U.S. DEPARTMENT OF COMMERCE

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NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

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MARINE FISHERIES ADVISORY COMMITTEE:

PROTECTED RESOURCES SUBCOMMITTEE

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WEDNESDAY,
OCTOBER 26, 2011

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The Marine Fisheries Advisory Committee met, at 1:49 p.m., in the Hyatt Regency Washington on Capitol Hill, 400 New Jersey Avenue, NW, Washington, DC, Keith Rizzardi, Chair, presiding.
MEMBERS PRESENT:

KEITH RIZZARDI, Chair
RANDY CATES
PAUL CLAMPITT
EDWIN EBISUI
VA'AMUA HENRY SESEPASARA

STAFF PRESENT:

JOSHUA STOLL

ALSO PRESENT:

JONATHAN SHANNON ANGELA SOMMA

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questions. So, I didn't really prepare anything.

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MEMBER EBISUI: Well, I could give the background, Keith.

CHAIR RIZZARDI: Okay.

MS. SOMMA: Okay.

MEMBER EBISUI: Randy and I are interested in having the Committee and the Whole hear us out about the Hawaiian monk seal issue. And it stems from NMFS's publication of proposed rules to extend critical habitat designations to the main Hawaiian Islands for the monk seals.

Now, historically, around mid-1986, the northwestern Hawaiian Islands were designated a critical habitat for the Hawaiian 1988, it was monk seal. amended In by somewhat enlarging that designation or the designated area. The 1988 designation was 20,000 depth, around the beach areas to northwestern Hawaiian Islands, which is now the monument. I can't pronounce the name of

1 the monument.

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2 (Laughter.)

It is a made-up name, anyway.

But the current proposal is for critical habitat designation from 5 meters above the high-water mark to 273 fathoms, which is 500 meters, around all of the main Hawaiian Islands. And I believe there is talk of exceptions for military installations and

Now the best estimate I think at this time is that there is about 1100 Hawaiian monk seals. Most of the population is the northwestern Hawaiian Islands, a huge part of that, about 90 percent of it.

But, beginning about the mid-1990s, 1995, 1996 --

18 MEMBER CATES: 1994.

Waikiki Beach. Go figure.

MEMBER EBISUI: 1994?

20 MEMBER CATES: Yes.

MEMBER EBISUI: Okay, 1994, the

government began to, what they call,

translocate certain seals or some seals from
the leeward islands, the northwestern Hawaiian
Islands, to the main Hawaiian Islands. That
translocated population is about 150 now, 150
to 200. So, they have been translocating them
for about 17 years or so.

And the population in the northwestern Hawaiian Islands has been on the decline. It has been a consistent decline. From what I gather and from I have read, scientists believe that it is because of predation of the pups by principally kalakala sharks in the northwestern Hawaiian Islands.

It is a pristine environment, but, for whatever reason, the monk seals there are not doing very well. They are exhibiting all kinds of antisocial behaviors like males will get together and mob a female, injuring the female. I think they have had incidences where males would even mount pups. So, there is all kinds of weird stuff going on.

But, in any event, we are really

1 concerned about the practice -- yes, I guess 2 it is a practice -- of designating critical habitat in the main Hawaiian Islands for a 3 species that was translocated there. I think 4 5 the scientists would say that there is no 6 evidence of monk seals ever inhabiting the main Hawaiian Islands. There's no history of 7 8 it.

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I believe I heard that they had found, somebody had found some bones that they believed were monk seals in the main Hawaiian Islands.

MEMBER CATES: It wasn't proved.
You couldn't prove that.

MEMBER EBISUI: Yes. We are asking the Committee to take a look at this and make a recommendation.

MEMBER CATES: If you don't mind, let me add a couple of other things.

MEMBER EBISUI: Go ahead.

MEMBER CATES: I found it a little bit disturbing yesterday, the chief scientist at NOAA was wrong on two critical points. No.

1 is he said the monk seals that are in the

main Hawaiian Islands just came there on their

4 own. That's factually not true.

There is a document, a NOAA document, "Management Approach and Experience with Monk Seals," by Margaret Dupree. It specifically talks about translocating up to 40 animals starting in 1994. So, they actually were bringing the animals there.

And that is a point of discussion that came up at MAFAC and during the break.

He said, "No, no one ever brought these animals to the main Hawaiian Islands. They came there on their own." That is factually untrue.

So, the second part that he has misunderstood is there are two components right now. NMFS wants to create critical habitat, as he said, for all waters of the main Hawaiian Islands, with the exception of the military installations and Waikiki. That

is a huge, overreaching stance that will affect commerce, fishing.

Anything you do now, you have to go through the NEPA process before you can get a permit for anything. That is a concern all the way up to the Governor. The State of Hawaii has been on record taking a position that they don't think this is appropriate.

So, I would ask the bigger body, you know, this is a big issue for NOAA to think about, for MAFAC to give advice on. Do you take a non-native species, put it in an area that it has never been before, and then create critical habitat, which has a farbearing effect on all commerce?

The second part of this whole proposal is now they want to bring in, part of the plan is to bring in more pups, release them in the main Hawaiian Islands, and then when they get big enough, take them back.

And both the gentlemen yesterday said, "No, no, no. They're just bringing them

to the main Hawaiian Islands and putting them in facilities." And that's not factually true.

The plan is bring them into the main Hawaiian Islands, release them, go and collect them when they get through that critical part, and take them back, and this will be an ongoing effort.

I and many others think that there are better ways of doing that. You are bringing them into an area that has got a lot of human activity that you don't want to get them used to.

And there seems to be not a real effort to create critical habitat where they are from, and there are ways of doing that.

But, due to outside reasons, they wan to bring there.

So, I mean, if you apply that to any other state, I just find that really alarming that we would even consider playing with Mother Nature that way.

Page 11 1 CHAIR RIZZARDI: Can I ask some 2 questions? 3 MS. SOMMA: Certainly. CHAIR RIZZARDI: The points that 4 5 are being raised here, in other instances the 6 agencies would have labeled these species an 7 experimental population, and it might have 8 modified the requirements of the ESA and how 9 it was implemented. I went back and I looked at the 10 original listing in 1976, which doesn't seem 11 to indicate that the main Hawaiian Islands was 12 13 part of the range at the time. So, the point 14 that it is being raised here, that if it is a 15 relocated species, but it wasn't labeled as an experimental population --16 17 MS. SOMMA: Right. CHAIR RIZZARDI: -- how is NOAA 18 19 wrestling with that? Is there any effort 20 to --21 MS. SOMMA: NOAA right now has no

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designated experimental populations.

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Hawaiian monk seals are not designated as experimental populations.

The position of NOAA is that monk seals are native to the main Hawaiian Islands. I understand there is some disagreement about that, but that is NOAA's position. And so, we don't view this as proposing to designating critical habitat outside of the natural range of the species.

We are proposing to designate within the main Hawaiian Islands, but all of the northwest Hawaiian Islands, which are already designated, that designation is being expanded as well.

I also want to clarify that, if an area is designated as critical habitat, there is no NEPA requirement that comes in place as a result of the critical habitat designation.

The regulatory impact of critical habitat is if there is a permit that is required or an action that a federal agency undertakes or a permit that you have to get from a federal

agency, then there has to be a Section 7 interagency consultation.

A NEPA requirement would come into place because you need a permit from that federal agency, regardless of whether it is critical habitat there or not.

MEMBER CATES: You are correct on that, but my concern is exactly that, having to do the Section 7 consultation. Everything we do in Hawaii pretty much requires that.

Any EEA will go through the Army Corps permit process.

CHAIR RIZZARDI: Again, the 1976 listing says that the range is all of the Hawaiian archipelago, but it then talks about breeding habitat which does not include the main Hawaiian Islands.

So, then, it leads me to look at the criteria for designating critical habitat.

And the decision that has been proposed is very broad in terms of encompassing the whole main island.

I guess I would have to dig into
the opinion, but can you explain how you came
up with your criteria and how it relates to
the statutory and regulatory requirements? I
mean, what are we dealing with? Are we
dealing with breeding habitat or breeding with
sheltering habitat?

What strikes me is, are some of these beaches along the outer areas of the main Hawaiian Islands and the north short of the Hawaiian Islands, are we really saying that is critical habitat because it is essential to the survival and recovery of the species?

MS. SOMMA: Yes. When we listed monk seals, we identified the entire Hawaiian archipelago as part of their range. As you know, the statute talks about occupied and unoccupied. It doesn't distinguish between whether it is breeding habitat or sheltering habitat.

We consider the main Hawaiian

Islands to have been part of the monk seals' historic range when they were listed. We consider it part of their current range. We are not proposing to designate that as unoccupied habitat.

And I want to also get back to the translocation issue. It is not just experimental populations where you take some animals and move them to an area where they may be able to survive much better. As you mentioned, there's a lot of issues in the northwest Hawaiian Islands. We don't really know why the survival there is so low. There's a number of theories, but we are not really sure.

And they seem to be doing quite well on the main Hawaiian Islands. So, there is some discussion about bringing some pups over to the main Hawaiian Islands, so that they reach that -- just like we have done with sea turtles and the Headstart Program -- of getting them past a critical life stage in an

area where they are not likely to have the same level of mortality than if they were just left in the northwestern Hawaiian Islands.

MEMBER EBISUI: The bottom line is that the monk seals in the northwestern Hawaiian Islands have been unable to adapt to a pristine environment. That is kind of alarming. Something is going on. There are dynamics going on.

And my concern is, how far do we intrude? Do we intervene in the natural processes?

MR. SHANNON: It is not necessarily a pristine environment anymore.

MEMBER EBISUI: It is a monument.

MR. SHANNON: Well, from the iguana harvesting, and there was harvesting all the way back to the 1800s, and other activities have been happening there for a long time. But it has just now become a monument in 2005, I believe it was designated.

It was the Northwest Hawaiian Islands Coral

1 Reef Reserve before that.

MEMBER EBISUI: Yes, but the fisheries that were going on there were highly rated, I mean as not adverse to the environment, not endangering or interacting with the birds, mammals, turtles. It was a very, very clean fishery.

MEMBER CATES: One of the arguments to create a monument was that it was the last pristine area. So, now that it is a monument, the state is not pristine; it doesn't work that way.

One question I have is, has any science been done in designating the main Hawaiian Islands, that they were once there or they are part of that? Because I have never heard that there was any actual science done that shows the main Hawaiian Islands monk seals actually inhabited.

There is no native Hawaiian word for them. There is no known bones that have been proven to be, which is highly unusual.

1 You know, the language is the history book.

And if they were there, Hawaiians would have had a word for it.

So, if NOAA just determined this,
what was the basis for that determination?

MS. SOMMA: Well, as you read through the proposed designation, I mean, it talks about how we believe there is some record in the fossil record as well as some --

MEMBER EBISUI: Fossil record?

MS. SOMMA: -- sighting records back a hundred or so years ago.

I am not involved in the intimate details of this designation. We would have to talk to or I can ask our Regional Office to talk to you.

I don't know exactly what you mean by science, but, yes, we did go back and get what information was available, and NOAA reached a conclusion that historically they were there and that they are not moving into an area that is outside of their natural

1 range.

CHAIR RIZZARDI: Well, that is a different issue from whether or not the range is critical habitat, and that is the distinction that I am trying to tease out.

I understand that you may have viable range --

MS. SOMMA: Right, and the reason why it is being proposed for critical habitat is because, as was mentioned, there are not doing well at all in the northwest Hawaiian Islands. The only area where they seem to be doing fairly well and actually the population is increasing is in the main Hawaiian Islands. And that is the basis on which we are proposing to designate it as critical habitat, because this species is critically endangered.

As you mention, there is only about 1100 animals left. Under the Endangered Species Act, we need to take whatever measures are necessary to try to prevent extinction.

CHAIR RIZZARDI: Sure. At the

same time, one of the things I have frequently advocated is being cautious in the way we implement the ESA to not needlessly create human conflicts, if we can avoid that. I understand there may be times when you can't avoid it --

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MS. SOMMA: Right.

CHAIR RIZZARDI: -- that you have got to designate it. So, again, I go back to the critical habitat criteria.

And I am just thinking about for some of these beaches, you know, you have carved out one beach, and understandably so. But there's lots of other around the island, and I am thinking about, are we really talking about these are the spaces that are essential to the survival of the species; these are the places where the food, water, air, light, minerals, other nutritional and or physiological requirements are being these are the areas providing cover or shelter for the species; these the sites for are

breeding or reproduction; these are the sites
that are representative of the historical and
geographical and ecological distribution of
the species.

Those are the criteria for a designated critical habitat.

MS. SOMMA: Yes, I know what the criteria are.

CHAIR RIZZARDI: And so, I am walking through that and I am hearing this conversation and I have a disconnect. So, I am just hoping you can help me connect that.

MS. SOMMA: Well, I think from NOAA's perspective, these areas do provide that. It is a critical breeding and it includes areas outside beyond the beaches that are critical to feeding.

MEMBER EBISUI: All the beaches in all of the main Hawaiian Islands, that is what the proposal is.

MR. STOLL: I think I would just jump in and say it seems like it is a slightly

- broader question and it is a broader issue.

 How does the agency deal with shifting
 populations?
- 4 CHAIR RIZZARDI: Uh-hum, it is a 5 tough issue.

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- MR. STOLL: We have heard a lot in this last couple of days about climate change being an issue, loss of habitat being an issue.
- MEMBER CATES: The only problem is
 that is not what this is. This is not a
 shifting population. This is a population
 that was broad.
 - So, the philosophical question is, if you have a --
 - CHAIR RIZZARDI: Well, there's disagreement over that. You guys are saying the species wasn't there. NOAA is saying they have some evidence that the species was there.

 But that is a science issue.
- MEMBER EBISUI: Well, let's put it this way: all the animals that are there in

the main Hawaiian Islands now were either brought, translocated, or they are offspring of translocated critters, all of them, every single one of them.

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They've all got numbers on them.

CHAIR RIZZARDI: Sure, but they

are still protected. They are still a listed

species. They are still subject to the protections.

And the ultimate goal of the Species Endangered Act was to achieve recovery. So, when you have the situation are dealing with now, which is that we changing climate conditions and needing to make sure that there is other viable habitat for the species, you may, in fact, need to protect some areas of the main islands that weren't historically protected.

And again, all I am trying to explore is, is there the opportunity to finesse the issue and to be a little bit more judicious about whether it is the whole of the

main island or whether it is portions of the main island, and whether we could apply the critical habitat criterion in a way scientifically-justifiable that allows us to say some areas, yes, and some areas, no.

MS. SOMMA: Well, I think the way
NMFS gets to exclusions and the way the
statute gets you to exclusions is through the
4(b)(2) process. I think the areas that we
have proposed for designation we believe meet
the criteria for proposing designated critical
habitat. We have proposed to exclude some
areas through the 4(b)(2) process. We have
extended the comment period --

CHAIR RIZZARDI: The consequences outweighing the benefits analysis, is that what you are talking about?

MS. SOMMA: Yes. Yes, the economic costs outweigh the benefits of designation.

We have reopened the comment period for another 60 days. We will evaluate

1 whatever comments we receive. We may take 2 another look at exclusions through the 4(b)(2) 3 analysis based on whatever comments 4 receive. But I think NOAA is pretty 5 comfortable in its belief of how we have 6 applied the criteria for designating 7 proposal that we designate or the proposal 8 that we put forward.

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MEMBER EBISUI: It would make more sense, to me anyway it would make more sense to figure out what the problem is in their native habitat and fix that. Now I know that they were very concerned about the sharks taking pups.

MS. SOMMA: Right.

MEMBER EBISUI: And NOAA was not able to get authorization to take those sharks out.

MS. SOMMA: Right.

MEMBER EBISUI: That sounds like a governmental problem, not a natural problem.

MS. SOMMA: Well, that is

suspected to be one piece of it. And it is not that NOAA is not doing -- we are doing a significant amount of research, trying to figure out what is going on in the northwest Hawaiian Islands.

A lot of these issues are very difficult to tease out what exactly the cause is, and we are looking at all ways of addressing, trying to address all the factors that are precluding them from recovering, but it is hard to address factors when you don't really understand what the dynamic is and what it is that is actually causing the problems that they are having in the northwest Hawaiian Islands.

MEMBER CATES: This is the type of issue that MAFAC, in my opinion, needs to be vetting out to the full body Committee, and it is a philosophical question.

MEMBER EBISUI: It's a policy,
21 yes.

MEMBER CATES: To what level do

you go? Do you take the sea lion on the West

Coast and put it on the East Coast in the name

of protection? Would that be appropriate?

Would you take one from Alaska and put it down

in California?

It is really, what degree do you go in the name of protection, and how does that affect the rest of society and fisheries and everything in the area? To take an entire state body of water and go, okay, this is going to be the area, is a big leap.

MEMBER EBISUI: You know, at one time, a 20,000 depth was sufficient. Now it is 273,000. Give me a break. Do you know how much area that encompasses, how much human activity occurs in that area? It seems that the government is creating a problem.

CHAIR RIZZARDI: Just to step back from the big picture, a lot of the policy that you are articulating, the policy debate that you are articulating is a result of what Congress passed in the Endangered Species Act.

You know, the Endangered Species Act gave them their marching orders. It has these objectives.

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MEMBER CATES: It is the interpretation of it.

CHAIR RIZZARDI: Well, then, we get into the issue of the critical habitat.

Then there are two ways that they could not designate critical habitat. One is they find that the area doesn't meet the requirements, and the second is that they assert an exemption, right? It is one or the other.

And if neither of those are applicable, then it has to be designated as critical habitat.

That is the pushback that you are hearing from the NOAA folks. They are saying they are not sure it meets the criteria for economic exclusion. It does meet the criteria for critical habitat.

So, there are two ways for you guys, as stakeholders, to assert yourselves.

One is to put information before NOAA through

the comment process that says here's why these particular areas don't meet the critical habitat requirements, and the other is to assert here are the economic consequences and you should invoke the exception.

Did you follow?

All right, and I am not sure that right now MAFAC has sufficient information to make the policy judgment that you are looking for right now. I understand, and given more facts, maybe we would be in there and be able to say something.

But, I mean, I consider myself pretty knowledgeable on this subject, and I can't sit here and give you, well, it is clear one way or it is clear the other. I think that is why NOAA is still going through the comment process.

MEMBER CATES: I think the question for MAFAC is more of the bigger picture. If it is going to happen in Hawaii, then it can happen anywhere else. I think it

is a very alarming thing, what is about to happen. It is going to affect a major, major portion of commerce in Hawaii.

CHAIR RIZZARDI: Angela, would it be possible to designate the population around the main island as experimental now after the fact? Is that a policy tool that is available to NOAA to enhance its flexibility in the ESA implementation?

MS. SOMMA: At this point, I don't think it is possible because we view that as part of a listed entity. We don't view it as a reintroduction. And for experimental populations, that is what you designate when you are looking to reintroduce.

CHAIR RIZZARDI: Uh-hum.

MS. SOMMA: And in our view, as I said, they are native to the main Hawaiian

Islands. We don't view it as a reintroduction.

What has been proposed in terms of bringing pups from the northwest Hawaiian

Islands to raise them for a certain period of time in the main Hawaiian Islands is more akin to the Headstart Program that we had for sea turtles. That is not a reintroduction, in our view.

CHAIR RIZZARDI: Can you help me understand that and elaborate a little bit more? Are they just mistaken about the point of them all being brought over? Are some of these animals ones that got there on their own?

MS. SOMMA: I have to tell you, I am not familiar with the details.

CHAIR RIZZARDI: Okay.

MS. SOMMA: But I do believe that some of them were brought there or translocated. But it is within their natural range. It is not necessarily a reintroduction.

CHAIR RIZZARDI: So, what is the distinction? I mean, I would have thought that reintroduction would have meant that the

1 species used to be there historically, wasn't 2 there. They grabbed a piece of population from someplace else and they moved them to the 3 place where they used to be. That is what I 4 5 would have thought reintroduction meant, which 6 sounds like what this circumstance is. 7 MS. SOMMA: Well, I don't know the details of this. 8 9 CHAIR RIZZARDI: Okay. 10 MS. SOMMA: And I apologize. CHAIR RIZZARDI: I understand. 11 12 MS. SOMMA: I was told this was going to be a broader discussion --13 14 CHAIR RIZZARDI: And I am sorry 15 that you are stuck on the spot. 16 MS. SOMMA: than the very specific details of this critical habitat 17 designation. 18 19 CHAIR RIZZARDI: I see. I see. 20 MS. SOMMA: So, I am not going to 21 speculate any further --

I understand.

CHAIR RIZZARDI:

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MS. SOMMA: -- about how they got there or whether they got there.

CHAIR RIZZARDI: Is it possible for us to have a followup on this?

MEMBER CATES: I have got the document. It talks translocation from the northwest Hawaiian Islands, NOAA original wildlife guidelines, 40 adult males, when it started in 1994. It is all documented when they started doing this.

And the discussion of whether they are from the main Hawaiian Islands, I have been to a couple of meetings on that, and West Pac has specifically asked for the science on that, and I have never heard of it, "Here is a science that says they were once here before."

Everything I have heard and testimony has been there is no documented evidence of it.

And that was a big question when this started back in 1994. Why are you bringing these things here if they are not from here? That was a big debate.

So, the first I have ever heard that NOAA determined that they were from here was actually today. I have never heard a NOAA person say that their science has shown that.

CHAIR RIZZARDI: I'm lacking sufficient information.

MR. STOLL: So, it seems like, getting back to your point earlier, that we can't necessarily focus specifically on the monk seals. I don't think necessarily that MAFAC's will is to focus specifically on a species, but there is intention to hear policy questions.

MEMBER CATES: This should be the alarm bells should be ringing for everybody in this room. That is, to what level do you go in the name of protection? Do you take a species and put it in fishing grounds that never were there before potentially and say, okay, now that is critical habitat and you've got to be able to change your ways? To what level do you go to?

1 worked so hard To we me, 2 keeping endangered species out, and that is precisely what we are doing right 3 potentially, bringing animals in and we are 4 5 playing around with where -- I agree with Ed, 6 it would make more sense to create critical 7 habitat where they are at and fix the problem

where they are at.

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MS. SOMMA: Under the Endangered Species Act and NOAA's policies, we do not move animals into areas which we do not believe was part of their natural range. We are of the view that the main Hawaiian Islands was part of their natural range. Whether they were there or not, I am not going to speak to that. I don't know how those particular animals got there.

But NOAA does not and the USA does not allow you to just take a seal from the West Coast and put it on the East Coast, if it is not part of its natural range and it is not an experimental population and a

reintroduction done through a designated experimental population under Section 10 of the Endangered Species Act.

MR. STOLL: And I think it may be an even bigger question than protected or endangered species, but also there are a lot of marine resources that are potentially shifting because of various change.

There are some good examples of the mackerel fishery in the Atlantic where that whole population has shifted, and now there is this question of, well, whose management responsibility is that?

And so, as we see species change and where they are other protected species, like a monk seal or a commercial species, there are going to be policy decisions that need to happen. I think maybe that is where MAFAC's insights would be useful, at that higher level.

MS. SOMMA: Right, and we are looking at that in terms of critical habitat.

As a general matter, NOAA does not usually designate unoccupied as critical areas habitat. have started thinking about We making it potentially easier to designate "may be currently be unoccupied" to allow for shifts based on climate change. We haven't actually done that. We haven't made a policy decision about that, but it is one of the things that we have been considering in our discussions of how we are going to address impacts of climate change.

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MEMBER CATES: May I ask a question? Why would military and Waikiki Beach be excluded?

MS. SOMMA: Well, under the section that I referred to, 4(b)(2), one of th bases upon which you can exclude an area is national security concerns. That is the basis.

There is another section of the Endangered Species Act that allows -- it doesn't even qualify for designation as

critical habitat if a military installation 1 2 has an approved integrated natural resource 3 management plan, then it is not even proposed. 4 But, in this case, we weren't basing it on 5 the integrated natural resource management plan. It is based on the national security 6 7 exemption. 8 MEMBER EBISUI: And like Waikiki Beach, what was the exception for that? 9 MS. SOMMA: That one, I believe, 10 11 was economic. 12 MEMBER EBISUI: Economic analysis? 13 MEMBER CLAMPITT: Excuse me. 14 mentioned something about -- I didn't quite catch it. You said that climate change had to 15 16 do with -- what were you referring to? 17 CHAIR RIZZARDI: The occupied

MS. SOMMA: Yes. Under the Endangered Species Act, you can designate both occupied, what is currently occupied at the time of listing, as well as unoccupied range,

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versus unoccupied.

because many species, by the time they get
listed, they are in a much smaller range than
they were historically. And you can designate
unoccupied areas that are currently unoccupied
when the species is listed as critical habitat
if you determine that it is essential to its
conservation.

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As a general matter, we rarely, if ever, designate unoccupied areas as part of our critical habitat designations. As we have been struggling with how to deal with climate change and potential impacts from climate change, as habitats may shift, we have started thinking about perhaps we may start designating some areas that currently are unoccupied to try and address how species habitats may shift over time based on climate change.

MEMBER CLAMPITT: So, in your anticipation for habitat being degraded because of climate change, and now we are having to move to another one, there is some

thought that you may declare a habitat that isn't occupied as critical because of that?

MS. SOMMA: That is where we are concerned, yes.

MEMBER EBISUI: When Hawaii goes under water --

CHAIR RIZZARDI: Let me see if I can pull back a level of abstraction on this whole issue and just do a policy issue that I think we would like to flesh out in MAFAC.

When can NOAA invoke experimental populations? Because this whole conversation is getting me thinking about relocating populations, shifting populations. As we start wrestling with those challenges, if we then get into the duty to designate critical habitat for each of those, it is going to increase the number of ESA-related conflicts.

MS. SOMMA: Right.

CHAIR RIZZARDI: So, are there options for NOAA to implement the experimental population clause to help itself manage and

control some of those conflicts? And in the circumstance, if that was an option, it would be good to know. Now maybe it is not, and I understand; if we can't do it, we can't do it. You can explain why, and that would be fine. It does not relieve that, of course, but everybody is going to have their differences.

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What we need to understand at the policy level is, how is experimental population being implemented with respect to shifting and relocation populations? And that might be an issue that we could talk about at a policy level.

MS. SOMMA: Right. Right. really discussed that particular have not issue. We now have our first proposed experimental population. Ιt is а reintroduction of the salmon species on the West Coast.

As I said, Fish and Wildlife Service, as I am sure you know, has a number of experimental populations. NOAA has not.

One of the challenges with experimental populations is how to keep them geographically separate from the listed entity. And that is a real challenge when you are dealing with aquatic species or marine species.

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But we are trying it with a couple of salmon species on the West Coast. But we haven't really thought about 10(j) and had a much larger policy discussion internally in terms of, as populations shift due to climate change or other things, how we might use 10(j).

CHAIR RIZZARDI: But it does strike me, at least in the particular instance of the monk seal, you wouldn't have that problem biologically-connected of the populations. I mean, here you are talking about a main island population which is very distinct from the monument populations, and they are not cross-breeding. They are not breeding together, not swimming with each

1 other and interacting.

2 MEMBER EBISUI: I don't think so,

3 but --

CHAIR RIZZARDI: Which is why I am thinking there might be the opportunity to use the experimental population process for purposes of the main island population, if that is an option after the fact. I don't know. I am just tossing it out there. And again, that is just an example of the bigpicture policy.

MEMBER EBISUI: You know, there is even talk -- I don't know if it is currently being done; you might know on this one. But they are talking, I heard about inoculations and vaccinations for the monk seals and all kinds of medical interventions because of the translocation.

MR. STOLL: They were doing those on the northwest Hawaiian Islands themselves, the scientists --

MEMBER EBISUI: For the seals.

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MR. STOLL: For the seals, doing deworming, doing inoculations. That is part of the programmatic Environmental Impact Statement that you are discussing. One of the many different levels they are looking at is whether translocation might be an action that they should take in order to help recover the species under their health and conservation permit.

And so, one of the other actions they are looking at is the ability to give vaccinations, to deworm populations, to get rid of parasites that may have been introduced to the monk seal population out on the northwest Hawaiian Islands that have been declining.

But they have to put in the programmatic EIS statement to get that permitted because we can't really experiment with endangered species before we set ourselves up for permits and do the science on it.

	Page 45
1	MEMBER EBISUI: Right. I know
2	that humans have transmitted some viral
3	infections to the seals.
4	MS. SOMMA: Yes. So, the
5	inoculations and the deworming, some of it has
6	already been done, and it was not done in
7	connection with translocation. It was trying
8	to increase the survival rate of pups on the
9	northwest Hawaiian Islands.
10	MEMBER EBISUI: Am I correct that
11	there were three populations of monk seals in
12	the Caribbean, Mediterranean, and Hawaiian?
13	MS. SOMMA: Yes.
14	MEMBER EBISUI: Now the Caribbean
15	is now extinct?
16	MS. SOMMA: Correct.
17	MEMBER EBISUI: The Mediterranean
18	is in decline also.
19	MS. SOMMA: Uh-hum.
20	MEMBER EBISUI: So, anybody know
21	what went on in the Caribbean and the
22	Mediterranean populations?

MR. SHANNON: It was hunting, a 1 2 hunting and different fisheries lot of interactions. Like the Mediterranean monk 3 seal is at least like the Hawaiian monk seal, 4 5 where they would rest on beaches, but they have now discovered that some of 6 7 Mediterranean monk seals are pupping in caves. 8 They are finding caves in order to have their 9 pups and then come back out because of the harvest on beaches historically of monk seals. 10 So, those are sort of the --11 12 MEMBER CATES: Do you think that 13 they are dead because they are harvesting? 14 MR. SHANNON: Right. So, they had 15 adaptation over the thousands of years an 16 since they were being exploited and being The ones that survived --17 harvested. 18 MEMBER EBISUI: To avoid humans. 19 MR. SHANNON: -- to avoid humans, 20 realized that if they had their pups in these 21 cave regions around Greece and in the 22 Mediterranean and in Turkey, they were able to

have their pups safely and then get back into the water. And so, that learned behavior is what has kept the Mediterranean monk seal alive and viable.

So, there have been some researchers who have just recently discovered that behavior, and they have been trying to take video recordings of that behavior in order to work to help out the Mediterranean monk seal populations recover.

There's always historical fisheries interactions and competition for food which has happened as well, because the Mediterranean since the beginning of our human history has been a very heavily-fished area as well.

MEMBER CLAMPITT: I have got a different question, but not related to the monk seal.

CHAIR RIZZARDI: Yes, I was getting ready to steer it your way.

MEMBER CLAMPITT: It has to do

with recovery frames. Of course, this is my favorite species, the sperm whale. But I will be pretty brief, I think.

So, I looked at the recovery plan that came out on December 1st, 2010. It said that, in order to take it from endangered to threatened, you need to prove that there is 1500 mature reproducing adults, 250 males, and 250 females within that 1500, and that it would take \$174 million and decades before they could prove that, delist them to threatened.

But in the same document, it says there is 200,000 to 1.5 million sperm whale. So, it seems like there is a disconnect there.

So, my question is, is this because we don't have the resources to do the study? We don't have the \$174 million to go out and find out if there's 200,000, even though the document says there's 200,000 to 1.5 million?

MS. SOMMA: Well, yes. As you can

1 tell, that is a very wide estimate.

diminishing every year.

2 MEMBER CLAMPITT: I mean, why is 3 that?

MS. SOMMA: Yes, our ability to do
marine mammal stock assessments has been

MEMBER CLAMPITT: So, this is because this is kind of a shotgun process? In other words, people throw species to be listed all at once, and so you throw them all up and you can't afford to study them?

MS. SOMMA: No, the sperm whales have been listed since the inception of the Endangered Species Act.

MEMBER CLAMPITT: No, I know, but --

MS. SOMMA: We have a stock assessment improvement plan for marine mammals that lays out a very thorough criteria of how we would like to do our marine mammal stock assessment, the order in which we would do them, and the frequency in which we would do

1 them.

The biggest problem is we haven't been funded to do them, and the costs go up every year. Our budgets have been static.

And so, that means less and less ship time every year and less and less ability to actually do the stock assessments.

And without actual data in hand, it is very difficult to make an argument that a species has met the delisting or downlisting criteria.

CHAIR RIZZARDI: But part of Paul's frustration is he is looking for progress on the delisting side of the equation, saying, hey, this species is doing better, and you guys can't get the funding to get that done.

However, on the other side, the listing process, any organization files a petition, if you don't respond to them, you get dragged into the court.

MS. SOMMA: Right.

CHAIR RIZZARDI: Your resources get reprogrammed and reallocated, and suddenly we are dealing with new species being listed without having delisting on the other side.

And then, my big-picture policy observation on that is where it leads us is into a pattern of never having any victories under the ESA. If the whole point is to achieve recovery and to achieve delisting, then we should get to the point of being able to celebrate those victories.

MS. SOMMA: Right.

CHAIR RIZZARDI: And instead, it just becomes this constant piling-on of more and more species and more and more regulatory burdens for you guys to grapple with, without helping the fishermen who want at least one of them taken off the list.

MS. SOMMA: Right.

CHAIR RIZZARDI: All right. So,

21 that's the tension.

MS. SOMMA: Well, but I have to

say, though, our listing workload has been increasing significantly, but we are nowhere near in the situation where the Fish and Wildlife Service has been.

And the way that NMFS's budget is structured, it is by species. So, there has to be some redirection of resources, but it hasn't been a huge shift. I think people are overemphasizing how much addressing new listing petitions has shifted NMFS's ability to do its other work.

The marine mammal budget is not, you know, we are not taking off huge chunks to deal with ESA petitions. The fact is the marine mammal budget has been largely static for quite some time. And with all other costs going up, the ability to do stock assessments is diminishing.

MEMBER CLAMPITT: Yes, well, I got that, and I understand. I am wondering -- you know, it is an honest question -- is there a political component to that, you know, that

these are whales and nobody really wants to take these things off the list?

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MS. SOMMA: No. I mean, the one species that NMFS has delisted, based on recovery, is the whale, the gray whale.

MEMBER CLAMPITT: The gray whale.

MS. SOMMA: We are doing a status review on humpback whales because their population, they seem to be doing quite well.

These things, they take a fair amount of time. There has been litigation about the ability to go from a globally-listed species and take pieces off and delist them at the same time. We did do it with the gray whales and got that approved. The Fish and Wildlife Service did that with wolves, and that was challenged and they lost. So, there are some complications there.

But we are intending to do status reviews for large whales, but right now we are doing one for humpbacks. And our ability to do multiple status reviews at the same time on

1 multiple species of whales is quite limited.

And we don't have final recovery plans for all of our large whales, and there has been some case law on that as well, that you need recovery criteria in order to be able to go through with a downlisting or delisting, to demonstrate that a species has met that criteria.

MEMBER CLAMPITT: And so, if somebody was to perform independent research that showed documentation that the animals should be delisted, how would that be received? Is that done?

MS. SOMMA: Well, we have received petitions to delist as well as petitions to list. And in fact, we are in the midst of -- we are a little behind schedule, but it should be coming out soon. We were asked to delist Steller sea lions, one of the DPSes of Steller sea lions that is listed. We are completing that status review and we will soon make a decision whether we, in fact, may delist the

Steller sea lion DPS that is currently listed as threatened.

So, anyone can submit a petition to delist, just like they can submit a petition to list. And that does put you on the same statutory timeframe of a petition to list.

MEMBER CATES: Can I make a comment on earlier about I think it is a real fact that there are species where there is a reluctance to do the science because they know what the outcome is going to be, that it will be a fish species?

In Hawaii, the green sea turtles is a perfect example of that. The request to do the science has been a decade or longer. A lot of the scientists came out and said they are fully recovered already, but you can't get the official work done.

We just had a big public hearing two months, maybe longer than that, four months ago, I think, and there were NOAA

representatives there that said, yes, there's actually problems now that there are so many turtles.

MEMBER EBISUI: Raised in the reef barrier.

MEMBER CATES: Raised in the reef barrier. Their diet has changed where they are going up on land and starting to graze on grass. And they are finding it in their diet.

Yet, the science to be done to delist, it is not getting done. We raised that issue at our last meeting.

MEMBER EBISUI: That's next. That is after the seals.

MEMBER CATES: No, no, no. I can't remember his name now.

CHAIR RIZZARDI: Jim Lecky.

MEMBER CATES: Jim Lecky, and he admitted that, yes, it is way overdue. But when you talk to them, they say, well, there is a big reluctance to get the work done because a lot of people can't fathom the idea

1 that it is going to be a fish species --

MS. SOMMA: Well, I would disagree that we haven't done science on green turtles. There's a lot. NOAA has been funding a lot of science for many years on green. We have a lot of good information.

Green sea turtles are listed globally. Hawaii is not listed as a separate population.

MEMBER EBISUI: I'm sorry, did you say they are or are not?

MS. SOMMA: They are not listed as a separate population. So, in order to do any sort of a status review and a potential downlist/delisting, because green turtles in Hawaii are listed as threatened, you would have to do a global status review.

We have just completed a status
review for loggerhead sea turtles. We do have
plans to do status reviews on all of the
listed turtles. But our resources are
limited, and we just finalized the loggerhead

1 one.

MEMBER CATES: And that is exactly what Jim Lecky brought up, that the Hawaii population should be a distinct species. The science is showing that. That is the work that needs to be done because then everything changes, if it is a distinct species. And a lot of work has been done on that, which basically says it is --

MS. SOMMA: And that would be looked at in a status review, but that is not how it is currently listed. And in order to change that, you would have to do a rulemaking in order to identify it as a separate, distinct population segment.

MEMBER EBISUI: Angela, you said earlier that you can petition to delist.

MS. SOMMA: Yes.

MEMBER EBISUI: Is that the only way to initiate delisting of a species?

MS. SOMMA: No, it is not the only way. I mean, either the Fish and Wildlife

I said, we have done it for gray whales. We did self-initiate a status review for humpback whales to look at those populations to see whether that listing should be changed, either a downlisting, a delisting, or separated into distinct population segments. So, it is not the only way that it can be done.

But the agency has a significant Endangered Species Act workload. So, the amount that we self-initiate is somewhat limited.

CHAIR RIZZARDI: What is the status on the ADE1 corals?

MEMBER CATES: Eighty-three.

CHAIR RIZZARDI: Well, it started with 83, and now it is --

MS. SOMMA: Yes, that status, that decision, the determination will be made in April of next year. So, we are still going through the scientific information and evaluating that. We have yet to make a

is I think the Endangered Species Act already spelled it out. I think your only point of discretion is on the experimental populations, and I don't know whether or not that is an option.

MEMBER CATES: The Endangered Species Act doesn't tell them how to recover that. They have options. They believe the option that they are going in is the best course. And they are taking comment from the public and such.

The question that I would propose to MAFAC is, is this the best course? I don't think so, neither does the State of Hawaii, and neither does a lot of other concerned citizens there.

I mean, I can tell you right now, this is already at the Governor's level. It is at the Senator Inouye's level because it is going to impact everything. And they are wondering, is this --

CHAIR RIZZARDI: I think, if I am

understanding what your issue is, you guys are
saying, because it is a reintroduced
population, it shouldn't be entitled to these
protections? At the bottom, one, that is what
you are saying?

MEMBER CATES: That is one, yes.

And also, do you take an entire State

shoreline --

MEMBER EBISUI: Every beach.

MEMBER CATES: -- every beach everywhere and designate it?

The other option is what they are doing now, which is, wherever it lands, they put temporary protection around it. You know, it is wherever there is an issue, not the entire State, this is what it is going to be.

So, there are options that NOAA has.

MEMBER EBISUI: Yes. How does

NOAA justify every beach except Waikiki? I

mean, that is a whole lot of coastline.

MEMBER CATES: I can name example

1 after example of how this could be affected.

I mean, if you have a monk seal that goes on the beach, and you have a canoe race, are you going to stop the canoe race?

MEMBER EBISUI: No, no, it is activities with a federal nexus.

MS. SOMMA: Right. So, the only activities that are affected by a critical habitat designation is if there is any federal involvement that requires a federal permit or federal funding.

MEMBER EBISUI: That is a bottom fish issue in federal waters.

MEMBER CATES: That is any marina that is going to try to go in. Anything that needs an Army Corps permit, an aquaculture facility, anything that requires an Army Corps permit is going to go through this process. I mean, I have been through it.

MR. STOLL: So, it seems just trying to get --

MEMBER EBISUI: Maybe it is

because they want to fill Waikiki. Remember?

They want to bring more sand out to Waikiki.

Maybe that is Waikiki is exempt.

CHAIR RIZZARDI: Thinking through what you guys have put out there, the Hawaiian monk seal creates the high potential for interactions with the fisheries and humans.

MEMBER EBISUI: Guaranteed.

CHAIR RIZZARDI: Right. It is a reintroduced species within the main islands. And MAFAC would encourage NOAA to carefully consider the critical habitat designation and to determine whether some areas of the coastline could be excluded or otherwise do not meet the critical habitat criteria.

I think that we can say, and it still leaves them with the discretion if they need to apply it. But, you know, we can exercise our policy statement of please be judicious and please exercise restraint.

All right. But, other than that,

I don't think we have the facts or the

1 knowledge to go beyond that. But if you guys
2 feel differently, I am listening.

MEMBER EBISUI: Well, I know for a fact that there were no monk seals in the main Hawaiian Islands until really translocation.

MEMBER CATES: It is documented on NOAA documents.

MEMBER EBISUI: I have lived on -CHAIR RIZZARDI: But it is still
listed. The point you guys have heard is it
is still listed. So, therefore, the duty is
still present to do a critical habitat
designation. And in the absence of an
experimental population designation, which
doesn't exist right now, they have got to do
what they have got to do.

 $\label{eq:member} \mbox{\sc MEMBER EBISUI:} \ \mbox{\sc We could couch it}$ in those terms.

MEMBER CATES: Yes, I think the discussion for the body, it doesn't have to be today, it just seems very inappropriate and very dangerous for any state or any region.

MR. STOLL: You keep on saying,
well, the whole MAFAC should be discussing it.
Are you talking about the overarching policy
question that you are asking? Because it
doesn't seem like MAFAC should be --

MEMBER CATES: See, MAFAC today is very different than when I first came on.

This is the exact type of discussion that we would have of, okay, NOAA is going to implement some policy; is this the best course of action?

MAFAC, you're an advisory group.

Your job is to advise the Secretary of

Commerce on whether this is appropriate or

not.

We had the very discussion on what is commercial fishing versus rec fishing years ago at St. Pete. And we would sit around and get into the discussion.

MAFAC today is entirely different, and I think it needs to get back to this type of discussion because our job is to advise the

Secretary of Commerce on exactly these types of issues. They are hard issues. They are not comfortable issues.

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But that is what our job is. If you read the Charter, that is what our mandate is, is to vet these things out and draw from our experiences on what is appropriate.

There are issues to designating the main Hawaiian Islands critical habitat that I think we could bring that maybe they haven't thought of yet, the impacts, what's going to happen.

MR. STOLL: So, I am not questioning that. I think we said that last time.

I think there is clearly a space to provide that specific input about monk seals, you know, the public comment. But is it a broader issue?

MEMBER CATES: I think it is a broader issue. It is more now NOAA implements some of these policies and how they do things,

1 is it the best course of action?

MS. SOMMA: Well, I have to correct. It is not a policy. The Endangered Species Act says areas occupied by a species, you look at specific areas upon which are found those physical and biological features which are essential to conservation of a species. And if that area includes those, it qualifies for critical habitat.

It is to be designated as critical habitat unless you exclude it through what I term the 4(b)(2) process, which is based on economics. It is based on national security or some other considerations.

But there is no discretion for us to have a general policy about is it a good idea to designate large areas or not to designate large areas. The law requires us to do that if it meets the requirements of critical habitat.

There are ways to exclude it, but it is not a general policy discussion: is it

a good idea to designate large areas or not?

MEMBER EBISUI: It in a sense doesn't designate the breadth and width of the critical habitat, does it?

MS. SOMMA: It talks, we are to identify the physical and biological features of specific areas that are occupied by a listed species that are essential to its conservation.

MEMBER CATES: Exactly. So, the area wasn't occupied and you brought them in --

MS. SOMMA: Well, then, it also allows you to designate unoccupied areas. Now that is a different question. As I say, I am not qualified. I know NOAA's position is that the main Hawaiian Islands were occupied historically, that it is part of the historic range. I can't engage in that debate. I don't know the details.

But what I am saying is, if it is occupied area, if it meets that criteria,

there are ways to not include it, but it is not a just general is it a good idea to designate a large area versus a big area.

If it is unoccupied habitat, then it doesn't even have to have those physical and biological features. If it is determined to be essential to the conservation of the species, then it meets the definition of critical habitat.

MEMBER EBISUI: You are trying to connect the dots between 1988 or 20,000 so it is adequate to 2011, where it is now almost 300 --

MS. SOMMA: Well, in 1988, and that was a different situation then, and the critical habitat, we were petitioned. Just like for listing, you can be petitioned to revise the critical habitat. We were petitioned --

MEMBER EBISUI: The petition requested a 500-meter depth?

MS. SOMMA: The petition requested

us to revise critical habitat to include the main Hawaiian Islands, and by accepting the petition, that then put us on a course and you start all over again. And you look at those areas and see whether there are physical and biological features that are essential to the conservation of the listed species.

So, you can't just directly compare it to what we did in 1988 and why it isn't -- once you open it back up, then you look at it, and as Jonathan said, there has been a lot of information. There has been a lot of research. There has been a lot of litigation and a lot more clarity about how you do critical habitat designations over those years than we had back in 1988.

MR. SHANNON: It is not like we picked a number out of the hat in 1988 and in 2011. Like the National Geographic Crittercam came out where they were able to attach a camera to the back of Hawaiian monk seals, see their foraging behavior, put tags on them,

1 discover that they dive 2,000 meters.

MEMBER EBISUI: And oh, my God, we have got to stop snapper fishing because small seals feed on them.

MR. SHANNON: I know, but it is just new information comes to light, and in order to make sure that we are still relevant, we have to use the best scientific information we are able to obtain.

If you all have scientific information that we should be considering, then we need to get that as well through the public comment process, through petitions, and you can talk to us. You know, we are open to that.

MEMBER EBISUI: I have one last question. You know the behaviors that I mentioned about mobbing and males mounting pups, were those observed in other monk seal populations? Or is it unique to the Hawaiian seals?

MR. SHANNON: That I don't know.

The Caribbean monk seal has been extinct since 1 1958.

3 MEMBER EBISUI: Oh, really?

4 MR. SHANNON: Yes.

5 MEMBER EBISUI: I thought it was

6 recently.

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MR. SHANNON: It was recently listed, but we realized it in 1958.

MEMBER CLAMPITT: We had better but I do have one little wrap up, last In reading through the Recovery interest. Act, in particular, it seems like there is a disconnect between what Congress, the scientific data on the condition of population, and what the recovery criteria are.

And I am wondering, it is almost like whoever wrote the recovery criteria didn't read the abstract of what the whale population was. I don't know if that is -- I mean, if you read the thing, and it says that there's 200,000 to 1.5 million whales, and

Page 74 1 that we need 1500 breeding species to delist 2 them, it seems like there is a disconnect. 3 So, maybe it just was proofread or something. You would think what it is saying 4 5 there, this is what we need and this is what we need to prove it, but it doesn't say that. 6 7 In other words, I can understand the two 8 things, you know, the 1.5 million and the 9 1500. 10 MS. SOMMA: Right. And 11 MEMBER CLAMPITT: Т could 12 understand if the document stated, you know, it looks like this species has recovered, but 13 14 we can't prove it; maybe funds or this is what 15 we need to do this. But it doesn't say that. 16 It just says \$175 million and 10 years. 17 MS. SOMMA: Well, I will look into 18 it. 19 MEMBER CLAMPITT: Well, thanks for 20 your time. 21 MS. SOMMA: Thank you.

I hope we didn't

MEMBER CLAMPITT:

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1	waste too much of your time.
2	MS. SOMMA: No, no, no, not at
3	all.
4	(Whereupon, at 2:55 p.m., the
5	meeting of the Subcommittee was adjourned.)
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<u>C E R T I F I C A T E</u>

This is to certify that the foregoing transcript

In the matter of: Protected Resources Subcommittee

Before: NOAA

Date: 10-26-11

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

Court Reporter

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U.S. DEPARTMENT OF COMMERCE

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NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

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MARINE FISHERIES ADVISORY COMMITTEE:

RECREATIONAL FISHERIES SUBCOMMITTEE WEBINAR

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TUESDAY,

OCTOBER 25, 2011

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The Recreational Fisheries Subcommittee Webinar met, at 3:56 p.m., in the Hyatt Regency Washington on Capitol Hill, 400 New Jersey Avenue, NW, Washington, DC, Ken Franke, Chair, presiding.

MEMBERS PRESENT:

KEN FRANKE, Chair

ED EBISUI

TOM RAFTICAN

PHIL DYSKOW

STAFF PRESENT:

HEATHER SAGAR JOSHUA STOLL

ALSO PRESENT:

LEE BLANKENSHIP *

RICHEN BRAME *

WILLIAM BROOM *

WILLIAM BROWN *

FORBES DARBY

RUSS DUNN

MICHAEL KENNEDY *

EARL MEREDITH *

DAVID PECCI *

RAD TRASCHER *

* = Present via webinar.

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And then, following that, I am going to

to go ahead with an organized presentation as

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such.

be asking you all for feedback and actually
talk about, on a go-forward basis, what do we
do from here; how do we engage, and what is
our ultimate goal at the end of the road?

So, with that, I would like to
turn it back over to you, Russ.

MR. DUNN: All right, thanks.

Let me first ask a technical question. It doesn't appear to us that anyone has been able to log into the WebEx to see the presentations. Have people logged in there or are you having trouble logging in?

MR. PECCI: It says, "Waiting for organizer."

MR. BROOM: Yes, me, too.

MR. BROWN: Yes, "Waiting for a connection."

MR. DUNN: Okay. So, it says,
"Waiting for organizer."? Okay. So, we have
got someone who is about to go organize. So,
let's just give that one minute, and I am
going to ask Forbes Darby to start off with a

discussion/update on the MRIP, the Marine
Recreational Information Program. So, if you
can hang on one second, we will see if we can
get this going, so you can see the
presentation as we go through it.

(Pause to work on technical issues with WebEx.)

Okay. So, what I am being asked to do is ask you to go to the web address that was sent out in the mail with one change. At the end of that web address, there is a series of numbers. So, we have, apparently, a new number because the system, for some reason, thinks that our planned WebEx meeting is already over. So, we have a new one, which is 520022953.

So, I will go over that again in a second. But it is that GoToMeeting.com address, and then at the end the number should be 520022953.

And Josh is about to try that here.

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1	MR. BROOM: I got it, too.
2	MR. DUNN: All right, very good.
3	All right. So, with that, now
4	that the technical hurdles are out of the
5	way
6	PARTICIPANT: No, no, this is Bob.
7	I just got on the call. For some reason or
8	another, I can't get on the webinar. Does
9	anybody know why? Because I really can't be
10	on the phone; I'm at another meeting.
11	MR. DUNN: Yes. So, we just went
12	over that, Bob. We need to give you the
13	tail-end of the web address that you had has
14	had a problem. So, we have got a new address
15	to give you. It is all the same with the
16	exception of the numbers at the tail-end of
17	the address, and I will give you those. It
18	is
19	PARTICIPANT: When you say "all
20	the same," I'm just clicking on a link.
21	MR. DUNN: Say that again?
22	PARTICIPANT: I said all I am

via an email? Can you do that easily?

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1 MR. DUNN: Yes, we are about to. 2 Let me give these numbers to Bob: 520022953. And we will send those. I will send those 3 4 right now as Forbes starts in on his 5 presentation. 6 MR. KENNEDY: This is Kennedy. 7 was able to log on. 8 MR. BROOM: It won't let me. This 9 is Dick. MR. MEREDITH: Yes, this is Earl 10 from Gloucester, and I get a "Request denied." 11 12 MR. KENNEDY: You need to take out 13 everything after that first slash. So, the 14 only numbers you have are those last series of 15 numbers. Take out all the numbers and replace 16 it, and it works pretty easy. 17 MR. BROOM: I will go try that. If I can get it, fine. If not, I will just 18 19 skip, I guess, because I have got this other 20 meeting. I've got to do two things at once. 21 So, I will see what comes up. Thank you.

All right. With that,

MR. DUNN:

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1 I am going to ask --

MR. BROWN: Are you sending around a corrected link, Russ, you said?

MR. DUNN: I am just about to circulate that link.

All right. So, with that, I am going to ask Forbes to kick off his discussion. For those of you who still aren't able to get on, you should have the link in just a minute.

MR. DARBY: Thanks, Russ, and thanks, Ken. And it is good to have everybody on the phone and see you guys in person here.

I am here to give you a quick update on the Marine Recreational Information Program. You have gotten really technical, detailed presentations from Gordon Calvin, our Program Manager, in the past. I clearly am not Gordon, and so that is not the kind of presentation you are going to get today.

So, for you guys who are on the phone trying to connect to the WebEx, don't

sweat it; my PowerPoint is really nothing but filler. So, just pay close attention to me and you will be okay; you are not missing anything.

And so, I thought I would do this presentation, since we don't have a lot of time, and since it is often the case that your question is somebody else's question, and vice versa, I thought instead of going through this sort of history of MRIP, that I would just take a couple of frequently-asked questions that I get and answer those for you. So, I am going to take three of my most commonly-asked questions and address those for you here. I think we are going to kind of give it a good update to what is going on in terms of our improvement of data collections.

So, if that is okay with everybody, let's get started. I've got the clicker.

We are just, again, moving this forward a bit.

So, as you guys all know, our general philosophy for making improvements to MRIP is this: the industry pointed out some issues with our surveys. We are going to fix those and then we are going to make improvements to the precision, the timeliness, the spatial resolution.

In other words, we are making improvements to how we collect the data. We are making improvements to how we calculate the estimates. And then, once we do those basic steps, then we are going to go in, make investments to increase sample size, and that is going to address issues of timeliness, precision, and resolution. That is kind of our general philosophy.

The analogy I like to use is building a house. You need a solid foundation. You need to frame out the house first. Those are the surveys. And then, you can add the shutters and the gutters, the resolution, the timeliness, the precision.

And unless you really do it in that order, you are really throwing good money after bad because you can spend a lot of money having a lot more samplers on the dock, increasing our sample sizes, having really precise estimates, but you would be doing that by running it through a survey that we know needs to be fixed. So, the idea is to fix the surveys first.

So, with that, I come to my first question that I often get. As you know, this fall we unveiled the new methodology for estimating recreational catch. Many of you have heard this presentation before about the details of that. I am not going to go into it here.

But the question that I am getting a lot now is, well, when are we going to start seeing some of these new catch estimates?

Well, the goods -- and if you can see the presentation -- the short answer is soon.

Expect early 2012 as a timeline for seeing

1 those new catch estimates.

And what we are doing right now is we are running the data that we collect from the current MRFSS field intercept surveys, we are running that through this new estimation methodology on data going back seven years, back to 2004. So, what we are going to end up with are new catch estimates from 2004 to today, and then moving forward.

What we are doing right now is, between now and the early part of January 2012, we are running some QA/QC on this past data to make sure that we can use it, that it fits within our formulas.

We are also checking all the computer code, the box that we use to put our data into to turn out the estimates. We want to make sure all that code is accurate. One small mistake in there can skew the estimate. So, we want to make sure that is accurate.

And the final thing we are doing is we are working with our Regional Science

Centers and Regional Offices on discussing the implications of these new estimates.

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So, the other question related to this Ι get is, well, what are these numbers going to look like? And I can honestly tell you that I do not know. numbers haven't been run yet. We have run preliminary estimates, and I think it is fair to say that some of the estimates are going to go up, some are going to go down, and some are probably going to stay just about the same.

And so, the implications for these new estimates on stock assessments and stock status, to management and regulations, it is really hard to tell. And so, we think our approach is going to be, when these numbers come out, to deal with these on a species-by-species basis.

And to help address that, we have already started to put in place a workshop.

Call it a calibration workshop or a simulation workshop or a transition workshop, where we

will come up with some strategies for addressing these new estimates in terms of stock assessments and the management process, and ACLs and AMs and things like that.

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So, the idea is to have this That workshop would workshop in January. guidance provide some to Councils and Commissions on how to incorporate those science and management numbers into those processes.

One other thing I want to talk
about before -- actually, you can go back one
there -- before I ask for any questions on
that part of it, I should say that I have
mentioned we are collecting the data through
the current-most methodology of intercept
surveys. The way we collect data in the field
is the old MRFSS methodology. Well, we are
going to change that, too.

Right now, we have just recently completed a pilot project where we have tested out some new methodologies. We are awaiting a

report on that. Basically, what we are finding from that is that we are going to take away some of the discretion of the samplers.

We are going to do things like sample at night, and to address some of the concerns that the NRC pointed out with our field intercept survey.

And so, over the course of probably the next year, we are going to work with our data partners in the states and with our contractors to implement those new protocols in the field.

We need to train-up our staffers, the guys who are in the field talking to people. We need to explain to them why we are doing this, what the benefits of this are.

And although we are taking some of the discretion away from our samplers in terms of how they conduct interviews, where they go, we also understand that fishing in Maine is different than fishing in Florida. And so, we have got to make sure that we have got enough flexibility in there so that we can adapt
these protocols to those different fishing
circumstances.

So, when we get that, those are kind of the two pieces for the catch side of things. And again, I suspect to probably see an implementation of that in 2013.

Before I move on, anyone here in the room have any questions about it? I've got a question right here. Go ahead.

MR. ALEXANDER: Yes, Terry
Alexander from Maine.

We just did the Gulf of Maine Code
Assessment. That was last week. The rec
numbers are huge now.

Have you already put that data into effect in Gulf of Maine cod?

MR. DARBY: The answer is, no,
none of those new estimates are out yet.
Again, probably early January -- early, I'm
saying early January -- I am saying early
2012, January/February, sometime in that

timeframe, except to see those new numbers
come out.

And that is why we are going to

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And that is why we are going to have this transition workshop, to figure out how we incorporate those into those stock assessments because, absolutely, we want to make sure we get those numbers right.

So, any other questions from the members here in the room?

(No response.)

Hearing none, I am just going to -- well, does anyone on the phone have any questions about this first question?

MR. BLANKENSHIP: Forbes?

MR. DARBY: Yes, go ahead.

MR. BLANKENSHIP: This is Lee Blankenship on the West Coast.

What has caused the delay on releasing these numbers?

MR. DARBY: Well, I think we probably underestimated how long it would take us to do this quality assurance work. Going

back and looking at the historical data, like we have, going back through seven years of data, and trying to error-check that, make sure that it fits in the formulas, has been a lot more time-consuming than we thought.

And when we opened the door of looking at the actual code, the SAS code, that we use to calculate the estimates and run the formulas and generate the estimates, when we started to dig into that, it is sort of, again, we thought now is a great time to go through and look at every single line of this and make sure that, when we come out with estimates using this new formula, that we have done everything we can to make sure that everything else melds into that correctly.

So, I think it is really just this making sure we are releasing the numbers once, rather than saying, "Oh, you know what? We found an error in the code" or "We found an issue with data from 2005." I think we just wanted to make sure, solid sure, that we knew

1 everything that was going in there was solid.

So, that is really the answer to that one.

MR. BLANKENSHIP: Thanks.

MR. DARBY: You bet.

All right, let me move on to Question 2. This one has to do with the angler registry.

As you all probably know unless you live in Hawaii, Puerto Rico, or the U.S. Virgin Islands, this year you do not have to register with the National Saltwater Angler Registry. That is because, really, as of this summer, most every state has got in place a state saltwater fishing license, permit, or registration, and that the states are required on an annual basis to submit that information to NOAA, submit the angler information to NOAA. That feeds into the National Saltwater Angler Registry.

So, the question I hear a lot is, "Well, when is NOAA going to start using this registry to improve the surveys? I got my

license, and I haven't gotten called yet,"

which is a completely understandable response.

And I can tell you, and the short answer, if you see it on the screen, is that we actually have already started using that registry

information.

But, just like in other aspects of MRIP, before we start using any new methodology broadly, we want to rigorously test it and make sure that using it is better than what we did in the past.

And so, we are doing three things really with the registry information right now. The first thing we are doing is verifying that information, that we can use it.

As mentioned, states have to submit the data to us on an annual basis.

That annual basis just happened to be this month. And so, right now, we are getting a data dump of thousands of records from various states. It is the first time we are doing

this. It is the first time many states are doing this. It is a huge data management issue. And so, right now, we are kind of just making sure that that data is in a form that we all can use, and kind of making sure those systems, we are learning our lessons from those data dumps.

The second thing we are doing with the data is we are determining the most effective sampling mode and the most effective sampling frame. And I am going to tell you what I mean by that.

As we all know, right now, we have got this random digit dialing of coastal households, and it is a telephone survey. We all know, and it is pointed out by the NRC, that this is an inefficient system. We've got to make millions of calls to find anglers, and we miss some people, folks who live outside of the coastal households or the coastal communities, for example.

So, we are doing a couple of

projects in North Carolina, in Florida, and places along the Gulf, to see a couple of things. One, if using the registry gives us a more representative, a more complete sample of anglers. With any sampling survey, you need a representative sample. So, we are testing to make sure that the registry gives us that.

The second thing we are doing is to find out the best way to use the registry to contact anglers. Currently, it is through this telephone survey.

As I mentioned, there's a couple of pilot projects underway. Those reports are going to be coming out shortly, but let me give you a little bit of a heads-up about what we have seen so far, kind of early findings.

The first one is that the registry right now doesn't give us a complete frame of anglers. For whatever reason, there are people who aren't in the registry, whether there is a loophole in a current state law that is going to get closed, senior anglers,

for example, or whether anglers just simply
haven't gone to their state and gotten their
state license or their permit or registration.

It is a new requirement in many states, and
they may not be complete at this point. So,
we have to supplement the registry with a
couple of other directories.

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The other thing, which I think is surprising to me, is that a mail survey actually turns out to be a more efficient way to contact anglers and to get good responses back. The early indications from our pilot projects are that we get higher response rates from mail surveys opposed to telephone as surveys or any other kind of surveys, and the quality of the information from those surveys is better.

So, again, these are kind of preliminary findings. There is some shaping how we are going to go ahead and use this registry data in the future. But when someone asks you, "Hey, are they using the registry

data, you can say, Yes, they are.

And this reminds me that I should mention another project that we just got underway that uses registry data as well.

This is a new idea of using private angler diaries or logbooks, however you want to call them.

And the idea is that we are going to use the registry to enlist a panel of anglers that are going to stay with us for a year. And we have given them a diary to capture their activities for the year.

What we are testing here is a couple of different ideas. One is this idea of using a diary or a logbook with private anglers. We have certainly tried it before with the fryer sector, headboats and charter boats, but never with private anglers before.

So, we want to see if folks will stick with it, the quality of information we will get from these things, ideas like that.

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investigating is this difference between public access fishing and private access fishing. The NRC pointed out, well, I should say, as you guys know, with our current intercept surveys, we only capture activity at public access points. We can't walk onto somebody's land that is private property and ask them what they caught. So, we only go to public piers, public marinas, public access points.

And there may be a difference between the fishing activities between those anglers fishing public sites and private sites. And so, this panel of anglers that we have enlisted includes both anglers who fish on private land and from public land.

And so, the panel has just, I believe, got enlisted. This is taking place in North Carolina and Florida. The survey is going to run for a year.

So, I think that is all I want to say registries. Any questions about

registries that I can answer for anybody here
in the room?

(No response.)

No? Okay.

Anybody on the phone have any questions about registries that I can help answer?

(No response.)

Wow, this is easy, Russ.

Well, let me go on to my third question, and this is the fun one, I think. I often get questions about, "Is MRIP going to do anything cool or different or is it just going to be kind of the same old surveys?" In various forms or fashions, I have got this question since we began this.

I have got to be honest with you.

When I got involved in this, and when MRIP

sort of started, I had the thought in my head

that, wow, we are going to develop this kind

of new 21st century revolutionary, highly
technical, magical way of counting anglers and

their catch, and this was just going to revolutionize how we did everything.

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Well, that is not really the case. We looked at those things. We looked at online surveys and other ways of capturing this information. The fact is it really comes down to the basic idea of, if we are going to do a sampling survey, unless we are going to count everybody, which we can't do at this point, if we are going to do а sampling survey, the way we are doing it fundamentally by going and talking to people on a dock and then contacting them at home is really the way to do it.

And that is not to say, and the NRC certainly pointed this out, that we can't make improvements and modernize those surveys that we are using. And we are certainly doing that.

This catch estimation work, the work with the phone or mail surveys are ways of doing that. Even though I know we are

using snail mail, it sounds a little crazy to think we are modernizing with the mail survey. But the most important thing is that it is effective.

But that is not to say that we are not looking at kind of cool and innovative ideas as well, to kind of supplement those basic surveys. Because, who knows? In the future we may be transitioning to one of those things.

And so, I want to mention a couple of things. I mean, certainly, the angler diary is kind of a cool thing, I think. We have tried or we are working on electronic logbooks in the fryer sector down in the Gulf and with headboats in the Southeast.

But two other things I wanted to mention: the first is that we are going to be hosting a workshop in coordination with the Mid-Atlantic Fishery Management Council this January or February to look at what I call citizen science. You can call it cooperative

research. You can call it volunteer angler data collection.

But the idea is that there are lots of really enthusiastic anglers out there who want to share their information. They are conservation-minded. They want to make a difference. They want to see their data in use. And so, it is silly not to try to take advantage of that.

But the problem is, and I would say the worst thing we could possibly do with a program like this is start a program and then not use the data. And I can tell you there are programs in place right now that are like that, that gather in data but really don't use it for anything meaningful.

And so, the idea for this workshop is to tap into this enthusiasm, but do so smartly, to answer some basic questions about best practices. What kind of information is best to gather? How are we going to use that data? How does this fit our priority data

needs? And what is it going to take to manage a program like this, so that anglers continue to be enthusiastic and supportive of it?

So, that is the workshop we are going to be hosting in January or February. So, be on the lookout for that.

And the other project that I wanted to mention -- and if you could start by pulling up that other file that I gave you in a second, I'm told -- the other project is another in our series of MRIP TV videos that I think you are all familiar with. This is a short, two-and-a-half-minute -- hold up for one second on that -- two-and-a-half-minute one.

And it came to us, an angler came to us and said, "Hey, I've got an idea for dealing with this issue of recreational discards," fish that are thrown back. It has been a bugaboo for us to try to track those things. The NRC pointed out it is a big issue for us.

1 And so, an angler came to us and 2 said, "Hey, I would like to do a pilot project and investigate this technology." 3 said, "Great." 4 5 So, I think this is not a good example of kind of a fun use of technology and 6 7 an innovative way of looking at problems, but 8 it is also kind of representative of the way 9 that we hope that we are operating with MRIP to kind of look at different solutions. 10 So, with that, I hope everyone can 11 12 see it online. If not, I will send you a website address very shortly where you can. 13 14 But, with that, hit it. 15 Turn the speaker on. MR. STOLL: Yes. 16 17 (Whereupon, a video was played.) 18 MEMBER DYSKOW: Is the video 19 working or is it me? 20 PARTICIPANT: It is not working on 21 mine.

MR. BROWN: Not for me.

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1 MR. DARBY: Guys, I will send you 2 a link to this right after this presentation is done. I apologize for the confusion on 3 4 that. 5 MEMBER DYSKOW: I still don't have any type of audio/visual capability on my web. 6 7 MR. DARBY: All right, for you 8 guys on WebEx, just hold tight. We can see it 9 here okay, and I apologize for that confusion. 10 I will send you a link in just one second. This only lasts about two-and-a-half minutes. 11 12 So, just hang tight. I apologize for that. MR. KENNEDY: Yes, it keeps asking 13 14 for an ID to get through. 15 MR. DARBY: Okay, noted. (Whereupon, the video continued to 16 17 be played.) 18 MR. BROWN: Did everything just 19 die? I'm getting nothing. 20 DARBY: MR. quys the Yes, on 21 phone, I apologize. We are watching the video

It is just closing up right now.

As

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here.

soon as this is done, I am going to send you a link where you can view the video. There are, obviously, some technical issues with the WebEx. So, just hang tight about another 30 seconds.

Thank you.

The next slide in my presentation has got a link to the presentation. It is not up on our website quite yet. So, you guys are a real advanced look at that. It should be up there probably November 1st. So, I am sending you to a sort of staging site for it.

So, if you can see the presentation, which should be coming back up, when you click on that link, don't show that around too widely, but you can take a look at the video we just saw there.

And again, I apologize for the confusion on that.

But it is a really cool project.

It is a really cool little capturing of some of the work that is going on.

Ken and Russ, that is all I have got in terms of an MRIP update. I am happy to answer any questions from anybody or we can move right on.

MR. DUNN: All right. Are there any questions for Forbes?

And again, we apologize for the video issues here. It worked earlier in the morning and, for some reason, has ceased working.

MR. PERRA: One question for Forbes. This is Paul Perra.

MR. DUNN: Hi, Paul.

MR. PERRA: Hi.

I was playing with my computer, and you mentioned the January workshop to look at the data. Can you just go over that again?

And do you know where that is going to be?

Or has that been more settled than just a January workshop where we are going to, you know, look at the effects of the new data?

MR. DARBY: You know, Paul, I

don't have the details on when that meeting is going to take place. I don't think that has been decided yet. I think the idea is to try to get it done as early as possible. Knowing that the numbers are going to come out in early 2012, we want to have that transition plan in place, so that we can provide that information to the Councils and the Commissions, so they can make their decisions.

MR. PERRA: All right. So, that is an in-house NOAA Fisheries activity?

MR. DARBY: There is a Steering

Committee, and I can send you the names of the folks who are on that. John Boreman, actually, who as you know is a former NOAA employee, head of the Executive Steering

Committee for MRIP, and also on the South

Atlantic's SSC, Chairman of that, he is heading this group.

And there's a possibility we might do this in cooperation with SEDAR down in the Southeast, just since they are having a

1 meeting in January and a lot of the key 2 players are there.

But I think the idea is to pull together some of our staff, some of the Councils' staff, the science staff, the management staff, and come up with some ideas for that.

So, I can certainly be sharing with this group some more details as that becomes available.

MR. PERRA: Thank you.

MR. MEREDITH: And, Forbes, this is Earl Meredith.

MR. DARBY: Hi, Earl.

MR. MEREDITH: If my understanding is right, it will be somewhat like a citizens' research group or you kind of characterized it as sort of a cooperative research-type orientation? Is that right?

MR. DARBY: Right, that is the other workshop I was talking about in terms of partnering with the Mid-Atlantic Council. I'm

1 sorry I got two workshops in there.

The workshop you are talking about is, yes, exactly, this sort of -- again, there is not really great terminology for it, but there's numerous programs out there where anglers are going online or they are keeping logbooks. So, they are in some way sort of volunteering data most likely to the state in most cases about their catch.

I know there is a striped bass one in Virginia. I know there is one run by the Snook Foundation and Florida Fish and Wildlife Commission down in Florida, where folks are going online or they are submitting logbooks about information.

It is outside of the realm of our current surveys. I think the key is to try to find out how to get that data to be usable and really tap into that enthusiasm.

And so, this workshop is just starting to take place. The Mid-Atlantic has got the lead on it, but it is an MRIP project.

So, we haven't quite decided on location specifically or invitees, but I think the idea is to pull together some of the state folks, some folks who are part of these cooperative research or citizen science operations, and some of our folks and state folks, and just get together and share some ideas.

MR. MEREDITH: Okay. Well, I would just encourage you to make sure that

Mark Chandler is aware of that.

MR. DARBY: Absolutely.

MR. MEREDITH: And also the other Cooperative Research Regional Coordinators. There is a similar group of Cooperative Research Coordinators as the Recreational Coordinators. I would just make sure that they are all aware of that, so that they can chime in.

For example, the Southeast has developed a cell phone app for recreational anglers to report some of their information.

So, there is already some initiatives out there that you should look at.

MR. DARBY: Yes, and those are the guys we want to tap in, you are absolutely right. And in a way, I am giving you guys some insight or knowledge. It is not really widely known that we are doing this workshop. We really just kind of starting the lead on that.

And you're right, we need to tap into all the expertise that is out there and look at some of the successful projects, about what has worked and what hasn't worked. So, great suggestions, Earl. Thanks.

MR. MEREDITH: Okay.

MR. BROWN: This is Bill in Juneau, Alaska. I have got a question.

MR. DARBY: Shoot.

MR. BROWN: I am not sure this is the right time to ask it, but I want to bring this up. As you know, with the new halibut rules, our fishing has changed a lot. Lots of

lodges have gone out of business this past
year. A number of charter boats have gone out
of business this past year because of the new
halibut rules.

I mean, I run the only fishing repair shop in southeast Alaska, and I am amazed at the impact that the new halibut rule has had.

Now the reason I mention this is, when we start collecting data, we are going to be collecting data that is going to be very different from previous years. The starting point is, the number of people fishing in the industry is going to have changed a lot.

Is this something you are aware of or is this going to be an issue? Do you see the issue I am getting at?

I mean, if you started it two years ago, you would have a lot more participants and a lot more catch. If you start it this year, you will have a lot fewer participants and a lot lower catch because of

1 the new policy that has been implemented.

Is that going to mess up the data collection? Or is it going to confuse things?

MR. DARBY: You know, that is a really good question, and I don't have a really good answer for that. A lot of that is because, I mean, I'll be honest with you and you probably know this already, we don't have a lot of data collection operations up there. It is mostly, as you know, run by the State.

And in terms of MRIP's influence there or -- I will say, in terms of MRIP's influence up there, there is not much of it right now, mostly because it is a State operation and we certainly can provide some guidance to them.

On that specific issue of dealing with new, capturing the activities after all these new rules, I don't have a good answer for you, to be honest with you. I don't think there is going to be anything special planned, at least from our end. I don't know if the

states are planning to do anything special in terms of better capturing that. It is not to dismiss that issue at all, but I am just not aware of anything related to that.

MR. BROWN: Yes, I am involved in setting up all the regulations for sport and commercial fishing, everything except for halibut. So, changing rules on halibut has just had these feedback effects on every other fish we catch, and it is devastating to us.

So, we are grappling for answers here, and the economic impact has been huge.

So, anyway, I just had to tell my friends that I was going to bring this issue up, and I will tell them we are still working on it.

Thank you.

MR. DARBY: Yes, absolutely. And again, because the data collection all just goes through the State, and although we are talking with them and working with them, we certainly defer to the State on the data collection side. And so, a lot of these

changes that I just talked about that are happening aren't happening up there.

MR. BROWN: I understand.

MR. DARBY: Tom?

MEMBER RAFTICAN: Yes, Tom
Raftican here.

Hey, Forbes, a lot of the stuff
you are doing seems to be, I mean, you have
got a lot of fishing going on on the East
Coast, but it seems East-Coast-centered.
There is a really difference in the way that
we fish. On the West Coast, it gets deep fast
as opposed to East Coast predominantly.

Have you got any of the pilot projects running on the West Coast?

MR. DARBY: Yes, that is a good point, Tom. Thanks for bringing that up, actually.

The work, the early work, is focused clearly on the Gulf, the Atlantic Coast, even some in Hawaii. We are coming around towards the West Coast side.

For example, some of the same guys who looked, the same statistician and the same experts that looked at the MRFSS surveys along the East Coast and the Atlantic Coast as ways to improve the surveys also went to the West Coast, looked at all the range of surveys up and down the coast. We are awaiting their report right now.

I mean, the early indications are that -- and I think you already knew this -- those surveys are in much better shape than the MRFSS were along the Atlantic and Gulf Coast.

My understanding is they had some recommendations for ways to improve that. But it should follow in line with what we have done on the Atlantic Coast and the Gulf Coast, but nothing is hugely substantial.

There also are some other pilot projects there, but they are not coming to mind right off the top of my head. But I think your point is valid about much of what I

talked about, I should have prefaced this, is dealing with the Atlantic Coast, the Gulf Coast, to a lesser extent Hawaii and the Caribbean. But we are turning attention to the West Coast.

But, frankly, you guys are in much better shape, and we are trying to lift the boats on this side.

MR. DUNN: All right. With that, we are going to have to jump onto the next project because we are getting a little bit behind, and the Chairman has sort of substantive discussion he wants to have with folks.

So, right now, what I am going to do is run through a series of things, essentially, a quick update on activities that the agency has undertaken in recent months, essentially, this calendar year; look at the MAFAC recommendations that came out from the last meeting in May and where we stand with those, as well as, then, an overview of the

contents of the Regional Action Plans.

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So, with that, I quess I just went over the agenda there. So, just to very briefly go back in time, the rec action agenda, the national one, as you know, was based on input that came from the Rec Fish Summit in 2010. There were five sort of primary themes, and these themes run throughout the Regional Recreation Action These were themes or goals that were Plans. identified as important by participants in that 2010 Rec Fish Summit.

They include improved rec fishing opportunities, improving data, the catch and effort data, the economic data, improving communications, and the sort of mysterious institutional orientation. That means, really, institutional orientation is how the agency thinks about and deals with fishing internally. And that comes from sort of the perception that there was a bias on the part of the agency toward or in favor of commercial

fisheries over recreational fisheries, and how do we, as an institution, realign ourselves into a more neutral stance?

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So, just to touch on some of the accomplishments we have made this year, we have held a number of workshops. As Forbes touched on, we implemented, in January, we started using a new catch estimation methodology developed through MRIP, which is being applied now both at the 2011 fishing year and retroactively from 2004 through 2010.

initiated the Marine We Recreational Fisheries Expenditure Survey in all coastal states and territories in late That will continue collecting data February. through the end of the year. That goes to the that folks have that the concerns economic impact and value of recreational fisheries have not been accurately identified and weighed in management decisions and policy decisions.

As I said, there were a number of

workshops, mostly on data, data timeliness, on the data that is needed to underpin decisions on annual catch limits. There was a detailed technical workshop on the re-estimation methodology.

We did the Recreational Release Mortality Workshop, also known in shorthand as the Barotrauma Workshop. That, again, was something that was specifically requested during the Summit, the Rec Fish Summit, in 2010. We funded that. We had some good results come out of that.

And if folks have not yet heard, as a follow-on to that, the primary recommendation that came out of that in terms of next steps for NOAA was to fund a series of regional workshops. Eric Schwaab has been able to identify money to do that. We have gotten money out the door to the same folks who set up the National Workshop in Atlanta last March.

They are in the process of

planning four regional workshops around the country. I am sure that a number of you on this phone call will be included in those steering committees. We are going to set up separate steering committees for each regional workshop.

The agency undertook a gap analysis of our recreational economic data collection systems and data holdings. That was completed back in late April, beginning of May.

Just leave the next slide. Thanks.

In May, we put out sort of a sixmonth review or a year review -- sorry -- from
when we had the Summit that touched on a
number of our accomplishments.

We began to work in earnest on allocation issues. We have hired George Lapointe to really take a look at the full scope of issues that come under allocation discussions and try to identify pitfalls and,

more importantly, a path forward for dealing with allocation issues with the Councils.

Following the gap analysis that was completed, we did an internal economic data workshop which has now set the groundwork for us to hold a stakeholder economic data workshop that will likely occur in the first or second quarter, probably second quarter of 2011.

We participated in some international work with the UN FAO at a meeting toward developing technical guidelines for responsible recreational fisheries management. And Tom Raftican, who is here with us today, was there, and Jason, if he is still on the phone, he was there as well.

In order to try to keep abreast of sort of recreational fisheries management issues from the academic perspective and data collection issues, we hosted or organized two symposia at the AFS meeting in September, which I think went fairly well.

We also, then, took advantage of that opportunity to host a workshop for all the NMFS Regional Recreational Coordinators, and were fortunate enough to have a few outside folks like the Chairman here today, Ken Franke, come speak to us at that, to give us some real-world perspective, as well as we had Jim Martin and Lee Blankenship there and spoke to us.

And now we are also working more on the restoration issues with regard to Deepwater Horizon in the Gulf. Clearly, that is specific to the Gulf of Mexico.

So, to touch quickly on the MAFAC recommendations and sort of where we stand with those, one of the recommendations from MAFAC and the Subcommittee last year was that we work to identify regional stakeholders and local media. We have an initial cut at this which was developed a while ago. Basically, there are a number of gaps in it. We need to go back out and fill in those gaps, and we

will be going back out with another request for the Rec Coordinators to work with constituents to try to populate the database, so to speak.

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In terms of putting together website that includes all the contact information and the duties for the Regional Recreational Coordinators, fairly far along in the development of a new website. NOAA, a few months ago, put together a new national website for fisheries. developing this new recreational page to make sure that it fits within the new guidelines and all. It includes the information that is there and the recommendations.

I don't know how quickly it is going to actually come out of the Communications Office, but it is certainly, well, we have the framework done and it has been submitted to them to ask, how exactly do we make this go live at this point?

Next.

In terms of the third one, getting input from the Rec Fisheries Working Group in development of the regional plans, that is something that actually has been completed.

The Regional NMFS staff went out and worked with the Rec Fish Working Group in their particular region to solicit their input on the plans.

And the fourth one is really not something specific to NMFS, but is something that is underway in this meeting. You will see that more in the discussion at the end of the day where the Chairman raises his issues and asks for input and a strategy for developing the next update of the 2020 Vision document.

So, where are we going from here?

Well, in the short-term, we will continue

with the Marine Recreational Fisheries

Expenditure Field Surveys. As I said, those

will go on through the end of the year

collecting data, and then it will probably

take a full year to process the data before some products come out.

The Rec Regional Action Plans, we are about to walk through the primary points of those. So, the plans themselves are just about done, and then, of course, we turn to the real work, which is implementation of the objectives and goals within the plans.

As Forbes mentioned, the catch estimates using the new methodology within MRIP or from MRIP should come out in January or potentially February, early in the year, we will say.

The stakeholder workshop I mentioned for recreational fisheries economics. I think we will see that in the second quarter.

And then, as I mentioned, we have money out the door to host a series of four Regional Recreational Release Mortality Workshops during 2012.

So, before I jump into the Rec

Fisheries Action Plans, the regional ones, are
there any questions, either here in the room
or on the phone, on anything I have touched on
thus far?

Phil?

Dyskow.

MEMBER DYSKOW: This is Phil

You are going to have in January of next year the fish catch estimate revisions completed?

MR. DUNN: January or February, yes.

MEMBER DYSKOW: Yes. What are the action steps that you plan based on that data? Are you going to go back and revisit prior decisions as to regulations, good or bad? Are you going to use to take further action or are you just going to put it on the shelf somewhere?

MR. DUNN: I may toss this to Forbes, if he has more. My initial reaction is that, to a large extent, that will be

determined by the Councils, as they see the

data, if it is substantially different. There

will clearly be a need different than the

MRFSS data. There will clearly be a need to

go back and revisit ACLs and allocations and

things like that. If it falls fairly close,

there may be less of a driver to go do that.

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But I would ask Forbes if there is more from his perspective.

MR. DARBY: No, Russ, you are totally right. Really, a lot of this comes down to the Councils and what they decide to do with it.

MEMBER DYSKOW: I would like it on the record that we are going to be measured by our actions, not our words, and the first step is the words and the data. But the step that everybody is waiting for is to see that our actions support our words and our data.

So, I think whatever group is going to be accountable for revisiting regulations, whatever they may be, red snapper

in the Gulf, whatever, we are going to be
measured by those actions. So, I think at
some level, NMFS has to be committed to those
further action steps or this kind of a
meaningless process.

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MR. DUNN: At a minimum, those numbers will be incorporated into the assessments and things like that from this point on.

drive Ιt may more rapid reassessment of some species or it may simply be factored the into next anticipated assessment for those species. So, at minimum, they will be factored into those at some point. The question was, how rapidly will it be necessary to turn that around, and then what impact will that changing assessment have or not on management decisions? Any other questions there on this

(No response.)

first portion?

Okay. With that, let's jump into

the Regional Recreational Action Plans. You should all have the prepublication versions, either electronically or the folks here have it both electronically and in hard copy.

You know, they really were followon from a commitment made in the National
Action Agenda in response to a number of
requests to, quote, "see more boots, NOAA
boots on the ground". We thought the best way
to do that was to commit in the National
Action Agenda for us to develop these Regional
Plans where we, then, would take action where
folks work and live and fish, where it is most
important.

So, the plans themselves were developed, just for a quick background, by the Regional Offices and Fishery Science Centers.

In this discussion, when I say "the Region,"

I mean both of those offices equally. I don't mean necessarily the Regional Fisheries Office to the exclusion of the Science Centers. It is just easier to use the term "region".

They were developed in consultation with or in discussions with the Rec Fisheries Working Group. So, I appreciate everyone's willingness to participate in those discussions.

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You can see there on the slide the regions for which they were developed. It was all of our regions as well as Atlantic HMS that the Secretary has direct management authority over.

So, they were really intended to address the recreational issues and priorities on a regional basis, that were important on a regional basis, to really engage constituents, to elevate our visibility on fisheries work field, out in the to qo into that institutional orientation, to really sharpen the regional focus on recreation fisheries make sure folks know that issues, to the valued recreational equally and agency commercial activities. And as I initially mentioned, it really fulfills one of the

commitments within the National Agenda.

Next.

So, with that said, what I am going to do, rather than walk through each of the seven plans individually, what I decided to do was to include the five overarching themes that I touched on on the very first slide that were part of the National Action Agenda: the improving opportunities, improving rec data, catch and effort data, economic data, et cetera, and discuss some of the highlights in the plans under each of those overarching goals.

So, all the plans fit into the framework of the National Action Agenda through these five goals. And then, each of the regions was really given a lot of latitude to identify actions and priorities as they best saw fit.

So, just a few examples of actions. Some of these are really unique, sort of outside the box to our typical NOAA

thinking all throughout the program or all throughout the plans.

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see the first You can is working to establish special management zones for sport fish restoration-funded artificial working on habitat issues from dam reefs; removal to NFHAP, National Fish Habitat Action Plan, efforts; trying to essentially reduce the footprint of recreational fisheries through use of barbless circle hook work as well as the barotrauma work that we touched You know, if we can reduce the impact of on. individual anglers, then, in aggregate, we can reduce the impact of the fishery as a whole and, hopefully, allow for a greater amount of fishing opportunity out there.

Then, we have things up in the Northwest Region, you know, working to reduce pinniped and human conflicts, which can, hopefully, open up more opportunities for us.

So, there is a very broad range.

This is not intended nor is it a comprehensive

look at all of the activities, but, rather, just a series of highlighted plans.

So, in terms of improving recreational catch and effort data, stock status, I mean, a lot of our focus at the national level has been through MRIP, and Forbes touched on that earlier. But there's a lot of components both to MRIP and outside of MRIP that also require attention.

Some of that, such as in the Pacific Islands Region, is working with the State to really enable it to become part of the MRIP system, and the National Angler Registry System is the first one there.

It goes to in the Southwest Region they are proposing to work on cooperative research problems on things such as obtaining additional biological samples and continuing rockfish surveys in partnership with constituents.

We are looking at electronic reporting systems with charter party boats,

facilitating reporting through other new sort
of novel electronic means, like the HMS has

put together their make release app, which
helps us fulfill data reporting requirements

And down in the Southeast, they are looking at trying to create a fishery-independent survey in the South Atlantic to better index the abundance of red snapper and other reef fish fisheries.

that are required under ICCAT recommendations.

And so, you can see that there are projects that are not just coming from the Regional Fisheries Office, but also the Science Centers as well.

Next.

In terms of socioeconomic data, as you all well know, this is an area where we regularly hear that we lack data and need to provide appropriate data to decision makers, so that the recreational perspective can be fully considered, when they are making decisions on potential regulations.

So, a series of projects here, including a for-hire cost earning survey in the Northeast. Alaska is looking at a sport fishing economic survey. We are looking out in the Pacific Islands at a way to examine the flow, better understand the flow of non-commercial catches in Hawaii.

As many of you know, there is a real cultural challenge there, sort of defining the difference between recreational and non-commercial. So, I actually think that is going to be a very interesting, informative project.

The Southeast Region, again, is looking at models, developing the models, to forecast changes in demand, which could be extremely useful down the road.

We have folks who are working on facilitating the expenditure survey and Northwest Region making available better estimates of the economic effects of salmon activities.

And again, those are just some of the projects that are identified in the various seven plans.

Next.

So, communications, obviously, it doesn't do us a lot of good if we address a lot of these problems, but no one knows about it, or if we aren't able to identify problems that need to be addressed or identify issues before they become problems. So, an important facet here is communications.

You can see there's a couple of novel ideas which are built, I think, on the 2010 Summit. So, the Northeast and the Pacific Islands are both looking at sort of similar ideas of holding regional summits, as we move forward.

The Alaska Region and Northwest are looking, frankly, right at the MAFAC recommendation of building a sort of constituent database, and so have developed or included in their plans programs to develop

constituent databases for outreach purposes.

The Southwest Region has developed a unique relationship with some of the local radio shows. So, one of the things they will do is continue to participate and expand their participation in local/regional radio programs.

HMS is looking at expanding their outreach activities sort of through boating and fishing events. They really have not participated in recreational fishing and boating events in the past or to a very limited extent, and are looking at expanding that.

And the Southeast is looking at trying to bring more recreational involvement into the SEDAR process, the assessment process, down there. And to do that, essentially, they will need to go out and sort of discuss the process of SEDAR and the value of additional constituent input there.

Next.

And then, to institutional orientation, as I said, this is really how does NOAA look at and think about issues internally. There are a number of interesting approaches here.

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Pacific Islands has leapt out into the lead, trying to show -- back one, if you would -- sort of leapt out into the lead by taking it on a wholeheartedly and is trying to hire a rec fish specialist, which I would encourage the other regions to try to do as well.

The HMS folks, in trying to really expand ensure that there is due or consideration of recreational issues within the agency, HMS is going to establish regular set of communications with the leadership of the Office of Sustainable Fisheries.

The Northwest is looking at sort of regular in-house coordination meetings, so they can plan out their deliverables and

activities, and determine better ways to reach out to the community.

The Northeast is looking at a couple of interesting things, both aligning their Regional Rec Plan with their regional strategic planning process, which, as obvious as that sounds, is not something that has happened in the past, as well as reaching out to the other line offices within NOAA, NOS and whatnot, to try to make sure that the recreational support activities are looked at in a coordinated fashion.

So, you know, really what it comes down to is that the success of the efforts under the Recreational Fisheries Engagement Initiative and its components, meaning the National Action Plan and the Regional Action Plans, depend on engagement with you all, with the recreational fishery constituents.

And that means folks need to participate, that there needs to be a real understanding of the actions that NOAA ends up

taking and the basis for those actions. And there needs to be confidence in the decisions that are made and the outcomes; even if folks may not agree with the outcomes always, that they at least have confidence that, hey, recreational issues were given a fair shake, and they made decision X because indicated that they need to, and we trust the data.

So, some recent examples, at least in my mind -- if you go just one real quick -- are that we certainly had full constituent participation in the Summit, absolutely, in the Rec Action Agenda. That was drawn directly from the outcomes of the Summit that we heard from those participants. Then in the Regional Action Plans, which we just went over. Regional folks were brought into the development process there by the NOAA regional staff.

So, I think while we are not perfect at this yet, we are at least making progress in terms of how we identify,

prioritize, and address recreational issues at NOAA.

So, with that, what I want to do is -- yes, jump to the next, if you would -- is sort of issue a challenge to keep folks engaged and ask all of you, either here in the room or on the phone, to do what you see in the bold print. And that is to step back and identify issues or projects in which you are interested or your organization is interested, is able to engage on, and is willing to engage on.

And I have included a series of bullets which I am not going to run through here, but which the regions have identified as some places where it might be easy for folks to step in and help.

And the only one I will touch on here quickly is the development of the constituent database. Ken's organization went out and proactively did this, sat down, and brought in a summer intern, and identified the

sport fishing groups in California, and then provided that to our regional folks out in the Southwest Region. That has been a tremendous help in our ability to communicate.

So, I would challenge you all to stay engaged and look really at your Regional Plans and see where it is that you or your organization can step to the plate and help make sure that fisheries management becomes successful.

So, with that, that is the end of my presentation. I will just open it up. And then, when we are done with any questions, I will pitch it back to the Chairman for his discussion on the Vision document and anything else he wants to touch on.

So, any questions?

MR. BROWN: This is Bill in Juneau. I've got a question.

MR. DUNN: Okay.

MR. BROWN: I am looking at the
Alaska Regional Recreational Fisheries Action

Plan. As would be expected, there is a lot about how the halibut catch program. As you know, this is still an issue. I get phone calls on it every day and all sorts of horrible threats, and that sort of stuff.

What I am bothered by a lot is there discussion of halibut, and implicit in it, there are going to be cuts in halibut catch. I mean, for people on the phone or in the room who don't realize, what we have just done in southeast Alaska is, if you fish with a guide, your limit is one fish 37 inches or less. It had been two fishes any size. And people have come up here to catch the 100-pound fish, and that was why you came to Alaska, a lot of people. So, now it is one fish of 37 inches or less.

So, for the guides to stay in business, they have to target other species.

So, we have had a huge feedback. Since you can't catch halibut, they are nailing the rockfish; they are nailing lingcod; they are

catching black cod, all of other fish.

I don't think that was considered at all when NOAA and NMFS made these drastic cuts in halibut catch. They did for commercial as well. But I don't think they considered any of the sport fish implications, and that may be because the Council has, of eleven members, only one sport fish representative.

But I am involved with setting regulations on all fish except for halibut, and this is devastating to us. You can't blame people for hitting other species because of this.

But what I hope is that, as this

Action Plan is rewritten, there is some
thought put into feedback effects. If you

limit one species, what is it going to do
elsewhere, not only the economic, but the
resource impact?

It has been a huge effect, and I just don't see anything addressing it in the

Recreational Fisheries Action Plan. That's my comment.

MR. DUNN: All right. Thank you for that. Appreciate it.

MEMBER DYSKOW: Just to underscore that -- this is Phil Dyskow -- that is a big issue. We in the Committee on MAFAC talk about red snapper a lot because it is a Lower 48 issue that we are more familiar with. This is a devastating issue, and I would agree that black cod don't taste nearly as good as halibut.

I think that this is an issue we need to give more awareness to because it is a recreational fishing issue that has a huge impact because of the number of people from the Lower 48 that go to Alaska, spend a lot of money, have huge economic impact, and they are not going to come up there to catch black cod and one halibut under 37 inches.

MR. BROWN: That has been the effect so far this past year.

Halibut Commission meeting in Vancouver?

So, Bill, will you be going to the

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was never -- it was a surprise when we found out that these rules had been done on halibut.

Maybe that is the right rule. I don't know if it is or not, but it could be the right rule.

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It is just that the impact, the secondary effects are huge, not just economics, but on resources. I mean, you know, what people are doing now is they are trying to get trophy yellow/white rockfish. They want to get a 100-year-old fish. they catch all these and float them until they get a big one, since they can't get a trophy halibut. That's got to stop.

But this is the response. You know, people drop a thousand bucks a day to go fishing in Alaska. If they can't catch a big halibut, they are going to catch something.

PARTICIPANT: Yes.

MR. BROWN: So, anyway, I'm sorry.

my soapbox. I wish there were

22 something we could do about it.

I'm off

their plan in advance. I have sent them my comments.

I did note that some of their elements were focused more on the for-hire end, kind of left the average private recreational guy out of the mix.

But I noted in all the plans a general perhaps lack of any discussion of communication using social media, which I would tell you, being an older guy, I don't use it much. But if I want to get a hold of my kids, that is how I am going to contact them. And maybe there is a method we could use there.

And I also think that Goal No. 5
was misconceived or misappreciated by several
of the groups. A couple of them make points
of selling their position. That is not what
we were asking for, I think. I think we were
asking for a better understanding of the
recreational fishing sector as opposed to
hearing what the Regional Office had to offer.

1 Those are just my comments.

MR. DUNN: All right. Thanks,

3 Mike.

All right. With that, I am going to turn it over to the Chairman because he is now running short on time. So, I apologize for my poor time management skills.

CHAIR FRANKE: Thank you, Russ.

First of all, to all of the Working Group members, I want to take this opportunity to thank you for your time and efforts. I know you all went to the Summit. Your input along the way on some of these things is very valuable.

It is noted, and I will be the first to admit, that a lot of the work that has been going on behind the scenes to date has not fully engaged all of the capabilities of the group, although I think we are at the point now where we are going to get some boots on the ground.

First of all, to Russ and Forbes

and his team, my compliments. In eleven and a half months since the Summit, you did a lot of work.

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For those of you out in the Working Group, I met with both of these gentlemen earlier today. They have little staff and no budget, and they seem to have covered a whole lot of territory. takes a lot of work. It takes a lot of energy.

I did note Russ's request on helping with the database. We have encouraged recreational fishing groups everywhere, if you have got a volunteer in your group that can spend some time on the internet getting email addresses or websites for the different constituency groups, it is a tremendous resource for those Regional Coordinators because most of the Regional Coordinators it is a collateral duty.

That said, I will cut to the chase of why I wanted to speak with our Working

Group in conjunction with the MAFAC group. As you are aware, MAFAC, our purpose is to provide information in recommendation form to the Secretary.

That said, you and the Working Group helped put together the Summit. You came up with a laundry list of ideas that were filtered through to come up with some themes, if you will, so that Russ and his staff could put together Regional Plans.

We have been in step with them along the way, encouraging the different constituent groups to meet with their Coordinators, so that we can get some real concise missions that needed to be done to help each of our areas.

And we are at the point now where today I wanted just personally to ask you, if it were a pie in the sky, what would you think you would put to words as being the biggest issue that you could make as a recommendation to Russ and his team, so that, as we move

forward with our vision that MAFAC is tasked to give the Secretary, we would like our theme to be consistent with your theme.

What are those things that you see as deliverables that we at MAFAC could make a recommendation to the Secretary, so that we are in step with the work that Russ and his team are doing?

With that, I would like to put it out for discussion to the group. Thinking in terms of your region, what do you think on a theme basis, whether it be communication -- I love the one about social media. I am terrible at it. My kids live by Facebook and texting. It's reality, and it seems as though all the deckhands on the boats in our fleet are texting each other from the tops of the bay tanks now. So, those kinds of comments are really valuable.

With that, I would like to put out to the group, if there are any recommendations that you all might have. Let's put it out to

the Rec Fish Working Group, and then I would like to follow up with the group that is present here.

MR. BROWN: This is Bill in Alaska again.

CHAIR FRANKE: Yes, Bill, go ahead.

MR. BROWN: One thing that came up at my most recent Board of Fish meeting, we had a report from NOAA on some crab issues, and whatever. And several people brought up, and I have heard it over and over again, that the makeup of the North Pacific Council, eleven members, one sport fisherman, and no members of the Native community.

And I would hope -- I know that

people are nominated by the Governor and then

approved by the Secretary of Commerce. Our

Governor is inclined to nominate just

commercial fishermen. But I would hope that,

if he just nominated commercial fishermen,

that the Secretary of Commerce would reject

1 them and ask for more nominees.

I am not asking to have half of them sport fishermen, but one out of eleven is too few. And I think that is the reason why we are getting this management halibut and ignoring all the other sport fish, and it has created serious problems for us.

So, I would hope that one thing
MAFAC could do, say, "We would like to have
better representation on the Regional
Councils."

CHAIR FRANKE: Your point is made, Bill. Thank you very much.

Yes, we have heard in a previous conversation with a group from the Southeast equitable representation was important to them. Anyway, your point is noted.

The next person, anybody with recommendations from our Working Group?

MR. KENNEDY: Kennedy. Can I follow up on what Bill said?

CHAIR FRANKE: Got it. Thank you.

1 MR. KENNEDY: Kennedy. May I

2 follow on Bill's recommendation?

3 CHAIR FRANKE: Got it. Yes, go

4 ahead.

MR. KENNEDY: Yes, we do have a problem down here in the Southeast. We have the Gulf Council, which is kind of a special animal. It has different members. It is clearly dominated with certain, at least in my view, certain objectives. Obviously, it is charging ahead on catch shares. It is working on sector separation. On the other hand, it doesn't seem to be following the catch share policy, at least as I understand it.

And then, in the Southeast we have an entirely -- it is the same Regional Office, but the Council is a different composition, a different number, as a matter of fact, and it seems to be a little bit more functional.

We need to have some continuity between at least the two Councils that regulate different sides of the same State.

It is kind of a permutation of what Bill is complaining about. But we have got one Council on one side of the State that deals with entirely different issues than what the east side does.

CHAIR FRANKE: Another good point.

Thank you. We have recorded that.

The next recommendation?

MR. PECCI: Yes, this is Dave Pecci from Maine.

I want to echo the need for good representation on the Councils from the rec sector. We can't seem to get anybody on there up there. I know we have got Rip Cunningham on the New England Council. But that came out in the Summit, and we need to keep moving forward on that.

The other thing, I read through the Northeast Regional Draft Plan, and a couple of things in there that really struck me was the effort for collaboration. And Forbes mentioned it in his talk, too.

If we want to get buy-in from the rec sectors, these collaboration efforts are huge. And we need, as a group, to keep pounding that drum as well.

And then, the more that NOAA can do as far as visibility out in the rec sector, you know, going to the shows, going to the tournaments.

Actually, when I heard the summary on the Northeast Plan, it really didn't do much for me. But when I started digging into the 25 pages, there's some stuff there that is really helpful.

But we need to keep going in the directions that we came up with at that Summit. We don't want to lose those.

Thanks.

CHAIR FRANKE: A very, very good point. I agree. The Summit, the work list, if you will, that we came up with as a group, I think that is a good plan, and Russ and Forbes and their staff are working hard to

follow our recommendations. As time goes
forward, I think it is being refined.

The next recommendation?

MR. BROOM: This is Dick.

CHAIR FRANKE: Yes, Dick, go ahead.

MR. BROOM: Okay. I work on the East Coast for CCA and am in touch with angler groups up and down the entire coast.

It sort of goes back to what Kennedy said. These Councils are very, very different, and especially in the Southeast and in the Gulf, too.

The fisheries they manage are, by and large, well, primarily recreational fisheries. And recreational fisheries, as we have said often -- and I think this would help with buy-in for the recreational fishing groups -- needs to be managed a little differently. It needs to be managed for abundance, and that would get back to allocation, some allocation scheme that looks

at a whole variety of factors, anything other than what was caught 10 years ago.

I know you guys were to a point looking on it, but I can't reiterate enough that NOAA needs to come up with some rational method of figuring allocations, not only based on what we are catching now, but the likely influx of people to the coast and the demand in the recreational fishery.

I mean, certainly, you wouldn't manage quahogs as a recreational fishery, but king mackerel and bluefish and Spanish mackerel and dolphin and wahoo, there are a number of species that should be managed primarily as a recreational fishery. And that should be for abundance and not yield.

In fact, if you look at inland wildlife and fisheries management, they specifically reject MSY as too risky. So, for recreational fisheries, I mean, I think we should take that heart, and actually kind of maybe even decide some fish need to be managed

recreationally and some fish need to be managed commercially for yield.

MR. DUNN: If I may, just to that one point, Dick -- this is Russ Dunn -- you know, the management goal of MSY is something that is a statutory requirement. And so, our hands are literally tied on that. We must manage to MSY, according to the law.

And so, I mean, I think in a vision document that may be something that could be included as a goal potentially for a new reauthorization of Magnuson. But we are, until such time as the statute changes, we, NOAA, don't have and the Councils don't have any options but to manage for yield as opposed to abundance.

CHAIR FRANKE: Thank you, Russ.

MR. BROOM: Well, I would disagree. I think you can be more conservative.

MR. BROWN: Excuse me. This is

Bill. Could I comment on that just a minute?

MR. DUNN: Yes. Let him finish
his comment first, and then we will turn it
over to you.

Are you done?

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MR. BROOM: Yes. I mean, my only point was, if what Russell said is true, then there is no need for OI.

CHAIR FRANKE: Okay, go ahead and respond.

Yes, the issue MR. BROWN: on sustained yield maximum and the Magnuson/Stevens Act, you know, if you are looking at one species, you can perhaps maximum achieve MSY. But if you have a joint maximization, if you have got species that interact, tuna and wahoo or dorado and tuna, something like that, you have or joint maximization problem and it is a different issue. If you maximize one, you may minimize the other. So, it is much more complicated.

I think, if you look at

Magnuson/Stevens carefully, and consider that
there are mixed stock fisheries and multiple
targets, MSY is much more complicated and it
is not necessarily the single outcome. That
is how we are interpreting it up here at
least.

That is my comment.

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CHAIR FRANKE: Thank you, Bill.

MR. BROOM: Yes, I mean maybe Russell didn't understand. But if you manage for, say you manage for the fishing mortality at MSY, I am talking about reducing that to increase abundance and age structure, not increasing it, not managing above it, but below it. So, you would be actually more conservative.

MR. BROWN: Yes.

CHAIR FRANKE: Okay. Thank you, gentlemen both.

We are going to have to keep moving. We are running out of time here.

The next recommendation from the

1 Working Group?

2 (No response.)

Okay. At this point, I would like to talk with those present on the Subcommittee. Gentlemen, do you have any recommendations with regard to Vision 2020?

We do have some common themes in the previous 2020, typically dealing with catch and release, let's see here, and fisheries management plan identification. We did receive some commentary already about communications and social media, web development.

With that, Tom Raftican, do you have any comment?

MEMBER RAFTICAN: Yes, Ken. Just to follow up, NOAA did a great job with the Barotrauma Workshop in March of this year.

The results of that really were outstanding.

I think what it did was laid down a clear path to develop guidelines to help on the release of fish. We can do an awful lot

to help ourselves in the long-run if we pay closer attention and start to develop some recreational fishing guidelines.

CHAIR FRANKE: Good point. Very good point.

Phil?

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I would just like MEMBER DYSKOW: to underscore the point that several gentleman made about the makeup of these Regional Councils. I am familiar with the Southeast, and I agree with the statements made. give proper is way we can focus and no representation to recreational sport fishing with the underrepresentation that currently exists on those Boards.

I understand the challenges in getting people appointed, but that has to be addressed. And I think somebody in Alaska brought that point up as well.

It is a very serious issue.

Underrepresentation is going to be a barrier
to implementation of any of these action steps

1 that we have in the 2020 plan.

2 CHAIR FRANKE: Thank you, Phil.

3 Excellent point.

Any other comments as far as recommendations for the 2020 Vision?

(No response.)

We did have a few additional ones that came in that I will just put out to the group, just in case there is any discussion warranted.

We also had recommendations regarding data collection and user statistics and stock assessments, especially using non-invasive technology like acoustics, ROVs, AUVs.

There was also a comment received of the importance of socioeconomic studies. I know we are doing one on the Southwest Region right now, and we do have all the political entities waiting for that report to make recommendations to the local governments on recreational fishing issues in our region. I

1 would suspect it is the same elsewhere.

There was also one common theme with input from a lot of the Working Group members regarding habitat development and restoration, whether it be removing dams or restoring streams to original conditions. So, that was one point that was made for recommendations, is to continue that work and keep targeting line items as far as budgeting for those projects.

Tom Raftican mentioned the barotrauma. I received a comment about that.

And the concluding one I had was we understand that Russ and his staff have been working with almost no budget as they are going along. It looks like they are doing well on their strategic planning, but it seems as though we are going to have to move forward with some type of recommendation that is going to be tied to some fiscal support for them as they move forward.

Tom Raftican?

MEMBER RAFTICAN: Yes, amen to that. And I am sure Russ and Forbes and crew would agree with that.

But one of the things that came up was forage fish are an essential part of what we are doing. Let's take a look at opportunistic management of forage fish, and whether it is menhaden on the East Coast or squid in the West, let's find ways to ensure that we have got an ecosystem approach to the way we manage fish.

CHAIR FRANKE: Good point.

Phil?

MEMBER DYSKOW: One point on budget. You are exactly correct, and Russ and Forbes can only go so far without money.

NMFS has given us an extraordinary opportunity tomorrow, when we meet to review the Committee reports, to help prioritize their budget. And we have to make sure that, when we do that, that we give a high priority to recreational fishing because there are

certain mandates that NMFS has that must be funded, and then there are other activities that are not mandatory. And this probably falls within that category.

So, they have given us the opportunity to establish a high priority. And hopefully, everyone will attend that meeting tomorrow and remember that.

But we are going to be asked to prioritize major activity blocks within NMFS on a scale, and we want to make sure that this gets a high priority.

CHAIR FRANKE: Excellent comment, Phil.

One of the things for the Working Group, we have been working with Russ at the Subcommittee level to basically put in the critical infrastructure for our future as representation for recreational fishing. And so, your thoughts are real important. On a go-forward basis, if you have any additional ideas that come to mind after the fact, if you

could please forward those in email form, we will be glad to take a look at those.

What our plan is at the Subcommittee level, all those comments, we are going to put them together at the end. Then, we will go ahead and formulate a response to the MAFAC with a recommendation to NOAA on what we envision it to look like in 2020 and how to get there. And your input along the way has been quite appreciated.

And the other thing is we really encourage everybody to get engaged with those Regional Coordinators. Our survival in the future is real important. It is key on that, as well as we are going to work really hard to make those recommendations loud and clear, that we need equitable representation on the Councils.

With that, Russ, did you have a comment?

MR. DUNN: Yes, just to that very last point, you know, the first year of this

effort I think the recreational community was able to make some important strides forward in gaining seats on the Councils. This past year we, the recreational community, lost seats in a number of places.

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In talking about engagement, with regard to that issue specifically, the most important thing that anybody in recreational constituency can do is engage in state-level politics to make sure that appropriate nominees are put forward to NOAA. Because there is only so much that we can do, NOAA, in terms of appointing folks, and there is the possibility that we can reject entire slate. I don't know; I don't believe that has ever been used. It may have been.

But the best thing that can happen is for us to receive a good slate of candidates from which we can select a solid recreational interest. So, that is a No. 1 thing in terms of engagement that you all can do for the representation.

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1	CHAIR FRANKE: Excellent. Thank
2	you, Russ.
3	I put it out there to the Working
4	Group one last time. Any last-minute
5	recommendations or comments before we
6	conclude?
7	(No response.)
8	Having heard none, here at the
9	Committee/Subcommittee level, any other last
10	recommendations or comments?
11	(No response.)
12	Nothing heard.
13	With that, I adjourn it. And
14	thank you, ladies and gentlemen, for your
15	time.
16	(Whereupon, at 4:49 p.m., the
17	webinar was concluded.)
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<u>C E R T I F I C A T E</u>

This is to certify that the foregoing transcript

In the matter of: Recreational Fisheries A/C

Before: NOAA

Date: 10-25-11

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

Court Reporter

near Nous &

U.S. DEPARTMENT OF COMMERCE

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NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

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MARINE FISHERIES ADVISORY COMMITTEE

+ + + + +

WEDNESDAY,

OCTOBER 26, 2011

+ + + + +

The Marine Fisheries Advisory Committee met, at 8:30 a.m., in the Hyatt Regency Washington on Capitol Hill, 400 New Jersey Avenue, NW, Washington, DC, Heather McCarty, Chair, presiding.

MEMBERS PRESENT:

HEATHER D. McCARTY, Chair

TERRY ALEXANDER

RANDY CATES

PAUL CLAMPITT

BILL DEWEY

PATRICIA DOERR

PHILLIP J. DYSKOW

EDWIN A. EBISUI

MARTIN FISHER

KEN FRANKE

STEVE JONER

JULIE MORRIS

GEORGE C. NARDI

TOM RAFTICAN

KEITH RIZZARDI

VA'AMUA HENRY SESEPASARA

DAVID H. WALLACE

STAFF PRESENT:

MARK HOLLIDAY, Designated Federal Official

HEATHER SAGAR

JOSHUA STOLL

ALSO PRESENT:

SUSAN BUNSICK

LORENZO JUAREZ

JESSICA HAMILTON KEYS

KIRSTEN LARSEN

ELIZABETH McLANAHAN

JEFF PAYNE

MICHAEL RUBINO

KRIS SARRI

DAVID STEIN *

* = Present via telephone

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hand and have a few announcements.

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We distributed the financial disclosure statements for you to update yesterday morning. Just a reminder for those who haven't either signed the non-foreign agent form or have an ability to sign off on the financial disclosure statement, at this meeting to do so.

If you are not going to do it at this meeting, we ask you to take it home, sign it, and you can email it back -- excuse me -- fax it back to us, and we will take care of it that way or just put in an envelope and mail it back to my attention at the office.

We do have sound today. The reason for that, we are not as responsive, I mean, to your complaints yesterday about the logistics of the room, but we do have a webinar planned for this afternoon. And so, trying to get all of the members heard on the phone during the webinar, we had to provide for the sound. It is a fairly expensive perk. So, we couldn't afford to do it on all three

days of the meeting, but we are splurging for it to make the webinar functional.

Of note, the Budget Subcommittee met yesterday, and they have agreed to meet again today at 1:10. So, we will have three Subcommittees right after lunch.

Heather is going to convene the Budget Subcommittee for maybe not the whole time, but for some follow-up discussion. And they are going to meet at the same place the Aquaculture, the Commerce Committee met yesterday, at the side of the room.

Heather asked me to go over a couple of things and reminders about MAFAC as a Committee, for the benefit of existing members as well as new members, to talk just a moment about the Federal Advisory Committee

Act and what that means for this Committee.

The Federal Advisory Committee Act is enabling legislation that allows us to provide an opportunity for non-federal, non-state experts, stakeholders, other interested

parties to meet and to share their views and perspectives, to inform public policy, and allow that group to meet with federal officials and provide consensus advice that would otherwise be prohibited by law.

So, FACA was a statute designed to prevent of kitchen cabinets and other advisors to Executive Branchers that would promote cronyism and favoritism, and provide access to certain groups of people that would unduly influence the Executive Branch process.

FACA was legislation that was passed to try to make an open, transparent, and public record of policy advice that is coming to the Executive Branch of the government.

And so, it is important to realize that, as a FACA group, you have the option or the opportunity to provide consensus advice to the Secretary, to the NOAA Administrator, without running afoul of the law. But it comes with a price.

And so, we operate under some very strict rules and regulations for Federal Advisory Committee Act groups regarding the transparency, open, public. We have members of the public, you know, giving them to not only observe the meeting, but to address the Committee.

We have requirements for recordkeeping and recording. And therefore, we use Neal Gross as our court transcriber to make a public record available of the proceedings of the Committee. We publish those proceedings, the transcripts. They are discoverable. All of the materials that we use are discoverable under the Freedom of Information Act.

So, as you continue to deliberate and debate the issues that come before the Committee, realize that this is part of a public process. The things that you say and do are public records and can be seen as part of the process of a FACA committee, and are

there for the public to look. And as you look at our website, you will see for each meeting we are required to publish a meeting summary, a list of the action items, and the transcripts of each of the meetings. And you can go back in time and see them on the NOAA/MAFAC website.

So, that documentation is an important aspect of being a FACA Committee, something for you to be aware of it. It is not something for you to be prejudicing what you say, but I think it is just a good idea to understand the public side of the Federal Advisory Committee membership and what you are representing.

So, as we go through these financial disclosure forms and these conflict-of-interest statements, these are all part of the design of the Federal Advisory Committee Act to get the best possible advice, but to allow the public to understand that you are serving the public's good and not a private

opportunity for gain or position in front of the Executive Branch of the government.

Then, in my non-ethics lawyer interpretation of the Act, I hope didn't embarrass at NOAA or the General Counsel's Office, but that is, I think, useful information to remind ourselves as we conduct these deliberations on MAFAC.

Then, my final informational piece, yesterday we talked about the members' page on the website itself. This is a repository for documents, and this is what you will see when you click on the members' page. The user name and password we distributed yesterday. And if you didn't see it when it was sent around, just come up to Josh or me on our break, and we will get you there.

But it is the action table, the status tracking of what we are doing is on there. Various documents regarding the New Member Handbook, which we referenced yesterday is up there for you to look at other, other

documents about non-disclosure, if you need blank copies, things about government travel.

Administrative/housekeeping types of forms and documents are posted there.

It is a work environment for MAFAC to use, but we don't conduct MAFAC business there. But it is a place where we can share things electronically rather than sending back and forth emails and losing drafts of things in the process.

CHAIR McCARTY: Can I ask a question?

DR. HOLLIDAY: Yes.

CHAIR McCARTY: Mark, several people asked yesterday, when we had the Subcommittee meetings, whether they were open to the public, just like this meeting is. And so, maybe you could speak to that as well.

DR. HOLLIDAY: Yes, all of the meetings and all of the deliberations of the Committee are open to the public. We are required to notice both the meetings that we

have in person in The Federal Register -- I

think it is a minimum of 15 days to give the

notice to the public of the opportunity to

attend -- as well as conference calls, where

we are going to have deliberative decisions

made by the Committee. We have to notice them

in The Federal Register. So, we err on the

side of being inclusive of the public.

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In the case of the Subcommittees, they are part of the proceedings of deliberative process. They are open members of the public as well. But they are there as observers, not as participants. you know, it is at that's the case; discretion of the Chair to recognize members of the public. We have set aside, we do set aside a formal comment period during the meeting where the public is noticed. They can come and address the full Committee. But, at Chair's discretion, comments the from the floor, from the public, are at the Chair's discretion during the conduct of the meeting

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2 CHAIR McCARTY: Thank you.

Bill has a question.

4 DR. HOLLIDAY: Yes.

MEMBER DEWEY: Not a question, just a minor point, but a significant point.

Yesterday you said that the username was not case-sensitive and, in fact, it is. It has to be all lowercase or it doesn't work. And the password is also case-sensitive. So, both are case-sensitive.

12 CHAIR McCARTY: Did everybody hear 13 that?

DR. HOLLIDAY: I'll defer to you, Bill, but that is the first time I have ever had that happen.

MEMBER DEWEY: Well, as we were talking it yesterday, I was trying to log on, and I went to all caps on MAFAC because that is the way I usually see it, and it didn't work. And Terry and I were playing around with it, and if you would go all lowercase,

MEMBER JONER:

CHAIR McCARTY: You're welcome.

Thank you.

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1 CHAIR McCARTY: Okay.

2 MEMBER JONER: Thank you.

3 CHAIR McCARTY: You're welcome.

And thank you, Mr. Dewey.

Okay. I think we are done with that, unless there are other questions or comments on any of those points that Mark made.

(No response.)

Now we are going to talk about voting. So, Mark at the last meeting spoke to the issue of how we should proceed with the voting for Chair and Vice Chair. And we had a little process worked up at that time, but it wasn't captured in writing in a place where we could access it.

So, Mark is going to reproduce that orally and answer the questions that were asked yesterday about how we are going to proceed with that at the end of the meeting.

Toward the end of the meeting tomorrow is when we are going to do the actual election.

Mark?

DR. HOLLIDAY: Thank you.

So, we are going to be electing a Chair and a Vice Chair from among the eligible members, which means those whose terms don't expire in December this year.

The process is pretty straightforward. If you have an interest in serving as a member, you can put yourself in nomination for either one of those positions by sending me an email. If you don't have a computer with you, you can just see me on a break or during lunch and indicate your interest in serving in one of those positions by the close of the meeting today.

This evening I will create a paper ballot with those people with those people who have indicated an interest in serving in either one of those positions, and we will use a paper ballot tomorrow to conduct the vote.

The majority vote for both the Chair and the Vice Chair position would be elected to those

positions. That is my recollection of the process that we discussed and described.

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So, we are doing it a day in advance to allow people, they don't have to be nominated and seconded by somebody else; they can self-nominate. Indicate your interest and we will create the ballots for use tomorrow.

CHAIR McCARTY: Does anybody have any questions or comments on that procedure?

(No response.)

Okay. I think it should be pretty smooth.

I think we now will go into our agenda.

Present with us are several people that we haven't seen yet. Russ Dunn, over here, who is a staff new person that is joining us today. And in the back is Kirsten also joining Larsen, make us to а presentation.

And then, we have a couple of members of the public. I would ask that you

1 introduce yourselves.

MS. DEAN: Sure. I'm Jenny Dean.

3 | CHAIR McCARTY: Thank you.

And we also, of course, have

Jessica Keys. She is going to give the

presentation this morning on the National

Ocean Policy implementation, in place of Eric.

MS. HAMILTON KEYS: Great. All right. Well, thank you.

CHAIR McCARTY: You're welcome.

MS. HAMILTON KEYS: I really appreciate being here. It is a good opportunity for me to hear what you guys are up to and what you think about the National Ocean Policy.

I spend a lot of time on the National Ocean Policy. I joined NOAA only about six months ago. My work has been on the state level and on the regional level. So, it has been an eye-opening experience to come to NOAA. It has been a good experience, and it is great to see Randy and Bill from the West

1 | Coast and other folks.

So, do you want me to control the doohickey?

CHAIR McCARTY: Uh-hum.

MS. HAMILTON KEYS: All right.

So, I have a feeling that you guys are already pretty familiar with the National Ocean Policy. You had a meeting in May about it. You had the phone call in June to develop comments. And so, I think the purpose here today is just to give you an update on what has been happening since you last received a presentation and basically from June to this point, if that makes sense.

So, let's go ahead and go to the first slide.

So, this is familiar to you all.

We hit the first-year anniversary of the

Executive Order. So, it has been out for a

little over a year now.

The National Ocean Council started with 27 entities; technically, it is 26 now.

We had some consolidation in there. The nine priority objectives are still the focus of the work of the National Ocean Council, and the Coastal Marine Spatial Planning Framework certainly receives most of the attention, I would say, when people think about the National Ocean Policy.

So, next slide, please.

And this is a slide that you have seen before, just kind of outlining the structure. For example, the Governance Coordinating Committee met on September 29th.

We have had a couple of meetings. They have been weighing-in on the structure for the Regional Planning Bodies, which I will talk a little bit more about shortly.

The National Ocean Council Deputies' level, they have met more regularly than the principals. The principals have only met that one time last November, I believe it was. But we are planning on another one of those coming up.

And Eric Schwaab is an important

NOAA representative to one of boxes down
there, Ocean Resource Management Interagency
Policy Committee. And Heather, back in the
room, has been very active in this as well.

So, these groups are working hard on developing the strategic action plans for those nine priority objectives.

Okay. So, the next slide, please.

So, these are the nine priorities.

You all are familiar with these: ecosystembased management, coastal marine spatial
planning, informed decisions -- basically,
that is science and education -- coordinating
and supporting not only within the federal
agencies, but also working with the regions
and states and tribes and local governments.

Then, the green ones are the areas of special
emphasis. So, I don't need to read those to
you.

Let's go ahead to the next slide, please.

So, as your comments highlighted to the National Ocean Council and to Secretary Locke, stakeholder engagement is critical to not only coastal marine spatial planning, but to implementation of the entire National Ocean Policy. And we take that seriously as well.

In terms of engagement at this point in the process, really, looking at those strategic action plans for the nine priority objectives is where the strategic involvement is happening the most. And as you know, there are those public listening sessions. I heard that some of you were able to make them across the country in June from Alaska to Hawaii to New Jersey. I really appreciate your input there. And I will give you a status on those strategic action plans.

So, the National Ocean Council and the agencies took the comments that they heard from those listening sessions and from the submitted comments, such as your comments, and they used those to flesh out those outlines.

Because what you all had commented on were basically just the outlines for the plans.

So, they really used those to expand those, and those drafts are being developed as we speak by the National Ocean Council agencies.

And we are actually starting to refer to the nine strategic action plans as more of an implementation strategy. They were basically developed separately, and we are pulling them together to make sure there's not duplication, to make sure that they are a cohesive document to really guide implementation of the policy.

And the intent is to have this draft implementation strategy out this winter for another round of comments. So, we really look forward to your guy's weighing-in on that.

And so, then, if all stays on track, the final would be out in early April.

So, that is the plan.

Public engagement, of course, is

really critical, particularly for coastal marine spatial planning. We agree it is important to have clear goals and timelines and avenues for participation. It is important to be inclusive and accessible, and it is important to have a transparent and open process. So, that is the piece on stakeholder engagement.

The next slide, please.

So, I don't think you have seen this slide before, but certainly you are familiar with the Regional Planning Bodies.

So, these would be the regional entities established to support implementation of the coastal and marine spatial planning framework.

Really, coastal and marine spatial planning has emerged from the state level and the regional level. Randy is familiar with what is happening in Oregon in terms of their planning for uses of the ocean. Washington, where Bill is from, passed their own bill to implement marine spatial planning. So, I

think the intent is really that these regional efforts build upon what is happening on the state level.

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is And it important that these Regional Planning Bodies are strong partnerships not only within the federal agencies, but working with the states and the tribes to really pull together a comprehensive ocean planning effort.

And speaking of partnerships, there is that box called consultation with the Fishery Management Councils. That is what the National Ocean Policy says, that there must be consultation with the Councils, but NOAA has been advocating very strongly to actually have the Councils have a voting seat on the Regional Planning Bodies.

So, right now, the framework says that states, tribes, and federal reps will be on the Regional Planning Body as voting members, but we have been asking that the Fishery Management Councils have a seat as

well. So, there is no final answer on that yet. Please stay tuned.

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All right. So, next slide, please.

I will spend a little time on this slide giving you some updates on what has been happening. I know you all had that conversation in June, buy after t.hat. conversation the National Workshop on Coastal Marine Spatial Planning did take place here in It really provided Washington, D.C. opportunity for folks from around the country learn a little bit more about coastal marine spatial planning, then develop understanding of what it is and what it might mean for their region.

And there were federal/state tribal leaders there. There were Fishery Management Council representatives there as well as local government and indigenous community representatives.

And after this national workshop,

the intent is that there would be regional workshops to take that model and take it out of Washington, D.C., to talk to folks on the regional level.

So, the next bullet there is Regional Planning Bodies. I mentioned that earlier. So, let me give you an update on where we are with that.

So, the federal agencies who will be on the Regional Planning Bodies, they have all been identified. We have their names.

So, NOAA has represented our representatives.

There will be approximately six to ten federal representatives on these bodies.

You won't have the full 26 entities on the Regional Planning Bodies. It is really based on the interest of the federal agencies for particular regions.

NOAA has agreed to lead, to be the actual federal co-lead, for three of the nine regions. And that is the Northeast, West Coast, and Pacific.

And right now, the National Ocean
Council is working with the Governance
Coordinating Committee to develop the guidance
or the structure for the Regional Planning
Bodies. The number of federal/state/tribal
representatives, that has not been determined
yet, and we look forward to getting the
comments from the Governance Coordinating
Committee at the end of this week about their
perception on how the Regional Planning Bodies

should be established.

And then, also, in terms of Regional Planning Bodies, of course, the topic of Fishery Management Councils, their participation has not been established yet, but the White House counsel has been working with the Department of Commerce counsel on some of the legal aspects of that.

And it is hoped that the guidance for structuring the Regional Planning Bodies will come out by December, so that the National Ocean Council can start sending

letters to the Governors and to the tribes to invite their representation onto the bodies.

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So, the third bullet, Okay. strategic action plan development, still, as I mentioned, working towards the nine prior objectives to have strategic action plans that will be combined into an implementation strategy. For coastal marine spatial planning, it has been trimmed back a little bit. The version that we had been working on was pretty extensive, but emphasis will be on increased accessibility of decision-making, data for improved coordination among government agencies for regulatory efficiencies, and reducing impacts on sensitive areas.

So, the goal of these strategic action plans would be specific, actionable. I think your comments also alluded to that fact.

You need to have specific actions in there.

And so, there will be milestones identified, performance measures identified

that really hold the federal agencies accountable for implementing the strategic action plans.

Okay. So, then, the last bullet here, I believe, Mark, you said this is on your agenda next, the National Information

Management System. That is a priority within the National Ocean Policy, specifically the

Coastal Marine Spatial Planning Framework, but we recognize that developing this system will benefit other activities besides just coastal marine spatial planning.

And NOAA has really been a big contributor to making sure that our data can be accessed through this prototype. And then, the next step would be to work with the regions and the states and with industry to provide data for decision-making.

So, the prototype for the NIMS, the National Information Management System, we are actually starting to call it ocean.data.gov. So, we are trying to get away

from calling it the NIMS, but actually direct people to where they will be able to find the information.

This prototype should be publicly-available in the next couple of weeks. So, we will invite you all to take a look at that and suggest ways to improve it.

So, let me see, there is one more slide, is there? Maybe we are at the end. I think we're it. Yes, actually, there is one more. Sorry.

So, just a reflection on what was heard at the Coastal Marine Spatial Planning Workshop. About 500 folks attended the workshop, and key topics are here on this slide.

So, the importance of science and evidence-based data and traditional knowledge and experience in advancing coastal marine spatial planning. And then, the question of how you best represent local and regional entities. How do you design incentives to

spur implementation of coastal marine spatial planning? And then, how do you strike the right balance between flexibility among the diverse nine regions versus having that national consistency?

So, the National Ocean Council will produce a report, a workshop report, soon. So, you can capture, see for yourself what was discussed there, if you weren't able to attend.

So, I think I will stop there then. I am happy to take questions, or if you had some specific topics you wanted to discuss or messages you would like me to take back to the National Ocean Council or to my colleagues at NOAA, I would be happy to do that.

CHAIR McCARTY: Thank you,

Jessica. That was really helpful.

I have a couple of questions, and then we will throw it open to the others.

MS. HAMILTON KEYS: Okay.

CHAIR McCARTY: You said that the

1 strategic action plan will be out this winter.

MS. HAMILTON KEYS: Yes.

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CHAIR McCARTY: Do you have anything more specific than that datewise?

MS. HAMILTON KEYS: Let's see.

Yes, I think it will be, right now, they are
on track to release it at the end of December.

You know, I remember working for the Governor
of Oregon; we would hear things coming out
right before Christmas and be like the feds
planned it that way, right, so no one would

provide comments. That was a joke.

But, no, it just looks like, in lining it up, it will come terms of towards the end of December. And so, it is not an intent to bury it in the holiday just in terms getting season, but of through the process, that's about when it will be.

But I have noticed that the Timelines do shift. So, again, please stay tuned on that.

CHAIR McCARTY: So, then, there will be a 60-day comment or 30-day, or do you know?

MS. HAMILTON KEYS: It is going to be closer to 30 days, I believe.

CHAIR McCARTY: Thirty days?

MS. HAMILTON KEYS: Yes. But you would factor in, it would be workdays as opposed to factoring in the holidays.

CHAIR McCARTY: And you mentioned that there would be, I mean, that people were already named to be on those, and you said that NOAA will co-lead those in the Northeast, the West Coast. And what does "co-lead" mean, "co" with whom? And what are the other ones? Who are the other ones led by?

MS. HAMILTON KEYS: That is a good question. So, "co-leading" means NOAA would be the federal point for the Regional Planning Body. You would have a tribal point and a state point. So, the three would lead this larger organization.

And with that leadership role, there does come some responsibilities in terms of keeping the momentum going, making sure that the process is effective in terms of engaging the public, making sure science is a part of it. So, it is a responsibility for really making the Regional Planning Body happen.

And we have had several other federal agencies step up to lead the other regions, the Department of Interior, for example, the Coast Guard - I'm trying to think -- EPA. So, the burden never falls solely on NOAA to lead these, but, of course, we do have interest in all the regions and will make sure that NOAA has a representative within each of the Regional Planning Bodies.

But I would be happy, that could be one thing we could get you a list of.

CHAIR McCARTY: That would be good.

And I guess the other part is, and

I think you answered it, just because you

didn't make the other doesn't mean that that

isn't underway in the other regions as well?

So, it is underway everywhere.

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MS. HAMILTON KEYS: That's right.

Just to clarify "underway" in the sense that
the federal folks have been identified, but
the state, the tribal, and even the structure
of these are still being worked out.

CHAIR McCARTY: Do you have any
ETA for the actual formation and sitting down
around the table of these Regional Planning
Bodies?

MS. HAMILTON KEYS: That's a great question. I would say that the goal would be for the National Ocean Council to get letters out to the Governors and to the tribes to invite them to identify their representatives in December.

And then, we realize that some regions are moving along faster than others.

So, some regions may, like in the Mid-Atlantic

or Northeast, want to meet right away. And actually, they are already starting to discuss regional coastal marine spatial planning. So, they may start as early as 2012; whereas, other regions may take a little bit longer to kind of assemble in order to think about how they will move forward.

CHAIR McCARTY: Thank you.

One of the big comments that I think this group made, and has made several times, is that we believe that the Regional Fisheries Management Councils should be part of these Regional Planning Bodies. I think that is widely thought amongst the fishing people that I know.

And do you have any more information on whether there are any barriers to that? You mentioned that the White House counsel was discussing it with different folks. Have there been barriers thrown up in any way, legal or otherwise, political? And if so, is there anything that we can do to

help move that forward and make that happen?

MS. HAMILTON KEYS: So, I think in terms of the question, it is whether the Regional Planning Bodies will be considered an advisory body or an operational body. And so, that is where the nuance is that the legal teams are taking a look at that, because that would affect whether the Fishery Management Councils would be able to actually sit on the Regional Planning Body.

In terms of what you all can do,
you know, I am new to NOAA; I don't know what
I can tell you to do. You all certainly can
communicate your positions on this to the
National Ocean Council, to NOAA and the
Commerce Department, even to the Governors'
Coordinating Committee. I mean, they are
certainly a well-respected group that advises
the National Ocean Council. So, I think there
are a variety of avenues to reinforce that.

We heard it loud and clear at both the National Coastal Marine Spatial Planning

Workshop and then, also, in these regional listening sessions around the country, that that is what folks want. But it certainly doesn't hurt to reinforce that.

We have our own pathway of making MAFAC recommendations. But it strikes me that those members that feel strongly enough about it, that they might want to do it individually or on behalf of their own organizations. It would be good to have sort of a list of people or entities that one could communicate back to.

MS. HAMILTON KEYS: That's right.

CHAIR McCARTY: If you could maybe provide us with that, that would be useful, I think. So that we can go back and say, "Here's my organization. Here's my entity, and this is how they feel," and do it apart from MAFAC as well as through MAFAC.

Thank you. Thank you very much.

And so, I am assuming there might

1 be some comments from others and questions.

2 Oh, maybe a few.

Okay, I have Steve and Patty and Bill and Paul so far. Okay.

Go ahead, Steve.

MEMBER JONER: Okay. I'm Steve

Joner with the Makah Tribe. I am reinforcing
what you said we should reinforce, and that is
that the Regional Councils must be on that. I
have worked in or around the Council since, I
think, the year after it was formed, and it is
clear that the history and the management and
science is resident within the Council, in the
Council process, and to deal with anything
related to fishing in the EEZ or anything
affecting fishing without the Councils, it is
just not reasonable.

So, I have a question. At the workshop, I know Don McIsaac from the Pacific Council got up and made reference to the Magnuson Act where it says that the Councils are exempt or that the FACA does not apply to

Coordinating Committees and acting as a body

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of the Executive Directors and t.he Chairpersons is being exempt from FACA for the purposes of talking amongst themselves and consensus opinion to advise organizing а someone else. So, I am not giving you an official legal interpretation, but the reference in the statute in MSA is towards can they meet together and would be exempt from FACA.

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individuals As serving on а Regional Planning Body, Jessica's was spot-on. It is an interpretation of whether or not the undertaken by the body they are actions serving on are advisory in nature or operational in nature. That distinction will drive whether or not there could be a legal -it is a legal issue. I mean it is not for want of wanting to have the Councils on it. It is whether or not it is legally permissible under the current FACA statutes to have them as a voting member.

And so, there is a legal

interpretation that is being researched and evaluated on the intent and the role of the Regional Planning Bodies, and that is going to trigger it.

So, people understand Dr. McIsaac's comment about the Magnuson Act, but notwithstanding that, it wasn't relevant to the legal question that was the role and the responsibility of the Regional Planning Body as opposed to the Regional Fishery Management Councils. They are not equivalent.

MEMBER JONER: So, then, when do you think the decision will be made on clarifying that, that legal question?

MS. HAMILTON KEYS: We actually were hoping that we would have a decision by today for the hearing that is happening up on the Hill for the National Ocean Policy. But, unfortunately, the decision wasn't made yet.

So, we are constantly keeping in touch with the National Ocean Council, so they know it is important and there is a sense of

1 urgency there to resolve this.

CHAIR McCARTY: Thank you.

Patty?

MEMBER DOERR: First off, I apologize for the noise. I wanted to make sure everybody was awake for you.

My name is Patty Doerr with the

Nature Conservancy, and my office is out of

New Jersey. We have a lot of disputes, fully

parochial for a moment, a lot of wind energy

issues going on off our coast.

But BOEMRE, which is now just Bureau of Ocean Energy Management, they are moving pretty quickly with their wind energy development offshore. I know that they have been saying that they were going to use the principles of coastal and marine spatial planning as they do this.

And you may not be able to answer this question, but how much coordination is there between the National Ocean Council and specific departments like BOEM who are moving

forward with ocean development ahead of having this whole big structure established?

At least from a NOAA/BOEM relationship -- is that what we are going with, "BOEM"? -- that collaboration has really increased, my understanding, since they started the initiative on wind energy. So, that is great.

MS. HAMILTON KEYS: Good question.

And then, in terms of BOEM being within the Department of Interior, Interior is a very strong player in National Ocean Council activities. For example, they are on the National Ocean Council Steering Committee. They are also co-chairing, along with NOAA, the Ocean Resources Management Interagency Policy Committee, the one that Eric is the NOAA rep on. So, I have seen a lot more collaboration and honest conversations about how to proceed on those types of things.

We look to the Mid-Atlantic and
New England both as examples of where things
are happening and lessons learned and how to

1 improve it for other parts of the country.

2 CHAIR McCARTY: Bill?

MEMBER DEWEY: Thank you, Madam

4 Chair.

Jessica, good to see you here working for NOAA in this capacity, bringing your West Coast expertise to the table here.

So, I have actually a few questions and a comment. One is noting that this is coming out and the comment being, when this is coming out in December and with a 30-day public comment period, it is not going to overlap a MAFAC meeting. I am guessing MAFAC is going to want to engage, as we did on the draft. So, it is going to probably involve some conference call work, or whatever, just to prepare for the Committee for that effort. I would put that on the table.

So, a question, a clarification on your co-lead discussion. I understand there is federal, state, or tribal co-leads. Is what you are saying that NOAA is going to be

the lead co-lead in those three regions, for clarification, and then other regions other entities will be the lead co-lead?

MS. HAMILTON KEYS: That's right.

MEMBER DEWEY: Okay.

MS. HAMILTON KEYS: That's right.

MEMBER DEWEY: That is what I understood. I just wanted to clarify that.

So, two other questions. One is,

I am curious how on the west coast the West

Coast Governors' Agreement will interact with
the RPB? And then, the other question is, do
you anticipate the activities here in Congress

-- you know, we have got hearings going on
relative to implementation of this -- how that
might change the path forward? Is Congress
going to alter the Administration's efforts to
implement the NOP?

MS. HAMILTON KEYS: So, the first question had to do with the West Coast Governors' Agreement. Bill knows that I was involved with that. So, I haven't been as in

touch with them lately, but it is understanding that the West Coast Governors' Agreement, which is considered a Regional Ocean Partnership, it has been around since 2006. It is led on the state level. Thev have decided that that entity would not become the Regional Planning Body, and that was a discussion at first, when the Executive Order first came out: how would the existing regional groups evolve?

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One of the drawbacks, I think, of the West Coast Governors' Agreement is it doesn't have that tribal activity. It definitely needs some improvement in terms of working with local communities.

So, I think that the West Coast
Governors' Agreement will continue to focus on
their priority areas, and many of them aren't
related to coastal marine spatial planning.
So, this way, you have this separate body that
will really focus on implementing coastal
marine spatial planning in the regions. That

is what I have heard that they are thinking of doing, but they would certainly overlap.

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And then, right after this meeting, I am going to go over and try to catch the hearing on the National Ocean Policy. I think, obviously, there is just a interest in how it lot of has been implemented, interest, and then there are some potential amendments that could affect implementation of the policy.

But I think the strength of the policy is that we are looking for greater efficiencies and actually saving money as opposed to requiring more money to implement the policy. We are talking to agencies more and identifying the same areas of the country where we are working, and why can't we collaborate more and leverage our dollars more?

So, I think we will continue to do that. I mean, even though I am new to NOAA, it is my impression that there is a lot more

1 people chosen?

MS. HAMILTON KEYS: So, within the federal agencies, NOAA and other agencies identified what staff were already out in the regions and how it could engage.

The state folks will be identified by the Governors of that area. And it is optional. So, if a Governor does not want to put forward a name, that Governor does not have to.

We have heard some interest, though, from local decisionmakers that are participating on the Governance Coordinating Committee that, even, for example, if a Governor doesn't put forward a name, on a local level, they still might want to engage in the Regional Planning Body. So, the Governance Coordinating Committee is also considering how local governments might be able to engage on the Regional Planning Bodies.

And then, tribes also will put

MS. HAMILTON KEYS: Yes. So, at least for FY11, there was a final spend plan. So, we got that. FY12 is still up in the air in terms of what funds will going to the agencies.

I mean, a lot of what NOAA already does and already requests funds for helps to implement the National Ocean Policy. So, I feel pretty well that NOAA will be able to engage. The level of engagement might be affected by the FY12 budget.

One other thing to note, though, is there was a memo from the National Ocean Council for FY13 that emphasized that ocean policy is still a priority for this Administration, and that they encourage the agencies to start to thinking about FY12 and how what they do can be a part of implementing the policy.

CHAIR McCARTY: Anyone else?

Go ahead, Phil.

MEMBER DYSKOW: Given what was

just said, how do we make sure within NOAA and within the Fishery Service that those core activities are properly budgeted in an environment where you know you are going to have less money next year than you do this year?

If we siphon money away from some core activities to support the NOP, aren't we sort of shooting ourselves in the foot?

MS. HAMILTON KEYS: So, the intent is not at all to siphon funds away from fisheries, stock assessments, and other core programs. I have not come across or heard of anything to that effect.

MEMBER DYSKOW: May I continue?

CHAIR McCARTY: Yes, of course.

MEMBER DYSKOW: The concern is we had a budget meeting yesterday. We understand the magnitude of the issue within NOAA.

Best-case scenario, it is going to be challenging. The likely-case scenario, it is going to be very challenging. And it is

easy to say the NOP implementation will not
siphon funds off these core activities, and
perhaps you are right, but it is going to be a
very, very challenging process. And I hope
that those core activities don't suffer as a
result of the MLP.

7 MS. HAMILTON KEYS: Great. We 8 would agree.

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Are you referring, you are kind of thinking about the Marine Life Protection Act, MLP, on the West Coast, MLP? So, you mean coastal marine spatial planning?

MEMBER DYSKOW: Well, I was referring to the National Ocean Policy Act.

MS. HAMILTON KEYS: Okay. I wasn't sure what the MLP was referring to.

Okay. Thanks.

CHAIR McCARTY: Anyone else?

(No response.)

Well, then, we will thank Jessica again for making this presentation.

MS. HAMILTON KEYS: Thank you. I

1 really appreciate it.

2 CHAIR McCARTY: Thank you very

3 much.

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MS. HAMILTON KEYS: And we have some get-backs for you.

6 CHAIR McCARTY: Yes. That would 7 be good.

And also, I think we will, again, be participating as we go through this comment period. And clearly, we will have to organize ourselves as soon as we know what the dates are.

MS. HAMILTON KEYS: It sounds great.

CHAIR McCARTY: Yes. So, we will keep you in touch.

MS. HAMILTON KEYS: Thank you.

CHAIR McCARTY: Thanks so much.

The next person up here is going to be Kirsten, and I believe the other two people for this next presentation are on the phone.

Okay. So, we will take a very
short stand-down while that gets organized.

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(Whereupon, the foregoing matter went off the record at 9:20 a.m. and went back on the record at 9:21 a.m.)

CHAIR McCARTY: Okay, David, we are pretty much around the table, and there's a number of people in the audience as well.

So, you have the floor.

MR. STEIN: Okay. Thanks, everybody. Good morning.

am David Stein. Ι I am а geographer with NOAA's Coastal Services Center, and I am also the co-lead on the Multipurpose Marine Cadastre Project, along with Christine Taylor, who works at the Bureau of Ocean Energy Management, BOEM. I am also heavily involved in NOAA's CMSP program activities, mainly on the geospatial side of the house.

So, thanks, everybody, for accommodating me via WebEx. I hope everybody

1 can hear me okay.

CHAIR McCARTY: Loud and clear.

MR. STEIN: This is going to be a two-part presentation here. I am going to be giving the MMC portion, and then I am going to turn it over to Kirsten Larsen, who is going to be talking about fisheries inputs into the MMC and into coastal marine spatial planning.

So, what we are going to cover is a quick introduction of the MMC. I am going to discuss the core components. I am going to discuss how the MMC suite of products are being used by our customers. I will describe briefly the connections between MMC and coastal marine spatial planning. And then, Kirsten is going to talk about fisheries data and systems inputs into CMSP and MMC.

So, first off, what is the MMC? I describe it as a marine information system designed to support offshore renewable energy planning siting. So, it is a marine GIS system for that.

A little bit of history: it was born out of the Energy Policy Act of 2005.

There was a specific section in there that said that NOAA, DOI, the Coast Guard, and the Navy would all work together to develop a mapping system to support alternative energy planning on the Outer Continental Shelf.

So, from that, BOEMRE -- well, it was MMS at the time; now it is BOEM -- and NOAA Coastal Services Center entered into an agreement, a Memorandum of Understanding, to develop this system.

So, it has three main components right now. It is mostly authoritative ocean data, and it is about provisioning that data through a web portal. We have a registry online on our web page, which you see here on the left. And we also provide that data through a variety of formats, but right now the format that most people are interested in our web map services, so that you can pull data down from multiple locations without

1 having to house everything in one spot.

So, it is about the data. It is also about visualization. So, we have developed a series of web map viewers. We have a national viewer right now that is up on our website. That provides visualization of all the data that we have in the system. You can also use the viewer to make and share maps, and you can do a limited amount of analytical functions, like measuring and drawing and putting in coordinates and those sorts of things.

We also provide technical consultation to regional startups who are interested in developing mapping systems like the MMC or who want to participate in the MMC project. So, we provide our templates, our web map templates, and some of our source code that we use to develop our viewers, and some of our other tools. And we provide one-on-one technical support, when needed.

Those are the three main

components. Data, spatial data, is really at the core of all of this. And right now, we have around 100 datasets that we actively manage as part of this system, and they are organized around several themes or categories.

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organized They are around jurisdictional boundaries and limits; around federal georegulations, which are essentially the spatial footprints of laws and policies and regulations; navigation and marine infrastructure, marine habitat and biodiversity, physical and even uses oceanographic, and then we have a standard set of base maps that we provide.

And where you see asterisks is where we have a limited amount of data. I would say those are where our significant data gaps are, and we are actively working with groups like NIMS and others to include more living marine resource data in the system, as well as some socioeconomic data and other ocean uses.

This

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So, this is just all of our data.

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I am not going to go through it. This just

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gives you an idea of the volume of data that

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are dealing with, all organized around

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those themes I just mentioned.

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So, the other part of this system

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are webmap viewers. Right now, we have a

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national viewer up and running. Ιt is

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developed using RGIS software. It is a Flex

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And this is where you can come see 11

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all of the data and visualize the data and the

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various themes kind of side-by-side or on top

14 of each other.

application.

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So, you can see here how we have

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is our table of contents here. So, this is

our data organized around these themes.

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where you would find all the data.

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And up here at the top, you have

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all of our functionality that you can access

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and use. We have things like Save Maps, Share

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Maps, Make Maps, Enter Coordinates. So, if you are a developer or you are reviewing a project proposal, you can enter coordinates directly into the system and see where the proposal falls. And we have some drawing tools, like I mentioned.

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This is just to give you an idea of the data we have of some in the application. We have Marine Protected Areas. We include the MPA database, which has over 1500 different management units in their database. We include shipping fairways, traffic separation zones, and many other navigation and infrastructure-type datasets in the system.

We have HAPCs from Fisheries, central habitat, central fish habitat designations, critical habitats, and we are in the process of incorporating some marine mammal output density grids as well.

We have all of BOEM's platform and oil and gas leasing information in the system.

There are drilling platforms. We have things

like wave energy or hydrokinetic energy permit proposals; the same with alternative energy proposals.

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Okay. So, we wouldn't really be where we are without strong partnerships. Like I mentioned earlier, we are co-leads along with the Bureau of Ocean Energy Management. But some of our other partners are NOAA, Fisheries and Ocean Service, U.S. Fish and Wildlife Service, the Park Service. The Department of Defense provides data to the system; the same with the Coast Guard, DOE, the State of North Carolina. We are working some with the Nature Conservancy to integrate their NAMERA biodiversity dataset into the application.

And through CMSP, we have started to work with some of the Regional Ocean Councils. So, we will be working closely with NROC and MARCO.

So, those are our partners. Who is using the application, who is using the

MMC? Well, it was developed primarily to support alternative energy planning and siting on the OCS. So, BOEM is, I would say, our largest user of the application itself.

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Also, we have Regional Ocean Councils like NROC and MARCO using it. And I will explain a little bit later in the presentation.

NOAA Fisheries uses the application. They are using it right now on the West Coast to review permit proposals that come in, to evaluate the impacts to trust resources.

You have other systems like ERMA, Environmental the Response Management Application, for oil spill response. They use data from our application. The industry and consultants use data, and state governments starting to the are use application, mostly for data.

Okay. Just to illustrate some of these examples, the data, like I mentioned, is

being used in these regional data portals.

into their application.

So, what a group like NROC or MARCO would do is their technicians would access the web services or the data directly from the Multipurpose Marine Cadastre and consume those

So, they are using data that we have generated, shipping fairway data, all of the U.S. maritime boundaries limits they use, and a variety of other datasets.

And we also work with them. We have a person on our project team who sits on the NROC Portal Working Group. So, he has helped them design the system from the ground up, based on some of the lessons that we have been learning through the MMC project.

So, it is also being used in national portals and decision support tools.

As I mentioned, ERMA consumes data directly from MMC, most of the cadastral or boundary information they are using.

The same with applications like

Marine Map. Marine Map has been used to help
designate the Marine Protected Area Network
along the California coast. They used our
authoritative national data as part of that
system.

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And the tools that the MMC provides are being featured and used within this new coastal marine spatial planning portal, also referred to as the National Information Management System. So, MCC is featured as one of the many tools in that well as the datasets that system, as we provide are catalogued in that system. you could have access the MMC from there.

Okay. So, recently, we have begun working with BOEMRE and the State Renewable Energy Task Forces. And this is all part of the Smart from the Start Initiative or wind energy siting along the Atlantic Outer Continental Shelf.

So, what we have done with them is we have been working with the State of North

Carolina and some federal partners to create a regional instance of the MMC. So, we are using national data from the MMC project, and we are using local and state-level data from North Carolina, and we are mashing it up -- it is actually called a mash-up application -all in one special interest map that is online and that can be used during the planning meetings. We have done this for North Carolina and in between meetings to help make decisions about where these wind energy areas are going to be sited. They are called WEAs. I mean, that is the point of having these state task forces, is to develop these areas that are suitable for wind energy development. So, it helps in the negotiation process about what lease blocks are on or off the table as part of this process. finally, it And is being used

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And finally, it is being used quite a bit by industry and consultants. They don't want us to do any of their analytical work. All they want is authoritative data.

So, they use the systems. They use our web registry here to access data that they can then use in their analysis and their site suitability type of process.

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Okay. So, looking forward, some of the things that we are working on now are AIS data, which is the Automated Identification System data. It is basically ship traffic and vessel patterns. So, any ship that is 300 gross tons or larger is required to use one of these AIS transponders, which then broadcasts the signal to a base station. And the Coast Guard manages this data, but it is all in an international format called NMEA that is pretty much unusable by the GIS community.

So, what we have done is we have been working with a company called ASA out of Rhode Island to process this data, basically, filter it down to a usable size, to one-minute pings basically, and organize it by month and by UTM zone in a GIS format, so that our users

can access and use the data. So, that is the data portion of the project.

We have also developed some software processing and manipulation tools so that people can generate their own products from AIS. We are getting ready to put that up on our MMC website here in the next couple of weeks.

Another dataset that we have been working on are marine mammals. We have been hearing that. It is a databaset that is badly needed to help with offshore planning. So, we have been working with NIMS and Duke University to integrate some of the marine mammal density output data to the MMC. So, this is just an example of the data along the West Coast. For our next update cycle, which will happen in a couple of months, we will include more whale species for the Atlantic and the Gulf of Mexico.

And the last thing that we have been working on, or that I want to talk about

at least, is a site suitability tool. We have been working with the SRI on this. The SRI approached us about a year ago and said that they were interested in developing some type of web-based tools that could help support coastal and marine spatial planning. They were interested in partnering with us on the Multipurpose Marine Cadastre Project.

So, we got a few people together and brainstormed some ideas and, ultimately, decided on developing wind site suitability tools, a suite of wind site suitability tools.

So, this is what this tool is right here.

There is a series of criteria, of parameters, that were taken from the MMC. And what it does, it allows users to interact with those parameters and it determines which blocks meet those criteria that people enter in.

So, in addition to this filtering tool which selects blocks that are most suitable, based on your criteria, it also does

some reporting, which you see down here. So, you can see types of sediment, and it gives some summary information about the blocks or the contiguous blocks that you select. And we have also added some viewshed analysis tools to this.

We think it is going to be useful, helpful in the siting process. But, right now, it is really just a prototype. We are trying to shop it around, get some interest, and then we will add whatever data is necessary to support the official planning process.

And here's our website. If you are interested in learning more about any of the things that I have just described, we are at www.marinecadastre.gov. And we are now on Twitter. So, you could follow us on Twitter.

And that's about it. That is the MMD in a nutshell.

So, I guess what I do is, why don't we go right into your topic, Kirsten,

unless anybody has any questions? We could either take questions now or take questions at the end.

CHAIR McCARTY: Yes, David, we are going to take questions for you now, while this is fresh in people's minds.

We have similar, but different slides on our agenda page. So, I realize that you changed yours just a little bit, and it was a little bit hard to see from the distance we are at to the screen. So, people may have some clarifying questions.

MR. STEIN: So, are you seeing my presentation?

CHAIR McCARTY: Pardon?

MR. STEIN: Were you able to see my presentation or were you going through a separate one?

CHAIR McCARTY: What we have in our agenda, on our own screen, is slightly different. But we can see your screen, yes, but we are at some distance from it.

Ken?

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1 MEMBER FRANKE: Yes, good morning.

This is Ken Franke. I oversee the commercial passenger-carrying vessels in the Southwest coast for the sportfishing fleet. And these are large vessels and do have AIS.

Is the dataset that you are going to have on your website going to be accessible to the general public? We are thinking in terms of maritime security and some of our challenges as we go into foreign waters.

MR. STEIN: Yes, it is. It is going to be publicly accessible. So, you will be able to find the data, like I said, be able to find the data by month and by UTM zone.

And we have processing tools to do that. We will allow people to go in and create GIS data products, track lines or heat maps, and those sorts of things.

But I should mention that, right now, we only have the 2009 data set up. We are in the process of acquiring the 2010 data, and we will be doing the same for the 2011.

1 It just takes a lot of time to process the 2 data.

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MEMBER FRANKE: Okay. Thank you.

I have some questions for you offline, but
thank you.

CHAIR McCARTY: Okay. Terry?

MEMBER ALEXANDER: Yes, Terry

Alexander. I am a fisherman from Maine.

Can you hear me?

MR. STEIN: I can't hear you, sir.

MEMBER ALEXANDER: Okay. My name

is Terry Alexander. I'm a fisherman from Maine.

And right now, we are redoing our habitat areas in the Gulf of Maine down through Georgia, right down through the Mid-Atlantic. And I have been involved in that.

And I haven't heard anybody talk about SASSI models and all that stuff that they are doing to change the habitat areas.

Our concern up there is we have a lot of closed areas already, and we are losing

MR. STEIN: Sure. Actually, I can try to answer that question. We would work with whoever develops the SASSI models. Is that Fisheries who develops those models?

MEMBER ALEXANDER: I'm not sure.

Yes, it is, up in Woods Hole, right? Anybody know?

CHAIR McCARTY: Kirsten, do you know?

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MS. LARSEN: Yes, I am not sure of all the specific work in the regions, but my guess it they are working; the Northeast

Fisheries Science Center folks are working with you guys.

I guess with the data that is on the MMC, Fisheries hasn't put a ton of data on there yet, for a couple of reasons that I will probably go through in my presentation.

MEMBER ALEXANDER: Okay. Thank you.

MR. STEIN: Right. And Kirsten and her group would be, I guess you could say, the interface to that data for us. We would work through them to include the data that they deem necessary to include in the application.

CHAIR McCARTY: Just glancing through Kirsten's presentation, the slides do deal a lot more with fisheries issues. So, hopefully, that will help, when she goes through it. And then, if you still have a question, you can ask it again.

Anyone else for David? Yes, go ahead, Tom.

1 MEMBER RAFTICAN: Yes, this is Tom 2 Raftican, running the Sportfishing 3 Conservancy. It is really to follow up on Ken 4 5 Franke's question. You have got a great 6 website here, and it says, "sign in". And I 7 am wondering, really, who has access and how 8 do you get access to the site? 9 MR. STEIN: Are you talking about 10 to our AIS web page? 11 MEMBER RAFTICAN: I am talking 12 about your web page, marinecadastre.gov 13 MR. STEIN: Sure. It is a public 14 site. It is wide open to the general public. 15 Anybody can access the tools or the spatial 16 data. 17 CHAIR McCARTY: Tom, are you 18 saying that --19 MEMBER RAFTICAN: Okay. As long 20 as you can sign in, that's all right. Okay. 21 CHAIR McCARTY: Okay. 22 MR. STEIN: Yes, the only sign-in

2 trying to track users as best we can, so we

3 can refine the products down the line. But

4 the MCC, the marinecadastre.gov, is wide open.

5 MEMBER RAFTICAN: Okay. So, it is

6 just the AIS tools you need to sign in for?

7 Okay. Thank you.

MR. STEIN: Right.

9 CHAIR McCARTY: Anyone else with a question for David?

11 (No response.)

12 If not, we will go directly to

13 Kirsten.

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MS. LARSEN: All right. Thank

15 you, Heather.

David, do you want to move to the

next slide? I think you are going to keep in

18 control.

19 So, NMFS Fisheries, NOAA

20 Fisheries, we have a lot of data, obviously,

21 that is very useful to CMSP. It is actually

22 data that is sort of our bread and butter, our

fishing efforts, where the species are, where the fishermen are fishing them, and what is being collected.

However, as you can tell from David's presentation, a lot of our data is not yet made publicly available through some of these portals, including marine mammals cadastre and other such places.

Some of our problem is that NMFS, in general, has not been a web-based, GIS-based data collection up until recently. So, as things such as Smart from the Start and programs such as this are coming up and people are needing our data, we are slowly getting our data put into GIS formats. But we are using groups like the Marine Multipurpose Cadastre to house some of our datasets as we are making them available.

So, we have worked with some of these regional groups. Similar to what Jessica said, the Northeast and the Mid-Atlantic are way out in front of everybody

else in the country in this, just because of

some of these Smart from the Start and

alternative energy issues that are hitting the

forefront.

So, NMFS has sort of taken a slower approach in terms of sorting everything out there, and we have worked with them. What they have identified, NROC and MARCO are, as most of you know, the Northeast Regional Ocean Council and the Mid-Atlantic Region Council for the Oceans. They have said that the No. 1 priority data from NMFS is commercial fishing efforts. We want to know where people are using the ocean and where they are catching fish. Where are these important places? We don't want to overlap them necessarily.

Obviously, other data that we collect would be important, including other environmental variables, temperature, salinity, dissolved oxygen, marine mammal sitings, marine mammal interactions, marine mammal migration routes, other species

distributions, especially prey/predators interactions.

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Another one that is coming up as a high interest is Benthic habitat type. they put their wind energy things out in the ocean, there has got to be a way to get the energy back to shore. So, they are going to need to know what is on the bottom, where they are laying their cables, where they are laying their pipes, where they are laying everything down. And, you know, we want to make sure we are not going over the top of habitat that is important fishing grounds or that are important.

And the other thing that people are really interested are fishing management boundaries. So, the existing closed areas, the existing regulatory areas both for fishing and marine mammal interaction or endangered species interaction.

All right. Next slide.

But there are a lot of challenges

to making NMFS data available to the public.

And they are on both sides. There are legal challenges.

The fishermen are very concerned about their data being made available. They don't want their proprietary information available to everybody, so that they could find their fishing grounds, find their local holes, know what they are catching, where they are catching, when they are catching it.

So, we have to definitely be sensitive to the confidentiality requirements that are part of our legal mandate in collecting fishery day. Usually, it is the Rule of 3 or 4. You have to at least three vessels, three landings, three catch, before we can start reporting that data.

The scientists are just as concerned about releasing their data to the public because a lot of our data is collected for specific purposes, and they feel that if any other people grab the data and use it,

they may not know the caveats and the nuances and all of the details that went into collecting it and why things were done the way they were done. And if it was reanalyzed and different answers come up than what NMFS biologists also came up with, we would be opening ourselves up to lawsuits.

These are two challenges, though, that we feel that can be overcome. And some of it is making people aware, and, actually, some of the technology we are able to wrap our data up into following the confidentiality rules we have. Automated systems are now able to do that, which we didn't have in the past.

And also, the use of metadata and actually describing in detail every bit of the data. So that, if somebody does pull it off, they have to pull off the metadata and acknowledge that they understand why the data was collected and how it is best used.

We also have information-sharing and trust issues, longstanding issues often

with fishermen and the government. It is no secret.

Also, a lot of the commercial data is held by the Fisheries Information Networks, which are state/federal partnerships, usually held in the commissions, state fisheries commissions. And that is where the data is held, and there are some resistances from the FINS about releasing the data, for several different reasons, and some of them are actually legal ways that the fishing data was collected, it can only be used for specific purposes. So, there are some challenges we have to get over.

They are starting to providing data. Some things are better than others with providing lower-level data, but all of them are providing high-level rolled-up data. But there are issues when you are a planner and you say, well, this isn't as high of a resolution as I need to do my evaluation of a site. So, we are working with those.

The other issue that we have is resources. Most of our data is collected under mandates. A lot of it is collected for stock assessments. And so, if you want to look at the data on a map, there has to be a lot of reprocessing and reconfiguration and repackaging of our data in order to make it

useful for the CMSP process.

So, there is a lot of effort into how to make the data so that it is actually usable to the general public. We do a lot of surveys; for example, a ground fish survey where you collect hundreds of species in certain parts of the country. And it is several years of those surveys looking at the species distribution of maybe one species that is of interest to CMSP. If you are looking at a prey, such as a herring or copepods, where are the prey concentrated where you know the marine mammals will come?

But we have to pull from many surveys across many years, across oftentimes

many Science Centers, in order to pull all that data into a usable format for the general public.

So, it is not that oftentimes NMFS doesn't want to give you our data. We are more than happy to give you our raw data often, but people look at it and say, "Well, I can't do anything with this. Give me something useful like a pretty map."

So, in the light of these challenges, we are trying to work with groups that are out there already putting the data together, like the marine mammal, the Marine Multipurpose Cadastre, and this new National Information Management System that, as we heard, is probably going to be renamed as ocean.data.gov.

So, the NMFS, and the NOAA portion of it -- sorry, David, next slide -- what we are making available right now are just very national, high-level datasets through this national portal, the ocean.data.gov. It is in

essential fish habitat, only the areas protected from fishing because all essential fish have to have just pretty much everything.

We have the HAPCs, similar to what is in the cadastre, and then, the critical habitats for endangered species.

Right now, I believe two or three of these are all in the cadastre. We are using that as a housing for our data for some of these datasets because we don't have the capabilities to do this web access to the data at our Science Centers.

What we have tried to do, though, is in the Northeast Region, due to the Smart from the Start Program and all the interest in that region, we have started trying to pull together the datasets that are going to be useful for CMSP in light of the Alternative Energy BOEMRE Task Force.

So, we have been providing data to this Task Force, and it actually has made an impact. There have been changes to the

proposed sites based on the data that fisheries is giving them, especially in terms of fishing efforts. And they are moving the sites, so that they are not right on the top of our fishing grounds.

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So, what we have given them, the biggest datasets we have given them are the summary of commercial fishing efforts by gear over 10 years. We have given them environmental variable maps, so they can see dissolved where some of these oxygen temperature zones are. We have given marine mammal sitings, species biomass estimates, and regulatory boundaries. Ι think there actually about 70 datasets that we have given to the Smart from the Start group.

We also have provided those datasets to NROC and MARCO for inclusion on their public data portals. And we are working on developing on our own in-house web service, that we can actually serve that data up ourselves. Right now, we don't have that

available yet. So, we are using these other groups, as I said.

Next slide.

So, this is an example of what we are providing right now. Sort of to help ease people's fears, if you look at it, on the left we have landings for trawl off the East Coast, but it is rolled up 2001 through 2010. And obviously, the blue is less effort; yellow, medium effort, and then the orange and red is high effort.

On the right is actually days fished. So, you can see there is just a little bit of different where people fish versus where they are catching. The highest days fished is not always where they are catching the most animals. But this is the type of data that we are providing at this point.

The next slide.

So, we have been asked by lots of groups, as well as the White House Office of

Management and Budget, as to how is NMFS going to play with others and start providing more of their data on a regular basis and in a consistent manner.

And we actually have been working on this issue for a long time, I think five to eight year. Most of these projects have started over the last five to eight years.

And we are kind of looking at this as the three-legged stool approach.

We have fisheries-dependent data, which is all of our catch/landings effort. It is all the stuff that comes from the fishermen.

We have fisheries-independent data. That is all of the surveys that we do, other research experiments, et cetera.

And then, we have all of the metadata or all the information about that data that goes along with all of these surveys and data collection efforts.

And so, we want to make all of

this available to the public, be transparent and open. And so, we have three systems that are being developed.

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The first one is called Fisheries One-Stop-Shop, and I know a lot of you are familiar with that. This one, part of it, the first phase, went live at the end of September, and that is the landings. And you can get landings by state by species right They are looking into increasing the data fields to be by gear, possibly by month, and possibly by port. But that is so that we can have a consistent reporting of landings. matter who you are, looking No at landings, you will always get the same numbers.

We are going to move into fishing effort and catch in Phase 2 and 3, but there is no timeline at this point as to when that will be available. But I will show you some examples of that later.

Then, we have this Fisheries-

Independent Survey System, which is also called FINSS. And that is all of scientific surveys. We call it our white boats and cooperative research surveys. can go on and can actually look at a map. if you have a question as to where did NMFS collect data, you can look at a map in an area, see all the stations, all the surveys. And if you are interested, you can ask NMFS for that data at this point. There is not a public download available yet, but we are putting that in.

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We haven't gotten contact points in, which is a huge step for the federal government. So, there is a person listed with every survey, that you can actually go get the data.

But it is starting to show from a visual standpoint of what did we do off the coast of Maine, what did we do off the coast of Florida, and you can go in and see every survey that we did and what kinds of

1 information were collected.

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then, the third system And is is our called InPort. Ιt housing metadata. We also do it for both dependent and independent datasets. So, you can go in there and you can search under logbook and it will show you all of the logbook efforts, data collection efforts we have in the country. You can search under any parameter that you are looking for and see what kind of surveys are available.

These are all available to the public right now, but some are in more limited availability than others. InPort, we are working on getting everything in. It is not all in there yet, but that is our push for the next couple of years.

Next slide.

So, this is just an example of the publicly-available site right now. I apologize for the small print. It is available on your website.

But, basically, it is where you put in your parameters. You pick the years. You pick the state. You pick the species.

So, on this one, they just showed 2008, 1958, North Carolina and Hawaii for red snapper.

And what shows up on the right is the state landings for North Carolina for red snapper in those two years. 2008 is the first right box; 1958 is the next box, and the third box is the recreational red snapper information. And as you notice, there is nothing for Hawaii because they don't have red snapper, that species of red snapper, down there.

So, this is what available. You can get the landings by state by species by year right now.

Next slide.

You can graph them. They have added some graphing capabilities. They have added some map capabilities, which I don't show here.

Next slide.

And this is what we are working on for the future of FOSS. This is fishing effort. We have just a very few limited datasets in right now. This one actually happens to be out of the Southwest, and it is the North Pacific albacore in 2001.

It is basically what they call a heat map, which you can see fishing effort, where it is concentrated, but also the overall picture of where people are fishing. This is days fished with nothing less than three days fished at this point right now.

Next slide.

And then, this is the actual catch. And so, it is showing you how much by, I think it is metric tons, was caught.

And one of the neat things about the visual here is you can actually click on data points and see the numbers or you can go back to the table and see the numbers for each square.

Right now, this data is all provided at one degree. So, it is very highly rolled-up. One degree is, I think, 10 miles, approximately 10 miles here, I think. But it is high-level, very rolled-up data, and this is information that will be useful in the CMSP process to say, well, where is the fishing effort? Obviously, it is very concentrated along the coast. But, then, as you move out, it is also concentrated in other areas. We might want to avoid putting something in those areas.

So, that is, basically, in a nutshell, where we are going. I can provide additional information on the other data systems, but I know these are the ones that are of the most interest, the highest interest, being that it is fishing data.

And I forgot to mention, one of
the reasons that we are working on these
systems is that fishing data changes as it is
being updated, as it is being quality

controlled. Obviously, every year, every month, every week, it is being updated.

NMFS would rather be the authoritative source and have all the data inhouse and have people come and ask us for the data to be able to release it out, or have it go through the FINNS and be released out, rather than having it sit out on other people's portals.

One of the reasons for this is because of the constantly-changing nature. Some of the issues we have had with the cadastre in the past is, when people have pulled data from it and started to make decisions, then they find out it is not up-to-date because it is not being constantly updated on a regular basis.

So, due to the sensitivity of especially this fisheries-dependent data, all of the fishing interests, we really want to have these as in-house datasets that have to come to us and get the authoritative data.

But, like I said we are working with the cadastre. We are working with the regional groups that are developing portals. And what we would like to eventually have is 4 to have a connection to them, so that people can get it, the information, through these other venues, but it is always coming from us, coming from our data sources, so that people have the most up-to-date and the most accurate information. 10

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So, that is sort of t.he NMFS effort in a nutshell, and I am more than happy to take questions.

Thank CHAIR McCARTY: you, Kirsten.

> Are there questions for Kirsten? Phil and Terry and Steve.

MEMBER DYSKOW: I think one of the biggest concerns I have, from looking at your information, you do an excellent job beginning the process of defining those areas where commercial fishing is heavily utilized,

but there are somewhere around 20 million recreational anglers that aren't represented here. They typically fish in different areas, more concentrated around population centers, closer to shore as opposed to many miles out in the ocean.

And you can't ignore those people, and they are very concerned as a group right now, the many organizations that represent recreational fishing, that they are going to be blocked out in this National Ocean Policy process. In fact, the wording of the National Ocean Policy Act makes little to no mention of recreational anglers. Because there are so many of them, this can potentially be a very disruptive element going forward, if we don't address those needs and rights as to fishing in coastal areas.

MS. LARSEN: That is actually a data gap that we are aware of and we have been talking about it. There's a lot of, obviously, issues in terms of we don't have

the data oftentimes at the resolution that we need.

And the second issue is because, like you mentioned, a lot of this effort is in state waters, it is data that NMFS doesn't have access to. We don't collect it, and the states often don't give it to us. And also, I don't know if the states even collect the data at high resolution enough to be able to put on a map like this.

At least I know with our MRIP program it is a little bit higher-resolution data. We don't want to take people's favorite hiding holes. And so, that is something that we have had to be sensitive of, but it is something that we are working on and it is being explored, to figure out how to pull that in.

MEMBER DYSKOW: Just as a followup on your response, it is a common thread throughout the National Ocean Policy Act that recreational fishing is not high on the list

of priorities, nor is it even a priority. And I think, going forward, that is going to be a potential challenge, unless it is addressed.

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MS. LARSEN: I appreciate that, and it is something that I am going to start looking for when we are asked to review the documents. And I actually encourage you guys all to make sure you put that forward, because a lot of our comments are being incorporated notice international has in. Ι the been incorporated in more recently on a higher level, when people started mentioning it. So, I thank you for that, and I will push it on my side, and if you guys can help me on your side as well, I appreciate that.

CHAIR McCARTY: Thank you.

Terry?

MEMBER ALEXANDER: Yes, I am nervous about where we are opening up closed areas in IRA, and I am sure you guys are doing the same thing all around the coast, moving habitat areas and all that stuff. It looks

like there's no fishing activity in those areas, but those areas are closed because they are the most productive areas and we are finally going to get access to them, you know, so that we can go catch our fish efficiently and get home, instead of there is an argument that says the bottom time.

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And so, as you move forward, I would like to see you taking that into consideration. Because your datasets, you know, you are using VTR reports. VTR reports are blocks that are 10 miles by 10 miles. That is not necessarily accurate.

What would be more accurate, I think, would be Botracs data, SkyMate data, or whatever you are using for a tracking system.

I mean, you must have access to that. I mean, they watch us.

MS. LARSEN: We do and we don't.

The Enforcement Branch of NMFS has much more

access than we do, and it has been a long

effort in order to get access to that, due to

You know, we

MEMBER ALEXANDER:

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are finally working on getting access to those areas, and there's a 10,000-square-mile wind farm, and we are not going to get near it.

MS. LARSEN: Right. Right. And that is part, one of our goals is to get everybody at the table to hear these things.

NMFS has been pushing this effort, this concept that it is not just all about the map as it exists right now, either.

Some of the things we keep bringing up are, if you do put something in a place, what happens to the people that were using that area? Where do they go? Do they get displaced? Do they quit? Do they go farther offshore? How are they affected by putting something in?

They say, "Oh, well, it is only just a couple of boats." Well, it is still people's livelihood. So, that is a side of it that NMFS has been really pushing as being the non-map side. It is the what does it mean and how can we help work with how these things

will affect the people that are using these
areas.

So, thank you.

CHAIR McCARTY: So, Terry, just so

I understand, what you are concerned about is

freezing the footprint of fisheries as they

now exist --

MEMBER ALEXANDER: Right.

CHAIR McCARTY: -- and losing the opportunity in the future to move into more productive areas? Is that your concern?

MEMBER ALEXANDER: Yes. We are actually working on that right now in New England. They are actually talking about opening up all the closed areas and moving the habitat areas to where they actually are going to do some good.

CHAIR McCARTY: I see. Okay. Well, that sounds like, actually, quite a big problem.

So, you're writing that down, right?

MEMBER JONER: Oh, okay, I didn't know if he was still on the line.

Just to follow up on what I think

Terry was saying about identifying areas that

are currently fished, but they may not be

inclusive of all the areas that could be

fished.

We encountered this years ago when a telecommunications cable was being buried through the Makah Tribe's area, and the Olympic Park, the Olympic Coast National Marine Sanctuary had a map of areas that were fished by the tribe. And then they had others areas defined as unfishable areas.

And I had to point out, well, they are currently not fished. They are not unfishable. There is no areas in the Makah's fishing grounds that is unfishable. So, anyway, that is just to kind of second what he said.

But specific to I guess this will be to David, slide 5, MMC data, under the

jurisdictional boundaries and limits, I see
that coastal Indian lands --

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MS. LARSEN: Keep going, David, to the list of data.

MR. STEIN: Okay, yes.

MS. LARSEN: That one, right.

MEMBER JONER: Right, it is the fifth slide. Okay, yes.

So, on the upper left-hand, jurisdiction boundaries and limits -- and,

Heather, if you can read that, it is good -- but two-thirds of the way down it says,

"Coastal Indian Lands".

MR. STEIN: Right, I see it.

JONER: And what MEMBER is conspicuously absent, in my mind, is tribal usual and custom fishing grounds in the ocean. So, with the Makah Tribe, which has adjudicated western boundary -- all tribes on the coast have north and south boundaries. The Makah Tribe has an adjudicated western boundary. The other

tribes use the Makah's western line on an interim basis.

But they go out 40 miles. So, in the case of the sanctuaries, the Olympic Coast Sanctuary is located entirely within the fishing grounds of the four coastal tribes.

MR. STEIN: Right.

MEMBER JONER: So, I think it is really important to have that on there. We often run into this as a problem. For example, in the consultation on designating the leatherback sea turtle critical habitat, the folks that talked to us first said, "We need to consult with you as to impact on tribal lands."

And we had to point out to them

-- and if Eric were here, he would know this

because we made that point a couple of times

-- that we need to go beyond tribal lands.

These are treaty reserve fishing right areas

that are as important to those tribes as their

land. Actually, if you read the narrative of

the treaty, they were way more important than

2 the lands. That was the source of their

3 livelihood, their identity, their culture.

The land was the place where you slept and

5 tied your canoe, but --

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MR. STEIN: Right.

MEMBER JONER: -- your identity was in the ocean. So, that is an important point I think you should get on this.

MR. STEIN: Well, thank you. I would love to be able to get some of that data into the MMC. So, if you know where I could find that --

MEMBER JONER: Sure. Okay. I will contact you. I have got a cite in The Federal Register, the federal regulations, where you can find that.

MR. STEIN: Okay. And I do remember, I worked on the sanctuary boundary delineation a while ago dealing with the coast boundary. There is a lot of information and legal description about the tribal areas, but

1 no specific boundaries.

MEMBER JONER: Right. Okay. I

will work with you to make sure you have that.

MR. STEIN: Okay. Great.

5 MEMBER JONER: Thanks.

CHAIR McCARTY: Thank you, Steve.

Randy, did you want to comment

briefly?

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MEMBER CATES: In terms of we have kind of been around the block a few times, and that is because of the confidentiality issues related to commercial fishing. And, you know, I always get nervous when I start hearing things about, well, we want this all centralized in one spot because it doesn't really work that well.

And then, we get into the position, by trying to manage the FINNS, of providing more information, which costs more for us. The fishermen get stressed-out about it.

And so, it seems to me you have

got to really understand or try to figure out what you are trying to gather and why. And I am not sure that that has been really figured out that well.

And the other thing that concerns me a little bit is the devil is always in the detail because, depending on what scale you want all this at, the costs go way up. So, those are concerns that we have been facing in the past.

And I have had my butt chewed out big time by fishermen when some information got out from Ecotrust which was supposed to keep it confidential, and it didn't. So, we got blamed, and it was a mess.

MS. LARSEN: Yes, we are definitely aware of a lot of those issues, especially on the West Coast. So, we are working with you guys and probably will be doing some more outreach in terms of better understanding the issues and how we can come up with a solution that starts to address

1 everybody's concerns.

So, in terms of having it held in one place, with the FOSS, we actually envision that, although you can access it in one place, that the data is still being held out in the regions, where it is being collected, and that you guys are the authoritative data sources.

The FINNS is where the data is held.

But what we like about FOSS is that it is, like the name says, Fisheries-One-Stop-Shop. It is so that people can go into one spot and say, "Okay, I need fishing data off of the West Coast." And so, they pop it in, get the states.

But when the computer is generating in the background, it is actually going back out to your server and pulling it in through all of the filters, through all of the confidentiality filters, to make sure that it is at the rolled-up level that is appropriate.

So, that is how we envision it

right now. And obviously, it is a lot of
work. It is a lot of work to do that, but
that is sort of how we are envisioning it at
this point, which I know your staff has been
heavily involved in this project for a long
time.

CHAIR McCARTY: Thanks, Randy. I appreciate that.

We are running a tiny bit late. I think we are going to say thank you to Kirsten and David for the presentation. That was very informative.

Thank you, David.

MR. STEIN: Thank you. Thanks for accommodating me via WebEx. It was challenging.

CHAIR McCARTY: Oh, it worked great. Thank you so much.

MS. LARSEN: And I will stick around through the break, so that if anybody has any other questions, or feel free to email or call. I would be more than happy to answer

anybody's questions or talk with anybody about this stuff.

3 CHAIR McCARTY: Thank you,

And we are going to take a shorter

break than we have on our agenda. We are

going to take a five-ish-minute break, since

we are running a little, tiny bit behind.

And then, we are going to hear from the aquaculture folks and Kris Sarri.

Thank you.

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Kirsten.

(Whereupon, the foregoing matter went off the record at 10:15 a.m. and went back on the record at 10:33 a.m.)

15 CHAIR McCARTY: Thank you,
16 everyone.

We are going to hear first from

Kris Sarri, who is the Deputy Director of

Policy for the Department of Commerce. She is

going to make brief remarks, and then I

believe Michael Rubino from the Aquaculture

Office is going to speak with a few slides.

But I have heard that they would like to have a conversation with us. So, I am very pleased about that and look forward to it.

Kris?

MS. SARRI: Can everybody hear me okay?

So, my name is Kris Sarri. I am the Deputy Director of Policy and Strategic Planning at the Department of Commerce.

And I just really wanted to thank you for inviting me to speak today.

As Heather mentioned, I am just going to keep the remarks pretty short because I do want this to be a conversation and a discussion about how you believe the Department of Commerce can help with the sustainable development of aquaculture in the U.S.

But, first, I really want to acknowledge Mike for all the great work he has been doing across the Department to try to facilitate aquaculture development. I know

you are very familiar with a lot of the work that he does, obviously, within NOAA, but he has also been doing a lot of great outreach on behalf of the community to different parts of the Department to really try to make it a whole Commerce perspective.

As everybody is aware, in June, the Commerce Department and NOAA finalized two complementary policies on aquaculture. The national policies are meant to promote domestic business development, provide a way to meet the growing demand for health seafood, create jobs, and restore vital ecosystems.

And particularly, the domestic investment issues and job creation are very important to the Obama Administration and to the leadership at the Department of Commerce.

I really want to thank you all for the comments that you provided to the policies. I know one of those comments was to have the Department of Commerce actively engage with all of you in terms of trying to

come up with concrete steps, actions, and programs to actually put some teeth into the policy and make it implementable.

And as an Advisory Committee to the Secretary, we really look forward to working with you, talking with you, and really being a true participant with you, as we go forward with the implementation of these policies.

As everybody knows, and you probably know better than I, Americans really love seafood. We are the third largest consumers of it. Our demand is only growing.

We are really turning the efforts in terms of overfishing and rebuilding our commercial wild stocks, but we are going to need aquaculture to be a very important complement to that area. So, this is a really timely opportunity to try to figure out how we do aquaculture to really support our growing domestic industry here.

Aquaculture can really play a very

part in our local and regional economies and to the nation. And I think what we really want to try to do again, just reiterating this, is try to figure out how we work with our other federal agencies, how we work with our local and state partners, how we really work with the private sector, to create this new domestic investment environment for aquaculture.

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I think right now I am going to turn this over to Mike, who is going to go through the policies, and then we will open it up for questions.

Thank you.

CHAIR McCARTY: Mike, I see that you also have your staff here. If you could introduce them?

DR. RUBINO: I will.

CHAIR McCARTY: Thank you.

DR. RUBINO: Good morning.

Thanks very much. Thank you,

Kris, for your kind remarks.

This is a staff effort. This is a broad effort.

I also wanted to thank MAFAC for all of the advice and ideas that you have provided over the years. It has been critical to the development of this initiative within Commerce and within NOAA.

I do want to introduce Lorenzo

Juarez -- stand up -- who is the Deputy

Director of the Office of Aquaculture, and

Susan Bunsick, who many of you probably know

from earlier, who was instrumental in drafting

both the NOAA and the Commerce policies.

So, let me run through these slides very quickly. Mostly, I want to tell you a little bit about what we are doing in terms of implementing the policies, in terms of initiatives, and then circle back to Kris Sarri's comments in terms of opportunities within the Department of Commerce agencies beyond NOAA.

So, is there a way for me to

advance the slides? This thing? All right, I did that.

Just there are several slides here at the beginning. I believe you will be provided with this presentation on your website. So, some of it is sort of just reference material for you, for those of you who might not be familiar with what we do in aquaculture.

We have very broad responsibilities within NOAA. We cover both the commercial side of aquaculture -- that should be two-thirds of marine aquaculture as shellfish -- as well as the use of aquaculture as a tool for stock replenishment and habitat restoration. So, it is both the commercial and the public side of aquaculture.

I think Kris covered this in terms of why are we doing this. Many of you were intimately involved in providing comments that helped develop this new policy. It provides general guidance to NOAA in terms of those

broad range of activities that we are going to implement over the next several years.

You know, policies are nice. The real question is, well, what are you going to do, given limited resources, limited staff, limited ability to work with partners, to actually achieve some of these objectives in terms of jobs, working waterfronts, you know, healthy seafood, and environmental quality?

So, that is really our challenge.

And out of the policy, in terms of NOAA's implementation, we are working on three initiatives.

The first is a National Shellfish

Initiative to get more oysters, clams, and

mussels into the water, both through

commercial shellfish aquaculture as well a

restoration aquaculture.

The second is to use the technology that we already have or that is ready for commercialization and actually get that over the hump, so to speak, so that we

are accelerating the creation of production and jobs in the United States.

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the third has to do And with We are a federal agency. federal waters. So, we were asked to look at federal waters over the years. And this policy provides guidance for the agency and the federal government in terms of a framework for regulations federal waters, and the agency is moving ahead with implementing, at least for the Gulf of Mexico, а Fishery Management Plan for Aquaculture.

So, the Shellfish Initiative is the one we have hit the ground running on pretty quickly. We are consulting with people around the country in terms of what this should focus on. It may be things such as, you know, there's great potential for mussel farming in New England, using offshore technologies in New Hampshire, Rhode Island, and Massachusetts. How do we expand that?

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shellfish. For example, there have been no new permits for shellfish in the State of Washington for the past five years. How do we break through those regulatory barriers?

There are coastal planning efforts underway around the country. For example, in Maryland, Maryland has just come through a planning process where they designated areas for shellfish restoration and for no-take, as well as for commercial oyster leases.

And the Corps of Engineers and NOAA Fisheries and the State of Maryland sat down and worked out a permit system, so you can get a permit for oyster farming within three to six months rather than going through a three-year process.

So, those are the kinds of things we would like to do more of in the Shellfish Initiative.

I think I covered some of that already in terms of examples.

Technology transfer, you know, we

are in an era of limited government funding through competitive grants programs in terms of being able to jumpstart things. So, this is not a big, new competitive grants program. What we are trying to do is to leverage our existing science knowledge, our existing staff and lab capabilities, our existing partnerships, existing regulatory authorities, to work with all of you and industry in terms of getting some of these innovative technologies to the point where they actually create jobs and production in the short-term.

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And the best way to illustrate that I think is with some of the things we have done in the recent past. I mentioned mussel farming in New England, where Sea Grant was heavily involved in outreach.

Use of fish processing trimmings in aquaculture feeds. There is a major new plant that may go in in Alaska to take the trimmings and get them into a variety of products.

We have worked with the soybean industry and others on plant-based aquaculture feeds.

There is a cod academy training fishermen in Maine on cod farming.

Integrated multi-trophic aquaculture where you are growing algae and mussels and finfish in proximity.

Hatchery technologies, recirculating aquaculture, and so on. These are the kinds of things that modest amounts of NOAA grants have been used in the past to, I think, with some modest success in terms of jobs and production.

The third area is regulatory action, and it is not just federal waters. We are also working on existing laws and regulations, both internally and with other federal agencies. Particularly, we are going to work with the Corps of Engineers, Fish and Wildlife Service, and USDA on some of these. That ball of string, you know, this gauntlet

that businesses have to go through to get a permit in aquaculture is daunting. And we can do a better job, I think, as federal agencies to streamline that process, to be efficient about it, while at the same time making sure that our important stewardship and safeguard missions are fulfilled.

Lastly, back to the Department of Commerce, we are part of a group of agencies within Commerce. Sorry for some of the alphabet soup. That is Economic Development Administration, the National Institute of Standards and Technologies, the Minority Business Development Administration, the International Trade Administration.

Then, outside Commerce, we are working more closely with USDA in terms of linking our programs, and we intend to reach out to the National Science Foundation and the Small Business Administration.

Just one small example. Last week, Kris pulled together a meeting of some

of the DOC agencies, and we had already been working with the Economic Development -- we being NOAA -- had been working with the Economic Development Administration on some possibilities. But I think, based on the meeting last week, it opened up a variety of new possibilities of working with the Economic Development Administration.

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\$2 million grant through the University of South Florida to Mote Marine Lab to set up a business incubator for closed recirculating technologies in aquaculture.

EDA is also doing sort of scoping session in Gloucester, Massachusetts, on other maritime activities in working waterfronts in that area. And aquaculture could be a component of that.

So, let me stop there, I think, and we can open it up to questions and discussion.

CHAIR McCARTY: Absolutely. Thank

1 you, Mike.

2 Anyone for either of these folks?
3 Bill?

MEMBER DEWEY: Thank you, Madam
Chair, and thank you both, Kris and Michael,
for coming and providing an update.

I just have a general observation that I want to share. MAFAC works on a lot of issues. We spend a lot of time developing comments and commenting on various policies, and so on, at the federal level.

I feel like this effort on the aquaculture policies was particularly successful. We put a lot of energy into it as a Committee, but, clearly, the comments we have provided have been listened to. Seeing them emerge in the policies and now in the implementation of the policies is a great success story for MAFAC, in my opinion.

I think it should give all of you hope that your efforts are worthwhile and your voices are being heard, and that these

meetings and all the travel and all your commitment can be meaningful. At least I feel that way personally on the aquaculture policies and just wanted to share.

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Ι have talked to some people individually. But we have been able to take the National Shellfish Initiative and work it in Washington State with wonderful success, it appears. It is yet to be seen still, but an amazing effort by our Governor, who has gotten engaged on this and gotten all of her Cabinet and State agencies engaged, and coming up with action plan on how to implement National Shellfish Initiative in Washington State both for the regulatory quagmire that Michael mentioned we are having there, but also for restoration and enhancement purposes, for recreational shellfish opportunities; and then, a whole piece of it dedicated to water quality and trying to restore water quality in our shellfish growing areas, all, frankly, because it announced of this was as part

1 implementing the aquaculture policy.

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So, we really have some exciting developments happening in Washington State because of it. I would like to think the same will happen elsewhere around the country as well, and that we might set an example of how to do that.

But I just wanted to complement
you on the work and also I guess reassure
MAFAC that it is nice to see our voices heard
and implemented.

Thank you.

RUBINO: Those three DR. key initiatives at least we are implementing with NOAA came directly from many of the recommendations we got from MAFAC, but they echoed -- and I think you quys were listening to the people around the country as well, because we heard many of those same key things during our listening sessions discussions around the country in terms of what we should focus on.

So, thanks.

CHAIR McCARTY: Thank you, Bill, for saying that. I agree. I think it is a great success story for MAFAC and for aquaculture so far. It is looking really good, and we thank you as a group. It is remarkable to see the work that you do get translated into, we hope, action. So, it is a good thing. Thank you from every one of us.

Tom?

MEMBER RAFTICAN: Thanks for the presentation, and thanks for the great work out there on aquaculture.

Phil and I were just talking the other day about forage fish. You know, in California, we are looking at sardines and loss of other fish with lost sardines. This is over half a century and the ups and downs on it.

We are looking in California to take on an initiative to try to manage some of the forage species, taking on a full ecosystem

approach, you know, a full-on approach to fisheries management. NOAA has made the same commitment to that area.

Forage seems to be one of the feed species. Are you doing anything to deal with that directly right now or looking at any types of management data or any help there?

DR. RUBINO: Do you mean the relationship between aquaculture species that are fed forage fish and management of wild fisheries? Is that what you are asking about?

MEMBER RAFTICAN: I think there is a relationship. I mean there is going to be a relationship between forage and wild fish.

Hopefully, there are increases in production in aquaculture. How is that going to balance?

How do we better manage forage fish? Have you looked at something on that order?

DR. RUBINO: I am not really in a position to talk about our management of forage fish in terms of catch levels or ecosystem management. I think some of my

1 colleagues would be better versed at that.

What I could talk about is what we are doing with USDA in terms of the use of forage fish in aquaculture. You know, there has been a relatively fixed supply of forage fish in terms of fish meal and fish oil on the world market for the past 20 years. Most of it comes from things like sardines, but more from anchovies off Peru, and whatnot.

The percentage going to aquaculture over the past 20 years has increased dramatically. So that 90 percent of the fish oil is going to aquaculture and roughly 65 percent of the fish meal is going to aquaculture.

In some ways, you hear that feeding fish to fish is bad and aquaculture is being blamed. But they can go to aquaculture and go to chickens, pork, and pet food again.

The real challenge is if fed aquaculture, fish and shrimp, is going to increase in the world, where is the foodstuff

going to come from? There is a fixed supply of this fish meal and fish oil. And as you say, from an ecosystem management perspective, there may be good reasons to lower that catch.

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So, the price of fish meal and fish oil has more than doubled in the market in recent years, and everybody is scrambling for alternatives, you know, agricultural byproducts, fish trimmings, yeast, algaes, you name it.

So, forage fish was sort of the perfect Rubik's cube in terms of feeding They don't need fish meal shrimp and fish. and fish oil. They need 40 micronutrients. But if you start adding these other things in, you have got to put the Rubik's cube back together again. So, that is what we have been doing for this alternative feeds initiative with USDA through the NOAA and the USDA labs working with university labs and many others around the world.

I think we are at the point where

we are going to see a ratio of less than one pound of wet fish in to one pound of wet fish out. Fish meal and fish oil is so valuable that it is being reserved as a diet for the beginning of the process and with brood stock, the mamas and papas, larvae, the babies, and then at the end of the process for a finishing diet, so that you and I still get those omega-3 fatty acid benefits.

MEMBER RAFTICAN: Thanks, Michael. Exactly what I wanted to hear.

MS. SARRI: Tom, can I actually turn that question around on you a little bit?

Based on the work that you are looking at in California, are there things that you think we should be looking at or be tracking as we look?

MEMBER RAFTICAN: I think the consideration, what is the market? Does an increasing market take more fish? A number of these are California, you know, market squid are California-managed species.

I think the concern is, as a recreational angler, you want to see a complete ecosystem out there and don't want to see any one component taken fully out of the picture.

I think, Michael, both of your answers are right on target. There are economic concerns that make this thing that, yes, you will take some of the product. But if it is a set plateau that you are taking from, there is no increase in take specifically for aquaculture.

CHAIR McCARTY: Randy and Patty and George.

MEMBER CATES: Thank you. Kris, thank you for coming.

For background, I have been involved in aquaculture for about 12 years. I have invested, I was the first person in the United States to invest in an offshore fish farm. I have been involved in MAFAC for a long, long, long time, even before I was a

1 member.

So, I have seen what our government has tried to do with promoting aquaculture, an increase. I have seen what has worked and what hasn't worked. And I am here to say that I think what we currently are doing, have been doing, isn't working, and we need a change.

The good news is we have made progress. I think if we focus our direction in the right area, we can make significant progress.

In the last 12 years, I have only really asked by the government one time, what will it take to increase production and create jobs in the country? And now I think we are at a point in time where job creation is very important to everybody.

There's only two things that need to be done. No. 1 is create a permit process as favorable to investment. I can tell you that my counterparts that have invested and

came after me have pretty much all left the country for other opportunities. I have chosen not to, for personal reasons, and I am going to invest more into this industry. But that is No. 1.

No. 2 is invest in species development with finfish. I am a huge supporter of the shellfish industry and other aspects of aquaculture, but, really, when we are talking about large-scale production, it is going to come from finfish. And that is a burden on the industry because it is a long-term investment.

Unfortunately, what we have been doing in government is not investing in that, and we are investing in short-term projects and not long-term projects. We talk about feeds, talk about all these different technologies. The free marketplace is doing a much better job at that than government is.

As a business, feeds is not a major constraint. The free marketplace is

already developing alternative use for fish meal and other things because of economics.

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So, I could go on and on. That's my one advice.

The question I have for you that I have asked many other folks in NOAA and the Department of Commerce is, it is well-recognized that we have an imbalance, a trade imbalance, with importing seafood. It is well recognized that the FDA is giving talks about the need for increasing seafood consumption.

look the Ιf you at total production of seafood in the U.S. from wild fisheries, aquaculture, anything, what will the DOC, what is the plan to increase production, whether it come from a wild resource or aquaculture? How are we going to increase production? I have yet to have been given an answer of how we are going to do that.

However, the answer it will create jobs. And I think, ultimately, the answer is

going to include aquaculture as a component of that answer.

MS. SARRI: All right, Randy, thanks a lot for your comments.

Let me, I guess, take a couple of different pieces, based on the two framing.

First, on the permitting process, I think the Obama Administration has really made it very central that we need to be able to expedite our permitting in order to be helpful to the business community. That is really broad-ranging across the federal agencies.

I think this is a good opportunity to really look at the permitting problems and the regulatory issues that sometimes constrain aquaculture development. And I think that is what Mike is trying to do, and that is kind of the interagency work that is taking place.

So, one of the things is I just always welcome people making recommendations to us when they see like better ways that we can be doing things at the federal level. So,

I think that there is a really good opportunity now to look at what the permitting activities are and to use the framework that the President has put out to look at how you can do this for the aquaculture community in particular. So, we can follow up there, but I think Mike probably has a good start and would be always happy to hear more.

The second point is kind of this investment in species development that you brought up. And I think you brought up a good point. You know, the private sector is going to be where there is a lot of innovation that takes place, and that they will be moving this along.

And so, the critical part is, where does the federal government play a good role? Where can we really help a facilitator or a partner?

Again, I would say I really would welcome to hear how you think, either as somebody in the aquaculture industry or as

MAFAC, what you are seeing out there in the real world and what it is that we can provide services on.

I think there's a couple of different ways, at least within the Department of Commerce, we could be helpful and that we can engage. We have NIST who plays an incredibly vital role on standard-setting, and it is often sometimes standards and measures that are hindrances to the market, both domestically and internationally. And there might be a role that we can play through NIST to be helpful there.

There is also the International Trade Administration. A huge part, also, of the aquaculture industry also exports abroad.

That is a very important goal of the Department of Commerce, though. It is also, how do we help improve market access? I think things like where you are able to export goods, it also helps create development within the country.

On the side of EDA, I am really kind of excited about where Mike and EDA are forming new partnerships and trying to look at how we can maybe look to EDA on some of these developments. EDA has an Office of Innovation and Entrepreneurship. And so, there are opportunities there to try to see if this is an area where they could put some seed funding into this type of effort.

So, one of the things I would just say is I would really welcome, if there are concrete things that you think would be helpful for us to do, engage with us. Mike is a good person to go through to the Department of Commerce on in terms of how we can try to help with that engagement.

I think the other thing you always need to look to the Department of Commerce to do is, you know, one of our central roles is to be an advocate for business and U.S. commerce. So, if there's ever times where we need to be working across the federal

departments to bring up issues, that is another place where we can try to be helpful.

We may not always succeed, but we are definitely a voice to try to bring the issue forward.

CHAIR McCARTY: I have Patty,
George, and then Steve, and then Bill again.

Patty?

MEMBER DOERR: Thanks, Heather.

And thank you, Kris and Mike.

perspective, the Shellfish Initiative, you know, having a restoration in there, we find it to be a really great, well-balanced initiative, and I am really happy to hear the success that Bill is having in Washington with kind of having -- I guess it sounds like you have a great, it is almost like a little pilot initiative that you have going out there.

Are there any efforts in NOAA or Commerce to be proactive to create some more of those pilot initiatives around the country?

Just to use the Delaware Bay as an example, it is a pretty depressed population of oysters. They sustain their fishery through shell planting every year and everything like that. They have been somewhat resistant to restoration.

question.

And so, I think a great more, well-rounded effort within the Bay to restore populations could benefit the area very much from an economic and ecological perspective.

And so, are you guys thinking about looking at areas across the country where you can actually have more pilot projects like Bill's in the Pacific Northwest to really put the initiative on the ground?

DR. RUBINO: Yes, thanks for the

There are a couple of components
to that. We actually set up sort of an
internal working group at NOAA with my office,
the Habitat Restoration Center, the Habitat
Conservation Division, as well as Sea Grant,

particularly to reach out to the restoration community. As you know, the Restoration Center at NOAA does have grant funds to do this kind of work, works closely with the Nature Conservancy. So, we have been in touch with your colleagues at the Nature Conservancy and others.

I could point to a couple of places around the country like Long Island

Sound, where our science labs are working with restoration NGOs, the commercial sector, the State of New York, the City of New York, on trying to quantify ecosystem services that come from both commercial and restoration shellfish, which might provide a new stream of revenue for doing some of these projects.

We are also trying to bring our NOAA science assets and partnerships on the science side to bear. One of the questions on restoration has been, you have done a number of projects around the country, and I think what the Nature Conservancy and others are

saying now is, okay, how effective have those been? And given the limited dollars going forward, where is the best place to do these?

So, from a science perspective and a planning perspective, that is something we are going to be engaged on.

Humboldt Bay in California is another place where there is a development, a harbor development plan for shellfish. San Francisco Bay has plans for restoration shellfish. I think those are two areas on the West Coast.

CHAIR McCARTY: Mike, are you going to have a process where people might be able to apply to be pilot programs or projects?

DR. RUBINO: Yes, we are working on getting up a web page on the Shellfish Initiative on our web page. And hopefully, that will be up soon.

We have gone about this a bit informally in terms of talking with

constituents around the country. The East Coast Shellfish Growers, without even asking, did a survey of their memberships in terms of what they think our priorities should be, and the Pacific Coast Shellfish Growers have got already in place they strategies have provided. The National Shellfish Association, the scientists around the country, have just completed a survey of their membership in terms of the key things that we should focus on. But we would welcome ideas from anyone else.

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Again, like all these initiatives, we really have to do with existing staff, existing budgets, existing partnerships, existing regulatory authorities. There may be some modest new monies, but I think there is a lot we can do with our current resources.

CHAIR McCARTY: Thank you.

So, I have George, then Steve, then Bill, and then Julie.

MEMBER NARDI: Thank you, Mike and

Kris, for being here.

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I think I would echo Bill's comment earlier and add a little. The fact that the policy has come out is a positive step. Obviously, you started out by saying the actions are what is going to be important.

finfish side of On the things, most of the development work in the past or much of it, funded by NMFS and other agencies, has often founds its way to other countries advocates which were more of finfish aquaculture. Our company has participated in a number of ventures in other countries because we could get going quicker. result, the money, the jobs, and the technology has often gone elsewhere.

I think the policy gives us a hope or a vision that we can bring that back. We have maintained our core business and office here in the states. And in fact, it is expanding here now.

I am hoping that, with the policy

Shellfish Initiative, which is, I and the think we all say, a little less can controversial than some of the issues surrounding finfish aquaculture and marine finfish aquaculture, that we don't lose sight of the entire package. Because the seafood industry is a global industry, and while they would like to buy U.S.-made, it is important that they have fish to process and distribute, and they will buy that fish from wherever they need to. Hopefully, that is going to be more and more in the U.S. with increasing aquaculture.

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So, I am hoping that you might be able to talk about a little of the things that you are thinking about for post-the-Shellfish-Initiative and in regards to boosting and becoming an advocate for marine finfish culture, whether it be on land.

In participating, I like the idea, Michael, with the NMFS labs for helping develop new brook stock species, so we can hit

the road running, as Randy mentioned, for some of that work. It is very expensive work for us to build the infrastructure where, if it is already existing in some of the labs, that would help push us forward.

Many, many years ago, some might remember, the salmon industry had the good fortune of being able to start with all kinds of work having been done by the Canadian and U.S. Governments on salmon restoration, and so forth. So, they really didn't have to do this. That burden has fallen on the industry with marine species. I have heard that echoed that many places, not just -- particularly in Canada.

So, I think, for us to be competitive, I am hoping just to create some dialog of what you might be thinking for pushing forward with the actions. It is great to get going with the Shellfish Initiative because that will start the ball rolling, I'm hoping, and that is going to create a lot of

positive direction. I am just hoping we don't drop the ball and we keep it going with the finfish.

MS. SARRI: George, thanks for comments. I am going to just probably take a DOC perspective of why, and then Mike, if you will talk specifically about NOAA?

But, in all honesty, I think a lot at the DOC level we have done basically pretty ad hoc. Like when we hear about a problem, we try to engage through the appropriate bureau to address it.

So, one of the things that I think would be very helpful for us coming out of this meeting is to know what MAFAC's recommendations are to the Secretary for action steps around these policies. Like where do you see some really concrete actions that we could take that would have success in a year or so? You know, just some of those really kind of targeted actions that we might be able to employ across DOC.

Right now, our engagement has been, like with EDA, EDA is a very kind of decentralized bureau in the sense that it gets divided up in regions. We are really dependent upon how does the local or state community want to see economic development, and then we help support that. So, some of that is, how are those relationships being built across a nation? Some communities are doing really well.

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EDA has invested about \$12 million in aquaculture development over the last decade or so. And some of it has just been because those are the engaged communities.

So, if you see opportunities for how we might be a bit more systematic, having those recommendations come in from this Advisory Committee to the Secretary would be very well-received, and it would help us kind of plot a course of action here on this, and I would say both through what is a traditional partner, which is NOAA, in this whole thing,

but then how do you broaden it out to -- a lot of our bureaus are not so obviously specific about the marine environment, let's say. So, they look business-large, how do we do trade promotion; how do we gain market access; how do we get direct investment into the U.S.; how do we level the playing field?

A very big part of this Administration's agenda is this whole idea of innovation and tech transfer, whether you are talking from universities or the federal labs, into the marketplace. So, they take a broader scale.

But if you think there are very specific ways that we could be playing a stronger role in aquaculture, that would be really well-received within the Department.

MEMBER NARDI: All right. Thank you, Kris.

I think, must as one comment, one very small, but very important part -- and I am not sure how the federal government bridges

the gap -- but the states, there's many states that have, you know, they have their own rules and regulations when it comes to fisheries, and neighboring states are often quite different.

So, when we are moving product off and across state lines, and it is cultured product, we are often fighting individual, I won't call them battles, but in order to access market --

MS. SARRI: Right.

MEMBER NARDI: -- we are having to not sell in this state, maybe sell in that state.

I think if there were some guidance that could be given from the federal government to the states to take that burden away, so that they understand there's a difference between cultured product and wild product, particularly when it comes to the trade of that product, it would be helpful. That would open up sales and opportunity and

1 investment.

DR. RUBINO: I would just add quickly, I think I gave a few indications of what we are doing on the regulatory side. As Randy said and as you said as well, one of the key things is access to sites and the permit process.

Looking at these movement of fish and enforcement issues is part of that regulatory work. So, I think you will see some more from us over the next year or year and a half on that. So, we have got an internal working group that actually Susan Bunsick is chairing that is looking at these regulatory questions.

On the R&D side, as you all know, we have limited resources in the federal government. We are working with USDA and the other federal agencies on a new research and development or science and technology plan for the federal agencies in aquaculture to perhaps focus our efforts on some key technologies and

key species over the next several years. That document will go through a public review process sometime this year, I would hope.

But, informally, your advice and suggestions on just even this small tech transfer initiative we would like to do with NOAA would be welcome.

CHAIR McCARTY: Thank you.

I note that we have Steve, Bill,

Julie, Randy, and Keith signed up to speak.

This is a wonderful conversation. I think

Kris has to leave at 11:30. We are already

over the time for this discussion, but I think

we will let it go to 11:30 and then we are

going to have to stop. So, brevity is

appreciated.

MEMBER JONER: Okay, I'll try.

I'm Steve Joner. I represent the Makah Tribe in Washington State.

And, well, in spite of the need for brevity, I will just say that I have some comments and I want them to be taken in the

context of working for one of the treaty tribes. We are not only co-managers with the federal government on managing these fisheries, but the tribes are co-trustees of their resources to their own members.

And fishing is the lifeblood of the Makah Tribe, and it goes back for 2,000 years. Their treaty is the primary document for their existence as a fishing community.

So, I first just want to respond quickly to what Tom said about the forage fish. The City Council has six species in their coastal pelagic species plan. If anybody is interested, they can look that up at pcouncil.org, and it has got a good description.

But of those six species, two of them are active managed by the Council, the others by the states. One species, creel, has a complete ban on it to provide it as a forage fish. And the two managed by the Council are sardines and I think Pacific mackerel.

As part of the management plan and the assessment, there is consideration as that species as a forage fish for both of those.

As part of the ecosystem plan that we are developing, the Council is developing, the role of forage fish, it will be a critical part of that. So, I just wanted to bring that to folks' attention that may not be as familiar as Tom or I are with the Pacific Council process.

I am having a little trouble reconciling the two policies, Commerce and NOAA policies on aquaculture. Mike has talked about the implementation being the key. And I appreciate that you are both here today because you have answered the questions that we raised at our last MAFAC meeting, one of them being having somebody from Commerce to be here to address these.

In spite of that concern or that obvious remark that implementation is key, maybe the devil is in the details, and perhaps

the DOC policy is a general statement and the details are in the NOAA policy. But just looking at some keywords, I have looked at the words "benefits", "impacts", and "challenges", and in the Commerce policy, benefit is mentioned twice; impacts, twice, challenges, once. In the NOAA policy, benefits is mentioned nine times; impacts, nineteen times, and challenges, six times. So, again, I am having trouble reconciling those two, and it concerns me that perhaps that will affect how the implementation plays out.

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So, as a person representing both the fish and the fishermen for the Makah Tribe, my view and the view of the tribe is that aquaculture is a little like a salmon hatchery; there are good practices and bad practices. Without the good, productive hatcheries for salmon on the West Coast, we would all be in big trouble, usually not due to the fisheries, but due to other habitat

1 loss, dams, and so on.

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And believe that so, we proper implementation proper and management aquaculture facilities is important to maintain the infrastructure, the fisheries infrastructure. Ιt can benefit fishing communities and fishermen in a number of ways.

And one of them is development of technology and facilities that can be used for stock enhancement. We have a number of stocks, rockfish in particular, that are overfished, long-lived, and rebuilding plans go off for decades.

So, we would like to see the development of this aquaculture plan as one way of helping us to maybe speed up that process of rebuilding these stocks. And so, if it is done properly, then it can benefit all concerned.

MS. SARRI: So, Steve, let me take a shot at answering your question, but I might not be understanding when you talk about the

difficulty of reconciling. So, if I don't go in the right way here, let me know and say a little bit more about where your concerns are with reconciling.

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Sometimes I think it is probably maybe a little bit confusing when from the Department of Commerce you put out two policies in the sense that NOAA is an incredibly vital part of the Department of Commerce and a very important part.

What we tried to do by issuing two policies have kind of DOC follow the is broader framework about what it saw vision for aquaculture in terms of seeing it as a good thing for coastal communication as job generation, looking at trade issues, looking at the time at our technology transfer issues, and then, also, the language you saw in there around making sure it is sustainable and making sure that we are kind of doing a balance within this whole ecosystem approach that we have been talking about.

On that particular issue, NOAA obviously has tremendous equities, and there's a lot of different perspectives, I would say, to offer on that. That is why we also felt that it was very important for NOAA to have a much more kind of fleshed-out policy as well.

So, that is kind of the reconcile between the two parts of us, the two policies. But I do think sometimes, because we did two policies, it might be a bit confusing. But that was part of the reason, is we wanted to kind of give this kind of top overline, how are we working as one kind of DOC across this area. And then, I think NOAA felt that it wanted to also have its own internal kind of policy, national policy, but I am going to let Mike speak to that particular issue.

DR. RUBINO: That covers it.

MS. SARRI: Yes, does that help?

MEMBER JONER: Yes, it is.

MS. SARRI: Okay.

MEMBER JONER: Thanks.

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1 CHAIR McCARTY: Thank you, Kris.

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I am going to change the order of the speakers because, if you don't mind, Bill and Randy, you have already spoken once.

Julie and then Keith, Bill, and Randy.

So, my question MEMBER MORRIS: has to do with whether you think fishery management plans are the correct mechanism for managing finfish aquaculture in the EEC. know that that was a chronic question as we were working through the plan. And do you see, going forward, the other Regional Fishery Management Councils developing comparable fishery management plans address to aquaculture or do you see some other mechanism as being the proper mechanism?

DR. RUBINO: Yes, thanks for the question, Julie. And thank you, too, for being so involved with the Council, when you were on it, in terms of developing that.

There are a variety of ways of

putting together a regulatory framework in federal waters. At the moment, you can go get your Corps of Engineers permit for a structure. If you are big enough, you can go to EPA and get a permit for discharge. But there hasn't been a good way of managing the fisheries questions.

And so, over the years, legislation has been proposed, and another approach has been, through the Fishery Management Councils under Magnuson-Stevens, setting up fishery management plans for aquaculture through individual Councils.

NOAA's lawyers over the years have asserted that this can be done under Magnuson, that by some definitions, aquaculture is fishing. And so, the Gulf Council proceeded with that. The agency is in the process of implementing that now, which means, I mean, the Council actually was two years ago.

So, an oil spill happened. So, the documentation needs to be updated. It

will then go to the Office of Management and Budget for review. It will then go out for public comment and come back to us and OMB, and then a final rule would be issued.

So, that is one approach. I think that the agency was very clear in its policy that we remain open to working with Congress and others on other avenues, if Congress so chooses, in terms of national legislation.

But, at the moment, we have got
the way of doing it. The Gulf is the first
area. In terms of interest in other areas,
you know, the New England Council developed a
fishery management plan for scallop farming
some time ago. So, the New England Council
has a way of doing that, if they wanted to do
it. The Western Pacific Council has expressed
an interest. I think some are waiting for
this first Gulf plan to be developed, which in
some ways could serve as a template for other
Councils, should they desire to move forward
with it.

CHAIR McCARTY: Thank you.

Keith?

MEMBER RIZZARDI: I will keep my question quick. I am curious about your thoughts on legislative issues and where we are heading with that. The Caps Act is back out there, and they are considering putting out legislation. And I am concerned about the Environmental Protection Agency and its increased focus on nutrients in estuarine watersheds and how that is going to interact with aquaculture.

MS. SARRI: I am only hesitating because I don't actually do a lot of the Hill work. So, I am not sure I have a really kind of good sense or pulse right now on that.

The Administration right now doesn't have plans for a piece of legislation.

I can tell you that. So, I mean, if legislation does start to move, either in the House or the Senate, we will obviously watching that and paying attention to it and

responding with appropriate comments, if something does begin to move forward.

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DR. RUBINO: the Yes, on side, environmental in terms of these questions of nutrients, as an agency, continue to do our homework and to work with the agencies, both the shellfish, finfish, and algae, in terms of net effects.

We are very concerned about proper siting of facilities, whether they be shellfish or finfish. Both have implications, can have implications, positive or negative.

If you put it in the wrong place, waste is pollution. If you put it in the right place, waste equals food in a sense.

So, we have worked with people around the country on water column and benthic effects models. We are getting to the point where those will be available not just to consultants, but also to our permit writers and to EPA in terms of looking at siting of facilities.

So, on the shellfish side, we are looking at the effects of shellfish, both commercial and restoration, on nutrient removal, and the whole ecosystem services sides of things.

So, I hope that answers some of your question.

CHAIR McCARTY: Thank you.

Bill, and then Randy, and then that's it.

MEMBER DEWEY: Thank you for the second bite at the apple there, Madam Chair.

So, this is my last MAFAC meeting, but I am very interested in having MAFAC fill a role in oversight of implementation of these policies in the future. I would like to hear some input from you on how best to achieve that.

I mean, today is a great example of you coming and reporting on what you are doing. I would like to see that happen continually in the future on a routine basis.

MAFAC's

recommendations was that you work with us to update the 10-year plan to make it consistent with the policies. That might be the implementation tool. NOAA, maybe you could comment on that or what you see the best

mechanism being to follow up with the

implementation and interaction with MAFAC.

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Michael,

Kris, your efforts to get the other commerce agencies engaged is great. At least from my perspective, I don't know well what those opportunities are. So, I wouldn't know how to come forward with a recommendation to the Secretary on what we should do with Commerce to implement this.

So, I am wondering if there might be an opportunity to bring industry, a group of industry stakeholders in, to have that discussion and interaction more directly, as you continue to explore those opportunities, if that might be a useful tool.

MS. SARRI: I will pick up on the

last point. I think that would be great. So, I would welcome, if there is an opportunity, either at a future meeting or if you want to arrange a conference call. I am going to have you use Mike, put you as the kind of point of contact. And what we can do is kind of pull together across DOC, meaning that probably we can use that as an opportunity to let you know about what the different bureaus do as well as industry, to be able to talk about what some of their needs are.

In terms of the larger kind of idea of conveying recommendations or something to us, maybe after that meeting, I think usually what is probably most helpful in the federal agencies is some sort of formal letter or submission from the Committee to us with specific recommendation. But maybe we will just kind of do a little bit of legwork beforehand.

CHAIR McCARTY: Randy? Oh, are you going to answer that, too? Sorry.

DR. RUBINO: Well, I think you had a couple of questions about going forward with MAFAC and working with the agency in terms of input.

The U.S. Department of Agriculture has got a couple of very formal processes in place through a couple of agencies where they get input from different groups around the country, either annually in terms of their competitive grants programs or once every five years, when they do a five-year plan at USDA in terms of aquaculture.

We don't have that within Commerce to the same degree. We do have MAFAC, though. You have a Commerce Subcommittee of MAFAC.

That could be a vehicle for providing, say, input to NOAA on annual competitive grant cycles. It could be a vehicle for input on these initiatives that we have developed.

We have talked about updating the 10-year plan. I think we felt that we wanted to get these initiatives going quickly first,

rather than spending a lot of time on a document. But I think, at some point, we could go back and fold those back into the document and have it all in one place.

But maybe that is something that MAFAC really needs to talk to Mark and others about in terms of this interaction and getting your continuing advice.

CHAIR McCARTY: Yes. Thank you.

I think that is on our agenda. So, we are
going to be talking about that.

Randy?

MEMBER CATES: Thank you.

One of the fundamental problems we have had in the past decade with making progress in this area has been -- and it came out at a recent MAFAC meeting -- NOAA created four research priorities for aquaculture. Those priorities came out of the GAO report that was based on looking at environmental concerns from environmental groups. So, it was an unbalanced approach where all of our

1 efforts, the majority of our efforts were 2 towards answering questions going by environmental groups and not really putting a 3 balanced approach on how to create and do the 4 5 industry. And that still is in effect today. 6 So, our research priorities are, 7 in my opinion, a bit unbalanced. Not that 8 those environmental questions aren't 9 important; they are, but it is equally 10 important on creating an atmosphere that you can succeed in the industry and you have 11 12 progress in how to do it. That would be a big 13 step, if we can just approach it a little bit 14 more balanced.

CHAIR McCARTY: Thank you.

I think, Kris, you are going to have to leave.

MS. SARRI: Yes.

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CHAIR McCARTY: Thank you so much for taking the time. This was wonderful.

> MS. SARRI: Thank you very much.

CHAIR McCARTY: Ιt has been

(Whereupon, the foregoing matter

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went off the record at 11:32 a.m. and went back on the record at 11:34 a.m.)

3 CHAIR McCARTY: We are going to 4 restart here.

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And we have with us Dr. Jeff Payne of the NOAA Caribbean Strategy. I believe he also has someone else with him that he is going to introduce.

Dr. Payne?

DR. PAYNE: Okay. Thank you,

Heather. I appreciate the introduction.

And I appreciate as well the invitation by the MAFAC and NOAA to come and brief you on the status within NOAA of the development of a regional strategy focused on the Caribbean.

I am Jeff Payne. I actually work down in Charleston, South Carolina, at the Coastal Services Center. Margaret Davidson is my boss. You might know her.

I also serve as the NOAA Southeast and Caribbean Regional Collaboration Team

Lead. So, the Caribbean is a part of my regional emphasis.

I would also like to introduce, next to me to my right, Elizabeth McLanahan, who is the Deputy Director of NOAA's Office of International Affairs in Washington, D.C. Elizabeth and I co-chair the development of this strategy, at least up to this point.

They haven't taken us off of it yet.

So, I will run through some slides here and try to give you some background sufficient enough so that you understand where we have come from and what we are trying to do. And then, the very last slide that I will have will tee-up questions that I hope that the MAFAC will be able to ponder real-time, and a little bit, I understand, there is a session this afternoon that maybe will focus more specifically on MAFAC interest in this strategy.

And then, also, I will mention that there will be a public comment period for

the strategy, provided that it gets through internal NOAA review without any stoppage along the way. Okay?

So, for background, the strategy was actually requested by the NOAA Ocean and Coast Council. I assume that you are very familiar with that, given its role in helping to oversee fisheries issues.

They requested the development of a NOAA-wide Caribbean strategy. We have had independent efforts within our line offices in trying to get line office views of work done in the Caribbean together. This was really to try to bring this together at the agency level. Again, the Co-Chair of the effort is myself and Elizabeth.

Each line office and program office within NOAA at the senior program office level has representation on a work group that is actually in the process of developing the strategy and providing input to the effort all along.

We have been at this in earnest, I
would say, since March of this year. We would
like to actually finish the strategy up

sometime in the early part of 2012, calendar

5 2012, not fiscal year.

And there is also a relatively-new initiative which my Southeast and Caribbean Regional Collaboration Team has had a strong influence in putting together. That is called NOAA in the Caribbean, or NOAA-Carib for short. A Steering Committee has been set up.

I will talk a little bit more about that in the next couple of slides. But it is actually already in place and has provided some input to early reviews of the strategy.

So, the Ocean Coastal Council had a rationale, not rational but a rationale, for the strategy. They desired a few things and they wanted to articulate some thoughts upfront as to why this would be something important to do.

It is that each NOAA line office

is, indeed, already involved in regional partnerships and with organizations in the Caribbean region. And largely, that is the broader Caribbean region, not just U.S. domestic Caribbean interests.

NOAA's engagement is both domestic and international, and that better participation of Caribbean countries should, indeed, extend those benefits, if, in fact, we do this more smartly and with greater leverage.

And we do not have, as I said earlier, really a comprehensive strategy for how it is that we can deal with the issues in the region, and that is in the broadest sense of NOAA's mission and the responsibilities that we collectively have as an agency.

And then, improved coordination will, presumably, hopefully, if we do this well, leverage both resources as well as engage NOAA's leadership and participation and contributions within the region, and should

also add value to constituencies, I would hope.

So, this is kind of a run-up to where we are today, a little bit older efforts, but I just wanted to put this all within the current status perspective.

Working Group back in the early part of the year, in March, in anticipation of a cross-line-office workshop, which we held, which was very informative in terms of understanding what we were facing, articulating our goals both for the effort as well as essentially the seminal goals for the strategy itself.

And at that time and leading into that workshop, which was an all-day affair with about 40 people, we developed a number of supporting materials or information resources for the strategy. Those are available and can be utilized as well as viewed.

One is a program and project inventory that actually tries to document and

classify, characterize all of the programs and projects that we have active within the Caribbean region or are intending to do very shortly. That is an inventory of about 150

efforts across NOAA.

We also developed a NOAA Caribbean synthesis of needs assessments. Needs assessments, we documented about 51 sources for the development of this information resource, which would help us to better understand what has the region already said about what are the driving issues, what are the important needs to fulfill, if NOAA is going to focus efforts and try to take a more cogent regional perspective on how to do the job.

And as with any kind of synthesis and needs assessments, you are often working with very diverse information resources. The way that we arrayed this was to look at pretty high-order, broad-based issues first and foremost, which I will talk about shortly,

when I get to what are called cross-cutting principles. And then, we tried to categorize things in kind of a broader tier and then a more specific tier, looking at essentially fields of study, fields of effort, including things like monitoring and research and management and governance, those kinds of issues.

And then, we also have been developing a running list of what we characterize to be the external, external to NOAA partners, that we have been working with and that we also feel will be important to actually accomplishing the objectives and the strategy.

So, each objective within the strategy has a running list of external partners that accompanies that particular objective. It is not mutually-exclusive or independent to just each objectives, but, rather, gives a flavor for what kinds of external partnerships are important for

actually advancing the strategy in a reasonable fashion.

As I mentioned earlier, we have formed more recently a NOAA in the Caribbean Steering Committee, which is composed of all line office representatives. We held a partner meeting in Miami back in July, this summer, to start to pull together what is the intent of that Steering Committee. It is actually in the strategy. You can read this for yourself when you look at the section on communication and coordination and the crosscutting principles. But I will go ahead and read to you the goal for the NOAA in the

And that is, "To identify and respond to local and regional challenges, needs, and opportunities in the Caribbean region through collaboration across NOAA and with NOAA's partners."

And I will come back to this again in terms of what its relevance is to the

1 strategy itself.

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And then, the Ocean and Coastal most recently -- this Council has briefing I just gave to the Council, Elizabeth and I, back in September. They have approved the current version of the strategy, which you have, for internal review within NOAA. that process is underway. We are expecting that those comments will come forward by November 2nd from all the line offices. we will go to the next version of assembling the input and creating the next version of the strategy, which, hopefully, will be then ready for public input.

So, just to give you a very brief view into the strategy itself -- and again, I believe you have this strategy in your materials for your meeting -- it is aligned according to the following sections: purpose and desired outline, scope, vision. It is very much like a typically strategy plan for any particular effort, and then a large

section on strategy goals, objectives, and actions. I will touch on each of these briefly as well.

So, our purpose of the strategy -and this, again, is consistent with what the
Ocean Coastal Council said in terms of its
rationale, why it wants for this to actually
take place -- is to coordinate and integrate
the abilities of all NOAA line offices to
address regional issues and improve mission
effectiveness and international cooperation in
the Caribbean region.

And you can well imagine that this kind of thing might be of value in other areas. In fact, we often do things regionally, and Fisheries, obviously, at the NOAA level works regionally. So, I think that there is a lot of sense in this.

And I guess another thing, which is maybe an editorial comment on my part, is that I feel as though island regions, in particular, have pretty specific challenges.

The Caribbean region is rich in resources and also rich in challenges.

In the circumstance of whether or not there is balance in terms of support that is provided -- and you might also say the same thing about the Pacific -- do we have the right amount of focus, the right amount of attention? Do we have the right amount of representation? So, that is editorial on my part.

Desired outcomes. We would like to improve communication within NOAA and with partners in the region, as a result of undertaking this effort and actually implementing the strategy.

We feel that our efforts, as a result of doing this, should, in fact, be more focused on the most important issues in the region, that they would be coordinated very well internally and externally, and that they would be leveraged for maximum impact.

NOAA domestic and international

leadership is organized, effective, and collaborative. That would be a great thing, if we can actually accomplish that. That is much easier said than done.

But the international perspective here, obviously, is very critical because of the international abilities to actually effect change and to partner up and to provide resources for things.

And the last outcome that we are looking for is that there be greater awareness of and support for NOAA's efforts in the region.

CHAIR McCARTY: Can I interrupt you just for a second?

MEMBER DOERR: Yes, ma'am.

17 CHAIR McCARTY: Did you say that

we had in our materials a document?

DR. HOLLIDAY: We sent out the strategy as a read-ahead in an email rather than posting it to the website because it was pre-decision.

CHAIR McCARTY: Sorry. Sorry to interrupt you. I just wanted to make sure that everyone knew where they could find it because I couldn't.

DR. PAYNE: Okay.

CHAIR McCARTY: Thank you.

DR. PAYNE: Okay. Thank you.

Okay. I wanted to comment briefly on the scope. And what I mean by scope in this case is, as it says there, the bio-geopolitical scope, kind of a tortured phrase, but I think you know what this implies.

We have based the scope of the effort where we actually would like to see the work take place and to understand, in particular, important connections on the Caribbean-at-large marine ecosystem project or the definition of the project. I think many of you, I hope, are familiar with that or similar large marine ecosystem definitions.

What's important here is that I believe for NOAA to be effective and, in

particular, to be able to work effectively with international participation, we need to have a broader view than just the U.S. domestic Caribbean in how we approach this or U.S. domestic Caribbean interest.

So, we are considering a broader definition and, indeed, an approach that recognizes that there are essential ecological, meteorological, and oceanographic, and socioeconomic and political connections throughout the region.

And what this really boils down to, in my sense, is that this recognizes or helps to understand that there are patterns and processes that connect the people and their environment within the broader Caribbean region. In fact, within that context, there is ample room, if not tremendous room, for partnership in how to get things done.

So, for example, partnerships in terms of developing and sharing data within the broader region and partnerships for

developing the capacity of communities or constituents to independently manage resources, things like that.

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So, this is the scope that wanted to take. I think that there are challenges in that because you might say that the focus should be on Puerto Rico and the U.S. Virgin Islands, the domestic Caribbean/U.S. interests. But, in fact, this nature of the bio-geo-political scope I think really does force us to recognize that, in order to be effective, and to understand that inputs and impacts really are connected in the region, it is important to look at it this way. But it does present its challenges.

So, we have a vision for the strategy. It is up here on the slide. A vibrant and healthy Caribbean community working together to maintain and protect ocean and coastal ecosystems and resources; adapt to a changing climate, and address coastal hazards for the protection of live property

and the livelihoods of inhabitants.

Basically, recast our three primary strategic

goals within the strategy in a vision

statement.

We wanted to, in fact, incorporate in the strategy the challenges. I mean, why is this of particular importance? What are the challenges that we face?

Clearly, within island communities

-- the Caribbean is no exception -- many of

them rely on very healthy and productive

marine and coastal ecosystems for a range of

things, including food security, income,

hazardous protections, and a range of vital

services.

But, along with that, there are vulnerabilities and/or stressors to the sustainability of these kinds of services, including things like climate change, extreme weather events, geologic events in the Caribbean. There is not necessarily a very active subduction zone, but historically

active subduction zone which could, in fact, create tsunami events and other kinds of catastrophe events.

And then, growth and development, obviously, in island communities, where there is oftentimes very a little land to actually work with, so the impacts sometimes are magnified. Water resources become a very acute issue. And then, sustainable use of resources would be another thing.

And we have a multitude of nations in the Caribbean region that are, in fact, involved in the management of the Caribbean sea and the resources that are a part of that Caribbean scope. And so, we, I think by definition again, need to rely on cooperation amongst all of our neighbors to sustainably manage these resources and to actually have an impact in helping to better protect lives and property.

And NOAA's role, we clearly recognize that the Caribbean is relevant to

our environmental and other security interests of the U.S. NOAA has a role to play in that, and we have a lot of skills. We have a lot of capabilities and aptitudes that apply to the kinds of issues, drivers, and needs that the Caribbean has.

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And we are already engaged, as I said earlier, on issues with domestic and international stakeholders throughout the entire region. This is a foundation. We need to build on this foundation. We need to improve and strengthen and nurture and identify new partnerships around which we can address the variety of issues that paramount, and to be able to fundamentally have an impact on things like socioeconomic conditions. I think that that is also a byproduct, but an important byproduct of how things are done in terms of the management strategies that we take.

And then, I mentioned crosscutting principles. I just wanted to touch on 1 this very quickly.

In the needs assessment process, we articulated a number of things which are at a pretty high level. They represent, in my way of thinking, more behaviors, essentially. How is it that you choose to engage with communities, with stakeholders, with constituents, with a region? And what are the important kinds of principles that should be routinely applied in exactly how you engage, but also across the goals themselves? As you implement goals, what are going to be the common ways in which you attend to certain things?

So, for example, enhancing partnerships for effective regional ocean governance. You know, the geopolitical context in the Caribbean is complex. There are some governance structures, but there is nothing which is systematic in nature. That does present inherent challenges in how an entire region can be managed effectively.

And then, NOAA does collaborate with established regional entities, but it may be more piecemeal than actually well-integrated and systematic in nature.

So, if we are talking about Regional Ocean Partnerships analogous to what the Ocean Commission a while back said was important to how we do things from a management perspective, I would like to also bring you up-to-speed that NOAA had put out an announcement, federal financial opportunity announcement, back a while ago for Regional Ocean Partnerships. And the Caribbean did provide a proposal. The PI was TNC, and it also involved the Governor's Office in USVI as well as the coastal program in Puerto Rico.

Just in the last couple of weeks, in fact, they found out that they were successful in that application. They will be receiving, I believe, about a quarter million dollars for one of the categories in the Regional Ocean Partnership announcement, which

I think is development and operations. So, it is to actually start to pull together a way to more effectively develop a partnership and structure for improved governance, but it is focused on domestic Caribbean in this case, by definition of the guidelines and the FFO.

Enhancing communication and coordination. I had mentioned that, I think, goes without saying. I feel as though there is that continuum of communication, coordination, and collaboration. And I think communication is implicit and important at all times, the way in which you engage.

Coordination is let's figure out how to do things smartly and to not have redundant efforts and things like that. Let's work well together.

And then, collaboration, you know, that seems to me to be where you really have come together and you are saying let's actually leverage our resources; let's actually have shared risk and shared benefit.

But, along these lines, the NOAA in the Caribbean Steering Committee that I mentioned, the formulation of this group, we would like for the NOAA in the Caribbean group to, beyond just the input they have already provided to the recent draft of the strategy, we would like for this group to be able to assist in supporting the implementation of the NOAA Caribbean strategy.

And as I said, it is across NOAA.

It is also populated by partners within the

Caribbean region. So, the Caribbean Fishery

Management Council Director is on the Steering

Committee as well as the Puerto Rico Sea Grant

Director and the USVI, let's see, CZ program,

I think, USVI, and then a couple of other

external constituents.

So, we are building out that Steering Committee, and we hope that they will be able to help with the implementation, but not to be responsible for implementation, but to help guide and certainly bring constituent

input back into the process as we move along.

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Building capacity, I touched or that a little bit earlier, how it is that we build capacity in any effort. And sharing best practices, for example, is one thing to look at there, but how it is that units can actually stand better on their own and take on the task of doing the job that needs to be done.

Strengthen science, data. stewardship, and applications. This was a very big need that was articulated within the range of needs assessments that reviewed. it encompasses things like more attention or increasing the quality, quantity, usability, and accessibility of data, that part of the equation, and synthesizing data sharing resources. And more recently, we have some positive efforts undergoing within NOAA and across the agencies, in particular, for example, with the development of the geospatial platform, which is a way to better

discover and make available the wide range of geospatial data resources that the federal government has, as well as other kinds of services and applications, including online map viewers and things like that, but also the National Information Management System, which is being developed currently in support of marine spatial planning.

And then, the last one is achieve greater continuity. That is across a range of things, like monitoring, funding, the management of data collection, and volunteer efforts, and even long-term planning, a range of things. Rather than a series of one-offs, how is it that we can actually sustain effort and ensure that things are done well?

Okay. I am going to roll through getting to the end here. The goals themselves

-- and these are treated much more robustly in the strategy, and I hope that you will be able to get a hold of the paper itself; it was in your resources -- the goals are three in

improve conservation and management number: of ocean and coastal ecosystems and resources. And this is probably the goal that is a strongest connect to the interests of the MAFAC. However, strengthen understanding of and adaptation to a change in climate. then, enhanced multi-hazard monitoring, forecast, and risk management also imply that there are impacts that would, in fact, have something to do with the management resources that would be nested more under goal one.

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And these goals were selected based on the kinds of issues and societal challenges in the region, the needs assessment information that we went through. We wanted to make sure that what we did was, in fact, consistent and supportive of NOAA's next-generation strategic plan, the Healthy Oceans Goal, for example, as well as National Ocean Policy Priority Objectives.

And then, the experience of

individuals, professionals, that have worked for a long time in the region and, also, the programs that NOAA has in the region and the capabilities that we have in place to make a difference.

Okay. I will just put this up just for your quick look: the timeline, what to expect for the strategy development from here on out.

As I said, we will get comments back from the line offices and the program offices on November 2nd. We need a turnaround and then a virtual check-in with the Ocean and Coastal Council on the nature of those comments, and to ensure that the strategy is ready for some kind of public review.

What I am anticipating is that we would actually announce this in The Federal Register, similar to what NOAA did with its Arctic strategy development process. And then, we would receive comments from the public.

I would also like to say that that would be an opportunity for MAFAC members and anybody that you would like to tune into this effort to provide additional comment beyond what might happen today and in this afternoon's session.

And then, come back in with those comments. We would develop, I guess, penultimate version of this. It would have to go through the top level of NOAA leadership review at Dr. Lubchenco's level.

And then, based on those comments, I would hope we would be able to actually publish this and put it to bed in the early part of 2012.

Okay. So, that is where we have come from, where we are, what its intent is.

What I wanted to tee-up for you all were a couple of questions here.

One is, if you have had a chance to look at this or based on what I have presented so far, any general comments you

have on the strategy, its approach, for example.

The bio-geo-political scope, you know, it is biting off a lot, and I think that there has to be some sense of realism and implementation because this is often where the rubber meets the road in terms of available funding and things like that.

And as with many strategies, I mean I am going to be the first to admit that a strategy is a strategy until it is implemented. The funding stream for this, if you will, is not currently identified. So, we are going to be looking at other ways to actually make this happen.

I actually skipped a slide, but it may not be critical. I would like to come back to it.

Specific comments on the goals and objectives and actions: one of the ones that is missing here, simply put, is: are these the right ones? Are these the right goals,

1 objectives, and actions?

The goals we feel pretty good about. They are pretty high-level nests for us. They are very supportive and consistent with NOAA's next-generation strategic plan.

So, that makes sense.

But the objectives and the actions, in particular, are important. And this is why I have to go back to this previous slide. So, I will.

So, are these the right ones? No.

2, what is missing? And then, what are the
greatest priorities? This is another area
where I feel MAFAC input to this process would
be very helpful.

Recommendations on partnership and leveraging opportunities, anything that you might see, especially if you have particular experience within the Caribbean region or more on a national basis, and the best practices approach to things.

And then, as I said earlier, an

invitation to provide additional comments during the public review period.

So, let me quickly go back to this. Yes, that is the one I blew by. Sorry.

The approach for how we actually undertook the strategy development, this stresses some of the earlier points I made.

We want to make sure that NOAA's efforts are focused holistically and that we are well-coordinated and we have participation across all the LOs. That is what we are looking for here.

The goals themselves are complementary and interdependent. They do actually work well with each other, and they are important to addressing cross-cutting issues like sea level rise or sea level change.

But, in particular, each goal includes multiple objectives, short- and long-range actions, and then this non-exhaustive list of external partners that I mentioned

1 earlier.

In the near-term actions, we have in the zero-to-two-year category -- it doesn't mean that we can actually accomplish them within two years, but we would like to focus our early effort that way. So, these things that may build on efforts that are already underway or that represent the most urgent needs. And let's really try to step out and make some things happen.

And then, the longer-term actions, some things just need a longer time to gestate, and they may require, in fact, significant additional resources and strengthening or new partnering.

So, that's it.

CHAIR McCARTY: Thank you.

And they are going to have a discussion on that at their meeting this afternoon. Are you going to be around for that?

DR. PAYNE: No. Unfortunately, I

1 | need to get back out to Silver Spring.

CHAIR McCARTY: Okay. Well, you will be hearing through us what they bring to us as a full Committee, and then we will go ahead and pass it on to you.

Thank you for your presentation, and thank you for allowing us the opportunity to comment.

DR. PAYNE: And thank you.

And Elizabeth?

MS. McLANAHAN: No.

CHAIR McCARTY: Does anyone have any comments or questions for either one of these folks?

Paul?

Heather.

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MEMBER CLAMPITT: Thank you,

I have a question. So, reading through these goals and objectives, they are very extensive. I am curious, have we attempted to extend our management to other countries/territories in the past? And how

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DR. PAYNE: To extend our management best practices perhaps; I think that the issue of extending management, that would be a whole other dimension.

I think in some places and ways we have had an impact. And whether it is management or working with constituents to effect change, for example, in hazards management, risk management, those kinds of things. I think what we found is that the degree to which the international dimension is included in the equation, and you are able to both leverage as well as develop trust and credibility within the extra-U.S. part of the globe, you are better off.

And I think that if we are looking at how it is that we can, through things like training opportunities, capacity-building, those kinds of things, help to make a difference, that that is a good thing. But I think it is a wide-open question as to its

effectiveness and how well we have done. I don't have any particular examples to point to for you to answer the question.

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MEMBER CLAMPITT: Just a followup. So, I mean, so I understand where this
comes from, is some of this anticipating
fallout from natural disasters of some sort in
the Caribbean where we are going to be called
into help anyway because we are the only
person in the block that can help?

DR. PAYNE: Yes. Yes. I mean, that is a good area to look at. Because in the case of how the Weather Service and NOAA's research functions, and to some extent the Ocean Service as well, work together, NOAA is continuing to build out its capacity to, for example, manage the impacts and provide communication, coordination, and a response or preparedness strategy for tsunami а preparedness.

That is a really good example because, whether it is weather events or

1 something that is geologically-oriented that 2 creates an immediate hazard, the Caribbean region has been, and will continue to be, 3 vulnerable until we actually have a robust 4 5 tsunami warning capacity built in the region. 6 And that includes everything from education 7 the monitoring and evaluation of to the 8 technologies and its execution. 9 MEMBER CLAMPITT: Okay. Thank 10 you. 11 DR. PAYNE: Yes. 12 CHAIR McCARTY: Go ahead. 13 I think there are a DR. HOLLIDAY: 14 couple of other things that you might want to in terms of international 15 pick up on management, RFMOs, and coral reef management, 16 that I think have a larger perspective for 17 MAFAC beyond some of the traditional things. 18 19 MS. McLANAHAN: Thank you.

is we do have the Cartagena Convention, which

is for the protection of the wider marine

One thing I was going to mention

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environment in the Caribbean. And underneath it, it has three different protocols. One looks at oil spills, the others at specially-protected areas and wildlife, and then the third is land-based sources of marine pollution.

So, we obviously work cooperatively with the other nations in the wider Caribbean on these three focal areas.

We try to do some joint exercise planning for things like oil spill response. We also are trying to come up with, I guess we could call it, almost like standards in terms of waste water or runoff, in order to have better water quality in the Caribbean region. And we also are developing like a whole network of marine protected areas and trying to do that on a consistent level.

So, I think that is where some of the United States assistance comes in with some of our capabilities, since we have a lot of this knowledge, how to best do it, since

like EPA has a lot of water quality/beach standards, things like that, we are able to provide this information and sometimes use it as sort of the basis for kind of the development of different processes and standards within the region.

CHAIR McCARTY: I have Ed, Tom, and George, and Julie.

MEMBER EBISUI: Thank you. Thank you very much for your presentation, Doctor.

I am Ed Ebisui from Hawaii. I would kind of like to just pass on a gut reaction, if you will, and ask you if you would react or respond to that.

And it is very close Member

Clampitt's question and, also, I think Dr.

Holliday's question. It has to do with a

problem statement. You know, I didn't see any

problem statement in there, and it wasn't very

apparent to me as to what problems were to be

addressed in the strategy.

It looked like an institutional

strategy for the agency to get its house together and make sure everybody is on the same page. I was really searching for some definition of what the issues are that were to be addressed with this strategy.

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I think weather, oil spills, that was mentioned, but I didn't see it in the paper.

DR. PAYNE: Yes, I think that is a good observation.

look at If you the strategy itself, you will see that information within everything from the challenge statement on through NOAA's role. Dealing with sustainable of fish use resources and the impacts or stressors on fish resources is one area. Land-based sources of marine pollution and its impact on habitat, coral reef environments, in particular, other kinds of pollution.

And then, well, there are a range of things. I mean, I would ask you to help out as well with that.

MS. McLanahan: Yes, just one other point, because you did mention sort of the institutional structures. Part of it is that there is a lot of activity going on within the region, both from NOAA as well as other partners. And so, the hope and aim of this strategy was also to try to coalesce of those energies, so that we are not duplicating efforts; we can streamline our capabilities, given the limited resources that we have.

So, the strategy not only is trying to identify some of the stressors that were just pointed out, but also trying to figure out, with all these different regional organizations, with all these different activities going on within NOAA and the U.S. Government, how can we work better together? And that was actually one of the sort of key goals of putting together this strategy.

So, it really was twofold in terms of programmatically what are some of the biggest threats and what do we need to be

doing, as well as institutionally how can we work better together.

CHAIR McCARTY: Tom?

MEMBER RAFTICAN: Thank you,

Heather.

Ed covered a lot of where I was going. You know, NOAA's budget is decreasing pretty dramatically, and this looks like a program that is looking for -- is there a "there" there?

(Laughter.)

DR. PAYNE: Yes, I guess one of the things is, obviously, on my mind as well as Elizabeth's, and the entire team, I am not exactly sure how to put this in an entirely positive context, recognizing that we do have budget challenges coming around the corner and we already are experiencing them.

But I think that it is important to probably do a few things. One is to further socialize this strategy and to get more input into it, for the purpose of, for

example, identifying what are the real priorities. Because, right now, we have three goals, multiple objectives, and many, many actions, both near-term and long-term in nature. What are the highest priorities?

While we have tried to comprehensively say that these are the things that are important to do, if you had unlimited resources, that is not the real world. So, how is it that we prioritize it? Strategic planning of anything is a prioritization exercise, amongst other things.

And as far as developing or finding the resources to do this, I think that, in the traditional sense, we might look internal NOAA and say, well, you've got to work according to the budget formulation process that we all know and love. And then, you work with the appropriators to actually get to the point of receiving funding.

But I believe that partnerships are a part of the solution here, the solution

set. And with what Elizabeth just mentioned in her last comments, the importance of partnerships and working with the right organizations, including international organizations that have an interest in ensuring that sustainability in the Caribbean is a part of the future of this globe as well as other areas. So, international leverage I think is a part of the solution here.

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And then, just if we can, in fact, really articulate priorities strongly, better coordination within NOAA, so we reduce redundancy. Let's be smart with our resources. But, also, redirecting internal to NOAA with the money that we do have to work with, if there is discretion there, and we state that the priority is to do this. finding resources and redirecting resources might be a way to accomplish that as well.

But I think that it is a huge challenge because the budget prospectus is not, as we know, great.

CHAIR McCARTY: George, and then

2 Julie.

3 MEMBER NARDI: I will be pretty

4 brief.

I was just curious about the stakeholder participation. And I don't recall seeing any makeup of what or who the organizations were that you spoke with, because I am just curious about how many of the different groups you were able to get to, to provide you your feedback.

And one of the reasons, as I said, is I operated a business in the Caribbean for a number of years. I notice, I read the document, and it had aquaculture as a long-term mentioned once, I think. And I have been contacted many times, and there is a number of operations that are starting up in the Caribbean in a number of locations. I would think that, if this were to go forward, you might want to be touching base now rather than in three to six years from now, when the ship

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DR. PAYNE: Yes. Thank you for the comment. It is a combination of is this in the right area, zero to two or three to six?

And secondly, more directly to your question on stakeholder engagement, we have up to this point -- I think that this points out an issue or a fault within the process. We have relied more on the internal NOAA working group. We have had some external input via the NOAA in the Caribbean Steering Committee, where we have five or six external members, but we haven't done anything that I would characterize truly robust, as а external, stakeholder engagement process for So, I readily admit that. this.

CHAIR McCARTY: And finally, Julie.

MEMBER MORRIS: Thank you.

So, we are a Caribbean nation. We are not meddling in some other part of the

1 world. We are a Caribbean nation.

And it is clear we have science that indicates the importance of the Caribbean to a number of the managed species in the Gulf of Mexico and the South Atlantic. Our spiny lobster population in the Florida Keys is completely dependent on reproduction that takes place, I think, in Nicaragua. So, we do have very strong fisheries interests in a healthier functioning Caribbean.

I looked through your report, and
I am on the Ecosystem Committee, so I can save
some of my specific comments for that work.
But I would say, looking specifically at your
short-term objectives, you really need a lot
more specificity if you are planning to make
progress on those in the first zero to two
years.

You need to identify which are the species that you want to be focusing on, which are the priority watersheds, what are the geographic priorities. And if you know those

things already, you should put them in the document. If you don't know them already, it is probably unrealistic to expect you could make progress in the first two years.

DR. PAYNE: Thank you.

CHAIR McCARTY: Bill?

MEMBER DEWEY: So, Bill Dewey, also aquaculture interests, not in the Caribbean, though. But I had the same comment.

I just wanted to follow on George's remarks there and just acknowledge that NOAA, as you heard -- you were here for the earlier presentation -- has these new aquaculture policies, and it would seem appropriate to try to incorporate those and implementation of those in the Caribbean as well.

I, like George, pulled the document up and I did a search for "aquaculture", found it twice, not just once, George, actually twice, on page 13 and then

1 14, but in the three-to-six year and
2 essentially doing BMPs. There is a lot more
3 to those policies than just doing BMPs. So, I
4 would encourage you to reference the policies.
5 DR. PAYNE: Yes, duly noted.

6 Thank you.

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7 CHAIR McCARTY: Thank you, Bill.
8 Other comments for these folks?
9 (No response.)

If not, we will say thank you again and good luck. That is a lot of work.

DR. PAYNE: Yes. Thank you.

MS. McLANAHAN: Thanks. We appreciate your input.

CHAIR McCARTY: Thank you.

We are going to break for lunch, but before we do, I am just going to go over a couple of things and maybe ask Keith and Julie to talk a little bit.

We have these three Subcommittees working this afternoon, starting at 1:30, back here. Two of them are going to be in this

room. One of them is going to be across the hall.

But I have been told, and I am going to have Keith describe the situation, about one of the aspects of the Ecosystem Subcommittee's work. Could you please brief us on that?

MEMBER RIZZARDI: Yes. Thank you, Heather.

During the ecosystem meeting, we discussed the Gulf Restoration Ecosystem Task Force and its recent report that came out, which is right now in the window-of-comment period. The comment period ends tonight at midnight.

So, I have been working with Julie putting together a basic one-page, maybe two-page, letter that would reflect our MAFAC comments. I am going to work that through the Ecosystem Committee as we meet again, and then bring it to the entire MAFAC panel.

In general, the report that came

out does include the concepts that MAFAC approved in our resolution at our last meeting. We emphasized the need to focus on estuaries. We emphasized the need to gather better research and data. And we have said focus on those as the priorities for the response and the use of the funds from the BP disaster for the Gulf of Mexico's benefit.

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What has been produced by the Restoration Task Force is a document that is far broader in scope. It is sort of a menu of all the options that are out there for beneficial projects in the Gulf, all the states, all the wildlife, all the watersheds, and it doesn't drill down into setting priorities.

So, the concept that we are working with is asking the Restoration Task

Force to once again look at our comments, see where we suggested setting the priorities, emphasize the importance of the estuaries to the Gulf, and try to help them accelerate this

process. Because the current path that they are on, in our preliminary opinion, looks like it could be so sweeping in scope that it would take decades to work its way through, as opposed to cutting to the chase, effectively, as Alaska when they made their decision after Valdez to focus on habitat acquisition and protection for the long-term.

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So, that is the concept we are working with. I will bring it to the Subcommittee for discussion, and we will see what comes out.

CHAIR McCARTY: Thank you, Keith.

We have a process issue, a timing quite issue, because I quess none of us realized how this was going to fit into the actual agenda in time to make these comments. So, we have to get them done by the end of the day today, and you need to run them through the Ecosystem Subcommittee. Then that meets that we all have to come back together between the Ecosystem Committee ending and the

1 day ending.

And so, we can either do that or we could come back immediately after lunch and do it as a Committee of the Whole rather than bringing it back to the Ecosystem Subcommittee and then running it through the MAFAC as a whole. I mean, we could do it several different ways. We don't have to run it through the Ecosystem Subcommittee.

I have just been thinking since
you told me half an hour ago. You know, folks
may or may not be planning on coming back.

Everybody may or may not be planning on coming
back to these Subcommittee meetings.

So, I kind of wanted the sense of the group here as to what you think we should do.

Tom, do you have thoughts on this?

MEMBER RAFTICAN: Yes. I was going to say we are taking a look at Vision

2020 later on this afternoon, and that is somewhere where you have got no other

1 committees specifically meeting at that time.

Maybe at the beginning or the end of that might be a good time to reconvene for a quick look at Julie's and Keith's work.

CHAIR McCARTY: Mark points out, of course, that we have this recreational fisheries webinar in this room from 3:00 to 5:00. And so, that is probably not going to work between 3:00 and 5:00 here anyway.

And then, the Vision 2020 people, which when we did it on the phone it was almost everybody, we are going to be across the hall.

So, what we would need to get back together is a commitment for everyone to be here at a certain time. We could do it at 1:30 without the benefit of the Ecosystem Subcommittee or we could do it at 2:45, immediately after the Ecosystem Subcommittee.

Dave, and then Julie.

MEMBER WALLACE: Yes, I recommend that we do it at one o'clock or 1:30, just

after lunch, come in, do it as a Committee as a whole. And then, everyone can be involved and we don't have to go through it twice.

CHAIR McCARTY: I think that is sensible. That is kind of what I had arrived at.

Julie?

MEMBER MORRIS: Another option would be to delegate the review of the letter to the Ecosystem Committee and not have to have everybody read it. It is really just emphasizing and following up on the position we already took at our earlier meeting.

CHAIR McCARTY: Uh-hum, it sounds like it. That is another option.

Tom?

MEMBER RAFTICAN: Yes, first of all, I like Dave's -- I like everybody taking a look at this thing. Second of all, I don't think we are dealing with a critical issue.

These are things that we have addressed together. And if we can come together quickly

on some kind of a paper, maybe the web, you know, send it out on the internet and let's get everybody's approval on it. If we get everybody's approval, you can move forward with it. We will get it in by close of business today. And if not, we will get it in by close of business tomorrow.

CHAIR McCARTY: So, you are suggesting we don't do any of the above, but, rather, do it by email at the end of the day?

MEMBER RAFTICAN: No. I am suggesting that we take it up in Committee and deal with it in Committee. If somebody has a very strong interest in it, they can come to the Committee and state that interest in it then.

At the close of Committee, with the finished document in hand, we will send it out to everybody via email. And if get consent all the way around from the members, then move forward with it.

CHAIR McCARTY: Yes, but if there

is dissent, then we would have to start from scratch, presumably, and we wouldn't be together. So, we wouldn't be able to have the conversation. I like the idea, other than that.

o'clock.

Do you see what I mean?

I mean, we could do it at five

MEMBER RAFTICAN: This is something we have already agreed on once last summer.

CHAIR McCARTY: Right.

MEMBER RAFTICAN: Okay? If we can come together with simply our recommendations to follow up on specifically what we have said, and if somebody is very interested in it, please come to the Ecosystem Subcommittee. At the end of the Subcommittee, we will come out with a document. The document goes to all members. And as long as there is no dissent from that membership, then I think we are good with going forward on it.

3 CHAIR McCARTY: Right.

MEMBER RAFTICAN: And I would say either do that or follow Dave's suggestion if everybody would prefer to meet here at 1:00, come back.

CHAIR McCARTY: Right. Keith seems to have another idea.

MEMBER RIZZARDI: Yes, I understand your idea. I just think it is probably more than we even need. I think we can keep it at the 1:30. We can come in, one shot, and be done. Because anybody who has got feedback can sit down with us during the lunch break.

You know, we will have a document worked up. Put it in front of the Committee for you to read, and I think we will be in and out.

21 CHAIR McCARTY: When you say "the 22 Committee", you mean all of us?

1 MEMBER DEWEY: And I think we have 2 more recommendations as a result of that, but 3 we are not scheduled to meet again. CHAIR McCARTY: I noticed that. 4 5 was thinking about that. 6 MEMBER DEWEY: And so, Heather, I 7 was going to ask, what is the pleasure of the 8 Commerce Committee? I was going to suggest we 9 might reconvene at 1:30 --CHAIR McCARTY: It is fine with me. 10 MEMBER DEWEY: -- and add to our 11 12 recommendations. 13 CHAIR McCARTY: We will find a 14 place and figure that out. I think that is a 15 good idea because I was wondering the same 16 thing. 17 Unless you have already made your 18 recommendations sort of subject to this 19 presentation, it is not going to work without 20 meeting again. 21 Thank you. 22 Yes, Steve?

CHAIR McCARTY: Could I ask a question about that second paragraph?

3 MR. STOLL: Yes.

4 CHAIR McCARTY: I will just use 5 this.

Why are we encouraging them to make that comment again? "Nevertheless," that sentence, what is that? I just don't quite get it.

MEMBER RIZZARDI: Our comments walked through the two priorities and why you probably should do the priorities, and we gave additional criteria for each of those two priorities.

The Gulf Coast document is a few levels of abstraction higher than where we were. We were coming up with some specific ideas with, then, additional criteria for how to implement those specific ideas. That is not present in the Gulf Coast approach.

What we also did, however, was we endorsed their four-part goal test, which is

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1	CHAIR McCARTY: Do you have any
2	comments, Julie?
3	MEMBER MORRIS: No.
4	(Laughter.)
5	CHAIR McCARTY: Happy with it?
6	Okay.
7	So, I would entertain a motion.
8	Tom?
9	MEMBER RAFTICAN: Yes, I was going
10	to make that motion, that you send this
11	document off on behalf of MAFAC for us.
12	CHAIR McCARTY: Is there a second.
13	MEMBER RIZZARDI: Second.
14	CHAIR McCARTY: Okay. It has been
15	moved and seconded that we send this on as a
16	comment today.
17	All in favor say aye.
18	Any opposed?
19	Okay, let the record show that
20	Randy Cates opposed this.
21	MEMBER CATES: No.
22	CHAIR McCARTY: No. Okay. Oh,

1 okay. All right. So, it is unanimous. Thank 2 you. 3 And now, we will break up into our separate Subcommittees. And how is that going 4 5 to be configured, Mark? 6 DR. HOLLIDAY: The Protected 7 Resources Subcommittee can stay in this room. 8 The Ecosystem Subcommittee can go to the 9 Bunker Hill Conference Room across the hall. 10 The Aquaculture group can reconvene at their table. And Heather is going to lead the 11 12 Budget group to some parts unknown for a get-13 together. 14 (Laughter.) 15 CHAIR McCARTY: Okay. That sounds 16 good. 17 So, the Budget people meet outside the door here. 18 19 p.m., (Whereupon, at 1:43 the

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20

21

Subcommittees.)

Committee recessed to reconvene as separate

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<u>C E R T I F I C A T E</u>

This is to certify that the foregoing transcript

In the matter of: MAFAC

Before: NOAA

Date: 10-26-11

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

Court Reporter

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