

U.S. DEPARTMENT OF COMMERCE
 NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION
 NATIONAL MARINE FISHERIES SERVICE

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MARINE FISHERIES ADVISORY COMMITTEE

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TUESDAY, FEBRUARY 14, 2006

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The Advisory Committee met at 9:00 a.m. at the International Game Fish Association, 300 Gulf Stream Way, Dania, Florida 33004, Dr. William T. Hogarth, Vice Chair, presiding.

PRESENT:

WILLIAM T. HOGARTH	Vice Chair, Assistant Administrator for Fisheries
RUSSELL PORTER	Pacific States Marine Fisheries Commission
LARRY SIMPSON	Gulf States Marine Fisheries Commission
ROB KRAMER	International Game Fish Assn.
STEVE JONER	Makah Fisheries Mgmt.
CHRIS DORSETT	Gulf of Mexico Fish Conservation Director
TOM J. BILLY	International Food Safety Consultants, LLC
TOM RAFTICAN	United Anglers of CA
JOHN V. O'SHEA	Atlantic States Marine Fisheries Commission
ERIC C. SCHWAAB	International Assn. of Fish & Wildlife Agencies
ROY CRABTREE	NOAA
LAUREL G. BRYANT	Executive Officer, MAFAC
ANTHONY D. DiLERNIA	Office of Maritime Technology
STEVE MURAWSKI	NOAA

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JIM BALSINGER	NOAA
JAMES D. COOK	Pacific Ocean Producers
PETER P. LEIPZIG	Fishermen's Marketing
	Association
MARY BETH NICKELL-TOOLEY	East Coast Pelagic
	Association
RALPH RAYBURN	Texas Sea-Grant
	College Program
HEATHER D. McCARTY	Heather McCarty & Assoc.
KENNETH J. ROBERTS	Louisiana State University
	AgCenter
DOROTHY M. LOWMAN	Natural Resource
	Consultant
ROBERT FLETCHER	Sportfishing Assn. of CA

ALSO PRESENT:

REBECCA LENT	Director, International
	Affairs, NOAA Fisheries
SUSAN BUNSICK	NOAA Aquaculture
RACHEL O'MALLEY	NOAA/OCS
CAROLINE PARK	NOAA
ALAN RISENHOOVER	NOAA
LINDA CHAVES	Seafood Industry Issues
GORDON HELM	NOAA
JASON SCHRATWIESER	IGFA
DIANNE BEHRINGER	Florida Sea-Grant
MARK WORTH	Food & Water Watch

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

2 9:10 a.m.

3 VICE CHAIR HOGARTH: If I could have your
4 attention, we'll get started this morning. Despite
5 the snow and illness and a bunch of schedule
6 conflicts, we finally were able to get together and
7 have the meeting that we've looked forward to this
8 week. There's a lot of things we would like to talk
9 about. We would really like to have a good discussion
10 on Thursday as to where we want to really focus MAFAC
11 next year. We have a lot of issues and we would like
12 to do it.

13 And also, I guess, you all saw the
14 Washington Post on Monday. If you didn't, there's an
15 article in which both NOAA and IGFA are mentioned
16 about the size of fish. So anyway, that's a good
17 opening, I guess, for the meeting here at IGFA and
18 NOAA and IGFA were mentioned in the same article.

19 We have new members at this meeting that
20 we have for the 2005/2008 term. On Tab 2 you will see
21 the membership, but we had approximately 31 people
22 nominated and so we've tried to look at, you know, the

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1 geographics and all to select the new members to make
2 sure we got the different topics and areas covered.

3 We were sort of slack on PGO nominations
4 this year if you would like to see those.

5 COURT REPORTER: Excuse me. We're losing
6 the sound here.

7 VICE CHAIR HOGARTH: Oh. Ready?

8 COURT REPORTER: Yes.

9 VICE CHAIR HOGARTH: Okay. Before I
10 forget it, we need to make sure that when you speak
11 you identify yourself. It's very difficult for the
12 reporter to see the names, so when you speak, just
13 identify yourself. We have eight new members. I
14 think five of them are in attendance today.

15 We have one that could not attend, Bill
16 Dewey, who represents Taylor Shellfish from the State
17 of Washington. He's at the aquiculture meeting, rural
18 aquiculture. Jim Donofrio, Recreational Fishing
19 Alliance, his father passed away, so he's not here.
20 And then Catherine Foy from Aleutians East Borough,
21 Steller Sea Lion work, just had a little baby girl, so
22 she's not here. But we do have five here.

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1 Now, before we go around the room to
2 introduce yourselves, I would like to thank Rob Kramer
3 and the IGFA for having the meeting, sponsoring the
4 meeting here. It's a great place to look at the
5 history of some of the recreational fishing and I
6 think it's really -- you need to take time and look
7 not only here, but next door. And it shows you quite
8 a bit of the recreational fishing and the history of
9 this country and just how important it is.

10 I also want to give special thanks to
11 Emily Collins. I don't even think she is in here, but
12 she works with Rob. She has kept Laurel straight all
13 week in getting this set up, so she did that, folks.
14 She deserves a special thank you. And always we need
15 to thank Laurel. She does a great job with MAFAC and
16 she really wants to make sure everything goes well.

17 We do have a sign-in sheet out front. If
18 anyone signs in, wants to sign-in and we will consider
19 the topic if someone wants to speak. It will probably
20 depend on the nature of the topic. We will probably
21 allow them to speak to the group later.

22 And so we also have here from my staff --

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1 well, let's go around the room first. Russell, do you
2 want to start down there?

3 MR. PORTER: Okay. I'm Russell Porter
4 from Pacific States Marine Fisheries Commission. I'm
5 sitting in this week for Randy Fisher, our director,
6 who is the Committee Member, and he is on vacation in
7 Thailand.

8 MR. SIMPSON: I'm Larry Simpson, Gulf
9 States Marine Fisheries Commission.

10 MR. KRAMER: And I'm Rob Kramer,
11 International Game Fish Association.

12 MR. JONER: Good morning, I'm Steve Joner
13 with the Makah Indian Tribe of Washington State.

14 MR. DORSETT: Chris Dorsett with The Ocean
15 Conservancy in Austin, Texas.

16 MR. BILLY: Tom Billy, International Food
17 Safety Consulting.

18 MR. RAFTICAN: Good morning, Tom Raftican,
19 United Anglers.

20 CAPTAIN O'SHEA: Good morning, I'm Vince
21 O'Shea, Atlantic States Marine Fisheries Commission.

22 MR. SCHWAAB: Eric Schwaab, International

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1 Association of Fish and Wildlife Agencies.

2 DR. CRABTREE: Roy Crabtree, I'm the
3 Southeast Regional Administrator of NOAA Fisheries.

4 MS. BRYANT: Laurel Bryant, Executive
5 Director for MAFAC, NOAA Fisheries.

6 VICE CHAIR HOGARTH: Bill Hogarth,
7 Director of NOAA Fisheries.

8 CAPTAIN DILERNIA: Tony DiLernia, Maritime
9 Technology, City University of New York, Kingsborough
10 College.

11 DR. MURAWSKI: Steve Murawski, NOAA
12 Fisheries.

13 MR. BALSINGER: Jim Balsinger, I'm the
14 Regional Administrator for NOAA Fisheries in general
15 working right now as a deputy for Bill.

16 CAPTAIN COOK: Jim Cook from Pacific Ocean
17 Producers in Honolulu.

18 MR. LEIPZIG: Pete Leipzig with the
19 Fishermen's Marketing Association.

20 MS. NICKELL-TOOLEY: Mary Beth Tooley,
21 East Coast Pelagic Association.

22 MR. RAYBURN: Ralph Rayburn, Texas Sea-

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1 Grant Program.

2 MS. McCARTY: I'm Heather McCarty. I'm
3 from Juneau, Alaska and I represent commercial
4 fishermen's interest in Alaska and the north Pacific.

5 DR. ROBERTS: I'm Ken Roberts, Louisiana
6 State University.

7 MS. LOWMAN: Dorothy Lowman, a consultant
8 based on Portland, Oregon.

9 MR. FLETCHER: Bob Fletcher, I'm with the
10 Sportfishing Association of California.

11 VICE CHAIR HOGARTH: And we do have one
12 vacant seat. Dr. Pizzini from Puerto Rico has
13 resigned. He said he just didn't have enough time to
14 do it, so we'll be looking at probably next week
15 getting a replacement for that. Let's go around the
16 room in the back here. I hate to keep my back to you
17 people.

18 DR. LENT: Rebecca Lent, NOAA Fisheries
19 International Affairs.

20 COURT REPORTER: You have to get in front
21 of a microphone. I'm sorry, I can't hear you.

22 DR. LENT: Rebecca Lent, NOAA Fisheries

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1 International Affairs.

2 MS. BUNSICK: Susan Bunsick, NOAA
3 Aquiculture Program.

4 COURT REPORTER: Those microphones are not
5 on.

6 MS. BUNSICK: Susan Bunsick, NOAA
7 Aquiculture Program.

8 MS. O'MALLEY: Rachel O'Malley, NOAA
9 Fisheries, Office of Constituent Services.

10 MS. PARK: Caroline Park, NOAA general
11 counsel.

12 MR. RISENHOOVER: Alan Risenhoover, Office
13 of Sustainable Fisheries with NOAA.

14 MS. CHAVES: Linda Chaves, NOAA Fisheries,
15 Senior Advisor, Seafood Industry Issues.

16 MR. HELM: Gordon Helm, Office of
17 Constituent Services, NOAA Fisheries.

18 MR. SCHRATWIESER: Jason Schratwieser,
19 IGFA.

20 MS. BEHRINGER: Dianne Behringer, Florida
21 Sea-Grant.

22 MR. WORTH: Good morning, I'm Mark Worth

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1 from Food and Water Watch. We're a nonprofit consumer
2 group in Washington.

3 VICE CHAIR HOGARTH: Okay. Thanks.
4 Before I go on, Tony, would you like to add anything?

5 CAPTAIN DILERNIA: No, thank you.

6 VICE CHAIR HOGARTH: Tony and I didn't
7 have an opportunity to sit down and talk about how
8 this meeting would be run, so bear with us as we play
9 off of each other, I guess, for a while until we get
10 the opportunity to talk. But we will figure that out.

11 A couple of things I would like to discuss and, Roy,
12 do you want to say anything since we're in your part
13 of the world?

14 MR. KRAMER: Can't say.

15 VICE CHAIR HOGARTH: Can't say it from
16 there.

17 MR. KRAMER: I would just like to welcome
18 all of you here to the southeast region. Our region
19 runs from North Carolina through Texas and includes
20 Puerto Rico and the Virgin Islands and our regional
21 office is about 250 miles from here in the Tampa Bay
22 area. Just down the road though is the Southeast

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1 Fishery Science Center, which is headquartered here in
2 Miami.

3 And I want to welcome you all here.
4 Unfortunately, I think you are here on probably the
5 coldest day of the year that we have had in Florida,
6 although from what I'm seeing on the news, it's a heck
7 of a lot better here right now than it is in a lot of
8 places, particularly up in the northeast.

9 But if you get a chance to travel around
10 the area some, even here in Fort Lauderdale, you'll
11 probably notice that there are signs that are down,
12 road signs, signs that are partly down, and you'll see
13 a lot of trees where the tops are all broken and
14 mangled and they don't grow like that down here
15 normally. And what you are seeing is remnants of
16 hurricane damage here in this area, and it's probably
17 Hurricane Wilma that came through.

18 But if you were to travel north of here
19 just a little bit into the Sebastian area, you would
20 see the area that was hit by Hurricane Gene and
21 Hurricane Francis two years ago. And if you went
22 south into the Keys, there was a lot of damage and

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1 extensive flooding from Hurricane Wilma. And the
2 Spiny Lobster Fishery lost probably 50 percent or more
3 of their traps and Stone Crab Fishery has really been
4 affected.

5 So, you know, we have a lot of fishery
6 challenges down here, particularly in the Gulf of
7 Mexico, but over the last couple of years hurricanes
8 have kind of put everything into sort of a back seat.

9 And so keep that in mind as you're down here. I know
10 that's on the agenda at some point this week to talk
11 about a little bit, but that's certainly high on our
12 list of concerns and how we ought to manage fisheries
13 in light of the storms and what we have been through
14 here is a real challenge.

15 So again, I welcome you here. It's a
16 beautiful facility if you have never been here at IGFA
17 before. I don't know anywhere you can go and see more
18 big stuffed fish hanging on the wall, so it's really
19 an interesting place to walk through and look around,
20 a lot of history here of recreational fishing that Rod
21 and Jason can talk to you about. So I look forward to
22 meeting all of you.

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1 VICE CHAIR HOGARTH: Thanks. We'll talk a
2 little bit now, go over the agenda a little bit. We
3 will talk about the Offshore Aquiculture Bill. I'll
4 do a lot of that, but Susan Bunsick is here who will
5 help. We wanted to talk a little bit about the status
6 and talk about the legislation, how we can -- this is
7 a policy of the administration and we would like to
8 finally, you know, discuss some strategies for getting
9 it through.

10 Right now, we have no one in the House
11 side, to be honest with you, that has sponsored it.
12 Senator Stevens has planned it. He said in March we
13 have a hearing on the Bill on the Senate side and so
14 we would like to have a good thorough discussion here
15 of the strategies and things we need to do. Then
16 we're going to talk a little bit about seafood health
17 and safety.

18 You know, I guess one of the 10, one of my
19 10 goals earlier was seafood promotion and it still
20 is. I think we need to try not only to manage
21 fisheries, but we need to support the fishing
22 industry. And I think seafood promotion is a very

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1 good way to do this and I think health and safety risk
2 is sort of something to speak of. You read about them
3 every day.

4 I got here this weekend in St. Pete and
5 got a place and Sunday night I listened to the news
6 and it said people are getting sick from eating
7 grouper. And two women, they showed two women, one of
8 them looked pretty healthy to me, but she said that
9 she ate grouper 16 years ago and she was still having
10 effects from it. And the other one was with a cane
11 walking around and said she got, you know, sick from
12 eating grouper.

13 And at the end of the program they finally
14 said these are the only two cases that we found out of
15 millions of people who eat grouper every day. And I
16 thought well, you know, you've got to put the stuff in
17 the right context and that's what we're trying to do.
18 We want the public to know what risks there are, what
19 fish there are risks with, but we want people to eat
20 healthy seafood. So we want to discuss that further.

21 Tab 6 is offshore aquiculture -- seafood,
22 that's Tab 6. Okay, Tab 6. And then after lunch, we

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1 will talk a little bit about the Office of
2 International Affairs. So there's a lot going on
3 internationally and Rebecca a while back agreed to
4 take over the office and try to reestablish that
5 international office. We had sort of disbanded it due
6 to SES positions. And I think it was too important to
7 have it fragmented all over the agency. So Rebecca
8 agreed to reestablish the office and has done a great
9 job of getting the office back together.

10 The other thing she does a tremendous job
11 of when she goes overseas, she speaks I don't know how
12 many languages, but I'll tell you she went to Morocco
13 and Turkey to cover for me last fall and she ended up
14 debating with the fishermen in a public meeting in
15 French in Morocco somewhere, but she didn't back down.

16 She stood up and did it. So she does a great job and
17 I think we just want to make sure people understood
18 and we talk a little bit about international issues,
19 because they definitely -- fishing is global and
20 there's lots of things happening.

21 Then this afternoon we will talk about the
22 hurricane impacts and the recovery and what's going

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1 on. I'm not real happy with what's going on, to be
2 honest with you. This is the first fisheries disaster
3 that's been declared as a result of a hurricane that
4 the fishermen have not gotten one cent out of the
5 Government, out of us. Finally, the USDA has some
6 money for offshore recovery, but as far as fishermen
7 themselves, this is the first disaster they have not
8 gotten a penny. And they are really suffering.

9 And so tomorrow we're going to talk some
10 about the litigation review, look back at what we're
11 doing for litigation, and I just think it's very good
12 to just review. We're making progress, although it
13 seems like the last few months we had another road to
14 get a lot of 60 day notices, but most of them were
15 coming from the west coast, still salmon issues.

16 So then we're going to talk a little bit
17 about the Magnuson reauthorization. I think the
18 Senate has introduced its bill. The Senator plans to
19 get it through the Senate in the next few weeks the
20 way he talks, but we'll see how quickly he can do it.

21 We will talk later about the House Bill. Congressman
22 Pombo has written the bill. We think it will be

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1 released this week.

2 And then we're going to talk about
3 overfishing definitions, and some of the things we
4 have done about, you know, with overfishing. We do
5 have a paper that is somewhat confidential and
6 internal, but we will share, have already shared it
7 with you, and we will discuss that as we go through
8 the discussion.

9 There has been some concern about sharing
10 information, documents with MAFAC, and the Government
11 just has some peculiar rules and we're trying to work
12 with them, but we want to make sure that you all get
13 the information necessary to have the discussion. And
14 then we're going to talk too about the saltwater
15 angling registration that is a part of -- it's in the
16 Magnuson, it's a part of what we think we need in
17 order to move forward on improving the recreational
18 data.

19 No one sort of believes recreational data
20 in the MRFSS and so we tried to improve this and one
21 of the best ways to do it, we think, is through
22 saltwater registration, so you know that the unit or

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1 the universe that you are dealing with rather than the
2 phone book, and that's what we use now. And then we
3 will talk about direct fish strategy and where we are
4 from that standpoint.

5 And then on Thursday, we will talk about
6 the subcommittees and the next meeting, but also we're
7 going to talk to, we'll talk a few minutes this
8 morning, but we'll probably go back and talk some more
9 on Thursday about what issues does MAFAC want to deal
10 with and what do we think we need help on for the
11 future. We think we need to take one or two real
12 projects and try to work through those. So we'll talk
13 a little bit about that in a minute after I go through
14 a couple of things and then Tony will lead that.

15 Just for a minute, we'll talk a little bit
16 about NOAA Fisheries and what's going on, so we'll
17 bring you up to date on what's going on with NOAA
18 Fisheries. Okay. There are a few things that are
19 going on. We have a lot of vacancies. We went
20 through a period and we finally got all the SES
21 positions filled. Now, we've got a lot of SES
22 positions vacant and it seems like it takes forever to

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1 fill a vacant position.

2 Jack Dunnigan has left us and gone to be
3 the head of National Ocean Service two weeks ago, so
4 the head of SF is open. Alan is acting as the head of
5 SF. Riley retired, so that left the head of Habitat
6 open. That job has been downtown for months. I think
7 it was finally approved by the Department on Friday,
8 so it has to go to the Office of Personnel Management
9 and it takes about a week or two, so we expect to get
10 that. The head of Science and Technology is also
11 open. We have selected a person for that and that is
12 downtown. We expect that probably a little bit behind
13 the other.

14 Jim Balsinger came down, agreed to come
15 down for a little while. He is acting in the deputy's
16 position, the Deputy for Regulatory. He likes the
17 cold weather of Alaska and for other personal reasons,
18 he wanted to go back to Alaska. So the deputy for
19 that, for Regulatory, has been vacant and will be
20 vacant.

21 But Jim has agreed to stay for one more
22 year to help out because, I'll have you know, I was

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1 elected Chairman of ATGAP and being the Chairman of
2 ATGAP plus a Commissioner plus also the Commissioner
3 of IWC is going to take very much time, so Jim agreed
4 to stay to basically do the day-to-day domestic stuff
5 and pick up what I have been doing a lot of, and so I
6 will be focusing a lot more on international. So most
7 people will be talking to Jim more than they probably
8 talk to me over the next few months, particularly
9 through this November.

10 As Rebecca will probably tell you in our
11 discussion, we have got probably the worst year in
12 ATGAP that we could possibly have as far as the stock
13 assessment and what is on the table. So we hope that
14 we got people selected for all of the positions, I
15 think, now, except of course SF was just vacated. So
16 that's on the street. We hope to get that, but the
17 rest of the positions, we have got a person selected.
18 We're just waiting for the powers that be downtown.

19 I have to say and, you know, I don't know
20 if you all have met Steve. Is this your first MAFAC
21 meeting?

22 MR. JONER: No, I was at the last one.

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1 VICE CHAIR HOGARTH: I thought so. And
2 Steve will need some help. He has got a lot of stuff
3 thrown at him, so the head of S&T will be of great
4 help to him. So when we get those filled back, we'll
5 be up to speed.

6 We are looking internally at some other
7 positions to try to be more efficient, you know, with
8 that, constituent services and the state, federal and
9 just things we have to deal with downtown. And so
10 those will not affect any -- you won't see any
11 difference in day-to-day operations.

12 It will just be some things we'll probably
13 do internally to make things more efficient inside.
14 We're potential dealing with downtown. It's a lot
15 different dealing with the Department today than it
16 was two years ago or a year ago, I have to say. It's
17 taking a lot more time and effort.

18 But I just want to say Jim Balsinger is
19 actually -- he has taught me a lot since he has been
20 there. I'm one of these people that hurries up and
21 does stuff and makes decisions quickly. Jim thinks
22 things through and I think really -- I think it's very

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1 good for an agency, particularly in headquarters, to
2 see him stay calm, cool and collected while the rest
3 of us go crazy.

4 But he ends up making great decisions and
5 helps me out through these decisions, so I'm glad he
6 agreed to stay one more year to work through, but he
7 would be in a different position. He will be really
8 doing what I'm doing, so there will be two of us doing
9 it. He will be doing it.

10 So with that, that is basically what is
11 going on internally. You know, we'll talk about some
12 of the other things, legislation, Magnuson-Stevens and
13 that stuff. But as far as that, the operation of the
14 agency, you know, there is a lot of issues around that
15 we could talk about. You know, we got, you know,
16 probably the worst bluefin and tuna for the last two
17 years we have ever had in history of bluefin and tuna
18 catches, and everybody wants to blame that on
19 everything and I don't think we know the answer. We
20 need to go out and settle it.

21 So does anybody have any questions before
22 we move on, anything so far?

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1 Okay. I wanted to talk a little bit and
2 discuss. We got new members and then Laurel needs to
3 go over a very short PowerPoint, I guess, to point to
4 some of the things that you have to do, but I just
5 want to talk a little bit about the role of MAFAC for
6 the new Members and maybe a little bit for the old
7 Members.

8 But the charter is under Tab 2. This was
9 chartered in 1971. We really have a very broad
10 mandate, 1970, and, you know, it is chaired by the
11 Undersecretary of Commerce and the purpose is to
12 advise the Secretary of Commerce on all of the marine
13 resource matters that are the responsibility of the
14 Department of Commerce, so that is a broad mandate.
15 All the marine resource matters that are the
16 responsibility of the Department of Commerce, and to
17 evaluate and recommend priorities and needed changes
18 in national program direction.

19 I think that's the key, to evaluate and
20 recommend priorities and needed changes in national
21 program directions. So that gives you, again, a very
22 broad mandate of what you would like to get involved

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1 in.

2 Now, the current role has been to help to
3 identify some common ground on which we can move
4 issues forward, help us prioritize and strategize some
5 on how to do things. Now, the thing of it is, you
6 know, we're not the Fishery Management Council and I
7 think that's very clear. You don't have to deal with
8 the management aspects. That's the Fishery Management
9 Council's place, but you help us set priorities and
10 needed changes.

11 And, you know, you don't wear any real
12 hats here, but you're here for your background and
13 expertise, but you're really not here to argue for one
14 fishery or this type of thing, which you probably
15 know.

16 We are one of the three key
17 representatives of the Stakeholders Group, that's what
18 MAFAC is. The agency routinely conducts public
19 hearings to gain input and to engage in candid
20 discussions, and we have two other groups that work
21 with us, the State Directors we utilize and, of
22 course, the Council Chairs we work with.

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1 And so today there are over 50 FACA
2 committees in the Department of Commerce with very
3 specific mandates and this is one. Tony, you want to
4 add something, too, don't you?

5 CAPTAIN DILERNIA: Well, thank you, Dr.
6 Hogarth. There's a few items that I wanted to speak
7 to the group about as we began. First of all, I would
8 like to thank the group for electing me your
9 representative of the Fishery Service. I was elected
10 in absentia and I didn't get a chance to thank
11 everyone, so thank you very much for your confidence
12 and the responsibility that you have given to me.

13 In my office at the college, we have a
14 big, signed frame that says, "Success is a team
15 sport," and that is how we look at it at the college
16 and that is how I think we should look at things here.

17 We're a team and our job is going to be to advise the
18 Service, as Dr. Hogarth said.

19 I would like to thank the Service for a
20 recent change almost in policy a little bit. As some
21 of the old Members may recall, MAFAC for years has
22 been trying to get documents released to it prior to

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1 it being released to the public, and there was a lot
2 of concern about what the agency could or could not
3 release to us. And just recently we had some
4 documents released to us that have not been made
5 public yet regarding the overfishing definition and
6 proposed changes there.

7 And I would like to thank the Service for
8 having the faith to release that to the Committee, and
9 remind the Committee to keep in mind that it is a
10 confidential document at this point and it should stay
11 without our own -- we should keep it to ourselves,
12 give the agency the advice that it wants, but keep it
13 to ourselves and, hopefully, we'll be able to see
14 additional documents in the future as they become
15 available to us before they become public.

16 Our role is to advise the Service and that
17 is what I hope we do over the next couple of years.
18 One of the -- keeping in mind of advising the Service,
19 and in that role, I think one of the functions that
20 MAFAC can serve to the Service is to tell the Service
21 what we think the fisheries are going to be looking
22 like in the future.

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1 As I look around the table, we have
2 experts from all of the regions, experts who know what
3 the fisheries in their regions are like. We have
4 people that have evolved over the past 30 or more
5 years with fisheries as our fisheries have changed
6 with the Magnuson-Stevens Act.

7 The regulative community that we deal with
8 today is a lot different than that that existed 30
9 years ago and our climate, our business climate, has
10 changed. I know as a businessman, if I put my charter
11 boat captain's hat on, I have to look ahead and I have
12 to forecast how is business going to be this year, but
13 how is it going to be 10 years from now? How is it
14 going to be 15 years from now? What is going to
15 happen?

16 And if I'm going to be successful in my
17 fishing business, I have to be able to do that. I
18 have to be able to do that well. All too often the
19 agency is reacting to what's happening on the ground
20 at the time. They are very often just reacting to
21 things that are evolving. I don't think we do enough
22 planning, advanced planning, and I think sometimes we

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1 can get ourselves out of trouble and not have trouble
2 happen if we did that advanced planning.

3 Now, for the Agency to do certain things,
4 sometimes it becomes difficult because the politics
5 run into it. But for us as an Advisory Panel, in a
6 sense, to be able to sit together and to look and to
7 tell the agency here is where we think fisheries are
8 going to be 10, 15, maybe even 20 years from now, I
9 think is something that we can do.

10 We can speak honestly. As business
11 people, I guess you could say, we can try to forecast
12 where our businesses, our fisheries, are going to be
13 20 years from now and tell the agency that. Perhaps
14 with that advice, the agency could then move forward
15 and try to make some decisions using our advice to
16 support the decisions that it makes, giving, in a
17 sense, a bit of cover.

18 We're trying to guide the development.
19 Let's face it. Right now we're in the world market.
20 Our fisheries compete with fisheries from all over the
21 world. That didn't exist 20 years ago. The advances
22 in sports fishing techniques that exist today didn't

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1 exist 20, 30 years ago.

2 Our fishing is completely different than
3 it was 30 years ago, even 10 years ago, and I don't
4 think we do enough -- we, the Government, does enough
5 in trying to address the evolution that is occurring.

6 And, hopefully, with some support from NOAA
7 fisheries, this group can come forward and put
8 together a document and put together a report telling
9 the agency where we think fisheries will be in the
10 future. And perhaps they can use it, maybe not.

11 But I know, I look around this table and I
12 know some people who know their fisheries very, very,
13 very well. And if you speak with them individually,
14 you can tell they know where they are going. I think
15 together as a group, we have to come together as a
16 group, as a team, and give that advice to the agency.

17 So think about that, please, because I
18 have discussed it with Dr. Hogarth and I think on
19 Thursday when we meet, we should be able to discuss
20 how we might want to accomplish that goal. But as
21 your representative, that's one of the goals that I
22 hope this group can achieve in the next couple of

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1 years.

2 VICE CHAIR HOGARTH: Thanks. Now, one
3 thing Tony and I talked about is the science side is
4 looking at technology and how we will be doing salt
5 fisheries in the future, you know, sampling and this
6 type. And, you know, we just thought it would be --
7 you know, it's a combination of fisheries 20 years
8 from now, both have the technology or the science and
9 what we would think fisheries would look like.

10 So just think about it and think about
11 other projects. Some concern, I know, has been
12 expressed about consistency from region to region,
13 from headquarters to region. That's something we need
14 to look at. There are some real concerns and issues
15 with the Endangered Species Act. We were trying to
16 work some of that out with Interior, but there are
17 some real issues on the Endangered Species Act that I
18 think we could deal with.

19 MR. RAYBURN: Mr. Chairman, if I could ask
20 a question, Ralph Rayburn. You mentioned that we were
21 one of three advisory, with the State Directors, the
22 Council Chairs, I guess, and then MAFAC, but is there

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1 any thought process? MAFAC seems to be kind of like
2 the lone ranger in that group. You have the Councils
3 and the State Directors merge. You know, contrary,
4 this group, if you have any appointment to the
5 council, you have to either leave MAFAC or those kinds
6 of things.

7 So how do we fit in? It seems like the
8 other two kind of have a leg up on what is going on.
9 So is there any thought given about MAFAC having a
10 liaison to the State Directors meeting or the Council
11 Chairs meeting or something like that, so we really
12 could be a part of the three advisory groups that you
13 have before you?

14 VICE CHAIR HOGARTH: Well, Ralph, that's a
15 good thing for us to discuss. I think it could be. The
16 Commissioners, you know, that sit here, but it may be
17 the chairman or the vice chairman or whatever we call
18 the person sitting next to me. We have a little bit
19 of a problem with terminology from MAFAC, but I think
20 that could happen very easily.

21 I would like to see how we can -- you
22 know, I'm still struggling, to be honest with you,

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1 with MAFAC. I think MAFAC has a lot more potential
2 than we realize and I would love to see it reach that.

3 I think looking at strategies, looking at priorities,
4 looking at these things, we need that, I think, that
5 type of agreement. We don't really get that out of the
6 councils.

7 Councils are really fighting alligators
8 all the time. They are looking at regulations. They
9 are looking at, you know, what is being caught, but we
10 don't sit back and talk about, you know, policies or
11 strategies for the future or things like that. And I
12 think that's really what MAFAC is, is to try to -- you
13 know, we have the Science Board, for example, that
14 advises the Admiral and the Secretary and they get
15 into research and looking at research and things like
16 that, socioeconomics, what it should be.

17 But we need to really think carefully. I
18 think we have got a good group now to do that. We
19 have got to make MAFAC elevated and make it I think --
20 you know, you don't get paid where the councils do get
21 paid. That is the one difference which, I think, is -
22 - you know, it's a difference. So your time is free.

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1 But I think still, there has got to be a way that we
2 could make it better.

3 MR. RAYBURN: Ralph Rayburn. You have
4 established a Strategic Planning Group. Jim -- I
5 can't think of Jim's last name right now. Now, don't
6 you have a Strategic Planning Group now within NOAA
7 Fisheries?

8 VICE CHAIR HOGARTH: Yes, Jim.

9 MR. RAYBURN: Jim.

10 VICE CHAIR HOGARTH: McCallum.

11 MR. RAYBURN: McCallum.

12 VICE CHAIR HOGARTH: Yes.

13 MR. RAYBURN: Yes. And so I wondered what
14 role do you see for that group and how -- and maybe
15 it's better to wait for Thursday. I am just concerned
16 that the group always seems to be ready to get out of
17 town or you have issues that come up that, you know,
18 deflect your attention.

19 But how do you see Jim's group playing
20 with MAFAC or is there any connection there in the
21 strategic planning for the agency?

22 VICE CHAIR HOGARTH: There isn't now, but

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1 it could be. But I guarantee you unless something
2 drastic happens, I'm here. I'm here until Friday
3 morning.

4 MR. RAYBURN: It's like you live in
5 drastic situations.

6 VICE CHAIR HOGARTH: Well, I hope not this
7 week, but I do think we all need to think about it. I
8 mean, because really, we do, we need to think.

9 Do you want to say something before we
10 move on?

11 MS. BRYANT: Only if you want me to cover
12 kind of administrative things.

13 VICE CHAIR HOGARTH: Yes, go ahead, before
14 we get started with the issues.

15 MS. BRYANT: All right. Is our AV person
16 here? I quickly threw a PowerPoint together. We
17 probably need to go over just some administrative
18 issues to kind of discuss and make sure we know where
19 things are and what to expect. We normally, had we
20 had everybody here and the larger group -- thank you.
21 I hope it's spelled all right, because I didn't have
22 a chance -- I need a mike? I hope it's spelled okay,

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1 because I didn't do spell check on it, but I just
2 wanted to go through it.

3 Normally, we would have kind of an
4 introduction meeting for at least new Members and then
5 as a refresher to second-term Members on some of the
6 administrative requirements and all of that. We hope
7 that we'll do that at the next meeting, which is
8 scheduled for July 25th through the 27th in Seattle,
9 Washington. We can talk about more of the details on
10 that on Thursday, but at least let's get that marker
11 down.

12 At that we may have a separate day or
13 something to just kind of bring some of the attorneys
14 back and travel and some of the housekeeping that
15 probably needs to be done and hasn't been done for a
16 while. But for today's purposes, I will do my best to
17 do administrative stuff, which is not my long suit.

18 Travel and the SATO number. One of the
19 issues that has been going on long-term with your
20 travel with MAFAC is that everybody is forced to go
21 through SATO. It's very frustrating, because a lot of
22 times you can find tickets that are a whole lot

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1 cheaper than what the Federal Government finds. And I
2 have been told for years that no, you have to go
3 through SATO if you want to get refunded.

4 But I have found out, and I think it has
5 been Mr. Cook that through self-preservation I have
6 had to beat this out of the SATO bureaucrats, and what
7 I have found out is that if you don't go through SATO,
8 and you find something cheaper, that's fine, but it's
9 non-refundable. And I need to know about it in
10 advance before you go through and do it with SATO so
11 that I can make certain that we get that documented
12 and authorized in your travel order.

13 The thing is that when you guys usually do
14 that, it's always so much cheaper, SATO really can't
15 push back against me as long as I can get that in your
16 travel order ahead of time and that we know that
17 you're really going to use it, because it's non-
18 refundable. So no change of plans. It needs to be
19 pretty iron-clad. But that's something that I just
20 kind of found out in the last six months that we can
21 kind of push back against. Yes, Tony?

22 CAPTAIN DILERNIA: Does SATO have a -- I

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1 just discovered with the snowstorm up in New York,
2 they must have a 24 hour emergency number for changes?

3 MS. BRYANT: They do.

4 CAPTAIN DILERNIA: Can you provide that to
5 the Committee, please?

6 MS. BRYANT: I can, and it should be also
7 on your travel orders. It's attached to your SATO
8 thing, there is a 1-800 number.

9 CAPTAIN DILERNIA: Okay. Thank you.

10 MS. BRYANT: I don't have it right now in
11 my head, but we'll definitely make certain of that.
12 And also, the travel orders that you have, you can
13 travel with them. They are good to travel with for
14 one purpose only, and that is if anything screws up
15 and goes wrong, there's some kind of super secret code
16 number that's on your individual travel order that if
17 you get stuck like Tony, and all of a sudden he needs
18 to be able to get another flight or something happens,
19 that number allows you to access into the SATO system.
20 They know you are legit. They can track you. They
21 can find you and you can get this taken care of.

22 The other purpose for those travel orders

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1 is, when you get back to your home destination and you
2 are grouping all of your costs and expenses together,
3 it's to send me a copy of that travel order. I have a
4 copy, but send it through with your stuff and then
5 that gets all packaged together for your reimbursement
6 purposes. So it's not like you have to have your
7 papers with you to travel, but it is a good idea to
8 have that number and SATO's emergency number in case
9 anything unforeseen happens.

10 The hotel. What we do at MAFAC rather
11 than everybody making a hotel reservation and having
12 it covered on their individual credit cards and being
13 reimbursed, we do a mass purchase order. So you will
14 not have to worry about paying the daily/evening
15 charge through the hotel. Incidentals, you know, you
16 want to watch a little HBO, that will be on your bill,
17 but phone calls, business calls, those are generally
18 covered.

19 Long distance, long-term calls, those kind
20 of things, that would not be. But you will see it in
21 your travel order what expenses are covered. The
22 other thing that's not covered is rental cars. We

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1 used to do that, but with, as you can imagine, 21
2 Members and three consultants and everybody here, that
3 can really pump up the price. So a long time ago a
4 policy was made internally through MAFAC that that's
5 just something that, you know, we're not going to
6 cover.

7 Some of the administrative -- and stop me
8 if you have got questions, I just don't want to take
9 up too much time.

10 VICE CHAIR HOGARTH: But the rent-a-car
11 was a NOAA decision, that's not a policy of --

12 MS. BRYANT: When it was done, it was done
13 back a number of years ago when I first started, and I
14 guess it was a decision because there had been a
15 meeting and everybody got rental cars. Nobody really
16 needed them and it really chewed through the budget
17 quickly. And a decision was made that everybody is
18 meeting in the same area and there is really no reason
19 for everybody to have all of those cars. And so it
20 was more of a MAFAC and NMFS decision.

21 It's not like a formal policy, but more of
22 a business management policy that was decided. It's

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1 not something that can't always be revisited. But at
2 this point, we really haven't had a need for that.
3 But if it becomes an issue, it can always be
4 revisited.

5 I wanted to mention the financial
6 disclosures and the certification of status. Thank
7 you, everybody got them through to me and dealt with
8 my pestering and badgering, only because in the days
9 of post-9/11, the certification of status, i.e., that
10 you are not an employee or on contract with a foreign
11 government, has become increasingly important. So
12 they want that annually as an original signed
13 document. I have received almost everybody's.

14 And the financial disclosures are an
15 annual requirement as a labor saving tool. As the
16 second-termers know, save that copy from this last
17 year, it's important for your records. I have a copy,
18 so if you ever lose it, you can always contact me, as
19 does DOC, they have a copy.

20 But as a labor saving device, if nothing
21 changes on that year-to-year, just copy the very top
22 page, white out your name and signature and the date,

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1 recopy it and then resign it and redate it. Staple it
2 at the top and then that can become the renewed
3 financial disclosure for every year.

4 Now, if something has changed, that will
5 need to be reflected and you need to take care of
6 that. But for those of you where it's pretty stable
7 and it's not happening, you don't have to go through
8 and write everything all over again.

9 The frustrating thing that many of you
10 have discovered about the programming, and I don't
11 know why this is the case, the document that I sent to
12 you in PDF, no matter what you fill out on screen, you
13 can't save it. I keep trying. You can't save it. So
14 the minute you print that out and try to save it to
15 your hard drive or something, it blanks everything out
16 and the next time you go back, it's all blank again.
17 So don't make the mistake of thinking I've saved it
18 into my hard drive and I can go back and relook at it,
19 that's why you need to have that hard Xerox copy. I
20 don't know who made that decision way up above in DOC,
21 but nonetheless, that's the way it works.

22 And meeting preparation, we can probably

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1 talk about more of this on Thursday. In June, as Tony
2 referenced, the Committee for the first time in a long
3 time kind of went through some reorganization and
4 restructuring. And you will see that reflected under,
5 I believe, Tab 2, Subcommittee Structure. We now have
6 four standing subcommittees which includes an
7 Executive Subcommittee.

8 And the goal, we also went through kind of
9 a meeting preparation memo, and I generally start
10 trying to, you know, beat the programmatic staff about
11 eight weeks out, maybe 12 weeks out, what are the
12 current hot issues, what do we want to bring before
13 MAFAC, what are the information materials, trying to
14 get you advance materials a month in advance. That's
15 still a goal. It's not a reality. We were able to
16 get them to you two weeks in advance.

17 We try to keep it minimum, knowing that
18 you guys, we only get together six days a year, so we
19 can't put a lot on the agenda. But to be able to
20 effectively use your time, try to keep the agenda
21 simple and get you materials in advance, rather than
22 doing hard copy mail outs and all of that labor

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1 intense, you do have the Members area that's off on
2 the MAFAC page.

3 That area as it fills up, and it will
4 continue to fill up following this meeting, because we
5 will have public transcriptions that will be going up
6 there, I will be drafting a meeting summary. It will
7 then go back out to all of you for direction and
8 refinement, things I may have missed or forgotten, and
9 when we finally get that finalized, that will be
10 posted up on the web as well as transferred to the
11 Undersecretary from Bill and up to the Secretary, and
12 certainly any follow through items that need to be
13 pulled out.

14 Once all of those elements are then ready
15 to go, that Members area page essentially then moves
16 over to the public domain and then that's what you
17 will see on your main front page of MAFAC, all the
18 meetings, that's how we are starting to fill those up.

19 This is relatively new since I have been taking over
20 MAFAC and I'm still going back and finding a lot of
21 those documents that originally, when I came on,
22 nothing was electronic.

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1 I'm still finding those things, so you're
2 going to find as you go down in time, there's a lot of
3 missing elements. I'm still finding those things and
4 hopefully at the end of 2006 we will have that fully
5 loaded up going back to 1999, so that we really have a
6 continual public record that is being tracked.

7 Any suggestions on that I would really
8 value, and again, on Thursday we're going to be
9 focusing more specifically on MAFAC and that can be a
10 topic of discussion if you want then. On the meeting
11 days, generally, we do three days of meetings, travel
12 on either end. At the next meeting, we may want to
13 consider having an additional day that might be
14 dedicated to kind of orientation and review. We can
15 talk about that and whether Bill wants to have some
16 more programmatic staff coming up and kind of giving
17 an overview of their programs and who is doing what.

18 And one of the things that we discussed at
19 the last meeting, which again is still a goal and not
20 a reality, but that we would like the whole group to
21 consider; Tony likes this and Tom Billy actually was a
22 part of suggesting this, and that is, if we're able to

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1 get this in advance, talking about some of these
2 vision documents that Tony and Bill were referencing
3 earlier, some of the longer term projects. MAFAC has
4 been asked to kind of be a long-term sounding board on
5 aquiculture, and not only legislation, but the whole
6 process and the development of that.

7 Some of those longer term topics, the goal
8 would be to get advanced materials out to Members,
9 hopefully a month in advance; allow subcommittee
10 conference calls to do some advance work on that; have
11 the first day of the meeting dedicated to fisheries
12 overviews, kind of current events, things that are
13 going on that we want to update the Committee on; and
14 then go into the presentations.

15 Save the second day then for subcommittee
16 work, where you're really able to break apart labor
17 saving device, subcommittees trying to exercise and
18 leverage your various expertise to go in and really
19 flush out an issue for the whole group and what the
20 issues are, the decision points or the
21 recommendations.

22 And then the third day, bringing that back

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1 into full Committee reconvening and getting a full
2 Committee discussion and final decision on any
3 recommendation report. So that's kind of been the
4 template that we discussed at the last meeting that we
5 wanted to kind of wait until we got a whole new group
6 on board before we started to really implement. But
7 those are some of the goals. Tony?

8 CAPTAIN DILERNIA: Yes, before we leave
9 the subcommittee list that's up on the screen there
10 now, I look behind Tab 2 and I see that the second-
11 term Members have been assigned and have selected
12 subcommittees. The new Members have not been assigned
13 or have not selected subcommittees yet.

14 MS. BRYANT: Right.

15 CAPTAIN DILERNIA: Is there time in the
16 agenda?

17 MS. BRYANT: On Thursday, when we're
18 focusing all on kind of the Committee stuff.

19 CAPTAIN DILERNIA: So then what I would
20 say to the new Committee Members is to think about
21 which of the four subcommittees you may want to serve
22 on. And you may serve on more than one subcommittee.

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1 MS. BRYANT: Correct.

2 CAPTAIN DILERNIA: And those subcommittees
3 behind Tab 2 are Strategic Planning, Budget and
4 Program; Commerce; Protected Resources; and Ecosystem.
5 Those are the four Committees currently that exist.

6 MS. BRYANT: Correct.

7 CAPTAIN DILERNIA: And so to the new
8 Members, please consider what Committees you would
9 like to serve on. And before we leave, those
10 subcommittees, I see that Mr. Billy is Chairman of the
11 Commerce Committee. But the other three Committees
12 are currently lacking chairmen.

13 MS. BRYANT: I can't --

14 CAPTAIN DILERNIA: Well, they're not
15 designated in the binder.

16 MS. BRYANT: No, they're not designated
17 there. Okay.

18 CAPTAIN DILERNIA: As subcommittee chairs.

19 MS. BRYANT: We didn't have that.

20 CAPTAIN DILERNIA: And also, the Table of
21 Organization has an Executive Subcommittee that
22 consists of myself, Dr. Hogarth, yourself, and the

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1 subcommittee chairs.

2 MS. BRYANT: Subcommittee chairs.

3 CAPTAIN DILERNIA: So it's important that
4 those subcommittee chairs be selected before this
5 meeting is over.

6 MS. BRYANT: Right. And I would also
7 point, picking up on Tony's point, I think it's Tab 3,
8 Tony, if I'm wrong, correct me, on every meeting there
9 is also your subcommittee -- there's a Committee
10 report from the last meeting, and you will see that,
11 more details of that, reorganization discussion and
12 the function of those subcommittees, why we went that
13 way. Prior to that, it was kind of like every issue
14 that came up, a working group would form around it.

15 It became very bulky and labor intensive
16 to track who was on what and who was doing what. It
17 was always changing. And instead, after an intensive
18 discussion for a day or day and a half in June, what
19 filtered out from it were these subcommittee topics as
20 being looked at as being very broad and long term and
21 essentially providing an umbrella under which those
22 various subject matters could be appropriately

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1 addressed.

2 CAPTAIN DILERNIA: Okay. So as the new
3 Members have to keep in mind, hopefully, maybe we can
4 get to that Thursday morning for the new Members to
5 select, so that they can just communicate to yourself
6 and myself what subcommittees they care to serve on.

7 MS. BRYANT: Yes.

8 CAPTAIN DILERNIA: And then they can
9 select their chairs.

10 VICE CHAIR HOGARTH: Wednesday afternoon
11 at 4:30.

12 CAPTAIN DILERNIA: Wednesday afternoon at
13 4:30.

14 VICE CHAIR HOGARTH: That's when we'll
15 talk about the subcommittees.

16 MS. BRYANT: Or Thursday.

17 VICE CHAIR HOGARTH: No.

18 MS. BRYANT: Is it Wednesday?

19 VICE CHAIR HOGARTH: It's on the agenda
20 for Wednesday afternoon at 4:30, folks. Okay.

21 MS. BRYANT: You would think I would know.

22 CAPTAIN DILERNIA: Thank you.

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1 VICE CHAIR HOGARTH: Okay. Determine
2 subcommittee follow-up.

3 CAPTAIN DILERNIA: So Wednesday.

4 VICE CHAIR HOGARTH: Tomorrow.

5 MS. BRYANT: That is pretty much it from
6 me. The other thing, as I said, I kind of just threw
7 down some random thoughts. One of the things I was
8 unable to accomplish, thanks to the flu, I didn't get
9 everybody's bios down. And I really want to go through
10 and get biographies for everybody, just a paragraph.
11 I want to also get photographs of everybody.

12 We'll post that up on the MAFAC web page.

13 I think that's something that has been missing for a
14 long time, so people can see and know who is serving
15 on the Committee. That is something that I hope to be
16 able to do.

17 The other thing I want to mention, Tony,
18 something new that we have been doing this last year,
19 has been putting together conference calls. Any
20 subcommittee, any grouping of folks that want to get
21 put together, give me a call. I will be happy to set
22 up a phone conference call. It is cost effective and

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1 it allows people to be able to plan in advance or get
2 some work done, and I think that's something that we
3 need to use more frequently and take advantage of.

4 And that's it. Subcommittee selection
5 Thursday. And I would be happy to answer questions.
6 I know that was real quick, but I wanted to just kind
7 of give you those.

8 The last thing I want to mention is in the
9 front of your binders you will see a travel
10 reimbursement form. I'm not good at this
11 administrative stuff, so bear with me, but that travel
12 reimbursement form is in the very front pocket along
13 with a return envelope. It is that that you fill out
14 and insert along with any receipts.

15 Now, food, that is not covered. That is
16 covered by your per diem that you receive for each
17 day. But taxi cab receipts, shuttle receipts, those
18 type things, and then if there is any business type
19 associated or MAFAC associated fee that comes through
20 on your hotel bill, if you use the business center to
21 be able to make copies if you're doing subcommittee
22 work or something like that and it wasn't covered,

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1 include that on your hotel bill.

2 All of that gets folded up and put in that
3 envelope along with your authorization form and send
4 that back to me. It's prepaid. And then Celine will
5 be getting that and we'll get those processed. If
6 any current Members have other experiences that they
7 want to share with our new Members, please do so.

8 VICE CHAIR HOGARTH: Any comments,
9 questions? Ralph?

10 MR. RAYBURN: Ralph Rayburn. One thing
11 that has bothered me, and maybe you all have worked it
12 out, but it seems like we'll come to the meetings and
13 then all of a sudden we'll have some major
14 subcommittee activities. I assume that in this
15 organizational structure that your Executive Committee
16 consisting of the leadership and the subcommittee
17 chairs will give us some view before we get to the
18 meeting on what the issues for the subcommittees will
19 be.

20 It has always troubled me. It seems like,
21 you know, it really becomes just a platform for folks
22 in the past. So is that kind of the sense of the

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1 leadership?

2 VICE CHAIR HOGARTH: Right.

3 MR. RAYBURN: Thank you.

4 CAPTAIN DILERNIA: I have a question for
5 Ralph. Ralph, how soon prior to the meeting do you
6 think perhaps a discussion of that, perhaps a
7 conference call, should occur? How far in advance?

8 MR. RAYBURN: I think at whatever point
9 the agenda is reasonably formalized. It seems like
10 you will do that, you know, a certain period out and
11 you'll have the difficulty in getting the discussion
12 documents perhaps out to us, but I would think once
13 the agenda is formalized or even maybe in the process
14 of formalizing the agenda, so that you can allow
15 adequate time for subcommittees to meet.

16 And I would also suggest perhaps that you
17 have specific tasks for those subcommittees to deal
18 with if there is an issue that falls under their
19 purview. You really have, you know, direct questions
20 for that subcommittee to address and bring about to
21 the full Committee for discussion and not just, you
22 know, broad coverage of an area.

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1 VICE CHAIR HOGARTH: I think, too, that
2 one of the subcommittees is, I think, Protected
3 Resources, and we are getting ready to do some things
4 there, so it would probably be good to run it by this
5 Committee. We're going to put advanced notice of
6 proposed rulemaking on several things, jeopardy and
7 some things, so we probably should run it by this
8 group to look at.

9 Also, we are looking at some of the units
10 we use, you know, the BSUs and distinct population
11 segments. We're looking at that this week of what
12 we're doing under the ESA versus Magnuson, so we
13 probably -- so that's a good point. Anybody?

14 MR. RAFTICAN: Yes.

15 COURT REPORTER: State your name for the
16 record.

17 MR. RAFTICAN: I'm sorry, Tom Raftican.

18 COURT REPORTER: Thank you.

19 MR. RAFTICAN: Would it make sense instead
20 of having pre-meeting subcommittee meetings, as the
21 report comes out, have a post-meeting so everybody
22 kind of gets it while it's still fresh from leaving

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1 here and then, you know, this way it's not kind of
2 sitting in the background for, you know, five months?

3 VICE CHAIR HOGARTH: Yes, Tom, I think
4 that is one thing we have to talk about, is that we do
5 come to the meetings and do stuff but, I mean, I think
6 to make it work effectively, we'll have to get things
7 to you outside to get comments back. You know, we
8 don't seem to do that and we need to do that.

9 MR. RAFTICAN: Conference calls may help.

10 VICE CHAIR HOGARTH: Conference calls,
11 yes.

12 MR. RAFTICAN: It takes, you know, an hour
13 or two out of your day.

14 VICE CHAIR HOGARTH: Yes. The
15 subcommittees are going to have to work that way.
16 We're going to have to set those up, so that we can
17 just get comments -- nothing fits the schedule of
18 twice a year, you know, February and July. So we got
19 to figure out a way to -- we'll make it work. We're
20 going to have to work getting information out that we
21 get and conference calls or whatever we get back.

22 MR. RAFTICAN: Thank you.

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1 VICE CHAIR HOGARTH: One thing about break
2 out, I didn't explain it all this morning about the
3 Washington Post at the time. What is it is I get to
4 describe the discussion going on, but something we
5 found in the south, I think it's done by Scripps and
6 one of their people, well, by David Watson. They
7 located, they found the lightest weighs 1.5
8 milligrams, 1.5. Its length is like 8.4. The male is
9 6.5 to 6.7 milligrams when they are fully, but the
10 shortest evidently is another one from Southeast Asia
11 that's about 7.9 millimeters is the female.

12 But then the shortest adult male is like
13 4.6 millimeters, the female, and the male is 6.2
14 millimeters. So the current discussion among, you
15 know, Guinness and all, which is, you know, the
16 lightest or the shortest. And I was talking to Rod
17 last night, and I guess IGFA is considering now, going
18 to have it by length, you know, having this way to
19 measure the fish and so there will be a new category
20 by length and then they will be all releases. So I
21 think it's good, but it's interesting. It all comes
22 up in one day as we come here. Quite an article here.

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1 They confronted each other about the lightest, the
2 shortest, so it's a little bit interesting. True
3 scientific discussion. Yes, Ralph?

4 MR. RAYBURN: Yes. So is IGFA
5 establishing a minimum size now that you could -- as a
6 world record, too, catching the minimum size? That
7 might be one I could, you know, strive for.

8 VICE CHAIR HOGARTH: Right up on the wall.

9 MR. KRAMER: Ralph, the minimum sizes are
10 in the book, but what Bill was referring to is at a
11 recent board meeting, IGFA has decided to add a new
12 all tackle length category where not only will the
13 fish be released alive, but for the record to qualify,
14 it will have to be released alive and in good health.

15 And this is a way that we see that we can help
16 educate anglers around the world on proper handling
17 and release techniques out there.

18 We're starting off with about 120 species,
19 both fresh and saltwater species that we can manage on
20 a measuring device. But one day, you know, there will
21 probably be technology available that you can
22 determine mass and some other things. So it's pretty

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1 interesting talks right now.

2 VICE CHAIR HOGARTH: All right. The last
3 bit of sort of general information before we get
4 started is the Stewardship and Sustainability Awards.

5 You know, we talked about this at the last meeting
6 and we have finally -- we went out and called for
7 nominations and, you know, there were basically six
8 categories.

9 There were nominations in special
10 recognition; stewardship and sustainability;
11 conservation partnership; science, research and
12 technology; coastal habitat restoration; public
13 education, community service and media. We had hoped
14 to get these. The nominations came in January.

15 We had hoped to be able to move this and
16 to have the awards banquet on February the 9th, which
17 is the anniversary of the Bureau of Commercial
18 Fisheries, but it just didn't work that quick. I
19 mean, we just couldn't get the money set up and all
20 because we had to get donations.

21 So it's going to be June 5th. We have two
22 pretty substantial donations from West Coast Fishermen

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1 that was enough to sponsor this, and we have a list
2 of, God, I don't know, 200 or 300 people that will be
3 invited. We're trying to get the Hill to come. We
4 think it's time to get the Senate and Congressmen
5 involved because we don't ever have anything on the
6 Hill that we invite them to. Usually Fish and
7 Wildlife does and everybody else does, but we don't
8 and I think we need to do that.

9 So we're looking forward to doing this.
10 It will probably be at the J.W. Marriott. The reason
11 we picked June 5th is because that is National Ocean
12 Week. The fish fry is on the 7th there and there seems
13 to be -- this week for the fish fry, we're going to
14 try to focus on the Gulf, just a celebration of the
15 Gulf seafood to try to get some visibility to the fact
16 that they have some good, healthy seafood coming out
17 of the Gulf and there seem to be some good concerns,
18 so we will have that as part of it.

19 This came about -- the Admiral went to a
20 marine management banquet, I guess, down in the Gulf
21 and they gave out awards and there were people from
22 all over. He was really impressed with how they

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1 recognized different people. And I think there is a
2 lot that goes on in fisheries if you look at
3 restoration and all that we really could recognize.

4 So what we have done, MAFAC's role is to
5 sort through these and make the recommendations for
6 each category. The old Members have been sent, I
7 think, the nominations. We couldn't send them to the
8 new Members, because at the time we didn't have them
9 done, but the new Members will be involved the next
10 go-round. We plan to make this an annual event.

11 So we're looking forward to having it.
12 The Admiral is really looking forward to it. We think
13 that it will bring people together. All of you will be
14 invited and we hope you will attend, and we look for
15 this to really build, you know. I was surprised at
16 some of the nominations.

17 I was really impressed with some of the
18 nominations, to be honest with you, that people took
19 it seriously and did it. I think that next year you
20 will see even more, in my opinion, but I do think we
21 have got some very good ones for the first year. We
22 are looking for those recommendations back by next

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1 Friday to Laurel?

2 MS. BRYANT: Yes.

3 VICE CHAIR HOGARTH: And then I will sit
4 down with the Admiral and he'll have the final say,
5 and then we will get this thing underway. There will
6 be invitations sent out. We're going through that
7 list now. So it will be a good week to have it, I
8 think, because there's a lot of focus in D.C. that
9 week and we should be able to get the -- the Hill is
10 in session. We should be able to get them there.

11 Any questions or comments?

12 MR. RAYBURN: I hate to be talking, but
13 stay awake everybody. Ralph Rayburn. Would it be
14 possible that we would have -- some of us, depending
15 on where we're coming from, we can have our agencies
16 pay for our travel to D.C. if it's important enough.

17 But, you know, our liaison, for example,
18 has to travel on his own nickel. So would it be
19 appropriate to have a motion or something, or is there
20 travel funds available, so that MAFAC could pay for
21 one representative of MAFAC, either the liaison or
22 some designee by him, to come to that and have their

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1 travel covered?

2 VICE CHAIR HOGARTH: Yes, you don't have
3 to do a motion. We're looking at that budget now
4 because there has been some recisions that, you know,
5 it was 2 percent, now it has gone to 1 percent. We're
6 looking at the budget and we would like to cover the
7 cost period, and so we'll see what we can do.

8 MR. RAYBURN: Thank you.

9 VICE CHAIR HOGARTH: I don't know how many
10 we can invite, but we would like to make sure that
11 MAFAC is there.

12 MR. RAYBURN: I understand. I mean, you
13 know, some of us can do that if it's important enough,
14 but there are some that have to pay for it out of
15 their own budget and I think that's --

16 VICE CHAIR HOGARTH: We think MAFAC should
17 do that. You are the ones that this process goes
18 through and I think it would be good for MAFAC to then
19 have the opportunity to talk to people from the Hill
20 and I feel sure that we can get some of them there.

21 MR. RAYBURN: Okay.

22 VICE CHAIR HOGARTH: By the way, we're

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1 doing this through the Fish for the Future Foundation.

2 It's a 501(c)(3). 503(c)(3)?

3 MS. BRYANT: 501(c)(3).

4 VICE CHAIR HOGARTH: 501(c)(3) that Mary
5 Hope has put together. She has used it earlier for
6 contributions so that she could do financial help for
7 fishermen in the Gulf, and I think just before
8 Christmas they sent out, what, about \$60,000 or
9 \$70,000 checks to people.

10 She now has 1,200 people that have
11 requested assistance from the Gulf. 1,200. But,
12 anyway, we're using that because it is a foundation
13 and we can get contributions to it. And, like I said,
14 two fish companies on the west coast have made some
15 sizeable contributions to make sure we can pull this
16 off the first year and we'll be looking to the future.

17 We think it's good to have a foundation,
18 obviously I do, for several reasons, so that we can do
19 things like this, but also hopefully to be able to
20 give information sometimes to the Hill through the
21 501(c)(3) and things that we can't do the way we are
22 now. Yes, this is all a regulatory licensed

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1 foundation. We think Fisheries needs to have a
2 foundation.

3 And if it hadn't been for the three
4 commissions, I don't know what we would have been
5 doing in the past. Honestly, they have rescued us
6 several times and I think this would take some burden
7 off of them, I would think, but we'll always be
8 working with the commissions. This is just other
9 things. So I think it's great. I'm looking forward
10 to seeing the recommendation that this body maybe has
11 looked at the nominations.

12 Okay. The one I'm surprised about is from
13 the state. I won't say what state. They nominated
14 their environmental agency, which is sort of
15 interesting. So I think it's good, it's good.
16 There's a lot of things going on in Fisheries. We
17 have got to push the bright spots in Fisheries
18 forward, you know, and I think there are some bright
19 spots and I think this helps us. Yes, Rob?

20 MR. KRAMER: Rob Kramer. Bill, I have got
21 a question. How were these awards announced or a
22 solicitation for nominees?

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1 MS. BRYANT: Do you want me to answer that?

2 VICE CHAIR HOGARTH: Yes.

3 MS. BRYANT: We went through FishNews. We
4 went through email lists, blast faxes, contacted our
5 various groups, commissions, the councils. We tried
6 to do everything we could to be able to get it
7 exposure. We were told informally that part of the
8 process has been that we were forced to go through a
9 very formal process within the Department because they
10 have got a whole bureaucracy kind of setup to bless
11 awards things that are, essentially, for employees and
12 stuff, but nonetheless it has gotten ripped into that
13 particular current.

14 And so we were told you may informally go
15 out, but we couldn't formally go out through the
16 Federal Register. I don't know if the target audience
17 we would want to hit anyway is reading the Federal
18 Register notices.

19 VICE CHAIR HOGARTH: They are not.

20 MS. BRYANT: So I don't think that would
21 have made much of a difference. So it was kind of
22 like they slapped my hand and I went, oh, darn, don't

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1 get to go through the Federal Register, okay. So that
2 was how we did it. I think next year what we will be
3 able to do, because it's now -- the thing that is in
4 your binder behind Tab 4, as last updated January 24th,
5 is what the Department of Commerce attorneys have. It
6 is what is actually being filed as policy.

7 Next year when we do this, not only will
8 we go out earlier, but we'll probably then be able to
9 also do announcements and kind of press notification
10 and things like that, and be able to really reach out
11 to other groups and get it into sort of your own email
12 groups and things like that.

13 So any suggestions you have for us to get
14 it out there further would be helpful, but we're also
15 thinking about going through Commercial Fishery News
16 and U.S. Boats, those kind of trade publications, as
17 well, which we weren't able to do this time around,
18 because that would have been a little too official in
19 our unofficial capacity at the time, but next year I
20 think we'll do it.

21 MR. KRAMER: Laurel, what is the time
22 frame for the next call for nominees?

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1 MS. BRYANT: What we would like to do and,
2 Bill, correct me if I'm wrong, because we would like
3 to be able to do this essentially to coincide with the
4 anniversary of the predecessor for the National Marine
5 Fishery Service, which is the U.S. Fisheries
6 Commission, which is February 9, 1870, I believe, or
7 1872. We would like to be able to do it in February,
8 so we had initially planned on going out end of
9 September, early October, for nominations and go for a
10 month and then close it off, throw it to MAFAC. All
11 of your things, the evaluation forms, are electronic,
12 everything.

13 It would not be MAFAC as a Committee
14 evaluating this. It would be individual MAFAC Members
15 that are evaluating this. And then those being
16 submitted back, put together, and then the top three
17 in each category that fall out, that's what would be
18 submitted to Bill and to the Undersecretary and then
19 they make the final determination. Hopefully,
20 announce it then in January and be able to actually
21 have an event in February. But because we got kind of
22 stopped up, we have opted to go for Oceans Week this

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1 year instead.

2 MR. KRAMER: I would just like to make a
3 recommendation that when we do call for nominees next
4 time, maybe go through MAFAC members and our networks
5 to see if we can get a broad --

6 MS. BRYANT: Absolutely.

7 MR. KRAMER: -- more broader coverage
8 there. Thank you.

9 VICE CHAIR HOGARTH: Any comments you all
10 have after seeing this and looking at it all, please
11 let us know. We really want to make this a good
12 annual event, because I think we have got to have one,
13 in my opinion. And I feel sure that we can get a good
14 representation from the Hill; we're having it just
15 about as close as you can have it without having it on
16 the Hill itself.

17 I have thought about doing that, having it
18 on the Hill, but it's tough to get people in and out
19 and I think the security and all the aspects of that.
20 If you have it at J.W. Marriott, you're still two
21 blocks away, because a lot of them live right there,
22 and they did an excellent job for us with the Health

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1 Symposium we had there at the J.W. I was very
2 impressed with that, the banquet facilities and all.
3 So that is our goal right now and it really ought to
4 make it good. Yes, Vincent?

5 CAPTAIN O'SHEA: Yes. I know that you had
6 that goal of trying to do it in early February and I
7 know postponing things is sometimes a difficult
8 decision, but I think that, in this case, was the
9 right decision, because then it's going to give you
10 time to set it up and do it right and I think that's
11 very important on the first one. And I think Capitol
12 Hill Oceans Week, it's a busy week. There's a lot of
13 people in town.

14 VICE CHAIR HOGARTH: Yes.

15 CAPTAIN O'SHEA: I think that was an
16 excellent choice.

17 VICE CHAIR HOGARTH: Yes, I think we'll
18 get a lot of people. I would like to say, too, we
19 talked about a certificate. I just wanted to say that
20 you need to think about maybe people have an idea
21 before we leave Thursday if there's something else we
22 can do. What do you think?

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1 MS. BRYANT: Do you want me to tell them?

2 VICE CHAIR HOGARTH: Yes, because I don't
3 know. I would like to know, too.

4 MS. BRYANT: Well, one thing I do want to
5 say is I would like to make a suggestion for the next
6 meeting agenda, because I think it's really important
7 to revisit this. I have learned a lot. Having put
8 this together and then you have people questioning,
9 well, will you accept international nominees?

10 Well, I had to go back to Bill and say,
11 well, what do you think? Well, he and the Admiral
12 decided no, we really want to recognize domestic users
13 as a resource that are practicing best stewardship
14 practices and sustainability. That's what we need to
15 focus in on. But there is a lot that I have learned
16 through this process and I think it would be very
17 valuable in July for us to kind of revisit and pull
18 together that.

19 And I wanted to mention that, okay, the
20 awards, what we found for the awards -- and this is
21 kind of cool. It pulls it together. Back in the
22 1870s when the U.S. Fisheries Commission was

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1 established, one of the things they did similar to
2 Audubon, they went out and they commissioned copper
3 etching drawings of valuable fishery and living marine
4 resource species around the country, I mean, from
5 Maine, Newfoundland, all the way around to Alaska and
6 the Bering Sea, including even the Pacific Islands.

7 And there are, I want to say, 200 and some
8 odd original copper etching plates which we had the
9 foresight, which is unbelievable, but we did, probably
10 about seven, eight years ago, I remember this going
11 on. We actually were able to get those original
12 copper etchings digitalized and they are actually
13 hidden and buried online under the NOAA Photo Library.

14 They are literally dated Commissioned by
15 U.S. Fishery Commission, collected at Wood's Hole or
16 collected at Washington, D.C. Fish Market, 1872.
17 Alaskan pollock is on there, all of these very old
18 depictions. Many of them are overfished now. Some of
19 them have been rebuilt. Others have never been
20 overfished. It's a real interesting history.

21 And what we decided was, based on who the
22 nominees that are selected, it gives Bill an

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1 opportunity to kind of go through and really identify
2 an appropriate species, depending upon their
3 geographic or demographic representation that the
4 nominee is representative of, and frame that. And it
5 would be an individual print that would be framed and
6 then a brass plaque with the individuals.

7 So it ties the past with the present and
8 pulls it all together. So, yes, I thought you were in
9 on that meeting. We already made that decision for
10 you.

11 VICE CHAIR HOGARTH: If anyone from Alaska
12 wins, we will give them the one that says, even though
13 it's not a fish, eat more whale meat. Bureau of
14 Commercial Fisheries, back in 1892, this is what
15 happened. We also found that when we were going
16 through this stuff and said --

17 MS. BRYANT: We didn't put that in.

18 VICE CHAIR HOGARTH: Okay. Anything else?
19 Let's think of it really, as I stress again, I think
20 we need to do something like this. There's a lot of
21 people who do a lot of things for fisheries and for
22 conservation stewardship and things to make a fishery

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1 better, you know, and I think we need to recognize and
2 I think that's going to help. And so we'll do it.
3 Ralph?

4 MR. RAYBURN: Ralph Rayburn. So, Bill, if
5 you're looking for early February, maybe if you did it
6 the week before the President released his budget, you
7 would get a better budget number, do you think?

8 VICE CHAIR HOGARTH: That's something
9 maybe we need to try.

10 MS. BRYANT: I heard that. Strategic
11 thinking, we're looking for that.

12 VICE CHAIR HOGARTH: Yes, I think the
13 budget has got stuff upstairs you're talking about.
14 Okay. Let's take a break, if that's all the time,
15 let's take a break and come back.

16 (Whereupon, off the record for a recess.)

17 VICE CHAIR HOGARTH: Okay. Can we get --

18 MS. BRYANT: Sure.

19 VICE CHAIR HOGARTH: -- started back?
20 Okay. We're going to talk a little bit now about the
21 aquaculture, and also the Legislation Bill of 2005.
22 And most of this discussion is under Tab 5 in your

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1 book. It will show you some of the NOAA Aquaculture
2 Programs. There's a few things here in back of it.
3 And then you have the questions about the bill, but
4 there's a tiny little bit, you know.

5 The demand for seafood in this country
6 continues to rise, and the health people are telling
7 us to eat at least two meals per week. We're now
8 eating 16.6 pounds per person in the U.S. in 2005.
9 Shrimp was close to the number one. But we have about
10 an \$8 to \$9 billion trade deficit when it comes to
11 seafood. So it's a large deficit.

12 Over 70 percent of all seafood we eat in
13 this country is imported. And so about 40 percent of
14 what we import is farm-raised. So, you know, there is
15 a lot of aquaculture going on over the world. There
16 is a lot of demand for seafood. I think we need to
17 have good, healthy seafood in this country. You know,
18 we can't, in many fisheries, we can't produce from the
19 wild harvest the amount of seafood we need.

20 And I think to have a good stable seafood
21 industry in this country, we need the combination of
22 wild harvest and aquaculture. And I think the

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1 processes, the infrastructure would be better served,
2 because they would have a steady stream of seafood, so
3 to speak, and we wouldn't be fishing for, say, red
4 snapper the first 10 days of the month, most months,
5 not every month, and then dealing with Mexico or
6 somebody else for red snapper the rest of the month.

7 You can fill in, you know, with farm-
8 raised. Some of the fishermen who are now commercial,
9 you know, have their wild harvest and could even
10 supplement their income by being part of the
11 aquaculture industry. There's no way, and there's no
12 intention of putting the wild harvesters out of
13 business. There's just no way.

14 You know, we don't even hold that grade of
15 competition. You know, we don't want to go into
16 raising summer flounder right now, for example,
17 because we've got a good healthy stock of summer
18 flounder. Of course, we just got sued, but anyway, we
19 don't want to do that, in my opinion.

20 So, this bill was written to get the
21 discussion going and the authority going, really. It
22 doesn't have a lot, how can I say this properly, it

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1 doesn't set the policies. It doesn't do the
2 regulations. It really basically is Congress telling
3 NOAA to go forth and do the Environmental Impact
4 study, go forth and develop regulations in a public
5 process.

6 What we have tried to do is to coordinate
7 with the other agencies. They will still have their
8 authority, but we would, through this bill, have a
9 clearinghouse to help people get permits. There is no
10 plans to have a fund that we start up aquaculture, or
11 some people say you could do the same thing here you
12 did with the fishing bellow, you know, boats or
13 bellow, you know, people who put them in business.
14 That's not the intention. The intention is for us to
15 help with research, help with permits, help, hopefully
16 to continue the work with additional sources of food.

17 I think we would like to see, you know,
18 plants and other types, rather than just use the small
19 fish to fill or feed big fish, for example. We would
20 like to see alternative food sources developed. The
21 technology, as far as cages is concerned, is way ahead
22 of what I thought it was. I mean, I think the cage

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1 culture, the cages are -- the technology is there, I
2 mean, to prevent escapees and all.

3 And we think if you go offshore, then you
4 take care of some of the other problems when you've
5 got good flow. And so we realize there's got to be
6 environmental parameters. There's no way, you know,
7 we don't do this haphazardly. But, you know, we're
8 not trying to race out and do something and do it
9 wrong.

10 The reason we have not done a EIS, which a
11 lot of people say, well, you ought to do EIS on the
12 bill, is because the bill is changing. There has
13 already been four changes since Senator Stevens and
14 Senator Inouye introduced it, and they made three or
15 four changes. And I think as you go through the
16 hearing, there are some things that have been brought
17 up that we're not opposed to being changed to the
18 bill.

19 So to do an EIS on a moving target is
20 costly. It will cost us probably half a million
21 dollars to do the EIS and to do it right. You know,
22 we think we ought to wait until the bill is passed and

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1 that's the first thing we will do over the next two
2 years.

3 So we want to -- my goal is to make the
4 U.S. more self-reliant, and to let the U.S. citizens
5 have advantage of good healthy seafood, and to have
6 sustainability, and I think we can do that. Susan
7 Bunsick is part of a aquaculture group. Most of them
8 at the World Aquaculture meeting, I guess, she drew
9 the short straw and had to come here, because I felt
10 it was important to have one of the people here to
11 talk about it.

12 Susan is going to run through a
13 presentation rather quickly with you to the bill, so
14 that you can understand the bill. MAFAC has been very
15 instrumental in where we are to this date in
16 discussing this bill. They have given us input. We
17 are internally now developing strategy to hopefully
18 get this through the Hill. We are looking at a
19 business plan for aquaculture.

20 I think, as I said earlier this morning,
21 it looks like there will be a hearing some time in
22 March. We still don't have, or we really haven't gone

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1 and asked yet, but we're looking at who would be the
2 best person to introduce this bill in the House.
3 There's a couple of people in the Gulf who think they
4 would be very much in favor of doing this, but we've
5 got to get it introduced to the House.

6 We want your input. We want this bill to
7 enable the U.S. to get involved in aquaculture in an
8 environmentally manner in a hurry, you know, and not
9 to put our wild harvesters out. So, Susan, I'll turn
10 it over to you.

11 MS. BUNSICK: Okay. Thank you, Bill, and
12 thank you for the opportunity to update you on the
13 bill. Is that good enough?

14 COURT REPORTER: Yes.

15 MS. BUNSICK: Can you hear me? Okay.
16 Thank you for giving me the opportunity to update you
17 on the bill, and I know there is a lot of new Members
18 here, and some of you have heard the outline of the
19 bill before. I just want to add to what Bill Hogarth
20 said. And I really don't mind coming here because I
21 love coming to the ocean, and I take a nice walk along
22 Hollywood, what do they call it, the "Broad Walk" last

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1 night, and I get to do both. I'm going to Las Vegas
2 after this.

3 The purpose of the bill overall authorizes
4 -- sorry, I move around. Here we go. Basically, it
5 authorizes offshore aquaculture to start to develop in
6 the exclusive economic zones. Same area we're talking
7 about for federal fisheries management, 300 to 200
8 miles offshore, the red zone there in that little map.

9 It's immediately in response to the U.S.
10 Commission and Ocean Policy recommendations regarding
11 marine aquaculture, and specifically last year, a
12 little over a year ago, the U.S. Ocean Action Plan,
13 which was the President's response to the Ocean
14 Commission, committed the Administration to
15 introducing an Offshore Aquaculture Bill to Congress.
16 And that's what this bill is.

17 You see up there S.119.5, that's the
18 number. Basically, it would authorize the Secretary
19 of Commerce, and we envision that being delegated to
20 NOAA, the authority issued two types of permits. The
21 site permit, which would be for a 10 year period,
22 renewable in five year increments. Basically, it

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1 gives someone the authority to do aquaculture in a
2 particular area of the exclusive economic zone.

3 They couldn't put anything in the water
4 until they also got an operating permit, which would
5 say, what kind of technology, what kind of cages, what
6 kind of species are you going to grow. And the idea
7 there is the site permit would give that security of
8 tenure to the business, while the operating permit
9 would allow some flexibility if they want to do one
10 kind of species initially, and they decide maybe the
11 market is not there, or they have a better technology,
12 they could adjust their operating permit without
13 having to go back again to get another site permit.

14 Basic key features of the permit system.
15 It would be open to both U.S. and non-U.S. applicants.

16 It would be subject to terms, conditions and
17 restrictions that could be attached to the permit.
18 The permits would be transferable, and they would also
19 be revocable if there are specific violations and
20 issues that would be -- the details on the revocation
21 would be spelled out in regulations.

22 In order to issue the permit, the project

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1 would have to meet environmental requirements. It
2 would have to be compatible with other uses of the
3 EEZ. It would have to address environmental risks.
4 We have a whole section there, it's not on this page,
5 I think it's on the next one, on the environmental
6 issues, specifically address the environmental risks,
7 be consistent with state coastal management plans.

8 There would be authority to establish some
9 safety zones, the coastal staff, the Coast Guard, the
10 ocean safety zones around the site, and the Secretary
11 would also be able to impose fees associated with the
12 permits, require bonds to ensure removal of equipment
13 and gear at the site.

14 The process would be coordinated with
15 other federal agencies. You have got to remember
16 there's other agencies with permitting authority out
17 there, the Corps of Engineers, EPA, other authorities.

18 So, the Secretary of Commerce would have the lead in
19 setting up a more coordinated system to review these
20 other permits in conjunction with the specific
21 aquaculture permits being issued.

22 It would allow concurrent submission of

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1 the site permit and the operating permit, hopefully
2 come up with a decision within under 20 days of having
3 all the information. So, if an applicant submits
4 something, but it's not complete, the clock doesn't
5 start ticking yet, but we want to get a timely
6 decision. That's one of the criticisms, one of the
7 driving forces behind this bill, is we wait too long.

8 It just takes too long trying to do things under
9 current law, which has a lot of gaps and
10 inconsistencies in it.

11 Here is my slide on the environmental
12 requirements. Basically, we are looking at specific
13 risks related to, and I know you can't read this, but
14 natural fish stocks, marine ecosystems,
15 biological/chemical, physical features of water
16 quality and habitat, marine mammals, other forms of
17 marine life, birds, endangered species, and other
18 features of the environment.

19 And, basically, this Section 5 gives the
20 Secretary of Commerce the authority to establish
21 additional environmental requirements over and beyond
22 what EPA already has, and other agencies may already

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1 have. And our plan is to do this for probably a two
2 year rule making process where we go out there and we
3 consult with other agencies. We consult with
4 stakeholders, you know, and this is, well, what sort
5 of environmental -- specifically what sort of
6 environmental requirements do we want to see?

7 And, as I mentioned earlier, the permit
8 holder would have to be responsible for removing
9 equipment, restoring the site. I know you all have a
10 big interest in, you know, the interface between
11 aquaculture and fishing. Basically, the law would
12 exclude aquaculture under these permits from the
13 definition of fishing under Magnuson, which imposes
14 all the limits on how many fish you can have, what
15 time of year, what minimum sizes.

16 However, it does not exempt the
17 aquacultures from other restrictions under Magnuson,
18 like you can't just go out there and collect brood
19 stock without whatever permits would normally be
20 required to collect brood stock.

21 It doesn't remove, you know, the
22 considerations of impacts on essential fish habitats.

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1 Those reviews would still go on under the Magnuson
2 authorities. Requires consultations with Fishery
3 Management Councils, and then the other interface with
4 fishing is, you know, depending on the species and the
5 need for it, the permit condition could include a
6 requirement to somehow mark or track the fish from the
7 aquaculture operation so it doesn't get on the market,
8 you know, you don't have raw fish being, trying to be
9 sold as aquaculture fish out of season.

10 There is also a provision authorizing a
11 Research and Development Program to develop
12 sustainable technologies, and form research
13 partnerships with industry and research institutions,
14 universities.

15 Some other general provisions, the
16 authority to issue rules and regulations. There is an
17 authorization of appropriations. There is no specific
18 amount in there. There is a very strong monitoring
19 and enforcement set of provisions to make sure
20 violators are dealt with and identified.

21 There are some special provisions related
22 to aquaculture that might be associated with an

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1 offshore oil and gas operation or other facilities
2 permitted by the Minerals Management Service under the
3 Outer Continental Shelf Land Act, and it basically
4 requires some concurrence with the Secretary of the
5 Interior on operations there, but there would still be
6 permits issued under this law.

7 And there are some other jurisdictional
8 areas, for instance, the extent to which laws dealing
9 with, you know, theft, or vandalism, and all would
10 apply to protect the operator offshore.

11 The status was already mentioned,
12 basically a quick rundown. It was introduced in June.

13 It was sponsored by the Senate Commerce Committee Co-
14 Chairs, Senators Stevens and Inouye. Bill mentioned
15 there supposedly is a hearing coming up in March. We
16 haven't heard a date yet or anything. We need some
17 House sponsors. Over here there is a press release
18 that came out that basically listed the commitment of
19 the Committee to schedule a hearing soon.

20 There have actually been five amendments
21 proposed so far. Basically, they deal with many of
22 the issues raised by some of the environmental groups,

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1 as well as the fishing industry. It has to do with
2 who is eligible for a permit, what are the
3 requirements for documentation. I mentioned earlier,
4 the bill does not specifically exclude foreign
5 applicants.

6 There are some comments about, you know,
7 how much detail needs to be in the environmental
8 requirements in the bill itself, as opposed to
9 developed through the regulatory process. There is
10 the idea of whether states could opt out of this whole
11 system and show when, and then there was a fifth one
12 introduced. Those were all introduced right away in
13 June ,and then there was a fifth one introduced in
14 September that calls for additional studies before
15 moving forward.

16 And NOAA is working to develop our
17 official position on the amendments that have been
18 proposed so far. Our plan is to work with Congress.
19 We are working with the Legislative Affairs people to
20 enact a bill that could address the concerns, but meet
21 the general intent of what we want to do with this
22 bill.

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1 MS. McCARTY: Can we ask questions as you
2 go, or --

3 MS. BUNSICK: I'm about done, so for more
4 information you can ask me now, or call us later.
5 That was perfect timing, by the way. And the up-to-
6 date status of the bill, the Library of Congress has a
7 website, thomas.loc.gov, as in Thomas Jefferson, and
8 that is where, you know, the hearings are scheduled,
9 if there are more amendments, if there is action on
10 anything, that's where you get the latest, greatest.

11 VICE CHAIR HOGARTH: And this will be
12 published? This will be on your website? You will
13 put this on your website, also?

14 MS. BUNSICK: Yes, yes. But I'm done with
15 my formal presentation.

16 VICE CHAIR HOGARTH: Heather?

17 MS. McCARTY: Mr. Chair, thank you. I'm
18 Heather McCarty. I was wondering about -- can you
19 tell us a little bit more about the amendments that
20 are being proposed, what their nature is and --

21 MS. BUNSICK: Sure.

22 MS. McCARTY: I'm interested in that. It

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1 may be in the book. I just haven't gotten to it yet.

2 MS. BUNSICK: No, it's not there yet. I
3 don't know if that was something that we sent down,
4 but I could make that available to Laurel afterwards
5 in terms of, you know, the text of those amendments.
6 Basically, the permit eligibility one strikes some
7 language, and some of this has some technical
8 implications, legal technical implications.

9 That's why the Administration is looking
10 at it. Well, which language can we accept, you know,
11 whether or not we accept the intent, is that the
12 language you want? The permit eligibility has to do
13 with, you know, whether a non-U.S. company, or a
14 company that does not have an established U.S.
15 subsidiary in the United States, some investor, are
16 they eligible?

17 And that gets tied up in a lot of our
18 international commitments under trade treaties, and so
19 we have to work that out with folks at the Department
20 of Commerce and the trade organizations, the trade
21 agencies within the Government. And that is very
22 closely linked to the vessel one, because the vessel

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1 language right now reads -- the vessels from certain
2 documentation requirements and fishery endorsements.

3 And so they are linked, because if you
4 allow somebody who is not a citizen to get a permit,
5 well, then they can't document their vessel. So those
6 two are pretty closely related.

7 MS. McCARTY: Mr. Chair, are those
8 amendments that are being proposed by Inouye and
9 Stevens -- would they act to make it easier, or more
10 difficult, for foreign companies to participate?

11 VICE CHAIR HOGARTH: Easier.

12 MS. BUNSICK: Go ahead.

13 VICE CHAIR HOGARTH: Right, it's easier
14 for them, right?

15 MS. BUNSICK: Well, if you band them all
16 together, then it's not. I think that comes down to
17 an interpretation of the language.

18 VICE CHAIR HOGARTH: Yes.

19 MS. BUNSICK: If they are not -- well, if
20 they are already a subsidiary, then it's easier for
21 them to operate because they -- I have to check this
22 with the -- I'm not sure if it would be easier or

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1 harder, but--

2 MS. McCARTY: That's okay. I'll look at
3 it. I just was curious.

4 MS. BUNSICK: Yes.

5 MS. McCARTY: And I have one other
6 question, Mr. Chair, if I may.

7 VICE CHAIR HOGARTH: Go ahead. I may have
8 confused the last answer, because I was listening to
9 two different groups on this. I got lots of calls
10 from --

11 MS. McCARTY: Yes.

12 VICE CHAIR HOGARTH: -- from some of the
13 Alaska people --

14 MS. McCARTY: I'm sure.

15 VICE CHAIR HOGARTH: -- that wanted to
16 make sure that they were part of it. Right. We'll
17 find out, though, soon.

18 MS. McCARTY: Okay. The other question
19 has to do with -- and, forgive me, you probably
20 already talked all around these issues in this body,
21 but consultation with regional councils, the Secretary
22 has to consult with regional councils before granting

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1 a permit. Is that what you said?

2 MS. BUNSICK: Well, the details of that
3 are something we are working now on, how that -- I
4 mean, the Act doesn't have the details as to
5 specifically how that would work.

6 MS. McCARTY: Okay.

7 MS. BUNSICK: So that is something we have
8 started to look at internally.

9 MS. McCARTY: Okay. That's what I was
10 going to ask for was the details, but we know it's not
11 there yet. Okay. Thank you.

12 VICE CHAIR HOGARTH: But we thought rather
13 than put that in the bill, that that would be
14 developed in the regulations, but our intent is that
15 we'll work closely with the councils, because we would
16 -- you know, from a management standpoint, too, you
17 know, you have to work with them on sizes, and also
18 which species you work with, you know.

19 MS. McCARTY: Right.

20 VICE CHAIR HOGARTH: The Gulf Council, by
21 the way, is moving pretty fast to have their own
22 aquaculture FMP, and they may beat all of us into

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1 getting something done.

2 MS. McCARTY: If I could, could I ask one
3 more question?

4 MS. BUNSICK: Sure.

5 VICE CHAIR HOGARTH: Of course you can.

6 MS. McCARTY: Thank you. As I know you're
7 all aware, Alaska fishermen don't like this very much.
8 I think the major problem they have with it is not so
9 much environmental, but marketing issues. And I know
10 you have had these discussions, as well.

11 Has there been any attempt in drafting
12 this bill, or in any of the amendments that might be
13 proposed, to deal with those issues and to set up a
14 process whereby some of these concerns might be
15 addressed now, and in the future?

16 VICE CHAIR HOGARTH: Well, I think two
17 things. Some of those we felt like would be developed
18 in the regulatory, the DIS and the regulatory package
19 to really implement this. I have a feeling that that
20 will be some of the things that will be discussed in
21 the hearing, and changes to the bill before it
22 probably goes forward, and we're willing to work with

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1 that.

2 Yes, the other problem we have seen, I
3 have seen a lot of times when you write bills that we
4 get -- we try to implement them, and then it's not --
5 we get on both sides of implementing them whether we
6 want to or not. Central Fish Habitat, we still have
7 lots of problems with that bill and they think we're
8 voting for what they think they've done through
9 regulations.

10 So I'm personally happy with more goal
11 posts than maybe we happen to have, but if you get
12 into all the details, if it is not going to work in
13 the Gulf, then it won't work in New England, won't
14 work in Alaska. So we really do need to do this in
15 regulations.

16 Now, if this bill were passed tomorrow,
17 which it won't, but just say it was passed by June, it
18 will be, I would say, two or three years before you
19 really still see it in permit. It's going to take
20 that long to have the scope of the meetings and to do
21 the DIS and to do the regulations, you know?

22 I think that's where a lot of these things

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1 should be done, but to get it through, you know, I
2 would be very disappointed if it doesn't pass in some
3 form, because I think this will be a blow to the U.S.
4 fishery industry for the future, personally, I do.

5 MS. McCARTY: I agree with that, but I
6 think you have to address some of these problems or
7 else you're going to have so much opposition that --

8 VICE CHAIR HOGARTH: And they got to put
9 them out and we've got to address them, right.

10 MS. McCARTY: Yes.

11 VICE CHAIR HOGARTH: If we don't, then
12 we're dead. And I think another thing that seems to
13 be confused, most of this, is aquaculture is already
14 used so much for enhancement, you know, 35 percent of
15 all the salmon in Alaska are hatchery, red drum. We
16 have lost that in this discussion, for some reason.
17 It has become something else, and we have got to get
18 back to it, and we have got to address it. If we
19 can't address the people's concerns then, you know, we
20 have got trouble.

21 MS. McCARTY: Thank you.

22 VICE CHAIR HOGARTH: Other questions?

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1 Yes, Eric?

2 MR. SCHWAAB: Thank you. Just --

3 COURT REPORTER: Identify yourself,
4 please, sir.

5 MR. SCHWAAB: Eric Schwaab.

6 COURT REPORTER: Thank you.

7 MR. SCHWAAB: You know, I was looking at
8 it - it looks to me like, from these numbers, that
9 it's somewhere in the neighborhood of 30 percent of
10 domestic consumption comes from offshore, overseas
11 aquaculture facilities.

12 And I just wonder, given the fact that
13 some of the big concerns relate to, you know,
14 environmental protection for domestic facilities,
15 whether there has been any kind of comparison done to
16 look at, for example, the environmental sustainability
17 of some of those overseas facilities.

18 I mean, it strikes me that this is very
19 similar to what the timber industry went through 20
20 years ago, where we had all kinds of concerns about
21 environmental effects of local production, and zero
22 concern about the impacts of imports and environmental

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1 impacts overseas.

2 And one of the things that I think really
3 turned the tide on that issue was sort of beginning to
4 compare what we do here on a sustainable basis under
5 effective environmental regulation is much better than
6 what we're importing from other places, and with the
7 oceans being interconnected, it's just so much more
8 obvious.

9 VICE CHAIR HOGARTH: Yes. We are looking
10 at some of that, I think, you know, and we are. And
11 one of the problems is, we don't want -- how do I say
12 this? I don't want to do something that is going to
13 sort of impact our process and industry and the
14 seafood restaurants and all that now. If you start,
15 you know, casting doubts, or stones at imports, when
16 we got so much imports into the country, 70 percent of
17 our imports, our seafood is import, then you can do
18 damage to a lot of your processing and seafood
19 industries here.

20 I think what we got to point out is that
21 we'll have much stricter control over what is used to
22 put on the fish to preserve them, or what is used as

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1 far as how they are treated for disease and things.
2 You know, we will control that, I think, much better
3 than what's -- and this has gotten to a point.

4 Let me tell you. We had just started and
5 note -- it's really not -- we made no fanfare about it
6 or anything, because we're just doing it as a service,
7 but the inspection people are now overseas inspecting
8 seafood for Safeway and a couple other of the large
9 chains, because they said that they wanted us there
10 before the seafood comes into the country. They have
11 had some problems, but so quietly we're over there
12 doing this. But, you know, we got to walk this fine
13 line of what you do. Yes, Steve?

14 DR. MURAWSKI: Steve Murawski. Bill, Eric
15 makes a good point about the environmental issues
16 associated with aquaculture offshore, and there really
17 is an issue of whether or not the United States is
18 exporting its environmental issues to particularly the
19 third world --

20 VICE CHAIR HOGARTH: Right.

21 DR. MURAWSKI: -- in practices that would
22 never be allowed in the United States. And the value

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1 of shrimp imports last year, in 2004, was \$3.7
2 billion, right, which is the total value of all fin
3 fish fisheries in the United States, so it's huge in
4 terms of its potential footprint.

5 So if the United States develops best
6 practices in offshore aquaculture, and then tries to
7 make sure that other people, you know, follow those
8 best practices, particularly in terms of technology
9 innovation, you know, we could actually help, you
10 know, lift the entire industry up a little bit in
11 terms of doing this. So that's one reason to try to
12 do this.

13 MR. SCHWAAB: Yes. I mean, you allude to
14 that in this one fact sheet that's in the handout,
15 which I think may be a good way to go forward without
16 -- you know, while addressing Bill's concern, I mean,
17 sort of exporting BMTs.

18 VICE CHAIR HOGARTH: Right.

19 MR. SCHWAAB: And demonstrating those
20 kinds of things is a good argument, a good message.

21 VICE CHAIR HOGARTH: And I think Congress
22 is very sympathetic to that. What our fishermen are

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1 subjected to, a lot of times we can get through
2 Congress like TED, for example, you know, those
3 restrictions. And so I think, you know, we could do
4 more if we have something in place. Linda?

5 MS. CHAVES: Yes. Linda Chaves. We are
6 actually working through the FAO Subcommittee on
7 Aquaculture, which was just established relatively
8 recently. And one of the things that we recently did
9 was convene a workshop on coming up with risk
10 assessment protocol for fin fish aquaculture, and
11 we'll be delivering those to the FAO Subcommittee
12 later on this year.

13 We're getting some interest from other
14 countries, so we can start looking at this whole issue
15 of risk assessment throughout other countries, so that
16 we're all using the same baseline, so that we end up
17 with information that can be compared. And we do want
18 to export our best methods and practices through the
19 FAO process to developed and developing countries.

20 VICE CHAIR HOGARTH: Okay. I think Tom,
21 and then Peter.

22 MR. BILLY: Yes, thank you. Tom Billy.

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1 As I think about this legislation, and aquaculture in
2 general, I think of it from the consumer's perspective
3 and, recently, the Scientific Advisory Committee that
4 deals with the nutritional guidelines that are
5 recommended for U.S. citizens, it's recommended that
6 U.S. consumers increase their seafood consumption to
7 two meals a week from the current average of one meal
8 per week.

9 And if you project that out, and Linda
10 Chaves has a graph if you want to see it, it
11 represents increasing current demand for seafood in
12 round weight from 7 million metric tons, currently, to
13 14 million metric tons by 2025.

14 And it seems to me that aquaculture done
15 properly with the right safeguards that represent best
16 practices, provides an opportunity for the U.S. to
17 have, not only economic development, but some of the
18 things that Bill and others have mentioned in terms of
19 alternatives for current fishermen, and providing a
20 significant amount of that increased demand from our
21 own domestic production.

22 You're going to hear more on the next

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1 agenda item about the health justification for
2 increasing the seafood consumption, and it could well
3 be with the science that is now being conducted that
4 it could lead to even more demand for seafood in the
5 future. And so I don't think we should underestimate
6 the importance of, not only the development of
7 aquaculture potentially in the U.S., but the
8 opportunity to provide worldwide leadership in terms
9 of best practices.

10 I think that's very significant because
11 the demand is going to drive the supply. It's either
12 going to come from here or somewhere else, as it is
13 now, and I think we can be world leaders in the FAO
14 forum and other forums if we choose to do so.

15 Finally, it's not entirely clear to me
16 what you want from this Committee. We have been
17 informed, but is there a specific action you would
18 like us to take at this meeting, to take a position,
19 to draft a letter to the Secretary, to do something,
20 the types of things that this Committee has done in
21 the past?

22 VICE CHAIR HOGARTH: Tom, I think it would

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1 be good if MAFAC would -- yes, some form of
2 recognition that you have reviewed this and you
3 support it, or you think that there are other things
4 that need, you know, to be done and, you know, I think
5 this would help.

6 I mean, if you think that there are other
7 things, you know, other things that we need to be
8 doing in this bill, that we need to change this bill,
9 I mean, I don't have any problem with that being
10 pointed out, but I think it would be helpful for the
11 MAFAC to have some record of the involvement that you
12 have had, because you have had a lot of involvement,
13 probably more than any one group has had.

14 And, you know, if the group agreed to
15 support it -- well, I hope the group could agree to
16 support it, but if not, what would it take to make you
17 be able to support it? I think it's the type of thing
18 we need to know, because we do need -- if MAFAC
19 doesn't support it as an advisor to the Secretary,
20 then there's probably some problems. There's some
21 problems there, but what would it take to make you be
22 able to support it.

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1 The other thing is that Sea-Grant is
2 heavily involved in this -- let me tell you this real
3 quick -- and we with Sea-Grant, and we have put out a
4 call for proposals for \$4 million this year for pilot
5 projects in aquaculture. It won't fund a lot, but we
6 think it will fund enough to get some things going on,
7 and that is on the street now. It closes February the
8 20th?

9 MS. BUNSICK: February 28th.

10 VICE CHAIR HOGARTH: Yes.

11 MS. BUNSICK: This is Susan Bunsick.

12 VICE CHAIR HOGARTH: Yes. Okay. Peter?

13 MR. LEIPZIG: Yes. Pete Leipzig. I'm
14 curious about the mechanisms for the proposed
15 amendment for the states opting out. I can see how
16 giving the states an opportunity to opt out could
17 politically bring some support to the legislation, but
18 extending states jurisdiction is also a slippery
19 slope, in my mind.

20 VICE CHAIR HOGARTH: Yes.

21 MR. LEIPZIG: How would the states do it?

22 What would the lines be? How is that going to be

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1 established? I haven't seen the amendment, so I'm
2 curious.

3 MS. BUNSICK: Okay. Well, yes. Well, the
4 amendments were not proposed by the Administration, so
5 we're still developing what our position is on that,
6 and those are the very issues that would need to be
7 looked at.

8 MR. LEIPZIG: Okay. So it's a conceptual
9 amendment, or is there text to the amendment?

10 MS. BUNSICK: There is. The amendment,
11 there is text to the amendment and I could --
12 actually, before I leave here I could copy a document
13 and leave it with you all that shows you the exact
14 text. But, yes, there was a specific text provided as
15 an insert to the bill that said these are the opt out
16 provisions.

17 VICE CHAIR HOGARTH: Yes. We need to get
18 those forms as I consider this.

19 MS. BUNSICK: Yes, I could do that before
20 I leave, yes.

21 MR. LEIPZIG: I would like to see it.

22 VICE CHAIR HOGARTH: Okay. Ken, and then

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1 Ralph.

2 DR. ROBERTS: Thank you, Dr. Hogarth. Ken
3 Roberts. I'm going to try to think out 20 years. I
4 don't have a copy of the bill in front of me, but the
5 synopsis I have. The way the permitting is described,
6 it's described on a site-specific basis, and I'm sure
7 that's the way we're thinking because of net anchoring
8 and offshore oil structures and whatnot.

9 I think it might be good to prepare, at
10 least conceptualize, that there might be mobile
11 aquaculture sites that are related to ocean-going
12 barges or ships or something like that, and let's
13 think about it now while we're doing this instead of
14 thinking that siting is a single space.

15 And I have a basis for doing that in terms
16 of economics that I think might be better than being
17 in one particular site, you know, everything from
18 storm evasion to better environmental conditions and
19 whatnot. So I think the technology may one day evolve
20 there, and I think thinking of permits solely as a GPS
21 point on a map might be a little too shallow. I think
22 we'll need to think about it a little bit further.

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1 Section 6 in the bill, which deals with
2 authorizing of a research program, again, I don't have
3 the bill, I just have a synopsis of it, I think there
4 needs to be more thought about how it just seems to
5 authorize a research program. And you mentioned Sea-
6 Grant. I'm thinking back about how the Land Grant
7 Program put food on the table.

8 And, again, thinking out 15 to 20 years,
9 that there are diverse ways to approach research. You
10 can do it within your own organization. You can do it
11 through grantsmanship. You can do it through
12 designating centers at regional university type
13 approaches. You can have regional aquaculture
14 programs like the Southern Regional Aquaculture
15 Center, and other ones they have around the country.

16 So I think if you deal with something
17 that's a support and a stimulator, I think the Act
18 needs to take a -- or the bill needs to take a little
19 more detailed look at research. That would be my
20 preference, anyway, in looking out 15 to 20 years to
21 get the structure. One thing I don't see in the bill
22 is a thing that's very popular and very useful in the

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1 technology field, is business incubators at
2 universities.

3 You know, this isn't all just science.
4 It's about how business structures itself, raises
5 capital, attracts talent, and goes about developing
6 products to market. And I think there is a stage in
7 there that the business incubator type approach has
8 some potential merit as part of the research package.

9 And I don't see that in the bill, and I think that
10 might be reasonably good to have in there.

11 The other thing I don't see is, it seems
12 like, generally, we're dealing with the grow out
13 phase. That's the permit. The permit is to go out
14 here, and you've got a site, and then you have an
15 operation permit. Again, I'm getting back to research
16 and I'm thinking 20 years or so. I just don't see the
17 research and the infrastructure setup that involves
18 hatchery technology and singling production.

19 You know, if you look at the deficit we
20 have in balance of trade and seafood, I'm a little
21 rusty in this, but I think the two biggest components
22 are probably salmon and shrimp, and the shrimp clearly

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1 first. We're not going to close that gap with
2 offshore aquaculture that I can see. I may be wrong
3 20 years from now.

4 In salmon, we're already competing against
5 it, and probably not too well with our salmon
6 aquaculture people that operate and that handle the
7 initial waters. So our real opportunity to close the
8 gap is probably 40 percent over there that we can
9 attack, and I think it's going to take a lot of
10 focused effort at the hatchery, the singling and the
11 brood stock baseline kind of thing, framework, to get
12 offshore aquaculture going. I would hope the research
13 program is going to make an investment in that.
14 Anyway, those are comments, not questions.

15 MS. BUNSICK: Susan Bunsick. We are
16 looking at a lot of that in terms, already. The thing
17 is, the act was focusing on where are the gaps in
18 authority, and what specific authorizations do we
19 need, you know, to manage the offshore, but your
20 comments are very good.

21 VICE CHAIR HOGARTH: Again, I think, you
22 know, the question is can we -- unless we have

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1 authority to do this and people see that there is a
2 future, because right now there's no authority,
3 really, when you get to this stage, or do you try to
4 put all of these things in a bill? And we have chose
5 not to put them in the bill, but in the policy
6 statement, knowing that this is something that will,
7 hopefully the bill will set the stage for future work
8 and that's what we -- and now, maybe we're wrong.

9 I mean, it's a good discussion point.
10 But, yes, let me get Ralph and then Tom. Let me get
11 Ralph first. Okay.

12 MR. RAYBURN: Ralph Rayburn. I guess one
13 of the problems that I have had watching the bill
14 evolve is the lack of incentives to stimulate offshore
15 aquaculture, and that can be not only the facilities
16 in the offshore, but as Ken mentioned also, facilities
17 onshore, the hatcheries and those kinds of support
18 mechanisms. Yet, it seems, as I recall, in the mid
19 '90s or the initial Fishery Conservation Management
20 Act, there were at that point in time a recognition of
21 opportunities in fisheries and incentives for those.

22 Obligation guarantee for fishing vessel

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1 construction, capital construction for a tax deferral
2 process, to build capital up to reinvest, those kind
3 of things. So it seems to me from the early stages,
4 and maybe I was just jaundice at this, efforts to,
5 obviously, to set up the authority, but also efforts
6 to extract a royalty from these operations and
7 permitting fees and things like that.

8 So, it set the focus more of trying to
9 capture money, funds from innovators that would get
10 into this without an equal opportunity on behalf of
11 the Government to actually put the money where the
12 mouth is, that \$11 billion trade surplus -- I mean,
13 trade deficit in seafood products is an issue within
14 our country, and one way to deal with that is to
15 create an offshore aquaculture, and we're willing to
16 put our money down through these obligation guarantees
17 or capital construction or something like that to
18 actually stimulate the development of offshore
19 aquaculture and provide some financial structure for
20 those that wish to get involved in it that they could
21 go to capital lending institutions and have the
22 Government backing of those loans.

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1 So, I guess I've always, even though I
2 recognize that this is just to set up the framework,
3 it seems like it's some opportunity within the
4 legislation to at least have a regulatory authority
5 over the -- those types of incentives would be some --
6 I think, a more favorable position. And actually say
7 the Government is interested in offshore aquaculture;
8 they are interested in the deficit. They do want to do
9 something about it, rather than set up the authority,
10 and anybody that can, you know, get out there and
11 face the type of situations you have in the offshore,
12 go for it, you know. That's not the way we have done
13 it in the past. So it shows a little bit.

14 I also would be interested to maybe see
15 the, you know, implications of the Energy Bill where I
16 guess in that, as I understand it, Minerals Management
17 was given some authority to regulate other activities
18 on the continental shelf beyond just oil and gas. And
19 I think there maybe is a Register notice out now where
20 MMS is soliciting comments on how expansive that
21 authority should be, whether it is just related to
22 offshore oil and gas structures and any other

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1 activities that are associated to that, which I think
2 could include aquaculture, or whether it is a broader,
3 leasing permitting type initiative.

4 Has the office done anything looking at
5 that and seeing whether or not, in fact, that may
6 preempt even this legislation? That's a question.
7 The other was just rhetoric.

8 MS. BUNSICK: Yes. Thank you. Susan
9 Bunsick. Actually, that's in my bag as one of the
10 things I'm reviewing. My initial reading of what MMS
11 published recently for comment seemed to me to
12 indicate that whoever wrote the notice was well-aware
13 of our legislation, because they mentioned
14 aquaculture, and they are really looking in terms of
15 they don't want to supersede other authorities, and
16 it's really aquaculture that is, you know, on a
17 facility, you know, on one of their facilities.

18 And our language does include mechanisms
19 to work with Minerals Management Service to coordinate
20 that process. They made a very good case as to why
21 they need to be engaged for, you know, worker safety
22 issues, and structure maintenance issues and,

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1 obviously, we do want the liability issue.

2 So, I haven't prepared my official
3 comments, but my reading was that they are looking at
4 a lot of the same issues we are, too.

5 MR. RAYBURN: Yes.

6 VICE CHAIR HOGARTH: Well, they have done
7 that, too. They have signed off on this legislation,
8 because when you do legislation in administration, it
9 goes through everybody. God, does it go through
10 everybody. And some of them just take real advantage
11 of it, I think, to get their comments in, and it's
12 difficult at times. With Magnuson we had a heck of
13 time with the Treasury Department just understanding
14 what we meant by IFQs and things like that.

15 In this we had some real issues with the
16 Interior up front, but they all got worked out and
17 signed-off. So the bill itself has got Administration
18 approval from all agencies. So if they do something
19 different, then we would have to go back and work that
20 out. Yes, Tom?

21 MR. BILLY: Yes, just a reminder, as Ralph
22 made his points, it reminded me that, at our last

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1 meeting, we asked NOAA Fisheries to develop a 10 year
2 plan, and that that plan contain a comprehensive
3 presentation of the goals and objectives that NOAA
4 would put forward for our consideration in terms of
5 aquaculture development here in the U.S.

6 The plan would position this Act or this
7 bill in terms of the role that we would play in the
8 bigger picture in terms of what kinds of research,
9 what kinds of development, what kinds of financial
10 assistance, who they would expect to be the players
11 within the NOAA community as well as others.

12 So, my understanding is that they are
13 working on that 10 year plan, and it should be ready
14 for our next meeting in July. And so I would
15 recommend that we make aquaculture a major item on
16 that agenda, and have an opportunity to look at that
17 plan in advance, and then provide some detailed input
18 to that process.

19 VICE CHAIR HOGARTH: And we will do that.

20 I promise we'll do that. Heather? Okay.

21 MS. McCARTY: All right. Thank you, Mr.
22 Chairman. Heather McCarty. I would like to make a

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1 couple of comments. I had some questions before, so
2 you probably know where I'm going. I look at this
3 from an Alaska perspective, but in a couple of
4 different areas, and I think it applies to other
5 places in the United States, as well, perhaps. And
6 those two areas are the foreign ownership issue, and
7 the market issue.

8 As far as foreign ownership goes, I don't
9 know what these amendments say, and I'm not familiar
10 enough with the language that's already in there to
11 know exactly what the rules are, but it looks to me as
12 though there aren't many, at this point. And that
13 foreign ownership could play a pretty big role.

14 In Alaska, as you probably know, there are
15 a number of seafood companies, most of which are owned
16 by foreign countries, or people from foreign
17 countries. And it has been a sore point for the whole
18 history of the state that a lot of the benefits of the
19 seafood resource in Alaska accrue to those countries
20 rather than to the United States, and particularly
21 rather than to the State of Alaska.

22 This is a sticky issue, and it has been

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1 around for a long time in a lot of different contexts
2 in Alaska. I think that, before I want to put any
3 stamp of approval on anything, I would like to see how
4 that works. What are the economics of that? If the
5 balance of trade issue is an important one, which it
6 seems to be, and it seems to be one of the things
7 that's driving this, we want to make sure that the
8 benefits of the Offshore Aquaculture Program really do
9 accrue to the United States, and to the individual
10 states. I think that's a really important thing.

11 Perhaps the onshore facilities, the
12 research and all the things that Ken Roberts just
13 talked about, could go some in that direction to help
14 make sure that the benefits are accrued to the folks
15 in the country. And that sort of ties in with these
16 market issues.

17 Perhaps, as part of this research and
18 development section, there could be some emphasis on
19 research into really understanding what the economics
20 of these offshore aquaculture products might do, not
21 just to the country, but to the coastal communities
22 and the states where they are going to be close to. I

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1 think that is a necessary part of what we need to
2 understand before we put some of these things in
3 place.

4 I spent a number of years as the marketing
5 manager for the largest salmon ranching operation in
6 North America in Prince William Sound, and when they
7 put that program together, they did a really good job
8 of deciding how it would look and where it would be
9 and what it would produce, but they didn't do a very
10 good job of figuring out what the market situation
11 would be at the other end of it, and who would benefit
12 from the program.

13 I think, before people should be
14 comfortable with this, they should know the answers to
15 some of those questions.

16 VICE CHAIR HOGARTH: Go ahead.

17 MS. BUNSICK: Susan Bunsick. We do have
18 an economic study underway now that will have results
19 later this year that will look at many of those
20 issues, and you will have to go look at the outline to
21 see if it covers all the things you listed.

22 VICE CHAIR HOGARTH: We need to get,

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1 Susan, all the amendments, and put words off and get
2 them to them today.

3 MS. BUNSICK: Yes, I can do that for you.

4 VICE CHAIR HOGARTH: We'll get you all the
5 amendments and the wording of the amendments. I think
6 all of you probably have the bill, right? If you
7 don't have the bill, we can get you a copy of it. But
8 we'll get you the amendments and the exact wording of
9 the amendments. Mary Beth?

10 MS. NICKELL-TOOLEY: Thank you, Mr.
11 Chairman. Mary Beth Tooley. The thing that comes to
12 my mind when I think of increased aquaculture is an
13 increased need for feed to support those operations.
14 And I was just curious if there is anything in the
15 bill that would address that.

16 You know, an increased need for feed can
17 put stress on other wild species and, you know,
18 developing feed sources for an increase in aquaculture
19 is sort of a long-term planning process, and is
20 something like that underway, or addressed in the
21 bill?

22 VICE CHAIR HOGARTH: There is a lot of

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1 work going on on feed already. You know, the fact
2 they are using vegetation, experiments now with
3 vegetation for food, some supplemental from Omega 3.
4 There is a lot of work going on. In fact, we have one
5 lab that does a lot of research in feed. But it's not
6 addressed in this bill. It would have to be addressed
7 in the regulations, but it's not addressed in the bill
8 itself that I'm aware of. Susan?

9 MS. BUNSICK: I mean, the feeds issue is
10 not specific. Well, the environmental impacts are
11 addressed, so to the extent you say the impact on wild
12 species and the ecosystem I think indirectly it does
13 address the feeds issue. But I think it's tomorrow
14 morning at the Aquaculture Conference, the soybean
15 growers are very interested in this, because they see
16 aquaculture feeds is a market for their product.

17 So, I mean, there are other feeds mixes
18 being, you know, experimented with. Of course, you
19 have to look at what does that do to the flavor of the
20 fish, the growth rate of the fish, the health of the
21 fish, and all of those issues. But it's something
22 that's important to the industry as well as

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1 environmental groups.

2 MS. NICKELL-TOOLEY: Yes. I mean,
3 certainly in New England we have a large lobster
4 fishery that is supported by the -- that is fresh fish
5 coming out of the ocean, and it has often been
6 suggested that the New England Lobster Fishery is an
7 aquaculture, you know, fishery in itself, and there
8 has certainly been a lot of work done to try to
9 develop other bait sources from rawhide to, you know,
10 orange pulp from the State of Florida.

11 We have some of that in our ship, but they
12 haven't found anything to replace herring or other
13 fish sources that really support the fishery in the
14 same way that have the same nutrition and the overall
15 health of the species. So as aquaculture, you know,
16 increases, then these issues all become more
17 important.

18 VICE CHAIR HOGARTH: We do have the
19 economist coming, I think, tomorrow, that has been
20 working on this. Don Ord will be here tomorrow, so
21 we'll try to find some time to get some of the
22 economic stuff.

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1 MS. CHAVES: Linda Chaves. One of the
2 things that's really important in the feed issue, is
3 if you take a look at fish meal production over the
4 last 20 years, it really hasn't changed that much. It
5 has been pretty much, you know, up and down, up and
6 down, a pretty much straight line.

7 What has changed is the amount of fish
8 meal that's going into aquaculture. Still, I don't
9 have my number right in the top of my head, but I have
10 got it on the slide, I think about 90 percent of all
11 fish meal production goes into other things in
12 aquaculture, and you're slowly seeing that change, but
13 very, very slowly as the aquaculture industry is
14 willing to pay more than, say, chicken or cattle or
15 pigs.

16 So I think we're going to see that
17 continue to happen but, at the same time, we do need
18 to address other feed sources, and mixing and
19 determining, you know, when is it most important for
20 fish to have fish meal? Is it right before it's sold,
21 you know, that last period of time, so that you can
22 get the -- make sure the Omega 3s are all there. I

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1 just thought I'd offer that.

2 VICE CHAIR HOGARTH: 30 percent of the
3 global goes to aquaculture.

4 MS. CHAVES: 3 percent?

5 VICE CHAIR HOGARTH: 30.

6 MS. CHAVES: Not according to the FAO
7 Study I've got.

8 VICE CHAIR HOGARTH: Right now, about 30
9 percent of the global fish meal production goes to
10 aquaculture. Most fish meal goes to the chicken/pork
11 industries.

12 MR. SIMPSON: Worldwide.

13 VICE CHAIR HOGARTH: Worldwide, yes,
14 worldwide.

15 MR. SIMPSON: Domestic, she is probably
16 right.

17 MS. CHAVES: No, I'm talking about an FAO
18 Study that I just got.

19 VICE CHAIR HOGARTH: As usual, it is -- we
20 certainly do have problems with numbers. Well, the
21 next page says about 70 percent of the fish meal used
22 in aquaculture is used -- that's used by salmon, trout

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1 and shrimp. Okay. Figure that number out.

2 MS. NICKELL-TOOLEY: Well, just to follow-
3 up very briefly on that. Those species that are
4 harvested to go to fish meal, or whether or not you
5 have fisheries that are directed directly, you know,
6 fish meal, or you're going, okay, and catching that,
7 then that's all going to be processed. You know,
8 those become, you know, something very political.

9 The herring SMP in New England, you cannot
10 directly fish for herring and send it to a meal plant.

11 You can send it on a truck up to Canada where it can
12 go to a meal plant, but not in the U.S. So, I mean,
13 you know, it can create fisheries that don't exist when
14 there's a demand for fish meal, so I, you know, think
15 it makes sense.

16 MS. CHAVES: But it is very --

17 MR. JONER: Dr. Hogarth, you mentioned in
18 your introduction to this that --

19 COURT REPORTER: Identify yourself,
20 please.

21 MR. JONER: I'm sorry, Steve Joner. There
22 are two parts to this. One is the grow out for

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1 market, and the other was for supplementation of wild
2 production, wild fish. Is that part of the bill? Is
3 that included in there?

4 VICE CHAIR HOGARTH: Yes, please.

5 MS. BUNSICK: Well, to the extent -- Susan
6 Bunsick. To the extent that your permit is going to
7 be for an enhancement project, yes, but if you're not
8 going to be sited in the exclusive economic zone, you
9 know, you're going to do that. You're going to grow
10 your fish in hatcheries on land, or you figure you're
11 going to have your fingerlings maybe in your shore
12 areas that are under state permitting systems.

13 In terms of the research, if you're doing
14 research on a species and, you know, brood stocks and
15 things like that, the outcome of that research could
16 be you're going to release them into the wild or
17 you're going to put them in a cage and throw them out,
18 or maybe you're going to put them in a cage and grow
19 them to a certain size and you're going to be in the
20 EEZ. And then release them.

21 VICE CHAIR HOGARTH: But it basically
22 includes enhancement.

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1 MS. BUNSICK: Yes.

2 VICE CHAIR HOGARTH: Yes.

3 MR. JONER: I think that's important
4 because, I guess, if you're going to have somebody mad
5 at you, you may well have everybody mad at you. So,
6 with the Makah Tribe, we got involved with the
7 Northwest Science Center in looking into aquaculture
8 of sadle fish and, of course, that got the long liners
9 upset, Alaska fishermen. None of them missed an
10 opportunity of letting me know what they think about
11 it.

12 But even within the tribal fleet, we had
13 some people that were strongly opposed to it because
14 of the history and the example of the experience with
15 Atlantic salmon. And, yet, I see this as a great
16 opportunity to help some of these coastal communities
17 that frequently face disasters due to declining fish
18 stocks, declining harvest opportunity.

19 And if this is done as a fishing industry-
20 based initiative, something that will really benefit
21 the communities, and I don't know how that works, you
22 know, with all the laws and so on, but if it's done in

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1 a way that favors, targets the communities as being
2 the ones to do this rather than these foreign
3 investors, I think that is critical. And some of the
4 Makah fishermen saw the value of this, and invested
5 their own money into the research. When the Science
6 Center started to run out of money, a couple of
7 fishermen supported the Blacktop Project for a year or
8 two. And then as part of this, we saw the need to try
9 to get some enhancement going because of the over-
10 fished status of many of our stocks. And, of course,
11 that brought in the opposition from the anti-hatchery
12 groups.

13 And, again, using salmon as an example of
14 how things are done improperly, but there are some
15 good examples of salmon hatcheries that were run
16 properly, and have served the goal of enhancing or
17 supplementing wild production, and it's not all bad.
18 So I think these two really go hand-in-hand, really
19 would lead to the success of the bill and the program.

20 VICE CHAIR HOGARTH: Okay. Larry?

21 MR. SIMPSON: Thank you. Larry Simpson,
22 Gulf of Mexico. I think the comments are wonderful

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1 and excellent. It gets down to, after the studies and
2 after the comments about specifics, would you be
3 better off with a National Aquaculture Act, or not?
4 And I think in the Gulf there is still some
5 reservations about some aspects of aquaculture.

6 I think the answer is yes. And, you know,
7 you got to address the feeds. You got to address the
8 fees. You have to address the locations. You have to
9 address the data and separating wild stock from
10 aquaculture, in-season and out of season. Some of the
11 big concerns in the Gulf are the environmental bonds
12 associated with these things, you know, what is going
13 to happen if the world comes to an end, and who is
14 going to pay for cleaning all this up?

15 Now, we have had that occur on land base,
16 and we don't want it to occur offshore. The issue of
17 foreign activity I think is important. The framework,
18 and Ralph mentioned the framework, is all there about
19 how to address this. I'm concerned more about the
20 shutdown procedures. I'm more concerned about the
21 long-term effects of markets, and how that would
22 occur. And, ultimately, I'm concerned about, once you

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1 institute something, how are you going to maintain the
2 political will to make changes?

3 I mean, everything is good and optimal
4 until you get into the level of too much magnitude.
5 Imports in shrimp are very good. You can't have the
6 product on the market without imports. Then you get
7 to the sticky question of, how much is too much. You
8 know, when I first started working in this business,
9 it was about 40 percent imports into this country in
10 shrimp. Now, it's, you know, 70, 80 percent. It's 90
11 to restaurants.

12 I mean, it's the issue of magnitude, and
13 where is the political will once something is
14 instituted to make changes. But overall, Bill, I
15 would have to say, at least in the Gulf, you're better
16 off having it. It's a good thing to discuss things as
17 finitely as you can, and as detailed as you can, but
18 it's all -- you're never going to answer your question
19 about marketing.

20 That's going to be the political will of
21 how to deal with it. It says consulting will consider
22 the markets. Well, you consider it and still do it.

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1 That's not going to answer your issue.

2 VICE CHAIR HOGARTH: Thanks, Larry. Eric?

3 We might have to cut it off after this, but we have
4 one public person who wants to speak, too.

5 MR. SCHWAAB: Eric Schwaab. I will try to
6 do this quick. Actually, Steve hit on a point that I
7 was really thinking about over here myself in kind of
8 a somewhat different way, but I think this opportunity
9 for integration of aquaculture operations with wild
10 stock fisheries is really sort of a compelling
11 argument. And with the focus in Magnuson on dedicated
12 access privileges, it becomes I think even more
13 compelling, and the opportunity becomes even greater,
14 whether it's for grow out or whether it's for market
15 timing or something along those lines.

16 And I just wonder if there is anything
17 either in this bill, because I don't recall, or in the
18 Magnuson Bill, that would sort of create the
19 opportunity for that integration that would be perhaps
20 something, there would be something in it for
21 fisheries to target wild stocks, and sort of go down
22 that road a little further. It just kind of was

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1 occurring to me, and Steve like touched on something
2 very similar.

3 VICE CHAIR HOGARTH: I don't think it's
4 anything specific. We need to think about that, but
5 it isn't, Eric, right now.

6 MR. SCHWAAB: There might be some
7 opportunity there.

8 VICE CHAIR HOGARTH: Yes, I think we all
9 realize that, but the one thing we were really
10 concerned about is, we don't want to get to put and
11 take fisheries in this country. I think that's
12 dangerous, but there's a point at which you can do.

13 MR. SCHWAAB: I'm thinking more along the
14 lines of take, hold, and then time.

15 VICE CHAIR HOGARTH: Yes, yes.

16 MR. SCHWAAB: I mean, and there are some
17 places where that is happening already.

18 VICE CHAIR HOGARTH: Right, yes.

19 MR. WORTH: I shocked myself here. It's
20 not usually cold in South Florida, but when it is you
21 shock yourself. Mark Worth again from Food and Water
22 Watch in Washington, D.C. We're a nonprofit consumer

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1 group, and I want to thank Dr. Hogarth and Ms. Bryant
2 for allowing me to speak, bending the rules, perhaps,
3 but I appreciate it.

4 I comment today to express our concerns
5 about NOAA's aquaculture legislation. We are very
6 concerned about the impacts that large scale
7 commercial aquaculture may have. Water flowing out of
8 fish farms can carry excessive nutrients,
9 particulates, metals, antibiotics, pesticides, and
10 other chemicals that may pose serious problems to
11 water quality and the environment.

12 Marine fish farms can also introduce non-
13 native fish into the ecosystem. Contaminants found in
14 farm-raised fish may threaten public health. In
15 addition, while touted as a way of reducing the
16 pressure on depleted fishing populations, marine
17 aquaculture feed requirements may actually increase
18 these pressures, as Ms. Tooley, I believe, pointed
19 out.

20 Unfortunately, we're concerned that the
21 Administration's Offshore Aquaculture Bill allows for
22 the permitting of fish farms with little criteria for

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1 addressing these issues. We are further alarmed that
2 NOAA has decided not to conduct a legislative EIS, so
3 that Congress and the public can even begin to assess
4 the effects of offshore fish farming.

5 Finally, as the Committee charged with
6 ensuring that the nation's living marine resource
7 policies and programs meet the needs of fishermen, the
8 environment and consumers, I ask that you advise the
9 Administration that this bill needs extensive work,
10 and that the Administration should not move forward
11 until open ocean aquaculture's potential problems are
12 further studied, and until NOAA presents a bill that
13 comprehensively addresses these problems.

14 And I just had a brief question for Dr.
15 Hogarth. When you said that, after the bill was
16 passed, that the EIS would be the first thing to be
17 done, if you could expand on what that might mean. I
18 was -- is that some sort of a programmatic EIS?

19 VICE CHAIR HOGARTH: Yes. What --

20 MR. SIMPSON: Can you tell us how that
21 might work?

22 MR. WORTH: Thanks.

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1 VICE CHAIR HOGARTH: Once the bill --
2 thanks, Mark, really for your comments. I appreciate
3 it. I think once the bill -- you know, we spend a lot
4 of time discussing what we should do in EIS now on the
5 bill as it's written. The problem is, the bill is
6 changing, and I'm almost 100 percent certain the bill
7 will change even more as it goes through the House and
8 the Senate.

9 So you're working on a moving target, so
10 to speak. The first we do when we get through to this
11 is do a programmatic EIS, and start developing
12 regulations based on the EIS. It will take,
13 approximately, two to three years, in my estimation,
14 to do it. We talked about somewhere around \$500,000
15 to \$1 million to get it done and get it done right.

16 So, yes, we will not do anything until the
17 EIS, the programmatic EIS, and the regulations are
18 done through a public process.

19 MR. SIMPSON: Thank you.

20 MR. WORTH: Thank you, sir.

21 VICE CHAIR HOGARTH: Okay. No.

22 MR. RAYBURN: Okay.

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1 VICE CHAIR HOGARTH: Yes, all right. If I
2 let you go and I let him go, then we're off schedule.

3 MR. RAYBURN: No, no.

4 VICE CHAIR HOGARTH: But if you got --
5 keep it a little bit -- keep it short.

6 MR. RAYBURN: Okay. Sure. All right. Am
7 I short, or is he short?

8 VICE CHAIR HOGARTH: Both of them.

9 MR. RAYBURN: I just want to say, probably
10 within the next week or two, Sea-Grant funded some
11 study at the University of Delaware. It was a
12 framework for offshore regulatory, whatever, rules,
13 part of Susan's. It's an extension of what Susan did
14 for her master's degree at the University of Delaware,
15 and that should be out, I think, within the next
16 several weeks.

17 So it might be good to have a copy of that
18 distributed to the MAFAC Members, because it's a
19 fairly comprehensive review. It's a consensus
20 document on what may constitute a reasonable
21 consideration in developing a framework for offshore
22 aquaculture regulations.

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1 VICE CHAIR HOGARTH: Yes, thank you.
2 Okay. Great discussion. I think we really have to
3 focus more on this Act. I agree. July is probably
4 not too late in this game. I'm sure it's not too late
5 in this game, and I think we ought to really kick in
6 and try to get --

7 COURT REPORTER: Dr. Hogarth, your
8 microphone.

9 VICE CHAIR HOGARTH: I'm sorry. I would
10 like to have from the group, and I'm sure that the
11 Committee can discuss, the subcommittee this week, but
12 try to -- the comments we have heard here, let's try
13 to form those into some way of questions or comments
14 or something, recommendations that we can take back
15 and look at now, so that we can hopefully have a
16 better discussion of those in July.

17 And as we develop these, we will get
18 comments to you. You know, I don't want to force
19 something or push something that I just guess I'm
20 convinced that the issues that have been raised can be
21 dealt with through the regulations and through the
22 EIS, and I just think, if the EIS does it, I don't see

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1 us, 20 years from now, being very dependent on
2 imports. But, anyway, we'll see how it goes. Now,
3 Linda?

4 MS. CHAVES: Thank you.

5 VICE CHAIR HOGARTH: Chaves. Seafood
6 Health and Safety.

7 MS. CHAVES: Okay. We're a little short
8 on time, so I'm going to run through this probably
9 relatively quickly, but I'm passing out copies of the
10 PowerPoint so that -- there are a couple of slides
11 that have a lot of detail on them. I'm not going to
12 go into that detail. If you have got questions, I
13 will be more than happy to try to answer them for you
14 afterwards.

15 First of all, NMFS has been involved in
16 the whole seafood and health issue for quite some
17 time. Back in the 1980s our SK Program actually
18 focused on seafood and health issues, and we funded
19 some very, very early research dealing with Omega 3s
20 in fish products in the northwest. I know for sure,
21 because I was the contract manager for those projects.

22 In 1985, we hosted a conference called

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1 Seafood and Health '85, during which time we brought
2 in the medical community, and we also talked about a
3 lot of the findings from our research, and also what
4 was coming in from the medical community.

5 At the same time, we entered into a
6 cooperative agreement with NIH and NFI, and we hosted
7 a very serious scientific medical conference in
8 Washington, D.C., and I remember Bob Kiefer who was
9 with us, some of you know him, was sitting up on the
10 podium, and I was so impressed that he was taking
11 notes about all of these slides. And later I said,
12 Bob, how did you know all that? He said, Linda, I was
13 just pretending. I had no idea what they were talking
14 about.

15 So, on the one hand, we were dealing with
16 the medical community. On the other, we were dealing
17 with communicators and the seafood industry and
18 talking about the marketing challenges. It was fairly
19 easy back then because all we knew about was the good
20 things about seafood. We were just beginning to learn
21 about that. We weren't really hearing about anything
22 negative.

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1 We then went further in our NIH
2 partnership, and we actually had the center, our
3 laboratory, in Charleston at the time, and our
4 laboratory in Seattle working on the production and
5 testing of Omega 3 fatty acid capsules, which were
6 then provided to NIH for a lot of research and human
7 trials. And I believe that ended up in research. I
8 think it was about 90 different studies that were
9 being done. At that time you really couldn't get
10 great Omega 3 fatty acid capsules on the market.

11 We are still interested in all of this.
12 We have funded a project through the National Academy
13 of Sciences. They are going to be taking a look at
14 some of the contaminant issues, looking at benefits
15 and risks. Particularly, they will be looking at
16 methylmercury. That report will be out later on this
17 year.

18 In December, we coordinated a conference
19 on seafood and health, very much patterned after the
20 one that we had done in 1985, which was held in D.C.
21 We brought in scientists from all over the world. Tom
22 Billy served as the Chairman of the Scientific

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1 Committee. Actually, the Chairman of the whole
2 conference.

3 And we have been attacked because some
4 people said, you know, it was NMFS that picked all of
5 the speakers. It was going to be biased. Actually, I
6 had nothing to do with selecting speakers. It was
7 done by a scientific advisory committee which included
8 people from National Institutes of Health, retired
9 medical people, some of the top researchers in the
10 field.

11 We are also putting money into something
12 called ALSPAC, the Avon Longitudinal Study of Parents
13 and Children, and there we're working with CDC, FDA
14 and NIH. This is a study that began in the early
15 1990s in the U.K., where they were following 14,000
16 pregnant women and children. And there have been a
17 number of publications that have come out of that, and
18 there will be more coming out further along. This
19 study is not looking just at seafood, but it's looking
20 at all lifestyle, dietary intakes, you name it, and
21 Tom probably knows a little more details about it than
22 I do.

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1 And we're also looking now at possibly
2 doing some work with Harvard. They have asked for our
3 assistance, and we're going to see if we can get the
4 Northwest Fisheries Science Center to work with them
5 looking at salmon. And there are some other
6 universities that are coming to us also seeing --
7 well, they think that we have money, but we'll see
8 about that.

9 The conference, you can read all the
10 topics there, and I actually have a few copies of the
11 program if you're interested in seeing exactly what
12 the speakers spoke about and the presentations, which
13 will all be posted on the website once we have all the
14 final approvals from the speakers.

15 But we really talked about everything,
16 heart disease, fetal infant development, risk-benefit
17 considerations, challenges for communicators, policy
18 implications, and we did talk about methylmercury
19 issues, because that is really the hot negative, and
20 we also spoke about PCBs.

21 I think the messages, though, are really
22 important. Basically, you should be eating seafood

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1 from the womb to the tomb. Couldn't help it. Sorry.

2 And it's basically a lot more important to eat
3 seafood than not to eat it, regardless of what
4 contaminants are in it. The benefits seriously
5 outweigh the risks, and this is not me just saying
6 this. This is coming from a lot of the scientists who
7 spoke at our conference.

8 And one of the things that is very, very
9 important in the United States and other countries is
10 that most of the consumption recommendations and
11 advisories are based only on the risk side of the
12 equation, and what we really need to do is to get them
13 to take a look at the benefits, as well, and weigh
14 them together.

15 This is not easy, because it is changing
16 the paradigm, if you will, but we're talking to FDA
17 about this, and FDA is actually doing some work
18 looking at benefits and risks of seafood consumption.

19 That is something that is going to be coming out of
20 the NAS Study. There is a lot of interest in changing
21 the way we look at food recommendations also in other
22 countries, but we need to sort of be moving that along

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1 because you suffer an awful lot if you don't eat
2 seafood.

3 I think the last message I have on here
4 goes to what Tom was talking about, and I think really
5 feeds into the whole aquaculture discussion, and that
6 is that, if we are going to increase seafood
7 consumption the way the conference suggests we should,
8 we are going to need more fish. There is no way it's
9 going to be produced in the wild. The projection of
10 needing 7 million metric tons more raw fish if we eat
11 two seafood meals, and that's only 4 ounce meals. I
12 mean, a lot of people here, I have seen them eating
13 seafood meals, and a 4 ounce portion is pretty small.

14 So we're really looking at needing to
15 produce a lot more than 7 million metric more tons
16 just for the U.S. market by 2025. And if we're going
17 to be looking at aquaculture, and we have to as one of
18 the ways to produce that fish, we should probably be
19 taking a look at making sure that we produce the most
20 nutritionally beneficial fish we possibly can, and
21 also not necessarily just looking at the highest
22 priced ones, but also producing something that the

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1 average and low-income family can consume.

2 So where do we go from here? Right now we
3 are trying to get the website finalized. If you go to
4 that, you can see the program. You can see all the
5 speakers, abstracts for most of the presentations, I
6 believe, and we are posting those presentations where
7 the scientists have approved and we put them on the
8 website.

9 And some people have said well, why can't
10 you just put them on all after the conference? We had
11 a number of scientists who presented unpublished
12 material. And so they were pulling those slides out
13 of presentations so that they can then get their work
14 published in peer review technical journals. And we
15 were pleased that they would share the information
16 with us, but we also don't want to keep them from
17 getting their publications out.

18 And we're getting a lot of requests for
19 specific presentations, and we're making those
20 available to those people who are asking for them.
21 Formal proceedings will be coming out, and they will
22 be published with the FAO logo on it. One of the

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1 things I didn't talk about was that the conference was
2 actually sponsored by NOAA, the government of Norway,
3 the government of Iceland, the government of Canada,
4 and FAO was not technically a sponsor, but the
5 conference was organized with the technical
6 participation and assistance of FAO.

7 And they are very, very interested in
8 making sure that the proceedings go out with their
9 logo, and they have asked us to make that information
10 available, all kinds of information available for a
11 lot of their other publications, and have asked us to
12 participate in some of the FAO meetings, so that we
13 can try to get the word out even more.

14 One of the things in the formal
15 proceedings we're going to also do is that there are
16 very interesting Q&A sessions after each of the
17 presentations. Unfortunately, we had so much crammed
18 into three days that we had to cut virtually every
19 discussion off. And so we're going to allow some of
20 the speakers to elaborate on the responses they gave,
21 so that there are fuller answers there really
22 addressing the issues.

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1 And we want to have some simplified papers
2 put together, so that they are in plain English for
3 average people to understand, not just necessarily the
4 medical community.

5 Further on, we have been approached by
6 American Dietetic Association and a few others, and
7 they want to work with us on getting the whole word
8 out about seafood and health. They see that this is
9 lacking, and so we'll be working with them for
10 certain, and a number of other organizations. We have
11 had a number of opportunities to talk about the
12 conference and some of the findings already.

13 Bill spoke at the Seafood Choices
14 Conference as a luncheon speaker; that was, what, two
15 weeks ago now, and this whole issue of seafood and
16 health came up with that. The Subcommittee on Trade
17 for FAO wants a presentation on the conference.
18 Hawaiian Aquaculture Association, there's a blue
19 planet meeting in Europe later on this year; they want
20 to bring this whole issue in.

21 The Chilean industry is interested. We're
22 getting a lot of requests either to provide

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1 information or to actually participate, and what we're
2 also trying to do is get some of the speakers invited
3 to these things, because they can actually direct the
4 very, very specific issues. And, you know, we don't
5 need to be in the spotlight. We really want the
6 scientists to be in the spotlight.

7 They will be facilitating speaker
8 interviews, and I have, also, some publications that
9 have come out. Since then, the most interest -- one
10 of them is really interesting. It's Bill's corner,
11 and I was really glad to see that Bill is really gung-
12 ho about the conference, for those of you who haven't
13 seen that.

14 I also have an article, copies of an
15 article from Global Aquaculture Alliance, and I've got
16 the word "draft" written on the very top. It's
17 supposed to be coming out any day. And if you take a
18 look at this, you will see that it is not the final
19 proof of the article, because there are a couple of
20 places in there where they had a couple of questions
21 that are in red. So we did get their permission to
22 hand it out to the MAFAC Committee, but it is not

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1 final final.

2 And I'll pass around a few other places
3 where we have had some press about this just so you
4 can get a flavor of the different types of stories
5 that have been written about the conference.

6 VICE CHAIR HOGARTH: Linda, that talk is
7 under Tab 6.

8 MS. CHAVES: Your talk?

9 VICE CHAIR HOGARTH: It's on Table 2, yes.

10 MS. CHAVES: Bill's talk? From Seafood
11 Choices, okay. Okay. I was going to say, we don't
12 have formal written comments from the seafood and
13 health conference for Bill.

14 MS. BRYANT: No.

15 MS. CHAVES: But if you go to the
16 conference website, you will see speeches. Tom gave
17 an opening address, an opening keynote which sort of
18 put everything into perspective. And if you take a
19 look at the GAA article, that was actually Tom's
20 article as a result of the conference. And I don't
21 have -- I only printed 20 copies, so all the Members
22 here get copies, and those of you at the foot of the

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1 table will have to share. Sorry.

2 And so where do we go in the future? And
3 I think that you need to take a look at what the long-
4 term U.S. strategy ought to be, and come up with a
5 vision statement, and that is that seafood's rule in
6 human health is understood, accepted, and realized.
7 And if it's not realized, if we don't do anything
8 about it, then it's all for not.

9 So what we see is a Steering Committee
10 among stakeholders being formed. It's established to
11 sort of guide how we go forward, that we have common
12 goals and objectives regarding the role of seafood and
13 health, that we -- once we have identified all the
14 stakeholders, that everyone knows what their role is.

15 It may be appropriate for Government to do some
16 things. It may be inappropriate for us to do some
17 things.

18 Whereas, industry can have a role,
19 organizations such as the ADA has a role. There's
20 something for everyone to do in this, and a lot of it
21 is, obviously, educational, but at the same time if
22 we're looking at seafood production, you know, there

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1 are some things that need to be done there, as well.
2 And I alluded to the whole issue of risk-benefit being
3 incorporated into recommendations.

4 And it's very, very important, we think,
5 that public health control advisories be based on
6 risk-benefit consideration. And we can work on that
7 here, domestically, but it can also be taken to Kodak
8 Selemantaries and to other international organizations
9 where there is an interest at beginning, I think, to
10 occur to look at this. Tom, having been chairman of
11 Kodak Selemantaries for two terms, can probably
12 address that issue. No, not probably, I know he can
13 address that issue better than I can.

14 And ultimately, if we're going to all eat
15 more seafood, we're going to have to increase
16 production. Some of it can come from the wild, but I
17 think that most of the increased production will be
18 coming from aquaculture, be it shore based, within
19 state waters, or in the offshore environment. And
20 there is no reason why it can't be done consistent
21 with environmental and conservation goals, and I think
22 that this is, once again this sort of tailors into

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1 sort of the whole aquaculture discussion that we have
2 had and I didn't plan it that way, that's just
3 reality.

4 And so we've got to get our national
5 strategy developed. One of the things that has been
6 discussed is that there be a science-driven nonprofit
7 institute established to serve as a resource regarding
8 seafood and health issues. This would be the go to
9 place where you would get peer reviewed research
10 findings. This would not be driven by industry, but
11 it would be driven by scientists, people who are in
12 the field who really know what's going on.

13 It would be nonprofit. It would probably
14 need funding from industry and from whoever would be
15 willing to do it, but this is not something that
16 industry could drive as such. We have interest
17 already from some of the medical community to be
18 involved in something like this, and so we'll be
19 taking a look to see how that goes forward.

20 We also need to continue coordinating and
21 participating in workshops. There are some requests
22 already to try to bring the findings of the seafood

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1 and health conference to smaller groups all around the
2 country, and we're trying to see how that can actually
3 happen. And we need to collaborate with other
4 agencies and organizations, ADA, International Food
5 Information Council; there are a number of others that
6 we can talk about.

7 And Tom can talk about a campaign that was
8 organized while he was at USDA called the "Fight Bac
9 Campaign." And I didn't leave the "K" off, that's
10 "Fight Bacteria." I had it spelled with a K
11 originally, and I was corrected. And then once again,
12 we need to look at culturing species with beneficial
13 nutritional profiles.

14 Who are the stakeholders? Government,
15 industry, Food Marketing Institute, NFI, Salmon of the
16 Americas, you have got both farmed and wild,
17 professional associations, American Dietetic
18 Association, IFIC is the International Food
19 Information Council, they are very interested in this.

20 ACOG is the American College of Obstetrics and
21 Gynecology. There are all kinds of organizations that
22 are interested in this whole issue and want to work

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1 together with us. We're also talking to the American
2 Heart Association. NGOs, we've identified CSPI,
3 Science and Public Interest, Citizens for --

4 PARTICIPANT: Center for Science and
5 Public Interest.

6 MS. CHAVES: Center for Science and Public
7 Interest, and the Consumer --

8 PARTICIPANT: Federation.

9 MS. CHAVES: -- Federation of America,
10 which has several million members, according to Tom.
11 The medical community. As I said, we have had a
12 number of doctors who are already talking to us and
13 saying, yes, we would like to be involved in all of
14 this. And consumers, the very, very bottom, but most
15 important because, really, the consumer is the person
16 who drives everything.

17 The nonprofit institute would have a
18 scientific advisory board, would serve as a
19 clearinghouse. It could also identify where the
20 research gaps are. I think everybody knows that
21 scientists love to do research, and sometimes it's
22 doing research just for the sake of doing research,

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1 but the idea is that there are some critical gaps in
2 information regarding seafood and health.

3 And a group like this could suggest where
4 those research gaps exist, and possibly how to get
5 that funded and how, maybe even to bring together some
6 collaboration between different institutes to make
7 sure that the questions are answered.

8 We also need to take a look at quantifying
9 the benefits of seafood. This did come up in one or
10 two of the presentations at the conference that, if
11 you eat X amount of fish in the country every day or
12 every week, you will reduce cardiac deaths by so many,
13 and it really does need to be translated into economic
14 terms.

15 And, finally, we need to get the word out,
16 and that's education, education, education, looking at
17 getting people to eat seafood in schools, high
18 schools, throughout life, and ADA is very interested
19 in putting together education modules on this whole
20 issue.

21 So right now, we have got to figure out
22 who all is going to be involved, and where we go

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1 forward. FAO wants to be involved. The Norwegian
2 government has already announced that they will hold
3 the next Seafood and Health Conference in probably
4 about three years. We're not going to wait 20 years
5 like we did last time. And we have got these
6 different medical groups, and who really does want to
7 sit at the table.

8 We have got to identify opportunities for
9 getting the message out. We have got to figure out
10 what all we're going to do just this year. We have
11 got to finish getting everything out from the
12 conference, but what else can we do between now and
13 January 1, 2007 just as, okay, let's get a time table
14 and let's see where we go.

15 And then, of course, the horrible bottom
16 line is that we can't do this for free, and we have
17 got to identify sources of funding and secure that
18 funding, be it Governments, private industry,
19 foundations, or whatever, and that is, of course,
20 probably the biggest challenge for us.

21 And so, if anybody has got more questions,
22 you can contact me. Most of you probably have my

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1 email address. Jeannie McKnight with the Gallatin
2 Group worked with us on developing the conference,
3 coordinating all of that, and we'll be continuing to
4 work with her on that.

5 And then there is the website,
6 www.seafoodandhealth.org, and that is being updated on
7 a regular basis now with all the other information.
8 And when we have the proceedings available, we will
9 get that information out to everyone. So, questions?

10 MR. SCHWAAB: Linda, Eric Schwaab.

11 MS. CHAVES: Yes.

12 MR. SCHWAAB: Was EPA involved in the
13 conference?

14 MS. CHAVES: EPA attended the conference,
15 but they were not involved in the organization, no.

16 MR. SCHWAAB: We talked about this a
17 little bit at the last meeting. I mean, one of the
18 big concerns that I have is continuing discrepancies
19 in approaches between EPA and the FDA and, obviously,
20 when you talk about sort of the general public's view
21 of seafood, one of the things that they are influenced
22 by heavily are consumption advisories that are focused

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1 on recreational anglers, which originate entirely from
2 EPA.

3 MS. CHAVES: Right.

4 MR. SCHWAAB: And we have advocated in the
5 past for more alignment between EPA and FDA in their
6 approaches, and I know there have been some modest
7 conversation that has taken place, but that continues
8 to be an important issue in this whole agreement that
9 hasn't been adequately addressed.

10 VICE CHAIR HOGARTH: Let Steve speak to
11 that.

12 MS. CHAVES: Okay.

13 VICE CHAIR HOGARTH: There is something
14 going on with that.

15 DR. MURAWSKI: Yes. Actually, this issue
16 has come up in response to the Hurricane Katrina
17 issues with contaminants, and I think the Joint
18 Committee under the Ocean Action Plan, called SEAMOR,
19 is actually going to try to get the three agencies
20 together to talk about unifying some of their
21 advisories which, you know, are all over the map and
22 they were all over the map, you know, in terms of the

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1 Gulf Coast, as well.

2 VICE CHAIR HOGARTH: Now, the real key in
3 this, we got to -- and one reason we're involved in
4 this is, the American consumer has to be confused, you
5 know, and there are some precautions that some people
6 need to take, and we say there are five species that
7 pregnant women should avoid.

8 That's fine, but see, we need to know
9 that, but we need to get the consistent message out,
10 and that's one reason I went to National Academy of
11 Sciences in the hope that, with their reputation and
12 their review of everything, that we could go to the
13 EPA and the FDA with them, so to speak. But we're
14 trying to address the President's Ocean Action Plan.
15 But, well, we're just giving conflicting signals.
16 It's not helping the consumer and it's not helping
17 anybody. Yes, we don't want people eating seafood if
18 they shouldn't eat seafood, but seafood is so healthy
19 they should be eating it, then eat it, but, you know,
20 it's a lot of confusion.

21 MR. SCHWAAB: And if I could just add
22 quickly, the states ought to be involved in that

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1 conversation, because the states issue the
2 recreational consumption advisories, generally on the
3 advice of the EPA.

4 MS. CHAVES: Well, it's interesting that
5 you mention the states, because immediately after the
6 conference, we had calls from several states who had
7 had someone in the audience, and they said, we have
8 got to change our advisories based upon the
9 information that was presented at this conference. So
10 that was -- yes, I mean, when we look at what we
11 really ought to be doing, it's a huge job. I mean,
12 it's more than one person or two people or three
13 people. It's really, really immense.

14 VICE CHAIR HOGARTH: Eric?

15 MR. SCHWAAB: I was just going to say, a
16 good starting point is to get the federal agencies
17 singing from the same sheet of music, so Steve's
18 comment is music to my ears.

19 MS. CHAVES: Yes.

20 MR. RAYBURN: Was there any discussion at
21 the conference about the security of the seafood, the
22 health aspects with 70 percent of the seafood consumed

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1 currently being from foreign sources, 40 percent of
2 that being from aquaculture? You know, projections
3 even amongst this group, we still have contention
4 that, you know, whether we should promote aquaculture
5 or not, or set up a framework that would really be
6 able to produce more seafood products.

7 So you would have to assume if you
8 increase consumption, it's going to come from foreign
9 sources. I mean, so what was the tenor at the meeting
10 relative to use of antibiotics, non-traceable, to
11 extend what may be cumulative over the long-term
12 health of someone eating seafood from foreign sources?

13 I mean, is that an issue that you addressed, and how
14 do people deal with that?

15 MS. CHAVES: I'm going to let Tom --

16 MR. BILLY: Yes, Tom Billy. Much of the
17 discussion originated from the medical community
18 looking at health and health benefits and, in some
19 instances, health risks from contaminants and other
20 concerns. They don't give a second thought to where
21 it's coming from. What they are looking at, the
22 picture that they see, is that the more seafood you

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1 eat, the healthier you're going to be, from pregnant
2 women to the elderly.

3 And the more research that is done, the
4 more additional areas of health are benefitted based
5 on the understandings that they gain from the research
6 and the clinical trials and so forth. So, they are
7 not thinking about that, but what is going to happen,
8 I believe, from what I heard at the conference is, the
9 public is going to gain this understanding, and they
10 are going to drive demand, and that is the message I
11 tried to say a little earlier.

12 And it's not just going to be a doubling
13 of per capita consumption. I think it's going to be
14 way more than that. You have got baby boomers. You
15 have got huge obesity problems, and other health
16 problems in the U.S., and this is going -- seafood is
17 going to be part of the solution, not the total
18 solution, but part of it.

19 And it's not just going to occur in the
20 United States. It's going to occur worldwide. The
21 same information is catching attention in Europe, so
22 more and more demand. So from the consumer demand,

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1 and based on the evidence that we saw presented at the
2 conference, I think that demand is going to occur, and
3 aquaculture, I believe, is part of the solution in
4 terms of supply.

5 VICE CHAIR HOGARTH: Ralph?

6 MR. RAYBURN: So there is no concern for
7 the use of antibiotics in aquaculture and the impacts
8 that they could have on folks that eat a lot of
9 seafood produced in an aquaculture situation from
10 those illegal antibiotics used in other countries?
11 There is no concern for that?

12 PARTICIPANT: There is no knowledge that
13 that's going on.

14 MR. BILLY: Yes.

15 PARTICIPANT: Billy?

16 MR. BILLY: There was an acknowledgement
17 that there are problems like that, and other problems,
18 methylmercury, contaminants of various types, and the
19 burden is on the regulatory agencies to address those,
20 and have in place appropriate controls that protect
21 the consumer.

22 And if the current controls aren't

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1 effective, then they ought to be changed or improved.

2 But that didn't mitigate or offset the enthusiasm
3 that existed, particularly in the medical community,
4 for the benefits. They see these huge benefits and
5 the costs associated with illnesses to the U.S.
6 economy, and it just far outweighs the risks that are
7 associated with those things.

8 Should they be addressed and controlled?
9 Yes, and that was discussed as part of the thing, part
10 of the overall conference.

11 MS. CHAVES: Yes. And I mean, they did
12 address -- there was some discussion about PCBs, you
13 know, discussion about methylmercury on PCBs. They
14 were saying if you're talking about the farmed versus
15 wild issue, they are saying that, one, the level of
16 PCBs in farmed and wild are fairly much -- very, very
17 close in most instances, and sometimes they are higher
18 in one and sometimes they are higher in the other.
19 But, nevertheless, the level is so low that it's not
20 an issue.

21 And on the methylmercury, there was some
22 very interesting research being produced by Dr. Gary

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1 Meyers, who has been looking at the Seychelles study
2 where people are eating over 12 seafood meals a week,
3 and they have got relatively high levels of mercury in
4 their systems, but they are not seeing any of the
5 negative impacts from that.

6 And the reason for that may be because of
7 selenium, whereas in the Faroe Islands, you do see a
8 difference. You do see an impact, but there, a lot of
9 what they are eating is pilot whales, which don't have
10 as much selenium. So, I mean, there was really
11 interesting stuff that was coming out at the
12 conference.

13 But food security, your question, no, it
14 wasn't addressed as such.

15 MR. RAYBURN: I think that's a real
16 problem. I mean, it's a problem for me. I mean, we
17 cycled through this again. I mean, what is the
18 appropriate role of the Government in this situation?

19 I mean, I bet if I put a beef conference together,
20 every medical professional I had at that beef
21 conference would say, eat more beef. It's good for
22 you. God, look at these people run.

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1 You know, the trouble seems to me, where
2 we need to focus, and this is that kind of strategic,
3 is not the fact that we need to educate folks more on
4 the benefits of eating seafood. What our issue should
5 be, in my opinion is, what is the Government going to
6 do to ensure that that seafood those people eat is
7 safe, because we are out of contact with how it's
8 caught, how it's produced.

9 You know, what is FDA going to do to
10 screen this seafood now that we know that consumption
11 is going to be going up, you know, and how are we
12 going to protect our citizens from those antibiotics
13 or those -- all the other cases? Are we sure that
14 that product is caught in an environmentally sensitive
15 manner, whatever that may be?

16 That seems to me to be the focus, not to
17 persuade folks they need to eat more seafood, but
18 rather, they are going to eat it, I think. What are
19 we going to do to protect them from that, you know,
20 not protect them from it, but protect from the
21 sources, and the only source that is going to expand
22 is the foreign sources.

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1 MS. CHAVES: Yes.

2 VICE CHAIR HOGARTH: No, I agree. I think
3 there are two different issues though, basically, and
4 we are trying to work. FDA, the American public
5 thinks FDA has a responsibility, and FDA is doing it
6 when, in actuality, they don't have the manpower and
7 all to do it. We are in the process of trying to
8 negotiate with FDA. It's taking forever, but I have
9 met with them umpteen times to let us do some of the
10 preliminary screening, because we have people that can
11 do it, because it's not happening.

12 Now, I can give you one example. They
13 have one country that is sending catfish to this
14 country. They are coming in, the catfish, and they
15 have got Malachite green, which we say is a
16 carcinogenic agent in this country. We try to send
17 them back. We finally get them back through customs,
18 and the next thing we know they're coming back over
19 here, not as catfish, but as grouper, you know?

20 This is going on. Right now, to be honest
21 with you, right now I have 400,000 pounds of these
22 catfish sitting in LA, and it's going to cost us -- we

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1 can't send them back anymore, and since it has got
2 Malachite green, it's going to cost us between \$2 and
3 \$3 a pound to have them destroyed. So it's going to
4 cost us about a million dollars to take care of it.

5 But I just think there are two issues. I
6 think we have got to keep people associated with the
7 health of what's in the fish, mercury or whatever, but
8 then I think the other issue is security of seafood is
9 definitely an issue that we're trying to address
10 through other avenues.

11 And the Hill has gotten interested in it.

12 The Hill thinks that fisheries should be doing more
13 of that, you know.

14 MS. CHAVES: Yes.

15 VICE CHAIR HOGARTH: And I think some of -
16 - but unless we enforce the same regulations on these
17 countries that we enforce on our own people, what do
18 we -- the additives -- well, I would agree. I agree
19 with you. Eric?

20 MR. SCHWAAB: Well, you know, thanks. I
21 mean, I couldn't agree more with Ralph's point on
22 that, and there is a third set of issues, and I don't

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1 see that at all in your messaging, and that is that
2 there are some legitimate environmental concerns that
3 we either are addressing, or need to address.

4 I mean, examples like PCBs and dioxins are
5 things that we have already, you know, significantly
6 reduced inputs. I mean, there are still some
7 reservoirs out there that need to be addressed, you
8 know, mercury issues. I mean, I think that it needs
9 to also be an important part of this effort to
10 continue to work on reducing those environmental
11 hazards where they continue to exist, and I don't see
12 any of that in any of this messaging.

13 And just to kind of tag onto that, on some
14 of these mercury issues, I mean, you better be really
15 careful, because there is still a lot of debate out of
16 here, and I see in these press releases a couple of
17 studies cited that really sort of discount that
18 concern when there's a whole bunch of other scientists
19 on the other side of that that don't buy that, some of
20 these things that are described in these releases at
21 all.

22 VICE CHAIR HOGARTH: That's fine. Most of

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1 this has, I think, two sides right now.

2 MR. SCHWAAB: Yes.

3 MS. CHAVES: Yes.

4 MR. SCHWAAB: And if you only pick up on
5 one side, you run the risk of undermining your own
6 credibility. You have to be a little careful.

7 MS. CHAVES: Well, and that's why we had
8 some speakers there who did speak about all of this,
9 and those people who were talking about the latest,
10 you know, analytical work, were invited because it was
11 a different side that hadn't been heard before,
12 really, and that is why we wanted to make sure that
13 they got invited. But there was healthy debate about
14 the issue by the audience. Let's put it that way,
15 okay?

16 MR. SCHWAAB: I guess my point is that
17 that healthy debate is not reflected in some of this
18 press release material.

19 VICE CHAIR HOGARTH: Let me say something.
20 I think, you know, hearing this discussion, if this
21 is one of the priorities that this MAFAC has, then I
22 think we ought to invite FDA to the next meeting. We

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1 ought to talk about what they do and don't do, and you
2 can make a recommendation that will go -- get to the
3 Hill to help in this discussion, because it's being
4 discussed on the Hill.

5 I keep getting calls with, could you do
6 this and do that, and I think there is a role of the
7 fisheries in preliminary, you know, evaluations, and
8 then FDA has the final say, so that if we find
9 something, they would verify that to take action. But
10 we're not getting -- we're getting less than 10
11 percent of the seafood sampled, less than 10. So I
12 think if you all want to talk about it in your
13 subcommittee, you want the FDA to come, I think it
14 would be good.

15 MR. RAYBURN: Isn't this kind of cycled
16 through? I mean, the fisheries were doing a lot of it
17 and then -- I mean, when Tom was head of it. You
18 know, then you went over to the FDA or something,
19 right? I mean, so we're kind of -- and, you see, they
20 really don't -- haven't really picked up on the need.

21 VICE CHAIR HOGARTH: Well, one of the
22 problems, too, is we have an inspection, we have a

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1 seafood inspection group, 200 and some people, maybe
2 260 people, that have been battling back and forth
3 about where these people belong. You know, we're
4 taking away from us, then what do we do? Then we send
5 a negotiator. I finally told him six months ago, go
6 to work. If anybody asks you for anything in seafood
7 inspection, we would do it.

8 Like I said now, they are overseas. They
9 still have their Corps work, and we're working closer
10 with FDA than we have. There is still some, a little
11 bit of bad blood between the two, I guess a little
12 bit, between these, but nobody seemed to know where
13 they wanted to put them, so I just put them to work.

14 PARTICIPANT: Good for you.

15 VICE CHAIR HOGARTH: Tom?

16 MR. BILLY: One of the important pieces of
17 work that was mentioned, and Bill mentioned earlier,
18 is the contract with the National Academy of Sciences,
19 because that contract asked an expert panel to look
20 carefully and fully at all the hazards associated with
21 seafood, as well as the benefits, and develop some
22 recommendations, and hopefully, tools, that the

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1 average consumer can use to make judgments about the
2 risks associated with the hazards versus the benefits
3 that are derived from seafood. And it will be a very
4 neutral, science-based kind of set of recommendations.

5 But that doesn't get to your point that
6 you raised about the fact that there are hazards, and,
7 from contaminants, some naturally occurring, and the
8 importance of making sure that the control measures
9 from FDA, from other countries, as we depend more on
10 imports, are effective in protecting consumers. And
11 that is an important need that has to be addressed as
12 part of this overall area.

13 MR. SCHWAAB: What is the time frame on
14 that study?

15 MR. BILLY: The end of the year.

16 MS. CHAVES: The end of the year.

17 VICE CHAIR HOGARTH: It has gotten
18 extended, extended on account of the stuff that went
19 on, really.

20 MR. SCHWAAB: I mean, in answer to your
21 question, Bill, I would just suggest maybe our time
22 would be best spent debating this or discussing this

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1 issue further after that happens --

2 VICE CHAIR HOGARTH: Okay.

3 MR. SCHWAAB: - as opposed to before.

4 VICE CHAIR HOGARTH: Okay. Other
5 questions, since we have time for lunch? This issue
6 we need to talk about and I think, I'll just say in
7 closing of all these issues is, you know, I have
8 talked to the Councils a little bit, but what
9 liability do we have managing fisheries if we're
10 managing, for example, king mackerel to the size where
11 it would have the greatest levels of mercury.

12 That's one thing we do. I mean, to get
13 them off the old fish list, you have to manage them,
14 but you're really managing to the size that you
15 probably wouldn't want the general public, or some
16 members of the public to eat, but it has got a lot of
17 ramifications. But, you know, we'll talk a little
18 later. You know, some people have criticized us
19 because they don't think we ought to be in this area
20 of seafood promotion and the health aspects, but I
21 think it is part of fisheries.

22 I mean, we manage the fisheries, and I

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1 think these are part of it, and I think promotion and
2 health and all this is the key to all this for the
3 future. So we're going to continue doing this unless
4 somebody above me tells me to quit. Ralph?

5 MR. RAYBURN: The Marketing Council, were
6 we going to discuss it?

7 VICE CHAIR HOGARTH: We're going to talk
8 about it.

9 MR. RAYBURN: Talk about it later?

10 VICE CHAIR HOGARTH: We'll get to it after
11 lunch. I skipped it. We'll do it after lunch.

12 MR. RAYBURN: Okay.

13 VICE CHAIR HOGARTH: I don't know why I
14 skipped it, but I skipped it, but we'll get to that
15 after lunch. So we'll break for lunch and come back
16 at 1:45.

17 MS. BRYANT: 1:45. I have got one quick
18 thing I want to mention to folks. For Thursday night,
19 those that are definitely going to be coming, Emily
20 needs our commitment so that she can call in to the
21 restaurant and the water taxi.

22 And then, I also want to make an

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1 announcement. Rob reminded me, tonight, immediately
2 following the meeting, Rob, courtesy of IGFA, is
3 having a reception for us out in the Hall of Fame, and
4 invite you to walk around the museum this afternoon.

5 PARTICIPANT: And as far lunch options,
6 there is really three within walking distance, here.
7 I would recommend following the --

8 (Whereupon, the meeting was recessed at
9 12:00 p.m. to reconvene at 2:00 p.m. this same day.)

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A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

2:00 p.m.

CAPTAIN DILERNIA: Go ahead, Rebecca.

DR. LENT: Okay. Good afternoon, everybody. I hope everybody had a good lunch. I had the grouper sandwich. It was very, very good. Thank you. It's great to be here.

MR. FLETCHER: Is that foreign grouper?

DR. LENT: No, that was domestic grouper. Dr. Crabtree told me. He's closing the fishery tomorrow, so it could have been the last fresh grouper in the kitchen.

So it's good to see all of you, and thank you again for serving on MAFAC. We really appreciate your participation, and thank you for taking time on your busy agenda to talk about international. It is a really exciting time in international, I'd say primarily because Dr. Hogarth is taking on a lot of leadership roles in international. He is our Whaling Commissioner, which is the only job harder than being our ICAT Commissioner.

MR. FLETCHER: Is that W-A-I-L?

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1 DR. LENT: No, you're in charge of that,
2 Bob. Bob Fletcher, by the way, who is our IATTC
3 Recreational Commissioner, so he knows what it's
4 about. And Bill is our ICAT Commissioner, the
5 Atlantic Tuna Commissioner, and he got elected
6 Chairman of ICAT, which is a huge, huge deal.

7 (Applause)

8 DR. LENT: And I'm happy to say that Dr.
9 Jerry Scott at the Southeast Center also got elected
10 Chairman of the Science Body of ICAT, so we rule at
11 ICAT. It's a good time to rule, because there's a lot
12 of hot issues.

13 So, I'm here today mostly to get your
14 advice. I want to tell you a little bit about our new
15 office, as well, and just sort of walk you through
16 some of the things underway. We don't do
17 international work because it's glamorous or
18 cosmopolitan. We do it because it's a legal mandate.

19 It's a legislative mandate. Unlike a lot of other
20 international work that might go on, it's cooperative
21 science and MOUs and stuff, that's great, but our work
22 is required by law.

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1 In fact, we're getting a lot of pressure
2 from the Hill to do more on marine mammals, because we
3 have an international mandate for marine mammals, as
4 well. We have all kinds of treaties and legislation.

5 You can look those up in the materials that I left
6 for you, and then we have some MOUs with other
7 governments and agencies, as well.

8 So this is real tough to read, but I just
9 want to tell you the history of our office. It would
10 start with the song, "Breaking Up Is Hard To Do," I'm
11 sure you all know that. I actually went around and
12 stole everybody from the various offices who worked
13 100 percent of the time on international. We used to
14 have an international office. About 10 years ago
15 they, busted it up and put everybody in the program
16 office. There's reasons for that, you know, there's
17 reasons to keep people in the program office, but Bill
18 decided, let's bring them all back together.

19 So we yanked those people out, and now
20 we're singing the song, "We Are Family," because we're
21 all together. It's starting to gel; it's starting to
22 work, but we are creating a brand new office. It's

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1 new for me. I've never been an office director, so
2 it's kind of fun.

3 Jean-Pierre Ple, we stole from the State
4 Department. He is my deputy. And we have one
5 international fisheries division that does mostly
6 international fish stuff, and Dean Swanson, who is
7 just like the walking encyclopedia on international
8 fishery management, he is the division chief there.
9 And Chris Rogers, who we got from HMS, is the guy in
10 charge of trade and range stewardship. We look at
11 international trade issues as well as protected
12 species.

13 So, a lot of back and forth between the
14 two, but generally those are our two divisions. This
15 is how many people I have. It's not enough. You
16 never have enough people, but it's a pretty good corps
17 group. A very important point I want to make. You
18 know at headquarters we're only 10 percent of NOAA
19 Fisheries; everybody else is out in the field at
20 centers in the region. They are doing a lot of
21 international work, a lot more than us.

22 In fact, one of my big challenges, my

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1 friend, Bill Brennan, who is my other boss; I have two
2 bosses, Bill Brennan and Bill Hogarth. Bill Brennan
3 is our Deputy Assistant Secretary at NOAA for
4 international. He expects me to be cognizant of
5 everything that's going out in the regions at the
6 centers, but that's pretty difficult. So we're
7 working on how best to do that.

8 No great surprise here. If I run down the
9 challenges that we have in domestic fisheries, guess
10 what? We have them in international fisheries, and if
11 anything, it's tougher. How do you get hundreds of
12 countries to work with you on rebuilding stocks? Hey,
13 we got it to work in Atlantic Swordfish. Economic
14 sustainability - too many boats, over capacity.
15 Ecosystem approach, they love it in the international
16 world and, obviously, IUU fishing, it's a real issue
17 on the high seas.

18 I have left with you, it's in your binder,
19 and I also have it on the web, our Draft Strategic
20 Operational Plan. We really need your help on that.
21 If not today, then further down the line, take a look
22 at it. It has several parts. The first part,

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1 basically, we just took from Department of Commerce,
2 NOAA, NMFS, and, of course, PBEF, all of the elements
3 that are in these existing strategic plans, because
4 they have to jive. They have to kind of come down and
5 we get our stuff from that.

6 Part 2, perhaps more interesting for you
7 guys, is the specifics for certain regional fishery
8 management organizations, UN meetings, all related
9 bodies, organizations. What are the big issues that
10 we're going to deal with, and how is the United States
11 going to play a role.

12 Part 3, just the events calendar. We are
13 constantly updating this. There is so much going on.

14 We're not at all these events, but it's good for us
15 to be aware of them and have our constituents be aware
16 of them, as well. The same thing with our bilateral
17 meetings; we're working with Dr. Hogarth to figure
18 out, what are the countries that we want to reach out
19 to and spend our precious dollars on bilateral
20 meetings.

21 Collaboration tables, so that you can
22 figure out and we can keep track of who all is

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1 involved in all these different activities. We tried
2 to take all the materials that we had from our
3 Department of Commerce and NOAA and NMFS strategic
4 plans, and boil it down into four overarching
5 priorities. It's good to have three. Admiral
6 Lautenbacher loves lists of three, but I just couldn't
7 squeeze this into three.

8 So here they are. Basically, the first
9 one is the science-based ecosystem approach to
10 management, including everything, including human
11 beings. You know I'm an economist, so I like to
12 include economists. We are, what they say, what, the
13 worst invasive species on the planet. Prevent
14 deterrent patrol, IUU fishing. We are playing a big
15 role in that by hosting the MCS Network, the
16 Monitoring Control Surveillance Network, and we hope
17 we will be part of this new effort by a High Seas Task
18 Force to look at IUU fishing.

19 The third bullet is very important.
20 Making sure that U.S. fishermen keep their share of
21 resources, access to resources, as well as all
22 consumers have access through free trade type

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1 agreements, and through balanced free trade, through
2 linking free trade agreements with environmental
3 stewardship.

4 One of the big issues, as Bill mentioned
5 for ICAT this year, is making sure that our fishermen
6 keep their share of quotas. We are under quota for
7 swordfish and blue fin tuna in the Atlantic. It's
8 time to talk again about allocation between countries.

9 How can we make sure that the United States keeps
10 it's share?

11 Now, we don't necessarily have to go out
12 and catch 100 percent of our quota all the time, but
13 we have concerns about U.S. quota going to other
14 countries, because, are they going to fish it with
15 circle hooks? Are they going to be required to have
16 observers and logbooks? Maybe not. We would really
17 like to make sure that we keep our historical share.

18 And the fourth item, this is the one that
19 we just couldn't squeeze into another one, but it's
20 important. It's important to Bill. This is part of
21 Bill's agenda for ICAT chairmanship, and that is
22 capacity building in developing countries. Careful, I

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1 don't mean building boats, I mean helping them to the
2 extent assistance is needed or support or technical
3 assistance, helping them develop logbook programs and
4 observer programs, and helping them get data reporting
5 and science and participate in stock assessments and
6 that kind of work.

7 So those are our four overarching
8 priorities. So, again, all this material is available
9 on the web, and then some more. We have -- let's see,
10 Laurel, did we ship down hard copies of those?

11 MS. BRYANT: They're all in your notebooks
12 behind tab 8.

13 DR. LENT: But not the international
14 agreements book?

15 MS. BRYANT: I have got that over here.

16 DR. LENT: There you go.

17 MS. BRYANT: They can make their own
18 copies.

19 DR. LENT: A door prize for you. That's a
20 list of all international agreements. I keep it by my
21 bedside for reading sources. It's a good one, because
22 you've got the strategic operating plan, list of

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1 acronyms, and this award winning speech.

2 Okay. Now comes your part where I'm going
3 to put the microphone down and just listen. Here is
4 my questions for you. Am I in your way?

5 PARTICIPANT: Nope. Is that the first
6 question?

7 DR. LENT: What are the priorities that we
8 have overlooked? What are some countries that you
9 think we could work with on partnerships? We talked
10 about this a little bit over lunch with Rob. You
11 know, for example, South Korea emerging as a real good
12 partner. Because we're here at IGFA, I have to say,
13 one of our big challenges is getting recognition for
14 the economic importance and social importance of
15 recreational fishing. We don't always get that.

16 You know that famous line that we heard
17 from our friends in Japan, "you're playing with our
18 food," when we talked about catch and release of blue
19 fish, that's a tough one. And how should we
20 prioritize our efforts? I don't have enough people
21 and money. We never do. But as they say, if you have
22 a long list of priorities, you don't have any

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1 priorities.

2 Bill Hogarth mentioned in his opening
3 statement, we need MAFAC to help us evaluate and
4 recommend priorities. And as Tony DiLernia said, you
5 can help us plan as opposed to just react. So this is
6 your part. I'll put the microphone down and start
7 listening.

8 CAPTAIN DILERNIA: Okay.

9 DR. LENT: Thank you.

10 CAPTAIN DILERNIA: Thank you very much,
11 Dr. Lent. All right. Let's put together a list. Bob
12 Fletcher?

13 MR. FLETCHER: Okay. A couple of things,
14 Rebecca. When you talked about an IUU Task Force, I'm
15 not sure whether it included some of the black -- some
16 of the pirate fishing that's going on in Central
17 Pacific right now. Are you aware of that? And
18 there's a fleet of albacore boats that we are very
19 concerned about what appears to be an increase in the
20 amount of that effort going on out there. And I was
21 just curious, is that included in that discussion?

22 DR. LENT: Mr. Chairman?

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1 CAPTAIN DILERNIA: Please, go ahead.

2 DR. LENT: Thank you. I wasn't aware of
3 that particular case, but the Monitoring Control
4 Surveillance Network is a bunch of countries
5 voluntarily sharing information about these kinds of
6 activities. The High Seas Task Force is a six member
7 new initiative through OACD. They are going to
8 announce something in March that says, we're going to
9 put some money into improving enforcement, but thank
10 you for that point. That is just the kind of thing
11 that we want to be looking at through our cooperative
12 international monitoring efforts.

13 MR. FLETCHER: Thank you, Mr. Chairman.
14 Just a follow-up, there. The reports that flow out of
15 the fleet of boats fishing in the central Pacific and
16 in toward the east side are coming from the high seas
17 jig boat fleet, and they are going mostly to Coast
18 Guard.

19 Now, I assume that you're all tuned in
20 with Coast Guard in those efforts because, if you
21 would prefer, I know that I work closely with those
22 albacore boats sometimes, and I can get them to

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1 contact you if you -- or someone else, but it is
2 definitely a big concern to those guys.

3 DR. LENT: Thank you, Bob, appreciate
4 that. Yes, I'm a good person to contact, and also
5 Southwest Enforcement. I think as those guys
6 participate with you at the IATTC meetings and that
7 kind of thing, but good to know. Thank you. Didn't
8 know that.

9 MR. FLETCHER: Tony, just one other issue.

10 CAPTAIN DILERNIA: Okay. Go ahead, and
11 then Jim is next. Thanks.

12 MR. FLETCHER: I don't know. I haven't
13 talked to you that much lately. I have been
14 negotiating some access agreements with the French
15 Polynesian representatives. They have, in the last
16 couple of years, decided that they are going to
17 enforce their EEZ around Clipperton Island. Well,
18 Clipperton is in the middle of nowhere, and for those
19 of you that aren't aware, it's 588 miles
20 west/southwest of Acapulco, and about 750 miles south
21 of Cabo San Lucas.

22 And to draw a 200 mile EEZ around

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1 Clipperton, you suddenly find that, historically,
2 there has been a huge Mexican fleet operating within
3 those waters and, up until the last couple of years,
4 the Mexicans had a position that, because it was an
5 unoccupied coral-atoll, that the 200 mile zone didn't
6 apply, and so they have continued to fish there.

7 Well, the French now decided that they are
8 going to call their bluff, and they put somebody on
9 that little island for as much of the year as they
10 can, when the Chabaxos don't come roaring right
11 through there in the summer and fall. The Mexicans,
12 historically, have taken 15 to 20,000 tons of yellow
13 fin and skipjacked out of those waters. So this is
14 going to be a real interesting discussion between
15 those two countries.

16 DR. LENT: Keep me posted.

17 MR. FLETCHER: Yes. The last thing is, I
18 was over able to negotiate an agreement with them to
19 allow some of my boats to fish near the island. It
20 was one of their protracted negotiations and we ended
21 up not getting what we wanted, but at least they are
22 going to let us come in there and fish. There were

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1 some interesting requirements.

2 But the thing is, there is a whole new
3 group, a whole new team, that is sitting on IATTC
4 representing France that comes from these people from
5 French Polynesia. So I just wanted to make sure
6 you're aware that there are some real changes going on
7 there.

8 DR. LENT: Thank you.

9 VICE CHAIR HOGARTH: Bob, just as a point
10 about that island in French Polynesia. Mexico called
11 me last Thursday or Friday, and wanted to know what we
12 knew about it, and could we help them. You know, it's
13 always funny if they want to help us, but - I mean, us
14 to help them, but they don't help us much.

15 DR. LENT: We could swap the access to a
16 more --

17 MR. FLETCHER: I like it.

18 CAPTAIN DILERNIA: Okay. Captain Cook?

19 CAPTAIN COOK: Jim Cook from Hawaii. I
20 like the idea that you're going to give some priority
21 to the equality of American fishermen. In our
22 fishery, Rebecca, as you know, we have been for the

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1 last few years about anywhere from the 1 percent or 2
2 percent solution for turtles and long lining.

3 We have a fishery that, at one time, was
4 landing a whole lot of swordfish, and then went to
5 landing no swordfish, and is now landing a little
6 swordfish, a resource that is in very good shape in
7 the Pacific, which could close at some time soon
8 because it hooked or entangled 16 loggerhead turtles.

9 In the same area that we're fishing, for
10 every boat that we have there, we have 19 foreign
11 boats. That's an old count, because now we have
12 Spanish freezer boats fishing with us. I would like
13 you to assure us that you're going to do everything
14 that you possibly can to bring us some kind of
15 equality, and that equality can come in a couple of
16 different ways. You can get them to quit, or you can
17 get us to get going. We're more than willing to do
18 that.

19 The other thing is, we're about to become,
20 possibly, a victim of Magnuson under over-fishing for
21 big eye. In that case, we'll be maybe about like a
22 one- 100th of 1 percent of the solution in the Pacific

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1 based on big eye mortality. And it's important to us
2 that we get adequate language in upcoming Magnuson
3 reauthorization to protect American fishermen who are
4 operating under international treaties in the Pacific.

5 Thanks.

6 DR. LENT: Thank you very much, Captain
7 Cook. And on that last point, I hope that you've had
8 a chance to respond to some of the proposals that were
9 made in the National Standard One Guidelines for
10 foreign fishing, which I think recognizes what you're
11 saying. And that's what we're pumping for in the new
12 Magnuson-Stevens.

13 On the point regarding sea turtles, that
14 is something where Dr. Hogarth has pumped in a lot of
15 time and money and effort. We were at the table
16 negotiating the FAO guidelines on sea turtles. Every
17 single RFMO we go to, we're pushing on sea turtles.
18 We're pushing for circle hooks to save sea turtles.
19 We are pushing, and the Europeans and Japanese and
20 others tend to protest and to push back. Japan is
21 okay as long as it's the deep water sets or, sorry,
22 the shallow sets, and not the deep water sets.

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1 We made some progress, but not enough, and
2 when you consider that we import five to seven times,
3 and probably more now, Jim -- swordfish is what we
4 harvest domestically -- we have a responsibility as
5 consumers to make sure that these are sea turtle
6 friendly techniques, and that it's a level playing
7 field with our fishermen.

8 So we're pushing hard. We're getting
9 resistance. It's helpful for me to know and to hear
10 from you that the Spanish boats are fishing alongside
11 you in the Pacific. Same thing in the Grand Banks.
12 Our guys have to fish with 18 off-circle hooks, but
13 the Spanish boats next to them, no way.

14 So it's just not fair, and when we bring
15 it up at the RFMOs, it's, we have got to do our own
16 test. Excuse me, we have done the research, same
17 place where you're fishing, same areas. We're getting
18 just ugly about it. We're doing the best we can, but
19 it's like baby steps in the international world, but
20 thank you for bringing that up. We don't have a level
21 playing field, and we're still eating that fish, and
22 we're part of the problem.

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1 CAPTAIN DILERNIA: Ralph Kramer, you had
2 your hand up.

3 MR. KRAMER: Ralph Kramer. Rebecca, could
4 you go back, please, two slides to your overarching
5 priorities.

6 DR. LENT: There.

7 MR. KRAMER: Okay. I understand the model
8 pretty clear, except for the first one. Could you
9 please be more specific on what exactly we're trying
10 to accomplish there. Is that trying to convince other
11 nations to follow this?

12 DR. LENT: It is kind of my -- what the
13 French call the Spanish oberes, just a place where
14 we're trying to park everything that's important about
15 the management, conservation of management measures,
16 making sure we have got science and, where we don't
17 have science, that we're being precautionary.

18 Using an ecosystem approach, so we're
19 taking into account habitat, bycatch, trophic levels,
20 accounting for all the species' habitats, and the
21 human component. In the human component, we're
22 looking at things like fishing capacity. Too many

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1 boats. That's going to always make it difficult for
2 us to manage. We can have the perfect set of
3 management measures on the one hand, but if we have a
4 fleet that is way too big, and I know I'm preaching to
5 the choir, it's going to be difficult to sustainably
6 manage. So it's very large, Rob.

7 MR. KRAMER: So it's trying to convince
8 other nations to consider these components of
9 fisheries management?

10 DR. LENT: Yes.

11 VICE CHAIR HOGARTH: Just to that point,
12 last year, for the last two years, but last year,
13 particularly, we spent a lot of time trying to get a
14 resolution passed on, you know, circle hooks and the
15 same thing that industry is using. The EU, the
16 European Community and John Spencer, fought it all the
17 way. We never -- everything that is done is done by
18 consensus. We never could get it through.

19 And, at the same time, we know what Spain
20 is doing with the freezer vessels. We know they are
21 still building large vessels in the fishery, and we
22 know that Italy is still, you know, fishing drift U

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1 nets, which they shouldn't be. So all of that is
2 under the control of the EU, so that's why we're
3 trying to put some pressure. I have to put pressure.

4 And what the EU does in turn, is to try to
5 come back with all the things on recreational because
6 they claim they don't have recreational fisheries, and
7 that if they feel like they can get the U.S. on
8 recreational, that we'll give in, you know, to these
9 other desires. So it's a tough negotiation. He is a
10 good negotiator. I have to give him credit for it.

11 CAPTAIN DILERNIA: Okay. Any other
12 questions for Dr. Lent? Raftican, Tom?

13 MR. RAFTICAN: Yes, Tom Raftican. With
14 recognition of recreational fishing, how are you
15 progressing with taking economic looks at recreational
16 fishing? I think one of the driving forces in
17 anything that we do is going to be the economies, and
18 it clearly plays a role, not only domestically, but in
19 the international arena, too. Anything there?

20 DR. LENT: Thank you, Tom, and I might ask
21 Rob to help me out on this based on some of the work
22 that IGFA is doing. But we do take to the table and,

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1 to put in Bill Hogarth's talking points, this is how
2 many billions of dollars our recreational industry
3 means to us.

4 This is how much money it generates for a
5 kilogram of fish. It's pretty impressive. That's one
6 way that we can get people's attention saying, yes,
7 yes, recreational fishing is important. We're not
8 just doing it for fun. It's also an important
9 business, and it has a high value to our folks. We
10 are making some progress in getting those evaluation
11 studies around and shared with other countries, and
12 trying to contact other economists who are doing this
13 kind of work in other countries.

14 Rob, you have got a number of IGFA
15 chapters in other countries. How could they help us
16 with this fourth area I was mentioning here?

17 MR. KRAMER: Yes, I think one of the
18 things that we're doing, Tom, is we're looking at past
19 success stories like Costa Rica and some other places
20 where you have truly seen the emergence of a
21 sustainable recreational catch and release fishery
22 there. But what I know would help us is to get

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1 information, to get data, to get reports from the
2 Federal Government and U.S. Fish and Wildlife Service,
3 too, and then to export that.

4 IGFA is holding scientific symposia on
5 four different continents this year: Brazil, in the
6 Mediterranean, Australia, and what we're trying to do
7 is export some of these best management practices,
8 export some of this economic information, the models
9 for these studies, to these other places, these other
10 countries, and give them alternatives and
11 encouragement.

12 Now, most of these places are begging for
13 information, begging for an alternative to the way
14 they are doing things now, and they see what happens
15 in places like Los Suenos, which has just exploded
16 into a huge economic success story there. They look
17 at places like Cabo San Lucas, that was a cannery town
18 not terribly long ago, and I know Bob knows the story
19 behind there. Now it looks like Las Vegas with all
20 the hotel rooms.

21 But it's taking that information to other
22 parts of the world that I think is going to be very

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1 necessary, and once they have that and start
2 collecting their own data, counting their own
3 fishermen, then they can put pressure on their own
4 countries. They can have a bigger say-so, and we're
5 working with people in Europe around the Mediterranean
6 and France, Spain and Italy in particular right now to
7 help them try to get that, so any support we can have
8 to do those is going to be helpful.

9 CAPTAIN DILERNIA: Thank you. Mr. Porter?

10 MR. PORTER: Brad Geitner at headquarters
11 has kind of overseen doing economic studies on the
12 three coasts on a rotating basis, and I guess the
13 comment we would have is that, specifically, because
14 it's being done on the west coast this year, in the
15 past, that data has not always been processed in a
16 very timely way, and we would really like to see that
17 come out and be analyzed in the report written up each
18 year, because, if it's a couple years before it's
19 completed, it's time to do another one again, and we
20 still don't have the data. I know the staff has been
21 increased now, so that should run better, but we would
22 like to push for that when that data comes out so we

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1 have those numbers in a timely way.

2 DR. LENT: Did you say Brad Geitner? Yes,
3 he actually did do a seminar the other day on his
4 preliminary results. I was telling Rob about that.
5 It's pretty amazing to see, in dollar figures and in
6 number of jobs, what happens when you change the bag
7 limit, what happens when you change the size limit, in
8 the recreational fishery. It's great, useful stuff
9 that managers can use in making the right decisions,
10 and in knowing the impact of their decisions. But
11 I'll get that message to Brad about timeliness. I
12 assume it takes a while to crunch the numbers, takes a
13 while to get them peer reviewed. You know, we've got
14 the Data Quality Act thing now, so it's really sticky
15 releasing any information until it's super-blessed.
16 But, thank you, I'll let Brad know and make sure he's
17 aware of that.

18 CAPTAIN DILERNIA: Any other questions for
19 Dr. Lent? Mary Beth.

20 MS. NICKELL-TOOLEY: Thank you. Mary Beth
21 Tooley. It wasn't so much a question as just a
22 comment on priorities, and we have transboundary

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1 resource sharing agreements with Canada.

2 DR. LENT: Yes.

3 MS. NICKELL-TOOLEY: It doesn't currently
4 cover all the species that are transboundary. We have
5 done a good job in recent time, I think, with science,
6 and doing cooperative assessments with Canada in the
7 northeast, and I think they also have a similar type
8 of situations on the west coast, but I am not as
9 familiar with them.

10 But currently under Magnuson, for a
11 species where there is not a cooperative agreement, we
12 estimate the Canadian catch, and deduct it from what
13 the U.S., you know, fisheries can take. And, you
14 know, I think that, for the U.S. and Canada on ground
15 fish in the northeast, they currently have a process
16 in place, and I think it's important to expand that to
17 other species, as well.

18 DR. LENT: Great. Thank you very much for
19 that comment. I just had a conference call yesterday,
20 in fact, about expanding it to include the ship strike
21 strategy for right whales. If we're going to do some
22 alterations, we got to work with our Canadian friends,

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1 so we're looking at that, and ground fish is a great
2 example of how that can be productive.

3 CAPTAIN DILERNIA: Anyone else? Okay.
4 Dr. Lent, thank you very, very much.

5 DR. LENT: Thank you.

6 CAPTAIN DILERNIA: It's always a pleasure
7 to have you. Do you want to do this?

8 VICE CHAIR HOGARTH: Okay. First of all,
9 we said John Ward would be here tomorrow, but John
10 Ward is here, and John is working with --

11 COURT REPORTER: Dr. Hogarth, could you
12 move your microphone to you, please?

13 VICE CHAIR HOGARTH: I'm sorry.

14 COURT REPORTER: Thank you.

15 VICE CHAIR HOGARTH: John Ward is here
16 and, you know, he has done some of the economic
17 analysis. He has been -- for the aquaculture stuff,
18 he has also been quite a bit involved in the Gulf and
19 really some of the shrimp work we were doing earlier,
20 but in the Gulf work with each state. In fact, just
21 for you all's information, I will tell you the type of
22 stuff we're doing real quick.

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1 After the Hurricane Katrina, we went to
2 each state and asked them what are the things they
3 really needed, and most of them said economic analysis
4 of what has happened. Here is one of the first
5 reports of economic impact of Hurricane Katrina on the
6 Alabama seafood industry. This one is completed.
7 Louisiana is coming right behind it and Mississippi.
8 I don't know if we did it in Texas now, did we? Did
9 we do --

10 CAPTAIN O'SHEA: We did it in Mississippi,
11 Louisiana and Alabama.

12 VICE CHAIR HOGARTH: Okay. So the other
13 two are coming, but these, I think, will be excellent
14 to get to the Hill, because the numbers keep, some
15 people say, floating around, and I think that's why
16 we're trying our best to give some numbers to the Hill
17 quickly.

18 So, we're going to put this up on the
19 website. We only have five copies so far, but I'm
20 going to try to get those to the Hill and to the
21 Department and to OMB first, and so we'll get it up on
22 the web, but this is the type of thing John has been

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1 working with the state directors on. Okay. All
2 right.

3 We'll talk about the seafood marketing
4 characteristics. You've heard me say many times today,
5 the one about keeping the goal was to promote seafood
6 consumption and support the U.S. fishing industry,
7 that balance, you know, with responsible managing and
8 sustainability. So, this proposed rule that we have
9 set up would help the fishing industry begin the
10 process of setting up seafood marketing councils in
11 order to educate Americans on the export markets,
12 about the health benefits of eating fish, the
13 importance of sustainable fishing, and the value of
14 premium fish products.

15 Our industry is probably one of the most
16 heavily regulated industries anywhere when you look at
17 the fishing industry. It is totally regulated, and so
18 it has a lot of expensive overhead costs, and it's
19 struggling to find, I think, equal footing to be able
20 to compete in the domestic marketplace here.

21 And so we're concerned with the fact that
22 there is a little different structure, just a lot of

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1 concerns about seafood marketing in the place of our
2 industry for sustainability. I won't go through all
3 the numbers about how much we import, how much we --
4 you all know that. But we think that the marketing
5 councils would help the seafood service to distinguish
6 between differences in price and quality, tech
7 support, making some important decisions at the
8 seafood counter.

9 And I would not only establish the
10 marketing councils, but this process would create an
11 organizational framework for their development. We
12 would have to approve or disapprove the formation of
13 the individual councils on a case-by-case basis,
14 taking into consideration environmental analysis,
15 public comment, and all that goes into it.

16 Industry would design and fund the
17 councils, and they would have to pass a referendum
18 both of what they want it to be, to have a seafood
19 council or not. But the industry participation is
20 voluntary.

21 For example, one of the ones that came to
22 us on this early was tuna, some of the tuna industry,

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1 and one of the big holdups was, well, was it voluntary
2 or not voluntary, and then the Supreme Court decision
3 on beef, and so we have been holding this, but if you
4 don't want to participate, you don't have to
5 participate. It comes as a voluntary basis, whether
6 you participate in the council or not, even if you're
7 a fisherman.

8 We don't think this will result in any
9 increase in fishing pressure on stocks, so we'll
10 capitalize. We don't think it will influence any of
11 the fishery management decisions. It's basically, to
12 use the current science, use credible science that we
13 have, use the sustainability of the fishery and health
14 benefits, quality control, all this to collect the
15 seafood, whatever part of it went to market, let them
16 be able to market.

17 Yes, this is -- there used to be seafood
18 councils years ago, and they just sort of went by the
19 board for lots of reasons, but, you know, we feel like
20 there's a lot of interest in them now, and we would
21 have a lot of oversight to make sure that they promote
22 sustainable fisheries and then not, you know, just dig

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1 in and say things that are not true, this type of
2 thing.

3 So it is out for public comment.
4 Hopefully, the comment closes February the 23th, so
5 it's basically just to set back up the councils so
6 that we're allowed a voluntary basis, that we have
7 more control over -- I have the criteria and all on
8 which they operate.

9 CAPTAIN DILERNIA: Okay. I have a couple
10 of questions about the councils for Dr. Hogarth. Are
11 these going to be state councils or regional?

12 VICE CHAIR HOGARTH: They will be -- for
13 example, it could be whoever wants to come forward.
14 The only ones that have expressed interest so far have
15 been -- to be honest with you, have been some of the
16 shrimp fishermen, but basically the tuna industry has
17 come forward, and that would be on a national basis,
18 they would set up a National Seafood Marketing
19 Council.

20 But it's not -- it's not limited to just,
21 you know, those types, you know, it could be state or
22 it could be --

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1 MR. HELM: It could be any combination of
2 those same. John Ward was just speaking briefly with
3 the wild American shrimp folks who had some questions
4 about it and wanted to get those questions answered.
5 A council, we actually think it might be species-based
6 in some cases, the tuna, the tuna species. The Tuna
7 Foundation folks, the Shrimp Foundation folks, are the
8 ones that we have heard from the most.

9 When we did some analysis, and the
10 analysis is in the proposed rule, we found that there
11 are about -- up to a dozen different species that
12 might benefit economically from a marketing campaign.

13 So it may be species-based. We just don't know.
14 We're looking for comments on all of those.

15 CAPTAIN DILERNIA: But we in New York have
16 the New York Seafood Council, which is funded partly
17 by state legislature and partly by contributions from
18 its members.

19 MR. HELM: Yes.

20 CAPTAIN DILERNIA: So conceivably then, if
21 there was a Wild Shrimp Association, the New York
22 Seafood Council could get information from the Wild

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1 Shrimp Association, which we could then use.

2 MR. HELM: You could be part of that
3 council.

4 CAPTAIN DILERNIA: Yes.

5 MR. HELM: You could join that council,
6 and derive the benefits of that marketing council,
7 yes. What makes me believe that is the structure, the
8 framework, is what we're talking about here. Each
9 council can design its own program, and then come to
10 us with that program.

11 CAPTAIN DILERNIA: Jim was first. Jim
12 Cook?

13 CAPTAIN COOK: Well, Bill asked me to
14 speak up a little bit more, so you always have to be
15 cautious of what you beg for. When I first read this,
16 I thought there was something wrong. Usually, I like
17 to get money from you and then tell you what we're
18 going to do with it. Besides, I had to read it like
19 three or four times before I finally got it.

20 So my concern now, since it's my money and
21 your approval, is what are you going to give me.
22 Because we have gone through this a lot in the past in

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1 our industry where we have tried to get the Agency to
2 speak up on our behalf in some substantive way and,
3 from my perspective, we don't get near enough of it.

4 So I am all for it, and I'm kind of trying
5 in my mind to see how it puts together, how to put it
6 together, but there -- but to me, what I'm looking for
7 is for the Agency to get behind these councils in a
8 positive and very, very visible way. And so unless
9 there is that component, and unless that component is
10 very well-known to me, I don't know what I'm getting
11 into.

12 And so I think that's the important part
13 that is not fleshed out here. You talk about wanting
14 to make sure that the things that these councils say
15 are in line with current policy. Well, what are you
16 going to say? You know, and what I am really wanting
17 you to say to me is, Jim, we're going to get behind
18 these councils. We're going to in some way certify
19 them. We're going to in some way certify the things
20 that they say.

21 You know, we have talked before, but, you
22 know, I deal all the time with people from MSC,

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1 wonderful people, want to come around and want to take
2 all our money. I will be dead five times over when
3 they certify the first pelagic long line fishery. You
4 know that. I am looking for some way to get into that
5 game, and we have talked before about a sticker that
6 said, this product is from federally managed
7 fisheries.

8 Hey, sounds great to me. And all those
9 things sound good to me, but I want to know where the
10 rubber meets the road on the support, because there it
11 is. It's my money, your decision. Where is it?

12 VICE CHAIR HOGARTH: I just fell off the
13 table. You know, if this does go through, it is our
14 opinion, and the way we would operate it is that we
15 would be behind 100 percent. We would say, these
16 councils, you know, have been developed and organized
17 with sustainability with the -- you know, with the
18 Agency backing those councils all the way, you know?

19 It doesn't carry money, as such, but I
20 have watched the Hill a lot of times, and things like
21 this have the tendency sometimes to get some money
22 later down the road when the economy is better to help

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1 make sure what is done. But, you know, it's an avenue
2 for us to get behind the industry. You know, we make
3 statements now, this, that and the other, but this is
4 an avenue for a council to come forward. We develop
5 it and develop the council, then we stand behind it
6 and we support and try to give them a seal, you know,
7 if that's the right idea.

8 CAPTAIN COOK: You know, I guess, you
9 know, it's how far behind them you're going to stand,
10 and I think that --

11 VICE CHAIR HOGARTH: Beside you.

12 CAPTAIN COOK: I think that, for us,
13 that's the whole question here, and I think it's a
14 great idea, you know, especially for us in the tuna
15 business, but I am concerned about that part of it,
16 and I'm concerned that we get something very, very
17 positive. You know, surprisingly, the American public
18 still believes in their Government to a great extent.

19 MR. HELM: Jim, what we would like to hear
20 from, you know, all of our constituents, and I would
21 love to hear this from you, is what are those
22 specifics that you want to be in that framework

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1 document? We need to hear about that during the
2 comment period, so that we can evaluate that and for
3 our final rule. That's the kind of thing that we're
4 looking for.

5 I have had others say well, I think that
6 you are leaving out this part or you are unduly
7 influencing other parts and I'm saying this is the
8 framework. This is the developing process, please,
9 get that information to us in the form of comments, so
10 that we can review them and work them in, so that we
11 have a good solid framework to meet people's needs.

12 CAPTAIN COOK: Yes, I will make sure and
13 comment. And let's not forget who the number one tuna
14 industry in the United States is now. Things have
15 changed.

16 MR. HELM: One last comment about funding.
17 Again, the only part of this that we will be looking
18 at in terms of funding is the referendum issue and we
19 will require perspective councils to put some kind of
20 funding up front to make sure that the cost of the
21 referendum, even if it turns out that that council
22 does not form, will be borne by other than the

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1 Government.

2 Other than that, we will not be involved
3 in actually the money aspect of it. It will be the
4 council. We will approve marketing plans that will
5 involve money, but we will not be handling the money,
6 at least under this proposal, at this point.

7 VICE CHAIR HOGARTH: Look at the proposal
8 and then give us comments, because they're trying to
9 redo it and like I said it has been on each time a
10 while back, but it just -- my only meaning was
11 concerning until the -- what the decision will be.
12 And so we just held it to see what happened there.
13 And this is the voluntary program, rather than
14 mandatory.

15 So if one is better than the 12 and you
16 don't want to -- they have this policy, although it's
17 voluntary, it can be 12 votes and officials will want
18 to go into council. One of them would say no, it's a
19 great benefit. The other 11 get something and then
20 after a while it will probably cost too much and
21 nobody wants to do it. But I think it is an avenue
22 that we could stand with the industry.

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1 CAPTAIN COOK: Well, I think there is a
2 huge opportunity here, at least for us, because as the
3 number of your losses go down, guess what, the number
4 of my losses go down. And we, after six years, have
5 zero active litigation. All of that money that our
6 members have put together to fight that, this would be
7 an ideal venue for it, in my mind, and I hope other
8 people feel the same way. And I hope we can really
9 get something positive going.

10 VICE CHAIR HOGARTH: Yes, well, you've got
11 -- now, you understand that out of the 16 we had, only
12 a few people realized that the 16 had zero mortality.
13 It's just one of the 16, it's just the biological
14 opinion is written on interactions and not
15 mortalities. There's a mortality trigger, too, but
16 that meets that. Pete?

17 MR. LEIPZIG: Yes, Pete Leipzig. I have a
18 few questions. First, I haven't seen the proposed
19 rule. I didn't know there was one out, so if it got
20 circulated to the group --

21 DR. LENT: It did not get circulated to
22 the group.

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1 MR. LEIPZIG: I missed it if it did.

2 MR. HELM: No, it's not in the book. It
3 is available online at www.noaa.nmfs.gov and I can get
4 that information to you. If you don't know to look
5 for it, you don't --

6 MR. LEIPZIG: I don't go looking for
7 things I don't know are there.

8 MR. HELM: Yes.

9 MR. LEIPZIG: Okay.

10 MR. HELM: Understood, understood. We put
11 it out in FishNews and got it out to as many groups as
12 we could.

13 VICE CHAIR HOGARTH: Can we make copies?

14 MR. HELM: Absolutely.

15 VICE CHAIR HOGARTH: Who needs a copy?
16 One, two, three, four, five, six. Okay. We'll make
17 copies for you.

18 MR. LEIPZIG: Okay. It sounds very much
19 like this is a repackaging of the Seafood Council's
20 regulation from 15, 20 years ago.

21 VICE CHAIR HOGARTH: Right.

22 MR. LEIPZIG: Okay. A couple questions

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1 then. If it's going to be voluntary participation,
2 why would you have to have a referendum?

3 MR. WARD: The point of the referendum is
4 to --

5 COURT REPORTER: Can you identify
6 yourself?

7 MR. WARD: I am John Ward with the
8 National Marine Fishery Service. The point of the
9 referendum is to identify the users who would
10 participate in the Seafood Promotion Council and to
11 ensure that those who wish to participate are the ones
12 that move ahead with the council.

13 If you vote against the referendum to have
14 a council and you don't wish to participate in it, you
15 don't have to pay the assessment or participate in any
16 of the activities of the council.

17 MR. LEIPZIG: But if it's voluntary,
18 people could drop out later after it's formed and you
19 can't anticipate that.

20 MR. WARD: Right.

21 MR. LEIPZIG: That is just a comment, I
22 guess.

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1 VICE CHAIR HOGARTH: Right.

2 MR. WARD: There is a procedure though for
3 people who want to leave a council and get their
4 assessed fees returned to them. That's part of the
5 framework.

6 MR. LEIPZIG: Well, I was thinking more
7 just I'll stop paying. You got my money. I have lost
8 it. I'm just not going to participate anymore and
9 there is no way to anticipate that.

10 MR. WARD: Right.

11 MR. LEIPZIG: In the past, 15, 20 years
12 ago, I recall that the Secretary had to approve any
13 spending plans. Is that part of this, the Agency had
14 to approve? If a group got together and said, okay,
15 we want this promotion, you had to write that
16 promotion up and submit it for approval before you
17 could spend the money.

18 MR. HELM: That is still in the proposal.

19 MR. LEIPZIG: Okay. Then along the lines
20 of the question, I am not opposed to seafood councils
21 and promoting seafood, but just as Jim was wondering,
22 I'm just questioning what is the benefit to people.

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1 If it's a voluntary program and you have got to seek
2 approval from the Secretary before you can spend the
3 money, why not just encourage people to go form their
4 own organization, tax themselves and be free of the
5 obligation to have approval from the Secretary in how
6 they spend their own money?

7 MR. HELM: That was a question that OMB
8 asked of us. That is a question that has come up
9 frequently. A lot of American Shrimp ask that
10 question and we agree. This provides -- if one goes
11 through all of these steps necessary under this
12 proposal to form a council, it will be a Government
13 backed council with a certification that other groups
14 that have formed themselves do not have.

15 I mean, you're right. Because it's
16 voluntary, this is sort of like our -- I don't want to
17 draw a parallel here because it may not be apt, but
18 think of it from the standpoint of seafood people who
19 want to show that their seafood is of a higher quality
20 than others and they go through the hassle, process
21 and they get the Government seal from the Department
22 of Commerce that says that their seafood is certified,

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1 safe and healthy and wholesome and all that. This is
2 a similar plan.

3 VICE CHAIR HOGARTH: And then we need to
4 get the comments on whether we should have anything to
5 do with the spending plans. We could do other things
6 other than having to do with spending plans. I mean,
7 you could still back it without having anything to do
8 with how much money they put in. That's a comment
9 that we hope is made in this process. We don't have
10 to approve spending plans. I'm not sure if it's not
11 our money and it's voluntary that we -- if we set out
12 with the right criteria, obviously, we need to.

13 MR. LEIPZIG: Is the proposal placed out?

14 VICE CHAIR HOGARTH: Yes.

15 MR. LEIPZIG: No, I understand. I just
16 need to get a copy.

17 VICE CHAIR HOGARTH: Okay. Heather?

18 MS. McCARTY: Thank you. Heather McCarty.

19 I guess my comments are all exactly like these
20 gentlemen's. I don't see the benefit of it unless --
21 well, I haven't read it yet, but is it the
22 certification -- is the certification granted by the

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1 Government for quality and sustainability? Is that
2 the idea?

3 VICE CHAIR HOGARTH: Right.

4 MS. McCARTY: Okay. So that is the
5 advantage of having it. Okay. Because it sounds like
6 on paper so far, you know, we give a whole bunch of
7 money out of the industry pocket and then the
8 Government says this is what you have to do, and that
9 doesn't make a lot of sense to me right on the face of
10 it. So it would have to be a lot different for it to
11 be valuable to the industry in my opinion.

12 MR. HELM: Well, I just would encourage
13 you to read it.

14 MS. McCARTY: Yes, I will.

15 MR. HELM: And, again, we're looking for
16 the input.

17 MS. McCARTY: Okay. Thanks.

18 VICE CHAIR HOGARTH: Yes, I mean, I know.
19 It's interesting. Some industries have asked for it
20 and others have been opposed to that. I don't know.
21 It doesn't mean you got to do if you do it, but what I
22 hoped it would do is it would help, you know, educate

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1 the consumers about seafood sustainability and other
2 things and that the Government would be standing
3 beside you, so to speak, and backing this process.
4 Tom, yes?

5 MR. BILLY: You know, one possibility on
6 this -- Tom Billy. One possibility might relate to
7 antitrust in terms of the rules that govern when an
8 industry can and cannot get together for common
9 purposes. And I would assume, although you might want
10 to have the lawyers look at it, that this provides a
11 legal basis for that to happen for this kind of
12 purpose.

13 I have a question, which is can foreign
14 industry be part of these marketing councils? And,
15 secondly, could a wholly foreign group of industry
16 form a council in the United States under what is
17 proposed?

18 VICE CHAIR HOGARTH: Tom, I think it's
19 silent on that. That's a good point, but I think
20 right now it's silent, isn't it?

21 MR. WARD: Well, we don't really address
22 that, but the original law that was passed in the '80s

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1 is the authority for this marketing program was to
2 promote domestic seafood. Even the Tuna Foundation,
3 which is interested in forming a council, is doing it
4 primarily because they have U.S. flagged vessels that
5 are providing them with their product or at least that
6 is how they informed us of their justification for it.

7 MR. BILLY: Once seafood gets past
8 Customs, it is domestic, so all I'm pointing out is
9 you ought to consider this in terms of what your
10 intent is.

11 MR. WARD: Right.

12 VICE CHAIR HOGARTH: That's a good point.
13 We need to look at that. Chris?

14 MR. DORSETT: Chris Dorsett. I understand
15 that, and I haven't read the rule yet, so bear with
16 me, if it's in there or if it's contemplated at some
17 point, but it says each fishery would be looked at on
18 a case-by-case basis. But will there be some
19 criteria, some set of standards that you look at? For
20 example, it's managed at optimum yield and low turtle
21 bycatch. Is that in there now or is that in the
22 future?

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VICE CHAIR HOGARTH: Yes.

MR. WARD: There are 24, 23 criteria within the proposed rule that have to be complied with, yes.

MR. HELM: I don't know the specifics, but I do remember sustainability and I guess I don't have it in front of me to answer, but I will get you a copy soon.

VICE CHAIR HOGARTH: And comment on those criteria is another thing we want people to do.

MR. DORSETT: Yes, I do know that a number of groups that we work with in our group will be submitting some comments.

VICE CHAIR HOGARTH: Good. Ralph, chip in?

MR. RAYBURN: Yes, there's a couple I got. I understood and I haven't compared this with what was done before, but if you establish your universe on which you initiate a referendum, I thought this was patterned more off the Agricultural Commodity Board type process where if the majority within the universe you have established passes a referendum, then

1 everyone within that universe, whether they voted for
2 or against the referendum, would be required to make
3 an assessment based on whatever the council said, that
4 upon the request of the participant that assessment
5 could be refunded, but they don't have the option up
6 front not to make the assessment.

7 Is that -- when you said if they didn't
8 like it, they would pass on even making the
9 assessment, is that the way this is set up? They can
10 opt out?

11 MR. WARD: The Supreme Court decision on
12 beef that recently was passed down last summer, I
13 think it was, required us to change it so they could
14 opt out up front. They didn't have to pay the
15 assessment and then get the money refunded.

16 MR. RAYBURN: Oh, that's what the decision
17 was. It wasn't that you had to refund it if
18 requested. Right.

19 MR. HELM: Well, that was the original
20 language that you're talking about, but we made
21 modifications prior to the release of the draft.

22 PARTICIPANT: That sounds pretty cool.

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1 MR. RAYBURN: One of the 24 items here
2 that the Board would have to submit is the Magnuson
3 rate, our rates that would be imposed by a council on
4 receivers or importers doing the operation of the
5 council, but the importers would probably opt out. So
6 whatever rate the Board put, the importers would just
7 say I'm not interested in playing. Is that pretty
8 much it?

9 MR. HELM: Well, we won't make the rates,
10 but that's probably a good --

11 MR. RAYBURN: There is no requirement that
12 they will.

13 VICE CHAIR HOGARTH: We need to maybe look
14 at this, because one country that exports, we import
15 from quite a bit, is Iceland. And Iceland has
16 expressed some interest early in what we were doing
17 here. So I really need to go back and look at what we
18 said about foreign, because I don't know, and we need
19 to look back at that.

20 It's a good point, but I know Iceland was
21 interested in what we were doing and how would it
22 operate. So if they had, you know, a company here

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1 that was importing a lot of Iceland fish, could they
2 be part of this process. So we need to look at it.
3 Yes, Mary Beth?

4 MS. NICKELL-TOOLEY: Mary Beth Tooley.
5 You know, I also haven't read it, so I, you know, when
6 I get a copy of it, I'll take a look at it. But it
7 seems like I'm missing perhaps what the purpose of the
8 councils would be. I mean, because we have talked
9 about marketing and education, but it also was
10 mentioned, certification of sustainability. So there
11 is obviously criteria that a particular fishery would
12 have to meet. If someone could just maybe explain
13 that.

14 MR. HELM: I will try in general terms.
15 Again, there are 24 different steps through the
16 certification process or things that you must meet at
17 least under this proposal. In addition, there is the
18 opportunity or the option to actually establish a
19 quality standard that would -- through some other
20 forum. In one case it might be our own seafood
21 inspection programs for the quality portions of this.

22 But at any rate, what would occur in the

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1 end would be a Government standing behind the
2 marketing and promotional strategy of the council
3 because it has met all of the criteria listed in the
4 framework regulations.

5 MS. NICKELL-TOOLEY: Just to follow-up on
6 that then, how would councils address mixed stock
7 fisheries in which you might have, such as, New
8 England ground fish, 19 species, you know, 13 in good
9 shape and the other six in the building program.

10 MR. HELM: Yes. Under the proposal right
11 now, the council's responsibility would be to come to
12 us and explain to us how they would do that and we
13 would either agree with them or disagree with them.
14 Is that correct, John?

15 MR. WARD: Yes.

16 MR. HELM: So in other words, we believe
17 the criteria and this is where we are looking for
18 input. We believe the criteria are strong enough to
19 allow a council to establish this marketing strategy
20 that provides for the kinds of concerns that you have.
21 We will also be looking for outside input on these,
22 because we will do a public comment period on this.

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1 In the end and under the proposal as it
2 stands, in the end we will be looking at the comments
3 and the plans to see if it does actually meet the
4 things that the council believes it will meet.

5 MS. NICKELL-TOOLEY: Because I think it
6 sounds like the idea for the council is to promote,
7 you know, seafood and educate the public because it's
8 really very good. But if it turns into a program that
9 really becomes about certifying sustainability of
10 fisheries, which is done, you know, through other
11 groups, it just gets a little confusing there to me.
12 I mean, because, you know, some species, you know,
13 really don't need this type of thing, but under
14 sustainability maybe they go through the whole process
15 only to be certified sustained.

16 Does that make sense? I mean, there is a
17 little confusion there to me about the purpose.

18 MR. HELM: I understand that.

19 MS. NICKELL-TOOLEY: Yes.

20 MR. HELM: The reason why we're a little
21 bit -- while you're in front of us, you haven't had a
22 chance to look at the various criteria and we're also

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1 in the rule making process, and what we're looking for
2 are these kinds of questions being raised and directed
3 to us, so that we -- with possibly the answers, as
4 well, so that we can more better judge the various
5 individual concerns that there may be out there.

6 MS. NICKELL-TOOLEY: Thanks.

7 MR. HELM: I'm sorry. I'm answering your
8 question with a question. I apologize.

9 MS. NICKELL-TOOLEY: Thanks.

10 VICE CHAIR HOGARTH: I think one of these
11 questions is, you know, I don't know what species to
12 take, but if you take one that is we know is over-
13 fished and the council has not done a rebuilding plan
14 or anything, it's continuing to be over-fished, over-
15 fishing takes place and over-fished dollars, it would
16 be very difficult, I think, for us to agree to a
17 council to promote that particular fish. But if there
18 is a rebuilding plan in place, you know, with a
19 recovery plan, then I think if we've got quotas and,
20 you know, things, it would be easy.

21 MS. NICKELL-TOOLEY: Excuse me. Well, you
22 know, what makes me think of this is haddock in the

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1 northeast is highly funded and if we could figure out
2 a way to take it out of the water and leave, you know,
3 cod in the water, people have, you know, some serious
4 concerns about the ability to actually market those
5 fish.

6 VICE CHAIR HOGARTH: Yes.

7 MS. NICKELL-TOOLEY: But it isn't a stock
8 fishery and so, therefore, I would ask the question.

9 MR. HELM: Well, I think, Mary Beth, the
10 point being that with a workable framework and a
11 council that is committed to meeting the criteria, if
12 we can work together to come up with a package and
13 again, I'm overstepping where we are in the proposed
14 rule, but let's assume that the criteria are
15 established that would allow for all those things to
16 occur. If the council was agreeing to do all of those
17 things, then we would be looking at that package with
18 a favorable eye.

19 VICE CHAIR HOGARTH: Take the wild shrimp
20 real quick. The wild shrimp thing, I think, right
21 now, you know, we are in the process of going through
22 rule making for limited entry, what else is it, and

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1 they have to guarantee it's -- they have to have back
2 introduction devices. So, I mean, I think, you know,
3 you would look at those criteria in the campaign to
4 sell wild shrimp, to promote wild shrimp through that
5 council because they have done all of these things, I
6 think, you know.

7 CAPTAIN COOK: If we could get a little
8 stamp with your picture and your cell number that we
9 could put on all of the promotional literature --

10 VICE CHAIR HOGARTH: Ralph, Pete and then
11 Jim.

12 MR. RAYBURN: All right. And shrimp is an
13 example that, you know, I would like to think about a
14 little bit, because they are struggling with creating
15 an identity within a commodity to get a better price
16 for survival of the industry. And the struggle is --
17 and, of course, this Wild American Shrimp Group is out
18 there. I think the last thing I did in 1989 with the
19 Texas Shrimp Association was develop a plan for
20 creating a shrimp marketing board and a referendum and
21 suddenly, you know, back right after this thing had
22 passed and, you know, they are still struggling with

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1 it.

2 It seems it comes down to several things
3 in my mind. First of all, obviously, those folks --
4 well, I'm not sure within that industry that there is
5 the margin any longer for an assessment to be viable.

6 They may have lost all that momentum, hopefully not,
7 but maybe where they can't even afford the nickel a
8 pound or whatever it might be that's assessed. That's
9 the difficulty.

10 But it seems to me in the thought process
11 on this, to the extent that the Government wants to
12 partner with the industry to create these kinds of
13 councils, and if the industry does the assessment --
14 I'm asking a question. If they assess themselves a
15 certain amount of money to go towards this council and
16 they create standards for that product and those
17 standards in the product would be certified to those
18 standards, and that would go out into the market as a
19 certified product to the standards that are applicable
20 there.

21 Now, the Government's role in that besides
22 lending credibility and authority to this council, I

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1 assume they would be involved in inspecting to those
2 standards, so that the inspectors would be a part of
3 that. And this is one question. Would the
4 Government's partnership in that be covering the
5 expense of that inspection or would that be to be paid
6 by the assessment of the industry?

7 And then, secondly, if it's found that the
8 certification, the logo or whatever is violated or
9 someone has packed and submitted that it was packed to
10 those standards and you found out it was not, you
11 know, is there traceability set up so that that
12 product can be traced back and the Government will
13 enforce those standards against the producer or the
14 processor or is that a requirement of the council
15 again to go through that litigation?

16 So I guess two questions. In this, is it
17 a partnership relation where the Government would
18 cover the cost of the inspection to the standards?
19 And, secondly, is it the Government's cost to enforce
20 those standards if this partnership council
21 arrangement is established?

22 MR. WARD: Well, it is a partnership

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1 between the Government and the council. The Secretary
2 of Commerce designates someone to sit on the board of
3 the council to participate in the operations of the
4 council, so it is truly a partnership. The costs, the
5 way the rule is set up right now, are borne by the
6 council. The federal role is -- the costs incurred by
7 the Federal Government are really minimal in that
8 regard.

9 Talking about going beyond what happens if
10 a quality standard is violated goes beyond what's in
11 the rule right now and it would make an excellent
12 comment during the commentary to how would we deal
13 with this, but it would have to be part of that
14 marketing program proposed by the industry that the
15 Government had to sign off on.

16 And the Federal Government does have, as
17 you well know, programs to quality control a product
18 that is being produced. It does have quality
19 standards. It has people who can assist in setting up
20 those programs.

21 MR. HELM: It would be for service and it
22 would fall underneath the council's requirements.

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1 MR. RAYBURN: So that would have to be
2 budgeted out of that assessment?

3 MR. HELM: Right.

4 MR. RAYBURN: So the only partnership is
5 someone sitting on the board and adding some
6 credibility to the process.

7 MR. HELM: But, again, you're talking
8 about the enforcement. The enforcement will be part
9 of the council's proposal to the Government.

10 MR. RAYBURN: Right, but it could be a
11 legal action that any entity could take upon
12 themselves in a breach of contract, a breach of
13 trademark registration or whatever it may be.

14 MR. HELM: And under the proposal, there
15 is an annual review of the marketing strategy and
16 there is the ability to pull the mark, the seal or
17 whatever it is for whatever breach there might be and,
18 as I recall, the proposal has.

19 MR. RAYBURN: Right.

20 VICE CHAIR HOGARTH: Pete?

21 MR. LEIPZIG: Yes, Pete Leipzig. You had
22 mentioned Iceland, somebody else had mentioned

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1 importers as being qualified for participating, so I'm
2 assuming this is not just federally managed fisheries,
3 but state managed fisheries as well. Is that a fair
4 assumption?

5 MR. WARD: There is nothing to preclude
6 them in the proposed rule.

7 MR. LEIPZIG: Okay. If individual states
8 were to pass legislation or produce this, since they
9 already have to establish marketing councils that are
10 mandatory funding in their nature, is there anything
11 that precludes state contributions from funding these
12 organizations?

13 MR. WARD: Not that I'm aware of.

14 MR. LEIPZIG: Okay.

15 MR. HELM: I'm not an expert on this, but
16 I would imagine states would be part of whatever the
17 council that it was for. They could be partners
18 within that council.

19 MR. LEIPZIG: They could be.

20 VICE CHAIR HOGARTH: Ken?

21 DR. ROBERTS. Ken Roberts. You have done
22 a good job previously with Linda in the Seafood and

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1 Health Conference of taking leadership and staking
2 sort of a claim on the national interest in having
3 people eat seafood from a health and longevity and
4 whatever standpoint.

5 And I know it's probably not the case, but
6 I'm going to state it anyway. I don't want the
7 organization, the Agency, to go passive if a council
8 bill would pass, because a council bill, anybody who
9 is going to avail themselves of the opportunity to
10 form a council, it's probably going to be on a species
11 basis or a group of species with similar
12 characteristics.

13 They are going to be delivering messages
14 primarily about that species. And I think what you
15 have started with constituent services in the health
16 and seafood in general with the conference and the
17 follow-up we see coming is that more generic national
18 interest about keeping seafood in the forefront and
19 it's an important part of the national diet. And,
20 therefore, we can spend money on it in terms of
21 managing it properly and making it sustainable,
22 because it's a national issue.

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1 Now, I just want to make sure that if the
2 council thing goes forward we don't just say, phew,
3 boy, now we have got something passed and the
4 councils, if they choose to conform, and if none or
5 very few formed, it's no longer a national issue.
6 That I want to avoid, number one.

7 And, number two, I want to avoid the fact
8 that you may get into a passive mode if, in fact, some
9 species kind of councils get started, because they are
10 going to be focused on a species whereby we have some
11 bigger issues to deal with about seafood consumption
12 and health and that's just a caution I would like to
13 state.

14 VICE CHAIR HOGARTH: I think it's a good
15 comment. You know, to be honest with you, one of the
16 people that came to us was the tuna industry and one
17 of them was, I think, over canned tuna. They have
18 been working with FDA to sort of change the contents
19 in the tuna can, you know, to put less filler and that
20 type of stuff.

21 We have had a heck of a time with FDA, but
22 I think the tuna industry decided, well, if we can't

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1 deal with FDA on what comes into the country, can we
2 do a marketing campaign of our own to say that U.S.
3 canned tuna has got less filler and more, you know,
4 more tuna and you get to set out this type of thing.
5 And that is just one thing I have never talked about.

6 You know, this may help in some of the
7 stuff, to give a better product in the campaign that
8 you're giving about a product and that type of stuff.

9 There's a lot of, I think, very-established,
10 different people of why they want it, but I think that
11 -- again, we can ask Heather.

12 MS. McCARTY: Oh, I pass.

13 VICE CHAIR HOGARTH: Ralph?

14 MR. RAYBURN: Again, the west coast would
15 know, but pretty much in the tuna industry, there is
16 no domestic canners any longer, right, and so the
17 products are all canned foreign and then brought in,
18 American Samoa. Excuse me. Okay. Puerto Rico?

19 VICE CHAIR HOGARTH: American Samoa.

20 MR. RAYBURN: Is that a major percent?
21 Most of it was Thailand and places like that, you
22 know?

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1 VICE CHAIR HOGARTH: American Samoa is the
2 largest port period. We can't even report it because
3 of confidentiality, but American Samoa is the largest.

4 MR. RAYBURN: Okay. So domestic or U.S.
5 flagged vessels that are harvesting in the western
6 Pacific or whatever and then delivering it to that
7 source, it's domestic product that's interested in
8 marketing. I mean, I see that a little different
9 because tuna has been really hammered in the last
10 several years with mercury content and the cans and,
11 you know, the notification, the marketplace and the
12 California laws and all that kind of stuff. So I
13 really think they are in a different position.

14 I would certainly -- the way it seems to
15 me in the last several years, if a commodity group,
16 and I'm sorry this is buzzing, but if salmon has a
17 problem, they go to their legislature and they get \$50
18 million to do marketing. You know, the shrimpers have
19 a problem, and congratulations on that, but if the
20 shrimpers have a problem, you know, they go to their
21 member and they get \$3 million for marketing or \$17
22 million or whatever.

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1 So why go through this? I mean, if they
2 have got the political will, they can get it for
3 nothing. It's all our money. Why put up a nickel a
4 pound unless the Government wants to really do this
5 and it kind of goes back to aquaculture. All this is
6 great and, again, I think the wisdom behind the
7 thought is super, but unless you're full partners,
8 unless you come in and say, you know, we'll give you
9 50 percent on the inspector if you take this in, we'll
10 cut his fees by 50 percent or whatever, you know, and
11 we'll cover your legal costs or something to make full
12 partner.

13 And it seems like you're better off just
14 taking that money, putting it in the pack and going to
15 the Congress or the Senate and say, hey, we need \$5 to
16 do our marketing.

17 VICE CHAIR HOGARTH: But, no, I think the
18 point --

19 MR. RAYBURN: No strings attached,
20 basically.

21 VICE CHAIR HOGARTH: Well, I think the
22 point is we're trying to look at or I'm trying to look

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1 at fisheries on the whole, the big things from health,
2 from sustainability.

3 MR. RAYBURN: Absolutely.

4 VICE CHAIR HOGARTH: From the whole big
5 picture.

6 MR. RAYBURN: Absolutely.

7 VICE CHAIR HOGARTH: And I think the money
8 that goes to this wild shrimp whatever it is is
9 somewhat of a hodgepodge. Sometimes they get it,
10 sometimes they don't, you know, and if they didn't,
11 they wouldn't pay for it themselves.

12 MR. RAYBURN: Absolutely.

13 VICE CHAIR HOGARTH: And so I think this
14 is an opportunity and, hey, if we put the rule out
15 after we get all the comment and nobody wants it, we
16 have wasted a little bit of time, but if they do, then
17 they are going to have certain criteria and we'll be
18 standing beside you with some type of stuff.

19 MR. RAYBURN: And I think it's great. I
20 mean to be constructive.

21 VICE CHAIR HOGARTH: No, you are.

22 MR. RAYBURN: I think that's up to the

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1 industry. It's losing momentum every day in not
2 having something like this. They should have done
3 this in the shrimp 25, 30 years ago. They didn't.
4 Now, whether they can do it today or not, I don't
5 know.

6 VICE CHAIR HOGARTH: This is part of, I
7 guess, fisheries, you know, how we would like to see
8 fisheries 10, 15, 20 years from now, how we're going
9 to have good sustainable fisheries in the U.S., that
10 our consumers have great faith and confidence in when
11 they go to the market that they have some choices,
12 that they will pick U.S. seafood over the other and
13 this type of thing. That's what we're trying to get
14 out. Yes, Tony?

15 CAPTAIN DILERNIA: All right. The more I
16 hear this discussion, the more I'm reminded of
17 something that the environmental communities put out.

18 I think the Blue Ocean Institute has the palm cards
19 that they have, the little fold cards that say, you
20 know, what is recommended, what is not recommended as
21 far as -- and I can't tell you how many times I see
22 them, New York City shoppers, housewives, I mean, it's

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1 -- I think it's a tremendous success story as far as
2 the environmental community trying to get out its
3 message as to try and educate the public on species
4 that the community feels are species that should be
5 consumed by the consumer and those that should be
6 avoided.

7 And I see those cards all over and if
8 there is some way that the industry can develop a
9 process that is certified by the Government to say,
10 well, yes, maybe what you want to do is end up on that
11 card. That may be the number one thing you want to
12 do, is end up on that card of recommended species
13 because, I mean, I see many people just use that as a
14 buying guide in New York City.

15 VICE CHAIR HOGARTH: Steve, I'm going to
16 give you the last word.

17 DR. MURAWSKI: Tony makes a good point. I
18 mean, there are two private efforts out there, the
19 Marine Research Council and the Seafood Launch, which
20 is what Tony is talking about. They have very
21 different criteria, different groups are sort of
22 finding these things. The consumers are looking for

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1 this kind of information. It's incomplete. NMFS as
2 an agency is not in it, you know, in terms of, you
3 know, applying criteria, looking at the laws that we
4 have. And so I think this is a way to sort of balance
5 up the score card a little bit.

6 I would say that on the Pacific side there
7 is much more sort of aggressive industry interests and
8 things like marine stewardship council than there is
9 in the Atlantic right now. For whatever reason, I
10 think, you know, it's a show coming that you will see,
11 America.

12 VICE CHAIR HOGARTH: Mary Beth?

13 MS. NICKELL-TOOLEY: Mary Beth Tooley.
14 Well, I think that the concern about, you know, the
15 cards and whether you're on the card or off the card,
16 I mean, you know, Maine lobsters are on the card, off
17 the card, depending on whose card it is. Considered
18 over fish, you have some fishery that keeps going and
19 appears to be quite healthy in the northern stock
20 area.

21 Then you have, you know, the politics of
22 the day and other fisheries in which the science is

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1 totally ignored by the public and they go in the
2 opposite direction. And I have seen it go both ways
3 in which the Science Center says that we have a
4 healthy, stable, if not, growing stock. People will
5 come to the microphone and tell you exactly the
6 opposite. And then I've also seen the Science Center
7 come forward and say that, you know, they have great
8 concern over ground fish stock. And people who come
9 to the microphone say that's not a problem either,
10 because there is plenty of ground fish. So for
11 certification process and how it works is really
12 what's needed.

13 VICE CHAIR HOGARTH: We hope you send some
14 of these comments. We will go through them all
15 carefully and we can, probably, sit on those comments
16 anyway, so we'll take others. But if you have others,
17 send them to us, because, you know, when we get these
18 we need to decide on what we want to do. And so I
19 think it has been excellent to have this discussion.
20 As usual, it's given me lots of things to think about
21 and a couple of things that I'm not sure we've thought
22 about carefully enough in the process. So I can tell

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1 you we will do it, you know.

2 MS. NICKELL-TOOLEY: And we're printing
3 off copies.

4 VICE CHAIR HOGARTH: And we're printing
5 off the copies, so that we can give you copies of it.

6 Look, any time that, you know, you think I'm going
7 too far in this, people do tell me. I've just decided
8 that when I took the job and put up my 10 goals and
9 this is a part of it, you know. I just think I feel
10 very strongly that we can have a very strong fishery
11 in this country for wild and supplemented by
12 aquaculture. And if we can get the right message out,
13 then this is what it's about.

14 And we want to and hopefully it will help
15 us with maybe some of our international efforts of
16 getting the framability and they won't have to export
17 here. So we'll deal with it. But it's a lot of
18 possibilities there. But thank you very much. And
19 with that, we'll take a break and come back and talk
20 about hurricane impacts and recovery strategies.

21 (Whereupon, off the record for a recess.)

22 VICE CHAIR HOGARTH: Okay. Are we ready?

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1 We all know about the hurricanes and the impact and
2 results. And we have been totally involved since day
3 one trying to bring in some of the economic impacts,
4 but they are also involved in looking at all the
5 different types of seafood and containment levels and
6 everything. We have got it right in the zone and
7 Steve was kind of roped into doing most of it.

8 Still not a lot of money has been given to
9 FEMA, a lot of money to the Gulf. How many million
10 dollars so far, \$60, \$70 or \$80 million. So far
11 nothing has gone directly to the fishing industry. If
12 you go back and look historical disasters,
13 particularly when the Secretary -- hold on a second.

14 COURT REPORTER: We're getting a lot of
15 feedback.

16 VICE CHAIR HOGARTH: Still?

17 COURT REPORTER: It seems to be okay.

18 VICE CHAIR HOGARTH: Okay. And
19 historically, what has happened -- okay?

20 COURT REPORTER: Yes.

21 VICE CHAIR HOGARTH: Okay. What has been
22 happening when the Secretary declared the disaster, he

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1 was hoping Congress would put some money into the pot
2 and we'll go out and help fishermen recover. None of
3 that has happened so far this year, but there has been
4 a tremendous amount of time and effort spent trying to
5 look at the economics and looking at what it would
6 take to rebuild. And so Steve, oh, boy, turning over
7 to Steve, has really been totally structured with this
8 working with the Department, working with everybody,
9 EPA and all in this process. He will give you sort of
10 an update on where we are and what we have done and
11 what the impacts are. So take it away, Steve.

12 DR. MURAWSKI: Thanks, Bill. We'll kind
13 of do a little --

14 COURT REPORTER: Pin on your microphone,
15 sir.

16 DR. MURAWSKI: This is like a lapel mike?

17 COURT REPORTER: Yes.

18 DR. MURAWSKI: Okay. A singer deal. As
19 Bill said, you know, almost from day one, fisheries
20 have been heavily involved. The hurricane's original
21 response and now trying to see if we can segue into
22 the rebuilding side of that. Of course, Bill has kind

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1 of led the way on this, trying to help. We have
2 almost weekly phone calls with all state directors,
3 get the Gulf Commission involved in this in terms of
4 recovery planning, the Gulf of Mexico Fisheries
5 Management Council.

6 And then there is a whole raft of
7 Government committees and commissions and, you know,
8 of course, the President has the Gulf Recovery Council
9 in the White House that's trying to coordinate some
10 issues and they have a new Environmental and Clean-Up
11 Committee that NOAA is part of now and that hopefully,
12 you know, will get a higher profile.

13 And I can tell you, you know, one thing
14 that's going on right now is that there is weekly
15 reporting to this guy, Donald Powell, who is the head
16 of the Gulf Council. And so there is a spreadsheet
17 that goes down there every Friday afternoon. And we
18 have -- actually, the spreadsheet, you know, lists all
19 of the Government things that are going on. There is
20 four fisheries issues that go down there in terms of
21 both looking at Mississippi and Louisiana, in
22 particular.

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1 You know, the monthly catch of oysters,
2 monthly catch of shrimp, the monthly catch of fin
3 fish, then there's imports and exports and
4 recreational fishing, so that's right on the agenda in
5 terms of the data that they are trying to get a lot of
6 people interested in fisheries. Being interested in
7 fisheries and coming up with the money is a different
8 story and that, I think, we will have a discussion on
9 that later.

10 So what I would like to do is to run
11 through a little bit of kind of what NOAA has been up
12 to. And I would say that, you know, this goes beyond
13 fisheries, you know, in terms of a number of issues.
14 And we had given a briefing earlier about Katrina and
15 the total NOAA enterprise here. It went all the way
16 from Max Mayfield and hurricane predictors to this
17 recovery mission that NOAA has in terms of opening up
18 ports and then into the fisheries and then the
19 recovery thing.

20 And I can tell you that there is a report
21 coming out right now on how the Government --
22 Government-wide responded to this and, you know,

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1 there's a lot of headache for a lot of agencies in
2 there. But so far I haven't heard a whole lot about,
3 you know, NOAA's role, you know, in terms of, you
4 know, meeting out the pain here and I think it is, you
5 know, kind of an exception to a lot of the Government
6 agencies in terms of how they pull together.

7 So very briefly, I would like to talk a
8 little bit about a few issues that are high on our
9 list in terms of both field activities and ongoing
10 monitoring. Maybe you saw the beaver and the whale
11 over there in the corner this morning. Actually,
12 that's very updated information on a couple of these
13 things and I tried to feed that into the report.

14 So we want to talk a little bit about
15 monitoring for seafood safety. Of course, NOAA has a
16 support role in seafood safety. It's the FDA and, to
17 a certain extent, FDA to sets standards, but the FDA
18 doesn't have a field component. You know, we have a
19 major field component in the Gulf of Mexico, so we
20 have been supplying samples for those activities.

21 Secondly, I want to talk about changes in
22 resource abundance pre- and post-hurricane, some

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1 fascinating things going on in the Gulf and I think we
2 have got some really interesting, updated information
3 to show you. Third, wetlands restoration and losses
4 is a very, very important issue for us. Obviously,
5 Louisiana wetlands represent about 40 percent of the
6 entire coastal wetlands in the United States and we
7 have been losing them at a rate of about 25 square
8 miles a year.

9 The hurricane did nothing to help that
10 situation. And, of course, you know, many people have
11 talked about the issues of hurricanes not only -- oh,
12 sorry, wetlands not only being nursery habitats for
13 fisheries, but also the first line of defense for
14 hurricane protection, and so many of those issues are
15 right back up on the table again.

16 Fourth, and certainly top on our issue
17 and, you know, John Ward and others can speak to some
18 of this, as well, fishery loss, you know, just a
19 tremendous loss of infrastructure in terms of vessels
20 and, you know, ports and icehouses and processing
21 business, docks, etcetera, lots of loss of revenue in
22 the fishery.

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1 I think Roy, Bill and I will try to lead a
2 general discussion on the rebuilding efforts because I
3 think, you know, where we go from here is going to be
4 extremely important and, in many cases, we don't
5 necessarily want to just rebuild this industry as it
6 was, you know, the day before the hurricane. We want
7 to try to be a little bit more resilient. So I will
8 try to go through these issues rather quickly.

9 Hurricane Katrina was a huge hurricane.
10 This is what the hurricane looked like as it struck
11 with the eye just to the east of New Orleans, you
12 know, going up to the Mississippi coast and the
13 massive effects on either side. Now, that's where it
14 struck the last time but, of course, if you look at
15 the track of Katrina, it had a major impact in the
16 Florida keys and, in fact, I think the stone crab
17 fishermen estimated down there something like 400,000
18 traps were lost in the stone crab fishery. And so,
19 you know, there is a major dent in that fishery as
20 well.

21 And, of course, on the heels of that,
22 Hurricane Rita. So it's kind of interesting. There

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1 is sort of a little gap in, you know, the main
2 hurricane effects in mid Louisiana and there is a bit
3 of an industry that seems to be working in mid
4 Louisiana right now. Now, if there are people that
5 have more local information than I, please, correct
6 that.

7 MR. SIMPSON: Could you back up?

8 DR. MURAWSKI: Sure.

9 MR. SIMPSON: For those of you that have
10 never lived through one of these things --

11 COURT REPORTER: I'm sorry, sir, I can't
12 hear you.

13 MR. SIMPSON: I'm sorry. For those of you
14 that have never lived through one of those things, all
15 the parts of the hurricane are not created equal.
16 From that side, what they call the northeast quadrant,
17 that is the killer. This side over here is not nearly
18 as bad. So whenever you see that tracker going up
19 through here, here is where the heavy pounding is, the
20 same way here. So Louisiana got half of its coastline
21 a week, two weeks later, and then this side over here.
22 So all they got left of these parts is right there in

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1 the middle.

2 DR. MURAWSKI: Thanks, Larry. In terms of
3 our response -- of course, this is a small structure
4 that we put together last summer to describe the
5 interaction in many issues that we have going on in
6 the Gulf. And so this is, you know, before the
7 hurricane actually hit, but you can see that there's a
8 whole variety of issues that go on in the Gulf in
9 terms of like waterfall issues in the hypoxia zone,
10 and this is an issue that the EPA has been
11 investigating post hurricane to try to figure out
12 what's going on.

13 We know we have got this thing called a
14 loop current, and so right after the hurricane people
15 in Florida, you know, were saying, hey, whatever
16 substances might be coming out of Louisiana we have
17 got to be monitoring over here to see what's going on,
18 and there was lots of stuff in the papers in Florida.

19 In fact, I think the Governor, Jeb Bush, wrote a
20 letter to NOAA saying what are you guys doing for
21 monitoring for potential toxic contamination?

22 We have got heavy industry, which is

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1 another way of saying that there is mercury emissions
2 in some places, particularly up around Mobile Bay and
3 other places, coastal development in terms of energy
4 development and fisheries and protective resources
5 issues. So these are all flew off of the plate when
6 we were trying to look at things.

7 Now, for seafood safety issues, you know,
8 we all talk about the toxic gumbo issues coming out of
9 New Orleans, but actually there are a number of issues
10 that we started looking at within a couple of weeks of
11 the hurricane. First of all, the hydrocarbon releases
12 along the lower Mississippi River where a lot of
13 these, you know, oil storage depots and other places
14 are.

15 Secondly, a lot of stuff related to
16 potential toxics and pathogens coming out of the
17 pumping out of New Orleans. There were a large number
18 of vessels and there are remaining a large number of
19 sunken vessels, you know, in the area which they all
20 have, you know, fuel on board and other items, so that
21 is a continuing issue.

22 And then the storm surge waters. You

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1 know, the storm surge particularly on the Mississippi
2 coast came up a couple, three miles, and brought a lot
3 of things with it. Of course, it's a heavy
4 agricultural area so the potential for pesticides
5 being in that storm surge water. And then the last
6 issue is offshore releases. We know that quite a few
7 of the -- there's quite a few oil terminals out there
8 and rigs that were toppled, so any potential offshore
9 releases would be important.

10 Now, this is a picture of the lower
11 Mississippi River and these are the oil terminals
12 where we know there was an actual breach that went on.

13 About eight million gallons were released into the
14 environment there, so a good place to start looking
15 is, you know, in terms of are there any kind of toxic
16 effects is right down at the crowfoot delta and in
17 terms of what went on.

18 Now, a couple million gallons has actually
19 been recovered and most of this stuff is actually up
20 in salt marshes right now, as far as we can determine,
21 but clearly, you know, if this stuff is going to come
22 down the Mississippi River, we're going to have to

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1 start looking for it pretty quickly.

2 And just in terms of the geography, Lake
3 Pontchartrain, and this is Lake Borgne which is
4 actually not a lake. It's just an extension of the
5 Mississippi Sound. These are called the Chandelier
6 Islands and this is the outer Gulf. See, Larry, I'm
7 coming up to speed on the Gulf.

8 MR. JONER: Where is the outlet to Lake
9 Pontchartrain? I kept hearing about the storm surge.

10 DR. MURAWSKI: Yes, I have got a
11 photograph for you. This is Lake Pontchartrain here,
12 so there is the outlet to -- this is Lake Borgne in
13 here. So the outlet is up in here.

14 MR. JONER: Is that -- the storm surge
15 came through the outlet or just breached the -- well,
16 how did it get into the lake though?

17 DR. MURAWSKI: Well, the storm surge was
18 primarily up on the Mississippi coast. You know, that
19 is where you saw the big storm surge. But, of course,
20 I mean, there was a lot of water associated with that
21 and then, of course, this is tidal. You know, Lake
22 Pontchartrain is tidal so there were, you know, waters

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1 that were reversing.

2 MR. JONER: So just through that outlet
3 there. That's the only --

4 PARTICIPANT: Over the land.

5 MR. JONER: Well, that's what I wondered,
6 if it went over, if it reached the land.

7 MR. SIMPSON: Through the narrow part.

8 MR. JONER: Yes, okay.

9 MR. SIMPSON: But if you have ever been to
10 New Orleans, that ties in directly.

11 DR. MURAWSKI: Okay. Feel free to talk in
12 here, I mean, you know.

13 MR. SIMPSON: It went over the interstate
14 in Mississippi.

15 DR. MURAWSKI: This is like a satellite
16 photo that we use to look at water turbidity and you
17 can't really see it in the big projection here, but
18 there was a lot of troubled water. This is right
19 after the hurricane and we were looking at, you know,
20 potential for offshore releases and these kind of
21 photographs are real helpful.

22 Now, right after the hurricane Bill was

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1 very concerned that, you know, we needed to get some
2 seafood monitoring. So we did a couple of things. As
3 soon as one of NOAA's research vessels, this is called
4 the Nancy Thompson, sorry, Nancy Foster, Nancy
5 Thompson is another Nancy in the Gulf, as soon as that
6 was released from the duty that it was on in terms of
7 relief efforts, we started a program to look at
8 contamination issues.

9 And so the Foster went out and did a
10 cruise where it cruises right off the delta here and
11 then did a few stations up along the Mississippi
12 Sound, etcetera. So these were the first data that
13 actually came to the fore.

14 Now, we talked about we were able to
15 charter our commercial fishing vessel. This is the
16 Patricia Jean out of Alabama, which is over here, and
17 we have a long-term contract. So about every two to
18 three weeks Patricia Jean has been going out doing a
19 variety of sampling, particularly in Mississippi
20 Sound, all the way from Lake Borgne, you know, over
21 here, all the way to Alabama and back and then also
22 doing some of these stations as well.

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1 So we have a time series that we're
2 starting to look at in terms of some of the data
3 coming out of there. And we're looking at things like
4 hydrocarbons, PCBs, flame retardants, a whole variety
5 of things that might contaminate seafood. This is the
6 list of the stations that the Patricia Jean is
7 actually looking at. So we have got a long-term
8 profile of Louisiana over to Mobile Bay in terms of
9 what's going on.

10 Now, just to give you a little sense of
11 the data coming out of this, this is for the Lake
12 Borgne area so all the stations way over to the west,
13 and this is the total PCBs and there are three time
14 periods here, September, October and late October,
15 early November. You see a little PCBs, but it has
16 actually gone back down, and this is DDT here and you
17 can see the same thing, not much going on.

18 Now, the standard for PCBs and DDT are way
19 higher than these levels and, in fact, the standard
20 for DDT is 5,000 parts per billion and the standards
21 for PCBs are 2,000 parts per billion. So you can see
22 that as a scale, we're way down there in terms of, you

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1 know, the FDA standards for food which is reassuring.

2 This is the Mississippi Sound section and
3 you can see that we're starting to see a little blip.

4 This is what we call the low molecular weight for
5 aromatic compounds. Basically, it's fresh gasoline or
6 diesel fuel. And it starts out here, but, again,
7 these are extremely low values and you would sort of
8 think that eventually some of the oil refinement would
9 start to creep in here. If you look at the product of
10 the low molecular weight aromatic compounds, they are
11 still level, which makes a lot of sense because this
12 is fresh oil versus old oil in terms of what goes on.

13 So a very good, you know, signal in the
14 seafood and maybe, Tom, you want to comment on this a
15 little bit.

16 MR. BILLY: Just a question. What are the
17 numbers? Is that parts per billion?

18 DR. MURAWSKI: Yes. Jim?

19 CAPTAIN COOK: Did you test in water or in
20 seafood?

21 DR. MURAWSKI: This is in seafood. These
22 are actually in the tissues of the liver of selected

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1 animals. So we're basically looking at a whole bunch
2 of things and one of the things that we need to do is
3 to keep at this thing because, in fact, the
4 accumulation in the food chain is going to take a long
5 time.

6 You know, going out there and doing one
7 set of samples right off the bat is not going to do
8 anything in terms of, you know, trying to keep long-
9 term monitoring going on. Again, these are extremely
10 low levels in terms of, you know, any kind of
11 standards.

12 There is another program called NOAA's
13 Mussel Watch Program. This is a national program that
14 looks at shellfish around the country in estuary
15 areas. They have now started sampling and they are
16 going to do several rounds. We don't have the total
17 data, but you can see that we're trying to sample
18 American oyster in all these areas and look at a
19 variety of potential contaminants up to 120 different
20 levels to try to ensure the public that, you know, the
21 seafood is safe.

22 Of course, it doesn't say anything about

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1 the current abundance of oysters, which is extremely
2 low and, you know, many of the oyster producing
3 grounds, particularly in Mississippi and southeastern
4 Louisiana, are, you know, virtually decimated.

5 Another thing that we wanted to look at
6 was looking at water mass movements. As I said
7 before, people in Florida are very concerned about the
8 potential movement of toxic materials. So we looked
9 at the drifters. These are the tracks of drifters and
10 this is what a drifter looks like in the current to
11 try to follow the movements of the water. Subsequent
12 testing of the water showed actually the amount of
13 toxic materials is extremely low anyway, but we did
14 get a handle on the potential movements of what was
15 going on.

16 Now, one of the things, of course, that
17 people want to know, you know, is what happens with
18 the various populations out there. Now, I have a
19 series of data that were taken as part of a series
20 that is called Sea Map, which is run out of the
21 Pascagoula, Mississippi Laboratory. It's an annual
22 bottom fish program and it looks at bottom fish and

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1 shrimp.

2 Now, I have to tell you this was a heroic
3 effort, because their lives were basically destroyed
4 and all of the equipment was basically destroyed. So
5 these guys there, Gordon Gunter and Oregon II, did
6 their survey. Many of them, you know, were basically
7 living on a vessel, you know, because their homes and
8 lives were destroyed. So they have been doing it
9 every October, you know, since 1972 so we have a time
10 series.

11 So the last data point in this time series
12 is a 2005 data point and this is Atlantic Croaker, an
13 important one to put on, because this is the most
14 important of the fin fish that are taken in the Gulf
15 Shrimp Fishery in terms of the bycatch levels and
16 there's hundreds of thousands of tons of Atlantic
17 Croaker that are taken in that fishery. Okay. Good.

18 So you can see there is little left in terms of
19 Atlantic Croaker abundance after the hurricane.

20 And if you look at all the statistics
21 taken in this survey, you can see that there is a
22 slight upward trend in total fin fish by and large,

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1 but, you know, about a 40 percent increase in the fin
2 fish taken in that survey. Now, there are other
3 things, such as white shrimp, and you can see there is
4 a very significant increase. Now, the thing is this
5 is only one data point and sometimes, you know, you
6 can get some, you know, variability. But white shrimp
7 is extremely important as a fishery in the Gulf and
8 you can see that there is a substantial increase at
9 least in that one data point.

10 CAPTAIN O'SHEA: This is a Sea Map after
11 the hurricane?

12 DR. MURAWSKI: That's correct.

13 CAPTAIN O'SHEA: Thank you.

14 DR. MURAWSKI: Yes, that's correct. This
15 is the northern Gulf area, so this would be the area
16 that would be influenced. You can see the last couple
17 of years have been good. The data point is down a
18 little but, overall the abundance in that survey is
19 increasing. Brown shrimp, a slight increase in the
20 abundance level, not great.

21 Now, what about the fishery itself, and
22 this is the new information that we just got. This is

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1 the CPUE put in for a hurricane and this is the number
2 of pounds per day fished in the Gulf Shrimp Fishery
3 and this is in Alabama, Mississippi and Louisiana. So
4 you can see that there has been a bit of an increasing
5 trend, but folks are saying there is a big increase in
6 the CPUE, the catch per day fish by that fishery.

7 And it kind of settled down a little bit,
8 around the 600 pounds per day level, but that's
9 substantially greater than the total outcome average
10 in this fishery.

11 MR. FLETCHER: Does that reflect a lack of
12 competition, you have no boats, or is it a float?

13 DR. MURAWSKI: You saw that, too. Yes,
14 well, this is the trend and so the trend off Texas,
15 you see every year there is an increase and a
16 decrease. And of course, I could go over it, but this
17 is the Texas shrimp part. And so, basically, we
18 repeat that experiment over and over again that, you
19 know, if left to their own devices they can be quite
20 abundant. And then, you know, the pressure of the
21 fishery is so high that, you know, it pretty much
22 chews that up pretty quickly. And you can see that,

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1 you know, over in Texas, it's kind of, you know, the
2 same story going on there.

3 Okay. So that is sort of the abundance of
4 animals and I do think just to kind of sum that part
5 up, I do think we have an experiment ongoing there in
6 terms of the abundance for, you know, competitors for
7 shrimp. You know, we have got the relatively high
8 abundance of some species like croaker and other
9 species and, you know, if, in fact, the effort doesn't
10 really come back anytime quickly, we're like to see a
11 fairly significant change in the composition of the
12 animals in that fishery and in that area.

13 Next, what I'm going to talk a little
14 about is wetlands and that is a number of areas here
15 were heavily inundated. In fact, Chandelier Islands
16 is probably one of the areas most heavily impacted and
17 the Chandelier Islands were really heavily impacted to
18 the point where, I think, they lost most of their
19 acreage to the storm and, you know, these are a broad
20 area island that has always been very important to
21 storm protection of the inner Gulf. And so this is a
22 series of, you know, satellite photographs of what

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1 went on with that.

2 The USGS has indicated that they think
3 that we lost 100 square miles of Louisiana wetlands
4 due to the effects of Hurricane Katrina and they
5 haven't even counted the Rita ones yet, and that is
6 about four times the normal yearly loss of wetlands.

7 Now, that being said, I wanted to describe
8 one lone effort that was actually a bright spark here.

9 NOAA and other organizations, including the Corps of
10 Engineers and Louisiana Department of Marine Resources
11 participated in a program called CWPPR and it's the
12 Coastal Wetlands Protection. I can't get the acronym.

13 PARTICIPANT: Planning, Protection and
14 Restoration.

15 DR. MURAWSKI: You got it. Yes, okay.
16 CWPPR.

17 PARTICIPANT: And Restoration.

18 DR. MURAWSKI: CWPPR. It's a program that
19 basically the Corps funds through the bank and it's
20 for wetland restoration programs. And what you see at
21 the top in the photograph is that wetlands protection
22 creation program and what they did was build these

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1 things called terraces, and what they are is about a 3
2 foot high mound of earth, basically covered in grass
3 and the ocean is down here. So the point here is to
4 try to keep shore erosion down.

5 This is a pre Hurricane Rita photograph
6 and this is a post photograph and you can see all this
7 stuff is in place with, in fact, relatively little
8 erosion even due to the storm. Now, that -- I don't
9 know about this whole thing, but the point is, you
10 know, the protection program actually stayed in place.

11 And so we looked around at the process
12 that was executed here, about eight or nine of them in
13 this phase anyway, they seemed to weather the storm
14 much better than the wetlands as a whole. And I guess
15 the point here is that if we do good quality
16 restoration programs, we can actually sort of
17 stabilize these coastal wetlands.

18 CAPTAIN DILERNIA: Steve, don't leave that
19 slide yet.

20 DR. MURAWSKI: Don't leave it there?

21 CAPTAIN DILERNIA: We might have questions
22 here.

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1 DR. MURAWSKI: Sure.

2 CAPTAIN DILERNIA: Help me understand.
3 You said 3 foot berms you created or a series of --

4 DR. MURAWSKI: Yes, these were three --
5 these things like sort of look like they came out of a
6 computer are actually 3 foot mounds of earth that come
7 up off the beach.

8 MR. BILLY: Like steps?

9 DR. MURAWSKI: Well, they are not steps.
10 They are actually just like a wall sitting here that
11 this would trap the sediments and that's why --

12 CAPTAIN DILERNIA: Is that any marsh grass
13 itself?

14 DR. MURAWSKI: Well, this is actually
15 under water, right, so this is -- this one up here,
16 this is actually in the sub tidal.

17 CAPTAIN DILERNIA: That's sub tidal.

18 DR. MURAWSKI: That's sub tidal, that's
19 right, but they're actually out of the water, right,
20 so this is like a sort of inner coastal waterway and
21 then those are berms that come out of the water. Yes,
22 I think it's to trap sediments before they go offshore

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1 and to refill this in as marsh.

2 DR. CRABTREE: Yes, Steve?

3 DR. MURAWSKI: Go ahead.

4 DR. CRABTREE: This is Roy Crabtree. What
5 you see in coastal Louisiana is you'll go down there
6 and you will see a lot of these big lakes and areas
7 that are just water now, but they will tell you 10
8 years ago there was grass through all of that marsh.

9 DR. MURAWSKI: Okay.

10 CAPTAIN DILERNIA: You got the same thing
11 in Jamaica Bay now.

12 DR. CRABTREE: And it's a combination of
13 sediment washing away and subsiding. Things are just
14 sinking and the sediment is not coming down the river
15 anymore. It's causing fresh deposits along that to
16 subside, because we have canaled the Mississippi,
17 whereas it used to meander all over a large part of
18 Mississippi and the sediment was spread all out and
19 it's not anymore.

20 MR. SIMPSON: And they have channelized to
21 keep it from doing that.

22 CAPTAIN DILERNIA: Thank you. I would

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1 like more information on that later. I will see you
2 later about that.

3 MR. RAYBURN: Is that what was there or is
4 that just material that they brought in?

5 DR. MURAWSKI: It was material that was
6 brought and just basically harvested around that area,
7 that's right. And, of course, there's a couple of new
8 reports about the wetlands in this area that have been
9 released. The Natural Research Council has a new one
10 about redrawing coastal Louisiana's map and also the
11 University of Maryland just put out, along with people
12 at LSU and some other people, just put out a report
13 talking about, you know, trying to rehabilitate these
14 wetlands. So it's a very important issue.

15 And one of the interesting things, the hot
16 spot of the whole thing is the roads and that's
17 actually, you know, coming out of all this flooding
18 is, you know, the roads. So it's not a very high
19 price, you know, when you think about any of the other
20 places we deal with.

21 All right. So, basically, what people
22 talk about most is feedback from Gulf fisheries and

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1 the Gulf fishery infrastructure. Now, prior to the
2 hurricane, this is what the fin fish and shellfish
3 fisheries looked like in this area, so about something
4 like \$2 million dollars per year to fishermen. This
5 is excessive value, probably \$10 billion a year, when
6 you think about the multiplier effects.

7 The most important species in the area
8 are, obviously, shrimp is key and then a variety of
9 fin fish and other shellfish with counts around \$60
10 million a year with Louisiana County for most of the
11 oysters, Mississippi also very important. So this is
12 a vital area we look at. The total amount of oyster
13 production here, it accounts for over 80 percent of
14 the United States production of oysters. So these are
15 extremely important things.

16 Now, I just want to make some general
17 statements about overall volume, because the Coast
18 Guard estimates something between 3,000 and 5,000
19 vessels, the majority of those being commercial
20 vessels that were either run up on shore, sunken or
21 significantly damaged at the dock. In Mississippi
22 alone, the Coast Guard counted 452 vessels over 30

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1 feet long that were affected and, again, these are
2 very valuable fisheries.

3 Revenues were down by 97 to 94 percent
4 from the previous September or at least the long-term
5 average, and that has represented a \$62 million loss
6 for the industry just in terms of revenues. And,
7 again, you know, in terms of overall impact on
8 infrastructure, it has been devastating. This is a
9 picture of the area with a bunch of fishing vessels
10 where they are not supposed to be.

11 Now, we looked at month-to-month, trying
12 to match up October 2005 with the previous year before
13 the hurricane and these are data that are -- you know,
14 that are being tracked at a very high level. If you
15 compare October 2005 to the previous year, this is
16 about -- we don't have complete information for
17 November and, of course, one of the problems is our
18 information sources are state marine fisheries
19 agencies in many cases, and they were all wrecked and,
20 you know, their infrastructure is gone. So it's a
21 little bit up, you know, final numbers and Bill, of
22 course, touched on that before. It's very difficult

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1 to get these kinds of numbers because of, you know, so
2 much main damage.

3 But if you look at, you know, percent
4 change, you know, or the revenue percent change in
5 shrimp revenue, fin fish revenue, recreational
6 fisheries, there is a lot of that coming in in imports
7 that have improved a little bit and this is probably
8 up through Mobile and then exports, of course, are
9 down fairly significantly as well.

10 And the same thing for Louisiana, although
11 not quite as bad as Mississippi on a percentage basis
12 because, you know, what Larry talked about, that sort
13 of middle section in Louisiana, there actually is some
14 shrimp revenue that is coming in here but, of course,
15 that revenue is way off, revenue for fisheries is way
16 off, and exports going out of New Orleans are also in
17 deep trouble.

18 Now, one of the field activities that we
19 have been doing is because, due to the Magnuson Act
20 that talks about communities, we have commissioned a
21 study by an independent contractor that worked last
22 summer, and they did a series of community profiles in

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1 334 communities around the Gulf Coast. And what they
2 did was map, basically, every marine and fishing
3 related business that they could find, you know, on
4 the ground in terms of where it was.

5 Now, it's a very biased data source and
6 it's all, you know, NGIS and all those kinds of
7 things, so right after the storm we led another
8 contract with the same contractor to go back to the
9 communities that were affected and, basically, redo
10 the survey to see who was still in business. And some
11 of the preliminary numbers that we have been putting
12 into various documents come from parts of that survey
13 that are done.

14 And so, you know, for example, the number
15 of icehouses in a particular county or whatever, so
16 that gave us a very complete record of what was there
17 pre- and post-hurricane. And then, of course, John
18 has got a number of other -- John Ward has got a
19 number of other economic studies ongoing particularly
20 one with charter boats that are going to give us, you
21 know, an important view on that industry.

22 Of course, charter fishing in the western

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1 Florida, Northern Gulf is worth about \$6 billion a
2 year to the economy, so it's extremely important to
3 the total makeup of fisheries. So in terms of ongoing
4 things, as I said before, weekly reporting for the
5 west coast through the Palas organization. We have
6 sustained operations for looking at contaminant
7 monitoring and work by the National Ocean Service is
8 ongoing.

9 We tried to do some wetlands loss analysis
10 to try to figure out what was going on. We hope to do
11 abundance and distribution, both on the commercial
12 side as well as any kind of surveys that we normally
13 do. The community profiles, we expect the final
14 reports of that this month, so we will have all that
15 information. We are going to do ongoing coordination
16 of activities with the Corps of Engineers, USGS and
17 particularly state directors, the agencies and the
18 Gulf people which are very valuable.

19 And we actually have a website where a lot
20 of this stuff is out there and I can tell you people
21 are very thirsty for information down here. So that's
22 sort of brings us to, you know, that was sort of the

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1 hurricane impacts. And I just wanted to start this
2 discussion on recovery issues. So Bill asked that the
3 Gulf Council and the Gulf Commission put together
4 their thoughts on rebuilding plans. And we have kind
5 of taken, you know, what Larry and what the Gulf
6 Council have pulled together and kind of adjusted a
7 little bit for the circumstances down there.

8 So Bill and they have been -- they have
9 been talking about a four point plan that we've got to
10 try to see if we can, you know, recover these
11 fisheries and make them a little bit more sustainable.

12 It's certainly for relief issues. You know, how do
13 we get people, you know, who are out of work working
14 in terms of, you know, trying to help and assist in
15 debris clean-up, try to understand what their marine
16 debris issue is, because FEMA is very focused on
17 debris on land, but not so focused on debris under
18 water and that's a major issue for us.

19 Secondly, we can start the recovery, the
20 long-term infrastructure and how do we do that. We've
21 talked to the Recovery Commission in Louisiana a
22 little bit and they are interested in our ideas as

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1 well. We will try to develop and find capacity
2 reductions to try to make these -- some of these over
3 capitalized fisheries in the Gulf a little bit more
4 sustainable and maybe a little less susceptible to
5 these kinds of events.

6 And lastly, to try to look at the west
7 recovery issues as they might relate to coastal
8 community resilience. Now, that being said, this is a
9 map of the southeast United States and these are all
10 hurricane strikes from 1955 -- sorry, 1950 to 2004.
11 And you look at the most dense place, you know, on
12 this map and it's right there. Something like 27
13 hurricanes between 1950 and 2004 and you throw on the
14 three hurricanes that we have got, if we simply read
15 those, this set of infrastructure in place, you know,
16 we're just setting ourselves up for a reoccurrence of
17 the same thing.

18 And so, Roy, if you want to add in
19 anything?

20 DR. CRABTREE: Well, just this has really
21 posed quite a challenge, I think, for the Gulf
22 Council, because as all this is going on, the Council

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1 has been looking at putting in place a moratorium on
2 shrimp permits, essentially, moving into limited entry
3 in the shrimp fishery. And the Council just towards
4 the end of last year got a new red snapper assessment,
5 which indicates we're over-fishing and we still over-
6 fished and we still have significant problems with
7 bycatch in shrimp fishery.

8 And it poses a real challenge to us to
9 know how to react to some of these things now, because
10 we have previously been in a mode of how do we bring
11 shrimp effort down, but I'm not sure now that we're
12 not in the mode of how much do we let shrimp effort
13 come back up, which is a real change. And one of the
14 phrases you hear a lot now is "don't kick them while
15 they're down," and no one wants to come in and do
16 that. But at the same time, everyone is sensitive
17 about not allowing some of the problems that have
18 plagued us for so long in the Gulf.

19 We don't want to recreate those again as
20 we move forward. So the Council is trying to find
21 that balance at keeping these problems from coming
22 back, but at the same time trying to help these

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1 fisheries recover and then balancing all of that
2 against their mandates to end over-fishing and rebuild
3 these stocks. And it's quite a challenge and a lot of
4 these things, particularly with respect to shrimp and
5 red snapper and things that the Council is working on
6 right now and will be dealing with when they meet in
7 Mobile this March. So it is quite an issue.

8 VICE CHAIR HOGARTH: One of the things, I
9 think, that's interesting, I went down about a month
10 ago, I guess, in a meeting with fishermen with some of
11 the Hill staff and I talked to one shrimper who said I
12 had probably the best week I've ever had. He said I
13 got there and in no time I had -- you know, I got a
14 certain run. He kept talking and he said, you know,
15 not many boats fishing. That's something that Jack or
16 Ted would do. You know, we got so many people out
17 there that it's hard to get, you know, a decent catch
18 and they had spent a lot of money on -- but I think a
19 lot of them are starting to realize that maybe the
20 best way is not to have everybody where it was.

21 But he kept saying we can't buy-out,
22 because we can't afford, you know, to have to pay back

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1 boats that come out of the fishery. And, you know,
2 they have such a small profit margin. So we talked
3 with the Hill. I think we would like to see them talk
4 to the shrimp industry about a buy-out.

5 I think there's a lot of them right now
6 that lost so much that they would just like to get out
7 of the fishery. And I think right now is a good time
8 to structure that with their help, because I think a
9 lot of them can't afford to get back in, you know.
10 So, you know, it's a lot of -- right now, there's no
11 infrastructure whatsoever for fishermen and it's just
12 bad. So hopefully the expression "don't kick us while
13 we're down," I don't think anybody wants to do that,
14 but we want to put them back where they made money.
15 And I don't think many shrimp boats have made money in
16 the last few years. They have hocked everything they
17 own to stay in business. So a lot of challenges.

18 DR. CRABTREE: Just one more thing to add.

19 A lot of times when we talk about the industry and
20 always talk about commercial fishing, well, this is a
21 huge area for our charter boat industry. And, you
22 know, a lot of the commercial guys are out there

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1 rebuilding the docks and they are trucking in ice and
2 they are off-loading into trucks and they are starting
3 to function a little bit.

4 But these charter boat fishermen in
5 Mississippi and these areas they are not going to be
6 back in business until there are tourists there again.

7 And if you have seen coastal Mississippi, it's going
8 to be a long time coming back to where it was. So
9 their businesses aren't coming back until they have
10 got restaurants and hotels and until people see that
11 area as an attractive place to visit again.

12 And I think it's going to be a long time
13 coming. And they can't really move their businesses
14 and go start chartering out somewhere else, because so
15 much of charter boat fishing is local knowledge and
16 where the fish are and all. So I'm real concerned
17 about the effects of all this on the charter boat
18 fishery and I really do think they are going to be a
19 long time coming back and that a lot of them aren't
20 going to make it through this, because I don't know
21 how they are going to be able to make a living from
22 fishing at least for quite a while.

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1 VICE CHAIR HOGARTH: And this point a
2 little further. Last week the oyster and -- you could
3 go up in Tennessee. They have like an oyster feast
4 every now and then and they're trying to get money out
5 of the Congress for the supplemental budget, but they
6 can't even get help now.

7 One guy that has a few restaurants said he
8 had a cook and someone else living at home with him
9 just so he could keep them. But they can't operate at
10 full strength yet. They don't have help. It's just
11 you hear that all throughout the industry that the
12 recovery efforts, I guess, going in and turned down
13 and try to do that, it's paying more money than they
14 can make in the fishing business, a lot of businesses,
15 so they're just lost. So it's a -- I don't know what.

16 I think a lot of the other restaurants
17 said they could open six hours a day. He had enough
18 people that he could keep the restaurant open six
19 hours. I know my stepson was in Bay St. Louis and
20 lost a restaurant totally. They have told him that it
21 would probably be two years before they are liable to
22 even think about rebuilding, because they got to

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1 rebuild the bridges in the town, because they lost all
2 the roads and everything else.

3 So rather than just rebuild it the way it
4 was, they're going to, I guess, look at zoning and
5 redo how they build. So it's a long-term impact, you
6 know. We really should have last fall to really get
7 the benefit out of the oyster's fat, you know, the
8 sack, and so we got two years from the day we get
9 oysters back until you get oysters harvested, so we're
10 going to see some, I think, longer terms impacts to
11 the oyster industry.

12 The shrimp annual crop basically they will
13 come back. Fin fish, I think, is already proven. But
14 it's just will we have infrastructure? Will we have,
15 you know, progress in icehouses and structures,
16 because a lot of that changes in development,
17 regardless of building something else, so a lot of
18 places don't, so to speak. Chris?

19 MR. DORSETT: Chris Dorsett. I want to
20 thank the Agency for all the work you have done on
21 this issue. It has been a great source of information
22 for those of us working on where we go from here. I

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1 have a couple of questions. The first one is do you
2 have any kind of price tag on, from your perspective,
3 how much it would cost to do the things in your four
4 point plan?

5 VICE CHAIR HOGARTH: Steve?

6 DR. MURAWSKI: I shudder to give the price
7 only because, you know, we have talked about some of
8 these issues, but nobody really knows. Like for
9 example, in marine debris. You know, one of the
10 things that we are trying to do is get a survey out
11 there and, you know, nobody knows how much debris
12 there is, although we talked to fishermen a lot and
13 they said there is a lot out there.

14 Well, until we get a, you know, good map
15 of where -- how much debris is out there and where it
16 is, I mean, we have put some numbers in there, you
17 know, \$50 million for marine debris removal. But, you
18 know, FEMA has spent billions of dollars for debris
19 removal on land. So we don't really know about that
20 part.

21 We do know that as far as the wetlands
22 rebuilding, that is a huge one. Those projects are

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1 not cheap, you know, the terrace project, and the
2 study that the MRC just released indicated the total
3 price tag for replenishing the Mississippi River,
4 getting more sediment down there, doing these
5 projects, is something like \$2 billion.

6 Now, you know, our plan is much more
7 modest, because we think that you need to upgrade the
8 effort and continue it. And right now, about \$50
9 million a year is spent in CWPPR and the problem with
10 CWPPR is it only applies to Louisiana. That is a 15
11 percent state match and they used to have a fund that
12 was from oil revenues that was the source of that
13 match. Well, the state went in and picked up that
14 fund, you know, because they are trying to do some
15 other things there in terms of rebuilding. So we're
16 not sure Louisiana can participate anymore.

17 And right now, if Mississippi wanted to do
18 it, there is a different piece of legislation that
19 requires 50 percent match. And so, you know, if we're
20 going to do some wetlands rebuilding down there, you
21 know, with this kind of thing, you would have to
22 adjust the legislation a little bit.

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1 The infrastructure rebuilding, you know,
2 pick a number. It depends on how much infrastructure
3 we want to rebuild in fisheries. Now, I can tell you
4 that the Louisiana Commission is very interested in
5 moving some of this, you know, expensive
6 infrastructure like processing plants and other
7 things, using the flood and inundation maps that NOAA
8 and other people put together and moving it up out of
9 the, you know, most vulnerable areas into places
10 where, you know, it's more likely to survive and
11 that's a very good thing, I mean, in terms of the
12 resilience of things.

13 The other very expensive part of this is
14 the buy-outs and other things to reconcile the
15 fishery, and I think the council and Roy's shop
16 estimated that it would be something like \$250 million
17 to do a buy-out program that, you know, would be
18 comprehensive because it's not just shrimp fishery.
19 It's also red snapper and other things. So it's still
20 a substantial price tag to do the whole bit.

21 VICE CHAIR HOGARTH: Now, let me tell you
22 what. Steve, I want to tell you, because I made a

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1 statement in the hearing they had and almost got fired
2 over it because, you know -- but if you talk to the
3 state directors, \$1.2 billion, around \$1.2 billion to
4 do it right, I mean, with all the aspects of this and
5 this includes habitat restoration projects, buy-out
6 and all.

7 But I'm on record as saying it, so I may
8 as well say it again, you know. I'm sure --
9 hopefully, we -- this won't be my resignation. But
10 looking at what the councils have said, looking at
11 what we have gotten from the states. It's in that
12 neighborhood and I don't think there is a doubt about
13 it. Yes, Chris?

14 MR. DORSETT: I have heard a lot of good
15 ideas about things we should do in rebuilding. From
16 the Administration's standpoint, when you give these
17 reports to Mr. Powell, is there a plan being developed
18 of exactly how this -- what this is going to look
19 like, because I have -- my feeling is that there are
20 these good ideas, but no one can really get their arms
21 around it.

22 Without that plan there is nothing to

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1 really start from, shoot at, whatever you want to call
2 it, and it just seems like we're still just talking
3 around the issue, as opposed to saying here is a plan
4 for fixing this, here is how much funding we need,
5 let's move ahead.

6 VICE CHAIR HOGARTH: Good.

7 DR. MURAWSKI: I agree. You know, getting
8 people engaged in fishing issues has been hard and,
9 you know, even our own agency. You know, they weren't
10 necessarily focused on, you know, this as opposed to
11 their, you know, response issues. I can tell you that
12 it's getting more traction now. The Congress
13 Department put together the budget issues that we had
14 and sent them down to OMB so, you know, it's in the
15 political realm now.

16 And the other thing that is positive is
17 there is this new Environmental Subcommittee in the
18 Gulf Group and NOAA has a representative. It's a
19 woman that works for me who is heard in a political
20 downtown that are NOAA's representatives to this, and
21 this is going to be the agenda we push there. We'll
22 see how much traction it actually gets in the big

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1 scheme of, you know, rebuilding whatever else is going
2 on in the Gulf.

3 VICE CHAIR HOGARTH: Just to follow-up
4 with Steve, one thing about this somewhat is, there is
5 a lot of stuff going on in D.C. I mean, there's I
6 think almost too many people trying to jump into this.
7 And I don't see it really being coordinated that well
8 with the states. I don't see it visibly.

9 I think, you know, the Governors are going
10 to meet soon and I think the states have ideas, but I
11 don't see the cohesiveness of getting a small group,
12 which in my opinion ought to be led by the states, but
13 it ought to have federal people with it, but that's
14 what you ought to do.

15 I don't know -- you know, I have even
16 heard this past week about seafood parks, that rather
17 than just having -- and I think that's what you were
18 alluding to is, talking about, is to build several
19 seafood parks along the way that you could, you know,
20 put your infrastructure there. And, you know, not
21 that I would try that and say, oh, I don't know why,
22 but it did up in one -- but I think Hawaii has done a

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1 great job with developing the waterfront and putting
2 things together.

3 So I think there are some very positive
4 aspects of that that could be looked at. But, you
5 know, everybody still seems to be awed by what
6 happened and I think that's what happened to Congress
7 really, was that when you looked at it, it was just so
8 massive and then you got budget problems anyway with
9 the way the budget is going, that nobody has stepped
10 up and just taken charge and done it. I mean, it's
11 like you can't get a hold. You try to get a hold of
12 it, but you can't.

13 And, you know, I think you hear more about
14 New Orleans, and I have been to New Orleans, I know
15 it's cluttered and you see that, but if you go look at
16 Mississippi, to me Mississippi is just totally
17 devastated. It's gone. I mean, it's not -- you know,
18 just everything was destroyed. It's rubble. I mean,
19 that to me is just -- that's all you got left.

20 And so if you look at the state directors,
21 particularly the two of them that I see most often,
22 and that's Corky and John Rousell, and they have aged

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1 five years since August. I mean, they are watching
2 the industry just -- and not being able to help, not
3 being able to get it done. So, Ralph?

4 MR. RAYBURN: Chris, are you finished?
5 Pretty much? I guess in Larry's meeting in October
6 they were talking about stuff. I mean, it's where
7 does -- and this is not negative, but I'm trying to
8 put it together. Where does NMFS have a standing in
9 the redevelopment of the coast? The point being is,
10 you know, I assume you do and I know we all
11 sympathize. You know, we're all sympathetic with the
12 situation in the Gulf, whether it be from the
13 fisheries standpoint or the hotels or whatever it may
14 be, schools, you know, oil and gas. I mean, they lost
15 a lot of rigs, too.

16 But where does the National Marine Fishery
17 Service have its authority to be involved in the
18 redevelopment of the coast and the redevelopment of
19 the fisheries infrastructure, because you're really
20 dealing with land-based stuff and not necessarily just
21 the management of the species.

22 And I think it's good, you know, we all

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1 are there, but where is that authority? And that may
2 be a source of the problem. It seems to me is a lot
3 of folks. we are. You know, I mean, Texas went to the
4 Gulf States meeting feeling guilty, because we didn't
5 have a storm to talk about, you know, but we're going
6 to probably in a handful of months.

7 You know, I mean, the trouble is this is
8 all going to start over again in three months and
9 people are still going to be talking about Rita and
10 Katrina when there is Adrian or whatever, Blanche or
11 whatever is going to come in, and it's going to go
12 away because another issue is going to come up. So
13 I'm struggling with it. I mean, I feel like just in
14 my little bitty world that, you know, we're going to
15 start 1st of June and I'm going to be derelict in not
16 having -- not knowing what to do, how to respond.

17 And so several points there. One is, I
18 mean, we can talk about where you're going to put
19 infrastructure for fisheries and does the Federal
20 Government really want to get into that, to say where
21 you can build or, you know, how many you should build
22 and stuff. That's one issue and I guess for our

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1 strategic planning that's an issue, but more important
2 to me is what are the lessons learned?

3 What have we found out in the last six or
4 seven months that, come 1st of June, we'll have in
5 place that we can do a better job of preparing and
6 responding and recovering from the next Katrina or
7 Rita or Wilma or David or whoever might be knocking at
8 the door of the Gulf, because it's going to be there.

9 If not this year, it will be next year, so what can
10 we do? You know, what can this group, I guess -- what
11 relevance is it to us to do those kinds of planning to
12 help?

13 VICE CHAIR HOGARTH: I'll talk first and
14 let Steve add. I think, you know, first of all, if
15 you look at the conditions now in Africa and with the
16 temperatures -- did you see the waters of Africa if
17 you look at some El Nino, you know, what do we call
18 both, there are indications that this coming year will
19 be just as bad, so number one. All right, so, you
20 know.

21 MR. RAYBURN: We know that.

22 VICE CHAIR HOGARTH: And so I think, you

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1 know, right now we don't have a lot of funds,
2 infrastructure. We're basically -- we just plan this
3 out, so most of the time Congress have given us money
4 to aid the fishermen to help get some structure back.

5 I mean, what we have been talking about
6 is, what I talk about up front, I was trying to figure
7 out if we could work with 10 facilities up and down
8 the coast with some type of portable ice, some type of
9 temporary structure just so that they can get back to
10 work, clean up the debris, you know, help get the
11 fishing grounds open, which I think is somewhat our
12 responsibility, but help get the fishing grounds open,
13 get some temporary structures.

14 Then I think it's really coastal zone
15 management of the states, personally. I think we were
16 looking at that. I think from a habitat standpoint,
17 habitat restoration, we do have very much more
18 authority to look at habitat and those habitat parts.

19 I don't think there is a doubt about it.

20 The Magnuson, and I don't have the exact
21 words, but the Magnuson is looking more at us in
22 disasters and more clarification and stuff, I think,

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1 if it gets passed.

2 MR. RAYBURN: It needs a report.

3 VICE CHAIR HOGARTH: So I think, you know,
4 we did put together, and I don't know if Steve has it
5 or not, but we did put together a lessons learned from
6 a NOAA perspective after this was all over, you know,
7 and I don't know if that has been shared or not.

8 DR. MURAWSKI: I don't think it's quite
9 done.

10 VICE CHAIR HOGARTH: Okay. Yes, so we are
11 doing that, lessons learned. We hope to have it way
12 before this hurricane season, the lessons learned.

13 DR. LENT: Let me just add that at the
14 NOAA Senior Executive Retreat, we prepared a proposal
15 for hazard resilient communities, I think, in response
16 to this.

17 MR. RAYBURN: If I could go. I mean, you
18 mentioned at Larry's meeting or I heard you say that,
19 and John Ward was there, that the need for a quick
20 assessment of what the impact was. You know, so when
21 you get your calls three days after the storm, you
22 know, goes inland and Senate and Congress asking you

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1 what do we need down there and stuff, you can get that
2 response.

3 So, you know, that has kind of gone
4 through our world. Maybe there is a need to establish
5 some type of teams or something like that that
6 preferably would be in a non-impacted area. You know,
7 we're looking at, you know, different groups, I mean,
8 from the east coast of Texas to the south of Texas and
9 have them familiar and oriented to the other areas
10 thinking they hope there won't be a storm impacting
11 both areas, so one team that is unimpacted can go into
12 an impacted area, work with the person there, do the
13 kinds of assessments and stuff.

14 But even if we had, from what John has
15 done or what has been done, to consult, some way to do
16 a quick response, you know, not only from us, but the
17 other Sea-Grant programs in the Gulf are looking,
18 searching, what can we do besides everybody can, you
19 know, go in and help hand out water and do those kinds
20 of things, but what kind of meaningful things can be
21 done.

22 So it seems to me that there was -- and

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1 this probably just is our own little area, but if
2 there was some opportunities in the next several
3 months to come up with those, we can start to come up
4 with those initiatives that would help you better,
5 because you're our best link into the world of the
6 D.C. relative to the fisheries issues, so something
7 like that.

8 I mean, we're really searching for that
9 and maybe in all this, you have got those, and I would
10 appreciate knowing. But maybe it helps others in
11 other areas, too, when you have a disaster. How can
12 you respond? What should you do, what could you do in
13 this fisheries type framework?

14 VICE CHAIR HOGARTH: Well, the lessons
15 learned, we'll get it out to you. I'm sure that they
16 are, you know, going to, you know, put it out, I mean,
17 but we will do that and get it to you to look at.
18 Tom?

19 MR. BILLY: Could you go back to that
20 slide that has the economic value of the various
21 fisheries? Yes, that's it. Tom Billy. This, to me,
22 represents sort of a framework for what NOAA could

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1 provide some leadership on in terms of targeted
2 recovery. Now, you can argue about some of these
3 fisheries and some species are over-fished.

4 Maybe these numbers need to be adjusted
5 and so forth, but if now the number is \$500 million,
6 whatever it ends up being, the reestablishment of this
7 kind of economic generation from that area of the
8 world or the United States is something that is worthy
9 and it's not just the numbers. It's jobs and people's
10 lives and so forth.

11 And providing leadership means not
12 necessarily that NOAA would be the one handing out the
13 money or doing the specific planning, but fighting for
14 the reestablishment of an appropriate fishery in that
15 area, both commercial and recreational. And there is
16 a long history of that.

17 When I worked at NOAA, we often were
18 involved in those kinds of responses to disasters and
19 I don't see what's wrong with it. It ought to be
20 something that NOAA ought to play a leadership role
21 in.

22 VICE CHAIR HOGARTH: Yes, we have over the

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1 past, I can tell you we have. If you go back and
2 look, we have done it and done it pretty well with
3 what Congress has given us. Now, we started early.
4 Larry Simpson set up a meeting and every week we had a
5 phone call and we went through every state, what they
6 felt their -- you know, because we were involved, what
7 they thought their economic impact was, what they
8 really needed up front and we just never got the
9 attention.

10 I mean, they got attention. That's not
11 the right thing to say. I think Congress reacted
12 quickly. It was such -- you know, so many people
13 displaced and search and rescue, you know, \$62 billion
14 trying to put people in homes. You know, I put \$4.8
15 million. I gave the states \$4.8 million to help
16 enforcement for search and rescue and that's all the
17 money I had. I could take that out of enforcement.

18 And then we let them use some of the money
19 that they had for oyster work, to let them go ahead
20 and use it for this purpose. But that's all the money
21 we have. We don't have any pot of money. And I tell
22 you a lot of people thought, and a lot of the Hill

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1 people thought this, too, was that when we had this
2 disaster, we had money. The disaster always is a
3 fishery disaster. Congress, you ought to put money,
4 you put money.

5 But that wasn't understood by a lot of
6 people. This has been a very frustrating thing. I
7 guess the state director worked enough hours to some
8 of these types of things, you deal with us going on
9 and it has just been totally frustrating for me.

10 MR. SIMPSON: Yes. This one has been
11 difficult and frustrating for me, and I, like Ralph,
12 have tried to -- what can we do, what can't we do, and
13 the empathy of seeing people suffering is just
14 horrendous. I mean, last week I drove up from Highway
15 90 to I-10, which is a distance of maybe 2 miles, and
16 it was in Goshen and there was a poor fellow living in
17 a tent. Now, this is six months after the thing. He
18 is still living in a tent.

19 And the stories of fishermen, a lot of
20 them are Asian, camping out and living on docks and
21 moors, watching their boat up in the marsh and afraid
22 because like everything they got is in that boat.

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1 Those kind of stories are just tips of them. It's
2 really frustrating.

3 There are some things that we can do and
4 the State of Mississippi, at least I know, is working
5 diligently on establishing a seafood park, which is
6 north of Back Bay Biloxi, which is removed from the
7 coastline through a bay to the north part, which is a
8 high area. Now, as I told Hill staffers and Commerce,
9 there is going to be an interface between land and
10 water that seafood, as we all know, has to occupy, so
11 there is going to be problems. And the boats can't be
12 put, you know, on the hill, so there is always going
13 to be a problem.

14 And I think Bill has shared and Steve and
15 others have shared the difficulty of trying to address
16 this specific issue, but it was so widespread and we
17 had issues of housing and we had issues of roads and
18 we had issues of towns that I think, for some reason,
19 fisheries was kind of put off to the side. It was
20 kind of a second thought issue, and I think that has
21 complicated our issues.

22 Now, you got to remember that Congress and

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1 others have appropriated and given to the State of
2 Mississippi and Louisiana something like \$25, \$30
3 billion. Now, the Governor in his wisdom is going to
4 rebuild schools and he is going to rebuild roads and
5 he is going to rebuild infrastructure of towns and he
6 has called in architects from all of you all's areas
7 to look at these things, but his first line focus is
8 not going to be fisheries.

9 And what I'm afraid of in this particular
10 one, and I have seen them all from Betsy through all
11 of them, is that we're going to lose that tie that we
12 have to those people who make fisheries work. We're
13 going to lose that expertise. So some of those
14 charter boat people who know about fishery and they
15 can't work and they are going to get out of that job
16 and go do something else, we're going to lose that
17 tie, that shrimper or that deck hand who is going over
18 to work in carpentry or something and he is not coming
19 back and to fill that void is going to be a long time.

20 Now, that is the problem that I have got.
21 The numbers and the management things that we can do,
22 as Roy alluded to, is things that we should be doing.

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1 You know, how much is enough effort, you know? How
2 much is -- what is the right balance between fin fish
3 and shrimp, you know, bycatch, etcetera, etcetera?
4 Those things we have got to do.

5 But at the same time we're doing that, we
6 have got to realize that there is a human element to
7 this and it's not just paper. It's people and
8 experience and lives and so forth, and that is the
9 frustrating thing to me, because we don't have
10 anything to work with.

11 Habitat issues. I think somebody has
12 finally realized or at least we have got a box that we
13 can stand on to talk about habitat. For every five
14 acres of wetlands you can reduce the tidal surge by 1
15 foot. You know, imagine if we had had large areas of
16 habitat that we used to have 25, 30 years ago and a
17 reduction of tidal surge. There would be a lot of
18 people sitting there watching ball games and enjoying
19 their lives again, you know? It was a tidal surge in
20 this one. The wind damage is bad at the interface.

21 VICE CHAIR HOGARTH: The habitat issue I
22 think is one that Congress finally bought, that they

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1 are getting bangs for their buck. There had been a
2 lull for that, but the work has been done so that they
3 finally realized they are getting their money's worth.

4 MR. SIMPSON: So I think we can plan. I
5 think we can -- we fell down and we did not have in
6 place a mechanism for social and economic mechanisms
7 to determine these losses and that's our fault that we
8 should have done in the past. And the communications
9 aspect is horrible. We can fix that. The fuel issues
10 are larger than any one area, you know? The habitat
11 issues are larger than any one state and, you know,
12 there are things that we can do.

13 VICE CHAIR HOGARTH: Tom?

14 MR. RAFTICAN: Yes, I go back to what
15 Ralph was saying that, you know, we're looking at
16 months before the potential of seeing this again and
17 how do you reinvest? And what I was wondering is, you
18 know, I'm a big fan of letting the private sector take
19 over as much of this as possible, and doesn't it make
20 a lot more sense to look at low interest loans as
21 opposed to try and go in and rebuild?

22 VICE CHAIR HOGARTH: I think that is what

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1 a lot of people have said. I mean, it's just I think
2 a lot of them would like to see low interest loans,
3 some of that through SPA, but it's very difficult,
4 SPA, unless you have a mechanism to pay it back to get
5 the low interest. And this is an instance, I think,
6 you have to give low interest loans guaranteed by the
7 Government.

8 MR. RAFTICAN: If this is on your plate
9 and it looks like you have drawn up the nexus there,
10 again, it allows you set criteria of what you're going
11 back in for. But, you know, I mean, obviously the
12 criteria could be as strict or, certainly, as lenient
13 as NOAA would care to make it, but it would allow, you
14 know, basically the private sector to take over
15 because, you know, they tend to do a better job in the
16 long run, I think.

17 VICE CHAIR HOGARTH: So, you know, we are
18 trying and we're looking. If you have any comments or
19 you want to discuss this further, I mean, we'll be
20 glad to do it. Ken?

21 DR. ROBERTS: Ken Roberts. I have several
22 comments, but I'm only going to give you one

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1 suggestion, because this is very personal with me, the
2 way we suffered and my family. Your fundamental
3 problem, as I see it, is that Congress has not
4 authorized you to act in ways that they authorize
5 other agencies that have food production oversight.

6 VICE CHAIR HOGARTH: Right.

7 DR. ROBERTS: And I'm talking about the
8 U.S. Department of Agriculture. You know USDA has
9 already got \$199 million for those states out of the
10 Defense Department of Preparations Bill as an
11 amendment for forestry, poultry, nursery crops and
12 oysters.

13 USDA has got that ability through some
14 authorization to pass money directly to food
15 production units. You don't have that authority, and
16 I guess the fundamental question, I mean, we can talk
17 days about this issue, about why the National Marine
18 Fishery Service can't respond in putting money in
19 people's hands who are actually involved in
20 harvesting.

21 You are not looking at your agency as
22 having this role similar to that the U.S. Department

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1 of Agriculture does and you can look at things for a
2 long time. That is the fundamental problem. I know
3 after a storm like this, it's important for elected
4 officials and agency people to come into an area and
5 look at it to get a sense, but that also creates a
6 problem in that people who come and bare their hearts
7 to you and other people who come down think you're
8 there to give them aid eventually.

9 And now that it's not there and the
10 poultry industry in Louisiana is getting \$20 million
11 and the oyster industry is going to get goodness
12 knows, \$40, \$50, \$60 million, it's a tough situation
13 politically to try to explain. So I know Ralph and
14 the Sea-Grant people in the Gulf are perplexed about,
15 you know, what can we do and we can do some things
16 educationally.

17 But the core issue I think, and I'm going
18 to repeat it because I want to emphasize it so much,
19 you are just not looked upon in NOAA as an agency that
20 can go in and reestablish food producers into the
21 system. And USDA does do that. They do it
22 frequently. They do it well and that's it in a

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1 nutshell. You just don't have that ability and I wish
2 you did.

3 VICE CHAIR HOGARTH: Okay. To that point,
4 we're going to talk about Magnuson tomorrow and I'll
5 make sure that we look at what's in there overnight,
6 so we can have it, and if it's something that you
7 would like to -- you know, some motion or something
8 you would like to pass out of this that we can take
9 back to the Hill, I will be glad to do it. I think it
10 will be a good idea.

11 So let's take a look when we go through
12 Magnuson tomorrow what it is and then we'll -- and
13 what we got in there and see if we think that does it
14 or not.

15 DR. ROBERTS: I don't know if you want to
16 be in that business. I mean, if the agencies are
17 trying to do good, then that's where you got to start.

18 VICE CHAIR HOGARTH: But I think we are in
19 that business to a certain extent. Congress most of
20 the time has given us the money, we have gone in and
21 tried to do it. Alan is out of the room now, but I
22 think in Hawaii when we shut the fishery down, they

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1 gave us money and we wrote checks to individual
2 fishermen. The court had shut us down, couldn't get
3 them back, operating.

4 We have done it in different ways but,
5 Ken, I don't think it's clear what our role really is,
6 so it would be good to have our goal spelled out in
7 Magnuson, I think, and that would be a good point to
8 do. I mean, something from here would probably help
9 that. So, Chris?

10 MR. DORSETT: Chris Dorsett, just quickly.

11 One of the potentially contentious issues is going to
12 be capacity reduction and the potential for buy-out
13 and there have been a number of reviews of past buy-
14 out programs that have been pretty critical of them.
15 And I know MAFAC had, I believe, a capacity reduction
16 team at some point and I actually looked to see if I
17 could find some final report, and I didn't see one on
18 the web and I don't know who was on that committee,
19 but if they had anything that had some lessons
20 learned, it could be very useful.

21 MS. BRYANT: Chris, the only -- it was a
22 very short-lived working group, you're right. And I

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1 think the last thing that was done was perhaps your
2 first meeting or somewhere. It was in Washington,
3 D.C. and I think that was the last thing. It was in
4 the top, for instance, with the world wildlife and you
5 guys did maybe half of these things. And, Pete, you
6 may remember something.

7 That, I think, was the last time any
8 activity was done on this specifically and it has not
9 been taken up since then. It is on the web, but it's
10 not identified as over-capacity or anything. It's in
11 that working group report, but I can go online and
12 find which one that is. But I want to say it was
13 Washington, D.C. 2000 or something like that.

14 MR. RAYBURN: We were in it.

15 MS. BRYANT: Or maybe 2003?

16 MR. RAYBURN: Scott Burns was in our
17 class, wasn't he?

18 MS. BRYANT: Yes.

19 MR. RAYBURN: His party was.

20 MS. BRYANT: Yes.

21 MR. RAYBURN: And he was in it.

22 MS. BRYANT: So it was one of those groups

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1 and I think we would have to go back and look, but I
2 think that's the only group. There may be one or two,
3 but we'll look out and find out specifically.

4 VICE CHAIR HOGARTH: We have done some
5 more work with it internally, so we could put our
6 thinking together, and that is one reason I'm saying
7 you can't stick your money -- it's not going to help
8 anybody just to go ahead and wholesale give money.
9 You need to have a plan to rebuild this fishery, so
10 that they will make money and sustainable and all.
11 Okay? Thanks, Steve. Okay. Tomorrow. By the way,
12 we'll give you before you leave -- we have the Federal
13 Register notice for the --

14 MS. BRYANT: Proposed rule.

15 VICE CHAIR HOGARTH: Proposed rule for the
16 Seafood Council.

17 MS. BRYANT: I'm going to set it over
18 there on that table.

19 VICE CHAIR HOGARTH: So you get that.
20 Under Tab 11 and Tab 12 you have the over-fishing
21 draft and the salt water angling is in Table 12 -- Tab
22 12. Now, you may want to look at those things we gave

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1 out that you probably would need to take a look at.

2 Don't forget to give either Tony or Laurel
3 your choice of your subcommittee, the subcommittee you
4 would like to serve on, because we do need to try to
5 get those established tomorrow afternoon, so we can do
6 a little bit of work in those the next day to
7 determine the things to be able to move forward.

8 And, Rob, the reception is right next door
9 when?

10 MR. KRAMER: It's inside the facility
11 here. If you walk through underneath, there is a
12 Rolex clock right there. You walk into the Greats
13 Hall. That's where our reception will be. It was
14 scheduled to start at 5:30. I have bumped it up some.

15 The beer is already icing down. We have a full open
16 bar. We have hors d'oeuvres being cooked out on the
17 back that are going to be brought in.

18 I'm going to have all the exhibits open in
19 the museum. So those of you that haven't been here,
20 you can see the history, the evolution of recreational
21 fishing from rods and reels to the greats that made
22 the sport. So that will all be open here and it's

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1 going to be open for as long as anybody wants.

2 I encourage you to bring your spouses or
3 whoever you have back at the hotel because we have
4 plenty. I know some people are going out later with
5 their wives or husbands and that's fine, too. If you
6 need information, we might be able to help you with
7 that as well.

8 VICE CHAIR HOGARTH: I want to thank
9 everybody for today. I thought we have had excellent
10 discussions today. I think we need to, you know,
11 think about the discussions and what we want to build
12 into further actions and how MAFAC needs to be
13 involved. But I think the discussion today has been
14 excellent, but I would like to see it move from there
15 with some recommendations or some action items or
16 things you want to do in the future.

17 So let's think about that before Thursday,
18 so we can really do that on Thursday, but thank you.
19 I really appreciate it. Ralph?

20 MR. RAYBURN: I ask again on Thursday
21 night if you're finished with that, Bill, for just
22 administration. You mentioned, is it Emily Carter?

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1 MR. KRAMER: Emily Collins.

2 MR. RAYBURN: Collins, yes.

3 MR. KRAMER: My assistant.

4 MR. RAYBURN: We have made a commitment
5 for the boat ride already, but you want a commitment
6 for the restaurant as well?

7 MS. BRYANT: I assumed that was folks for
8 the restaurant.

9 MR. RAYBURN: It was not.

10 MS. BRYANT: No, because we have called
11 the restaurant.

12 MR. RAYBURN: Transportation back here
13 after that, I mean, what are we going to do?

14 MS. BRYANT: That's going to be kind of on
15 our own, I understand.

16 MR. KRAMER: Yes, it's not that far. It's
17 probably, I don't know, an \$11 cab ride, something
18 like that, from where we're going to be. We had to
19 turn the bus loose and I wasn't sure who was going to
20 be here.

21 MS. BRYANT: My understanding is it's a
22 terrific area, fun to walk around in, lots of shops

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1 and restaurants, so some folks may want to go in one
2 direction after dinner and then may want to come back,
3 so we have kind of left it open.

4 PARTICIPANT: Can we leave materials in
5 the room?

6 MS. BRYANT: Yes. Rob, we can leave
7 things here?

8 MR. KRAMER: Yes, materials are fine. I
9 would take your computers with you because I can't
10 lock up the room, but everything else will be fine.

11 VICE CHAIR HOGARTH: Okay.

12 MS. BRYANT: Tomorrow morning, I think
13 we'll be up again at 8:30.

14 (Whereupon, the meeting was adjourned to
15 reconvene tomorrow at 8:30 a.m.)

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