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U.S. DEPARTMENT OF COMMERCE

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NATIONAL OCEANIC AND ATMOSPHERIC ASSOCIATION

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NATIONAL MARINE FISHERIES SERVICE

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HIGHLY MIGRATORY SPECIES ADVISORY PANEL

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MEETING

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THURSDAY

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SEPTEMBER 12, 2013

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The Advisory Panel met in the Sheraton Hotel, 8777 Georgia Avenue, Silver Spring, Maryland, at 8:30 a.m., Scott McCreary, Facilitator, presiding.

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PANEL MEMBERS PRESENT:

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- 29 PAMELA BAKER
- 30 TERRI BEIDEMAN
- 31 RICK BELLAVANCE
- 32 ANGIE BOEHM (proxy for Scott Vaeth)
- 33 ANDRE BOUSTANY
- 34 RON CODDINGTON
- 35 SONJA FORDHAM
- 36 WILLIAM GERENCER
- 37 WALTER GOLET
- 38 MARIN HAWK (proxy for Bob Beal)
- 39 RUSSELL HUDSON
- 40 ROBERT HUETER
- 41 STEVEN JAMES
- 42 WALLACE JENKINS
- 43 DAVID KERSTETTER
- 44 GERALD LEAPE
- 45 SHANA MILLER
- 46 KENNEDY NEILL
- 47 JEFF ODEN (proxy for Sean McKeon)
- 48 TIM PALMER

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ELLEN PEEL
ROMULUS WHITAKER
MARK SAMPSON
SCOTT TAYLOR
STEVEN THOMAS
PERRY TRIAL
MARK TWINAM
RICK WEBER
CHRIS WEINER
ALLAN WILLIS

ICCAT REPRESENTATIVE:

JOHN GRAVES

STATE REPRESENTATIVES:

MARTHA BADEMAN, Florida Fish and Wildlife
Conservation Commission
RANDY GREGORY, North Carolina Division of
Marine Fisheries
CARRIE KENNEDY, Maryland Department of
Natural
Resources

COUNCIL REPRESENTATIVES:

DEWEY HEMILRIGHT, (proxy for Stephen Linhard)
MAFMC

FACILITATOR:

SCOTT McCREARY

NOAA FISHERIES OFFICE OF SUSTAINABLE
FISHERIES HIGHLY MIGRATORY SPECIES DIVISION
CHIEF:

MARGO SCHULZE-HAUGEN

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TABLE OF CONTENTS

Reconvene
 Scott McCreary..... 4

Vessel Monitoring Systems Proposed
Rule Presentation
 Margo Schulze-Haugen..... 4
 Cliff Hutt..... 4

International Trade Updates -
Electronic Bluefin Tuna Catch Document
 Dr. Christopher Rogers..... 21

International Trade Data System
 Dr. Christopher Rogers..... 30

Compendium to HMS Management
Measures Project
 Margo Schulze-Haugen..... 47
 Jessica Beck-Stimpert..... 49

Public Comment 71

HMS Advisory Panel Priorities and
Next Steps
 Margo Schulze-Haugen..... 73

Adjourn 78

2
3
4
5
6

1 P-R-O-C-E-E-D-I-N-G-S

2 (8:37 a.m.)

3 MR. McCREARY: Good morning,
4 everyone. Welcome to the fourth and final
5 day. So we have a couple of presentations
6 and discussions. And Margo is going to kick
7 us off and then we will have a presentation
8 on vessel monitoring systems.

9 MS. SCHULZE-HAUGEN: Yes, so good
10 morning, everyone. Just as a quick
11 introduction to this morning, VMS has been
12 something that we have been talking about and
13 working on for some time now. And we
14 implemented a final rule I think it was over
15 a year ago, 2011 and that required a new kind
16 of unit, one that had two-way communication,
17 which is a big improvement from the original
18 units that have been required for almost a
19 decade. It also required hail-in and hail-
20 out, with indication of species and gear
21 type. And this was so that the Office of Law
22 Enforcement folks that track vessel location
23 are able to determine what fisheries vessels
24 are participating in and then what rules
25 apply, so what areas may be acceptable or not
26 to fish in.

27 It was something that was a
28 stronger quest from Office of Law Enforcement
29 to make their work more efficient and also to
30 provide the abilities to communicate with
31 boats at sea with their issues. Things can
32 be resolved without boats having to come back
33 in.

34 When we implemented or released
35 the final rule, a number of issues were
36 brought to our attention on requirements for
37 boats that really weren't participating in
38 HMS fisheries. They may have permits and the
39 desire for folks to be able to get out of
40 some of the VMS hail-in/hail-out while they
41 were participating in those other fisheries.

42 And so that is what this
43 rulemaking has kind of come directly out of
44 the comments that we got, unfortunately,
45 after that final rule published. So it meant
46 that we had to do another rulemaking to
47 address it.

48 So here we are. And Cliff is

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1 going to walk us through it.

2 MR. HUTT: Good morning,
3 everyone. So as Margo was saying, currently
4 we have VMS requirements in all our pelagic
5 longline fisheries. And for vessels using
6 bottom longline gear for sharks or who have a
7 directed shark permit and bottom longline
8 gear onboard and are located and are fishing
9 between the lat/longitude of 30 degrees north
10 and 36 minutes north latitude and with the
11 mid-Atlantic closed area is areas closed.
12 And for directed shark permit holder with
13 gillnet gear onboard from November 15th to
14 April 15th.

15 These units must be installed by
16 qualified marine electricians. And for
17 current reporting requirements, vessels have
18 to turn the units on at least two hours
19 before leaving port to issue their hail-out.
20 They are required to hail-in no less than
21 three hours before returning to port and they
22 have to provide hourly location signals while
23 at sea. Currently, we allow these units to
24 be turned off when the vessel returns to
25 port.

26 Now, as Margo was just saying,
27 the enhanced mobile units, they allow for
28 two-way communication. And that is why they
29 were kind of adopted over the old units that
30 really just provided location pings. They
31 allowed the declarations for target species
32 and gear type, exchanging emails, things of
33 that nature.

34 However, since instituting the
35 current rules, we have had some complaints
36 about fishermen, particularly about the need
37 to hail-out two hours in advance. Some of
38 the guys, their boats, their gear is such
39 that they really don't need two hours of prep
40 time before leaving. So it is an
41 inconvenience to have to come in so much
42 earlier, especially considering fishermen
43 usually get started pretty early in the
44 morning anyways.

45 And they find the hail-out and
46 the hail-in requirements to be burdensome,
47 particularly when they are not fishing for
48 HMS, especially if they are then fishing in

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1 other fisheries that don't require VMS. Some
2 of our fishermen, the other fisheries they do
3 fish in do require VMS so they have got to do
4 it either way.

5 Enforcement is also reported to
6 us and in some cases, particular with vessels
7 they are out for multiple days at a time.
8 That they will get the hail-ins several days
9 in advance of the boats landing. Currently,
10 the requirement is kind of open-ended only it
11 says it has got to be at least three hours
12 before you land but it doesn't specify an
13 outward bound on how soon before landing you
14 can specify it. And this makes it difficult
15 to coordinate dockside inspections.

16 Also, the current rule allowing
17 fishermen to turn off their units while in
18 port isn't consistent with VMS regulations
19 and other fisheries.

20 So, what changes we are proposing
21 at this time are: 1) to require hourly
22 location signals 24/7, whether the vessel is
23 fishing or in port. However, we would
24 provide the option for fishermen to contact
25 OLE and request a documented exemption if
26 they are not going to be fishing for an
27 extended period of time. You know if the
28 boat is going into dry dock or has to be
29 taken out for repairs or whatever or they are
30 just, their fishing season is over and they
31 are not going to be fishing for a while, they
32 can get a document exemption to turn the unit
33 off.

34 One, this would allow us to
35 eliminate the requirement to hail-out two
36 hours in advance of leaving port. The
37 purpose of that requirement was to ensure
38 that OLE got at least one or two location
39 pings before the vessel left the dock. So
40 they knew for sure that the vessel was at the
41 dock at the start of the trip or when the
42 declaration was made.

43 If we are going to have them
44 pinging all the time when they are sitting at
45 the dock, there is really no need to show up
46 two hours in advance to make that
47 declaration. So we changed it so that you
48 could wait until you are actually leaving

1 port to make the declaration to give
2 fishermen some extra flexibility.

3 We do not expect this to result
4 in a big increase in overall reporting costs
5 because most of the units have kind of a flat
6 rate for hourly pinging. And even those that
7 don't, they are fairly cheap per ping.

8 Also we are proposing to require
9 that in addition to the hail-ins for when
10 you are returning to port, in addition to
11 being no less than three hours before
12 returning to port, they should be no more
13 than 12 hours before returning to port. OLE
14 feels this will better facilitate the ability
15 to coordinate dockside inspections and it
16 still gives the fishermen a nine-hour window
17 in which they make the hail-in and still get
18 back to port.

19 Finally, we are proposing to give
20 HMS fishermen the option of making a
21 declaration out of the HMS fishery, if they
22 are not going to be targeting HMS for an
23 extended period of time.

24 So if you are then going to be
25 fishing for something in a fishery that
26 doesn't require VMS, you would no longer be
27 required to make the daily hail-outs and
28 hail-ins until you begin fishing for HMS
29 again. You would still be required to have
30 the unit on providing hourly location signals
31 and would still be bound to all other
32 applicable HMS regulations. You
33 will/wouldn't be allowed in the closed areas
34 unless otherwise allowed.

35 Because we are doing kind of a
36 full PRA renewal associated with this rule
37 and didn't really get any comments the last
38 time around, we are kind of requesting
39 comments on the full range of HMS, VMS
40 regulations. So in addition to the current
41 changes of requiring the 24/7 reporting and
42 modifying the hail-out and hail-in
43 declarations, we are also asking for comment
44 on our time and cost estimates associated
45 with VMS and the costs of having it
46 installed.

47 You all are familiar with the
48 comment process. They can be made

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1 electronically through the web. They can be
2 submitted to us in writing or by fax or
3 phone. We do ask that people include the
4 identifier that is listed above there when
5 submitting comments for organization. And
6 all comments will be posted online as part of
7 the public record.

8 I am sure most of you who are
9 dealing with VMS know Pat O'Shaughnessy.
10 Obviously, if you have any questions about
11 the Southeast VMS program, he is the one to
12 contact.

13 And if you have questions about
14 the current proposed rule or the current HMS
15 regulations, you can give either myself or
16 Karyl a call.

17 And with that, I will take any
18 questions.

19 MR. McCREARY: All right. Let's
20 see if there are any questions here. Martha?

21 MEMBER BADEMAN: Thanks. Martha
22 Bademan, Florida Fish and Wildlife.

23 I was just wondering if you guys
24 have been coordinating with I guess it is
25 Andy Strelcheck in the Southeast Office. The
26 Gulf is undergoing some changes to their IFQ
27 requirements right now because they have been
28 living with this for five plus years.

29 Some of the changes that you have
30 proposed sound like they mesh with what we
31 already have in the Gulf but they have been
32 changing some of the -- or they are in the
33 process of changing some of the landing
34 notification things to make it a little bit
35 easier for fishermen and law enforcement to
36 coordinate on the back end. And I was just
37 wondering if you were coordinating on that.

38 We are kind of at the same stage,
39 actually. I think that rule was just
40 approved by the council two weeks ago and so
41 it is kind of in the proposed rule phase as
42 well.

43 MS. SCHULZE-HAUGEN: So my
44 understanding is that they have much more
45 detailed requirements, specific approved
46 landing locations, landing windows. So we
47 are not proposing that level of specificity
48 but just more of the timing so that we have

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1 the capability to meet a boat if needed. So
2 we are aware. We are in communication but it
3 is, I think, substantially different.

4 MR. HUTT: Yes, most of our
5 coordination has been with Pat O'Shaughnessy
6 in Saint Petersburg.

7 MR. MCCREARY: Good. Thanks,
8 Martha.

9 I have Rusty, Terri, and Scott
10 Taylor. Rusty.

11 MEMBER HUDSON: Rusty the
12 Directed Sustainable Fisheries, Rusty Hudson.

13 Anyway, what is the date due on
14 this? I didn't see it on the slide.

15 MR. HUTT: It isn't on there?
16 Sorry. The comment period currently ends
17 September 30th. And we are having a webinar
18 the afternoon of I believe it is September
19 23rd. Yes, it is September 23rd from about
20 1:00 to 3:00 in the afternoon, if I remember
21 correctly. It is listed in the proposed
22 rule.

23 MEMBER HUDSON: Thank you. I
24 actually believe I remember putting those
25 dates in my fisheries events so I can
26 circulate. Thanks a lot.

27 MR. MCCREARY: Thank you. Terri.

28 MEMBER BEIDEMAN: Terri Beideman.
29 A couple of things. At least a quick census
30 and the fishermen, this was published, you
31 are going to have a comment period at the end
32 of the month. A lot of my fishermen are out
33 at sea. I don't really have an opportunity
34 to like take a census of how this will affect
35 everybody. So the folks that are here kind
36 of see that they don't have an instinct
37 problem with the fact that you are requiring
38 24-hour extra pings that we pay for and are
39 appreciative that it eliminates that hail-out
40 requirement.

41 I have had a couple of specific
42 questions concerning the SkyMate and issues
43 with the SkyMate. Either you have to poke
44 them to fix it up or something. I also had
45 another fellow discuss that if they only fish
46 coastally, Boatracs works for them. And I
47 don't know all the specifics. It is not
48 that.

1 But I would request that we could
2 have an extension on the comment period for
3 this because this is the height of our
4 season. We are kind of pummeled with other
5 regulations taking our attention. And I have
6 not had the first opportunity to speak to,
7 only until today really directly on this
8 because of other interests.

9 And someone also asked if you
10 hail-out, do you have to remove your gear.
11 If you are hailing out of the fishery for a
12 couple of months, would you just stow it like
13 you would normally? That is a question.

14 MR. HUTT: If you are declaring
15 out of the fishery, technically no, you
16 don't. But I mean the assumption would be
17 that if you are going fishing for something
18 else, if you are using a different gear, you
19 would stow it anyways. But even if you are
20 using the same gear, as long as -- you are
21 still required to provide the hourly pings.
22 So no, you don't necessarily have to stow all
23 your gear.

24 MEMBER BEIDEMAN: So I guess
25 along that same line, that if your boat was
26 going in the shipyard and it wasn't going to
27 be fishing, it was going to be declared out
28 in another fishery but it is not going to be
29 fishing for an extended period of time,
30 several weeks. So there is a mechanism that
31 people could notify and say listen, my boat
32 is going in the shipyard, I am not going to
33 be fishing until at least whenever. Would
34 that be sufficient? Because it is stupid to
35 have it pinging away.

36 And in fact, if you have to cut
37 the juice to your boat for a repair or
38 something, then the signal is going to stop
39 and I don't want to see people get violated
40 over those things.

41 MR. HUTT: Yes, if you need, if
42 your boat is going to be out of the water for
43 a given period of time in dry dock or
44 whatever, yes, there is an option to contact
45 OLE in the Southeast, Pat O'Shaughnessy's
46 office and request a document exemption for
47 an extended period of time. Turn it off and
48 you are good to go.

1 And I know that they understand
2 that sometimes there are mechanical issues
3 and things get cut off. I mean usually if
4 that is happening, give them a call and they
5 are usually pretty flexible in dealing with
6 that, as long as somebody is notifying them
7 what is up.

8 MS. SCHULZE-HAUGEN: A couple of
9 things, on the comment period extension
10 request, this is the first I have heard of
11 it, but one thing I would say is that part of
12 what we are trying to do in this is also have
13 regulations that come into effect November
14 15th, adjusted via this rule as well.

15 And so a delay in that comment
16 period would then mean that we miss that and
17 some of the requirements that are applicable
18 November 15th would come online unchanged.
19 So we do have some kind of back end timing
20 considerations as well.

21 And on the other issue about
22 SkyMate issues, what I can say is that the
23 Agency is very aware of issues with SkyMate.
24 It is not my area of jurisdiction in terms of
25 abilities to either discuss it because I
26 don't know all the details, although I have
27 heard a lot of stories, or involved in what
28 is being done. But I know it is very highly
29 front and center on the Agency's mind.

30 MR. McCREARY: Thank you. Scott
31 Taylor.

32 MR. TAYLOR: I am aware that
33 Margo and Karyl and certainly Pat
34 O'Shaughnessy and OLE are all aware of the
35 SkyMate issues but I am probably pretty sure
36 that most of the panel is not. So I am going
37 to take this opportunity to encourage them.
38 Because while you are aware of the problem,
39 there has been no direction forthcoming and
40 there is implementation coming in.

41 And the problem with the system
42 is it doesn't work. And that is as simply
43 put. It is unreliable. At very best, there
44 is intermittent service on the actual
45 pingers. The email capacity to hail-in and
46 out basically never works, at least in the
47 southern hemisphere. It is a line of sight
48 system, which was not the way that it was

1 initially represented to us. It essentially
2 works just like VHS and the satellite is too
3 low on the horizon in the southern
4 hemisphere. And so when you talk to their
5 technical support people, essentially, their
6 answer is well all the problems that you are
7 describing to us have to do with a low level
8 of signal strength.

9 And while everybody within your
10 office at VMS, Pat and all of his people,
11 Matt are aware of it because the system was
12 authorized and paid for with our tax dollars
13 to be installed on the boats that nobody, at
14 least up to this point without assigning
15 blame really wants to give direction to have
16 us replace the units on the boat because I
17 think that there is legal implications for
18 the authorized system.

19 But it is a huge problem. And
20 their solution temporarily for our fleet has
21 been for us to manually call in and call out
22 and the odds of there being a problem
23 essentially with that. Initially what the
24 suggestion was for us was to make the
25 declaration anyway in the system. But that
26 doesn't work either because what happens is
27 is that once you have an email in the
28 outgoing queue, the system locks until that
29 email goes out and then it will not allow you
30 to queue the system again to either hail-in
31 or hail-out.

32 And so we have tried all the
33 other things that Pat specifically had
34 requested that of us because at the very
35 least at that point there would have been a
36 log record of the hail-in and the hail-out
37 but you can't even -- we can't even do that.

38 The Tron and Tron units that are
39 on the boats, while most of the people -- it
40 was probably one of the most reliable VMS
41 systems that you had until you went to the
42 hail-in and hail-out.

43 There are a couple of units still
44 within our fleet in which we are waiting for
45 the new thumb drive and upgrades from them.

46 The Faria units, I think I am
47 pronouncing that right, they are just now
48 getting some of the software out to us to

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1 upgrade some of the boats.

2 So I understand that the
3 rulemaking sometimes has to push technology,
4 but this is a case where the rulemaking is
5 ahead of our ability to be able to comply.
6 And there is a high level of concern,
7 particularly with some of the other
8 requirements that are coming out that we have
9 a workable system.

10 I would love personally, to be
11 able to send my boats an email and actually
12 have them be able to respond. And I thought
13 that I was going to be getting that with the
14 systems that were in there in the boat. It
15 was a great idea just in practice.

16 So what I would do is I would
17 encourage anybody that wasn't aware of it to
18 comment and to press for a resolution and
19 some direction on this because clearly I
20 don't think -- this certainly isn't directed
21 at you, Margo, I don't think that you have
22 the ability to fix the problem or to give us
23 direction at this point. But I am not really
24 sure.

25 And here is the question in this
26 rambling. Who does?

27 MS. SCHULZE-HAUGEN: So some of
28 what the, I think, approved vendor authorized
29 vendor issues are national and I think they
30 are trying to work out a national solution.

31 So there is headquarters VMS OLE
32 staff. And so I think that is probably the
33 place to turn. Certainly, we are in
34 communication both with Pat as well as the
35 national folks because they are up here at
36 headquarters.

37 So we are sharing what we are
38 hearing. We are also trying to give you the
39 context to pursue it yourself. So I can get
40 that to you.

41 MR. TAYLOR: Because clearly, I
42 mean and I have spoken to the President of
43 SkyMate all the way to the top. And there is
44 no answer forthcoming from them. And I am
45 just pointing that out to you. This is not a
46 fix for them. They are not going to spend
47 \$100 million to launch a new satellite or to
48 re-task the satellite that is there.

1 So this is a hardware design
2 issue for them and that is, I think,
3 essentially what the problem is. So
4 ultimately that has got to come out of OLE
5 and VMS and without being cute, that Pat, I
6 was hoping to maybe see him up here.

7 And I think he was pretty
8 forthright with why he told me he wasn't
9 coming but that is not neither here nor
10 there. But my point is that ultimately the
11 issue that if we are going to have a reliable
12 system, it isn't going to be the ones that
13 are installed on the boat. There isn't a fix
14 for that.

15 And so I would encourage that as
16 much as your offices have influence that
17 there is a decision that is forthcoming. I
18 know things out of Washington always don't
19 come in the time frame that we want to see
20 them come. But like I said, I can't tell you
21 how much time and effort and energy and money
22 and personnel time that I am spending on just
23 managing to try to do what is necessary to
24 ask us to comply.

25 And then you come in in the
26 morning and I have got a boat sitting at the
27 dock because it was 3:00 a.m. and they didn't
28 want to call me to let me know that they were
29 coming. They had a mechanical issue or
30 something. And then you are trying to hail
31 them in after the fact.

32 MR. MCCREARY: Thank you. Dewey.

33 MEMBER HEMILRIGHT: This rule
34 helps a little help from changing the hail-in
35 and hail-out. But it does cost the extra
36 expenses of having to keep your thing on all
37 the time.

38 So you fix one problem and you
39 made another problem. It is going to cost a
40 little more money but it is workable. The
41 main thing here is for probably over the last
42 five or six years I am sure I have emails
43 sent to Mike Clark telling how uselessness
44 the SkyMate service is. And based on I had
45 to get a sat phone to be able to call in to
46 every time to tell you my system ain't
47 working. I think my pinger part works but
48 your email types of stuff sometimes it works

1 and sometimes it doesn't.

2 But we are not the ones that had
3 a chance to choose the vendors and you're not
4 neither. But you are the ones that tells us
5 here is what we have to do. And I found over
6 the last probably five or six years I am
7 pretty sure it has been that long having to
8 deal with SkyMate. I can't remember the
9 first time I had to put this system on. You
10 have heard that. So it is basically you are
11 our only conduit to fixing the problem. So
12 either the uppers above you with this aren't
13 hearing your message for the last five or six
14 years or you are not telling them. So it is
15 a problem. Something else with
16 these new systems here. Why don't we have
17 electronic logbook reporting through this
18 once there is a good email system where
19 something is good with these vessel
20 monitoring systems where you have electronic
21 logbooks included in there. It would stop
22 the repetition of all the -- might save a few
23 trees. Might stop a few jobs but it would
24 definitely fix your time and reporting.

25 The problem is is that at your
26 level, whoever looked at the SkyMate system.
27 I mean basically it is a laptop with all but
28 two ports with some silicone or super glue
29 stuck in there. And we are having -- I mean
30 it is almost like you need somebody with some
31 smarts to proof it who your vendors are going
32 to be and how the systems work. Because this
33 was going to come out a year ago I think last
34 year and it had to be stopped because the
35 systems they sent out didn't have the hard
36 drives or the updated software.

37 Right now I would say the system
38 is unreliable. Because if you got a total
39 package and only about a quarter of it works,
40 it is pretty darn useless.

41 So maybe you all could -- hey we
42 will see what happens next year. This is
43 probably five years this has been brought to
44 your attention. And hopefully we could fix
45 it.

46 Also, the people, Pat
47 O'Shaughnessy and the crowd down there and
48 the VMS people have worked with us when we

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1 call them and tell them we are going fishing,
2 we are putting out pinger but this isn't
3 working on it, they have been great. Because
4 I have probably used my sat phone more to
5 call in to them than I have any other thing
6 since January when I had my thing installed.

7 So thank you.

8 MR. McCREARY: Thanks, Dewey.

9 Margo?

10 MS. SCHULZE-HAUGEN: Yes, I mean
11 all I can tell you is we have been telling
12 them. We are not your only conduit.

13 The VMS type approvals are done
14 by the Office of Law Enforcement completely.
15 And so this is something that they are
16 working on. I don't know the full depth of
17 the issues. I agree they are longstanding
18 and well-known. But it is not -- I can put
19 pressure on. I am. You can, too, through
20 Pat.

21 And then what I will do is get, I
22 believe it is Kelly Spalding is the national
23 VMS coordinator. So we will get her phone
24 number and hand that out to you guys.

25 But it is --

26 MEMBER GERENCER: Would that be
27 her phone number?

28 MS. SCHULZE-HAUGEN: It will not
29 be her home phone number.

30 (Laughter.)

31 MS. SCHULZE-HAUGEN: But I would
32 encourage you, you know, we are working
33 within the channels that we have but you all
34 have communication abilities, as well.

35 So I wish I had better news but
36 it is not something that I can really fix.

37 MR. McCREARY: Dewey, thanks for
38 laying out those issues. And Margo, thanks
39 for the status update and suggestions.

40 Jeff.

41 MR. ODEN: I just want to
42 essentially say the same thing these two guys
43 have just said. I mean Mark here as well, he
44 has turned his off. He has another
45 alternative VMS unit. But truthfully, you
46 have got to do something about it. Because
47 if I ever figure out a way to get my hand
48 through that phone on that technician's

1 throat who keeps telling me it is my problem,
2 I am going to kill him and end up on death
3 row. Thank you.

4 MR. McCREARY: Okay, Scott
5 Taylor.

6 MR. TAYLOR: Yes, I again just
7 want to echo what Mark said. We are done
8 with the technical people at SkyMate. It is
9 just wasted time. But something that was
10 really distressing happened last week. And
11 that was I got a phone call from Matt at your
12 office. And Matt communicated to me -- I
13 assume you are with Pat's office, right? No.
14 I apologize, then. Okay, you are with HMS.
15 I apologize.

16 So, I got a phone call from Matt
17 at VMS, Pat O'Shaughnessy's office, who
18 communicated to me that OLE was pushing him
19 for us to be aware that they were going to
20 start writing violations for compliance.

21 So if they are so aware of the
22 problem and they are the ones that are
23 essentially trying to fix it and they know
24 that they are the ones that are doing
25 everything we can, why are we being told that
26 if the problem doesn't get fixed, that they
27 are going to start writing violations.

28 And the phone call was
29 essentially orchestrated and was directed at
30 us because a couple of the SkyMate boats have
31 intermittent signals. You know I mean I will
32 be sitting at dinner and I will get an email
33 from one of my captains on the system from
34 six weeks ago. It will all of a sudden pop
35 up. It was in the system. It got a quick
36 connection, whatever it was, a bounce, and
37 their impression is that we should still be
38 continuing to use the system to hail-in and
39 hail-out. And the other systems that still
40 don't have all the software upgrades that we
41 are waiting for from the manufacturers, OLE
42 thinks that they should be in full
43 compliance. Well on a lot of these cases, it
44 isn't anything that we are doing that we are
45 waiting on manufacturer, we are waiting on
46 them to deliver the stuff that we need. And
47 then once we get it, we still have to have
48 our technical people, and I guess this is the

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1 right word, fiddle with it. Because this
2 stuff is not --

3 MR. McCREARY: Not quite in sway.

4 MR. TAYLOR: So my concern is
5 that when I start getting phone calls that we
6 are doing everything that we possibly can to
7 comply and there is the potential for
8 sanctions coming down the line, that I am
9 sitting up and paying attention because I
10 really don't know how to solve the problem.

11 And I mean it was flat-out told
12 to me just that simply that boats that should
13 be in compliance, that they are going to
14 start writing citations. That was the exact
15 language.

16 MR. McCREARY: Okay, thanks. So
17 clearly, there is an issue on the table. The
18 suggestion is multiple lines of communication
19 to OLE. Margo has explained kind of the
20 demarcation between the different divisions
21 of the Agency. And I can certainly
22 acknowledge the issue. I don't know what
23 else there is to be said today about this.

24 MS. SCHULZE-HAUGEN: No, I mean
25 that is news to me and a little surprising
26 but I will track that down.

27 MR. TAYLOR: The context was,
28 Margo, that their feeling was that okay you
29 are having some problems with some of the
30 equipment but that doesn't negate everybody
31 from doing the call-in and call-outs. And
32 what was the last directive that we had
33 gotten from Pat's office was just verbally
34 call the boats in and call the boats out.
35 And then mid-stream we have got a change.
36 And like Terri said, I have got people that
37 are out on the water and you have
38 miscommunication. We just don't snap our
39 fingers and communicate this with the guys
40 that are on the water and then all of a
41 sudden, change the way that the compliance
42 issue is done because it is very frustrating
43 for them. You know for me to keep telling
44 them you have got to do it, you have got to
45 hail-in, you have got to hail-out and it just
46 doesn't work.

47 So that is really where we are
48 with it.

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1 MR. McCREARY: Scott, thank you.
2 Mark.

3 MEMBER TWINAM: Mark Twinam. I
4 just wanted to say that because of this, you
5 probably have to be aware of the blood
6 pressure rising when they start wanting to
7 put the cameras onboard. Because as long as
8 this stuff is reliable, it is really not an
9 issue. I was scared to death when they first
10 came out with VMS that it would cost me a
11 trip, or cost me days or something. And
12 fortunately, I haven't had that problem. I
13 got the SkyMate in the beginning for the HMS.
14 And then in the meantime, I had to get -- it
15 wasn't good enough for the reef fish in
16 Florida so I got the Faria VMS. And I
17 started having trouble with the SkyMates. I
18 thought I was the only one in the world until
19 this week. But I finally shut mine off.

20 And the Faria is a really good
21 one. I never turn them off. Since they have
22 been installed, they run the whole time. And
23 the Faria is power efficient. It is really
24 good. But the SkyMate was real nice because
25 you could email off your laptop really easy
26 and the Faria is really hard to email. It is
27 small and difficult to use.

28 So they all have good and points.
29 So you really haven't apparently got to a
30 point where it is comfortable to use them.
31 And when it comes time to put the cameras on,
32 people are going to have all these things in
33 the back of their mind and it can be
34 frustrating. So you can be prepared for it.

35 MR. McCREARY: Thanks, Mark.
36 Scott, another comment?

37 MR. TAYLOR: And then the last
38 comment. The Agency had an opportunity to
39 see some of the things that we are doing on
40 the boat. And so what I would strongly
41 encourage as we move forward here with
42 Amendment 7, that there are systems out there
43 that work that are user friendly, that are
44 100 percent reliable that are there. Maybe
45 the vetting process needs to be taken a look
46 at here so that the system that may, at some
47 point, get recommended to the PLL fleet, is
48 vetted by people that really understand

1 necessarily how it is going to be used.

2 MR. McCREARY: And by vetting you
3 mean vetting the technology, not the proposed
4 rule. Right? The functionality of the
5 technology.

6 MR. TAYLOR: Well I think they
7 are hand in hand.

8 MR. McCREARY: Sure.

9 MR. TAYLOR: I am not going to
10 debate whether you put the horse or the cart
11 before it. I think that is common sense.

12 But here we are in a situation
13 where we are doing the same thing again, we
14 are proposing a rule but yet the technology
15 that is available that is approved right now
16 won't necessarily do what it is. I think the
17 rule, though, contemplates the development of
18 that technology to a certain degree.

19 So what I am saying is that
20 because there are so many different agencies
21 that get involved in this stuff, that this is
22 really something that I think HMS needs to be
23 involved with for the purposes of, at least
24 if nothing else, a recommendation for what is
25 going to be put out there.

26 MR. McCREARY: Thanks, Scott.
27 Anything else from you? No?

28 MR. HUTT: I did want to have one
29 clarification. Earlier when you were talking
30 about the problems with SkyMate, you kept
31 saying the southern hemisphere.

32 MR. TAYLOR: Well what I mean
33 actually the boats that are in the southeast
34 region is really what I wanted to say. I
35 have some boats that travel to the north.
36 And the system is much more reliable up in
37 the northeast than it is in the southeastern
38 United States or the area that we are
39 fishing. And I think that has to do with
40 satellite orientation. So that the satellite
41 is higher off the horizon, the farther north
42 you go.

43 That is why Mark's pinger works
44 all the time, because that operates at a
45 lower level of signal strength.

46 So as you move further south and
47 the signal strength drops, even the pingers
48 themselves become intermittent on the system.

1 So I can't tell you how many calls I have
2 gotten from OLE that your boat is not
3 pinging. And it is like you need to call
4 them and communicate. And I said well I
5 would love to send them an email but that is
6 not going to get me anywhere. I will try to
7 get a message to the boat. But we all know
8 what the situation is with that.

9 But I also want to say -- and I
10 think this is probably true for all, at least
11 the PLL fleet, we never turn our systems off.
12 This is something that we already had. It is
13 part of the subscription fee. So the real
14 change for us is effectively was the hail-in
15 and hail-out. You always know where those
16 boats are sitting.

17 MR. McCREARY: Thank you.
18 Anything else? All right, thank you very
19 much.

20 Is Chris Rodgers here?

21 DR. RODGERS: Yes, he is.

22 MR. McCREARY: Welcome.

23 DR. RODGERS: Where do you want
24 me to sit? Right here?

25 Okay, good morning. I see some
26 familiar faces and a lot of new ones. Those
27 who are familiar and haven't seen me in a
28 while, don't say that I look older and
29 heavier.

30 So I am here to give two updates
31 on electronic monitoring schemes for
32 traceability systems and import monitoring
33 programs. So we will start first with the
34 ICCAT electronic bluefin catch documentation
35 scheme. It is a paper-based scheme currently
36 and has been in effect since I guess about
37 1998 the final rule became effective here in
38 the U.S. to trace bluefin tuna from its
39 origins. It was called a statistical
40 document program at the time and morphed into
41 a catch documentation scheme. The difference
42 being that the statistical document was
43 generated at the time trade occurred, whereas
44 the catch document had to be generated at the
45 time catch occurred. So it backed it up a
46 bit to improve traceability.

47 Okay, so that is just a screen
48 shot of the system that is being developed by

1 ICCAT.

2 The history, there are several
3 recommendations that come into play for the
4 ICCAT scheme. In the meeting in 2010, ICCAT
5 agreed that an electronic bluefin tuna catch
6 documentation scheme should be developed and
7 formed a working group to address issues of
8 automation and going electronic and to define
9 the scope of the requirements.

10 Recommendation 11-20 in 2011
11 updated the paper-based scheme to its current
12 form. That has been pretty much every other
13 year or so ICCAT addresses problems in the
14 paper-based scheme. But that 11-20,
15 recommendation 11-20 is the most current
16 operative mechanism for the paper-based
17 scheme.

18 At the meeting last year, a new
19 implementation schedule was developed for the
20 transition to the electronic scheme.

21 What has the Electronic BCD Work
22 Group been up to since 2011? It had a number
23 of meetings. The first one was to define the
24 requirements and set a schedule. We decided
25 that we were not as I guess you could say
26 fishery managers and observers of the trade,
27 not IT-type people. We really couldn't
28 define all of the technical requirements and
29 decided we needed to go with a feasibility
30 study by an IT-type firm. We had awarded
31 that contract for feasibility study to a
32 consortium in Spain, based in Spain, the
33 TRAGSA Group. They had done some work for
34 the Spanish government on catch monitoring,
35 electronic catch monitoring, including some
36 electronic logbooks. They had some
37 familiarity with traceability schemes also in
38 the agricultural sector for the EU.

39 So they did a feasibility study.
40 They reported their results at the ICCAT
41 meeting in Turkey in November 2011. So at
42 that meeting, the next phase was defined and
43 another meeting of the working group in
44 January 2012 refined those requirements
45 further and developed a request for
46 proposals.

47 TRAGSA group was not barred from
48 competing for the full contract, even though

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1 they had done the feasibility study.
2 Sometimes there is a separation but in this
3 case that it was not defined in advance. So
4 TRAGSA was competitive, cost competitive and
5 they were awarded the contract in April 2012.

6 They demonstrated the prototype
7 at the November 2012 meeting in Agadir,
8 Turkey. A lot of concerns about some bugs in
9 the system.

10 For those who are familiar with
11 the catching and farming of bluefin tuna in
12 the Mediterranean, it gets very complicated,
13 much more so than we have here in the west
14 with vessels of several nations doing what
15 they call joint fishing operations;
16 transferring to towing cages, taking to farms
17 in other nations, grow them out, trading
18 between cages. It gets very complicated very
19 fast.

20 And I think TRAGSA was having
21 some difficulties not only understanding the
22 intricacies of the way the trade operated and
23 the working between countries across nations
24 and tracking quota but eventually the
25 contracting parties involved in those farming
26 operations and joint fishing operations
27 worked through the specifications with
28 TRAGSA.

29 In January of this year, there
30 was a user acceptance testing. Again, all of
31 the contracting parties that had an interest
32 in the program met through that working
33 group, tested the system further. We had
34 requested some refinements for the west to
35 simplify it because a lot of the requirements
36 that were necessary for the eastern situation
37 did not apply to the west and we felt that
38 the program could be streamlined and the
39 number of web pages that didn't need to be
40 viewed, you could go straight to the business
41 end of it.

42 So we got some streamlining from
43 the west but evidently they are still
44 struggling with some of the intricacies with
45 the farming operations in the eastern side.

46 There was an on-site training in
47 April. I attended that with some user
48 acceptance testing. Again, we looked at some

1 of the refinements for the west, asked for a
2 few more. And since that time, it was
3 supposed to go to a pilot phase. And that
4 pilot testing has revealed some further
5 concerns about, particularly on the eastern
6 side, being able to record things through the
7 many possible transactions that can occur.

8 So, consequently in July of this
9 year, the integrated monitoring measures
10 working group met in Japan and one of the
11 topics of discussion there was again the
12 implementation of the system and looking at
13 some of the remaining bugs that need to be
14 worked out.

15 So they called for another
16 meeting of the eBCD Working Group for
17 September this year and they are going to
18 look at the remaining technical issues which
19 need to be resolved. They are going to begin
20 to draft a recommendation, as you see on the
21 top of the slide, there is recommendations
22 dealing with the electronic scheme and its
23 development and phase-in, as well as the
24 paper-based scheme. Eventually they have to
25 be merged when there is one electronic
26 scheme. And it has to have all the
27 requirements specified.

28 There is a concern about how
29 lengthy a recommendation of that sort might
30 be. So they have decided that a separate
31 user manual will be an integral part of the
32 recommendation that will get into all the
33 technical details.

34 So that is upcoming. Again, they
35 are going to look at technical issues and
36 begin to draft a recommendation going forward
37 with a full-scale electronic scheme.

38 The implementation schedule, as
39 originally envisioned was in April this year,
40 as I said, there was the government user's
41 training. In May there would be an
42 operational system with pilot testing. It
43 was hoped for to be fully operational. But
44 regardless, it was deemed to be voluntary at
45 that point. The parties and the trade should
46 try to use it, test it, try to break it in a
47 sense, what they call beta testing in the IT
48 world. But the paper documents would still

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1 be valid and parties should send their copies
2 of paper documents to the Secretariat, who
3 would enter them into the database. So
4 eventually by the end of this year, it would
5 be a complete electronic database for all
6 bluefin caught. But again, the Secretariat
7 was still having problems in entering all the
8 records into the system because of primarily
9 the intricacies and difficulties of the
10 dealing with the nuances of eastern
11 operations.

12 As I said, in July the remaining
13 technical issues were discussed at the
14 Integrated Monitoring Measures Working Group.
15 There was supposed to be a non-government
16 user training, in other words, the trade
17 community that would be the vessel masters,
18 the cage operators were going to go through a
19 training that was deemed to be train the
20 trainers, so that each country would nominate
21 users, send them, and they would go back to
22 their home countries and train more people
23 who need to use the system.

24 Given those remaining technical
25 issues, I don't believe this train the
26 trainers has been scheduled and maybe
27 postponed until after the November meeting.

28 So what will happen in this
29 upcoming meeting in November, there will be
30 revisions to the measures, again to
31 consolidate the separate streams of
32 recommendations on the electronics scheme and
33 the paper scheme, and to develop this user
34 manual that will be an integrated part of the
35 recommendation but not contain all of the
36 details in the recommendation proper.

37 What had been envisioned was that
38 in March 2014, it would be fully operational
39 and mandatory. But because of the ongoing
40 concerns, technical issues that had not been
41 resolved, it has felt at this point that it
42 wasn't a full pilot phase, as was originally
43 envisioned, particularly for the purse
44 seining operations and the caging operations.
45 And therefore, it is expected that at
46 upcoming meeting in Cape Town that the new
47 measure will revisit the phase-in and invoke
48 a new or a second pilot phase, so that the

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1 purse seine season has a full season to
2 operate on a pilot basis before the system is
3 made mandatory.

4 So that is what we anticipate for
5 the upcoming meeting, looking at a new
6 measure, a revised phase-in period, and a
7 detailed technical manual. So it will be a
8 lot of work for those participating in that
9 working group in Cape Town.

10 Any questions on the ICCAT
11 scheme? It has been long in the making and
12 as most large IT projects, sometimes much
13 more than originally anticipated.

14 MR. McCREARY: Thank you. Andre?

15 MEMBER BOUSTANY: No questions
16 yet, just a comment.

17 I just wanted to say thank you.
18 And I think I speak for a lot of people in
19 this room regarding your efforts to increase
20 compliance on not only this issue but other
21 issues. So thanks for that.

22 MR. McCREARY: Thank you, Andre.

23 Any questions? Go ahead, Shana.

24 MEMBER MILLER: I share Andre's
25 thank you except I might be a little more
26 disappointed that the full implementation
27 deadline may be delayed.

28 As you know there are a couple of
29 countries that have already -- at least
30 Croatia has fully implemented it. Someone
31 has fully implemented it. And I am just
32 curious what the U.S. plans are for -- just
33 because the implementation deadline is
34 delayed is delayed doesn't mean we need to
35 delay our implementation.

36 MS. SCHULZE-HAUGEN: So we have
37 been watching the development of the system
38 with great interest. We have a domestic
39 system in place for exports. And so one of
40 the concerns we had early on was how user-
41 friendly ICCAT system would be and did we
42 want to continue with our domestic system and
43 maybe have the interface through our domestic
44 system and then push the data to ICCAT or
45 have U.S. users go directly to the ICCAT
46 system. So there would likely have to be
47 direct U.S. interface for things like imports
48 and maybe re-exports as well.

1 And so at this point I think we
2 are leaning towards keeping our domestic
3 system and then trying to push the data as
4 needed. And part of that is with some of the
5 international aspects of systems, we think we
6 have more abilities to have a good experience
7 if we are in control of the interface.

8 But again, this is a system that
9 is still developing so that that may change
10 but that is what we are leaning towards right
11 now. And then we will go through the process
12 that we need to do domestically to require
13 the use of the system.

14 So I think we will be there. But
15 it is something we are keeping a close eye
16 on.

17 MR. McCREARY: Thank you. Rick
18 Weber.

19 MEMBER WEBER: Just because I am
20 not that close to it, is that eDealer?

21 MS. SCHULZE-HAUGEN: No.

22 MEMBER WEBER: It is still a
23 different system. Okay.

24 Do those coordinate at all?
25 Because one of the recurring themes from Rex
26 and commercials and dealers is the double
27 systems. Is there ability to blend them so
28 that somebody only has to enter a fish once
29 and it flows all the way to where it needs to
30 go?

31 MS. SCHULZE-HAUGEN: Everything
32 is possible.

33 So right now they don't. When we
34 built the eDealer system, the bluefin tuna,
35 and this came up earlier, was not included in
36 part because we had actually just put a lot
37 of energies into updating and revising that
38 system separately because it had some
39 different issues.

40 There is some discussion, as you
41 heard about bringing bluefin in to the
42 eDealer system. That is a domestic landings
43 system. A lot of this, the bluefin eBCD
44 starts at catch but then has separate
45 components of export. And then there is re-
46 exports and imports that don't touch the
47 domestic systems at all.

48 So it is always something that we

1 look at. We are certainly aware that these
2 systems have grown up for different purposes
3 at different times. It can be quite
4 expensive to bring them all in line. And it
5 doesn't always make that sense to spend that
6 money. Sometimes having things separate is
7 okay. But it is something that we look at
8 and try and also think about the users, what
9 makes the most sense for them as best we can.

10 MR. MCCREARY: Thank you. Gerri.

11 MEMBER LEAPE: Thanks. Just a
12 couple of things. Have the North Africans
13 shown their hand, other than we didn't get a
14 full pilot testing season for the purse seine
15 fleet?

16 And two, in the further
17 development of this system, this is on
18 another issue, is there going to be a spot
19 for IMO numbers?

20 DR. RODGERS: Well, the current
21 recommendation on vessel registration at
22 ICCAT has an optional nature for this mission
23 of IMO numbers. The eastern bluefin measure
24 requires, additionally, that the vessels
25 actively fishing for bluefin tuna in the east
26 Atlantic and Mediterranean be listed
27 separately. That does not require anything
28 in particular regarding the IMO numbers. So
29 those measures would have to be amended or
30 adjusted to make the IMO number mandatory.

31 And as you are aware and others
32 may know here that for smaller fishing
33 vessels, they don't always have IMO numbers.
34 And that has been an ongoing debate. And FAO
35 and other quarters, and certainly several of
36 the regional fishery management organizations
37 as to whether more fishing vessels, in
38 particular smaller vessels, can be brought
39 into that IMO numbering scheme. That is the
40 universal vessel identifier debate that has
41 been ongoing.

42 It would be useful in such a
43 system and in other aspects of international
44 fisheries management as well. But until the
45 IMO number is mandatory, it can't be made a
46 mandatory feature of this system.

47 MEMBER LEAPE: But just on the
48 second part, you did talk about the

1 objections on not having a full pilot testing
2 scheme. Have they shown their hands on
3 anything else in terms of resistance for the
4 financial costs or any other potential
5 obstacles that you have seen so far?

6 DR. RODGERS: No. Morocco has
7 been a steady participant in the electronic
8 bluefin technical working group. I haven't
9 seen any other North African nations there,
10 although I have seen some email traffic from
11 Tunisia asking questions.

12 So they are trying to
13 participate. I think it was Tunisia last
14 year and the year before had expressed some
15 concerns about the expense of the system.
16 But it has largely been born by the
17 Secretariat at this point in time and through
18 some special assessment contributors,
19 separate and apart from their regular dues
20 and some money from the operational budget.

21 We still have to decide in the
22 long-term if there is going to be a just
23 generally absorbed into the ICCAT budget or
24 whether the users of the system would pay
25 differentially, those who harvest more
26 bluefin and, in essence, would pay more money
27 to support the system. So that may be part
28 of the debate for the new measure or maybe
29 part of the debate in STACFAD this year, the
30 financial committee.

31 MR. MCCREARY: Thank you. Bill.

32 MEMBER GERENCER: Bill Gerencer.
33 I just wanted to encourage the service to
34 keep control of the data interface themselves
35 and I think that the right way to go is a
36 fish would just have to be entered in once to
37 get all the way through the system. If we
38 are asking people to enter in fish in
39 multiple places, the chances of making
40 mistakes go way up.

41 MR. MCCREARY: Thank you. Chris,
42 any other comments you want to make or
43 additional reflections?

44 DR. RODGERS: Well again, this
45 system has been difficult in its
46 implementation, primarily because of the
47 intricacies of what happens in the east with
48 joint fishing operations amongst vessels that

1 have to be -- the catch has to be partitioned
2 according to allocation keys. And they get
3 into the transfer of cages, they are towed to
4 third-party countries, entered into cages.
5 Sometimes they are carried over from one year
6 to the next.

7 And it would have been nice if we
8 could have just built the western style
9 system first and made that operational but we
10 are kind of tied to the eastern situation.
11 And hopefully that would get resolved at the
12 upcoming meeting. I would encourage anybody,
13 particularly dealers who are trading in
14 bluefin tuna to pay close attention, speak
15 with Margo in the HMS crowd and make sure
16 that the system functions for us.

17 But as Margo said and I think
18 Bill Gerencer reiterated, it is best to
19 maintain control of the interfaces to the
20 extent we can and just move the data in.

21 We are currently collecting all
22 the information required by the ICCAT scheme.
23 And if it works and we can move that data
24 seamlessly over to the ICCAT scheme, maybe
25 that is the best way to go.

26 MR. McCREARY: Good. Thank you
27 very much.

28 (Pause.)

29 DR. RODGERS: There we go. Sorry
30 for that delay. We should have put both
31 presentations or maybe I should have put both
32 presentations together.

33 This is a partial answer to some
34 of the concerns that were just expressed,
35 particularly Rick Weber said enter the first
36 once, in one place.

37 This is a government-wide
38 initiative, the International Trade Data
39 System. And the whole concept is called the
40 Single Window that trade information be
41 entered once, in one place and disseminated
42 to all users. So I wanted to give an update
43 on what ITDS is, why is it required, how will
44 NMFS use the international trade data system
45 and what are the next steps for NMFS.

46 Why is it required for NMFS? Its
47 origins were in the Customers Modernization
48 Act which was quite some time ago and we are

1 still modernizing. In 1993 that Act was
2 passed. It called for a national customs
3 automation program. At the time, a lot of
4 documents were filed in paper for the entry
5 of goods into the United States Commerce
6 stream. Paper had to be filed at the port.

7 Customs brokers would run around
8 up and down the coast with stuff that might
9 be diverted on an aircraft. I was coming
10 into Boston, it gets fogged in and now it
11 comes into Kennedy and the paper has to
12 follow it.

13 So electronic implementation of
14 entry filing certainly makes it easier. You
15 can have remote filings from different
16 locations. And it certainly facilitates the
17 entry filing by the trade community.

18 Because of some concerns about
19 security in ports after 9/11, as well as the
20 slow pace, seemingly slow pace of
21 implementing the international trade data
22 system, Congress mandated through the SAFE
23 Port Act. That stands for Safety and
24 Accountability for Every Port. It mandated
25 what we call PGA, the Partner Government
26 Agencies' participation in the ITDS project
27 for any agency that has the authority to make
28 admissibility decisions.

29 In other words, the primary role
30 for Customs always had been and they were
31 part of Treasury before the reorganization to
32 Homeland Security was to collect duties,
33 tariffs. They were a revenue-based
34 organization and they collected statistics
35 for the purposes of assessing whether duties
36 and tariffs were collected appropriately.

37 They really weren't an agency
38 that was designed to assess the details of
39 inbound shipments and figure out is this
40 admissible into the United States or whether
41 it is toxic substances that need to have
42 proper handling, whether it is trade secret
43 stuff that shouldn't be exported. These are
44 the missions of what they call the Partner
45 Government Agencies: USDA; Animal Health;
46 Plant Inspection Service looking for disease
47 agents that may be imported; Food and Drug
48 Administration on products that may cause

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1 harm if not properly labeled or not properly
2 tested. Things like that.

3 So we are an agency, National
4 Fishery Service, that has an admissibility
5 role. Therefore, we are a Partner Government
6 Agency that is mandated to participate in
7 ITDS.

8 Our admissibility role is we
9 decide if certain fish products can come into
10 the United States. We have several trade
11 monitoring programs through the Regional
12 Fishery Management organizations like ICCAT,
13 bluefin, a catch document, a swordfish, the
14 bigeye statistical documents. We have a
15 toothfish import, Antarctic toothfish import
16 monitoring program, even though it is
17 administered by the Department of State.
18 There is a Shrimp/Turtle Declaration that
19 shrimp imported into the U.S. must be
20 harvested in ways that are deemed turtle-safe
21 because of our own domestic turtle management
22 program in the shrimp fishery.

23 We have the dolphin-safe tuna
24 labeling under the Dolphin Protection
25 Consumer Information Act.

26 So we have a number of
27 requirements where fishery products coming
28 into the U.S. have to be documented as to
29 their origins, perhaps the ocean area of
30 catch, perhaps the gear that was used,
31 statements that verify or attest to its
32 admissibility under U.S. law.

33 So it also set up, the SAFE Port
34 Act also set up a Report to Congress. So
35 every year the Department of Treasury sends a
36 report to Congress on ITDS implementation,
37 including the efforts made by the Partner
38 Government Agencies to build information
39 technology systems to go electronic and
40 interface with the ITDS, the single window,
41 as they call it.

42 Another impetus is that the U.S.
43 imports 90 percent of our seafood consumed
44 annually. As I said, several of the products
45 are subject to either documentation
46 requirements or sometimes we do have
47 embargoes. For example, through ICCAT we
48 have had embargoes in the past, bigeye tuna

1 from Bolivia, for example. So we would want
2 to use the electronic scheme to help us
3 monitor and screen imports from countries
4 that are subject to embargoes.

5 The single window concept.
6 Customs has another acronym for that that is
7 called the automated commercial environment
8 or ACE. A lot of times you will hear
9 ACE/ITDS all in one word. ITDS is the
10 concept but ACE is the actual software
11 system, the automated commercial environment.

12 So the single window concept, it
13 is a single place. A customs broker will
14 enter all the normal information for an
15 entry, subject to the tariff code
16 specification and any duties that must be
17 paid. But then also the Partner Government
18 Agency ancillary information set that is
19 necessary for that product.

20 So the whole thing hinges on a
21 tariff code. For those who trade bluefin,
22 you may be familiar with the tariff codes.
23 If not, it is quite an extensive set. I
24 think there is about 17,000 for describing
25 all of the commodities involved in
26 international trade. There is a world
27 customs organization that manages that
28 manages that system. It is called the
29 Harmonized System. So, countries can work
30 together to make sure their classification
31 schemes work seamlessly. It is a ten-digit
32 number. What we will do is, working with
33 Customs, identify those fishery products
34 which require some further documentation or
35 information elements to describe the in-bound
36 shipment based on those tariff codes.

37 For example, the tariff code for
38 bluefin tuna, we will say that information on
39 the system will know that the information on
40 the ocean area of catch, flag nation of the
41 harvesting vessel, the gear used, the date of
42 harvest is also necessary and not just that
43 it is a tariff code describing bluefin tuna
44 and here is the volume and data.

45 So that is what we call the PGA
46 information set that is ancillary. And
47 again, it would be tied to particular tariff
48 codes where certain information is necessary

1 in addition to the normal entry filing.

2 It is designed to be a concurrent
3 real-time evaluation of admissibility by all
4 the concerned PGAs of the Partner Government
5 Agencies. There are 47 agencies, again, that
6 are mandated to participate by the SAFE Port
7 Act.

8 In some cases, several agencies
9 have overlapping jurisdiction. For example,
10 we are looking, National Marine Fishery
11 Service, we are looking at admissibility from
12 the standpoint of who caught it. Was it a
13 lawful catch? Is it subject to embargo? Is
14 it fully documented? But presumably it is
15 being imported for consumption. Somebody is
16 going to eat it here in this country. That
17 is FDA's mandate. FDA is going to look at
18 seafood imports from the standpoint of food
19 safety. So we do have overlapping
20 responsibility.

21 There are some imports of live
22 bluefin tuna, particularly in the eastern
23 Atlantic Mediterranean for the purse seine
24 and the cage culture operations, but there
25 are some in the U.S. as well. In that case,
26 Animal Plant Health and Inspection Service
27 may have a role to play in looking at live
28 animals brought in for agriculture.

29 So again, the concept of the
30 single window is that the information is
31 entered once, in one place, and all of the
32 participating agencies that need to look at
33 it and make an admissibility determination
34 can have it pretty much in near real-time.

35 So our current process. How do
36 we deal with it? We have the electronic
37 submission of entry data into customs and
38 border protection. That is the normal entry
39 filing. It has been electronic for a number
40 of years. Even though paper is still
41 possible, I think about 99 percent of all
42 entries into the U.S. Commerce are made
43 electronically.

44 And for the most part, customs
45 brokers do that. And that is because with
46 17,000 tariff codes, you have to know the
47 system and you have to make sure that things
48 are filed correctly.

1 And importer can always file on
2 his own behalf. It is like doing your taxes.
3 You can do it yourself or you can have a paid
4 preparer do it for you. But a lot of entries
5 are filed electronically by customs brokers.

6 What happens to the paper forms?
7 Well, they come directly to NMFS under our
8 regulations, usually within 24-hours of
9 release from customs. The copy of the paper
10 document must be mailed, faxed or transmitted
11 to NMFS via electronic image file of some
12 sort.

13 What do we do? We receive these
14 paper files. We enter them into a database.
15 We get a monthly data feed from Customs of
16 all entries for those tariff codes that were
17 interested in monitoring. And then we do an
18 evaluation of admissibility on a post-release
19 basis. In other words, the goods have
20 already been released from customs.
21 Swordfish, bluefin comes in at the airport in
22 Miami. An electronic entry filing is made.
23 The goods are released. The paper document
24 comes to NMFS. We get the data feed from
25 customs that something came in. And then we
26 are going to try to make a match.

27 What is the entry number of this
28 document? Let's see what was filed on the
29 entry. It is the weight and the harvesting
30 nation correctly identified. So we will do
31 that post-release evaluation.

32 Of course if something was amiss,
33 what are we going to do? Well, we are going
34 to contact the importer of record and say the
35 documentation was missing, incomplete.
36 Something was questionable here. In large
37 measure, the goods may have been already
38 consumed or delivered elsewhere, sometimes
39 even re-exported.

40 So it is a way to do that post-
41 release check but it is not the most
42 efficient if you are really trying to block
43 the entry of product that shouldn't come here
44 in the first place.

45 Under the ITDS model, you will
46 see the current flow of information involving
47 those sheets of paper between the trade and
48 the participating government agencies and

1 then back and forth with Homeland Security,
2 Customs Border Protection.

3 On the other side with the ACE,
4 the Automated Commercial Environment, all
5 that information flow will be electronic in
6 near real-time. What we intend to do is have
7 an hourly data feed from Customs through the
8 ACE portal. So we would know within an hour
9 that something has been offered for entry and
10 we would have not only that information set
11 that would be ancillary to the normal customs
12 filing, things like flag nation, harvesting
13 vessel, ocean area of catch, gear used. We
14 would have that information to see if it is
15 subject to an embargo, see if it is subject
16 to some scrutiny, see if a country has a
17 quota for a bluefin tuna. See if there is a
18 catch document that was filed for let's say
19 Antarctic toothfish.

20 We will also require the entry
21 filer, which again could be the importer him
22 or herself or a Customs broker, to attach an
23 image file to that entry filing. So we would
24 actually have the document in near real-time
25 as well. Just click on it, pull it up on the
26 screen and take a look at it.

27 So what are the key elements of
28 ITDS, that message set I talked about, that
29 ancillary information that the participating
30 government agencies need to make that
31 evaluation? The interoperability, basically
32 systems that can talk to each other back and
33 forth. We can send information to customs
34 and say this permit for an importer has
35 expired or this importer of record doesn't
36 have a permit, that kind of information, or
37 this country is subject to an embargo and
38 Customs can send the information to us in
39 terms of that message set and the image
40 files. Finally, that document image system
41 is a key component. It really improves the
42 ability to look at the documents in near
43 real-time. What we hope is to have an hourly
44 data feed from Customs with all of that
45 information.

46 What are the benefits? Traders
47 will only have to submit the information
48 once, in one place. Interactions with the

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1 participating government agencies will be
2 automated. Certain things can be an
3 automated check. Certain things may require
4 scrutiny of the image file or the document
5 but there can be near real-time decision
6 making. This can come in. This cannot.

7 Costs will be reduced for both
8 business and government. Rather than mailing
9 and faxing things, waiting and trying to deal
10 with things after the fact, it can be up-
11 front. Agencies will obtain the data more
12 quickly and be able to make their decisions
13 more quickly, even prior to release.

14 Just for your information, we do
15 get in that monthly data feed about 60,000 to
16 70,000 records a month of all seafood
17 products coming into the U.S. So it is a
18 pretty big data set. Not all of those
19 commodities are subject to monitoring and
20 documentation scheme. I would venture to say
21 that there is probably about 20,000 to 30,000
22 entries a year that are subject to some
23 documentation scheme or another and would
24 require some check.

25 So that is still a big amount of
26 information to look at, even in near real-
27 time, if you can. So we will probably have
28 to have some risk management approach of
29 trying to automate things that can be
30 automated but also having some criteria, what
31 we would call targeting and screening
32 criteria to highlight those imports of
33 greatest concern and that would require near
34 immediate scrutiny.

35 Who would submit data to the ACE
36 portal? Carriers, information on the
37 conveyance, the ship, the aircraft will go
38 into ACE. And that will be information that
39 we currently don't have but could take a look
40 at and that might be useful.

41 In other words, if a catch
42 document says it was bigeye tuna caught in
43 the Indian Ocean and you note that it is
44 coming in on a conveyance, a ship, a
45 container ship that was loaded in the Canary
46 Islands, you might question it. Well how is
47 this Indian Ocean-caught bigeye tuna if it
48 was loaded on a ship in the Canary Islands?

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1 So we will have information on
2 the conveyance. We will have information
3 from the shipper, the manifest or the
4 commercial invoice, which may contain a
5 little bit more information than tariff codes
6 might tell us about the contents of the
7 goods.

8 Customs broker, as I said, will
9 enter the tariff codes, volume and value as
10 normal on an entry filing. The importer or
11 consignee will get the information from the
12 catch document and either if making a filing
13 on their own behalf into that information or
14 provide that information to the Customs
15 broker so that it will be entered at the same
16 time as the entry filing.

17 So the future process for NMFS
18 under ITDS, electronic submission of the
19 trade data by the Customs broker, including
20 that NMFS-specific message set and the
21 document image, the real-time data feed to
22 NMFS with the image file, so we can take a
23 look at inbound shipments.

24 In some cases, entry filings can
25 be made even before the ship or aircraft
26 arrives. So we would have even more time to
27 take a look at times. We can do a pre-
28 release evaluation of admissibility. In
29 other words, automated checks. Importer
30 permitted, country of origin subject to
31 embargo, those kinds of things can be
32 automated.

33 So, what are our next steps?
34 Rulemaking. We have a rulemaking in prep.
35 What it will do is two things. It will
36 consolidate trade permits. Currently, there
37 are several programs subject to import
38 monitoring where a permit is required for the
39 importer. And an individual would have to
40 get multiple permits or does have to get
41 multiple permits. In other words, if they
42 are importing swordfish, bluefin tuna, bigeye
43 tuna, Antarctic toothfish, there are two
44 permits that would be necessary, the
45 Antarctic Living Marine Resource Dealer
46 permit, as well as the ATMS International
47 Trade Permit.

48 So this will consolidate a single

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1 permit for the import/export of commodities
2 subject to NMFS scrutiny and it will be
3 automated through our national permitting
4 system. So it will be a self-serve
5 operation. You log in, get your permit, and
6 print it out as soon as it is processed. Pay
7 online with your credit card. It is very
8 similar to the NMFSpermits.com operation or
9 is that a dot gov now? So, NMFSpermits.gov.

10 So that will be one thing. It
11 will improve the operations of the permits,
12 make it easier for dealers
13 importing/exporting just get one single
14 permit for all commodities.

15 It will also expand the coverage
16 or scope of that permitting scheme.
17 Currently importers of canned tuna that must
18 bear a dolphin-safe label to be sold as such,
19 don't have to have a permit but they do have
20 to have documentation for each in-bound
21 shipment. So to improve the education of
22 those importers of canned tuna, we want to
23 include them in the permitting scheme.

24 The other aspect of the
25 rulemaking will be the electronic entry
26 filing. A lot of the regulations currently
27 say the importer must obtain from the
28 shipment the consignment documents, whether
29 they are the RFMO documents or the NOAA Form
30 370, the Antarctic Dissostichus catch
31 document for the toothfish, and submit these
32 documents to the National Marine Fishery
33 Service.

34 What the change will be is that
35 the entry filer, whether that is the importer
36 or a customs broker on the importer's behalf
37 will have to file that message set and attach
38 an image file of the document in question to
39 the entry filing.

40 So, that will be the rulemaking.
41 We hope to have that out by the end of this
42 year and have a very lengthy comment period
43 to allow us to make sure that it could be
44 seamless for the trade, they understand what
45 will be required and can work. Again,
46 because it is two communities, perhaps, entry
47 filers may be Customs brokers more so than
48 fish dealers. And those two communities have

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1 to talk to each other to make sure that they
2 understand the information in the message set
3 and how to get that communicated through the
4 electronic filing.

5 So we anticipate a lengthy
6 comment period and maybe a final rule towards
7 the end of next year.

8 What we need to do internally, as
9 I said that we are already working on and we
10 have a seen a prototype of self-serve
11 permitting feature on the National Permitting
12 System. We are working with Customs to load
13 what we call reference files in to the ACE
14 system that will be a reference file. Here
15 are a list of the permitted importers. Here
16 is a list of countries subject to an embargo
17 for certain commodities. Here is a list of
18 ocean area of catch that could be or should
19 be designated for these species. Here is a
20 list of proper gear codes that could be used.

21 So those reference files will be
22 communicated and loaded into the ACE system
23 for the automated checks. And then we will
24 use interactive web services for the
25 communication of the validation results
26 between ourselves and customs.

27 Another good feature is that the
28 communication can also be automated with the
29 trade. In other words, the entry filer can
30 get a message that here is a problem: the
31 ocean area of catch doesn't quite jibe with
32 the tariff code that you have entered or you
33 are missing the flag nation of the harvesting
34 vessel. Get back to us with that and we will
35 continue to process your entry filing.

36 So there will be, as I said,
37 real-time communication via email with the
38 trade, with NMFS, with customs as it
39 develops.

40 So, there is the concept of the
41 single window and electronic processing.

42 MR. McCREARY: Thank you. It
43 looks like we have a couple of questions.
44 Rusty, you had a question and Bob does.

45 MEMBER HUDSON: Good morning,
46 Chris. Rusty Hudson, Director of Sustainable
47 Fisheries.

48 My question has to do with the

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1 International Trade Permit. And I see the
2 shark fins listed there. I do not see
3 anything for a paper trail. How long before
4 you can get that into place?

5 DR. RODGERS: Well this
6 rulemaking I have been speaking of is
7 basically just trying to take the existing
8 regulations and automate them. If there are
9 -- well, I shouldn't say that. Because I
10 already said that we are going to use this
11 particular rulemaking to increase the scope
12 of the permit to include those importing the
13 canned and processed tuna products.

14 But if there are additional
15 documentation requirement requirements for
16 particular commodities, that would be up to
17 the individual domestic management programs,
18 to implement that through separate
19 rulemaking. So we have to do it hand-in-
20 hand.

21 As Margo already said with regard
22 to the electronic bluefin, ICCAT is working
23 on a system. Margo has to do a rulemaking
24 to show how the U.S. is going to implement
25 that system.

26 We, in the Office of
27 International Affairs are implementing a rule
28 to require permitting and electronic
29 reporting but we didn't want to change the
30 reporting requirements that exist, only
31 convert them from paper into electronics. So
32 if there is a need for further reporting on
33 particular commodities, that should come
34 through the respective programs.

35 So it is going to be somewhat of
36 a chicken and an egg. We have to be very
37 mindful, as Margo does rulemaking, to perhaps
38 expand the requirements for dealer permits or
39 expand the requirements for reporting on
40 different commodities. We have to show how
41 that fits into the electronic reporting
42 rulemaking.

43 With that said, I guess that HMS
44 needs to proceed with a way to help protect
45 our domestic shark fishery because we know we
46 are sustainable. We know we are naturally
47 attached to the shark coming to the dock. It
48 is the imports. And the imports can take a

1 lot of manifestations between fresh, frozen,
2 dry, canned, et cetera, with shark fin. And
3 it appears that there are certain countries
4 that do not have any kind of protections in
5 place for finning. That seems to be the big
6 concern with the NGOs around the world. And
7 if we can get this done more rapidly, it
8 would make more sense because right now we
9 have such an emotional advocacy going trying
10 to do something about the finning in the
11 world and we are being thrown under the bus
12 and it has affected us for the two years now
13 really destroying our business like we have
14 never been destroyed. So thank you, very
15 much.

16 MR. McCREARY: Thanks, Rusty. I
17 have Bob and Angie.

18 MEMBER HUETER: Thanks. Bob
19 Hueter, Mote Marine Lab. Hey, Chris, good to
20 see you again.

21 Actually my question kind of
22 follows from Rusty's that hopefully in the
23 near future we are going to have this list of
24 certified countries that practice certain
25 practices in shark fishing, including having
26 anti-finning laws and enforcing those laws.
27 And then other countries that do not that we
28 will be able to embargo the import of shark
29 products into this country, and specifically
30 the fins.

31 Then once we have that list, how
32 does this system or any other parts of this
33 process help guard against, in essence,
34 wandering of the fins from an embargoed
35 country to a certified country, and then from
36 that certified country into the U.S.

37 DR. RODGERS: Well a lot of
38 existing authorities for similar type
39 embargoes do have language in the regulations
40 regarding what we call intermediary nations,
41 so that intermediary nations would have to be
42 certified. We do that for dolphin-safe tuna
43 labeling. If a country is subject to an
44 embargo because of their catching practices
45 not being deemed dolphin-safe under U.S.
46 definition, then we look at the import and
47 export records of so-called intermediary
48 nations.

1 And if they have a program to
2 separate and certify, then they can be deemed
3 eligible for entry. If they do not have such
4 a system, then as an intermediary nation, we
5 would borrow them as well.

6 So we would have to take a look
7 at the authorities for such a list of
8 certified nation, whether that would come in
9 under something like the Shark Conservation
10 Act or amendments thereto or through RFMOs or
11 other means of implementing that via
12 regulation, we can take a look at how that
13 has developed and then be mindful of the
14 pathways. And then look at the actual
15 documentation requirements.

16 If a country is subject to an
17 embargo, then again that could be a reference
18 file that we would provide to customs. If
19 the tariff code indicates shark fins and the
20 country of origin indicates Country X, that
21 is on the embargo list, don't release. So we
22 could have some automated checks there as
23 well.

24 MR. McCREARY: Thank you. Angie,
25 did you pass or do you still have a comment?
26 You are going to pass. Okay, thanks.

27 Scott Taylor.

28 MR. TAYLOR: I am just curious.
29 Are each of these individual products that
30 are required to meet the same standards as
31 the U.S., is it done that way because of
32 individual lobbying? Because particularly
33 with all of the new regs for the PLL fleet,
34 for examples, you know with tuna interactions
35 and the things that are required here of us
36 from HMS, certainly that is not a level
37 playing field for the swordfish that come
38 into the country and I probably could speak
39 to that from quite a few other items. But I
40 just wondered how that actually takes place.

41 Is that something that individual
42 industries have lobbied for for laws against?

43 DR. RODGERS: Well it can take
44 place in several ways. As you know, ICCAT
45 has a swordfish statistical document program.
46 So that would indicate who harvested, where
47 it was harvested, and with what gear. And
48 that provision also has the ability for the

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1 U.S. to screen out because of the minimum
2 size requirements to level the playing field
3 with regard to minimum size applied to the
4 U.S. fleet can be applied to imports as well.

5 But in other areas, other than
6 the regional fishery management organizations
7 coming up with a documentation scheme that
8 can be automated through this ITDS project,
9 there are domestic laws, as you are probably
10 familiar with that may lead to embargoes
11 against certain countries or against certain
12 harvesting practices, whether that be under
13 the High Seas Driftnet Moratorium Protection
14 Act where we identify and certify countries
15 in three areas, whether it is engaged in IUU
16 fishing, whether its fleets are engaged in
17 the bycatch of protected living marine
18 resources, or whether it is engaged in shark
19 fishing on the high seas in a manner that is
20 inconsistent with U.S. standards for good
21 shark management.

22 There is other things that can be
23 brought to other statutes. Certification
24 under the Pelly Amendment to the Fisheries
25 Protection Act, the Dolphin Protection
26 Consumer Information Act, we are in
27 International Affairs also working currently
28 on a rulemaking. We were petitioned for some
29 action to prohibit imports of swordfish from
30 Singapore because of the processing in
31 Singapore as an intermediary nation for
32 harvesting nations that do not have the same
33 practices in their pelagic longline fleets,
34 as would be applied to the U.S. standards.

35 We are doing that rulemaking
36 under the Marine Mammal Protection Act to
37 allow us to take a look and make a so-called
38 comparability finding against the nation to
39 level the playing field, look at the
40 standards applied under Marine Mammal
41 Protection Act for U.S. fleets fishing in a
42 certain fishery with a certain gear. If that
43 comparability finding cannot be made, then
44 those products can be subject to an embargo.

45 Well, if they are subject to an
46 embargo, again, we have provided a data set,
47 a list of countries or a list of information
48 requirements to customs so that it can be

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1 automated through the ITDS process and take
2 a look and screen those imports.

3 It may be that a country doesn't
4 get a comparability finding and the imports
5 by a pelagic longline fleet are prohibited.
6 But let's say, for example, swordfish taken
7 by a hand line or a buoy gear fishery, it is
8 not subject to that embargo. So then a
9 documentation scheme would have to be set up
10 to demonstrate that this was not taken by a
11 pelagic longline. So the vessel name,
12 perhaps the fleet it was landed, vessel
13 license number.

14 So, there are various statutes
15 that could be brought to bear. As you are
16 probably familiar with, Congress is very
17 interested in leveling the playing field in
18 that regard. There were Magnuson amendments
19 again to the High Seas Driftnet Moratorium
20 Protection Act.

21 The Marine Mammal Protection Act
22 itself has had these provisions on the books
23 for some time. And we are looking at ways to
24 automate the process through this ITDS
25 project in ways that we haven't been able to
26 before to help level that playing field.

27 MR. TAYLOR: Just a quick follow-
28 up question, then. You know you mentioned
29 like the Mammal Protection Act and some
30 things that clearly would be obvious. But
31 the more subtle idiosyncrasies of this may in
32 fact extend to gear type.

33 So with the restrictions that we
34 have on gear type, for example, Central
35 America still using and on the Pacific side
36 it doesn't apply to ICCAT, a J-hook and
37 billfish interactions, and all those other
38 things. That while Magnuson, as I understand
39 does provide for somewhat of a level playing
40 field, it may provide for that in principle
41 but in practice that is certainly not what
42 has been affected.

43 So I guess what I am asking is
44 that as this becomes implemented, is there a
45 mechanism for petition to look at those
46 various different issues. Because our
47 concern really should be for the well-being
48 of the U.S. fishermen. And I think that is

1 what this body is for.

2 MR. McCREARY: Good. Thank you.

3 We have, I think, one or two more
4 comments and then probably we should pivot to
5 our break, Margo.

6 Terri.

7 MEMBER BEIDEMAN: It is nice to
8 see you again, Chris, as well.

9 I am glad that you just brought
10 that up because that is what was sticking in
11 my mind is wow, how to go about that. And
12 generally it is one or the other of these
13 meetings we get an update on where the
14 process is on that because you have had a
15 petition and industry support for prohibiting
16 imports that are caught in a manner we kind
17 of we took a hit in terms of switching gear
18 types, in terms of the percentage of catch.
19 And now we continue to take a hit in the
20 market because there are fish in there
21 competing with our domestic fish that are not
22 subject to the same types of conservation
23 measures.

24 So I know that it has been in
25 process and I was curious. Have you made any
26 further progress on releasing those
27 standards, which I guess is the point? And
28 it is in your department, right? So I am
29 going to ask you.

30 DR. RODGERS: Yes, we have made
31 progress. We are working in an informal
32 interagency clearance process. Normally a
33 rulemaking that has an interest across
34 agencies in the Executive Branch, will have a
35 formal interagency clearance once the rule
36 goes to Office of Management and Budget for
37 final clearance prior to a publication in the
38 federal register.

39 But it is good to find out if
40 there is any showstoppers with another agency
41 before you get to that process at the OMB.
42 It is better to work things out. Because it
43 has significant international trade
44 implications, and as we are talking about
45 leveling the playing field, I guess that goes
46 both ways, not only in terms of the standards
47 applied towards the harvest of these species
48 in the U.S. versus other countries, but also

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1 levels of playing field in terms of what is
2 required in trade. We are a member of the
3 World Trade Organization. So, we have to
4 look very carefully. Are we setting up
5 something that sets up an un-level playing
6 field with regard to trade requirements? So
7 consequently, we have had some very lengthy
8 interactions with some of the trade-based
9 agencies, USDR and International Trade
10 Administration on trying to come up with a
11 process for comparability findings that meets
12 the test of our U.S. commitments to a level
13 playing field with regard to trade
14 requirements.

15 So it has taken some time. I
16 know the original petition was received in
17 2009 or 2010. So, it has been some time but
18 it is still in process. And we do anticipate
19 it will be published early next year.

20 MEMBER BEIDEMAN: Okay, well that
21 is at least some sort of date. Let's hope
22 that it sticks and not slides. And
23 recognition that these trade things are an
24 issue.

25 And my only other comment is just
26 when I thought I knew all the acronyms, you
27 come in with a thing that has got 20,000 of
28 them that I never saw before. Thanks.

29 DR. RODGERS: Well Customs has a
30 website for ITDS. It is ITDS.gov. And I
31 believe you can click on a link there which
32 has a page of about, I don't know, several
33 hundred acronyms. Because not only all the
34 customs acronyms but all of the 47
35 participating government agencies bringing
36 their own acronym.

37 You can go to an ITDS meeting and
38 people can have a sentence that is entirely
39 in acronyms.

40 MR. MCCREARY: Okay, very
41 encouraging, Chris, all the way around.

42 (Laughter.)

43 MR. MCCREARY: All right, let's
44 take a short break. We have three items to
45 cover after the break before we adjourn
46 today.

47 (Whereupon, at the foregoing matter went off
48 the record at 10:18 a.m. and went

1 back on the record at 10:37 a.m.)
2 MR. McCREARY: All right. Let's
3 refocus here. We have a couple more agenda
4 items to address.

5 And the first of those is the
6 compendium to HMS Management Measures
7 Project. Margo.

8 MS. SCHULZE-HAUGEN: All right.
9 Well I see people may be still coming in.
10 Where did everybody go? So basically, I
11 don't want to say it twice. I was just
12 thinking I would wait for folks who come in.

13 So the compendium is a new idea.
14 We haven't done it. We are still putting the
15 kind of pieces together. But the concept is
16 trying to in one place have kind of the
17 history of HMS management, where if you want
18 to learn about bluefin tuna since bluefin
19 tuna management started, you would have to go
20 through a variety of amendments and rules,
21 and probably SAFE reports to get kind of the
22 full, what was the issue in this action.
23 What was done? Some of the rationale.
24 Because a lot of our documents, the latest
25 phonebook included are integrated with NEPA
26 analyses and regulatory Flex analyses. And
27 they are relevant for the action at the time
28 but once it is done, then the books are full
29 of things that were not implemented, were not
30 selected.

31 And so the piece of like the
32 history of the fishery and what the issues
33 were and what the final measures were, you
34 have to kind of dig through things to find
35 it. And we don't have it all in one place.

36 And so we thought for our own
37 use, as well as potentially others, the
38 public, that pulling together this in a
39 single place, kind of the history into one
40 document could be quite useful.

41 And then the other aspect would
42 be looking at that and seeing of that could
43 be a potential model to revisit and
44 potentially restructure the HMS regulations.
45 I don't know if many of you spent a lot of
46 time in the CFR, but we do. And things are
47 scattered throughout and they aren't always
48 the easiest to find. And there are some good

1 reasons for that: the history of how the
2 regulations were developed, how they were put
3 together, how we structure things, trying to
4 be as simple and say things once so there is
5 lots of cross references and things that
6 maybe aren't always the most intuitive and
7 you need to have a law degree to really,
8 really get to the bottom of things.

9 And so as part of the compendium
10 exercise, that might be a useful model if we
11 come up with something that makes a lot of
12 sense on how to pull it all together in one
13 place. That then could be used to review the
14 structure of the regulations.

15 So it is a dual purpose, sort of
16 exercise. It is something that we would
17 share with you all when we are ready. But at
18 this point, as Jessica is going to go
19 through, kind of how that outline of how we
20 are thinking about it right now and some of
21 the challenges that we have or probably the
22 challenges that you have is how you think
23 about things.

24 Are you a bluefin person? And
25 how do you have just the bluefin information?
26 Then we have multi-species fisheries. Well
27 you want pelagic longline information and you
28 want information on catches of billfish. So
29 do you put that in the billfish section or do
30 you put that in the longline section? And
31 different people come at these issues with
32 different perspectives and think about things
33 differently.

34 So we are trying to come up with
35 something that is kind of readily accessible
36 no matter who you are or what your background
37 is, how you are approaching the issue, so you
38 can find the information you are looking for.

39 So in a nutshell, it is a new
40 thing. We are not sure if it is going to
41 work. It might go down in flames but we
42 thought we would try. And if it is helpful,
43 great. It is something I envisioned would be
44 a living document that we would update as new
45 things were done. And so I think we are
46 looking for feedback on the outline. Is it
47 kind of how logically you would think to put
48 things together? Because this is one of the

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1 challenges we have all the time. Every
2 document that we have produced that touches
3 different things, how do we put it together?

4 And then, would it be helpful?
5 And then we will see how it goes.

6 MS. BECK-STIMPERT: Thanks,
7 Margo. That was a good introduction. A lot
8 of information there.

9 My name is Jess Beck-Stimpert. I
10 am currently on my last week of the detail
11 with HMS in the Southeast Region. So I will
12 be -- 12 weeks went by really quickly but we
13 tried to do some good work on this. I am
14 actually the aquaculture coordinator down in
15 the southeast. So this is getting back to my
16 roots with HMS because I did do a fellowship
17 in 2008 as a Knauss fellow. So just briefly
18 visiting back with everybody.

19 And as Margo mentioned, this is
20 basically a document where we are going to
21 consolidate the information on the history of
22 HMS, the management measures, and things of
23 that nature. The idea is to have a one-stop
24 shop for this information. Currently, it is
25 very difficult to locate information in a
26 timely and efficient manner. Just in putting
27 together this outline for this compendium, I
28 went through multiple FMPs, reports,
29 amendments, things of that nature, just
30 trying to piece together information to make
31 it the most accurate and up to date.

32 So there is definitely a need for
33 the HMS staff to have something like this so
34 it is easy to grab information as new
35 regulatory actions come up and also for the
36 public to have some sort of context of where
37 some things came from.

38 So basically, I just wanted to
39 answer the question and Bill Gerencer just
40 asked me this. What is the compendium? And
41 this was a term that we can give Megan
42 Walline credit for. She brought it up to us.
43 We were calling it a summary. We were
44 calling it all kinds of different things.
45 And she said well it sounds like the
46 compendium to me.

47 And the definition of a
48 compendium is a brief summary of larger work

1 or of a field of knowledge. And I don't know
2 how brief this actual document is going to
3 be. The outline is four or five pages at
4 this point. I am just trying to break things
5 up in an orderly manner in something that
6 makes sense. But that is basically what we
7 are shooting for here is just take this
8 information to summarize it and make it
9 something that is easily understandable both
10 to ourselves and to the public so that it
11 will be a useful document.

12 So the objective, again, is to
13 create this comprehensive document which
14 outlines the history of Atlantic HMS
15 management measures. It will be combining
16 all the information from or all the relevant
17 information from the various FMPs,
18 amendments, reports, and things of that
19 nature.

20 As Margo mentioned, it will be a
21 living document. So as new regulatory
22 actions come online, it will be updated. So
23 this will be something that will continue to
24 grow and to evolve over time.

25 I just wanted to add a disclaimer
26 here. This document will not be a substitute
27 for the regulations or how to comply with the
28 regulations. We have compliance guides that
29 provide the information on how to comply with
30 those regulations and we also have our
31 separate CFR regs as well, which we will be
32 looking at some time in the future and
33 reorganizing those into a structure that is
34 more easily understandable.

35 Just to reiterate what this
36 document is not, again, it does not include
37 any new management measures. So the process
38 of having to go through all of the public
39 comment period and things of that nature that
40 you would with an FMP or amendment probably
41 we will have to skip over a lot of those
42 steps but again, getting some information
43 from the advisory panel. Probably we will
44 have some public input at some point on the
45 document but it won't be the formalize
46 process that most folks are used to. Because
47 it is nothing new. It is just basically
48 taking what is already there and summarizing

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1 it.

2 It is not a compliance guide.
3 There are already compliance guides that are
4 available for HMS. And one thing it will not
5 contain are certain FMP requirements that
6 tend to take up the bulk of these documents
7 that you see. Most of the documents contain
8 pages and pages of NEPA analyses. We won't
9 need to include those. Those are already
10 done. You can always refer back to the FMPs
11 and amendments prior to that for that
12 information. We will also be
13 taking out a lot of the tables in terms of
14 landings, things of that nature because those
15 things also change over time.

16 Community profiles in some of the
17 economic and social analyses will also not be
18 included in this document.

19 I just wanted to go through the
20 last couple of slides or just giving an idea
21 of what the structure of the document looks
22 like. So we are starting out with an
23 introduction just to give a purpose of why we
24 are doing this, as Margo had mentioned, the
25 various reasons. The history of HMS and also
26 the history in how we go about the management
27 process for HMS, use of the AP, as opposed to
28 councils, things of that nature.

29 There will be a section on status
30 determination criteria, overfished,
31 overfishing, things of things of that nature.
32 And then there will be section on general
33 provisions which basically apply to all of
34 the HMS fisheries, as much as we can pull
35 that information together.

36 We will have a definitions
37 section, information on permits and fees,
38 time and area closures, also various record
39 keeping and reporting requirements. There
40 will be a discussion about ACLs/AMs. The
41 workshops will also be included in that
42 section as well.

43 We will also have a section on
44 compliance monitoring and enforcement
45 provisions and we will be working with our
46 GCL folks on putting that together.

47 We will have separate sections
48 for management measures split up into the

1 various gear types, as well as the species
2 complex. And within the various species
3 complex, too, we are also thinking of
4 splitting those up into commercial for base
5 tunas and then we would have a recreational
6 section for base tunas and so on.

7 There would also be a separate
8 subsection for charter/headboat as well.

9 It would also include chapters on
10 information for dealers, for tournaments, and
11 then those permits for specially authorized
12 activities such as the exempted fishing
13 permits, display permits, shark research
14 permits, and things of that nature.

15 There will be a section on
16 international considerations, restrictions on
17 imports and port inspections, some of that
18 info would be included there.

19 And at the document, we will also
20 have various appendices that can be added
21 over time. One thing that will be included
22 is the list of HMS-managed species.

23 And this is just a brief overview
24 of the structure of the document. As I
25 mentioned, it is about four pages right now.
26 There is all sorts of different subsections
27 and things of that nature. But overall,
28 these are the main chapters that you would
29 likely see in that document. So we are going
30 to look for your feedback on that.

31 And this is a very flexible
32 slide. This is basically the time line and
33 next steps. As I mentioned, I will be
34 passing this on to the HMS staff. I'm not
35 sure that we know who is going to pick it up
36 at this time. So once that happens, they
37 will continue to work on this draft
38 compendium and perhaps present a copy of that
39 draft to you all sometime this spring, or
40 during the next AP meeting to get some
41 additional feedback on that.

42 There would also be a point where
43 we would solicit public input on the draft
44 compendium, whether that is just through
45 people submitting comments or if there is a
46 national call-in, something of that nature,
47 just to get some general feedback from the
48 public.

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1 And then sometime in 2014 or
2 2015, the final compendium would be released.
3 So again, very flexible but this is, in
4 general, what we are looking at at this
5 point.

6 And that is it. Only a couple of
7 slides there. I just wanted to get some
8 feedback from you all on what has been
9 presented here and if you have any additional
10 ideas.

11 MS. SCHULZE-HAUGEN: I just
12 wanted to say one more thing.

13 MR. McCREARY: Sure.

14 MS. SCHULZE-HAUGEN: I just
15 wanted to reiterate what Jessica was saying
16 about time line. This isn't something we
17 have to do. And so the things that we have
18 to do come first. And this is something that
19 we think is a good idea. I think it would be
20 helpful for us. I think it might be useful
21 for you all. And so I think we want to and
22 we will keep chipping away at it.

23 But by all means, this may slip.

24 MR. McCREARY: So a question.
25 You had asked for feedback on the outline.
26 Will this be posted on the website?

27 MS. SCHULZE-HAUGEN: It should
28 be.

29 MR. McCREARY: Okay. And in what
30 time frame would you like feedback on the
31 outline?

32 MS. SCHULZE-HAUGEN: I was
33 thinking now.

34 MR. McCREARY: Now. Like now
35 would be good. Okay.

36 (Laughter.)

37 MS. SCHULZE-HAUGEN: Just
38 initial, and then obviously, you know, our
39 phone number and email information is on
40 there.

41 MR. McCREARY: Okay. Gerri, now
42 would be good.

43 MEMBER LEAPE: Well, I will start
44 to give some feedback now.

45 First of all, thank you for that.
46 I think this could be actually quite a useful
47 document. As you pointed out, it by its
48 nature has to be a living document. Things

1 are always changing.

2 And we have done a few
3 compendiums. And I think some of the things
4 we have tried to do in our compendiums is to
5 look at it so this is a document that should
6 stand on its own, whether you are a person
7 that is on an AP or someone who all of a
8 sudden has this interest and finds it.

9 And so in thinking about it, this
10 may be implied in your outline but you would
11 want to have a very brief history of
12 management. You also want to not make it too
13 big. And so a lot of you want to be able to
14 refer to background documents and send them
15 to a URL somewhere so it doesn't scare people
16 from the outset.

17 So you want a brief history of
18 management, the organizations that are
19 actually responsible for managing it. And
20 you can do that very briefly and I know most
21 of the websites already have those already
22 written. Also a history of the species and
23 how they came into management under these
24 organizations.

25 I also would urge you to consider
26 also making it a forward-looking document.
27 And so in addition to describing what the
28 current situation is in the history that
29 brought us here, upcoming deadlines,
30 everything has reviews coming up. And so to
31 the extent that you can forecast that for
32 people and say in these deadlines especially
33 you can do that with a living document. And
34 so I would suggest that be an element as
35 well.

36 MR. McCREARY: Great. Well, it
37 looks like quite a few people want to give
38 you some feedback. So that's great.

39 Sonja, we will go next to you.

40 MEMBER FORDHAM: Thank you.
41 Sonja Fordham, Shark Advocates International.

42 I think this is a great idea and
43 I am really happy to hear about it. I think
44 that very specifically to this group that it
45 will help some panel members that tend to
46 focus on specific animals to understand the
47 issues of the other species that we work on.

48 And then more generally, I just

1 wanted to point out as you know there seems
2 to be more and more interest in sharks and
3 shark fishing. And unfortunately, with that
4 comes some misunderstanding and
5 misinformation about how shark fishing is
6 regulated. And I regularly think that people
7 don't understand or recognize how
8 comprehensively managed sharks are in the
9 United States and how long they have been
10 managed. For example, shark finning in the
11 Atlantic was not really banned last year or
12 in 2008 but in 1993 and that NMFS not only
13 regulates shark fishing but actually monitors
14 the effectiveness of regulations and
15 response, perhaps not as quickly as I would
16 like them to do in some cases but does
17 respond. And I think that is really
18 important as more and more people around the
19 world are interested in shark fishing and
20 actually examples for how to make shark
21 fisheries sustainable.

22 And I have had some similar --
23 some related discussions just in the run up
24 to this meeting with people in my community
25 who are not really familiar with how things
26 are managed. And I have been trying to send
27 them explanations about hammerheads through
28 the transcripts of the last meeting and the
29 Federal Register Notice that explains how you
30 got to this decision. And I do suspect that
31 maybe they don't read the whole thing. So I
32 think that would be really helpful for that.

33 So I was going to suggest that,
34 at least for the online version, having said
35 what I just said, if you could have
36 hyperlinks when you explain so that people
37 know that the Federal Register Notice goes
38 through all the comments that were received
39 and how the Agency responded. And then also
40 the transcripts to this meeting because I
41 think people go to a lot of trouble to get a
42 written transcript and it really gives you a
43 feeling of the meeting if you read that. But
44 since they are so long, maybe hyperlinks so
45 at least people know that they can delve
46 deeper.

47 And then also for sharks, who are
48 not always under the HMSFMP. So I would

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1 request that the shark management history go
2 back to 1993 or even before just for context.
3 I think that would be helpful for people.

4 And last, I just wanted to agree
5 with Gerri in terms of the idea of doing what
6 you can to sort of forecast what is coming
7 next and what you have planned or are
8 expecting.

9 Thank you.

10 MR. McCREARY: Thank you, Sonja.
11 Bob.

12 MEMBER HUETER: Thanks. Bob
13 Hueter Mote Marine Lab.

14 Yes, I also concur that I think
15 this is a very good idea. I get asked all
16 the time for information that I am sure will
17 be in this document. And I get asked by the
18 media. I get asked by students. And it will
19 be nice to not have to search through dozens
20 of PDFs and phone books to figure out which
21 document has the right information for those.

22 And myself, when I have been away
23 from the subject for a while and I want to go
24 back and look and refresh myself, it will be
25 nice to have this.

26 My recommendation is, in addition
27 to what everyone else has said, in addition
28 to having a well thought out outline in a
29 vetted outline for the document, even though
30 I am sure it will be electronic and
31 searchable, I would still put some good
32 effort into a very, very good index so that
33 you can look across these subjects because we
34 are dealing with a lot of interconnected
35 subjects.

36 And you can search a document for
37 a key word but that is a pain in the neck.
38 You know, what are you going to search for?
39 You don't necessarily know. So having a very
40 good index that is not just cursory but very,
41 very well done could help find information,
42 help the reader find information quickly.
43 Thanks.

44 MR. McCREARY: Good. We are
45 getting a lot of good suggestions here.
46 Rusty.

47 MEMBER HUDSON: Hi, Jess. Rusty
48 Hudson, Director of Sustainable Fisheries.

1 Slide 3 created comprehensive
2 documents, summarized the history of existing
3 Atlantic HMS. I concur with what Sonja said
4 with regards to separation of shark. That
5 way, when you start looking at the original
6 effort that mid-Atlantic tried to start in
7 '88 and then NMFS picked it up in '89, that
8 four-year process led to the shark FMP that
9 was finally accepted in '93.

10 So in the council level, and you
11 may be able to go in and see some of this at
12 the SEDARs, I can't speak for ICCAT but at
13 the SEDARs, we have these management
14 histories that start early on. And every
15 change that has affected that particular
16 stock, and in this case, stock of sharks, and
17 we have like a couple different stocks there
18 that we could really refer to. We have our
19 coastals. We have our pelagics. We have our
20 prohibiteds. And there is a lot of things
21 there to follow because there is a numerous
22 amount of species and we are actually
23 incorporating and have incorporated when you
24 talk about the deep water shark scenario.

25 So it would be very useful at the
26 SEDAR level for our sharks because we found
27 it useful with our different things, with the
28 groupers, blueline tiles, et cetera on the
29 council level because it gives the scientist
30 and ability to see when these regulatory
31 changes occurred and especially the analysts
32 because with those inputs, they can't --
33 sometimes they will make assumptions about
34 stuff and this will help clear the air as far
35 as what did really happen in say '93 and then
36 in '94 for the trip limits. All these things
37 that affect the productivity of the fishery.

38 So what Bob said about indexing
39 is great. Something that I have seen that
40 has been used in some of the stuff from HMS
41 with shark and stuff, you have got management
42 histories that have linkage to federal
43 register notices for final rules. I am not
44 as interested in proposed rules as I always
45 am in final rule. Because that, along with
46 any kind of FEIS et cetera, back to Bob's
47 idea with hyperlinks or their ideas for the
48 hyperlinks, that makes it very smooth for

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1 people.

2 So I look forward to seeing this
3 evolve. Thank you.

4 MR. McCREARY: Thanks, Rusty.
5 Sonja and Bob's ideas. Yes, Allan Willis

6 MEMBER WILLIS: Allan Willis,
7 Fordham.

8 I, too, think this would be a
9 valuable document, particularly as a very
10 junior member of this panel. But as part of
11 my work, I produce large documents that
12 summarize decades of history of monitoring
13 and regulation and it is not insignificant
14 work. And every one of these suggestions,
15 some of them add significant work.

16 And I would suggest that with
17 Amendment 7, your staff probably has a lot to
18 do and I think this is a great idea but I
19 would prioritize the things that directly
20 affect the fishery way before I would
21 prioritize the document. That is my two
22 cents.

23 MR. McCREARY: Thank you, Allan.
24 Martha.

25 MEMBER BADEMAN: Thanks. Martha
26 Bademan with Florida Fish and Wildlife.

27 Yes, I definitely commend you
28 guys for making this effort. We have kind of
29 done the same thing on the state level with a
30 number of our fisheries and I understand the
31 time that it takes. It takes a lot of time
32 and a lot of effort but at the same time, it
33 is really useful for us. We are in a
34 situation now where a lot of our senior staff
35 have retired or are retiring. And we have
36 lost that institutional knowledge in a lot of
37 cases. And having documents like this, I
38 can't express how helpful they are.

39 So you know as you go through
40 this and do the history, if you have senior
41 members of your staff that have been around
42 since the beginning, definitely get their
43 input because they can normally -- some of
44 them can pick up on the real story and kind
45 of explain some of the details that get lost
46 in some of these documents sometimes.

47 I agree with a lot of what has
48 been said. One thing that Rusty said with

1 the SEDAR when they have their management
2 histories, one thing they do, and I realize
3 how challenging this is, is they also not
4 only look at the federal regulation changes,
5 but the state ones as well. A lot of cases,
6 at least with some of the snapper/grouper
7 species, Florida had regulations before the
8 councils did or they were slightly different
9 now and again. And sometimes those changes
10 are helpful for the analysts that are looking
11 at these things.

12 If you go down the road of
13 forecasting things in the future, you might
14 want to have some kind of or touch on
15 research needs and continuing challenges in
16 the fishery. And maybe a comprehensive list
17 of objectives and goals for these fisheries
18 somewhere in the document might be helpful.

19 Thank you.

20 MR. MCCREARY: Ellen Peel had her
21 card up. Maybe she took off. Allan, do you
22 know? She is gone. Okay, thank you.

23 Pam?

24 MEMBER BAKER: Thank you. I
25 don't have a lot new to add. But I think
26 what we are hearing is that there are a
27 number of different audiences. And I think
28 kind of defining those, you know HMS panel
29 members ourselves, even if we know a
30 particular fishery we don't necessarily know
31 them all.

32 And Sonja gave a good example,
33 which I will echo. When you have members of
34 the public or organizations that don't
35 generally deal in fisheries engaging elected
36 officials and others in fishery management
37 issues without an easy place for us to send
38 them to really get an idea of what is in
39 place and what is not. And the shark example
40 is a perfect one.

41 And then again, just to echo
42 keeping it short but having the links seems
43 really critical. That's it.

44 MR. MCCREARY: Thank you, Pam.
45 Terri.

46 MEMBER BEIDEMAN: I also think it
47 is a great idea. I do think that it might be
48 a formidable task. But I look forward to

1 seeing it and recognition that you have other
2 priorities that are more time sensitive than
3 this.

4 But I would echo a lot of the
5 comments that other folks have said and in
6 particular, the issue of institutional
7 memory. Some of these species were managed
8 prior to FMPs in a different manner. Not all
9 of us were there. And some of us that are
10 here won't be here later.

11 And our objectives have changed
12 over time. The way that we fish has changed.
13 So I think it is important to kind of track
14 those. And I think it also gives an
15 opportunity to see things that may have
16 slipped through the cracks with the multiple
17 layers of things. And it would be great to
18 have like one area where you can say I can go
19 and find those documents or links to those
20 documents, instead of hunting all over my
21 computers for them because I've got quite a
22 few.

23 So I think it is a great idea. I
24 hope that there is time and budget for it.
25 Thanks.

26 MR. MCCREARY: Thank you, Terri.
27 Dewey? Pass. Rom?

28 MEMBER WHITAKER: Yes. I think
29 it is an excellent idea. And I also
30 understand the time constraints. But you
31 don't know how many times I get asked about
32 charter industry or even recreational or just
33 fishermen in general. You know, and I am
34 using the bluefin just for example. Why are
35 we shut down? Why can't you go up there and
36 just get more pounds or more tonnage? What
37 is the problem? You know rather than going
38 into a long drawn out conversation, what I am
39 asking you all to do is when you put it
40 together, keep it very, very simple to where
41 a fisherman -- I mean a lot of us are just
42 learning how to turn a computer on.

43 So keep it very simple where they
44 can go to HMS, the compendium, bluefin tuna,
45 yellowfin tuna, white marlin. Just try to
46 keep it as simple as you can and, I guess,
47 put the means they were talking about to
48 delve in as deep as you want. And if you

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1 want to go back to the beginning of the
2 management, fine. But keep it very simple.

3 Thank you.

4 MR. McCREARY: Thank you, Rom.
5 Rick.

6 MEMBER WEBER: There is a lot of
7 different views of what you are creating.
8 What I thought I heard you trying to create
9 was when someone floats out an idea, a single
10 source that you could go to that would pull
11 together ATCA, Magnuson, and FMP, those type
12 things so that if you wanted to see
13 everything that was currently related to
14 bluefin or bluefin and PLL, that you would
15 see all the references to those species, gear
16 types.

17 It feels like some type of
18 electronic document. I don't see it in paper
19 so much as I see it electronic.

20 And despite the good work, I
21 think what I would like to see your
22 categories is figure out what crosses all of
23 those things. You know, I just made some
24 quick ones here which was permitting, gear,
25 allocations. No doubt there are others. So
26 that if I went to this electronic source and
27 put in tournaments, white marlin, it would
28 grab the tag. Anything that was tagged
29 tournaments and white marlin and I could
30 filter down to that far. If I was just
31 interested in white marlin, I would leave out
32 -- I would set that one to all and I would
33 just look at everything that touched on white
34 marlin. But that is still another view of
35 this thing. Sorry.

36 MS. SCHULZE-HAUGEN: No, I mean
37 so this is a little bit unusual, I think, for
38 us because you know by the time we share
39 things with you they are fairly well formed
40 for good or not. So this is something that
41 Jess was on detail. We talked early about
42 should we just how to do the A7, a football
43 team or what, and thought we have an
44 opportunity where she knows us. She kind of
45 worked in HMS for a while to put some energy
46 to something that we haven't been able to get
47 to some time. Because we have been kicking
48 around this idea for a long time.

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1 And so that is part of the reason
2 why we did this with Jess in particular. And
3 this is kind of a point in time where we
4 wanted to share that with you, get some
5 initial feedback.

6 I totally hear you that
7 electronic versus paper opens up a variety of
8 different ways that we could do things
9 differently. And so it is very early. This
10 is, again, not something we have to do. So
11 in that sense, in some ways it is kind of
12 nice. It is something we can make what we
13 want. You know there is no NEPA, no red
14 flags. This is what we want it to be. And
15 our hope is that it is not just for us. And
16 so that is why we are looking for the input,
17 something that would be useful for you all,
18 too. So I guess it is a great idea.

19 MR. MCCREARY: Thank you. And it
20 is also unusual for you in that every single
21 person around the table said this is a good
22 idea. And then they all had slightly
23 different elaborations on how to make it an
24 even better idea.

25 Steve?

26 MEMBER JAMES: I guess basically
27 elaborating on that point specifically, I
28 think all of us have a different view of what
29 we are talking about here because it is not
30 necessarily defined real hard. And maybe
31 what Dr. Graves would be looking for out of
32 this document versus what a sixth grade
33 student might be looking for out of this
34 document has quite a bit of variation.

35 But what I am hearing is that we
36 are building the Encyclopedia Britannica.
37 And how you quantify this and build it into,
38 as Robert was pointing out, was the fact that
39 you need some way to search through this
40 document to get to the core of the
41 information. Because I heard everyone has
42 got a different of what this document is,
43 which everyone thinks is a great idea. But I
44 think if you ask us to go around the room and
45 define it specifically, you would have 31
46 different explanations of what this document
47 really is.

48 MR. MCCREARY: But lots of good

1 ideas today. Thank you, Steve.

2 Margo, Jess, any other feedback
3 you are looking for? This is a lot of
4 feedback in real-time. And again, this will
5 be on the website, right, this presentation.

6 MS. SCHULZE-HAUGEN: Yes.

7 MR. McCREARY: Okay, great. So
8 Jess, thank you very much. Good work.

9 At this point, we want to ask if
10 there are members of the public who would
11 like to address the panel. Jeff has already
12 vacated his seat.

13 (Laughter.)

14 MR. McCREARY: You guys all know
15 your roles. Don.

16 MR. BRADDICK: Yes, does my
17 comment have to pertain strictly to today's
18 agenda?

19 MR. McCREARY: No, it is not
20 essential.

21 MR. BRADDICK: Okay. I am just
22 trying to absorb everything that just
23 transpired. And I will have to back up a
24 little bit. Let's call it the report card or
25 the gold star system, as far as the
26 longliners go.

27 I am a little confused because a
28 vessel that got a gold star is allowed to
29 fish in the hot zone areas, which is not
30 really an advantage. It would hurt you more
31 than help you if you went in and had a bad
32 catch.

33 A vessel with a bad report card,
34 the way I understand it, can switch and use a
35 different gear type and take advantage of the
36 situation.

37 So, I don't know if that is a
38 fair playing ground because it would maybe
39 make a vessel with a good report card strive
40 for a bad report card. And for the first
41 time, I got a good report card and I don't
42 think it is an advantage for me.

43 So I think that should be thought
44 about a little bit because I would like to be
45 able to utilize the fisheries to my advantage
46 and it seems like it is a stumbling point
47 being that I live and exist just inside of
48 these hot zones and don't have a vessel that

1 can travel in great depth that time of the
2 year to say go east of the Bahamas or
3 whatnot.

4 So I hope that is a point and I
5 made it understandable for you. Maybe it
6 should be thought about a little bit. Okay?

7 All right, thanks.

8 MR. MCCREARY: Thank you very
9 much.

10 Go ahead, introduce yourself.

11 MR. HUTH: All right. My name is
12 Matt Huth. I am from North Carolina. I am a
13 longline fisherman. I have just gotten into
14 coming to these meetings and it has been
15 interesting.

16 Anyway, I am proud to say that I
17 feel like we are narrowed down to a small
18 group of participants in the longline
19 industry and I feel most all the guys I know,
20 particularly up around my area and north
21 toward New York, we fish responsibly. And I
22 am proud of that. And we put a lot of
23 quality fish on the dock for consumers in the
24 United States.

25 And I wanted to talk about that
26 VMS. I agree with that, that the new hail-
27 out, that would be helpful because a lot of
28 times we don't get down to the boat. And it
29 would be helpful to not have to hail-out two
30 hours prior to when we leave. So I am for
31 that.

32 But the 24-hour monitoring on the
33 boats all the time, even when you are at the
34 dock, we can live with that. I mean I could
35 potentially see problems on one of my boats.
36 In the wintertime sometimes we will lay to
37 the dock for 15 or 20 days due to the
38 weather. You know, there could be a
39 potential problem if the power goes out or
40 whatever that the cost involved to keep
41 batteries up. I have had that problem one
42 time. It is a potential problem for some of
43 the guys. I don't know.

44 The SkyMate VMS, you have heard
45 the complaints with that. I, too, have had
46 complaints. That thing has cost me a lot of
47 money. I have had to lay to the dock. They
48 said the problem was with me. The problem

1 was not with me. It was with them.

2 I have talked with people at
3 SkyMate. Matt has been at the VMS, the
4 enforcement has been great. I have talked
5 with him on the phone and let he couldn't let
6 me go fishing because my VMS didn't work.
7 That cost me major bucks. And we finally got
8 it figured out and it was SkyMate's end but
9 there is no accountability.

10 We are responsible for everything
11 we do. And there is no accountability fort
12 them. If your enforcement guys went in their
13 office and said hey, here is a \$5,000 fine
14 and you all got to stay out of business for
15 six months, they would get something fixed
16 about it. I don't think they can get
17 anything fixed about it. Like Scott said, I
18 think it is going to cost them too much money
19 to fix it. I think there is --

20 But anyway, so that being said,
21 as we are getting into this Amendment 7, we
22 are going to be using those VMS more and
23 either we need to tell SkyMate to fix their
24 problem or we need to do away with SkyMate.

25 And then, therefore, that makes
26 me nervous about these cameras. I mean I am
27 telling you, you guys don't realize the
28 stress that goes into -- we are constantly --
29 to get an email out, I have got to restart
30 the computer every time. It is just we are
31 worried about the VMS. We are steering
32 around bluefins.

33 Some of the stuff is out of
34 control. Like I say we are responsible for
35 everything we do but now we are responsible
36 for things that out of our control. We do an
37 excellent job of steering away from sharks,
38 bluefins, and we are in contact with a lot of
39 charter guys and draggers and different
40 people in the industry to help us do that.
41 And do a dang good job of doing it. I am
42 telling you there are more sharks in that
43 ocean than you can shake a stick at. It
44 would be like out of the hotel and say don't
45 step on the pavement. Okay? I'm serious.

46 And I mean if there is a problem
47 with the duskies, maybe the spinners and the
48 sandbars are eating them all. I don't know.

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1 But I got an eight-year-old son and if he
2 goes -- especially this time of year I don't
3 want him in the water at sundown or in the
4 morning. That is how serious this shark
5 thing is. And it just burns me up here that
6 there is a problem with the stock.

7 But that being said, I appreciate
8 it. We have had some dialogue with the guys
9 with the HMS and that has been helpful. And
10 I do appreciate that. And I think as we move
11 forward, it has been nice to be in
12 conversation with you guys. And I think
13 National Marine Fisheries, you guys ought to
14 hold your head up high. I'm serious. I mean
15 the fish stocks in the United States are
16 great. There are fish in the ocean -- they
17 are having some of the best white marlin
18 fishing there has ever been, world class
19 white marlin fishing right now. And it has
20 been that way for three weeks right out in
21 front of my house.

22 I mean, you guys you know every
23 time we come to a meeting it is always bad
24 news and more regulation. And you know you
25 have got to narrow it down to just enough for
26 the infrastructure to stay alive. Can we
27 just remain status quo for a while and just
28 let this thing sort out? I think you guys
29 are doing a good job. Let's just chill out.

30 If I thought I was depleting the
31 world's stock of fish, then I would quit
32 tomorrow. I would like to think I was that
33 good of a fisherman. But anyway, I
34 appreciate it.

35 MR. McCREARY: Thanks, Matt.

36 Any other speakers? Go ahead.

37 MR. McINTYRE: Bill McIntyre,
38 fishing vessel Shady Lady. I would like to
39 direct this question to Jeff over here.

40 Has anybody taken him up on his
41 offer yet to go swimming around his boat?
42 Anybody? I didn't think so.

43 I know I always hear of the best
44 available science. I don't think any of
45 these esteemed scientists here would want to
46 put their name on any of the shark
47 information that is coming out. We need some
48 more information. The fishermen are here

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1 telling you the fish are here. You need to
2 listen. If this Amendment 5 goes through the
3 way it is now, Amendment 7 is not going to
4 matter. We will be devastated. Okay?

5 That said, they were talking
6 about education with the shark fisheries and
7 all the rest. I have a directed permit for
8 sharks and I have never been trained to
9 identify the sharks. The dealers are, I
10 believe, but personally I can't tell most
11 sharks from other sharks. Consequently, I
12 won't even bring in a shark when the shark
13 season is on because I don't know if I am
14 bringing in something legal or illegal. I
15 would recommend that not only the dealers be
16 trained every couple of years but let the
17 fishermen in there. A lot of us don't know
18 what we are looking at in the water.

19 Number two, I have got a specific
20 question for somebody up there in regards to
21 Amendment 7. In particular in regard to NED
22 zone. I am just giving you a "what if"
23 scenario.

24 Say a boat is out of their
25 individual boat quota. Can they then go up
26 and fish this NED zone with the 25 tons that
27 are up there without any quota? That is the
28 question I have got to put forward to
29 somebody there.

30 MS. SCHULZE-HAUGEN: Yes, so we
31 have gotten some question on this. As
32 proposed, vessels need an IBQ allocation to
33 fish at all.

34 MR. McINTYRE: Okay.

35 MS. SCHULZE-HAUGEN: In the
36 analysis of quota for the category, the NED
37 25-metric tons was not included. So the
38 proposed quota of 137, that does not include
39 the NED. And that is a separate set aside.

40 MR. McINTYRE: Okay.

41 MS. SCHULZE-HAUGEN: So does that

42 --

43 MR. McINTYRE: Yes, thank you. I
44 have got another question here I want to pose
45 to everybody.

46 Would anybody here believe that I
47 did not have a gray hair on my head until I
48 purchased a SkyMate? In reference to what

1 Scott was talking about, it does not work any
2 better up in the northeast. And I just hope
3 that National Marine Fishery Service learns
4 from their mistakes on this thing because I
5 see a potential disaster with the cameras
6 coming up if we can't even get the VMS
7 working properly.

8 And in closing, I would like to
9 thank everybody here for listening to some
10 old burned out fishermen and not only
11 listening, but taking some of their
12 suggestions and trying to implement them.

13 Thank you very much.

14 MR. MCCREARY: Thank you very
15 much.

16 Marty.

17 MR. SCANLON: Yes, Marty Scanlon.
18 Fishing vessel Provider II. I just want to
19 comment on these monitoring systems that are
20 coming down the road here.

21 One of the things I would like to
22 talk about is that we live in a post-9/11 era
23 here and it seems that as technology grows
24 and grows here, we seem to be more and more
25 willing to give up our freedom of privacy and
26 some of our civil rights. I mean if we
27 haven't learned anything with what is going
28 on with the NSA right now, I mean to be
29 encouraging to have more and more spying on
30 us, I believe as far as that is concerned, I
31 am against these monitoring systems on these
32 boats. I want to be on the record for that.
33 I believe it is a violation of our civil
34 rights.

35 And also in order to just put
36 them on to pelagic longline fleet, I believe
37 is an issue of profiling. In Trenton, New
38 Jersey there, there was just a Supreme Court
39 ruling, I believe, in which even though there
40 was a group of blacks or Hispanics that were
41 running around in the middle of the night
42 robbing convenience stores and the Trenton
43 police had gone out and were basically
44 pulling over all blacks or Hispanics that
45 were driving around at that time of the
46 night, it was ruled that there had to be an
47 equal number of whites pulled over and
48 basically harassed. That they were violating

1 these people's civil rights, even though it
2 would be just common sense that you would be
3 doing what they were doing.

4 Here if you are going to put
5 cameras on us, I believe you need to put
6 cameras on everybody. And it may even be to
7 a point where you need to put the monitors on
8 the monitors. I mean that would be like
9 asking us to go into your inner meetings,
10 whether it be Pew or Oceana or any of the
11 other environmentalists that are pushing
12 these agendas, and overlook their agendas and
13 make sure their agendas are up and forward.

14 I mean we are being regulated by
15 our logbook data that we have cooperated
16 with, our observer coverage that has been
17 extrapolated. And that is where you have
18 gotten these numbers. And you want to
19 regulate us against those numbers. Well, if
20 those numbers are good enough to regulate us
21 against us, then why aren't those methods
22 good enough to come up with the solution?
23 Why do we have to give up more of our civil
24 rights? Why do we have to be spied upon? And
25 how far does it have to go?

26 I think that in saying that, I
27 also, if it goes to that measure, I think we
28 do, like a lot of people in this room have
29 said, we need to slow down here. It is
30 obvious that we have problems with the VMS
31 machines which seem to be pretty simple
32 units. And we can't seem to be even able to
33 get them operating properly. They are
34 already being threatened with sanctions, like
35 Scott has said. Now you are going to
36 complicate the matter by now instituting a
37 whole other monitoring system on these
38 vessels that is unproven. National Fishery
39 says they have got no money for research,
40 they have got no money for this, they have
41 got no money for that. Where are they going
42 to get the money to get these monitoring
43 systems, these cameras up and running
44 properly?

45 If we do have to go to a
46 monitoring system and if it is ruled that we
47 do, I believe that everyone in the HMS
48 fishery needs to be monitored, you know for the

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1 benefit of stock assessments and whatever.

2 I also would think that in
3 implementing that program by slowing down, I
4 mean that we should actually set up before we
5 institute a full wide into the fleet, that
6 you need to sort of start off with a sort of
7 a pilot program, where you are going to
8 implement these measures into a handful of
9 boats. You know, get the system operational,
10 find out how it should work, if it will work.
11 Get the infrastructure in NMFS itself to do
12 the monitoring, set that all up before we go
13 and throw out all these cameras on all these
14 boats. I mean I think it should be limited
15 to one camera per boat. I mean, how many
16 cameras are we going to have? Are we going
17 to have them in the bathroom? Are we going
18 to have them where we are dressing? I mean
19 my boat is a pretty small boat. I mean I
20 don't know whether you want to be seeing me
21 taking a shower. I have to take one on the
22 back deck with a couple of gallons of fresh
23 water.

24 So I mean, I think it should be
25 limited to one camera and it should be in a
26 pilot program where you put it on a handful
27 of boats and get it up and running for a
28 year, decide how we are going to extrapolate
29 that data and how it is going to be applied,
30 and then possibly move forward from there.

31 Like I said, I think it is a
32 pretty serious issue here. I think as
33 Americans, we all have got to sit around here
34 and look at each other and say how much more
35 freedom and how much more privacy are we
36 willing to get up? I mean ICCAT may want
37 this but all those nations in ICCAT don't
38 live under the same freedoms that we live
39 with in this country. One of the reasons why
40 I live in this country is because it is a
41 free country. I mean I don't want to give up
42 any more rights.

43 I mean you go down the road here
44 now and you have got camera lights all over
45 the place. Everywhere you go there is
46 cameras watching us. Who is watching us and
47 what are they doing with that data? What is
48 going on here?

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1 You know when I was a student,
2 way back when when I was in high school, one
3 of the required readings was a book called
4 1984. I don't know if anybody is familiar
5 with that book. I can't remember the author
6 at this time but it pertained to Big Brother
7 and it dealt with all of these issues where
8 you were constantly under surveillance 24/7.
9 Everything you did, everything you said,
10 everywhere you went, you were being watched
11 by Big Brother. And there was no more
12 libraries. There was no more books.
13 Everything was censored. Is that the road we
14 want to continue to go down or do we want to
15 try to hold on to some basis of humanity
16 here? Or are we all just going to turn it
17 over to cameras, surveillance, and allow us
18 to be spied upon?

19 MR. MCCREARY: Okay, Marty I
20 think your point is graphic and well
21 expressed.

22 You made a good point as well
23 about possibly monitoring being phased in on
24 a pilot basis to make sure it works. So you
25 have provided some good ideas here.

26 Any other key thoughts?

27 MR. SCANLON: No, that is pretty
28 much it. I can make the rest of my comments
29 at a public comment period, I believe.

30 I do want to thank everybody for
31 giving me the opportunity and to just to go
32 to show how this country does operate, to
33 have the freedom to come here and to speak in
34 front of all you people and have the
35 opportunity to express my concerns and some
36 of my ambitions.

37 So I do want to thank everybody
38 for putting up with me here these few days
39 here. And I certainly do appreciate
40 anybody's help in this matter.

41 I want to also thank you, Margo,
42 and your entire team there. Because we have
43 a bunch of these serious issues that we have
44 been dealing with throughout the year and it
45 is very obvious to us in the fishery that you
46 have listened to a lot of our concerns and
47 you have tried to address them and you are
48 willing to work with us in these matters.

1 And I just hope that everybody else around
2 here can go back to their organizations and
3 express that we are serious about reducing
4 our interactions with animals that we don't
5 want to interact with.

6 And there are solutions and we do
7 have the solutions. And if you give us the
8 opportunity to deal with these issues on our
9 grounds, since we -- you know guys are all
10 experts in your own fields. But when it
11 comes to the pelagic longlining, you probably
12 are looking at the handful of guys here who
13 are the experts in the pelagic longline field
14 and we are the leading people when it comes
15 to conservation in that particular fishery.
16 We are the ones that are leading in
17 conservation. We are the ones that are
18 working on cleaning up the gear.

19 And if we can clean up our gear
20 and develop a model, which was always the
21 intent of National Marine Fisheries in
22 dealing with us and dealing with all these
23 regulations, if we can develop a model that
24 we can sell to the rest of the world where
25 they fish under the same regulations and can
26 show that they can be financially stable by
27 doing so, I think that overall is the key to
28 the success of the HMS fisheries throughout
29 the world, not just in this country.

30 I want to thank you.

31 MR. MCCREARY: Thank you, Marty.

32 Are there other speakers who want
33 to address the panel? You are not a public
34 member, but go ahead.

35 MEMBER HEMILRIGHT: Well, before
36 the day is out, I wanted to address
37 everybody.

38 MR. MCCREARY: Yes, we are not
39 adjourned yet, so ago ahead.

40 MEMBER HEMILRIGHT: This
41 Amendment 7 is a massive undertaking of
42 worldwide proportion. You are sitting in a
43 place where you are going to have a group of
44 pelagic longline fishermen that have fished
45 under an incidental fishing for bluefin tuna
46 and you are going to try to put in an
47 individual fishing quota that is basically
48 unheard of.

1 For this to work, we have to have
2 a level of cooperation from the person that
3 speaks at ICCAT, the very top down to the
4 level of the fishermen. We have to have
5 time. We have to have flexibility. And we
6 have to have quota to fix and work on this
7 problem that is going to set precedence
8 throughout the rest of the world.

9 If we do not have that level of
10 cooperation from the very tip top of the
11 delegation at ICCAT to the very bottom of the
12 fishermen, this isn't going to work. And
13 some things that give me heartburn in looking
14 at this in the future is we have never had,
15 and this is my perspective, the good-faith
16 effort of our ICCAT delegation at the very
17 tip top when it comes to negotiating to get
18 the United States more quota. We have
19 watched our country want to list something on
20 CITES that we killed basically our general
21 category tuna as far as economics.

22 So if this doesn't have everybody
23 on the same page -- right now you have the
24 cooperation ongoing and will have from the
25 pelagic longline industry because we tend to
26 believe, and I hope I am right, that we have
27 got the good faith of everybody here together
28 to work to fix this problem.

29 It appears that we have it at the
30 HMS division level and through our
31 discussions with staff and looking at this to
32 fix the problem. But there are so many times
33 we have these discussions with staff that
34 they are only able to do so much. If staff
35 had their way with our discussions, we could
36 probably fix things a heck of a lot more up
37 the ladder. But once we get up that ladder,
38 you are asking the U.S. not only the
39 credibility of the U.S. commercial pelagic
40 longline fleet to be put on the table here,
41 because if this fails, it is going to fail
42 for the rest of the world.

43 In closing, if it is not
44 everybody on the same page from top to
45 bottom, it is pretty damn useless.

46 So we will see going forward
47 because this is something -- we are talking
48 to about Marty doing fishing, it is going to

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1 take some real innovations and some figuring
2 out because it is just not like you can put a
3 --

4 Well that is enough said. But I
5 appreciate your comments. You are able to
6 give the comments. This is a monumental task
7 that is going to happen and it is not going
8 to happen over a year or two.

9 MR. MCCREARY: Thanks, Dewey.
10 And as you say, this will require a massive
11 level of coordination.

12 So Margo, at this point, I think
13 we are ready to pivot to your wrap-up of HMS
14 Advisory Panel priorities and next steps.

15 MS. SCHULZE-HAUGEN: All right.
16 So, I am seeing this for the first time, too.

17 So my usual caveats. This is
18 intended to be a high-level summary of what
19 we have heard. Not every point from the last
20 three and a half days will be here. If there
21 is a major point that is missing, something
22 that you think is really important that we
23 missed, if we didn't quite capture something
24 adequately or correctly, please let us know.
25 But the transcripts of the meeting are the
26 record. So I am not trying to relive the
27 last three and a half days.

28 But with that, all right,
29 eDealer. In terms of our workload, this
30 continues to be a big one but I think it is a
31 very valuable one and it will mean that we
32 are much better able to stay within our
33 quotas, all of them, even the little ones.
34 And so that is a big deal. And that will
35 feed into stock assessments and having catch
36 levels where they should be. It helps the
37 stocks and helps rebuilding and sustainable
38 fisheries. So I think it is a big deal and
39 it is certainly one that we have put a lot of
40 effort into. And we will talk more about how
41 that data is feeding into the assessments as
42 a comment that we heard from you all.

43 On Amendment 8, this one is final
44 but the implementation is coming with the
45 2014. Comments that zero-fish retention limit
46 in South Florida is counter to the purpose.
47 This is the primary area where landings
48 occur. But fishermen in the northeast and

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1 Gulf need a retention limit of more than
2 three. And monitor the trajectory of
3 swordfish landings because they are
4 increasing under existing regs. We don't
5 want to exceed the quota. Absolutely, we
6 will do that.

7 All right, Amendment 7. General
8 support for overall direction but significant
9 concerns: scope, details. Lots of devil in
10 the details kinds of comments. And the
11 questions on timing.

12 On the IBQ, concerns about the
13 ability of vessels to make it work. This is
14 the flexibility comment, needing quota,
15 wanting to avoid closures. It is certainly
16 complex. Implementation will take time.

17 And the initial allocations. For
18 this one, several points, particularly with
19 folks seeing IBQ or ITQ programs in other
20 fisheries that those initial allocations are
21 key. What about new entrants? We had a
22 suggestion of equal shares as a possibility.

23 Concerns about leasing,
24 particularly between longline and purse
25 seine, some of the implications of that.

26 Comments that carryover should be
27 allowed or there could be incentive to use
28 it.

29 Methods to increase interactions
30 with bluefin exist -- to decrease. Sorry.

31 And then concern about kind of
32 the disaster sets. People don't always know
33 where fish are.

34 On the GRA, Gear Restricted
35 Areas, comments to expand the scope of the
36 Gulf of Mexico GRA. Also suggestions to have
37 sunset so we can look at things. And
38 concerns about drift in relation to the Cape
39 Hatteras. I think that is something we
40 looked at and I think that is something that
41 we have continued to talk about here.

42 And then a desire to have hard
43 thresholds or limits for access to the
44 current closed areas.

45 On quota reallocation, some
46 support for using inactive purse seine quota
47 instead of reallocation from other
48 categories. Acknowledgment reallocation may

1 be necessary but divergence views on how best
2 to do it.

3 A concern that purse seine
4 fishing would increase just to use their
5 quota, kind of get on the board.

6 And then support for additional
7 flexibility and criteria for in-season
8 management.

9 Other measures, mixed views on
10 general category in-season flexibility. So
11 kind of a consistent comment to look at that
12 December allocation to January. Maybe move
13 it or combine. Non-longline categories
14 should also count for dead discards. And
15 also other categories should have electronic
16 monitoring is the other comments.

17 So a lot, just to back up,
18 certainly a lot on Amendment 7. I think we
19 got a bit back what I think you all felt were
20 hit with a ton of stuff, a lot to go through.
21 And I know my mind was spinning at the end of
22 the day on Tuesday where we were getting all
23 of your feedback and questions, too. So we
24 are early in process. We still have a lot of
25 the public hearings to go. Hopefully we will
26 be seeing many of you all there.

27 So keep coming with them, with
28 the questions, with the comments. And we
29 have certainly got our work cut out for us.

30 All right, 5a and 5b. Lots of, I
31 think, support for increased outreach on
32 dusky shark ID, getting that out online
33 social media. I think all of the expertise
34 that you all have on reaching your folks is
35 helpful for us. The questions about getting
36 information to people the way they get their
37 information. That is helpful information to
38 share with us if you know that; if it is
39 emails, websites, newsletters, whatever.

40 Questions on ESA listing of
41 duskies, how that would affect management.
42 Lots of concerns on stock assessment, the
43 range of the species, and need for more
44 survey data. No! Okay.

45 Continue moving forward with A5b.
46 And then consider the timing. I think we had
47 a comment to think about maybe linking them
48 up, that some of the issues in A5 and A6

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1 there is some overlap.

2 Amendment 6, update the control
3 date. Eliminate the blacknose linkage from
4 small coastals. Increase the Gulf of Mexico
5 blacktips. Allow commercial landing of
6 sandbar, kind of a tagging idea.

7 Consider permit stacking and then
8 mixed views on ITQs or catch shares. That is
9 unchanged. We have had those mixed views all
10 along.

11 For the recreational action
12 agenda, support for collection of
13 socioeconomic data. Both the Gulf of Mexico
14 Southeast mentioned. More outreach and
15 education for anglers. And the analysis of
16 the effects of regulations over time. Those
17 are all good suggestions.

18 For billfish management, more
19 funding for research. I would actually couch
20 this as an overall statement but it did come
21 up specifically for billfish.

22 Fishermen are having better
23 catches of white and blue marlin.

24 Education and enforcement of
25 release regulations are needed. Yes, this
26 one it was interesting to hear the discussion
27 of release, how to do that. I think that is
28 something that we can develop more materials
29 on.

30 Don't ignore benefits that
31 billfish got from existing longline prime
32 area closures. Keep an eye on those dolphin,
33 apparently, eating juvenile billfish.

34 And be cognizant of recent
35 changes in billfish catch on PLL fishing for
36 tunas. Okay.

37 VMS. Oh, good grief. No
38 pictures. This was weird. Wasn't it? This
39 was Diane. I saw you do this yesterday.

40 For those of you -- I am
41 incredibly like photophobic. So the fact
42 that she got me in a picture is quite an
43 achievement.

44 VMS proposed rule, concerns over
45 increased costs with 24/7 reporting. Support
46 for the exemptions, turning the units off,
47 and changes to the hail-in/hail-out. Lots of
48 concerns on VMS units, particular SkyMates

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1 and that we need to get a handle on the
2 technology.

3 One thing here, you will see
4 contact info for Kelly Spalding. Kelly
5 Spalding is the National VMS Coordinator.

6 So we will post this so you don't
7 have to write it all down if you are
8 interested. But we will certainly go back
9 and continue the pressure that we are putting
10 on to resolve these issues. But then that is
11 another avenue for you all to share your
12 concerns.

13 The VMS comment period closes
14 September 30th. We have a webinar on the
15 23rd, which also is the day the shark specs
16 comment period closes.

17 If you could -- and this is a
18 special note, travel forms. If we can get
19 vouchers in quickly, we can use more of our
20 FY13 money. If we don't, that will hit our
21 '14 budget.

22 So, as we are looking forward to
23 public hearings, maybe some more public
24 hearings, all the things we want to do, the
25 more that we can spend of the money we have,
26 the better off. And so you can really help
27 us. We tried to include envelopes this time
28 to facilitate that. But the quicker you get
29 those in, the better off we will be budget-
30 wise.

31 We like to reuse the name tags
32 and table tents. So if you could leave them,
33 that would be great.

34 The evaluation form we have
35 adjusted a little bit. We always look at
36 these. It is always helpful to us. You
37 don't have to sign it if you don't want to.
38 We will look at it all.

39 And I want to take a special
40 moment to thank the HMS staff that not only
41 help us put this meeting on but have been
42 doing a tremendous amount of work over the
43 last many, many months to get us to this
44 point on all of these issues.

45 So, thank you, everyone.

46 (Applause.)

47 MS. SCHULZE-HAUGEN: And thank
48 you all for all of your input. I think it

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was a very productive meeting. We got a lot of really good comments, a lot of good issues raised. And I look forward to seeing you all soon on the road and then at various meetings, ICCAT, IAC.

So safe travels going home. Thank you all very much.

(Whereupon, at 11:47 a.m., the foregoing meeting was concluded.)

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