

U.S. DEPARTMENT OF COMMERCE

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NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

+ + + + +

MARINE FISHERIES ADVISORY COMMITTEE (MAFAC)

+ + + + +

TUESDAY
MAY 22, 2012

+ + + + +

The MAFAC met in the Ravenna Room,
Sheraton Seattle Hotel, Seattle, Washington,
at 8:00 a.m., Keith Rizzardi, Chair,
presiding.

MEMBERS PRESENT

- KEITH RIZZARDI, MA, JD, Chair
- MARTIN FISHER, Vice Chair
- TERRY ALEXANDER
- JULIE BONNEY
- DICK M. BRAME
- RANDY CATES
- ANTHONY CHATWIN, Ph.D.
- PAUL CLAMPITT
- PATRICIA DOERR
- PHILIP J. DYSKOW
- MICHELE LONGO EDER, JD
- KEN FRANKE
- ELIZABETH HAMILTON
- MICAH McCARTY
- JULIE MORRIS, Ph.D.
- GEORGE C. NARDI
- ROBERT RHEAULT, Ph.D.
- HENRY SESEPASARA
- DAVID H. WALLACE
- PAMELA YOCHER, DVM, Ph.D.

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CONSULTANT TO MAFAC

RANDY FISHER

STAFF PRESENT

MARK HOLLIDAY, Ph.D., Designated Federal
Official

RUSSELL DUNN

LAURA HOBERECHT

DEBRA LAMBERT

HEIDI LOVETT

JIM MCCALLUM

KATE KNAUGHTEN

ALAN RISENHOOVER

MICHAEL RUBINO

JOHN STEIN

WILL STELLE

BOB WILLIAMS

ALSO PRESENT

MANNY DUENAS

BILL DEWEY

NICOLE FAGHIN

PETE GRANGER

JENNIFER HAGEN

STEVEN JONER

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Adjourn

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

2 8:08 a.m.

3 CHAIR RIZZARDI: Good morning,
4 everybody. I'd like to get our meeting
5 started today. This is a meeting of the
6 Marine Fisheries Advisory Committee and I'd
7 like to start off with four thank yous while
8 they're working out the last of the technical
9 difficulties.

10 The first one is thank you to
11 everybody here at the table. You're all
12 making a big commitment to be here, you've all
13 traveled far, or many of you have and all of
14 us appreciate each other's work here.

15 Next is to Alan. Alan here to my
16 left, Alan Risenhoover, is our senior ranking
17 NOAA official and he is here in place of Sam
18 Rauch who got whisked off to New England to
19 solve the crisis du jour. So thank you to
20 Alan for filling in at the last minute and the
21 family compromises it takes. And I know his

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1 travel schedule has been pretty demanding
2 lately.

3 Next, a big thank you to Mark
4 Holliday. We're really fortunate to have Mark
5 as our Designated Federal Officer. He's got a
6 30-year career in fisheries, he's got his PhD
7 in marine sciences, he's previously served as
8 chief financial officer for NOAA so he's
9 really got the background and the ability to
10 help this body and routinely helps me and
11 works with us to make us a meaningful part of
12 the policy process.

13 And finally I want to thank Manny,
14 Manny Duenas from the Western Pacific Fishery
15 Management Council. He's got the title for
16 the longest traveler. He's also just recently
17 finished chairing the Council Coordination
18 Committee meeting in Hawaii. And he's reached
19 out to MAFAC and asked us to engage in some of
20 the most controversial issues that are facing
21 the council. And it's a real opportunity for
22 MAFAC that he's presenting us with. So thank

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1 you, Manny, for being here.

2 I'm Keith Rizzardi. I am a law
3 professor at St. Thomas University near Miami
4 and I'm also an experienced environmental
5 litigator and lawyer. And I'm really grateful
6 to be here today presiding as chair of this
7 body. I think service on MAFAC is a real
8 honor. I know that all of us share a deep
9 commitment to oceans and fisheries work, and I
10 think it's incredible that we have the chance
11 to be here and to serve the nation and to
12 provide meaningful policy advice to the
13 decision makers at NOAA.

14 Lastly I'd like to congratulate all
15 of our new members. So I've met almost
16 everybody but Julie, Dick, Michele, Liz,
17 Micah, Robert and Pam. So we've got seven new
18 members. And if you haven't met each other
19 make an effort to do so, please. But let me
20 tell you, I'm really impressed by the
21 credentials that all of you bring. I have
22 tremendous confidence in your ability to

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1 instantly contribute to the dialogue. Don't
2 be shy, nobody else here is. So I expect to
3 hear from you all throughout the meeting and I
4 know that you're going to be bringing
5 tremendous expertise to this committee.

6 But for your benefit and so that
7 each other, we get to know each other, I'd
8 like to take a few minutes just to kind of go
9 around the table and allow everybody to
10 introduce themselves. And I guess I'll start
11 with Alan here.

12 MR. RISENHOOVER: Good morning, I'm
13 Alan Risenhoover. I'm the Acting Deputy
14 Assistant Administrator for Regulatory
15 Programs. Prior to that I was the Director
16 for Sustainable Fisheries. So as we have a
17 little bit of a domino effect in the Agency on
18 some acting positions as you've heard that's
19 where I've landed.

20 DR. HOLLIDAY: I'm Mark Holliday.
21 In my day job I'm the Director of Policy for
22 the National Marine Fisheries Service.

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1 MEMBER WALLACE: I'm Dave Wallace.
2 I am a member of the MAFAC. I represent
3 commercial fishing interests on the East Coast
4 of the United States.

5 MEMBER BRAME: I'm Dick Brame. I
6 work for the Coastal Conservation Association.
7 I'm the Atlantic States Fisheries Director
8 over fisheries issues. And I'm on the NROC
9 Operations Registry.

10 MEMBER ALEXANDER: I'm Terry
11 Alexander. I'm a commercial fisherman from
12 Maine. I fish out of Boston with a trawler
13 and out of Portland, Maine, groundfish.

14 MEMBER DYSKOW: I'm Phil Dyskow.
15 I'm one of the representatives of the
16 recreational fishing industry. I'm an
17 immediate past president of Yamaha Motor
18 Corporation and still am a senior advisor to
19 the company.

20 MEMBER HAMILTON: Good morning.
21 I'm Liz Hamilton with Northwest Sportfishing
22 Industry Association. I'm glad to have you

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1 all here on the West Coast.

2 MEMBER CLAMPITT: I'm Paul
3 Clampitt. I'm a commercial fisherman from
4 Seattle. I fish halibut and black cod
5 longlining.

6 MEMBER RHEAULT: I'm Bob Rheault.
7 I'm executive director of the East Coast
8 Shellfish Growers Association representing
9 shellfish farmers from Maine to Florida.

10 MEMBER NARDI: I'm George Nardi
11 with Great Bay Aquaculture in Portsmouth, New
12 Hampshire, a multi-species marine finfish
13 hatchery.

14 MEMBER MORRIS: I'm Julie Morris.
15 I live in Sarasota, Florida and work at a
16 small college.

17 MR. FISHER: I'm Randy Fisher. I'm
18 executive director of Pacific States Marine
19 Fisheries Commission from Portland, Oregon.

20 MS. LOVETT: Heidi Lovett. I work
21 in the policy office. I've communicated with
22 a lot of you and I help facilitate the

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1 meetings.

2 MEMBER FRANKE: Ken Franke. I run
3 a sportfishing operation in San Diego and
4 advisor to the Sport Fishing Association of
5 California.

6 MEMBER MCCARTY: I'm Mike McCarty.
7 I'm the chairman of the Makah Tribal Council
8 and welcome to the Northwest.

9 MEMBER CATES: Randy Cates.
10 Background, several areas. Open ocean
11 aquaculture is one. I have a marine solids
12 company and I do a lot of coral reef
13 restoration work. And former commercial
14 fisherman as well as a former marine mammal
15 trainer before I got smart, got a real job.

16 MEMBER LONGO EDER: Michele Longo
17 Eder from Newport, Oregon. My husband is a
18 commercial fisherman. We fish for dungeness
19 crab and sablefish using pots. I'm also an
20 attorney representing commercial fishermen and
21 fishing associations.

22 MEMBER YOICHEM: Pam Yochem from

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1 Hubbs-Sea World Research Institute in San
2 Diego. I'm a scientist and veterinarian. We
3 do research with a number of marine species.
4 We also have an aquaculture program doing some
5 marine finfish replenishment work.

6 MEMBER CHATWIN: I'm Tony Chatwin.
7 I'm the director of Marine and Coastal
8 Conservation at the National Fish and Wildlife
9 Foundation. And I'm based out of D.C.

10 MEMBER SESEPASARA: Hi, I'm Henry
11 Seseapasara, presently the representative at
12 our House of Representatives, American Samoa.
13 And I was the former director of Marine and
14 Wildlife Resources for American Samoa.

15 MEMBER BONNEY: Julie Bonney from
16 Alaska, Kodiak. I own a consulting business
17 and work for the trawl industry and processing
18 industry and also manage seven shoreside
19 cooperatives and a catch share program.

20 MR. DUENAS: Good morning, I'm
21 Manny Duenas. I'm the chairman for the
22 Council Coordination Committee. Also the

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1 chairman of the Western Pacific Regional
2 Fisheries Management Council. And I'm
3 president of the Guam Fisherman's Cooperative
4 Association for the last 18 years.

5 MEMBER DOERR: I'm Patty Doerr with
6 the Nature Conservancy. I'm the director of
7 conservation projects out of the New Jersey
8 chapter.

9 VICE CHAIR FISHER: Martin Fisher.
10 I live in St. Pete, Florida. My family has
11 several fishing boats focused mostly on
12 grouper and snapper. I'm vertically
13 integrated which means we produce, we
14 distribute and we wholesale and retail.

15 MR. MCCALLUM: I'm Jim McCallum,
16 the Office of Policy. I work with Mark.

17 MS. LAMBERT: Hi, I'm Deb Lambert.
18 I'm a fishery policy analyst at NOAA Fisheries
19 in Silver Spring.

20 MS. NAUGHTEN: I'm Kate Naughten.
21 I'm the Director of Communications -- the
22 Acting Director of Communications for NOAA

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1 Fisheries. Glad to be here. We have a long
2 history at Fisheries of working very closely
3 with MAFAC to help us reach external
4 audiences. Thank you.

5 CHAIR RIZZARDI: Thank you,
6 everybody, for the introductions. That was
7 pretty efficient. We're back on schedule so
8 I'm going to try to track our agenda as best I
9 can. I'm going to be making some changes this
10 morning because we've had some changes in our
11 consultant reports. Randy mentioned that he's
12 a representative for the Pacific States
13 Regional Fishery Council. We don't have the
14 other two representatives here who usually
15 serve as our consultants for various reasons.
16 So some of the time that we were going to have
17 for Randy, Manny, I'd like you to address us
18 and give us an update on CCC issues if you
19 could. So a minor change in the morning
20 agenda.

21 But at this point I'd like to turn
22 it over to Alan and hear the remarks from our

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1 Acting Director for the day.

2 MR. RISENHOOVER: All right, thank
3 you, Keith. And again, thanks to all the
4 members and in particular the seven new
5 members. Hopefully you know what you're
6 signed on for. While it seems like there's
7 only a couple of MAFAC meetings a year I think
8 Keith and Mark are going to work you a little
9 harder than that. There will be a lot of in
10 between meetings and calls and work to keep
11 some of the documents and some of the things
12 going. So thank you for that. I know we all
13 say we have day jobs but this is a good job to
14 be part of outside of the day job.

15 So in the past as you know MAFAC
16 has made a number of contributions to the
17 Agency. You've talked about the National
18 Ocean Policy implementation, you've helped
19 with our next generation strategic plan.
20 We've gotten comments on some Deepwater
21 Horizon and some restoration efforts.
22 Aquaculture policy. MAFAC was very involved

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1 with aquaculture over the last few years as it
2 was with our catch share policy. So MAFAC has
3 been contributing in many ways and I'm sure
4 it's going to more in the future as well. And
5 a lot of those are wrapped up in the 2020
6 document that I know you'll be talking about
7 at this meeting too and seeing if you want to
8 expand that to a 2040 document.

9 So as far as an Agency report goes
10 I'd like to start with a little bit of some
11 new good news that we've had over the last
12 year or so. A couple of weeks ago we released
13 our Status of the Stocks Report, our annual
14 report to Congress on how we're doing relative
15 to stocks under the Magnuson Act. We looked
16 at over 200 stocks as part of that review and
17 we had a very good year in 2011. So if you
18 haven't looked at that report we have a short
19 4-pager online you can look at as well as the
20 full report.

21 But in reviewing those 214 stocks
22 we found that 6 stocks were now newly rebuilt.

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1 So they're back up to their full rebuilt
2 level. Bering Sea snow crab, widow rockfish,
3 summer flounder are three of them. And that
4 brings the total since 1996 to 27 stocks
5 rebuilt. So we're making progress there.

6 We also had a number of stocks that
7 were taken off the overfishing list. So if we
8 remember we have two standards in that report:
9 subject to overfishing and overfished stocks.

10 So on the subject to overfishing
11 there were five stocks that were taken off
12 that list. Five additional stocks that we
13 didn't have good data for were also found to
14 be not subject to overfishing. So in one vein
15 we're taking some stocks off that list. On
16 another we aren't putting any new ones on, so
17 we're holding that ground.

18 And then one stock that was
19 previously unknown was found to be subject to
20 overfishing. So while that's not the best of
21 circumstances at least we know that it's now
22 subject to overfishing and we can begin to do

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1 something about it.

2 We also took five stocks off the
3 overfished list. So there are five more
4 stocks that are on their way to being rebuilt.
5 Additionally and just equally as important
6 there were four stocks that were previously
7 unknown, their designations were unknown. We
8 found them to be not overfished. So again,
9 some good news there.

10 Again, there were two other stocks
11 though, not so good news. One that we didn't
12 have good data for we found was overfished and
13 one that was previously not overfished had
14 become overfished. So it's a mixed bag there
15 but if you think of those 20 stocks that
16 either improved their status or we found that
17 their status was good that is good news.

18 And this comes at a time when we've
19 just implemented all the annual catch limits
20 around the country. As you know the Magnuson
21 Act from 2007 required annual catch limits to
22 be put in place. The councils and the

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1 industry have succeeded in putting those in
2 place. And the Agency recognizes the
3 sacrifices the industry made for those. In
4 some cases there were cuts, but hopefully that
5 sacrifice will pay off in the future in a mode
6 of sustainability, not only biological
7 sustainability but economic sustainability for
8 those communities dependent on those stocks.

9 With protected species, I know
10 you'll be discussing that as well. Some of
11 you have a specific interest in that. Perhaps
12 sea turtles will come up. I think the
13 chairman is particularly interested in that.
14 But we've made progress on the protected
15 species side of things as well.

16 We're coming up on the 40th
17 anniversary of the Marine Mammal Protection
18 Act. Next year will be the 40th anniversary
19 of the Endangered Species Act. So we need to
20 look at what we're doing there. As I
21 mentioned sea turtles, the Kemp's Ridley,
22 we've had record numbers of nesting or higher

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1 numbers of nesting females over the last few
2 years. It's been increasing by about 10 or 15
3 percent a year.

4 We've issued a proposal just
5 recently to de-list the eastern stock of the
6 Steller sea lions and are looking forward to
7 comments on that to determine whether that
8 stock should in fact be de-listed.

9 We recently also expanded our
10 public engagement on a petition we got to list
11 corals and I know corals is also on the
12 committee agenda for tomorrow as well. So,
13 that's good timing.

14 Habitat. We've announced our
15 habitat blueprint. It's a NOAA blueprint.
16 We're trying to involve NOS, OAR and the
17 Weather Service in that. And the purpose of
18 that blueprint is how do we focus NOAA's, not
19 just National Marine Fisheries Service's
20 habitat experience on some regional important
21 issues to solve those when it comes to
22 habitat.

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1 And I think we all know how
2 important habitat is. The recent removal of
3 the Elwha Dam will restore salmon habitat as
4 well as some of the barrier islands we're
5 restoring in the Gulf for the Gulf-dependent
6 species there.

7 And you also may remember the
8 Deepwater Horizon oil spill. That's kept our
9 habitat people busy recently as well.

10 So just one final other area, or a
11 couple final other areas. Aquaculture. As I
12 mentioned, MAFAC has been very involved in
13 aquaculture recently. I expect it to continue
14 to be. And we're making progress on
15 aquaculture with a very small budget and
16 limited number of folks. We're continuing our
17 efforts with the National Shellfish
18 Initiative. We have a regulatory working
19 group established under the National Ocean
20 Council that -- I'm sorry, Ocean Committee,
21 that's looking at some of the regulatory
22 issues associated with aquaculture. And I

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1 hope we start making progress there.

2 This is not something that just
3 NOAA can do alone. This working group
4 involves representatives of the Corps of
5 Engineers, Fish and Wildlife Service, EPA,
6 USDA. So I'm hoping that regulatory group
7 will by late summer start showing some
8 results. And Michael Rubino will be here to
9 talk a little bit more about that.

10 And the key thing there is that the
11 attention it's getting at the highest level,
12 the Council on Environmental Quality (CEQ) is
13 interested in this because it's a deliverable
14 under the National Ocean Policy or the
15 National Ocean Implementation Plan. So again,
16 aquaculture is getting a lot of attention and
17 MAFAC has helped with that.

18 So I think I'll just kind of
19 conclude by saying looking over your agenda
20 for this meeting you're poised to address the
21 right topics. If you think of the progress
22 we've made in rebuilding and ending

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1 overfishing, establishment of ACLs, one of the
2 bases for that was our National Standard 1
3 Guidelines and Deb Lambert will be here today
4 to talk to you about. We're looking for some
5 comments on whether those guidelines need to
6 be reviewed. So that's one of the Agency
7 priorities right now.

8 You'll be looking at sustainability
9 and the potential certification programs of
10 seafood in your committee meetings. So as we
11 rebuild these stocks to higher biological
12 levels how do we make sure they are
13 sustainable? How do we make sure that the
14 advertising associated with those stocks is
15 correct, that they reflect the true overfished
16 and overfishing conditions? Working
17 waterfronts will be addressed.

18 So again, as we rebuild the stocks
19 from the biological side how do we rebuild the
20 industry or ensure the industry is sustainable
21 from the economic side as well. And that's
22 just not commercial, that's recreational as

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1 well. And I know the recreational work group
2 will be -- or the recreational committee will
3 be talking about that today.

4 As I mentioned for protected
5 species you've got sea turtles and corals on
6 your committee schedule. Those are two very
7 high-profile issues within the Agency right
8 now as well. And then again, just to recap on
9 aquaculture and the National Ocean Policy
10 that's something that's actively being
11 developed and debated at pretty high levels
12 within the organization.

13 The last thing of course, and it
14 seems to underpin everything and we always
15 come back to it is budget. So we'll have a
16 little discussion on budget today and whether
17 that's a bright future or a not-so-bright
18 future. We need to decide what are the core
19 missions. Where does the Agency invest? How
20 do we make sure the programs we have on a
21 level or a trailing-off budget are important
22 to our constituents into the future. And with

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1 that I really look forward to some of the
2 discussion on the 2020/2040 report on what
3 that vision would be.

4 So again, thank you for your time,
5 your discussion today and I look forward to
6 the results of the meeting. Thank you.

7 CHAIR RIZZARDI: Thank you, Alan.
8 Mark, before I turn it over to you to give a
9 report I just want to step back. You know,
10 Alan's given us a perspective of what NOAA's
11 working on and what their priorities are.

12 And I just wanted to take a moment
13 to cast a vision for MAFAC and where I think
14 we fit into that big picture. One of the
15 things that strikes me about MAFAC, and what
16 I'd like to talk about is MAFAC as a whole,
17 MAFAC as its subcommittees and MAFAC as its
18 individuals.

19 But one of the things that strike
20 me about MAFAC is we're really just
21 representative of interest group politics.
22 You know, we have a diverse group of

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1 stakeholders who are sitting here around the
2 table and what we do is reflective of the
3 policy views of the nation. In theory that's
4 what we're supposed to do. We're supposed to
5 help vet out issues and vet out the policy
6 process for NOAA and try to help them
7 understand how the public is going to react to
8 the policy issues that they face.

9 And given that we have this diverse
10 group we have the opportunity to help those
11 strengths and weaknesses bubble to the
12 surface. I think it's important that we
13 strive for consensus on these issues because
14 of that.

15 And I want to point out that
16 consensus doesn't mean 100 percent. I don't
17 ever expect us to have 100 percent. When we
18 do it's extraordinary, all right? But 51/49
19 does us no good, does NOAA no good. A 51/49
20 recommendation doesn't really move anywhere.
21 What we need to do is to strive to get those
22 80 percent support kind of items where we can

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1 help really lead some policy initiatives and
2 help give some focus to NOAA and give them
3 opportunities for them to implement.

4 Now, the issues that come as you
5 heard from Alan, sometimes it's external
6 forces that are pushing things, sometimes it's
7 an item that's on NOAA's agenda and they've
8 got to wrestle with an issue. And other times
9 they may be issues that all of you care about.

10 And one of the things I've been
11 trying to do is to open up our agenda and to
12 make it so that we have a bigger process and
13 more people engaged. The executive
14 subcommittee has been engaged in shaping the
15 agenda. I encourage all of you to help us
16 over the years to add items to the agenda.

17 But at the end of the day what I
18 really want this body to achieve is a
19 document. I think it's important that we have
20 a resolution or even better yet a report. I'd
21 like MAFAC to strive to generate tangible work
22 products that we can put in NOAA's hand that

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1 they can pass around, that they can
2 distribute, that they can read, that can show
3 that hey, there was this deliverable that came
4 out from MAFAC. Here's their recommendation.
5 We all want to make our time here worthwhile
6 and that's one of the best ways to do it is
7 generate work product. So as we work our way
8 through all these items keep that in mind.

9 Now, I realize that the discussions
10 on all of these items are big and that it's
11 also hard to have big discussions in a room
12 that gets as big as this one does. And as a
13 result the subcommittees become really
14 important. And we have some exceptional
15 subcommittee leaders. We've got Tony Chatwin
16 on Strategic Planning, we've got George Nardi
17 on Commerce, we've got Julie Morris on
18 Protected Resources, Dave Wallace on
19 Ecosystems, and Ken Franke on Recreational
20 Fisheries.

21 And I'm looking to all of our
22 subcommittee chairs to play a leading role

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1 into helping shape the dialogue and shaping
2 the documents that we're going to generate
3 over time that are responsive to the issues
4 that NOAA helps us identify and the issues
5 that get put on our agenda.

6 I also want each of you to commit
7 to one subcommittee. Historically MAFAC has
8 had its members bounce around a little bit and
9 we attend issues as we're interested in. I do
10 think it's important for us to generate some
11 consistency on our subcommittees and I'd like
12 everybody to have one subcommittee that will
13 always be their priority. So as Mark is going
14 to be talking to us a little bit about what
15 MAFAC has done in the past and we're supposed
16 to talk a little bit about subcommittee
17 membership I'd like you all to think about
18 that one committee that you are personally
19 going to commit to that will be that standing
20 committee that you'll always meet with.
21 Because sometimes we move the subcommittee
22 schedules around.

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1 And let me also say while I expect
2 our subcommittee members to play leading roles
3 I'm also looking to everybody here
4 individually to take a role on the topics
5 within your expertise. You know, this room is
6 diverse. This room has tremendous expertise
7 and if we could get the folks in this room to
8 commit to co-authoring one work product a year
9 the collective output of this body could be
10 really significant. And I think that's a
11 pretty reasonable standard. You know, all of
12 us went through a lot of effort to get on this
13 body and I'd like us to work for it. Yes,
14 Randy.

15 MEMBER CATES: One thing I think
16 was missing in your vision in my opinion. Our
17 role and our job is to advise the Secretary of
18 Commerce.

19 CHAIR RIZZARDI: Yes, sir.

20 MEMBER CATES: Not NOAA. Our job,
21 we had this debate when I first came on. It
22 was a big debate for quite a few meetings on

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1 what is it -- what is our job. What's our
2 mission statement. And there was actually a
3 point in time when that was being questioned
4 and I think it -- Mark, maybe you can reflect
5 on this. It went back to the Secretary of
6 Commerce on whether it should change, whether
7 our charter should change to more reflect what
8 was going on with our interaction with NOAA.
9 And I think the response came back was no,
10 it's going to remain the same. I think it's
11 important to remind ourselves from time to
12 time what we're really asked us to do because
13 in that charter it states we shall advise the
14 Secretary of Commerce.

15 CHAIR RIZZARDI: Thanks for that,
16 Randy. I agree, we advise the Secretary of
17 Commerce. In practice NOAA is an entity
18 within the Department of Commerce. Advising
19 NOAA staff is a big part of advising the
20 Secretary and I think it's really, we work
21 with both. And there may be times that we
22 seek to try to elevate an issue to the

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1 Secretary of Commerce. Not always the most
2 accessible person in the federal government.
3 You know, we have a lot more contact with Alan
4 and Sam, so the practical reality is we
5 interact with NOAA more often. But Randy,
6 your charter point is absolutely correct. We
7 advise the Secretary of Commerce.

8 But that said, we all have the
9 opportunity to participate directly in the
10 advising of the Secretary. And that's the
11 point I'm making for everybody here is I would
12 really like everybody here to strive to engage
13 your own personal expertise and to get
14 involved on a work product on an annual basis,
15 and to really take some ownership in it.
16 Because I would like to see this committee
17 start generating more deliverables. That's my
18 vision for the next 2 years that I'm sitting
19 here as chair and I just hope that we can
20 continue to strive for that kind of level of
21 accomplishment.

22 And I know that Mark has for us a

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1 spreadsheet to show some of the things
2 historically that we've been working on, what
3 the status of those items are. And for
4 everybody who's new you'll get a sense of what
5 kinds of things we've been doing in the past.
6 And then over the course of the rest of this
7 morning we'll be talking about where are we
8 heading in the next few months and years
9 ahead. So Mark, can you share with us your
10 status report on MAFAC?

11 DR. HOLLIDAY: Yes. Thank you,
12 Keith. Before I do I'd like to make sure and
13 deal with a couple of safety and logistical
14 questions for the benefit of the members here
15 in the building.

16 We normally start our meetings to
17 identify where the emergency exits are from
18 this room in case we need to evacuate the
19 building. If you go out these doors there are
20 stairwells to your left. Don't take the
21 elevators. That will exit out to the street
22 in one direction. If you go to the right, you

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1 follow them, at the end of the very long
2 hallway there's another set of stairs.

3 For your own public -- private
4 safety, the restrooms are to the right as you
5 go out the door here. We have scheduled
6 breaks during the meeting but whenever you
7 feel the need to take your own break feel free
8 to do so. You won't lose your vote or your
9 place in line if you leave the room. We don't
10 operate in that kind of a mode. I just wanted
11 to touch base on a couple of those things.

12 You might be wondering who that
13 gentleman in the tie in the corner is over
14 there. We record all of these meetings as
15 part of our Federal Advisory Committee Act
16 requirements. We create a transcript. This
17 is a public meeting, it's open to the public.
18 We'll have seating available for people to
19 come and observe the goings-on of the
20 committee. And if they wish to address the
21 committee we have a sign-up sheet and we'll
22 make time available for them to address the

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1 committee on a topic that we're covering
2 during the course of our meeting.

3 So this is primarily for the new
4 members but I wanted to make sure you had some
5 degree of comfort about how we operate in the
6 operation.

7 And the other thing is important
8 that we use -- you notice you don't have a
9 big, large three-ring binder full of papers in
10 front of you? We try to have paperless
11 meetings so we try to put all of our material
12 on the MAFAC website for you to look at. We
13 should have emphasized that most of the people
14 come with a laptop to access their materials.
15 If you have difficulty in accessing any of
16 that material we'll be using them throughout
17 the course of the next couple of days. See me
18 or one of my staff and we'll help you make
19 sure that you have it and the appropriate
20 materials so that you can feel comfortable
21 following along. Sometimes it will be
22 difficult to see things on the screen.

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1 And that brings me to the action
2 table which is virtually impossible to see on
3 the screen but it is posted on the MAFAC
4 website under the agenda for this morning.
5 It's an action table. And the purpose of the
6 action table is to track decisions,
7 recommendations that you've made to the
8 Agency, whether it's to NOAA or to the
9 Department or for us to take in regards to
10 other agencies.

11 And since our last meeting in
12 October of 2011 there were 10 topical areas
13 where the committee made recommendations or
14 had findings or proposed actions to take.
15 I've got 15 minutes for my presentation.
16 There are 32 specific recommendations. So
17 even if I took a very brief period of time for
18 each one I'd over-stretch my time allotted.

19 So I'm going to try to look at it
20 from the larger picture of what's happening
21 under these 10 topical areas. I'll take a few
22 minutes of each to give you sort of the status

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1 of where we are. And then if you have
2 questions about the specific findings or
3 recommendations I take them as questions.

4 And I did want to reserve a few
5 minutes at the very end to talk about the
6 current subcommittee structure. I think Keith
7 has further remarks along those lines but to
8 make sure for both existing and new members we
9 have an agreed-upon understanding of the roles
10 and responsibilities of the subcommittees, how
11 they function during the course of our 3-day
12 meeting and how we are proposing to reform
13 some of the practices of how they function
14 between meetings. So rather than just twice a
15 year we get together, how will these
16 subcommittees work between meetings to be a
17 more efficient and effective organization.

18 So the first item on the action
19 item that I'm going to go to is on blue
20 carbon. We had a presentation at our last
21 meeting from Roger Griffis talking about this
22 new concept in measuring the ecological

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1 footprint of carbon banking and carbon trading
2 and what role NOAA was trying to propose in
3 that. There were several different specific
4 findings and I'd say the most -- the more
5 complete picture of this is how do we
6 integrate this new idea of blue carbon into
7 our existing habitat restoration or habitat
8 conservation strategies, whether it's habitat
9 for protected resources, habitat for
10 fisheries. And so I think it dovetailed
11 nicely with the presentations we were having
12 about the habitat blueprint, this new
13 initiative on the part of the Agency to
14 develop a framework incorporating more of
15 these ecological and habitat considerations
16 into the policy decision.

17 And blue carbon was one of the
18 tools that was identified as an area for
19 exploration sort of as a tool towards the end
20 rather than as a separate entity. So we've
21 been looking at the recommendations about
22 incorporating the blue carbon concepts. It's

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1 been blended into the most recent habitat
2 blueprint materials that have been made
3 available to the public. Trying to develop
4 this initiative both internally within NOAA,
5 other line offices, as well as presenting it
6 to outside entities, regional councils,
7 environmental organizations.

8 And again, it's a framework in
9 itself to move us forward into a -- into the
10 recognition that it's not all about this
11 recovery of any individual species, it's not
12 all about an annual catch limit for an
13 individually managed fishery, but it's about
14 the broader context of looking at integration
15 of a habitat strategy across time and space.

16 I think this is exemplified as well
17 in terms of our challenges within NOAA to be
18 more effective at our habitat conservation and
19 restoration activities. So, in our current
20 activity under this topic we've been directed
21 by the Office of Management and Budget as well
22 as congressional appropriation language to

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1 look at producing a more effective NOAA
2 approach to habitat, looking at the work done
3 in the National Ocean Service, looking at the
4 work done in the National Marine Fisheries
5 Service and try to develop a more efficient,
6 non-duplicative and an effective strategy for
7 incorporating these habitat areas.

8 We are responsible historically for
9 essential fish habitat in our fisheries
10 management plans, the National Ocean Service,
11 through Coastal Zone Management and through
12 Marine Protected Areas and sanctuaries looking
13 at other elements of preserving and conserving
14 habitat. So the future direction in the
15 recommendations that you've made about blue
16 carbon and about the habitat blueprint I think
17 are very complementary and consistent in
18 trying to look at not habitat as a stand-alone
19 but your recommendations have been affecting
20 the work that's being done at the Office of
21 Habitat and Conservation in the Fisheries
22 Service in trying to get this more global,

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1 more integrated look. And so I think there's
2 been some consistency in our actions based on
3 the recommendations, specific recommendations
4 and findings that you've had.

5 I would note that the range of
6 recommendations you make sometimes are
7 different time sequences. Some are very
8 short-term, some things are doable, they're
9 measurable, tangible things, like do something
10 with somebody for a particular purpose. But
11 some of your recommendations are almost
12 aspirational, you know. You'd like to see
13 somebody else do something in the future and
14 have some vision of what it should look like,
15 and it doesn't lend itself to accomplishing
16 that in one meeting's worth of time or one,
17 even perhaps one year.

18 And so we label some of these sort
19 of short-term, medium-term, long-term and try
20 to give some context to what we think are some
21 of the ways forward. So, an example here with
22 the Army Corps of Engineers and having them

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1 change how they do benefit cost analyses and
2 account for ecological goods and services. I
3 mean, that's sort of the longer term
4 proposition. We consult with them, we work
5 with them collaboratively, but ultimately
6 NOAA's not, doesn't have the pen on the
7 guidelines that the Corps of Engineers has for
8 that particular action. So we're trying to
9 balance what things that we can recommend to
10 others to do versus things that we have direct
11 control over. And I wanted to include that as
12 a caveat.

13 So I think I've covered the blue
14 carbon and the habitat blueprint. The next
15 general topic that we made recommendations on
16 to the Commerce Subcommittee was had to do
17 with the implementation of both the Department
18 aquaculture policy and the NOAA aquaculture
19 policy. And we had presentations specifically
20 on the agenda to talk about what's happening
21 with the Shellfish Initiative, the technology
22 transfer components. And so I'm going to

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1 defer, you know, detailed discussion about
2 that. But there's been quite a surge in
3 activity to try to move forward on sort of the
4 ideal notions of what these policies are and
5 translate them into actions. And we'll hear
6 from Dr. Rubino and Bill Dewey will come and
7 address us and talk about some of the
8 execution of the aquaculture policy
9 initiatives.

10 Those who attended, the next topic
11 is the budget and prioritization. As you may
12 recall if you've been on the committee we've
13 tried several different ways to engage the
14 committee and trying to provide advice to NOAA
15 and the Department on prioritization of what
16 issues, what areas of either research or
17 management are higher priority in the
18 formulation of NOAA budgets as well as
19 providing advice on how we execute those
20 budgets, where we put money, towards what
21 activities, for what purposes.

22 In October we ran a pilot program

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1 at the meeting with the Budget Subcommittee.
2 It was a prioritization matrix to help test
3 and see if we could use that as a tool for the
4 committee to reveal what their preferences
5 were for collecting data versus managing for
6 sea turtle recovery versus information
7 technology.

8 We're still working on trying to
9 find the appropriate level of where input from
10 MAFAC will be most effective. And what I mean
11 by level is without knowing the gory details
12 of the budget which, you know, go into very
13 specific projects and activities versus this
14 opposite spectrum of we have maybe three pools
15 of money for fisheries management, for
16 protected resources and for habitat. What are
17 the highest priorities? Somewhere between
18 those two levels of detail there's a sweet
19 spot where MAFAC can provide advice that would
20 help NOAA be informed by your thoughts on
21 priorities, where if you had another dollar to
22 spend given the current circumstance or maybe

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1 you have less of a dollar to spend -- that's
2 more likely in the future -- where would you
3 put your investment.

4 So I think this continues to be a
5 work in progress and as part of our budget
6 discussion during this meeting I think we'll
7 try to move that forward some more. We have
8 some experience in the last couple of weeks
9 working with the NMFS leadership on this topic
10 and we're going to try to see if this --
11 another approach might be more effective at
12 trying to capture your strong opinions about
13 priorities in the budget realm.

14 We did receive a presentation at
15 the last meeting on the NOAA Caribbean
16 Strategy. It was sort of a strategic look at
17 future integration across the NOAA line
18 offices in the Caribbean Basin for management
19 for research and science. We provided a very
20 few number of comments which were incorporated
21 into the final NOAA policy that has gone
22 forward and has been made public. And so that

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1 was sort of a completed action in and of
2 itself.

3 As you may recall at our October
4 meeting we were anticipating the National
5 Ocean Policy Implementation Strategy being
6 made available for public comment. And we
7 accommodated that release which occurred
8 between meetings by holding a publicly noticed
9 conference call. So all of our decision-
10 making and recommendations have to be made in
11 the public. So we have to notice all of our
12 meetings to the public, even our conference
13 calls where we're going to make decisions or
14 recommendations.

15 And so we did convene a full
16 committee conference call to discuss comments
17 on the National Ocean Policy Implementation
18 Strategy, forwarded them on through the
19 Department, through NOAA and the Department as
20 well as posting them directly on the CEQ
21 website.

22 The follow-up and part of that

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1 response to our comments we'll be discussing
2 as part of the remarks later today in terms of
3 follow-up. What happens to comments that we
4 make. And you know, we're one of three or
5 four thousand comments that are received by an
6 entity. How do we track the effect of our
7 comments? How do we track and improve upon
8 the delivery of our recommendations to these
9 entities that we're one voice of many? And
10 how do we propose to be more effective in
11 doing that in the future? But we did
12 participate in this last go-around with the
13 Implementation Strategy.

14 I have a briefing to give to the
15 Commerce Subcommittee to talk about specific
16 status of the National Ocean Policy
17 Implementation Strategy, where it stands. And
18 that's pretty much where we stand on that
19 topic.

20 A couple more left. The
21 Recreational Subcommittee at the October
22 meeting made some specific recommendations to

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1 incorporate and highlight recreational fishing
2 priorities in the budget formulation process
3 to ensure a balanced approach, not just to
4 investments in science and data collection.
5 As well there were a number of findings and
6 recommendations embedded in their committee
7 report with respect to council representation
8 and ensuring balance and fairness in the
9 construction of our council advice and our
10 council process.

11 So those two issues were passed
12 along to the budget office in terms of
13 executing our fiscal year budget as well as to
14 the Office of Sustainable Fisheries which is
15 in charge of the council nomination process
16 and it's something that has been on, always
17 been on our list of concerns and priorities,
18 but it was important reinforcement to hear
19 that from MAFAC as a consideration of those
20 next steps.

21 And finally, from the Protected
22 Resources Subcommittee there was concern and

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1 further deliberation on our strategy for
2 dealing with some of the consultation
3 processes and the jeopardy determinations and
4 this turned into a discussion at the January
5 council chair's meeting where there was an
6 agreement to look at this from a council
7 process perspective, a regional fishery
8 management council process.

9 And at that point Keith was sitting
10 at the table of the CCC meeting. He was
11 invited as the MAFAC representative to a panel
12 discussion on jeopardy at the Council
13 Coordination Committee meeting that was held a
14 few weeks ago. And so this reciprocal
15 complementarity between what the councils are
16 looking at as issues and that are of similar
17 concern to MAFAC in terms of process under the
18 Endangered Species Act, Keith will be
19 reporting out on the specifics of that
20 activity, but it's a new workload and it's a
21 new task for the Protected Resources
22 Subcommittee and so the recommendations here

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1 to be more engaged and to be -- the findings
2 that you had at the October meeting I think
3 have been borne out by the actions that have
4 been taken over the last 6 months since that
5 meeting.

6 So, that's my brief synopsis of
7 these 10 items and 32 different actions and
8 recommendations. I'd be happy to take
9 questions on them but I did want to, before
10 losing my floor time here, to talk a little
11 bit about the subcommittee structure.

12 Keith kindly teed this up for me by
13 talking about the existing structure and the
14 subcommittee chairs. We haven't had a long
15 discussion about the future vision of how the
16 subcommittees are going to work but there's
17 sort of a model that Keith will be presenting.
18 But I wanted to look at it from the standpoint
19 of organizing meetings and trying to get
20 people's interest. All of you have different
21 primary interests, but you also have a number
22 of secondary interests. You're not single-

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1 minded, you know, you're here for one purpose
2 and one purpose only, to represent one
3 perspective.

4 And so I've always encouraged
5 people to try to participate in as many
6 subcommittees as they can, have interest in
7 and contribute to. Because there's no minimum
8 or maximum in the charter. It says the
9 subcommittees are open to membership as they
10 wish. I think Keith's idea of having a
11 primary one so for scheduling purposes we
12 usually have our second day of meetings
13 dedicated to some subcommittee work.

14 And so we have separate rooms and
15 we want to make sure that we can not have you
16 scheduled to be in two places at once. We're
17 happy to draw some choice between two places
18 you really would like to be. So we'll be
19 circulating a table of the existing committee
20 structure. Is Heidi here?

21 MEMBER LONGO EDER: She's in the
22 hallway.

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1 DR. HOLLIDAY: All right. So I was
2 going to point you where that is but I don't
3 remember. But we have a table, I think it's
4 on the members section of the site, the
5 website, that shows the existing structure.
6 We're going to try by the end of the meeting
7 to have that firmed up with the new membership
8 and so that we can all agree what our primary
9 interest is and perhaps we can conceptualize a
10 secondary interest for subcommittee
11 participation.

12 But in anticipation of that as we
13 described in the new member handbook and in
14 the charter itself the subcommittees are an
15 essential element of the work of the committee
16 and I think it's the key to unlocking some
17 greater productivity over the course of the 12
18 months beyond the intense time we spend in the
19 4 or 5 days at the face-to-face meeting.

20 Mr. Chairman, I turn it back to
21 you.

22 CHAIR RIZZARDI: I'd like to open

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1 it up to the floor to see if there's anybody
2 who has specific comments on any of the items
3 that Mark has put on his spreadsheet. And I
4 guess I can make an observation from the start
5 here.

6 There are some items here that
7 MAFAC has engaged in and worked hard at and
8 now we've seen that there was an output that
9 came out. And Mark has already raised the
10 issue of, well, now what?

11 The National Ocean Policy. We had
12 a very strong consensus on a document that
13 became our comments that we sent off to the
14 White House. We became one of hundreds and
15 hundreds of comments that was out there. Now
16 what?

17 And I think one of the things our
18 committee needs to think about is once we
19 finish a task is that the end or do you want
20 to have some process where we go back and
21 revisit it? And should we revisit it and how
22 should we revisit it?

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1 You know, Randy has made the point
2 about ultimately we report to the Secretary of
3 Commerce. So you know, we put these National
4 Ocean Policy comments out there. They got
5 transmitted to the White House. Is there a
6 process by which we should be elevating those
7 comments and saying hey, Mr. Secretary of
8 Commerce, we want to make sure that you're
9 well aware of these comments and how strongly
10 we feel about them?

11 And I'd like you all to think about
12 this process, this table that Mark generates
13 and that I hope he will continue to generate
14 for all of our MAFAC meetings because I find
15 this very helpful to see, okay, here's the
16 item that's been on the list and here's what's
17 happened with it. What does our body want to
18 do with these items once they're done? What's
19 next? Is that the end of the process or
20 should there be more? So I'll throw that out
21 there for everybody to think about and I'd
22 like to hear any specific comments there are

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1 on any of the action items that Mark's listed
2 on here. Tony.

3 MEMBER CHATWIN: Thank you, Mr.
4 Chair. First of all, I'd just like to make a
5 plug for this tool. I find it extremely
6 helpful and I think that this is something we
7 definitely should be building upon.

8 As we -- there are two, as far as
9 the strategic planning and budget there is a
10 subcommittee that is Budget and Policy and
11 there is Strategic Planning, Budget --

12 DR. HOLLIDAY: It's all of this,
13 one subcommittee for strategic planning,
14 budgeting and --

15 MEMBER CHATWIN: Yes, just in the
16 tool here it's split into two subcommittees.
17 So it's just tweaking.

18 DR. HOLLIDAY: Thank you.

19 MEMBER CHATWIN: But I think that
20 additional columns -- to your question, Mr.
21 Chair. I think as we develop these
22 recommendations we could also be thinking

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1 about milestones not only for the Agency but
2 for ourselves. So a check-in that as a
3 subcommittee I think we can think of
4 measurable milestones for the committee itself
5 as we develop these recommendations. So we
6 should have a discussion within the
7 subcommittee.

8 So we produce a recommendation,
9 talk with staff about what is realistic in
10 terms of expectations for an Agency response
11 and then have a milestone here whether the
12 subcommittee has taken that up again or not.
13 I think that that would be helpful to track
14 progress.

15 CHAIR RIZZARDI: Any of the other
16 subcommittee chairs have thoughts on that?
17 Tony's suggesting the idea that this table
18 should be one of the items that gets discussed
19 in the subcommittee meeting agendas. You
20 know, look over this table and subcommittee
21 groups can evaluate, okay, these are the items
22 you've worked on in the past. What's next?

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1 I think that's a good suggestion.
2 What's the rest of the executive committee
3 think? Thumbs up? Dave?

4 MEMBER WALLACE: Yes, I don't have
5 any problems with that at all. You know,
6 we're -- we always have to pay attention to
7 what we did in the past and find out what the
8 result of our action was. You know, our
9 comments on National Ocean Policy were less
10 than spectacular since the White House chose
11 to accept none of them, you know.

12 But at least we know it because we
13 followed up and sure enough, they didn't take
14 any of our recommendations. And so, and you
15 know and then we can go back -- if we care to
16 we can actually go back and reinforce that
17 because this is an ongoing process. And so I
18 don't have any problems with tracking what we
19 do in all the things that we do.

20 I'm a proponent of moving the 2020
21 document to a 2040 document so that we have a
22 longer view as far as a big policy issue is

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1 concerned. So you know, we need to just be
2 updating our policy positions as we go.

3 CHAIR RIZZARDI: Julie, you gave a
4 thumbs up. Do you have anything?

5 MEMBER MORRIS: I had a comment.

6 CHAIR RIZZARDI: Okay.

7 MEMBER MORRIS: So, it's kind of
8 hard to hear you down at this end of the
9 table. I hope you can hear me. We have some
10 happy Muzak. Do you have happy Muzak at that
11 end of the table?

12 CHAIR RIZZARDI: No.

13 MEMBER MORRIS: Okay. I might have
14 missed it but Mark, did you mention anything
15 about energy policy actions on the list? And
16 also did you say anything about the Managing
17 Fisheries 3 Workshop in your verbal report?

18 CHAIR RIZZARDI: Now I hear music.
19 Thanks, Heidi. I did not mention either one
20 of those directly, the energy policy or the
21 Managing Our Nation's Fisheries 3.

22 MEMBER MORRIS: Could you give us

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1 some update?

2 CHAIR RIZZARDI: Going in reverse
3 order, Managing Our Nation's Fisheries 3, that
4 was the topic of discussion at the council
5 chair's meeting as well a few weeks ago.
6 There was I think a breakthrough made in terms
7 of the content of the workshop. The date is
8 in May of 2013 now. It's scheduled for
9 Washington, D.C.

10 And I'll provide a written summary
11 of some of the specifics but there are three
12 themes to the workshop. It'll be 2 and a half
13 days in length, it'll be focusing on the
14 fishing sustainability, fishing community
15 sustainability, social and economic aspects of
16 sustainability is one theme. There will be a
17 second theme on ecosystem and ecological
18 sustainability which is looking at all of the
19 things that I was talking about within the
20 habitat area, looking at integrated ecosystem
21 assessments, ecosystem-based management,
22 habitat components of that.

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1 And then the third theme is more of
2 a -- I forget the title that we finally agreed
3 on, but it's more of a process of the Magnuson
4 Act reforms, process reforms within Magnuson
5 Act looking at time frames and deadlines of
6 rebuilding and other aspects of the physical
7 process of managing fisheries.

8 So within those three themes there
9 will be concurrent panels. We've invited
10 speakers over the course of the 3 days and the
11 three chairpersons, I guess that's the title
12 for those three session. Dave Witherell from
13 the North Pacific Council staff will be
14 organizing the Magnuson Act reform issue.
15 John Henderschedt will be organizing the
16 sessions. He's now with the Duke University
17 Fisheries Leadership Forum, also a North
18 Pacific Council member. He'll be organizing
19 that Middle ecosystems approach session and I
20 was asked to chair the fishing community
21 sustainability sessions for the third element.

22 So, more details will -- there's a

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1 steering committee that has been impaneled to
2 continue to develop the agenda and the content
3 of that. And so there are sessions of
4 particular interest to MAFAC that as we get
5 further down that road if MAFAC would like to
6 be involved in designing or sponsoring or
7 organizing there will be opportunity for that
8 to occur.

9 I'm going to go back on the energy
10 policy issue. Scrolling my spreadsheet here.
11 And I'm coming up short. Julie, can I come
12 back to that question in a bit rather than
13 just give you an off-the-cuff remark? I'll
14 come back to that in a bit.

15 CHAIR RIZZARDI: Ken, George,
16 anybody else? Okay. All right, Mark,
17 anything else to add? Anybody else with
18 further comments on the status reports?
19 Sounds like the one thing that's clear is
20 we'll be taking these status reports and
21 moving them into the subcommittee discussions
22 tomorrow and hopefully the subcommittees can

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1 look things over. And I'll transition this
2 over to the next item which is my report as
3 chair.

4 I've been working closely with the
5 executive subcommittee members and my vision
6 over the next few years is to have the
7 subcommittee help feed the agenda. So my hope
8 is tomorrow you go into your subcommittee
9 breakout sessions and you discuss these items.
10 There's going to be discussion that's going to
11 come back with the subcommittee chair saying
12 okay, these are the items that we would really
13 like to fit onto the agenda.

14 In shaping the agenda that is being
15 implemented today the group of us met, we
16 worked our way through the agenda. We came up
17 with times. We picked items that we're going
18 to keep on, picked items that we're going to
19 take off the agenda. And one of the things
20 we've tried to set is the big picture vision
21 for the year. And what I'm hoping we can
22 accomplish in the rest of 2012 is six

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1 deliverables. And I realize that's pretty
2 ambitious but a lot of these things are
3 already underway.

4 And I'd like to start by mentioning
5 the Vision 2020 document which is maybe going
6 to morph into Vision 2040 or whatever it is,
7 but a big thank you to Martin for taking the
8 lead role in that, and Ken Franke also for
9 engaging the Recreational Fishery Working
10 Group on that document.

11 We've got a draft out there, an
12 update to the Vision 2020 document which helps
13 provide some strategic vision to NOAA and the
14 Secretary on what we think the future of our
15 fisheries looks like. I think it's really
16 important that that document get updated and
17 get polished and become one of the premier
18 work products from our committee in the really
19 near future.

20 I'd like us to make sure that at
21 this meeting we get some clarity as to our
22 core recommendations in that document. I

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1 realize we might not finish every last detail
2 of it and there may need to be some follow-up
3 and there may need to be a telephone
4 conference call down the road, but for 2012
5 that should be one of the documents that we're
6 really striving to finish.

7 A second work product that I'd like
8 to see us get done is a report on sea turtles.
9 And Manny engaged me through the CCC process
10 to come and talk to the councils. And one of
11 the things the councils are wrestling with is
12 the intersection between the Magnuson Act and
13 the Endangered Species Act. And the
14 challenging reality that sometimes there's a
15 vision that gets cast under Magnuson and
16 there's compliance with Magnuson and all the
17 standards are being met under Magnuson, but
18 because of fishery interactions with
19 endangered species the Endangered Species Act
20 acts as a trump card and the Magnuson vision
21 isn't being implemented because there are
22 endangered species concerns.

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1 So how can we advise NOAA to help
2 deal with that problem? Are there ways to
3 improve the data? Are there ways to improve
4 the management? Are there action items that
5 can be taken to help minimize that conflict,
6 to help reduce that conflict? And the CCC has
7 asked our body to engage in that issue and
8 they've asked specifically for the members of
9 the Protected Resources Committee to take this
10 one on.

11 And we'll be working in
12 subcommittee to try to come up with a vision
13 for what kind of report can MAFAC help the CCC
14 develop. We'll have some engagement from the
15 other councils. We'll figure out how to
16 interact with them. And hopefully for 2012
17 that's another major work product that we can
18 focus on.

19 I also mentioned that sometimes
20 items come to us. You know, we don't
21 necessarily pick everything that ends up on
22 the agenda, sometimes it's picked for us.

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1 There was a petition a couple of years ago to
2 list 83 species of coral. That petition has
3 now been working its way through and under the
4 Endangered Species Act NOAA is wrestling with,
5 all right, there are 50 different species of
6 coral that are in states of concern. They
7 haven't yet been listed, they might be listed
8 as endangered or threatened species.

9 What's that going to mean for
10 fisheries management? And there's a period of
11 time now where NOAA is asking for comment on
12 coral. And Alan reported on that. So we have
13 the opportunity as a body to express our views
14 and to advise NOAA on the issue. So that's
15 another item that's been put on our agenda.

16 Two really big items that are on
17 Tony's strategic planning agenda. Again,
18 sometimes the items come to you. The budget.
19 We've been talking about the budget here for a
20 lot of years, but as Mark has pointed out we
21 have these visions of having these big picture
22 discussions, but we haven't quite figured out

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1 how to do it.

2 And if you look through the table
3 that Mark has walked us through it says well,
4 we're going to have some sort of discussion
5 where we're going to have a half-day session
6 on the budget. And well, we still haven't
7 figured out how to do it. And budget is a
8 challenging topic. It's not the most engaging
9 of topics for some people, it's a very
10 difficult issue to dive in, the expertise is
11 here with the gentlemen from NOAA. It's not
12 really sitting around the table. So how can
13 we best participate in a budget dialogue? And
14 that's a major item for us to tackle and I'm
15 hoping that our subcommittees can really give
16 some thought to that and try to come up with a
17 way that we can weigh in on that.

18 Because, reality, we've got
19 difficulty with Congress, we've got difficulty
20 with budget, we've got a presidential election
21 coming up and there's an opportunity for MAFAC
22 to say what we think about budget priorities.

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1 Can we generate a work product that can be
2 looked at by NOAA and by our leaders that says
3 here's what this diverse group of stakeholders
4 thinks of the status of our budget.

5 Another one is reorganization. The
6 concept's been put out there that maybe NOAA
7 Fisheries should be moved into Interior. What
8 does MAFAC think of that? Can we weigh in on
9 that? And mind you, this is not entirely a
10 new topic. There's been previous discussion
11 about moving the Forest Service over into
12 Interior. There's a lot of bubbling in the
13 Federal Government about how could the Federal
14 Government be reorganized. And again, I think
15 there's an opportunity for us as a body to
16 generate a document that says here are our
17 thoughts on reorganization. A diverse group
18 of stakeholders who have experience, who have
19 expertise, who, you know, you should listen
20 to. Please consider our thoughts.

21 And then the last one, NOAA staff's
22 come to us and said we are working on National

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1 Standard 1 under Magnuson and we're engaging
2 in a revision process. MAFAC, can you help
3 us? Can you comment? So, that one's on
4 Dave's plate and he's going to be leading the
5 discussion on National Standard 1. And I
6 would hope that our body can produce some
7 meaningful comments, some meaningful report
8 and transmit that to NOAA.

9 Now one thing I'll say, I'm not
10 looking at all these items as being done at
11 this meeting. One of the things that I'm
12 trying to do working with the executive
13 committee is to stretch items out, to start
14 thinking maybe in two-meeting or even three-
15 meeting cycles. Sometimes an item just can't
16 be tackled in 3 days.

17 What we may be able to do, however,
18 is have the initial discussion, set the
19 follow-up telephone conference call, get an
20 item on our next meeting agenda that consists
21 of having some selected people come and speak
22 before MAFAC, give presentations to the

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1 subcommittee or the body as a whole, and then
2 as a result be able to have a work product
3 that gets generated. But again, that vision
4 needs to be shaped at the subcommittee level
5 and my hope is on Wednesday when you guys
6 break out into subcommittees on these topics
7 we'll at least come up with a plan. Here's
8 the schedule for how we anticipate being able
9 to implement these documents and trying to get
10 these done by the end of 2012. Thoughts
11 on those six documents? Comments, feedback,
12 anything? Randy.

13 MEMBER CATES: We should think
14 about a transition, to potentially having to
15 craft a transition document. We had to do
16 that once before and it kind of caught us off
17 guard. And we weren't prepared in my opinion.
18 And it had a lot to do with our meeting
19 schedules. So I think maybe take a look at
20 that document that we did for the last
21 administration and in the event, regardless if
22 there's a different administration the chances

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1 are we may have a new internal change so to
2 speak. So we should think about what is it
3 that MAFAC wants to add to potentially a new
4 Secretary of Commerce on what our roles are,
5 what future we see. That was an important
6 document that we were really behind the ball
7 on.

8 CHAIR RIZZARDI: I think that's a
9 great point. I know Tony and I talked about
10 that very point in the context of the budget
11 and the reorganization. We anticipate that
12 regardless of administrations those are going
13 to be major issues that will be on the
14 presidential agenda. So absolutely that
15 document is expected to be part of a report
16 for transition items.

17 And I think you're right that we
18 should probably go back, look at what's been
19 done in the past and what can we learn from
20 that, what can we build upon, how else should
21 that be addressed. So Tony, maybe Strategic
22 Planning wants to consider expanding the scope

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1 of that document to include, you know, some
2 other topics. And Randy, I hope you'll weigh
3 in on the subcommittee.

4 MEMBER CATES: More important is
5 how you get it from the -- to the right
6 entities.

7 CHAIR RIZZARDI: Mark?

8 DR. HOLLIDAY: To that point, the
9 last time we did 2020 was about the changing
10 of the administration. So, Tom Billy who was
11 the council liaison at that point met with
12 members of the transition team for the new
13 administration and briefed them on the
14 abstracted version of 2020. So we had a 2-
15 page flyer, a high glossy finish to it.

16 He made the rounds to people who
17 were on the transition team as well as new
18 NOAA leadership and DOC leadership. So that
19 personal aspect I think is important. Not
20 just another briefing paper among hundreds.

21 MEMBER MCCARTY: Mr. Chairman? A
22 general question regarding ocean

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1 acidification. What's the history of MAFAC's
2 overview of that issue? Is there --

3 MEMBER CATES: We've been briefed.

4 CHAIR RIZZARDI: There hasn't been
5 an output on a topic. I think it's a very
6 important issue. One of the comments that I
7 gave to Martin on the draft version of Vision
8 2020 that we have is that we probably need to
9 enhance the discussion of climate change, sea
10 level rise, ocean acidification, et cetera. I
11 think that's the first opportunity to address
12 the issue and what it means.

13 Bill Dewey and his group yesterday
14 on our tour was talking quite a bit about the
15 impact of ocean acidification on aquaculture.
16 They were very concerned about how it was
17 changing the productivity of their nurseries
18 and they raised the issue to us. So I think
19 we're hearing more and more of it, and we need
20 to find the appropriate place and the
21 appropriate way to speak up on it.

22 Mark, do you have something to add?

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1 DR. HOLLIDAY: Well, I mean we
2 started back in 2009, that was the first
3 briefing I think we had in Monterey from NOAA
4 scientists about the ocean acidification
5 issue.

6 And John Stein and his staff have
7 continued to brief us on both new science as
8 well as new implications of that science over
9 time. So during our recommendations from the
10 various subcommittees we moved forward that
11 either in support of additional work that John
12 and his staff were doing or recommendations
13 with respect to how to incorporate that in
14 some of the policy decisions that councils and
15 others were making because of the changing
16 context of the environment in which fishery
17 management policy was taking place.

18 So, I think it's a continuing
19 issue. I don't think we've reached any final
20 outcome on it but we have received and
21 continue to stay connected to the science work
22 that's being done in the area.

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1 John, did you have any? John Stein
2 is way down.

3 MR. STEIN: I think problems about
4 the ocean acidification --

5 DR. HOLLIDAY: Both John and Will
6 came in during the session. John is the
7 director of our Northwest Fisheries Science
8 Center and Will Stelle next to him is Regional
9 Administrator for the Northwest Region, our
10 guests this morning and will be briefing us
11 later on in the agenda.

12 MR. STELLE: The short form is
13 really bad news.

14 (Laughter)

15 CHAIR RIZZARDI: Other comments?
16 All right. One last point about the agendas.
17 I mentioned how I'm thinking long-term.
18 Sometimes items need to get put on the agenda
19 for one meeting because they're educational or
20 foundational. And keep that in mind also. If
21 we have an item that we need to plan to take
22 action on over the course of the year.

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1 Sometimes you have to lay the basic groundwork
2 so that folks here can understand what that
3 issue is all about before you tackle it in
4 greater depth at the next meeting.

5 So as you guys have your
6 subcommittee meetings and as we break out onto
7 these topics, you know, if we decide, okay,
8 we're going to tackle ocean acidification and
9 we're going to try to speak up on the point.
10 Well, how do we have the appropriate
11 briefings? What do we need to do? What's the
12 foundational item that needs put on one
13 meeting agenda so that the next meeting agenda
14 we can tackle the greater objective?

15 And I'd like you to think about
16 that. And I want everybody here to start
17 thinking a little bit more strategically and a
18 little bit more long-term about how MAFAC
19 takes on its items.

20 And related to that, one of the
21 things I've asked Randy to talk on and all of
22 our consultants in the future. I'm trying to

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1 include an agenda item here that helps us get
2 some bigger picture perspective on what's
3 happening nationally.

4 Randy, I'd like you to address your
5 role for the Pacific states and your role as a
6 consultant for MAFAC and how you think you can
7 help us over the years to better identify
8 national trends and how MAFAC can help you.

9 MR. FISHER: As Keith said there
10 are actually three -- there are three
11 commissions in the U.S. There's one in the
12 Atlantic, one in the Gulf and then I represent
13 one on the Pacific Coast.

14 First of all, I wanted to make sure
15 that -- yes?

16 DR. HOLLIDAY: Could you speak up
17 just a bit, please?

18 MR. FISHER: Louder louder?

19 DR. HOLLIDAY: Thank you.

20 MR. FISHER: The music down here is
21 really nice.

22 (Laughter)

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1 MR. FISHER: Martin is not related
2 to me. I wanted to make sure --

3 (Laughter)

4 VICE CHAIR FISHER: Come on.

5 MR. FISHER: So we're consultants
6 to this group. I've been here for 17 years so
7 that means I'm one of the longest standing
8 members of MAFAC. So we consult. Normally we
9 are just quiet and we sit down here at the end
10 somewhere until I lose it and then I start
11 speaking out. I usually lose it around
12 discussions about budget or I lose it because
13 we've talked about it for 1,000 years and
14 nothing ever happens, those sorts of things.

15 The value of MAFAC to you as an
16 individual is who you're going to meet when
17 you're here. And you're going to hear stuff
18 that's really interesting. Over the years
19 we've done a lot of really good work, I can
20 tell you, seriously good work. Now, has it
21 gone anywhere? Maybe 20 percent of the time,
22 maybe not.

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1 You will -- before you're done
2 you'll talk a lot about well, what are we
3 really doing here. Who do we really report
4 to? What are we doing and blah blah blah. So
5 you'll go through that kind of stuff.

6 Keith's trying to get it so that
7 there's documentation on what you're, you
8 know, the decisions you make. I think that's
9 a good thing to do.

10 So the three commissions are
11 basically the same structure. Each
12 commission, each state -- I represent five
13 states, Washington, Oregon, California,
14 Alaska, Idaho. Each state has the director of
15 fish and game is one of the commissioners, a
16 representative or a senator is one of the
17 commissioners and somebody that's appointed by
18 the Governor's office. So each commission is
19 set up that way.

20 I have about 600 people that work
21 for me now. I have a permanent staff of 231.
22 My budget's around \$60 to \$70 million. A few

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1 years ago it was \$220 million because we were
2 handing out money for disaster relief.

3 Normally we are supportive of NOAA
4 budget. We do a lot of lobbying. I have a
5 lobbying firm in D.C. under retainer. So does
6 the Atlantic Coast. And we're trying to get
7 Larry to get a lobbyist also because he's
8 going to get a hell of a lot of money from the
9 oil companies. They need to figure out how to
10 spend that. So we're putting heat on him to
11 also pick up a lobbyist.

12 We, the three commissions have, we
13 met about 2 weeks ago with the Senate
14 Appropriations staff. We are extraordinarily
15 disappointed with NOAA's budget. Normally we
16 try and lobby on their behalf. We're going
17 after them big-time because of the shift of
18 how they're spending their money. Basically
19 they're taking care of their own and they've
20 reduced the money that's going to states,
21 commissions and to the councils and that is
22 not making us happy.

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1 So, for the first time ever the
2 commissions are going around. We are going to
3 the House right now, drafting letters to each
4 House member. So when they go to conference
5 committee we're going to try and remove some
6 of the money out of NOAA's budget that they're
7 sticking into ocean planning and putting it
8 into what's called IJF which is
9 Interjurisdictional Fisheries and to the
10 council.

11 So that's kind of where we are with
12 the budget. And it's a bummer as far as I'm
13 concerned, big-time. So, I don't know what's
14 happening, if you've talked to Sam. He's not
15 here because he's on the East Coast doing
16 stuff for the East Coast fishermen instead of
17 being here. The answer you're going to get is
18 well, he's blaming Congress. Well, guess
19 what? Congress didn't do the 2012 budget,
20 they did. So that's our opinion.

21 Ocean planning. In terms of the
22 West Coast and the other commissions it's a

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1 non-starter because we don't understand how
2 the process is going to work. So, the Senate
3 in their budget took all the money from Jane
4 Lubchenco, or half of her money, pulled it
5 out. They're sticking it aside because they
6 don't like ocean planning and I don't think
7 any of the commissions are really excited
8 about it either because we don't understand
9 how it's going to work with the council
10 processing themselves.

11 In my case we sat on both the North
12 Pacific and the Pacific Council as non-voting
13 members. We are non-regulatory. The Atlantic
14 Coast actually does manage some fisheries. We
15 don't. We basically handle all the data on
16 the West Coast.

17 So you're a recreational fisherman,
18 you land in Newport. There's somebody there
19 that's probably one of our people. We measure
20 the fish, take a sample, we do all that kind
21 of stuff. All of that information then goes
22 to the Pacific Council for recreational

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1 fisheries. Same with commercial fisheries.
2 Now on the West Coast we're heavily involved
3 in catch share programs for the Pacific
4 Council.

5 Big concern here is the cost of
6 observer programs. Observers cost 400 hundred
7 bucks a day. Federal Government is paying
8 \$328 this year per observer. We have just
9 contracted with Archipelago, a group out of
10 Canada who are putting cameras on boats. We
11 have the whiting fleet, we have six boats with
12 cameras on them as of last Wednesday. They're
13 out fishing. What we want to do is end up
14 using cameras instead of live observers. Cost
15 in Canada is about 100 bucks a day versus 320
16 up there for observers. So that's something
17 we're working on. We're going to do the fixed
18 gear fleet next and then the trawl fleet.

19 One of the things, the other things
20 that we do here, we've been heavily involved
21 with exotic species. When Senator Stevens was
22 still alive he gave us 750,000 bucks a year to

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1 do exotic species.

2 The concern was Atlantic salmon
3 net-pen operations in Canada. We did a bunch
4 of snorkeling in Southeast Alaska and in
5 British Columbia to try and figure out whether
6 or not the escapement were actually breeding
7 and doing their salmon thing. And as a result
8 of that we didn't find any of that, but that
9 money has disappeared.

10 So nationally, exotic species
11 funding has gone from \$10 million a year to
12 zero. We are concerned about that. We are
13 very concerned here because of quagga mussels
14 and zebra mussels getting into the Columbia
15 system. So we are trying to lobby to get some
16 more money to concern ourselves with exotic
17 species.

18 Other things that we do are we --
19 the PIT tag program is a tag that you stick in
20 the side of a fish with a hypodermic needle.
21 We put about two and a half million of those
22 in the salmon that come down the Columbia

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1 River. From my office in Portland I can tell
2 what time that fish went through, who its
3 mother was and whether it's happy or sad.

4 (Laughter)

5 MR. FISHER: We then manage the --

6 MEMBER CHATWIN: They're all happy,
7 by the way.

8 MEMBER HAMILTON: Only if they got
9 spilled.

10 MR. FISHER: The researchers want
11 to know whether the fish do better in the
12 river or in the barge so they may take 2,000
13 fish and say run them on the barge and the
14 other 2,000 fish they'll say put them in the
15 river. What we do is that fish is read, that
16 tag is read where they go through a bypass
17 system. Then a flipper flips them either into
18 a barge or into the river.

19 We do about two and a half million
20 of those. We have a huge database on those
21 fish. When they return we can actually read
22 them on the return so we can figure out what's

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1 happening in terms of their overall survival.

2 We also have a coded-wire tag
3 program which is a small tag that goes in the
4 nose of salmon. We put about 44 million of
5 those in a year up and down the West Coast.
6 They cut off a little fin, determine whether
7 or not that fish has got a tag in it. That
8 tag is then read and that will tell you what
9 hatchery it came from and where it's caught,
10 whether it's a commercial fishery. We
11 represent that with the U.S.-Canada, with the
12 Canadian treaty. So that's basically what we
13 do.

14 Larry's not here because Larry had
15 his kidney removed. And he's from the South.
16 He's from Biloxi and he usually has good
17 southern kind of stories so we'll miss those.

18 Vince who represents the Atlantic
19 Coast was just fired so he's not here. They
20 wanted to make a change so they told Vince
21 that he was done. So they'll be looking for
22 somebody to represent the Atlantic Commission.

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1 So there you have it. So now you
2 know what the advisors do. And I think the
3 value is over the years we can usually tell
4 what will happen and what has happened with
5 whatever you're trying to figure out. I'd be
6 happy to answer any questions. Yes?

7 MEMBER ALEXANDER: I have a direct
8 question about that light fishery. Is that a
9 trawl fishery? It must be.

10 MR. FISHER: Yes, yes. Midwater
11 trawls.

12 MEMBER ALEXANDER: And they use the
13 cameras?

14 MR. FISHER: Yes. Well, yes.
15 Everything -- the cameras work. I mean, if
16 they're on a midwater trawl fishery I mean
17 it's almost -- they're a very clean fishery.
18 To have an observer standing there watching a
19 big bag come on is just, it's really not
20 necessary. What we're going to have to prove
21 is that the camera can answer any questions
22 that the enforcement guys are worried about.

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1 So far they're okay with it. We're going to
2 have to see.

3 CHAIR RIZZARDI: Randy?

4 MR. FISHER: Yes.

5 CHAIR RIZZARDI: Other Randy.

6 MEMBER CATES: I just have a
7 comment. When I first came on MAFAC it was --
8 it seemed like there was a big debate on what
9 its role was and I think there was some level
10 of frustration that we were just talking
11 amongst ourselves at that time. The chairman,
12 we weren't even allowed to elect our chairman
13 so there was a big debate. And as Randy
14 pointed out there's three advisors.

15 One thing I can say about Randy,
16 he's at almost every meeting. And he's a
17 wealth of information to go to because he's
18 been on MAFAC for so long. So I encourage
19 everyone to at least talk to him and no matter
20 what the issue is he's got some background
21 knowledge on that.

22 MR. STELLE: And if he doesn't

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1 he'll make it up.

2 (Laughter)

3 MEMBER CATES: But it's important
4 that we don't keep spinning the same wheel,
5 that whatever the issue is it goes somewhere.
6 And it's more about process, how you do that
7 than it is content of information. Because a
8 lot of good information, a lot of good work
9 comes out of here, but it doesn't get in the
10 right hands. He can tell you how to get it
11 into the right hands.

12 MEMBER DYSKOW: Keith, I think you
13 did a great job with this agenda. And you
14 don't have anything on it that shouldn't be
15 here. But as an observation, you know, we're
16 here with representatives of the National
17 Marine Fisheries Service. Why don't we tackle
18 an agenda specific to fish at every meeting?

19 I'll give you an example. You
20 can't pick up a sportfishing magazine today
21 without reading something or seeing something
22 on the cover about Gulf red snapper. It's a

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1 national issue, it's in the media, it's
2 angered millions of recreational anglers. The
3 commercial guys in the Gulf aren't very happy
4 about it.

5 We should talk about fish. We
6 should have a fishery issue in every agenda,
7 whether it's from the Northwest, whether it's
8 from the Northeast, the Gulf Coast, wherever.
9 We're talking about habitat, we're talking
10 about coral, we're talking about turtles, all
11 valuable things. Let's get fish on the agenda
12 too.

13 CHAIR RIZZARDI: I think that's a
14 good comment. I think National Standard 1 is
15 an example of us talking about fishery and
16 fish.

17 I think we also have to be
18 respectful of the divide between what MAFAC is
19 versus what the councils are. Ultimately it's
20 the councils who are making the decisions on
21 red snapper or the regional fish.

22 MEMBER DYSKOW: That's not the

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1 issue.

2 CHAIR RIZZARDI: And then it begs
3 the question of what should MAFAC's role be in
4 weighing in on that. And maybe Manny, you'd
5 like to address that when you get your chance
6 to have comments in just a moment. But I mean
7 I think your point is valid, Bill, and I
8 encourage you to -- if you think there's a
9 particular issue that we should be taking up
10 bring it up in the subcommittee context and
11 let's work it through and get it onto another
12 agenda if it's appropriate.

13 If I could go back to Randy
14 Fisher's point here for a second and where he
15 fits in. Bill, I appreciate your comment on
16 the agenda as a whole. My hope is that MAFAC
17 as a body will increase its reliance upon the
18 consultants. And we have Randy from the
19 Pacific, we have counterparts from the Gulf
20 and the Atlantic. I would like us to take
21 advantage of the independence that they bring
22 and the perspective that they bring as

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1 representatives.

2 And I'm sorry that it didn't work
3 out with Larry and Vince for this meeting, but
4 in the future and over time I think we need to
5 be cognizant of the fact that we have these
6 great resources available to us to help make
7 us aware of the big regional issues. And
8 perhaps if a regional issue on a particular
9 fish as you're pointing out Bill really
10 demonstrates a national trend kind of problem
11 then that's the kind of item that should make
12 it onto our agenda. So yes, Bill.

13 MEMBER DYSKOW: I don't want to
14 beat this to death but I think all these
15 issues are linked. One of the problems that
16 NOAA has getting money out of either the House
17 committee or the Senate committee is those
18 guys are frustrated and they hear a lot of
19 frustration from their constituents and from
20 lobbying groups. These are the kinds of
21 issues that they hear about. So they are
22 important to us because it's affecting NOAA's

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1 operating budget.

2 And I haven't sat in -- I haven't
3 done like Larry and sat in on some of these
4 budget meetings, but I certainly talk to
5 people that have and people that make the
6 decisions and they're frustrated about these
7 issues. So we can't say they're not important
8 because they affect NOAA's ability to do
9 everything. If people aren't -- if people are
10 frustrated with how NOAA deals with these
11 high-profile issues it affects their funding.

12 MEMBER RHEAULT: Just a comment. I
13 think that Bill's right. Really the red
14 snapper in the Gulf and the South Atlantic is
15 a National Standard 1 issue. So perhaps a
16 way, rather than just label it a -- we call
17 that National Standard 1 we might view it
18 through the guise of red snapper. Use that as
19 an example. But the real issue is national.
20 It's rebuilding ACLs.

21 CHAIR RIZZARDI: Dave?

22 MEMBER WALLACE: I'd just like to

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1 point out what Randy said and emphasize it.
2 Our consultants manage their regions, the
3 Pacific, the Gulf and the Atlantic. The
4 Atlantic is much more complicated because they
5 have regulatory authority in the Atlantic, but
6 they all serve on the councils that they
7 represent, the areas, the states that they
8 represent. And so they get perspective both
9 from the states and the federal perspective.

10 And so, and they go to all the
11 meetings or their staff goes to all the
12 meetings and so they have a better perspective
13 on how the trends go than anyone except some
14 of the NOAA people who go to the regional
15 meetings also. And so they are a huge
16 resource of understanding all the minutiae of
17 all the issues because fisheries policy is
18 regional, not national, except in the national
19 standards that you have to comply with.

20 CHAIR RIZZARDI: Anybody else?
21 Julie.

22 MEMBER BONNEY: I'm just wondering,

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1 I mean Randy brought up three issues that I
2 thought I heard that we may be talking about
3 here in how information from the consultants
4 feed into the main process. The ones I heard
5 were budget and how it affects the councils
6 and the Pacific states, the Atlantic. The
7 issue of monitoring and catch share programs
8 and the ability to move electronic monitoring
9 forward.

10 And then the third issue was
11 National Oceans Council and advice that's come
12 from MAFAC which I haven't looked at. And the
13 position of the consultants and a lot of the
14 council as well in terms of where the
15 authority comes and whether or not that
16 initiative leads forward. So I don't know how
17 that feeds into this process but those are the
18 three that I heard that I thought were
19 interesting.

20 CHAIR RIZZARDI: And Randy, you
21 will be engaging in the subcommittee
22 discussions on some of these issues as well,

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1 right?

2 Julie, I think your point's
3 relevant. Thank you. Anybody else? All
4 right. So I'd like to pass the torch over to
5 Manny now and let him talk to us about the CCC
6 and our effort to build a joint relationship.

7 MR. DUENAS: Okay. I've heard the
8 discussion. I'm glad I got the opportunity to
9 listen to Randy. I don't feel so bad when I
10 speak to the council.

11 I don't think there will be a
12 problem with the council process when you guys
13 discuss fishery issues because we understand
14 the council process. It is all-inclusive. It
15 is very transparent. So whatever the MAFAC
16 comes up with in a discussion or
17 recommendation or an action and you forward it
18 to the council, I don't think the council will
19 take it as an offense, but rather we take it
20 as someone trying to help us do our jobs.

21 Again, I don't know how it's done
22 in other regions but our council process in

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1 the Pacific, we have about 300 people involved
2 in the whole exercise. So it gets kind of
3 really inclusive. And then when we get
4 baffled by the environmental concerns like oh,
5 you know, you guys are doing this. Yes, but
6 we had a public meeting. We had input. We
7 don't have a dog and pony show. So that's the
8 difference between the way the council process
9 is done.

10 From what I'm familiar with being
11 in there for over 12 years that whole
12 exercise, being chairman and vice chairman is
13 that we try to encourage people to
14 participate. I don't think it's ever been a
15 point where I ever put down a person for being
16 all -- agenda. Because for each agenda item,
17 each section, each committee as a whole in our
18 meeting we allow the public to make comments.

19 And the requirement is you must
20 speak on the agenda item. But however as
21 chairman I've never restricted that because
22 people have sat in our meetings for 4 hours

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1 trying to say a few words. And you know, we
2 go on break, we go on lunch and all that, and
3 they come back and they're willing to stick
4 around. And I think it only should be
5 incumbent upon ourselves to listen to them.
6 And that's what we have in our process.

7 And that's, again, you guys can
8 talk about anything you want. You want to
9 talk about Pacific blue marlin, you want to
10 talk about the redfish, snappers and all that.
11 I don't think the councils will take offense
12 to it, at least from our perspective. If they
13 do you let me know.

14 I've only got a few more months
15 left. I'm termed out in August and I really
16 feel -- I'd like to thank you all for the
17 opportunity to see how you guys operate. And
18 it's quite amazing and the amount of expertise
19 in this room. It seems like the council, like
20 the ninth regional council here. But you guys
21 are overall so that's even a higher level for
22 me as a commission.

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1 But just to discuss the issues
2 regarding jeopardy. We asked Keith and a
3 bunch of other panelists to come into our
4 council meeting because we all have the same
5 problem but it's all handled differently.
6 There's no consistency within the Agency or
7 within the, you know, I hate to pick on the
8 Agency again but I'm sorry, you asked for it.

9 In some areas you can harvest 3,000
10 leatherbacks or loggerheads or whatever. In
11 other areas you only allow 16. We can't
12 figure it out. When you've got a vast ocean,
13 the Pacific, you only allow 16 interactions.
14 And when we first started it was mortality,
15 interaction with sea turtles based on
16 mortality. And it switched over to
17 interaction. So just the mere act that you
18 touch the turtle, already you're in jeopardy,
19 you know, as part of the process. Or a take.
20 So I'm a little baffled how things get more
21 stringent.

22 And I'll give you one good example

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1 is the green sea turtle. Green sea turtle is
2 a threatened species throughout the Pacific
3 and I think it's the same in the Caribbean and
4 Atlantic. But for us in the Pacific it's
5 threatened. However, it's been placed on the
6 endangered species listing as threatened but
7 throughout the Pacific the only place
8 prohibited from harvesting or interaction is
9 in the Pacific islands, Hawaii, American
10 Samoa, Guam and the Commonwealth of Northern
11 Mariana. Throughout the rest of the Pacific
12 it's harvested legally. So I don't know how
13 we're supposed to set the national standard in
14 protecting.

15 And then when you have the jeopardy
16 and then extinction possibilities. Well,
17 everything's going to be extinct someday. But
18 when you have an increase of 1,000 percent of
19 nesting of sea turtles in Japan that's
20 documented, or you have the protection of
21 nesting areas in Indonesia in Papua, New
22 Guinea that saved over 100,000 turtles that's

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1 not taken into the BiOp that's not part of the
2 jeopardy process. It's not part of the
3 consideration. When you have Marine Protected
4 Areas that are the largest in the world that's
5 not part of the process. Those are not
6 figures put into the analysis.

7 And then at the end of the day it's
8 back to whether Fisheries Council can actually
9 manage fish. We don't manage fish, we manage
10 people. And the problem is is that we have to
11 deal with those people and tell them hey,
12 well, the science says you can kill or
13 interact, sorry, correction, interact with 56
14 turtles. But after it goes to Washington you
15 get a document back saying no, you're back to
16 16. We have a BiOp that says we can interact
17 with three times more. But Washington lawyer
18 says no, we're going to be challenged legally.

19 So are we punishing ourselves? Are
20 we actually encouraging the task for effect of
21 fisheries management? Are we allowing
22 countries that do not protect like in Costa

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1 Rica where they kill 3,000 of the same turtles
2 we're supposed to save 16 of? Our interaction
3 level is 16 and Costa Rica, they can kill
4 3,000 without even batting an eye? Is that
5 what we're really trying to do?

6 So at the end of the day this whole
7 jeopardy exercise. The councils are very, not
8 -- I don't want to say, use the word "proud"
9 but we want to make sure our concerns are in
10 the exercise because we have to deal with the
11 community.

12 Personally I would like someone to
13 take charge. And I'm trying to get an answer
14 from the councils whether MAFAC can take
15 charge and we can be part of the process.
16 Whether it's okay under FACA and whether we
17 can do this whole exercise, I don't know. But
18 we do agree that we need to work on the
19 jeopardy issue. And if it's not worked on
20 we're still going to deal with 10 different
21 departments from 10 different regions in 10
22 different areas as to what it means.

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1 I'm very concerned about the coral.
2 I told my government in Guam, I said I wish
3 those 75 corals were declared. That would
4 shut down tourism in a heartbeat because I
5 want to file a lawsuit against the Agency.
6 Because the Agency now, because they have no
7 information -- to me this whole exercise is
8 about information. Because they can't justify
9 sanctioning 82 corals they want the whole
10 world to chime in on this. So somebody from
11 Africa is going to send an email, oh, protect
12 the corals, please. This is the reason why.
13 I mean, this whole exercise came from a group
14 in Arizona. Their corals that were extinct
15 100 million years ago. Blame their people.

16 But you know, the whole exercise to
17 me at the bottom line is that we have to
18 communicate with each other. You guys are
19 doing a -- I'm listening to a great thing just
20 in the beginning. I can imagine as we
21 progress. But you guys, we need to talk to
22 each other. We need to engage. We can.

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1 I'm really looking at this Managing
2 Our Nation's Fisheries at a different
3 perspective now. I'm actually looking at all
4 the councils and all you guys sitting in one
5 room, commissions, and actually working out
6 other plans rather than to listen to another
7 bunch of panelists telling you stuff you
8 already know.

9 So Keith, I'm sorry if I've gone
10 off track but I don't see a reason why you
11 guys shouldn't engage the council. I don't
12 see why -- this whole exclusion of the
13 council. I asked about MAFAC a long time ago
14 and they said well, council members can't be
15 part of MAFAC. It doesn't make sense. At
16 least one representative so we can understand
17 what you guys are doing and you understand
18 what we're doing. But you know, you have
19 former council members sitting in your MAFAC
20 room so I think we're okay on that.

21 But again, I would encourage you to
22 engage the council. Maybe you guys come up an

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1 action plan. Forward it to executive
2 director. I'm sure our executive directors
3 would put it as part of our agenda and we will
4 review it, or maybe Keith or somebody will
5 come over and give us a presentation as to
6 what you have as far as fisheries management.
7 Because we need advice. We're not the
8 smartest guys in the world. Hell, I'm not a
9 college graduate. I'm a fisherman. I'm a
10 farmer. I'm president of a fishing
11 association. That's my background. So I'm
12 looking around the room and seeing guys,
13 people, guys and gals with expertise that are
14 beyond me.

15 And like I said, I really thank
16 Randy Fisher down there for his comments. I
17 feel better about myself when I speak and I
18 know Randy, he's over there from Hawaii. And
19 we speak our mind. And I encourage you guys
20 to tell us what you think. Unless you have
21 questions for me I'm done.

22 CHAIR RIZZARDI: Members?

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1 MEMBER ALEXANDER: I just want to
2 say I completely 100 percent agree with
3 everything you just said.

4 (Laughter)

5 MEMBER ALEXANDER: We are saving
6 the world from the rest of the world. We're
7 the ones making the sacrifice. And it gets a
8 little tiresome when you have to live under
9 the regulations when we fish. Where I fish we
10 fish along the Canadian line. The Canadian
11 interpretation of the fish docs are a whole
12 lot different than our interpretations. And
13 so we made the sacrifice on our side of the
14 line and they shut down a \$50 million fishery
15 because we lose \$50 million worth of fish
16 because we're making the sacrifice for the
17 other side.

18 So I don't care where we go, you
19 know, our country has always been we're going
20 to save the world from the rest of the world,
21 you know? And they can come in and do
22 whatever they want to do. And it just makes

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1 it tough. Opened, we shouldn't be saving the
2 things, but it just makes it tough when you
3 can actually throw a rock at the guy on the
4 other side of a line that is throwing a net
5 that that's much smaller than yours who's
6 keeping everything he brings aboard. It makes
7 it really tough.

8 MR. DUENAS: I agree. Like I said,
9 the transfer effect is something that's not
10 really looked at. I think it has to be given
11 more credence, more inclusive in the process
12 because when we talk about how well we're
13 managing the fisheries. When I attend
14 international forums and I talk to people from
15 Japan, Indonesia, China and I say hey, you
16 know, circle hooks save the turtle? Manny,
17 why do we have to? The bottom line is why do
18 we have to? You guys are using it and you
19 have interaction limit.

20 We don't want to open the door for
21 us. We don't want to create a Pandora's box
22 for us. You guys are regulating yourselves to

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1 death which makes us happy because now we can
2 feed Hawaii and Guam and everybody with 90
3 percent of the fish you guys used to catch.

4 At the end of the day it's not
5 benefitting conservation. There has to be a
6 balance. And that's our biggest argument in
7 working with a lot of the environmental groups
8 is trying to make them understand. You may
9 think you're doing great but we're only 3
10 percent of the fishing community out there.
11 So 97 percent is doing whatever they want.

12 CHAIR RIZZARDI: Randy?

13 MEMBER CATES: The discussion on
14 the relationship between MAFAC and the
15 councils is a very interesting one. In my
16 time on MAFAC there's been a few issues where
17 they've kind of supported each other.

18 I go back to a meeting in New York
19 when fishermen were trying to get NOAA to
20 stand behind their sustainable practices in
21 marketing. The issue was all these marketing
22 groups from LeLe Sustainable Fishery.

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1 CHAIR RIZZARDI: That's on our
2 agenda.

3 MEMBER CATES: It is on the agenda.
4 I found it very interesting. But that's when
5 the councils kind of came and we had a very
6 interesting debate. There's been a few other
7 times.

8 And I go back to that's where the
9 strength comes into who we advise. If you
10 want to get something done our message has got
11 to get to the Secretary of Commerce. The
12 reason is for everything that Manny just
13 pointed out. We're trying to protect resource
14 and also included in that is jobs, fishing
15 communities. And that message has got to get
16 to the Secretary of Commerce. Very, very
17 important. I get very concerned when we
18 dilute so to speak who we advise. Because if
19 you really want to get something done it's got
20 to -- I've got to keep hitting that. It goes
21 to the Secretary of Commerce. His job
22 ultimately is commerce.

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1 And we talk about the struggles of
2 fishing communities and what we're doing to
3 ourselves, over-regulating ourselves, that's
4 where the impact, that's where change can be
5 made.

6 CHAIR RIZZARDI: Micah.

7 MEMBER MCCARTY: And along that
8 same line perhaps something for us to consider
9 is an annual document that we address
10 regularly to the Secretary as a body since we
11 all got the letters from him for the
12 appointment. I'm not sure, you know, if
13 that's much different than current practices
14 but I do want to share with some of Manny's
15 concerns that we have issues around here.

16 And you know, we hear it from Billy
17 Frank, we hear it from Northwest Indian Fish
18 Commission that there's a disconnect among
19 conservation interests. And we run into an
20 issue around here, Endangered Species Act,
21 chinook salmon. And we also run into issues
22 where Marine Mammal Protection Act is very

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1 successful and resurgent populations of seals
2 and sea lions with no managed impact on these
3 endangered species. So I think -- and we hear
4 some things about ESA and Magnuson. There's
5 other species legislation that need to be
6 changed. The Marine Mammal Management Act.

7 And I think when you think about
8 some of these prevailing issues that, you
9 know, when we -- we can see some synergies on
10 problems out in the West Pacific. You know,
11 what is the success level of these recovery
12 plans? Are some of these, you know, listings
13 under protection, have they outlived
14 themselves? And given ecosystem-based
15 management concepts, you know, where does
16 single species protection fit in the absence
17 of a real conservation concern?

18 Those are some fundamental issues
19 that I think really need to be addressed and
20 looked at in a way that helps to bring some
21 sense to the table as far as some of the dogma
22 that persists in political agendas that become

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1 problematic. That's just kind of an
2 overarching general view that I'd like to see
3 something done in the working group.

4 CHAIR RIZZARDI: Any other comments
5 from the members? Tony.

6 MEMBER CHATWIN: So one thing I
7 heard from different parts of the country was
8 this issue of how U.S. management and
9 management in other countries relate to one
10 another. And I know that there are a number
11 of efforts that the Agency does on
12 international fisheries and trying to help
13 other countries get to a standard which would
14 be more comparable with ours.

15 And I wonder -- I don't remember
16 getting a briefing on the international
17 efforts from NOAA. I think it might be a good
18 idea for this committee to hear about them.
19 Because I for one, I'd rather us show
20 leadership in the world as far as sustainable
21 fisheries management than scale back to the
22 past and a lower common denominator.

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1 I just note that the European Union
2 had a very different approach to fisheries
3 management and it's one that has been
4 evaluated and deemed to be unsuccessful,
5 hurting the fishermen. And now they're
6 looking at the U.S. as a model to where they
7 want to go. So I think there are some
8 positives out there even though I recognize
9 that there are challenges for domestic
10 fishermen.

11 MEMBER ALEXANDER: I don't think
12 that anybody was suggesting that we go back.
13 You know, nobody wants to go out there and
14 interact with anything, you know what I mean?
15 Bob, like you said, kills have all of a sudden
16 gone to interactions and so that sets the bar
17 a lot higher for the industry.

18 You know, we're having the same
19 thing with harbor porpoises with a gillnet up
20 in Maine. And they're going to close off a
21 huge tract of water in the fall. And just
22 because you have an interaction with something

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1 doesn't mean -- it comes up, gets kicked off
2 the scupper, you know what I mean? Or doesn't
3 even actually have to land on the boat. If
4 they can see it in the water and it flips away
5 that's an interaction. So I mean, the bar's
6 been raised up or lowered, however you want to
7 put it.

8 Over what the standard was even as
9 little as 3 or 4 years ago, you know, the
10 standard has changed. We're asking the
11 standard to be the way it was because, you
12 know, just because I rode by you on that
13 street corner and almost hit you doesn't mean
14 you went to the hospital. I mean it's the
15 same idea I think. So.

16 DR. HOLLIDAY: So, one of the
17 things that I'm hearing from the discussion
18 here is it's similar to the discussion we've
19 had about Managing Our Nation's Fisheries 3 at
20 the international level, this idea of leveling
21 the playing field between U.S. fisheries and
22 other fisheries seeking the same species.

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1 But I think there's a larger policy
2 question here and that's leveling the playing
3 field within fisheries, right? I mean, this
4 competing societal values of protected
5 resources and protecting habitat, and
6 balancing all of this on the back of
7 fisheries, whether they're anglers or whether
8 they're commercial fishermen.

9 And I think that's an interesting
10 policy question for MAFAC to undertake because
11 it all points back to everybody today is
12 getting in line for these competing uses.
13 We've had these briefings about the National
14 Ocean Policy and everybody wants a piece of
15 the puzzle but it all comes back when it comes
16 to action of further restricting the behavior
17 and the opportunity to make a livelihood,
18 produce food, to sustain recreational
19 opportunities.

20 And I think there's, in looking at
21 the Vision 2040 when we talk a lot about
22 specific issues and challenges, but that

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1 overarching policy question I don't think this
2 committee really has made a cohesive statement
3 that crosses those different subjects. We
4 talked around it.

5 So I'm just, I think there's a lot
6 of passion and a lot of interest in what I'm
7 hearing, but I don't think we've actually
8 captured it in a way that transfers that in an
9 effective way, in a meaningful way. So when
10 we get to 2020 revisions that might be
11 something as an overarching preface or an
12 overarching theme about why this is such a
13 challenge for the Marine Fisheries Advisory
14 Committee, you know, advice on something that
15 may not be as clear as it could.

16 CHAIR RIZZARDI: Manny, you had a
17 thought?

18 MR. DUENAS: I just want to
19 comment. I don't think going back is the way
20 forward, but like we try to push at the tuna
21 commission to have all the fleets throughout
22 the Pacific be evaluated based on the FAO

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1 standards. And the only fleet that was ever
2 evaluated was our fleet. Their fleets don't
3 want to get evaluated. And the sad part about
4 it is we tried to push it for our
5 commissioners, the U.S. commissioners and no,
6 let's keep that under the table. We don't
7 want to talk about that.

8 Wait a minute, you're forcing our
9 fleet to follow all these standards. How
10 about let's evaluate their fleet? Because I
11 know their fleet. I live on Guam. I'm
12 surrounded by the Asian fleet. I'm surrounded
13 by the Spanish fleet. And don't tell me
14 they're very successful because I agree with
15 you, they're the poorest of all group.

16 But at the end of the day it's all
17 about who's checking on who. And like I said,
18 we can save all the green sea turtles in the
19 Marianas, but when they turn left -- a friend
20 of mine told me he killed 14 when he went home
21 to Yam. Am I supposed to feel bad? No. I
22 said congratulations because you got to

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1 practice your culture. My culture, Samoan
2 people, we're denied.

3 We're the only -- the Pacific
4 Islanders are the only U.S. native groups that
5 are denied access to their native traditional
6 foods because we don't have a tribal treaty.
7 We are a culture. We are benefits of war. So
8 I just want to share that with you folks that
9 in Guam especially we haven't signed a
10 compact, a commonwealth or nothing. We're
11 wired to the United States.

12 So at the end of the day whatever
13 rules comes out of Congress or whatever rules
14 comes out of the Agency we have to deal with
15 it. We have to swallow it. We have no
16 traditional rights. So my people is slowly
17 being an endangered species and nobody seems
18 to care about that. So that's why I share
19 with you today.

20 MEMBER CATES: I care.

21 (Laughter)

22 MEMBER MCCARTY: Well, I think that

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1 leads to another issue as far as how do we
2 bring more perspectives to this problem of
3 sustainable use versus conservation agendas.
4 And I think traditional ecological knowledge
5 is a pretty interesting tool. Long-term
6 observation of people, not just indigenous
7 people but our people that have been on the
8 water for so long, for decades and have
9 witnessed and seen changes. There's a
10 scientific value to that kind of observation.
11 It's something that would be important to put
12 into -- as far as how do we address those
13 successes and challenges of some of these
14 conservation agendas versus realizing, you
15 know, some of the things that we've seen in
16 the report about all those endangered species
17 that have made recoveries.

18 CHAIR RIZZARDI: So, what I've
19 heard with our discussion thus far, we've got
20 at least two concepts that could be injected
21 into the Vision 2020 as it morphs and as we
22 update it. The first one is this

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1 international angle and how we consider
2 international fisheries management and our
3 interactions with the other nations. And the
4 second one is perspectives of indigenous
5 peoples and what they can bring to the table
6 and how that can be factored in. And maybe
7 both of those are worth some commentary and
8 some thought as we proceed with Vision 2020
9 revisions.

10 MR. DUENAS: I think major emphasis
11 on the transferred effect in the international
12 would be a good caveat.

13 CHAIR RIZZARDI: Okay. All right.
14 Randy, one last comment before we take a
15 break?

16 MEMBER CATES: The thing I think
17 maybe in this document, we need to take a real
18 hard look at what we've done and how we're
19 doing things. And the negative impact from
20 those things in the name of species recovery.

21 I mean I -- in Hawaii it just seems
22 that everything is getting out of whack, what

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1 we're doing. With green sea turtles science
2 isn't being done. Clearly they've recovered
3 to the point where problems have occurred,
4 document -- I mean real problems are occurring
5 in Hawaii with green sea turtles and over-
6 grazing.

7 Things are out of whack with the
8 monk seal population. Some of the policies
9 that NOAA wants to do is getting great
10 pushback. And it just, my sense is we look at
11 it, things are starting to not make common
12 sense. And some of the things we're doing are
13 actually harming those species now.

14 And it just puzzles me that at some
15 point in time Commerce and NOAA needs to take
16 a step back a little. Okay, we tried this,
17 but is it really the right thing to do. I
18 don't know if that's occurring. Take a good
19 hard look at what we're doing because species
20 recovery and such, if it's really having the
21 benefit that we once thought was going to
22 happen.

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1 CHAIR RIZZARDI: I think that's the
2 kind of conversation that we intend for the
3 Protected Resources Committee to take up as it
4 tackles this challenge that the CCC has given
5 us.

6 I just want to say in closing,
7 Manny, I really appreciate you making the
8 effort to be here and taking the long journey.
9 I really appreciate the increased interaction
10 between MAFAC and the CCC and the councils.
11 And I want to encourage all the members to
12 take a look at the fishery management council
13 schedules in your own backyard.

14 And you know, there's nothing that
15 prevents you as a citizen from going and
16 attending the open sessions of those councils.
17 I mean, many of you have actually sat on the
18 councils and you know what it's all about and
19 you go to the meetings, and some of you
20 haven't. So, take a look at the schedules.
21 You know, let the chairman know that hey, I'm
22 a member of MAFAC and I intend to show up at

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1 the next fishery management council meeting
2 and get plugged in on some of the issues that
3 you're debating and engage on those issues.

4 I think we have the opportunity to
5 help the councils and to help the CCC. And
6 part of my goal is to get the councils to
7 recognize what MAFAC brings to the table.
8 Manny's presence here certainly helps in
9 showing that and I think we've got an
10 opportunity. Martin, I'll let you have the
11 last word before we take our break.

12 VICE CHAIR FISHER: Well, to that
13 point when I first joined this organization
14 there was the intention to send
15 representatives to the regional councils to
16 present 2020 and that never was actually done.
17 I think it shouldn't be a haphazard thing
18 where we might attend. I think it should be a
19 direct request from you, Chair, to the chair
20 of the regional councils to give somebody
21 minutes for a presentation for a MAFAC member
22 to present to the regional councils what we're

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1 doing, especially if it's particularly
2 relevant to their agenda.

3 CHAIR RIZZARDI: Okay, good
4 comment. We'll take a break until 10:20.

5 (Whereupon, the foregoing matter
6 went off the record at 10:06 a.m. and resumed
7 at 10:34 a.m.)

8 CHAIR RIZZARDI: Another one items
9 that we're going to be routinely putting on
10 our agendas in the future is the reports from
11 the Regional Administrator and getting some
12 regional perspective.

13 You know, MAFAC has the opportunity
14 to travel the nation and to go learn about
15 local resources. I think it's really
16 important that we always take advantage of
17 that, get the regional folks to come and talk
18 to us, share with us their perspective on
19 issues, some of their local concerns, some of
20 their local fishery issues, local fish issues,
21 Phil, on your point.

22 And we've got with us today John

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1 Stein who's the director of the Northwest
2 Fisheries Science Center and Will Stelle, the
3 Administrator for the Northwest Regional
4 Office. And I'm grateful to both of you guys
5 for being here today. So, Will, John?

6 MR. STEIN: Okay. So I'm going to
7 go first, do the science side. And as many of
8 you know there are some new faces so there's a
9 science center and a regional office in each
10 region of National Marine Fisheries Service.
11 The science center's job is to develop the
12 science to be used by Will and his staff,
13 that's the shortest way to put it.

14 And so what I wanted to do today, I
15 looked at your agenda and wanted to cover some
16 things that we're doing at the center.
17 Actually, our work goes from plankton to
18 whales but I'm not going to try to cover that
19 all in 20 minutes.

20 So I'll touch a little bit on some
21 science we do related to aquaculture. Brought
22 up earlier ocean acidification. I want to

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1 touch on that as well. An issue that's
2 occurring out here currently is related to
3 fish diseases and there's a lot of interest
4 congressionally about it. And then I want to
5 touch on a topic called integrated ecosystem
6 assessments. And as Randy knows it is one
7 area in the budget for '13 that was slated for
8 an increase that has caused some consternation
9 on some that it got an increase. But I want
10 to touch on it and if --

11 MR. STELLE: Tell you why it's
12 fully justified.

13 MR. STEIN: There you go.

14 (Laughter)

15 MR. STEIN: And I thought I was
16 really going to do, Will, I was just going to
17 set the stage if you wanted to have a more in-
18 depth briefing on it.

19 So, and you're going to hear from
20 Michael on the aquaculture policy so I'm not
21 going to talk about that. I'm going to talk
22 about some of the things that we're doing at

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1 the center to do that. And so part of the
2 vision of the policy is to have sustainable
3 seafood that includes aquaculture obviously as
4 a complement to wild-caught fisheries for
5 meeting the demand for seafood. And so what
6 that means, has relationship for us is trying
7 to deliver some of the best science to help
8 meet that vision, and to look at minimizing
9 any ecological impact and maximizing economic
10 benefits.

11 So where I want to start is that
12 we've had a recent addition to the staff.
13 Rick Goetz who was at the University of
14 Wisconsin. We recruited him here. Rick is
15 internationally recognized in fish physiology.
16 He brings an expertise on fish and shellfish
17 culture. And we had lost some of our
18 shellfish culture expertise due to
19 retirements. Looks at life history, genetics,
20 a good geneticist, immunology growth and
21 development.

22 Rick's highly collaborative, that's

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1 why we wanted to have him here so he could
2 work across different parts of NOAA, work with
3 industry, work with academia to move things
4 forward. And he's already built some
5 collaborations with the Southwest Fisheries
6 Science Center and Alaska Fisheries Science
7 Center, and been effective in getting some
8 extramural funding to help do the work. So we
9 look to him to expand the research in fish
10 culture and in particular shellfish research
11 efforts. We're building an experimental
12 shellfish research lab at our facility in
13 Manchester, Washington which is just across
14 the water and he's a big player in that.

15 And as you probably heard, many of
16 you if you went on the tour, Northwest is
17 certainly a major producer of farmed shellfish
18 and certainly there's opportunities for that
19 to expand. And we're working on aspects of
20 native shellfish restoration which is a big
21 issue in the region both recreationally and
22 from a tribal perspective.

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1 So some of the work we're working
2 on is to look at new marine species for
3 aquaculture. We have a project on black cod
4 or sablefish and that's working with Trout
5 Lodge Marine and Icicle Seafoods. We have
6 done a major effort on working on alternative
7 feeds, a NOAA/USDA partnership, sustainable --
8 trying to reduce the requirement and reliance
9 on foraged fish and fish oil and protein as
10 components of that feed. And we've made some
11 real progress.

12 The other aspect of this to looking
13 at the whole, you know, full spectrum of
14 things, we are looking to assess and model
15 genetic risks of aquaculture escapes to
16 natural populations. And then use that
17 information to develop mitigation strategies
18 to reduce the risk. And a lot of that comes
19 from our work on Pacific salmon where we've
20 dealt a lot with issues of hatchery versus
21 wild fish and those genetic interactions.

22 And then another aspect that we

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1 work on at the center that's not at every
2 center in National Marine Fisheries Service
3 relates to the seafood safety side of things.
4 And we have expertise in looking at pathogens,
5 chemical contaminants and then biotoxins.
6 We're actually working to increase our ability
7 to collect data without having people on the
8 water.

9 There's MBARI, Monterey Bay
10 Aquarium Research Institute has worked to
11 develop something called an environmental
12 sample processor. Basically it goes out
13 there, sips water, isolates the plankton in
14 the water, does a DNA test and speciates it
15 all in situ, and then phones the information
16 back to the lab. So we're testing that. Our
17 first real live test of it will be this year
18 in Friday Harbor looking at heterosigma which
19 can be a real issue.

20 The other thing that's going on in
21 the region is the Washington Shellfish
22 Initiative that Bill Dewey probably talked to

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1 you some about yesterday and I know he's on
2 the agenda to do that later. So again, I
3 won't touch on that too much. The only part
4 of it is that as part of that initiative and
5 there's a Washington Governor Gregoire has
6 established a Blue Ribbon Ocean Acidification
7 Panel.

8 And we've made a lot of progress in
9 the region looking at ocean acidification and
10 talking with Dave I came to the -- I think
11 Randy, you actually invited me to come to do
12 it, to give a presentation to MAFAC on ocean
13 acidification. And it was -- I'd learned
14 something at that time because it -- I sort of
15 gave a real downer because the issue is pretty
16 big. It is a global issue. It is real. But
17 there are things we need to learn about the
18 "so what" question. So how bad is it or how
19 bad could it be, where would it be most of an
20 issue and which species would be affected.
21 And there's winners and losers in that part.

22 So NOAA has an overarching ocean

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1 acidification research plan. We work across
2 the line offices to do that. There's a
3 monitoring component obviously to look at the
4 temporal and spatial trends out there in the
5 environment. A lot of that has been done in
6 the big blue ocean which is appropriate
7 obviously, but we need more information on the
8 coastal areas and the variability there is
9 much higher. So it's a little more of a
10 challenge.

11 Where we will look the most at the
12 National Marine Fisheries Service is on
13 ecosystem responses, sort of trying to deal
14 with those "so what" questions. So okay, if
15 there's a change how big is that change and
16 then what does that change mean for species in
17 both physiologically and what does that mean
18 for reproduction and survival.

19 Coupled with that is modeling
20 studies to try to figure out -- to develop
21 ecosystem models so we can get an idea of
22 where the impact might be. It's not

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1 intuitively obvious. You can't just sketch it
2 out on the back of an envelope and know where
3 it might happen.

4 And then the utility of that
5 research. Another component of NOAA's plan is
6 adaptation strategies. And that's really --
7 Micah sits on the Blue Ribbon Panel and that's
8 really their charge is to understand the
9 research, understand where we are, the
10 uncertainties, but what can we do to move
11 forward. What can we do to mitigate here.

12 So, like I mentioned we're working
13 across the line offices and we're working
14 across the centers within the National Marine
15 Fisheries Service in this regard, sort of a
16 divide and conquer when it comes to looking at
17 issues. So the Alaska Fisheries Science
18 Center is looking at crabs and fish, Northeast
19 Fisheries Science Center is focusing on
20 phytoplankton, we're focusing on bivalves,
21 crustaceans and fish. Pacific Islands and
22 Southeast Fisheries Science Centers are

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1 looking at corals and the Southwest Fisheries
2 Science Center is looking at retrospective
3 data. And we work together in evaluating our
4 exposure systems, for example, to make sure
5 that we can compare data that's developed at
6 different labs.

7 So I just want to touch also on
8 some fish disease events. It raises many
9 questions about safety of both wild fish,
10 safety of cultured fish, the actual impact,
11 whether it's in the environment or not. And
12 very recently infectious hematopoietic
13 necrosis virus was found in Canada and it has
14 previously been in Canada. And they've just,
15 they've notified all authorities and they're
16 actually going to kill all the fish, get them
17 out of the system because it's highly
18 infectious and it's highly lethal. But it
19 doesn't affect human beings.

20 VICE CHAIR FISHER: What species of
21 fish?

22 MR. STEIN: These are cultured

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1 Atlantic. So, that's one nice thing. Excuse
2 me? Culture Atlantic salmon. And what we
3 just heard the other day was that they found
4 it in over by Manchester, by Bainbridge Island
5 in cultured fish there. And they are, as I
6 understand it, are rapidly trying to harvest
7 as many as they can before they'll have to
8 probably do away with them.

9 So, but wild Pacific salmon have
10 developed some resistance because it's
11 endemic. So trying to explain this to society
12 and the public gets difficult at times.

13 And then the other thing that's out
14 there -- well, I should back up for one part.
15 So, within that regard the Agency and here at
16 least in the region there's collaboration set
17 up where testing for that type of virus is
18 very, very routine and is done constantly and
19 that's one reason it was picked up quickly.

20 The other issue that's out there
21 that has great interest from Congress and
22 Senator Cantwell is infectious salmon anemia

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1 virus. And whether or not it's present or
2 not, whether or not it could have an impact,
3 whether or not it has come to U.S. waters on
4 the West Coast. And there's two aspects to
5 this of trying to increase. There have been
6 some confirmation of the DNA particles if you
7 will from that virus in fish here, but that
8 doesn't prove that the virus that is present
9 was infectious or that infectious disease is
10 actually occurring.

11 And then the other question out
12 there is whether or not ISAV has actually been
13 -- is on the West Coast but in a non-
14 infectious form. And again, this is a very --
15 a lot of interest and reports from Canada that
16 it's been propagated by aquaculture and that
17 it is causing big issues from that
18 perspective.

19 So Congress did ask us to develop a
20 report of the state of knowledge and then at
21 the same time develop a response plan to do
22 the monitoring. And that -- so the National

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1 Aquatic Animal Health Task Force took that
2 responsibility. NOAA Fisheries has
3 participated in that and it's actually in
4 review right now at OMB so that could go to be
5 submitted to Congress.

6 So if there are questions I think
7 it's better just to ask them if you want to or
8 we can wait till the end. The last thing I
9 want --

10 CHAIR RIZZARDI: We do have one.

11 MR. STEIN: Yes, sure.

12 MEMBER ALEXANDER: I just was
13 curious, are any of those diseases
14 transferring to -- across different breeds?

15 MR. STEIN: So let me -- so for --
16 yes. IHNV for wild Pacific salmon, there is a
17 resistance that develops that they seem to
18 have. Most are resistant. They're seeing
19 sockeye maybe more susceptible. It's very
20 clear for ISAV in actual doing studies --
21 there's a fish disease lab at USGS that's also
22 in the region that we collaborate with.

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1 They've actually done studies with Pacific
2 salmon and found them to be highly resistant
3 to ISAV. Cultured Atlantics are more
4 susceptible. So it depends. The thing is
5 that they can mutate and change and we don't
6 know if anything happens. We don't suspect
7 that it has.

8 MEMBER ALEXANDER: Just like any
9 flu virus mutates and --

10 MR. STEIN: Yes. Actually, ISAV is
11 a kind of flu virus.

12 CHAIR RIZZARDI: Liz, you had a
13 question?

14 MEMBER HAMILTON: I know it's not a
15 council species but are steelhead -- when you
16 say Atlantic are susceptible, would steelhead
17 also be susceptible?

18 MR. STEIN: I believe steelhead
19 were tested. I don't think they have
20 resistance. No?

21 MEMBER NARDI: No, steelhead are
22 much more resistant. Farmers -- some switch

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1 from Atlantic to steelhead.

2 MR. STEIN: Yes, that's what I
3 thought.

4 MEMBER HAMILTON: For that reason.

5 MEMBER NARDI: There's a risk, yes.

6 CHAIR RIZZARDI: Randy?

7 MEMBER CATES: Is this a case of --
8 you made the comment that it's spreading to
9 wild fish. The fear is -- it would seem to me
10 that it's the other way around. This is out
11 in nature already.

12 MR. STEIN: So for IHVN it's
13 clearly out in nature. It's endemic, okay?
14 People are purporting that ISAV has been
15 spread by aquaculture. There's actually some
16 evidence that maybe it actually exists as
17 well. It exists in many forms. Some of them
18 are ISAV but not infectious.

19 MEMBER CATES: So what happens it
20 seems in my world, we test our fish where
21 wild-caught fish don't necessarily get tested.

22 MR. STEIN: And that's -- we don't

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1 have as -- it's capacity. So it's set up for
2 testing of cultured fish. There's less work
3 on wild fish. We have done some screening of
4 wild fish here and we definitely do all
5 screening for all our ESA salmon that we have.

6 But we have done, I mentioned the
7 USGS lab has done lab studies to actually test
8 their susceptibility. And because they had
9 such low susceptibility there was not a big
10 urgency to do a lot of field research because
11 they had very, very low susceptibility.

12 So the last thing I want to touch
13 on, and Mark mentioned that it might be a
14 topic at Managing Our Nation's Fisheries III
15 is Integrated Ecosystem Assessments. And as I
16 mentioned it is an initiative and it is in the
17 '13 budget for an increase. And we've taken a
18 fairly big effort here at the Northwest Center
19 in collaboration with the Southwest Center and
20 other parts of NOAA on the West Coast to look
21 at developing -- well, in developing an
22 integrated ecosystem assessment for the

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1 California current system which is Washington
2 and Oregon to California.

3 And we just see IEA as a next
4 generation science tool for ocean management.
5 And the ocean is getting to be a busy place
6 and it's not going to get less busy. And we
7 need to move from single species, single
8 sector, single ecosystem function analysis to
9 a more integrated and holistic view of
10 multiple species, multiple sectors, the whole
11 ecosystem and look at those things
12 simultaneously so we can try to evaluate the
13 tradeoffs much more transparently.

14 And the idea really is about
15 bringing together the science that we have.
16 This is not an effort to develop a new
17 monitoring program, this is really about
18 synthesis. This is taking advantage of what
19 we already have to inform decision-making and
20 help further an ecosystem approach to
21 management. And we think that the science has
22 evolved enough that we have some of the

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1 quantitative tools to be able to do that
2 better.

3 So the point -- and so as I
4 mentioned, so part of the effort then is to
5 simultaneously look at multiple pressures that
6 exist on an ecosystem, assess the risk,
7 evaluate the tradeoffs between different
8 potential management options and then identify
9 the most appropriate indicators to use for
10 monitoring an ecosystem so we know whether or
11 not things are working as we think they might
12 when you put a management action into place.

13 Like I mentioned, the key aspect
14 that we see in the IEA program is that it's
15 about synthesis. So it takes full advantage
16 of the data we have. The synthesis of that
17 leads to better information and the synthesis
18 leads to analysis of all pressures on an
19 ecosystem to avoid -- simultaneously to avoid
20 management collisions. That's the basic
21 premise. So it really is about working at the
22 science and bringing the science to the policy

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1 -- science-policy interface.

2 So sort of from a NEPA perspective
3 it's trying to improve our precision in
4 helping the managers, giving them tools to be
5 more precise in their development of
6 alternatives. And so, and the goal then is to
7 help and assist in that process.

8 And so I think I'll just start to
9 wrap up. Is that we have had some success
10 from using the IEA. There is something here
11 in this region called the Puget Sound
12 Partnership which Governor Gregoire put in
13 place to recover Puget Sound by 2020. And we
14 use that as a test bed to test the whole
15 aspects of the IEA. And they adopted the
16 indicators that came out of that.

17 And the key was that they adopted
18 them. We didn't tell them which ones to use.
19 We gave them the information. They could make
20 an informed choice. And that those indicators
21 now will be used all -- by all the agencies in
22 the region. So they're going to have the same

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1 set of indicators to determine whether
2 management actions are working or not. So you
3 need to do the adaptive management loop and
4 reassess where you are.

5 We've had some success with Pacific
6 Fishery Management Council. The effort that's
7 come out of NOAA has been adopted in the North
8 Sea and the Baltic.

9 And so I think I'll close with a
10 statement from the councils at the last
11 November meeting. And actually also one other
12 one I forgot to mention was we're working with
13 British Columbia to transfer some knowledge
14 and information that we've used for their
15 ecosystem-based management efforts on the West
16 Coast.

17 So, at the last meeting the council
18 said, quote, "The council was encouraged by
19 the preliminary results and recommend
20 continued collaboration between the IEA team
21 and the council's advisory bodies, including
22 support for a proposed workshop in 2012 to

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1 further explore ways of bringing IEA products
2 into stock assessments and council decision-
3 making."

4 So for us that was an
5 acknowledgment that the tools we were
6 developing and bringing to the process,
7 there's value seen in them to help inform that
8 process.

9 So, like I said, this was just to
10 try to give you a snapshot of what it was. I
11 hope I didn't totally fail. And if there is
12 any interest, Mr. Chairman, in a more detailed
13 IEA briefing as part of MAFAC in the future I
14 think the Agency would be open to that.

15 CHAIR RIZZARDI: Great. Any
16 further -- okay, Randy.

17 MEMBER CATES: I remember your
18 presentation on -- and so often at the very
19 end we got into a real debate on the issue of
20 the "so what."

21 MR. STEIN: Yes.

22 MEMBER CATES: I'd like to hear

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1 sometime in the future regarding ocean
2 acidification the so what. And the historical
3 -- it was coming out that ocean acidification
4 has been going on for a long, long time and it
5 might -- the debate was whether it was just
6 part of nature. And looking at historical
7 fishing records and stuff was a good tool to
8 look at that.

9 MR. STEIN: So I mean there has
10 been further, you know, information on the
11 monitoring side and it's pretty clear that the
12 observations are showing that it's occurring
13 at a much faster rate than what the models are
14 predicting.

15 Now, on the less scary side of
16 that, on the mitigation side of that actually
17 here in the shellfish industry, and I don't
18 know if Bill talked about it yesterday, but
19 there actually -- put in place improved
20 monitoring of their incoming seawater and
21 they've had dramatic improvements in survival
22 by simply just better monitoring of the

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1 incoming seawater and adapting to the natural
2 variation that occurs in pH due to upwelling,
3 due to the natural photosynthetic cycle. And
4 so demonstrating that you can take the
5 information, apply it and actually improve the
6 situation. So that's one aspect.

7 So you have people in shellfish
8 industry talking about aragonite saturation
9 state. I mean, I think it's a pretty amazing
10 change from 2 years ago. And they understand
11 what it is and they know what to do about it
12 when they -- in their systems. So.

13 MEMBER ALEXANDER: What would they
14 do about it? I'm sorry.

15 MR. STEIN: No, it's --

16 MEMBER ALEXANDER: What would they
17 do --

18 MR. STEIN: So, what they do --

19 MEMBER ALEXANDER: What would they
20 do?

21 MR. STEIN: So, shellfish -- and
22 maybe we know more about the shellfish

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1 industry than anything, but what they're doing
2 on the West Coast is that if they see an
3 upwelling event they're basically shutting
4 their intake down, okay? But they can also,
5 you know, use calcium carbonate from other
6 sources and actually try to buffer --

7 MEMBER ALEXANDER: Offset.

8 MR. STEIN: -- offset and buffer
9 the seawater.

10 CHAIR RIZZARDI: Paul?

11 MEMBER CLAMPITT: So just a
12 question because as a commercial fisherman I'm
13 very concerned about this and so I spent some
14 time looking into it. And I find, you know,
15 in the materials, I actually went to a grad
16 student at UW to try to get more information
17 who was an oceanographer.

18 Anyway, this thing with ocean
19 acidification on the West Coast in oysters
20 it's not new. They've had this going on since
21 they started where they'd had time period,
22 they didn't know exactly why where the spat

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1 wouldn't settle and they couldn't get -- and
2 it's species-specific. Isn't that correct?
3 It's mostly Costa Rica gigas -- it doesn't
4 have anything to do with the Olympia oysters
5 or some of the other animals there. That's
6 what Bill told me yesterday.

7 MR. STEIN: Well, I mean there is
8 species variation. So, like anything, any
9 stress, not all species is going to respond
10 similarly because either the life history or
11 when they're exposed or just genetic
12 susceptibility. So there is that variation.
13 We expect that. There's going to be winners
14 and losers.

15 MEMBER CLAMPITT: According to IPCC
16 it's -- the pH increases at 0.0017 per year.

17 MR. STEIN: That was the model,
18 yes.

19 MEMBER CLAMPITT: Yes, the model.
20 And natural variability is much greater than
21 that on a daily basis. I mean, it's not --

22 MR. STEIN: Yes.

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1 MEMBER CLAMPITT: -- homogenous
2 situation out there.

3 MR. STEIN: No, no.

4 MEMBER CLAMPITT: I mean, if you go
5 to a kelp forest out off of Tutuila Island it
6 drops dramatically at night, in the daytime it
7 goes up. So, animals survive in a greater
8 variability on a daily basis. And we're
9 talking about what will happen by 2100. So,
10 my question is it's the so what thing.

11 MR. STEIN: Right. So, you can
12 have -- we're actually doing those experiments
13 at the lab right now to look at that
14 variability. So, yes, there's much, much
15 greater variability in the coastal ocean than
16 there is in the deep blue ocean in CO2 levels
17 and pH levels.

18 The question then becomes are those
19 drops much larger than before, are they more
20 recurrent and are they lasting longer. That
21 may exceed the ability of an organism to
22 buffer against those events. So you're right,

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1 those are the types of questions that need to
2 be addressed and looked at.

3 CHAIR RIZZARDI: Bob? Bob, I know
4 you've had your hand up a bunch of times and
5 you've got some experience in the issue too so
6 Bob and then Tony after that.

7 MEMBER RHEAULT: Yes, I mean it has
8 been going on for quite some time and it is
9 the case where locally you will see tremendous
10 variation and on a daily basis you will see
11 tremendous variation. But the prognosis for
12 corals is not very good at all. They lack
13 some of the adaptive mechanisms that shellfish
14 have.

15 Some of the scariest things are
16 what might happen to the base of the marine
17 food chain in terms of salps and
18 coccolithophores if they get impacted. The
19 problem is that we're putting 6 gigatons of
20 CO2 into the atmosphere every year and one-
21 third of that dissolves almost immediately
22 into the ocean, creating carbonic acid.

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1 So we do have areas, the head of
2 Puget Sound or the head of the Chesapeake Bay
3 which have conditions, mostly eutrophication-
4 induced CO2 levels that are what we predict
5 100 years from now. And we do see that
6 shellfish in those areas hit the acidic muds
7 and dissolve, or swim away and go try to find
8 a more suitable habitat. I've seen it in my
9 own oyster farm dramatically impacted by
10 throwing shell down.

11 But you say that we can adapt a
12 little bit in the industry. Well, that's true
13 in a hatchery but once you get out of the
14 hatchery --

15 MEMBER CLAMPITT: No, you're right.

16 MEMBER RHEULT: -- our ability to
17 buffer the seawater is restricted. We can't
18 quite plow the Cliffs of Dover into the ocean
19 and hope that it's going to have an impact.

20 MR. STEIN: I'm sorry if I left
21 that impression.

22 MEMBER RHEULT: No, there's some

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1 scary stuff out there. I have much more hope
2 about the ability of shellfish to persist 50
3 years from now than corals.

4 So, the science is -- it's an
5 emerging field right now. Just this March
6 just in Seattle we had several days of
7 presentations on it. So the science is coming
8 but there's a lot we don't know. What we do
9 know is quite disturbing.

10 CHAIR RIZZARDI: Tony?

11 MEMBER CHATWIN: Thank you very
12 much for that overview. I would like to hear
13 a little more detail on the IEA and whether
14 that's already impacting the way you approach
15 management? Maybe setting management
16 benchmarks. And if not currently, what the
17 vision is for when it will.

18 MR. STEIN: Well, so that's an
19 active effort. So like I said, we're using
20 Puget Sound as a test bed for the whole system
21 because we do it at the larger ecosystem level
22 from a NOAA perspective. But that's currently

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1 the effort. So the effort was first to
2 develop the indicators that people could agree
3 that the managers, as managers they could
4 adopt and would want to use. And then clearly
5 the next step is to help bring the science
6 together and try to develop those benchmarks,
7 those operational objectives and the only way
8 to talk about where you're saying I want to
9 get. So one -- get to a certain point.

10 One thing to think about in Puget
11 Sound is they want to increase eelgrass beds
12 by 20 percent. Okay, so then the question
13 becomes, okay, what does it take to do that,
14 what does the current science say and what are
15 the likelihood that you will get there. And
16 so that'll then enhance the power of the
17 science to inform management when you get
18 those operational objectives.

19 It's at its infancy. With the
20 Pacific Fishing Management Council we've made
21 the progress of them seeing the value and now
22 that next step is how do we best incorporate

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1 it into their management decision-making. So
2 they want us to see how well -- to the degree
3 we can help inform better management of
4 salmon. And we're working with them to
5 develop -- to assist them in developing their
6 ecosystem plan, fisheries management plan.
7 They have an ecosystem plan development team.

8 And then the effort, a little
9 technology transfer to British Columbia, and
10 that's where they're really trying to set up
11 operational objectives.

12 CHAIR RIZZARDI: Okay. Micah?

13 MEMBER MCCARTY: John, how far
14 upstream is this going?

15 MR. STEIN: The IEA work? Well, it
16 depends. It depends what species in a sense.
17 But clearly you want to try to sort of -- I
18 mean, talking grandly from snow caps to white
19 caps. So the key component is linking, or key
20 gap we have is linking the watershed to the
21 marine site and the influence of the watershed
22 influencing the marine. There's a science gap

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1 there and that's where we need to move
2 forward. But that will be a little while yet.
3 It'll be a little while yet. It takes awhile
4 to do that modeling effectively.

5 CHAIR RIZZARDI: John, if I may I'm
6 going to pass the torch on.

7 MR. STEIN: Yes.

8 MR. STELLE: What time do you want
9 to -- we're behind schedule.

10 CHAIR RIZZARDI: We are.

11 MR. STEIN: I'm sorry.

12 MR. STELLE: That's okay. It's
13 relevant. I'll give a very quick sketch
14 because time is short and I don't want to eat
15 up the schedule.

16 Let me sketch a couple of things,
17 one of which is the sort of weird
18 idiosyncrasies of the NOAA fisheries mission
19 here in the Pacific Northwest and on the West
20 Coast because you may not quite appreciate it.
21 So take your paint roller and cover it in
22 paint and then roll it down the west side of

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1 the Cascade Range and the Sierra Range from
2 British Columbia to Mexico, and that'll have a
3 fairly heavy pigment in it, and color the West
4 Coast of the United States Endangered Species
5 Act colors. You can choose whatever colors
6 you like. The rule of the -- and that's the
7 area that has been listed by NOAA fisheries as
8 containing salmon runs that are at risk of
9 extinction.

10 The rule under the Endangered
11 Species Act is any -- all federal agency
12 actions need to be changed. All federal
13 agency actions that adversely affect salmon or
14 their habitat need to be changed so as to not
15 jeopardize the salmon or their habitat. And
16 if you have any questions about that you have
17 to ask NOAA fisheries their permission in what
18 you do. And if we find that you may
19 jeopardize, your actions may jeopardize, then
20 we have a veto over it and we issue what are
21 called biological opinions that tell you how
22 you change what you do, period.

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1 So that's what we do. And it is in
2 fact the most significant federal coastal
3 aquatic habitat program in the United States,
4 bar none. So all of the riverine and
5 estuarine drainages on the West Coast are
6 covered by this net if you will and we pick up
7 all the major federal actions.

8 So, all of the big federal
9 infrastructure projects, electric utility
10 lines, transportation lines, water projects,
11 highway systems and mass transit systems,
12 dredging, port projects, DoD projects in the
13 aquatic system across the landscape. So
14 you've got the federal project side of things,
15 capital projects and operations.

16 Then you've got federal
17 authorizations permitting and funding. And
18 that includes, for instance, EPA's
19 registrations of pesticides and herbicides
20 under FIFRA and how they affect freshwater
21 habitats in that geography. It's a huge deal.
22 Or EPA approval of state water quality

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1 standards and how they may affect salmon in
2 their habitat. So that kind of gives you the
3 scale of what we do. Now let me give you some
4 examples just to give you a flavor for it.
5 It's really fun and it's really fascinating.
6 No I mean it, it's incredible.

7 So, let's see. First of all on the
8 toxic stuff. We've issued jeopardy opinions
9 to EPA on the approval of -- on the EPA's
10 forcing EPA to disapprove of Oregon toxic
11 rules under the Clean Water Act. We have
12 issued jeopardy standards to EPA forcing them
13 to change their stormwater copper standards,
14 copper standards, permissible copper loadings
15 based on stormwater under the so-called MS4
16 permits, Municipal Stormwater Permits that are
17 coastwide based on work that John's
18 ecotoxicology division is doing. So we are
19 **re-torquing** ?? stormwater management under the
20 Endangered Species Act to protect juvenile
21 salmon. It's a huge deal.

22 And the character of the collisions

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1 in risk assessment methodologies and aquatic
2 risk assessment between us and the water
3 quality regulators are fundamental. And we
4 look at what they do and it appears to us that
5 they are public health agencies. They're not
6 aquatic health agencies.

7 Another set of examples. We have
8 issued jeopardy opinions to the Federal
9 Emergency Management Agency (FEMA) on the way
10 they administer the National Flood Insurance
11 Program in western Washington and Puget Sound.
12 By connecting the dots between the
13 availability of federal flood insurance, the
14 issuance of building permits in floodplains
15 and the degradation of floodplain habitat
16 that's essential for juvenile salmonids. And
17 that jeopardy opinion is requiring FEMA to
18 change the way they administer the
19 availability of federal flood insurance to
20 local jurisdictions.

21 And if you ever try to get a
22 mortgage to build something in a flood plain

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1 you can't get a mortgage unless you're part of
2 the FEMA Flood Insurance Program. So the
3 power of that jeopardy opinion in changing the
4 availability of federal flood insurance in
5 coastal habitats is fundamental. So that just
6 gives you a little bit of flavor for stuff.

7 We are rewriting the rules. The
8 way the Bureau of Reclamation and the
9 California Department of Water Resources pump
10 water into the state and federal water
11 projects out of the Central Valley, the Bay
12 Delta of California, to water the entire
13 Central Valley of California and the L.A.
14 Basin and about 25 million people.

15 And those changes in the way those
16 water projects are operated to protect
17 juvenile salmonids, sturgeon, and delta and
18 longfin smelt will probably result in a 30
19 percent reduction in water availability over
20 time. And if you don't think that causes the
21 paint to peel think again.

22 (Laughter)

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1 MR. STELLE: So too in the Columbia
2 River hydropower system. Same deal whereby we
3 are changing the rules whereby Bonneville
4 Power and the Corps of Engineers run the
5 entire hydropower system in order to improve
6 survivals of juvenile and adult salmonids
7 returning to the lower Snake, mid Snake and
8 upper Columbia.

9 And the standing level for the,
10 quote, "mitigation" program required by our
11 BiOps is about a billion bucks a year. So
12 that gives you a little bit of the flavor of
13 some of the fun that we have here in the
14 Pacific Northwest and California in trying to
15 administer a coastal aquatics habitat program
16 that is driven by the drive shafts of the
17 Endangered Species Act.

18 It is deeply controversial, deeply
19 controversial, and it tests the boundaries of
20 NOAA Fisheries science. Manny, you were
21 touching on some of that stuff in the jeopardy
22 opinions. You better believe it's a scrum

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1 when you get into making jeopardy calls that
2 are worth a couple of billion bucks a year.
3 It's a huge deal.

4 And so it creates a lot of pressure
5 not only on the management side but on the
6 science side. Tell us how you picked the
7 number. And you picked 1.5. Tell us why 1.6
8 wasn't okay. And we get raked in federal
9 district court on this stuff all the time and
10 for good reason, because the stakes are so
11 high.

12 But it really places a very
13 different character on the role of NOAA
14 fisheries in the western drainages of the
15 Pacific Coast. It's a big deal. I think it's
16 probably quite a bit bigger than corals in
17 some respects but the geography of corals is
18 mind-boggling.

19 I offer one thing and that is --

20 CHAIR RIZZARDI: I wanted to see if
21 I can open it up for comment. There's a lot
22 of eager hands.

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1 MR. STELLE: Oh, you want to --
2 okay. I'll be quiet. Go ahead. It's a
3 really big deal. You know, talk about
4 stirring the pot, holy mackerel.

5 CHAIR RIZZARDI: I saw some hands
6 shooting up so who wants to? All right, Liz
7 is not allowed.

8 MR. STELLE: Liz can't ask
9 anything. She knows too much.

10 CHAIR RIZZARDI: All right, Patty?

11 MEMBER DOERR: Some of the jeopardy
12 and the BiOp opinions that you guys do in the
13 Pacific Northwest like the stormwater
14 management rules --

15 MR. STELLE: Yes.

16 MEMBER DOERR: -- rules. Do you
17 know if any of the other regions are doing the
18 same thing?

19 MR. STELLE: Yes, I do know. No.
20 No, it's because the character of the
21 listings. At the heart of it is what are the
22 species that are listed in the area, in the

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1 NMFS region in that area. And in this case
2 salmonids are an incredible species because of
3 the complexity of the life cycle from starting
4 in the very upper tributaries of the small
5 streams of the river systems and then going
6 all the way down, hanging out in the
7 estuaries, and then going out the river mouths
8 and taking a right to Alaska. So you get very
9 broad habitat requirements.

10 All of the coastal, all of the
11 major urban, suburban, metropolitan areas on
12 the West Coast are in estuarine habitats. And
13 they drain stormwater into salmon land.

14 MEMBER DOERR: I'm thinking about
15 Atlantic sturgeon now on the East Coast.

16 MR. STELLE: Yes, I don't --

17 MEMBER DOERR: It could have the
18 same --

19 MR. STELLE: I have not heard that
20 we've gotten into sturgeon stormwater fights.
21 Have you?

22 MEMBER DOERR: I haven't heard but

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1 I can imagine it.

2 MR. STELLE: So can I actually.

3 CHAIR RIZZARDI: Yes. Atlantic
4 salmon --

5 MR. STELLE: And the really
6 interesting thing is how direct the main line
7 was between John's ecotoxicology team looking
8 at sublethal effects of copper on juveniles
9 and our consultation processes. We took those
10 data and we put them right into the BiOps.
11 And they became -- and they had a direct and
12 substantial regulatory implication.

13 So in terms of a case study of the
14 role of conservation biology in setting and
15 resetting standards, it is a different
16 paradigm. Very powerful. Drives EPA crazy.
17 Liz?

18 CHAIR RIZZARDI: She can't help
19 herself.

20 MEMBER HAMILTON: First of all I
21 really want to compliment what the Agency's
22 doing on the toxics, both copper and the

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1 agricultural effects on our aquatic life.
2 It's big and controversial and it looks to us
3 like you're taking it head on. We appreciate
4 that.

5 But one of the concerns that we
6 have with all this is the role of adapted
7 management. I mean, there's some 50-year get
8 out of jail free cards in these HCPs and
9 there's things we're learning --

10 MR. STELLE: Not for free.

11 MEMBER HAMILTON: Well, okay. But
12 I would like a 50-year guarantee for our
13 businesses to work under so -- and we don't
14 get that.

15 But so having said that as things
16 are learned where are the triggers and the
17 mechanisms to apply adapted management to
18 change biological opinions and HCPs both of
19 which NOAA consults on? You know, where are
20 the triggers for adding? Do we have to sue?

21 MR. STELLE: I'll give a very quick
22 answer. Basically when you're trying to --

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1 when you're looking at a setting, a large
2 geographic setting with a big impact on the
3 riverine productivity. You try to figure out
4 how many nobs can you turn to improve that
5 productivity. And what are the individual
6 nobs, how many notches do you try to turn them
7 and over what period of time.

8 And the answer is you're not very
9 sure so what you try to build in is you try to
10 build in some metrics that are the particular
11 notches on the nobs that you can measure. And
12 you measure them over time and you try to then
13 correlate them through IEA work or other
14 modeling exercises to cumulate what the
15 aggregate effects might be on the changes in
16 productivity for the populations you're trying
17 to protect. And then you build in some
18 decision points, some check-in points let's
19 say, call home on year 5, call home on year 10
20 and check in on your trends in population
21 changes. And then try to step them back into
22 what the individual nobs are and how you've

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1 turned them.

2 That's a crude exercise, the crude
3 description of adaptive management program.
4 Where it is really hard to do is to maintain
5 the institutional discipline to follow through
6 with the budgets and the monitoring on the
7 ground in order to make that stuff real and
8 not superficial. That's the challenge. But
9 the disciplining factors there, we get sued
10 constantly so that's a real motivator.

11 CHAIR RIZZARDI: Will, I want to
12 thank you for some very colorful comments I
13 guess.

14 MR. STELLE: I'd like to end up
15 with one comment.

16 CHAIR RIZZARDI: Okay.

17 MR. STELLE: And it's more of an
18 observation. I've been in the marine
19 conservation business for about 30 years
20 working with NOAA through that time. I've
21 spent a whole lot of time in the federal
22 legislative branch and then I've spent a whole

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1 lot of time now in the federal executive
2 branch working on these subjects.

3 And I -- my sense of things are
4 that things are not good right now. They're
5 actually worse than I've seen them in a long
6 time. And the dynamics are bad, the
7 circumstances are highly risky and the
8 trajectory of our common ability to build
9 muscular resilient marine conservation, marine
10 management efforts in this country is at risk.
11 It's at risk in a way that I have never seen
12 it.

13 And so what should you do with
14 that? Because you are all here because you
15 choose to be leaders in your sectors and you
16 are. So what should you do about it?

17 It's a -- fundamentally it's an
18 issue of attitude. And right now the
19 attitudes are corrosive, they're negative and
20 they contribute significantly to the larger
21 risk dynamics. So I think that as -- and it's
22 very easy to criticize what's happening in

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1 whatever place you choose to look because
2 there are lots of things, to paraphrase, there
3 are lots of opportunities for improvement.
4 And that's a fair point. Within the Agency
5 and externally.

6 So as -- if I could urge you to do
7 anything, urge you to problem-solve. Advocate
8 for problem-solving. Please understand that
9 within the Agency there are a lot of people
10 that work really, really hard and these are
11 really, really hard jobs. You wouldn't
12 believe it. And most of the time when things
13 happen, you know what? There's a reason for
14 it. You might not see it, you probably don't
15 see it, and you might not agree to it, but
16 please trust that there probably is a reason
17 for it. There might not be a good reason but
18 there's a reason for it and we're not just
19 stupid.

20 So listen carefully and try to
21 understand what the dynamic was that produced
22 that outcome that you thought wasn't

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1 satisfactory or you believe is not
2 satisfactory. You may be right but listen
3 closely for it and then think to yourself if
4 you were the philosopher king or queen how
5 would you change things to rectify it?

6 And decide, decide to be problem-
7 solvers and decide to help build the momentum
8 for better, more effective, more durable
9 marine conservation programs because we really
10 need you. We really need you. Randy, Randy
11 is a problem-solver from way back and he's
12 ticked. And that, you know, that's an orange
13 signal going right off to me that says holy
14 mackerel, things aren't good if a guy like
15 that is angry. And I respect that and I
16 listen to it.

17 So let's take -- look at the
18 landscapes that you occupy, look at the
19 problems that are in those landscapes and help
20 us collectively as leaders in your community
21 figure out what the problems are and work on
22 them. Because Lord knows we've got about 80-

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1 85 percent we all agree on all of this stuff,
2 and we got about 15 percent where we can duke
3 it out with each other and that's fine, that's
4 going to happen. But let's focus on problem-
5 solving here and I think you have a huge role
6 to play and you have a role to play that we
7 can't touch inside the Agency. So go for it.

8 CHAIR RIZZARDI: Thank you, Will.
9 Really inspirational comments. I know we have
10 a former MAFAC member in our midst here. And
11 Steve, we're way behind schedule. We're way
12 behind schedule but I am going to acknowledge
13 you and then I'm going to turn it over to Mark
14 so that we can move on.

15 MR. JONER: Just real quick I hope
16 to answer the question. First of all, I'm
17 from the Makah Tribe and Will, our trawlers
18 only catch non-listed salmon.

19 (Laughter)

20 CHAIR RIZZARDI: Yes.

21 MR. JONER: We're good at what we
22 do. I understand that the eight councils at a

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1 recent CCC meeting recommended that a joint
2 subcommittee of MAFAC and CCC be formed to
3 develop standards for better biological
4 pinning criteria. And I don't know, I may not
5 be around for the whole meeting if that's on
6 the agenda later. I'll actually be out
7 helping get the salmon dinner ready for
8 tomorrow night. But I just wanted to bring
9 that up.

10 CHAIR RIZZARDI: We've talked about
11 that, Steve. For the initial work product
12 it's in the context of sea turtles, but the
13 dialogue as everybody's hearing is even more
14 expansive than sea turtles and eventually
15 there may be a role for MAFAC. Manny and I
16 have talked about that already. And yes, I
17 think MAFAC is prepared to tackle that and our
18 Protected Resources group will be having that
19 discussion tomorrow. So I don't know if you
20 can be here for it but you're certainly
21 welcome.

22 MR. JONER: I'll try to be here for

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1 that part. Thanks.

2 CHAIR RIZZARDI: Patty, is it
3 really quick? We're way behind. Okay.

4 MEMBER DOERR: Why is it just the
5 sea turtles?

6 CHAIR RIZZARDI: Well, there's only
7 so much you can bite at one time. You know,
8 how do you eat an elephant? One bite at a
9 time. So, the thought was in the context of
10 the discussion with the CCC was sea turtles.
11 There were a series of presentations on sea
12 turtles. I do think it's fair game to talk
13 about biological things in jeopardy, in
14 jeopardy in general, and if the Protected
15 Resources Committee is going to step forth and
16 say we think we can take on the whole thing,
17 okay. I mean, I think that's a discussion you
18 should have. But I think you're tackling --
19 your ambition is pretty high on that one.

20 All right. So, if I could I'd like
21 to turn it over to Mark to get the legislative
22 update. And thank you so much, John, really

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1 appreciate you coming.

2 (Applause)

3 DR. HOLLIDAY: It's a hot seat.

4 (Laughter)

5 MR. STELLE: We warmed it up for
6 you.

7 DR. HOLLIDAY: Well thanks, Keith.
8 Part of the reform of our agenda that Keith's
9 put together was a series of standing reports.
10 And in the past we used to report on the
11 goings-on on the legislative front between
12 meetings. And as you can see from the
13 material that we've posted on the website
14 where there's a legislative agenda it's 20
15 pages long of bills that have been dropped in
16 the last 6 months having to do -- or even
17 longer with respect to fisheries and other
18 things.

19 So, rather than go through that
20 list, I mean we posted that for your
21 information. If you want, you know, some
22 details about any one of those pieces of

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1 legislation we'll focus on that and perhaps
2 deal with it offline. But to be more
3 productive and use our time effectively we
4 chose one of those bills and one of those
5 topics to talk about and it happened to
6 coincide with a request from a previous
7 meeting for a briefing on the Saltonstall-
8 Kennedy Program.

9 And the Saltonstall-Kennedy Program
10 is a longstanding component of the Fisheries
11 Service and I wanted to give you a brief
12 background -- and I'm going to shorten my
13 remarks to fill the available time here -- to
14 make sure that you understand the context of
15 where the SK program or we refer to that SK
16 for short. What its history, a brief history,
17 where it's been and what's the current
18 interest in it. Why is there a House and a
19 Senate bill about the SK program and what
20 questions we can answer from MAFAC with
21 respect to any finding, recommendation or
22 statement that you'd want to make.

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1 We're not necessarily looking for a
2 MAFAC position on the bill but this was a
3 question that you had raised about what's
4 going on with the SK program, what does it
5 mean and that's where we hope to accomplish
6 this morning.

7 So, again, there's an annotated
8 agenda that describes the purpose of the talk
9 and a little bit of the background. There's
10 copies of both bills and there's some
11 references to the SK program itself.

12 The Saltonstall-Kennedy history
13 started out by trying to raise funds to
14 support development and research associated
15 with the fishing industry in the United States
16 by imposing a fee on imports of fishery
17 products into the United States. So it was
18 based on raising revenues on imports of fish
19 and fishery products.

20 And as an interesting aside, you
21 know, what's considered an imported -- a
22 fishery product includes not just the typical,

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1 you know, pounds of fish flesh, but it
2 includes value-added products such as jewelry
3 that includes a pearl or a mother of pearl or
4 some other shell that might be associated with
5 a 14 karat gold jewelry chain. So, there's a
6 lot of value in the imports of products that
7 go beyond edible fish to both edible and
8 inedible fish products. And it generates
9 quite a bit of revenue. And so on an annual
10 basis we're talking hundreds of millions of
11 dollars and it's a duty on these imports of
12 fishery products. And that is the basis for
13 generating the Saltonstall-Kennedy fund.

14 And so the most important first
15 point to remember is that it's where the money
16 comes from, it's an excise tax on these
17 imports. There's been a lot of concern and a
18 lot of misunderstanding about how those funds
19 then wind up in the NOAA budget process. And
20 there's been in the popular press and now in
21 the blogosphere, you know, that people are
22 misusing it or it's been misdirected or

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1 whatever.

2 But I think it's important to know
3 that as a process these funds come into the
4 Treasury. They are then apportioned out by
5 the bureaus and they come to the Department of
6 Commerce through a formula. We get a share of
7 this. Some of it stays with the Department of
8 Agriculture.

9 The share that we get then is given
10 by Congress in the appropriation language to
11 the Department of Commerce and it's given in
12 the form of an offset. Now, many of you may
13 not be familiar with the nuances of the budget
14 process, but if as a simple example we have a
15 budget of \$500 million and that's what
16 Congress is going to appropriate to us. But
17 they're going to offset that amount by these
18 receipts from this other account. They're not
19 adding to that \$500 million, they're just
20 substituting the source of funding that you
21 would have gotten anyway. So it's not --
22 because it's given in the form of an offset

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1 it's not an increase to your budget. It's
2 saying instead of money coming from the
3 general treasury for \$500 million, \$100
4 million of that is coming from this SK account
5 as an offset.

6 So let's say that's \$100 million
7 coming into the Agency. Then those dollars
8 then get apportioned or allocated to specific
9 programs and activities that get funded, that
10 would have been funded from that original \$500
11 million. Some of that is paid for by this
12 offset amount.

13 Now, so that's the second point
14 that I think is worth remembering. How the
15 funds are received from Congress is at the
16 direction of an offset and along with that
17 offset comes congressional direction about how
18 much of that money should be reserved for the
19 SK program, for the Saltonstall-Kennedy
20 Program itself.

21 So there's \$100 million in my
22 analogy here, my example. There's \$100

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1 million in offset. Congress would say of that
2 amount X number of dollars should be reserved
3 for the Saltonstall-Kennedy Program. So let's
4 say they said of that \$100 million, \$10
5 million would be set aside for the
6 Saltonstall-Kennedy Program. So they're
7 giving congressional direction about how that
8 money is being used. Ninety million dollars
9 of that hundred million dollars is being
10 allocated to other things that would have been
11 paid for by other appropriation accounts. Ten
12 million dollars is being given and set aside
13 specifically to support the Saltonstall-
14 Kennedy Program. Everybody with me still?
15 Okay.

16 So then within the Saltonstall-
17 Kennedy Program you might ask well what is --
18 what defines the Saltonstall-Kennedy Program?
19 So there's two components to that. One is a
20 base program of fishery research and
21 development to support the promotion of U.S.
22 fisheries. And so there are base program

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1 activities over time that have been supported
2 by this particular amount of money. So
3 product quality and safety, facilities and
4 Pascagoula Laboratory, you know, has been a
5 recipient of that SK line for many years. So
6 that's part of that core program of SK
7 activities.

8 But the one that's been most
9 visible to people for, you know, 30-odd years
10 has been a grant program. So that \$10 million
11 in my analogy, the \$10 million for SK program,
12 some of that is spent on the core program and
13 some is spent on a grant program which is
14 money going out the door to grant recipients
15 in the form of competitive grants that are
16 given through an annual competitive process to
17 support and over time a wide variety of
18 research, development, promotion. Some of it
19 had to do with development of gear, some of it
20 had to do with development of new fisheries,
21 development of processing capacities, you name
22 it. Anything that helped to develop and

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1 support the advancement of the fishing
2 industry over time have been recipients of
3 these grant programs.

4 And so that's been the third point
5 of the Saltonstall-Kennedy Grant Program
6 within the Agency as a core program of ongoing
7 program activities that's spent by NMFS and on
8 NMFS activities and NMFS projects that support
9 research and development in the commercial
10 fishing industry primarily. The other
11 component is for grants. So that's the third
12 point of the context in history.

13 So, and this has been the history
14 over time. In 2011 there was not a grant
15 program. The funds that were appropriated
16 through this process were such that there was
17 not a grant competition. And so people began
18 to get concerned, well, what's happening to
19 this money. We're not spending it on research
20 and development promotion so there's something
21 broken here that needs fixing. And people
22 with this concern began to ask questions and

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1 talk to their Congress staff and others to say
2 hey, something is not right here.

3 And so through a long -- making a
4 long story short there was an effort then to
5 say well, if this is indicative of what's
6 happening, we're not -- we're raising \$70 to
7 \$100 million in this account every year. It's
8 not going to the industry, it's not going in
9 the form of grants. Where is this money
10 going? Well, it's not coming for the SK
11 program, it's still an offset at that amount
12 of money but the amount, that small percentage
13 that's being spent on the SK Program is just
14 enough to cover the operating costs of these
15 ongoing fishery research and promotion
16 development projects, and there's no money set
17 aside for the grants.

18 So the most recent year that the
19 grants were issued the quantity of dollars
20 spent was on the order of \$3 to \$5 million.
21 So it's not a \$100 million program which was
22 the expectation or the assumption that people

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1 set up. We get a lot of imports, all of that
2 money should be coming in and going out the
3 door, \$100 million worth of grants.

4 So, both the Senate and the House -
5 - we just lost it off the screen there --
6 perfect timing. But it's on, this is on the
7 MAFAC website. You can bring it up yourself
8 and I don't necessarily plan to read through
9 it anyway. But I wanted to give you the
10 context was there was -- the intent of these
11 bills was to reform the process of how those
12 dollars were then apportioned out to specific
13 activities.

14 And so both bills -- they're
15 virtually identical, the House and Senate
16 versions -- were creating these committees,
17 these investment advisory groups made up of
18 representatives from the commercial and
19 recreational and stakeholder community to form
20 this investment board that would sit and make
21 recommendations about how these funds would be
22 spent.

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1 There were mandated levels of
2 spending in terms of how much would be
3 apportioned. A certain percent would be given
4 equally to each of the eight regional fishery
5 management council areas. So it was very
6 prescriptive in directing that these funds be
7 used in a very specific way for a very
8 specific purpose. You know, 20 percent spent
9 on this council and then another 20 percent
10 spent in proportion to the economic impact of
11 the recreational and commercial fisheries
12 within that regional council area was a second
13 criteria.

14 And so step by step it was an
15 attempt to prescribe exactly how these funds
16 would be allocated and who would do the
17 allocation. And so it was trying to make a
18 more -- its intent is to make it a more
19 participatory process by creating these
20 investment entities to advise how these grants
21 would be issued as well as giving criteria as
22 to what kinds of projects would be funded. So

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1 it goes through a list of topical areas with
2 respect to gear development, monitoring
3 improvements, et cetera, et cetera. So
4 there's a list. As you read through it you'll
5 see these again prescriptive criteria as to
6 what the grant funds would be all about.

7 The administration has not issued
8 any opinion on this. It has not been asked to
9 do a views letter on these, on these two
10 bills. So we have no official position on
11 them at this point in time. But I think the
12 one issue if I go back to those, one of those
13 first couple of points is it may not
14 necessarily solve the problem if the mechanics
15 of how the dollars come from the imposition of
16 this duty on imports gets allocated into the
17 budget.

18 You still need, you know, you can
19 divide up the pie a different way but if the
20 pie is so small because it's in the form of an
21 offset and there's not much reserve for an SK
22 program it's kind of moot worrying about who

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1 makes the decisions and how much goes to each
2 council. If it's only eight dollars and you
3 divide it up equally it's still only a dollar.
4 I think the issue is is the money that's being
5 raised from the collection of these duties a
6 supplement to the appropriated funds which
7 would -- and then you would have some real
8 horsepower I guess is how I would interpret
9 that, that you'd have this additional money
10 that could do good in the form of a larger
11 grant program versus as an offset.

12 So, those are some of the major
13 points that I wanted you to take away from,
14 you know, the details about how and how we do
15 a peer review of the grant programs in the
16 past. There's reams of information on the
17 NMFS website about annual reports to Congress
18 about what the SK programs have conducted
19 research on in the past and how much money.
20 So every year -- those have been getting
21 posted decades.

22 So if you're interested in the

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1 history and the context, you know, I would
2 refer you back to the material that's posted
3 there. But in terms of looking forward the
4 question from a policy standpoint for the
5 MAFAC organization might be, you know, is
6 there something fundamentally broken with the
7 SK program that this legislation or some other
8 legislation needs to fix. Take that step back
9 and understand sort of a relationship between
10 the cause and effect here with respect to the
11 current configuration of the program.

12 And I'll ask Alan if I'm missing
13 any points or things that he'd like to
14 reinforce or correct me on.

15 MR. RISENHOOVER: No. The only
16 thing I'll add is this is derived from a
17 larger fund. Did you mention that? This is
18 derived from a larger fund, over \$200 million,
19 and it's split thirds.

20 DR. HOLLIDAY: Thirty percent.

21 MR. RISENHOOVER: Right. And so
22 there's two-thirds of this that is going

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1 elsewhere that Congress hasn't looked at that
2 portion of. That's the only thing I would
3 add.

4 MEMBER DYSKOW: What is that larger
5 fund?

6 MR. RISENHOOVER: So it's this
7 whole promote and develop fund on imports as
8 Mark mentioned. Agriculture gets a share of
9 that, I think one-third goes to the Treasury
10 and one-third comes to us.

11 DR. HOLLIDAY: So the fund source
12 is all generated from the imports, duties on
13 imports of seafood and seafood products. Of
14 that total amount we only get one-third of
15 that to begin with and that's -- that's how it
16 cascades.

17 MEMBER DYSKOW: I just wondered
18 what --

19 DR. HOLLIDAY: So yes.

20 MEMBER DYSKOW: It's not under --

21 MR. RISENHOOVER: No, that's
22 totally separate.

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1 CHAIR RIZZARDI: Michele, then
2 Terry.

3 MEMBER LONGO EDER: Mr. Chair,
4 thank you. Mark, I'm not sure that I
5 understood the last portion of what you said
6 in regard to what happened to the amount that
7 was actually allocated for SK money for
8 fisheries research. And how much it was
9 approximately, say, in 2010. And where
10 exactly did it go in 2011 and why. Because
11 the -- you've explained the perception out in
12 the community fairly well, but I'm not
13 understanding the specifics yet of what you're
14 saying.

15 DR. HOLLIDAY: So, it's -- again,
16 the analogy is it's been a declining balance
17 of what monies are available through the
18 appropriation language to spend on the SK
19 program. So that's sort of that first step.
20 Of the total amount, how much for the SK
21 program. So that's been declining based on
22 the congressional direction saying fewer and

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1 fewer dollars each year. So, part of it is
2 self -- Congress is self-imposing the
3 allocation of that constraint.

4 So within that money that's for the
5 SK program some of the cost for the SK
6 national program, and I mentioned one of the
7 examples of a base program that's funded by
8 that is part of the product quality and safety
9 component is funded from that on an annual
10 basis. So there's labor associated with these
11 programs.

12 And then the amount of money that's
13 been earmarked for the outside grant program
14 becomes less and less. As those costs for
15 those ongoing activities, they're not going
16 up, they're being maintained. But the
17 allocation that we're getting for the SK
18 program is shrinking. And so the balance left
19 for the grant program becomes smaller and
20 smaller and smaller.

21 Does that? Okay. But the notion
22 is that there's an -- two elements are

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1 spending that SK funding within the Agency.
2 One is internal for the SK program. I mean,
3 of the amounts that have been identified for
4 SK some of them are ongoing programs that have
5 been traditionally supported by that and the
6 other is the grant program. And that
7 component has been shrinking over time. And
8 so we have maintained the internal programs
9 and the grant programs have become a smaller
10 component of that SK usage. I'll talk to you
11 on a break.

12 CHAIR RIZZARDI: Terry and then
13 George.

14 MEMBER ALEXANDER: I don't even
15 know if this is a question for this part of it
16 or if it's for the budget part, but it has to
17 do with the SK money. We have -- to do a
18 project in New England.

19 MEMBER RHEAULT: I'm sorry, can you
20 speak up? We can't hear you.

21 MEMBER ALEXANDER: Oh, sorry. And
22 when we sent the grant out we had a \$200,000

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1 budget to do this project. NOAA comes back --
2 or NMFS comes back, whoever they are, and
3 tells us that we need to be all-inclusive to
4 build this network to do this. So, the budget
5 goes up to \$600,000 to get the same
6 information.

7 So I think it's the perception
8 amongst the industry that we're kind of
9 wasting money doing all this network stuff
10 when we could be doing the same work for one-
11 third of the cost and get the same information
12 that we did.

13 So I don't know if this is the
14 right place to do this or it's the budget
15 part.

16 DR. HOLLIDAY: Thank you, Terry. I
17 think it's not a direct issue with respect to
18 the SK program, it's more grants
19 administration and management. The source of
20 the funding is not SK for the grants that
21 you're talking about, but you're pointing out
22 a flaw in the administration process of NOAA

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1 grants and trying to pool activities for a
2 larger outcome. And I think it's appropriate
3 for the budget subcommittee to deal with that,
4 but it's related tangentially but not directly
5 to the SK discussion from what I know about
6 the project you're speaking of.

7 MEMBER ALEXANDER: Okay.

8 MEMBER NARDI: Mark?

9 DR. HOLLIDAY: Yes, sir.

10 MEMBER NARDI: Just a little
11 clarifying, a little more history I think.
12 The SK program was also instrumental years ago
13 in setting up the various fisheries
14 development foundations. And -- which played
15 key roles a couple of decades ago, and some of
16 them are still active and a number of them
17 went the way of the fisheries. And they were
18 geared to industry work. And I worked for
19 them for a number of years.

20 And we really went out and found
21 out some of the issues that industry was
22 having and went after trying to get money for

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1 industry. And it was doing a lot of good with
2 gear work, with the processing plants, under-
3 utilized species. And at a point in time
4 aquaculture was part of the program. Another
5 point in time it was a bad word. And now it
6 was back in the program again.

7 And then the program evolved
8 somewhat more of an academic program, and a
9 lot of industry backed off. You know, they
10 couldn't compete with a lot of the academic
11 institutions and universities who put in
12 impressive proposals because that's what they
13 do for a living. And it became less impactful
14 on industry, the program.

15 So I'd like to see the aspect of
16 these bills -- we're trying to get back to
17 helping industry. But on the other hand I'm
18 cognizant of trying to be a little more
19 inclusive and many times the budget was so
20 small and the government wanting to spread it
21 out regionally, a lot of the work was almost
22 useless because there just wasn't enough money

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1 to do something meaningful.

2 But I just did a quick search on
3 these two bills and I'm just wary that I don't
4 want to get -- I don't want the program just
5 as a comment from my perspective and maybe the
6 aquaculture perspective, because not one
7 instance does the word "aquaculture" show up
8 in either of these two bills.

9 So, I can see it's again, it's the
10 problem of the day that we focus on, and I
11 don't want it to be setting any precedent
12 going forward. It's okay if the SK program,
13 and it should be responsive to industry
14 issues.

15 A few years ago when the salmon
16 industry on the East Coast had a big problem
17 with ISA which was mentioned earlier it took
18 half the program and said look, we need to
19 find answers quick. Here's some money, let's
20 make a focused effort. Half the program is
21 going to go towards proposals for research on
22 ISA but the other half will be business as

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1 usual.

2 So my concern as I -- just as a
3 comment on SK that I'm wary that, you know,
4 there's -- even though it's from my region and
5 this is from New England, these two bills
6 where there's been a lot of controversy and
7 they want help for the fishermen which I agree
8 for, I don't want something like this possibly
9 to set a precedent that sets other marine
10 industries kind of a back seat.

11 DR. HOLLIDAY: George, thanks. I
12 appreciate you pointing out some more of that
13 historical context. Again, in 1954, I mean
14 that was twenty-something years before the
15 Magnuson Act and our -- the Agency's role as a
16 regulatory body was even a glimmer in
17 somebody's eye. And so the focus then was on
18 the service part of National Marine Fisheries
19 Service, you know, or its predecessor. So it
20 was all about providing support to the
21 industry rather than as a regulatory program.
22 And that, through the development of the

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1 fishery development foundations and others
2 that was all -- you know, trade services,
3 commercial services, gear research, all of
4 this was part of that different context of
5 what the Agency's business was at that point
6 in time.

7 So I think that historical
8 construct is important to keep in mind because
9 it's really changed radically since we've
10 become more of a regulatory agency as with the
11 Magnuson Act. So thanks for that observation.

12 With respect to you know the list
13 of what the rules of how these bills would
14 spend the money, I mean that's clearly driven
15 by the most recent events from those sponsors'
16 districts. And you know, if you look at the
17 listing of cooperative research and getting
18 away from some of the costs and disadvantages
19 associated with groundfish management in New
20 England those are the things that they want to
21 make investments, proposing to make
22 investments in.

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1 So it's not, again that's not an
2 editorial but it's not focusing on aquaculture
3 because that's not what the constituency was
4 driving for and saying this is broken, we need
5 to fix it versus in the long-term do we want a
6 balance of stewardship and regulation and
7 service to the industry and the SK program can
8 fill that gap.

9 CHAIR RIZZARDI: Okay, Pam,
10 Michele, Micah and Liz.

11 MEMBER YOICHEM: If I'm
12 understanding what you're saying it sounds
13 like the part of SK that people think is
14 broken, both Congress and industry, is that
15 it's all staying internal to National Marine
16 Fisheries Service and none of it's going
17 external anymore. And regardless of how much
18 money there is or how the priorities are set
19 for how it's spent that seems to be the
20 underlying concern. And you're saying that
21 these two bills would not address that issue.

22 DR. HOLLIDAY: I think, again, my

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1 reading of what people's complaints are about
2 the -- and the rationale for this is along
3 those lines. We're getting \$70 to \$100
4 million coming in from the SK, from these
5 duties. Most of that money was not -- was
6 never going to the SK program. It was mostly
7 being used as an offset, right?

8 MR. RISENHOOVER: And that's
9 something that the Appropriations Committee
10 determines, not NOAA.

11 DR. HOLLIDAY: So we've -- the
12 shrinking or the directing \$100 million, you
13 know, it's anticipated that you're going to
14 get this windfall of \$100 million coming into
15 the Agency through these bills for these new
16 SK grants and stuff I think is -- I don't know
17 what do we do with the Protected Resources
18 programs or the fishery management programs in
19 these offsets that are funded from that. That
20 money has to come from somewhere. Unless
21 we're going to stop doing those stock
22 assessment because it's an offset as opposed

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1 to the SK program itself.

2 So these are all choices that have
3 been directed in the appropriation language
4 about how that money could be used. They
5 could write a bill that says 100 percent of
6 the monies that are derived from this should
7 be spent on fisheries development and none of
8 it should be spent on an offset. And that's
9 kind of a dilemma because if they're still
10 going to -- you can't pay for these services
11 without some account to charge it to, right?
12 That's the --

13 MEMBER YOICHEM: But if the money is
14 --

15 MR. RISENHOOVER: They would have
16 to --

17 DR. HOLLIDAY: -- additional funds.
18 Appropriated funds.

19 MR. RISENHOOVER: -- revenue to
20 fill in that gap or our programs would go down
21 by \$100 million.

22 MEMBER YOICHEM: But if funding is

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1 shrinking then it seems to me that the idea is
2 that the internal programs should shrink and
3 the external programs should shrink, not that
4 the internal programs stay the same or grow at
5 the cost of some of this more, you know,
6 direct benefit to industry or some of these
7 external programs.

8 DR. HOLLIDAY: Yes. I think
9 there's -- it's a zero sum game.

10 MEMBER YOCHER: Right.

11 DR. HOLLIDAY: Right? And so the
12 right balance of do we want to continue to
13 invest in the long-term analytical chemistry
14 services of product quality and safety as a
15 function, or do we want to spin that down and
16 maintain external grants at a higher level. I
17 mean, that's the classic prioritization choice
18 with respect to budget execution.

19 I think the observation was that
20 the amount for the SK program itself continues
21 to be shrinking, the entire amount set aside
22 for SK. And so I don't think it's accurate to

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1 say that the internal programs have been held
2 harmless. They've been reduced as well
3 because the amount for SK has been shrinking.
4 The grants did not happen in 2011 but the
5 programs, the base programs were also
6 suffering, or not suffering but were receiving
7 cuts and were not being held harmless. So
8 there was a prioritization and both of them
9 were feeling the effects of the reduced
10 amounts.

11 CHAIR RIZZARDI: Okay, I want to
12 point out that we've got Alan to do a bigger
13 picture budget presentation next. We've got
14 four people who want to speak, Michele, Micah,
15 Liz and Tony. If you can, please keep your
16 remarks short and also be cognizant of the
17 fact that this discussion on both this act and
18 Alan's act is going to spill over into the
19 subcommittee discussions tomorrow. So with
20 that said, Michele, I think you were next.

21 MEMBER LONGO EDER: Very quickly.
22 In the interest of full disclosure my husband

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1 did collaborative research with scientists
2 from UC Santa Cruz about gear development
3 probably about 15 years ago with SK money.
4 And I think it was administered possibly
5 through Pacific states if I recall correctly.

6 But you know, I agree with the
7 general sentiment. I mean, I can say that in
8 the fishing community there is a perception
9 that the SK monies have, even 15 years ago
10 were disappearing and going away, and that
11 external fisheries research was not being done
12 or funded. But it was just like oh, that
13 money's too hard to get, don't even try.

14 But the bills that have been
15 introduced, I can't say that I would recommend
16 to the committee that we take any action in
17 favor of it because the language within the
18 bills apportions money to things such as
19 community fishing associations, to permit
20 banks, completely different purposes that I
21 would have envisioned Saltonstall-Kennedy
22 money being allocated for to begin with. So,

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1 although I'm sympathetic, empathetic and would
2 like to see more money going to external
3 industry-based collaborative research with
4 science I can't say that I would suggest to
5 the committee that we support the bill.

6 CHAIR RIZZARDI: Micah?

7 MEMBER MCCARTY: I don't remember.

8 (Laughter)

9 MEMBER MCCARTY: But I think I
10 would join in the sentiment that -- I would
11 ask Steve what our history was with this bill.
12 And I'd like to come back with something a bit
13 more thought out. I'll talk with Steve about
14 it, but to me it seems like aquaculture is out
15 of the loop. And I wonder where treaty tribes
16 are and treaty fisheries are in grant
17 opportunities because we've been playing here
18 a new approach for managing offshore with the
19 State and Tribal Coast Ecosystem Initiative
20 with the state government and the treaty
21 tribes. And we have I think a pretty unique
22 research priority for sea floor mapping,

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1 habitat mapping and stock structure. I think
2 that would be a great opportunity if something
3 like that came in through this bill.

4 CHAIR RIZZARDI: Liz?

5 MEMBER HAMILTON: With all my gray
6 hair all the times we've introduced bills and
7 initiatives to increase funding in certain
8 areas and then watch the appropriators
9 backfill with that money. It's very
10 disappointing and I understand what's happened
11 here.

12 I have just two questions. Is
13 fishing industry defined as commercial or is
14 fishing industry defined as an industry?
15 That's one question.

16 Second question. Since Congress
17 probably won't do anything in the next, I mean
18 anything this year, will NOAA be looking at
19 the concerns that are brought forward, the
20 legitimate parts of this, and look at how to
21 maybe do some restructuring in response to the
22 bill?

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1 DR. HOLLIDAY: So on the -- let me
2 take the second question first. I think
3 there's a tendency to look at a bill like this
4 in isolation. And I think over time if you
5 look at other grant programs that we have in
6 the Bycatch Reduction Engineering Program, in
7 the Cooperative Research Program, these are
8 all newer grant programs that have been
9 developed over time for very specific
10 purposes. So there I think we would bear --
11 in terms of restructuring looking at what
12 these other functions -- what these other
13 programs are fulfilling and where they overlap
14 with the original intent of an SK program so
15 that when you go to reform one you're not
16 promoting any further overlap. Or, you know,
17 you're doing the most effective job you can
18 with the limited resources we have.

19 So there's probably a half dozen
20 different industry-supported grant programs
21 that have -- or at least that have been
22 derived since the SK program. That used to be

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1 the only game in town. Now it's not. So
2 there's, you know, sea grant, aquaculture
3 grants and other, all sorts of other
4 opportunities. So it's not as -- well, that's
5 sufficient.

6 With respect to the definition of
7 industry, I think there's a broad -- I think
8 it's fairly inclusive of any activity. It's
9 not restricted -- in other words it's not
10 exclusive of aquaculture. We're not excluding
11 recreational or other elements of the fishing
12 industry. And I know in the past they have,
13 the commercial for-hire sector, there were
14 grants in SK programs for the -- that have
15 been issued in the past for those non-
16 traditional commercial sectors. So I don't
17 think any of that's changed by the current
18 bill.

19 CHAIR RIZZARDI: Tony and Randy
20 Cates.

21 MEMBER ALEXANDER: Okay, so over
22 the course of talking about these issues in

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1 the subcommittee I would encourage folks to
2 think beyond these two bills.

3 And so building on what Mark just
4 said, one thing that I find frustrating is
5 that marine-related issues generate a lot of
6 revenue. This is both for the imports of
7 seafood but also offshore oil and gas
8 drilling. Yet the revenues from that, this
9 very limited amount that trickles down back to
10 the management of the resource. So I think
11 that's one area where we should also be
12 considering on a -- coming together on
13 recommendations which I think tie into the
14 issue of reorganization and whatnot.

15 And I would urge NOAA to be at the
16 -- somebody from NOAA with the understanding
17 of all the different resources available to
18 the industry to be at the discussion because I
19 think there are a lot of moving parts. It
20 would be really helpful to have someone help
21 organize the discussion and act as a resource
22 in a subcommittee meeting.

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1 CHAIR RIZZARDI: Okay. Randy
2 Cates?

3 MEMBER CATES: I just had a quick
4 comment. When I first got involved in
5 aquaculture I think one of my first NOAA
6 meetings, the statistics was touted about 54,
7 55 percent were imports and now I think it's
8 up to 84 or 85 percent seafood's imported. So
9 this fund has got to be going up and a major
10 portion of that is aquaculture products coming
11 in. Aquaculture is generating a lot of money
12 to this fund. So, it's ironic it's not even
13 mentioned as a source that the funds should go
14 for. Aquaculture is I believe, what, 56
15 percent of seafood imports? There's got to be
16 some balance there.

17 CHAIR RIZZARDI: All right. Randy
18 Fisher, do you -- I mean, you had some very
19 pointed comments on the budget earlier. And
20 to what extent do your comments fit with this
21 bill?

22 MR. FISHER: I wouldn't be

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1 surprised if this didn't happen. Because I
2 think what it is, being up on the Hill and
3 walking around and talking to the Senate and
4 stuff, I think it's kind of a backlash to the
5 administration's funding of catch shares and
6 ocean policy because they don't like it.

7 And what they're going to do is
8 they're going to say SK is going to be spent
9 for this sort of stuff and NOAA, you've got to
10 go figure out how you're going to find that
11 other \$100 million or whatever the number is.
12 And by the way, we don't like catch share
13 funding. And by the way, we don't like ocean
14 planning.

15 And so, I think they're going
16 through the back door sort of to kind of get
17 back at the administration but to make sure
18 that the basic stuff that we're doing gets
19 funded like monitoring and the fisheries and
20 those sorts of things.

21 CHAIR RIZZARDI: I think that is a
22 good comment that lays the foundation for

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1 transitioning to the next subject which is
2 looking at the bigger picture of the NOAA
3 budget and where they're spending their money.
4 To the extent this bill is trying to respond
5 to that, you know, that may be a
6 consideration. Alan has agreed to give a
7 budget presentation for us and thanks, Alan.
8 I want to turn it over to you if that's okay.

9 MR. RISENHOOVER: Okay. Thank you.
10 And just as an opening remark I'm not the
11 budget guy. All right?

12 (Laughter)

13 CHAIR RIZZARDI: Just for today you
14 have.

15 MR. RISENHOOVER: There was a time
16 Randy could be mad at me, but not now. We'll
17 figure this out with Randy.

18 So, since we do have limited time
19 does the clicker thing work? If I turn it on.
20 I'm going to run through this very quick just
21 to highlight some slides as we go through.
22 You have this complete presentation. We can

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1 talk about it in the subcommittee if you want
2 more detail. But just a few things of note as
3 we go through. I'm going to stop on just a
4 couple slides.

5 So here is where we're at today.
6 Here's where we were at, you know, 6 or 8
7 years ago. So you can see during this period
8 we had a very strong increase in our budget.
9 And you can see the request is the yellow, the
10 appropriation the green. We've traditionally
11 been appropriated more money than we've
12 requested. That changed in 2011 and '12, and
13 you can see it's still uncertain where we'll
14 be in '13. So that's the trend.

15 We were in a nice upward trend here
16 and then we've now, the last 2 to -- well, it
17 will be 3 years that budget is sloping off.
18 So you've heard everybody say, you know, level
19 funding is the new increase. Well, I'm not
20 sure we're going to be level funded with last
21 year anyway. So we've got to think of
22 everything we talk about in budget in the

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1 framework of it's going to be reduced.

2 And so I understand the committee
3 is going to be looking at what are some of the
4 priorities we as an Agency should be looking
5 at. Mark mentioned earlier today that we had
6 an internal meeting last week where we started
7 looking at what are our core programs. If the
8 trend is going to be level at best, downward
9 more likely, how do we invest in those things
10 that are the most important to carrying out
11 our missions?

12 And then we can talk about some of
13 the points Randy talked about. Is that an
14 investment to internal programs, external
15 programs, or a mix? What's the right mix of
16 those? And so that's what we'll be looking
17 for a little bit from the committee if MAFAC
18 wants to go there.

19 `13 requests. We put the House and
20 the Senate marks on this table. So you can
21 see Fisheries, Research is OAR, Weather
22 Service, Satellite. So here's the Fisheries.

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1 Our request was down 1.6 percent from the
2 previous year. House mark, Senate mark. You
3 can see how others are faring in the overall
4 process as well within NOAA. So if you look
5 at NOAA in the House and the Senate and what
6 the change is associated with that. So that's
7 a good background table you may want to refer
8 to.

9 This one, you've got some
10 additional information on the MAFAC agenda.
11 Our budget folks have put together a high-
12 level picture for you. And then they put
13 together some trend data over the last 3 or 4
14 years, which way different parts of the budget
15 are trending, up, down or level. Basically
16 they're pretty level.

17 I would want to caution folks that
18 some of these breaks are a little artificial.
19 If you look at that material on the website
20 there's other activities supporting Fisheries
21 and it's about 6 or 8 percent of our budget.
22 Fifty million of that is for Pacific coastal

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1 salmon.

2 So, I think instead of, you know,
3 maybe focusing so much on the budget let's
4 focus on what should the Agency's priorities
5 be, how should we invest in those priorities,
6 what should the relative amounts be and what
7 is inside of those. The internal/external
8 breaks, you know, new research. You heard
9 John talk about IEAs, new scientific endeavors
10 or more data collection and information-
11 gathering.

12 Again, our budget is very complex
13 and I can point out some issues on that, but
14 this gives you the relative sizes here. The
15 big one is the fisheries research and
16 management, and MSA implementation. It's a
17 little over half our budget there. The
18 science portion of our Agency is a little over
19 one-third of our budget.

20 So, in '13 we had some proposed
21 increases. You'll see what these are. It's
22 an investment in science as increases,

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1 expanding stock assessments, fisheries
2 oceanography. There's IEAs that John
3 mentioned and observers, more information. So
4 that's where the investments were in the
5 budget.

6 Here's where the decreases were.
7 You've heard the West Coast proposal is a
8 proposal to combine the Northwest and
9 Southwest regions. We've also proposed
10 ramping back on habitat in some of our
11 Chesapeake Bay activities. Regional councils
12 and fisheries commissions. This cut affects
13 primarily the Atlantic commission and their
14 work under the Atlantic Coastal Cooperative
15 Act. The councils are about \$3.2 million of
16 that cut.

17 Prescott grants are grants that go
18 out to the Marine Mammal Stranding Network.
19 And then the Pacific Coastal Salmon Recovery
20 Fund, the proposal there was to reduce it from
21 \$65 to \$50 million. So that's what the
22 President proposed, both increases and

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1 decreases.

2 The presentation has a slide on
3 each of those increases and decreases. If
4 you're interested in looking at -- you can see
5 where the budget was, a little bit of trend
6 data, where it's going. I'm not going to
7 dwell on these. We can talk about them
8 specifically if you want to. Those are the
9 increases. Here are the reductions. We
10 envision that how we would save \$5 million.
11 Sandy Hook closure. Doesn't save money but
12 again would in the future when the lab lease
13 is up.

14 So I'm just going to click through
15 these now. You've got them on the website,
16 you can take a look at them. But we have a
17 slide for each of the major increases and
18 decreases, and Randy mentioned some of those
19 external ones.

20 So here's a summary of where we are
21 now. Both the House and the Senate have done
22 initial markups. We're hearing rumors that

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1 those may move forward in the next couple
2 weeks after the Memorial Day recess. And
3 we'll have a clearer picture then if they go
4 ahead and do those additional full committee
5 or even some floor action on what our budget's
6 going to look like.

7 I've got some, you know, there's
8 that original table but on here you can see
9 what the House mark is. It's 4 percent below
10 our request, about 4 percent below our spend
11 plan for last year. I'll talk a minute about
12 the amendment on catch shares in the four
13 regions there. Senate mark is 3 percent
14 above, 3 and a half percent basically both
15 above our request and our last year budget.

16 There's a provision in there
17 talking about transferring the Northeast
18 Regional Office from its current location in
19 Gloucester to Maryland, Silver Spring. And it
20 rejects specifically the closure of our Sandy
21 Hook lab. Not that there's bars closing at
22 Sandy Hook, reading that. That would be

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1 worse.

2 (Laughter)

3 MR. RISENHOOVER: But it rejects
4 the closure of the Sandy Hook lab.

5 So if you look at our budget lines,
6 and these are some of those ones that are in
7 that other attachment I mentioned, you can see
8 what happened to each of them, protected
9 species in the House mark and the Senate mark.
10 So from that you can see some trends where
11 Congress or the Appropriations Committee is
12 investing in the Agency.

13 Here's the Southerland amendment on
14 catch shares. We covered the South Atlantic,
15 Mid Atlantic, New England, Gulf of Mexico. I
16 think most of you have seen that.

17 And then I want to talk just a
18 minute on `14. In talking with Keith a little
19 bit, you know, part of what the budget folks
20 or the budget committee needs to decide is,
21 you know, what is the timing you're looking
22 at. Are you going to want to provide comment

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1 both on what we do with our FY `13 budget,
2 perhaps even our `12 budget, or the FY `14
3 budget as well.

4 So the Agency right now is
5 currently planning for `14. As you know, the
6 President's budget for the next fiscal year
7 comes out in February. So we've got a long
8 process leading up to that and we want to make
9 sure MAFAC is engaging where it can have an
10 effect. And so `14 is definitely in the early
11 stages of being put together now. So from my
12 perspective input from MAFAC on `14 would be
13 very timely. Yes, it would be timely on `13
14 and `12, but looking forward on if we're
15 thinking again of level or declining budgets,
16 where does MAFAC see our investments needing
17 to be made.

18 So if you go back thinking to that
19 first chart I showed, our budget has decreased
20 a little over \$100 million or about 12 percent
21 from `10 to `13. We're all hearing the
22 deficit reduction, improving efficiency,

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1 improving government or what we're hearing
2 folks talk about on the Hill and elsewhere.
3 How do we build on that? Again, what are
4 those core mandates we need to support?

5 Efficiencies through partnerships,
6 technologies, cost recovery. We've had cost
7 recovery provisions in the past. A little bit
8 of what we were talking about with
9 Saltonstall-Kennedy, that's a type of cost
10 recovery that funds part of the Agency's
11 budget. And then we need to talk about, you
12 know, as to bills what does that funding go
13 for.

14 Are there other cost recovery,
15 cost-sharing activities out there that MAFAC
16 would identify as a way to reduce costs?
17 Randy mentioned switching from observers to
18 cameras or other types of electronic
19 monitoring. That may have an efficiency or a
20 cost reduction. We need to look for those
21 innovative things to continue to get our job
22 done, continue to support the valuable things

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1 this Agency addresses under these declining
2 budget scenarios.

3 So, just as a final thing our
4 current budget is at the NOAA level. It's not
5 that it's passed immediately from NMFS, it's
6 not sequential. The budget is developed at
7 the NOAA level so that's where we are in the
8 process right now. And since you wanted me to
9 be short, I was.

10 CHAIR RIZZARDI: You did great.

11 MR. RISENHOOVER: A short
12 presentation. We won't make height jokes.

13 CHAIR RIZZARDI: Thank you, Alan.

14 MR. RISENHOOVER: You've got
15 questions?

16 CHAIR RIZZARDI: About 10 minutes
17 left before lunch. Martin has already poked
18 me with a question and Tony will be next. So,
19 Martin?

20 VICE CHAIR FISHER: Alan, thank you
21 for the presentation. I don't know if this
22 begs a question but I'm a little confused why

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1 you'd want to move the Northeast Regional
2 Office to the southernmost border of the
3 northeast region. It doesn't really make a
4 lot of sense to me.

5 MR. RISENHOOVER: That's a proposal
6 included in the Senate appropriations bill.

7 VICE CHAIR FISHER: Okay. So it's
8 not a NOAA initiative?

9 MR. RISENHOOVER: It is not a NOAA
10 initiative.

11 VICE CHAIR FISHER: And does it
12 save money? It sounds like it would cost
13 money.

14 MR. RISENHOOVER: We're still
15 looking at what that would be. Getting out of
16 the lease up there. The Senate report seems
17 to indicate or believes that our lease is up
18 in 2013. The Sandy Hook lease is up in 2013.
19 The Gloucester's office lease is not. We
20 would have to then pay off that lease. There
21 would also be the cost of moving folks as well
22 as the loss of salaries and employees in that

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1 community.

2 VICE CHAIR FISHER: That's all very
3 important and pertinent, but what's even more
4 important to me is the loss of direct contact
5 for the constituents with the regional office.

6 MR. RISENHOOVER: And we have
7 included that in some of our impact statements
8 to the Hill.

9 VICE CHAIR FISHER: Thank you.

10 CHAIR RIZZARDI: Tony.

11 MEMBER CHATWIN: Thank you. How
12 does sequestration factor into if it happens?

13 MR. RISENHOOVER: So, that'll
14 factor into the '13 budget or perhaps the --
15 is it '14? It would be '13. It would hit
16 '13. And that's an automatic trigger.

17 We've been looking internally at
18 what the potential effect of that would be,
19 how much our budget would be reduced. And
20 it's up to 20 percent. So, because of some of
21 the other funding things in NOAA, in
22 particular continuing to fund the satellite

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1 program, that would constrain other parts of
2 NOAA to shrink.

3 We think it would be an up to about
4 20 percent reduction in our budget. So we're
5 looking internally if we needed to cut 20
6 percent of our budget, roughly, I don't know,
7 \$160 million or so. What would be the core
8 mission we would want to save.

9 MEMBER CHATWIN: Something for us
10 to consider in the subcommittee.

11 CHAIR RIZZARDI: Big issues but not
12 a lot of comments. Everybody's hungry.

13 MR. RISENHOOVER: And again, that
14 other table is on the website that has some
15 gory budget details for those of you that like
16 that.

17 MR. DUENAS: I just want to let you
18 guys know that there is a South Pacific Tuna
19 Treaty that's funded under the Secretary -- or
20 not, I forget. The other --

21 CHAIR RIZZARDI: State?

22 MR. DUENAS: State Department.

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1 There's \$18 million a year where U.S. is
2 supposed to access the South Pacific areas.
3 Eighteen million dollars a year for the last
4 30 years.

5 You guys are looking for a little
6 pot of money just to keep your fisheries
7 alive. These folks don't help the U.S.
8 canners. They catch fish, they deliver it to
9 foreign canneries. So where is the priority
10 there? So I just wanted to share that with
11 you folks.

12 You need help in your communities,
13 your coastal communities, there's money
14 available for large-scale fisheries that
15 beating Idaho and Nebraska canned tuna when
16 they come from foreign ports. So I just
17 wanted to share that information with you.

18 CHAIR RIZZARDI: Anybody else with
19 comments before lunch?

20 VICE CHAIR FISHER: Can I comment?
21 Is this really true?

22 MR. DUENAS: Yes.

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1 VICE CHAIR FISHER: Our government
2 is spending \$18 million a year to let foreign
3 --

4 MR. DUENAS: No, no, U.S.-flagged
5 vessels, 40 of them, to access the South
6 Pacific area to catch tuna.

7 VICE CHAIR FISHER: But not for our
8 own canneries.

9 MR. DUENAS: American Samoa is
10 getting only a small percentage of that.

11 VICE CHAIR FISHER: And why hasn't
12 this been brought to --

13 MR. DUENAS: Well that's why I'm
14 sharing this information with you folks. When
15 you want to talk about SK and all the
16 priorities that's always been a priority for
17 the State Department I think.

18 And if you look at National Marine
19 Fisheries Service, Alan knows me well on this
20 issue. In our region, Protected Species
21 Division is over 25 employees. Sustainable
22 Fisheries is about eight. So you look at

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1 within the Agency alone there's a lot of
2 effort for reduction.

3 MR. RISENHOOVER: Right. So Manny
4 makes the point here, this pie chart, you
5 know, that's nationally. It varies regionally
6 a lot.

7 MR. DUENAS: And the other point I
8 want to bring up is that you're talking about
9 NOAA preparing the budget for the Fisheries
10 Service and then you have NOS side. NOS is
11 spending a lot of money, I think 70 percent of
12 their budget, on promotion for defending their
13 sanctuary. I don't understand the logic. If
14 you're going to cut anywhere, you know.

15 That brings me back to that old
16 Dave, Mr. President type. You ever watch that
17 movie? Where he walks into the Cabinet
18 meeting and he says, "You're going to spend
19 \$600 million on telling people how to feel
20 good about something?"

21 Well, the same thing with NOS. I
22 think that Agency has an important role, but

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1 if you're talking about sustainable fisheries
2 and fisheries management and dealing with ESA
3 issues and MMPA issues I think the money is
4 better spent on this side of the house rather
5 than half a billion dollars on that side of
6 the house.

7 CHAIR RIZZARDI: All right, so
8 we've got a lot of stuff to think about in the
9 upcoming budget discussion. Manny is
10 provocative as always. So, Alan, thank you
11 for the presentation and for cutting to the
12 chase on that one. And I think there's going
13 to be an opportunity to explore that even
14 further in the budget discussion.

15 Randy, one last thought before we
16 break for lunch?

17 MEMBER CATES: Yes, I have a
18 question. How does the Agency use fines that
19 are imposed? Let's say a ship goes aground
20 and a reef is damaged and it receives money.
21 How are they able to use those funds for that
22 project so to speak?

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1 MR. RISENHOOVER: That goes through
2 -- it's a two-part process. There's the
3 damage assessment part and then they would
4 levy some sort of fine against the vessel.
5 Those funds then would come to basically us
6 for restoration activities to alleviate that
7 damage based on what the settlement was.

8 MEMBER CATES: So you internally
9 can use that pretty much how you want to?

10 MR. RISENHOOVER: It has to go back
11 into repairing the damage. So let's say it
12 runs aground, destroys part of a reef. That
13 money should be going back for the restoration
14 of that reef.

15 MEMBER CATES: Well, I've never
16 seen that happen. It seems to go in a
17 different area for basic species or something
18 else. But I was always wondering how that --
19 does it ever get noted in the budgets, that
20 those fines come in somehow?

21 MR. RISENHOOVER: It would be
22 tracked internally in our budget, but I don't

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1 think that's an account subject to
2 appropriations. So if you look at our budget,
3 there's several accounts. There's what they
4 call ORF, the Operations Research and
5 Facilities account. The promote and develop
6 the SK one is subject to appropriations.
7 There's a number of accounts that are subject
8 to appropriations. I don't believe that's
9 one.

10 MEMBER CATES: Okay.

11 CHAIR RIZZARDI: All right. So it
12 is 12:25. We'll take a break until 1:30. And
13 Heidi, did you have a procedural announcement?

14 MS. LOVETT: So, I have keys to
15 this room. And for at least the first half
16 hour we'll lock the doors. You can leave your
17 equipment here and then either Jim or I will
18 be back and the door will be open again. But
19 this gives us a chance to take a break too.

20 And I was just quickly going to say
21 for this evening the bus is -- we're all
22 contributing to the bus that's going to take

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1 us to Paul's house. And \$20 a person will
2 help cover that.

3 Tomorrow evening we're going to be
4 on the same bus but that's being covered by
5 the Agency. So you can pass the money to me
6 because it's on my own credit card right now
7 for that bus tonight. I appreciate that.

8 And then Mark, also, for those that
9 participated in the ball game, Mark, it's \$12
10 to Mark for those who had tickets to go to the
11 game. And I know some people didn't go, but
12 anyway, you all know the story. So sorry it
13 gets confusing, but see me if there's any
14 questions.

15 CHAIR RIZZARDI: So \$20 to Heidi
16 for tonight's bus and \$12 to Mark for anybody
17 who went to the ball game. All right. See
18 you all in an hour. Thank you.

19 (Whereupon, the foregoing matter
20 went off the record at 12:27 p.m. and resumed
21 at 1:38 p.m.)

22 CHAIR RIZZARDI: Okay. If I could

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1 get everybody's attention please and we'll get
2 the afternoon session started. We've got four
3 items to cover. I'm anticipating each of them
4 taking about 45 minutes to an hour, so
5 hopefully we'll have 15 minutes of Q&A at the
6 end of each of the items.

7 The intent of these items is to lay
8 foundation for action by the subcommittees
9 down the road. Some of it may be at this
10 meeting if you guys decide and some of it
11 could be pushed out to the next meeting where
12 you'll get together in your subcommittees and
13 say, you know, we really want to follow up on
14 that item. Let's bring in some speakers on
15 these specific aspects of what we just learned
16 about and figure out how we want to tackle the
17 subject.

18 But we've got four items today.
19 We've got an aquaculture discussion since many
20 of us had the opportunity to get out on the
21 Taylor Shellfish field trip yesterday. And
22 thanks to Bill Dewey for organizing that.

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1 We've got national Standard 1 which
2 is going through a process right now where
3 NOAA's looking for our feedback. There's a
4 certification of sustainability discussion
5 that Mark Holliday will be leading. And
6 lastly is Working Waterfronts which if you
7 looked in the materials there's a major
8 triennial conference that's coming up in March
9 of 2013.

10 So, the idea on that item was to
11 put it on the agenda now to get us thinking
12 about it with the expectation that maybe next
13 meeting we'd be able to get something resolved
14 in that March 2013 conference. So it's a good
15 example of the kind of long-range thinking
16 that I think MAFAC needs to engage in.

17 So for this next item we've got
18 Bill Dewey who's the public affairs rep from
19 Taylor Shellfish and Michael Rubino who's the
20 director of NOAA Fisheries Office of
21 Aquaculture. And thank you to both of them
22 for being here today. Heidi, is the

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1 PowerPoint presentation? Thank you,
2 gentlemen.

3 DR. RUBINO: Okay, good afternoon.
4 Thanks for having us on the agenda. I think
5 this is in your read-ahead materials on the
6 website. I'm just going to go through it very
7 quickly.

8 For those of you who are new to
9 MAFAC in talking with Keith about this today
10 in preparation for today, he suggested that we
11 focus on just one sector and a couple of
12 things that we're doing in aquaculture rather
13 than all of the aquaculture topics.

14 So, I just will focus in on
15 shellfish and regulatory efficiency. If you'd
16 like to know more about all the other things
17 that we do please call me or call my staff.
18 We'd be happy to answer questions, send you
19 materials so that you can get up to date on
20 what we're doing.

21 So we're a full service shop or
22 program. We cover a wide range of aquaculture

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1 from the commercial side of food production to
2 the use of aquaculture as a tool for
3 restoration and enhancements. Aquaculture as
4 a tool for fisheries management.

5 So we've got staff people at
6 headquarters, at regional offices and at
7 science centers around the country working on
8 all these things you see here: regulations and
9 policies, science, sort of the technology
10 transfer part of aquaculture, outreach and
11 education, and international coordination.

12 There are a couple of my colleagues
13 here. Laura Hoberecht who is the northwest
14 regional coordinator for aquaculture based out
15 of Seattle. In effect she has my job for the
16 northwest region. And actually one of my
17 predecessors is here today too, Linda Chaves
18 who headed aquaculture a number of years ago.
19 And Kate Naughten who's now director of
20 communications worked for the aquaculture
21 office for some time as well and helped shape
22 sort of our whole outreach vision for

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1 aquaculture.

2 So, lots of different species, lots
3 of technologies some of which you saw
4 yesterday for shellfish. Why don't we have
5 more of it here in the United States? At
6 least in terms of marine aquaculture. You
7 know, we've got private coastlines, a lot of
8 people live on coastlines. High value for
9 recreational tourism. Food comes from a
10 supermarket.

11 But so we're importing 86 percent
12 by value, about 10 percent comes from our wild
13 catch, 5 percent from aquaculture, domestic
14 aquaculture. Of that about one-third is
15 marine. Catfish is down but we're still at
16 about \$1 billion a year of sales. The uptick
17 is taken in oysters, clams and mussels, the
18 revival of salmon farming in Maine and some
19 minor species.

20 As you know it has great potential.
21 The question is where do we go from here in
22 the United States in terms of integrating this

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1 with wild capture production, with our working
2 waterfronts and coastal communities. And then
3 sort of linking from the farm to seafood
4 production, that whole value chain.

5 When President Obama was elected
6 and Dr. Lubchenco came in, she has a great
7 interest in aquaculture. She sort of said
8 time out, what are we doing in aquaculture.
9 Please go ask people around the country what
10 kind of a program we should be having in NOAA.

11 So we did that. A number of you in
12 the room contributed very valuable advice.
13 NOAA put together a new policy. There's a new
14 Department of Commerce policy as well.

15 These are the kinds of things that
16 everyone around the country said we should be
17 working on in terms of more U.S.-based
18 production but still doing it in a way that
19 maintains healthy oceans, create jobs, support
20 working waterfronts, use aquaculture for
21 restoration and enhancement purposes.

22 Policies are nice. As some of you

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1 have heard me say, we've got 30 years worth of
2 policy in aquaculture. When our northeast
3 regional coordinator for aquaculture was hired
4 a few years ago some of the veterans of the
5 Agency brought a stack of documents,
6 aquaculture policies, from 30 years. They all
7 pretty much say the same thing. They all
8 pretty much say this.

9 So given that we have limited time
10 and attention, limited staff, limited
11 resources, limited capabilities to work with
12 you as partners, what are we going to do for
13 the next few years? And we heard loud and
14 clear from the shellfish community that
15 commercial shellfish is the largest part of
16 marine aquaculture in the United States, that
17 shellfish is a growing tool used in
18 restoration aquaculture restoring oyster
19 reefs, restoring endangered abalone, things
20 like that. So there was a real -- a real
21 demand for NOAA to be more involved in getting
22 oysters, clams and mussels back into the water

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1 for commercial and restoration purposes.

2 So Bill Dewey is going to talk more
3 about this Shellfish Initiative in a couple of
4 minutes. But there are a number of things,
5 you know. For the past several months we've
6 talked with people around the country, both in
7 commercial shellfish and restoration shellfish
8 about what to do, what to focus on. Some
9 regional initiatives are emerging.

10 But another thing we're doing at
11 both the local and regional level which from
12 federal agencies means the Corps of Engineers
13 at the district level for NOAA and the Fish
14 and Wildlife Service at the regional level.
15 And then at the national level in terms of our
16 headquarters offices trying to work through
17 this regulatory issues. Can't we be more
18 efficient as agencies in terms of looking at
19 and processing permits while at the same time
20 maintaining our important safeguard missions?
21 All those regulations are in there for a good
22 reason, but everyone's telling us there's got

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1 to be a way to do it more efficiently. So
2 this is one of the key things that we're
3 working on.

4 And at the headquarters level we've
5 recently established another working group or
6 a task force with NOAA Fisheries, Corps of
7 Engineers, Fish and Wildlife Service, EPA and
8 USDA along with representatives from the White
9 House's Office of Science and Technology
10 Policy and the National Ocean Council to look
11 at what can we do here both in terms of
12 shellfish and finfish.

13 And we're starting with shellfish
14 in part because there's a new Corps of
15 Engineers, what's called a Nationwide 48
16 permit process for shellfish farming. And
17 some of the Corps districts around the country
18 are looking at this as a way to streamline or
19 to make their permitting process more
20 efficient. So we're trying to line that up
21 with NOAA's requirements, Fish and Wildlife
22 Service requirements, state requirements and

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1 then in some cases you've got local
2 jurisdictional issues as well to resolve.

3 So, quick overview. Maybe what we
4 should do is have Bill go through the national
5 shellfish a little bit and then open it up for
6 questions. Does that make sense, Keith?

7 CHAIR RIZZARDI: Sure.

8 MR. DEWEY: Thanks, Michael. So
9 thanks for having me on the agenda. Thanks
10 also to those of you who came in a day early
11 to come out and learn a little bit about
12 shellfish farming yesterday. I hope it was
13 worth people's efforts and that you've dried
14 out after a wet day for all of us.

15 So, just to reflect a little bit,
16 I've just -- many of you are aware I've just
17 completed 6 years on MAFAC and rotated off in
18 December here. And I just want to use what
19 I'm going to say about the Shellfish
20 Initiative to give you a bit of a pep rally,
21 to encourage you that if you want to in your
22 roles here on MAFAC you can make a difference.

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1 You can use this position hopefully to advance
2 your issues in fisheries.

3 It can be an effective tool for
4 you. Or you can just come and, you know, and
5 sit in the meetings and enjoy the travel and
6 the food and the camaraderie. But you know, I
7 encourage you to actually make something of it
8 and try to do something with your tenure on
9 MAFAC. And not to say I did, but I think with
10 the Shellfish Initiative I feel pretty good
11 about where that's come. So let me talk about
12 that a little bit.

13 And also remind you, Michael didn't
14 mention this, but as far as aquaculture goes
15 MAFAC has a pretty good history and track
16 record on that. When I got into MAFAC there
17 was already some pretty broad support around
18 the table which I was really encouraged by.

19 We had representatives both from
20 the conservation community and the wild
21 fisheries and the rec fisheries all favorably
22 in support of aquaculture and recognizing that

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1 it had a place, it had a value in U.S. fishery
2 production. That was great and we continued
3 to mature that during my 6 years.

4 One of the things we did was
5 challenge NOAA to do a 10-year plan for marine
6 aquaculture. So that's -- amongst your files
7 is this plan that I encourage you under
8 implementation of the aquaculture policies to
9 get NOAA to dust off and update further
10 policies and spend some time revisiting it as
11 a committee to make sure that NOAA's
12 implementing it. Because they did it at your
13 request so don't let it just collect dust.
14 Update it and work it and make sure that the
15 Agency is following it and using it to
16 implement their policies.

17 So, the next place we were actively
18 involved was with the aquaculture policies.
19 As Michael explained, Dr. Lubchenco opted to
20 update those policies, that was a couple year
21 process seeking public input. And MAFAC
22 weighed in. We developed comment letters to

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1 both Commerce and to NOAA on their draft
2 aquaculture policies.

3 Amongst those recommendations that
4 were in that letter was this updating the 10-
5 year plan and using it as a tool to implement
6 the policies. But also, you know, I was able
7 to get support from all of you to include a
8 recommendation to urge NOAA to implement this
9 in part, implement the policy in part by
10 launching a National Shellfish Initiative.

11 And the way we were able to really
12 make hay with that here in Washington State
13 was we were able to engage Governor Gregoire
14 on it. And had met with her a couple of years
15 ago expressing our frustration as an industry.
16 You know, she's out there doing wonderful
17 work, tremendous work for cleaning up the
18 Puget Sound. A huge amount of resources going
19 into improving water quality and trying to
20 restore the Sound.

21 But alerting her to the fact that
22 when it's all said and done and if she's

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1 successful and has it cleaned up by 2020 like
2 is the plan we may not be here farming
3 shellfish in it because we can't get permits
4 for farms and we're being regulated out of
5 business.

6 So we took this opportunity with
7 the Shellfish Initiative to challenge her and
8 ask her if she would support it which she did.
9 She sent in a great comment letter in support
10 of both the aquaculture policies and the
11 National Shellfish Initiative.

12 When NOAA announced that they were
13 going to do the National Shellfish Initiative
14 we got back with the Governor and said hey,
15 guess what, you know, that NOAA's doing
16 exactly what you asked them to do and they're
17 launching a National Shellfish Initiative.
18 What do you say we get together with Dr.
19 Lubchenco and plan an event to announce what
20 we're going to do here in Washington to
21 implement it. And we were able to get
22 Governor Gregoire excited about doing that.

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1 So she engaged her natural resource
2 cabinet. We went through a series of meetings
3 over the course of 3 months and every single
4 meeting it was all a very positive discussion.
5 Very unique for me. I've been doing public
6 affairs in Washington State for 30 years and
7 this was the first time I'd been to meetings
8 where the state agencies were actually talking
9 about what they were going to be doing for me
10 instead of to me. It was a really nice
11 change.

12 And the table got bigger every time
13 we met. New stakeholders came to the table,
14 new agencies came to the table, state parks,
15 ecology, and health, fish and wildlife,
16 federal partners and just continued to grow
17 and grow and grow. We had to kind of wean the
18 ideas, so many good ideas. I think the white
19 paper was shared.

20 I think a final list of things that
21 are included in the Shellfish Initiative got
22 forwarded on to you ahead of the meeting as a

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1 read-ahead. But it's really a nice
2 compilation of a lot of exciting things that
3 will both advance shellfish aquaculture and
4 restoration here in Washington State.

5 More significantly what it's done
6 for us is it's shifted the paradigm from
7 always seemingly a discussion about how
8 they're going to regulate us and how they're
9 going to control us to more how they can help
10 us. You know, so it surprises us the
11 different meetings we're in where the
12 Washington Shellfish Initiative comes up and
13 there's a reason that they need to move
14 forward and do something. People use it as a
15 reference in meetings that we would never,
16 ever have dreamed of. So it's shifting things
17 in a positive way, in ways that we never
18 anticipated that it would. So, I guess it's
19 just a plea to take control and try to create
20 your own fate to some extent. And you get
21 that ball rolling and maybe have some success
22 with it. I'm optimistic we're going to be

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1 able to do that with the Washington
2 Initiative.

3 A lot of it as well, there was a
4 pretty major effort around it to get some good
5 press around the activity at all of the
6 different events in the initiative. And so
7 when we were able to get Dr. Lubchenco and the
8 governor we had the star power that we needed.
9 We also were very fortunate to get Billy
10 Frank, the chairman of the Northwest Indian
11 Fisheries Commission and the tribes' support
12 for the Shellfish Initiative which was great.

13 And then we also had the brigadier
14 general from the Army Corps for the northwest
15 region who was at the event. And did a lot of
16 work with the public information officers from
17 the federal agencies and the state agencies.
18 The shellfish industry contracted with a
19 public affairs firm here in Seattle that also
20 helped on the communications strategy which in
21 the end as you'll see resulted in some really
22 nice press coverage on the event, and a lot of

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1 good positive stories about jobs and shellfish
2 restoration and a lot of really, really good
3 messages to help perpetuate the initiative.

4 So Michael already talked about the
5 national initiative. The Washington
6 initiative, these are just some of the bullets
7 from what's included in it. There's kind of
8 three different buckets so to speak within the
9 initiative.

10 The first one is one that is of
11 most interest to the industry and it's
12 creating this public-private partnership for
13 shellfish aquaculture and developing a model
14 permit program. So we've been stymied for 5
15 years here in Washington State. We haven't
16 been able to get any new farms permitted.
17 We're just locked up in a quagmire. It's a
18 permit nightmare. And so part of the
19 initiative is a commitment to undo that
20 quagmire -- and try to get us a predictable
21 path forward.

22 We don't even care if the answer is

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1 no on a permit, just give us a path forward to
2 where we know we can get an answer and in a
3 time period that we can -- that's predictable
4 for us instead of entering into this never
5 never land of never getting to an answer
6 whether it's yes or no, so.

7 And they're going to identify some
8 model permits and run them through that
9 program, some pilot projects to run through
10 that program to make sure that they actually
11 have fixed the problem. It's an effort to
12 prioritize shellfish aquaculture research.

13 Also a piece that we're keen on and
14 I know Bob will be, Bob Rheault will be
15 interested in is an assessment by USGS on the
16 ecosystem services that shellfish provide.
17 This is something that has been hard for us to
18 get into the resource management agency's
19 thinking.

20 So, shellfish provide a lot of
21 valuable habitat in the structure as we grow
22 our props and our culture gear. They're

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1 filter feeders so they improve the water
2 clarity. They can help mitigate excess
3 nitrogen in the coastal estuaries. There's a
4 lot of valuable services that the shellfish
5 provide that often don't get recognized when
6 you're trying to make permit decisions and
7 resource management decisions.

8 And so USGS is going to do a review
9 of that information and in particular related
10 to the nitrogen and nitrogen trading, and make
11 some recommendations for the state as to
12 whether they should move forward on the
13 nitrogen trading program because we've got
14 several areas in the Puget Sound and the Hood
15 Canal that are plagued by excess nitrogen.
16 The shellfish actually may be able to be a
17 tool for helping to mitigate those problems,
18 so.

19 The other thing that I forgot to
20 mention that we mentioned all the time when we
21 were talking this up with NOAA leadership when
22 we were trying to promote the Shellfish

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1 Initiative and with the Governor is this
2 initiative if we do it right is going to
3 create a lot of new jobs and that's a pretty
4 popular message obviously right now. So it'll
5 help us get some mileage.

6 In the second bucket we've got
7 activities that will advance public access and
8 knowledge about shellfish working on native
9 oyster and abalone restoration. Then there's
10 -- the third bucket is a water quality bucket
11 that includes a lot of money that's come into
12 Puget Sound and frankly was coming already
13 through the EPA for the Puget Sound
14 Partnership which is our state agency to clean
15 up the Puget Sound. But it's \$4 and a half
16 million of many, many more millions of
17 dollars. So there's really targeted
18 activities that would restore polluted
19 shellfish beds. So they carved that out and
20 culled it out as part of the Shellfish
21 Initiative. So it isn't actually new money in
22 addition, but they felt it was appropriate to

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1 package it in the Shellfish Initiative, give
2 the Shellfish Initiative significance but also
3 cull out this water quality work, so.

4 And then the last thing, there's a
5 third meeting of this new body and Micah
6 McCarty is on it actually along with me. It
7 is the Ocean Acidification Blue Ribbon Panel.

8 So we've had a real challenge with
9 our oyster seed production. We've talked
10 about that here at MAFAC before. Pacific
11 oyster seed production here in the Northwest,
12 we've really been struggling with the
13 corrosive seawater that's upwelling off the
14 coast and its impact on our oyster larvae.

15 A lot of attention to that problem
16 and so we've been real fortunate to have this
17 blue ribbon panel formed as an outcome of the
18 Shellfish Initiative as well. In fact, I was
19 just talking to the NPR reporter before coming
20 in here doing an interview that'll be
21 broadcast ahead of this meeting tomorrow. So
22 it's been pretty exciting. Actually, I've

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1 been astounded by the attention this blue
2 ribbon panel has gotten. The last, the second
3 meeting they did as a webinar and there's
4 probably, what, maybe 30 of us on the blue
5 ribbon panel. And it's some movers and
6 shakers. You know, they take the
7 recommendations and actually do something with
8 them.

9 And we've been fortunate to get Jay
10 Manning who is the Governor's former chief of
11 staff and former director of our State
12 Department of Ecology as co-chair along with
13 Bill Ruckelshaus who was the first director of
14 the EPA under Nixon who lives here in the
15 Northwest, a very prominent figure here on
16 environmental issues. The two of them are co-
17 chairing which has helped draw attention to
18 the panel.

19 The second meeting was done by
20 webinar and the 30 panelists were on the call
21 but there was 100 people on the call total
22 listening in interested in what this panel is

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1 doing. So, it's getting a lot of attention.
2 And it's the first of its kind around the
3 country and that's another reason I think it's
4 getting a lot of attention. Washington is
5 actually stepping out and taking the lead on
6 this ocean acidification issue.

7 So this is just some of the
8 different efforts with the press. You know,
9 one of the things we did was reach out with
10 some op-eds. This is my boss Bill Taylor who
11 some of you met yesterday. An op-ed we got
12 placed from Bill. And we did the same from
13 the restoration community, placed a similar
14 op-ed that got a fair amount of coverage in a
15 number of papers.

16 But then all of the press releases
17 and press efforts and outreach really paid
18 off. We had headlines like this and this one
19 in papers throughout the state and actually
20 around the country. That was one of the
21 things Dr. Lubchenco was hoping for is to get
22 a little national splash for this and we were

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1 able to use the relationship here with an AP
2 reporter and get an AP story out on the wire.

3 We worked ahead with her to let her
4 scoop the story. She had to embargo it until
5 the press release hit the day of the event,
6 but at 10 a.m. when the press release went out
7 on the wire her story was posted. So she was
8 able to scoop the other media on it, but that
9 got us the national story that we were looking
10 for. So there's a lot of strategy going into
11 the press around this.

12 So I think that was pretty much
13 what I wanted to try to cover. We really have
14 suffice it to say I think a lot of momentum
15 and excitement around the Washington Shellfish
16 Initiative. Dr. Lubchenco and NOAA were
17 pleasantly -- were pleased by the outcome of
18 the kickoff event we did here in December
19 where she and the Governor and Billy Frank
20 took the stage. She's interested in seeing
21 this replicated around the country and we're
22 working to try to do that.

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1 Bob's working with his community on
2 the East Coast. It's looking like Virginia is
3 kind of the state they're trying to push
4 forward and launch a Virginia Shellfish
5 Initiative. The Gulf is collectively looking
6 at something, all of the Gulf states together
7 doing a shellfish initiative.

8 And then we're having meetings in
9 Oregon and California trying to get shellfish
10 initiatives going in both of those states as
11 well. Similarly, talking about doing both
12 aquaculture and restoration and trying to
13 build on the successes that we had here in
14 Washington, try to replicate that elsewhere
15 around the country.

16 We're trying to work with Michael.
17 We've also had a couple of conversations with
18 Dr. Lubchenco about this. We're getting some
19 momentum in these states from the bottom up
20 with stakeholders that are interested in doing
21 it. But they're needing some help from the
22 top down so we're trying to get some outreach

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1 from NOAA leadership and maybe Commerce and
2 maybe Ag out to the coastal governors alerting
3 them to the opportunity and trying to
4 encourage them to emulate what happened in
5 Washington.

6 Let's open it up for questions I
7 guess.

8 MEMBER NARDI: Bill, if you could
9 speak a little bit about the public-private
10 partnership aspect of the program and how an
11 individual company sort of participates in the
12 program.

13 MR. DEWEY: So, on the permitting
14 side of it the industry at this point is being
15 kept at arm's length because the government is
16 trying to work internally and fix the
17 problems. We're protesting a little bit
18 there, you know, saying you need to invite us
19 in. We're the only ones who actually get to
20 experience all of you individually and can
21 tell you the true nightmare. We really need
22 to -- you can't talk between yourselves and

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1 experience what we do. So, we're still trying
2 to break into the federal and the state
3 process. There we go. We're going to get an
4 invitation finally, 6 months later to the
5 state effort. So that's a piece of it. You
6 know, we need to be part of that regulatory
7 review.

8 But we also, on the restoration
9 side of it there's a lot of public-private
10 partnership there where you know, like for
11 example in Washington State we have a native
12 oyster -- Department of Fish and Wildlife has
13 a native oyster rebuilding plan and no money
14 to implement it. So we have a non-profit
15 group that's out there actively soliciting
16 grants and private contributions to do this
17 restoration.

18 The industry uses our hatcheries to
19 produce the seed and our barges and our shell
20 and equipment to help partner in those
21 projects to make them come together. So those
22 are just some examples.

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1 DR. RUBINO: We're now partnering
2 with -- we being NOAA Fisheries are partnering
3 with the industry and the restoration
4 community in the Puget Sound region in setting
5 up the beginnings of a native oyster and
6 abalone restoration hatchery in Manchester,
7 across the Sound.

8 MEMBER NARDI: So together it's a
9 little more credibility with the third party
10 group here going toward, asking permission for
11 enhancement and things like that. If you're
12 working together it's a stronger partnership.

13 MR. DEWEY: I think that's true and
14 I think that speaks a lot to why we've been
15 successful as we have with the initiative.
16 We're going forward together as a partnership
17 to try to make all these pieces work.

18 MEMBER CATES: Bill, it sounds like
19 having the Administrator support was a real
20 strength in getting the Governor's support as
21 well.

22 MR. DEWEY: So it was both, and I'm

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1 not sure which came first. I think probably
2 the Governor's support made a significant
3 difference in getting Dr. Lubchenco's
4 attention and getting her here and interested
5 in participating in an event. They had a bit
6 of a rough start when Dr. Lubchenco moved the
7 NOAA fleet from Seattle to Newport. That
8 harmed the relationships here locally so I
9 think it was good to see them both get
10 together on the stage and mend some fences and
11 find something that they could work
12 collaboratively on. So this presented that
13 opportunity.

14 MEMBER CATES: So my question for
15 Mike would be is it possible to get the NOAA
16 Administrator support for finfish, state
17 offshore aquaculture? Stand up -- talk to the
18 Governor and say can we do this with finfish.

19 MR. DEWEY: I was going to suggest,
20 Randy -- stepping in on Michael here, but you
21 know, there's an opportunity for MAFAC to push
22 on that. If you're, like I suggested, dusting

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1 off the 10-year plan, encouraging NOAA to
2 implement policies through the 10-year plan,
3 pushing forward a finfish initiative may be
4 something that MAFAC wants to take on and, you
5 know, try to build that kind of support and
6 interest.

7 Michael can speak to this as well.
8 Part of the implementation of the policy is
9 moving forward, developing regulations for
10 implementation of the Gulf aquaculture
11 amendment. Looking for tools to advance
12 offshore aquaculture, finfish as well as
13 shellfish, all types.

14 MEMBER CATES: In fact, you know,
15 there was a time when the Secretary of
16 Commerce, former Secretary of Commerce stated
17 that offshore aquaculture was the highest
18 priority for the Department of Commerce. And
19 the industry doesn't feel lie that's
20 necessarily even on the radar screen anymore.
21 If we can get that rolling again I think it'll
22 be -- it's needed.

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1 DR. RUBINO: I'll answer your
2 question in a couple of ways. You know,
3 finfish can be grown -- it's currently grown
4 in the marine environment mostly in near-shore
5 bed pads. It can also be grown on land in
6 tanks, still very expensive to do that but
7 there are a number of companies. George Nardi
8 can tell you about his company that's working
9 on that. Or you can go further offshore with
10 a variety of technologies. So you've got that
11 state versus federal waters issue.

12 So you've got a way to permit in
13 state waters but not federal waters. There's
14 been a long history of figuring out how to set
15 up a regulatory framework for federal waters.

16 With the announcement of the new
17 policies Dr. Lubchenco did make very strong
18 statements about the need for all types of
19 aquaculture including finfish. And to figure
20 out how we can do that within our country in a
21 way that is done within our Healthy Oceans
22 context. So I think there's strong support in

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1 theory. In practice it comes down to, like
2 the Shellfish Initiative, some of these nuts
3 and bolts questions of what's the federal role
4 from a regulatory perspective and what's the
5 federal role from sort of a science knowledge
6 and technology transfer perspective.

7 So we are working with USDA on
8 things like alternative feeds, on innovative
9 technologies. Some of those have been
10 transferred to the private sector.

11 We will be working with federal
12 agencies later this year, not just on
13 shellfish but on finfish efficiency,
14 permitting efficiencies as well. Taking
15 federal waters as sort of our case study
16 because the same issues happen in coastal
17 waters.

18 The Gulf of Mexico Fishery
19 Management Plan now that we have the policy is
20 in the process of being implemented. It will
21 take us some time to go back to the policy
22 developed by the council and actually have a

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1 more detailed guidance for how we would
2 implement that. So that's being developed by
3 staff right now.

4 MEMBER CATES: Can I ask a follow-
5 up question to that? It's been, what, 3 years
6 now since that process has started?

7 DR. RUBINO: For the Gulf plan.

8 MEMBER CATES: For the Gulf plan.

9 DR. RUBINO: From when the council
10 approved it, yes.

11 MEMBER CATES: In your opinion
12 what's a reasonable time that the industry or
13 council should wait for that? I mean, for the
14 private sector 3 years is -- your business
15 idea is you move onto another business cycle.
16 So my question for whether it's -- West Pac
17 has the same issue. We have areas in Saipan
18 and other begging for aquaculture. And the
19 prospect of how long NOAA is going to take to
20 implement this, it's killing them.

21 DR. RUBINO: I think all of us can
22 sympathize with the length of time it takes to

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1 develop policies. But in fairness to the
2 fishery management council process it's not
3 just NOAA. It's a council process. Many
4 fishery management plans take many years to
5 develop and lots of factors that come into
6 play in doing this. So it's not an easy
7 process.

8 CHAIR RIZZARDI: How do you think
9 that MAFAC could be a supportive change agent
10 in the dialogue? What would you like to see
11 MAFAC take up over the next year?

12 DR. RUBINO: From the perspective
13 of an aquaculture program within NOAA?

14 CHAIR RIZZARDI: Yes, aquaculture
15 and the regulatory hurdles that we're facing
16 and maybe, you know, shellfish on a national
17 scale. How would either of you envision that
18 MAFAC could weigh in on this dialogue and be a
19 productive and constructive force?

20 MR. DEWEY: Part of my response
21 I've already said is, you know, revisit the
22 10-year plan. But you know, I think part of

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1 your job could be holding their feet to the
2 fire to implement what they have in the
3 policy.

4 MEMBER NARDI: I think from being
5 on the finfish side, Bill can remember I
6 wanted to make sure that finfish was going to
7 follow along shellfish. But I think as a body
8 we have to see a success. And we all agreed
9 pretty much in the subcommittee that shellfish
10 is going to be least controversial and
11 something we can move forward with and
12 demonstrate a successful program. And then we
13 can build on that. We can kind of use that to
14 build the snowball. So I think we've got to
15 let this program flourish and succeed while we
16 line up things that can follow it onto the
17 finfish side. Maybe then they'll be looked at
18 in a better light following a success and also
19 learning from the experience that Bill's gone
20 through with the Shellfish Initiative.

21 MR. DEWEY: So another piece of the
22 puzzle that I'd like to call out is Michael,

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1 as he's gotten more resources and built his
2 program, one of his focuses has been getting
3 the regional aquaculture coordinators hired
4 and situated. And I -- this is something I've
5 been urging Michael to do for a number of
6 years and glad to see him follow through and
7 do it.

8 I was saddened that the Northwest
9 was one of the last to get one, but since
10 Laura's been put on it has been awesome. She
11 is an amazing resource. I think from what I'm
12 hearing elsewhere in the country these people
13 are excellent resources in a number of the
14 regions.

15 But you know, it's been very
16 refreshing for me as a company as we're in
17 front of hearings examiners trying to get
18 permits for new farms to have Laura come and
19 testify in those hearings from a national
20 perspective say growing aquaculture is an
21 important part of our domestic seafood
22 production. This is in line with our national

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1 policies. This permit would be good to issue.
2 Just having that support from a national --
3 the national organization has really been
4 helpful in my opinion, you know, in that local
5 debate.

6 She's also been great, you know.
7 Our -- in Washington State the rubber hits the
8 road with our local governments. We have our
9 State Shoreline Management Act. Each county
10 has a shoreline master program that implements
11 the state act. That tells you how you're
12 going to develop your shorelines.

13 Well, all of those master programs
14 have an aquaculture section that tells how
15 they're going to regulate aquaculture in their
16 county. All of those master programs are in
17 the process of being updated right now.

18 Laura is out there, as are we,
19 interacting on all of them trying to make sure
20 that whatever regulations come forward are
21 reasonable. With her NOAA hat on she's trying
22 to make sure that science is coming into that

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1 policy debate and that the national policy is
2 coming into that debate. That's all very
3 helpful to us.

4 So I just wanted to underscore that
5 we have these local aquaculture coordinators
6 in each of the regions around the country and
7 they can be a valuable resource. So you don't
8 necessarily have to rely on Dr. Lubchenco's
9 voice or Michael's voice at a lot of these
10 meetings. You can accomplish a lot with those
11 local voices.

12 DR. RUBINO: So from my perspective
13 over the past 5 or 6 years MAFAC has been a
14 wonderful sounding board for ideas, for
15 pushing the Agency in new directions, for
16 looking at those synergies between
17 aquaculture, fishing and protected resources.

18 As Bill said, it was MAFAC who
19 requested a 10-year plan. A number of other
20 MAFAC recommendations also came into play.
21 Adding a budget line to NOAA Fisheries budget
22 that says aquaculture.

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1 One thing that hasn't happened is
2 aquaculture is still far and away the smallest
3 program within NOAA Fisheries and within NOAA.
4 And if you take NOAA plus USDA together USDA
5 aquaculture is larger but it's still tiny in
6 comparison to some of the commodity products.

7 So, from the ability of what we can
8 do to work with you with a handful of staff at
9 headquarters, the regional coordinators, small
10 programs at a couple of our science centers,
11 capabilities of doing things are very limited
12 at the moment. So we need to be careful about
13 how we pick and choose. And also your ideas
14 about, okay, do we want to grow more of our
15 seafood here at home? Do we want to use
16 aquaculture for restoration? How are we going
17 to do that? Where does the political support
18 come from to do that? How do we build that
19 support? So your ideas on that going forward
20 I think would be very important.

21 Yes, finfish farming may be more
22 controversial, but think about that. We have

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1 40 years of experience in this country with
2 salmon farming under some of the most rigorous
3 environmental requirements in the world.
4 We've learned a lot about what to do and not
5 to do.

6 I think we're seeing the
7 environmental community realizing with reports
8 that have come out over the past couple of
9 years that if you want to feed the world
10 protein aquaculture is one of the most
11 efficient ways of doing it. Fish are cold-
12 blooded, they don't have to stand on their own
13 two feet, they're extremely efficient at
14 converting feed to final product, much more so
15 than most terrestrial animals. Yes, there are
16 issues. There are issues with any kind of
17 food production. But you know, we've learned
18 a lot about how to address those questions.

19 We also have this issue in the U.S.
20 of, you know, we have some very healthy wild
21 fisheries. And as the Agency likes to say
22 we've turned a corner of overfishing. Some of

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1 you've heard me say this before. We have a
2 spectrum of technologies to do with seafood
3 from pure farming to pure wild capture.
4 There's a lot of stuff in between. The
5 aquaculture program by choice within NOAA
6 fisheries doesn't deal with all the salmon
7 hatcheries which is a huge form of aquaculture
8 in this country. So there are many lessons
9 learned from that as well that we can apply
10 here.

11 MR. DEWEY: Pushing for more
12 outreach and education both intramural and
13 extramural for NOAA I think is helpful as
14 well. The more tours and more outreach you
15 can do the better we -- you know, Laura
16 shortly after she came on staff organized the
17 tour for the Regional Administrator Will
18 Stelle of the salmon farms out here on
19 Bainbridge Island and on the shellfish farms.
20 And I worked with her on that.

21 I'd encouraged Will to do that on
22 the shellfish and she pulled the salmon into

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1 it. Frankly Will Stelle, you know, I don't
2 think would have been a supporter, an active
3 supporter by any means and probably a naysayer
4 on salmon farming before that tour. And I
5 think that opened his eyes considerably and
6 changed his views a lot on finfish farming.
7 So I think those are good tools to use and
8 should be encouraged more.

9 CHAIR RIZZARDI: Randy, one last
10 comment? You want to close this one out?

11 MEMBER CATES: One subject that
12 hasn't been discussed that I think is
13 important I think for MAFAC. That is the
14 research priorities that NOAA has for
15 aquaculture were developed and it was
16 highlighted about three or four meetings ago.
17 I remember Mark was in this discussion.

18 They were developed out of a GAO
19 report that was addressing environmental
20 concerns. And so a lot of the NOAA budget has
21 really been addressing environmental concerns
22 and not necessarily how to produce a product,

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1 how to produce increased production. And
2 that's where there's a lot of frustration in
3 that we're not -- what is the goal here? If
4 the goal is to increase production, create
5 American jobs, restore waterfronts, then we
6 need a different direction. I think MAFAC
7 needs to take a look at that. Because
8 currently and what we've been doing is really
9 focusing in on addressing the environmental
10 concern. And there needs to be more balance.
11 Otherwise we're going to be, at least for
12 finfish we're going to be where we are 10
13 years from now. And so if we're going to
14 change that I think MAFAC can play an active
15 role.

16 DR. HOLLIDAY: So, Randy what I
17 hear you saying is something that I heard in
18 the generic statement from Tony Chatwin this
19 morning which was about what's our performance
20 measure. What's our measure of success. So
21 what are we looking for as an outcome from the
22 recommendation? Is it really to increase

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1 productivity? Is it focused on building an
2 industry or constraining an industry?

3 And so if we as a group come out
4 with a more declarative statement about what
5 it is that we're going to measure success by,
6 whatever recommendations we come up with, I
7 think that's really part of the key to
8 unlocking change from the status quo.

9 MEMBER CATES: That came up with --

10 DR. HOLLIDAY: Monica.

11 MEMBER CATES: Monica. She made a
12 commitment that we would take a re-look at
13 those priorities. Because it was clear, it
14 was in black and white on what direction they
15 were going towards. So somehow we've got to
16 bring that back up and revisit it.

17 DR. HOLLIDAY: Well again, I think
18 that goes back to the Commerce Committee.
19 That's a charge for them to help refocus what
20 that outcome is and have these performance
21 measures about progress along the way to
22 recast that if that's what you want to bring

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1 in front of you.

2 CHAIR RIZZARDI: So tomorrow 3:30
3 to 5:30 is the Commerce Subcommittee. And
4 Bill, I don't know if you can be here, and
5 Michael, I hope you are going to be here to
6 help steer that discussion and help us figure
7 out what to -- what can come out of the
8 Commerce Committee, what can we put on for the
9 next meeting agenda to follow up and try to
10 come out with an output here and some specific
11 recommendations for how MAFAC can move this
12 along. The 10-year plan being one of them.

13 MR. DEWEY: I'm going to be tied up
14 in a Blue Ribbon Panel meeting tomorrow so I'm
15 not able to come and join you guys. Thanks
16 for the invitation.

17 CHAIR RIZZARDI: We heard you loud
18 and clear on some of them. All right. So
19 we're going to move onto the next item. Thank
20 you, gentlemen.

21 (Applause)

22 MR. DEWEY: So I'm going to get a

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1 stack of DVDs to Heidi about farming the
2 Tidelands. So if some of you didn't make the
3 tour yesterday will have the benefit of that.
4 Also it says what we saw yesterday a little
5 more eloquently.

6 CHAIR RIZZARDI: All right, so Deb
7 Lambert who is here to engage us on the
8 National Standard 1 discussion. Heidi, Johnny
9 on the spot with the presentations. Deb,
10 thank you and thank you for the advance
11 materials and for the opportunity for MAFAC to
12 speak up on this one. I appreciate you being
13 here today.

14 MS. LAMBERT: Great, thank you.
15 Thanks for letting me talk about National
16 Standard 1 and our recent publication of our
17 Advanced Notice of Proposed Rulemaking as we
18 consider revising the guidelines.

19 So, I'm Deb Lambert. I'm a fishery
20 policy analyst with NOAA Fisheries in Silver
21 Spring, Maryland. The Magnuson Act has 10
22 national standards and National Standard 1 is

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1 listed here. It states that conservation and
2 management measures shall prevent overfishing
3 while achieving on a continuing basis the
4 optimum yield from each fishery for the U.S.
5 fishing industry. And this basically sets the
6 goal in fisheries management of achieving
7 optimum yield, and as well sets the boundary
8 on catch levels such that overfishing does not
9 occur in federal fisheries, or should not.

10 Congress and fishery managers have
11 a long history of addressing overfishing
12 dating back to 1976 when the Magnuson Act was
13 first created. At that time one of the
14 primary concerns was that federal fishing
15 vessels were overfishing domestic stocks and
16 so that's what -- that act created the 200-
17 mile federal jurisdiction over our fisheries.
18 It also established the first 7 of the 10
19 national standards. And the concepts of
20 maximum single yield and optimal yield and
21 preventing overfishing were all in the 1976
22 Act.

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1 Fast forward a few years. In 1989
2 the Fisheries Service revised the national
3 stand-alone guidelines and at that time one of
4 the provisions in that revision required the
5 councils to establish measurable definitions
6 of overfishing within the stocks in their
7 fisheries so that managers would know when a
8 stock was experiencing overfishing so that
9 they could then take action to address
10 overfishing.

11 Then moving forward a few more
12 years, in 1996 Congress passed the Sustainable
13 Fisheries Act. And that again established
14 several new requirements related to
15 overfishing and required an annual report to
16 Congress on the status of U.S. fisheries. And
17 we recently came out with a report a few
18 months ago, or a few weeks ago on the 2011
19 year. Within that report we list all the
20 stocks and whether or not they're subject to
21 overfishing or overfished.

22 It also established rebuilding

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1 requirements for those stocks that are subject
2 to -- those stocks that are overfished so they
3 can be rebuilt to sustainable levels. And it
4 established in a statute the requirement for
5 measurable criteria for determining overfished
6 status.

7 And then subsequent to this act the
8 Fisheries Service revised the National
9 Standard 1 Guidelines in 1998 to include these
10 new requirements and related to the first one
11 we refer to those as status determination
12 criteria. And those are required for both to
13 be able to determine whether a stock is
14 overfished or whether it's subject to
15 overfishing.

16 So, despite all this effort to
17 address overfishing it was still an issue and
18 there were still stocks subject to
19 overfishing. And when Magnuson was
20 reauthorized in 2007 as you all know new
21 requirements were added for annual catch
22 limits and accountability measures in all

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1 federal fisheries with the goal of ending the
2 threat of overfishing.

3 So, NMFS in response to that, the
4 Magnuson reauthorization, we revised the
5 National Standard 1 Guidelines to provide
6 guidance on annual catch limits and
7 accountability measures. And we last revised
8 them in January of 2009.

9 And as you know we recently,
10 earlier this month we published an Advanced
11 Notice of Proposed Rulemaking. We're
12 welcoming comments on potential revisions to
13 the guidelines. And before I go into that I
14 want to first talk a little bit about the
15 major aspects of the current guidelines so you
16 have some background. I know a lot of you are
17 probably familiar with this, but this will
18 hopefully be helpful to some of the newer
19 members.

20 So, very briefly, this is basically
21 the crux of National Standard 1 Guidelines
22 where we describe the relationship between

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1 these various reference points, with the
2 overfishing limit being at the top. So, I
3 want to step back.

4 When Magnuson was reauthorized it
5 created two new terms, "annual catch limit"
6 and the "acceptable biological catch." So we
7 defined those terms in the guidelines as well
8 as we defined the terms for overfishing limit
9 and annual catch target. We thought it would
10 be helpful to describe the overall framework.

11 So the overfishing limit is at the
12 top here and that is essentially the maximum
13 amount of catch that can be caught in a year
14 without resulting in overfishing. The
15 acceptable biological catch is below that and
16 that is a requirement that the council's
17 Scientific and Statistical Committees
18 recommend an acceptable biological catch level
19 to their respective council.

20 And in our guidelines we describe
21 that the distance between the overfishing
22 limit and the ABC takes into account the

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1 scientific uncertainty in the overfishing
2 limit. And that acceptable biological catch
3 cannot exceed the overfishing limit.

4 The next relevant reference point
5 is the annual catch limit and that's set by
6 the council. And the importance of that
7 reference point is that that serves as the
8 trigger for accountability measures. So,
9 accountability measures are just management
10 measures that are designed to prevent catches
11 from either exceeding the annual catch limit
12 or addressing overages if they were to occur.

13 And then the next reference point
14 is annual catch target. And that is not
15 required, it's an optional tool and it could
16 be seen as a type of accountability measure to
17 address management uncertainty in the fishery
18 so that catch limits are not exceeded.

19 And this just summarizes those --
20 the relationship between those four reference
21 points and describes that the scientific --
22 the SSC which is the Scientific and

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1 Statistical Committees would recommend an
2 overfishing limit and an acceptable biological
3 catch taking into account the scientific
4 uncertainty and then the council has a role of
5 setting the annual catch limit, and if they
6 choose, setting an annual catch target to
7 account for management uncertainty.

8 So I went over that pretty quickly
9 but that's a basic summary of one of the major
10 parts of the National Standard 1 Guidelines.
11 And since 2007 NMFS and the councils have been
12 very active in implementing ACLs for all
13 fishery management plans. And this has been a
14 major transformative process for federal
15 fisheries and it's leading us on the path to
16 ending and preventing overfishing.

17 So some people have asked why are
18 you considering revising the guidelines at
19 this time. And there's a few reasons for
20 that.

21 One, since we've gone through this
22 major process of implementing ACLs, a major a

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1 change in fisheries, it's appropriate to look
2 back to see whether we're meeting our
3 objectives and whether our -- there's room in
4 the guideline for improvement.

5 In addition, there's been lots of
6 concern and various perceptions out there
7 about catch limits. There's, for example,
8 some concern that we don't as an Agency have
9 enough -- the appropriate data to set catch
10 limits in federal fisheries.

11 So there's been so much interest in
12 ACLs that several bills have been proposed on
13 the Hill to revise the ACL and rebuilding
14 provisions with the Magnuson Act. As well, in
15 2011 there were three congressional hearings
16 that in some part addressed the ACL and AM
17 provisions as well as the rebuilding
18 provisions.

19 So in recognition of the great
20 interest in annual catch limits we published
21 this ANPR, the Advanced Notice of Proposed
22 Rulemaking, to allow us to engage the public

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1 on the various aspects of National Standard 1.

2 So we published the ANPR on May
3 3rd. We have a 90-day public comment period
4 that ends August 1st. And again, it provides
5 us the opportunity to engage the public on
6 issues related to the guidelines.

7 This will be -- if NMFS does decide
8 to revise the guidelines it will be a long-
9 term process. We likely wouldn't propose a
10 proposed rule until early in 2013 and then
11 there will be another comment period on that.

12 And this is unlike the last time we
13 revised the guidelines where we were
14 responding to a major change in the Magnuson
15 Act that led to a significant change in the
16 National Standard 1 Guidelines. This time
17 around we're more focused on are there areas
18 in the guidelines that need improvement.

19 And we don't necessarily anticipate
20 that we'll be making major changes that will
21 require revisions to a significant number of
22 fishery management plans. It's more about

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1 looking for ways to improve the guidelines to
2 provide additional guidance.

3 In addition, we're also -- based on
4 -- excuse me, after reviewing the comments we
5 received, we will receive. I'm assuming we'll
6 get lots of comments. Upon review of those
7 comments we'll be considering whether changes
8 to the guidelines are appropriate or whether
9 other tools such as technical guidance or
10 policy directives may be appropriate to
11 address some issues related to National
12 Standard 1.

13 So, our ANPR listed 11 issues.
14 They're listed here. I'm not going to talk
15 about all of them. After -- you should have
16 them in the ANPR itself in your materials.
17 And after getting some input from Dave Wallace
18 I decided to focus the presentation on six of
19 these, the ones that are in red, although you
20 probably can't tell which one's what.

21 So, one of the issues we described
22 in our ANPR is about stocks in the fishery.

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1 And the Magnuson Act requires that councils
2 develop fishery management plans for those
3 fisheries that require conservation and
4 management. And the councils have a great
5 deal of latitude in the scope of their fishery
6 management plans. Some plans include a small
7 number of species, just the target stocks,
8 where other plans include hundreds of species.

9 And so when we revised the
10 guidelines in 2009 in order to address the
11 great variation in fishery management plans we
12 -- and also to encourage ecosystem
13 considerations, the guidelines established
14 this distinction between stocks in the fishery
15 and ecosystem component species. And we
16 described ecosystem component species as not
17 being part of the fishery and therefore did
18 not need annual catch limits. But our
19 guidelines describe that as a default all
20 stocks in FMP would be considered part of the
21 fishery unless the council chose to
22 distinguish them as an ecosystem component

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1 species.

2 And the primary purpose of that
3 classification was the thought that some FMPs
4 contain stocks that may not need -- that may
5 have little impact from the fishery but the
6 council wanted to include for greater
7 ecosystem considerations. And there was some
8 concern that councils may remove stocks from
9 the fishery management plans in order to avoid
10 setting annual catch limits.

11 So here's a little illustration to
12 explain the classification. The light blue
13 circle here represents the fishery which would
14 include the target stocks, the non-target
15 stocks that are -- or sorry, the target stocks
16 which are those that people are seeking to
17 harvest. The non-targets would be -- that are
18 not retained -- or sorry, that are retained
19 for sale or personal use. And then the non-
20 targets where there's some concern that
21 there's -- about overfishing, overfished
22 status.

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1 And then the ecosystem component
2 species are in the outer ring here and the
3 guidelines described four criteria for those
4 species. They had to be a non-target stock,
5 not subject to overfishing or overfished, not
6 be likely to be subject to overfishing or
7 overfished, and generally not retained.

8 But again, I want to stress that
9 this -- it's important that this ecosystem
10 component classification not be seen as a way
11 out of setting annual catch limits for those
12 stocks that do require conservation and
13 management.

14 As of March of this year six
15 fishery management plans have used this
16 ecosystem component classification. Those are
17 listed here. And there's been a considerable
18 amount of discussion over the criteria for
19 ecosystem component species. And because of
20 that it may be appropriate to consider further
21 guidance related to classifying which stocks
22 are in need of conservation and management,

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1 and if so which stocks would be in the fishery
2 as opposed to an ecosystem component species.

3 Our Advanced Notice -- switching
4 gears a little bit, the Advanced Notice of
5 Proposed Rulemaking also talked about issues
6 related to annual catch limits, optimum yield
7 and mixed stock fisheries. The Magnuson Act
8 provides us this definition of optimum yield
9 and it's a three-part definition. So it's the
10 yield that provides the greatest overall
11 benefit to the nation. It's based on maximum
12 sustainable yield as reduced by any relevant
13 economic, social and ecological factors. And
14 in the case of an overfished fishery it
15 provides for rebuilding.

16 So this concept of OY really
17 represents an important part of fisheries
18 management, but it also is often
19 misunderstood. There's perceptions about, for
20 example, the less abundant stocks within a
21 mixed stock fishery. There's a perception
22 that those less abundant stocks are preventing

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1 the fishery from achieving OY.

2 National Standard 1 itself talks
3 about preventing overfishing and achieving OY
4 on a continuing basis. And the definition of
5 OY says it provides for rebuilding. So
6 together this means that OY should provide for
7 stocks to rebuild to the biomass of maximum
8 sustainable yield which would mean in a
9 rebuilding situation OY may be lower than it
10 would otherwise be if a stock was fully
11 rebuilt.

12 OY should prevent overfishing for
13 all stocks. And it's also a long-term average
14 meaning that in some years or meaning that
15 average catch should equal OY. So in some
16 years catches may be below the optimum yield,
17 in some years they may be above.

18 There's also a perception -- so
19 going back. So given the challenge of
20 managing mixed stock fisheries it may be
21 appropriate to consider providing further
22 guidance related to setting optimum yield in

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1 these mixed stock fisheries.

2 There's also a perception out there
3 about -- that annual catch limits have
4 resulted in reductions of catch. And this has
5 led to questions about the relationship
6 between annual catch limits and OY. But the
7 definition of OY does provide for economic,
8 social and ecological considerations to
9 influence the choice of catch below the
10 overfishing limit. And there might be
11 economic or social reasons for reducing OY
12 such as market considerations. Additionally,
13 it could lead to a higher biomass in the stock
14 and that could lead to more consistency within
15 catches.

16 So, given this interest in annual
17 catch limits and optimum yield and the
18 relationship between the two. It might be
19 appropriate to consider revising the
20 guidelines to further describe that
21 relationship as well as various economic,
22 social and ecological considerations that

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1 could be incorporated.

2 MEMBER BONNEY: So you're basically
3 saying through the National Standard 1
4 Guidelines and the history of the Federal
5 Registry notice that you're talking about kind
6 of, what, putting more cement around what the
7 definition of OY means?

8 MS. LAMBERT: There is a lot in the
9 current National Standard Guidelines already
10 about optimum yield but there are a lot of
11 perceptions out there. So it could be, yes,
12 further clarifying and providing additional
13 guidance.

14 MEMBER BONNEY: So in some ways
15 it's a little bit troubling to me. For
16 instance, average catch equals OY. So in
17 other words that means that a stock that is
18 increasing for environmental reasons or
19 whatever you wouldn't be able to take the up
20 on that because you're above average catch.

21 MS. LAMBERT: I don't -- can you
22 say that again?

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1 MEMBER BONNEY: So for example,
2 suppose you had a cod stock that because of
3 environmental conditions has quadrupled in the
4 amount. But that is 4 times higher than the
5 average catch over the 10 years preceding.
6 That would mean that your definition of
7 optimum yield would mean that you couldn't
8 take the up with the stock increasing due to
9 environmental conditions.

10 MS. LAMBERT: No. Optimum yield is
11 a long-term average just like maximum
12 sustainable yield is a long-term average. So
13 that means if some years it could -- catches
14 could be higher in OY, in some years catches
15 could be lower than OY. So if for some reason
16 the stock is doing better than it was
17 previously that could be a reason where
18 catches could be above OY.

19 MR. RISENHOOVER: But average catch
20 doesn't define OY. OY is defined and then
21 your average catch around OY may be above it
22 or below it. But on the long-term average

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1 you're at your OY.

2 MEMBER BONNEY: I see. So in terms
3 of meeting the OY --

4 MR. RISENHOOVER: So if this stock
5 is getting larger and is sustainable at that
6 your OY would go up and then your average
7 catch over the long term varies around that.

8 MEMBER BONNEY: So what kind of a
9 time frame would you define as average catch?
10 Is it a 5-year time window or a 10-year time
11 window?

12 MR. RISENHOOVER: Probably depends
13 on the stock.

14 MS. LAMBERT: Yes.

15 MR. RISENHOOVER: And the council.

16 CHAIR RIZZARDI: Deb, so you
17 understand, the slide before this one has that
18 literal language. It says, "Average catch
19 equals OY" and that's where this --

20 MS. LAMBERT: It's not -- that's
21 not how you come up with OY. I see how that
22 could be misleading. It's more -- that's the

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1 goal. So you set OY and the goal would be
2 that on average your catches should equal OY.

3 MR. RISENHOOVER: Right. So we may
4 for later presentations want to refine that a
5 little. It's that swoosh thing at the bottom
6 gets in the way.

7 (Laughter)

8 MS. LAMBERT: Okay. Okay, so
9 moving on. Another of the couple issues we
10 talk about in our Advanced Notice of Proposed
11 Rulemaking has to do with data-poor stocks and
12 acceptable biological catch control rules
13 which the control rule is essentially a
14 methodology for coming up with your reference
15 point, in this case the acceptable biological
16 catch.

17 And I've lumped these two issues
18 together because they're somewhat related.
19 The requirement now for ACLs in all federal
20 fisheries has increased the focus on assessing
21 data-poor stocks. And there are methods that
22 can be used for data-poor stocks such as using

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1 historical catch data to assess these stocks.

2 And so I know the councils have
3 struggled with setting ACLs for data-poor
4 species, and looking back over those
5 experiences the councils and the Scientific
6 and Statistical Committee have gone through
7 could be informative too as we look at
8 revising the guidelines.

9 In addition, or similarly, ABC
10 control rules are a new concept in some
11 fisheries. In others they've been around,
12 it's been around for awhile. But, and again
13 it's been a big process to get to these -- or
14 acceptable biological catch control rules in
15 place. And so reviewing these past
16 experiences from these past few years could be
17 informative as we consider revising the
18 guidelines.

19 MEMBER CHATWIN: How is it
20 determined whether a stock is data-poor or
21 not?

22 MS. LAMBERT: I think it's in the

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1 eye of the beholder. I'm not aware of a
2 specific definition of data-poor. I think
3 it's more -- I mean, there's some -- I'm not a
4 stock assessment scientist, but you know,
5 stock assessment scientists would prefer to
6 use the best, you know, have as much data as
7 possible so they can create -- use the best
8 models and forecasts. But we don't -- in some
9 stocks we don't have the amount of data that a
10 stock assessment scientist would like, and in
11 that case there might be other methods to come
12 up with these reference points. So.

13 MEMBER DYSKOW: Help me out here.
14 How many stocks have you had annual catch
15 limits for? Is it 500 or something that I've
16 heard at one time?

17 MS. LAMBERT: That's a good
18 question.

19 MEMBER DYSKOW: Let me tell you the
20 data that's out in the marketplace. This
21 might be an urban legend, but the accepted
22 story, true or not, is that there's 523 stocks

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1 and you have adequate data on a hundred and
2 some. And the rest are some form of a wild
3 guess. And that's what gets consumer groups
4 and commercial fishing groups so upset is
5 these annual catch limits aren't based on
6 science. Are those numbers right or is it way
7 off base?

8 MS. LAMBERT: There's -- Alan, do
9 you want to take that?

10 MR. RISENHOOVER: That little
11 brochure I mentioned earlier today has that.
12 There are -- where's our information on the
13 ones that we have. Well, we have 220 stocks
14 that are not subject to overfishing, 174
15 stocks that are not overfished. So you can
16 see there's a difference right there that some
17 stocks we don't have enough information on to
18 determine whether they're overfished or not.
19 Somewhere in here there is the 500 and --

20 MEMBER DYSKOW: Five hundred
21 twenty-three if I recall.

22 MR. RISENHOOVER: Yes, right.

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1 MEMBER DYSKOW: So what scares
2 everybody -- I don't mean to butt in. What
3 scares everybody is the majority of these
4 stocks don't have enough information to
5 validate the catch limit. So people look at
6 this and say where did they get this. And
7 that's what causes so much anger and
8 frustration, whether it's a recreational
9 angler or a commercial fisherman, because they
10 don't believe the science adequately supports
11 the ACL.

12 MR. RISENHOOVER: So there's two
13 levels to answer that. One is the Magnuson
14 Act said all managed stocks will have an ACL.

15 MEMBER DYSKOW: That's the way it
16 was interpreted. You could have certainly
17 gone back and said if we don't have adequate
18 data we can't establish an ACL at this time.

19 MR. RISENHOOVER: Right and so
20 that's part of this NS1 revision. We want to
21 get comments on what people think about what
22 data-poor is.

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1 There's also a different -- not a
2 different, but a range of stock assessment
3 information, from the very good where you have
4 lots of independent and dependent data down to
5 ones where you don't have so much. And so
6 that's part of what we're trying to tease out
7 here in this ANPR is that as well. So again,
8 we have the statute, we have the science, we
9 have this little brochure talks a little bit
10 about which ones we do have what we call
11 adequate assessments. That's a performance
12 measure the organization has that we're trying
13 to always improve that. And so it comes to is
14 lack of information a reason not to manage or
15 do you do the best you can basing it on catch
16 levels or what information you have. And so
17 that was the balancing act the councils and
18 the Agency had to take on all 500 or so of
19 these stocks.

20 CHAIR RIZZARDI: Randy, Terry and
21 then back to Deb.

22 MEMBER CATES: To Phil's point. Do

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1 people here really believe that we can manage
2 our fisheries based on science?

3 MR. RISENHOOVER: Ouch.

4 MEMBER CATES: And I state that
5 because at one time in Hawaii green sea
6 turtles were part of a fishery. They're not
7 being managed based on science. They're being
8 managed more based on politics. Now, the
9 science is not being done.

10 There's a lot of examples of that.
11 There are outside factors that play into the
12 science. But I do believe that we can manage
13 our fisheries based on science and in part
14 sometimes we do but boy, politics sure come
15 into play quite often.

16 MEMBER ALEXANDER: So my whole
17 thing is this is the devil we know. If you
18 open this up we could get a much broader
19 definition of this. If you open it up to
20 public comment we could get a much -- this
21 could be even worse if you open it up. That's
22 my fear. And you know, we've only had --

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1 since 2009 you just revised it. It's only 3
2 years. It takes us 3 years to get a framework
3 through in New England I'd say, you know. And
4 this is a pretty big, this is a pretty big
5 thing. That's what makes me nervous about
6 that.

7 CHAIR RIZZARDI: Julie and then
8 back to Debra.

9 MEMBER MORRIS: So, in the Gulf
10 Council when we were facing data-poor stocks
11 and species and what to do about them, I think
12 what we finally ended up doing was looking at
13 the only reliable data we had which was
14 average landings which wasn't a very robust
15 data set. But that's what we had and that's
16 what we used.

17 And most of these species were not
18 heavily targeted, not heavily -- we didn't
19 have a lot of research on them. We didn't
20 have a lot of data on them because they hadn't
21 -- we hadn't been managing them very closely.
22 And I think as an interim step to meet the

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1 deadlines that was a pretty reasonable
2 approach to take.

3 And I just wanted to say that even
4 our best studied species, red snapper, we have
5 lots of data on red snapper. We have very
6 sophisticated assessment models. We know a
7 lot about it. The models work pretty well.
8 It's very contested, very controversial. Even
9 when we have all the science that the
10 assessment modelers would like it's still not
11 a -- the science people are pretty clear about
12 what level of uncertainty they have and where
13 the annual catch limit should be, but it's
14 still very controversial.

15 CHAIR RIZZARDI: Deb? I think you
16 only have two slides left or so?

17 MS. LAMBERT: Yes. But going back
18 to this, I want to go back to your comment
19 about adequate stock assessments. And the
20 science part of the Fisheries Service does
21 have a performance measure related to
22 increasing the number of adequate stock

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1 assessments.

2 And in some ways that term makes it
3 sound like anything else is inadequate but if
4 you're a stock assessment scientist you want
5 to use the best data or a lot of data. You
6 want to use the best models and so on. But
7 there are data-poor methods too such as using
8 recent average catch that can be used to come
9 up with these reference points. That doesn't
10 necessarily mean that they're inadequate,
11 they're just not the preferred, you know, not
12 the best method, or not what the stock
13 assessment scientist would prefer to use, but
14 it is a tool that can be used.

15 And I had a note here that since
16 the guidelines have been reauthorized there
17 has been -- sorry, since the guidelines have
18 been revised some reports have come out
19 related to this issue of data-poor stocks and
20 acceptable biological catch control rules. So
21 we could look back at these documents as
22 guidance for things that we can improve in our

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1 guidelines.

2 And the last issue I'm going to
3 talk about today is that rebuilding progress.
4 The one thing the guidelines do not address is
5 what should happen during the course of a
6 rebuilding plan when rebuilding progress is
7 determined to be inadequate. The Magnuson Act
8 does require the Secretary to review
9 rebuilding plans every 2 years and there could
10 be reasons why progress is inadequate or not
11 going as we think and some of those are listed
12 here. But we don't address this issue in the
13 guidelines so this could be a new topic that
14 we could consider providing guidance on in
15 National Standard 1.

16 So in summary ACL implementation
17 has been transformative. We encourage
18 comments on our -- the issues that we listed
19 in our ANPR as well as any other issues. And
20 we welcome comments on -- I mentioned earlier
21 about the idea of doing technical guidance,
22 and so we welcome comments on the

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1 appropriateness of technical guidance to
2 address some of these issues as opposed to
3 revision of the National Standard 1
4 Guidelines.

5 So with that, one more slide just
6 for questions for discussion. I won't read
7 those off but with that I'll take questions.

8 CHAIR RIZZARDI: Thank you, Deb.
9 These three questions are sort of the starting
10 point for what Dave's group is going to be
11 tackling tomorrow. So Ecosystem Subcommittee
12 is taking this on from 1:30 to 3:15 or so
13 tomorrow. And the idea is to start the
14 dialogue on how does MAFAC want to comment on
15 National Standard 1. There's a lot to chew on
16 here, especially for the new members who
17 haven't had crash courses in Magnuson. You
18 know, I'm very sympathetic to what you all
19 have to go through on a learning curve.

20 So the goal is to have this
21 conversation. Dave leads the conversation.
22 Dave, I want to give you an opportunity to

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1 talk about this and I know Martin also wanted
2 to talk about this issue. I'll also point out
3 we're past our breakpoint at this time so I
4 want to keep our comments short if we could.
5 So, Dave?

6 MEMBER WALLACE: Well, I know that
7 all of you want to participate in this
8 discussion and will.

9 The first thing I can say is going
10 through this you all should think about is
11 there anything that you think is a serious
12 issue that is not in this list. Now, this
13 list was compiled by comments from various
14 councils as they spent the last 5 years trying
15 to figure out how they're going to deal with
16 ACLs and AMs.

17 And when I went through the 11, you
18 know, I said do I see anything that is glaring
19 that was left out and I was unable to define
20 something that I thought was really pressing
21 that should be at least discussed. And then I
22 was asked to shorten the list from the 11 down

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1 to a more mindful number because we could talk
2 about this for 2 years and we have until
3 August to write a paper that says this is what
4 we think should be done or should not be done.

5 This is only a recommendation.
6 NOAA says should we reopen the guidelines. We
7 could conceivably say Terry just said, you
8 know, this sword cuts both ways. And so you
9 may decide that while there are some
10 ambiguities about how all this is done in the
11 eight different fisheries management councils,
12 it's better left undone the way it is than to
13 start -- I'm using the idea of opening
14 Pandora's box, like reauthorizing the Magnuson
15 Act. Sounds like a great idea until you get
16 into it.

17 So, I don't know who's going to
18 sign up for the ecosystems, but I'm going to
19 recite what Will said sitting in this chair.
20 You know, it's fun.

21 (Laughter)

22 MEMBER WALLACE: It's God having

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1 fun with us. And that's about really all I
2 have to say.

3 CHAIR RIZZARDI: Martin?

4 VICE CHAIR FISHER: Thank you, Mr.
5 Chair. I just want to go back a few slides
6 and the concept that Julie and Terry talked
7 about. I think it's really dangerous for us
8 to accept in a data-poor environment with a
9 stock that that landings data is used as a
10 proxy for sustainability or OY. Because in
11 this environment of pushing catch shares if
12 you establish OY for -- or ACMs or ACLs or
13 ACTs or whatever it is for a stock that is
14 assessed because of landings-poor data of 1
15 million pounds, let's say. You interject a
16 catch share program for it and then a year
17 later or 2 years later you find out that the
18 OY really is 4 million pounds. Well, what
19 you've done is you've eliminated the
20 possibility of new entrants because the catch
21 share program is going to blow up
22 economically. And it's a very, very important

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1 thing to look at. And I think it's a
2 dangerous slope to use landings data in a
3 data-poor environment for OY.

4 CHAIR RIZZARDI: All right. I'm
5 going to ask that people keep their comments
6 short and only those necessary. Phil.

7 MEMBER DYSKOW: I'll make this real
8 short. In response to Martin, it's very
9 possible that Congress will solve this problem
10 for us by passing legislation that will modify
11 how NOAA establishes catch shares and the data
12 that they use to do so. I mean, that's a very
13 real, live proposal that is as likely to pass
14 as the bills that Mark was talking about in
15 the morning session.

16 MEMBER BONNEY: I was just going to
17 put one more thing on the list which is the
18 idea of lumping and splitting of species
19 aggregation. So that would be like a minor
20 rockfish species that are all other rockfish -
21 - and there's 27 species in that category
22 because there's just not enough information to

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1 have an individual ACL for each rockfish fish
2 or species in the component. Sculpins is
3 another idea, or sharks. Skates. So that's
4 another data-poor issue and then it's just how
5 far you want to spread it out before it really
6 becomes a lot of boxes for a catch share.

7 CHAIR RIZZARDI: Got that, Dave?
8 Okay. Deb, thank you very much. Appreciate
9 your time today.

10 All right. So I guess we're on for
11 a 15-minute break. It is 3:06. Okay, it's
12 3:06. We'll be back at 3:20.

13 (Whereupon, the foregoing matter
14 went off the record at 3:06 p.m. and resumed
15 at 3:25 p.m.)

16 CHAIR RIZZARDI: All right. So our
17 next item on the agenda is certification of
18 sustainability. And we're going to be talking
19 about NOAA's role in advising the public and
20 educating the public on fishery
21 sustainability. Some of you have read the
22 articles about Whole Foods and how it's been

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1 looking at the issue of sustainability. And
2 what does it mean if you're in full compliance
3 with the Magnuson Act and you have an aquarium
4 who says that the fishery is in red status and
5 those kinds of issues.

6 So Mark is going to be talking to
7 us about what we've done in the past on
8 sustainability. He's going to look at our
9 past policy, give us some education on it, and
10 then there's a component of this that will
11 involve FishWatch. And at the end of Mark's
12 presentation we'll get a quick couple of
13 slides from the communications group and Kate
14 talking to us about how they've been messaging
15 on -- and using FishWatch to educate the
16 public. So Mark, I'll turn it over to you.

17 DR. HOLLIDAY: Thank you, Keith.
18 On the MAFAC website there's an annotated
19 agenda for this. I'll be following that
20 general direction. And there's two links, one
21 to the current policy on certification of
22 seafood sustainability and a draft policy

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1 statement. And I'll describe both of them. I
2 won't project them but if you want to follow
3 along on your PC or laptop that would be fine.

4 As context or background, you know,
5 any number of organizations have created these
6 seafood guides mostly to assist consumers and
7 retail buyers of seafood about making
8 sustainable seafood choices. These guides
9 rate seafood typically based off some range of
10 criteria that include environmental and
11 biological criteria on the species, the
12 fisheries or the aquaculture practices. So
13 it's not just for wild harvest fisheries as
14 well.

15 Some of the guides expand to
16 include criteria that have health indications
17 regarding mercury or other contaminants or
18 other adulterations of seafood. But the
19 ratings altogether in these different systems
20 are generally reflecting an organization's
21 policy stance. In other words, depending on
22 who they are there's additional information

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1 that they're including in their value
2 judgments about what defines a sustainable
3 activity or a sustainable product.

4 As a result, sometimes these
5 different guides from different sources
6 contradict each other. They may be seen in
7 one organization as a positive species or
8 fishery but in the eyes of another
9 organization they may be doing something that
10 contradicts their standard.

11 And so from a consumer standpoint
12 what's a consumer to do? How do they know
13 what to follow as authoritative guidance if
14 they're interested in making a clear choice
15 with respect to certification for
16 sustainability? So it goes beyond just the
17 consumer's impact because it affects, as Keith
18 just pointed out, the harvesting sector.

19 People are being affected by
20 consumer choices and by buyers of seafood who
21 are changing their contracts, who are
22 enforcing policies with respect to certain

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1 terms and conditions on their purchases which
2 there's nothing wrong with that. I mean,
3 that's the exchange of the market taking
4 place. I mean, buyers and sellers negotiating
5 and making terms that they both can agree to
6 or not. But it certainly has been changing
7 the landscape because, again, these are,
8 unlike USDA certifications of certain
9 standards that are codified in law and
10 regulations, these third party certifiers are
11 determining for themselves the standards and
12 practices that they're going to enforce in
13 their private arrangements for making these
14 purchases.

15 The last element of history is that
16 this is not limited to the United States.
17 It's happening, it actually started
18 international with Unilever trying to develop
19 some global standards for sustainability and
20 third party certification. And
21 intergovernmentally the United Nations Food
22 and Agricultural Organization has been working

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1 on developing criteria and standards for
2 certification of fisheries at the
3 international level among the contracted
4 parties to the FAO. So, that's part of what
5 the issue is all about is these third party
6 certifications and what constitutes a
7 sustainable fishery.

8 In 2005 the Agency developed a
9 policy to clarify its role and responsibility
10 to -- and in response to these private sector
11 certifications for sustainable practices in
12 the United States. So, in particular the
13 Marine Stewardship Council was aggressively
14 moving forward and promoting its particular
15 private label for certification of sustainable
16 products and was of course having to come back
17 to the authoritative science that was being
18 conducted by the Fishery Service with respect
19 to the assessment status of the stock from the
20 biological component, for economic data with
21 respect to the economics of the fishery. So
22 they were using government data in the private

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1 capacity to make certifications.

2 But in addition they began
3 imposing, and those of you familiar with the
4 MSC process, they may conditionally certify a
5 fishery or have conditions that are required
6 to be fulfilled that were beginning to be
7 imposed upon the government to conduct certain
8 analyses on an annual basis, to conduct
9 research in certain areas in order for this
10 quid pro quo of receiving an MSC label that
11 the government wouldn't have to be doing these
12 things. So it seemed to be a little bit of
13 the tail wagging the dog here with respect to
14 the Agency's role in certification.

15 So in 2005 we felt it important to
16 come out with a statement on the Agency's
17 position with respect to these private
18 certifications. And if you've had a chance to
19 read it, and MAFAC has taken this up as a
20 group in the past, but briefly it says that we
21 don't endorse or support any private third
22 party sector labeling of certification. We're

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1 not in the business of providing that. We
2 don't do that for Nike shoes, we don't endorse
3 people's, you know, private label products for
4 anything not only just because that's the
5 nature of our government responsibility, but
6 more importantly the standards for
7 certification of a sustainably managed fishery
8 are not left to some third party from the
9 Agency's perspective, they are embedded in our
10 legislative authority for management under the
11 Magnuson Act.

12 And so our policy, the link which
13 was on the MAFAC website to the policy itself
14 says the Magnuson-Stevens Act provides through
15 the 10 national standards for sustainable
16 fisheries and conservation the standards for
17 what constitutes the fishery. And if those
18 principles are adhered to and we follow the
19 public process of developing a management plan
20 and its implementing regulations that are
21 consistent with that, the Secretary of
22 Commerce signs off on it, to us that's the

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1 status that that fishery is being managed in
2 accordance with federal statute and
3 principles. And that's the basis for which we
4 feel it is the nation's standard for
5 sustainability.

6 Moreover, you know, these third
7 party certifications that were imposing costs,
8 literally imposing costs on the industry to be
9 certified sometimes upwards of, you know,
10 hundreds of thousands of dollars to petition
11 and go through the process over several years
12 of justification auditing and conditions. And
13 the costs on the Agency to provide special
14 data analyses and special assessments in order
15 for this third party label to take place were
16 imposing a cost that seemed unreasonable to
17 the Agency.

18 And we said we would not provide
19 any special circumstance or support to these
20 third party labels, not just MSC but any third
21 party labeler to provide information or
22 services that we wouldn't provide to anybody

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1 else. In other words, no special favors. We
2 weren't going to be treating them
3 deferentially. We would share data with them,
4 we'd share analyses with them. If they had
5 input on what research they would like us to
6 collect we'd take that input along with
7 anybody else's input as our scientists and our
8 councils developed our research plans, but we
9 wouldn't give any special deference to these
10 third party certifiers. So, that existing
11 policy in 2005 was our attempt to kind of draw
12 that line in the sand and say here's how we
13 see the world from our perspective.

14 Well, and Manny made reference to
15 this earlier today and someone else as well, I
16 think Randy did, about the meeting we had in
17 2008 where the application of our policy on
18 certification was still seen by many people in
19 the private industry, the fishing industry as
20 not sufficient. And so they continued to feel
21 the pressure from the marketplace and from
22 competition, from trying to gain entry into

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1 certain markets that certification by some
2 independent third party was necessary and that
3 they wanted the government to do more to
4 provide some sort of a service.

5 And so we spent actually two or
6 three different meetings in New York, I think
7 in New Orleans we continued the discussion,
8 deliberating on what was an appropriate
9 government function and going beyond this
10 policy statement that we had. There was some
11 sentiment that included having a federal mark,
12 some label that could be put on it like a
13 Grade A label for -- in other, you know,
14 poultry or dairy products that this was
15 sustainable. And which would then be in
16 competition with the MSC label.

17 And we had many discussions about
18 whether that would help consumers or just
19 confuse them even more. There would be four
20 or five different stickers, country of origin,
21 MSC certification, U.S. Government certified
22 sustainable. Would that help the situation?

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1 What we arrived at in 2008 was a
2 proposal to modify the existing policy. And
3 this was during Dr. Balsiger's tenure as the
4 Acting Assistant Administrator, that he felt
5 very comfortable with a policy that would
6 issue a declarative statement or a letter of
7 certification to any industry group that would
8 make an application to the Agency that would
9 say in essence, and if it were true, obviously
10 it had to be true, that the fishery in
11 question was indeed being managed in
12 accordance with the 10 national standards for
13 fisheries conservation and management, and
14 that -- in pursuing this that the industry
15 group who made application to it upon evidence
16 of it not being overfished and overfishing was
17 not occurring for that annual time period, we
18 would issue this letter and the industry could
19 then use that as a starting point for whatever
20 marketing, further marketing use of that
21 declarative statement as they saw fit.

22 And so that was this middle ground

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1 of doing more than the existing policy but
2 less than an actual mark for certification
3 which was in some people's eyes the way to go.

4 And as Manny pointed out, at one of
5 our meetings Kitty Simonds from the Western
6 Pacific Fishery Management Council came and
7 talked about the Hawaii Longline Association
8 and their self-examination of certification of
9 their fishery according to these international
10 standards. And they scored themselves. And
11 they were wanting the Agency to endorse that
12 in a way that was meaningful so that it wasn't
13 just a third party but it was a first party,
14 the government was actually making that
15 declarative statement as well.

16 So what happened in 2008? We
17 drafted a policy. We started reviewing it and
18 we ran into some questions that we had
19 difficulty answering with respect to defending
20 the terminology and the terms and conditions
21 of what constituted sustainably managed when
22 it came down to it beyond the national

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1 standards.

2 And so if you looked at the
3 proposed policy from 2008 we said we'd use
4 this term "sustainably managed" and we adopted
5 a definition from FAO that had been vetted and
6 negotiated, you know, ad nauseam at the
7 international level as to what constitutes a
8 sustainably managed fishery.

9 But there -- attorneys and others
10 pointed out, it wasn't just lawyers but others
11 pointed out that there were certain hurdles to
12 be overcome with respect to what would
13 constitute something that would produce some
14 environmental harm or -- would not produce
15 undesirable impacts, all right? So what
16 constitutes an undesirable impact.

17 And so it led to more questions
18 about our ability to actually define and then
19 maintain the integrity of that definition
20 against people who would presumably challenge
21 it. In other words, we didn't think this
22 would go over well with third party certifiers

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1 and that we would be immediately challenging -
2 - be challenged in terms of defending our
3 position and expending time and money to try
4 to ensure the integrity of that device.

5 And that was in fact one of the
6 reasons we did not support moving to a mark
7 because if you do put a -- on a point of sale
8 a label you have to prevent the broader misuse
9 of a label and how would you police that. So
10 if we issued a certification for say North
11 Atlantic swordfish how would you ensure the
12 integrity of that certification letter in the
13 marketplace linking that back to the actual
14 product on the ground? So we saw that as kind
15 of opening in Dave's term this Pandora's box
16 of problems that we had no answers to in 2008.

17 And so we had a draft policy. It
18 didn't seem to be ripe. We didn't have the
19 right conditions to move forward on that at
20 the time. And assistant administrators
21 changed and times changed and it sort of has
22 stood there for awhile.

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1 But you may ask why are we
2 addressing this today then. What makes this
3 year different than any other year? Well, I
4 think there are --

5 (Laughter)

6 DR. HOLLIDAY: -- there are a
7 couple of circumstances that I'll point out
8 that I think it warrants bringing back in
9 front of MAFAC at this time.

10 There are changing drivers, right?
11 Circumstances continue to evolve and change
12 and there's certainly been a marked increase
13 in the locavore movement. People want to know
14 about the food that they're eating, eating
15 local fishery products. And what's happened
16 in many cases is this transition from not just
17 certification for sustainability but the
18 marriage of that with traceability. And so
19 one of the conditions of certification was
20 being able to trace product back to its source
21 and origin in order to protect the brand or
22 the mark or something else. The traceability

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1 component has become as important as the
2 statement of sustainability. So it's this
3 combination that has produced more interest in
4 finding out about how we could move forward on
5 a sustainability standard.

6 And certainly traceability itself
7 has become a more commonplace object of
8 discussion for both the Agency and for the
9 industry. In many cases and we hear about
10 this in our discussions about trade,
11 international trade, entry into the
12 marketplace, entry into the EU, entry into
13 China requires some greater degree of
14 traceability and certification. Whether it's
15 being used as a trade barrier or some other
16 trade quid pro quo is beside the point, but
17 the idea of being able to trace product back
18 to its origin for whatever reason has gained
19 greater prominence than it had 4 or 5 years
20 ago. So that's another changing driver
21 elevating its importance.

22 Seafood safety of course is another

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1 element. More and more people are concerned
2 about being able to trace product back -- in
3 this federal legislation to improve the
4 ability to trace food product back to a
5 source. Much more common now than it was 4 or
6 5 years ago.

7 And finally, there's still interest
8 in providing, from an industry standpoint, to
9 differentiate your fishery or your species
10 from your competitors. For a marketing reason
11 or a value-added reason you want to protect --
12 you want to identify and protect your niche of
13 a market that is producing a sustainable
14 product that has these attributes that are
15 different than your competitors.

16 And we spoke a little bit about
17 this this morning under the topic of
18 internationally leveling the playing field.
19 We're imposing all these costs on the U.S.
20 fishery. What do they get in return when
21 people can compete for that same piece of fish
22 in the food case from a foreign product that

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1 doesn't have to deal with this? So
2 traceability and sustainability of that
3 product is a marketing device that people are
4 more and more facing -- I would say it's more
5 than a perception. This unfair competition
6 from those entities that are providing product
7 that don't have to pay attention to these
8 standards.

9 So those changing drivers, you
10 know, they're very strong and we're
11 witnessing, again, as in Keith's example,
12 Whole Foods, Safeway and others making
13 marketing decisions where they're not buying
14 product. They're managed sustainably under
15 the Magnuson Act, they meet the 10 national
16 standards, they're not overfished or they're
17 not -- overfishing is not occurring. They're
18 not in an overfished condition.

19 But because of the gear type
20 they're saying we don't want to buy trawl-
21 caught fish. Well, the Magnuson Act doesn't
22 say we can't use trawls in catching fish so

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1 our standard -- that's okay under federal
2 standards for conservation and management.
3 Yet people in the marketplace are saying well,
4 we're adopting another standard beyond that
5 and what's the government's position on that
6 and why -- again, it's a potential reason why
7 MAFAC as a policy advisor to the department
8 may want to opine about this and perhaps come
9 up with some suggestions and a way forward.

10 Again, why are we addressing this
11 today? I'm going to try to make as compelling
12 a reason and I hope I'm not going too far, but
13 I think there's also been more experience with
14 the track record of these third party vendors
15 -- third party certifiers.

16 And there are some success stories
17 and there continue to be horror stories if you
18 will about people who have had experience now
19 over time with the MSC certification
20 situation. Again, the cost, the -- sort of
21 the equity issues. This environmental
22 justice. Who can pay for it, who can't pay

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1 for it. Who has access to certification. Is
2 it only large-scale fisheries with deep
3 pockets? Are there conflicts of interest?

4 So I don't want to get into the
5 specific debates, but there's certainly
6 lessons to be learned about what's happened
7 over the last 4 years in the practice of MSC
8 and industry's reactions to -- and many of
9 them are coming up for renewal. And do they
10 want -- are they renewing their MSC
11 certification, are they going to other third
12 parties. How is that driving the demand for
13 the government to do something different than
14 it's been doing today? So again, another
15 reason perhaps MAFAC would weigh in on
16 providing that, that kind of advice.

17 This third issue I've thought about
18 quite a bit. Technology itself has changed.
19 I mean we've seen wholesale advances in market
20 technology for traceability. I mean, QR
21 codes, you know, looking at a menu and taking
22 your phone and saying Joe caught this on his

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1 boat yesterday and that's where it came from.

2 I mean, it's a tremendous
3 technology advancement in just 4 years. The
4 penetration of smart phones and technology and
5 people's choices that I certainly wasn't
6 thinking about 4 years ago. I would have been
7 making money more than I am today. Who would
8 have predicted that kind of technology would
9 be available that could support some of these
10 elements of traceability that consumers and
11 producers are more readily able to adopt.

12 It's not just early adopters, or
13 one or two people doing prototypes. This is
14 now, and this was something that Larry Simpson
15 was going to talk about but he did -- if you
16 have a chance to look at his slides that are
17 posted there on the Gulf trace program that
18 the Gulf States Marine Fisheries Commission is
19 involved with it's pretty remarkable what the
20 technology has advanced in such a short period
21 of time. So that's different. Things are
22 different from where they were in 2008.

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1 And this last notion of, you know,
2 it's not changed or it hasn't really
3 strengthened, but it's still -- what is the
4 opportunity, and I mentioned this earlier, the
5 opportunity to support U.S. fishing interests.
6 You know, what is it that the government can
7 provide as a service. In addition to being a
8 regulator what can we do to help improve and
9 endorse the survival and the productivity and
10 the continued employment and the benefits of
11 the fishing industry besides just being a
12 regulator? So, if there's space for us to
13 provide some support for the industry to be
14 more profitable or just to continue the
15 sustainability of the fishery, not just the
16 fish but the fishery, why wouldn't we want to
17 continue to consider that as a policy advice
18 to the Department and to NOAA in some form of
19 a MAFAC action or a recommendation?

20 So I say that as, you know, context
21 for I think this is sufficient reason to bring
22 it back in front of the committee because

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1 there are important challenges that are still
2 out there and that I think there's certainly
3 capacity on the part of the membership here to
4 engage in a discussion.

5 So, if you were to look at where we
6 are now and where we might go in the future,
7 you know, this notion of what have been the
8 impediments to this 2008 policy and are there
9 workarounds, are there ideas, are there
10 strategies to get to some of those common
11 fixes that would be necessary to get at the
12 protecting the integrity to using the
13 technology to support the use of a
14 certification from the government's point of
15 view, combining that with a traceability
16 function.

17 I think that declarative statement
18 still has some value to our stakeholders. But
19 again, that could be -- maybe that's overtaken
20 by events. Maybe my perception of it is
21 false. And so having that discussion is such
22 an approach, and the draft policy still a

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1 useful one or not? Maybe it's been supplanted
2 by some better idea. So that could be the
3 topic for the subcommittee to address.

4 And certainly, you know, working
5 through the issues about, you know, if there's
6 no label, if there's no mark how do you defend
7 or how do you enforce the integrity of that
8 certification so that it's meaningful in the
9 marketplace and is not subject to fraud or not
10 subject to abuse? I think you have to have a
11 complete scenario. It's not just a wishful
12 thinking that we'll make the statement and
13 it'll solve the problem. I think in order for
14 it to carry forward you have to go through
15 that complete analysis and -- as part of your
16 recommendations.

17 So, I think where we are now is,
18 you know, we're -- we internally are looking
19 at this policy and we're looking at these
20 changing conditions and we're thinking about
21 where do we go forward next, what would be our
22 next step. And we're looking for help and

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1 support from MAFAC to help us advise on that.

2 I think our position, you know, our
3 fundamental position about, you know, the
4 tenets and the principles of the Magnuson Act
5 guiding our decision-making are still valid
6 ones, you know, the 10 national standards.

7 And again, the whole concept behind
8 our current strategy is to provide -- I mean,
9 it almost sounds like one of these
10 commercials. You know, an informed consumer
11 is our best customer, you know. But providing
12 factual, science-based information about the
13 status of fisheries and not trying necessarily
14 to second-guess every standard about what
15 constitutes a sustainable fishery. But
16 provide advice about what are the biological
17 consequences, what do we know about the social
18 and economic impacts, and habitat and
19 ecological consequences of these fisheries.
20 Making that readily available to consumers and
21 allowing them to make intelligent choices
22 about the seafood safety, about the

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1 sustainability and about the ecological
2 impacts. That's the whole basis of our
3 FishWatch program which I'm sure all of you
4 are familiar with.

5 And most recently we've made a
6 significant investment in time and energy to
7 improve the content, the quality and the
8 delivery of our FishWatch advice as one
9 element of our commitment to providing
10 consumers with scientific information. And
11 we'll have Kate Naughten talk a little bit
12 about that FishWatch, those FishWatch
13 improvements in a moment.

14 But that's in the context of this
15 larger question about moving forward. You
16 know, from a policy perspective, a national
17 policy perspective, what's our policy advising
18 group have to say about taking a next step
19 with respect to certification and
20 sustainability based on where we've been, what
21 these changing conditions are, and what's a
22 good way forward. What would you recommend to

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1 us from your perspective as something that
2 would be meaningful, cost-effective and
3 efficient to address some of these demands.

4 CHAIR RIZZARDI: Okay. I've got
5 five people down who want to speak. I've got
6 Terry, Julie, Martin, Bob and Micah.

7 I want to point out this issue cuts
8 across many interests. I mean, if you're
9 aquaculture you're interested, if you're a
10 commercial fishery you're interested, if
11 you're environmentally conscientious you're
12 interested in this. So it's got a lot of
13 implications. We are going to talk about it
14 in the Commerce Subcommittee.

15 But I think before we engage in the
16 big discussion of what can MAFAC recommend and
17 what should we be doing, I think it is
18 important to understand what we currently are
19 doing and how the FishWatch messaging relates
20 to these issues.

21 I mean, we don't have a
22 certification program right now. Mark's made

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1 that clear. But I think it's worth letting
2 Kate have 5 minutes just to present to us
3 here's what we do on FishWatch. Here's the
4 education that's going out to the public on
5 Magnuson. Here's how we understand it now.
6 And then I've got, again, Terry, Julie,
7 Martin, Bob and Micah and Randy all hands up.
8 I got you, Michele. Okay. So, Kate, are you
9 ready to go?

10 MS. NAUGHTEN: We're ready to rock.

11 CHAIR RIZZARDI: Okay.

12 MS. NAUGHTEN: Thank you. Thanks
13 very much, Keith. And Mark, that was a
14 perfect context-setter for FishWatch. And I
15 really appreciate a few minutes to run you
16 through just a one-on-one on FishWatch.

17 We're very proud of the recent
18 relaunch of FishWatch and I say that because
19 several of the staff that work with me worked
20 extremely hard to go from 25 species pages to
21 85 species pages. So let me just give you
22 some background on this.

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1 Our top message on this is that
2 U.S. seafood is sustainable and this is kind
3 of -- FishWatch is a unique, it's almost a
4 marketing campaign run by the Federal
5 Government, by NOAA Fisheries to support the
6 sustainability of U.S. fisheries. So this is
7 a separate website that we run and a separate
8 campaign. And I say that because at every
9 opportunity NOAA leadership and NOAA Fisheries
10 leadership talks about FishWatch and refers to
11 content on FishWatch all with the message that
12 U.S.-harvested fisheries farmed wild are
13 sustainable.

14 One of our underlying drivers is
15 the misperceptions about seafood undermined
16 our progress. Whole Foods' PR stunt back
17 around Earth Day -- interesting timing -- was
18 difficult for us because it went out, it
19 highlighted a couple of species that we were
20 promoting as sustainable.

21 So, what this does, what FishWatch
22 does is give us a credible platform to come

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1 back with science-based information to say
2 well, that might be their decision, but here
3 are the facts about these species. Also, it's
4 a tool that we use to build relationships with
5 important constituencies.

6 (Whereupon, the foregoing matter
7 went off the record at 3:55 p.m. and resumed
8 at 3:56 p.m.)

9 So I mention these important
10 constituencies because they're not our
11 traditional constituencies. FishWatch is
12 going after a very specific audience in some
13 ways. Chefs, seafood purveyors, the
14 middlemen, the people who buy the wholesale
15 food and then resell it, what's sustainable.
16 That's their number one question when they buy
17 this. So many more of these folks are now
18 using FishWatch. They'll say FishWatch says
19 it's sustainable, that's the government, we're
20 going to go with that.

21 And so again, we're going after
22 some constituencies that really drive seafood

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1 messaging. How many chefs are writing even
2 here in town all about the fish that they're
3 using on their menus? So we give them another
4 opportunity to get the factual information.

5 One thing we are not is a buyer's
6 guide. We are not trying to be an ecolabel,
7 and we're also not going to compete with the
8 popular seafood advocacy campaigns.

9 So here's a little background.
10 This kicked off in 2007. A lot of you know
11 Laurel Bryant who I work with. She is the
12 External Affairs Director for NOAA Fisheries.
13 This baby was her idea and she ran with it.
14 And it's, again, it started out very -- phase
15 I, 25 profiles.

16 The public response was, you know,
17 we want more so Laurel launched an upgrade
18 based on some focus groups run in conjunction
19 with SeaWeb and some other trusted
20 stakeholders.

21 And again, I know this isn't going
22 to shock you. This is what the research

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1 found. What I'd say to these is that what we
2 try to position the relaunch FishWatch as was
3 an opportunity to tell our stories. So you'll
4 see if you look on the newly relaunched
5 homepage videos, stories, profiles. This is
6 who U.S. fishermen and farmers are.

7 Bill Dewey was one of our poster
8 children as well as a recent scalloper. He's
9 a very popular hit. He helped our hits go way
10 up. Telling these stories has just been
11 fantastic.

12 It also shows how the Federal
13 Government is spending taxpayer dollars to
14 provide safe and healthy seafood. It
15 underscores our science. When you go down in
16 FishWatch you eventually get to all the
17 numbers that Alan was referring to earlier as
18 part of the status of the stocks.

19 The other thing we do is use clear
20 messaging. This was all, the whole website
21 was looked at with the plain English in mind.
22 So it's an effort to not speak in government

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1 speak. It's written very plainly.

2 So at the Boston Seafood Show in
3 March Sam Rauch relaunched the new site. And
4 again, the targeted site is very specific
5 here, harvesters, processors, NGOs, academia.
6 We're trying to appeal to the whole seafood
7 supply chain. We also simplified the URL so
8 from a marketing standpoint that was big.

9 Here's what the home page looks
10 like. This is a screenshot. It's much more
11 dynamic. If you're on the page you'll see the
12 stories. You know, you have your choice of
13 four or five stories here. Some of these are
14 repurposed from our home page which is on
15 purpose. We're trying to run our numbers up
16 on each page in terms of analytics. So this
17 helps us see which stories resonate with
18 people.

19 The species pages are also very
20 popular. And again, we have 85 of these now.
21 That was a huge lift on the staff's part, very
22 much appreciated.

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1 Let's see, what else can I
2 highlight here. This is a species page. And
3 I just want to give you the -- what we're
4 trying to do here is from ocean to plate we're
5 giving a brief overview of the origin, biology
6 and ecology. We talk about how we study and
7 monitor these Pacific fisheries. How it's
8 caught, how it's managed and how delicious it
9 is.

10 So you'll see just for Pacific
11 halibut, for example, you know, you have the
12 source, you have the other marketing names, an
13 overview, and then all these. The science is
14 prominent, the fishery is prominent and this
15 great photo of this gentleman sizing himself
16 up against that halibut. Hopefully we can --
17 you might -- where did Clampitt go? Oh well.
18 He may know this guy.

19 So just two messages to leave you
20 with. We have some near-term improvements.
21 We're going to add more farmed seafood
22 profiles, more infographics, possibly a mobile

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1 site. We'll see how that goes.

2 The two final points. FishWatch
3 allows us to be responsive. People call
4 Laurel on the phone. They call Katie Semon on
5 the phone. They say you got that wrong,
6 Pacific halibut is wrong. We don't have --
7 it's not this, it's this. They figure out
8 whether that's right or wrong and we update
9 this and we change it. So we want it to be
10 right, we want people to call us on the phone
11 and tell us.

12 And it happens all the time. It
13 happened with skate, it happened with thresher
14 shark. We adjusted our content and we were
15 better able to support the fisheries there.

16 The other issue is seafood safety.
17 I'll just put Manny in the spotlight here. At
18 the Council Coordination meeting he brought up
19 the point of seafood safety and mercury. And
20 we updated this FishWatch site specifically to
21 address some of the issues Manny brought up
22 with us. And it was a huge improvement. And

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1 so that responsiveness and our ability to, you
2 know, move pretty quickly for a government
3 agency. It helps when you can get a live
4 person on the other end. I think it shows
5 that we are -- we have an eye towards
6 delivering the science in a digestible manner
7 for people.

8 So again, we're open to any
9 comments folks have along the way when you
10 have a chance to really look at the site.
11 Thanks, Keith.

12 CHAIR RIZZARDI: Thank you, Kate.
13 Good presentation, really good overview of the
14 issue. I've got eight people on the list here
15 so I'm going to start off with Terry.

16 MEMBER ALEXANDER: I really
17 appreciate the FishWatch website. It's been
18 helpful. I tell everybody that I run into
19 about the FishWatch website in restaurants and
20 whatever.

21 The -- I'm working with a company
22 in Portland called North Atlantic Seafoods and

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1 we work with a website called Sea to Table
2 that goes direct to a chef for some of our
3 product. So, kind of in the same idea as what
4 you guys are doing.

5 And I think we've been trying to
6 work with a company called BJ's Wholesalers,
7 an East Coast thing, and they buy 400,000
8 pounds of finished flounder product a year
9 from China. Freezed in plastic bags. They
10 have no idea where it comes from, they have no
11 idea what kind of flounder it is, what the
12 sustainability of it is. So they'd like to
13 buy it from us. So we're working with them
14 right now to package that.

15 And I wish we had some way to get
16 the public to look at this website because it
17 really would help from that, the Monterey Bay
18 Aquariums out there, that -- no offense to
19 anybody who's a big fan of them, but they
20 pretty much screwed our fishery in New England
21 when they took grey sole, cod, they put a
22 whole bunch of stuff on there that they didn't

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1 buy it forever. And it was targeted right at
2 our area.

3 And it really irritates me that
4 they would -- if they're going to list those
5 two or three things we have 19 species that we
6 catch, 19 different -- why didn't they list
7 the other 15 things? You know, why aren't
8 they? So. And I just wish there was a way
9 that we could push this through, you know, I
10 don't know if by a mass marketing thing or
11 what. Lawyers probably should do it. That's
12 all I have to say.

13 CHAIR RIZZARDI: Julie.

14 MEMBER BONNEY: Well, in Alaska
15 what we believe fish -- there's a lot of
16 fisheries that are MSC certified. There's a
17 lot of struggle in terms of the certification
18 process, the demands they put on us to meet
19 conditions and then we're going to the Agency
20 to try to get help. A lot of things we're
21 trying to plan ourselves to meet those
22 conditions.

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1 We have what they call in Alaska a
2 marketing association, a seafood marketing.
3 And they basically pull the salmon
4 certification for the state of Alaska from MSC
5 to get away from a certification process and
6 the concern of the cost of trying to manage
7 the conditions and the eco-label. They're
8 trying to come up with an alternative brand.
9 They're looking at an FAO brand through the
10 Alaska Marketing as a replacement.

11 And I guess the issue from -- I
12 guess from a seafood industry is I don't know
13 what the response is going to be from them.
14 Like FishWatch may work well for Joe Public
15 but in terms of -- almost I wonder if you need
16 an environmental partner or a third party.

17 How do you, you know, so many times
18 people look at as we're kind of watching our
19 own chicken in the henhouse type of approach.
20 So, how you build that credibility in the
21 marketplace to actually help us sell our fish.
22 So I'd hate to see us go down this road and

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1 then it doesn't produce on the other end which
2 is the actually being able to sell seafood on
3 the international worldwide market. And I
4 know in Europe MSC is a really big deal in
5 terms of getting product in the marketplace.

6 CHAIR RIZZARDI: Martin.

7 VICE CHAIR FISHER: Thank you, Mr.
8 Chair. I totally agree with everything that's
9 been said so far and I just want to take it up
10 another notch.

11 I think NOAA should be the
12 definitive place where we know what
13 certification or sustainability is. And you
14 know, it's been said that an aquarium is
15 kicking the butt of all the commercial
16 fishermen from Nome, Alaska all the way to
17 Bangor, Maine. And it's true.

18 The problem is there aren't any
19 checks and balances for self-proclaimed
20 certifiers. Self-proclaimed certifiers or
21 traceability experts are interjecting into the
22 marketplace a standard that lives up to what?

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1 We have no idea what it lives up to or what it
2 actually produces other than another capital
3 stream for somebody somewhere that's raising
4 the consumer price and taking money away from
5 the fishermen.

6 I have personally been involved
7 with a company that is trying to establish
8 themselves in the Gulf of Mexico. It's a
9 traceability product. I'm not going to
10 mention the company's name. But to me as a
11 half a million dollar producer of seafood on
12 the wholesale level it would cost me two to
13 three or four thousand dollars a year.

14 The problem is it's rife for fraud.
15 If I produce a bunch of tags and put them on
16 my fish the next guy that gets them from me
17 can take them off my quality fish and put them
18 on his inferior quality fish and pass them up
19 the chain and play marketing games. So again,
20 there aren't any checks and balances that I
21 know of that exist.

22 And I think it's really incumbent

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1 upon NOAA. NOAA has the data. NOAA is
2 producing the regulations. NOAA is the
3 standard-setter, the standard-bearer for what
4 is sustainable, what is going to make it into
5 the future for our fisheries. So as steward
6 of fisheries which is really fishermen and -
7 women, and the process of bringing seafood to
8 the table, that's what fisheries is. By the
9 very definition of what National Marine
10 Fisheries Service is I think it's incumbent
11 upon those guys to step up to the plate and at
12 least, you know, make a national standard for
13 sustainability or marketability, something to
14 that effect.

15 And Kate, I just wanted to point
16 out on the FishWatch page the picture for
17 porgy and scup is identical.

18 MS. NAUGHTEN: It is? Okay.

19 VICE CHAIR FISHER: So I think that
20 might need some revision.

21 MS. NAUGHTEN: -- need some fixing.

22 Okay, thanks.

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1 VICE CHAIR FISHER: You're welcome.

2 CHAIR RIZZARDI: Okay.

3 MEMBER NARDI: In New England it's
4 the same fish.

5 VICE CHAIR FISHER: Pogy or porgy?

6 MEMBER NARDI: Porgy. Porgy and
7 scup. Pogy is menhaden.

8 VICE CHAIR FISHER: Right.

9 MEMBER NARDI: Porgy is scup in
10 Rhode Island.

11 VICE CHAIR FISHER: Interesting.

12 CHAIR RIZZARDI: Bob, you were next
13 anyway.

14 MEMBER RHEAULT: I was part of the
15 standards-setting for the World Wildlife Fund
16 Bivalve Aquaculture dialogue sort of
17 reluctantly.

18 There is a fascinating study out of
19 Rhode Island recently. Less than 3 percent of
20 American consumers understand what sustainable
21 seafood or care. The whole process is being
22 driven by the buyers who are being blackmailed

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1 by the environmental groups. And
2 there is a proliferation of these standards.
3 There is a huge conflict with multiple -- no
4 harmonization. And the costs are killing us.
5 And these studies actually show that these
6 processes have been in some cases detrimental
7 to the marketplace and are driving consumers
8 away from fish. So I think you need to be
9 very careful.

10 One of the other things is that
11 many of these standards involve a social
12 justice component like the ASC does. So I
13 don't think we want to get into that because
14 I'll tell you that's very difficult.

15 But on the other hand, you know,
16 USDA is going to be giving organic standards
17 very shortly and they will be putting their
18 stamp and they will be defending that stamp.
19 So it's not unheard of that the government is
20 doing this.

21 But the whole reason this came
22 about is because the Americans don't trust the

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1 government. So, we need to think about the
2 impact of having NMFS or NOAA do this.
3 Because Americans don't trust their government
4 which is why we have all these standards.

5 MR. RISENHOOVER: That's why we
6 have the Weather Channel.

7 (Laughter)

8 CHAIR RIZZARDI: Okay, Micah.

9 MEMBER MCCARTY: So now that we
10 don't trust the government how would some of
11 these Marine Stewardship Council folks look at
12 these recovery plans and some of the successes
13 that we heard about earlier?

14 I do think there's got to be a way
15 to standardize those. I think, you know, the
16 ones that have an app on your phone, every
17 time you use it they make money. You're in a
18 restaurant, should I eat this fish? I'll
19 check my app. And you know, what sort of
20 standard, you know, is applied to whether
21 that's really a fact or not.

22 And I think, I do believe the

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1 social justice aspect has to be a part of that
2 because people's lives are being wrecked over
3 snake oil salesmen that are, you know, selling
4 a hope and a dream that there's something out
5 there that can hold the government accountable
6 and industry. What capacity can they -- aside
7 from manipulating the marketplace?

8 CHAIR RIZZARDI: Precisely the
9 issue we're talking about is the marketplace
10 and how -- who manipulates the marketplace.
11 So Randy, your comment is next.

12 MEMBER CATES: I would recommend
13 for folks in here to take a look at the MAFAC
14 website and go back to the New York meeting,
15 July of 2008, and scroll through the minutes
16 and look at this issue.

17 It was a very interesting one. At
18 that time when the discussion took place MAFAC
19 originally voted basically to take no action.
20 I got a little upset by that. If people were
21 there and remember. I'm sure Mark remembers.
22 Because if NOAA wasn't willing to stand by the

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1 fishermen for the success stories then who
2 will?

3 And after that discussion we got it
4 turned around to where MAFAC made a
5 recommendation to go forward and that's when
6 the draft came out.

7 Now, in fairness the ball came back
8 in our court and I presented it to Kitty and
9 them because we were having a problem in
10 Hawaii. They didn't follow up with it. But
11 the point was this. Should a fishery have the
12 right to advertise that it is sustainable
13 under NOAA standards? I believe they should.
14 At the time NMFS didn't really want to get
15 into that labeling so to speak and who would
16 pay for it, administer it. It was more that -
17 - those were the problems. But I think those
18 things can be worked out.

19 If you're going to ask fishermen to
20 abide by all the rules, be sustainable and
21 manage our fishery in the way that we are,
22 then by God then NMFS should stand by and

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1 allow the fishery to advertise that it is a
2 sustainable fishery under these standards.

3 And I would go a step further, they
4 should be able to use the NOAA label. I think
5 it would mean a lot. It would mean a lot for
6 the fishermen and I think it would mean a lot
7 for the consumer. And I don't think it should
8 cost NMFS anything. If the fishery wants to
9 do it then let them pay for it. But I think
10 they should have the right to do that.

11 CHAIR RIZZARDI: Michele.

12 MEMBER LONGO EDER: We participate
13 in two fisheries, Oregon dungeness crab and
14 Oregon pink shrimp that have gone through the
15 MSC certification process. And right now
16 Oregon trawl fish is also going through the
17 MSC certification process. And there's been
18 upsides and downsides to it. For Oregon pink
19 shrimp it's, as Julie mentioned they needed
20 MSC certification to get into the European
21 markets to compete in Europe and develop
22 further market.

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1 I've often gone head to head with
2 the science advisor at the Monterey Bay
3 Aquarium who put sablefish, although it would
4 say Alaska sablefish was okay, West Coast
5 sablefish, even though the stock was okay,
6 because they disagreed with how the species
7 were caught, either by trawl or fixed gear,
8 they put West Coast sablefish on a caution
9 when in fact the stock was fine. So, I have -
10 - we have significant issues with the quote
11 unquote, you know, ecolabeling and how that
12 can be very destructive to fishermen living.

13 And I'm really happy about the
14 FishWatch site. I think it's tremendous. The
15 one thing I would say is that I'd really like
16 to see the market for it, or the push for it
17 be directed to the consumer. In other words,
18 that instead of people pulling out their
19 Seafood Watch, you know, expando thing that
20 they pull from their wallets or have EDFs for.
21 You know, Monterey Bay Aquarium has their
22 little folding FishWatch -- Seafood Watch

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1 things, that people are instead pulling out
2 one that says NOAA, National Marine Fisheries
3 Service NOAA, that that's the standard that
4 they use.

5 So I agree with Randy. I'd like to
6 see the FishWatch site, the next push be
7 directed towards the public and not just the
8 buyers and the middle market. And then, you
9 know, to take it even the further step to see
10 that we're doing what we're supposed to do as
11 a fishing community. And we'd like to see
12 NOAA and NMFS say to us as fishing
13 communities, you know, you've done your job,
14 you deserve it and you deserve respect and
15 support so that you can market your fish.

16 CHAIR RIZZARDI: Okay, Liz and then
17 George and then I want to show folks one thing
18 on the web page that Heidi pulled up for me,
19 and then we'll move onto the next agenda item.
20 So, Liz.

21 MEMBER HAMILTON: I live just
22 outside of Portlandia, so it's -- when you

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1 watch that on TV people care about that stuff,
2 they really do. And I think it's more about
3 marketing. It's like we have a salmon called
4 Copper River salmon that sells in Oregon for
5 more than the best salmon you can buy. It's
6 marketing. It's value-added and I don't know
7 how or why the government would want to
8 interfere with that. I mean it hurts some
9 fishermen but other people are benefitting
10 wildly from these programs.

11 But what you can say and what I
12 think we do want, is our seafood safe and is
13 it caught legally. And I know that's not a
14 sexy phrase to put on packaging, but to have
15 NOAA make a program about sustainability that
16 competes with marketing for value-added, for
17 the customers that want it. I mean, some
18 people don't care. Apparently, 97 percent of
19 people don't care. But if 3 percent of the
20 people do care and their store says we went
21 through this process that seems like it's just
22 a value-added marketing program.

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1 MEMBER CATES: Sometimes it's
2 considered blackmail.

3 MEMBER HAMILTON: I mean, I guess -
4 - I understand that, I do. But I don't know,
5 I'm just trying to see NOAA out there
6 promoting what's sustainable in the same way
7 that is it Whole Foods? Wants to talk about
8 sustainability with their customers. I mean
9 let's face it, they charge their customers an
10 arm and a leg for whatever it is they're
11 labeling the foods for and those customers
12 want it and they say so with their dollar
13 bills.

14 So you know, sort of back to that
15 question is I want to know my seafood's safe
16 and I kind of assume if it's caught in America
17 that it's caught under the laws that we
18 promulgate here but how do you say that on a
19 label?

20 CHAIR RIZZARDI: George.

21 MEMBER NARDI: Just a couple of
22 comments. You know, it sounds like, Mark, you

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1 or we want to put the service back in the
2 Fisheries Service again. And you see that
3 with -- I mean, NOAA has the President on the
4 seafood inspection side. You know, the
5 processors can be in a program and get
6 certified that their product is safe and they
7 get a stamp, or they can pay more money and
8 get a Grade A label.

9 And on the aquaculture side it's a
10 bit like, just like alphabet soup out there,
11 you know, with BAP and global GAP and you
12 know, oh MSC, well that's for the wild and
13 then if we're not a catfish and shrimp
14 producer that's big-time, you know, we don't
15 fit into a program. Are we going to make up
16 our own program, the shellfish program, this
17 kind of program a couple of years ago they can
18 participate in. And if I were the consumer I
19 would just be -- and I think it does make
20 sense in my opinion for NOAA to kind of at
21 least have a level where, just like Liz just
22 said where the consumer, the buyer and the --

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1 that can pass that onto the consumer or the
2 retailer or the food service customer that at
3 least it, you know, meets a minimum. You
4 know, it's sustainable, it's safe.

5 If you want to go for a marketing
6 label or something above that you can pay that
7 privilege, you know, and it is a lot of money.
8 With the organic standards that may be coming
9 down we've started to look at opting into -- I
10 could use a UK standard as long as USDA
11 doesn't have one yet for the US. I'm allowed
12 to use any other organic standard. But it's,
13 you know, it's a \$5,000 fee to get set up and
14 then annual audits. It's a lot of money for a
15 small company.

16 I don't know if I'll be any better
17 off waiting for USDA because I've been waiting
18 5, 6, 15 years now. So I do think it does
19 make sense for us to re-look at this issue
20 with some sort of NMFS mark that we could
21 stand behind.

22 CHAIR RIZZARDI: I want to make one

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1 comment on this web page that's on the screen
2 here. This is the NOAA FishWatch page and in
3 here is this Choosing Sustainability sub-page.

4 George, when you take this up with
5 committee I'd encourage you to scroll through
6 this and see what NOAA has said on FishWatch.
7 And I think what's interesting is if you dig
8 into the links here one of the links is a link
9 to an independent report analyzing all the
10 different sustainability resources that are
11 out there. That document shows 24 different
12 sustainability guides and resources by various
13 organizations certifying groups as
14 sustainable.

15 And that's what we're wrestling
16 with here. All of that competing information
17 that's out there. And that independent report
18 labeled those groups as the major ones. So
19 there are minor ones out there too. So that's
20 one thing for the committee to think about.

21 The next point I want to make is
22 that this is largely about words also. One of

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1 the things that strikes me in this debate is
2 when you look at those web pages and you dig
3 into what they're calling sustainable, some of
4 them are using the words "overfished" and
5 "overfishing." And NOAA has invested a lot of
6 effort into educating the public as to what
7 overfished is and what overfishing is.

8 And what if these groups are using
9 those words differently? If NOAA said under
10 Magnuson that the fishery is not overfished
11 but this group says it is, and NOAA says it's
12 compliant with Magnuson but some other group
13 has it labeled red, how do we address that?

14 I mean, these are some challenging
15 issues for our committee to wrestle with. I
16 think this is going to be a really healthy
17 discussion in the Commerce Subcommittee and
18 I'll look forward to seeing what the
19 recommendations are.

20 So thank you for the presentations
21 to Mark and to Kate. I think this was a
22 lively discussion. I really appreciate the

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1 comments from everybody and we have two
2 speakers here that I want to acknowledge for
3 the next item.

4 So Pete Granger who's the program
5 lead for Marine Advisory Services from the
6 Washington State Sea Grant Program. And
7 Nicole Faghin, the coastal management
8 specialist for the Sea Grant Program here in
9 Washington State. They are both going to be
10 talking to us on this last item of the day on
11 working waterfronts.

12 And one of the reasons we teed this
13 up as I mentioned earlier is March 2013, major
14 conference coming up, a national conference on
15 working waterfronts. And how can MAFAC start
16 thinking about this issue as one of the long-
17 term issues on our radar screen? Can we put
18 some thought out there on this issue?

19 And you know, it's an issue that,
20 again, kind of like the certification issue
21 touches on a lot of groups. It touches on the
22 recreational fishery, touches on the

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1 commercial fishermen. You know, there's a lot
2 of people who really care about access to the
3 waterfront and we're facing these challenges
4 as the waterfront continues to increase in
5 value and continues to get developed, and then
6 we don't have the resources to give the folks
7 access.

8 So Pete and Nicole, thank you for
9 being here today and we appreciate your time.

10 MR. GRANGER: Well thanks,
11 everyone. I'm Pete Granger from Washington
12 Sea Grant. I'm the fish guy on this panel and
13 I'm going to defer to Nicole to do most of the
14 talking as far as Working Waterfronts. Her
15 background is in planning and shoreline
16 planning, working with courts and working with
17 cities and working with private companies as a
18 consultant. We're really glad to have her
19 onboard as a new coastal development
20 specialist.

21 Penny Dalton, our director, sends
22 her regards. I think some of you know Penny

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1 from your working relationships in some things
2 we do. I don't know many of you personally
3 around the room but I know folks that work
4 with you. Bob, Terry King works and you've
5 been out to our workshops. George, I used to
6 work with Ken Koontz way back with Linda in
7 the Fisheries Development Foundation. Micah,
8 Sarah Fishkin comes out and delivers vessel
9 safety programs for your guys. And some other
10 folks around the table. Julie, I used to work
11 with Chris Blackburn many years ago too, so.

12 But today we're here to talk about
13 these kinds of things. Just briefly, I'll
14 give you just a brief overview of Sea Grant
15 and what it does in the state. Nicole is
16 going to give you a history of the Working
17 Waterfronts symposiums and talk about that.

18 We'll talk a little bit about
19 Northwest and West Coast Fisheries issues,
20 where we stand in the fisheries right now and
21 how they relate to the waterfront. Look at
22 some of the ports in Washington and what

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1 they've done, and then do some discussions as
2 well. And I think we'll be informal enough
3 today to allow you guys if you've got a
4 question or a comment to make feel free to ask
5 it during our presentation. We're not going
6 to be too formal with this whole thing.

7 Washington is the sixth largest
8 ocean economy in the country, almost 150,000
9 employed in our waterfront marine industries.
10 The home base for the nation's largest fishing
11 fleet. We'll talk about that, why that's
12 different from the fishing fleet that works
13 just in Washington waters. We have shellfish
14 and finfish production here in Washington both
15 on land and in marine areas, four of the five
16 largest estuaries and certainly a lot of
17 shoreline.

18 The University of Washington Sea
19 Grant Program is housed in the College of
20 Environment. It's a new college at the
21 university that encompasses a variety of the
22 marine research institutions. We have a staff

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1 of 24 people doing a number of things, many of
2 them in water quality issues. But over the
3 years we've also had a coastal development
4 specialist.

5 We had Bob Goodwin a number of
6 years ago that worked with ports and with
7 coastal development, and then Katrina Hoffman
8 who actually left us here in December and went
9 up to Alaska to work in Cordova with the
10 Prince William Sound Science Institute. And
11 Nicole has just come onboard with us as well.

12 We do research, we do outreach and
13 we do education at the university. I have, in
14 fact, a handout I'll get here when Nicole
15 starts talking about our program and we also
16 have one on the symposium.

17 So I'm going to turn it over to
18 Michele or Nicole at the present time here to
19 go through some things.

20 MS. FAGHIN: Thank you. So we're
21 going to shift from where you've been talking
22 and we're going to move to the land side of

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1 it. And it's the world that I live in, but
2 the world that I live in with land uses. And
3 where the water meets the land is so critical
4 to everything that you're doing. And so
5 that's why we really want to come and talk
6 with you because you have to be thinking about
7 this piece of it as well.

8 So, sustainability. Lots to talk
9 about. Let's talk about sustainability when
10 you're talking about the shoreline and how it
11 plays out. So it's the three circles you all
12 know, environment, energy, economy. It's the
13 social equity. It's those same three
14 principles, but let's play them out at the
15 shore's edge. Public access, water
16 dependency, environmental sustainability. And
17 they all come to a head, and they all compete,
18 and they all have to be balanced.

19 And I want to start us by saying
20 that you're all talking about your -- this one
21 focus on sustainability. In the land use
22 issue on the shoreline this is the critical

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1 issue and this is where we have to find that
2 sweet spot right in the middle for everybody
3 to get along and work together.

4 So you have the rec boat, you have
5 the fishing industry, you have the ports and
6 the hardcore industrial side. You've got the
7 citizens who want their public access, you've
8 got the environmental issues that all want to
9 see the greenest shoreline possible anywhere
10 and everywhere. And so the whole thing is
11 trying to find that balancing act where you
12 can make this all work together.

13 So, that's our problem. And we've
14 got, along with that we have this issue of
15 people and lots of people. And lots of people
16 who are flocking to coastal areas. And in
17 fact the statistics do show that not just
18 because of industry, but for other purposes,
19 for living purposes people are moving to the
20 coasts. Property values are going up.

21 And you have another little issue
22 called sea level rise which whether or not you

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1 totally buy into it is a factor particularly
2 with respect to the increase of storm events.
3 And those storm events are seriously impacting
4 what's happening right on the edge of the
5 shores, and the industry and homeowners and
6 the activities taking place at the shorelines.
7 So we have this real increase in population
8 with all of these other factors coming
9 together that really creates quite a problem
10 on the shoreline.

11 So Sea Grant has been involved in
12 trying to address some of these problems, this
13 land use-based kind of an issue. And what I'm
14 going to talk about is the genesis of how this
15 all has come about, the groups involved and
16 how it's evolved into this series of symposia
17 that have been taking place, and also then
18 this network of people working on these issues
19 throughout the United States.

20 So, just to take a step back and
21 focus on the part of Sea Grant that is a part
22 of what we're talking about, what Pete is

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1 saying which is really we start from that
2 point of being the university-based
3 organization, that we can have access to the
4 research, et cetera, to look for new tools and
5 to provide information, but also to help
6 facilitate these conversations at a local,
7 state and a national level as to what we can
8 do to really move forward some sort of
9 resolution of some of these conflicts.

10 So we're going to go back before
11 2007 and there's a partnership of this really
12 pretty, broad-ranging coalition that's come
13 together, Sea Grant, NOAA, coastal
14 developments, Coastal Services Center.
15 There's a series of research institute,
16 particularly and primarily I should say on the
17 East Coast. You have also the boating, the
18 rec boating, Boats USA, Boats US. And then
19 also the smaller fishing communities,
20 particularly in Maine have been very, very
21 involved in this -- putting together this
22 coalition.

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1 So, the issues really were coming
2 to a head and particularly in Virginia where
3 it was one place where it started where land
4 was disappearing. Basically thinking -- it's
5 a different way of thinking of it, but I
6 started to tease it out, how water-dependent
7 land at the shore is basically an endangered
8 species. If it's being used for condominiums
9 and access is being denied people aren't
10 getting to it and we're denying the access for
11 those people who absolutely can't do their
12 business but for having access to the
13 shoreline.

14 So, this came to a head when a
15 bunch of land was being sold off, turned into
16 condominiums. And the question came up what
17 do we do? How do we start trying to balance
18 this out so that we're making sure that
19 industry, recreation, access is all able to
20 get to the shore's edge? So that's what then
21 turned into a first symposium in 2007.

22 And as a result of that the group,

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1 that core group started working together
2 saying how do we have common issues? And
3 mainly it was up and down the Eastern
4 Seaboard. And I say that just because when we
5 get to the West Coast we were kind of left out
6 of that conversation. We had a whole
7 different set of issues that we're dealing
8 with.

9 But that whole conversation really
10 was very focused for a lot of different
11 reasons, some of it being our land use
12 regulations here in Washington State, some of
13 it being because we have a very robust port
14 system here in Washington State, and some of
15 it having to do with a totally different
16 fishing fleet and nature of our fishing
17 industry here in Washington State.

18 So, where it moved from Virginia
19 was up to Maine. And so as you can imagine
20 the issue in Maine really is you've got very
21 small property owners, very small fishermen,
22 single -- it's the family business, whatever.

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1 They have these little lobster, their dock and
2 their property right on these shorelines and
3 those shoreline properties are worth millions.
4 And they're getting bought out. And they're
5 recognizing that property owners either can't
6 afford to stay there or the family says we're
7 selling, we're out of here. So a lot of work
8 is being done in Maine to try to address that
9 issue.

10 So the second symposium in 2010 was
11 in Maine and the real focus there was on so
12 many of the issues that they're facing. And
13 their state legislature and their
14 representatives have been really active in
15 trying to push forward legislation to address
16 some of these issues, to do some of the
17 protection.

18 But also as part of this came a
19 little bit more action of how do we turn this
20 into more of a network. And first of all, how
21 do we define "working waterfronts" because it
22 really means something very different. For

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1 example, a lot of us on the West Coast when we
2 talk about working waterfronts, we think Port
3 of Los Angeles, Port of Tacoma, Port of
4 Seattle. That is very different from what
5 some of these small communities we're talking
6 about. So, it's finding the definitions that
7 work for everybody and trying to find the
8 commonalities so that we can bring everybody
9 together. Because there are some nuggets of
10 common interest and common issues that we can
11 work together to address.

12 So, in 2010, just to give you a
13 feel for some of the issues that were being
14 addressed and how we're working forward is
15 looking at what are the economic, social,
16 cultural and environmental impacts associated
17 with working waterfronts? What has there been
18 in the way of successful efforts and
19 strategies, both all at the local, state and
20 federal level to try to address some of these
21 things?

22 Where's the money coming from?

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1 That was probably the biggest question. How
2 can you find federal funding, local funding,
3 state funding, private funding to address the
4 issue of trying to protect some of these and
5 to buy some of these properties to help the
6 fishermen and to create the public access.

7 Then looking at that interface
8 between the small business and the regional
9 port. That's a whole tension in and of
10 itself. And then actually talking about what
11 is the future for working waterfronts with
12 respect to such things as climate change,
13 changing influences, changing demographics.

14 So one of the big things that came
15 out of that meeting in 2010 was this idea of
16 really trying to formalize it into a network,
17 a network of interest groups, users and people
18 who could start moving some of these issues
19 forward. It's industry, it's associations,
20 it's local/state/federal governments, the
21 whole range. And Sea Grant has really been at
22 the heart of trying to move this network

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1 forward.

2 And again it's to create this -- a
3 capacity really of coastal communities. And
4 "coastal" is kind of broad. We -- in
5 Washington State sometimes we think of coasts
6 being out on the Washington Coast. But if you
7 think Puget Sound, La Conner for those of you
8 who are from this area, it's the inland waters
9 too that really are coastal as well. When you
10 think of Maine, their coastline is just all in
11 and out of those, all the inlets, et cetera.
12 So, "coastal" means a lot of different things,
13 but it's really on that working -- it's on the
14 waterfronts.

15 So one of the most important things
16 that came out of this network was an
17 application to the EDA to get a federal grant
18 for half a million dollars to try to move this
19 whole concept forward. And there are five key
20 elements of what the grant is funding and
21 looking at which is the historical changes of
22 the waterfront communities; looking at an

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1 economic analysis of what's going on in the
2 waterfronts and what's the values issues;
3 looking at some of the possibilities for law
4 and policy, what exists, where are there gaps;
5 looking at what are the range of financing
6 tools, not only tools but sources of funding;
7 and then also what are you -- what are the
8 opportunities for outreach and education.

9 Some of that then now leads to the
10 next symposium. And so this is really why
11 we're here is to tell you about the next
12 symposium. And what is great is I went to the
13 one in 2010 and it was very interesting
14 because that's where I really heard how being
15 from the West Coast our issues are very, very
16 different in so many ways, but similar to what
17 they're talking about on the East Coast.

18 But what was really surprising is
19 even though we've got a huge amount of
20 coastline we're not represented yet in that
21 conversation at this national level. So, we
22 kept saying bring it to the West Coast. Have

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1 the next symposium here. Let's find where
2 there's these common interests that we can
3 start working together. So, guess what? The
4 next one's going to be in Tacoma.

5 So the symposium is going to be the
6 25th through the -- March 25th to the 28th in
7 Tacoma. And it's going to bring together this
8 whole national network and also reaching out
9 to anybody on the West Coast, on the East
10 Coast, on the Gulf Coast and also in the Great
11 Lakes. I mean they're all considered part of
12 the consortium and the network, to bring
13 everybody together to talk about these issues
14 and try to find some common ways to build on
15 what the EDA grant is doing and then move it
16 forward the next step, trying to come up with
17 some solutions.

18 So, do you want to talk about the
19 Washington fisheries next?

20 MR. GRANGER: Yes, let's just see
21 if there's any questions or comments at this
22 point. We've got a list of what we thought

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1 might be discussing items at the end that
2 relate to how NOAA and NMFS might relate to
3 Working Waterfronts. And we'll throw those
4 out here and hopefully get some discussion
5 going. Any questions at this point?

6 Okay. Well, let me just briefly
7 tell you about what's going on in Washington.
8 And frankly, and I'm still fishing up near
9 Bellingham in the sockeye and pink salmon
10 fishery up there. We're doing pretty well
11 these days for the most part. In my -- salmon
12 fisheries no, but everything else is doing
13 pretty well. We've got a combined tribal and
14 non-tribal onshore in Washington State itself
15 of about \$260 million. Offshore, counting the
16 whiting fishery off the coast and certain
17 other fisheries, about \$85 million in value.
18 Aquaculture both finfish and shellfish around
19 \$200 million.

20 And then the \$3.5 billion distant
21 water fisheries that we also kind of claim as
22 our own, that big fleet of factory trawlers

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1 and shore-based trawlers and purse seiners and
2 gillnetters that go up to Alaska and fish in
3 Alaska waters and come back down.

4 Your port rankings and National
5 Marine Fisheries Service has in their
6 commercial fisheries statistics every year, I
7 kind of went to the last one and kind of
8 looked down the list of that. And if you look
9 at that list it's really, you know, some days
10 we don't really know what those ports are
11 doing and what they aren't. You kind of get a
12 misimpression. But of course Dutch Harbor is
13 number one in terms of production. I think
14 New Bedford is number one in value. Akutan,
15 again, number four. Those are the examples of
16 the distant water fleet going up, landing fish
17 in Alaska, semi-processing it and then
18 shipping it down. And that all comes down
19 through here. There's vessels all down the
20 Washington and Oregon coast that fish in these
21 fisheries as well.

22 Then you go down the list and our

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1 first coastal port in Washington is Westport.
2 That's a trawl and dungeness crab and trawl
3 salmon fishery. Neah Bay is listed on this.
4 You go down the list, Newport, Oregon, Ilwaco,
5 Washington. All the cities that used to get
6 fish on Puget Sound pretty much aren't listed
7 except Bellingham probably and Seattle is
8 number 71. So you really wouldn't know if you
9 saw Seattle at 71 gets very few fish landed
10 here anymore from a fishery, that it is so
11 important as far as a commercial fishing hub
12 because of all this distant water fishing.

13 We're going to go through and talk
14 a little bit about certain ports and what
15 they've done and not done as far as supporting
16 the fishing infrastructure. Let's just do
17 that a little bit. And keep in mind we're
18 talking about infrastructure to support those
19 fleets. We're talking about land for fleet
20 moorage and operations themselves. What are
21 the encroachments from commercial development
22 of retail development. There's also, as

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1 Nicole has been saying, a community interest
2 in access to the waterfront. Is that access
3 being accommodated in this.

4 There are only limited locations
5 for maritime industries to locate and of
6 course we've got something that enters the
7 picture in all different areas is the
8 recreational fishing and the commercial
9 fishing, and how do you balance that out and
10 balance the infrastructure for both those
11 industries, and that's a thing as well. And
12 Nicole, just chime in here when we get to some
13 of these.

14 MS. FAGHIN: Sure.

15 MR. GRANGER: We took some pictures
16 off the web and it's pretty cool to be able to
17 do this. This is Tacoma. There's lots of
18 different areas to the Tacoma waterfront, but
19 Tacoma has been pretty aggressive in trying to
20 get some of the factory trawler fleet and some
21 of the processing vessels that Trident and
22 Icicle have. And so they've located an

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1 infrastructure area in one of their waterways
2 and it's been quite successful. There's a lot
3 of room there that Seattle doesn't necessarily
4 have. So, in addition to accommodating the
5 big maritime industries they're also
6 accommodating the fishing industry.

7 And then they've also developed the
8 Thea Foss Waterway right next to downtown. If
9 you go to Tacoma it sits right smack on the
10 water and there's a variety of uses that that
11 Thea Foss Waterway has done and the
12 development has been quite inclusive. And
13 we'll feature that at the Working Waterfronts
14 conference because we're going to be right
15 there. And we'll probably have a field trip
16 on that waterway.

17 MS. FAGHIN: Although actually
18 they're the poster child for the conflict
19 because there is an industrial dock and the
20 property owner wants to expand the dock. And
21 there's the Walk the Waterfront people who
22 want to walk across the dock, and they think

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1 that the dock shouldn't be there and that they
2 should be able to walk. So that's where the
3 two are coming right head to head.

4 So this is just a poster child for
5 the conflict between water-dependent industry
6 and access. And this is one of the things
7 that this group is trying to struggle with and
8 to come up with some solutions to help
9 communities. Portland, Oregon has been
10 dealing with the same issue.

11 MR. GRANGER: Seattle as you know
12 or some of you know has a long developed
13 maritime industry in the Ballard area and
14 Fisherman's Terminal and down in what we call
15 Salmon Bay in that area. And so this is
16 Fisherman's Terminal itself. And it's been --
17 this is an older picture. There's another
18 moorage there in the picture.

19 But there's been a lot of gradation
20 to recreational vessels, yachts, because our
21 local -- again, that fleet in particular and
22 the purse seine fleet has been reduced. Not

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1 so much the Alaska-based fleet that goes to
2 Alaska but the local fisheries. And so the
3 port has been forced to move more moorage to
4 recreational vessels. But they've been trying
5 as hard as they can to keep the infrastructure
6 for that as well.

7 MS. FAGHIN: And in this case they
8 are actually going through a planning process
9 right now, and that's been really critical is
10 making sure that they are accommodating the
11 fishing industry. But when you're going
12 through a planning process you really have to
13 put your foot down and really push hard to
14 make sure that voice is heard because the
15 department issue and the development pressures
16 like I was saying in this valuable waterfront
17 property is just incredible.

18 So they really did put their foot
19 down in an earlier iteration of some planning
20 they did where they said we will accommodate
21 the fishing community and we will make sure
22 that that's protected. Now that they're going

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1 through this upland land use analysis this is
2 coming out again as to how to make sure you're
3 keeping the net sheds, are you making sure
4 you're keeping the facilities, but then how
5 are you balancing that with the commercial
6 interests and needs. It's a great balancing
7 act.

8 MR. GRANGER: And the whole
9 waterfront there in the shipbuilding area is a
10 multi-use. There's Trident Seafoods and
11 Icicle and some of the big companies. Ocean
12 Beauty has their headquarters right on the
13 water, they've got their secondary processing
14 plants right there. There's boatyards,
15 there's both recreational and commercial
16 boatyards, shipbuilding.

17 The industry, you know, for 25
18 years here when -- the downturn in the salmon
19 industry especially in 2000, 2001, 2002, we
20 were losing boats. We were losing fishermen
21 both on the coast and in Alaska. Now, things
22 are growing again. There's good prices for

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1 fish. The fish has stabilized and boats are
2 being built again, commercial fishing boats.
3 A lot of the boatyards went to recreational
4 because there weren't fishing orders, but
5 there's lots of boats being built now as well
6 up and down Washington area. Yes.

7 MEMBER HAMILTON: Just a question.
8 With this slide and the one you presented with
9 the numbers earlier, when you say fishing
10 industry are you talking strictly commercial,
11 the numbers?

12 MR. GRANGER: Yes, yes. We're just
13 not an expert in the recreational side but I
14 know it's there, I know it's big.

15 MS. FAGHIN: And actually when we
16 get to talking about Westport that's more
17 where you can get away from commercial and
18 talk about rec fishing because that's at least
19 one of the big areas.

20 MR. GRANGER: And of course Trident
21 has had a big secondary processing plant there
22 on the water for a number of years. Again, a

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1 multi-use port. Even the salmon farming
2 industry has their shoreside facility just
3 down the coast from here that goes out to the
4 salmon farms on Cypress Island.

5 And Westport out on the coast is
6 typical of the coastal ports up and down the
7 Washington, Oregon, northern California coast
8 with a blend of recreational charter boat
9 fishing and commercial fishing. It's kept its
10 color that way. And also there's a number of
11 boat-building yards that build high-class
12 yachts for overseas sails located in Westport
13 as well. They managed to weather the storm of
14 the downturn in the trawl fishing industry.
15 The crab industry, thank goodness dungeness
16 crab fishery has held up because it's really
17 kept a lot of these ports in a viable state as
18 the salmon fisheries go up and down and the
19 trawl fisheries are gradually starting to come
20 back as well.

21 MS. FAGHIN: But this is a really
22 interesting test case as talking about the rec

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1 boating. And I just happen to be lucky
2 enough, I did the master plan for the port
3 where you've got -- these are the charter
4 fishing is all here, and then you've got the
5 commercial fishing, and then you've got the
6 big ships that are coming in. And they're
7 concerned about trying to get the big trawlers
8 into this marina. And then how does the
9 upland accommodate that. And it's this
10 tension that's just building between all those
11 different users and making sure you can
12 accommodate them all that is, keeps building
13 to a head.

14 MR. GRANGER: Well, and Westport
15 and some other ports are going to be
16 vulnerable to sea level change sooner or
17 later. They're not on very high ground.
18 There's erosion problems in a number of these
19 areas that are ongoing regardless of whether
20 the sea level is rising or falling, and
21 coastal storm events continue to exacerbate
22 these kinds of things.

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1 Port Townsend is a historic town
2 that's known as a tourist town but it's got a
3 viable commercial and recreational fleet. And
4 what they've done is allowed for a very large
5 boatyard where you can pull your boat out of
6 the water, work on it yourself. And it's one
7 of the bigger yards where trawlers and
8 gillnetters and recreational boats and sailing
9 boats can do that sort of thing.

10 MS. FAGHIN: And that's actually,
11 keeping that industrial has been very
12 important to the community and for the port
13 who manages this. Through the downturn it was
14 somewhat questionable and there was other
15 pressures to bring in the coffee roasters, et
16 cetera. But they're really trying to keep
17 this water-dependent land adjacent to the
18 marina and that's part of this whole seine
19 issue.

20 MR. GRANGER: Just briefly touching
21 on aquaculture, it's an important issue. Not
22 generally located in the bigger ports and more

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1 established ports but smaller ports certainly
2 on Puget Sound. And the whole issue of
3 offshore aquaculture. Is it going to develop?
4 Where? What kind of infrastructure will it
5 need? What kind of logistics to the
6 marketplace will it need? It's all part of
7 this mix.

8 MS. FAGHIN: The other piece that's
9 really come out in Washington State with
10 aquaculture is the public access conflict
11 because a lot of this is along these beaches
12 and they're saying if you open it up to public
13 access you are creating this conflict because
14 it's conflicting with our business issues, our
15 business that we're trying to build here. So
16 who gets the rights and how do you balance
17 that?

18 MS. LOVETT: We talked a lot about
19 aquaculture at this meeting.

20 MS. FAGHIN: Oh, you did? Okay.
21 So you already talked about that issue.

22 MR. GRANGER: Another port -- yes,

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1 Bill Dewey here today I think earlier and some
2 other folks. The only thing, my home stomping
3 grounds has been successful in keeping a
4 commercial aspect as well and they've kept
5 their sheds for the purse seiners fleet.
6 They've allowed for enough dock space although
7 there's been a lot of attrition because this
8 is a big gillnet port for in-Sound salmon
9 fisheries and that's gone by the board.
10 There's a lot of tribal fishermen that work
11 their boats here as well from the Lummi Tribe.

12 MS. LOVETT: So are those like
13 garages for boats in the picture down there?

14 MR. GRANGER: Yes, in fact --

15 MS. FAGHIN: Yes. They're
16 boathouses. Covered moorage for boathouses.

17 MR. GRANGER: They just had a fire
18 up there that destroyed about 12 of those. It
19 was really pretty sad.

20 Everett is an example of a fishing
21 port that was a long-term fishing port. It
22 had a processing plant, it had a boatyard, it

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1 had a pretty big fleet of seiners and
2 gillnetters and it's pretty well all gone by
3 the board. And it's mainly because there just
4 wasn't enough money to keep that fishing
5 community alive, that commercial fishing
6 community alive in Everett. So if you go to
7 Everett now you'll see remnants of the fishing
8 areas, the plants and stuff, but there's
9 really no basic infrastructure other than
10 moorage in Everett and the most of the rest of
11 it is now in recreational type stuff.

12 Everett's just -- so, so let's go
13 into, we just tried to brainstorm, you guys,
14 what we thought were some of the issues that
15 NOAA and NMFS in particular would relate to in
16 this whole area and give you guys some things
17 to think about. Obviously we want you to
18 manage fisheries sustainably because it's the
19 sustainable, viable, healthy fisheries that
20 mean the boats can come out and catch -- go
21 out and catch the fish and then bring them
22 ashore and have all these other things happen

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1 to them. The same with aquaculture,
2 especially if there's going to be aquaculture
3 in the offshore zones.

4 Then there's the upland issues that
5 we've been talking about and conflicting and
6 limiting regulation. NOAA and NMFS doesn't
7 have jurisdiction generally in these kinds of
8 areas but there's no reason why they can't --
9 they certainly have presences in a lot of
10 these cities -- be more involved potentially
11 with ports and with port directors and getting
12 to know the issues.

13 One thing that I've often thought
14 about and would like to see more of is
15 economic impact studies. We don't have good
16 economic impact studies of the value of the
17 recreational fishing and commercial fishing
18 industries both on a national level, a
19 regional level and port by port by port. You
20 all have economists on staff. Could they in
21 fact do more of this kind of thing? I think
22 it would be very, very useful.

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1 And then there's the whole issue of
2 grants and funding and how NOAA relates to the
3 things that some of the more economic
4 development-related agencies get involved in.

5 I think that's it for our talk
6 anyway. Yes.

7 MEMBER ALEXANDER: I just had a
8 comment. In 1988 -- I live in a little dinky
9 town called Cundy's Harbor, Maine. And 1988
10 we lost our last commercial fishing wharf
11 there. And so in 1991 me and another guy
12 bought a marina and turned it -- it was
13 originally a commercial fishing wharf. Those
14 guys tried to sneak a marina in under the
15 radar and the town shut them down, so we ended
16 up buying it back from them.

17 But we were fortunate enough to be
18 able to convince -- that we needed a
19 commercial fishing wharf there so that we
20 could buy it back. But not everybody has that
21 luxury or that town, which was probably number
22 like 30 or 40 on the list of commercial

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1 landings in the country in the sixties and
2 seventies, was without a place to unload fish
3 or a place to ask for a fisherman to come out
4 and access the water.

5 And since then the state has come
6 in and if they do have a working waterfront
7 wharf they're now alongside of ours, but I
8 mean, and now all the fishermen own the wharf
9 now. We all bought it together. And that's
10 the only way because you know, that piece of
11 property is probably worth how many millions
12 of dollars now? But that access is also worth
13 how many millions of dollars to us over time,
14 you know, so.

15 MS. FAGHIN: And it's looking for
16 the interesting ways to help. You're not
17 always going to have the capital as the
18 fishermen to purchase that or the collective.
19 So are there other techniques.

20 CHAIR RIZZARDI: Mark?

21 DR. HOLLIDAY: First, an
22 observation in response to one of your trigger

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1 questions on working waterfronts. I think
2 there's a lot of work ongoing within NOAA with
3 respect to the economic and community profiles
4 of different ports, but it's all in the
5 context of regulatory changes in the fishing
6 industry and understanding the impacts of
7 different public policy choices. So it's in
8 that context versus the larger planning and
9 preservation of working waterfronts and the
10 competing interest for development and other
11 non-maritime uses.

12 And so I think there's -- there's
13 actually quite a bit of information on the
14 economics of fishing but less information
15 about how do we make these tradeoffs in these
16 competing interests.

17 My question was, you know, many of
18 the questions about preserving working
19 waterfronts deal with local zoning questions
20 and local government. And I'm wondering what,
21 if any, successful public policy tools are
22 available through either state laws that

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1 promote easements or other opportunities to
2 preserve maritime trades, enterprise zones?
3 You know, again public policy devices that
4 provide legal basis or economic basis to
5 incentivize people to preserve more of the
6 maritime industries versus some of these
7 competing interests.

8 MS. FAGHIN: That's exactly what
9 the EDA grant is doing. I mean, that's -- I
10 couldn't have said it better, let's put it
11 that way. That's exactly the point is what
12 are the tools in the toolbox because at this
13 point zoning isn't the only thing.

14 For example, in Washington State we
15 have a really robust Shoreline Master Program,
16 but that's not true on the East Coast. And in
17 some ways, well some would say it's not as
18 good as it could be, but it's a tool that we
19 have that's not in other places.

20 There are other techniques that are
21 being tried. There's the whole idea of
22 transfer of development rights, for example.

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1 Applying that to the fishing industry which
2 has never been done before, that's a
3 technique. They're looking at property tax
4 incentives. There's a whole range of things
5 that aren't zoning-based because zoning only
6 goes so far. So they're really a robust --
7 and that's the whole point is to look at the
8 whole suite of activities and opportunities.

9 CHAIR RIZZARDI: George?

10 MEMBER NARDI: I think you're
11 right, there's the whole suite and there's the
12 large differences between maybe more developed
13 areas versus less developed.

14 And in Maine north of where Terry
15 was talking about where we established a farm
16 our biggest issue was infrastructure. There
17 was no wharfage for us to use within 40 miles
18 of the farm practically. And so we were
19 talking with some fishermen and others trying
20 to form a group to see if we could fund or get
21 the money put in place, a wharf that we could
22 all use, almost like a co-op. Because we

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1 would all benefit. We almost had a piece of
2 property but it didn't quite qualify because
3 it didn't have enough equity in the land to
4 trigger the funding from the state to pay for
5 the wharf.

6 On the other hand, I've been
7 recently involved with the City of Boston that
8 has its inner harbor and harbor area all it's
9 zoned. It's got to be a working or water-
10 dependent activity. You know, and they want
11 to find out what they can do to attract
12 business in other than maybe another marina
13 which they have plenty of and they have the
14 commercial fishing fleet.

15 So they're trying to figure out how
16 they can get aquaculture in order to
17 diversify. You know, what do they need to do
18 to attract business to the acreage they can
19 make available.

20 So you know, there are cities or
21 waterfront areas that have gone to the point
22 of zoning and trying to figure out how to

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1 attract business in. So I think there's the
2 extreme, there's differences.

3 MS. FAGHIN: Yes. Yes. And I
4 think the biggest point is there's a lot of
5 stories to be told that have been tried that
6 people need to be able to share, and that's a
7 lot of this as well.

8 I think that what we do on the West
9 Coast could benefit from learning from some of
10 the things that they've done on the East
11 Coast, even California to Washington, for
12 example. But that's where it's not just about
13 the fish and how healthy the fish are and what
14 you're fishing. That's why I say it's, you
15 know, do you have the land base right there at
16 the shore's edge to deal with these fisheries
17 that you're trying to manage. And so that's
18 the real critical story to be told I think.

19 CHAIR RIZZARDI: Julie Bonney.

20 MEMBER BONNEY: Yes. I'm just
21 going to make a comment. In Alaska, working
22 waterfronts, most people look at that as kind

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1 of a brand for anti-catch shares which is
2 basically less, you know, more efficiency,
3 less vessel operations and those kind of
4 things. And so I don't know how you --
5 because I don't -- what you've talked about
6 today is more about infrastructure and land
7 use. And so I don't know how you -- I think
8 most of the Alaska constituency would think
9 the topic is totally different than what you
10 were talking about.

11 MS. FAGHIN: I didn't -- my brain
12 was going and it went the other. So what is
13 it that Alaska would see -- think of?

14 MEMBER BONNEY: They would say that
15 it's, that basically catch share programs is
16 the way to diminish working waterfronts
17 because it's less boats in the fishery. And
18 so it's kind of the jobs for the boys versus
19 economic platforms. So I don't know, I was
20 just looking at one of the local conservation
21 groups and that's what they're talking about
22 is working waterfronts is where we're working

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1 in terms of policy decisions in the northern
2 Pacific.

3 MR. GRANGER: Yes, I hadn't thought
4 about catch shares and whether they would be
5 any part of the mix.

6 MEMBER BONNEY: Right. So I don't
7 know. I mean obviously you guys are well down
8 the path but my first thought was -- since I'm
9 a catch share advocate it kind of had a
10 negative connotation.

11 But and then the other comment that
12 I would make is when you look at economics,
13 lots of times people think of economics on the
14 -- either in recreational or harvesting, or
15 commercial harvesting in terms of value, so X
16 vessel value, wholesale value.

17 The other economic indicator that I
18 don't think people really think about that
19 really builds infrastructure is volume. So as
20 you're having a lot of volume coming across
21 your docks then you're going to need the dock
22 space, the warehousing, the employees to do

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1 the processing.

2 And so I think sometimes in the
3 policy arena they only think about dollars and
4 not about the full-time equivalents and the
5 amount of activity and second generation
6 dollars that you create from a volume fishery.

7 MS. FAGHIN: Well that's part of
8 this too is having a whole track that allows
9 people to talk about economics. I heard a
10 really interesting presentation about just the
11 tax base and the difference, how do you
12 compare. The argument is made that you get a
13 better tax base from the condo development
14 than you do from the working waterfront.

15 And so somebody, this is somebody
16 in -- not in Boston, I think in Gloucester,
17 did a fairly robust economic analysis
18 comparing the two and being able to say what's
19 the value. And those are the conversations
20 that we need to be having.

21 CHAIR RIZZARDI: Heidi?

22 MS. LOVETT: Just in case you

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1 haven't noticed it on the MAFAC website we do
2 post just a two-pager or a one-pager two-sided
3 document that provides you some background on
4 what NOAA is doing to support Working
5 Waterfronts.

6 And I noticed that there was a
7 request last year in the NOAA budget
8 specifically for a special grant program for
9 Working Waterfronts. And so we asked did we
10 get the money in FY `12. We didn't know. We
11 had -- we contacted some of our colleagues at
12 NOS.

13 And I just thought I'd share with
14 you that in FY `12 there was a specific \$8
15 million request to support grants specifically
16 for Working Waterfronts. It was not funded
17 and because of the budget climate this year
18 NOAA did not make that request. So there's no
19 special grant program.

20 However, the CZM program that is
21 part of NOAA and particularly part of NOS, in
22 FY `12 their monies or this current fiscal

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1 year, they have a budget of \$65.7 million and
2 a fair amount of that are grants to all the
3 coastal states, that's what helps the Coastal
4 State Management Programs operate.

5 They don't know just yet for this
6 year's numbers but they can look
7 retrospectively at FY `11. And what I found
8 out is at least \$9.3 million of the NOAA
9 budget plus matching funds which were state
10 funds at \$8.3 million, so combined about \$17.6
11 million went specifically for coastal
12 community development of which, you know, at
13 least those folks and the budget folks are
14 categorizing as supporting working waterfronts
15 of various types. I can't get more specific
16 than that.

17 But, so NOAA does try to support
18 these various activities through Sea Grant,
19 through the NOS CZM program. But
20 unfortunately that specific grant program
21 really targeting Working Waterfronts was not
22 in the, you know, not in the cards for this

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1 current fiscal year. It's just something for
2 you all to think about.

3 CHAIR RIZZARDI: Anybody else, any
4 comments? All right. Thank you so much for
5 your presentation today. We really appreciate
6 your coming.

7 (Applause)

8 CHAIR RIZZARDI: All right. We
9 made it through the entire agenda. We are 8
10 minutes over time but I guess we need some
11 update on the plans for this evening and
12 catching the bus. So we're -- Heidi, do you
13 have an announcement as far as what time we're
14 meeting for the bus downstairs?

15 MS. LOVETT: So, the bus is
16 planning on departing at 5:45. You have a
17 little more than half an hour to pack up, get
18 your stuff upstairs. We'll meet in the lobby
19 downstairs. So between 5:30, 5:45, come back
20 down and meet up and we'll try to take off as
21 soon as we can.

22 I have a head count I think of 30

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1 people. So if anybody's not planning on going
2 let me know. But we assumed everybody would
3 sort of gather on the bus. It will be the
4 easiest way for everybody to get there and
5 then you can enjoy other kinds of refreshments
6 and not have to worry about driving back if
7 you have your own car.

8 CHAIR RIZZARDI: Okay. Thanks
9 everybody. See you downstairs in a little
10 over half an hour.

11 (Applause)

12 (Whereupon, the foregoing matter
13 went off the record at 5:09 p.m.)
14
15
16

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