, and then adopted a final at the subsequent council meeting that we were involved in some levels. I would appreciate if we could still be.

Brett Alger Yeah, I'll just kind of add on to that. I know that the staff I met with couple weeks are fully aware of-- many of them know would proceed with the model that you just described, where the staff or the agency drafts out some of that and then works with the council staff to make sure they have a review on those.

Dan Hull Okay. Ed?

Ed Ebisui Thank you, Mr. Chairman. Aside from the funding issues, we have a question about the technical aspects of electronic monitoring. The area of concern for us would be species that don't come aboard. I'm talking about sharks, turtles, whales. Other endangered species. How efficient would the EM system be in capturing the data that's needed for species that may still be adept, may be cut loose over the side, possibly even hauled at night? Are we going to get the data that we need with EM?

Brett Alger So electronic monitoring definitely has its limitations. One of the ones I hear is you set up the vessel in a certain structure to make sure you're getting all the elements, but then things that are happening off the side of the vessel, maybe at night time when there's not enough deck lighting there are deficiencies or limitations with EM. One term that I've heard people say is that fish don't move themselves. And so one of the things I think some of the EM programs are working through is actually trying to figure out what is the crew actually doing on the boat? Where are they moving the fish or what are they doing at the rail to shake off fish or other things that they maybe don't want to have on the camera? So I would say you are pointing out a limitation and I know that folks are thinking about it as they develop their data collection programs and how they angle EM and things like that.

Dan Hull Okay. Any other questions for Brett? All right. Thanks for the presentation and update. That brings us to a data monitorization presentation from Dorothy Lowman. And for those of you who didn't know, Dorothy was intimately involved in initiating EM and national policy issues and is continuing that work in data.

Dorothy Lowman Thank you, Dan. And I actually asked one of my fellow task force members to join me up here, Kate Wing. I don't know if all of you know Kate, but she is with the data branch based in California. She has spent a lot of her career most recently really trying to understand the intersections between technology and data and science and management needs and she's far more versed in the technical language and I'm trying to link those technical things. And she's also very good at sometimes translating to people for me, techno-speak into my speak. And so I thought as we continue this, you might have some questions that I would have to call a friend so she's right here. So this was an opportunity that, to be able to just sort of give you a little update about some of the work of the task force which came about with a group of people that had a mutual interest on this need for data modernization. So what do we mean as a task force? Because it's kind of one of those terms that may mean a lot of different things to a lot of different people. So when we're talking about data modernization, we're talking about improvements along the data value chain that help the councils, NMFS,

and other management entities to do their work better, and to support industry information needs also. So Kate and I were talking about this definition that's still wonky to me. What's a data value chain? So we're sort of thinking about-- there are a lot of steps along from getting from input to the initial raw data, getting that data, collecting that data, aggregating and storing it, analyzing it, and then sharing it. So yeah. The councils are sort of needing those council reports that the last minute were sort of the end part, but there's a lot of steps, and there's a lot of different players along each step. And this is not to be an inclusive list of all the types of tools, inputs, people that are involved at each of the steps. But I think it's to sort of say there are opportunities for improvements along each one of those steps. And they're all important in terms of data modernization.

So who was the data innovation task force? And it was a diverse group of experts across all the regions, and they included both industry NGOs, scientists, service providers, Mike Cahill and many of you know with ACCSP was a member. So they were people that were involved and thinking about the issues related to data challenges and information system challenges around all parts of this data pathway. So one of the first things we did is we got together, and the timing was such that it was just before there was going to be a new administration, and thinking about what we might have as some recommendations to the transition team going in. And the task force saw modernization and streamlining of inefficient information systems as critical to meeting the fisheries challenges, and wanted to promote it first to meet those challenges. We also thought that the timing was ripe, that there were advances in electronic technologies beginning to get on the water, and that there was a-- and that today, the demand for information was never higher, and that indeed we were also incorporating more management tools, emphasizing greater accountability for example, and ACLs, that meant that there was a growing need for timely and reliable data that could be used for multiple sources [inaudible]. So I think you guys really-- it was in your packet, and some of you may have had presentations on the report that came out in 2017. And it's broken down into some key findings that-- it is true that while the demands are growing, that often our data systems are somewhat siloed in different parts, or in different responsibilities or different parts of agencies or states or OLE or a variety of different places and sometimes it makes it difficult to easily match data from even a same trip in order to meet the data requests from multiple sources.

Also a lot of our systems are not necessarily designed to meet the current objectives. But they also, as we started looking into this, there was progress being made. In the North-East they did the data visioning process and are in the process of how to modernize some of their data systems and tackle some of these problems. In the Pacific recently there's been a recognition that you needed to think about the data from [inaudible] fisheries across the Pacific and that we needed to engage people both in the Western Pacific in the regions, the centers, the [fins?] as well as the West coast. So they've created a group and they've just established a charter and are looking at ways to more effectively integrate that information. And that just fits squarely into the types of projects that we think are important to move this forward. The report talks about a vision for success and it's based on user center design principles and I'm not going to go into them in detail but I encourage you to talk particularly to Kate about what that means because she is an expert in that and she will be here through Wednesday. And we ended up with a series of recommendations that I'm also not going to go into detail but some of them relate to some of the work

that was just mentioned by Brett. One, in particular, is sort of think about the state of modernization in terms of an update of an ET policy. I think we've been focused more on the tools and this is sort of thinking about, "Well now, we can get the tools or getting the data for it, how does it flow into the-- and connect with the other types of data that we have to give us the information we need for management and science in a timely way." I wanted to just touch on briefly some of the activities since this report came out.

We've had a few discussions with Chris and Sysco and other people in leadership, Brett, about how we might indeed make this a partnership. How we could try to find a way to work together to advance some mutually held goals. We've started some initial outreach, a lot of you guys know George LaPointe and you may have been in contact with him and then Ivan working on more the Pacific side to talk to people in the regions, centers regions, some council staff in some cases, and service providers in some cases, and some industry folks about what did they see as priority or some potential projects that would lead us down into a more robust modern data fisheries information systems. These first sort of interviews were ADHOC. They were people we knew, they were individual opinions, they weren't particularly in any kind of order of priority. But we generated a list which we are now been sort of requested to go back to people, engage more holistically as we can with folks within the regions to try to identify what might be some good projects to sort of start making progress in this arena that we could show, and particularly, that might be right for some public-private partnerships. So, that's one of the things I wanted to also kind of start to discuss with you is how we might best, more effectively, reach out to the councils about that. The other thing is we've started some more discussions, and some funders that were interested in maybe some larger investments over the next few years in this arena and ways that they could contribute to private-public partnerships that would meet some of these priority needs and take some of the good progress that's already started and be able to maybe make more rapid progress, engage more of the user groups to be sure that we're meeting all of the needs out there. And those are, again, ongoing, but I think Brett mentioned some of the NMFS ways of finding some additional funders that are kind of wanting to look more at some of this data integration pieces, too, as part of the NMFS program.

And there are also some funders that are looking at opportunities for ways that they might be able to have public-private partnerships with folks that aren't eligible with say monies from say NMFS, like councils, like the agency itself. So, those are the types of activities going on. We have a core of the task force steering committee that meets every other week, I believe and talks about what's going on in different regions trying to start to continue to develop some plans and find some ways that we could leverage these potential opportunities for partnerships and think of these projects. And we're also thinking of ways-- one of the things that's come up, is that there's a really-- there are things going on, but they aren't necessarily well known, and there's a need to better document what those investments will bring in terms of dividends into the futures in terms of both efficiencies and organizational effectiveness, so I think that we're looking at ways that we can help promote those, help people think about ways to document what the benefits are for the investment, as also a way to maybe leverage more support for funding from Congress and other [inaudible] goes forward. So, I'll stop now and sort of put it to you and sort of have a few questions that we'd love to get your input from as well as just answer any questions that you have, like, "When you think about this, where do you see areas for improvements?" And "How

do you think we could best engage all stakeholders going forward?" And do you see opportunities for private-public partnerships in your regions? In other words, because we truly do think this should be a partnership, how could this outside group help further your needs and interests in projects? So, I think maybe for Dan, open up, maybe I don't know if Chris wants to say anything, given that we've had a few discussions or not on this issue, and I don't want to put Chris on the spot, but--

Dan Hull

Sounds like you did, Dorothy .

Chris Oliver

No, I appreciate the presentation and Brett's as well. I can't remember when, last fall when I first read the initial net gains report, I was struck by these are really fantastic ideas that all lettable goals. It would strike me that many of the things that you were suggesting are things that are common goals and to some degree things that, not in every case but in many aspects, things that we're already doing in some former fashion and various, perhaps not as well coordinated ways as we could. And then I was reminded one of the things you provided early on was the spreadsheet and it lists I think 60 different across the different regions. 60 different projects, initiatives or priorities that all relate to this. And so we have met two or three times since then trying to-- the conversation about this initiative and how it interrelates with the things that we're doing or could be doing and so again, I think that I really appreciate the continued dialogue. I think many of the things and that one of the things that you and I have talked about and I've struggled with is the whole regional approach when you talk about sort of data monetization and the integrated maybe one-stop shop is to go on a little too far recognizing regional differences. But how we pursue this in a regional basis versus a national basis in terms of operational counter activity. So I appreciate the continued discussions, I'm keenly interested in any feedback that the councils have in these various issues and what's going on at each council level, what's going on at each regional office level and how these pieces connect so we can better figure out how to best leverage the things we are doing with the goals that you've laid out because I think there's a tremendous amount of overlap compatibility, complimentary potential there. And so I'm also really interested in this notion about external partners in terms of some of the big foundations for example that are interested in some of these same goals and how we can leverage their support in funding. So I'll leave it at that and thank you for the presentation.

Dorothy Lowman

Thanks, Kristi. Just kind of build on that. I think Brett mentioned it too that I mean, and there is no way around but some of these initial investments when you're trying to modernize some of these systems, they're expensive. But first upfront kind of that upfront investment that you have to have. And so I think the opportunity for same, maybe some private-public partnerships could help with that. There's also kind of thinking that the whole different ways of funds because the FIS program, for example, has funds. And I'll just give an example of when I was talking to some of the people involved in this pelagic group. They were talking about some of the things they were doing and they're primarily focusing and getting in sort of the federal pieces together and then they are engaging some of the states also in that. And then I said, "Well, what are you thinking about then?" "I'm thinking about the industry needs and some of the ways that they need to use this information and the councils." I wasn't clear whether they had been part of these presses. And they said, "Well, we have a proposal into FIS to kind of start that and do that the next time." And I said, "Well, did you ever think that-- I mean, you may be just perfectly, and that might be a great place to get that. Or thinking in that FIS may have a whole bunch of projects. That might be something that, if you worked with the partners with them there, that may

be NMFS funding could help or announcement firm that could help to add more money to the pot to get these things done essentially, so."

Dan Hull

All right. Thanks, Dorothy and Chris for your thoughts. Kate, I don't know if you have any additional thoughts for the group.

Kate Wing

I think I'd just like to just hear from folks who are here really, where are the challenges that you're facing now where you feel like you need to get data that's higher quality, that's faster. What are the problems where you're thinking, "Ugh. We can't get the data to do the analysis, the reports we want, at the level that we want," because technology-- we're not advocating for adopting technology for technology's sake. I mean, this is not a space where we have money to burn and we can buy the latest gadget just because it's cool. We have to know what it is we need, and then be able to write the specifications for the technology that's going to get us that. And so that's the big point of our group is to try and figure out what are those use cases? What are those challenges that people are really facing? And then help prioritize investing in the systems that'll deliver that. And so I'm really interested to hear from folks what you're seeing.

Dorothy Lowman

Data's a really broad encompassing word and so I'd like to hear more about, when we talk about data modernization, what types of data are the most critical? Or the most important? Or where we have gaps or where there's need for greater efficiency or speed? Is it your catch statistics versus innumerable other data sources? And so the term data is so broad.

Dan Hull

All right. I think there's some folks ready to tell you, John and then Gregg.

John Gourley

Thank you, Chairman. I just wanted to thank Dorothy for bringing attention to the Western Pacific on what not to do . Basically, I have to read this. We usually just say, it's all thumb up or whatever. But this is done much more intelligently. Current data management and information flow is complicated by multiple hardware and software systems, dispersed offices over thousands of miles, and blurred lines of responsibility for data analysis and sharing as mission shifts require new lines of information flow. In some cases there seem to be problems with the accessibility of data held both within the regional science center and by partner organizations. You summed up our problem. And I guess we were a good example of what needs to be done. And for all the policy directives that NMFS puts out perhaps they could put one something like, "No council left behind". We have kind of taken the bull by the horns in a way. We've formed a FDCRC committee, which is basically an organization-- No, it's an agreement. It's not an organization. PFS Science Center, the state organizations at American Samoa, YCNMI, and we got everybody to sign their name in blood and how they were going to agree to work together. We need to take a look at whether the existing data collection streams are meeting our management responsibilities under MSA.

Right now we've got NMFS, we got data collection from the long line in Hawaii, long line in American Samoa which, I would think, it's in pretty good shape. We've got a data stream-- actually, it's not a stream. It's a data dead end. And the CNMI, the large vessel bottom fish, which is not doing well at all. So, there's lot of room that we need help on and unfortunately, it's the same old story. We would really like a pot of money that we could count on year after year so that we can build these data collection systems in order to meet our mandate. We've been using temporary funding like SK-- GSI. GSI is great. But what happens with these temporary funding

you get something started and then the money disappears and all of a sudden the hard work to actually get it started disappears. So you really need a pot of money that we can kind of draw from to start the data collection system and maintain them through time. And be flexible enough to meet our management requirements under MSA.

Thank you.

Dorothy Lowman

And I think that that issue of continuation, you can't just sort of start as you say, start something, and say, "Great," because these things, they aren't static. They need improvements, they need care feeding, they need people and I think trying to think of the strategy for that. But also I think part of what's needed is to be better at documenting when you make that investment what are the returns. And being able to be both qualitative and quantitative in that to be able to tell the story to make that a worthwhile investment. So the people see that, and I think that's part of what we think is an important part of this initiative, and that maybe that there can be some abilities to help tell that story too and then tell it to some other folks.

Yeah, and I think that gets back to your comment, Chris, a little bit about what should come at a national level, what should come at a regional level. And since I have the luxury of having someone from general counsel here as well as the science team, I just point out that I think one of these issues around cost and continuation, as around having a clear regulatory framework around procurement, which is how you're going to buy and fit the technology into your systems, right? I sometimes like to use the example about how on the West Coast we had a regulation for West Coast Groundfish that required you to use Microsoft Access 2007, in 2015. That was in the regulation, requiring you to use an outdated piece of software, to your point earlier, David. And that's just not the most efficient way to write a regulation, is to get to that level of specificity. How can every reg writer in every NOAA region feel confident writing specs for technology that is at the right level of specification, that tells you what you want it to perform at, without locking you into one vendor or one software iteration because that again gets you to cost, to the extent that NOAA can have good guidance for how to use type approval, to adopt reviews for hardware and other things like that, to the extent that all of your staff have this comfort, this level of literacy where they feel like, oh, I know how to write these regs and they're going to be at that right sort of sweet Goldilocks spot of just the right amount of specificity and not too much. Then that potentially gets you into situations where you're actually getting the right system to start, and not having to start over when you're getting halfway down the road, and then you realize that vendor's gone out of business or that software's been updated and you wrote your regs the wrong way. And now you're going to have to do a reg change to fix it, not just find a new vendor.

Dan Hull

Right. Gregg, and then Terry.

Gregg Waugh

Thank you, Mr. Chairman. Thanks for the presentation, Dorothy. We're very much behind this. We had a SEDAR Steering Committee meeting last week and we live and die with stock assessments, just like everybody else. We were actually allocating weeks of data, people's time. That's the limiting function now to assessment. We only have a certain amount of time that the data people can compile data sets for our stock assessments. That's the bottleneck. And I think if you put that in context, our region and center are doing the best that they can, but our region has three councils. Our center has three councils, HMS, and ICATT, which is really like five councils. We've got a large recreational component which is very difficult to deal with. So we're

implementing charter boat electronic reporting. We've got a pilot project to implement MyFishCount, which is looking at private recreational reporting. This brings on a lot of additional work but there are ways to do this using a public/private combination to where the data can be collected electronically and go into a regional database like a ACCSP. And then rather than the agency having to develop a data house they can pull data from those types of systems.

We've got to be able to link catch to permit. Chris asked about specific data. We're still struggling to link our catch to vessels. We've got some permits that don't even have numbers associated with them. Catch and assessment data is what we need. And what we've done to address some of these issues in our charter boating reporting, we'll do the same thing in our private recreational reporting is not specified as systems but specified to data elements. We've done this in coordination with the mid-Atlantic council and the Gulf Council, in that, for our charter vessels, if they also hold a mid-Atlantic permit or a Gulf permit, whoever has the most stringent reporting requirements, that's who they report to. And then we get the data from there as long as everybody agrees to the same minimum set of data elements. So there are ways to do this, but it does require cooperation. And the bottom line is, it needs some more resources. And the region and the center need to be able to hire people, backfill positions when they leave. So these are the issues we're dealing with. But to move forward with stock assessments that the agency agrees is the highest priority. Right now the bottleneck for us is getting data sets pulled together. Thank you.

Dan Hull

Thanks, Gregg. Terry?

Terry Stockwell

Yep. Thank you Mr. Chairman. Thank you, Dorothy. I've been a long time supporter of EM and ET, but I know I'm not in the majority in New England. And that's partly to follow up on Charlie's comments about the angst of the industry towards moving into something new. And I don't think its industries has the angst about providing better, more timely data. It's just the dollars are going to cost, and particularly, in some marginal fisheries, to be able to do so. While watching your presentation, there is several slides about funding opportunities and funding these. I think that we need to think partnering with all the different groups that you're working with to help really implement the transition to this new process, not just the development of the new process. Two examples, we all know the multi-species fishery has been struggling. Well, I've been thinking that the Atlantic fishery is going to be the model for EM. And now we're looking at the very real potential for a recruitment failure. And that industry as well is going to be struggling for funds. So without being able to have the funds to help these fishermen out, we won't get the quality data that we need to get to improve the assessments. So that's my two cents.

Sam Rauch

Yeah, I just wanted to touch on how this ties back to Brett's comment about the data sharing issues and the data storage issues, particularly for EM and ER, in terms of decisions about how much data has to be stored, when it becomes a federal record, and also in regions where the states are potentially touching that data. And the states have privacy laws and states have public records laws. There's a nest of policy rules around who gets to and has to hold the record and have access to the record. That has cost implications. And I think that's a really important part of moving this forward is not only thinking about the technology by which the data needs to flow and at what level, who needs actual raw video versus who can see extracted data from somebody who watched that review, as well as thinking about what are the legal rules around that data are going to be stored. And how they are going to be dealt with because if

the federal government has to store everything at the raw data level, that's an enormous storage cost. If you can just store those smaller records, that's a lower storage cost. And if that's what you are passing on to fishermen, that's an important cost piece, too.

But sort of a side piece of that, I'd just like to note is that I think that issue of who owns an NMFS federal record also is an interesting place of expiration with industry. And that is that if third parties are allowed to hold this data, and NOAA is allowed to have a license agreement to go in and get the data that it needs. But it's not necessarily a federal record. Then there is potential for industry to find other ways to use that data that provides value for them. Then it's actually an asset. It's something you made. So this is the kind of thing that seems maybe far off. You're thinking, who wants to buy my EM data? How could it possibly be valuable? But there's going to be a working group at the IC's meeting in Hamburg this fall, where they're talking specifically about extracting more information from EM data to do stock assessments. So, on beyond what's being used for compliance. There are other potential insurance companies, other folks who are interested in how to monetize EM data streams. So this issue about who has to hold it, and who has to store it, becomes a cost issue but it also potentially becomes a value issue for the people who are generating the data. People who have the cameras on their boats.

Dan Hull

Terry, did you have a follow-up?

Terry Stockwell

Yeah. Just a quick follow up to that. I appreciate Sam, your comments about the cost of-- if the data is held by the agency. But the industry enlisted, initially signed on to the concept of EM as what they felt was going to be cost saving, rather than a perhaps an equal, or cost increase. And I've got to say that thanks to the recent science director, and the new science director in the North East, we're working very closely with industry now to help implement the data that's being generated into the process. And so it does come down to dollars. And if the cost of monitoring a trip sometime exceeds the value of a trip, it's going to have no value to the industry.

Dan Hull

Chris?

Chris Oliver

Greg's comment made me think of a question. And in my experience over the years in the North Pacific, I sometimes felt like we were involved in projects or analyses when we were suffering data overload. We had more data than we know what to do with and trying to contrive ways to use it. But then I recall our conversation at our leadership council, where Roy and others were describing the SEDAR process, and the difficulty timing wise with getting the various disparate data sources integrated, coordinated to feed through that process. But then Greg, you raised an issue that's more-- not so much how we modernize or coordinate, better assimilate data, but getting basic data in the very first place. Basic catch data, for example, is what I think I heard you talking about. So I'm curious to maybe hear a little more about, how much of this is about better modernizing or coordinating the data that we currently collect, versus, how much of this is focused, or should be focused on collecting missing data that we're currently missing in the first place?

So I think-- and I put this slide back up-- that there's a number of steps along this. And what you're talking about now that sort of first step. How do we collect the data. And how do we find better ways of doing it, technologies. Also thinking about it not-- sometimes you think, well we need this piece of data, and this tool would help us get it. But what you're not doing-- what we haven't done sometimes, is think about well if

we're using this tool to collect this and similar variety, then who else might use that? And what are the multiple uses of that data? So you're not like having-- I mean, something, we started with VMS. Maybe there's ways that EM data collect the same or at better finer resolution. How do we kind of think of all the different needs for this piece of data and not kind of do duplicative kinds of collections also? So it's both collecting it and also being sure we're smart not to collect these similar types of data.

Dan Hull

Gregg's got an answer and so does Leann.

Gregg Waugh

Just to respond to Chris's question, we do have some issues with missing data. And the improvements to MRIP are making statistical improvements to the program and will be improvements for the original reason that program was designed. It was not designed to do ACL management or recreational catch monitoring. These improvements will not help our situation in the southeast for tracking catches of our relatively rarely encountered species. That's why we're pursuing electronic logbook reporting on the charter vessels and on private recreational linking some of the catches. The commercial we have a pretty good handle on but we still have issues in the commercial and in the charter vessels to linking catches to the vessel and we do have issues with low biological sample sizes[inaudible] as well.

Dan Hull

Leann.

Leann Borsage

Yeah. So, I was very interested by your presentation. I was wondering number one, maybe who was on your task force that you kind of been coordinating with for the Gulf but we can talk about that later. I think in the Gulf, kind of to kick it back on what Gregg was saying, we have a lot of new data streams for catch coming online and routes almost being phased out and replaced by a lot of the state programs that have been stood up mainly around red snapper but some of them go farther than that. But I think that's a big challenge for us because each one of those is almost-- it's like apples and bananas and kiwis and grapes and then we've got to feed all that into a stock assessment. And so this data processing that Gregg was talking about, that is just going to draw that out even farther. We already have to use two stock assessment slots for the year to get one red snapper stock assessment because it's that complex. So, in the Atlantic, the way I understand it, there's a commission and then there's also this ACCSP which is kind of like the warehouse or the QA, the QC. Whereas in the Gulf we have the commission who's also the warehouse and I think with all of these new strains coming in I think there's a lot of room there to try and assist that, beef it up, get it ready and streamline that process somehow and convert it all under one currency.

Dan Hull

Charlie

Charlie Phillips

And to follow up on Terry's and we're talking about who owns the data, and then the data cost of storage, and storage costs we're going to keep the data indefinitely. So are we going to pull it all the way down to boat level where this permit and this boat has this data being stored somewhere and there is a cost associated with that every year for how long? Or does it to go to ACCSP and that's the end of it? And should the data have some kind of value to somebody? Then how does that come back? So there's going to be a lot of policy that's going to have to be hammered out. And especially if you're going to have long-term costs of storage to a vessel or a permit and you sell the permit, then that cost goes with the permit. Oh, I can think of all kind of things. But there's a lot of policy to figure out.

Dan Hull Right. Final comments before we move on. Chris and then Tom.

Chris Oliver Thank you Mr. Chairman, thank you, Dorothy. I have a number of questions. I'll try to be brief, but the first one is I'm a little confused about the status of the task force. So it seems like it existed to write the report, do all this work, but it sounds like they continue to exist to help us. So how is that going to work?

Yeah, so there's a list of people that were on the task force in the back of the report. And on the website.

Dorothy Lowman And on the website. And there's been a core of that group that has continued to meet and think about how we can bring it in. And then we've just been talking about getting the whole task force back together to talk about it. And also think about who else needs to be added in as resources to help. Given that we're starting to get some ideas of some potential places that are, maybe some first steps. And there's a number of ways, and Kate's been thinking about some ways even as you think about this even how there could be technical help in writing some of the proposals to some of these different fundings and where you're not going to be a competitor for that, but bringing in just some of that technical support. So Kate, do you want to expand on that? Because you had some ideas.

Kate Wing I think we want to keep it brief. I can talk to you more about it. But the short answer is we had a large group of people who wrote the report. Some of those kept talking. There's five of us actively working on it now. The two of us, George LaPointe, Scott Burns, and George Schmale, who is our contact organizer. And then we're currently in a process right now where we are exploring what are the possible partnerships. We want to keep the work going, and we're trying to figure out who we need to bring in and at what level to make these partnerships go forward. So we're at a little bit of a transition phase, but the interest is strong and people want to get stuff going this year if we can.

Dan Hull Chris.

Chris Oliver Just another more specific question. On the east coast there's three councils, two regions, two science centers, 15 states, ACCSP, ASMSC, every talking about doing data things. But it seems to me that one of the things that we get quite a bit is the absence of a unique trip identifier, right? So we have, you talk to anyone who's been involved with this stuff they say, "Man, I wish we had a unique trip identifier." You talk to a stakeholder, you talk to a captain of a vessel that has to submit many reports for one trip, "I wish we had a unique trip identifier." Talk to a scientist, "I wish we had a unique trip identifier." You talk to a manager, same thing. So, how hard is that to do? How hard will that be to do, do you think? Just to develop a unique trip identifier for the east coast?

You know Mark Brady wrote a whole report on this for NMFS that you've probably seen a few years ago on how to get the entire, well he commissioned the report to be written on how to get the entire system to convert over to unique trip identifiers. So, it's not a small thing, and it certainly can't be done retroactively, but it's doable. And there are ways to fake your way around it in situations where you really have challenges in ways of automatically recording permits. But the challenges here are generally not technological. The challenges are generally what people are used to, what people are willing to do, what people are willing to spend more time on, and the policy side of things as well. We'd have to change the way we structured data now.

But in my understanding is that it's not off the table. I don't know if you have looked into this more, Cisco or other folks. I mean, there's a path potentially to do that. And I think that the Atlantic coast, because of the coordination through the Atlantic Stakes Commission and the ACCSP is probably the most right to way do it, because of the integration across the state and federal data systems now.

Just quickly. I think If I had to identify one thing, that would be it. So initially I think Dorothy in your presentation, you asked, "What are the things that we could focus on?" That would be a priority for us.

Yeah, and I asked George because he talked a bunch of people and then that one actually rose to the top of a number of people's lists of something that was really important to do across as you say a variety of different users or the people that were responsible for submitting the data.

Dan Hull

All right. You have that, Chris?

Chris Oliver

Yup.

Dan Hull

Great. Tom and then Leann.

Tom Nies

So I'll ask my question. I support Chris's comment about a trip identifier. He was much more polite than I would be because we've only been talking about it for 20 years. So it must not be that easy. But I guess when it comes to the last two blocks of your flowchart that were up there, do you encounter anybody talking about data confidentiality? And this is with the analysis on sharing in the data. We are increasingly in need of using data at finer, spatial, and temporal scales than in the past. And we're running into problems when we want to do that with the current data confidentiality provisions in that it's very difficult to share data at those scales with the people who need to see it because it's considered confidential. I don't know if you're running into that in other regions or in other areas. That's obviously a policy issue, not a technological challenge. But I'm just curious if that gets mentioned anywhere else.

So it does to different degrees. Well, certainly they have found some work around some ways to have agreements on who can look at it and so on and so forth. And then in other ways, this is a problem. And then you get people saying but we're really afraid that the solution will be worse than the then the problem is currently. And so that's become [inaudible] and this. I think there was a-- I think how many years I've been trying to work kind of enough data the confidentiality rule. And so but it is I think still something. And as you start to think about who owns the data and so on and so forth. Then I think it's still again can come up to front and center in terms of how to address some of those issues.

Kate Wing

I think that's a really important point to raise and to find some potential pilot projects for these partnerships to explore using some innovations and data privacy and data protection to think about confidentiality in a different way, in a modern technological context, right? I mean, that part of the Magnuson Act is quite old and doesn't necessarily reflect either the opportunities or the concerns that we have in our current technological age. And so I think that finding challenges where, as you just said, the people who need the data to do the analyses are finding that they can't get it are really interesting opportunities to explore some of these potential partnerships to say, can we work out a way in which we structure the data access the encryption, the way these databases are set up, so that people feel confident that the data are

being shared with the right people in the right way and they're protected as best that they can between somebody getting away from it? One of the great things about data monetization is that it can make it easier for everyone to get the data they need to do the work. And maybe people are more nervous about data being more accessible because no one was afraid that people were going to break into a NMFS file storage container and go through their individual paper vessel records. So having data faster and easier and better also does raise some new data confidentiality issues and we should be thinking proactively about how to address these as we also use these data tools to fix our fisheries challenges.

Dan Hull

All right. We got two more and I think we'll move on, then. LeAnn, and then Greg.

Leann Borsage

I was just going to echo what Chris said about the unique trip identifier and you can add five more states to your list for that.

Okay .

Because, well, our IFQAP asked for that very thing at their last meeting and that's probably not the first time they've asked for it. It's just the first time I've heard it. And I think that could be immensely useful when trying to look at 10 years worth of now IFQ data and get some trends out of that. You need some CPUE trends. You don't need to truncate that index back in 2007 and not be able to use that in that stock assessment for that purpose, right? You're still using landings. But we could get a lot more out of it if we had that.

Dan Hull

Greg.

Gregg Waugh

Thank you, Mr. Chairman. We could generate a lot of cost savings with our data by upgrading the confidentiality requirements and guidelines. Not talking about it, where an individual fish is specifically, that needs to be hidden to some extent. But this idea that we can't show data unless there's three or more individuals, that whole process costs so much money. This is not the-- this is a common property resource. The cost of fishing, the cost of doing business should be that we have access to the data. If that's too onerous for you, then you should exit the common property resource and go into the private sector. That simple change would reduce our cost tremendously. Our existing money available for data would go much farther if we didn't have all these constraints from the data confidentiality.

Dan Hull

All right. Thanks, Greg. So the two of you are going to be here for another day, so if council members have additional thoughts, want to exchange ideas, information, great opportunity, but it's a good exchange, I think, and it's certainly a big initiative for all of us to tackle.

Dorothy Lowman

We really appreciate your time. We've just taken your entire earliness back [crosstalk]. We will also be buying drinks at the open bar. Thank you .

Dan Hull

Okay, that takes us to our last presentation for the day. Diana Evans is going to describe the development of EM in the North Pacific, and this is specific to the restructuring of our observer program because there have been other electronic monitoring programs ongoing in addition to this [crosstalk].

Diana Evans

Okay. Mr. Chairman and council members. My name is Diana Evans. I'm the deputy director at the North Pacific and I have worked on electronic monitoring from a staff perspective for the last four years. And so we wanted to provide you this sort of brief case study presentation, if you like, of the work that we've been doing on this EM

program for our fixed gear fishery. I'm going to provide you just a brief discussion of the fleet and the process we undertook and a few lessons learned from that process. But really, it's a good introduction to the vessel demonstration that we're going to have, right? Following the end of the meeting here. We have one of the vessels that's actually participating in the program bringing his boat around to the dock, so I think that's going to be really interesting to see in person. So as was mentioned earlier, Brett talked about the fact that there are some other electronic technologies already in place in Alaska Fisheries. The effort that we're talking about here is specific to our fixed gear fleet and the council developed-- began developing an electronic monitoring option for this fleet, talking about it since about 2010, but starting more actively pursuing that in the council arena, beginning about 2014. And in 2013, the council restructured their observer program. It brought into the requirements for observer coverage a number of vessels that hadn't previously had observers onboard. And so they expanded the observer requirements to the Halibut Longline Fleet in order to get an estimation that included a lot of really small boats with limited crew space and it soon became apparent that people were concerned about the difficulty in accommodating observers on board in these particular vessel fisheries.

This slide just shows a little bit about the characteristics of that fleet, the fixed gear fleet, groundfish and halibut fleet in Alaska. For Longline vessels, there are about 1,100 vessels. About half of those are under 40 feet. About 380 or so are between 40 and 57 and a half feet. And then the remainder are over 60 feet. Prior to restructuring, we only had observer requirements for vessels that were over 60 feet. And so you're bringing on board about 900 or so vessels that are now subject to observer requirements. So in this process, fixed gear program, or EM program, rather, applies to Longline vessels. Also applies to Pot vessels and you can see there are about 140 of those. All of these fisheries are subject to partial observer coverage so they're not required to carry an observer all the time. They are assessed a fee. Everybody who participates in these fisheries, Longline and Pot fisheries, that are subject to partial coverage pays a 1.25% fee ex-vessel value that's split between the vessel operator, vessel owner, and processor. And that monitoring fee funds the observer program. And then deployment of observers to those vessels is dictated through a scientific deployment plan that's adopted annually. It uses the available funding to determine what selection rates? What's a trip-based selection? Random selection model? And you log each trip and you're told from the system whether or not you have to carry an observer.

So although everybody pays into the program, the idea was for-- one of the reasons was for cost equity so that everybody pays into the program, and then you're randomly selected for deployment. So we went through the process of developing the EM program for this fleet beginning in 2013 with a strategic plan for electronic monitoring and electronic-reporting technologies in the North Pacific. In 2014, the council appointed a fixed gear EM workgroup. I'll talk a little bit more about that in a moment. That workgroup then sponsored a cooperative research plan that began in 2015-- turned into a pre-implementation plan. And during the time of pre-implementation, staff were able to write the analysis along with the program design working with the EM workgroup. Excuse me. The amendment to change the regulations to allow funding to be used from the monitoring fee on electronic monitoring as well as observer deployment, and then we ended up with full implementation of the program in 2018. And a real lynchpin here was the fixed gear EM workgroup. It was a council committee. It was established in 2014. And it really

brought together in the room all of the different stakeholders that have an interest in electronic monitoring in this particular sector. So there were representatives of the commercial fishing industry from the different fishing industry associations. Representatives of agencies, both from the council, different parts of NMFS, the region and the observer program. But also brought in enforcement agents, general council, other partners, and we have partners with the International Pacific Halibut Commission. Staff from all the different people who are involved in creating and crafting appropriate regulations and rule-making were in the room as part of the program design right from the get-go and worked through designing the program, developing and testing EM systems operationally in the fleet, and then ending up with a rulemaking package that we put forward. And EM's service providers, as well.

It really was a collaborative effort amongst these different stakeholders, which resulted in a successful implementation. So in 2018, the program was implemented following rulemaking, and we now have 141 vessels that are participating this year. That's compared to the first year of cooperative research. In 2015 we had 12 vessels volunteering, so we've steadily each year grown the program. During that time there-- it is a voluntary program. The program that was designed was purposely to meet the objective of vessels having an option if they had a difficulty accommodating an observer on board. That was the original objective, but vessels can choose whether they want to stay in the observer pool or opt into the EM pool, on an annual basis. They have to stay in for the duration of the year and then comply, obviously, with the program requirements. There is limited funding for EM systems, so there is a cap on how many vessels can participate in the EM program, but the Council and National Marine Fisheries Service together establish criteria for how you choose if more people want to opt in because the demand is high. We haven't hit that cap yet, but this was the first year of full implementation.

So, just to try to think a little bit of a big picture for our program, what were some of the lessons that we learned? And there's a few-- three - different, kind of, planning lessons learned. And the first one was really to identify right up front what is the objective you're trying to meet? And this actually sounds very simple, but it's a lot more complicated in progress. In the first couple of years of the program, I think some of the difficulty in trying to figure out what direction we wanted to head in really came up against this objective of what are we trying to achieve. And in this case, for our program, cost-effectiveness was not the number one driver. I know that's different for some of the other EM programs, particularly on the Pacific Coast, but we were looking to-- the Council was looking to find a monitoring solution for small vessels, and try to find a way to get appropriate discard monitoring from those vessels. So that was the primary objective. Cost-effectiveness, of course, continues to be very important and that was a part of the program design. But when you design a program that's voluntary, and particularly for this fleet, where some of the vessels-- some of the halibut vessels are taking one to two trips a year, that's not going to be your most cost-effective design of a program. But it did achieve the Council's objective, program objective, and trying to find the way to manage cost-effectiveness within that program objective was important.

The second, sort of, planning objective is try to think comprehensively. So we began with this fairly narrow objective, trying to accommodate observers or an alternative to observers on these small longline vessels. But realized fairly quickly, with all the work that was being done on program design, that other people wanted to take advantage of that technology. They also found it appropriate for their situations with

their boats, and in particular, we expanded the program beyond just Longline vessels to also the Pot gear. And there's a lot of savings that you can achieve by thinking ahead and doing a single rulemaking package for understanding the circumstances of all of the sectors that might want to take advantage of that gear. So, within the all-fixed-gear fleets, the sampling philosophy is similar. The obligations for a vessel operator are similar, and so you can write that same rulemaking package, or the same requirements in regulation, and by expanding the scope of the program as we were designing it to kind of get everything in one that was very effective for us in the North Pacific. And then the other part for us, again thinking this is a partial coverage program and a voluntary program, we wanted to make sure that we were integrating EM very closely with the Observer Program. So taking advantage of the infrastructure we already have for our Observer Program but finding how EM can be a monitoring option within that program. And also as we start to think about on an annual basis about deployment decisions and funding decisions you want to consider that whole context of we have a single funding source for the entire monitoring fixed gear sector how do we best make decisions about how many vessels can we afford in the EM program, what's the coverage that we need for human observers to supplement that EM program. You want to be able to understand those in the whole context.

One of the other lessons that we have talked about or implemented through considering this EM program is maintaining parity between the observer and the EM programs, and again this is a joint partial coverage sector. There is a lot of complementary factors between the observer portion of the program and the EM portion of the program so for us it was really important that we could incentivize vessels to participate in EM and by maintaining some parity between what their obligations would be under having an EM system onboard compared to having an observer onboard. And so some of those situations came about in the council's choice about what type of EM program to implement looking at a catch estimation program so you're really relying on the-- you're not transferring the duty of gathering data from the observer to the vessel operator, you're doing that in effect to the video reviewer or to the EM system. In a compliance model, you would be requiring the vessel operator to start in their logbook collecting that information that would then be audited through an EM system. That was a choice that the council did not want to make. They wanted to maintain a similar system to the extent possible with vessels that were choosing to take an observer onboard.

And the same philosophy has held true at least to date with how the council has chosen to, or the council and NMFS together have chosen to set selection rates for the EM program. They're not exactly the same, they're a little bit higher for EM programs so you have a 30% selection rate based on a random selection of your trips for turning on your EM system when you go fishing compared to observer rates that have been between 11 and 17 percent, I think. I guess, one low year for the Pot gear sector of 4% but we still have participation in the program even at those higher selection rates because people still feel like it's a comparable system, a comparable choice but choosing between electronic monitoring or observers. And then probably the big lesson which I think that we see with all of these EM development programs is it's really important to build trust between the industry and the agency and the council workgroup. EM workgroup was a really effective way to do that. We heard a lot from our different various participants both on the industry and the agency side. From the industry's perspective being at the table and feeling like their representatives were at the table as part of the program design, making the decisions

there was an opportunity for the program design to be adjusted to fit better to still meet the agency's objectives for a high level of data quality and cost-effectiveness. But also to accommodate how people fish in the real world, the things that people care about. Some of those program design elements, we were able to work out in that workgroup context.

We heard the same comments back from our industry representatives that having this as a council workgroup helped to provide support from headquarters, from National Marine Fisheries Service, but also having from enforcement, for example. Enforcement representatives aren't always in the room when we're discussing how to put in place these different management programs. But it was really essential, in this case, to have that input early on and to talk about what are the potential pitfalls that we might only-- in other circumstances, come out in a rulemaking context after the council has already made their decision. In this program, we really were able to design those from the get-go and that was very important for the success of the program. And then the final element for building trust between the industry and agency in the council was for everybody to agree on what process we were going to undertake for EM development, and I think this was a really critical one that we highlighted early on in our EM workgroup was how are we going to go about ensuring that everybody feels comfortable that we understand what technology is being used, what's being requested, what's the program design, and how is that data going to be used? And so we adopted the following sort of general process, and this was part of the analysis that the council reviewed and then adopted as putting in place the EM program. But this series of EM development stages where you start with a proof of concept. When someone has an idea for a new technology, you go out and test that. Then you do a pilot program that standardizes that testing. You're on a very small number of boats. You're really just trying to see if the technology is going to work and going to achieve what you're trying to do.

Moving from that stage, sort of very early stages, moving into an operational testing phase was really important, particularly for industry because you might have this great idea for a new technology, but if it's not going to work and in the way that people actually fish, then you're not going to get the fleet's buy-in for having that system be put in place. And so this operational testing where you're trying to diversify, trying to get out on all the different types of vessels that might be in the fleet, some of the issues that we had for our fixed gear fleet was vessels that had sheltered decks versus the vessels that have open decks. Where do you place the cameras? And if you are trying to find the right design, how do you make sure that it's not going to interfere with equipment that people have on their boats? If you have two GPS's as part of the system, is that going to create problems with your power sources? All of those questions, we were able to work out through cooperative research for this operational testing phase. Once some of those details have been worked out and you're starting to get information back about the cost, and how to move forward in a viable way, we move into a pre-implementation phase. And now you're building the scale. You're expanding your program to more of an EM candidate vessels. You're getting much better data on costs and the long-term cost-effectiveness, and you can do sort of final adjustments and refinements to your program design. And then you end up with a mature program.

And so this, by everybody in the room agreeing that this is the stage by which we-- series of stages, I suppose, by which we bring on board new technology, it really built the comfort level between industry participants and the agency that we were going to

ensure that we have a product that is workable, a system that makes sense with the way that people fish from the get-go, and be able to build on those relationships that were formed through the workgroup, both in this project and then moving forward into other EM programs that the council is interested in moving forward. And as part of that series of testing, this is just a slide that shows some of the incremental or the iterative testing that we did on other concerns as well, like EM data quality. Looking at a series of changes over the years of research and implementation. Trying to ensure that we're getting, not just we're putting the cameras on the boats but we know that we're getting complete data from the video and the sensors. We're getting good image quality, we're getting reliable species identification and we're getting that data at the appropriate timeliness factor so that we can make sure that that information's used appropriately in management. One of the outcomes of our project for [inaudible] monitoring for the fixed gear was definitely that we understood at this stage that there are data elements that will continue to rely on observer data.

So we really do have a complimentary system where we have part of the fleet that's working, that's using EM, part of the fleet that's carrying observers, and so we can use those data streams together for catch estimation. So that, for example, we don't get lengths from the EM data, we just get counts by species so that length information is borrowed from vessels that are carrying observers for some other specific elements as well. So that's part of the overall design of a program that uses those two components. You need to make sure you have enough vessels fishing in both parts of the program for it to work effectively. And then the final slide here just shows what direction the council's going in now. Say, we now have a mature program for the fixed gear fleet. There are still program design elements and research underway and certainly change, I'm sure, will continue, improvements will continue to be made over the upcoming years. But at the same time, the council has reprioritized its focus onto trawl vessels. Just recently, at our February council meeting, that was kind of a different direction the council has taken. We had our first meeting of our reconstituted trawl EM Workgroup back just last week and as one of the first things that we will need to do as part of that group is to really hone in on what exactly is the objective for EM for trawl vessels. There's, again, we have a couple of different sectors with different objectives, and how do we marry that into a plan moving forward where we can make sure that we capitalize on work that's been done and work that's moving forward so that we end up with a, once again, a good outcome. And with that, Stephan Rhoads will be outside to demonstrate his boat that is equipped for the EM as soon as we finish.

Dan Hull

Right. Thanks very much, Diana. There's time for a couple questions if folks have them. Right away, we can certainly continue those with Diana outside, but love to see if anybody has questions for Diana. Yeah, Sam?

Sam Rauch

So one of your slides, when it talked about parity, you indicated that the small fixed gear vessels are not currently required to complete a logbook for groundfish. And I get that this is supposed to be a fleetwide measure and individual vessels are not individually counted for, but wouldn't a logbook be a far cheaper way to do catch estimation in the first instance than creating an electronic program? If that's what you want, is catch estimation, we have logbooks everywhere. Am I reading that right? And why did, if that's really the case, why did you go to the cameras before you adopted a logbook requirement, to begin with?

Dan Hull

Diana.

Diana Evans

Mr. Chair, through the chair. We did have in our analysis an alternative that looked at a compliance logbook type of model. And there were a few different reasons why industry was not interested in going in that direction. And I think the council supported that. First, most of the logbook programs really focus in on a few key species to record. One of the first questions that we had was the number of species that are caught the longline fisheries or the [inaudible] fisheries is a long list of different species. So we can certainly ask people to record a limited number. Say I, I think we came up with a list of 10, you would have to limit it down to these are the 10 species that you need to record when they come up on the line. And you could ask people to do that. That means that we wouldn't be getting discard data on all of those other species that come up perhaps less frequently but are still important to find out about. So that was one concern with moving forward in the logbook program. How are you going to get good reliable data from vessels that take a few trips, don't go out necessarily longlining for halibut more than one or two times a year? And can you really get good quality data from those vessels? You are asking them to-- you would then be asking them to take on a very different role than they have traditionally been taking. And there would have been resistance, I think, amongst the fleet for that requirement. This program was really focused on trying to accommodate vessels who were willing to take monitoring and felt that having an observer on board was difficult. And so there's certainly-- that was the direction that the council and the industry went.

Dan Hull

Sam.

Sam Rauch

Yeah. No. I understand the tradeoffs that were made to get industry by in here. But it does seem to me that we have logbook requirements for virtually all of our fisheries. And if the Sogo-- you talked about a compliance logbook [inaudible] talking about that is because apparently, there's no individual compliance required in this fishery. But Sogo is to get a fishery-wide catch estimation. I'm still not sure why a logbook department, which most of the fisheries are on the statewide have, would not be a cheaper alternative. But maybe there would be pushback. But it seems to me that those were battles that would be fought a long time ago. But that being said, I don't want it to detract from the important work here that you have done trying to figure out how to put cameras on a small fleet with occasional by-catching across effective matter. That, particularly, that one has struck me as to why we were doing it that way.

Dan Hull

And I was part of the process. I can't remember all the details of the analysis Sam and what we went through in that discussion of that. But we have the fish ticket? account in the North Pacific for retained catch. But--

This would be bycatch.

Bycatch. So there would be a requirement to account for all the discards. And I think that's where the challenge is.

It is basically a lot of requirement just for the landings--

Dan Hull

Yes. Yeah. I think the challenge, again, remains in trying to identify all the species as discard field program. Other questions? Yeah, Dave.

David Crabbe

Thanks, Mr. Chair. I was wondering about the 1.25% for cost. Did that cover the entire cost of the program, or partial cost, or what is it? How much were you in need of for that?

Diana Evans

It's a very good question. It's one that the council is currently wrestling with again, in fact, that exact amount. In the first years of the program, when the restructure program was put in place-- so the 1.25% monitoring fee was put in place when the zero program was restructured. And at a time that that the council made the-- the Magnuson Act authorizes that aren't as specific to a charge of a monitoring fee for up to 2%. So there's a cap on what is the total amount. The Council did their analysis and chose 1.25%. In the first several years of restructuring, there were a number of circumstances that resulted in there being less money or less observer coverage amount of server days available for coverage in the fleet than had been expected when the analysis was conducted when that 1.25% was decided. And that related both to higher cost of coverage for an observer day in the partial coverage fleet under a federal contract both of which raised the cost compared to our other example at the time, which was sort of full coverage or the pay-as-you-go model. And then, we also had our-- the fee is based on ex-vessel landing. So it's based on standardized prices of the different species and prices of some of the key species had gone down right before the implementation program.

So in the first four years of the program, I think, until 2017, NMFS gave us the supplementary funding to help support the program. I can't remember the exact amount. But I think the fee has brought in approximately 3.3 million or so dollars each year. And the agency has provided varying amounts to help support that, but up to a million dollars in some of those early years. The council's currently considering and has initiated an analysis to revisit that 1.25% overall to look at increasing the fee options to increase the fee. And one of the morphing-- one of the reasons why EM has become more popular-- have more support is the possibility for a cost-effectiveness and being able to reduce the cost in some of the fixed care sectors. It's that cost reduction is really contingent upon vessels continuing to stay in the EM pool because you get your cost savings from people who have the system installed and are using it sort of at a much lower expense rate in future years because we've designed the program as a voluntary program. We have to see whether or not vessels are choosing to stay in the program from year to year. Right now, we have the expectation that they are. But we're still in the growth phase. So that's going to be something that we'll see over time whether we can garner those cost reductions.

Dan Hull

The 1.25% was not set based on a knowledge of what EM cost would be. It was just on the observer coverage. So now, we're trying to accommodate EM within that fee rate and are having to revisit. Any other questions? And again, we can continue with this outside. Diana will be out there as well. So if not, then we'll break for the afternoon. Stephan Rhoads has been involved in this EM development process a long time, so he's got a lot to explain. His boat should probably be called the Data Point, but it's not because he's been involved. So let's go see what he's got. [music][silence]

Date:

Day 2: 23-May-2018

Dan Hull

We continue with our agenda. We finished yesterday with some discussions on data modernization, and pretty lengthy exchange among the group. I sense there was an interest in support of those efforts in some fashion but it didn't really crystalize in a manner that perhaps would come in the form of a letter. But I want to encourage the councils to think about crafting such a letter, and who it might go to. And we can revisit that at the end of our meeting. If there is a desire to express support for that kind of initiative and if there is a particular focus it could take, or what the next steps are, and input we might want to provide as councils to continue it. So like to keep everybody thinking about that and we'll revisit it at the end of the meeting tomorrow. And David's been putting together just kind of a tickler list of things that we might revisit towards the end of the meeting if we haven't taken a specific action, but there seems to be some interest in. We'll try to keep everybody abreast of that as we go through. So with that, we'll continue with our next agenda item, the legislative update and the CCC legislative working groups efforts. And Dave Whaley's going to begin and Gregg will also lead us here.

Dave Whaley

Thank you Mr. Chairman. Can everybody hear me okay?

Dan Hull

Yes.

Dave Whaley

I'm happy to report that in Washington everything is calm and functioning normally . I just wanted to see if everybody was awake. If you don't remember from February, I mentioned this is an election year. Strange things happen in an election year, even stranger than normal. There are two special elections for House seats even before November, so we may see a little bit of change in the House of Representatives even before then. For those that don't remember, there are 435 members of the House of Representatives. All 435 are up for election this year. So that happens every two years. So it's not a surprise but it just means that everybody in the House is up for reelection, and so everybody wants to get out of Washington and campaign. Currently, the split between Republicans and Democrats is 235 to 193. So that means, in this election if the Democrats want to retake the House, they need to flip at least 25 seats. So that's the magic number for November. There are 54 members of the House leaving, not running for reelection for their seats. That's not an unusually high number, but there are eight full committee chairmen who are retiring. And if you've been living under a rock, you may not have heard that the Speaker of the House is also retiring. And the reason that I bring that up is, when you lose that many chairmen, there's a domino effect about who fills in during the next Congress. So the people that are on committees that we've been working with, that we know, that we know what their interests are, may be gone or may not be on the same committees next year. So that's a real brain drain for a lot of committees. The other thing that happens is, on most committees all the staff positions are filled by the chairman of the committee. So when a chairman leaves, you could have a wholesale change in the entire committee staff. Again, a serious brain drain which means we all may have to do a little bit more work next Congress, just educating people on who we are, what we do, what the issues are. So that's why I bring that up.

Now, in the Senate, they serve six-year terms, so only a third of the senators are up every year. So normally, that means 33 members of the Senate are up for reelection. This year there were two special elections, so there are actually 35 senators up for reelection. 16 of those are from coastal states. So I'm not saying they're going to lose their election, but 16 of them are running again. Eight of those are on the Senate Commerce Committee. So there could be changes in the makeup of the Senate Commerce Committee, which is the committee of jurisdiction that we all deal with.

If you want to talk about predictions, the most recent prediction I heard is that the Republicans will retain the House but will lose a fair number of seats, which means the margin will be tighter. What that means is if you want to get things done, you have to compromise more or not as much gets done. The prediction for the Senate is that the Republicans could actually gain some seats. So obviously, we're a few months out, so things could change. But that's the way it looks right now. One of the wild cards which will surprise you is the president. We don't know how the president is going to affect the elections one way or the other, but he will be a factor.

Schedules for the rest of the year. As you know the election is early November. Congress does recesses to go home and talk to constituents. When we say recess when we're in school that means go out and play. When we say recess for Congress it means go home and get beat up by constituents. There is a Memorial Day recess, a Fourth of July recess, an August recess, and then the target date for getting out before the election is October 12th. So what that means is at least in the House of Representatives there are 28 legislative days before the August recess, and then another 19 days before the election. So that's what? 47 days of actual congressional floor time to get things done before the election. And having said that, there's also plan for a lame-duck session. They're planning at least 16 days for a lame-duck session this year. Reason I bring that up is you may remember the 2006 Magnuson Amendments were enacted during the lame-duck session. So I'll talk a little bit more about that but just because we're limited in days does not mean that Magnuson is done and off the table.

Because it's an election year, everybody wants to get out early. As I mentioned, the target date is mid-October. There are some must-do things that Congress always needs to do and they want to do before the August recess. One of those is get all the appropriation bills done. And some of you are going to laugh that that's a goal. They're also trying to do the farm bill because the farm subsidies expire at the end of September. So that's a must do. And if you were paying attention you may have noticed about a week ago Speaker brought up the farm bill and the group that's known as the Freedom Caucus, the conservative Republicans, won against the Speaker and voted no, which caused a little bit of a shutdown for the House for a while. That does not bode well for the rest of this Congress. So we'll just have to wait and see.

As I mentioned, as time gets shorter it gets harder and harder to get things done, but it's not impossible. But what it does mean is either there is more compromise or things that are more controversial get jettisoned. So as Magnuson moves forward, if it gets done this year we may see a very pared-down bill and we need to be prepared to kind of help folks with what our priorities are and what the most important things to remain in the bill are. Brian yesterday talked a little bit about appropriations. The process is hearing, markup, floor action, meet with the other body. And on the Senate side we've had the hearing but not had a markup. On the House side we've now had

the markup so the next step will be the House floor. And as I mentioned they want to do the appropriation bills before the August recess. So sometime in the next two months we'll probably see the Commerce bill on the floor. One thing to note is the line item four, council's is at 37 million. So a little bit of an increase and there's no language that said all the increase has to go to the commissions. And that was a Senate thing. So good news there.

I'll talk just for a second about aquaculture because I know we're going to talk about that a little bit more. I mentioned this before, but if you haven't watched it, there was a hearing on the Senate side at the Senate Commerce Committee on aquaculture. It was very well done. You had members of both sides of the aisle who seemed very interested in aquaculture. The chair of the full committee actually chaired the hearing. And he's from South Dakota. And you might think, "Why does a guy from South Dakota care about aquaculture?" Well, one of the witnesses is a guy who does feed for aquaculture and was one of the witnesses. So you have a tie-in with some of the inland states. Some of the folks that you would not necessarily think would be interested in aquaculture actually are on the committees. So it was an interesting hearing and I thought it was quite well done.

I also wanted to correct something I said yesterday during the morning session. The latest draft of the bill that Senator Wicker is working on does reference permits issued under the Magnuson Act. So it does recognize that permits can be done under Magnuson through Council FMP. It's unclear how the two permits mesh, or whether you would have to do with two-permit process, or how it would work. I'm still not clear on that. But at least it does recognize that there are FMPs and there could be permits under an FMP. Progress on the Wicker bill, I think I've mentioned to some of you, I've seen four different drafts. The latest draft I've seen I believe has included well, not official comments, but technical drafting assistance from folks at NOAA. So folks at NOAA have seen it. The last time I talked to staff at Senator Wicker's office, the timing is, they are interested in introducing it sooner rather than later. They are trying to get a Democrat to be an original cosponsor so that it's viewed as being a bipartisan bill. And in order to do that, I suspect the draft that I've seen will change even more. So I'll let you all know as soon as I hear something. I'll send out a draft as soon as I get something. But at this point, I'm expecting it might get dropped as early as this week. So stay tuned.

There's some upcoming hearings and markups coming up. As I mentioned before, I try and give you guys as much notice as I can when a hearing is coming up. But most committees, the notice requirement is only two days. So I may not hear about things in time to give you much notice, and I apologize for that. Having said that, a lot of times staff will reach out to you for witnesses or talk to you about upcoming hearings. If you hear something, if you can let me know that would be great. I don't always hear about things in advance. There was supposed to be a markup actually this morning at the House Natural Resources Committee. They were going to markup the fish bill. And I mentioned it to Kitty when we first got here. And lo and behold yesterday it was canceled. So I don't know if there is a cause and effect there but well done Kitty .

There were a couple of hearings that happened recently. There was a hearing on the Lacey Act, and I think I sent out a note to folks and I'm sure most folks didn't pay attention because we don't deal a lot with the Lacey Act. But the background memo that the staff prepared that's on the website actually talked about how the Lacey Act

has affected aquaculture. And I thought that was interesting. I haven't heard whether any of the witnesses actually talked about that. But the fact that the background memo talked a little bit about problems with aquaculture and the Lacey Act I thought was kind of interesting. So if you want to look at it, the monthly report that I send out - it'll go out next week - will have a link to it. On the committee website is the background memo that you can take a look at. There were a couple other hearings that I just want to mention again that were in the April monthly report but just want to highlight them again. Senate Commerce Committee held a hearing. It was titled Enhancing the Marine Mammal Protection Act. Chris testified. It was an interesting hearing. And also the Natural Resources Committee had a hearing on NEPA. And I thought the title was interesting if nothing else. It was titled The Weaponization of the National Environmental Policy Act and Duplications of Environmental Lawfare. Kind of interesting. For the West Coast guys, I think you've already heard there's been new legislation introduced that would phase out the driftnet fishery. I'm assuming that's targeting the swordfish fishery. It's been introduced in both the House and the Senate now. So I don't know if it'll move anywhere. I kind of doubt it but at least it's been introduced.

Upcoming things. There's going to be a hearing at the Senate Commerce Committee. I don't have timing and I don't quite know the scope other than the fact it's going to focus on the Pacific Salmon Treaty. For those of you who registered, I guess it was Tuesday night. There was a meeting here of fishermen who were very concerned about the Pacific Salmon Treaty. And so Senator Sullivan from Alaska is going to chair the hearing to talk about those issues. And I don't mean to be too cryptic but there's going to be a House Natural Resources Committee hearing. I've been told I'm not allowed to talk about what the topic is but it will be the week of June 4th, which is Capitol Hill Oceans Week. For those of you that don't know about that, it's sponsored and run by the National Marine Sanctuary Foundation. They have panels to talk about different ocean issue. Brings a lot of people to DC. But anyway the House Natural Resources Committee is going to have a hearing which will be of interest to most of you the week of June 4th. And as soon as I'm allowed to tell you about it, I will. And I'll send you a link so you can watch it. I think I'm going to stop there. Oh, let me talk about Magnuson just for a sec and we'll move into Gregg's. As you know the House has reported out H.R. 200. The report has not yet been filed. Once the report is filed then it can go to the House floor. My understanding is they are continuing to discuss whether the bill that was reported out will change at all before it goes to the House floor. Congressman Huffman from California is the ranking member on the subcommittee and has expressed interest in working with Mr. Young who's the sponsor of the bill, to make some changes that would help bring Democrats on board on the bill. As of last week, I believe those efforts have not come to fruition. They could not agree on things to change. But anyways those discussions are ongoing. Mr. Young's staff and committee staff are still trying to iron out some issues that have been raised after the bill was reported out. So what will go to the floor will be a little bit different than what we saw come out of committee and I think folks will be happier with what will go to the floor. On timing, they are hoping to get that to the House floor again before the August recess, so sometime June or July and as soon as I know more again I'll let you know. On the Senate side, they've had hearings. Senator Sullivan's staff is working on a draft bill. They have been held up by some other issues including the Coast Guard Authorization and some other bills that the committee was working on but are hoping to focus on Magnuson. I am hoping to see a bill within the next month or so. It's unclear whether they will do another hearing after a bill is

introduced but last I had heard they wanted to go straight to markup after a bill is introduced. So again, stay tuned.

And I think that was all I was going to talk about on Magnuson. The only other thing I'll reiterate as time for Congress for this session gets shorter and shorter, more controversial things will get jettisoned and more compromises will be made. Again, because we're running out of time does not mean Magnuson is done. But if this session ends without us getting Magnuson done, again, when a new Congress starts, we start all over. But everything that we've done this year will focus and help us move forward on the next year, so. Sam has questions.

I don't have a question, I just have on thing to add. We have been invited to testify on June 7th. I don't think this is the hearing you were talking about. This is for the House of Natural Resources Committee or the--

It's energy, energy.

--the Energy and Commerce Committee on environmental review of permitting processes regarding whether our ability to engage with FERC on hydropower dams which could form a passage barrier to mainly salmon. We do have the ability to require when new facilities are coming online or when they are re-authorized they usually have a 50-year permit. When those 50-year permits are reauthorized to create fish passage requirements to prevent cutting off large areas of the landscape to salmon passage. So we have been invited to testify about that on June 7th. I just wanted to add that I don't think that was the hearing you were talking about but that is another one that we are likely to testify.

Dan Hull

Thank you. Are there any questions for Dave at this point? Yeah. John?

John Gourley

Thank you, Dave. Have you heard anything about the shark finning issue, and I just wanted to get your opinion about-- it appears that the legislation that establishes protocol or standards for the importation of shark fins seems to be gaining traction. Could you--?

Dave Whaley

Yeah. I'd be happy to. There was a hearing of the Natural Resources Committee a couple weeks ago. And the hearing was on several bills. And that bill seems to be the one that people are focusing on now. There's a bill that was introduced by Congressman Royce from California, which would ban possession of shark fins, which has been kind of controversial. It has more than half of the House members as cosponsors, and this is kind of an inside the beltway politics thing. But if you have more than 218 members who cosponsor a bill and the leadership doesn't want to move that bill, there's a process called discharge petition where if all 218 of those members sign the discharge petition, it forces that bill to the floor. It's unlikely that they would do that. That would irritate the committee chairman as well as some other members. So yes, I think the focus is more being pushed toward that the new bill is introduced by Congressman Webster from Florida. There's a Senate companion, which has now been introduced by Senator Rubio. So I think that bill, if any bill, will be the one that moves, focusing on international rather than domestic.

Thank you.

Dan Hull

Yes, Phil

Phil Anderson

Thanks. Thanks, Dave, for your report. The hearing that Sullivan is holding on The Pacific Salmon Treaty, has that been scheduled?

Dave Whaley

It's not. I just heard about it two days ago. I asked Eric if I could mention it and he said yes, but he didn't have any details yet.

Thanks.

Dan Hull

Other questions? Okay. Thanks, Dave. Gregg.

Gregg Waugh

Thank you, Mr. Chairman. And the action item that we had for this was just to determine if there's any further work for the CCC individual councils or the legislative work group to do on reauthorization. And obviously there is. We will continue to track H.R.200, the Senate bill when it comes out, and then the Aquaculture bill. So those are three things that we'll be keeping an eye on.

Next topic is to get into our legislative committee report, and you've got all the background material. We've been working on a draft letter. We've been asked to comment to Congressman Young, and everybody has that draft letter. This is an opportunity to go through it. I don't know the-- probably the fastest way, the way we've done it before, is to go through section by section and see if people have comments. And we can incorporate those comments. And we can circulate another draft. The intent would be, if people are comfortable, to approve it here today. If not, we can incorporate any necessary changes, send it back out for you to look at, and approve it during tomorrow's session.

And everybody was given a hard copies of this draft letter yesterday. One copy for each council. And so does everybody still have that? It was also sent around by email as well, I believe.

Is that the hard copy?

It's posted on the website.

Yeah. It's part of the briefing material as well. So I guess if we go through section by section, the first section starts on the bottom of-- there's some introduction on page one. And then Section 103, Amendments to Definitions. And again, we pulled a lot of this out of the working paper. Dave was kind enough to draft the letter initially. So you've seen a lot of this material before. And that's one of the big benefits of having that working paper, that if we get requested to prepare a comment then we've got a lot of material to pull from. So the first Section, 103, on definitions, are there any questions or concerns about that? 202, The Process for Allocation Review for South Atlantic and Gulf of Mexico Mixed-Use Fisheries, worked with the Gulf and have concurrence on that language. Section 203, Alternative Fishery Management Measures carries over onto page three. Section 204, Modifications to the Annual Catch Limit Requirement. 205, Limitations on Future Catch Share Programs carries over onto page four.

And at the top of page five, there was some wording missing. It starts the wording in-- and it's right here highlighted. So I just filled in the rest of that wording that should've been there. The wording in section 208: would encourage states to work on approaches that supplement recreational data collection to improve timeliness and accuracy of recreational catch estimates. Section 301, Healthy Fisheries Through Better Science. And I will get with folks on the legislative committee and just figure out which number to put in here. The suggestion was to put in a number of species that have not been assessed. And that's actually not an easy number to pull out. So I've got some numbers from the Stock Assessment report and we'll resolve that,

include that final number. Section 302, Transparency in Public Process. 303, Flexibility in Rebuilding Fish Stocks on page seven. 304, Exempted Fishing Permits on page eight. 307, Insuring Consistent Management for Fisheries Throughout the Range. And then we finish up on the bottom of page nine over onto page 10 with some general tenets to again come right out of the CCC working paper.

- Dan Hull All right. Nobody's offered any comments for changes. So thanks, Gregg, for walking us through this. And thanks to the legislative committee for their leadership. As you've said, we've seen a lot of this text from the working paper and previous discussions, so this is the final version that's just polished up. A few key points-- yeah, Chuck.
- Chuck Tracy Thanks. I guess I did want to just bring up one question for the CCC consideration on section 203.
- Gregg Waugh What page is that, Chuck?
- Chuck Tracy Top of page three. It's in the section does not affect all councils. Some councils have noted they believe there is currently flexibility. Some councils feel the need for additional flexibility. So I guess I'm just want to make sure everybody's represented. See if there's any concern about, sort of, expressing two different viewpoints. This, as opposed to this being purely a consensus statement. I'm not sure how useful that is to the target audience to have that. I mean, maybe it is, or maybe not. I don't know. It just seems that-- I think the intent was that this was going to be a consensus paper or a consensus statement, so when we have statements like that, that maybe don't reflect consensus. I'm maybe just curious what other people's thoughts are about including stuff like that.
- Dan Hull All right. Good question, Chuck. And maybe a second question would be if we didn't include it, would we leave that-- comments on that section entirely blank?
- Gregg Waugh Right.
- And we did try to resolve this but there are divergent views on this topic. So that was the best we could do to reflect that.
- Dan Hull Dave?
- David Witherell Actually, the way I read it, I think that last sentence is really the consensus position because there's been concern about whether additional alternative management measures and flexibility would be different from having an overall ACL. I think our point is that flexibility is fine as long as the catches are limited by an ACL. So I think that's really the consensus position.
- Dan Hull Other thoughts? Yeah, Tom. Sorry, Chris.
- Tom Nies Yeah, I agree with Dave. I think that last sentence is the critical part of that paragraph. And I think that if nothing else stays, that needs to stay.
- Dan Hull Yeah. Gregg.
- Gregg Waugh And I understand the concern that it shows some differing views. But to me, I don't see that as necessarily a bad thing here because those differing views are out there. And I think this recognizes that there are these differing views amongst different councils and I think, certainly, amongst constituents. But that last sentence makes it

clear what the CCC position is. And I think that's helpful for some of those divergent views to see that.

Dan Hull Yeah. Terry.

Terry Stockwell Yeah, thank you, Mr. Chairman. Gregg just well summarized much of this discussion-- long discussions that the working group had to encapsulate the divergent views, but then draw upon the one thing we all had together. We felt it was important to make that known, that councils were all just a little bit different.

Dan Hull Thanks, Terry. Yeah, Doug.

Doug Gregory Yeah, the third sentence. I'm not sure that if this measure was passed-- I'm not sure it would allow no in-season closures and use of multiple years of catch data, unless the national standard guidelines allow that. So that's the sentence that-- that's the only one that would concern me. I mean it would be nice if we could go back to what I would call the old days of you do a stock assessment, you put in management measures, three, four years later, two years later you do another stock assessment and you see if it works and you make adjustments. But the ACL mandate doesn't allow us to do that. And as long as the ACL mandate is in place, I know national standard guidelines have allowed us to average over a couple years I think. I'm not sure about that. But that's about the flexibility we have and that's still going to control our flexibility, is the ACL mandates and the national standard guidelines. But we could fix that third sentence somehow.

Dan Hull I'll go to Tom and then Gregg.

Tom Nies So when the letter was drafted, the third sentence struck us, but we didn't really say anything because the third sentence is exactly how we manage our recreational fisheries now. We averaged three years of catch to determine the ACL and we don't have any in-season recreational closures. So it struck us as a little odd to be saying that we need that flexibility when we actually have it. But our understanding was we just kept our mouth shut because we're not sure that every region treats it the same way.

Dan Hull Gregg?

Gregg Waugh Thank you, Mr. Chairman. That's the point I was going to make. Not all councils have in-season closures. And we're not required to have in-season closures. We are required to do our best to keep those recreational catches at or below their recreational ACL. But that doesn't mandate in-season closures. South Atlantic happened to get out in front and put in-season closures as part of our accountability measures. And we have an amendment under development now to back away from that and not have in-season closures. And again I think what this recognizes is that divergent view amongst the councils and how they've been operating.

Dan Hull Dave?

Dave Whaley Yeah. If I can give a little history of this. This provision came from the recreational fishing community groups. They are concerned or view that the councils do not have this authority. So if some of you believe you do, then that's either not clear to the recreational fishing community or it's different for different councils. So it's one of the most important things for that group. So we thought it was important that the CCC letter at least recognized that some people think they do have that authority currently but other people don't.

Dan Hull Doug?

Doug Gregory I originally thought that the intent of this was to provide a sort of exemption or exception to the ACL. And in that sense, yes it would give us more flexibility. It would allow us to do more. And I would be all for that because it worked before ACL, at least for us in the South, to have that flexibility. And I feel like ACL really ties our hands a lot. But since it's not explicit an exception to ACL, then that's where the confusion comes in for me. I don't know what good it is if it's not an exception to ACL.

Dan Hull Dave?

Dave Whaley Yeah. I think the folks that are pushing this language would like it to be an exemption, but the way I read it is not.

Dan Hull Chuck?

Chuck Tracy Thanks. So I guess getting back to the last sentence then, this says that under the proposed alternative fishery management measures, recreational catch will continue to be limited by any recreational ACL. So that's a statement of a-- or an interpretation of the statute as opposed to a statement of support from the council, or the CCC. So I guess the question is, do we want to strengthen that to say that the CCC believes that ACL supports the continued use of ACLs in all recreational fisheries or something to that effect? And sort of make that more of a statement of our policy.

Dan Hull Right. Good point, Chuck. I'm not sure if there's a significant enough distinction, but I think, for now, this question for the CCC is whether want a little more time to try to polish this language up for this particular section and before we agree on it as a body. Chuck?

Chuck Tracy Yeah, and I guess my point there, I just want to make sure that if we go there that the rest of the councils agree. I mean from what I heard from the Gulf was that may not be their ultimate desire, so I'm not sure where they exactly would stand on something like that. But it seems like there's been some indication that that's sort of the crux of the paragraph here. So I guess to me that it seems like that's why people feel, we got to have a little more clarity in our position regarding that.

Dave Whaley I think that's correct. Doug, do you have any thoughts about how you would--? Do you want to try to work on this with the language? Is there still some uncertainty in your mind about what this language says and how we might come to an agreement?

The third sentence is the only one we need to work on, I think. We have that flexibility now, some of us just haven't used it or realized it. Particularly the averaging of the three years is enough, but--

Dan Hull So I'm going to suggest then that the few groups that are really strongly interested in clarifying the language in that last sentence to try to work together before tomorrow when we close business for this evening. See if we can come to some conclusion on that. Is that agreeable to the group? I think we would be spinning wheels right now if we tried to do this on the fly. That agreeable, Doug?

Doug Gregory Yes.

Dan Hull All right. Otherwise, I think there's consensus about the remainder of this letter on H.R. 200. Thanks for walking through that with us, Gregg.

Gregg Waugh

Thank you, Mr. Chairman. So we'll move on to the additional items in the CCC working paper. You also have this in the materials, but we've circulated some additional wording. You should have received something from your EDs this morning. And I've got that incorporated here. On topic 10, just to point out that the West Pacific revised their position. And again, just to remind all the councils you all are responsible for your regional perspectives. And you can change those at any time when we're revamping the working paper. I think we want to be a little careful that when we have a version that's approved by the CCC, that's sort of stays unchanged for a while until we-- if we get accumulate some changes, then we'll make those changes and have the CCC reapprove it. Otherwise, it'd be difficult to track which version is current. But, again, those individual perspectives are up to each council. What we're going to do here is just try to go through the consensus positions and see if people are comfortable here or if there some additional wording that we need to-- additional work that we need to do and we can back tomorrow. On page three, where we have the information on cooperative research.

[silence]

And you can see the language that's been added there. The CCC believes that the requirement for a plan implementing and conducting research would improve accountability and supports to move to electronic reporting and explicit plan for cooperative research will benefit both the industry and the management process. The need for such a plan is higher in some regions than others. And again, this is trying to blend the difference. The Northeast has a process that they're very happy with where we're starting and need some improvements in our area. So that reflects those differences. Chuck.

Chuck Tracy

Thanks. And I guess I've got a couple of things that I'd like to talk about this whole paragraph. First of all, I think the first sentence shouldn't be the first sentence. Maybe the second sentence might be a better opening in terms of-- if the CCC is going to express support for a plan, I think we should state that upfront. I think then we can get to the examples of implementing the plan such as electronic reporting. I guess I'm also a little concerned with the move to electronic reporting being a given. I guess I would be more comfortable with something along the lines of supporting the development of electronic reporting programs or projects just to make sure that it's not-- well, I guess the question is the move to electronic reporting a mandate or not. I guess I haven't quite gotten there myself.

And the need for such a plan is higher in some regions than others. And I'm not sure how useful that particular statement is just by itself. So, I don't know if, you can either go into where the plans are needed, and not necessarily by region, but just by why it's necessary in some regions-- what the circumstances are that would raise the need as opposed to those that wouldn't. So, anyway, I think the paragraph needs some work with rearranging and thinking about what the CCC's message is trying to be here. Whether it's the about the plan, or whether it's about electronic reporting, or what.

Dan Hull

All right, thanks for those comments, Chuck. Anybody else? Perhaps this one also needs a bit of work.

Tom Nies

So, I guess, before we send Gregg off to bring us another rock, we might want to give him a little more guidance on what we're looking for. I think what Gregg tried to do here is-- he had some concerns about another requirement for another plan that the agency has to develop and then has to update every five years. We're very supportive

of the cooperative research project, and as Gregg mentioned, we're generally pretty happy with how it works in New England. There's always room for improvements, but it seems pretty effective. So, I think what Gregg was trying to do here is acknowledge that the CCC supports cooperative research, supports the need for planning for it without making an explicit endorsement of this proposed requirement for some sort of formal updated year-round plan that the agency has to get together in a year and all this other stuff. So, I think we should keep that concept, at least, and not really endorse this idea for a specific plan with all these elements in it. So I think that's what he was trying to get at and we were relatively happy with the language because of that. I mean, I think we all support cooperative research in different regions. Some regions may feel they already have a pretty good plan for cooperative research and don't really need to muck around with it to improve it too much. And so again, I think this is what Gregg was trying to balance here in the comment. So, I think before we send him off, we ought to be a little more explicit about what we're looking for here.

Dan Hull

I think that rather than just asking Gregg to do this, I think that he would probably like to have some other members from the CCC to discuss the language as well before we bring something back. Was there another hand up? Gregg.

Gregg Waugh

I think, too, that as Tom indicated, the last sentence talks about the differences by region, and rather than load up the discussion here, you have your regional perspectives right below it. And I think that's where the councils can lay out where it's working better in one area than the other. So I've rearranged the sentences and I'll get with Chuck to see if he has any other suggestions.

Dan Hull

Thanks, Gregg. And does anybody else have some thoughts to offer on this? And everybody's welcome to join with Gregg to take a look at the next version of language before we all see it.

Gregg Waugh

Okay, the next topic is the data collection, Topic 17. And again, we're adding these because these are part-topics in H.R. 200 that we don't have in our working paper. So this wording was included in the material that's in your briefing books, so everybody has this. And it was pulled from the wording that we have in topic 14 in the CCC consensus position.

Okay, everybody looks pretty comfortable with that. Topic 18, on page 7. This again is taken from the wording in topic eight, addresses the mixed-use fisheries LAPP moratorium.

[silence]

Okay, everybody looks comfortable with that. We'll move to aquaculture.

And this language is new. Was not--

Yes.

--posted but was sent around yesterday I believe or Monday before we began.

Yes.

Is that's correct?

Tom had a suggestion, I incorporated that and sent that out. That should be in the version that you got this morning as well. And it's projected on the screen.

Dan Hull Dave?

David Witherell I just read the phrase, "Spawning special management zones," and I didn't know what that was, or if you meant spawning areas and special management zones?

Gregg Waugh Yeah. They're basically the same thing. It's just that we-- MPAs are a toxic topic and so in our area, we have special management zones that have operated around artificial reefs that people are very comfortable with. So we sort of blended the two and came up with the spawning special management zone to differentiate them from MPAs, which people think are generally much larger. So these are targeting spawning site.

Dan Hull Yeah. John?

John Gourley I just wanted to make a comment on the siting component which is number one. Siting for aquaculture is probably the most crucial aspect of any business venture. And I would think that I was going to throw it out for consideration is that you give maximum flexibility to the potential business by approaching this issue from the perspective where you identify areas that aquaculture would not be welcome. And then develop a process where the aquaculture venture could get an exemption to put the aquaculture venture in a otherwise area that would be closed to aquaculture. The reason is basically, we're second-guessing a business venture that we don't know the target species, we don't know the business plan, we don't know that any of the operational requirements for aquaculture. So by taking the approach of telling them where we would prefer them not being located would maximize them in developing their business plan to go wherever they wanted. And then you would still review the plan but it would also lessen the work requirement for the councils if we didn't have to go and assess each individual area.

Dan Hull All right. Thanks, John. Yeah. Dave?

David Witherell Thanks, Dan. So there's a lot going on in this paragraph. A lot of specifics, which could have implications on the council. We are having our June council meeting next week and I just want to reserve the right to be able to go through this with our legislative committee and with our council and then be able to get back to you on our perspective on this, along with the rest of the consensus statements in this document. But I'm not comfortable making the decision on this at this point. I just want to lay that out there.

Dan Hull All right. Thanks, Dave. I guess in terms of process on this particular one, on aquaculture, we will have a presentation, I think tomorrow morning, on aquaculture policy development. So perhaps some of that could inform our thinking on these consensus points. I'm not sure. In addition, if the CCC wishes to task the legislative committee to continue to work on some of this language both in particular in aquaculture after a draft bill comes out, that is also possible. I think one of the reasons that-- I think Dave Whaley suggested we try to draft some general points right now, is because that bill will be submitted soon. So perhaps it's a chicken and the egg in terms of when we as a body provide comment and to what extent it has to be really detailed. And if you care to comment on that aspect of it, Dave?

Yeah.

The timing of our submitting some comments or consensus points.

Dave Whaley Yeah. Thank you, Mr. Chairman. We've had an ongoing discussion about whether we should comment on the draft bill that's been floating around and my counsel was, it's

still a draft bill. It's changed at least three times since I've seen it. It's going to change again before it's introduced. I didn't want people to get wound up on specifics before it's actually introduced. So I thought if we had a discussion and could come up with some overarching -- I don't know what you want to call them -- principles about what the councils think should be in aquaculture legislation, including what we think the council roles should be. That would at least focus us on some key issues, rather than focusing on specific language, which we can do after a bill is introduced but if just had the opportunity to discuss what council's key concerns and issues are, we at least have a start.

Dan Hull Does that help, Dave, in terms of--

--perhaps in terms of identifying what we might accomplish at this meeting? Maybe not, but-- go ahead.

David Witherell Thanks, Mr. Chairman. Yes, I think from this meeting, I think a more comfortable position for me would be a very generic statement about aquaculture in that the council would like to be included in all aspects. But as far as these specifics, I wouldn't feel comfortable without running it past our council.

Dan Hull Sam? And then Phil.

Sam Rauch Thank you, Mr. Chairman. And National Fishing Service does not intend to weigh in on the substance of this discussion. But I would comment on this language that is a little bit unclear because, at least in our view, the council has this authority currently. If the councils choose to exercise it to do exactly all these four things, I think there are four things, that are listed in this topic, and so one question would be, are you asserting that the current Magnuson Act authority should be retained, or what is that interaction here? I understand Dave's points about the role the council should have. Our belief is, if the council desires it, they could do this. They do not all do this. So it's a little bit unclear whether you're asking Congress to create an authority, which we believe already exists, or are you asking them to defer to the Magnuson Act authority, or to reiterate that authority, or-- it's a little bit unclear what you're asking Congress to do in this case because this is what we believe the council does have this ability right now.

Dan Hull All right. Thanks, Sam. Phil?

Phil Anderson Yeah. Thanks, Dan, and I appreciate those additional comments. Sam and Gregg, thanks for taking the initiative to put together a paragraph to get the discussion started. In general, I think we ought to point out the specific areas where we will have an interest and we will put our role. I think to the degree that we can be less specific about how each council is going to take on those areas of concern and responsibility with is important, leaving us the flexibility on a council by council basis to make those decisions within our own processes. So I appreciate the calling out of those four, kind of major topic areas. And the expression that we believe that we currently have the authority to respond in those areas sounds like it would be a good thing to do. But we're not asking for new authority necessarily because we believe we have it. But making Congress aware of where our primary concerns are and where we will be focusing our efforts in responding to business activities that are proposed or aquaculture in our specific regions, to me would be an appropriate way to go from this point. And then when we get a specific piece of legislation that we may want to

respond to with some more specifics regarding how that legislation is written. That would be a follow-up discussion for the CCC.

- Dan Hull Thoughts from other councils, is that about providing a more general statement, as suggested by Phil at this point in order to have some overarching statements about how the council [inaudible] role and its interests. Is it agreeable to the group to try to draft some language in that way at this meeting? Yeah. Chris?
- Chris Moore So Dan, are you proposing blending some of the things that Sam just said with Phil's statement?
- Dan Hull Yes.
- Chris Moore We're in a similar position as the Pacific Council. In Mid-Atlantic Council we'll be talking about aquaculture at its next meeting. And I think some of this language here might be a problem as it exists. So yeah, I would support that proposal.
- Dan Hull All right. Dave?
- Dave Witherell Thanks, Mr. Chairman. To respond to Sam, as the drafts have been floated around, the role of the councils has been reduced to just consultative in a couple of situations. And it's been unclear whether the authority of the councils to do an aquaculture FMP is going to be retained or not. So I guess the concern from some of the group was how do we make sure that our current authorities stay there and that we were relevant to the process. So that was why this discussion started. And I don't want to speak for Gregg, but we wanted to bring it up while everybody's together. We can continue this discussion, and, obviously, when legislation comes out, we'll continue it further. But we wanted to at least have folks talk about it and see where we are while we're all together.
- Dan Hull Great.
- Gregg Waugh And we can rework this and blend those comments and have something for you to look at again and get it more general here, and I think it would be helpful for the councils. We're meeting in a couple of weeks as well, and we'll get guidance there. But to see how specific you want your comments to be, and, of course, your regional perspectives, you have control over those. And then once we get all of those positions, we can see how we might be able to modify the consensus position to be a little more specific than a very general one.
- Dan Hull All right. So I think there's some homework for folks to continue to do today and for tomorrow, so that we can see if there's some language everybody can agree on at this meeting that's general enough to satisfy the group, still allows us to continue as individual councils, and as CCC once the bill comes out to provide more refined consensus points. Thanks. Gregg.
- Gregg Waugh The final item is just to remind everyone that we need to identify a vice chair and do this by tomorrow would be helpful before we close. And that vice chair would serve as vice chair through the rest of this year, and then the intent is that they would take over chairmanship of the legislative workgroup January 1. And then we have Dan is timing off and David is timing off of the council, so we'll need those councils to appoint somebody to serve on the legislative workgroup. And that concludes the report, Mr. Chairman.
- Dan Hull All right. Thanks, Gregg. Chris.

Chris Moore

Thank you, Mr. Chairman. I have one general question, Gregg, before we leave this topic. Did the legislative group talk about the purpose of the CCC paper, this working paper? In other words, it seems to keep getting longer, longer and longer, and I think that maybe getting away from its original purpose. So at least several years ago, we envisioned a document that would sit on a website that someone could look at and use as an easy reference. Now we're up to I think 70-some pages for this working paper and it just seems like it's getting just a little, little too long. Also there's now very specific references to H.R. 200, and I thought-- initially we thought about stepping away from those very specific things, so again, this could be used as a general reference. So obviously, I appreciate all your work and all the work that the group has done, but I'm just curious if you've had those conversations.

Gregg Waugh

We have not. The one thing about the reference to legislation is that that was put in here while we were developing those specific new topics. The intent was, once we were finished, we would remove those so that it's consistent with the rest of the working paper. And the purpose is outlined in the working paper so that it's a useful resource. We have not talked about the length of it, and that right now has been dictated by the topics under consideration. And I'd be interested to hear what other people think. It is long but there's a lot on the table right now, and how do you shorten it? Do you ignore some points that are up for discussion right now? It could be once we get through this reauthorization, then we can go to a different type of document that would present different views. Personally, it seems to me that if you ever have to draft a letter, regardless of how long this working paper is, it's extremely useful to be able to go in there and cut and paste, and put together a letter. So if the group is interested, we can have some discussions on the committee about that.

Chris Moore

I think, from my perspective, the important part of the document is the consensus part of it. And it looks like some of the councils have been very kind of wordy, I guess to be direct, in terms of how individual councils are dealing with these specific topics. I think that those could probably be shortened with a specific reference to other documents if they want. But I think, from my perspective again, the importance of this is a consensus statement from all the counsels, and also a reference document. So you should be able to hand a staffer, or a congressman, whoever this document and say, "Here you go," right? And they would actually look at it, not be intimidated by 75 pages. So I think yeah, it probably would be a good discussion to have within the working group.

Dan Hull

Dave and Chuck?

Dave Whaley

Thanks, Mr. Chairman. So just the little bit of experience that I've had with this is when I was in a Washington meeting with a couple staffers, and they were asking me about letters that they were asked to write. And I was able to refer them when they were wondering about perspectives on specific topics. And I was able to use this document as a reference guide for them. And once they discovered it, they were thrilled to have it. And there is, at least in the office I was in, there's turnover of staff and a lot of these guys are really unexperienced, or have very little knowledge about a lot of these subjects that we're talking about. So they're seeking information on different perspectives, other than the person that's requesting them. So to be able to refer this document to them, yeah it's 70 pages, but they could get to the section that they have the most concern about, and maybe get a regional council perspective and/or a CCC consensus statement, which would help them in their decision making

on writing a letter, or a specific ask that they might have, as well as legislation that might come across their desk. So it's been a benefit, I think, to some of these staffers, and some of these offices.

Dan Hull

Chuck?

Chuck Tracy

I guess as I look back over the last couple or three years that I've been involved in this, and seeing the evolution of this document, I think, in my perspective, it's been helpful to have a source that is specific to the legislation under consideration. When we first started looking at this there were topics, and statements, and perspectives that were centered on earlier bills that were either no longer relevant, or different. And the devil's in the details of legislation. And so I think to have a resource where it is specific to the language in H.R. 200, for example, is helpful. And it does take the-- well, the topic may be general. You may only be able to get a consensus statement if it's not relevant to the exact language in the bill being talked about. To me, it's not as useful. So I think it's good-- I appreciate having the specificity here and I, of course, recognize then the next time a bill comes out that a lot of this stuff is going to likewise be potentially obsolete or outdated. So I think it's good to have something like this. That being said, I also understand what Chris is saying, that maybe this shouldn't be the only way we present our information, our consensus statements. So I don't know, maybe it's an assignment for the working group to think about a different way to present the information. But I think just having sort of the historical perspective of all these and have them be specific to the language that you're addressing, I think that's helpful. So I guess I wouldn't-- if we want to do something different, that's fine, but I don't think it should substitute this, I think it should be an addition to this.

Dan Hull

Yeah. I think it's something that the committee can take a look at in terms of pulling out the-- maybe there's some key consensus points presenting them in some way that's helpful. I actually appreciate having all this detailed information because I wouldn't know what it's like in the Gulf or the South Atlantic. I wouldn't be able to understand the issues they have with ACLs, for example, if I don't have the regional perspective. So for me, even after four years on the CCC, I'm learning a lot of things in detail that I didn't know before. When the next North Pacific council members come to the CCC, they'll have that information too. I think it's a great document in that regard for this body. Dave and Gregg?

Gregg Waugh

I think those points are excellent. We run into this too that when you go to talk to someone you want to hand them a very short paper. Mary did an excellent job when she joined the work group in getting us to ensure that the consensus statements are up in the front as well. So you can take pages 1 through 12 here and extract that as an executive summary or some other document and reference the bigger document. And I think then that gives you a short document with all the consensus statement that you can give someone. If they want the regional perspectives and all the details, then we have the working paper and we can draft that up and circulate for people to look at.

Dan Hull

Right. And Dave?

Dave Whaley

I was just going to reiterate what you said. When I was still on the Hill, it was great to have a consensus position but it was also very helpful to me to have examples from each of the regions. Everybody can say we don't like or we want rebuilding flexibility, but for me to have an example of where there was a train wreck because of the existing language was very helpful. So yes, I agree, it's a little long, it probably could

be shortened, some of the regional perspectives are long, maybe they can be shortened, but I like having the examples that I can pull from.

Dan Hull

Chris?

Chris Moore

So don't misunderstand me. I think the document is very valuable and again, I appreciate all the work that you guys did. But I think going back and looking at the purpose of the working paper would be a good thing to do. And maybe, as Chuck says, it results in two products. Or, as Gregg just said, you pull out the front and there's your paper to give to a staffer. And if someone asks for additional reference you can give them the 75-page version. But, again, I think it is a valuable document and again, it's something we started, I don't know, three years ago. So, yeah, very supportive of it.

Dan Hull

All right. Good exchange around the table. Doug?

Doug Gregory

Yes. Something that we ought to consider adding to the document, I think, is not in there now is I think it's in the Senate Bill 5120. I don't know about H.R. 200. That if a fishery is not rebuilding according to a preexisting rebuilding plan, it has to be modified to make sure that it has a 70% probability of meeting its rebuilding plan, rather than the way we're currently doing it now.

And my concern is, I don't know the impact of that. It could force us to close fisheries given how hard it is to develop probabilities from our stock assessments. The northern areas may not have the same trouble we do in the south. But we're having a very difficult time developing probabilities around our estimates that allow us to measure uncertainty, [inaudible], and that sort of thing. So that concerns me. And I don't know if that's something we can put in the rebuilding section - the difficulty that might be and the potential impacts. And I don't know if we even know the impacts until we do some management strategy evaluations or simulations of what it could be. But it seems like it's something that just popped up recently in my mind that could have a dramatic impact on the council.

Dan Hull

All right. And we did discuss that a bit at our last legislative committee date.

Gregg Waugh

Yeah. It's sections 104 and 105 of the Senate Bill S.1520. It did come up on the last conference call. There has been concern expressed by a couple of the councils about the impact of that. Mary from the Mid-Atlantic Council has kind of taken the lead and is working on some talking points that we'll hopefully put together and be able to share with folks. But it is on the radar screen, and the working group is looking at it so we have a response ready.

So it continues to be part of the legislative committee's task, right now.

And that's an example of how this document grows. Issues pop up, and the multiple re-authorization bills, or Magnuson amendments.

Dan Hull

Okay. Any other comments from the councils on this agenda item? All right. Well good discussion and it's an important one. So I don't mind the fact that we've gone over a bit. So thanks for all your input. Thank you, Gregg and Dave.

Our next agenda item is the Recusal Policy Discussion Paper, which is being passed around. And Adam will speak to that.

Good morning.

Good morning Mr. Chair. Good morning everyone. So this conversation is going to be a little different than I think what we had intended back in February. At that time we had indicated that our intent was to have a proposed rule that you would have seen by then and that we would have the opportunity to discuss. As it turns out when we developed that schedule we did not anticipate that the Office of Management and Budget would determine that this rule was significant and that they would want to have it reviewed through the Executive Order 12866 process. So for that reason, we don't have a proposed rule today. Instead we have this discussion paper, which was just passed around. Since the last meeting we've had a working group composed of NOAA GC attorneys and [inaudible] staff working to develop a proposal for a proposed rule. And our goal is still to get that proposed rule through review and into the OIRA process and ultimately published for public comment, but we just aren't there yet. And so instead we have this white paper.

I know it was just handed to you. I will briefly summarize what's in there. Because of the current status-- because we need to have the proposed rule ultimately submitted to OIRA, I can't go into the level of detail as to specifically what's going to be in the proposed rule. But I can tell you generally what we're thinking and what we're trying to accomplish. So we're focusing on three specific areas. And I should say all of these areas are responsive to concerns that we've discussed at this point. I can't count how many CCC meetings in a row. But specifically, the things we're looking at are providing direction on determining whether a close-causal link exists between a council decision and the financial interest of an affected individual. That's the first area. The second area is ensuring consistency and transparency in the calculation of an affected interests, financial interest, and specifically with respect to the issues of how we attribute partial ownership interests. And finally, the third area is on developing regional procedures so that there will be clarity in how each region for its specific councils goes about considering recusal questions and publicizing the determinations on those matters.

So let me talk briefly about each of those three areas. The first is the closed-causal link issue. Previously, there has been no specific regulatory guidance to address how to apply the statutory requirement for a closed-causal link between the council decision and the benefit to the council members financial interest. So what we're looking at is defining closed-causal link. Tentatively, we would define it in terms of something that's reasonably expected to directly impact the financial interest of the council member. We would expect that in most situations where our member meets one of the 10% thresholds that that would be expected to directly impact the council member's interest. And that would particularly be true in the case of actions that involved implementing regulations. However, it would also be appropriate to recognize exceptions in specific instances where either the relationship between the decision and the benefit to the financial interest was attenuated in some way or where it would require speculation. There was a speculative relationship between the council decision and the benefit to the financial interest. And so, again, this approach would place sort of an additional focus on the closed-causal relationship requirement in the statute. The second area is in the attribution calculation. So, as I'm sure you are all well aware, we look at whether there's a significant interest of greater than 10% in the total harvest, the marketing or processing of total harvest, or the vessels using the same the gear type.

Under current practice, NOAA GC as the designated official has attributed 100% of any entity in which there's an interest. What we're looking at is generally going to more of a proportional attribution approach. Excuse me. And as we've looked at this, we've recognized a distinction between direct ownership and indirect ownership. So direct ownership would be where a council member or the council member's employer directly owns a particular entity. So let's say there's council member Jones, and Jones owns, whether it's 1% or 99%, of Acme fishing, that's direct ownership. Indirect ownership would be where Jones owns some portion of Acme and then Acme, in turn, owns some portion of Zenith. And that would be the indirect or subsidiary relationship. And so, in the context of direct ownership, there's obviously more control. You are actually an owner of that entity. Now, you may be a partial or a full owner, but you have more of a direct interest in that entity. And so, what we're looking at there is recognizing that if you directly own an entity and you own more than 50% of that entity, then essentially, you control that entity. So if your ownership is less than 50%, the current thinking is we would apply a proportional approach, so if you own 35% of Acme, we would attribute 35% of Acme's harvest to you. On the other hand, if you owned more than 50%, that would be a controlling interest, and at that point the thinking is that we would attribute 100% of Acme to you. In the indirect context, again that subsidiary relationship, the relationship is more attenuated. So there we would essentially apply a proportional ownership across the board. So there, whether it was 35% or 70%, that's what would be applied to the council member's interest. A couple of points I want to add about this [inaudible]. One is that [inaudible]--

Okay. A couple of other points I want to mention about these attribution approaches. One is that we think there's also a distinction between employees and-- there may be a distinction between employees and ownership interest in some of these cases, particularly in terms of that direct interest concept because an employee can't be partially employed by a company. You're employed by the company. And so I think there might be a distinction in terms of how employees are treated in the direct versus indirect scenarios. Another important point is that the proportional approach would assume that the council member has provided the necessary information to determine any proportional interest.

If we don't have information to suggest otherwise, then we would attribute 100%. If the council member provides information that indicates there's some lesser relationship, then we could take that into account. And then, finally, I want to acknowledge that with the attribution approach-- with this potential attribution approach, that it would not necessarily address every situation in which a council member's interest was attenuated. The closed-causal link clarifications may address some of those issues, but of course there will still be, likely, recusals in some circumstances. And then the third area was the procedures. We've talked about these before, and these were in the policy directive that we had developed a while back. I think the provisions of these regional procedures should look fairly familiar at this point. Again, the point is not to have different substantive standards from region to region or council to council. The point is to recognize that these recusal questions take on a different flavor from region to region because of the nature of the fisheries. In some councils, recusals are much more common than in other councils, or at least recusal issues are much more common than in other councils. And so the point of the regional procedures is to give flexibility as to the manner in which communications occur, in which information is decided in terms of when the timing of decisions are

made, and how those decisions are communicated. And again, not to apply different substantive standards.

So next steps. We are actively working to finalize the potential proposed rule. That rule will then need to go through agency clearance. It will, again, go to OMB for interagency review under Executive Order 12866. It's hard to put a timeframe on that at this point. Assuming the best case scenario, I would think we're probably looking at late summer, early fall, before we can get a proposed rule into the Federal Register. The councils will have an opportunity to comment through the public comment process on the rule at that time. And as we get a better sense of the timing of this, we will update the CCC and individual councils as we go on. So that's what I have at the moment. I recognize you may be scanning the document at this point. You obviously had not had the chance to look at it closely, but I'll be happy to attempt to answer any questions. Thank you.

Dan Hull Okay. Thanks very much. And then I'll look to Chris. But first I just want to thank you, and Chris, and the working group for the efforts you put in to continue to address the concerns the CCC has raised.

Adam Thank you.

Dan Hull Chris?

Chris Oliver I just was going to add a general comment, Mister Chairman, that as you know, this was an issue that was near and dear to me, going back to when I was executive director of the council and previous CCC discussions. And early on, when I arrived in the position, it was one of the things I identified as a priority to look at. And I want to express my appreciation to Adam and the team that looked at this. I think that we had hoped to have a proposed rule out by now for you to look at. But because OMB has brought it in for review, we couldn't quite get there. But I think that the alternatives and options that Adam has laid out have the ability to address not every single situation, but certainly most of the situations that we have encountered as problematic and the CCC has identified as problematic.

And hopefully, we can have an actual proposed rule sooner than later. But recognizing we have the interagency OMB process, it's just taking a little longer than we had hoped.

Dan Hull Okay. Thanks, Chris. Are there any questions? Yeah, we'll go to Simon and then Gregg.

Simon Kinneen Thank you Mr. Chairman. Not a question in particular, but I also wanted to add my thanks for the work on this. And thank you to Chris and others for the attention of this as well as the CCC. This has been something that's been really important to the North Pacific Council. It's had a pretty big impact on some of our decisions including a big one in this very room. I haven't had a chance to really go through this letter that's been discussed although I think perhaps some side conversations. But I think really it looks like definitely a good start and I think we're going to just need to have some real consideration through the public rule process. So I don't have any particular questions at this point. But certainly will on the sides. Thank you.

Dan Hull Thank you. And Gregg?

Gregg Waugh Thank you Mr. Chairman. Adam, will it be possible to have a presentation at our council meeting during that public comment period? I think it'd be helpful for our council. We have a significant number of new council members. And we can certainly

accommodate that remotely. But I don't about the other councils, but it would certainly help our council if we could have a presentation on this during the review period.

Adam Issenberg Yeah, sure. If there's an interest in that, we could figure out how to accommodate that.

Dan Hull Yeah. Tom?

Tom Nies Thank you Mr. Chair. Adam, when you were working on a policy directive, there was a lot of fairly specific comments about the process and who is responsible for what. And I can remember some of them were somewhat troubling in that NOAA GC wasn't responsible for verifying any information, but executive directors were. I know you can't give details of your proposed rule, but where you talk about the process for development and issuance of recusal determinations, is the proposed rule going to go into a lot of detail? Or is it basically going to say each regional office needs to develop the process?

Adam Issenberg It's fairly general. It's up to the-- the proposed rule as we contemplate it would provide guidance. It doesn't set up a lot of specific parameters for those regional procedures. It talks a little bit about what each procedure should have, but it doesn't go into the same level of detail that the policy directive did.

Tom Nies So my assumption is once you get through the proposed rule, this will be added to the Magnuson Act provisions regulations? Is that where this would wind up? Under the financial disclosure requirements?

Adam Issenberg Yeah. It would be amendments to the 600.235 regs.

Tom Nies So sort of a follow-on. It's not directly related to council members. Have any issues been raised during your working group discussions about the lack of guidance for SSC members and possible conflict of interest? The only provisions that are in place right now are the requirement that they file financial disclosure statements. There's no guidance at all on whether they can participate in discussions, etc. So did that come up in your working group at all?

Adam Issenberg Yeah, there are the 2006-- I think I have that right-- amendments added. Some specific requirements to SSC members. One thing I didn't say that I should have added is in addition to these three major areas, there is a bit of additional cleaning up in the regs. And some of that is to get at the SSC members.

Dan Hull Okay. Anybody else?

Just me.

Yeah. Katy.

Kitty Simonds So Adam. So we have a situation as we've described. So in what you've described here-- so Mr. Soliai, who is an employee of Starkist, carries the burden of Starkist and he has had to recuse himself from voting on our longline exempted area. I still think that that's not right, for him to be carrying the burden of Starkist because he is just an employee.

Adam Issenberg So I can't comment on how these regs would affect any particular situation. What I can say is that the regs do-- I shouldn't say the regs. The statute applies the financial interest provisions, the recusal provisions, in the context of an employer's-- if it's an

employee it looks at the employer's interest and that's a statutory constraint within which we're working.

Kitty Simonds So I see. The statute would have to be changed.

Adam Issenberg Again, as to any specific situation, I'm not commenting. But I think that it does look at the employer's interest when you are looking at whether an employee recuses. Not the employee's individual interest.

Kitty Simonds Okay. So I did ask our lawyer to recommend another lawyer to help me out with this. Thanks.

Dan Hull Okay. Any other councils? All right. Thank you again, Adam, for this work and we'll look forward to seeing the proposed rule at some point later on this year.

Thank you.

EBFM, the Regional Implementation plans.

Sam Rauch Thank you, Mr. Chair. I am going to provide an update on the Regional and Headquarters Ecosystem-based Fisheries Management draft implementation plans. As a brief reminder, we put out a EBFM policy in May of 2016, which talks about the ways that the council-- and I should caveat this as I've always said that Ecosystem-based Fisheries Management is something that the councils do all the time. And when we looked at the EBFM policy much of it was just to try to document things that the councils were already doing. In almost every instance, there is the elements of EBFM, if not an ecosystem plan directly. The elements are in many of the council documents but the policy talked about a way to document that, to have a common nomenclature when we're talking about it, and to set us up for looking at how we're doing it in a more systemic manner. We did outline, at the time, the six guiding principles, which I'm not going to go into. The purpose here is not to rehash the May 2016 plan, but that is on our website and we can talk about that if you would like.

Really what I want to talk about is where we are in the road map. So in November, shortly after we issued that policy, we issued what we called the EBFM Roadmap, and it identified, broadly, actions that we were taking, and actually to address the six guiding principles that I just showed in the prior slide. But it also called for the development of implementation plans with a five-year time horizon to look at where we were going to-- what were our priority actions that we were going to take to describe how we were going to engage with the public, and how we were going to measure our progress. And so what we've committed here to do is to talk about those plans and the process for finalizing them.

One of the things-- when we laid out this road map, we talked about why it was important to look this at a level below the national level, to look at regionally specific priorities. We know that there are these various large marine ecosystems, and they are very different around the country. And so what needs to be done in one is not the same thing that needs to be done in others. One of the benefits of this is that we have at least determined through this process, is to bring together the science and management side of our agency such that we can coordinate what we're doing with not only what the management targets are, what we think the management needs are, but what the science can provide and some guidance on things we should be working on. We want to look at what we can do with existing resources. There's not new resources available to this, but we can look at how we can best maximize the

tools that we have to this issue. We wanted to formally engage the councils in this process, and that's one of the things we'll talk about here. And, as I said, indicate a pathway for external engagement. In order for this to be effective, we do know that this is a partnership in terms of the management side between us and the councils as to what we should be doing, both what we're currently doing and what we should be doing for the future.

So as we've said in the road map, the next steps for us is to develop these regional plans, which our regions have been working on. We had asked for council participation and we've got-- I think all the councils provided someone to work on this project. And so what I'm about to tell you in the next few slides does reflect the input that we've got so far from the councils, but that level of engagement varies. Some councils were very involved and some councils were just informed about the process, which is fine. And we will welcome when we put these out formally further input for the councils as they desire to participate. The goal at the moment would be to finalize these by the end of the year. We'll have to see what sort of response we get from the councils and the public about those as to whether we can meet that goal, but that's the current target.

So right now we have nine of these plans, and I am going to talk a little bit about each one of the nine, and why we have these particular nine. One for each council, one for Atlantic HMS, and one overarching for the headquarters offices. And each one of them are a little bit different. As I said, the councils did participate in or had folks help us in this, and so that's, in part, why it's a little bit different. And one of the things that we would appreciate your comments on when you get to see these, is whether you're satisfied with them being different the way they are, or whether or not you want to make some changes to bring them more into consistency. There's no inherent reason why they all have to be the same. And some of them, because they were drafted, in some instances, mainly by the regional offices, they do reflect differences. And if you do not like that, we would welcome constructive comments about how we can improve that situation.

So there was a couple of cross-cutting priorities from all of the plans that I wanted to point out before we talked about them in detail. One, I think universally there was a desire to improve ecosystem status reporting. The various metrics that we can look at that would feed into management. There was generally a universal desire to do that better, more consistently, or in a more useful fashion, either by a unique ecosystem report or in the existing assessments or other processes. Whatever the vehicle was, the desire, in general, was to do it better, more consistent, or improved. There was a general desire to use management strategy evaluations, and, in fact, in one instance, I think, at least one, we've already done that to look at ecosystem issues, and how they can better be utilized in the management structure. Universally, there was a need to account for climate and other changing conditions. We have separately put out these climate vulnerability analyses, and I think those are helpful in assessing the management implications for the ecosystem. And then, as I said, engaging partners and stakeholders was a key point.

So now I'm going to talk about each of these separately, just generically, and not in a lot of depth. As I said, we had council representatives, I think, on every team, and we will put these out and look for more specific council action. But you'll see that there are some differences in the way that they approach them. The North Pacific, to start with. They've got five large marine ecosystems. The decision was made not to do an

ecosystem plan for every one of those five, but to focus, at least now, on the Bering Sea. And as other ecosystems are scoped, those plans could be expanded. The North Pacific largely already implements EBFM approaches and thus, they don't really see this effort as doing something revolutionary, but more evolutionary. This is the kind of thing that they do, and this is how they tend to look at it. And the figure here shows the general way that their plan is going to look, which is basically to document a number of the existing processes, but not necessarily to create new activities that they're doing. They are key priority for the council and fisheries in this region is the completion of the Bering Sea Fishery Ecosystem Plan, which will be a major guiding document for the EBSM processes. And the ecosystems plan will have action modules for developing and completing other subsidiary priorities.

On the West Coast, the West Coast has a strong California Current Integrated Ecosystem Assessment program that also actively produces quality EBFM products. The council has got a Fishery Ecosystem plan that includes EBFM initiatives. For example, last year the EBFM team included an initiative to assess and improve the indicators included in the ecosystem status report. The West Coast Region plans to conduct a gap analysis of the science related to end-to-end science efforts and using those results of the analysis to identify and pursue high-impact, cost-effective ways to close the gaps and to increase capacity.

The Pacific Islands. The communication across the scientific and management sectors is one of the things that they're looking to improve upon. And that will enable a shift in focus to consider the entire ecosystem and how its components are interdependent, rather than just the specific elements. And that shift will effectively inform tradeoffs as the managers make decisions and will implement management measures. The EBFM team plans to host a workshop that will bring together the key stakeholders to identify information needs, science products available or in development, and existing gaps. It will look to identify within the attendee subject and ecosystem topics and brainstorm the various needs at a level beyond sort of the individual species level, and that will help them sort of clarify the future of these efforts.

In the Gulf of Mexico. That plan focuses on documenting the existing efforts within the Southeast Science Center and with regional partners. It's the only plan at the moment that does not include specific milestones. These other plans we've talked about have these various generic things I've talked about are represented by milestones. This plan does not, but we could adapt those if the council were interested in seeing that. There are currently multiple projects looking at predicting recruitment strength. For example, one project is using an oceanographic model to better understand red snapper recruitment strength, and another uses pelagic habitat characteristics to estimate bluefin tuna recruitment index. So this plan at the moment is mainly just a categorization of various things that is ongoing in the region that would facilitate ecosystem-based fishery management.

In the Caribbean. Our Caribbean partners have had a few things distracting them recently with recovery from the hurricane. Nevertheless, they are interested in-- and when I attribute these things to the councils, feel free to correct me. These are mainly our regions assessing what the council's approach is, and so if we get that wrong that's fine, we would like to make sure that's all accurate. But I think they're interested in creating a Fishery Ecosystem plan. They have created a Fishery

Ecosystem plan team with NOAA's assistance or participation on that team to ensure that ecosystem factors impacting managed species are being considered.

The region is developing a guidance document to identify data sources pertinent to EBFM and to identify appropriate ecosystem indicators, such as an index of sea surface temperature or - I don't even know what this is - Atlantic Meridional Oscillation. It sounds really good, don't ask me what it is. You can ask Cisco what that is. I don't know.

In the South Atlantic, they have been very proactive in EBFM, especially regarding habitat protections. The council has recently updated a fishery ecosystem plan, too, that comprehensively describes the ecosystem in an online portal. The South Atlantic is currently concentrating on the multi-species climate vulnerability assessment and associated community vulnerabilities. And they are also starting to develop an ecosystem status report, as those of course have been helpful in many of the other regions and councils.

So, the Atlantic HMS has got its own because it crosses a number of different councils, so they did their own draft plan, or developing their own draft plan. And they're looking at ways to advance EBFM science for the highly migratory species and are going to use the next five years to lay a clear groundwork for future progress. Uniquely to HMS is the involvement of international management. Well, maybe it's not so unique. But they clearly intend to work with ICCAT and their international partners on initiatives such as the development of management strategy evaluation for tuna and swordfish, and the implementation of indicator-based ecosystem report card.

In the northeast. The northeast plan builds on the current EBFM approaches within the Mid-Atlantic and the Northeast Councils. The Mid-Atlantic Council has taken an incremental approach to EBFM, while the Northeast Council's working on a Fishery Ecosystem plan that is investigating a wholesale different way to look at their management structure. The Northeast Center has completed a successful Management Strategy Evaluation for herring that includes ecosystem components, environment, and predators. And the center also plans to expand its capacity to do more studies like this to support ongoing priorities at both councils.

And finally, the headquarters' plan, which looks at things that we are doing more nationally, and particularly things that our Office of Science and Technology are doing. So this is not regional-specific, but it crosses efforts and looks at the broader way that we're doing this. We are creating EBFM materials that can be used for outreach, both nationally and regionally. The National Standard one, Technical Working Group, is investigating options for using aggregate MSY and/or ecosystem-level reference points in fisheries management. The headquarter plan is trying to coordinate the use of regional habitat assessment priorities in guiding habitat science efforts, and to develop strategies to better incorporate habitat science and stock assessments in integrated ecosystems assessment, approaches, and products. And also, the new Stock Assessment Improvement plan includes a process for determining which stocks could benefit from including ecosystem factors, such as prey and climate, into the stock assessment.

So looking ahead. I've sort of given you a very high-level sense of what's in them. Obviously, there is more detail in them. These are the kinds of things that are in there. We do hope to make them available to you and to others this summer to get

your formal comments on that. We're looking from the councils, in particular. A lot of these are science-related activities that we're trying to undertake. To the extent that there are management actions in there, we've tried to incorporate the management actions that the councils indicated they're undertaking. We're not trying to impose a management action on you that you didn't identify for yourself. But if there are there are other things that the councils would like to see in these plans, we'd like to see that. We would also like to talk about how we should engage with the councils on these topics. So that's what's coming out. We don't have them right now, but they should be out shortly. I've given you a large-scale flavor of the kind of things that are going to be in them and our process. And I'm happy to take any questions, Mr. Chair.

Dan Hull

All right. Thank you very much, Sam. I imagine there will be questions. Yes, Chris?

Chris Moore

Sam, can you go back to your map?

My map. Maybe?

So I love my brothers and sisters to the North, but I'm wondering why the Atlantic Council and the New England Council are combined to the Northeast EBFM.

Sam Rauch

Because the region did it. Because at this point we're trying to minimize the workload of the councils. So these are not necessarily council projects. These are [inaudible] products at the moment and if the two councils would like to look at this separately, we certainly can do that. But we're trying to be respectful of the council time and effort. And as I said, a lot of this is joint science. A lot of the things that the Northeast Science Centers are doing would apply to both councils. We certainly could split those if that's what the council would like to do.

Chris Moore

Well, I'm just thinking about the approach that we've taken versus what the approach has been in New England. They're very different.

Yes.

So it makes it from my perspective-- I haven't had a chance to look at the regional plan yet because we just got it, I think, on Friday. But it seems to me that given those differences is actually going to be more difficult to combine them than to keep them separate.

Sam Rauch

As I said, we're happy to have that discussion if the councils would like to talk about splitting that into two, we could do that. They don't necessarily correspond with the large big ecosystems. For instance, the North Pacific has five LMEs and there's only the Bering Sea Plan that they're working on. And so we're happy to talk about how to do that in a way that makes sense.

Dan Hull

Chris?

Chris Moore

Just as a follow-up, I mean, there's probably if you're going to start grouping things, it might be a good idea to look at a combined Mid-Atlantic and South Atlantic. Right? In terms of what we're dealing with in terms of climate change, and species changes, and species distribution. So it really gets to what you're trying to do with each one of these.

I think if you look at it, you'll see a lot of these since there's not a lot of councils specific actions in these. These are mainly either regional office or science

interactions. We're trying to group them by science centers. But I think Cisco had a view on that.

Dan Hull Cisco?

Cisco Werner Yeah. Thank you. Just to follow up on that. The Northeast Center and Southeast Center have actually started that conversation among species that are shared, conditions that are shared, and such. So it does follow in that idea. And I think the one you were saying as well that it does make sense to talk across some of these boundaries.

Dan Hull Right. Let's see if Tom has the same feelings about the mid-Atlantic .

Tom Nies All right . So the only thing I'd say we were concerned about the combined effort because we have taken a different approach to the Mid, and we were nervous that what was going to come out was going to be an attempt to try and steer us to follow the Mid's approach. And we're actually pretty happy with the way the document is written. We think it does a good job of recognizing the differences between the two council approaches and accommodating them. So I don't know that we'd object if they split it, but we were actually pretty-- the whole council hasn't reviewed it. The staff has looked at it and was pretty happy with the way the region addressed the differences between the two councils in a single document.

Dan Hull Kitty?

Kitty Simonds I just wanted to say that I was happy when Chris sent us all an email last year to get involved in this. And so our document from our part of the world isn't complete yet. We're all working on it together, the council, and the center, and the region somewhat, I think. But one of the things that's really kind of strange is that we started working on this ecosystem approach when we shifted our plans from single species to Archipelago Ecosystem plans. And we held a series of workshops. Dave Fluharty headed one of them, Michael Orbach the social science one. And we published a book on how things should be done in our part of the world in 2009 I think. So what we've encouraged the center and the region to do is to read our book because it's all about how to deal with ecosystem management in our part of the world.

So I did send Chris his own special book so that he would know that we've been working on this for a long time and it's so nice that he wants us all to work together. So I was very happy about that. So it's not too much trouble to call on us to be a part of this exercise, my dear. Thanks.

Dan Hull Chris?

Chris Oliver We very much want you to be part of it, Kitty.

My comment for the North Pacific, I appreciate the way this is laid out because it identifies a number of initiatives that council members I know are aware of, like the Integrated Ecosystem Assessment Program. But we're not sure how it fits in the EBFM and management. So putting it all together, and I'm hoping that's how it's portrayed in the implementation plans, so council members can understand how all of this work is integrated will be really helpful.

And obviously some councils, because you have staff there who have seen what is about to be released or soon to be released. You'll get that whole packet soon and we're very open to how to make that better.

Dan Hull Gregg, and then Leann.

Gregg Waugh Thank you Mr. Chairman. Sam, we involved our Habitat AP a lot in this process. So it would be good when this comes out, if we could arrange some sort of presentation with them as well as the Council. But we also have a concern underlying all of this is, is some fisheries' independent data. Our understanding is there's no new resources for this effort and we're supposed to cobble together with what we have. But we have some real concerns about maintaining our fishery independent surveys in the South-East, the SEAMAP, the MARMAP and the Southeast Fishery Independent Survey, as well as there are some new technologies out there that if they could be applied on existing vessels, would allow us to collect more information. And I'm sure you'll hear this in our comments, but are we still under no resources here or are we still-- is the potential at least to keep our fishery independent, data collection programs continuing so that we can feed this ecosystem-based management approach?

Sam Rauch Well the ecosystem-based management approach was not in our supplemental budget initiative. It was a design-- the desire is to sort of document and articulate what our current plans are and what our future plans are. To the extent that there's concerns about existing surveys, continuing those, those are budget questions. I think this helps put all that into context about why those things are useful; why we need them. It does not dictate or create imperatives to do or continue to fund the surveys in itself. I'm not saying those aren't good ideas. That's not the purpose of this talk. But it could help as we articulate why they're useful and why they should be continued.

Dan Hull Leann.

Leann Borsage Thank you. Sam, so I was wondering, in our region if there was ever a poster child for the utility or the need for ecosystem-based management, the dead zone, or hypoxic zone in the Gulf of Mexico is definitely a great example of that. And we've had that on our agenda a couple times at our more recent council meetings, and trying to see what we can do to address that. And we've written some letters, I think we tried to copy Chris on them, just in case anything ever came across his desk. But I was looking at your slide on headquarter's activities, and I think maybe that's where we could really use some help, maybe from headquarters, because in order to address something like that that has a huge impact on our fisheries, we really have to have help from someone in DC to kind of span that gauntlet between the Gulf Council, and then upstream activities that may be managed by aquaculture or something like that. Department of Aquaculture, I don't know. So I was just wondering if maybe you could put that on your agenda to help us with.

Sam Rauch I think we could look at that.

Especially with all the money out there from BP right now to restore habitat in the Gulf of Mexico, and restore fisheries in the Gulf of Mexico, it seems like it fits perfectly.

Dan Hull All right. Any other questions or comments for Sam on these implementation plans? Yes Cisco.

Cisco Werner If I could just maybe to address some of Leann's concerns, which are valid also on the West Coast with regard to the water, watershed ocean connection. Within NOAA there's a larger sort of water initiative, and I think that upstream concern that you bring up for the Gulf is also one that is being looked at on the West Coast. In terms of

drought and so on it's a different issue in the Gulf. But I think this is an important thing to bring up, perhaps do it in parallel. So it's a very good suggestion.

Leann Borsage

Thanks, and not to harp on it too much, but I tried to do a little bit of research, and we actually brought in Fish and Wildlife that's on our council and had some calls to try and understand maybe what has transpired upstream. And it seems like actually a lot of those states have plans already written up that would mitigate a lot of that runoff into the river, but there's no money to fund their plans. And so, I just would love to see some cross-coordination and cross-pollination between different agencies to hopefully do something that could impact fisheries. We just kind of feel a little helpless down in the Gulf. We're trying, but we don't oversee it, it's not our purview, so we don't know where else to go.

Dan Hull

Chuck?

Chuck Tracy

Thank you, Mr. Chairman. Thanks, Sam. On your slide 17, I've got one question and a couple comments. I guess my first question is on the next to the last bullet. Maybe I missed it in your presentation but creating a climate science toolkit for two regions. What two regions would those be?

Cisco, do you know the answer to that?

I do not. Sorry, I don't.

The science toolkit [inaudible]. So scientist . Okay, well my comment is just that--

We'll get an answer to you.

--I don't know what the answer is.

Chuck Tracy

I'm sure there's some regional step forward or somebody will step back or something. Some of those items, I think we're looking forward to, particularly kind of bullets one, two, maybe five, and definitely six. In terms of seeing some of those products that will help us. They sort of respond to our developer comments for feedback on the plans. I haven't seen our plan yet or a draft of it so I'm curious to see what it looks like just on your presentation for our ecosystem plan. I guess, that's not how I would've done it, I guess. And I'm not sure-- so anyway, the gap analysis in that true-- I guess, I wouldn't identify that as a priority for our council initiatives that we're working on. But I guess I'll be curious to see how that's fitting into what we're doing.

And we look forward to that feedback.

Yeah.

If you haven't seen it yet, you will see it shortly.

Okay. Thank you.

Dan Hull

All right. Anyone else? Okay. Thank you, Sam, for the presentation. Let's take our morning break and come back at, say, five after the hour and we'll continue.

[music]

Dan Hull

All right, we will come back to order. Somebody's got to-- there we go. Thanks. Before we proceed with the next agenda item on Experimental Fishing Permit, I just wanted to let all the councils know that across the hall in the council office, there is a device developed by Keith Parks, who's here. He's former Alaskan Fishery [crosstalk]. Well anyway, Keith has a device across the hall that does a variety of things: measuring

fish; taking lengths. We're talking about data collection on fishing vessels. This device will take weight, length, measure water content and fat content I believe, and also take a [inaudible]. He's going to install it on a salmon fisherman's boat here in Sitka, but has decided that he would stay a little bit longer today. He's got it across the hall for anybody who wants to see it. It's a small device. And so on lunch break and the afternoon break, feel free to walk over and he'll explain how that works and what the purpose is. This was a project funded by the North Pacific Research Board. I can't remember when, it was a year or two ago. So, wanted to alert everybody to that opportunity. And now we'll proceed with the Exempted Fishing Permits and Glenn Merrill is going to present to us.

Thank you.

Glenn Merrill

Thank you Mr. Chair, members of the CCC. And in the spirit of collaboration, David asked me to give this presentation probably because he didn't want to do it himself. I'll just be giving you a brief overview of Exempted Fishing Permits, really highlight some of the work here in Alaska that might be useful, in particular I think for our West Coast colleagues for some of the efforts we're undertaking. Then I'll also give you just a brief overview, a little bit of Southeast Region and I'll look to my colleagues in the Gulf in particular to provide any additional information you might have. Just very briefly to familiarize everyone, exempted or experimental fishing provides an opportunity to test out new technologies or new approaches to fishing that would otherwise have been prohibited.

And there are regulations that are established within a national level and then specifically to Alaska. We also have separate regulations that provide a little bit more clarity on the process in terms of how we integrate and coordinate with the council and also our scientific advisory colleagues. Within Alaska, our recommendation to anyone who's interested in pursuing an EFP is that they provide us about six months headroom in terms of being able to consider that and accommodate that within the council's schedule. That's not a formal regulatory requirement, but I think it's been very helpful for us to process and be able to accommodate the number of EFPs that we get. Once we get a completed application, we request our Fishery Science Center to review the experimental design and who reviews that in the center will vary quite a bit between the specific permits as you'll note later in my presentation. We have a number of ongoing EFP-type approaches, so we have a fairly standardized group that will review these EFPs as they move forward. And then after this review and revision, we provide a Federal Register Notice and comment. I think this is familiar to all of you and your regions in terms of the process you use as well. During this process, we have the opportunity for the Council and the Advisory Panel on the SSC to review the application and provide input.

And since all three of our bodies meet at the same time, it's very effective for us to be able to have our EFPs presented at one meeting so the council and its advisory bodies have the opportunity to provide that input. And then in terms of the preparation, some of our EFPs do require a NEPA analysis and potentially ESA consultation, particularly if it's dealing with issues such as endangered salmon, and we will conduct that consultation process in the Alaska region. We certainly coordinate with the applicant in those cases, but it hasn't been, at least at this point a requirement that we have the applicant actually do the NEPA analysis. So we will undertake that NEPA analysis or ESA consultation obviously on their behalf. And we worked very closely with the applicant, General Counsel, and enforcement. Many of our permits,

depending upon the specific issue, have sort of a lengthy suite of terms and conditions that are associated with them. And so once that permit is issued, it's signed by the applicant and everybody agrees to stay within the parameters of that EFP. We've established some best practices and reporting procedures that I think have been particularly helpful as we've considered EFPs. And it's also been very helpful for the council in terms of understanding how the EFPs functions, whether or not that then should result in some sort of regulatory action in the future, and if so, what that appropriate approach would be. I'll also note that a lot of the applicants that we have for our various EFPs have well-established relationships with us and NMFS staff and also with the council as well. So they're familiar partners, are familiar players within the council process and we built relationships over the years with these applicants so that they understand the process that we're going through. We understand the type of work that they're interested in doing. And I think that's helped to make things a lot more collaborative and it's also helped to improve our ability to process through these EFPs more quickly. It's not always easy, mind you, some of the work that we're trying to do is rather complicated, but that relationship has been particularly important. And then after the EFP is completed, the results are presented to NMFS in a written report and our longstanding practices also that the principal investigator presents the results to the council and the SSC. So that provides an opportunity for the SSC to consider how that research was done, the impacts of it that can feed into future consideration of other EFPs, as well as to help better understand exactly what the value of the research that was done itself.

Within Alaska, I just give you a quick overview of some of the EFPs over the last, I'd say four or five years. We've had extensive work throughout the years particularly with the trawl fleet to try and come up with better ways to minimize salmon, particularly Chinook salmon, bycatch. And that's in the Bering Sea and the Gulf of Alaska pollock fishery in particular. So we've had about seven EFPs over the last several years that have been undertaken there. We've had about six EFPs that have also been another bycatch issue to look at ways to reduce halibut mortality. So as you know, halibut is an iconic species here in Alaska and important throughout the West Coast as well, and minimizing the bycatch of that species, in particular, has been of great interest to the trawl fleet, and also to potentially reduce additional regulatory restrictions that apply to that fleet if they reach bycatch limits.

And so one of the things that we've been working on is trying to help the fleet move forward with that. We've also used EFPs to look at electronic monitoring to assess the halibut at-sea discards in the Gulf of Alaska rockfish fisheries. So this is a separate matter where we're trying to use it more as a compliance tool and to see whether or not that would be successful or not. And I think the-- just very briefly, this gives you an example of what we've been doing with our Halibut Deck Sorting EFPs. I did have a video but when I tried to load it up, it didn't exactly load, and we know how technology can be difficult, particularly when you're giving a presentation. But what you're seeing on the deck there is the back end of a trawler. And one of the techniques that we've been able to deploy after a series of the EFPs, is a way to remove the halibut from the deck, have it be monitored and observed on the deck. This is done not only with an observer but also with cameras as well. Test the viability of that halibut, measure the halibut, and then discard the halibut at sea. So that greatly reduces the mortality of the halibut. And over the last three years, our EFPs have probably saved about 1,000 metric tons thus far, in terms of total halibut. What we've seen in the last three years with this particular EFP is a broad expansion of the

techniques that have been used, refinements of the process for sorting the halibut on the deck and making sure that it's properly monitored. As well as the fact that there's been a tremendous expansion into the number of fisheries that it's been deployed and a tremendous expansion in terms of the number of vessels that are active in it. This EFP has also led to NMFS to initiate a rulemaking on its own that would establish the regulatory infrastructure so that we can move beyond an EFP-type approach and then adopt specific regulatory measures that would allow vessels to be able to undertake this type of deck sorting activity and sets the parameters around it. Without the work that had been done with the EFP, we would be spending years in the process of trying to describe how that would be done. It would be a really complicated process, I think from an implementation standpoint. So a lot of very complicated issues about this process had been answered through the CFP procedure that we've undertaken over the last several years.

And then, as I mentioned earlier, one of the issues that we're also spending quite a bit of time developing is salmon excluders. We had extensive work, and this is just a quick snapshot of looking back at an excluder on one of the vessels that's involved in the pollock fishery. And in this particular series of EFPs, we've worked with a range of different industry participants. And by being able to work with these industry participants, we've really learned a lot about how to design nets. They've been very engaged in going to Halifax and if I'm not mistaken Denmark on occasion to actually test and flume tanks, the various performance of different structures of the nets to try and reduce the salmon bycatch. I think this has been very important in its adoption in the fleet. Not through a regulatory process per se, but simply by seeing the fact that there are ways that they can design these nets to reduce salmon bycatch and yet do so without a tremendous degree of loss in terms of their target species, in particular. That's been highly successful. I think in keeping our a Chinook salmon limits, what we call prohibited species capital limits, well below the regulatory limits, but it's also well below some of our ESA consultation triggers that we have with the West Coast species.

And then very briefly Mr. Chairman, there's just an overview of two EFPs [inaudible] serve different approaches that have been used in the Gulf of Mexico. It's really more for-- I think provide you a snapshot outside of just Alaska. And again, I'm not an expert at all in these EFPs, so if there are any questions, perhaps someone else can answer them. But I think in particular in this EFP for red snapper, I think many of you are aware that that's been a species where there's been a great deal of interest in looking at alternative management infrastructures or approaches to that. And in this particular case, looking at EFPs that would allow each state to set red snapper seasons.

And then I think another species that there's been tremendous interest in the Gulf as well is in lionfish, and invasive species that's very prolific. And are there ways that you could explore using fish traps to catch lionfish, remove them, and potentially minimize the impact that they're having on the environment? I think in this particular case, some of the applications were withdrawn, but it's anticipated that there'll be future EFPs moving forward in the future to try and address a different scope of a problem. And with that, Mr. Chairman, that's the end of my presentation.

Dan Hull

All right. Thanks, Glenn. And I'll look to the Gulf or South Atlantic if there's additional information that you'd like to provide.

Roy Crabtree Well, just a couple of things. We did get another application for an exempted fishing permit from the Florida Fish and Wildlife Commission [inaudible] fish--

Dan Hull You could pull your mic up a little closer right there.

Roy Crabtree -- to do some of the lionfish collections that were proposed previously. And we've completed all of the programmatic NEPA analysis. So I think we're ready to move relatively quickly on that. The five state EFPs, this was a different sort of approach to a problem, but they were all issued around a month ago. And the five states are going to start fishing at various times. Most of them will probably start by this coming weekend, Memorial Day, and they're testing some alternative catch estimation techniques and things. And so that EFP was issued for two years and in the meantime, the council is working on a plan amendment that would set up a regional basis for managing the private vessel component of the red snapper fishery. The big stickler so far has been difficulties in deciding what the state-by-state allocations would be. So it's an approach that's a little reminiscent of things that have gone over on the East Coast of the Atlantic States Marine Fisheries Commission and we don't have the ability to do that in the Gulf of Mexico because the Gulf States Commission has no binding regulatory authority. So we'll see how all that plays out.

Dan Hull All right. Thanks for the additional information, Roy. And Glenn, just out of curiosity if people who are interested, are there also website links either at the Alaska Region or the Council on the EFP process in addition to the Alaska specific regulations?

Glenn Merrill Yeah. Mr. Chairman there is. There's a link on our website and I believe there's one on the Council as well.

Dan Hull Thanks. Questions for Glenn? All right. Okay. Thanks very much. That takes us into our Best Scientific Information and Cisco is going to provide us an update on that.

Cisco Werner Good morning Mr. Chairman and thank you for the opportunity to provide another update on where we are in the discussion on the BSIA. And this is a presentation that was prepared by Rick Method and others. Rick would probably like to make a presentation, but he couldn't make it so he apologizes for not being able to be here. Now I present it on his behalf and also relay his messages. This is a conversation and discussion that we've been having in various fora, not just here at the CCC but also at individual Council meetings. And the idea of this conversation or this discussion is to develop a document that clarifies the BSIA determination process. It's a matter of the conversation has included how and when BSIA is determined or decided, the various roles of the SSC in contributing to the final determination, and then also how the final BSIA determination is documented. And just looking at timelines most recently, perhaps but just over a year ago, we presented the BSIA framework to the councils. In May we provided a PowerPoint and a two-pager for comment. Later in 2017 we were able to discuss with various councils and sub-committees and we got feedback. Verbal feedback mainly and also requested for written comments that we received from some of the councils in the summer of last year.

And as a result of that, in February of 2018, we presented a revised BSIA paper that I believe everybody has. I think it was sent out in February and it's about a two-pager that incorporates many of the comments. And then focusing on a more recent timeline from last month also to looking forward to a month from now roughly. As I said we received comments from four of the councils, written comments. Rick

Method participated in the webinar with the Northeast SSC. He will do a webinar with the Gulf of Mexico SSC later, probably next month. And he was hoping to attend the Pacific Council Meeting but I understand we're trying to find somebody else to go because he may not be able to attend. And as a result of this input, and conversation, and dialogue, and discussion, we have this document that was distributed last February, or this February, and this document really presents a framework for how I think jointly between NOAA, NMFS, and the councils, and the various bodies of the councils, we arrive at BSIA.

The next five slides include comments that Rick and others compiled on the input that we've received. And, I don't know, I'm just going to propose that we can go through the next five slides relatively quickly. I think you may have had a chance to look at them. It gives you a sense of the comments that were there. And what I'm going to get at at the end is a proposal perhaps or a way forward that after these last webinars and presentations to the remaining councils, and also request for written comment. We will work on a final document that we would then present to the Council as a final document, hopefully in the fall. That's what we're aiming for. And so, as I said, I can go through some of these comments to give you a sense of the tenor and the flavor of them. And there will be responses to these. And there'll be additional time for comment, but I don't think we probably want to resolve these today. So I'll just go through some of them. Some questions had to do with how to address data-limited fisheries, how do we deal with information outside of a peer review assessment. And also questions about how internally NMFS makes decisions. Again this is one set of comments. There were other comments having to do with the assessment revision section of the document. How the revisions occur, when do they occur? And whether they're iterative. There's others having to do with timing concerns with SSC and NOAA roles. And I think this is one in particular where I think we worked so closely that these are pretty closely intertwined in terms of the SSC, including folks from NOAA and visa versa. So I think that that's a healthy and good conversation that happens. And the timing works itself out. And I'm not saying it lightly. I think it's just because there is so much integration in the conversation. There's matters about the NMFS representative to the SSC. Again, as you can see, there's a series of questions that are valid questions. But whether the framework that we present should go into that level of detail as a framework, or whether that should be left to the regional implementation or the regional description of how BSIA works, is perhaps the broader conversation that should be had or that we could have.

And again, this is the compilation of these five slides. And it's, just as I mentioned, a clarification about the regional documentation of the framework, how that would be done, the status determination and BSIA memos that are sent to the counsels, and so on. So again, rather than going through that, and maybe we can take those separately in discussion, what we would like to propose is that we welcome additional written comments by July of 2018. So let's see, we're in May, June, July, so two-and-a-half months from now, and that we present a final document to the CCC in October or the fall.

And again, the idea of this document is that it's a framework that really outlines the full process. Again, not in detail, but it outlines the various steps that happen from the stock assessment to the CIE or external reviews, to the Council discussions, SSC, to recommendations, and then ultimately, the archival of the document within, say, for example, an SIS, which then ultimately then results in the determination of BSIA. It's the full process that we present here in this framework. And again, since we've all had

this conversation before, I thought we would get to this point and then open for conversation and questions. And so thank you for the few minutes here. Glad to take any comments.

Dan Hull All right. Thanks very much now, Cisco. Let's see if the councils have questions or offer comments to you. So Chuck?

Chuck Tracy Thanks. So maybe just a quick question to start off here. So we've seen this white paper a couple times. And I guess, could you just tell us a little bit about what the fate of that white paper is? Is that going to be part of the policy procedural directive supplemental hierarchy? Or where's that going to land?

Cisco Werner Yeah. We had this discussion because it's an important point of where it's going to wind up. And the answer I believe is yes. It's going to wind up within the policy directive as a supplemental framework document within that policy directive. Correct. And I'm looking to Chris and Sam to clarify exactly where it is.

That's correct. It'll be a procedure under the policy directive system. We're going to talk about that I think later today. We're talking about that whole system. But, yeah. That's where it would end up.

Dan Hull Okay, others? Yes, Phil?

Phil Anderson Thanks, Dan. Thanks, Cisco. At the February meeting in particular, we brought up some concerns revolving around our salmon and framework management plan and the preseason forecast that're largely developed by our states and tribes. And the preseason process, from the time we get the preseason run forecast to the time we make decisions at the council table, is about, oh, eight weeks maximum, and it involves two different council meetings. And we were concerned about the level of review that would be needed under this framework for those preseason forecasts, given that they're largely, almost exclusively, done by states and/or joint efforts, between the states, in particular Washington, and our 20 treaty tribes, or actually 24 treaty tribes, that have treaty rights to salmon. And we had scheduled a call with Rick here just this last week that, unfortunately, he wasn't able to make. So we are looking forward to having that discussion with him and see how that specific situation might be accommodated within the framework that's described in the white paper.

And the reason I was thumbing through the pages here, because he did have a note exactly on that, and I think it reflects exactly what you said, that this is something that was raised by the Pacific Council that would need to be addressed in a revision. So yes. It's very much on his mind.

Okay.

Yeah. Thank you.

Dan Hull Any other questions for Cisco or does any councils have comments to offer? I see that there are still a few councils that will meet with or talk to Rick about this update before the deadline of July when you want to get comments back.

Okay. I guess, if there are none, thank you, Cisco.

Thank you.

So we are ahead of schedule a bit, and I don't want to launch into the next agenda item, so I propose we just break early for lunch.

We're about a half hour ahead of schedule. Why don't we come back at 1:15 and we'll resume then.

Okay? I'll see you at 1:15.

[music]

Leann Borsage

All right. Let's continue with our work today. Before Jennifer and Chuck present the Information on Policy Directives and Prioritization, I wanted to let everybody know that Leann-- and this is Leann's last meeting with the CCC, she's not off the Gulf Council but last meeting representing the Gulf council. She's very generously brought t-shirts for us all that are up here on the stage so that we can [inaudible] for the CCC family here, we so we can all become honorary members of her shrimp fleet .

Yeah. That's right.

And so yeah. So during the break-- so there are large and extra large sizes, long and short sleeve. so during the break, come on up and get one. And thank you Leann and we'll miss your participation here on the CCC.

Well thanks. Thanks for having me. Yeah, and that's one of our boats that's on the shirt. It's absolutely beautiful. I hope you love it.

Dan Hull

Absolutely. All right, thanks. Okay, we'll move into the Fishery's Policy Directive System and some of the questions that the CCC has had about that. Jennifer?

Jenifer Lukens

Yeah. Thank you. Thank you, Mr. Chair. We're doing a little bit of a tag team here today. I want to thank Chuck for allowing me to give you some background on the Policy Directive System or PDS, as we like to call it, as an introduction to his presentation. So I'll run through this and hopefully-- so I want to start off with a cartoon that someone gave me when I became the policy office director and I'll let you read through it as you want. But the next to last box is what I liked-- well, read out to you is what sometimes people think my job is. I ask around to see if anyone knows about a white paper that talks about a policy for developing procedures to create policies. So sometimes I feel like that's my life. But it is a poke at the bureaucracy. It's a poke at how we can get caught up in the terminology and the process. And it often causes confusion. You have, just throwing up all different types of names here, strategy implementation plan, white paper, regional action plan, roadmap, guidance. All these things mean different things to different people in different situations, is terminology and it causes confusion. Add to the fact that everybody's definition of policy means something different to everybody. I refer to it as a spectrum of everything from policy with a capital P from the political policy, where you stand on a particular issue, all the way to the other end which is, what is your administrative policy on time in attendance? So that's really a huge spectrum of what our policies cover in the Policy Directives System here. So I know, there is a lot of questions that come up as to what legality applies to policies themselves. Are they like regulations, are they like statutes, and as the lawyers always say, "The answer is, it depends." But generally speaking, policies are an agencies interpretation of a statute or a best practice. They can be binding, definitely internally. And generally they are not binding on the public. But when an agency deviates from a policy, we should really have a reasonable explanation as to why we may have deviated from our policy. So we're looking at consistency in how we do things.

So the purpose of the Policy Directive System is just to have the repository for all of our policy and supporting guidance documents. One of the main goals of it is to be able to be transparent on what our agency positions are with our constituents, and let them know how we are going to be conducting our business, and where we stand on a particular issue. Establishing written policy directives, really we do that to promote accountability within our organization for how we are, and also, consistency in how we manage things, and our science practices. And for the accountability piece and on consistency piece, it's pretty significant when you have an agency as large as ours, 4,000 people spread across the country. You don't want different ones saying different things to different people. So that's a pretty important reason why. And then, the last goal here of the Policy Directive System is to be able to make sure that all of our information in there is current and up-to-date. Now historically, PDS has not really achieved this last goal and I'm going to talk a little bit about that. But that's where we have been.

So the terminology again gets more confusing and when I came into this position, this system was already set up and I did not want to further confuse things. But it really confused me and I didn't understand the difference between the three types of directives that are in the system. There's a policy, a procedure, and a supplement. They are all directives. and they nest underneath of one another there. And I think the best way for me to be able to explain to you the difference very simply, is to use an analogy and my analogy is about cleaning a house. So pretty simple here but for a policy, it's a statement on how you stand on an issue, what your intent is, what your goal is on a particular issue. In this case, my policy is I want to have a clean house. And in my policy, I outline all those reasons why I think having a clean house is important. Now for a procedure that would fall underneath of that, that's really the instructions or the guidance on how you execute to get to that goal. So in this case, I might have some procedures for Bob there who's washing the dishes. I don't let him use the dishwasher because I don't trust it. And I want him to hand dry everything immediately and put it away. That's my direction to him. And Joe over there with the vacuum cleaner, he has to use a particular type of vacuum cleaner. I'm very picky, and I need him to do it twice a week. Okay? But what happens if you have something that's a little different. You need a little flexibility in those kind of restrictions. That's what supplements are. They are kind of adapting a procedure to meet a unique geographical, or if the a region needs something specific to execute, or a unique programmatic need. So that's the way they are tiered in the system. They're numbered. I didn't want to cause confusion with all of that. And I know I've oversimplified it a bit here, but it really is important to keep everyone in the organization on the same page for consistency and certainty in how we do business. So that's one of the reasons why. And that's me standing there like that if you didn't know .

It's almost like they're listening.

They are. Because they know what happens if they don't. Anyway Joe and Bob are good. So keeping up with the cleaning theme here, we've been cleaning house and revamping the Policy Directive System since I came into the policy office. It's been a very slow go from the beginning, but our goal was to update the requirements for what belongs in the Policy Directive System and what doesn't belong in there. Historically, we've been a little inconsistent in trying to provide more consistency there. We've created a standard format so that these documents are easier to read

and navigate. A template, but again with flexibility, because not all issues can't have the same template and format, but we try to provide some structure to it to make it consistent. We've also simplified the internal clearance process. And it was very complicated and twisted. But to simplify it, bottom line is all of the policies, all of the procedural directives in the Policy Directive System must go through our leadership council for review and comment and get cleared off by them. They go through our general council, and ultimately they're signed off by our AA. He has the final say on whether they go in the system or not, or she depending on who they are. And we've gone through this process now of updating the content and going through the entire system. There's things that were in there that were extremely old that were out of date. And what we've been doing is going through each policy directive, and with the offices where it comes out of, for sustainable fisheries in this case, are the policies that you all are most engaged with. We are working with them to update what needs to be revised, which make some significant changes to what's in there, what needs to be renewed, which are just minor edits or changes of dates or something. And then what we've really been doing is cleaning out what doesn't belong in there, and those are called rescissions.

So we've been going through this cleaning process since last spring, and long story short, we've greatly reduced the number of directives in the system. And we haven't developed any significant new policy initiatives since this administration came on board. We've incorporated this review of the Policy Directive System as a kind of compliment to the greater regulatory reform efforts that are going on in this administration. We've scheduled a deadline of September 1st to complete all of our revisions and for those that we can't complete by then, we need to come up with a timeline as to when we are going to complete them. So, we're working on that. We have total rescinded 72 policies, renewed two and revised one this far. We've had two new procedural directives, since last year. The first one outlines an interagency process and how we deal with the corps on maintenance dredging. And the other is a protective resources issue dealing with clarifying a nuance of the permitting process for a particular type of permit.

Currently, the number of directives in PDS has shrunk from 222 down to 149. That's still a really big number but we have a lot of people and we do a lot of different things. And they're all broken out here into the different subject matter areas. So that's how many we have - policies, or procedures, or supplements. We actually don't have a lot of supplements in the system right now. We only have about six, I think, in the science and technology category right now. So ones that are currently under development- two revisions and one new one. You've heard about all of these here earlier from when Brett gave you an update on cost allocation and electronic technologies. And Adam this morning was talking about the financial disclosure. So that's what's on the horizon that we're currently working on right now. And with that, I will turn it over to Chuck and let him give his spiel for you.

Can I have the--

Yes.

--[inaudible]. Thank you. Is it working? Can I use it?

Tech support.

Tech support .

Thank you.

We're all about service in the policy office .

Chuck Tracy

Okay. So, this topic I guess came up at our February meeting. Something that comes up often at CCC meetings how there's always a number of policies that Fishery Service is requesting input on. And it just seemed like it was getting hard to keep track of and - so I guess I better start at the beginning. And there's workload implications for the council so I thought it'd just be a good idea to kind of take a step back, see what's out there, and get a sense of what the priorities are for both NMFS and for the councils in terms of these policies. So some of what I got is a bit duplicative of what Jennifer just presented so I can skip through some of that. But there is some background information on the NMFS Policy website, so I pulled some of this information, just background information, on this. So again you probably heard this from Jennifer. The Policy Directive System is a repository for NIMS policies aligned for their widespread dissemination. There are three policies, procedures, and supplements. Again, there's a definition for each of those on the website that Jennifer's already talked about. If you go to the website, it's laid out with the policy directives and then there are subordinate procedural directives. The website doesn't really get into the supplements. So we'll want to talk about that a little bit. This is what I counted out from the website. Apparently it's not quite accurate either. But these are links. So if you want to go directly to the website, you can click on those. While there is a lot of policies here, not all are applicable to the council process. It seemed like about half of what was on the website were things that the council would care about and want to be part of that.

So in terms of the development process, first the needs are identified for a policy. And that can come from a number of sources from either an internal NOAA fishery service process, some priority from the administration, congressional direction. You can request some of these and presumably there's other public requests and whatnot. The development process, again, NMFS program offices are primarily responsible for scoping and drafting the policy directives based on their areas of responsibility. They coordinate the development with regional offices, science centers, NOAA GC, etc. The internal review consists of initial review at the program level, and then a leadership and general council review. Interagency review may also be required. And then input from partners of public may occur at the development stage or following review from leadership and NOAA GC. And then review occurs depending on any comments received.

So I've kind of used EBFM as an example here. So just a quick look at how things are developed-- the procedural-- so once the policy directive is adopted, the procedural directives came along. So that's the EBFM procedure 01-120-01. And then you get things like service instructions. So that's the EBFM roadmap. And you get other supplements like the Climate Science Strategy and Regional Action Plans. So most of these typically involve CCC and council review if they're of interest to the council or effect the council. And most of them require some-- or there's an ask for some council action or response on most of these policies directive, procedural directives and supplements.

I think Jennifer probably gave you a better, more current update on what's in development. But this was just sort of based on what we had seen from February and for recent input from NMFS about the financial disclosure and recusal policy. And the

procedures for review of those recusals. Adam mentioned hopefully a draft will be available for the councils to take a look at this late summer or fall for that one. For EM Cost Allocation Procedural Directive, that's obviously a topic here. We'll talk about that next. There will be an opportunity for council review in 2018 with the objective of finalizing it in the fall. There's a number of supplements, strategies, RIP-RAP, etc.. So that's regional implementation plans and regional action plans. And Jennifer went through quite a few other names that we kind of have to sort through and I guess that's one of the things that does make it a little confusing to us as in you know what are all these things and how do they relate to the policies.

But again, things we've heard about already. Bycatch Reduction Strategy. We've heard some updates from that from Sam already on what's on the horizon. But in addition to the national plans there's also a requirement for Standardized Bycatch Reduction Methodologies and FMPs to be reviewed and, if necessary, modified based on the updated policy. That date that that's due I think was five years from the policy implementation date of 2/21/17. There's recreational fishing, there's some regional action plans. There's discussion about developing those, some communications working groups for the allocation reviews. Again, council is supposed to develop a criteria for triggering reviews, that's due 2/27/20. Again, based on the implementation data the policy. EBFM - we heard some more about that, regional implementation plans with the comments mid-year with finalization by the end of the year. The Climate Science Strategy Regional Action plans - last I heard that most of those were completed. I don't know if there's still some that aren't that still involve some council activity there. Then there's some things that I kind of see as possibilities on the horizon. I'm not sure if these are all going to be policies or not but they're just kind of things to keep on the radar screen. The Electronic Monitoring Data Storage, I think we heard that that is coming down the road. Research Prioritization Process, we've had some talk about that. Aquaculture seems to be a big priority for the administration. I will note that there is an Aquaculture Policy but it's not in the Policy Directive System. So that's another issue, that it would be nice to kind of keep everything in the same place so we can find out what those all are. And I'm sure there's others but those are just a few that I thought I'd bring your attention to.

There's some other current initiatives that the council's going to be asked to comment on. The BSIA, we had a short presentation on that this morning. The intent that that would be coming to us for a comment this summer and the white paper finals expected this fall. We did also hear that that will be part of the Policy Directive System at some point. The Stock Assessment Improvement Plan - the council comments came in September 2017.

I think it's largely complete although I don't think it's been finalized yet. I don't think that-- from what I understand, that is not likely to be in the Policy Directive System. We've also had some requests for work on National Standard 1 Tech Guidance. So there's some workgroup activity in 2018 with intent for CCC comments in 2019. So again these may or may not result in policy development, but they will involve council input. So based on all this I put together a few questions that seemed relevant that I guess thought would stimulate some discussion here. So this is what the regional councils want to know. So what are the important distinctions between policies procedural directives, and supplements? Jennifer covered some of that. Are any of these policies codified? Which ones represent legal requirements or obligations of the council? Are all strategies considered supplements and therefore tied to policies? The website, again, seems to end with the procedural directive, so all the related

supplements aren't connected there. So it's hard to keep track of those things. And I think councils would appreciate having more clarity on where you can find those other things that we're expected to know and talk about. Then which of the new policies and procedures can we expect follow-on items like procedural directives? So we can start planning for that. Where do the other current and on the horizon initiatives fit in? And then, what are NMFPs priorities for the council and CCC input? A list of the current policies, procedures, and supplement activity would be a good addition to the website. So that would again help us track that and would help us assess NMFPs priorities and how we can fit that into our workload. And then, lastly, does NFMPs ever consider giving all the councils specific funding to help develop, review, or implement any of these policies?

And then the last slide here is just to remind NMFS what the councils want NMFS to remember. And again, my footnote down there says, or at least remind NMFS of since you've probably heard all this before. But just for the record, developing policy guidance is important and helpful to the councils. It's good to have instructions. It's good to write things down and to know where you stand and have a reference. So we recognize the importance of policies. So we're not saying leave us alone. And we appreciate the opportunity to assist in their development. They think it's important, obviously, things that affect us we want to have some say in and let you know how they affect us. That being said, the workload for reviewing and commenting on these policy directives and their subordinates is not insignificant. It can take up a lot of council time. It does take advance notice for the councils to work these into our agenda. So there's been times where the comment period or the desired feedback doesn't overlap a council meeting or doesn't provide enough lead time for us to schedule on a council meeting. The Pacific council's got a year at a glance calendar, looks at all five of our council meetings for the following year. We target five and a half day council meetings. Right now, September, November, March, and April are all over five and a half days of agenda items in those council meetings already. And that includes some of these comments on these policies.

But we really do need the lead time in order to schedule those into our workload planning so that we can address them. And when we do get them on our agenda, we need NMFS staff, we need people there that can help the council through them to brief not just the council but our advisory bodies also because we rely on their advice. And of course, they are the industry representatives and the scientists that implement a lot of these policies or are affected by those policies. And so we want to have their input as well, and so it's important for us to have those advisory bodies briefed as well.

Last couple - maybe I should have reversed them - policy can delay work on other agenda items. Again, something's got to give when you've got a limited amount of time and a lot of stuff to do. And then, finally, our stakeholders are generally more interested in fishery management actions and the council getting those things done, than they are on policy development. But again, that doesn't mean that these aren't important and that they can't help facilitate and streamline that fishery management work as we go forward. So with that, I'll take answers.

Dan Hull

All right. Let's see if we might have a room full of answers today. Yeah. Chris?

Chris Oliver

A general comment that I appreciate your presentation, Chuck, and to reiterate something I said, I think in February. In my previous career, I was never a big fan of

policy directives, and appreciate the impacts that they can have on the council. However, my thinking about issuing policy directives may have evolved somewhat .

I'll note that in Jennifer's presentation that if there was a rule that for every new policy directive developed there had to be two removed, you'd be way ahead of the game right now.

Yeah, unfortunately, those don't count at [inaudible], so. Sam tried, but he didn't succeed.

Dan Hull

Well, I appreciate both of your presentations. Open it up for questions or comments from councils. Chuck posed some questions that I think are relevant to us, and I'll start with one, and-- what's the distinction, or is there a distinction, between policies that have some legal requirement to them versus just best practices, and how do the councils determine that, or does the agency?

Jennifer Lukens

I'm going to look at Adam on this one to go beyond what I said in my presentation.

Adam Issenberg

So I think the policies in the Policy Directive System kind of fall into two groups. There's internal direction. There's policies where the AA is telling his staff, "This is what I want you to do." Right? And then, I think, more of interest to this group, is the policies that are really interpretations. Here's how we understand our authorities, and here's how we're going to apply our authorities. None of these policies-- it doesn't really matter. There was a question up there, or maybe it was in Jennifer's presentation. They have lots of different names, policies, guidance, all sorts of things. At the end of the day, they're all policies, and policies in and of themselves don't have any legal effect. No one can go to court and say, "You violated this policy, and, on that basis alone, the agency has violated some legal requirement." That said, policies reflect the agency's interpretation of some particular aspect of the statute, or some legal obligation. And so courts will often look at what the agency has said about its own legal authorities, and it'll look to the policies, and it'll say, "Okay, in this policy, you've interpreted this authority in this way." And even with a lot of these policies, they have a lot of facets. Some of them are actually saying, "Here's how the national [serve one?] guidelines, for example, that's more [inaudible], this is how we interpret our authorities. Some of them are more procedural, we think this review is a good thing, and here are some of the things you should think about when you're doing these reviews. But to get back to a point that Jennifer made.

Generally when a policy says this is how we interpret our authority, again, the court's going to look to the agency for an explanation as to if an action doesn't follow that policy, Why didn't it follow that policy? Is there record to explain why we did something different? And that may well come into play in litigation. So the fundamental answer is the policies themselves aren't legally binding. Internally, they're binding on the agency's staff, the agency's practices. Externally, they're interpretations, they provide guidance about how the agency is looking at things, and if there's a variation from the policy then generally it's helpful to have an explanation if we are sued on that, whatever that particular question might be.

Dan Hull

Thanks, Adam. And so it seems that part of the answer is you don't know unless there's a case to put that to the test.

Adam Issenberg

Well, if there were litigation, again, the litigation wouldn't address whether the policy was binding. It would address the agency's interpretation of the statute or the regulation. From the council's perspective, I mean, these policies are things that the

agency is recommending you do in order to comply with the various authorities and the relevant statutes, relevant regulations, whatever it might be that we're interpreting. And these policies they diverse so broadly in terms of whether they provide mandatory requirements. And mandatory not in the sense that they're legally required but in the sense that it says that this is something you should do as opposed to these are best practices for things you might consider or the ways you go about things. At the end of the day, I think what you really need to do is you need to look at the particular policy and see what the particular policy says about what's expected.

Dan Hull All right. Thanks. Other councils?

Yeah. Greg.

Gregg Waugh Thanks to both of you for the presentations. Now I understand why I'm having such a hard time keeping up with what I'm supposed to be commenting on. You mentioned service. What would be really helpful is to have a spreadsheet that shows the policies, those that are out for comment, and those that would require the council to do something by such and such a date. That would be extremely helpful to us to make sure we don't miss anything to comment on and that we're not missing any deliverables. If something like that could be put on that policy page that would extremely helpful.

Dan Hull Other councils? Going once. Chuck.

Chuck Tracy Thanks. Yeah, I guess maybe just to get one of the other questions in here about what NMFs priorities are for the council and CCC input. And I'm not expecting a direct answer now, but I think it would be good to kind of take a look at that list, that spreadsheet that Gregg mentioned, or something to that effect and find out what the most important things for the council to work on, considering that we're probably not going to be able to get to them all. So it would be helpful if we knew what was most important for you and likewise if you had would take our input on what would be most important for us.

Dan Hull Kitty.

Kitty Simonds I just want to say thank you as well. But if I have any questions about anything I call the lawyers. So Fred hears from me all the time. So I don't waste time dreaming, or thinking, or calling the region or the center. I'll just call the lawyers.

Dan Hull All right. Anybody else? Chris?

Okay. Thank you both for the presentations. I actually appreciate Jennifer, that you've provided us with a detailed description of this going through the New England Council's program review trying to sort through what's important in terms of policies and directives was something of a challenge.

So having this I think is going to be helpful.

Jennifer Lukens Thanks for giving me the opportunity. Thank you to Chuck for giving me the opportunity to walk you through the excitement of the Policy Directive System . It's rare that somebody wants to know about it. Thank you.

Thanks.

Dan Hull Thanks. And that takes us to a particular kind of policy directive.

Speaking of policy directive?

Allocation Reviews. And Alan is going to provide an overview and then Dave Witherell is going to explain how the North Pacific Council has developed it's allocation review process.

[silence]

Alan Risenhoover

Well, I thought maybe Dave would join me up here but he's drinking some coffee to stay awake . So we did start out with-- because this is an exciting policy, right? So we did start out flipping the presentations here where we thought it would be helpful if I gave a little bit of an overview of the allocation policy just to bring it back up in the front of your minds, and then Dave will run through the North Pacific work to that end. And then we can talk about any issues or problems folks are having. I thought it might good to start with the definition of what we mean by an allocation. Just at the offset here we have gotten several questions from councils around this and part of the good thing of having a policy is you can always refer back to that, right? We have a definition in there now of an allocation is defined as a direct and deliberate distribution of the opportunity to participate in a fishery among identifiable discreet user groups who are individuals. So again, that's just a quick overview on what we're trying to look at here.

What do I point that at? I'll just . Thank you, Dave. I'll do the same for you.

So, a couple things here, and if you remember back over the years, this is something we all agreed to do because some of the pressures we were getting on allocations. So we agreed to kind of a two-part process where the councils developed one of the policy/procedures and the agency developed the other one. So, you own part of the Policy Directive System because we took what you gave us and we put it in there. And again the purpose of that is so we have something to refer back to, a playbook. So we're all working of the same playbook. It looks like that allocation policy might have been a bit useful already to you. This morning, hearing about your comments on potential amendments to the Magnuson Act, the South Atlantic and Gulf noted that they didn't need to have this allocation review by the National Academy of Sciences that would cost upwards of a million dollars because we have an allocation policy and we're actively developing the triggers that would set that policy into motion. So I saw that as a use of the policy system directly there by the CCC. And I think the other purpose of this is the transparency it provides to our constituents. It gives them some sort of idea of yes we know there's an issue with allocation, here's how we collectively, to a certain level of specificity, are going to try to address that. So our goal with the first part of the policy that the councils did was trying to identify their triggers by August of 2019 or as soon as practicable. But again, there's no real penalty if you don't make that. I think that's something we can work with you, just we need a deadline.

So let's have a deadline to do that. That was the goal, was to identify these triggers. The councils would identify those triggers for their individual FMPs, not the agency. Those triggers would be then identified in a policy document or an FMP amendment. Again, transparency, certainty. The process would be part of something you already had going on. So we all know that the five, seven, year catch share program reviews. So if that was part of your review, that the allocation could be done under that, that's fine. Again, your constituents would know where that is. So many people already had a trigger built in. And we talked about two kinds of triggers. Kind of a general time

trigger, review these things every 5, 7, 10 years, or whatever, or an indicator-based trigger that the councils wanted to meet a specific need that was out there. And we wanted these all to be discussed publicly. Again, it wasn't the agency sitting in a room making a decision on when you needed to look at allocation, it was the councils doing that in a public forum so their constituents knew. So these are the broad recommended five steps. You identify which fisheries and FMPs have allocations that require a trigger, look at the objectives that you had when you set those FMPs in motion, discuss and decide whether a trigger does exist or if there isn't, what would be an appropriate trigger, document it. Again, transparency. And then let us know about it. And I think the important thing to remember here at step two is if you're setting some objectives in your FMP, it need something maybe that isn't only measurable but something that we are measuring. So that's an important step there. I'm getting better at that. But I went backwards.

Well, there's the problem. I was pushing the wrong button. So we need a policy for Alan on using this. So here's the slide that maybe-- it's in the Policy Directive System, so this is nothing new. Well, there is a new red circle on it that you have to turn your head sideways to read. But it shows kind of the three process steps here in looking at what triggers are out there, talking with your constituents about what those triggers should be, whether they're an indicator or time. You do a review and I think we'll talk a little bit more about how deep and how specific these reviews need to be after David's done, to look and see if your FMP objectives are being met. If they aren't, then revise and go forward. If they are, and that's the red circle there, if your objectives are being met, that your FMP had originally then maybe you don't need to do an allocation review. If they're not being met, go to step three and do some additional more in-depth analysis on well, is there a better way to allocate? What are the effects of that re-allocation and how you move forward? So again, if a review suggests that changes in allocation are not warranted, you go back to step one. And that's that red circle on the side that everybody is turning their heads to read. Let's try this again. And with that, I think we can move on to David's presentation or stop here folks. Have questions?

Dan Hull

Let's see if anybody does have questions just on the process since we're re-visiting from probably a couple years ago. And if not, then we'll go to David's presentation.

David Witherell

When our council looked at this policy when it came out in the fall of 2016, we came to a realization that: one, we might potentially have quite a lengthy list of fishery allocations that would meet this policy.

And two, that if we chose the indicator trigger route it could take all four years just to develop the appropriate triggers. And so, we got started right away on this, and I'll explain the process that we took. I hope you'll find some use in your own council decisions and how to approach this policy directive.

I took a course, believe it or not, in college on giving scientific presentations. I'm not going to tell you what grade I got in that course. But I do remember the professor telling me that if you really don't have much substance in your presentation, you really need a lot of flash. And so I've included some really great fishing pictures to hopefully distract you from listening to what I'm saying. And this picture here is appropriate here for Southeast because that's a sablefish longliner, and you can see the observer in the background making recordings. It's kind of a neat picture.

I worked closely with the regional office staff, Glenn Merrill in particular, to prepare a discussion paper that helped the council make decisions on what are those allocations that are subject to the policy and what type of review trigger should the council choose. And I'll walk through what that paper contained. By October, not only was the council able to approve a schedule for reviewing the allocations, all of the allocations that we have, we were also able to integrate our first allocation review within one of our limited access privilege program reviews, the Gulf of Alaska Rockfish program. And so I'll talk about that as well and some of the issues that came up when we did that. The discussion paper-- there's a link there if you want to go see the discussion paper yourself. It provided basically an overview of what the policy is, and the trigger language from the procedural directive developed by the CCC. It talked quite a bit about choosing the allocations that were applicable to the policy. We reviewed some of the pros and cons of different types of triggers, and in this case, we went forward and made some basic findings or recommendations to the council on how to proceed.

So the first thing was narrowing the lengthy list that we had of the potential universe of allocations, and we really had to focus on exact language of what a fishery's allocation is. And I put up just one sentence here, but there's a little bit more information in the policy directive about what is considered a fishery allocation. And we were able to winnow down a list of several dozen to-- I think we ended up with 10 in the end, and I'll show you those. But this required us going back and forth between staff and the council as we were winnowing down what that list of allocations were on a spreadsheet. And so here's our list that came out of the discussion paper that was suggested by staff. We had our seven limited-access privilege program allocations. We had two allocations that really allocate the Pacific cod TAC among discreet users, sectors in the fishery. Then you'll see in a slightly different color, we have our Halibut Catch Sharing Plan. And the reason why it's highlighted as a different color is because the policy directive applies only to those fisheries under a fishery management plan. And we don't have a fishery management plan for halibut because it's managed by international regulations, but the council manages the fishery. Well, I'll get to that.

The paper also includes pro and con review of what the possible triggers are, and this really simplifies what the six pages of CCC language was. And there are definitely pros and cons of each type of trigger. The public interest-based trigger really is an extension of what the councils do quite well and that's to get public input, and there are different ways to do that.

Obviously one of the pros is, it can be very responsive to any changes in the fishery. If there is a change in the fishery, we hear about it very quickly, and the fishermen are going to ask for a change in the allocation. Some of the problems that were identified was that it does kind of set up some expectations to the public that if there are changes and they testified to you that you should be looking into it, so it should trigger some kind of allocation review. It also is possible that depending on the composition of your council, you might never get around to that allocation review, depending on what sectors are represented on your council at a given time. So that we thought was a con. Now a time-based trigger is really the simplest way to go. You know when it's going to happen. It's guaranteed to be periodic but as highlighted in the directive, it's not really sensitive to what else the council is doing at that time. And I'll get into that a little bit when we look at the timing of future reviews. The other

possible type of trigger is an indicator-based trigger that is in many ways data heavy because if you hit a certain threshold that you've established as a trigger, then it kicks off a possible review of the allocations. On the con side of that of course, you might have set the wrong trigger level with your data and it never triggers a review. It doesn't necessarily mean that maybe you shouldn't have done that review to make sure that that allocation meets the current conditions, but it could be that you just didn't set the threshold correctly. The other con that I mentioned earlier was you can envision that this could be very, very complicated and take a whole lot of staff time to evaluate, and discuss, and decide what those triggers are just for kicking off a fishery allocation that really shouldn't be taking too much staff time anyway at that level.

We have had the challenge of coming up with indicators for our ecosystem plans and that has taken 15 years to develop. So in my head I was imagining a disaster. Our recommendations to the council from staff was that we had a list of allocations that appear to us to meet the policy directive, and that was also the recommendation from NMFS because we are working in a collaborative partnership with our staff at the regional office. And we thought, well under those LAPP programs we already do a deep dive into the social and economic impacts of the fishery of all the components of the fishery, all the sectors. And so we could incorporate the allocation review within the LAPP reviews that are required by Magnuson every seven years, by simply taking a look at these objectives, seeing if we need to change the allocation objectives, and then summarizing what those economic, environmental, and socio-economic impacts might be. Relative to the non-LAPP programs, it seemed to the staff that setting a time-based trigger was the most straightforward way to go. And if you went to the maximum suggested by the policy of every 10 years and you had a backup policy where if something really big happens in the fishery and seems obvious to those council members that you really need to take a closer look at the allocation, and you hear that in public testimony, well, you could always do that before 10 years went by. But at least you would have this backstop of having a look at your allocations every 10 years. Well, fortunately, the council realized that that was probably the most straightforward and easy route to go and would take the least amount of staff effort to do. The council bought off on that suggestion, and they adopted the LAPP review process with the modifications for those LAPP programs, and the 10 year timeframe with a secondary trigger of public input for the rest.

The next step in the process was to decide what the schedule for those reviews were. And so we kind of backed that out, thinking that, well, if we're going to do them every 10 years, how can we best get them done without -- at least in the first go-around -- having a real clash with our LAPP reviews that take an enormous amount of staff time. And so, for those non-LAPP programs, we decided to stagger it a little bit with a look at approximately 8 to 10 years out from when they were initially done. Our first allocation that the council looked at was the Central Gulf Rockfish Limited Access Privilege Program, and as I mentioned the LAPP program reviews already do a really deep dive into the economics and social economics of that program. And so, in the end, the LAPP review analysis added only another seven pages, and it only took the analysts a couple of days to put that together. But when we have all of our analyses and program reviews done, our SSC peer reviews all of those documents. We probably made a mistake, but we never gave our SSC an overview of the procedural directives and the policy directives to understand ahead of time, what it was we were asking them to do and what the yardstick was for whether or not that our review was adequate. And they took it on themselves to read the policy directive and the

procedural directive and, to them, they saw a mismatch because the policy directive talked about a very short analysis, and then the procedural directive had all of these very detailed methodology and scientific approaches to doing the evaluation and review of allocations. So they were at a loss. At the meeting-- I wasn't able to be there -- but other staff jumped in and said, "No, no, no, it's supposed to be short. Don't worry about it, folks." But I think the next time we do this we will have to educate our SSC on the policy a little bit better in advance. But if you want to see the LAPP program review, including the allocation review, I've got the link there.

So, just closing it out, we turn to the lessons learned. It was very helpful to get the list and use that language in the policy to really refine and decide on, together with your NMFS staff, what allocations meet the policy language. So that was useful. The biggest fear we had was going into this, is that we were going to look at 25 different allocations to review. And we were able to narrow it down, like I said, to 10. When we talked about the trigger types in my presentation, the council had a lot of questions from council members because there was a recognition that the council is an open and transparent process, and that we hear from fishermen at every meeting, and if there's a problem in the fishery and they want to have an allocation revisited, the council could adapt and at any time go ahead and initiate an allocation review. And I had to explain that looking at our council that we might, like I said, never get around to doing a certain allocation review just because of the composition of the council. I think the directive tries to get at ensuring periodic reviews to make sure that they stay fresh. I'm just warning you that it was the big question I had from the council. As I mentioned, it was very efficient to incorporate those allocations into our LAPP reviews. And lastly, I do think we need to resolve somehow the disconnect between the language of how deep of a dive to do at the allocation review stage. That concludes my presentation, Mr. Chairman.

Dan Hull

Okay. Thanks, David and Alan. I'm just wondering if based on Jennifer's presentation whether that question is resolved at all or not. They're having a policy directive theme the broader, I guess, statement to begin with or intent and procedure being the one nested under it that would naturally follow after you've done the step two of the allocation review. Am I understanding that correctly or is there still something to resolve?

Alan Risenhoover

Thanks, Mr. Chairman. I think we may need to resolve something a little bit. I was looking at lunch today that the wording in the policy directive in that fine level of detail review is mentioned in one paragraph under the economic review. It doesn't appear, I don't think, elsewhere, but we need to make that clear someplace. And if there is this disconnect that the North Pacific ran into, I think we can definitely clarify that. And that's part of as Jennifer said is we were supposed to be looking at these annually. We've kind of dropped off that process for a while. But that's the sort of thing that as we move forward I think these policy directives can evolve to make sure there isn't confusion but still have that transparency for folks that they know there's going to be allocation reviews at some point. I think there was a yes in there.

Dan Hull

Okay. Thanks. Chuck?

Chuck Tracy

Thank you. Thanks for the presentation. David, I had a question about your process to winnow down from 25 to 10. So I guess can you elaborate a little bit on how you were able to do that? Or were some of those allocations that get reviewed in the

specifications and management periodic process? Or what criteria did you use to decide that those 15 didn't need to have triggers identified?

David Witherell

Well, we actually built the spreadsheet that listed all the possible allocations along with the objectives from each one and how they allocated the TAC, by gear type or season, and how the allocation actually worked. And then I walked through each one of those with Glenn, essentially, and his staff and made some determinations of yes, no, yes, no, as to whether or not it met the allocation language. And since I mentioned really great pictures, I have to show you this one again because I missed it. I failed to mention that this is my boat that I built with my family.

Chris Oliver

Can we get the GPS coordinates for that?

David Witherell

That's my spot.

Chris Oliver

Yeah, I know. Hey wait a second. Where did that picture come from?

Dan Hull

Yeah. Tom.

Tom Nies

David, I apologize because I was too enamored with your pictures but how did you memorialize these policies? Just a council policy or did you make a change to the FMPs or how did you do that?

David Witherell

Good question Tom. The council made a motion adopting this policy and what we did was we sent a letter to NMFS capturing this policy to inform them that, yes we've made this decision. And we have a policy page on our website and just incorporated that there. So it's kind of memorialized on our website.

Dan Hull

Gregg?

Gregg Waugh

Thank you Mr. Chairman. Thanks for those presentations. Alan it was interesting that under this example of triggers you didn't have MRIP up there. That's our trigger. We've already done an amendment, done reallocations once based on changes last time MRIP changed. And the question really has to do with meeting the deadline. We're supposed to identify these triggers by August 2019. I was glad to see that it says, "or as soon as practicable." Because we're going to get four updated assessments in October to our SSC to the council in December, and that 's going to give us four species to start working on how we actually do reallocation. So our time may be better spent during 2019 actually doing the reallocations than identifying the triggers. Is that going to be a problem?

Alan Risenhoover

I don't think any of this is specifically required. But again, hopefully thinking about some of these analyses that you may do as part of that will help you get that done.

But there's no penalty if you don't make the-- at least that I know of -- that if you don't make the 2019 deadline.

David Witherell

Now you tell me.

Alan Risenhoover

I don't think we threatened you, did we? Okay. That's why you got the new boat right?. But I think it's something again. I keep coming back to the transparency where in the Gulf and South Atlantic there's a lot of talk about allocations. Having some certainty to those folks yes, the council is thinking about allocations and yes, the council is trying to target August of 2019 but we do have these kind of the MREP triggers coming from the side. I think that works as well.

Dan Hull Gregg?

Gregg Waugh And David, in terms of your allocations, do you allocate based on landings for all of them or do you have any other methodology that you use other than some years of landings?

David Witherell There are different pieces of that Gregg for most of the allocations. But most of them - at least the allocation of TAC - were based on historic data. Yes; historic landings or historic catches.

Dan Hull Any other questions for Dave or Alan? Did I miss somebody? Okay, thank you both. All right we are well ahead of schedule. Let's take our afternoon break. Come back in about 15 minutes? Quarter to or 10 to and we'll move on to the last agenda item for the day.

[music]

Dan Hull All right. Please come back to order. Sometimes I let the song go to the end. I like the song, don't get me wrong. Okay, the last agenda item for today is the research priorities discussion. Tom Nies is going to start with-- stems from a letter that he sent and an interest from among all the councils to review how research priorities are developed and what NMFS does with them.

Tom Nies Thank you, Mr. Chairman. I've been asked by Dave to give a little bit of an overview of how the councils develop research priorities and any issues that this review of how they develop research priorities identifies. As we all know, we're required by the MSA to generate research priorities every five years. We recently went through this exercise in New England and to be honest, we were not real happy with the way it went. We didn't think we did a really good job of it, so after it was all over, we said, "Let's try and review and figure out a better way to do this, so next time it goes more smoothly." So one of the things we did, and part of the reason I got not stuck but volunteered to do this presentation, was because we had already gone around and talked to all the other councils and asked them how they do their research priorities. So we had already collected all that information. And as we got the information from the councils, one of the questions that became obvious when we talked to the councils was, we said, "What happens once we do these priorities? Where do they go and how do they get used?" And one of the reasons we asked ourselves that question, to be honest, is because we were working to review the way that we did it internally, we said, "Let's not put a lot of effort into this if no one is using these priorities. If this is just a checkbox, then let's make this a very simple process. If they're really being used somehow, then let's spend some time to make sure we get it right." Given all the other issues that had to be addressed, we figured let's make the best use of our time. So we started that discussion, and what Dave asked me to do is just kind of quickly summarize how all the councils develop their research priorities. I circulated this through. Council members or executive directors may want to weigh in here a little bit if it seems off-base. All of the slides you're going to see are structured very similar to the one that I have here from New England, where I give you a short summary of the document, the process, and any feedback that we receive. I really won't spend any time on it, but the next slide in each case is just an extract from the relevant council's research priorities, so you can see how it looks, how it's structured, in essence. I'll show you ours, but I'll flip through them pretty quickly. So in New England, our research priority document is about eight pages. It's based on overarching needs. We organize it by FMPs. Generally, it's not prioritized at all. As I

told you before, our process is not streamlined and didn't go very well. We get input from the staff, all of our oversight committees, our SSC, our councilmembers, our Research Steering Committee. Eventually, it comes to the council. It took us forever to get this done. In part, because there were a number of staff changes as we worked on it. And what struck us is that we really get very little feedback, if any feedback, on our research priorities once we send them in. As I pointed out, we're trying to streamline the process, which is what got this started. This is just an extract from ours, it's basically like a memo format where we list things. This particular one is talking about fishery surveys. I think one of our most interesting research priorities might interest you though, and that is the question of whether CCC meetings cause great weather. In Saint Thomas, it really wasn't conclusive because Saint Thomas has great weather all the time. But then the following year, we got to Gloucester. Gloucester in May for those of you who arrived on Sunday noticed it was 45 degrees and rainy. When the CCC meeting started, it was 90 degrees and sunny. So this started raising our eyebrows and then we showed up in Sitka, where Dave told us, "Plan on being a duck for three days." And I don't even think I've got wet yet. So I don't want to put any pressure on Gregg but you seem to be the conclusion here. The next one is the Mid-Atlantic. There's is a little lengthier than ours. It's 12 pages. They do do an attempt to try and prioritize a little bit using color codes. They retooled their process in 2015 as I understand it. The SSC and the council approves it. They're much quicker than we are, obviously. It only took one to two months. The Science Center director really complimented the effort when it was done in 2015. But other than that, they seem to get very little feedback on it. This is an example. You can see the color codes listed as first priority or first and second runners-up on some of these. This is just one extract from their paper. The South Atlantic Council. This one is relatively short, six pages. It includes short-term priorities, longer-term research, and monitoring needs. It also addresses specific annual reports such as requesting a SAFE report. It's based in part on their SEDAR process and council needs. Their SSC reviews it and provides input. The council approves the plan for a five year period, as it says here. It's used to inform MARFIN priorities. They don't always get specific response on the progress, and if you look at some of their older research priorities and requests for specific annual reports, they make the same requests over and over. And my understanding is they've never actually gotten some of these reports.

So this is an example, an extract, from the South Atlantic's page. So you can see a little bit of how it's organized. Moving down to the Gulf. They're a little wordier than the South Atlantic, nine pages organized into broad areas. They do prioritize their research priorities. It's timed with a council five-year funding cycle. I think, as far as I know, they're the only council that really ties it into the funding cycle. But I could be wrong on that. But they're the only one that we made note of this fact anyway. They clarify long and short-term needs based on input from the council staff and once again they're getting this done in about three months. It's a little unclear to them how or if NMFS uses the list and they really haven't gotten a lot of feedback on it. An example from the Gulfs. You notice the priority codes where they have highest, second, third, and not yet prioritized. Caribbean Council is 11 pages grouped into broad themes not really prioritized. It's primarily developed by input from the scientists from the regional office, the Southeast Center, the Caribbean Council staff and their SSC. It's also informed by the Sedar. The Caribbean beliefs or feels that their priorities are really incorporated fairly well into assessment planning. They also get feedback at the council and SSC meetings. And this is an example from their page. Moving on to the North Pacific. This is perhaps the most, I don't want to say

advanced, but technologically advanced anyways. They have a 13-page spreadsheet plus a web-searchable database. They include priorities. They also track the status and origin of the priority and the source. It's good for tracking. The database is good for tracking. The spreadsheet is better for communicating with the public, probably because it's easier to use. But they may want to explain that. They do an annual update with most of the ideas coming from the plan teams or their SSC. They usually can update it in two to three months. The list is also sent out to researchers. Unclear how NMFS uses the list. And they also claim they get little feedback. Might be noticing a theme here. This is an example from the North Pacific from their web page I believe.

Moving on to the Western Pacific. This one is 12 pages long divided into 4 broad areas with the needs in priority order. Initially, they did it in 2009 but they updated it in 2013. It took them about nine months input from committees and the staff and the SSC. Their AP discuss the priorities annually. The Science Center was asked to give an update and then addressed. It's not clear to me if you got the update on what had been addressed. But it did inform the 2014 update. This is the Western Pacific's list. And then the Pacific, theirs is the longest. 82 pages with many broad areas. The needs are ranked into three tiers. The process is described in their operating procedures. It takes about six months and involves the SSC and the advisory panels before the council approves it. And it was last done in 2013. And I neglected to get feedback from them on how it's used, so we'll have to ask Chuck on that. This is an example from their page on one of their high-priority research issues.

So I think it's important to keep in mind that while the councils are doing their research priorities, these are not the only ones that are being developed. We all know that the stock assessments routinely develop lists of research needs that are specific to stocks. There are national-level grant programs that identify-- I don't know if they actually call them formally research needs, but essentially that's what they are, Saltonstall-Kennedy. Saltonstall, the SK grant program has priorities that are announced as well as the Bycatch Reduction Engineering Project. There are occasionally other projects that get circulated with NFWF on electronic monitoring and things like that. Some of the councils have research set aside or other collaborative or cooperative research programs that develop research priorities. And there are no doubt others. The others here is going to be addressed in part by Dr. Warner next to me where he talks about some of the efforts inside the agency to talk about research priorities.

So there's a couple things. The regional fishery management councils, I think there's a great deal of variability in how much effort we dedicate to generating research priorities and creating and updating them.

I think the version that was distributed said little NMFS feedback, this version says variable NMFS feedback, there is at least one council that does think they get pretty good feedback on their research priority. Many councils are unclear about what happens to these things. Once we send them in, do they influence anything? Do they influence science center budgets or any other programs? And as near as we can tell, it doesn't appear that these directly inform national grant programs such as the SK program, and BREP, and those types of things. When those programs are advertised, we always get a request to comment on the priorities and the areas of emphasis and everything, but it's not clear that council research priorities formally go into

developing those programs. And so that ends my overview. Dr. Werner is now going to discuss I think some of the other programs that are involved.

Dan Hull

All right.

Cisco Werner

It's not up yet. Oh, there we go. Okay. Thank you. Thank you, Mr. Chairman and thanks, Tom for the presentation. And what I'll do is provide a response, but actually perhaps also shed some light in terms of how we set priorities and also in some ways maybe implicitly the priorities that the councils set is included in some other decisions that we make. And that doesn't mean that some of that process should be made more explicit in terms of how we do that and have perhaps a more open discussion and understanding of how we include them. Thank you. And the way I did this was in consultation with all the science center directors and the Office of Science and Technology. And so we had a discussion about the presentation that Tom just gave us. And I thought I'd start off with perhaps the bottom lines first and we concur that there has not been a systematic process whereby councils receive feedback from NMFS on the council's priorities. And again, I'm speaking from the science side. And we concur that with the need and the benefits of formalizing such a process in the priorities definitions. The second point is where this implicit, yes, we are considering the council's priorities concept comes in. And so we should build on the practice that NMFS staff already participate in many of the council's discussions on priorities through membership and management teams, SSCs, advisory teams, etc. And so hence we're aware of these priorities. And just a little aside here, the science centers have embarked in various degrees of progress in setting priorities through a process that we call priority based resourcing that I think has been explained or presented to councils over the past years where we basically create a list of activities within each center, normally each center lines up with about 120 activities, and we rank them in some way. And we rank them based on around seven criteria. Is it a mandated activity? Is it something that only a particular center can do? What's the impact on stakeholders, the impact on communities that depend on it etc.? And in that discussion when we rank them-- since the ranking is done in a relatively open and transparent way within the center the input from, again, item number two here of NMFS staff who are in the councils, that understanding of what the council's priorities are does form part of the decision process that in the end results in our ranking. Just to conclude on the ranking. The ranking would normally say, we have 120 activities, and the budget is so much, and then you have to make decisions on what's above the line and below the line.

And so that discussion of the priorities and that understanding of the council's priorities as well as other bodies priorities does come into the discussion with it in centers. And while I say that it's there, I do again admit that it probably should be more explicit in terms of the conversation with the bodies with whose priorities we're trying to meet in terms of how those priorities were included in the decision.

And then that third bullet there basically says that there's many different priorities that we try to look at. Councils, our own priorities, regional offices, commissions, and other bodies. And so this expands the-- perhaps a call for this broader discussion to say a lot of these bodies/entities share some similarities and I'm suggesting perhaps even a consideration of expanding the discussion so that there is more of a cross-talk of their priorities, particularly when we're getting to the point where we're all facing the same challenges in terms of making ends meet. And so if we can understand what

it is that we consider priorities as we're trying to balance our budget or make ends meet that would even be more beneficial.

So the next three slides all I'm going to present is summaries of responses from the science centers to the points that Tom brought up. If I go to the next slide, four science centers here. Northeast, Southeast, Northwest and Southwest basically had the same statement. And one is they feel like there hasn't been yet a formal or they have not been formally approached for comments from the council's priorities. They put five years priorities but they could be in a different cycle. So there's a statement, "Hey we just really haven't been asked," and I put a caveat there that there are several new science center directors there so there may have been a request in the past but the Northeast, Northwest, and Southeast are brand new and they said, "Well we just haven't been asked." The second and third points I think I've already made that they all said that they feel that they do understand council priorities through their staff participating in the various council bodies. And again the third bullet is this one that they all said that it would also be better if we could broaden that discussion to include various group's priorities. The next one is from the Pacific Islands. And what their response was that prior the current five year research priorities under MSRA - and I'm looking at Kitty and others - that they hadn't been approached but now they have been. So the statement from Mike Zecki, was yes, now there was a clear reaching out and during the current plans drafting the council and Pacific Islands reps met to align council priorities with PIFSC activities, clarify expectations, what PIFSC could or could not deliver. And he concluded in saying that there is-- I'm not sure if it's a regular check-in or a more regular check-in than had been before. So I think that this is one of the Council Science Center pairs where there is a little bit more discussion.

And it's common that [crosstalk]--

Let's go through the presentation--

--okay, sorry.

Let's go through the presentation and then we'll open up to comments--

I might forget. I might forget. Okay, all right, I'll write it down.

The one from the Alaska Center. This is from Doug DeMaster and others that he said that in February of every year the Center Director presents a state of the center update to the Council and, in particular, at the recent one, 2018, Doug DeMasters, the center director, said that the current list of activity - and he kind of put 140 but I think it's on that order - was just simply hard for them to understand. But they are aware of them but again, it's something that as you see, the next bullet he says he requested a subset of priorities along the lines of - and I'm quoting now from his emails - "What should be the last few research projects funded before we turn out the lights," in Doug DeMaster's words. And I believe the last point that I believe that the SSC is working on it but it was only February so they haven't been able to come back to that request. And I just put this in here-- in part, Tom's presentation alluded to this of how the process works. It's a pretty advanced-- as you said technologically and also the discussions at the Council apparently reviews annually the research priorities not just on a five-year cycle at a single meeting.

The priorities list right now in May there were 168 entries in those spreadsheets and I believe that there's an agreement that perhaps that should be whittled down to a top

10 or so, or some discussion like that. I just want to draw a parallel here in terms of how research priorities are defined here versus how we might do them at science centers. There's still a ranking of what's important and in this case, they're either critical, strategic, urgent, or important. We do the same thing at the science centers and it would be perhaps interesting to see how they match up or how they would change as we understand each other's list. I said there's probably about 120, 130 priorities, I'm sorry, activities per center. That's in the ballpark of what the Council's listed here. So there are a lot of them but we understand the magnitude of the problem on both sides. And then, I think the last point here is that following the June meeting, then this is a standard step that the North Pacific Council takes, which is that the updated five-year research priorities are forwarded formally to the Secretary of Commerce and the Alaska Fisheries Science Centers as well as research and funding entities. So this is distributed amongst a group and I guess you get varying degrees of feedback from that.

And so the last slide is possible steps in terms of how to bridge these gaps. As I said, formalizing the discussion and perhaps the definitions. There's a straw man of definitions at least in one Council but there's others. It should be something that we do while also taking advantage and building on the fact that we do have various fisheries staff on the Council bodies. Should there be a formal request yearly? And I put it in brackets. Should there be a formal yearly request from Science Centers or perhaps more broadly with regional offices to comment on those priorities? That could be another step that we take. And it was said before that we all have a lot on our plates already, so do we want to add something else to the list? But it could be something that maybe the first time it's difficult, and the second time and third time gets easier. So we could fall into a process where after the first go, this provides a natural conversation. And then finally, whether we - NMFS more broadly - should provide a written response to the council of research priorities. Possible actions, in that case we would identify how those priorities are reflected in the actions and the decisions that we made, which is sort of that last bullet statement of or research priorities and how that relationship between the two resulted in the activities that we took on. So in summer, I think we're largely in agreement. And I just added a little bit more to explain what our process is, and I think I'd leave it at there and open for also comments. Thank you very much.

Dan Hull

Al right. Thanks Tom and Cisco. Kitty before you forget.

Kitty Simonds

Right. I'm getting up there, you know?

So I wanted to comment on ours. Can you just take it back to ours. I think that we begun to solve our problem in the Pacific. But our five-year research priorities are submitted at the same time as our grant. So we do everything all at the same time. But we do annual, and that's the one that we send to the Secretary of Commerce, I guess, and we don't hear back. But annually, we review with the teams and everybody. But we have not been in sync with the timing of the centers on whatever they send to you folks. We've met and we've changed our system so that all of the groups will meet before January of the year. And the council's March meeting, that's when the council will see the priorities annual. And then we'll send it to the center. They will look at it, and then they will add it to theirs. And then it will come back to us to review, and then we send it back to them. And they send it off to you all in May. So as far as annually is concerned, we've worked this out with them, because it was, well, frustrating. So I think that we're good.

Dan Hull

Yes. Cisco.

Cisco Werner

Yes. Thank you, Kitty. You bring up a very good point about being in sync and the timing of this. And I neglected to mention that the way that we do it in the science centers is that we wait roughly for the president's budget to come out, which is a first indication or roughly where we might be headed, fully realizing, that there's mark-ups and all to follow. But that's when we start our process of the activities list and what we think might be coming.

It also gives some sense of administration priorities and not just budget, but just the priorities that might be coming. Again, the science centers try to finalize their first cut at their prioritization roughly in the same time that you mentioned about May. So if we take the announcement of the president's budget as sort of the starting point, that could help us be in sync.

Right. And then we're in sync with you.

Dan Hull

Questions from other councils? Who did I miss Chuck?

Chuck Tracy

Thank you. I maybe just to go back to Tom's presentation and clarify where we're at with our process. We are conducting our five-year review now. I think we'll have a public review draft out in June and finalize it in September. Their recommendations come from our stock assessments. There's a list kept with that. We have STT concerns identified in our annual management process. We have methodology reviews that are regularly scheduled for each FMP, and then we have periodic program reviews like EFH and [inaudible] review and those sorts of things where research needs are identified. And so we kind of track them and put them in our document. As Cisco mentioned, we do get a lot of participation from NMFS science center folks on our SSC and on our plan teams. So I think we get feedback in that regard. We do get a look at your science center's list of research priorities for the year, and they do note when a particular topic is one of the things identified in the council's priority list and how it's, listed, what the priority is, and those sorts of things. And we don't always make the top of the list. But there's usually a few of ours on the list, so we get feedback that way. And then we can interact with it. And of course, the agencies and the science centers are always welcome to submit a report on our council agenda items when we do the research and data needs documents, preliminary and final. So that's what we get, we get feedback that way. For a while, we got some requests for letters of support for some projects that were going in for requests for funding. And we actually did write a couple letters for things that were high priorities for the council's research and data needs identified there. And some of those projects got funded, and we became very popular. We got a lot of requests for letters for a while. We had to quit doing that, just because we couldn't fairly do it for everybody. But we do tell people, though, we don't do that anymore, just because, again, it's not fair. But we do tell people to use that document and to pick out things in there and identify those in your request for proposals. And I think people appreciate that and have used our document in that regard - The science center folks, or other scientists that are addressing needs identified there, so.

And then I guess maybe just a couple questions. One, I guess, for Cisco, is there a headquarter's national prioritization process for funding research? And do you guys use the council's documents in that process? Or, and maybe just more general, what is your process for sort of determining what's a priority on a national scale?

Cisco Werner Thanks, Chuck, for the question. Maybe . Excuse me. You received the president's budget, and then from the president's budget, the mark-ups etc. etc. And those funds then go to, I guess, centers and regional offices. So that process you understand. The process that you're asking-- or you're asking if --the next question is, are those decisions affected somehow by council needs and priorities?

In the past.

Chuck Tracy Well, actually it's more-- I mean, I think I understand the regional process. I was just wondering what the headquarters' process is for weighing in on those. And yes, does the council prioritization come into that?

Cisco Werner Having my boss here, I think I should probably ask Chris if you wouldn't mind, for how we--

I have not had that explicit process yet. But I suspect it's something we need to further explore.

Again, In terms of understanding the regional priorities and folding them into--

So maybe the better question is then, does it start with the region and build up to the national, or does it start at the national and flow out to the region, in terms of prioritization?

Well, so the final budget comes-- as you know, the budget comes in, in terms of when the final mark-ups come. And then we receive the budget and the various lines, the various PPAs and such. And then once we have that, then those decisions are largely left at-- then they happen at the regional level in terms of the priorities of the centers, the regional offices. In terms of how they see the immediate needs that would be reflective of perhaps emergencies, or things that happened locally or, again, directed activities that we're asked to take on. In terms of higher up, again, I'm looking at-- I don't want to take any missteps here in terms of how headquarters decides that other than, you know, it's a process that we get the direction from Congress in terms of where the various lines are appropriated, and how much is appropriated in any one particular year.

Anybody wants to add to that? You don't want to go there. Okay.

I was just going to say--

Dan Hull Tom?

Go ahead.

Who wants to go?

Chris Oliver I guess I'll just repeat. Since I've been here we haven't engaged in that explicit formal process, but I'm hearing this discussion, and it sounds like it's something we need to further contemplate, figuring out a way to do.

Dan Hull Tom and then Kitty.

Tom Nies Chris's comment might have shortcut my question. My question was going to be when we send in these five-year reports that are required by the Magnuson Act, what happens to them? You know, is this just a-- I understand it's a congressional requirement that's in the statute that we do this. But do they just go in a drawer somewhere? Or do they get fed through to somebody who actually looks at them and

farms them back out to the-- I mean we provide them to the science centers in the regions, but I don't know if Cisco, if that's a question directed to you or, or maybe Chris has already answered it. Which is, at present, nothing really happens with them, but it's something we need to look into.

Cisco Werner

I don't know, but we'll find out.

Chris Oliver

And maybe I'll take a stab, and this is just a-- I presume this information, first of all, doesn't just end as somewhere and not used. I mean, I think a lot of this does probably is discussed in OMB. I presume this information does get to office of management budget in terms of what priorities there might be, and perhaps also is something that is that various congressional offices or staff might wind up learning. But I'm probably speculating a little bit here, but I assume this information does make it into the broader understanding of what the issues are, and a broader discussion. But, I think we'll follow up with what you said Chris, is we should find out exactly how that information trickles through the various--

Because I don't know exactly what happens to them when they go to headquarters, but I know they go to each of the science centers. For example, I know our five year research priorities in the North Pacific went to the Alaska Fishing Science Center, so. And I know, I'm trying to remember if they've reported back to us, sort of that feedback loop on what research they've done that comports with the priorities that we submitted. Maybe, Dave, do you know if there's been such a feedback loop? And perhaps there should be, but I know they go to the center and presumably have some influence on their research program. But this is a very good question and something that needs obviously a little more attention on our part.

Sam Rauch

And again, if I may, as I mentioned because the staff is so part of the various bodies.

Perhaps it's an implicit subconscious decision and understanding of how we prioritize. And we understand what the council needs, we understand what assessments have to happen. And so that conversation which in the center starts at branch divisions, and then goes into the division level, and then it goes into the directors' offices, that information does trickle up by understanding what it is that the-- what needs to happen this year. Is it this assessment, that assessment, this observation, that observation. So it's there but what's missing is perhaps the feedback to the councils that that need did actually come into play in our decision making.

Dan Hull

And an understanding of the process by which the agency is taking it into consideration. Chris?

Chris Oliver

Yeah. And I'm trying to think back Dave or Dan to the process that we had developed. And our SSC has been very involved with and Jen Armstrong was working on that, for lack of a better word, the electronic database. And I seem to recall this was in the process when I left but there was a column related to that feedback question and maybe I'm mistaken about that.

Well, if the database was used correctly, it's open for SSC members and staff to update it when researching that that addresses that research part it gets done. So we have a call that might say research is underway that partially addresses this or/and give them a link. But it's hard, we found it very difficult to keep that database updated. And particularly it's hard for council staff who are most likely to do that to know necessarily what research is going on. So that's one of our challenges.

Dan Hull

Kitty?

Kitty Simonds

Well, I was going to say that Chris is new, you're new, Sam has been acting on and off for years . And so I would assume that you would know what happened in headquarters. I'm surprised you didn't pass that onto him, Chris. I mean, he was the person .

So, hello. You don't know who you--

You made a bit note in capital letters to follow up on this .

Well [inaudible] Cisco. But we're talking about the past. But Cisco, you were in charge of a center. So did the headquarters send the Pacific councils document to you?

Cisco Werner

The document that was referred to was last completed in 2013. It's the one that was I think your last formal five-year plan. No. I didn't go through the document. But again, I assume that because we set the priorities based on understanding what you needed and we needed to meet assessments and surveys to meet the assessments and so on. Again, it wasn't implicitly included. I'm repeating myself but we didn't say perhaps itemize the list of priorities that you have and responded that way. And that's what I'm suggesting, that's what I suggest on my last slide that perhaps that's something that we should do. So we do come back to you and say, "We understood the priorities and this is where they ended up or unfortunately they didn't end up because we had to make a different decision."

Dan Hull

Chris.

Chris Oliver

I'm pretty sure Richard Merrick knew and he forgot to tell Cisco.

Dan Hull

David.

David Witherell

I think this question might be best directed to Cisco. Under climate change, we tend to see more dynamic ,unexpected and rapid changes occurring that require what I would call emergency science. And several things have happened in the North Pacific, but certainly the Atlantic has seen similar things happen as well. How much flexibility do the Science Center directors or NMFS have to be able to change direction and address that—to better scientifically understand that dynamic change that could rapidly occur and was unexpected? For example, if we needed an emergency bottom trawl survey in the Gulf of Alaska this year to see what happened with cod. I'm kind of curious to know if there's any flexibility in the system to be able to address those emergency science needs.

Cisco Werner

Yeah, thanks for the question. So the way we would make decisions on what we do, and I'll just give an example.

While I was still at the Southwest, we knew we had to do certain assessments. And they had to be completed on a certain schedule to meet the assessment schedule itself. One of the things that we did was we changed the way that we did the assessment because we realized that, say the conditions, the warming in this case that you're talking about that happened in the North Pacific, likely shifted the species or shifted the timing of the species. So we had a little bit of latitude in that. So we were able to do that. And in fact when we compared between two years of doing it the way we normally did it versus doing it the way that we thought we should do it because we needed to adapt to the new conditions, we believe it improved the results. So we have some flexibility there. In terms of the other flexibility that we have

is perhaps trying to measure additional things. Trying to do a little bit more process studies so that we understand what's happened. That's a little bit harder. That's something that we can do only if we actually meet perhaps the mandated things that we need to do, the necessary assessments to do the mandated assessments. So there's a little bit of flexibility but we still need to work within our schedule of activities. And we've learned from the process in terms of how we could do it. So I think that, like you said, the Northeast, the North Pacific, the Gulf, we've all seen extreme events or things pop up and I think we realize we need to be nimble to this within certain parameters.

Dan Hull

Yeah. John.

John Quinn

A follow up as part of Tom's presentation also included the priority setting for the S&K grant and others. How will those priorities set? Because I assume that national priorities-- what's factored into setting those on an annual basis?

Okay, I am looking at the desk if I could get some help in terms of how SK priorities are set?

Brian Pawlak

So, we put them out in a Federal Register Notice, or I think it's Federal Register Notice when we do the request for proposals. It is something that we set internally. Chris and the rest of us meet and talk about in any given year what it should be. What we should look at. We take a lot of things into account. The council priorities-- that's actually where [inaudible] science came from was-- Kitty asked me awhile ago, "What did I do with hers?" And I created the [inaudible] Science Initiative. That's what I did. And that came through the SK priority. But that's the kind of thing that we look at to do that. And recently we've incorporated aquaculture in there as an issue. But we look at what are the important issues for us that would benefit from external-- because the SK is largely external, that external grants would help. Get something that we do directly. And then I'm going to get help .

So [inaudible] would primarily drive the parties there to promote legislation [inaudible] what is supposed to be done for development to promote and development of fisheries. It's really the driving -- it's actually behind the changes in the policy lately or slight changes in the priorities and [inaudible] development and political [inaudible]. We've had a lot of criticism lately that this SK program has not been focused on promote and develop. There's been some [criticism?] that the sciences, or biological sciences is not really what SK was designed for. So we went through the [SK19?] SK [inaudible], which will probably be released tomorrow. [inaudible] shorter subset of priorities. One's going to be focused on [inaudible] bigger focus on to promote and develop, which is actually kind of marketing. We can't fund specific marketing budgets. How would you promote and market? What would be a marketing act around [inaudible]. We're also going to see science and fishing opportunities but we were specific in that [inaudible] for maximizing fishing opportunities is focused on opportunities for building jobs, creating revenue. Again, putting it back on the economic [inaudible]. Originally [inaudible] development count and makes it a science for that promoting jobs, science for marketing, science that shows how you could increase revenue.

That doesn't exclude this from biological science but if you're doing biological ecosystems science, bycatch reduction, that kind of work, it needs to connect and link to the economic growth [inaudible].

[inaudible] great biological [inaudible]. A new focus on my team, it should be released tomorrow, will be on [inaudible]. At least [inaudible] then reduces and draws a link to the ability to promote and develop [inaudible].

At that large a change for this [inaudible] focused and maybe put some [inaudible] state on concern that [inaudible] for how SK is being used. So the political legislation is [inaudible] science for the last five to eight years.

Sam Rauch

Thanks Brian.

If I could reiterate, one thing is we do seek input from the councils. There was a request in March. An email went to the councils requesting the council's input in the priority-setting process.

Tom Nies

Yes. We all commented.

Yeah.

Dan Hull

So maybe following on John's question, are there other ways that the council's research priorities could inform other national grant programs? Is that a possibility?

Tom?

I'm getting the elbow from Cisco here .

Tom Nies

No. All right. So yeah. That's a question that I asked in a presentation. Is it feasible for these grant programs that applicants can be asked, "Does your project address a council priority and which one?" And then that can be a factor when it's evaluated. I mean some of our priorities relate to promoting and developing the fishery. And it seems like if someone is applying to an SK grant program and that's an issue if they can show that their project specifically addresses a council priority maybe they should get a little bit more weighted than someone who isn't addressing a council priority. I mean, that's our council's view. I don't know if other council's think the same way and I don't know if the programs really have an opportunity to do that.

Dan Hull

Cisco.

Cisco Werner

Yeah, and I'll echo it, in that if there were an alignment of priorities within something like SK, but again, how those priorities are set is more complicated than just looking at regional needs. But if there were an understanding of regional needs, and that's the science centers, the councils, the regional office, and if that could be reflected in grant programs and such, I think that would help everybody.

Dan Hull

Any other questions or comments for Cisco or Tom? So I think the main-- I'm glad that we brought this up on our agenda and it's been a good discussion. I think the question for the CCC is whether the steps forward that Cisco has identified-- if whether the CCC believes those are adequate, whether there is other specific things to identify, and whether the CCC wants to make this a more formal question for the agency to come back to us and identify the process by which research priorities are considered by the agency. And so I want to make sure that we don't just leave this agenda item hanging without some understanding of what's satisfactory for this body.

Chris?

Chris Oliver

I'll just reiterate, Mr. Chair. I'll be happy to hear further discussion or suggestions. But from the discussions we already had, it's clear to me that we need to confer amongst

ourselves and develop some type of more explicit, formal feedback mechanism to all of you on this. So we're going to do that. But any further explicit suggestions you have in that regard, we're happy to hear.

Dan Hull

All right. So perhaps, for now, anyway, we'll leave this as a potential action for tomorrow if the group, if there are particular councils that feel that we ought to have a letter of some sort or some specific bullet points to provide Chris and the agency so that there's a clear understanding, based on our exchange here, about what's the outcome of our discussion on this agenda. Instead of trying to write a letter on the fly at the afternoon on Tuesday while everybody's staring out the window at a sunny day . I'm jealous because I can't look out the window. Any other thoughts on this agenda item, then?

Kitty?

Kitty Simonds

Well, it's not about this. But it is about research priorities, so I thought I'd wait until the end.

Dan Hull

Okay.

Kitty Simonds

Okay. Well, at the last meeting I think I mentioned that our center does not have a tuna program. And tuna is the fishery in the Western Pacific for the United States. So what we're developing, the staff, is a pelagics program that SSC is working on right now, a subcommittee. And we're going to be taking it to the full SSC and the council. And so this would be listing what we think-- the tuna projects that are important. The large tunas are assessed in the international commissions, meaning bigeye and yellowfin for the most part. But we have other tuna issues and pelagic issues, species that we'd like to see stock assessments for. And one of the things that we've always asked for is, "Where does our bigeye come from that our fishery catches?" Because people know where skipjack comes from and all the other fishes, but it might be important to us in terms of the international commissions on where this fish comes from. In terms of where all the fishing is taking place. We could be negotiating for different things out there. So I just wanted to tell you all that-- and I have talked to Mike [Zecky?] about this. They simply have no scientists working on tuna except for one. That's Keith, and he's very busy with all sorts of other things. So I'm not going to be asking you all to fund this entire program like we have had in the past. But I will be looking for other funds to help fund this program. And I will be working with Mike to see what are the kinds of things they can accomplish for us. Which led me to my other question that I asked you all is how much money do you all spend for the Atlantic HMS? And it's not that I want to take money away from the Atlantic HMS, but we're kind of an important fishery out there. We are number six in terms of value of ports. We supply over 50% to the continent of yellowfin and bigeye. So maybe you don't really know all of these things about us that-- I'll send you some bullets. But I think that I would like to have a conversation with someone sometime about monies that are spent for pelagic research in the Atlantic and the Gulf as opposed to the Pacific. And my last thing is this. Your status of the stocks? You need to remove bigeye because bigeye is not overfished. This is a mistake and this is going to the whole world . And what did I say? You guys are always making us look bad. So please, in your next iteration, would you please remove it? Thank you.

Dan Hull

All right. Thank you, Kitty. Dave?

David Witherell

Kitty, it would seem to me that developing a list of research priorities specific to pelagics that identify those research issues you need to resolve to adequately manage

your fishery, is the first step. And then you know the scope of that research and you can probably generate cost estimates from that.

Dan Hull

Kitty? Okay, anybody else? Right. That concludes our work for today but I'm going to let Dave provide some of the details for our evening event to make sure everybody's on the same page and on the same boat.

David Witherell

So the Allen Marine catamaran is going to be tied up right here in the same dock that the fishing vessel was yesterday. Boarding is at 5:15. Do not be late.

If you're not on board by 5:25, the lines will be cast and you will be standing on shore taking pictures of us having a good time.

I know somebody's going to forget your ticket so don't even worry about them. Just show up. I know it's you. They'll have a clicker to count to make sure that there's only 100 people on board. And if I don't recognize somebody trying to get on board, like it's one of the tourists sneaking on, they might have to go for a splashing .

Your tickets are on the back side in here, labeled, just so you remember.

But if you forget it, that'll be fine. We know who you are.

Should be decent weather--but

Dress warmly.

--it does get colder on the water. But it'll be a fun evening. So we'll see you no later than quarter after 5 .

[music]

Date:

Day 3: 24-May-2018

Dan Hull

All right. Will CCC, please come to order? Good morning, everyone. And to begin, I want to thank Dave and his staff for putting together the cruise yesterday evening. That was quite a lot of fun. Good weather, a little bit of wildlife, and I think everybody had a great time. So thanks, Dave, and thanks to Shannon and others who put that together. One other note for folks, there are still some Bosarge Boat company T-shirts. And Leann, I don't think the council staff wants to take them back home at all, so they're up in a box here. We can put them out later. Just one final reminder on some of the topics that we're going to pick up at the end of the day under other business to take action. We have a potential letter of support for data modernization, and we have a letter to Representative Young on HR 200. There's been some work done by councils on that, as well as the addition of four topics and consensus points. The CCC working paper on MSA legislative issues. And finally, some feedback to the National Marine Fisheries Service on research priorities. I know people have been working on that since yesterday, so thanks for your efforts, and we'll pick that up towards the end of our day today. With that, we'll continue with our agenda. Aquaculture is the next item. We have the policy updates from Sam, as well as the lessons learned from the Gulf Council.

Sam Rauch

Thank you, Mr. Chairman. And I'll go first with the national overview, and then we'll go into the Gulf presentation. We've heard repeatedly, both at the last CCC meeting and from the secretary many times, aquaculture is a significant focus for the administration. The secretary does view aquaculture as an important way to address the trade imbalance, largely driven by foreign aquaculture imports in the United States. We had a lengthy discussion at the last CCC meeting, and I won't reiterate all of that. And my intention here is to just provide an update on some of the things we talked about and to discuss one significant new thing that we're planning to do. But I will remind you that the DOC strategic plan for 2018 to 2022 does talk about increasing aquaculture production. It also indicates that we should be working as a federal government or the Commerce Department on a one-stop shop for federal approval of marine aquaculture permits. And that can mean different things in different places. In federal waters where we have a fishery management plan that regulates aquaculture, like the Gulf, the idea is that the National Marine Fisheries Service would strive to work with the other federal agencies to create a seamless experience. But that the lead decision-maker, to use the term of some of these executive orders, the one federal decider would be the National Marine Fisheries Service. That we would try to make sure that all the other federal approvals occur within the boundaries of a federal National Marine Fisheries Service decision. Where it's either in federal waters and there is no fishery management plan governing aquaculture like, say, the Pacific, we would still work with the other federal agencies, and we might do things like be the NEPA lead. Even though we don't have a regulatory role we are trying to coordinate the NEPA action. Still, the goal is, regardless of the internal machinations, to make it look seamless for the applicant and that is a significant challenge. And then, in many areas, most areas where there's aquaculture right now which is in state waters or on land, we would work with the relevant state permitting agencies, and obviously, the National Fisheries Service could not necessarily be the lead, but we'll still try to do that same coordinating function

amongst the federal agencies to try to do that. Also in the strategic plan is, a need to increase and support research to advance marine aquaculture, including pilot demonstration projects. We'll talk about that more in a minute. We are looking for this year in particular, at a number of priorities that we're working on. One is in general, regulatory streamlining work in which our offices, regions and science centers are doing either this kind of one-stop shop work with our counterpart agencies or the science centers are doing other types of work, such as GIS works, spatial planning on specific projects to try to identify areas where aquaculture might proceed with minimal negative interactions with other potential users.

For instance, with Ventura Shellfish, which is a 2000-acre mussel-farming area, we're looking at trying to work on starting on that. And kelp farming in Alaska, and starting of a fish farm in federal waters off the Gulf of Mexico, which I know the Gulf Council has been working with. The Western Pacific and PIRO are working on their aquaculture plan for the Western Pacific, which seems to be making some progress. We're reviewing gear types for mussel and seaweed farming, particularly to look at the ways on the East Coast, and now on the West Coast, about can those things be done with minimized interaction for whales, particularly the North-Atlantic right whale, and given the situation it is in. We are having to look at the right types of gear types, and can you design those things particularly in federal waters such that there's not an issue there? And we're working with the Corps and EPA on proposed fish farms in California and on New York. In addition to sort of these specific project-level research and regulatory work, Congress has given us money for the second year in a row to go through the commissions to support pilot or demonstration projects for coastal communities and oyster aquaculture. I think about 4 to 5 million dollars of that is going to be available this year. It's a little bit complicated because they gave us a \$5 million increase above what we had last year and then articulated many uses that we're supposed to do with that money, which exceeds 4 to 5 million dollars. So we're having to work with the appropriators to determine of all the things they told us to do, what do they really want us to do with the money. And so that's why I can't be more certain exactly what it is. But it appears to be there's a substantial amount of money that are going to go to the commissions for these demonstration projects. And also that is going to go towards the science centers to support aquaculture and restore some of the capability both in the northwest and the northeast centers, an ability which has been eroded over recent years. And Congress is very clear that they wanted to use some portion of this money to do that on the aquaculture work that they do there. But we do expect that the FY '17 grant funding through the three commissions will be announced during the next month or two. So hopefully we'll work on that. And as I said, we are working with the applicant Neil Sims, I think, in the Gulf Council on permitting for Velella - I don't know. I can't pronounce it - Epsilon in the waters off of Sarasota, Florida and try to make sure that that could be cited in a way that minimizes interactions with existing fishing users. We do continue to work on a variety of SK and SBIR programs and Sea Grant aquaculture. Sea Grant receives about \$10 million a year through the various state Sea Grant programs for aquaculture grants, and we continue to work with those to try to support aquaculture. As I said, most of the aquaculture is in state waters or on land. Now, that's where the biggest growth opportunity. And so Sea Grant is a very big partner in that process. And we also are collaborating with the National Fish and Wildlife Foundation which included aquaculture as a priority for this year's fishery innovation fund grants. That's a fund that we provide a small amount of federal funds; they provide a much more significant amount of matching funds to look at various fishery

innovation projects. We are also working on genetic models of escapes and trying to figure out what the [inaudible] species are, what the implications are for various escapes, looking at shellfish disease resistance, and as I mentioned gear interactions. The one new effort that I wanted to take this opportunity to talk to the councils about is whether or not aquaculture can occur in federal waters. Clearly, as I said yesterday, should the councils choose to do that, aquaculture is fishing and the councils absolutely can regulate aquaculture. They could prohibit it if they wanted to and it met the national standards. They could put conditions on when aquaculture can occur, such as what the Gulf Council has done. And some other councils have done that as well.

However, there is often confusion in the absence of an affirmative action, like what the Gulf Council has done, whether aquaculture is really allowed or not. In many cases, the council has never taken an affirmative position on that. But there is an impression out there that certain things such as a restriction on size, or season, or a bag limit, or something else would prevent a fisherman, or an aquaculturist, from just establishing a fish farm for a particular species in a particular area. And we think that this is largely inadvertent in many councils, maybe not all councils, and that is one the things that we would like to do is we are going to look at all of those perceived restrictions to determine whether the council did that with any intention or not. And we're going to explore whether or not we would put out a national rule which would indicate that, unless the council affirmatively decided that aquaculture was prohibited or regulated in some manner, that aquaculture is allowed pending further council action. So that would take an instance where somebody would be perceived that the aquacultures are constrained by bag limit. And if the council did not actually intend, at the time that they issued it, for aquaculture to be constrained by the bag limit, we would explore at a national rule to say, "We're not going to interpret it that way." Absent some express desire by the council, has indicated when they originally pushed that, for that to be the case. So we are not now looking at whether we could do this as a national rule-making, which we would obviously discuss that with the various individual councils as to what that would look like. It would not at all preclude the councils from taking affirmative action if they were to so desire but would remove this perceived barrier to the extent that it does exist. I don't know what the timing is on that yet. We have been discussing this recently with our RAs and our ARAs about those kind of things, and what kind of scenarios are really perceived to be barriers or not. And we will give you more information and certainly work with the individual councils as we go through that process. So it's not something we're going to do right away, but it is something that we are starting to look at. So I wanted to take this opportunity to brief you first on that as we are just getting started down that road. But that is one of the regulatory impediments that we're trying to remove if it indeed exists. It may not. And so that is a general overview. I'm happy to take questions on that if you'd like, or we can go to the Gulf presentation and then take questions, whatever your pleasure.

Dan Hull

Okay. Thanks, Sam. Let's see if there are any questions on what you've presented so far. Yeah, Gregg.

Gregg Waugh

Thank you, Mr. Chairman. Thanks, Sam, for that overview. Is any of that money going to be available to councils that do want to develop in FMP?

Sam Rauch

I think some of that money could be available. So first of all, there's the \$1 million that Chris has distributed to the councils, which would be available for these kind of

activities. Some of the money-- the \$5 million, if it were to end up that it goes to the regulatory side or the science side, could assist the councils in the required analyses, but I don't envision that it would go to the councils at this point. It's temporary money. It may not recur. But it would be looked for specific projects that may help with the analytical work.

Dan Hull

Okay. Any other questions? Yeah. Chris.

Chris Moore

Sam, I'm curious. In terms of the national initiative-- I know it's early, you guys are just starting to look at stuff. But would it preclude-- maybe not. Preclude's maybe not the right word. But would it basically help the council in development of a aquaculture FMP? Or would we even need one, given the initiative?

Sam Rauch

Well, that depends on what the councils want to do. I mean, I think-- I don't know what the situation is with the Mid-Atlantic. But let's say that there is some perceived barrier, we would say we're not interpreting it to be a barrier anymore. In that case, a person who wanted to develop aquacultures in the Mid-Atlantic could do so without needing a permit from us. They would still probably need a Corps permit or an EPA permit or whatever those other kinds of things are. The council could come in and decide that they wanted to regulate. That they wanted to prohibit or condition aquaculture in the future and do an FMP to do that. I do not envision this rule, other than saying the council would have to do it by intent, that would limit in any way the council's ability to either prohibit-- if you could make the proper scientific and required findings-- or to restrict, which is-- or to condition, which is basically what the Gulf Council has done.

Dan Hull

Thanks. Dave?

David Witherell

Well, if that's the case, Sam, I've got to believe that it kind of forces the council's hand and we would all want to start regulating aquaculture because we would have concerns about siting in all cases.

Sam Rauch

Well, perhaps. I mean, there are aquaculture in federal waters that is currently unregulated. That's certainly the case in the Pacific right now. There's an aquaculture facility going in place that there's no FMP required. The council could regulate it, but it is not at the moment doing so.

Dan Hull

Any other questions for Sam right now. All right. Let's go to the Gulf Council and lessons learned.

[silence]

Carrie Simmons

Good morning, everyone. Can y'all hear me? Thank you so much for the fabulous boat ride to the host council and staff. It was wonderful last night. It was a lot of fun. Thank you. So this morning I'm going to talk about the Gulf of Mexico Fishery Management Council Aquaculture FMP, just a brief overview of it, the process to get to the final rule, and some lessons learned. So this is my presentation outline but just some rationale for why the council moved forward with developing a fishery management plan, what's in that plan, the timeline of the FMP through the final rule, and some of the process challenges we had along the way, including public input, implementation, and litigation as is currently occurring. What is the council going to do as far as next steps? And I'll briefly talk about that current exempted fishing permit that Sam mentioned that the council reviewed, and then we'll have some lessons noted if you wanted to move forward with developing a fishery management plan. So why did the

council pursue a fishery management plan? The council was given guidance that harvesting fish, even cultured fish, falls under the Magnuson-Stevens Act and that in itself took a while to obtain from NOAA GC, that guidance. And simultaneously, NOAA was not progressing with a national aquaculture program and several members of the council, at that time, were really interested in offshore marine aquaculture in the Gulf of Mexico. So there was certainly a drive there. So what did the fishery management plan contain? We had 10 management actions. It was a programmatic EIS, over 500 plus pages of exciting reading. If y'all want to pick it up, there's a link at the end. You can go through it. Just in a nutshell, what did some of these actions contain? Permitting process and duration, application requirements and restrictions, and I wanted to note within that that second bullet - just to expand a little bit on that - the systems and equipment documentation. You had to have assurance bonds in case you went bankrupt. On the facility, the cages had to be removed. Those have to be set up as part of that action and obtained before the permit can be given, as well as an emergency contingency plan. That's very important in the Gulf of Mexico if we have a hurricane. So that's all outlined in that action. Guidelines. The next action was guidelines for approval of system and siting. We also had to develop biological reference points and status determination criteria. Allowable species. This was a bit contentious and took us a lot to develop some of this. So it included all native species in our fishery management plan and then penaeid shrimp, pink, white, and brown shrimp were excluded from allowable culture, as well as hard and soft corals when we finalized the plan. It also set up restricted access zones. There was a lot of questions about private anglers potentially wanting to fish around these. These could be fads. How close could they get? But then there was the liability from the permittee's side so that took quite a bit of back and forth in development as far as that action went. So then we also have transit provisions put in there, so that's a buffer, but then there's some transit provisions for both recreational and commercial vessels. There's an action on record keeping and reporting, and then the council also put an action in place for a framework procedure so that in the future, they can make changes with an environmental assessment-- through an environmental assessment. So this is the timeline for FMP. We started it in March of 2003. This was before I got started working for the council. In 2004, we did about 10, I believe, scoping workshops across the Gulf of Mexico. In June 2007, the council approved a public hearing draft and in 2007 and '08, we completed over 15 public meetings across the Gulf of Mexico, public hearings. So I started in 2008, so I helped finish up and finalize this FMP. So in January of 2009, the council took final action. The document was transmitted in February, and then it entered into effect by operation of law on September 3, 2009. So I'll talk about that a little bit more later in one of the other slides I have.

So then we didn't have anything really, any movement or much happen until August of 2014. So just to give you a little example of what happened, between 2009 and 2014, several things occurred. NOAA developed their national policy, the National Marine Aquaculture Policy, and it determined that our FMP was consistent with that policy. And that was determined in June of 2011. So the regional office staff had made changes in those proposed regulations to address that, and those had to be redeemed by the council in 2013. Then due to the Deepwater Horizon oil spill in 2010, regional office staff again had to develop a supplemental EIS to address this Deepwater oil spill. And they had to develop a supplemental information report and then sent in a proposal for comment. And then we had to have a secondary comment period to address all those changes. So then, in January of 2016, the council had a final rule. So a long drawn-out process. So what were some of those challenges? We

had a quite polarized public comment. We had form letters in abundance. You can read some of those - great reading at night - at the end of the FMP. We had a lot of heated public testimony, saw a lot of very interesting costumes, not just for children but for adults : fish, turtles. Things just come out of the woodwork, very entertaining, a lot of heated public testimony. And I just got it on the tail end. So I'm sure on some of those public hearings, it was very, very interesting. So what did the council do? They directed staff to really transform the document, and they wanted to put more safeguards in. So they said, "We want a case-by-case evaluation by the regional administrator and the staff before that permit can be submitted-- before that permit can be given." So we made major changes to the FMP to address that, including additional requirements for siting and also the prohibiting of species for culture, because that was contentious with the shrimp at the time, as well as-- I don't remember the coral being quite as contentious, but certainly the penaeid shrimp. So once they were excluded, that was helpful with the FMP.

So just in a nutshell, to tell you a little bit more about the process if you wanted to apply for a Gulf Aquaculture Permit-- again, this is not all-inclusive, but just gives you an idea of the process. The permit must be received 180 days prior to the permit's effective date. The regional administrator decides if it's appropriate. If no, then the applicant has 60 days to correct those deficiencies. If yes, then they publish a comment period in the Federal Register Notice, and the regional administrator tells the council they've received the permit. This is the time to comment, get your advisory panel together, review the permit, provide comments to the council, and then back through the public comment process and the council. So then after the regional office reviews those comments, the regional administrator notifies the applicant of the decision. And then they publish that decision, again, in the Federal Register Notice. In addition, this is an additional safeguard that was somewhat contentious, from what I remember at the time, was the regional administrator and staff had to contact these two other agencies - the Environmental Protection Act and the US Army Corps of Engineers - to ensure that the applicant had received those other federal permits. So that was an additional step that the council put in place. And then they could issue the permit. If, say, the permit, you wanted to delay it up to two years, they did allow that. But then you had to abide by all these requirements, and if you didn't, you went into violation, you could have your permit revoked or suspended. And this permit cost \$10,000.

So just to expand a little bit more what happened after the FMP was transmitted. So as I mentioned before, the Gulf FMP entered into effect by operation of law in September 3rd, 2009. And at that same time, NOAA announced that they were going to develop the national policy, which would help provide context to the Gulf FMP. So we received kind of an odd letter, so I just thought this was important to bring up. It explained that the only viable basis to disapprove the FMP was the determination that NOAA lacks the authority to regulate aquaculture under the Magnuson-Stevens Act. But that would indicate that there's no overarching authority to address environmental and fishery concerns related to aquaculture operations in the EEC. Thus, the impetus and push for NOAA to develop that National Marine Aquaculture Policy, and then once again review the Gulf FMP for consistency. And that occurred in 2011.

So what are some of the main process challenges? With litigation we had that [inaudible] challenge the FMP on premises that the secretary took no action. They didn't approve or disapprove, and that it violates provisions in Magnuson and the

National Environmental Policy Act. So this is a more recent allegation that complainants challenge the FMP again on similar premises. In addition to, it was inconsistent with national standard guidelines, it didn't protect the central fish habitat, and it violated the Endangered Species Act. We didn't have enough site-specific evaluation of impacts for the siting, and just failure to take a hard look. And this case was just briefed and argued in March of this year, so we're still awaiting a decision from the judge. So if the council does, in fact, know that their regional office got an applicant for a permit, they would appoint the Aquaculture Advisory Panel. And this is composed of council staff, [inaudible] staff, SSC members in other state and university scientists. This is an FMP, to meet bi-annually, and to evaluate the program as well as that permit application, and then develop a rapport with rationale for any recommended changes. So we haven't received a permit to date. And probably likely because of the dark cloud with the litigation. This is an expensive investment. People not knowing whether it's viable or not. And that's one thing that we heard from the Vellella Epsilon - I'm not sure I'm saying it right either - but Vellella Epsilon during the exempted fishing permit process. So they first submitted their permit application to the council in January of this year. The council had several concerns with that exempted fishing permit. In particular was how shallow the cage was being placed in 130 feet of water and the fact that they didn't have an emergency contingency plan for severe storms. So there were some other things in there, as you can see, that we've really asked them to address. They came back in April, and they tried to address those concerns. The council felt better about it. They still had a few more things they wanted the applicants to address, but they did write a letter and say, "Yes, regional office. We'd like you to approve this exempted fishing permit with the caveats of these other things we want you to address." So that was just recently occurred in April.

So just in a nutshell, some lessons learned. Seems like our process was very long, long and drawn out. And we were the first regional aquaculture FMP. So I think we've kind of broken that hurdle we've crossed that-- there's a national policy now. And hopefully, you wouldn't have to wait so long and have some of these long time periods where you don't know what was happening with the FMP because of the process that we've set up here and the fact that there's a national plan. The process in the Southeast was contentious. So it's not that we've been completely unable to utilize the FMP since 2016, but no one's applied for a permit. So I think a lot of that has to do with the litigation and-- again, as I mentioned earlier, the fact that people don't know if it's viable in the Gulf. So I think there's a trade-off. There's lots of safeguards and requirements in the Fishery Management Plan. But again, a lot of investors really don't know if they're going to have a positive outcome. This unknown business outcome of whether their investment's going to have any return in the Gulf of Mexico and be viable? So there seems to be an important balance between what you put in your FMP as far as the species' cultured location of that facility, the siting, various siting criteria, the fact that you're getting it ahead of the game and maybe getting APs and holding workshops to try to resolve any potential competition with the commercial fishing industry. I think that's very important. And then you're still meeting the needs. Environmental organizations are going to want to have very vigorous criteria in there to protect natural resources and the environment as well as other scientists. So there's a balance there. I'm not sure we've hit. I guess no one's utilized that yet, but I think that if you can get ahead of some of that with some workshops in your constituents that would be very helpful. And with that, I'll take questions.

Dan Hull Okay. Thanks very much, Carrie. Yes. Warren has a question.

Warren Elliott Thanks for the presentation, Carrie. In terms of the litigation, who are the plaintiffs and who are the defendants?

Thank you.

Carrie Simmons Food & Water Watch is one of the plaintiffs and there's several NGOs. I don't remember all of the NGOs but Food & Water Watch is sort of the leading plaintiff. And then the fishery service is the defendant.

Thank you.

Dan Hull Chris?

Chris Moore Thank you, Mr. Chairman. Thank you, Carrie, for the presentation. How do you develop a biological reference point for a cultured species? What is a biological reference point for a cultured species?

Carrie Simmons So this was like I think I've mentioned in our pre-meeting, it was difficult. It was really basically a number we tried to estimate from what the current landings were from some of our species. What would be the MS wire optimum yield? And it's based on an aggregate. So I think it's like 64 million pounds or something like that. And then if we met that threshold then we would come back and revisit that.

So it's a biological reference point for all cultured species together?

Correct. All cultured species. But we don't know how many we would get so it's abstract.

Chris Moore So the other question that I have for you is, how does FMP deal with the possibility that folks may go out and harvest forage fish to feed cultured species? Does it address that possibility? Does that happen? Or do you think that could happen? Or what do you guys--?

Carrie Simmons I don't think it currently addresses it. As far as forage fish, I think the States regulate forage fish for the most part, and I don't know what type of permits you would have to have for that.

Yeah, there are baitfish fisheries in the Gulf and they are largely state-managed. I mean the single largest harvest in the Gulf is Menhaden with two billion pounds of harvest. So unless the fishery for forage species took place in the EEZ, we wouldn't manage that. And the reference points issue; we essentially capped initially the amount of production we were going to allow at the level of finfish production going on in the Gulf among council managed species at that time. And then we looked at things like overfishing more as to what point would we start degrading habit or having impacts on other species. But it is an awkward fit under the Magnuson Act to try and deal with some of these things.

Thanks.

Sam Rauch And if I can make a comment about the forage fish issue. We regulate many kinds of fisheries including fisheries for forage fish. We do not restrict the post-harvest use of those fish. That is something that the Fishery Management Councils do not do. Whether they want to feed them to aquaculture or make fish oil out of them, or cosmetic products out of them, or other things-- what we try to make sure is that the

harvest is sustainable, either in federal waters or if they're state partners in state waters. And then it is beyond the jurisdiction of either the Commerce Department or the councils to determine what uses after them. So, yeah, there could be a fishery to develop forage fish to feed these aquaculture fish. That would be managed too under the same standards of sustainability that we manage everything else.

Dan Hull

All right, Warren-- I'm sorry, Mark. That was a good presentation, Carrie.

Thank you.

Mark Brown

I was at your meeting in April and I listened to that presentation from Vellela Epsilon. And you guys had asked them a lot of questions I guess and they came back and answered them. Did you get everything answered though? Did you feel that they answered all the questions that you had put to them back in January?

Leann, did you want to--?

Leann Borsage

Sure. Yes, they did. We had a few questions-- so they came to us in January. We had a lot of questions actually about the engineering of the structure. It was being built somewhere in Israel. These people really have little to no experience in the Gulf of Mexico with the conditions there. Combine that with the fact that was a very shallow depth of water that they were going to be operating in off of Florida where you have lots of coral and other things. So anyway, we put a list of questions to them. We said, "Bring your engineer drawings back in here. We want to know how you're going to moor this thing. And where you're going to take it if we have a hurricane. What are your plans?" They came back. They answered most of those questions, which led us to some more questions. And they did their best to answer those. And anything that they really didn't have a good answer for yet, we essentially wrote them a letter and we said, "Well, these are our conditions. We want X, Y, and Z to address those things that you didn't really have a good answer for." And so now we're going to lean on Roy to make sure that happens.

What I think a lot of us heard a couple days ago, the description about some company or something. And you said that they gave you the finger in regards to something. Was this the same company?

Yeah. That was in private.

Mark Brown

Okay. All right. Well, other thing I was wondering about too is when they-- you mentioned the establishment of a boundary or a zone around these areas. Did you ever establish that-- as far as people not getting too close to it or trying to use it as a FAD?

Leann Borsage

Right, that was developed in one of those actions I mentioned. And I think it's twice the size of the pens for the buffer around the area where vessels can transit. So if the size of the facility or the size of the pens-- it's twice the size. So whatever size they have, it's twice the size as the buffer. That's the buffer around the area.

Mark Brown

No, I understand. It just didn't seem like a very big area.

Leann Borsage

I think that's just what the council arrived at. And there's also-- I think there's something in there it's like 1.6 nautical miles or something-- 2 nautical miles in between facilities as well. There's some prohibitions in there about them being too close together.

Okay. I got you. All right. Thank you. Johnny.

Johnny Green

One of the things that [inaudible] had talked about was [inaudible] out and let them dive and swim around it and actually have almost tours around it and that was a bit of a concern. One of the problems I had with it is in the Gulf, we-- aquatic growth occurs rather rapidly around that. They were going to leave it in the water for a two-year period, which concerned me about the stability of the unit in the water. The other thing that I was kind of hung up on was their lack of emergency plan. I had Googled, while the gentleman was there, wave heights during Katrina, Hurricane Rita, various things, and some of those wave heights were 50 feet high. And they were talking about mooring this thing in 130 feet of water with 7 times the scope and just doing rudimentary math. I just couldn't see how it was going to work. The other concern I had was if it was going to be out there at night, was there going to be a standby vessel on scene at all times? How was it going to be-- was it going to be maintained 24 hours a day? And some of it was just out of my ignorance of not being on the council when the existing FMP was put in place. So it was kind of rehashing out some of that stuff as well.

Carrie, can you explain a little bit how the EFP would work for aquaculture company wanting to get started? Is there a time limit? Is it a pilot project for them? Is it with the expectation that regulations would easily flow from the EFP to get to-- [flavor?] of how that works.

Carrie Simmons

Well, I think they were just trying to determine if it was a viable business investment. I mean, they're starting small, and I think they even reduced the number of net cages they wanted to put out there after the original application to the council. It's a two-year project, just like other exempted fishing permits. And they're supposed to address these things that the council asked them to address in April, and then we've asked after they get started, to come back, I think within a year, and give us a report on how things are working, what's happening. And they're culturing- what is it, Almaco jack that they're looking at culturing? So I think they're just really trying to work out the details. They have the broodstock and they've been able to spawn them, and I think they have been able to rear them to a certain size to put them in the cages. And they just want to see how this will work.

Dan Hull

Thanks. Yeah, Simon.

Simon Kinneen

Thank you, Mr. Chairman. Thanks, Carrie. Can you tell me what criteria that the council used to prohibit species like the penaeid shrimp from aquaculture, whether it was environmental or economic or a mixture?

Carrie Simmons

I think it was a mixture. I think it was based on a lot of public testimony that we heard at all the workshops and during the council meetings, from what I remember and from reading the FMP again. But, Dr. Crabtree, I don't know if you want to weigh in on that at all.

Roy Crabtree

Well, I think it was a couple of things. I guess you could call it economic, but it was strongly opposed by the shrimp industry at the time, who had a lot of pricing issues with it. But the other thing is I don't think anyone really saw penaeid shrimp culture as something that would be very practical, and offshore net pens, most of that that's taken place around the world is much closer to shore. I think it was an accommodation to the industry as much as anything.

Dan Hull Any other questions? Tom?

Tom Nies I've actually got a question to go back and ask Sam, so if somebody has a question for Carrie, I'll hold off.

Dan Hull Go ahead. I think you're--

Tom Nies So, Sam, the regulations have a list of authorized fisheries and gears for specific fisheries, and scrolling through that list, it appears that the only place where cages and pens are authorized, or is in the Gulf of Mexico because of their aquaculture FMP. So that suggests to me that anyone who wants to put in an aquaculture cage or pen has to comply with the requirements to notify the council 90 days ahead of time, and then the council has an opportunity to weigh in on that, and if necessary, request the agency issue an interim or emergency rule in order to prevent use of that gear. Am I interpreting that correctly, or incorrectly?

Sam Rauch I think we're looking at that, and I think that certainly is one way to look at that issue and that may be where we come down. I certainly would not suggest, though-- it reiterates what I've said many times, which is the council could always choose to regulate. You do not have to wait until you get such a notification. That wouldn't suggest it's precluded, it would just suggest you've got a 90-day, or however long that waiting period. And then if nobody then acts, the council doesn't act, we don't act, you can go ahead. That is one of the things we're looking at as a-- is that the base regulatory structure that we would deal with?

Dan Hull Kitty.

Kitty Simonds Mine is for Sam, as well. Hello, Sam. So you mentioned earlier about an aquaculture project going on in the Pacific, and I'm wondering, are you talking about us?

Sam Rauch No, off of California.

Kitty Simonds Okay, because, yeah, we don't have any projects going on, they were all inside. But I did want to say that we have had an aquaculture policy since 2007, and started working on an amendment in 2009. And we have been waiting to vote final for the last year and a half. What has been slowing the process down is the difficulty of the region to complete an EIS for the last several years. And so, we're hoping to vote final on our plan, because we do want to regulate at the June meeting. So, I'm just waiting to hear from the region, if they have completed the EIS so that we can do this at this meeting. So thank you.

Dan Hull Sam, another question for you, because I can't recall if you mentioned it in your presentation. Is there further development of the aquaculture policy that the councils will see before the February meeting, or additional updates or--?

Sam Rauch The aquaculture policy has been referenced as a NOAA level policy, and I don't think it's going to be changed. We've talked in the past about various initiatives that the secretary may decide-- we are working out all of these things that I've outlined. The secretary is contemplating to whether to gather these all together into a more formal initiative, and that may or may not happen at some point in the near future. It's the secretary's decision. My expectation is if it were to happen today, it would include a lot of the elements I just told you. It's the secretary's determination and I cannot say when or if that will actually come out. It won't be an aquaculture policy, though. Both the department and the NOAA policy, I don't foresee changing.

Dan Hull Okay, thanks. I'm just trying to figure out where the councils go from here in terms of further information from the agency, but it sounds like a to-be-determined.

Sam Rauch Well, if at any point any of the councils would like a more specific discussion, we would be happy to provide one.

Dan Hull Yeah, Kitty.

Kitty Simonds So a last question. So what you're saying is the Department of Commerce has an aquaculture policy that they-- that was in June of 2011 and NOAA as well, so these are being changed?

Sam Rauch No, I just said that I do not envision those are being changed.

Kitty Simonds So, they're still the same? They'll still be the same?

Sam Rauch I would imagine so. They could always change, but I'm--

Kitty Simonds Well, in the near future?

Sam Rauch --not currently thinking they're going to be changed.

Kitty Simonds Okay. Thanks.

Dan Hull Any further questions for Carrie or Sam? So this relates back to our discussion under this legislative committee and aquaculture bill that's forthcoming. And again we're going to take up under the [inaudible] meeting that further discussion of any just consensus points on aquaculture, but I think that concludes this agenda item.

Thank you. All right, Sam is next up again for international affairs and seafood inspection.

Sam Rauch All right. I thought that there was a presentation but there's not. It's all right. So I have been asked to discuss three different topics. In my other job I am temporarily the acting deputy assistant secretary for international fisheries. That is a political position. The administration has yet to fill that position but I do expect at some point in the near future, as I've been expecting for a while, that that position will be filled and I will go back to my day job. But in that role I'm happy to discuss issues related to international affairs and seafood inspection, although I am not an expert on the Seafood Inspection Program. That is actually under the deputy administrator for operations Paul Dorimus and Brian. I am going to focus more on the international affairs position. I've been asked to give a brief overview of the Seafood Import Monitoring Program, where we are on that. I wanted to discuss two international treaty efforts with the council. And then I've also been asked to review commissioner appointments to the RFMOs. So I'm going to try to do all those three things in an expeditious fashion. On the first topic the Seafood Import Monitoring Program. We have discussed this several times with the council-- with the CCC. As the CCC is aware, this rule went in place in 2016. It had a one year implementation time and it does require that all imports of 13 different species, provide some information about where it was caught, what gear it was caught, these kind of things and that that should be provided through the custom system on import and if you do not provide that information we will not import-- you're product cannot come into the United States. And if you lie about that information that it is of itself is a custom's violation. The point being that importing these species in violation of a law or regulation of the country of origin is a violation of the Magnuson Act. And this was a data collection

program that we needed to put in place in order to evaluate whether the imports that were coming into the United States were legally caught. Oh, we do have a presentation. All right. I'll get to that in a minute. So that program went in place on January 1. There was a period of soft compliance where we were working with the various importers to make sure all the data fields were complete. And by the end of February about 95% of all the customs entries for those 13 species had all the required data fields. And so by April, the period of soft compliance ended and now we're in the period of hard compliance, which means all these rules come into play. And so the first step is do you have the right information, did you give us the information at all? And as I said, most of the importers are providing that information. If you do not provide that information, your product will not come into the United States. So there's not an enforcement loop, it's just your product is barred. It goes back to where it came from. If you do provide that information, customs is largely done with that. And then that goes to our enforcement folks who will periodically look at those under the various enforcement regimes that they intend to undertake to verify the information. You said you were fishing during this season, was the fishery in that country actually open at that time, those kinds of information. So I don't know how long that will take. That is a more difficult, lengthy process, but at least we're starting to get the information upon which you can do that. So that program's up and running for 13. In the 2018 appropriations bill that the president signed into law on March 23rd, it included a requirement to expand the program to shrimp and abalone. When we originally had done this program, we did not include shrimp and abalone, they were stayed.

We had created a program that would be inclusive of them, but for various trade reasons, we had stayed that. The reason is, is that we currently-- shrimp and abalone are driven, at least in part, by aquaculture for imports. And for trade reasons, we determined that we could not impose this data collection requirement on foreign imports if we didn't collect the similar kind of data on US products. And for wild-capture fisheries of the 13, we have very extensive data collection for landings and things, most that went through the councils, although some of it was state-originated. And so that was fine for those 13, but we did not have similar requirements on our domestic shrimp and abalone aquaculture producers. And because there was no authority to collect such data, there was not a program to collect such data, we had to stay that requirement. But in the appropriations law, Congress gave us the authority to collect data on shrimp and abalone producers, and I'm going to talk about that in a minute. Based on the new authority that the Fisheries Service has received, Congress also required us to lift the stay and to start collecting the same kinds of information on shrimp and abalone imports as we do for the other 13 species. So we have to do that by December 31st, and so we are in the process of making that effective. So by December 31st, if you want to import shrimp and abalone in the United States, you'll have to comply with the same sorts of information that the other importers of the 13 species require. In order to avoid trade implications for that, we also have to develop what we call an aquaculture data rule, or I think-- we have various names for this rule. But it will be a requirement on domestic shrimp aquaculture producers or abalone aquaculture producers to provide similar types of information as we are asking the importers to provide. That rule will have to go proposed and final by the end of the year under the congressional mandate. I have suspicions that we won't meet that directly, but we're trying to do it as quickly as we can. So we are in the process of developing that rule and I hope to have a proposed rule out shortly. Although it has - much like the recusal rule - it has been declared to

be significant by the office of management and budget, which means that it will be delayed somewhat getting out. I had hoped to get it out sooner, but because of that, that will be delayed. And I think that will likely mean that we will not meet our deadline at the end of the year. But we are developing that program as well, that is a new data collection on a, as yet, a largely unregulated industry by the federal-- at least by us. The USDA has various regulations but we do not. So we have been doing outreaching and hopefully, that will go smoothly. We're trying to do that as the lowest cost we can, both on us and on the aquaculturist. We also have worked on the Trusted Trader Program which would give importers who meet certain elevated criteria an expedited entry process in the United States. We have this for a number of other customs-related things. And basically, if we work with you, if you do things in the seafood health arena, where you have the HACCP, checklist to make sure that things are all good at certain points and they can then get expedite entry. Similar things for the traceability program, if you create something like that. In that program, we should propose rule in January [inaudible] the process of doing a final rule. So that is the update on this Seafood Import Monitoring Program. Let me talk briefly about two new treaty negotiations that are going on that I do not recall whether we've briefed the council about. One, some councils are aware that there is an existing regional organization called the Western and Central Atlantic Fisheries Commission, WECAFC. It currently does not have any management authority and there is no overarching regional authority to manage cross-boundary or high seas fish docks in the Western, Central, Atlantic, particularly in the Caribbean. They are engaged in a process, now, to determine whether to reframe that organization to give it some of this cross-boundary or international regulatory authority like some of these other ones that we have in the Pacific and elsewhere. It would not deal with tuna because actually there are tuna RFMOs, but it would deal with other kinds of things that cross boundaries or on the high seas. I believe that a number of councils are going to have presentations for the State Department soon about that, but that's the nature of that. And one of the questions about that is exactly what would be the jurisdiction with WECAFC right now, theoretically has a very broad jurisdiction from the Gulf all the way up into the North Atlantic.

This is mainly an issue to deal with the plethora of jurisdictions in the Caribbean. If you give it this management authority do you really need to look at it in the full area of WECAFC. So that's going on, but I think the relevant councils are going to get specific presentations about that. The other one, which is more broadly applicable is what's called Biodiversity Beyond National Jurisdictions, BBNJ. This is something that the UN is trying to create an agreement, a treaty to deal with BBNJ and, as I was recently informed, it is not necessarily consensus-based, they need something like three-quarters of the vote, so even if the US doesn't like it, it might happen anyway. So we are trying to engage very constructively. It seems to me that there are four general areas that they are working on. We have interest in all of them. I have talked repeatedly about a number of this, but there is an interest to create an overarching government structure for NPAs. Some in the effort to create an international body that could designate NPAs, a marine protected area that could do things like regulate or control fishing in that area, either separate and apart from something like ICCAT or WCPFC so that it would be a different body altogether. Or the what United States position is is that if you're going to do that, at best, what the script should do is recommend NPAs but it should be up to those regional fishery management organizations to decide whether to implement them or not. That has been the US position, it is not clear to me that that is the international position on that. Another

area that they're looking at is whether to require environmental impact assessments much like our NEPA documents for countries that are proposing to take actions on the high seas, or what they call the area beyond national jurisdiction, and what that would look like. There is also a move to have a sort of international oversight body of - this in our view is that while we generally support environmental assessments we believe that we do them in the United States and we want to make sure that it doesn't add any new requirements to us. We also do not think that there should be international oversight of environmental assessments. If there is a requirement it should be the United States just recognize our existing NEPA requirements and impose something similar on other countries but that the countries themselves are responsible for policing that activity. There is an effort to look at marine genetic resources. And much like the seabed mining issues are these the resources of the country that sponsored the industry that went and got them, or are they the common heritage of mankind so that a country that invests in developing a product, a biomedical product, off of some sea anemone would have to share profits with the rest of the globe. That's something the United States has traditionally opposed. It's why we're not a part of the Law of the Sea. The Law of the Sea has certain statements about that with deep seabed mining. And I envision the United States would take a similar position about that. We do not mind regulation of this, but the idea of sharing with countries that have not invested in the technology to develop that market is not something the United States has traditionally supported. That is not something the Fishery Service is taking a view on. Our only interest in that one is when you're talking about marine genetic resources are you talking about fish for human consumption or large-scale commercial production. You could think of it that way and we want to make sure that's excluded from whatever they do. That fishing should be dealt with as fishing not as this sort of genetic mining for biomedical research or other products. And the last one is capacity building whether or not we should be investing in-- or to what extent we should invest in the ability of the rest of the world, some of the underdeveloped countries to be able to participate and manage their own resources better. Something we generally support but we are very cautious about binding commitments of financial support to these programs. So those are the four main areas. The UN has had a number of meetings of that the next treaty negotiations will start in September with a two-week session followed by sessions in 2020 and 2021. We are working closely with the State Department. They are the lead. I've given you a flavor of that and some of the positions that we seem to articulate. I will reiterate though that the State Department has told me it is not necessarily a consensus-based document.

In July the State Department will host a meeting of stakeholders and anybody who's interested in any of this can attend and if you'd like logistical information we'd be happy to provide that. So there's that one. I don't know Mr. Chairman I have this commissioner appointment presentation I could go on to or if you'd like me to stop and take questions on any of that I could do that as well. Whatever is your pleasure.

Let's proceed with the presentation.

All right. I feel like I've got several disjointed things I'm talking about here . All right. So I have been asked to review, let me go back to this one, I have been asked to review the various council participation in these international commissions for RFMOs. So I have a series of slides here which outline the RFMOs in which the councils have a defined statutory role. You'll see there are a number that where the councils are commissioners by statute, and so we'll get into that. And I will say, before

we talk about the council's role, that I am listed on here - there are federal actions - if I am indeed replaced, as I expect to be, by a political appointee for the deputy assistant secretary, one of the reasons that that position was created was to have a more consistent federal representation and to be the commissioner on more of these appointments. And so that person should be appointed, may well replace any of the federal alternates in any of these commissions because when other countries bring it, they bring the same delegation to meeting after meeting, commission after commission, and there's some value to that and the United States has not traditionally done that. That's why the deputy assistant to the secretary was created. So right now you'll see me and others listed as the commissioners, but we're reserving the role of the federal commissioner for that political appointee should they want [inaudible] do that. At any rate, we'll start with West and Central Pacific. We had the councils-- there are five commissioners, two of them have to be members of the councils, one from the Western Pacific and the other from the Pacific. You can see the two right there, Michael Goto and Dorothy Lowman, and then there's two non-council commissioners and then the federal one. SPRFMO is a relatively new organization, or that we're a relatively new party to that, in the South Pacific. There's one federal commissioner and then there has to be a council one that is the chairperson or the designee of the Western Pacific Fishing Management Council, and at the moment, pending the appointment of a designee, Christina Lutu Sanchez, for that position. North Pacific Commission, three commissioners, one is the chair designee of the North Pacific Council. Well, sorry. Of the five commissioners, two are federal, three are the council members, one's North Pacific, one Pacific, and one Western Pacific. We currently have as one federal alternate, there's an open-- the other federal one is open, and you can see the three council appointees, one from each of those three councils. Dan, I'm sorry you keep turning around, that one's yours.

Right .

NAFO, the Northwest Atlantic Fisheries Organization. There is one federal official, one voting member of the New England Council, and then other commercial industry rep to that. The New England Council representative is Dr. Sissenwine. ICCAT. Three commissioners. There is no specific council requirement, but there is a requirement that there be one knowledgeable about commercial fishing and one knowledgeable about recreational fishing, and we have those three. IATTC, which is the Tuna Commission in the Eastern Pacific, there is one federal and then two may be appointed to reside in the state other than the state whose vessels maintain a substantial fishery near the convention. You can see who we've got there. Ryan Wolfe is our current federal alternative, but we've got those folks there. There's not a direct council requirement, that one. Pacific Halibut. Three commissioners, one shall be a voting member of the North Pacific Council.

And that is the federal one. But then there has to be one from Alaska and one from not Alaska. So we interpret that last one to-- as long as the RA is a part of that, that satisfies that requirement. But there's other ways you can read that language. There does have to be a NOAA official on there. Oh, that may be it. I was asked to give a review of the council participation. There are a number of these where there's a formal statutory role for council members. There's others in which there is not. And I'm happy to take any questions about that or any of the other things that I've talked about.

Dan Hull All right. Thanks, Sam. Any questions on any of these topics? Chuck?

Chuck Tracy Thanks. Thanks for the presentation, Sam. And maybe this is more a question for Chris, but what's the status of appointments? I'm thinking in particular about the Western and Central Pacific and the North Pacific Fisheries Commission. As council designees term out and there needs to be replacements and-- is there any issue with a council member terming out still serving in that position for a period until the council can get their membership filled out and determine who would be the best substitute?

Sam Rauch Well, to use this one as an example. I think there clearly is an issue. So you cannot be-- the statute explicitly says there must be a member of the Western-- or in your case, the Pacific Fishery Management Council. So if you're no longer a member of the Pacific Fishery Management Council, then this does not qualify and our commissioners-- we don't have the required number of the commissioners. Now because there's the federal commissioner, and the federal commissioner is the head of delegation, as long as that person exists, the United States will still go and still argue to-- or assert the position of the United States at the WCPFC or these others. So we will still go-- the WCPFC does not care that we bring one or five. Right? They still only recognize the federal representative. So if you do not have a replacement on time-- and this one, I think you need a replacement by the meeting in December. Then there just won't be a commissioner, but we need to fill that. The president will need to fill that. The council will need to give us their recommendation and we will send that to the president and that can take a while. So the sooner that you've determined a replacement, the better. I need the council to tell me who it is, and then we still have to go through the presidential appointment process. It doesn't become a commissioner just because the council recommends somebody. I still have to get the president to appoint them.

Dan Hull Chuck?

Chuck Tracy So is there an opportunity-- I mean, for sort of an interim pending approval participation for folks? I'm thinking of North Pacific right now, so I don't know-- you listed a number of folks there.

This one?

Has that gone through the presidential appointment process? I know the meeting's coming up and I think these people are expected to attend so is that--?

Sam Rauch I don't think that these are pending. Oh, they are pending appointments. So yeah. So we'll still need to get that process through.

Dan Hull Kitty?

Kitty Simonds Well, in response to that-- while John [inaudible] appointment is pending, he did get an alternate-- the decision was made that he's an alternate, so he's going to the next meeting. And--

Yeah. If you're going to--

--it's pending--

Sam Rauch If you're going to have issues with this, let us know, and we'll try to work through that. There are some things you can do with alternates. I think for the Pacific, it won't

solve the Western Pacific problem because I think Dorothy is terming off. So you will need a member, but whether they're alternate or not, I think we could work on that. They may not get the full presidential appointment. We may be able to treat them as an alternate, maybe. This involves us negotiating with the State Department, too, so I don't have all the answers on all of these. I know this is something that keeps Chris up at night as the executive who appoints all these people, how we appoint them.

Dan Hull

Kitty?

Kitty Simonds

We have been in that situation before. Sean Martin was the commissioner, and then he termed out, and so the council voted on a new person. So while we were waiting for that presidential appointment, Sean was allowed to continue because he still was a presidential appointment.

That wasn't taken away from him. So he continued until our new person came on board. That's how it was handled then.

Right. And this--

Sam Rauch

It could be different now.

You have a different State Department. And as I said, in that situation, the WCPFC doesn't care. But we were arguably not in compliance with the statutory mandate because we didn't have a council member representative.

Dan Hull

Chris?

Chris Oliver

Just, Sam, in some cases, it's council member or designee. But in the case of the Western Central, there's no designee option. Correct?

Sam Rauch

Yeah. The language it differs for all of these different ones. And there's a question as to whether the councils could designate a non-council member-- go back to the WCPFC, which we would have to get the general council to look at this one. This one says a member of the council, not a designee. So I don't think you could do a designee there, but others, you might be able to. I think we usually look at that as you still need to be on the council, but I would defer to the lawyers and the State Department lawyers, who get very picky about this.

Dan Hull

Tom?

Tom Nies

I'll pass, Mr. Chairman.

Dan Hull

Yeah. Charlie?

Charlie Phillips

Thanks, Sam. Back to aquaculture and the seafood inspection programs. The other countries, are we supposed to be on a level playing field if they ask for certain paperwork, certificates of health, or something? Are we supposed to be on level playing grounds because I know shellfish, in particular, don't seem to be on a level playing ground? And if we do offshore aquaculture, if they decided they wanted some extra paperwork that we don't require of them, are we going to keep this even?

Sam Rauch

There is no broad-based global law that says we should be on a level playing field. There are certain trade laws that talk about what countries can and cannot do regarding trade. One of the exceptions-- generally, all those laws favor open access and disfavor protection is kind of domestic regulations. One exception is for environmental protection or human health. We see this with shellfish a lot, where certain countries believe that a product in the United States needs to have a higher

standard, and so they will request elevated-- they will either bar the entry- we had this with geoducks on the West Coast a few years ago- they will either bar entry into their country, or require us to do a significant amount of certification before they will allow that entry. John Henderschedt, who's not here right now-- that's what he does a lot of. He spends a lot of his time trying to work with industry to make sure that since our Seafood Inspection Program is one of those certifying entities, that we can use that program to help meet those foreign requirements for import that other countries require. Because often they require the US government to act as a veterinarian and provide that veterinary seal. And when they do, we're the ones that provide that. But, as I said, those are one-off things that other countries tend to do. The United States does do this to other countries too, where we're concerned that some product does not meet our health standards or is injurious for some reason. But we do not-- and the US trade representative tries to be very careful to avoid the phrase that we are trying to level the playing field. Because retaliatory tactics, in which some country did that to us and so we're going to do that to them, are generally disfavored. But for any individual species, sometimes we bar entry and sometimes other countries bar entry. If that were to happen to you, let John Henderschedt and I know and we-- that's what our Seafood Inspection Program-- one of the things that they do is try to do the certificates for export. And we try to negotiate with other countries to ease those requirements. Because the United States, in general, has a very strong regulatory structure, and not just on the fishery sustainability side but on the health side, and often we can get some preferential treatment based on the strength of the US regulatory structure.

Well, and that's just it. We have MOUs, I think, and I can't imagine anybody having a stronger regulations for safety for the consumer than we do, and yet we seem to have to do some other stuff that doesn't seem to be necessary and doesn't do much. Or anything.

Dan Hull

Kitty.

Kitty Simonds

So, Sam, Secretary Ross has testified before the House Appropriations Committee and has made remarks around the country at different events about his number one priority of reducing the seafood trade deficit. And he sort of has said that, well, he's trying to get you all to get going. So, in addition to aquaculture, what are the other things that you all might be doing to help the secretary get his job done?

Sam Rauch

Well, I think this is one of the reasons the secretary is very much supporting the regulatory streamlining initiative. The secretary does believe that- in terms of wild capture production- that some of the barriers that are in place are unnecessary, and then if we remove some of those barriers that we could spur more domestic production and still meet our sustainability goals. There are a number of underutilized species. One of the things-- I mean, Chris- I don't know where he went- but when he first took office he was very concerned. And particularly on the Pacific, about some of the groundfish production that was limited because the council had taken a number of actions, but we had not cleared them out. And that once we begin to clear them out that we'll get to see more of the benefit from the council's actions. And so Barry and his staff have been working very hard to try to clear out those actions. That was a priority for Chris, and I think we've been made some good progress on that. Maybe there's still more to go, but that is one of the things-- so those are the kinds of things that we are looking at, and that's one of the things we actually are interested in the next presentation hearing from the councils about that. Are there other kinds of

things that we can clear up? That's one of the reasons he's giving the councils a million dollars to help with that kind of thing. Can we remove those regulatory barriers?

Also, obviously, we're interested in more fishing, which would also help to reduce this deficit. And so as we've-- and you know-- as we've asked in the past is for the government to support our request for increases in our quota in the international arena for [big I?]. So I just want to take this opportunity to remind the National Marine Fishery Service of their supporting job.

Dan Hull

Thank you. Any other councils? Leann?

Leann Borsage

Yeah. I just wanted to say how excited we are from the domestic shrimp industry that the stay on shrimp has been lifted. We really think that that will help with some of the transshipment that goes on when certain countries have-- that we banned their products because of health reasons because the antibiotics and such that are-- and other chemicals that have been put into those shrimp in the farm-raised arena. And then what happens is they just get transshipped and labeled as coming from some other country that's not banned. And we really think that this chain of custody that's now going to have to be documented in order for you to bring it in will make it much more difficult to transship. So, thanks.

Sam Rauch

Yeah. It was always our intention if we could solve that one domestic data collection problem. The issue of potentially illegal shrimp imports was one of the drivers of that whole initiative, and we will not see the full impact of that rule until shrimp can fully come into that. So we're pleased as well that we were able to do that.

Dan Hull

Okay. Anybody else? All right. Thanks for those presentations, Sam. That does take us to regulatory reform. Nice segue for Alan.

This report was not posted on the website. Is that not possible to do for--

[inaudible].

Yeah.

Okay.

Alan Risenhoover

So I thought there was a presentation. There is not a presentation. So I will just talk. Thank you, Mr. Chairman. Just want to go over a few things on the regulatory streamlining and deregulatory presentation I gave at the February meeting. So talking from that, as Sam had said, it's one of the administration's priorities. Been a part of this three-part thing of aquaculture, the international trade, and then regulatory streamlining. So we talked in February about a process that we had outlined for the councils to follow to look at the regulations and some of the public comments we had gotten in the past on what could be done on a regulatory basis to lift some of these issues we've heard about of how do we increase utilization of current catches; how do we make regulations more adaptable to what fishermen need, along those lines. So what we outlined is we had given you the results of an FR notice we had put out that got some comments, and you all were going to establish some processes around the country to look at those. So we're in that phase now where the councils, and I know a number of you have already done this, have started to review your current regulations to make sure they're still meeting your management goals. That there's no economic information that says you should change those. Assess whether there are some impacts we don't need on the fishing industry. And that by July 1st you were

going to come with at least a draft list to look at those. And in February you voiced some concerns about that this was another thing that perhaps we would need a little more funding for and hopefully with Chris's announcement at the beginning of the meeting, that we do have a million dollars, that that will help with that. So a lot of what I wanted to do today was just see if people had questions on how they can move forward, but also hear from perhaps all the councils on how you are doing on that regulatory streamlining deregulation review, and hopefully, that million dollars can help assist you in that, as well as using that million dollars for some of the other items we've talked about during the meeting, aquaculture, or other initiatives individual councils may have. So Mr. Chairman, I'm going to stop and instead of closing out with the slide that says questions for me, that's a question for y'all. Thank you.

Dan Hull

Okay. The floor is open, Chuck.

Chuck Tracy

Thank you. Maybe we can just go around the table. So we'll be reviewing our lists. We've put together a list for each of our FMPs in coordination with the region staff, council staff, so we've got a number of things to look at. Council's going to have a look at it in two weeks at our June council meeting. Our advisory bodies will get a look at the list too, so they'll be weighing in on it. So I think that's going well. I guess my question for you is once the list is transmitted to y'all, what then? And how do you think you're going to go about evaluating the various lists and setting priorities for accomplishing or accepting or sorting through the lists? What should be done? What shouldn't? And then how do you go about accomplishing it?

Alan Risenhoover

All right, thanks, Chuck. I think a lot of that is what does the council want to accomplish. And talking to your regional administrator, the SFARA, about what of those can be accomplishing. So kind of prioritizing your list and moving forward. I did not envision us at headquarters reviewing those lists and going, "Yeah, this is good," or "Don't do that one." Again, this is a council action based on the input they're getting from the public, based on their workload, based on the ability to use this new funding to move out on that. And we've talked to our regional administrators about how do we need to react to that. If the councils have a little bit more capacity, how do we react to that additional workload that perhaps we may get internally to move those things on? What I think we're looking for is some close coordination on here are our top priorities, the region agrees with those, let's get those done with this new funding.

Dan Hull

Okay. Thanks. Chris?

Chris Moore

So, it's pretty much ditto, what Chuck just said. We have a list that we put together. We'll be taking a look at it in two weeks and basically [align?] for public review, going over the list, and see what happens then.

Dan Hull

Tom.

Tom Nies

The same, but Alan's last response to Chuck kind of confused me a little bit. I thought when we talked about this in the past, there was some talk that there may be some of these that could be done without council action by the agency. And my interpretation was that might be a national level look, but you're envisioning that that would be a regional level approach?

Alan Risenhoover

I think, Tom, it would come from the region. So if there's regulations that just simply need to be deleted that aren't longer applicable or being used, that might be

something we at the national level could just do kind of a comprehensive rule on to remove those regs. And depending on what those are, probably public comment and then a final rule afterwards. I think some of you may remember way back when, maybe the late '90s, we did a similar thing under the administration's-- I can't remember what it was. But if you did a good job, you got one of Vice President Gore's Hammer Awards or something like that for removing regulations. And at that time, the agency at the national level just went through, and if it was redundant in the Code of Federal Regulations, we did a rule just to remove it. I think we want a little bit more of a partnership this time. But, yeah, we would be able to help with things like that. But if it's something where you're relieving a restriction that perhaps the industry wants to have comment on, I think that's more of something that the councils would want to do as opposed to some unilateral national regulation.

Tom Nies

Just a quick followup. Has there been any progress in trying to figure out a streamlined way to get rid of regulations? Or are we still stuck with inserting in a management plan, and having alternatives, and analyzing it?

Alan Risenhoover

I think that's something we could look at with the general council's office on kind of a case-by-case basis.

Regulatory [inaudible].

Dan Hull

David?

David Witherell

We collaborated closely with our regional office and came up with a list of items and made recommendations to reduce the burden on the industry. Many of them are reporting requirements that we feel are probably no longer needed.

Dan Hull

Thanks.

Gregg?

Gregg Waugh

Thank you. The South Atlantic Council will review their final list in June. And in going through our public comment periods at several meetings, we didn't get a lot of input. But when we took it to our advisory panels, we got more input. And it was interesting because we got a little bit of input on regulations to remove, but quite a bit of input on regulations to change. So we'll have that to look at, and it's appreciative that we've got some money to look at that. And I did have a question about how to implement it. But I know we've got some-- for instance, we're removing a species from a Fishery Management Plan, so that'll be done within that amendment. So we'll work with our regional office to figure out how to effect the removal of the other regulations. But we're on schedule to finish in June.

Dan Hull

Excellent. Miguel?

Miguel Rolon

All right, guys, we are going to discuss the August meeting. So hopefully, [you'll?] finish the list in coordination with the [inaudible] regional office.

Okay. Dan.

Dan Hull

I'm sorry, Doug.

Doug Gregory

I'm not retired yet .

Late last year, we worked with the regional office to identify some regulations that had changed, some that we could possibly remove. Took them to the council in April, got a little bit of feedback. We're going to give the council more in-depth analysis at

our June meeting and what Tom asked is, I think is very critical. If we've got to do a plan amendment for each one, that's going to take time. And just to do this, and have to go through a plan amendment would be discouraging, but we've been looking at it and I think we'll have something productive for the council to work on.

Dan Hull

Leann.

Leann Borsage

Yes, so just in the spirit of maximizing the catch from our waters, that's one of the president's mainstays, to make sure that we produce as much as we can in a sustainable and accountable way. There's something that the council can't really look at changing, but there's a prohibition on the sale of Red Drum caught in federal waters. And that's a huge catch that we could probably land and work on our trade and balance if that could ever be reversed.

That's in the FMP.

But there's an executive order that's kind of holding everything up.

Alan Risenhoover

Kitty, if I recall, that executive order does have some language that says, this is in place unless the secretary believes it should be changed. So, look at that executive order closely. There's some language in there that may be helpful to the Gulf if they want to do that.

Dan Hull

Kitty.

Kitty Simonds

Well, the only regulations that this council would like to see removed are all the monument regulations. Thank you. But I can tell you that we are opposed to any unilateral move to remove regulations that you think should be removed. There are some of them I know that you think should be removed, however, I expect that I want to keep them on the books because we're waiting to see what happens about the monuments. So, if in the event, some of these monument prohibitions are removed, our regulations are there in place and we don't have to go back in and redo them. So, as I said, don't touch any of our regulations.

Alan Risenhoover

Okay. And Mr. Chairman, if I could, the Atlantic Highly Migratory Species division, as you know, manages along the Gulf and the Atlantic Coast. We're also undertaking a review. We've worked with our advisory panel to get some recommendations from them. And what we're looking at is, where we've kind of built overlapping regulations on folks. Perhaps we closed an area to reduce bycatch. We put in some specific gear-types to reduce bycatch. We put in some seasonal restrictions to reduce bycatch. And we're trying to look at those to see, do we need all those layers of the same sort of thing trying to address it, or is one regulation enough on that? So I think this is one of those where we're all in this together. I'm going to see what the Atlantic Highly Migratory Species share of that \$1 million is. I'm thinking I know the answer to that. Some say they hope it's nothing. I think we hit all the council's there, right? If I could just add one more thing, in working with your regions, we're also trying to collect information on cost savings. What's the economic effect of this deregulation, streamlining, revising, whatever you're doing? And the regional offices have been helping us collect that information. So if you are reducing the regulatory burden, and there is a cost benefit of that, as you know, we're trying to capture that information at some level to show what our deregulatory balance is. Last year we saved about \$1 million. We have hopes that we'll have a little higher savings than that next year under the-- or the current year FY18 because we need to be in a negative balance to offset some of the other things that are going on. So if you recall that presentation I

made in February we had a good year in '17, and we're hoping to have a better year in '18.

Dan Hull Okay. Thanks very much, Alan. Chris?

Chris Moore I'll have a quick question. What are you guys doing about HMS, like regulations, anything?

Alan Risenhoover Yeah, I thought I went over that. Maybe I wasn't clear. Yeah, from our perspective the Atlantic HMS folks are working with their advisory panel. We had a session at their last meeting on what we could do and that was my comment. We're looking at kind of this layering of regulations where some of the things we've done addressing bycatch was we did area closure, season closures, gear restriction, bait restrictions, and now that we have cameras on for example all the pelagic longline vessels, do we really need to have that many layers of regulations trying to address the same issue?

Thanks.

So we're looking at it too. I think he was saying he would donate part of their share to us.

Who?

You.

No. No .

Dan Hull Be careful, Chris . All right. Any other council's final questions? Comments? All right. Thanks very much, Alan.

Alan Risenhoover Thank you Mr. Chairman, and if folks do have questions they can contact me or your SFARAs. Like I said, we're in this together. Thank you.

Dan Hull All right. Great. Let's take our morning break. We'll come back at half past the hour.

All right, nice long break.

[music]

Dan Hull All right. We will continue with our agenda. There was a Saltwater Recreational Fishery summit earlier this year and Russ Dunn is going to present the summary from that summit. Mr. Dunn.

Russ Dunn All right, thanks. I am Russ Dunn. I'm the recreational fisheries policy advisor at NOAA Fisheries. I think I know most of you here and thank you for inviting me to give an overview of what occurred at the recent recommend fish summit. So as the chairman said, in late March, NOAA Fisheries and Atlantic States Marines Fisheries Commission hosted, co-hosted the 2018 rec fish summit. It was the third of this kind of event since 2010. We had one in 2010, one in 2014, and this one. We had about 140 participants from across the country. If you factor in the [inaudible] staff, there were around 100 constituents, partners, collaborators, etc. including council members, council staff, all portions of the rec community, Interstate Fisheries Commissions, and a handful of state folks. The theme was improving-- oops. Let's see. I broke it.

The theme was improving recreational fisheries-- or opportunity and stability in recreational fisheries. And our objective was really to try and identify a discrete set of challenges where we could make some tangible actions.

Oh, I think the perception was that the summit was-- this one was the most successful of the three to date. And that is largely due, I think, to the fact that we took a much more collaborative approach-- all right, I'll stick with this. There we go. To develop in the agenda and the theme this time, we put together a steering committee of 10 folks from around the country, 10 recreational constituents from around the country, diversified by region and sector. And I think it paid off in the end. So our discussion topics there at the summit, as you can see. Innovative management or alternative management, socioeconomic in rec fisheries, angular engagement in collaborative data collection, which was really code for electronic reporting, although there was a short discussion of Citizen Science, and expanding recreational fishing opportunity through conservation. I think the meeting was structured in a way where we had expert panels speak, followed by Q and A of varying length, depending on the topic. We then broke out into regional breakout groups, reconvened to get a report out on what was discussed in those regional breakouts. So before I jump into the takeaways from the individual topics, there were just a handful of sort of more general cross-cutting takeaways I want to touch on. It was apparent to me, given the tenor of the meeting, that despite the noise surrounding a handful of the high-profile fisheries out there, we are generally in a better place with the recreational community. I think this is due in large part to the sustained engagement efforts that we have undertaken the last eight years. Publicly making and fulfilling commitments. Greater overall institutional focus on recreational fishing. Certainly, the current administration's assistance and support on recreational fisheries has been helpful to a degree. But what we have found is that the remaining challenges out there are very complex and difficult. We have, in other words, picked off a lot of the low hanging fruit. Things like direct policy that we did following the 2014 summit, well, that was a major effort and important to show agency focus. What's left now is very challenging. Things like finding and implementing flexibility under MSA. Trying to improve data and the confidence in data, closing the confidence intervals-- I don't know what that was. If that means something, that beep. My time is up. I'm out. Let's see, what also became apparent is that there is a real appetite for on the water improvements. For years, I think the discussion has been sacrifices now, you'll see the benefits later. In the minds of the recreational community, it is later. Now, certainly in some instances, we've seen quotas rise and an additional opportunity, depending how you define that, has been provided. But across the board their perception is that they're not seeing the return, the benefits that they hoped to see. And there was a real interest in collaboration and transparency to try and move things forward to a much greater degree than I anticipated. It was less NMFS councils go do this as it has been in the past. And it was much more-- we need to work together to advanced things like innovative management. So that was a positive, I think. All right. So innovative management, jumping into a couple of the specifics here, this topic had a lot of enthusiasm. It's how we kicked off the meeting. It had, I would say as much momentum behind it as the calls for developing a rec policy the last time around. There is real enthusiasm for trying to collaboratively find and pilot an appropriate fishery with any innovative approach. They feel certainly that, in order to do it the right way it's going to take a combination of the councils, the agency, and the fishing community being intimately involved in identifying an appropriate fishery and setting up a structure to move forward.

The kinds of concepts that they discussed in terms of the innovative management were-- frankly, they're not that innovative or new, but it is not things that are necessarily heavily in use in the federal system-- harvest rate management, depth

distance management, tags in some instances, trying to play with the concept of OY. And it was kicked off-- Bill Shedd was our keynote speaker from AFTCO and he was focused on growing the pie, so to speak, through aquaculture. We also had, from Alaska here, we had Richard Yamada, who spoke about the RQE, the Recreational Quota Entity at market-base mechanism for redistributing quota from the commercial sector to the four-higher sector in limited access fishery. Had a lot of interesting discussion about that. I think importantly, there was a recognition after the summit that these alternative approaches that they are asking about, are possible under the law. I think going into it there was a perception that nothing can be done without major changes to Magnuson. And I think after a few discussions, Alan's presentation, there was a recognition that oh, we can do this. We just need to figure out how to do it under the existing statute. Again, there was a recognition that to do it appropriately, in their eyes, it needs to be done collaboratively. And in a way, that minimizes risk both to the stock as well as to the community or the fishery there. They're concerned that if a pilot goes forward and if that approach does not pan out, that they are not penalized for some extended period of time because we tried something new and it failed. And I was pleasantly surprised to hear that there was, I think, a grudging acceptance or an understanding that an iterative approach or an adaptive approach will likely be necessary. That it isn't going to be a wholesale change overnight. Socioeconomics. So this was probably the most difficult of the sessions. We had seven economists on stage, and so people struggled. There was a lot of coffee that went down in that session. The perspective I think that that they walked into the meeting with is that if there was just more data, better data, more analyses, and it's considered to a greater degree in decision-making, than additional opportunity will be provided. Obviously, that links pretty directly to shifting allocation in their minds. What I was interested to find out, and I don't know if it's accurate or not, and I think it's an issue for follow-up discussion between the councils and appropriate NMF staff, is there was a real perception that the councils are not being supplied with the right kinds of socioeconomic data for use in management and decision-making. I don't know if that's accurate or not, but that was certainly a message that was put out there over and over during the summit. So I think that's an issue that you as councils need to look at and then discuss with your NMFS colleagues who collect and move forward with the data or produce the data. So if we're not producing that useful data for decision-making, what is it that you believe you're lacking, and we need to figure out how to do that and develop it. And I think there was a interesting sort of recognition that there may be a vehicle to help with that process should it be the case. In that there was a recent completion of socioeconomic program reviews across all the NMFS science programs as well as our headquarters socioeconomic program. And there is still an outstanding commitment within the National Rec Fish Implementation Plan to develop a national strategic plan for improving socioeconomic information on recreational fisheries. And so I think there was a recognition there that a-ha. There might be a vehicle. We've got a review, some outputs. We've got these inputs from the summit, and now there's potentially a vehicle. So that's an area where I think the agency needs to focus in the coming months. Let's see. I think it's that slide. Data collection and reporting. So data was a cross-cutting theme in literally every conversation at the summit. It didn't matter what the topic was, it came back to data. In most cases catch and effort, but in some, socio-econ.

We had presentations on catch and effort from the perspectives of-- from a range of perspective. From Mississippi, Tails n' Scales, a mandatory state-based program which

has just been certified by MREP. We had presentation by the South Atlantic Council's staff Kelsey Dick talked about their voluntary program. We heard from Cisco about three different designs for private boat ER which could be countable depending on the circumstances, a census-based approach, a stratified panel, and a voluntary panel. So we had a real wide range and it was-- we kicked off the discussion with a talk by Dr. Luiz Barbieri from the state of Florida, who is also part of the NAS review panel, who sort of set the stage for the whole conversation, and it was moderated by Gregg Stunz out of A&M. So we had a lot of expertise up on stage and a pretty extended back and forth. What we found was that it is really viewed as inevitable that ER is coming and the question becomes will NMFS and the councils be part of the solution? Or will we be a roadblock? I think there was-- I think a lack of recognition of the amount of work that has been done in support of it by the agency, in terms of supporting the state programs in the Gulf of Mexico as those developed with the Council's moving forward with ER programs in the four-higher, in many cases, with the South Atlantic Council developing their voluntary program. So I think it is moving forward and there was a little bit of a lack of recognition about how much is going on currently. There was also, very importantly, a recognition of some of the challenges that are out there. That recruitment into ER systems, retention in those systems is a real challenge, along with validating the data and a whole series of others that are challenges, but they're seen as surmountable. And there was interest in trying to move this forward, particularly with the private boat portion of the fleet, through another pilot program, but outside the Gulf of Mexico. Let's see. So conservation. Improving opportunity through conservation got a bit of a short shrift because this is when the Secretary of Commerce arrived to talk, and so it was truncated a little bit. Our own Chris Moore was one of the speakers there. He spoke about the [inaudible] projects and potential collaborative opportunities. But I think the takeaways here were that the rec community still sees rec discard mortality as a priority, as do, I think, most of us in this room. Innovative gears is still seen as sort of the magic bullet out there. And they have a role to play in improving conservation and, ultimately, opportunity. I think in particular, habitat was seen as a place that is ripe for collaborative opportunity to improve conservation and, ultimately, abundance within fisheries. So engagement and trust-building. This was not a specific discussion topic on the agenda, however, it was so pervasive throughout the summit, the issue just kept coming up. I felt I needed to add a slide here. Basically, the idea is that, while progress has been made, more engagement needs to be done. And they are interested-- they identified a number of steps or actions that they believe are important to building this trust or gaining this trust. And it was things like greater participation by the rec community in the long-term planning and priority-setting of the agencies, of the council. More collaborative research, greater involvement in research design as it's put together. Improving the angler confidence in the data, meaning reducing the confidence intervals or the lower PSEs. There was tremendous support for the MREP Program, which, I think, you all know the Marine Resource Education Program. There's a misunderstanding, I think, that that's a NMFS program, where it is not. It's a program run by the Gulf Main Research Institute. NMFS is one of a number of supporters financially of it as well as with expertise. But that program itself was referenced over and over, and it is a good program.

It is, unfortunately, limited in scope because it is expensive, and they can only push through so many folks into that. But it's expanding across the country, and it's expanding in terms of the topics that are covered. I think they just held the first Aquaculture MREP program the other day. And ultimately, as I said at the beginning,

to gain the trust, to strengthen that trust, the anglers need to see some return, some enhanced fishing opportunity. That is what's going to gain their confidence in the federal system. So, with that, a number of you here were there So I would like to hear feedback from you all if you were there, or if you've heard from your staff or members who attended what were the FMCs' key takeaways from the summit? Were there specific areas of collaboration that were highlighted to you? And how can we more effectively-- we NMFS-- more effectively engage both you, the councils, as well as the rec community? And then you can see at the bottom there, those areas for additional dialogue are places where we can and should work collaboratively together and/or suss out the facts. For example, the second bullet there-- the socio-economic data needs. While they indicated the councils don't have the right kind of information, I don't know if that's accurate or not. You'd know that better than me. So that's all I have for you all, but I would love to hear feedback from you on the summit.

Dan Hull

Right. Thanks, Russ, for your overview of the summit. Just go around the table and start with Marcos.

Marcos Hanke

Yes. It was a great meeting and was very informative. The break-out sections, especially on the ER, when we discuss all the implications and possibilities to use the telephone, a smartphone, as a tool for the fishermen in Puerto Rico, this is something that I'm pursuing for a long time, was very helpful. That's my main takeaway from the meeting. Along with all the other things that you mentioned there. It was a great meeting.

Dan Hull

Okay, thanks. Mark.

Mark Greene

It was a good meeting, and I agree with you, Russ, the two things that I took away was data and trust, which actually laid a path for us. It laid a good foundation for us to be able to create some things through the council process, to be able to gain that. We have an I&E committee, and our I&E committee tries to develop ways to reach the public and to let them know what's going on. But sometimes when you're lacking that trust part of it they tend not to really pay much attention to what you're trying to get across to them. And so it lays this foundation for us to be able to create something such as this presentation I'm getting ready to do on Citizen Science and to be able to get people to rally around a way to gather this data and have some input into it. And with everything that we face with stock assessments and trying to understand what we're doing, and with the lack of data that we have this gives us that opportunity to gain that trust back.

Dan Hull

Mark, what is an I&E Committee?

Mark Greene

Information and Education.

Dan Hull

Thanks. Charlie.

Charlie Phillips

Thanks. You said something about growing the pie through aquaculture. What exactly does that mean?

Russ Dunn

Well, so to put words in Bill Shedd's mouth. So he is involved with a White Seabass aquaculture program on the West Coast through, what is it, Hubbs-Sea World. And they have been supplementing the white seabass population out there for a number of years and it has substantially benefited the recreational fishery out there. Now, as far as I understand the primary focus of the aquaculture program interest within

commerce is primarily focused on food production as opposed to increasing stock levels.

But that is, in my mind, sort of where he was going with that, and he mentioned that a few times so.

- Dan Hull The other side of that table here. Yeah, are there any questions or comments for Russ? Dave?
- David Witherell Thanks for your report, Russ. At the beginning of the summit, there was a report on the results of a survey of what people were interested in talking about at the meeting and I was surprised that the word allocation was not even mentioned by anyone. And that seemed to be a huge difference from your 2010 summit and I was kind of curious of what you thought about that. Why is that no longer an issue for the recreational community?
- Russ Dunn I think it still is an issue and that's-- you're seeing some of the legislation out there. I think to a very limited degree the allocation policy that was jointly developed addressed it a little bit, but when that came out they primarily said, "Well, that's not adequate because it wasn't mandatory to enforce things." All the economic discussion in their mind was going directly towards allocation. But I was surprised as well that allocation was not front and center. When I was talking with the steering committee as we were setting this up, it came up a number of times and I said, "Allocation is fine. It's a legitimate discussion that can and should happen, but I don't want to make the entire summit about allocation." But that was just those 10 folks on the steering committee. So, I was surprised with the survey results that it wasn't front and center as well.
- Dan Hull Dave.
- David Witherell And just a follow-up. You asked whether or not the councils felt that the economic data that they were getting from the recreational fisheries was adequate and from, I think, at least our council member recreational fisheries representative's standpoint, not adequate. I think the science center feels that many of the studies they do are on point because they address issues that the councils are talking about, but the results of those studies are not necessarily helpful to making the management decisions that we need to make, particularly when it comes to our allocation review that involves a recreational/commercial split.
- Russ Dunn Let me ask this, does the council feel that it has a fairly open line to the agency to identify, hey these are the shortcomings, this is the information we need? Or do you ask and there's no response? Or--?
- David Witherell We're actually getting much better because with the staff change over at the science center they're starting to send us their proposals for internal money allocation. And they're starting to share those economic and socioeconomic proposals with our staff and we're providing some input on how that data would be collected and analyzed so that it would benefit. We're working on it. We're not there yet.
- Russ Dunn Okay. Thanks. Appreciate it.
- Dan Hull Yeah, Gregg.
- Gregg Waugh Thank you, Mr. Chairman. As far as the data goes, we've worked with our region. We know what data needs to be collected. The problem is it's just very expensive. And

then there's never enough money to get it. But I wanted to mention too that in terms of follow-up from the summit, Mark and I met with a number of ASA reps and they're very interested in trying to move something forward to get regulations in place to try some innovative approach. So Mark and I have been working with them. We're trying to schedule a session at our September council meeting on the Sunday afternoon, Monday morning, focused on innovative management, barotrauma reduction, reducing the discard mortality, and data collection and reporting. And there are four approaches we're looking at. Our council has looked at an area-based approach in the past for dealing with recreational management. More recently we talked about a game-based approach that mirrors what we do with our game management. Because some of our ACLs are so low and require a very short season and low bag limit. The recreational community has a gulf white paper that they produce, and then there's a national alternative management strategy document.

And the idea is to talk about those at this workshop in September, boil it down to one or two approaches, and then hire somebody outside to go out and hold four workshops, one in each of our states, and bring back white paper with recommendations to the council. And then if the council is interested in moving forward with those, which we hope they would be based on this initial workshop, then the council would begin the scoping process. And the idea is to have those independent workshops free of any tie to management decisions already having been made. So hopefully at the end of that, we will have a program ready to be implemented either through an EFP or plan amendment. So we very well may be back in touch with you for some help in that process.

Russ Dunn

Fantastic. That's really encouraging to hear that there's momentum following up from the summit. And just one note I forgot to make. We expect the final summit report to be completed in mid-June. So in the next two or so weeks, we should have it. We've seen a draft already. The mediator, facilitator, organization is putting it together. We've seen a draft and they're working on that. So when we get that we'll distribute that to all the councils and then also publicly, so.

Dan Hull

Yeah, Dean.

Dean Sensui

Russ. Thank you for your presentation and your overview and summaries. Let's see you mentioned trust and I know you've sat in on one of our breakout sessions and just to kind of go over that a little bit. We had a guy from NMFS, Kurt Kawamoto, who developed that trust between his federal agency and local fishermen by just being out there talking story with them kind of getting on their level and he developed a really good Barbless Circle Hook Project in order to mitigate interactions with protected species and whatnot. So that worked out really well. And we talked to Andrew Torres and encouraged him to get out into the field more often and develop that trust now that he's working there for NOAA. One of the issues that our region faces, I believe we're the only region among all the regions that does not have a licensing program for noncommercial recreational fishermen. State of Hawaii, there was a bill introduced this past session that would have implemented a permit relicensing system, but it sat untouched. So that went nowhere. There's been a lot of resistance to something like that only because everybody's grown up not having to get a license, and the idea is that-- it's generally felt that it's a right of freedom to do that. As far as the MRIP plans, we have implementation plan that was developed and while ago and what we're kind of wondering is how are these implementation plans going to be funded, and what does NMFS intend to do with the plan?

Russ Dunn The implementation plans are developed by the regional partners, and many of the projects are MRIP funded through their budget each year. But I don't know the specifics enough about what's contained in the Western Pacific plan to speak to it. But we certainly could talk offline and I can get you the information that you need.

Dean Sensui Okay. Thank you.

Russ Dunn Just to touch one take-- there are a few other states without licenses that are out there. They have registries, New York, New Jersey have state registries instead of a license. And Puerto Rico has passed through the legislature a license requirement, but have not yet implemented it. It's been a number of years. So there's a similar issues in a few places.

Yeah, because without that, of course, you're not gonna get good user data. Without good user data, you can't really effectively manage the resources.

Right. No sample frame, or it makes it harder to get a sample frame for [inaudible], yeah.

Thanks.

Dan Hull Yeah, Mike.

Mike Luisi All right, thank, Dan. Thanks, Russ, for the presentation. I would say that I took away something that you already mentioned regarding kind of a frustration on the part of anglers by-- because they're not seeing a return on their investment in management and in the efforts that I truly believe out there.

There are a lot of groups, a lot of people, a lot of recreational anglers that want to provide the information that we need as managers to do our jobs. Working at the state level, as an agency person in Maryland, this is a day in and day out conversation that we have with our recreational anglers in our state as well as through the council process in our region. And you mentioned that these challenges are complex. The low-hanging fruit has been dealt with, but these complex challenges that we're facing, they're going to take some time to work through. And I'm just wondering, of those really challenging complicated hurdles that we're still facing, has the agency decided or have you prioritized in any way what those-- what's the first thing that we're going to try to accomplish? Instead of having such a big picture out there and maybe picking a way-- is there any one direction that you guys took from this summit? I mean, my takeaway was that the recreational anglers are frustrated. They'd like to see a return on what it is they're suggesting that they could provide to us to help manage the fishery. I'll look to you to see if since that meeting, has there been any continued development on-- what's the next thing that you guys are going to work on?

Russ Dunn So in short, no. And this discussion is part of trying to figure that out. We have some preliminary conclusions, many of which we've touched on here, but we've had a couple of internal conversations. We have a meeting next week with our-- or two weeks, with our regional coordinator. So the other NMFS staff that were there are a point to contact on recreational issues across the agency - who were all at the meeting or at the summit - to sit down, get their set of takeaways, and then sit down with leadership to decide, "Okay. Here are they key four or five." I do believe, though, that we can address a number of them simultaneously. For example, if the way to address opportunity is advancing a pilot program. Okay, we can work on that with you

all and the constituents. At the same time, we are trying to improve the socioeconomic data as well. So they aren't mutually exclusive. So my guess is they'll be a number that are concurrent. But at some point, obviously, if it comes down to resource dollars, there's going to have to be a prioritization. So we're still working on it.

Thank you.

Thank you. And that's good to hear and I'll be sure to tell Monty Hawkins you said hello --

Awesome.

--when I get back.

We get along great actually.

Dan Hull

All right. To Chuck, and then Leanne.

Chuck Tracy

Thanks. Thanks, Russ. In regards to your comment or question about the councils getting the data they need from NMFS and the need for better socioeconomic data. And I guess it's kind of just made me think that well, we've noted that better socioeconomic data would be desirable. I think that came up in our ecosystem assessment report this year. And so I think we recognize it, and I think that will be reflected in our Research and Data Needs document update. And so I guess I'd encourage as you go through and look at what resources are available and how you want to prioritize things, to take a look at our Research and Data Needs document. And I'm sure if you've been here all week you've heard some discussion about that. And then also think about-- the use of those documents kind of came up in terms of grant requirements or grant topics. And so that might be another way to kind of process going where you could get some of that information developed and provide some incentive for people to work on that.

Dan Hull

All right. Thanks.

Leanne.

Leann Borsage

Yeah. So obviously we have a very large, and robust, and very engaged recreational component in the Gulf of Mexico, and I think that they are frustrated and rightfully so. I mean, to give the other people around the table an example of what they're up against-- so in the Gulf, essentially for red snapper, their bag limit's down to two fish per person. Gray triggerfish, they're at a bag limit of one fish per person. Greater amberjack we're starting to look at a fractional bag limit of one fish for every two people. Because essentially our toolbox on how to manage those anglers is somewhat limited because of our data constraints, right? We don't really have a universe of anglers that are out there targeting red snapper specifically, or gray trigger specifically or amberjack, right.

Russ Dunn

On the private angler side, they're licensed by the states, but that recreational license allows you to get in a rowboat and go fish for spotted seatrout in 3, 4, 5 foot of water or it also allows you to go in 200 foot of water and fish for red snapper. So it's very hard to parse out, right, what you're looking at so that you could consider something like a harvest tag. Because the big question there is, well, but will there be enough tags to go around? How many fish would that actually give each angler? Well, if you don't know how many anglers there are, it's pretty hard to tell. And I guess

where I'm going with this is that a lot of our states in the Gulf have gone out on their own, and we're excited about it, and set up data collection programs to try and parse some of that out, but it's very fractured. Mississippi's data collection program, which I'm from Mississippi, so I think it's great, don't get me wrong. But it's specifically for red snapper. And our anglers hail in, hail out, they have mandatory reporting requirements, that's great, but that's for one species. Louisiana's doing it for all species, but it's a little bit different. Alabama is not mandatory, it's only for red snapper. So you see where us trying to-- from a federal level, pull that in and really make heads or tails of it from a region level is very difficult. And I just wonder when, somewhere further up the chain, are we going to allocate some resources towards trying to actually develop a federal permit for recreational anglers. Because I really believe that that is the first step to getting them the data that they want to report. Even with an app like iSnapper where they can electronically report if you really want that to be usable information, you have to understand how many people are reporting versus how many people are actually out there fishing. So what's that nonreporting component so you can extrapolate that and get good landings information, right? And you don't want to think that-- a lot of times the people that report are the people that are more vested in it, that are out there more often, that are involved in the management side. Well, those may be your anglers that are going to go more often and catch bigger fish and you don't want to associate that with every angler. Then you overestimate your landings in that sense. But I really believe that at some point at least in the Southeast, I don't want to put it on other councils that maybe don't have that recreational component like we do, but I think that we're going to have to get to that point where we have a permit. Because the other thing that we're up against in the Southeast is-- in some of these fisheries that are predominantly recreational, as far as the allocation is concerned, we're starting to have issues with the stock itself. I mean, gray trigger is overfished, amberjack is overfished. Our fishermen are telling us we probably have a problem with cobia and that's almost purely a recreational fishery in the Gulf. So I hope you'll take that message back and if that's one thing that I can try and do for the recreational fishery, as a council member, I really believe I can provide them some help there and get them started on a path that would provide them more tools for management.

I think I'll leave the decision on a federal permit to Chris and Sam. That's above my pay grade, so.

Dan Hull

Dave, and then Gregg.

David Witherell

Thanks, Russ. On your slide on engagement and building trust, the first bullet talks about greater participation and transparency. I note that the summit was an invitation-only event and that it wasn't widely advertised at all. And I'm curious to know if you've heard from those folks that maybe wanted to attend or there's grouching from people that feel like that they were excluded from the event and didn't have an opportunity to comment in some way or another.

Russ Dunn

So first it was not an invitation-only event. There was an open registration. We sent a broadcast email out to all the participants of the previous summits in our other mailing lists. So I think there was a perception that it was an invite-only list because our email list was only so big. But then the registration itself was an open registration site. We were frankly, though, concerned about being swamped. We only had a hundred seats really at the table just because of budgetary constraints.

Frankly, the strongest voice we heard about being not involved, I won't say excluded, from the meeting were from the states. The states said, "Hey if we're your partners, we need to be here at the table," which is a completely legitimate valid perspective. The issue that I had in planning the summit was we were really trying to hear primarily from the recreational constituency as opposed to the managers. And with a hundred seats, if we specifically brought in the state agencies, there - I can't remember now if there are 28 coastal states and territories or whatnot - but we would have then ostensibly lost more than a quarter of the available seats to non-constituents. So our approach was to ensure that we brought in the Interstate Fisheries Commissions, which ostensibly speak on behalf of the states in certain instances, as well as ensuring council participation where the states also have a voice at the table. So I heard limited pushback from fisherman that they weren't able to attend, and what we told those folks was "The registration filled up. You're more than welcome to come. It's an open meeting. There's whatever, 100 seats around the edges of the room. First come, first serve." But we couldn't accommodate them "at the table". But it was mostly the states we heard from.

Dan Hull

Dave.

David Witherell

Just to follow up. So have you given some thought on how to address that first bullet in your presentation?

Russ Dunn

Yes. So that referred primarily at the meeting to participation in priority setting, long-term planning for the agency. So for example, as we begin to look at this strategic plan for improving rec socioeconomic data. There was a very strong interest in being brought in to have a voice in the development of that plan so that they feel that their issues were adequately addressed. So, obviously at the next summit, there's sort of the link to participants within a particular event, but that particular bullet went more to participation in planning, priority setting, things like that. So it's just one of many takeaways, considerations, we're working on.

Dan Hull

Gregg.

Gregg Waugh

Thank you, Mr. Chairman. Just to follow up on Leanne's point about permitting. We have a pilot project, My Fish Count, funded by FIS, that the app will be ready in June, and that will have two components, a reporting component, and a permitting component. So we will gain some experience on the issues associated with recreational fishermen getting a permit through an app with the data going to ACCSP. So this may give us a way to significantly reduce the perceived or expected workload, should there be a desire by our council to require a private recreational permit.

Dan Hull

Thanks, Gregg. Anybody else? I guess I want to follow-up on Dave's question, because the need for the rec sector to engage more with the councils raises a question for me about whether the next rec summit or some further conversations with how to do that in particular, engaging with the councils instead of just focusing the discussions of the rec sector participants would-- since I don't know to what extent the broader councils were asked to participate. Is that a potential next step?

Russ Dunn

It is. In fact, one of the first conversations that I had afterwards with other NMFS staff was about that if we do another summit-- we've been doing them roughly every four years. The next one I would like to change up the format substantially. The format of the first three were generally the same. But because of, in particular, the inputs from

the states saying, "Hey, we need to be at the table, too," I mean, if you look at where most of the fishing occurs, it's near-shore state waters.

And so we have not delved into how do we solve the problem, but we certainly have recognized it and, or it is on our list of issues to address, should we do another one in four more years. So if you have thoughts on how to do that or a format, I'd love to talk more.

Dan Hull

Okay. Great. Anybody else? Okay, thanks for the presentation, guys.

All right. Thanks.

And Citizen Science is our next agenda item, which as Russ said was a subtopic of conversation at the rec summit.

Mark Brown

Okay. So I've gotten to meet a few of you, and my name is Mark Brown and I'm in a for-hire boat in Charleston. It's a 20-passenger boat and we take people out and do different types of fishing, bottom fish trawl and pretty diverse. Anyway, I was sitting here also thinking about what Russ was saying. And I started and mentioned something else too about MRIP. We actually had Dave Van Voorhees there at that summit. And he got asked a lot of questions about the new upcoming MRIP program. And I'm not sure as he actually ever really answered the questions. It was really some good bureaucratic answers. I mean, we asked some good questions, but the answers came back and I don't think he really answered them. But I'm kind of curious. And that's one of the things that we were really worried about. In the future is how is this new MRIP program going to affect our recreational fisheries, and what they are going to look like, and how we're going to deal with that. So with that said, I'm the current vice chair of the South Atlantic Council and also the chair of the Citizens Science Committee. And I would like to give you an overview of how our council is moving forward with the innovative ways to address some of these key data gaps. And to research needs to help enhance the science for many of our management decisions. And will help us to hopefully develop this Citizen Science program and we'll move forward with that.

South Atlantic Council began exploring how Citizen Science approaches might fit into this council science management process back in 2016 with the-- excuse me, culmination of the Citizen Science Program Design Workshop. The workshop brought together over 55 fishery stakeholders from across the region. Everyone from fishermen, from all sectors, state, federal agency partners, academic researchers and sea grants specialists to brainstorm what a Citizen Science program might look like for the council. The workshop produced a program blueprint to serve as the guiding document that outlined the framework that's needed to be developed for a Citizen Science program in order to support fishery-related Citizen Science projects. That could address the council's data needs and science needs. One of the primary goals for the program is to support projects that can help supplement existing data, primary goals for the program, and in collection efforts and produce data that can be used to directly inform SEDAR stock assessments and council decision making. That year the council elevated the program development work to a council level committee and quickly determined that this effort needed a staff support in order to progress. So in 2017 resources were allocated to bring on a full-time program manager, who is Amber Von Harten, to support development of the program.

In the first year of the program and into 2018 the program has focused on gathering the necessary building blocks for the program through the creation of the Citizen

Science advisory panel, establishing programmatic partnerships, seeking funds for the program's pilot project, and establishing SOPPs and Citizen Science research priorities. To help with creating the different components necessary to run the program, the Citizens Science AP appointed members to five action teams that were tasked with developing recommendations on how the program would operate with regard to managing projects and data, working with volunteers, communicating about the program, and supporting the program over the long term. The A-teams as we like to call them, are made up of fishermen, researchers, state-federal agency staff, sea grant specialists, and other interested citizens with expertise in the five areas you see on the slide. The teams meet via webinar on a monthly basis, and have produced specific operating principles for the program ranging from how to identify, prioritize data gaps and research needs. Data management plans and partnerships. Plans for recruiting, training and retaining volunteers. Plans for how to communicate with a target audience or audiences about the program. How data will be used in sharing results. Inventories of data management resources. Funding opportunities for projects, and communication and training approaches. And models for building partnerships for programmatic and project support. The work of the A-teams is then reviewed by this council's Citizen Science Committee and adopted through the council. The program will soon activate the Citizen Science Operations Committee that will develop SOPS for the program moving forward. And we are very excited to be embarking upon the first project under the council's program that will focus on collecting data from all sectors of the fishery on discards of scamp grouper using a mobile app. This project was chosen to help inform the upcoming SEDAR stock assessment for scamp. Discard data has been repeatedly brought up, by both fishermen and the council, as one of the critical challenges to fisheries in our region and this project will help fill a known data gap for this species. The data collected for the project will be relatively easy to collect. It doesn't require costly equipment as long as you have a smartphone, you can collect the data. And will be scalable to take place across all four states and across to all sectors of the fishery. Project together through a partnership with an NGO, the Citizen Science Association, fishermen, researchers, ACCSP, and the app developer Harbor Light software. These partners make up the planning team along with the Southeast Fisheries Science Center to develop the data elements, design of the mobile app, data exchange and housing needs, and overall implementation of the project. In conjunction with the planning team, each A-team is developing plans for communication, volunteer training, and data management for the project. End-researchers from the Citizens Science Association and Cornell University are studying how our program development process supports projects and developing the valuation metrics for the pilot project. It's an exciting time for our council as we dive into the realm of supporting our management needs through innovation. Innovation and data collection approaches that engage fishermen, scientists, communicators, and managers through the entire process from project design and implementation of data analysis and the sharing of results.

I encourage you to visit the program's website, seen here on the slide, and contact the program manager, Amber Von Harten, to learn more about how the program's efforts are moving forward to support the science behind our management process. And that's all.

Dan Hull

All right. Thank you. Thank you, Mark.

Mark Brown

But I would like to say that this is what I was saying about having a platform or something to lead into. When I went to that conference that they held up there for

the recreational fishing summit, and I kept hearing that whole thing about data and trust, data and trust, and it kept leading back to this to me. And so it gives us that opportunity to do something about it.

Dan Hull All right. Thanks. And congratulations on getting to the [inaudible] on the pilot project stage because I recall when Michelle presented this concept a number of years ago to the CCC, and my thoughts back then were that it would be pretty complex and a challenging initiative. So the fact that you are at this stage with a pilot project, I think, is a great success. So good luck.

Mark Brown We actually also have some printouts on the table back there and some information on there with Amber's name on there too, contact information.

Dan Hull All right. Questions. Marcus?

Marcos Hanke Congratulation for a great job. Actually, you are way ahead of many things that a lot of the recreational fishermen think about. I think you are in the right track. One comment that I have is that during the recreational summit, I don't recall anybody that don't recognize barotrauma effect on the fish as something that is not important. And you guys are contemplating through the same platform to collect some basic data about barotrauma nationwide or in the region at first or anything like that. Because I didn't see a creative approach to address this problem being done. And this is something that worries me because I come from an area with multispecies, you guys too. In our case it's to the extreme, right, we have a lot of things in there. And we really don't know what is going on. And please, any comment about it.

Well, you know, I mentioned to you and talked to you about this that I'm doing a project with red snapper and I have a descending device on a line with a six-pound weight and about six or eight feet above it, I have a GoPro camera. And so whenever we catch one, which we have to release, we get the fish and we try to measure it as quickly as possible and write a little bit information but we get it back down as quickly as we can, and we watch it, save the videos and it gives us a good way to start a type of project. It's a learning process, really, for me because this program here from the very beginning, my input into it was is let's do it the right way at the very beginning. That's why we're kind of taking baby steps as we go along when we're putting this together, and it all leads back to what Bonnie [inaudible] told-- I heard her say, "That if you don't collect the information correctly, okay, it can't be used in a stock assessment." And so that's what I would like to see is us be able to collect information that we can use and then you gain that trust again back too. Every little bit that you can do, the public will accept that and then they're more involved. And so that was another thing that I heard at that fisheries summit too, is that people were really interested in getting involved in some way to collect data. And I agree with you, Mark, because that is an important thing for me too is to try to figure out ways we can develop a-- possibly a Citizen Science program to be directed towards barotrauma and all that, but we had to do something as simple as possible to start with. So we could build the ground for that and get through that project and then we could work on something else.

Dan Hull Ed.

Ed Ebisui Thank you, Mr. Chairman. Mr. Brown, when I stand before the public, I try to characterize council action as being driven by good science. Good, solid, credible

science. Citizen Science, initially, I had some knee-jerk reactions in that-- how do you validate and verify the data that's collected?

How do you put it in-- I don't want to say sanitize it, but how do you make it truly scientific?

Mark Brown

Well, we have such a lack of data. We have nothing to work from on a lot of points because we have so many different species of fish and we only have certain ones that we have some good quantified data, okay? And so we've got people from the science center that are involved, that are helping us to develop these programs and giving us the guidelines, "This is what you need to be able to do to quantify it." And so when we bring together the people that are going to participate in these programs, there's going to be some education that will be associated with that so that we can instruct them on the proper way to do it and more than likely, there's going to be monitors. There'll be some people that are going to be on boats and paying attention to what's going on. I have a port agent that rides along with me every now and then. And he'll collect data and stuff. So to be able to actually say that we can verify everything that's going, on unless we have a camera on the boat or something like that, I'm not sure that there would be, but I think we have to have a level of trust ourselves, okay, that this is going to work. Because with not having anything, we need something and this just gives us that path to be able to get some information.

Gregg Waugh

Great. Thank you, Mr. Chairman. Just to expand on Mark's response on the barotrauma. This pilot project will collect-- the app will allow individuals to report where they're catching fish so we'll get catch-by-depth distribution. It will also allow them to take a picture of the fish. So we'll get length of the fish that are being discarded and that's something that's very critical that we don't get now at all. And, of course, if you have a picture, you make sure then of your species ID. And in addition, the My Fish Count app will also allow them to take a picture and report the depths where they're catching it. So the hope is is that if we get sufficient data that you can then, rather than attributing one discard mortality to the recreational sector, you can distribute that by depth. And our Citizen Science program is housed in our science and statistic shop that is headed up by John Carmichael. For this pilot, we have worked closely with is Southeast Fishery Science Center Stock Assessment folks to make sure that how we're collecting the data and the procedures are going to allow that data to go right into the stock assessment. Because we're very cognizant that that's a critical part of it. There's going to be a lot of attention on this first pilot, and we want to make sure those data are collected in a way that they can be used in a stock assessment.

Also every council, everybody I've talked to in here has different issues with different areas. And in the Southeast, we seem to have a really bad problem with data where it's not quite so bad in some other areas. And we've approached a lot of it with reporting, it's mandatory for the commercial sector, and now we're closing the gap on all of our recreational for-hire. But our recreational private component has been such a gap, such a black hole for a long time. This gives us an opportunity to close that a little bit. And hopefully, it will be supportive information to where maybe it'll be something we can run alongside of MRIP, I hope, one day, and be able to challenge that.

Dan Hull

Terry, and then Dean.

Terry Stockwell

Yeah, thank you, Mr. Chairman. I have a follow-up to Ed's question to Mark concerning the incorporation of the data into the process. In the northern Mid-

Atlantic area, we've formed what we call the Northern Trawl Advisory Panel. It's a mixture of industry, academics, gear manufacturers, and research scientists all working collaboratively to develop and implement a process that's going to improve the data that goes into the stock assessment that's specific to the trawl surveys.

And it's been a touch-and-go process for a while. We've got pretty good collaboration right now and great support by the current science director. And the industry is very much on board in working with collecting data that's going to be, not their data, but data that they participate in collecting that will be fully utilized by the science center. So we've got a commitment from the center to help with the funding and we meet several times a year. And we've got a little bit of money to spend for the upcoming trawl survey and it will be a truly collaborative process.

Dan Hull

Okay. Thanks, Terry. Dean.

Dean Sensui

Yeah. Thanks for your presentation. We had a tagging program developed for jacks, this was maybe about 15 years ago, and prior to that, you'd never see somebody in Hawaii ever throwing a fish back. Everything gets eaten. But once they started developing this program, since then thousands of fishermen got involved, tens of thousands of fish have been tagged. It's provided some really good information on how some of these fish are moving. And some really unexpected results like going from one island, across a channel that's thousands of feet deep to another island for what reason, who knows. But it's interesting to see something like that develop. Along the way, we've seen a great deal of enthusiasm as far as people becoming involved in that program. Unfortunately, the state has discontinued it. It's been picked up since then by the Pacific Islands Fisheries Group. Unfortunately, the tags and tag kits are no longer out there for free, but that hasn't stopped participation. In another fishery, bottomfish fishery. I think it was about 20 years ago that bottomfish fishermen were asked to provide some information as to where they were fishing. The state turned around and then closed these areas off, saying that it was too valuable to allow that area to be hit. That instantly lost the trust of all the fishermen. And meanwhile, there was a research project that was conducted and the results were not only inconclusive, but the process of that entire study was heavily criticized in a peer review. And it never passed muster. Jump ahead another several years later, the trust was regained among the bottomfish fishermen. And the past few years they did an extensive survey of areas inside and outside of these bottomfish fishing-restricted areas. In fact, the surveys covered waters statewide, including in areas that would just get hammered by trade winds, and these guys would get knocked around. They recruited some of the best commercial and part-time commercial fishermen to work shoulder to shoulder with some of these researchers, and since then they've probably developed one of the best pictures of the status of the bottomfish fishery. And we're talking about verification and validation of data that was accomplished through close collaboration with these scientists. So that's just an example of what can happen in an ideal situation. Where, as you mentioned, trust is developed, even though they were stabbed in the back a couple decades ago. They managed to redevelop that trust partly because the scientists who were working or developing that project are, in fact, fishermen themselves. So that's one of our examples of how things were done nicely. Thanks.

I appreciate that because I'm a fisherman too, and I grew up in a fishing family. And I understand all the hardships that everyone has gone through.

Dan Hull

Okay, anybody else? Marcos?

Marcos Hanke

Actually, probably kind of helping to wrap up this. Because this discussion about how to collect data, how to get information, the whole system throughout the history with the recreational fishermen, especially the private anglers that you describe, we are not doing a good job, right?

And what you're proposing is creating a new path to do that. And the way I see it is that we're going to collect data that, yes, doesn't fit the model of the science, the way it's done with the validation and the quality of data that you have. But you create a basic information in which you can build over with fisher-independent data, and purify and make it better. Because up to now, we don't have anything, right? And I think it's very valid. And I think we have to recognize that this effort is the way to go for a fishery or a user that behave and fish totally different than the rest of the other commercial fishermen. And I totally endorse your effort. And don't get discouraged by the judgment of the usual way to do things. You're doing something new. Always going to have judgement about doing new things. Please keep going on. And anything I can help from the Caribbean to try to implement there, or to try on my private boat, on my charter, I'll be more than happy to do so. Thank you very much.

One other thing I'd like to mention too is that recreation of fishermen throughout, everywhere, it doesn't matter where they're at, they are pretty zealous. And they like to put more motors on their boat, go faster than the next guy, and then they all like to fish in tournaments. And that's one of the things that we have in common with the Gulf. And we're kind of connected to the hip even though they like to divorce us every now and then. But we both have a lot of tournaments. And I think that this will play right into that too, as far as collecting some data and developing programs that can be utilized and implemented into some of these tournaments. And it would benefit everybody.

Dan Hull

All right. Thanks very much, Mark. I think, clearly, there's some interest among the CCC in learning about what progress you made by that time next year how the pilot project has worked. If there are no further comments or questions, I guess we'll close this agenda item, and we'll break for lunch. But I think Chris and the folks here to my right have a teleconference, and there might be some overlap with our next agenda. And when we come back from lunch, we may change the order a bit, but tell me, Chris, if that's going to be the case.

We're going to come back at 1:00 PM. What's your plan, Dave?

David Crabbe

Well, I was thinking we'd come back at quarter after 1:00.

That should be fine. I sure hope our conference call doesn't take more than an hour or so.

Dan Hull

If that works for the rest of the group here we'll--? Great. Come back at a quarter after 1:00.

[music]

Dan Hull

All right. Welcome back, everyone. We're on our last lap and Tom is going to give us a summary of the New England Council's program review. We do just want everybody to know we have a couple of the Gulf council members who have to leave at 5:00. Oh, your plane's at 5:00, so you're going to have to leave a little closer to 4 o'clock or so, but I think we're going to make good progress through our agenda, but if we have to

switch an item to make sure that you're involved in some of the discussions on actions we're taking, and we can do that after the break. Okay, Tom and John.

John Quinn

Sure. Going to just make a couple of brief open comments and have Tom get into the detail. We just completed a program review and I guess I'm going to address why did we do it, and what are we going to do with it. Back in 2011, we had a program review, kind of under some odd circumstances. A council member requested one, and we had one in 2011 which was called the Touchstone report, which is in your documents. Fast forward to this past year, we had an interest from some members to do this. Through the executive committee we decided to go forward, and then Tom will explain it, but just a little commentary on human nature. Most people don't like criticism, even though they say they want positive feedback and constructive criticism. When they say, "You do this wrong," people don't want to hear that, even though they want to say that they want it. That's just my independent commentary. So we did this voluntarily. There is no statutory requirement to do this, and I'm going to turn it over to Tom to go and explain it. We have an executive committee meeting coming up next week to discuss it. A full council meeting in the middle of June and I know Tom is going to do it, but we want to thank Chairman Dan Hull who was the chairman of the program review, who did a tremendous job and left the Alaskan winter to come to a New England winter. They were snowed in for several days in the hotel working on it. So with that, I'm going to turn over to Tom.

Tom Nies

Thank you, Doctor Quinn. So, the reason this is on the agenda is when word got out that we're going to do a program review, one of the first things I did was ask EDs if anyone had done one. And the answer was pretty much no, but they were interested in learning from our experience. So they have agreed to put it on the agenda. As John pointed out, "Why do you want to beat up on yourself?" A couple of reasons. One is it's generally good practice to review your operations once in a while to make sure that you're operating the best you can. We wanted to identify if there are any resource limitations that were in issue. We were hoping that we would be able to learn from what some other organizations had done. This was intended to be brought in, I think, by getting reviewers from a wide range of different backgrounds. And the ultimate goal is to try and improve our processes. Certainly, we recognize that we perhaps operate a little differently than some of the other councils. We use a very extensive committee system. It, perhaps, is not the most efficient way to get things done.

So we wanted to take a look and see how things work. Now part of the impetus for this is the fact that since around 2010 or 2011, it's been relatively common practice for a number of regional fishery management organizations to do a program review. And so a number of our council members have been involved in some of these reviews with other organizations. So they brought that perspective that these were useful. As John pointed out, we had a 2011 report that was called two names. The main author was a guy by the name of Preston Pate, so it goes by either his name or the main contractor that supported it, was a group called Touchstone. So you'll see it referred to by both names. This was not really requested by the council, it was requested by a council member asking on his own, but he happened to be the chair. He wrote a letter to NMFS. NMFS took it up and NMFS organized the review really without any direct input from the council. And it really wasn't just focused on the council, it was really focused on how the council interacts with National Marine Fisheries Service including the science center and the regional office in New England. So it really wasn't just specifically to the council. This report was prepared primarily

by interviewing roughly 120. The Touchstone Group and Mr. Pate interviewed them all and then he wrote a report. The council and the regional office and the science center had a very active response to that for a while. For about a year, a year and a half, we were getting regular reports on what we are doing on it. But there have often been criticisms both of this report as not being very thorough and not really being very informative, and other concerns that the council really didn't address many of the recommendations that were in the report. So one of the things we did when we started is that we wanted to collect some information on how regional fishery management organizations did their reviews. There's an excellent FAO overview that was published in 2014, so it's a little dated. I did put it in your binder just to make it easy to find. And this is an interesting report because it points out that there's a number of different ways to do the reviews and they go through a number of the different organizations and explain all the reviews that were done. The one thing that is really absent from this is what the cost was of many of these reviews because the author cited was often not available. The time period, many of these took nine months to three years. There were a couple different ways they were done. Some of them were done through public meetings. Some of them were done by hired contractors. If you're familiar with the Halibut Commission, they've done, I think, two reviews in the last couple years. And their approach has been to hire a contractor to do all the work and then present their report. That FAO review points out that generally with these regional fishery management organizations there's four or five common themes. These are listed on a screen. I'm not going to re-read them all. Some of them, perhaps, don't apply to the councils. We don't generally be overly concerned with compliance with international obligations, for example. The conservation and management support. Management of fish stocks tends to focus on what is the status of stocks, how reliable is the information, etc. So taking into account what we learned from the FAO report and discussions held at the council, we formed a committee, if you will, or a working group which consisted of several council members and some regional office and council staff to try and develop a plan for the council. And their recommendation was to use the review panel approach. And their recommendation was to have a review panel of about six people with three managers and three scientists. The original goal was to have two managers from the United States and one international manager. And similarly, two scientists from the US and an international manager. We hopefully wanted to try and attract people from both coasts. We wanted people who weren't directly involved with current council decision-making. Some of the reviewers that we eventually settled on have had past contact with the council, and one really has current contact with the council. We got the executive director of the Atlantic States Marine Fisheries Commission to serve on this panel, in part because he interacts with not only the commission but three other councils. So from the standpoint of learning lessons, we figured he was sort of an unusual situation where he has a lot of background on how different people operate. We had extensive contractor support for this. We let two contracts to support this evolution, and the reason for this was to try and keep the burden as much as possible off the council staff.

But in at least one case, the other reason was because we wanted to get stakeholder input and we felt that an outside contractor might be viewed as more objective in getting the input, rather than have council staff go out and get the input. Or council meetings to do it. So we hired the Fisheries Forum for Leadership and Sustainability. You're all familiar with Kim Gordon and Katie Latanich. I think they're still behind me. They conducted an extensive effort with public meetings all up and down the coast

from Maine to I forget where, but somewhere in the Mid-Atlantic area. Including on Long Island and down in I think the New Jersey area if I remember right. They also conducted a number of interviews, probably well into the hundreds, telephone interviews with different managers, advisory panel members, scientists from the science center. They interviewed all of my staff. I think they tried to interview all the council members, they may have missed a couple because of schedules and that sort of thing. In the end, the approach was that we hired another contractor to do, what I would say, is provide administrative support. So she prepared all the documents that we presented to the reviewers and assembled all of them. So for example, she went to the NMFS's webpage, assembled all the policies that were relevant to fisheries management, prepared short summaries for the reviewers, identified which policies she felt the reviewers would probably want to read in detail and the ones that they could just rely on the summary. She helped the chair who, as John pointed out, was Dan Hull who volunteered to do this for us, schedule the meeting, arrange the agenda so she did a lot of the grunt work on planning the meeting and all that stuff. In addition, she helped draft the report and helped edit the report. As far as stakeholder input, Kim and Katie prepared extensive documents that summarized the input for us. They broke it down into two volumes, really. Those are available on our web page if you are interested. In terms of reference prepared by the steering committee, if you will, and eventually approved by the council sort of focused on these four main areas. They evolved a little bit over time. As we worked with a review panel we realized that there could be some improvements in the wording and everything like that. The four main categories were the foundations of management, council processes. We walked in the room with four representative actions to try and illustrate how all this stuff fit together and worked in practice. And we intentionally picked two actions that we thought went pretty well, and two actions that we thought didn't really go well at all. So we tried not to just cherry pick and show all the brilliant things we do so that the panel would have an idea of where the challenges and opportunities were for improvements in our process. As you can imagine we wound up with three managers and three scientists. The managers, we had one from the Gulf of Mexico area who had been a former Gulf of Mexico council member and is a current Gulf of Mexico council SSC member, Dan, from the North Pacific. I mentioned the Atlantic States Marine Fisheries Commission executive director. We wound up with a social scientist from Rutgers as one of the scientists. One from the University of Maryland who participated in the National Academies' sciences review of rebuilding programs. And then the chief scientist for New Zealand's fisheries management agency, which isn't her title anymore because the organization changed, but that's effectively what she was. We planned a four-day meeting. This was sort of a function of schedules. The original plan was five days but because of travel, we could only get people together for four. Our initial approach was we were going to have everything open to the public including discussions and debates by the reviewers. The first conference call we had with the reviewers they said, "No, you're not ." So we had a mix of public and non-public sessions. They wanted executive sessions where they felt free to talk without anyone in the room other than the contractor who provided administrative support. We prepared a number of background panels. We got good support from both our regional office and from the science center. They provided people to help participate in the panels, to explain how they interacted with the council, and how they interacted on specific management actions. We brought in a number of our advisory panel members. We brought in a mid-Atlantic council member who not only

serves as a liaison to our council, but in the past had been chair of one of our advisory panels before he was appointed to the council.

So we had good representation from a broad range. The one thing we didn't do well and that was plan the weather. So the day of this four-day meeting turned into a pretty bad nor'easter snow storm which pretty much shut everything down in New England. Now luckily, all the reviewers were already there but we were forced, a little bit against our will, to have a lot of these people participate by webinar. Some of them actually went to great pains because many of them lost power and had to go find somewhere where they could participate by webinar. This actually worked pretty well for the participants. It didn't work really well for members of the public, in that we didn't get as many public attendees as we thought we would, and we really aren't sure why, but we offered the ability to comment through the webinar and we really didn't get much public comment at all during the meeting. So for four days the panel reviewed the information we had, asked questions of the people in front of them, held their executive sessions, and then started working on the review panel report. They provided a 55-page report to us plus a couple of appendices. The report summarizes their conclusions, makes some suggestions on things to address, and prioritizes some of those suggestions. The report I didn't provide to you because I doubt you wanted to read everything, but it is available on our web page and the link in on the presentation if you need it. Generally, there were, I think, four major themes to the report. Emphasizing that the council should maintain and improve its relationships with partner agencies, in particular, as we try to deal with challenges like climate change. That the council should do, perhaps, a little more effort planning for the future through either a visioning project or strategic planning, and also should spend some time assessing the past. Figuring out how we have performed in the past and where are the opportunities for improvement. One of their big themes, which is perhaps a little bit outside the range of the council's control, is they emphasize the importance of stock assessments as well as social and economic data to the council. When we held the actual panel meeting, one of our managers was unable to make it because of a family emergency. And so our plan to have this balanced management-science panel was thrown out the window a little bit. So we had two managers and three scientists. And my opinion is that from sitting in a room you could tell that from the discussion because the scientists in the room kept wanting to evaluate the science center rather than the council, and Dan and the other manager had to kind of keep trying to herd them to focus on the management issues. And one of their last points is they said that council, our council anyway, really needs to do a better job learning from other councils. And one of the suggestions of the review panel is that one of the avenues for that may be through the Council Coordination Committee in some manner to have that as a forum for sharing lessons learned and how we operate and what may be better ways to operate. As John pointed out, our next steps are that the executive committee will figure out a plan of how to address these and prioritize these. The council will start having that discussion in June. And then as we decide which of these are most important to act on, we'll start working on them. One of the things we asked the panelists to do when they were completed is can you give us some suggestions on how a review like this could be better? And so they all wrote some comments, and I'd be glad to share those with any council that is considering pursuing this idea. There were a couple that were identified, I think, right up front which are worth mentioning. One of the things that I think you have to be careful of is to have your terms of reference pretty narrowly focused. I think you can argue that our terms of reference, perhaps, were a little ambitious and overly broad. There were

some terms of reference, for example, that implied that we were supposed to weigh in on whether the Magnuson Act is written correctly. You know that is, obviously, beyond the control of the council. I'm not sure it's worth spending a lot of time on that. We had some questions about how to structure stakeholder input during the discussion. Our choice, when we did the stakeholder input, is we left the discussions pretty free-flowing. We let the discussions go where the person being interviewed took them. And so that meant that you got a lot of opinions, but that when time to try and quantify those discussions, it became a little more difficult.

So I think perhaps some thought could be given to maybe how you'd want to structure stakeholder input if you're going to do this in the future. And the last point I've already mentioned, the panel membership is a little bit of an issue. You will notice we didn't really have an international manager. That's because I couldn't find one who was available, and we wound up with a little bit of an unbalanced panel just due to chance. We didn't really have a balance between managers and scientists. And in hindsight, I think that depending what you want to look at, you may not really want a balanced panel. If you're really looking at how a council operates you may want to have more managers on the panel than you have on scientists. And with that, I'd be willing to answer any questions if there are any.

Dan Hull

All right. Thanks, Tom. Questions from the councils? I'll just say, I would do it again. It was a ton of work. When I would do it again-- too, I'd definitely want to go attend a New England council meeting. I mean I wish I had that opportunity beforehand, but I would also just say reading through a lot of the preparatory material really forced me to go back and read some of our own North Pacific Council documents about process and procedures, so, to fully understand "well how am I going to compare and contrast?" So learning from other councils I think is an excellent way for us to exchange experiences and figure out how we can all do our work better.

Yeah.

Sam Rauch

Thank you, Tom, and I did want to follow up on that last point that Dan made. And your suggestion, which is that the CCC can be a forum for exchanging these ideas. I think that is our view as well and many of the CCC meetings in addition to dealing with whatever the difficult problem of the day, we do try to articulate things that the councils do differently, or how they approach things differently. And I think that is an important part of the CCC is that sharing of ideas that we can do here. And my hope is, and I think councils do take that back, with their other councils and that helps fulfill that function. I think it's probably, actually part of the terms of reference, I believe. But it is something that we try to devote time to, this sort of comparison, amongst the councils about the different ways to do things.

Dan Hull

Chuck.

Chuck Tracy

Thanks. One comment and one question. So as far as learning from other councils, I agree, I think that's very important. One of the highlights of my career as an executive-end of this council was an exchange that the Gulf Council and myself, Carrie and I took turns going to each others' council meetings and you can talk a lot about how different things are and sort of conceptualize what it's like-- might be like to be somewhere else. But until you go there and spend the whole meeting there, and see every step of the way, it really helps sink in. So I would encourage some more of that, either from council members, EDs. I think the deputy director level was a real good

level to do that sort of thing, so I would encourage that. So my question is actually for you, Dan. Do you plan to recommend a program review for the North Pacific Council?

Dan Hull

Good question . I guess I would think about how do we currently-- one, do we currently reflect on the kinds of work that we do and how do we do that. And I haven't given time to think about that part of it first, but that's a first step. I'm planning to share my experience with our council and would suggest how we- the group might want to do it. It would be easy for me to suggest doing it because my term is up in mid-August . But whether they would want to take it on would be another matter. Gregg, and then Jim.

Gregg Waugh

Thank you, Mr. Chairman. Tom, thanks for that presentation. And in following up on this theme of learning from other councils, we'd be very interested in seeing how you all handle this, looking at your final report so that we don't have to do a program review .

Dan Hull

Tom.

Tom Nies

So, the one thing I meant to mention, I thought somebody might ask, but nobody did. So if anybody wants to know what this costs, this cost us right around 200 grand.

That involves the contractors we hired, as well as the payments to the reviewers that we made. As well as the reviewers' travel, renting the meeting space, all that type of stuff. So if you're thinking about it, if do it internally, of course, you save a lot of contractor money, but then you wind up losing your staff time. So just go into this eyes open that it's not necessarily a cheap thing to do. We tried to find out in advance what the Pate report cost the fisheries service, but we were unable to track that down. They are the ones who funded that effort back in 2010, that was eight years ago. And so I don't really know how that compares to what was spent on the Pate report.

Jim.

Jim Balsiger

Thank you, Dan. So I was going to comment. You mentioned the Halibut Commission. We've done a couple of these reviews. We've hired contractors. They're on the order of the amount of money that you mentioned, \$100,000. But it doesn't relieve the staff or the commissioners or anyone else of the burden of talking to them. You know the old saying, a consultant is someone who says, "Give me your watch and I'll tell you what time it is ." So there was a big burden on the staff. Nonetheless, we've changed quite a bit. Dr. Quinn's corrective course is kind of like doing a 360. You don't really want to hear all of that stuff, but we have changed the procedures like the Halibut Commission, so there is possibilities of moving forward.

Dan Hull

I think it's you say, "Buy me a watch and I'll tell you what time it is ." Gold watch. Anybody else? Kitty.

Kitty Simonds

Thanks, Tom, I thought that was really great and we're going to read all of your reports. I guess I'm interested in a review of the ninth council in terms of pelagics. The ninth council is the [inaudible], if that's okay? So I just want to make that suggestion in terms of pelagics and tuna.

Dan Hull

All right. Yeah, Mark.

Mark Brown

Hey, Tom, is your report free to the other councils?

Tom Nies No, no, I charge 50 grand a council [laughter].

John Quinn I can have the final word. As Tom and I said, that Dan went above and beyond the call of duty in doing this, and for that we've got a little token of our appreciation, which is a New England Fisheries Management Council jacket. And it didn't cost us 200 grand. [applause]

Dan Hull Especially if that has the logo, that's what I want. Yes, it has. All right. Thank you. All right, thanks, Tom. Where are we? Next, Rebecca Ferro is going to give us an update on the fisheries website transition.

Rebecca Ferro Cool. Thank you. Hey, everyone. I'm Rebecca Ferro. I'm deputy director for our Fisheries Communications Office, and I'm here today to give you guys a quick status update for the web transformation project the Fisheries is going through right now. We spent a good bit of time yesterday with the council communications workgroup, kind of talking about the web and what it means to be living in a digital era. The web is our number one communications tool. We have about 3.2 million visitors coming to all of our Fisheries websites on an annual basis. But we got to a point where we were realizing we were using outdated technology. We were not mobile friendly, which doesn't recognize about 25 to 30% of our users that are coming to our websites. It also kind of hurts us in Google search engines because Google's algorithm is set up to prioritize mobile-friendly websites. We were treating websites as filing cabinets. We had ended up with 45,000 web pages and 55,000 PDFs. That's a cost to maintain and it's a cost for our users to kind of sift through all of that to try to find what they're looking for. We had redundant, outdated, and inconsistent content across multiple websites, and we were lacking a consistent look and feel.

So this is where our heads were when we formed the Fisheries web council and also developed an agency web strategy in 2015. So today, I'm going to spend the next 10 to 15 minutes kind of giving you an overview of where we're at right now, kind of some background information, the current status, and then hopefully the Internet is working for us. I'll give you a quick demo, too. In our strategy, our two primary goals was to really improve user experience and also make our internal web services more efficient and cost-effective across the board. So what we're really trying to do is merge 20 core Fisheries websites into one national website. It's a huge task. We're really focusing on the user data this time and I want to share a little bit of that with you in a little bit. Moving to mobile first and also kind of cleaning up our content, moving to plain language, eliminating all that redundant and out of date content that's up there right now. We're also looking into the future. So we've picked a technology called Drupal 8 that is widely used across the federal government and also private companies, so we know it's something that will grow with us over time. So back in 2015, when we were first getting started, we actually did a scientific-based random intersect customer satisfaction survey, and it revealed a lot of good information for us. And part of that was just who is coming to our websites? And so we have this great chart here and you can see, it's not just the general public coming into our websites. Across the board the top five audiences, government employees, our scientists, general public recreational fishermen, and also students, so that was kind of a surprise to us. But if you look at the bottom of that bar chart and you look for recreational fishermen and commercial fishermen, their satisfaction scores were 59 and 55 respectively. So we knew we had a problem there. They were not satisfied with our websites and we needed to do something about that. We looked at what they were coming to our websites to do. How were we going to-- we have a huge task

in front of us, how are we going to prioritize that? So we were looking at-- a lot of them are coming in and looking for specific species information. They were looking for rules and regulations, but, for our audiences that we're interested here today, they were looking for information on fish docks. They were looking for statistics and permits. So these are all things that we wanted to keep in mind and make sure that that information is easy for them to get to. We have started the satisfaction survey again, and this is some preliminary data. I think it's very early in the data stage. We want to look at-- we want to get to a year's worth of data, and in an ongoing phase process, we're actually going to be doing some more user testing. And we want to make sure that our scores are up and around the mid-70s that would be the ideal range. So clearly there's some of our audiences that we still need to work on. But I want to point out, too, that we are seeing that our fishermen are responding more to our mobile survey than our desktop survey. So I think that is pointing to that our fishermen are actually using mobile devices more than they are desktop. So what's going on right now? If you haven't had a chance to look at the new site at this point in time, I think there's three primary things that you're going to notice. It's organized completely different. We are not organized by our organization's structure anymore. We're organized by the task that users come in to our site by. So I'll show that to you in our demo. Our organization structure is still there. You can still get to it, but we're much more focused on those tasks that users are coming in to get. Find their permits. Find the rules and regs. Find grants. And that's kind of what the data is showing us, and we're going to keep our eyes on the data as well. We're looking at the content. We're not going to just take that content from our old sites and plop it into the new site. We're really cleaning it up, writing it in plain language so everyone can understand it. And again, mobile. So what does mobile look like? Here's your view, moving from a desktop to a tablet, from a large tablet to a small tablet, to a mobile screen. I think the biggest point I need to make here today is that this is an ongoing, iterative process. We've got phase one in. Our national program websites are in. We've kind of wrapped those up at the end of April, but we're in this hybrid situation where you are still linking back to the current regional websites and the current science centers, and we're going to be that way until they actually can get their migration complete. So we're fixing a lot of bugs and issues. That's an ongoing thing. That's a huge task. And we're adding new features as we go. That's also ongoing. The user testing is ongoing. We're going to be reaching out to fishermen and working with them one-on-one to make sure that they're finding what they're looking for.

This is the schedule. So for this year, the Alaska Region and Science Center are well underway. Pacific Islands Region and Science Center are well underway. Southeast region underway. The Southeast Center and West Coast region are scheduled to get started this year. They're a little bit slow to start but they're coming. GARFO is also starting moving over some preliminary content. Some of their rules and regs are going in, and things like feature stories. And the remaining science centers will get started later this year, early next year. So one of the things that we talked about with the communications workgroup, council communications workgroup, yesterday was just that preparation that they'll need to be aware of when one of the region sites is ready to be archived or a science center site's ready to be archived. And your council sites are linking to the fishery site, so we talked about making sure there's plenty of notification and identifying broken links and helping your communications folks find the content that they need to be linking to in the new fishery site, so we're going to need some coordination there. We're aware of that and we'll be scheduling that in advance to make sure that is as seamless as possible, but it's not going to be perfect.

It's really difficult to get to those broken links. So it's going to be a bit of work. So next I want to switch if the Internet is working for us. I want to switch gears here to the actual site. I want to do a duplicate, right? [inaudible] There we go. Thank you. All right. All right, thanks. Okay. So the top task when we were collecting our data was finding species. So I'm going to just swing across the navigation for right now. So that's right there for the majority of our audience's to kind of dive in. We're building profiles for individual species. We want to make sure that we're highlighting our main mission areas so we've got fishing and seafood here. We want to make sure that fishermen can come in. And if they're a commercial fishermen or recreational fishermen. If they're coming in for permits or rules and regulations, those are links that they can get to all that content right there. Protecting marine life, our other second mission. And then cross-cutting mission areas for ecosystems and habitat climate, etc. If a user's coming in and they want to see specific content for their particular region, they can come into these regional landing pages. And that's another way that they'll be able to get specific content. And then also resources and services. What are those top tasks that our users are coming in to get to? So rules and regulations, permits, publications, our laws and policies, science and data, outreach and education. And then under services, we've got funding and financial services, permits, consultations, enforcement and seafood inspection. And then in this bin, you really get to our organizational structure. So you can click into About Fisheries and get to our organizational chart under Who We Are. You can get to more of our News and Announcements. But where I want to start with is under Our Partners. The first tab is our Regional Fishery Management Council's page. So this is the content that used to be on the Office of Sustainable Fisheries site and now it's here for you all. And it's linking straight to your websites and then your main collective page as well. And then you can keep scrolling down and get to other areas of content for the councils. Now, this is just one way to get to the councils. There's other ways throughout this website to link to your content. So let me start over here with just this topic-based approach to content. For example, if you click on Commercial Fishing you get an overview tab on all of our topics, but then you also have usually a Management tab and a Science tab. So it's all kind of grouped together so that when users coming in they're getting the full picture of what the agency does. We're trying to make it easy for fishermen and dealers to find resources. But we're also making sure that the links to the councils are in multiple places. If I scroll over to-- let me scroll over to Rules and Regulations real quick. This is a very hybrid landing page right now. Most of these links are linking back to existing regional offices. The one place I can link to is Atlantic Highly Migratory Species because they've already started using this.

So you can see that you could come in here and find-- this is really tracking all of our regulatory actions. So you can come in here and sort by the management area too. You can click into your Fishery Bulletins and you can click into management plans in the future. There's a new feature that we're going to be adding that will actually be a list of fisheries as well. Clicking into Permits. There aren't any permits in the system right now. We are working with a contractor called Mobomo. They're very talented. They've actually done NASA's website and the White House's website. So they've been very helpful in trying to make improvements and figure out cool functions, functionality. So this would be where the permits will live, and they're going to help us move all that permit content over, hopefully, by this summer I would say. Okay. And then if we click into the Regions-- let's just click into Alaska since that's our theme right now. Again we're showing both the management and the science side of the house. If you scroll on down you get news from Alaska. And then you get panels

where you can click into what are the current notices and rules, if you have fishery bulletins, any kind of events, and then also grant or funding opportunities. You click in and you see the-- or keep scrolling down and you can see the top tasks for the management side of the house and we want to make sure that science is prevalent just as well. And Alaska actually has a science blog so that's pretty cool. And Pacific Islands also has a science blog. So they've already started using that. So you scroll on down and you can see their science blog here as well. Let's see. I want to go over to species. So if we click into Fish and Sharks-- sharks are very popular so we are using keywords-- top things that folks are looking for. I want to show you a sample fish profile. This is just a test that I put up today to share with you all because this is a slow-going process. There's lots of ways that we can put content in for fish species. So right now all the fish profiles that are coming in are actually being imported from FishWatch. So this content on the overview page is all content that's being imported from FishWatch. And it was just the easiest way for us to get started in highlighting some of our fish species. Over time, the regional offices and science centers can add other fish species. They'll also be able to create group pages. So for Alaska groundfish, you might just do a group page for Alaska groundfish because you've got 70-some species and you might not-- it's a huge effort to create an individual profile for each of those species. So there's tabs here for both Management and Science. You've got your overview information, links into your councils and your commissions. You can scroll on down. Eventually, we can add plans and regulatory history if we want to. Science side of the house is recognized here as well. And then any kind of specific information that you want for a recreational fisherman or commercial fisherman that can be included here as well. So I think that's kind of where I-- those were the key highlights that I wanted to show you all today. And I want to turn it over to you guys to ask me any questions or show-- if you have any concerns. Okay. Actually, you know what? I do want to show you one thing. There's a search box that's across the top that's prominent on every single page. It's working pretty good right now. It's not perfect. We're working on it. But here's one that does work right now. If I type in, "HMS," the first thing that's recommended to me is highly migratory species. And we wanted to make sure that kind of rose to the top because we do have a very large audience coming into this content. So questions?

Dan Hull

All right. Thanks very much, Rebecca. Do the councils have questions? Yes. Miguel.

Miguel Rolon

How much money is involved, or how many people? How many contractor do you have to-- for your new page?

Rebecca Ferro

So it's a four-year contract. I am not quite sure of what over four years it is, but I think this year was 1.2, and then, each year it gets less because the first year was the heaviest lift. And then, each year, the lift is a little bit lighter.

1.2 million?

Million.

Dan Hull

Jim?

Jim Balsiger

We also have contractors in the Alaska region. I presume other regions will as well. So I don't think you're giving us [crosstalk] that 1.2 [crosstalk].

Yeah. No, I'm just telling you the contract that it's a joint contract between the office of communications and the office of CIO.

Dan Hull Chris, and then Tom.

Chris Moore Thank you, Mr. Chairman. Thanks, Rebecca for the presentation. All your hard work. I know how hard it is to do this, and it looks good. I have a couple of quick questions. The first one is, how did you come up with the regional titles? Once again, I'm linked closely with my brothers and sisters to the north in that sort of hybrid New England/Mid-Atlantic and I'm curious why it wouldn't it have been Northeast?

Rebecca Ferro I believe it is partly due to we have that mix of GARFO and the Northeast Science Center. And this is kind of where they decided that it's also [nod?] to being in a New England management area in a Mid-Atlantic management area. And it's just kind of recognizing the location that our users-- our users will still be able to recognize this location if they're living in those areas. This is a place that they would want to come to on the site.

Dan Hull Chris.

Chris Moore So a couple other things that I noticed. When you go to the regional site, and you look at the overview, there's no mention of the councils there. So it talks about, for example, on the Mid-Atlantic/New England one, it says Greater Atlantic Regional Office and Northeast Fishery Science Center, but it doesn't say anything about the councils there. So you have to find the councils by going to Conservation and Management, and there we're mentioned, right? My suggestion would be, in the overview, sticking in the fact that there's two councils in that region.

Okay.

Yeah.

Rebecca Ferro I will take that comment back. I think one of the things that is a struggle is trying to keep the content tight in making sure that we're providing all of the kind of the top task links and making sure all that's available. So that was brought up yesterday too.

Chris Moore Yeah. And then the other thing is FishWatch. So I would think that FishWatch would be under Fishing and Seafood, but again, it takes you a while to find it. So is the agency backing away from FishWatch?

Rebecca Ferro No, we are not. And actually, one of the improvements that we would like to add here. We have a link here to FishWatch, but we actually want to add the logo here. It just hasn't been done yet. FishWatch, we want to talk about sustainable seafood as a whole, and introduce folks to FishWatch in that way. Because FishWatch, just naming something FishWatch, they don't necessarily know what they are linking into by clicking on FishWatch. So we're trying to introduce them to sustainable seafood, and lead them into FishWatch that way. Also, all of our fish profiles that are on the site right now, have the FishWatch logo. Anything that's coming in from FishWatch has that FishWatch logo too. So we are trying in certain ways to make sure that folks can [inaudible] FishWatch.

So last question, Mr. Chairman.

Dan Hull Sure, Chris.

Chris Moore The only thing I didn't understand is, is this getting pushed out to the regions and the science centers in terms of the look and feel? So each region and science center will have the same sort of look for their websites? Is that [crosstalk]?

Rebecca Ferro Yes, all 20 websites are merging into one national website.

All 20? So we won't have--?

Yeah, for our core website. So I actually, probably am including the-- yeah, Chesapeake Bay website as well, which is kind of on its own right now. So back to the regional landing pages. These landing pages are a joint effort between the regional office and the science centers. So when a user comes in, they're looking for Alaska as a whole, but they'll still be able to-- let me just show you how they'll get to the information about offices. We have this About Us area, and that's where a user can learn about an individual office. So we actually have our org chart right here. They can click into these areas if they want to go into any of the regional offices or science centers, or they can slide down here and then click on a particular office. So if I click on the Alaska Regional Office, here, this is their About Us page. Actually, it says, "Contact us." No. This is their About Us page. And so this kind of talks about what they do. But the entire site is being restructured so it's user-centric and not organization-centric.

So just a quick follow-up.

Dan Hull Sure.

Chris Moore So it's just going to be one website for everybody?

Rebecca Ferro Correct.

Chris Moore Okay. So some of the things that we like about the GARFO-- one of the things we like about the GARFO website, currently, is that our fishermen can get on there and track quotas. So that's going to be a--

Yes. We know quotas are important. And right now they'll-- for now, they're on the regional sites, but they will be migrating over into the new site.

Dan Hull Okay. Thanks.

More questions?

Okay. I think I had Tom next, and then Chuck.

Tom Nies Well, I think Chris covered a lot of my points. But just in terms of feedback, I know that perhaps councils and council staff are unusual users of your website and probably, in terms of numbers, aren't very many. But I, personally, and my staff, personally, find it difficult to wade through this to find information they're looking for.

And I don't know if you're getting that feedback from anybody else or not. So, just as an example, I used to find it real easy to get to the policy directives system. And I looked at that a lot. And I don't really find it that easy. Now, you're probably going to show me that I'm dumb, but it--

Rebecca Ferro No. No. Not at all. I'm just going to show you where it's at, under laws and policies. We go to the NOAA Fisheries policy directives.

Tom Nies I mean, it just seems like a lot of the information is not as easy to find as it used to be on your old webpage. Now, maybe that's just a function of I'm not yet used to the new webpage, but I go there a lot, and it always seems to be a battle. I wind up clicking a lot to try and find the information I want because it's not intuitively obvious where I should go. I mean, even the simple things like the links to the councils. I

mean, that takes a little effort. It took me a while to figure out where I was, that I was under the About Us page, I think, which is not where I would've thought to look before.

Rebecca Ferro

The navigation is different from the way it was before. Before, we had a navigation that came down the left side and we did have a Partners link, and under Partners, you got to the Regional Fishery Management Councils. So now, it's still under Partners, but it's a challenge. There's still a lot of things that we need to link to, and by best practices, you can't make your mega menus too full. If you add too many words there, it's not going to make it any easier for folks to find. So the idea would be then that this would be another way to search and find your partners here. So I just typed in RFMC in the menu, and that came up. So, I mean, one of the things, maybe, we can do is some hot links for the councils so you guys know where to find the things that you're most often to search for. But it is. It's true. Anytime you're changing your website, it takes a while for folks to find the new organization.

Dan Hull

Chuck?

Chuck Tracy

Thanks. Yeah. Kind of reminds me, they're remodeling my Fred Meyer grocery store where I've been shopping for the last 30 years, and God, I hate that because it takes a while-- just when you knew where everything was, then you got to go scoop out a cup full of gray matter and replace it with something else, so. But I understand that that's part of the process, and they got to make you look at new products and buy different things. I have one question and one suggestion. So the question is how much-- once you integrate all the regional websites and everything into one collective, how much control will the regions have for updating content and things like that? There's a lot of in-season management. People go to check updated regulations and those sorts of things. So are they still going to be able to do that and control that? Or is it going to have to go through the board?

Rebecca Ferro

Yeah. That was one of the biggest concerns when we first got it started, "We're going to lose our identity. We're going to lose our control." Yes. Every office still-- they have their own web teams they can get in there and update automatically. So part of the cool new technology is that we are up in the cloud now. And so they're not going to be slowed down from posting their content live, and they'll have the same editorial processes that they do now.

Chuck Tracy

And my suggestion, or maybe this is another question, so I notice as I go through the website and I look at pages and look at products-- I mean, the CCC website's one good example. If you want to go to the content of today's meeting and look at something, you have to download it. It does not come up in a pop-up window.

Rebecca Ferro

Oh yeah. We don't like that either .

And there's a bunch of that throughout the website so if you can cure that--

That's on our list.

--that would be. That should be a top priority.

We want to be able to preview those documents.

Chuck Tracy

Because otherwise, my hard drive is going to fill up in a hurry.

Rebecca Ferro Thank you for saying that. I will move that up the list. The list is long, but thank you. Anybody else?

Dan Hull Kitty?

Kitty Simonds I'm turning it over to Sylvia, but I do have to say that I'm sorry, I've never visited your website. I can barely maneuver ours, and I'm always complaining about not being able to find stuff on our own website. So Sylvia has the comments from the staff and the council members.

Dan Hull Okay. Sylvia?

Sylvia Spalding Yeah. So the council staff and vice chairs looked at the website and three main comments, and some of them have already been said. One is the prominence of the fishery management councils, I mean, under the Pacific Islands region.

Even under Conservation, it's not on Overview and it's not even on Conservation and Management. Another thing had to do with retaining the NOAA Fisheries website. Our staff found it easier to go through the regional websites to find information. And I know you're in transition, and I know that some of the stuff will be retained, and some won't, and will we know what is, and what isn't? Because at this point, we don't know what's broken links and what says you're not going to carry it anymore, such as the Marine Mammal Stock Assessment reports. The [Marianna?] permits we couldn't find. ACL status of stock seems to be buried somewhere, so. And then the third point was it just seems-- I know from being in the outreach meeting that the NOAA purpose, as you see it, is both fisheries and protected species, but when you look at the website it seems to be protected species-- when you go find a species there's like half a dozen protected species, and then fish and whales, or something, is one thing. And then in the outreach group, we also talked about there's red snapper-- in every different region, there's multiple species of red snapper. So I'm just kind of curious of how you're going to deal with all that?

Rebecca Ferro Okay. Let me start back with the ACLs and the stock assessments. So a lot of that content hasn't been migrated over, and it will be, and we'll have to make that prominent. We know fishermen and you all are coming in to look at those ACLs, so we need to make sure that that pops out. Stock assessments are getting migrated over, too. I think that the Office of Protected Resources have been migrating some of that, but some of the regional offices might also-- if it was originally stored on the regional office site they might be the ones to migrate it over. As far as the species profiles, I think that's just going to have to be-- we're going through this huge collaborative effort on the protected species profiles right now where the science centers, the regional offices, especially for whale species like humpback whales where they cross multiple regions. They're getting together and they're going through those profiles and collaborating and making sure that the species profiles is representative of all the areas. So that's going to be a lot of work. So I think right now that it's just because we're in this hybrid situation, we will have some struggles in finding everything, and we'll just have to be linking back to the current regional sites. But as I was saying earlier, we will be getting together with you all to help you find that content that you are normally accessing before we turn off the Pacific Islands Regional Office or the Pacific Island Center site, we'll meet with you and make sure that you have access to those things.

So certain things that you decide that you're not going to keep on the site anymore, are you-- are they going to be archived somewhere and are you going to let the councils know what's being dropped off and where the archive material can be found?

So all that is being decided at the office level. So I think that could be part of our discussion when we meet with them. They can kind of tell you how they're archiving those documents and where they're being stored.

Dan Hull

All right. Dave?

David Witherell

Rebecca, thank you for the presentation. I just want to offer my support. I'm really impressed. I think it's well worth NMFS's money to rearrange the website to get at those folks that are using it, how they're accessing the website, and being able to look at what you have to do to accommodate your users. And I'm really excited to see what your-- the information you get back-- your analytics on how people are using your website and how you can adapt from here. I think we are all going to go through the growing pains of learning how to navigate it, but I think you've taken a much-needed step.

Rebecca Ferro

Thank you, and if you all are interested in the future, I'd be happy to give you some more data points down the road.

Dan Hull

Yeah. Leann?

Leann Borsage

Yeah, thanks for the presentation. So one of the things that our stakeholders actually requested here a while back at an AP meeting-- since you mentioned that you have a contractor working on the permit side of this, they'd like to be able to renew their permits online. Completely online. Not just download forms, but online--

Rebecca Ferro

Electronic forms?

Leann Borsage

--renewals. So if you could fit that in your budget that'd be great.

Rebecca Ferro

Okay.

Dan Hull

Any other councils? Chris.

Chris Moore

Just quickly. Could you show me, Rebecca, could you show me the link to the councils again? I was looking for it and I couldn't find it.

Rebecca Ferro

Sure. Again, it was under Partners in our old site. So if you click under Partners here and then scroll down, it's the first tab there.

About Us.

About Us.

Under the About Us.

Oh, Our Partners. Okay, thank you.

You're welcome.

Dan Hull

Miguel.

Miguel Rolon Can you put it in a way that we can find it easy ? Yeah, because our partners, [inaudible] it, but if I'm a fisherman I really want to know where to find the actual council page. And also I just did the research [crosstalk]--

Can you pull the mic up a little closer--

Sorry. The research. And I have a lot of stuff about consoles in 19-- 2014, I mean 2014 on all that. Are you planning to have a web-- I mean, a window that would search the page?

I'm not sure I understand, so--

Many pages, when you go, search this page. When you open, you search the page. Here, when you open that, you search everything but the page.

Rebecca Ferro Right. So I guess when you get to a page, so if I type in "RFMC" up here, and I will click on "Partners", and then I do a control F to find something specific on the page. I guess that's how you normally search on a specific page, control F.

Miguel Rolon But not many people know that.

Nobody knows.

Actually, I don't know any fisherman that knows that in my area.

Rebecca Ferro It's interesting, we talked about this a good bit yesterday. Those of us born before 1983 are digital immigrants, and those born after 1983 are digital natives. Yeah, it's a challenge, because not everybody is as familiar with the functionality on websites, and I'm not quite sure that I have an answer on how to improve that.

Dan Hull Marcos.

Marcos Hanke I'm 48 years old. I'm not very savvy on Internet, but there's a few things for me that is very important to understand with this design. One is that we want to reach people, and the big chunk of the people that we want to reach, they are not savvy on the Internet. Things simple as emblems or logos of each council are things that they visually recognize. That kind of strategy should be used over there to get to each individual council. The job is amazing, I don't want to criticize, for you to feel bad about it, but I just want you to understand that in order to engage people into the website, and for this to be a useful tool for the future, all those considerations of primitive engagement have to be there.

Thank you.

Yes, go ahead.

Yeah, I would just like to say, this is a big improvement over the noaa.gov website, which has so many pictures and is so complex it's hard to download in this room, but the Fisheries website-- and it looks like you're using the same content management system we're using, WordPress.

Rebecca Ferro We're using Drupal 8. Noaa.gov is using Drupal 7.

Dan Hull And if you want to know what control F is, ask Rebecca, I don't. Any other councils? Okay, thanks very much, and you'll be here for the rest of the day I assume?

Rebecca Ferro I will be. I'm glad to answer any more questions.

Dan Hull Excellent. Great. We're a little bit ahead of our schedule, and we can't take-- where the CCC workgroup reports folks are-- I don't think are already-- I'm going to suggest that we tackle the few action items that I identified first thing in the morning, especially while Doug and Leanne are here, and I think I handed out to one of them, the suggested bullets for research priority discussions, and so if it's agreeable to the group to start with that and then we can work down the list. If Gregg, you are ready with one of the other items, and we'll walk through the list, see how well we can do before the break so, Tom?

Tom Nies Thank you, Mr. Chair. I think they circulated four suggested bullets. They also are able to put them on the screen. I will point out that there is a typo in the second bullet that I will get to. But the first bullet is just a statement I guess, that we need to better coordinate our research priorities between the regional office, the science centers, and the councils.

 And it's worded to recognize that this should be done at a regional level rather than a national level. And there are some instances, I think, where the councils are actually relatively happy with our coordination, so that's why that one is written the way it is. The second one is a recommendation that for the national grant programs, it should be part of the evaluation to determine whether the applicant is addressing a specific council research priority. We think that should be considered and should be evaluated, and obviously, we think that if we were to adopt this, we would be saying that applications that do address priorities should get some precedence over others that don't. Not being the only factor, obviously, but one of the factors. And the typo there, it says FPs, it should say RFPs in the second bullet there. The third item is one that I think Chris agreed to do. It just says "We ask that you clarify how our five-year research priorities are being used." And then the fourth is just a suggestion that we get an update on the progress on these steps at the February 2019 CCC meeting.

Dan Hull All right, thanks Tom for putting these together for some discussion around the table. Any thoughts from council members? Again, this is trying to capture our discussion from the other day. And if it looks agreeable to the group, we can accept it by consensus and move forward, or if people want to talk about language a bit. Chuck?

Chuck Tracy Thanks, I hate to expose my position for the future, but I was wondering if we could change the February 19 CCC meeting to the first CCC meeting of 2019?

Tom Nies It's called the interim CCC meeting. If that's agreeable, I think it should probably be in the intents the same. Just make it for the next CCC meeting.

Chuck Tracy Excuse me. Is it because we haven't decided on those dates right now, whether it's going to be October, November, December, for the interim winter-- I call it the winter meeting.

 That's the reason.

 We haven't decided on the date of the next CCC meeting, correct.

Dan Hull Tom?

Tom Nies I don't expect this will happen, but there was an interest in making sure it happens before the May 2019 meeting. So hopefully, that won't be the next one.

Dan Hull Anybody else? So we'll just change that last sentence so it's at the next CCC meeting and-- not knowing when that will be, but again, hoping it's not until next May. So does

this look good to everybody? I see heads nodding yes around the table. Excellent. All right. Thank you, Tom. Gregg?

Gregg Waugh I was going to walk us through the document.

Dan Hull Great. Gregg's got a little bit more of a presentation on this.

Gregg Waugh Hopefully, everybody's tired of editing .

So we'll do the letter first. And this was distributed to the EDs.

Section 203 dealing with Alternative Fishery Management Measures. We had an original version and then we modified it to read, "Some councils are currently using alternative fishery management measures for recreational fisheries.

For example, no in-season recreational closures, use multiple years of recreational catch to compare to the recreational ACL, etc. However, some council feel specifying certain measures in statute would facilitate their application and reduce the risk that FMP Amendments could be disapproved. The CCC believes that if alternative fishery management measures are used, recreational fishery should, and will, still be subject to the use of ACL's and associated accountability measures." So that wording was acceptable to the EDs and those reviewers that had a chance to look at it. And that was the only remaining change to that letter.

Dan Hull Right. Is that agreeable to the group? And I see there's consensus around the table, so thanks everybody for your-- I'm sorry, yeah.

Sam Rauch I just want to reiterate that although the Federal attendees are around the table, and are often considered part of this, we are not voting. And are not part of any of this process.

Gregg Waugh Great, thanks, Tom, I understand that.

Dan Hull Okay, so with agreement on that last wording, then there is consensus on the remainder of the letter. So with that agreement, that letter is finalized to be sent off. And we'll do that I think, after this meeting. We'll have a final draft to send to all the EDs, and then send it off. Okay.

Gregg Waugh Okay. The next item was in the additional items to the working paper on page four of that, dealing with cooperative research. We had a good bit of back and forth on edits, too that ended up with this version five that reads, "While some regions already have effective cooperative research programs, the CCC believes that an explicit national plan for conducting and implementing cooperative research could benefit both science and the management. Such a plan would promote buy-in for management actions. One example of a potential cooperative research application would be development of electronic reporting programs. However, because there are differences in regional needs, such plans should not be mandatory. And this language was acceptable to the group that was doing the editing. I appreciate everybody's help with that.

Dan Hull Okay, looking for any comments around the table. And if there aren't any then is there consensus on this language? And seeing heads nodding yes. That also is done.

Gregg Waugh Wonderful, the final item was on aquaculture. And that's on page 11. Again, we had a number of versions back and forth on this. There was some concern that this was getting too specific. So, we ended up with version three and I just made a couple of

minor edits, editorial changes to this over the version that was emailed to everybody and I'll point those out. The CCC believes that the existing authority under the Magnuson-Steven Act allows them to develop fishery management plans - to regulate aquaculture in their respective, exclusive economic zones. We had zones there and just change it to zone and insert waters, so it would read in their respective, exclusive economic zone waters, to address major topics like permitting process and duration, approval of systems and siting, species that may be cultured, and record keeping and reporting. The Gulf Council has an existing fishery management plan and other councils have programs and/or policies addressing aquaculture in the EEZ. The councils are in the process of determining whether they will develop an aquaculture fishery management plan and do not feel a consultation role alone would adequately address council concerns. And the intent was to make it much more general and I think that does that.

Dan Hull

All right and this recognizes that a bill has yet to be submitted and that once that bill is submitted, of course, individual councils will have an opportunity to look at that and develop their own one, perspectives.

If they've got some based on the bill or letters to Congress and the CCC based on a bill can always revise these consensus points through our legislative community processes as we've been working. So does this language look agreeable to everybody? Yes, Sam.

Sam Rauch

As much as I said I wasn't participating in the process, I don't quite understand the last sentence in that. I do not believe the councils jointly are determining whether to develop a singular aquaculture fishery management plan. It may be that individual councils are making that consideration, but this would read as if the councils collectively are considering whether to develop that singular plan which I think is confusing.

And if the answer is each council, I'm not sure that that's true of the Gulf. I'm not sure the Gulf is considering an additional plan, maybe they are.

David Witherell

Gregg, I'd suggest just putting "individual councils are considering...", something like that.

Gregg Waugh

Okay.

Dan Hull

I think that addresses your comment, Sam?

Sam Rauch

Yep.

Dan Hull

Is that satisfactory to the group?

Okay. I think that completes our revised language for these topics and consensus points to be added to the working paper on legislative issues. So thanks for your work on this, Gregg, talking to everybody and putting the language together.

Gregg Waugh

Thank you, Mr. Chairman, it was a team effort. We had a lot of input from our team. Thank you.

Dan Hull

Great. Last one is potential letter of support for data modernization. Dave?

David Witherell

Sure. Mr. Chairman, it occurred to me that we might want to write a letter of support, particularly when there might be some opportunities for public-private partnerships and outside funding to get this done, so a letter of CCC support might be beneficial.

And I think we probably want to weigh in because we all face some data challenges. We all agree I think, that data modernization is important and that we are key players, and data-dependent in many different ways. So I would be willing to draft up a letter of support and distribute that to the executive directors and try to finalize that in a couple of weeks. I don't think there's any major rush, but, with your approval, I would be willing to do that.

Dan Hull Yeah, Chris?

Chris Moore Who are we sending the letter to?

David Witherell I think it would probably be sent to Mr. Oliver. He would be the appropriate person to send it to.

Chris Moore And copy the group that worked on data modernization, as well?

David Witherell Yes. That would be reasonable. The task force.

Dan Hull Okay. Any thoughts from the councils on this as an approach? Is that agreeable to everybody? All right. Excellent. That takes us through the action items.

David Witherell Mr. Chairman, I have one more thing that I'd like to do before we break.

Dan Hull This is an excellent time to do that.

David Witherell Okay, thank you. As most of you know, the Gulf of Mexico Executive Director, Doug Gregory-- this is his last meeting, and I'd like to take an opportunity to say thanks and provide the send-off remarks on behalf of the executive directors and the CCC.

Personally, my first opportunity to work with Doug - and he probably doesn't remember this - was back in 2009. Miguel was hosting the second meeting of the national meeting of the SSCs. I had the opportunity to help Miguel with that, organize the meeting and write the report. And I had to chase down all of the chairs of the SSCs to get their reports done, and at that time Doug was the chair of the Gulf of Mexico SSC. And he actually helped quite a bit. He got his reports done on time. He participated in the meeting. He helped me write the report and edit it. I even acknowledged him in the acknowledgements. So I went back and I dug out the report, just to see what we had in there and see how Doug contributed. And I pulled a quote. The report includes some quotes from participants. This is Doug's quote, and you can tell me if you think that he's more of executive director material than an SSC chair. He was built for this. Listen to this: "For those of us in the southeast, we are asking" -- and the SS's debating the incorporation of scientific uncertainty and establishing ACL's viewpoint-- "we are asking the council to choose an insurance policy without knowing what it costs or what it covers. We don't have any probability functions to show them. We're asking them to choose a P Star? in a vacuum and without knowing if the functions are going to be narrow or wide. Once they see what they're going to look like, they may want to change how much they're willing to spend on that insurance policy ." Doesn't that sound like an executive director?

Doug Gregory I've improved a little bit, except I'm still stepping on the South Atlantic toes every now and then. I was afraid you'd bring up the video from our 2016 CCC meeting.

Now I'm going to find that video.

But thank you.

David Witherell

Doug, on behalf of the CCC members and the executive directors, I want to acknowledge your efforts. I have appreciated all these years your wit, your ability to tackle some of the tougher issues that many of us are too chicken to raise, and your courage to try and solve those issues. So, I've got a plaque here, on behalf of the councils, and I'll read what it says. It says, "The US Regional Fishery Management Councils. Presented to Doug Gregory in recognition and appreciation of his distinguished service to the Council Coordination Committee, representing the US Regional Fishery Management Councils, and for his dedication to the conservation and management of Gulf of Mexico Fisheries."

Thank you.

Hear, hear. [applause]

Doug Gregory

I am honored by this and I've been honored to serve on the council and be with the CCC these last five years. I'm very pleased, and it's with mixed feelings that I am retiring, so we'll see. I may just become a groupie. I'm trying to get back on the council's SSC if they'll have me back. When I interviewed for the council, they were very reluctant to hire me because I had a reputation of being, let's say assertive. Thank you very much. I'm very pleased and honored by this.

Dan Hull

All right. Well, thank you, Doug, for your years of work, and we figured this would be the best time, before the break, because that way everybody can say thank you during the break, and talk to you before you guys have to take off [inaudible] a little before. I wanted to make sure you got it now. Anybody else have comments for Doug? Talk to him on the break.

I'll make a motion that you form a ex-executive director working group.

All right, why don't we take our afternoon break, here? Let's come back at three and see if we're ready for the other presentations.

[music]

Dan Hull

Okay, welcome back everybody. We're on to the last couple agenda items. The next item is a few reports from our CCC workgroups. Beginning with communication groups and Maria Shawback. Then we'll have Habitat Committee and the Scientific Coordination Committee. Maria.

Maria Shawback

Hi. Good afternoon, Mr. Chair, members of SSC. My name, like Dan said, is Maria Shawback. And I am the Communications/IT Specialist for the North Pacific Council. I've worked for the Council for 18 years and I normally am on the other side of the fence. So this is the very first presentation I've ever given and it's to you guys. Because our council hosted the CCC I got to host the council communication group for this meeting. Our first in-person meeting was in 2016 in Hawaii. And this was our second in-person meeting, and we've had a couple of teleconference in between. There we are on a nice, sunny, gorgeous [inaudible] day. At this meeting, the communications leads from all eight councils were represented, as well as NOAA Fisheries communications lead. And South Atlantic participated via teleconference. As you can imagine with all of our communications professionals represented, we had a lot to say. We could've used an extra day, but we got through our agenda, and you should have a report that got handed out. I'm going to highlight just the best practices and our recommendations. There's more detail in the report, and if you have questions, I'll be happy to try and answer them, but I'll leave it to you to read. We had

two main goals at this meeting. One was to just to get together and collaborate, and share ideas, and information, and best practices, and new technologies. And the second goal was to-- how do we best promote the regional fishery management councils and educate those we serve? So our first agenda item was communication tools and procedures. Communication technology and this is the part that I'm super excited about so. We all had a-- we all kind of discussed this in a roundtable, and talked about public commenting. These are our public comment portals. The North Pacific Council just developed theirs and I'm super excited about it. And four other councils are using online forums for public comment. And the Pacific Council has recently adopted our model, and will be implementing theirs soon, I think. We developed some best practices and some of the most important things to follow is knowing where your data is on these forums, how they can be backed up, are they [inaudible]. We wanted to make sure that our style guide, there's a style guide for our websites to create a uniformity across the site, to make sure information that's displayed is clear. And as you probably realized at your meetings and this meeting, in particular, there might be some issues with Internet speed and connectivity. So some councils provide a mobile MiFi, or a little mobile unit that you can take with you in the event that the Internet for the venue goes down. So that's something to consider if there are councils that aren't doing that. We wanted to promote the regional council system and provide a unified voice among all regions. One of the ways that we've done that in the past is we developed a logo at the last council meeting, or at the last communications group.

We put together this logo. We used it for the 40th and it's branded across our website, our regional council website. And we talked about doing letterhead that is more cleaner than the one with all the logos down the side. So we're looking at different formats for that. But the Fishery Management Council, fisherycouncils.org, remains a really good site and a repository for all the council communications, the scientific and statistical committee groups, and joint council materials. And it's organized in a really clear way, especially for all the legislative information. And if you look at our analytics, the legislative area for the Magnuson-Stevens reauthorization, that page gets a lot of hits. Our two-page overview of the regional councils is also hosted on this site. And other council materials that we might find that are useful for a regional approach. Communicating effectively using social media is another topic that we discussed. And it's interesting to me because the North Pacific does not use social media at all. We had a brief relationship with Twitter, which we then abandoned. But other councils-- it's so interesting to see how their public engages with them and on what channels. And it's important to know your audience at this point. So the Gulf Council has YouTube, and Twitter, and Facebook, and they have blog posts, as do other councils. This is just a spattering of them, and those of you who use them are familiar. But in the North Pacific, we haven't engaged with our public in this way. We came up with some best practices for our social media for those who do use social media. And some of them are to keep a rule of social engagement, so that you know when this interaction is subject to removal, like if there's commenting going on. And I know in the minor feel that I've had engaging with the public on our-- we have a chat area on our meeting broadcast, and people have sometimes taken advantage of it, but I like to be able to just delete them. So know when to do that, and know what qualifies as being eligible for deletion. Keep track of your analytics so you can support your actions. And a couple of other best practices people have mentioned as we went through a roundtable discussion, use a content management system so that all you have to do is write one post and it goes

out to all your social media channels. If you're not prepared or don't have the resources to monitor your Facebook or YouTube comments and respond, turn them off. You don't have to engage in that way. I don't know if I have this metric, but Emily from the Gulf Council gave this presentation. And one of her blog posts had 84,000-- it was a Facebook post. It had 84,000 engagements. And I thought that was just a remarkable audience for one blog post. It was for red snapper . So that could be it. Let's see. Janice from the New England Fishery Management Council gave a presentation on working effectively with the news media. And again, in the North Pacific, we don't have this kind of engagement with our reporters. So it was interesting to hear how those interactions work. How press calls work. And the most important best practice is know your reporters and media representatives and develop relationships with them. That way you can keep them informed. They can come to you. And be sure to send out positive news stories, and send them out often. Sometimes no matter what you do, you may not be written positively. Someone called our council process byzantine, so. I thought that was interesting. It could be. Regional and national communications student councils and NOAA Fisheries.

We had the opportunity to have NOAA Fisheries communications professionals in our meeting with us at this meeting. And you heard from Rebecca earlier. It was a great opportunity to seek engagement or to seek-- have them tell us what they're doing. I know it's frustrating for me and a couple of other councils with our links. Our links with this gigantic undertaking are-- any website links can just disappear. And knowing ahead of time what you're facing is really beneficial. So I'm glad they took that opportunity to kind of give us a heads up, let us know how it's going to play out. Where we can be involved and where we can help. It'll make our transition smoother. Some of the best practices-- we had a short discussion about this when we're discussing the website about the 508 compliance. And I don't know how many of you're familiar with that, but it has been an ongoing discussion in our office. And some councils are taking a proactive approach and some councils are taking a wait-and-see approach. But there are a few tutorials on the NOAA website on how to approach these documents and make them 508 compliant and at a very basic level. We don't have to get into any technical nuances, but just what are the main things that we can accomplish? And the best cutest little thing right there. That tiny little thing. All NOAA photos and videos are public domain and can be used at any of our publications. I know there was interest in some of the YouTube educational videos or some of the Instagram-- NOAA Fisheries has an Instagram and we can use those. I don't know if Instagram is-- I think you can search if there's a #Alaska. It's heavy on the marine mammals in Alaska. So I don't know what Instagram is. But Instagram is what my son uses and he's 17. So I don't know how often he's on NOAA Fisheries site. But it's a really good use of a way to find photos for a publication that we might need. The recommendation that we have from this portion of our meeting was to have the NOAA Fisheries communications team reach out to the Regional Fishery Management Councils communication staff in addition to the EDs that they already contact when anything is coming down relating to communications or the website. It would be really helpful. We also saw an org chart and names that we can contact for-- as NOAA Fisheries goes through this transition of migrating their website, knowing who the person is in our regional office that is responsible for making changes for the website, making changes for the-- updating the links. You know, "We have a story coming out, can you feature it?" Knowing and being able to work with the comms person in NOAA Fisheries in a region, that would be really helpful. We talked briefly in just sort of a roundtable and informative way about council and advisory body meetings and

protocols. Everybody just sort of said, "This is what we do. This is how many APs we have. This is how our communications committees work." We want to understand is there a better way to present whatever the committees say to the council or does it go through a staff person first. And it was just sort of sharing information. The interesting note is the Western Pacific has 20 APs, so that was a lot to even think about navigating. And some AP members - they're called the DAP members in the Caribbean - they sit in on the SSC meetings as observers. I think that helps facilitate the information back and forth. Some committees are recorded. Some are projected or broadcast via webinar. Some committees may be reluctant to be recorded or broadcast because it may inhibit conversation and open dialogue. We talked quite a bit about education programs and training. You all are probably familiar with MREP. They're most successful education program. Glowing reviews all across the board. In the Pacific Fishery Management Council, the Gulf, the South Atlantic and Caribbean, nothing but great words to say. "Can't we expand it. It would be so awesome." We wanted to take the success of the program to educate more than just fishers. So one of our recommendations was to have the MREP steering committee consider opening up MREP to Congressional staffers and other non-fishery groups for participation in MREP workgroups.

And in discussing MREP and the way science is communicated, and going back to our prior agenda item of the advisory panels in SSCs, we were wondering if there was a better way to communicate science. That the SSCs could maybe present their ideas and their-- present their reports, the SSC findings in a clearer, more plain English way. So maybe at the SSC workshop - well, it's called the SCS workshop now - have a session on communicating science. We're exploring different workshops and different organizations that facilitate these sort of things, and we've given our ideas in seeing which will work best. But that was one of our recommendations. We talked a lot about publications and outreach. And noting that one of the prevailing themes is the necessity to do education and outreach. To have an educated and informed, prepared public that's ready to engage in our fishery discussions, and the lack of a dedicated budget for that. So one of the best-- we talked about the different publications that we do noting there's a shift away from printed material. Things, as you are probably aware, are moving towards digital and things that are hosted in the cloud. I like the idea of the cloud. So we need to understand our audience and what we need to do. How the information we're taking care of needs to be distributed before we publish anything. We don't want to just publish things because we can publish them. But one of the major recommendations that has recurred in our teleconferences and in our CCC-- CCG meetings, sorry, is the idea to reconsider-- there was a 2009 request for dedicated funding for education outreach and engagement. And the CCC at that time, had sent a letter requesting funding for this. This is before we had communications professionals. So we just wanted to highlight that as a recommendation. And that's all. That's all we had.

Dan Hull

All right. Thanks very much, Maria. I appreciate that all the communications staff are able to get together and share their experience in--

It was very beneficial.

--yeah, learn how to improve within each council. Dave.

David Witherell

Thanks for your good presentation; your first one ever, to a council body. I have a question, just on that last page relative to outreach. You mentioned an interest in

developing an outreach kit tailored to each region maybe you could tell me a little more details about what the outreach kit is?

Maria Shawback

Yeah.

Well, we talked about the idea of should we bring everybody in for training. If one council has a bunch of money, are they going to-- how are they going to interact with their stakeholders? Are they going to do all this stuff? Maybe instead of having one council spend a ton of money, or maybe they want to spend a ton of money, and develop sort of a kit that can be used across all councils adapted to maybe a specific audience or a specific fishing group. It sort of was a template, maybe materials, ideas, or sort of something that's already pre-packaged so that it takes less time when you say, "Hey, I want to go outreach here. I want to do outreach for this village for this specific issue." There's already a format made. We didn't spend a lot of time on it but it was a very interesting idea. So maybe that's something we want to explore in the future.

Dan Hull

Anybody else? Questions for Maria. All right, thanks for the presentation.

Thank you.

Diana Evans will give us a Habitat Committee report. And Diana, this is posted, is it not?

Diana Evans

So there's two parts. There's a presentation which is posted on the website.

Also, emailed to you. The Habitat Workgroup has prepared a short document that sort of expands on the presentation just talking about the accomplishment to date of the workgroup and kind of this idea as concept of future directions that I'm going to talk about.

Okay. So it's probably just not refreshed here. I think it might be posted on your site if you refresh it.

And this is a fairly brief presentation from the Habitat Workgroup to provide a short overview of who we are, what we do, and looking for really some directions from the CCC about how you want us to proceed. So that's kind of the focus of what we're talking about here in a fairly brief way. So what is the Habitat Workgroup? It's membership from all of the eight councils, so the Habitat staffer or staffers on each of the eight councils constitute the Habitat Workgroup. It's a CCC workgroup. It's listed in your terms of reference. And the chairmanship we set up-- so I'm recently become a member of the Habitat Workgroup. So I'm doing my best to speak to them, but I haven't been there for the whole history of the group. But the group was set up by the CCC in 2014. They set themselves a terms of reference type of document when the group first got together, and decided that the chairmanship of the group would rotate in the same way that the CCC rotates. So it would be the council staffer from whoever was hosting the CCC in that year would be responsible for hosting or chairing the meetings. All five NMFS regional offices have habitat staff representation that attend the workgroups when they teleconference meetings, and also the NMFS headquarters, the office head of Habitat Conservation and Office of Science and Technology. There is a staff person in the Office of Habitat Conservation, currently Heather Coleman, who provides staff support by collecting our information and helping to distribute information to all of the different participants in the teleconferences. And it's focus has been a network for collaboration. There has been,

in coordination-- in general, the group has met three to four times, for these 90-minute teleconferences, three to four times a year. So it's not been a huge time commitment on the part of council staff or the other staff that listen in. It provides a slightly more formalized opportunity to make sure that the different staff members get together and talk about their different priorities or Habitat management issues that they're working on. One of the things we've identified as we sort of talked about the group, is that, Habitat especially, is quite often just a single staff person in a region that's working on that issue. So this is really an opportunity to talk with your colleagues in a way that is helpful to be able to reach across the regions for issues that are sort of a little bit of a niche issue in the council staff arena. You had a pretty comprehensive presentation on the accomplishments of the Habitat Workgroup last year, given by Michelle Bachman and Jessica Coakley, I believe, on the work to date, talking about EFH summit and some of the other products. So I'm not going to spend a lot of time on that today because really I think what we wanted to focus on was just reminding you what the Habitat Workgroup has done, and then asking for some direction on where we should go from here. This is just a slide showing that there is value for sharing priorities and sharing work across the regions, and this is just a few different examples of where there are already connections in the type of work that each region is doing. So while we all have certainly different focus for our Habitat work, there's still a fair number of connections between the different councils. So the focus, I think, that we're-- the question that we're asking to the CCC-- the way we're set up as, in the terms of reference, we're set up as a CCC committee, and as part of that, we are asked to report back to you on an annual basis about the work that we're doing. And right now we-- obviously for the first couple of years at the workgroup, we really-- I think the focus of that group was on developing the information for the-- at the planning for the EFH Summit.

And sort of somewhat immediate objectives that came out after the Summit. They had a Habitat Science Round Table that was an important planning exercise immediately following the Habitat Summit. But in the last couple of years in 2017 and then the beginning of 2018, our practice has really been just to have these teleconferences. At least it's an opportunity to talk about issues. But we haven't necessarily have had a particular focus to talk about. So there have been some different suggestions amongst the membership to look at kind of a-- we're looking to develop maybe a library of experts, sort of a spreadsheet of people who have the expertise on different types of habitat tools or analytical tools so that we know who to contact if we're trying to do something in our region. Who's the best person who might have experience with that particular idea? So that's what we're currently doing. And lacking direction from you, we'll continue to sort of organize ourselves that way. These fairly formal, informal, regular, but informally structured teleconferences where we try to find ways to collaborate and have that opportunity for networking. And that's certainly very effective that idea of informal networking is valuable, and there is something that is helpful. While there, at the moment with our current staff, I think there are a lot of connections that have been made between the different councils. And if you didn't have a CCC committee or if you didn't have this workgroup, certainly some of those informal networking and collaborations would still continue. The nice thing about having it through a working group is when there is staff turnover and you don't have those relationships potentially established already, the workgroup provides an opportunity for that. So option one, the status quo, is doing what we keep doing. We look to the second option, which is if it were something that was supported by the CCC, people work-- are motivated to work when there is a specific

focus, a specific objective, a specific target that you're working towards. So one idea that we had would-- was that we could set ourselves a focus area, maybe for the next one to two years, and try to focus our meetings on a particular topic. One suggestion is that that could culminate in a technical workshop. So for the EFH Summit, it was really at a very big picture policy level looking back over 20 years of essential fish habitat. Kind of showcasing the work that the council has done. It's very big picture and very policy level. But there were a lot of different suggestions and recommendations that came out of that Summit. So one suggestion, here, would be for the workgroup for the councils to be able to identify, "Well, let's work on one of those particular subject areas and try to focus on that for a couple of years and see what work we are doing in each of our regions." And one useful thing could be to try to bring together a small technical workshop of the people who are working on those issues that are managers and scientists, EFH practitioners, in a workshop where you'd have ability to work towards an end. Have a meeting and then you'd be able to use the shared information at that meeting to bring back to our different regions. Obviously, that would be something that we're asking for your suggestion whether that's something you're interested in. And I have a couple of ideas for what those topics might be that we've talked about at the workgroup. And then the third option would be to disband as a CCC committee itself. Like I said, if we do that, we'd certainly, I think that informally that networking would continue. I think what you would lose from doing that is the continuity of, particularly for new staff or when there's staff turnover, to make sure that those relationships that are established among the regions continue. They're not just individualized to people, but they continue generally across the council offices. And one of the things we didn't talk about in our workgroup, but I think that it's come up in some individual discussions since, is there's also a possibility that the working group could cease to be a CCC working group but still have an ability for-- we could still do that informal meeting schedule, just through the councils not necessarily as a CCC committee where we'd report back to you, but just still schedule informal meetings amongst ourselves. So that would be a fourth option that we hadn't thought about when we held our teleconferences. So, in our group, the last time we met, we were recommending that there's some, I think, appeal for us to identify an objective if that's supported by the CCC because it's nice to have that clear focus. And then work towards an end product whether through a workshop or some kind of report across the different regions. And we identified two possible topics that might be of interest across the councils. One is to address the issue of improving the integration of habitat science into stock assessment.

That's been a focus of a couple of different efforts within the agency. So trying to link the councils into how that might move forward. A second possible topic is looking more at the non-fishing impacts of essential fish habitat. And one particular focus area that was identified is that when councils designed their EFH definitions or designations they weren't necessarily designed with the view of consulting with agencies that are engaging in non-fishing activities that affect EFH. And is there a way to better communicate the importance of particular areas, particularly localized areas in some regions for essential fish habitat. And to find a better way to communicate what's important to the council when you're having those consultations with non-fishing agencies. Is there a better way that we can do that work? So there's a couple slides here. I think I've just generally talked about them. If you were interested in looking at those different types of focused topics if that was something that the CCC endorsed we could move forward with one of those ideas. I think I'll just leave it at

that. I guess the final comment that I'd like to make is, our message really here is that we are finding the collaboration important and we hope that you would continue to support that, whether that's through a CCC committee or through some other way. I think that the most important message from habitat staffers is that that communication and that networking is really valuable. And then, our struggle, I think in particular the last few meetings, or in the last year, has been, are we meeting your expectations as a CCC committee? So what is your objective for us and how do we best do that, given that we-- part of your terms of reference say that we should be giving a regular report to the CCC, what kind of information do you want us to be working on? Is it set our own agenda and do that informal networking or is there something more specific that would be helpful to further the CCC's agenda? So any feedback for us on that would be very helpful. I think that concludes my comments.

All right, thanks very much, Diana. Any questions from the councils? Or thoughts about the path forward for the Habitat Committee or Workgroup? We had some discussion about that earlier on in our meeting. Chris.

Chris Moore

Thanks, Diana, for the presentation. Can you put the options up?

Diana Evans

Sure.

Chris Moore

Thank you. So I think that looking at the options, option three is definitely not something I would support. Option one is certainly something I would support. But option two, I'm a little bit unsure whether to support that or not because it's still, to me, a little fuzzy. So I'm not sure what this means exactly for the CCC and the working group. So specifically, are you talking about a workshop that would get a bunch of people together to just focus on one of those particular topics and just have some sort of white paper that results from that interaction? Or what were your thoughts on that?

Diana Evans

That's one of the things that we talked about in the workgroup. And I think that there is a lot of power in working towards a specified end. So if we're saying for the next one to two years, for example, take the non-fishing example, we want to work on sort of collectively trying to improve our tools for better communication on non-fishing impacts. We can certainly do that and set ourselves that goal, but we are much more likely to adhere to that goal and make sure we have made progress towards that goal if there is an endpoint which could be, "Let's get together and talk about that." And an in-person meeting is an effective way of doing that. It's not the only way, but it's an effective way.

Dan Hull

Chris.

Chris Moore

So I like the idea of a focus area, but I'm wondering if it might be helpful for the CCC to basically endorse option two with an understanding that the working group would get together and put together a proposal that provided more detail. Details including funding, topic area, those kinds of things. And I think that might be helpful, at least from my perspective.

Dan Hull

All right. Yeah, Gregg.

Gregg Waugh

Thank you, Mr. Chairman. Diana, great presentation.

My comments are the same as Chris's. I was intrigued with option two, particularly looking at the EFH. The concern is is the cost of a workshop. And I think exploring what the cost would be in the approach would be very helpful. And to what extent

you could accomplish, at least fleshing that out using the teleconference or webinar approach would be helpful so that we knew what we were looking at. But I agree, focusing in on a specific topic would be more helpful, and I think yield us something that would be more useful. And I like the one about EFH making that more useful to non-fishing impacts. We're getting more and more of those up in the northeast. You can see all the wind farm siting going on, so. And we're dealing with oil exploration, so I think that would be a very productive area to look at.

Dan Hull

Other councils? I think I'm in agreement with Chris that option three is-- oh, let's join that group. Option three is not one for us to choose. And certainly, the continuation of the workgroup is important. And whether the CCC wants to-- asks the workgroup come back with a proposal, I think you're asking them to do some work and with perhaps the expectation from that workgroup that they would actually occur. So that expectation probably ought to be taken into consideration as well. But certainly, I'm in favor of the continuation of the group. Kitty?

Kitty Simonds

And I like the idea about having a workshop on the - I forgot what we were talking about earlier - non-fishing impacts. Because we as islands we have a lot of those kinds of-- because it's from the mountain to the sea, and everything that happens up there comes right down to the ocean. So that has always been important for us. So if we ask them to concentrate on that, I'm supporting this.

Dan Hull

Chuck.

Chuck Tracy

Thanks. I guess I would just mention that maybe this is a good segue to my report, but putting on a workshop like this is not a trivial task. We requested funding for the SCS meeting from NMFS, which we received and greatly appreciated, but that was a lot of work and it took a big chunk of our staff and quite a bit of time to put on the SCS meeting. And from what I'm seeing here, I'm looking at sort of similar sort of scale, thinking about similar sorts of scales. You know how the first one Improving Integration of Habitat Science in Stock Assessments. Well, you know we did MSEs for our SCS meeting this year, and that was a big topic part of that. Anyway, I guess I would just throw that out there in terms of thinking about the logistics of it. The staffing responsibility for doing it, and who's going to do it. I don't want to do another SCS meeting anytime soon so I'll just get that out there, but it could be a big chore. Not that it can't be worthwhile to do that and shouldn't be done, but it's a serious undertaking.

So look for a path forward here for this group. I haven't heard anybody say that they don't want this working group to continue. So it seems that that-- certainly the status quo is acceptable. And perhaps the question is whether the CCC wants this working group to first identify really a critical topic to focus on that the CCC could buy into. That would be the first step before a proposal for a workshop. Just to offer that as a possibility and I don't know, Diana, if your workgroup thought about it in a step-wise fashion and what that means for the group.

Diana Evans

Yeah, we talked about-- we did talk about that and we tried to at least outline two topics that we thought would be useful. Certainly, if there's an indication at this stage that one of those is more preferable than the other it would be a lot easier to write a proposal. I think you'd have a very different proposal, not very different, but you'd have a different proposal if you were looking at-- of the two topics that we were identifying; the stock assessment versus the non-fishing impacts.

They're a pretty different structure. I think you would want to look at for work and a workshop related to those issues. So it would help to have consensus now from the CCC, which direction that you wanted us to go. But certainly, we can explore both of those or other topics if you're not ready to do that.

Dan Hull

Chuck.

Chuck Tracy

Thanks, I don't suppose you looked through the research and data needs documents from each of the council to see if there's anything in there that might be applicable.

Diana Evans

We did in fact. That's part of the earlier slide that we [inaudible]. So we have a spreadsheet that Heather Coleman has helped us compile that looks at all the research priorities and habitat research priorities. As you noted in your research priorities agenda item, they are quite diverse across the regions and of differing levels of detail. So I think it's probably a little bit more work to tease out exactly where the council's research priorities, as currently written, relate back to the perhaps most pressing habitat needs, but we can certainly do more research on that.

Dan Hull

Good. Thanks.

So what are the wishes, Gregg?

Gregg Waugh

To me, that topic of EFH and stock assessments is going to be up in the cloud along with a lot of other data. I think in terms of something much more useful, the EFH. That would be my recommendation.

Dan Hull

Sure.

Chris.

Chris Moore

I agree with Gregg. That second one has a smaller scope. And certainly, just the one part of it that says, "Ways to improve EFH and HAPC designations" is something that I would definitely be interested in.

Dan Hull

All right. Others? Is there agreement around the group for the Habitat Committee to focus on that? I guess then, just to be clear for Diana, does the group want them to develop a proposal for a particular product like a workshop or symposium of some sort? Is that agreeable?

All right. Kitty.

Kitty Simonds

And Mr. Chairman, I assume that this would be paid for by the National Marine Fisheries Service. I mean, we have to talk about money at the same time. Thank you very much. We could use some of your upfront money.

Give you a million dollars.

That'll be part of the proposal, I suppose.

I'm always about money.

We know.

Oh, yeah.

Dan Hull

Okay. I think there's some direction there, then, for the committee. Excellent.

Thank you.

Thank you, Diana.

Okay.

And we'll turn it over to Chuck now.

Chuck Tracy

Thanks. My presentation's going to be very short. As I mentioned, we did hold the sixth SCS meeting this January down in San Diego. The topic was use of management strategy evaluations to inform management decisions made by the Regional Fishery Management Councils. We had three topic areas: the use of MSE in evaluating and modifying harvest control rules, estimating and accounting for uncertainty, and adjusting harvest control rules in changing environments and non-static maximum sustainable yield. It was a very good meeting, well attended. The format got very good reviews. Was all open discussion. There was no concurrent session, so everybody got a chance to participate. We were hoping that we would have proceedings done by this meeting. That has not occurred. We were robbed of a rockstar staff officer to help NMFS out, help the region out, and so we had to reshuffle some of our staffing priorities. And so that proceedings was a casualty of that and we hope to get that done with summer. So you'll all be getting a nice glossy report at some point. But in terms of the outcomes, I don't really have much to report other than that. So that's my report.

Dan Hull

All right. Thanks, Chuck. Any questions for him? Okay. That concludes our workgroup and we'll move on to the CCC's terms of reference and meeting schedules. Dave.

David Witherell

Thank you, Mr. Chairman. At the end of most CCC meetings, we take a look at our terms of reference to make sure that we're still meeting them, and that we don't have any changes. I heard from several executive directors and others that perhaps we need to consider some changes in our terms of reference, and I'll go over those. First, as we heard from Communications Committee and the Habitat Committee, they have decided that in their internal operations, the chairmanship rotates with the CCC chairmanship. And that's not in our terms of reference. I don't know if we just want to endorse that officially or not. That's one thing. Gregg had asked for a vice-chair on the legislative committee, and I would offer myself to do that if that's the concurrence of the CCC.

Chris Moore

Second.

Dan Hull

Done and done.

David Witherell

Okay. Another change in the terms of reference that I noticed at this meeting, was that in our terms of reference there is a sentence in there under Membership that says, "Councils with more than one vice-chair will need to determine who participates on the CCC for a given meeting." And this affects the Western Pacific Council. I know that they have several vice-chairs, and they all have participated at this meeting. And I think we benefited from that as they put their knowledgeable person at the seat rather than having one person sit there through the whole meeting. So I would suggest, Kitty, that we just strike that sentence rather than trying to make some tweaks. But the CCC would need to vote on that.

Kitty Simonds

Right. Thank you. But you know what's interesting? I didn't realize that that sentence was there from the very beginning, so we've totally ignored it.

Dan Hull

Yeah. Ed?

Ed Ebisui Thank you, Mr. Chairman. I just wanted to add that I think that we have good justification for having multiple vice-chairs. We're a little bit different in that in terms of political relationships with the United States, WesPac has got a state, two territories, and a commonwealth. And all three, four areas are culturally very different. So I would just ask this group to recognize that and allow us to continue on with multiple vice-chairs. Thank you.

Dan Hull Sam?

Sam Rauch I did want to go back and see what the statute actually says. This is a statutory [inaudible] and we'd want to make sure that it's consistent. And I can't pull it up right now. Chris seems to think it says council chairs, vice-chairs, or other members.

Or other members. I'm pretty sure it does. We can verify that.

So that would be my one comment. But the other one is, I don't think striking that sentence alone will solve your issue. Because the first sentence says the CCC consists of three members from each of the regional councils, the chair, a vice-chair, and the executive director, or the respective proxy. So three members. As long as you're limited to that, you still have that issue. That's why that sentence was there, to clarify that. So I would think you would have to change the paragraph. [crosstalk].

Kitty Simonds But wasn't this about sitting at the table? So we'd have three members sitting at the table. We wouldn't have all members sitting at the table. I make assignments, and so they all take turns . I don't know. But you're the lawyer, so.

David Witherell I could suggest some language changes there, Kitty. It would be "The CCC consists of members from each of the regional councils, the chair, vice chair(s), and the executive director." I mean, we only allow one vote per council in our operations, anyway.

I think if there's consensus on making the change then it's a question of what that language actually looks like, and would be drafted and sent around. So I'm not sure that we're making that actual change here now.

Dan Hull Maybe Adam--

Adam Issenberg Yeah, Adam. Sorry.

The statute just says, "The council consisting of the chairs, vice chairs, and executive director," so it doesn't-- I mean, I think you've got flexibility there.

All right.

With that, I think we could make that decision at this meeting.

Dan Hull I think we could. All right, and so what would the language read, then?

David Witherell So the language would read, "The CCC consists of members from each of the regional councils: the chair, vice chair(s), and the executive director, or their respective proxies."

And the last sentence under two is stricken.

The next segment is stricken, and then the following just says, "Only council staff or council members may serve as proxies," would be the rest of that paragraph.

Dan Hull All right. Gregg, is that agreeable to the group? Seeing heads nodding in agreement. That's done. Thank you.

David Witherell Lastly, we had a discussion about timing of meetings as to whether or not, one, we needed to have two meetings a year, and whether or not we wanted to maintain our February/May standardized schedule. I don't think we are going to be able to resolve that for our discussion around the table today. And so I would suggest that the executive directors initiate a discussion about that and try to present a proposal at our next CCC meeting.

Dan Hull Chuck.

Chuck Tracy Thanks. And so maybe I'll propose one possibility for our next CCC meeting, and that would be a conference call sometime in the late fall when perhaps we might have an idea of where the budget situation is. And that might play into the utility of that February meeting. Might know a little more about that at that time. So hopefully, things will start going smoother and that meeting would serve its original purpose which was largely to hear about some budget and funding issues. But anyway, I guess my suggestion is that conference call in the late fall to discuss that. And maybe we should find out from National Marine Fisheries Service when they need to know about logistics and timing, too.

Yeah, I was--

Dan Hull Brian, you had your hand up, I think. So I'll let Brian answer that. I had a general kind of observation, but I'll let Brian speak first.

Brian Fredieu Yeah. Just a point for the group. So generally for the interim meeting, that has typically been held in February, we start the procurement process for that in early summer. So late July, early August is when we start the process for contracting and getting the ball rolling logistically for that meeting. So waiting until the October call to make that decision may be a little too late.

Dan Hull Chris.

Chris Oliver Yeah. I was going to ask this question, and I know it's the CCC, but typically NMFS hosts the interim meeting which has traditionally been in February. And going back to Chuck's point about the original genesis for having that meeting, I was going to raise the question - I guess I'm entitled to since we host that meeting - as to whether you need that meeting versus perhaps dealing with it via teleconference, as one example. Because we all have more meetings on our calendars than we have time to attend already, so I'm just throwing that out there. And it may be that if we wait until fall, and I like the idea of a teleconference, that if you decide at that point you still do indeed want to have that inner meeting we may, based on what Brian said, meet in a situation where we would be compelled at least this time to have it via teleconference perhaps.

Dan Hull Okay. Chuck has offered an idea. Tom?

Tom Nies I mean I think there's two issues here. One is timing, and then the other is whether you have an in-person or conference call. Our concern with a February meeting, New England and the Mid have long suggested that that meeting could be a conference call. But one of our concerns is the big timing for the February meeting is to learn about the budget, and we're learning less and less about the budget in February, it seems, as time goes on. So that the idea of having back to back meetings in February

and March, sorry February and May where some of the councils have two council meetings in between and one afterwards is odd timing, so. I mean, I think our first step is to try and see if we can find a date that would spread it out to a longer gap between the meetings, and I think we have to recognize from Brian that the possibility exists that the change might not happen this year because of the contracting problem.

Dan Hull

Miguel?

Miguel Rolon

When it was our turn to run the show for the meetings, I asked people whether we really needed the February meeting or not.

There were a couple of points, one we meet in February to discuss issues. Then we wait two months after February to discuss the same issues again. And some of the reaction I got from the group, and [inaudible] was to just go what Chuck is saying to have the meeting either move in-person or by webinar where it is most effective to us to learn what the budget is. So that's what they were suggesting in the fall. Then we eliminate the in-person February meeting and we [inaudible] up whatever we need to do at the main meeting of the whole councils. That was the idea received.

I would have to look at the February agenda to think about what other things we might miss besides budget. I know one is the interaction with congressional staff, and issues that are on the Hill at the time. Kitty?

Well, when we first started these budget meetings they were held in October. It was probably before some of you were born, meaning Sam Rauch

And that was a good time because well, the budget came out within those three months. So I think the other day we kind of talked about having this webinar or whatever in November where we could also talk about the program. And we were talking about how do we influence the National Marine Fisheries Service program and budget? So I think you're-- I think your idea about having the phone call, and then making a decision about whether or not the - I call it the winter meeting - the winter meeting is needed because we should decide on now about a meeting.

Dan Hull

Chuck?

Chuck Tracy

Thanks. Just another question perhaps for Brian. So what's the penalty if you decide to cancel your arrangements in the fall?

Brian Fredieu

Let you [inaudible] in the summer. [inaudible]

We have that authority, but it can only maybe hold that.

Kitty Simonds

Well, I like going to DC once a year, thank you very much, for more than just-- for visiting the usual suspects.

So, Chuck, it sounds like you are perhaps proposing that we-- CCC schedule the February meeting, but decide in the fall whether or not to actually hold it in person, or have it as a teleconference?

Chuck Tracy

Yeah. So I think that's one option or if, again, since NMFS is the host, I think they should have a say in how we do some of this. But the other option is just to go ahead and schedule a teleconference for this year for February, but either model works for me. I agree there is some utility in having the interaction with the congressional staffers, and then being in Washington, DC and just physically having an in-person

meeting and being with the NMFS' senior staff and leadership is also worthwhile, in my opinion. But in terms of the purpose of the meeting, again, if the budget stuff hasn't been too productive recently, and so I think that should be a consideration.

Dan Hull

Kitty?

Kitty Simonds

Well, it's very difficult for Brian to find a hotel at the last minute. And usually, we start talking about it right after the meeting. Well, we talked to him about the hotels, where we suggest a meeting might be held, but he has to do it at least a year in advance sometimes, especially in DC. So that's really a difficult thing finding a place at the last minute.

Brian Fredieu

I guess I wasn't suggesting finding a place at the last minute. I was suggesting canceling the place at the last minute.

No, no canceling. Sorry. No. Live with it.

Dan Hull

Dave?

David Witherell

I haven't heard an argument yet that would convince me that we should do away with an in-person meeting in February. Yes, it does take time and money to attend and, yes, there are years when we have a continuing resolution that makes it uncertain what the budget is.

But the in-person meetings twice a year have a lot of benefit to me, and after going through this cycle with the CCC, I have to tell you having two looks at topic is helpful with a follow-up in the annual meeting. That helps me enormously rather than trying to make a decision on the fly based on presentation on that one issue. So for me, I remain unconvinced that we don't need two meetings in person. But that being said, our council doesn't really do webinars very often, so I'm not sure how functional that would be for this group.

Dan Hull

Warren?

Warren Elliott

Thank you, Mr. Chairman. Being relatively new, I would come down on the side of having it, because what I've heard at this meeting is a lot of these faces are going to change. And I think it's hard to get up to speed-- as much as you may know about the council process, it's hard to get up to speed with this process once a year. And I look at some of these faces over here and I don't think they're going to be there next year, so it might be a good transition here to go ahead and continue to have your second meeting.

Dan Hull

Chris.

Chris Moore

So Dave kicked off this topic by basically saying that the executive directors would probably have to get together at some point to figure out scheduling and that kind of thing. Now we're down the rabbit hole on scheduling. And I think we're probably at a point where we agree that we would have two in-person meetings per year. But if you talk to the budget folks, February's not a good time to have budget discussions. They're not very helpful. That doesn't mean we can't have an in-person meeting another time of the year. So if in fact, it's November or late October, then let's do that. If we're going to do two in-person meetings and going to make them count, let's pick one like November. I personally - and Kitty knows this - we argued before that that February meeting--

Kitty Simonds I'm voting against you.

Chris Moore --I know . That February meeting could be handled by a webinar. So I'm still thinking that we could do a webinar. But if in fact that we're going to do the two in-person meetings, I think we need to think about changing February to something else.

And I think, reflecting what Brian said about procurement of the CCC, would not have a fall meeting this year of some sort. It would not be till May if the CCC chose not to have a February meeting. So I think it seems to me the group has started a discussion about changing the scheduling that's a lot more complicated then we can figure out here today.

Dan Hull Right, Gregg, and then Doug.

Gregg Waugh Yeah, one other benefit of having it up in DC is we do get a lot of public participation that we don't get otherwise. And I'm not sure you'd have that to the same level--

--if it's via webinar. And we agree with Warren's point. We're going to be dealing with a fairly significant turnover in membership with this. And it wouldn't hurt to have that group get together.

Kitty Simonds You're talking about the enviros, right?

Members of the public.

Dan Hull And now there's Doug.

Doug Gregory Yeah, I thought the issue was the fact that the two meetings were so close together. And so when I hosted, that's why we had our meeting in June. I'm sorry if that was disruptive. But why not think about moving the May meeting, or let each host, person, or council decide when to have it and still keep the February DC meeting.

Or even January.

Dan Hull Gregg has a partial answer to that.

Gregg Waugh Yeah, at least for 2019, we already have a signed contract with that hotel, and have.

I'm talking in general.

Yeah, just as long as it's not for 2019, no problem.

Kitty Simonds You can cancel it, right?

Costs us money. I feel Brian's pain.

Dan Hull Usually, when we get to a point like this in a discussion at the North Pacific Council, we take a break and try to let folks figure it out. But we're not going to do that because it might take us longer. Miguel? Oh, I'm sorry.

Miguel Rolon Tom was first, I think.

Dan Hull Tom.

Tom Nies Right, I just want to second what Chris said. Let's try and figure out a date for a fall meeting. And we can argue over webinar or in-person meeting later. And I know that-- well, leave it at that. And again, maybe this is not the year that we make the change because of the timing.

But I actually think there's ways to work around it. But we can talk with the [inaudible] on.

Dan Hull So I want to be clear on your suggestion. The discussion in the fall would be about whether or not to hold a February meeting by webinar or in-person. But would there still be an expectation that planning would go ahead for that meeting? Because as Brian said, the process has to begin for procurement?

Tom Nies I guess I really wasn't clear. I was saying, "I agree with Chris that we ought to try and get to a May meeting and a fall meeting schedule." Which I think is what Chris was suggesting. And then we can argue over whether the fall meeting is a conference call or not. I think EDs could have a little discussion. I know the agency has contracting problems. I don't know that we have the same contracting problems for getting meeting space.

Dan Hull So I'm still unsure how whether the group is in agreement in holding a February meeting in-person or not, and whether that's our decision here today, Chris.

Chris Moore So I think what Tom and I are saying is basically if we agree that we have two in-person meetings, then we should have one in the fall and one sometime around May. I would disagree that we don't have time to set up an in-person fall meeting now. I think that we could do that. I think that we could figure that out. So I would say that today we agree for an in-person fall meeting, and we set it up.

This year?

This year.

Fine. It has to be in November.

Mid-November.

And you got Thanksgiving [too?]. And you got elections.

All right.

Our October is gone.

Dan Hull Chuck?

Chuck Tracy Just on the November thing, we do have a council meeting in mid-November. And I know I'll get some support from Chris on this, but my elk season is the first week in November. And I got a lot of points that I want to use up before I get too old to [inaudible]. But that being said, maybe we do-- maybe we could even think about figuring out what we're going to do for 2020 and not try and figure out what we're going to do for '19. And just kind of go status quo for a year. And we'll see if the budget situation improves a little bit. I know I got my rose-colored glasses on, but maybe then it'll become more obvious whether we need to consider changing our schedule for 2020.

Dan Hull Okay.

Leann?

Leann Borsage That sounds good.

Yeah. I won't be around when you finally get around to making these decisions, but I thought I'd throw my two cents worth anyway. As far as whether you change it to the

fall or you leave it in February, regardless of when it is, I would suggest that you do go in-person to DC. I mean, especially in an environment where we deal with things like any increases going to commissions and the councils stay flat. We can't lobby, but at least we wouldn't be out of sight, out of mind, right? At least we'd be there in the room reminding people that, hey, we do exist and we are doing important things. And don't forget about us. Especially when the other group can lobby, so.

This is an election year.

Dan Hull

Miguel, and then Kitty.

Miguel Rolon

If I'm hearing correct we're thinking that status quo for 2018, I think. And think about 2020 and we have to change it or not and to have the conference call to talk about just money in sometime during the fall of 2018?

I'm hearing several different iterations, but I think that would be my suggestion because I think the [inaudible] to stick with the February-- like Leanne, I'm not going to be here in November. However, I don't here consensus around having an in-person meeting or not having an in-person meeting in February. I think there's a difference of opinion among the body on that. So following what you said, status quo for 2019 and working on rescheduling the sequence of meetings or the timing of the meetings working on that for 2020 seemed to be a logical way to proceed.

Dan Hull

Right.

Kitty.

Kitty Simonds

Well, yes because this is also an election year, so November's going to be horrible. October's going to be horrible.

They'll be new people coming into the Congress. So if we keep it the status quo and work on the next year we agree with that.

Dan Hull

That would satisfy the desire to look for a different time for two meetings in the year. Other [wishes?] Chris?

Chris Moore

So just so I understand now because we've talked about a number of alternatives, so status quo until when? 2020?

Dan Hull

Yup.

And we'd agreed that we'd have two in-person meetings in 2019.

Tom.

Tom Nies

With a potential that it would be three if we went to a Fall 2019 meeting, but that's the same thing that can happen this year.

Chris Moore

Yup.

David Witherell

Right.

Dan Hull

All right, is that agreeable to the group? I think this was-- it seems, to me anyway, an abrupt change. I think the EDs are more experienced and the organization side of this then-- certainly than I am over time, but seems like it would be a fairly big change not to have that February meeting in 2019. But to plan ahead a little bit more carefully in the pros and cons. So that's agreeable to the group for 2019 and looking to change in

2020, but as you said there could be a third meeting in 2019 depending on what the CCC decides is the best path forward? All right? What else you got Dave?

David Witherell

The last thing on my list is the representative of the councils on the US delegation to the meeting on the Committee of Fisheries. It has occurred every two years. We get a request for a representative for the councils to be part of that NMFS-US delegation. And so we had Rick Robins two years ago. The councils have approved Bill Tweit to attend this year on behalf of the councils. But making that decision as to who the council representative is going to be is a challenging thing for the executive directors to do, and has resulted in difficulties, whether it boils down to a vote on who's going to represent us, whether it's East or West Coast representative, or what-have-you. I'm going to suggest that we just go down the list of the standard council rotation, noting that the North Pacific has the CCC chairmanship this year and the representative to the COFE meeting. And that the next time it comes up the South Atlantic Council would be able to offer up a representative of the councils. Now, if the South Atlantic doesn't want to pay their travel or doesn't have a volunteer, well that could pass to the next council in line. They could take a pass and the next council in line, and Kitty could offer up somebody from her council.

It kind of makes it a little bit more even given that we have meetings that seem to occur every two years, but I'm not exactly sure if they're every two years.

It's a standardized process and it allows us to take responsibility without the distasteful voting that occurs to choose that representative.

Dan Hull

Any thoughts on that? Does that sound agreeable to the group? Gregg?

Gregg Waugh

Just one question. It occurs every two years, so wouldn't you look ahead to-- or are you just going to say regardless of when it comes up it'll just follow the council rotation?

David Witherell

That's my suggestion.

Dan Hull

Thank you.

Chuck?

Chuck Tracy

Yeah, just so you realize that that pass thing could pass all the way back to the North Pacific Council next time around.

David Witherell

Yes, it could.

Chuck Tracy

That's funny.

And they'll do it.

Dan Hull

All right. Is there any opposition to doing that way? That's pretty straightforward. Okay, we have a plan. I think that takes us through our terms of reference and needed schedules. Next, is other business and our next meeting. Gregg?

Gregg Waugh

Thank you, Mr. Chairman. In a need to plan ahead, we circulated probably a year and a half ago, I think, the meeting dates and got the okay. It's going to be May 13 through 16, in Charleston, South Carolina at the Francis Marion Hotel.

We've put in a request for good weather, as per Tom's suggestion.

Looking to travel on the 13th, and a reception at the hotel that evening, and then meet all day on the 14th and the 15th, meet the morning of the 16th, and then plan for traveling out on the afternoon of the 16th.

May 13 through 16.

And there's no debate on this. That's settled.

Dan Hull

All right? We're set there. Anything else? Gregg or Charlie?

Unless you're ready for other business?

If Gregg is done with the next meeting?

Gregg Waugh

Yes, Mr. Chair, that's it.

Dan Hull

All right. And Charlie had a small item to bring up under other business.

Charlie Phillips

Yeah, since there's a lot of changes in council makeup, understand there were some letters sent out through Sam and office about how to keep the councils balanced. And it was because I was listening to Jennifer's PowerPoint I'm trying to figure out what the directive is for the policy and the procedure and what supplements might be needed to make it all work so we have balanced councils.

What does that mean?

Dan Hull

Sam?

Sam Rauch

So the statute does set certain requirements on the governors and on the secretary regarding balance in council membership. We send out letters to the governors in January and we do an apportionment report and I've asked Alan to write a brief overview of that process.

Dan Hull

Alan.

Alan Risenhoever

Yeah. Thank you. So the normal council process is that letter goes out in January. That outline states the current balance on the council. And then every year we do a congressionally mandated apportionment report that reports on the number of members under each sector, commercial, recreational, or other, that we send to Congress each year. And we've tried to get those aligned this year so both of those came out, I believe, January-- well, the letter always comes out in January, but the apportionment report was January-ish.

Late February.

Late February, as well. And so those are the two things that we do. If you haven't seen that apportionment report, Brian can post a copy of that to the CCC website.

Dan Hull

All right. Does that help? Charlie?

Charlie Phillips

Yeah. Obviously, we're going to change, I think, three council members. And our council has been balanced and it's done a really good job and we'd just like to kind of make sure that we're staying between the lines and the policy, and if guidance is needed it's there.

All right. And I can say in our council when stakeholders have felt that it was not balanced, that they have asked for a reminder on the policies and we've gotten that

letter and reminder on balancing, so. Just thought I would bring that to folks' attention.

Yeah. Since--

That letter goes to the governors.

Dan Hull

Yes. I understand that. Yep. All right? That's it for other business and next meetings. Did I miss anything? All right. So thanks everybody for productive two and a half days of meetings. I think we covered a lot of the topics that are important to the councils, and the agencies, and all our stakeholders in discussing how we can work together collaboratively to improve our conservation and management.

So I'm greatly pleased with the outcome. And I think, for me, anyway, what makes this process interesting, enjoyable, and really effective is that there really is a genuine interest and recognition that we have common goals and mutual interest and that it doesn't take a lot of arm-twisting, or it doesn't always take arm-twisting, and heated debates, and so on to make progress together. So thanks everybody for your work for these last few days. I've enjoyed working with all my fellow CCC members and it's been very fascinating. I'd like to see how things continue to progress. Chris.

Chris Oliver

Well, if you're about-- if you're about to adjourn, Mr. Chairman, I just wanted to, knowing what it takes to put these meetings together, just to recognize and congratulate North Pacific Council on a great meeting. Particularly the staff, David, and Diana, and Shannon, and Nicole, and Maria, and-- who did I miss?

Dan Hull

Hannah and Brian?

Chris Oliver

Well, I was trying to get council staff people first.

Peggy. Yes, Peggy, back there. And also, obviously, Brian and Hannah for their support. And not to slight the other outgoing council members or retiring executive directors, but I just wanted to say a few words, Dan, about you particularly. And those of you who have gotten to know Dan know that he's not only a great council member and a great chairman, but he is literally probably one of the, if not the nicest, finest gentleman I've ever met, and that's the quality that I really admire the most in Dan. [applause] But it's going to be weird sitting at the table without you at the table or going to North Pacific council and not seeing you at the table, but I take comfort in knowing that when I do get up to Anchorage, I know where to find you.

Dan Hull

You will. And this is a great process, and so I'm certain to miss it. But like I said, I know I'm going to make it to a New England Council meeting.

Chris Oliver

If there is a way to make it to some of the other council meetings, I would do it too. But there are others here in this room that are also termed out. Charlie Phillips, Dave Crab who left a little bit earlier, Johnny has termed out as well, Carlos as well, although perhaps you'll make it back on in the future. And Leanne, although you're not termed out, you won't return to the CCC next year. It's been a fantastic group of people to work with. So thank you all.

David Witherell

I just had one last thing, Mr. Chairman. I want to thank everybody for coming to Sitka. I hope you found the meeting productive and enjoyable and had a good time. One thing we could do to help Gregg out with the next meeting is leave your nametags on the table on the way out. I can tell you that getting ready for one of these meetings takes quite a bit of effort, so everything I can do to help Gregg for next year, I'm going

to do. So please leave your name badges on the table. Thank you. Have safe travels, everyone.

Dan Hull

All right. That adjourns our meeting. Thank you all very much. [applause]