

**UNITED STATES DEPARTMENT OF COMMERCE**

**HIGHLY MIGRATORY SPECIES AND BILLFISH  
ADVISORY PANELS: JOINT MEETING**

Wednesday, March 18, 1998

9:00 a.m.

PARTICIPANTS:

Jerry Abrams	Paul Raymond
Nelson Beideman	Rich Ruais
George Bell	Ray Bogan
Mark Sampson	Merry Camhi
David Borden	Margo Schulze
Karyl Brewster-Geisz	Jerry Scott
Craig Brown	Bob Spaeth
George Burgess	Jill Stevenson
Sally Campen	Lori Svensson
Jose Campos	Mike Travis
Maumus Claverie	Steve Turner
Jean Cramer	Alan Weiss
John Dean	Peter Weiss
Jim Donofrio	David Wilmot
Jack Dunnigan	Bob Zales
Bob Eakes	Rachel Husted
Robert Fitzpatrick	Preston Pate
Sonja Fordham	John Graves
Jim Francesconi	Ron Held
Spencer Garrett	Eric Prince
Marsha Hass	Russell Dunn
Bob Hayes	Buck Sutter
Roger Hillhouse	Pat Scida
Russell Hudson	Phil Goodyear
Bob Hueter	Don Green
Pete Jensen	Gail Johnson
Mike Justen	Andrew Kemmerer
Joe Kimmel	Sari Kiraly
Rob Kramer	Liz Lauck
Rebecca Lent	Linda Lucas
Pamela Mace	Gary Matlock
Mariam McCall	Charlie Moore
Mark Murray-Brown	Russell Nelson
Ellen Peel	Ellen Pikitch
Joe Powers	Tom Putnam
Vince Pyle	

1 PROCEEDINGS

2 MR. DUNNIGAN: A week ago of my staff gave me a t-shirt for my birthday that said that, "One  
3 of the great joys of being Irish is you get two extra holidays a year, St. Patrick's Day, and the day after St.  
4 Patrick's day to recover." So, today is our recovery day.

5 We have a lot of stuff to do this morning because we've got -- one of the things we're going to  
6 do today, we're going to start -- the shark group has been here since 8:00 working hard, so we're going to  
7 start by giving them an opportunity to share with us what they learned this morning. We will have some  
8 limited opportunities for questions and discussion. But we're going to break that after a half an hour.

9 Second agenda revision, we had a request from one of our panel members Lawrence Palgreen  
10 (phonetic) who is a member of the Gulf of Mexico Fishery Management Council, to make a very brief  
11 presentation about a recommendation that the council has made, relative to limited entry in HMS Fisheries.

12 And we want to see what kind of reaction that raises from among the groupings of the two  
13 advisory panels. We're going to have -- that will be a very short discussion. We're going to do it after  
14 we do the law enforcement specifications this morning. But we're going to get them done first.

15 So the plan for today is: we start with about a half an hour of sharks, we're going to go back on  
16 to the agenda to deal with the law enforcement issues, then we'll deal with the recommendation from the  
17 Gulf of Mexico Fishery Management Council.

18 And then after that, we'll get back in to the agenda and deal with -- the other is time area closures  
19 and gear requirement.

20 Given how we've been going, my suspicion is that we will take a lunch break and probably be  
21 here at least until the middle of the afternoon.

22 I think we'll be able to make our assigned closing time of 4:00, but I really don't think we're  
23 going to be able to get you out of here much earlier than that, so whatever (inaudible).

24 With that, we have a presentation that comes from Margo on behalf of the shark (inaudible). Hey,

1 can everybody hear me in back?

2 MS. SCHULZE: Okay, we started, we 're going to be a little bit more focused this morning, and  
3 I think we started with the graph that Jerry I guess put up yesterday, or two days ago now, and trying to  
4 really focus in on targets, thresholds, recovery periods.

5 We had a lot of discussion yesterday about what data to use. We had some new data introduced,  
6 some people saw it last night, the comment on (inaudible) for consideration, and basically, what we tried to  
7 start out with was the fact that the '96 assessment is the latest dock assessment that we have, we don 't  
8 have time to do data recovery, we don 't have time to go through peer review of some new information has  
9 been submitted and incorporated in to a new dock assessment before we have to start.

10 And so we started with the premise that the '96 assessment and the projections from that are where  
11 we have to begin. And there was a lot of talk about future projections, different analyses that you 'd like to  
12 be done, but for this exercise, we 're starting with that.

13 I 'm going to hand this over to Pamela Mace right now, because there was a lot of very technical  
14 discussion on targets, thresholds, what different things meant, how they were praised and frankly, she 'll do  
15 a much better job that I will.

16 MS. MACE: Well I first kind of finished up in a hurry, so we might need the members of the  
17 breakout to ensure that what we present is exactly what 's needed, and (inaudible).

18 I actually wanted to present this graph yesterday, as a suggestion, because a lot of those in the  
19 breakout groups were coming up with two things that, on my original control group, the one that 's being  
20 handed out to you, there were two things missing and that was basically because I was trying to present just  
21 the very basic information.

22 What I presented -- added to this diagram -- what I presented was this orange line here, back here,  
23 which is the summing the limit control, but there are two things that were not incorporated in to this. One  
24 is a tablet control, basically, you know, we need limits and we need targets, and by the way, I think for the

1 purpose of this meeting were using the word limit and the word threshold interchangeably, although there  
2 may be some attempt in the future to tidy up that terminology. It 's just happens to be evolving that way  
3 in the scientific community, (inaudible).

4 So we need limit control and we need target control, and the difference between the two that should  
5 pre-select the level of uncertainty.

6 Basically, we expect a flat to wait around our target but we want to choose our target such that we  
7 have a very low probability of ever reaching the limit. So, I presented this to the shark group, but  
8 we decided that beyond this sort of pictorial representation might be a good way of searching through all of  
9 the (inaudible) points and so forth that we needed to fill out the table.

10 All right, I 'm going to try and take you through, these two diagrams. There 's -- we set it out  
11 thinking of two different versions of this, and the only real difference between them, and we put them  
12 together in to a much simpler diagram later on if you don 't want to worry about this one for now, but this  
13 kind of reflex I 'm thinking.

14 The one difference between these, we put on our limit the limit control one here, this is mostly  
15 covering (inaudible). This is how you would manage your fishery once it 's recovered. Before it was  
16 important to distinguish between them, but I actually think that we could do it more simply.

17 So, the limit control rule would be, if MSY down to a certain point, the target control rule would  
18 suggest up here that would be 80% of your MSY. Your other alternative, which we 'll get to in a minute,  
19 and that in terms of the threshold, you know, which in the post rule for the National Standards Guidelines  
20 is currently .5 of half of the MSY, or the level at which you would expect to stop to be filled with the tail  
21 (inaudible).

22 So, we thought .5 for the sharks, given their life history characteristics would be way too large, so  
23 we chose .9. And, actually I just didn't look at any thing else (inaudible) probably because we ran out of  
24 enough time to talk about it.

1           So, our threshold at which you would need to (inaudible) would be .9. (Inaudible) and we threw  
2 this in, this idea, and again, we didn't discuss it in too much detail, but there might be some lower YMS,  
3 at which you would consider closing the fishery down. And that would be something like, the suggestion  
4 here is 25% of the (inaudible).

5           Now the only difference, really, between this post recovery management scenario and the recovery  
6 management scenario I think is .9 BMSY point in here, because the .9 is relevant, if you're coming from  
7 this direction because it's saying that as long as you're above .9 BMSY, you're not over fish.

8           However, in the recovery phase, according to the guidelines and based on what the Magnuson-  
9 Stevens Act says, you have to rebuild all the way to the MSY, if you're in the rebuilding phase.

10          So basically, if you're rebuilding from, well here's what the current cost, 60% or thereabouts,  
11 (inaudible). You're rebuilding and it costs to the .9 BMSY, then it's kind of irrelevant. You've got to  
12 keep going until you get to the MSY.

13          The reason for that basically, is that, if you're in a tainted stage, by the time you get (inaudible)  
14 BMSY, you probably haven't made any structure, so to speak, you probably don't have enough  
15 (inaudible). When I say that's the reason, its basically (inaudible). So, that's really the reason that you  
16 have to rebuild all the way to the MSY.

17          So, we decided that maybe, well actually let me, yeah, I'll to flip back to this.

18          So, we thought we could probably put it into a more simple compliment basically, so this, again,  
19 this would be in a much, a new target and we're going down, track down to .9 at the MSY and then move  
20 the climb down to some lower level.       And this would be an option, would be to consider making it a  
21 bypass to (inaudible) at some very, very low IMS, switch both ways, consider it be lower than the IMS  
22 that we're at now. And the only thing, the only thing is that this point, as I said, is not relevant when  
23 you're having restoration.

24          Forward.

1           So we could look, so again, we've got the limit thing at the MSY, the target being 80% of this  
2 MSY. We did look at some alternatives to that which is centerpedic, oh by the way, how you calculate  
3 FMSY on this contents, since the (inaudible) and FMSY is one-half of our (inaudible) intensive break  
4 increase, we would calculate the MSY based on hour of the two. We are, we are (inaudible) how to  
5 calculate our side of it, you know, someone needs to explore the, explore all of the options.

6           We really couldn't reach agreement on that to date. Then, since the tappet control where we could  
7 go at 80%, hourly 2 times .8, 80% or above of this line here, or that other alternative would be to use the  
8 lower 80% confidence interval of the FMSY or of hourly 2. But, you know, those are two alternatives that  
9 actually may work out to be pretty similar.

10          Another alternative that we looked at was, instead of EMSY, which is currently calculated on the  
11 basis of a cerventral long, which shows that the MSY is at half of current capacity, that those species  
12 with life history characteristics like sharks, should be more like the essential way of their survival which  
13 would sit, the MSY at 60% of the current capacity. So that was another alternative to look at.

14          Actually, I think that pretty much covers alternatives. So like, would this be a good time, before  
15 we go on other things like recovery periods to ask the rest about, break out groups, have I missed anything?

16          A PARTICIPANT: All right. Then we talked about recover periods which (inaudible). In terms  
17 of recover periods, we've got a number of different options. Ten years of being potentially mandated by  
18 the (inaudible), regardless of the species biology, so that would be one of the alternatives.

19          Setting up another, longer time period of 20 years, that's a possibility. And then moving away  
20 from absolute time periods to generation time is being potentially more appropriate for these types of  
21 species. And we had two generation times and these would be species specific, we have a, in the large  
22 (inaudible) still group, a pretty wide range of species in terms of their reproductive abilities.

23          So there was also a (inaudible) that might be too long, and so that all the other alternative was just  
24 one generation time and then zero fishing would be one of the other extremes.

1           So interim milestones that were suggested were 80% of the MSY by years, and then try and back  
2 it up to the recovery period, 80% of the MSY in half the recovery period, that once we project seven years  
3 and three and a half years we would take in on the book again.

4           Some of the other stuff was to conduct an NCW at least every two years and provide an annual  
5 update and then, due to some concerns about constraints in doing lots of assessments, potentially start  
6 treating it every two years until recovery and then maybe backing it off to a more, a lengthier time period,  
7 given a cautionary management structure, we don't need (inaudible) every two years (inaudible).

8           I think that's about it for what was presented by the group. I'd like to close by saying that there  
9 is substantial concern by members of the DA team that this is not accessible information in terms of being  
10 able to give a lot of advise to us at this point.

11           There's some loss of data in the process and so the feeling that there is predetermined outcome.  
12 I'd just like to get that out because that was a concern and I guess I'm done.

13           MR. DUNNIGAN: Thank you.

14           From the members of the break out group, any comments?

15           Rusty.

16           MR. HUDSON: Rusty Hudson, Director, Shark Industry.

17           The glory (inaudible), basically from what I can see as a member of this particular break out  
18 group, (inaudible) by the group of people that want to have another 50% cut.

19           If you don't understand what the numbers mean, 2.8 weight per pound, one trip within a week,  
20 that's 14 boats, directing with observers in the background too, knowing what's going on, as soon as you  
21 do another 50% cut, it's down to 7 boats without an incidental quota, without a discard breakout.

22           Now that contrast pails in comparison to 150 to 225 boats with no trip limits before the manager.  
23 Last year you have, 89 (Inaudible) was documented when you were gathering data voluntarily, 20-30  
24 million pounds is reality, 87, 88, 89, any of those given years, you reduce the mortality from the directed



1 fleet 90%. Now you want to even make it 95%. (Inaudible) asked to develop this fishery in the first place,  
2 and we did a good job.

3 At this point we feel that the industry (inaudible) has lost all credibility in the last few years with  
4 us, and if you want to put us out of business, buy all the boats, do whatever it takes because you have  
5 offered us nothing for our families, nothing for our (inaudible). We have lost economically. Last year with  
6 a 50% cut, and we will (inaudible) for the next 50% cut is just not (inaudible).

7 A PARTICIPANT: I'm silent.

8 A PARTICIPANT: I just want to clarify that in the group we tried to stick to the control rule and  
9 we did not discuss actual numbers for boater reduction or any other measures.

10 MR. DUNNIGAN: Other comments from the break out groups?

11 A PARTICIPANT: We were discussing, Rusty Hudson, we were discussing autos and changing  
12 them and (inaudible) did they have the MLE up there. MLE, whenever it was used in the '96 workshop  
13 using 1986 to 1995 data, showed before the 50% cut, there would be a substantial increase in stock size  
14 between '96 and '99.

15 That was the best case scenario with the longest time history, even though it's incomplete. And  
16 when the 50% cut took place, just like Jerry told me, that should enhance the stock, we will admit, in that  
17 three year period by 60%. This is 22 species, we target 2 species, you don't understand what you're  
18 dealing with here.

19 And until you understand the realities of our industry, the realities of the fish, the fact that you  
20 have 22 species, (inaudible) with very alike characteristics and sexual material needed, the number of  
21 offspring, etcetera, we can't feel the this process is fair anymore, at all.

22 MR. DUNNIGAN: Bob Hueter.

23 MR. HUETER: Yeah, Bob Hueter.

24 The only momentum that I saw (inaudible) was to set an ideal target for the status of this stock.

1 And that's what I think we did, and there was not discussion of porters or even, you know, whether it's  
2 going to take 100 years if other considerations are incorporated.

3 So, and there was room and there was discussion at certain points, talking about the ability of  
4 other measures to boost production, such as closing of nursery areas and minimum sizes in (inaudible).

5 So, we really did not address quotas at all, as a matter of fact, we didn't even look at the models  
6 when we got down to this and look at what the effects of setting these parameters would be in terms of the  
7 trajectories of the various models that have been presented to us.

8 All we tried to do was to set an ideal goal for the ultimate status of this stock.

9 MR. DUNNIGAN: I'll take one more comment and then go to the group at large. Rusty, Rusty  
10 Hudson.

11 MR. HUDSON: We keep hiding behind the reality of uncertainty in the economic effect on the  
12 industry. We are searching for (inaudible). I guess by trying to accomplish this, we will be (inaudible).

13 MR. DUNNIGAN: Let's go to the larger group. Dr. Nelson, Mr. Beideman, Mr. (inaudible).

14 DR. NELSON: Russell Nelson.

15 Let me ask you Rusty, I don't know if that's true or not, but let's assume that is a possibility.  
16 There are 14 boats and the boats in the fishery, what on the average would it cost to buy out a boat?

17 MR. HUDSON: There's more than 14 boats. There's 2,000 some odd permits, there's a  
18 thousand people with history, there's a 150 people that most of the land has closed since management  
19 started.

20 And there is, just taking it on a piece of paper, 14 boats, one trip on it per week, this is the 20  
21 some odd states and territories, mainly Texas and the Caribbean, those 14 boats at one 4,000 pound trip per  
22 week, against the entire 2.8 million pound floater without a discard allocation, without a incidental  
23 (inaudible) allocation.

24 That's what the numbers mean. You've got thousands of people, potentially can get in to it.

1 You've got at least 150, ten times the fleet size currently, that have a substantial history at stake that  
2 would like to be able to feed their families and pay for their boats.

3 I don't know what it would cost, (inaudible) submitted some stuff to Gary Matlock yesterday and  
4 to some other people over the recent past, I believe that it is sort of self-explanatory, I'm not going to say  
5 too much about it because all these industry people, their fleet's at stake, have a vested interest in the  
6 vessels and their ability to make a living with those vessels.

7 But that's being took away a little at a time, every two years now since management started, and  
8 it sounds like you just want to do us in, maybe because we're too vocal for the last couple years. Maybe  
9 we don't like losing our income.

10 A PARTICIPANT: First off, I'd like to add --

11 MR. DUNNIGAN: Name?

12 MR. BEIDEMAN: Nelson Beideman, Blue Board of Fisherman's Association.

13 I'd like to support what Rusty has had to say, and I've got a couple of additions, a couple of  
14 questions. Now, for one thing, I think the limited access, it's critical that we get that in place, to define  
15 these universes, that we're not working with 2,000 permits that mean nothing, but we're working with a  
16 defined universe so that we can, in reality, figure out what to do here.

17 My fishery is the incidental chart fishery. We've been putting in that data since the '60s, well  
18 before it was ever required.

19 You can solve, the shark discard problem that's left, we've solved 90% of it with the (inaudible)  
20 small hooks and (inaudible) filament leaders, but you can solve most of the rest of the problem with a year-  
21 round incidental set aside.

22 We've sat back and been very patient because we don't want to hurt these guys. And we see what  
23 has been taking place, what's been happening to them.

24 Now in the science, from my read of it, it says that it's such a long lived problematic, you know,

1 species group that we don't know whether it's going up or down. But nobody has answered: when will  
2 we know? When will we know? Are we looking at three years down the road, we'll have some trends?  
3 Are we looking at ten years down the road, we'll have some trends? Are we being, you know, overly  
4 impatient here?

5 If some of the scientists at the table could answer that, I'd appreciate it. And also the problem of  
6 past production records, NMFS has ignored that it needs to get these records together, not only for the shark  
7 fishery, for all of these highly migratory fisheries, recreational and commercial, and that has major  
8 international implications.

9 If we don't get our numbers accurate in reporting these landings to ICCAT, the United States is  
10 going to lose, and we're going to have (inaudible) politics in our quotas allocation battles over each and  
11 every ounce for decades to come.

12 A PARTICIPANT: Theoretical, not actual of where the rebel meets the road. But the difference  
13 between the target and the limit, as I understood, when you get to the limit, it would take, that is where it  
14 would take you ten years to rebuild to target, is it the other way around?

15 MS. MACE: No, there's nothing about (inaudible). I'm sorry, there's no (inaudible).  
16 Basically your saying the limit is something that you never want to cross and the target is something that  
17 you can fluctuate around.

18 All you want to do is set up your targets like that, the probability of getting to the limit,  
19 (inaudible) is very small. But it has nothing to do with a ten year timeline.

20 In fact, the limit is selective, you know, based on what it says in the Magnuson Act, with the  
21 interpretation of what it says in the Magnuson Act, the limit is selected to be, FMSY, which is fishing  
22 mortality that gives you the maximum average long term yield, over the long term, but that's set.

23 That has nothing to do with any time revise as to how it might make (inaudible) appropriate where  
24 you are now, to that point. And the target needs to be set at some percentage of that or some lower

1 confidence (inaudible).

2 A PARTICIPANT: Well, you did say ten years, what was that about?

3 MS. MACE: No I, no --

4 A PARTICIPANT: You distinctly said, "Ten years," or else I'm off in another planet.

5 MS. MACE: Well the (inaudible) part of it is, you know, I mean, we're talking about (inaudible)

6 the limit using FMSY and the time being some percentage of that, we (inaudible) 80% for chance.

7 But where we are right now is down around here. Well, actually, the sharks (inaudible). We set

8 the limit at FMSY right, which effects nothing, given the selectivity pattern and (inaudible) the fishery, it

9 effects nothing.

10 Calculate it over an infinite (inaudible) then where you are right now is this (inaudible). The target

11 is some percentage of that. But if you're in this space here where you're, in this area here where you're

12 below .9 of the MSY, given the (inaudible).

13 We do a straight line but, in fact, there has to be a rebuilding plan for the dock and that's where

14 you compromise and you're going to get from, we're at .6 of the MSY, right now, we're going to get up

15 to the MSY some how, and there's a logical way of doing that.

16 And (inaudible) rebuilding, (inaudible) is one factor, but (inaudible) is going to be a lot now, or

17 less now and more later, or if any of those things reproduced at all.

18 MR. DUNNIGAN:: Bob Hueter, Russ Nelson, (inaudible), then we're going to run out of time.

19 A PARTICIPANT: I just want to go (inaudible). As a panel member I don't necessarily agree

20 with this .6 BMSY, that that's the status of the stock right now. I think it may be lower because the

21 projections are based on post (inaudible) data, and it's already been stated that the stock may have been

22 depleted as much as 65% to that point by primarily recreational fishers.

23 But I wanted to go back to Nelson's point, Nelson asked about the certainties of the data, and

24 Jerry Scott (inaudible) very clearly yesterday, that based on the (inaudible) he expects to see, we expect to

1 see, changes evident in three to four years, so that 's the target that we 're studying.

2 It 's possible that an evaluation every two years may be, you know, may or may not be relevant,  
3 and we should stick to three. But three to four years is what we 're looking for.

4 But I 'd like to ask Nelson, do you have any suggestions for solutions to the problem which, you  
5 admit that there is a problem, I want to ask you: do you dispute any of the targets that we came up with  
6 for this fisher, which is basically to get back to B at MSY with a precautionary approach to doing that?

7 MR. DUNNIGAN: Nelson go ahead and answer and then Jerry Scott wants to comment on this  
8 statement too.

9 MR. BEIDEMAN: Yeah, Nelson Beideman, Blue Water Fisherman 's Association.

10 With the target, to get back to MSY, now that 's why we 've been sitting at these tables for eight  
11 years. That 's our extreme goals, really.

12 A PARTICIPANT: Well that is why we 're here, that is all the committee has done, and  
13 deliberations this morning has said that.

14 MR. BEIDEMAN: Yeah. I would need to review, now a lot more thorough okay, as far as how  
15 we 're getting back there, okay, and I would have to have the (inaudible) and the scientists, that we know  
16 where it 's going or where it 's not going, whether we 're necessarily or unnecessarily, you know,  
17 disadvantaged in this fisher.

18 And what I spoke to was an incidental segment, which we do recognize, and for ever since before it  
19 was established, we said, "Hey, let 's not discard these sharks during closures, let 's make an incidental set  
20 aside and trip allowances or daily bag limits, what have you, to account for the inevitable incidental catch."

21 Any (inaudible) placed in warm waters is going to catch so many sharks.

22 If we don 't account for it up front, then we 're perpetuating, creating a large problems that we 're  
23 going to have to face it at some point, but it was, many of the people around the table here, and the  
24 National Fishery Service that established, that wanted to develop those discard policies. We didn 't want it.

1 MR. DUNNIGAN: Okay. Jerry, for comment?

2 MR. SCOTT: Yeah, just a time clarification statement attributed to me and I think it's mostly  
3 for (inaudible), but it is and this is under the assumption that if the sharks are recovering at projected rate of  
4 15% per year, under management renders that they put in place, then given that, we are on that trajectory  
5 and I don't know if we were on that trajectory or not.

6 There are a number of volatiles that say that it could be 5% per year, it could be negative 6 or 7%  
7 per year, that's the sort of range of the information sets we have. But if we chose to say we have  
8 (inaudible) in the trajectory that is gaining us 15% per year and above this, then the types of catch rate  
9 measures that we have would give us a reasonable chance of seeing whether or not that would be current  
10 three or four or five years down the road.

11 But that (inaudible) that were on trajectories that's leading 15% per year on increase in stock  
12 among us, we can use that one or say if that one is any more likely that the other stock trajectories that we  
13 would project from the (inaudible) models that (inaudible).

14 MR. DUNNIGAN: Russ.

15 MR. NELSON: This is just a technical suggestion: I think I see confusion, I can hear it from the  
16 questions because occasionally we use fishing mortality (inaudible) on the Y axis of these graphs, which  
17 places our threshold, or limit, on the top, our target line on the bottom.

18 Then we use biomass on the Y axis, we have our threshold, or limit, on the bottom, and our target  
19 line on the top. And I don't know quite how to resolve it, but I can see that some of us who aren't used  
20 to all the jargon and crap, that be confused by that.

21 So maybe there is some way that we could (inaudible) to standardize our presentations or unless, at  
22 least we put the graphs up there very clearly specify what, which way we're doing it, this, I can see how  
23 we'd be confused.

24 MR. DUNNIGAN: Thank you. Rusty.

1 MR. HUDSON: On a further clarification of Russell Nelson's question earlier, NMFS is  
2 embracing a limited access exercise, they have not put it in to place, but they did provide me with a list of  
3 people that had qualified up to that time, under those conditions, 130 co-votes from the directed fishery, 279  
4 vessels for the incidental fishery.

5 And if I may quote something from an earlier document, the FMP text, it basically says, the  
6 incidental catch was around, I believe, 2,700 metric tons, or about six million pounds.

7 Now that means that there's a substantial potential of a lot of sharks there, and Nelson is right,  
8 they try to avoid that. But the reality is that they need to not have regulatory discard, but they need  
9 something based on that reality.

10 But not on the reality of our sand bars and plot tips, that's one of the corrections I had to make in  
11 '92, was the millions of pounds of misclassified animals, as blue sharks and makos that were indeed black  
12 tips and sand bars.

13 And I provided several log books and the (inaudible) and it shows that each of those boats were  
14 doing approximately 100,000 to 500,000 pounds a year from a small segment of the directed fishery  
15 existence (inaudible) management plan.

16 And under this seven boats, if they cut it 50 more percent, could do 200,00 pounds a year and  
17 nobody else could play. That's the simple reality from our industry perspective.

18 MR. DUNNIGAN: All right. Oh, I'm sorry, the gentleman on the right.

19 A PARTICIPANT: Thank you. I have a question and then a couple of comments. The question  
20 is -- go as quickly as I can Jack. The biomass reference points the (inaudible) is contemplating, do they  
21 refer to total biomass or spawnic stock biomass?

22 A PARTICIPANT: (Inaudible.)

23 A PARTICIPANT: Total biomass?

24 MR. DUNNIGAN: Let's get an answer to the question on the record.



1 MS. MACE: It's basically what, you know, the fishable group and the stock, which is  
2 essentially everything except stock of the whole size range by the fishery.

3 A PARTICIPANT: Is that actually abundance not biomass?

4 MS. MACE: Yeah, you're right. I mean, we're --

5 A PARTICIPANT: Abundance of fish.

6 MS. MACE: It's actually measured in numbers, just because that happens to be the way the  
7 assist is done at the moment, that's not necessarily the way it would always be done.

8 A PARTICIPANT: Okay. And my comments are in reaction to a few ideas that have been  
9 discussed in the last several minutes.

10 One, limited access, the Mid-Atlantic Council has sent letters to the fisheries almost annually for a  
11 number of years urging the immediate implementation of a limited access system for the shark fishery.

12 We don't have any fishery that's under highly restrictive quotas like this that doesn't have some  
13 form of limited access.

14 The other point is that we also took a position a couple of years ago that the large coastal shark  
15 group should be broken down into the slower growing and faster growing components.

16 At least we would prefer to see species by species management but if that's not feasible, at least  
17 that the group be divided in to slower growing and faster growing components so that we can implement  
18 the appropriate measures for the characteristics of those species groupings.

19 MR. DUNNIGAN: Thank you. I've got Nelson and Jim and then we're going to move on.

20 MR. BIEDEMAN: Nelson Biedeman, Blue Water Fisherman's Association. If I could ask Jerry a  
21 follow up question. But sounds like we're not going to know a lot for another five years.

22 What is being done, or what could be done, to make, you know, that situation better?

23 And, you know, I'm very concerned that I've heard observer coverage of the sharks, has been  
24 (inaudible). Now, I don't know if we're heading in the right direction.

1 MR. DUNNIGAN: Jerry.

2 MR. SCOTT: I'll try to answer.

3 The advise I provided was given on the basis of what we think we know about the precision of the  
4 (inaudible) information we've been using in the past to monitor the status of the population.

5 To the degree that we can improve the precision of our estimates of (inaudible) rates, and prove  
6 such things as observer programs for fishery's dependent sampling.

7 We can gain, there can be some gain in terms of the amount of time it would take to detect, in a  
8 statistical sense, a trend of the population.

9 Two things that are going on, and the reason the fishery observer program is one, that, I don't  
10 know if it is funded this year or not, I believe it's not funded is it?

11 A PARTICIPANT: I think the funding has been pulled from it.

12 A PARTICIPANT: It's been reinstated.

13 A PARTICIPANT: Has it?

14 MR. SCOTT: The other thing is what we've argued for some time, is developing consistent time  
15 series of fishery depended (inaudible). And over the last three years, two years, and a third year is scheduled,  
16 instituting a region-wide long line survey off one of the research vessels, that's an option. And so that  
17 work is ongoing.

18 I have to say though that developing a system time series takes a lot of work on the front end and  
19 you have to end up with a research design that remains stable over a long period of time.

20 That's the benefit of (inaudible) effects such as gear effects or distribution of the upward effects.  
21 So that's one thing.

22 It will be a number of years, four, five, six years doing the same thing before we regain much in  
23 the way of confidence of the signals getting out of that short of the survey.

24 But, we have some type of survey that has been started and I expect will be continued in the future.

1 A PARTICIPANT: (Inaudible.) Nelson, you were right that the additional funding through the  
2 (inaudible) wasn't funded through the (inaudible). But we are looking in to funding it and (inaudible) for a  
3 year later.

4 A PARTICIPANT: It sounds like, you know, the observer coverage is going to be very, very  
5 important. I would say that it, you know, recreational monitoring would be equal to (inaudible).

6 MR. DUNNIGAN: Jim.

7 MR. FRANCESCONI: Jim Francesconi.

8 Just a couple of summary notes. One, I'm pleased with the amount of prudence that was put in  
9 with the target and at the .9 of BMSY. I think that's necessary, especially in an early stages of the  
10 recovery.

11 Secondly, in the break out group discussions, I had not noticed any evidence of like a  
12 predetermination of how we wanted this to end up. I saw NMFS staff being, trying to assist the AP group  
13 and providing a starting point. And of course, we had flexibility of (inaudible) chosen to.

14 So whatever you had mentioned, Margo, about maybe someone suggesting that there was some  
15 predetermination, I didn't recognize that, and NMFS was certainly helpful.

16 As far as observing programs and stuff like that, I think it's absolutely necessary that any time  
17 series data that has been recurring over the past few years, needs to be continued, at least through the first  
18 milestone of five years.

19 Otherwise, we're going to be able to get to, if we're going to get to that point and we're going  
20 to be, really, worse off than we are, these bits and pieces of snap shots are so aggravating through the years,  
21 and Jerry's got to try and make heads or tails of it and it's absolutely difficult, and it makes it difficult for  
22 everyone.

23 There's so many key factors that we don't know, we don't know where F is right now, we don't  
24 have a good idea of R, and many of the things that we are basing our rebuilding program on are so

1 dependent on that, that we 're going to get five years down the road and we 're going to have to determine a  
2 milestone because that 's the first critical stage, and we 're going to be, we 're not going to have the tools  
3 for it.

4 So, I want to encourage NMFS to try and secure funding for an observer type program, especially  
5 off of North Carolina because I see that as being a major hit fishery, where it 's the most productive section  
6 of coastline in the United States, and it is paramount for the sand bars population. Thank you.

7 MR. DUNNIGAN: Okay. And thanks to the group for getting up early this morning and coming  
8 on in. We 've got to move ahead.

9 A PARTICIPANT: I was part of the group this morning, I 'm residing for Bob (inaudible).

10 MR. DUNNIGAN: Okay. Go ahead.

11 MR. BUSSING: My name is Jim Bussing from Sea --

12 MR. DUNNIGAN: You 're going to have to come up closer to the table so the tape can get you,  
13 okay?

14 MR. BUSSING: My name is Jim Bussing from Seafood Atlantic 1996, during the five million  
15 pound quota. We accounted for one fifth of the quota.

16 Got a little fish house, so I 'd like to think that I 'm a pretty significant player, and as far as  
17 knowing the boats, knowing who fishes, knowing what they make, knowing what their problems are  
18 financially.

19 I would like to say to all of this management that were involved in right now, the precautionary  
20 management that, please do not in any way cut the cord or leave the words at, because these boys right now  
21 are dealing with them every day.

22 I got a phone call this morning, one guy needs four grand in his back, or his checks are going to  
23 bounce, all the shark fisherman.

24 They 're at a level right now where they 're surviving, and if we take anything away from the,

1 we're trying to manage the sharks, we're trying to manage the shark fleets, we're trying to manage the  
2 industry.

3 If you take any more away, if you tweak 20% out, or 50 more percent or anything, you're going  
4 to crush the fishermen. It's not going to exist anymore.

5 It's going to become a small, part-time fishery. So, if anything, it should be status quo, and if  
6 you want to do anything else, leave the quota where it's at, let these guys catch what few fish they're  
7 catching, for what few months they can catch them out of the year, status quo maybe close, some of the  
8 areas down there for certain months, and definitely limited entry.

9 Keep what we've got; it's working. The stocks are rebuilding. If you take anymore away, you  
10 going to destroy what it is that you're trying to manage. You will have no more boats to put observers  
11 on, to manage the business. Thank you.

12 MR. DUNNIGAN: Thanks Jim.

13 Okay, thank you everybody for this. Let's move ahead. The first step, I have scheduled for us  
14 this morning is presentation on enforcement. And HMS Fisheries, and I believe we're calling on Paul  
15 Raymond and George Bell. I thought we were calling on Paul Raymond, oh, there's Paul, okay.

16 PRESENTATION OF MR. PAUL RAYMOND

17 OFFICE OF ENFORCEMENT

18 MR. RAYMOND: George and I used to, both used to be biologists and recently we switched over  
19 to (inaudible). (Inaudible) it's true, we've seen the last two or three days, biomass, (inaudible).

20 Ironically enough, it's probably less conflicts in law enforcement than you have in this room.  
21 Except for when we run in to conflicts we're using (inaudible).

22 Some of you may -- I did a talk at the Billfish AP, and basically gave an overview of billfish cases  
23 done in the last five, ten years, and I'm not going to go over that now. We still have handouts for that if  
24 you need to talk, any of you who needed billfish information.

1           Basically, what George and I are going to do, we're going to give an overview of our law  
2 enforcement activities and tuna, swordfish, shark, for the last five years. We'll talk a little bit about  
3 assessments and penalties, and we'll get some recommendations of how we can improve some of the  
4 current regulations in those three plans.

5           And then Rebecca would like us to talk a little bit about time area closures, so we'll finish giving  
6 you some of our enforcement criteria for time area closure potentials.

7           Hopefully, we'll try and give you a dose of reality of what we have to -- what we're dealing with.

8           Many of you don't really realize the distribution of the agents in the South Atlantic, in the Gulf  
9 of Mexico. I'm the field supervisor for what's called District One. And that's North Carolina to the  
10 Miami region.

11          Gene Prue (phonetic) is in the back of the room, he's a special agent in charge of the southeast.

12          We generally have 15, actually 15 working stiff special agents in the field. There is one missing  
13 here; there's one down in the Caribbean, Mike Christian, he retires in a matter of weeks and we have a  
14 current vacancy announcement for a Spanish speaking agent for Puerto Rico.

15          If you add these up, there's actually 22 in the southeast, but a lot of them are, well not a lot of  
16 them, but some of them are supervisors who tend to go to council meetings continually and aren't really  
17 doing case work.

18          We do deputize the Florida Marine Patrol and other state marine patrol agencies in the southeast  
19 with the exception of Texas, and North Carolina. It's our understanding that their constitution does not  
20 allow for the deputization of those officers.

21          And, of course, the U.S. Coast Guard does the primary bulk of our at-sea enforcement work on the  
22 cutters and small boats.

23          Our attorneys, we have three prosecuting attorneys, civilly, they're located in St. Pete, Cindy  
24 Fenick's (phonetic) in the room, she's one of the three.

1           They basically prosecute all civil cases done for all coast guard initiating cases, all state deputized  
2 officers, all NMFS agents. They prosecute all those cases.

3           And then a handful of cases are prosecuted criminally at, by Cisneros' attorneys and various judicial  
4 districts.

5           We've done 118 swordfish cases, 171 shark cases, and 339 tuna cases. This is collectively in the  
6 northeast and southeast regions. George will talk a little bit more about northeast region in a little bit.

7           This looks like '96 was a bad year for swordfish and sharks, but it really isn't. There's more  
8 tuna activity, and later on I'll show you some of the man-hours that are spent.

9           Keep in mind that cases can be -- or really counts, if a subject is cited for multiple counts, say no  
10 permit, undersize fish, or whatever, those are going to show up as separate counts. Otherwise you  
11 wouldn't be seeing the data, so that's actually 339 counts. It might not be 339 individual vessels.

12           Generally, we average around 25 cases of swordfish every year, seventy something shark cases, and  
13 about 67 cases of tuna every year.

14           If you've got this pie chart, I don't get anymore complicated than pie charts, and I did the first  
15 one wrong, actually.

16           So, here's the corrected pie chart for the shark cases that will go around. The one that you have,  
17 you ought to just put a big X (inaudible) page because it failed to include finning, and finning is our  
18 primary shark offense.

19           Ninety-three of our 171 shark cases deal with finning violations. And that was eliminated from  
20 the first chart that we did, so the corrected one is going around.

21           The ones that we consider extremely severe, and the penalties reflect that, are going to be finning  
22 cases, these handful of interference cases, I mean, sometimes there's a very simple civil case that will be  
23 made and because the subjects are tossing evidence overboard or they're interfering or obstructing in some  
24 way, that case gets elevated quite rapidly.

1 A PARTICIPANT: What was that (inaudible)?

2 MR. RAYMOND: Okay, if I can find it. On the side?

3 Most of these are commercial, there's a handful of bag limit cases in there, those are recreational.  
4 And the bag limit cases actually have been reduced since we simplified the shark regulations on our  
5 recreational bag limits about a year and a half ago.

6 Yes?

7 A PARTICIPANT: Does this include deer report as well?

8 MR. RAYMOND: Yes it does. Yes it does.

9 Some of those deer reporting ones may be on ear, or just some without a permit and there may be  
10 a handful if not, or very little in the other category.

11 But yes it would, this includes all shark violations that's coded under our system.

12 This is a break down geographically about where those cases are occurring. You can see that the  
13 bulk of the shark cases are made in the southeast, in the Gulf of Mexico and the South Atlantic, together  
14 that's over 80%.

15 But, like I said, most of these are finning cases that are here that are in the Gulf and South Atlantic  
16 area.

17 Finning cases are generally directed shark vessels or pelagic long liners. Occasionally we'll have  
18 trawlers that will keep the fins.

19 A lot of those -- some are very, very significant, with a lot of fins, others may be a handful  
20 because they're catching something like a hammerhead and the hammerheads are pretty much useless meat-  
21 wise or value-wise, but the fins are still a good grade, grade A or grade B and they're getting twenty  
22 something dollars a pound, so there's the temptation for those that want to poach to perhaps keep the  
23 valuable fins and get rid of some of the meat that they can't get any money for.

24 Or they don't want to put it in the ice-hold, because they're targeting other species.



1           This is pretty much the same two pie charts I ' m going to show for swordfish now. Swordfish is  
2 pretty much varied throughout, as far as the, what types of cases we ' re making.

3           Again, the serious ones -- and these seem to be on the rise -- we ' ve made, lately we ' ve had  
4 violations against observers go through our desk and Cindy might be able to talk about some of those. But  
5 those are very, very severe cases and we ' ve seen a lot more of them lately.

6           Undersized carcass cases, these are, you ' ll note that this is mostly going to show up in the --  
7 along the Florida east coast and in the southeast.

8           And these swordfish ?not dress condition,? these are primarily undersized fish too that are just  
9 staked out. They ' re very small and they ' re staking them out.

10          So actually, the undersized category would actually be more like 34% if you add those two  
11 prohibitions together. Just a handful of swordfish closure cases over there, you ' ll see.

12          MR. WILMOT: I have a question.

13          MR. RAYMOND: Sure.

14          MR. WILMOT: David Wilmot.

15          What are violations against observers? What actually does that entail?

16          MR. RAYMOND: I ' ll let Cindy answer that. She ' s prosecuting a lot of them. They can be fed  
17 or provide food or access to the stern. Cindy, go ahead.

18          MS. FENICK: The --

19          MR. DUNNIGAN: Name?

20          MS. FENICK: Cynthia Fenick.

21          The two cases that have recently come across the dual council ' s desk: one involved a failure to  
22 embark an observer. The reason given was because it was a female observer. That ' s a violation.

23          If you are out, if you are selected to carry an observer, you have to take the observer that is there to  
24 go out on your boat, whether it ' s female, male, whatever.

1           The other observer case that came across was intimidation of an observer, failure to provide food to  
2 the observer, a fishing trip had gone south, the captain directed the observer to his quarters, he was told not  
3 to come up, except to perform bodily functions, and was detained there for 36 hours.

4           A PARTICIPANT: I mean, I see snickers, but this is not funny. (Inaudible) recommendations  
5 with (inaudible) to fund observers, leading an education campaign for fisherman. I mean this is not a joke.

6           MR. RAYMOND: We don ' t consider it a joke at all.

7           A PARTICIPANT: No, no, I know you don ' t, I just see a lot of snickers around the table.

8           MR. DUNNIGAN: Let ' s let Paul finish his presentation. Let ' s let Paul finish the presentation.

9           MR. RAYMOND: So they got our swordfish cases geographically. Again, most of the swordfish  
10 cases, which are going to be a contrast to the tuna, the tuna are mostly going to be in the northeast.

11          The swordfish cases are in the southeast, primarily in the South Atlantic and the Gulf of Mexico.

12          I know how the breakdown of specific prohibitions like undersized swordfish that are, like I said  
13 before, that are primarily between Cape Canavral and Pompano, although we had a pretty significant  
14 swordfish case recently out of Texas that the vessel had close to 70 undersize swordfish, out of maybe a  
15 total of 118 fish.

16          This is, to me, is the most significant pie chart I can show you because it illustrates where we put  
17 our man-hours for those 22 agents in the southeast. This is strictly the southeast here.

18          So, during a five year period in time, and 194,000 agent hours, there are, about 11% of the time to  
19 be spent on HMS plans here, on tuna, swordfish, billfish, and shark.

20          You know, we don ' t have HMS agents, we have over 15 fishery management plans that we ' re  
21 dealing with. That doesn ' t include the TEDS and the marine sanctuaries and the Marine Mammal Act and  
22 other ESA plans here.

23          Our number one time that we spend is clearly on TEDS and Lacy Act and Gulf re-fish.

24          On Lacy Act cases tend to be our more complex cases. Often they ' re criminal. They involve

1 both Interstate Commerce transport and illegal imports. They take a lot of time.

2 It 's not unusual to have an agent spend a year or half a year on a complex Lacy Act case. We do  
3 get a lot of bang for our buck on those.

4 Gulf re-fish cases tend to be red snapper cases, by and large, and there 's always the proverbial  
5 TEDS. TEDS seem to dominate our lives during certain periods of mass sea turtle strandings where we  
6 tend to devote a lot of people on TED issues.

7 What I failed to mention on that very first diagram was that we have also hired five uniformed  
8 officers in the southeast recently. And they are going to be specialized in enforcing TEDS and other  
9 protected resource plans, such as ray mammal issues, feed the dolphin issues. Clearly we don 't have an  
10 HMS group like that.

11 One of the reasons I 'm doing that is that they 're primarily funded by the protected resource  
12 division. Go ahead.

13 MR. BEIDEMAN: Nelson Beideman, Blue Water Fishery. How much of this, and just a rough  
14 ball park, how much is the American Vietnamese community in the Gulf? Now there could be  
15 miscommunications happening.

16 MR. RAYMOND: In our case work?

17 MR. BEIDEMAN: Case work.

18 MR. RAYMOND: I 'm not as familiar with the Gulf -- Gene 's shaking his head -- very little in  
19 the back.

20 A PARTICIPANT: (inaudible).

21 MR. BEIDEMAN: Well, I 'm trying to get a handle of how much the American Vietnamese  
22 community (inaudible) very difficult, communication wise, they don 't seem to (inaudible), you know, the  
23 management of the --

24 MR. RAYMOND: Nelson, I think it 's a very, very small percentage. I think you 're looking at,

1 as far as our case work goes, certainly in some TED issues, yes, but I think you 're still looking at a very  
2 small percentage.

3 MR. BEIDEMAN: You think you got a lot more work to do?

4 MR. RAYMOND: Oh, we got a lot of work to do, yeah. There was an attempt to hire a  
5 Vietnamese enforcement officer. How many times did that announcement go out, Gene? Four?

6 MR. FRUITZ: Yeah, the last two years, Nelson, we 've --

7 MR. DUNNIGAN: Gene, you 're going to have to come forward if you 're going to talk.

8 MR. FRUITZ: Gene Fruitz, National Fisheries Enforcement.

9 For the last two years, we 've recruited four times and extended the recruitments for up to two  
10 months.

11 We 've had very (inaudible) outreach efforts with various church groups, fishing groups,  
12 (inaudible) trip association, within the Vietnamese community.

13 We have one Vietnamese officer that came forward and stayed with us for about three months  
14 before they were scooped by another federal agency. And that seems to be the rule.

15 It 's extremely difficult to get anybody from the Vietnamese community to want to come to work  
16 for us, or any other federal agency.

17 A PARTICIPANT: How about just having an interpreter that could, you know, take some of the  
18 basic materials of our (inaudible).

19 MR. FRUITZ: Well, we work pretty consistently with the number of state, Texas, Louisiana  
20 officers that speak Vietnamese.

21 MR. RAYMOND: Tried to recruit them.

22 MR. FRUITZ: And we tried to recruit them many times. So I think we have a level of  
23 communication that is certainly improving.

24 Beyond that, you can see for obvious reasons, we certainly don 't make any intense effort to break

1 out our case work with (inaudible), when you recognize that a group communication is needed everywhere.

2 MR. DUNNIGAN: Let 's come back to these issues, okay? We 're slowing down in getting  
3 through the presentation.

4 MR. RAYMOND: These are our civil penalty assessments (inaudible) within a five year period of  
5 time for the three HMS plans that we 're addressing here.

6 These are the number of cases, again, during that five year period. This is the seized property  
7 value here, which is a purple bar, the smaller purple bars.

8 Generally, when we seize property, we do the same thing the state would do, we get fair market  
9 price, we go for usually three bids and we 'll sell the product and the check goes to Department of  
10 Commerce.

11 These are the assessed civil penalties that Cindy Fenick 's office does, and these are assessments  
12 both in the southeast and in the northeast region.

13 This looks like these are low levels because this one bar is so high for (inaudible). And there 's  
14 actually two or three cases here, specific cases, in the (inaudible) category that actually drove that up.

15 We recently had a, over \$400,000 (inaudible) last year on a tuna case that 's probably going to be  
16 litigated this summer, but it has to do with the fishing vessel Gannet (phonetic) who was landing too many  
17 blue fin tuna in several different ports.

18 So, if you knock out a handful of these very high penalties for these very complex, multi-offense  
19 violations in the tuna, it would be down lower.

20 Also, keep in mind too that there are more tuna cases there though. There are 339 cases there, so.

21 These civil assessments also will include some minor penalties like our summary settlement  
22 system, where an officer or an agent, can write a penalty right on scene. The guy has ten days to pay it.

23 It 's usually a minor offense, but it also includes all the notices of violations. It does not include  
24 any of the criminal casework.

1 I'm going to shift gears here now, and talk a little bit about a couple of recommendations on  
2 some current issues for improving the enforceability of the swordfish and shark regulations.

3 I've got to also give credit to HMS, they have really improved the enforceability of certain other  
4 plans in the last couple of years.

5 One had to do with the recreational bag limit. That was something that we were really hoping for.  
6 One had to do with eliminating that 15% incidental allowance for undersized swordfish that we had about  
7 two years ago.

8 And certainly, we're not a proponent of offloading windows for close times. The five that I'm  
9 going to mention real quickly here is, this first one is modified shark finning prohibition, to include all  
10 shark species, not just the 39 species listed in the management unit.

11 And what I'm talking about there is: if we have a finning case now, we've got a basket of fins,  
12 say we have a couple of hundred fins that we seized. Some pretty simple, clear-cut finning violation, there  
13 are no carcasses on board whatsoever, but because the finning law only applies to the sharks in the  
14 management unit, the 39 species in that management unit, there is a possibility that one of these species  
15 could be outside the management unit.

16 A very unlikely possibility -- I talked to Rusty a little bit yesterday, he says, you know, we've  
17 pretty much got 90% of the species covered, but because there is the possibility of one of these shark  
18 species not covered in under the management plan, we've got to send these fins off to have them ID'd or  
19 have them tested at a forensic lab.

20 So it turns a very simple case that we could push through the system rather rapidly, into you  
21 know, a six month to a year delay because we're looking for electrophoretic testing, or DNA testing.

22 So it's kind of needless, it's expensive and I think it could be addressed if we could just say  
23 finning was a violation for all species of sharks, not just the 39 species.

24 This is a major point: the comprehensive field guide needed for shark fins and shark carcasses, you

1 know, Jose Castro and others have put out nice field guides. But the field guides are generally pretty  
2 academic.

3 There're good for looking at teeth patterns and denticals and, we all see that. You know, we see  
4 fins and we see logs, and there's still a need to have a very simplified ID manual out there for fins and  
5 shark carcasses for both officers, and probably fishermen also.

6 I'm just throwing this out because all we're looking for is to get them down to the group level.  
7 We just want to be able to identify these sharks, to put them in one of the three categories.

8 We don't often need to know if being able to key that thing out real quickly on scene, what large  
9 coastal shark we're dealing with.

10 We want to look at it, we want to find out, we want to be able to train an 18, 19 year old petty  
11 officer with a coast guard how to identify a shark down to the group level by looking at that carcass log, or  
12 looking at that basket of fins.

13 And right now we do it by eliminating, you know, knowing these small coastal sharks saying,  
14 okay, it can't be one of these based on this, this or this.

15 We're eliminating them as not being a pelagic shark because these are the harder ones for us to  
16 ID, especially if they're juveniles, extremely difficult.

17 Clarify, define the wet fin versus dry fin rate ratio. I've talked about this now for three or four  
18 years, and strangely enough it's not as big a deal, or as big a burden as I thought it would be when I read  
19 this in the regulations.

20 Finning violations now deal with -- there's actually a couple of prohibitions in that, in the regs.  
21 It doesn't define though whether the fins when they're weighed are supposed to be in a wet condition or a  
22 dry condition.

23 So the rule now says that if you've got a bunch of fins on board a boat, that the weight of those  
24 fins can't exceed 5% of the total weight of the carcasses.

1 But it doesn't say if they're wet or dry, so if those fins happen to be dried out, strung up in  
2 (inaudible), put up on the weather deck, whatever, and they were dried out before they got to the dock, and  
3 they were inspected by an officer or an agent, you could, if they were dried out, you could literally have a  
4 lot more fins there than carcasses because the weight is reduced on those fins by roughly a half.

5 So if we could define and clarify that, the wet fin, dry fin. There hasn't been a problem because  
6 the regs also allow us for, simply just to count the fins.

7 I mean, we generally will just count pictorial fins, stick in a parabolic curve, calculate MSY and  
8 MSG and then go through an (inaudible), and come up with the calculation.

9 Actually we divide by -- we count the pictorial fins and we divide by two. That's how we do it.  
10 And that gives us how many sharks are there. But that's a problem when you have a large volume.

11 The reason why the weight ratios are in there is when you have a large volume of fins and you  
12 don't want to go through and start counting a lot of fins.

13 Require swordfish special log books to be completed upon the completion of each set, i.e., not  
14 seven days after the offloading. The regs now say a swordfish boat doesn't have to fill out his mandatory  
15 log book until seven days after he offloads.

16 Which means if he's out at sea and he gets boarded by the Coast Guard or he even gets checked at  
17 the dock and we ask him for his log book, it's generally going to be empty or often going to be empty.

18 Now he's got a log book anyhow, any fisherman generally keeps some kind of personal log book  
19 because that's where he gets his data from, but it's not mandatory in the regs that he has to have his filled  
20 out.

21 It's certainly, and it's kind of a game for us to find it, if we've got a problem and he -- so he's  
22 transferring, the master's transferring that data anyhow eventually, from his personal log books on his sets,  
23 to the log book.

24 And it would help us if there was some kind of requirement, even within 24 hours, that, you



1 know, if you're out there for 14 days, that you have 13 of those days already filled out.

2 And again, this is just obviously from an enforcement standpoint.

3 And, finally, strengthen the swordfish, shark dealer record bookkeeping and availability  
4 requirements for law enforcement.

5 And by this we mean, there is some excellent language in some of the plans now, some of the  
6 Magnuson Act plans, such as snapper, rockfish, they have rockfish ITQ, certainly the tuna plan.

7 The tuna plan has very good language in it that talks about a dealer having to keep records for a  
8 certain length of time, on his premise, and make them available to law enforcement without us having to  
9 go get a subpoena.

10 So, if it's that easy to do in some of the plans, it would be good to have that consistent language  
11 in the swordfish and shark plan also.

12 And now George, I think is going to talk about some of the northeast areas. And then we're  
13 going to get back together and briefly talk about time area closures.

14 PRESENTATION OF MR. GEORGE BELL

15 OFFICE OF ENFORCEMENT

16 MR. BELL: Because of technical difficulties we're going to (inaudible). Everybody hear me?

17 Thank you.

18 Hi, this is George Bell, I work for the Office of Enforcement in Bedford, Massachusetts. I've  
19 been there for the last 18 years.

20 I started out in a private scientific community, and I was a commercial fisherman for a short time  
21 with HMS vessel, and I saw the handwriting on the wall and now I'm with enforcement.

22 I'm going to talk a little bit about Atlantic bluefin tuna, some of you are more familiar with this  
23 than I, but we're going to go over a little numbers and these numbers are preliminary data and they cannot  
24 be used without the express written permission of the National Basketball Association.

1 For your information, this is not testable material and on a serious note, I wanted to thank the  
2 panel for their attention and interest. I've really learned quite a bit since I've been to these meetings. I  
3 appreciate it and the Office of Enforcement appreciates it as well.

4 These are the areas, as you know, where tuna are found. And this we got from our chief of  
5 enforcement, Dave McKinney, we had a meeting last fall of our northeast region, and he did the math, I  
6 didn't, so you can take up any questions you have with him.

7 Per agent in the country, each agent is responsible for approximately 1,200 miles of coastline.  
8 Say no more. Here's a picture tuna.

9 These numbers are quite a bit better than last year, our '96 numbers. Ninety-six were over 26,000  
10 permits. And because of the new permitting system, perhaps because of the \$18 fee associated with a tuna  
11 permit, or because of complex regulations, almost a quarter, or over a quarter decided not to renew their  
12 permit.

13 We'll see how this goes over time. These are the numbers we have to deal with. For those of  
14 you who might remember, this is taken quite a few years ago, in Provincetown (phonetic) and this is when  
15 there were two bluefin per angular and that was a young John Mason. Anybody whose seen him recently,  
16 he's changed a little bit.

17 John worked with Frank Mather in Woodslow (phonetic) a long time ago.

18 Here's some numbers, this is east coast, northeast region and southeast region, 40 agents and  
19 officers covering from Brownsville, Texas to the great state of Maine, year round fishery in these various  
20 locations.

21 And just doing the rough numbers, numbers of permits, numbers of, as Paul quoted, it's working  
22 stiff, not the supervisory types. Forty people on the docks checking the permits. Not to say that the  
23 supervisors don't work, I would never say anything like that, Gene.

24 And in addition to the HMS regulations, we have -- this is northeast and southeast -- over 20 other

1 fisheries' management plans that we have to deal with.

2 I haven't been checked out on pie charts yet, so you're going to have to bear with me on this. A  
3 little bit of preliminary violation stuff, this is just, again, just tuna, and this is case numbers not the sites.

4 Paul broke out the sites, so one person on one case number may have three or four different  
5 violations. This is just the case numbers. And these are the types of violations that we've encountered.

6 And I did a little man-hour breakdown. This is just for northeast, but the bottom of both. For  
7 ?96, a total of 2,600, roughly, hours were spent in bluefin tuna enforcement. Which is approximately one  
8 full-time position out of the 20 or so in the northeast.

9 Last year was a little bit more, an officer, 1.25 officers. Some of our concerns, I pulled all the  
10 agents in the northeast, and they were consistent in their response, as assumed industry is somewhat too,  
11 that the regulations are somewhat complex.

12 And we have large numbers of landings, in a wide geographic range, with many different vessels  
13 and respective requirements for the vessels.

14 One thing that's a -- the last two are quite a bit of concern for the enforcement community as well  
15 as the scientific community. We don't know how effective we are, and we don't know how effective the  
16 quotas are being met. Whether there's a lot of cheating going on, some cheating going on, no cheating  
17 going on.

18 One thing I want to talk about, back in that other slide, see if I can get back to it. I can't, okay.  
19 Forty agents and officers, there are two distinct cohorts I wanted to mention. There's a southern cohort,  
20 southeast region and a northern cohort and there is some mixing.

21 We had a DSAC (phonetic) come from the southeast region and is now the SAC in the northeast  
22 region. And we've had a couple officers in, vice versa. We don't have the final numbers on that yet.

23 That was a joke, are you awake, please turn the lights on.

24 Okay, and another thing I want to mention: 40 agents and officers, I want to talk a little bit about

1 recruitment.

2 There is no recruitment; there's a natural mortality when an officer gets old and kind of moves on  
3 and that position is backfilled, but there is no spawning, I guess you'd say. (Inaudible) that's funny.

4 Okay.

5 Oh, I did this, did I do this, oh, no, I didn't do this, okay. This is my first time with Power  
6 Point. There we go.

7 Okay, recommendations, real quickly, (inaudible) to simplify the regulations, I think we've all  
8 spoke about this, and one thing that's a concern to us in the northeast and the southeast, we have  
9 cooperative agreements with the individual states, the state enforcement officers.

10 Presently in the northeast, specifically Massachusetts, they are not allowed to do bluefin. They  
11 can do shark and swordfish, because they have FMPs. But once, if there is a contract, it can be modified, or  
12 if we get ABT under MSFCMA, then that would augment our force. Thank you.

13 And I'll just jump right in to time area closures real quickly. Northeast region, these are, this  
14 particular slide isn't in your handout, but the regulatory sites are in the handout that Paul passed around  
15 earlier.

16 These are three known spawning areas off the coast of New England, the center of New England,  
17 that have been in place for quite a long time.

18 They've been closed year-round since 1994 when we had a large management scheme shift to a  
19 days-at-sea effort control, rather than some of the other management measures that were in before.

20 They are effective and we can talk a little bit more about this. I had hoped that Craig Ketchem  
21 (phonetic) from the Coast Guard was going to be here to talk a little bit about numbers and costs of distant  
22 water or somewhat distant water enforcement.

23 The three closed areas we have are year-round for spawning of ground fish stocks: cod, haddock,  
24 yellow tails, specifically. Some of the exceptions to those closed areas are, you can put lobster gear, you

1 can have a pelagic long line, and transital is allowed with restrictions.

2 But the main thing is no gear capable of taking bottom species is allowed.

3 Some of our problems with the enforcement of the closed area is, it is expensive, they're wide  
4 geographic areas and because in the northeast specifically the spawning stocks in the spring time, there's  
5 large concentrations of fish there.

6 So when there's bad whether they know, the vessels know the Coast Guard isn't going to fly.  
7 They had some pretty -- that we've learned of -- specific techniques to divert the onseen cutter from the area  
8 so they can zip in there, grab a load of pre-spawning, perhaps, fish and then get out and get to market with  
9 it.

10 Penalties, however, if they are caught, are pretty stiff. We seize the catch and sometimes we seize  
11 the vessel. And recently there have been five year permit sanctions on both vessel and operator.

12 But again, it's varied success. One of the things that could help is the vessel monitoring system,  
13 that's a satellite.

14 A signal comes from the vessel -- some of this is a little basic for some people in this room,  
15 specifically Gene Prue, who I guess has written the book on this and has a very successful program in the  
16 Pacific.

17 A signal goes to a shore station and then it gets transferred to a monitoring station, NMFS or  
18 Coast Guard, to be determined, and then the data that's generated from that -- this is a specific vessel trip  
19 report used in the northeast. Shows the vessel permit number, the vessel name, the time of day and month  
20 of sailing, the hour of sailing and then a specific identifier for that vessel, so we can retrieve it.

21 And these vessels limited, at the time, when this data was taken, it was, they were allowed 204  
22 days at sea to fish. And this was from dock to dock.

23 The VMS system uses it from the (inaudible) line, so they save a few hours on either end of that.  
24 This particular vessel went over by a little bit and he received a violation and a permit sanction.

1           That's what I talk about from the northeast regions, and Paul and I put together some  
2 recommendations of how we might melt the current regulations with what we might want to be looking at  
3 future plans.

4           A PARTICIPANT: In the southeast there are --

5           MR BELL: Just a second. I want to thank the HMS staff for their kind assistance in this  
6 presentation.

7           MR. RAYMOND: Primary time area closure regulations we have now is written under the Coral  
8 Plan (phonetic), in the HAPCs habitat area is a particular concern.

9           The one that seems to give us the, give us the most attention would be the Oculina Bank  
10 (phonetic), which is an area off the east coast of Florida. It's a -- it's not -- it's an area closure that's  
11 year-round, basically.

12           No shrimp trawlers can get in here, the reason is it's a prohibited area because of the Oculine at  
13 (inaudible) that grows at the bottom. And there's some significant pinnacles down there and, obviously,  
14 trawlers that get in there rip it up.

15           And the councils and NMFS has subsequently added more restrictions over time in this specific  
16 area. You can't have any bottom long lines, traps, pots, basically any kind of fishing gear that's going to  
17 tear the bottom up. And in addition, they've even eliminated all snapper, grouper harvest out of this. So  
18 it's really turning in to a marine reserve now.

19           Enforcement wise, some of the problems we've had with enforcing the Oculina Bank is it's too  
20 small. It was basically very narrow, it's only four miles wide, it's twenty something miles long.

21           We rely on ATSI (phonetic) enforcement in overflights, the fisheries that we're concerned about  
22 the most in there is rock shrimping, which occurs at night, so you've added night patrols in there. It's  
23 very costly and man-intensive.

24           Other primary closures in the southeast are smallest, SMZs, special management zones over

1 artificial reefs, there are dozens and dozens of those. They're difficult because there offshore and they're  
2 not, obviously they're not very big, they're just points on a chart.

3 As far as long lining goes, or pelagic long lining goes, probably the best time area closure that I  
4 can, I would use isn't written under any Magnuson Act, it's the Lacy Act and it's the law that says you  
5 can't long line in the Bahamas.

6 We've been pretty successful at enforcing the Lacy Act, so no U.S. long liners are fishing on the  
7 other side of the EEZ, which is only 40 miles off the coast of Florida because the Bahamians claim 200  
8 miles, we claim 200 miles, so there's this equal distance line that divides the area.

9 So, it's not a time closure because it's year round, again, but now you can't probably see this  
10 good, but there's very little room in here too -- for U.S. fishermen to put their gear.

11 It's really only 35 miles off the coast. So this is our best example of a long line closure under  
12 the Bahaman Lacy Act rules.

13 George and I threw together some recommendations for you for time area closures from a  
14 enforcement criteria, if I can find it. Do you know where the blue hand out is, I mean, the blue folder?  
15 Here it is.

16 It's the last -- it should be the last page in your handout.

17 Enforcement recommendations for time area closure criteria. And some of this is common sense.

18 We recommend that we utilize simple latitude/longitude boundaries. The shape of it should be  
19 generally four sided areas, if possible, squares or rectangles.

20 What we need to avoid is depth contours being part of the boundaries. It's difficult for us to  
21 enforce depth boundaries. County lines, that may seem ludicrous, but we have many plans out there, the  
22 mackerel for one, that utilizes county lines, all over throughout the Gulf and the South Atlantic area.

23 Connect the dot way points, George, you were telling me about a specific closed area that you've  
24 got to literally connect how many dots?

1 MR. BELL: I think it's 180 wavelengths, it's on (inaudible) just northeast of Hudson Canyon.  
2 It's a near closure.

3 MR. RAYMOND: So, clearly, the shape should be simplified and squared. Consistent annual  
4 closed season dates. We should avoid fluctuating time area closures based on a quota level.

5 In other words, if you're going to close an often area, it should be a specific period of time, every  
6 year, at least for enforcement purposes, and not fluctuate so that this Tuesday it's open, or this, on the  
7 15th it's open on one year and then another year it's the 18th because we've got to do the training with  
8 the people that are going to do the work. And if it's the at-sea enforcements, it's going to be the United  
9 States Coast Guard.

10 Implement a vessel monitoring system for HMS time area closures. Gene, I know has volunteered  
11 to give a talk on vessel monitoring at your upcoming AP, if invited. If you're interested, he's got  
12 documents on his Hawaiian work and the Pacific area.

13 Utilize closed area enforcement characteristics such as no transit zones or transit only when fishing  
14 gear is stowed.

15 No fishing gear deployed capable of taking targeted species, if you're going to close off swordfish,  
16 but allow tuna fishing, or for that matter dolphin or anything else that the gear can use, that's going to be  
17 very difficult for us.

18 So the gear itself should be prohibited in that area, require appropriate fishing gear markings, and  
19 that kind of goes along with no fishing gear deployed. Currently there aren't any marking requirements for  
20 politic long lines.

21 So that if you had a closed area, and a vessel came up it at 3:00 in the morning and there was no  
22 vessel nearby, and it's kind of drifting through the closed area.

23 I mean, generally they're identified for the fishermen's sake anyhow, because if he loses his gear  
24 or parts, but there's no requirement currently that says that that gear has to be marked in any way, shape,



1 or form, not under the swordfish rules.

2 And lastly, we recommend that we form some kind of law enforcement subcommittee for the  
3 HMSAP. George touched on this, you know, HMS 's closed areas are going to involve ATSI enforcement,  
4 and we have no input whatsoever from the Coast Guard. And in every other council that we attend, we have  
5 a, some kind of law enforcement advisory panel that incorporates the Coast Guard and our state entities.

6 And that's all we have. I don't know if we have time for questions.

7 MR. DUNNIGAN: We do have time for a few questions. We'll start here, Rusty had your hand  
8 up first.

9 MR. HUDSON: Rusty Hudson, Director, Shark Industry.

10 We've known each other a long time so I have a couple simple questions. One, on your finning  
11 cases, I see 93 cases. Do you off hand know if there's any repeat violators in that total?

12 MR. RAYMOND: No, absolutely. There's going to be repeat violators in any of those  
13 categories that have --

14 MR. HUDSON: And do you know if some of those violations are merely a case of if they have  
15 like a 4,000 pound trip limit, they got a 200 pound ratio there at 5% of fin to (inaudible), is it just a small  
16 overrun in some of the cases, five, ten, fifteen pounds?

17 MR. RAYMOND: It varies. There are certainly some insignificant cases there, well I say  
18 insignificant, some minor cases involving slight overages and then there's some very blatant violations in  
19 there.

20 MR. HUDSON: The point I'm getting at with the minor cases, I've made an issue of this for  
21 several years, if the boat happened to have been targeting nothing but adult sand bars, the fin ratio, just  
22 saving the primary fins, the dorsal, the twopacks, the lower cottle, if they cut them in the way I've seen  
23 some of them cut, you may have seen this, there's some meat left on there with some slime left on there,  
24 they're going to hit five and a half, six percent every time, five and a half is a fair amount.

1 MR. RAYMOND: Yeah, because of that dry rate, wet rate issue, we don't go by weights very  
2 often at all.

3 MR. HUDSON: Okay.

4 MR. RAYMOND: So that if we initiate it, maybe initially initiate it or it catches our interest  
5 because the weight ratios aren't right, we'll do the count.

6 MR. HUDSON: Okay.

7 MR. RAYMOND: We'll do the count of the fins. Generally, you can take the four primary fins  
8 and you divide that, or like I said earlier, it's easier for us to separate out pictorial fins.

9 MR. HUDSON: So, you're not going to pick on a guy that's --

10 MR. RAYMOND: No, we're not making that five and six and seven percent case. We're  
11 looking at fin counts. What's difficult, of course, would be that if you're mixing and matching. You  
12 know, if you've got a handful of fins, even the weight ratios are right, but you've got a handful of fins  
13 that there are no carcasses to.

14 MR. HUDSON: True. Since I participated in the Savannah law enforcement training program as  
15 a fin expert, and I believe I also helped you all when you came to our company at Transocean at that time,  
16 '92, '93, thereabouts, basically, as far as your field guide, I've offered many times to be able to help you  
17 all with this since I can identify 99% of what is important to us.

18 Now there was an exception that I remembered and I sort of mentioned it yesterday, you were  
19 asking if there's a big shark or something that's not on this list. Sawshark, sawfish, whatever you call it,  
20 it has some prominent fins, so that would be one exception. Otherwise, as I told you, the other  
21 unmanaged sharks are mostly of a small size animal anyway.

22 But you're right, you know, by eliminating the finning thing (inaudible) bad apple reflects the  
23 men on the rest of the fleet and that's not good because we want to be in compliance as long as the laws  
24 are reasonable.

1 MR. JENSEN: Pete Jensen.

2 I'm always interested in the other side of the question, I noticed (inaudible) compliance are we  
3 getting.

4 So I have two questions for you: one, what is the incidents or percentage of the violations that  
5 occur while we were inspections or interceptions or whatever you call it.

6 And the second is, what's your judgment on how often the violations occur, either because people  
7 didn't know what the rule or law was or understood it?

8 MR. RAYMOND: On the first one, I can't give you an answer because compliance is such a  
9 difficult thing for us to measure. We do it for the TED, in the TED realm, because we do have total  
10 number of boardings on a trawler, and how many TED violations.

11 I don't know if it's an accurate way to measure compliance, but we'd come up with a  
12 compliance figure for our TED work. But for other general fisheries --

13 We were doing a relatively poor job on sharks because we're confused, by and large, on species ID  
14 and that's, that I talking because it's not so much the agents, it's the training, you know, the Coast  
15 Guard turns people over continually, and it's hard to keep them trained.

16 They do an excellent job.

17 A PARTICIPANT: I have two questions: do 90% of the people you intercept in the water, 95%  
18 or 85%, what's your feelings on the percentage of compliance we're getting?

19 MR. RAYMOND: I don't couldn't really give you an accurate statement. I couldn't -- it would  
20 certainly be over 60, 70%, but I don't know the answer. I didn't answer your second question.

21 A PARTICIPANT: (Inaudible) shark fins. I am worried, but I would like to bring it up because,  
22 in effect, (inaudible). I'm talking about who in the world is doing the monitoring of oil, used oil and  
23 filters, used in the long lining industry?

24 As you know, the majority of the (inaudible) are 15 days and over. They're changing oil; they're

1 changing filters; they go back to shore; does anybody want to worry about that (inaudible).

2 I have heard of several cases where this oil is being dumped overboard, including the oil filters,  
3 also garbage, plastics, all that. I mean, a lot of other things, undesirable things.

4 MR. DUNNIGAN: (Inaudible) I'd just like to say that (inaudible) to the office in your area if you  
5 have specific complaints and compare the ones and investigate that, if you're serious about it on the  
6 complaints. Bob Hueter?

7 MR. HUETER: I'm Bob Hueter from (inaudible) Marine Lab.

8 To say that I think that your proposal to include all sharks under the anti-finning prohibition has  
9 real merit beyond enforcement, because the original impedes for that rule was less to prevent over fishing,  
10 and more went toward wise use of a public resource.

11 I think whether or not a stock is -- a shark is over fished is almost irrelevant when we're talking  
12 about finning. So it seems to me it makes perfect sense --

13 A PARTICIPANT: I don't know what objections we get from (inaudible).

14 MR. HUETER: I would like to ask you, what is -- what are the penalties associated with finning  
15 violations, and what is the most severe penalty that you're aware of for a finning violation?

16 MR. RAYMOND: Cindy can do the penalty schedule.

17 MS. FENICK: Well, I don't have the full schedule, not only recently taken over on shark -- I  
18 don't know. That used to be Michael Sceptanelo's (phonetic) --

19 MR. RAYMOND: I can tell you the low end, on minor cases, I believe it's \$200 per shark.  
20 That would be for very minor cases that have to do with a handful.

21 The upper end, we send those cases over to the general counsel. There certainly have been some  
22 significant ones out there. Seized property value alone on the seizures are going to be significant on those.  
23 But I don't have an example of the high end, thousands, permit sanctions, but I don't have a penalty  
24 schedule.

1 MR. ZALES: Bob Zales, (inaudible).

2 A couple of questions: number one, on these observer violations, what type of fines or penalties  
3 are you all implementing on people that are treating these observers this way and violating, I mean, is it  
4 going to be something minor, serious, or --

5 MS. FENICK: Ten thousand dollars for the interference, failure to provide food, permit sanctions,  
6 and I think the fail to embark an observer was 2,000.

7 MR. ZALES: Okay, the other question is: I've heard some information recently on one  
8 problem, on penalties and fines with operators, or captains, however they're called on these commercial  
9 boats, and your recommendation -- I've seen a recommendation for requiring licensed operators.

10 So that gives you something else to attach, or something else to take action on. What is the  
11 feeling on that, and where do you all stand on requiring licensed operators on these commercial boats?

12 MR. RAYMOND: We've recommended to the council, various councils that we do have, that  
13 operator license (inaudible). We could sanction the operators (inaudible).

14 Right now we sanction the weapon, but really the penalties are (inaudible). That's the way that  
15 they operate.

16 MR. ZALES: Right, so you get situations where you got an operator that is continually  
17 violating and he just moves from boat to boat to boat.

18 MR. RAYMOND: He's not sanctioned. The sanction goes to the permit, the permit is  
19 (inaudible) invalid, and the operator is kind of coming off clean.

20 MR. DUNNIGAN: Nelson Beideman.

21 MR. BEIDEMAN: Nelson Beideman, Blue Water.

22 Going back to some of your earlier comments, I appreciate Dave Wilmot's comment that all this  
23 intimidation and also that, you know, the female observers being (inaudible) is a very serious situation.

24 Now, a lot of the people in this room have tried to work out the female situation, as far as the

1 intimidation. That 's almost critical. But we don 't have a solution, as yet, on the female situation.

2 There needs to be some concerted effort put in to that. And many people in this room have talked  
3 to the wives of the captains involved, and those wives are immovable. And that operator ends up in the  
4 position it 's either divorce or, you know, "I can 't take it."

5 And what would you do, you know?

6 MR. DUNNIGAN: (Inaudible).

7 MR. ZALES: Yo, Jack, I have other comments. That was just --

8 MR. DUNNIGAN: Well, a lot of people do too, so why don 't we go around and we 'll come  
9 back. Pick one follower.

10 MR. ZALES: Okay, that was as far as the earlier comments. Now, getting down to the time area  
11 closures, what common sense is to the fishing grounds out there, and to the fishermen out there, and it  
12 seems to have been able to be understood up in New England, is depth contours.

13 I mean, if you want to pinpoint a problem and get a discrete time area problem solved, you 're  
14 going to have to consider depth contours because that 's what the feet considers, that 's what temperatures  
15 and currents all are factors, and that 's part of these fisheries.

16 And enforcement is going to have to conform to the fisheries, not, you know, traditional fisheries  
17 conform to the enforcements.

18 MR. RAYMOND: (Inaudible) for enforceability of the time area closures, we 're going to -- I 'm  
19 going to give you the input for enforcing that law.

20 You have valid points, management has valid points, but I 'm an enforcement person and we 're  
21 going to give you what we think is the most enforceable regulation (inaudible).

22 MR. ZALES: But, to date we do have plotters. And the individual coordinates placed on a plotter  
23 on a Coast Guard vessel, okay, it goes right in to the automatic pilot. You just flip the switch and it goes  
24 right along whatever contours you want to put in it.

1 Same thing with plains, and of course, there ' s always satellite information that in some future  
2 time we might be using. But the, you know, the technology is available to have more than block, square  
3 area type closures.

4 Another thing on that time area closures, you talk about a gear type. Well that gear type is hook  
5 and line, hook and line. Now are we going to close out one sector commercial hook and lines and then  
6 recreational hook and line?

7 That can even keener, okay, because it ' s a little lighter line, even keener on catching the exact  
8 same species, that ' s allowed, but the commercial access to the consumer is denied. We need --

9 MR. RAYMOND: We prefer not to have anybody.

10 MR. ZALES: Well, we need to figure that out, you know, that ' s --

11 MR. RAYMOND: That ' s not on your list but it ' s on George ' s, total closure on sanctuary.

12 MR. ZALES: -- an essential base line, you know, of a decision that needs to be made.

13 MR. DUNNIGAN: One comment. Russell, please.

14 MR. NELSON: Rusty mentioned a problem with sawfish. I would hope that in the amendment,  
15 the next opportunity that the shark plan for (inaudible) would prohibit a harvest of sawfish.

16 That fish is largely a coastal fish (inaudible) to the state of Florida and any harvest procession has  
17 been prohibited in Florida for eight years now.

18 On behalf of Florida, the South Atlantic, I hope at least that the council will consider that. I think  
19 I could probably get the votes of the co-councils.

20 A PARTICIPANT: (Inaudible).

21 MR. NELSON: That ' s the point. Two questions, one to George: you mentioned an exemption  
22 to the closure area if the operator had determined a compelling safety reason.

23 I just want to know simply is, in the regulations are there very specific conditions written in the  
24 regulations, or is this just largely left up to the discretion of the enforcement?

1 MR. RAYMOND: It's left up to the discretion of the operator more than anything else. George  
2 Bell? Because you can't really qualify safety reasons, you can't tell a man, well, when you're sitting on  
3 the beach tell them, well, it wasn't that bad, your mechanical malfunction wasn't that bad. But you have  
4 to notify the Coast Guard of that.

5 MR. ZALES: Makes sense to me, I just wanted to know for future reference of what we do.

6 And finally, on the list of the penalties assessed that you showed us, the graphic penalties  
7 assessed, could you give us an idea of what proportion of those assessed penalties have actually been  
8 collected?

9 MR. RAYMOND: I cannot, Cindy can. We don't -- once we submit the case, we kind of lose  
10 track of it.

11 MS. FENICK: We'll do a follow up. We don't have those figures available now.

12 MR. DUNNIGAN: John Dean.

13 CAPTAIN DEAN: Captain John Dean, University of South Carolina.

14 I'm concerned with this interference end of it and the future dimension of it, and I'll tell you  
15 exactly why.

16 Some of you know me personally, one might know that I have put students and recommended  
17 students, that they participate in observer programs.

18 And the reason for that is, that it's an extremely valuable learning experience, and it gives them a  
19 perspective of fisheries that they get no other way.

20 And I'm parental enough that it concerns me that I'm recommending that to my kids, and I'm  
21 not going to put them in harm's way.

22 The other part of that is that 65% of our undergraduate majors are women. And 60+% of our  
23 graduate students are women.

24 And in the area of marine science, we're watching this evolution so we've got a conflict in place



1 and I'm very concerned about what I recommend to students in their future development.

2 MR. DUNNIGAN: We're going to come down on this side, we've got Ray, and then Peter, and  
3 then Vince.

4 MR. BOGAN: Thanks. Ray Bogan.

5 I just have a question with regard to the licensing that you mentioned. Most of us, and that  
6 includes those of us who are involved in the charter boat, head boat industry, have commercial vessel  
7 operators.

8 Now that, I'm sure, is probably more predominant in the northeast, but all of us that I know of,  
9 have it. And if we lose that by virtue of a violation that we have, there are ways of getting around certain  
10 things, but certainly if you've lost your operators permit, you can't be hired by another entity.

11 What is the benefit -- and I have a feeling it might be a little bit more relevant to the southeast --  
12 what would be the benefit of having an additional license other than our vessel operator permit?

13 MR. RAYMOND: Well, the vessel operator permit is not a requirement under any fishery  
14 management plan. It's a Coast Guard license, correct?

15 MR. BOGAN: No.

16 MR. RAYMOND: You're talking about your license for a charter boat?

17 MR. BOGAN: No, no. What I'm talking about is something that just about all of us have.  
18 George I think would be a little bit more familiar with this. I think it's a little bit more characteristic of  
19 the northeast.

20 We all get it. It's under northeast multi-species and certain others, where most of us who hold  
21 those permits are required to have a vessel operator permit. And that could be with both.

22 It could be in enforcement cases, it's a common thing that NMFS agents or the Coast Guard  
23 (inaudible).

24 And I'm just worried from a personal standpoint, another permit, another license.

1 MR. RAYMOND: We have those operators permits in the southeast that I'm aware of.

2 MR. DUNNIGAN: George, you want to comment?

3 MR. BELL: Just briefly, George Bell.

4 There are operators permits in place for certain northeast management plans. One of them is

5 multi-species, another one is scallops.

6 This would be management plan specific, if we chose to go this way. If you want to participate in

7 the HMS fishery, you will be required to have an operators permit.

8 It is quite effective.

9 A PARTICIPANT: But, like Bob said, jumping from boat to boat --

10 MR. BOGAN: I agree it's very effective. However, if you're going to do this, make sure that

11 any recommendation you make, that it's overlapping, that there is not an additional permit requirement.

12 It is subject to certain fisheries' management plans, but it so happens that in the northeast region

13 most vessels that are involved in these fisheries have that.

14 MR. RAYMOND: So you say add it on to the multi-species operators --

15 MR. BOGAN: Make it part of it, it's much like the -- we have 25 permits hanging up in our reel

16 house, and now we're down to only 10 in our reel house. And we've got to fill that paperwork out all the

17 time for it.

18 Let's not have another permit.

19 MR. DUNNIGAN: Peter.

20 MR. WEISS: Yeah, I kind of think we're missing the big, big picture, and that is: do you want

21 me to send you one agent for every call a hundred miles, is that correct?

22 MR. RAYMOND: That was from Dave McKinney, the Chief Enforcement --

23 MR. WEISS: Right.

24 MR. RAYMOND: Counting, I don't know, how many pacific islands or Alaska, the coast of

1 Maine --

2 MR. WEISS: Yeah, is it true that your 1984 levels of staffing (inaudible).

3 MR. RAYMOND: I can't remember that far back, I don't know, roughly --

4 MR. WEISS: But your roughly (inaudible) levels. Since 1984, I imagine fishing regulations  
5 have quadrupled, quintupled, or gone through the roof, is that correct?

6 You know, and I was wondering what this group can do to see that this enforcement agency can  
7 get a lot more money so we can get a lot more people to enforce this, because I tell you, (inaudible) as  
8 good a job as they're trying to do, they don't have the people to do the job in these fisheries, and maybe  
9 Rebecca, I mean -- can we make some sort of a --

10 MS. LENT: We can reach a consensus position.

11 MR. WEISS: I would imagine that's about the only consensus (inaudible). And if the entity  
12 would like to ask the consensus at this point, I think you may go home before (inaudible).

13 A PARTICIPANT: Ellen, you want to comment on that?

14 MS. PEEL: Ellen Peel. I think -- didn't we pass such a recommendation on the billfish panel  
15 when we were in Silver Spring back in the fall?

16 A PARTICIPANT: Yes.

17 MR. WEISS: Well, this is the boat panel and I think it's -- if we get consensus of that, I think it  
18 would be pretty important.

19 A PARTICIPANT: Ray.

20 MR. BOGAN: On this subject, and every other subject for that matter, that we talk about the need  
21 for financial assistance from Congress or whoever, I hate to take off the hat of being critical with NMFS  
22 when it's necessary, but we've, within the last two days, suggested several million dollars more research,  
23 enforcement, etcetera.

24 We have a lot of unfunded mandates that we give then and that we're going to squawk when we

1 don't get certain information. We're going to complain about these things.

2 I think that as an entity we ought to consider, if we're going to support certain priority research  
3 needs, certain priority enforcement needs, that we as an entity come up with some specific recommendations  
4 because it's a very good idea to get a blanket amount of more dollars for enforcement.

5 I deal with this on the same level -- all of us do -- we deal with it on the state level, where we have  
6 that problem, we deal with it on a federal level. But mostly on the state and federal level we deal with,  
7 you know, we need this information with regard to bluefin tuna. We need this information with regard to  
8 sharks, with regard to billfish, etcetera, etcetera.

9 We have more and more unfunded mandates from us to NMFS, all of which are essential. But we  
10 have to, as an entity, get together and support from a congressional standpoint, from a (inaudible)  
11 standpoint, to increase budget if we're going to be asking them to do these things.

12 MR. DUNNIGAN: Let's get back on program here. Vince Pyle.

13 MR. PYLE: Two questions: is your time, that you book up on enforcement and amount of  
14 agents you have, does that include all of the deputized agents? How many fire and marine patrol are there?  
15 And this is your flock.

16 MR. RAYMOND: Because we couldn't deputize state officers, we would have those figures.

17 Generally state officers are not enforcing HMS plans as much as they might be some near shore  
18 coastal plans. You've got to remember the state officer has a law book just like this. He's enforcing his  
19 (inaudible) law.

20 Now, when the plans are written such as a size limit law for swordfish or whatever, you can have  
21 that deputized officer benefit you or benefit us a lot more because it's a landing law and you can do that  
22 dockside check.

23 A PARTICIPANT: And there's what, a couple of thousand marine patrols?

24 MR. RAYMOND: No, nowhere close. There are -- Gene, you ever figure out how many

1 (inaudible) officers there are?

2 MR. PRUE: There 's about 400 FMP officers, but on an average basis, there should be no  
3 question as to the true level of enforcement. The chances of being boarded dockside when you land in the  
4 state of Florida at the end of the trip is almost nil.

5 A PARTICIPANT: Almost nil?

6 MR. PRUE: Almost nil.

7 MR PYLE: I have about 45 so far this year. So, but nevertheless, I guess it 's just me.

8 My second question, if I might, is to just clarify a little bit on this observer program.

9 Myself and the boats I own have been involved in it long before it was mandated and I 'd like to  
10 ask how many cases against observers, or the interference of observers do you have?

11 MR. RAYMOND: For HMS clients or for -- you know, I just gave you observer--

12 MR. PYLE: Well, yeah, that all I know it 's HMS.

13 MR. RAYMOND: (Inaudible) it 's HMS clients.

14 MR. PYLE: Right, how many do you have for HMS clients? How many --

15 A PARTICIPANT: Didn 't, Cynthia -- didn 't you -- one of your pie charts have a number of  
16 cases?

17 MR. RAYMOND. It 's seven in the last five years, correct?

18 MR. PYLE: Every vessel --

19 MR. RAYMOND: Thirteen.

20 MR. PYLE: We 've been carrying observers on vessels, like I said, for decades and (inaudible) one  
21 of my vessels are carrying an observer, and I 've worked very close to Ken Slate (phonetic), and the question  
22 of women, and I can understand it 's becoming a dilemma just looking at Rebecca 's staffing, it 's obvious  
23 that the interest in marine science is becoming more female interest.

24 Many of the vessels are not conducive to having females on board. Especially the smaller coastal

1 vessels which don't really have a rest room, they don't have separate changing quarters, and some fellas  
2 happen to be married to some jealous wives, and you know, whether we want to snicker about it or make it  
3 a joke, I think it needs to be a sensitive position when placing a female on board.

4 And those that, there are some female observers that are very professional, have gone on even the  
5 small boats that we have with no problems.

6 But then there's other problems in the observers themselves. Some of these observers have not  
7 been out to sea before.

8 I had, on two of my vessels, a female observer in very rough seas, 10 to 12 feet, jump overboard  
9 to swim to a closed bathroom. And it became quite a nightmare in rescuing her because she was seasick.

10 So, I think, I am 100% for the observer program, and if, like I said, did it on a voluntary basis  
11 and, of course, on a mandatory basis.

12 But it's not that some of these observers are not without flaws, but when it comes to the female,  
13 on particularly small vessels, they shouldn't be hauled off and fined if they refuse because of their particular  
14 situation.

15 A female -- I think we might have to get that some more percentage of males on the vessels, and  
16 females, it's just not the right thing to do.

17 A PARTICIPANT: Let me suggest two things on some of these subjects because we do want to  
18 keep focused on HMS management and we are running late, very late this morning.

19 First of all, we're not going to resolve this discussion of the industry management plans. The  
20 large (inaudible) social wings that are changing gender roles and whatever.

21 Those are difficult issues that have got to be worked about, and they're not really going to be  
22 helpful in trying to deal with them, specifically in the context of these plans.

23 Secondly, on the question of money, as advisors to the National Rate Fishery Service on HMS,  
24 there's not a lot you can do in terms of lobbying for more money for these programs.

1           As individuals, there's a lot you can do. And I strongly encourage you to do it, but it's probably  
2 beyond your charge at the moment to try, for example, to write a letter to the chairman of the Corporations  
3 Committee.

4           It might be useful for you, however, to consider making a recommendation to the National Marine  
5 Fishery Service as they prepare their budget submissions for out years to make sure that they get all of  
6 these things added for consideration.

7           So try to keep your recommendations there focused on what it is we can tell the Secretary of  
8 Commerce in terms of what he ought to be doing to help support these programs because, as Ray Bogan  
9 said, it's not just an important issue, but we came up with all kinds of research and management things  
10 that we know the resources are not all there today to do for the management of these species.

11           And I think, in terms of making a recommendation for NMFS to make sure that these things are  
12 kept in priority in their budget submissions is probably the best way for them to try to deal with that.

13           A PARTICIPANT: Are you saying that this group can't make a recommendation to, or a couple  
14 of recommendations, to get consensus (inaudible) would be, you know, good, I think.

15           Enforcement and some of the questions that are being raised regarding money (inaudible) ineffective  
16 or it wouldn't go in the FMB, is that what -- because I just spoke to Rebecca and she seemed to have a  
17 different view on it.

18           You know, she -- I said, "How do we get this moving?" And she says, "You have to take  
19 consensus."

20           Well, I'd like to see if there's anybody that objects to (a) more money for enforcement, and a (b)  
21 more money for some of the things that -- Ray probably could help us out -- he could give me more  
22 specifics.

23           I mean, we have this forum, whether it's legal or -- it's a forum and there isn't that much  
24 consensus that's going to come out of it. I think we all know that. But it would be interesting if some

1 things did come out of it. Is there something wrong with that?

2 MR. RAYMOND: Well no, what I was saying was, I was suggesting that we not as a panel, try  
3 to lobby Congress. That 's not what you 've been constituting.

4 A PARTICIPANT: No, we 'll --

5 MR. RAYMOND: But in terms of making a recommendation to NMFS, I think that 's quite  
6 appropriate. But frankly, I think that in order to have it presented properly, maybe the best thing for us to  
7 do is to work with a couple of you over the next month or so and bring back to your May meeting a  
8 statement that both panels might want to sign off on about the priority of these things to Ronald Smith  
9 (phonetic).

10 Ray, is that a good idea?

11 MR. BOGAN: That 's something I think we should do and can do, and that is to get a group of  
12 people within this entity together to determine what priorities are.

13 Obviously, we go through the NMFS in order to present something. However, as individuals,  
14 those of us who feel, for example, a certain age structure, studies are important, as individuals we can  
15 support that and go out and contact our representatives and say this is an important biological meeting,  
16 (inaudible) information, let us get some funding for it.

17 And we would not do that as a panel. A panel would only help to prioritize things.

18 MR. DUNNIGAN: Nelson.

19 MR. BEIDEMAN: Nelson Beideman, Blue Water.

20 Paul, in the UN straddling stock and highly migratory species agreements that the U.S. has signed,  
21 there is some language that, I don 't know if it 's a binding mandate, but it sure sounds pretty strong, that  
22 we get to a point, each country, where not only the vessel but the captain is permitted.

23 So that there is something that can be pulled and if we have a row captain he can 't just hop, you  
24 know, hop on the next vessel and the next vessel and the next vessel, etcetera.



1 But that language should be pulled out and made available to the AP. I brought this up in several  
2 different APs, etcetera, and I've never seen it, you know, pulled out where we can look at it and try to see  
3 what it would take to meet that UN agreement that U.S. has signed.

4 MR. DUNNIGAN: Other questions?

5 I want to thank Paul and George very much for coming. This has obviously been a very fertile  
6 area for discussion this morning and there's obviously a lot of interest around the table.

7 But, you know, we'll take this at the (inaudible) and maybe come back to see whether we can  
8 construct another enforcement presentation for you, maybe follow up on Gene's willingness to volunteer  
9 to talk to you about BMS. You're obviously quite interested in this area.

10 Back in the mind absorbing (inaudible), I think it's time for us to take a break. We are running  
11 late so (inaudible), try to get back in 15 minutes.

12 (A brief recess was taken.)

13 MR. DUNNIGAN: I think we should go ahead with the agenda. We've got -- what I'm trying  
14 to do is take an hour right now, since we just came off break. It's late, but that will be about 12:30 then  
15 that we'll break for lunch. And that will -- that's a nice block of time, an hour (inaudible) agenda items.

16 So I don't want to use any of that time right now on the Gulf of Mexico recommendation on  
17 limited entry. We'll review that first thing after lunch.

18 Next item on the agenda for presentation is a discussion of preliminary results of time area  
19 analysis of ABT and swordfish (inaudible) and that's going to be done by Karyl Brewster-Geisz and Jean  
20 Cramer and I'm not sure how they have it planned to go ahead and do that, but ladies, it's your agenda.

21 Jean, Carol? All right, Jean. We all set?

22 PRESENTATION OF DR. JEAN CRAMER

23 DR. CRAMER: Okay, now that I'm wired, make sure everybody can hear me here. Oh good.

24 Okay, the members of the advisory panel have a paper that was mailed out to you last week

1 entitled, "Summarization of Catch and Effort in the Pelagic Long Line Fishery Analysis of the Effectiveness of  
2 Two Degree Square Closures on Swordfish, Discards and Landings."

3 The first part of this paper, I'll just point out to you, I did summarize, as it says, the catch and  
4 effort in the pelagic long line fishery as reported by the long line fishermen from 1987 through 1996.

5 There is also a table of average swordfish weights by area and quarter from 1992 to 1996. These  
6 weights came out of the landings data. Those come out of (inaudible) tally sheets submitted to the National  
7 Marine Fishery Service.

8 So these are for your reference. I'm going to go on and discuss the analysis, the effectiveness of the  
9 two degree square closures.

10 These analyses were done using reported data. There was no observer data used in the analyses. So  
11 this is all data reported by the fishermen to the National Marine Fishery Service.

12 I selected records that appeared to me to be long line records. In other words, the vessel reported  
13 setting at least 100 hooks in the set. I wanted to have effort, sometimes we don't get effort. I required it  
14 to be a reasonable location, not something in Ohio. And I required them to have a valid date and a valid ID  
15 number.

16 The records I used are the same as the records that I did the summaries from. But the reason that  
17 I'm detailing this is that the (inaudible) database is a rather complex database that gets reports from a  
18 variety of gears.

19 It's primarily long line gear, but not entirely. It can get rod and reel effort, gill net effort.

20 The analysis does include records from bottom long line sets, those targeting sharks primarily. In  
21 order to identify areas with the most or the greatest percentage of swordfish were being discarded, I produced  
22 a variable called the "discard ratio".

23 And essentially, all you do is take the numbers of swordfish discarded dead and discarded live that  
24 were reported. So I'm summing the discards live and dead. As it was mentioned before, approximately

1 70% of the discards are reported dead, so the majority were dead.

2 And then I divided that by all the landed fish. That would include swordfish, tunas, (inaudible),  
3 dolphin, you know, basically everything that was reported kept, sold, landed.

4 I did not divide by anything that was discarded except for the swordfish discarded. I wanted to have  
5 from 100% down, so I had to put -- I had to divide by this. I had to put the swordfish discarded and the  
6 divider as well.

7 So now I have discard ratio and I did two different kinds of analyses. One I turned the perfect  
8 hindsight analysis, and the other I call the five year average.

9 In the perfect hindsight analysis, I simply summarized the records that I had chosen by quarter and  
10 two degree square per year. So I had a year quarter square summarization.

11 I summarized those data, calculated the discard ratio and then sorted by the discard ratio. And then I  
12 could start taking away two degree square quarters, well (inaudible) squared quarters based on, you know,  
13 how high a discard ratio there was.

14 And I did this analysis for every, each year independently. And I'm going to show just the 1996  
15 analysis. I did do it and it is in the paper from '92 through '96, but the results are pretty similar.

16 As you remove two degree square quarters to reduce swordfish landings, you're also reducing total  
17 landings. If you come out here and you reduce 25% of the swordfish, of the swordfish discards, you've  
18 only decreased about, well, it's about 5% of the total landings.

19 It gives you the impression that you could eliminate discards fairly cheaply. However, this is  
20 perfect hindsight.

21 One of the things to bear in mind, when I did this by year, and I removed a quarter two degree  
22 square, there wasn't really great agreement between years, what quarter two degree square was going to go  
23 out first, second, or last.

24 So as you look through, okay, it looks good, but how are we going to predict, you know, if I take

1 away those quarter two degree squares that were predicted in '96, what will it really mean for '97?

2 Yes?

3 MR. GRAVES (phonetic): John Graves.

4 When you did this did you just remove that effort so you didn't reallocate that effort?

5 DR. CRAMER: In this first analysis I did not reallocate effort, in the second type of analysis I  
6 looked at one kind of effort reallocation.

7 Just to get an idea of relationships between different kinds of catch and the swordfish discards, I ran  
8 this.

9 And you can see that as you reduce the swordfish discards the main type of landing that you're  
10 reducing are swordfish landings.

11 It's saying where do you catch -- where you have to discard discards is pretty much in the same  
12 place as where you're catching swordfish.

13 What's interesting is, you know, you're losing about 10% of your swordfish there, your landings  
14 of them.

15 There is a very -- there's sort of a little bit of relationship between the dolphin fish and the coastal  
16 sharks. And almost, you know, just not much relationship between the swordfish and the tunas.

17 I wanted to see what the relationship between the swordfish discards and other discards that might  
18 be of interest to this panel.

19 And you can see that as you remove swordfish discards you're removing some coastal sharks at  
20 the same time. It's not a real tight relationship, but certainly you're removing coastal sharks, you're  
21 removing billfish, you don't get rid of any bluefin tuna discards until you've wiped out practically all the  
22 effort.

23 Essentially, what you'll see from my talk and Carol's talk is that the bluefin discarding problems  
24 are not in the same area as the swordfish discarding problems.

1           The second type of analysis I did was done in order to use the five years of data to try to figure out  
2 what the best area quarters would be to eliminate.

3           So what I did was I went in to my five years of data and I said, okay, every time I have a quarter  
4 two degree square with as much as 50% of discard ratio, I'm going to consider that something I'm going  
5 to look at.

6           So then I went back, and for every quarter square where this came up, that I had a 50%, I grabbed  
7 the other years, whether of that quarter square or whether or not they had 50% or more discard ratios.

8           So now I had a set of potentially interested quarter squares to put in to the GOM model. And in  
9 this model, for my dependent variable I used the number of swordfish discarded. Because I wanted to get -- I  
10 wanted to pick those areas that had the greatest amount of discarding.

11          So I ran a model with years of variable to try to remove some of the year to year variation, and the  
12 quarter square. I weighed it by hooks so that if there was more effort there would be more emphasis put on  
13 that variable.

14          The GOM gave me a ranking by numbers of swordfish predicted to be discarded, and then I could  
15 just rank. And I ranked within quarters. I could rank from one quarter eleven, it was one to eleven.

16          Each area that came out I put some more requirements on this. In order to go under the GOM, the  
17 quarter square with 50% discard ratio had had at least 1,000 hooks reported. The whole five year grouping  
18 had to have at least 50 swordfish.

19          I was getting some minor areas that, you know, you had once set out there. And then when I got  
20 to the LS means I required there to be a prediction of at least 50 swordfish discarded. I wanted the major  
21 players.

22          A PARTICIPANT: How many years (inaudible) 50 swordfish, a five year average?

23          DR. CRAMER: Yes, it's a -- basically, yeah, five years.

24          A PARTICIPANT: So any 50 swordfish discarded over five years?

1 DR. CRAMER: Yes, of the initial cut.

2 What I got, what the GO gave me, and these are all the areas for all quarters, this is what the GOM

3 kicked out as the interesting two degrees squares that met those criteria.

4 Just to give you an idea of how this relates to effort, if I can get these (inaudible) together, you can

5 see that these quarter scales fall in the eastern Gulf of Mexico along the Florida (inaudible), out to the Gulf

6 Stream, and there ' s only one above Hatteras.

7 A PARTICIPANT: Jean?

8 DR. CRAMER: Yes?

9 A PARTICIPANT: The Windward Passage and the Unitan Channel are not a small fish area

10 problem?

11 DR. CRAMER: They did not come out as being high in the discard ratio. Now I ' m not saying

12 they don't have quite a few small fish, but they don ' t have high discard ratios. I think because there ' s a lot

13 of large fish as well.

14 A PARTICIPANT: Yes there is, but you didn ' t have a 50 discard in a five year average?

15 DR. CRAMER: No, no those did not pop out. I ' ve got the one off Venezuela down here, but

16 what was interesting about this mark was that there was only two years of data for that particular square.

17 It ' s 1992 and 1994, and one of the effects that seem to -- that the minimum size regulations seem to have

18 had, was to move our distant water fleet out of the Venezuelan Basin. Because that was considered to be a

19 swordfish hatchery or nursery and our fleet did move out.

20 MR. DUNNIGAN: I think, let me suggest that we let Jean get through the presentation, and so

21 hold on to your questions and we ' ll have a chance to come back.

22 DR. CRAMER: Okay, now I ' m going to show you the pictures by quarter. And the ranking of

23 one means that that had the highest predicted swordfish discarded. So this is quarter one, that would be

24 January, February, March.

1           And this is for the five year average. So we're staying south, we're in the Gulf of Mexico and  
2 Florida straights for the two or next three months.           And when you're looking out at the quarter  
3 squares you're also seeing the effort by one degree squares for that quarter, for the five years.

4           So here, one is over in the Florida straights. Three is actually, you know, the west side of the  
5 Gulf Stream.

6           Moving on to quarter three, we're getting a few more numbers, and we're going north a bit in the  
7 Florida straights.

8           Quarter four was, by far, the -- had the most areas. Here we get the one off the Cape, get the one  
9 in the Venezuelan Basin, and then we've almost got a solid stream up the Florida east coast.

10          I took a look at these to see what the effect on total landings, swordfish landings would be if we  
11 closed those two degree squares with the numbers in them. But, I ran another kink to the analysis.

12          In addition to the first analysis of just taking away all that effort, saying okay, we closed them,  
13 they're gone, then I said, okay, let's take a look at another scenario where you take the effort that was  
14 removed and redistribute it among the remaining two degree squares in the fishery.

15          So all I did is say, okay, 10% is removed, so I'm increasing every other two degree square with  
16 10% of its original effort. So you're increasing the -- you're replacing the effort, and you're increasing it  
17 in proportion to the original effort in the other two degree squares.

18          The reduction in landings, if you just remove the effort, as shown in the blue, and reduction in  
19 landings, if the effort is redistributed, as shown in the red, in this upper left hand corner you have total  
20 landings. And you can see that the red bars go negative. Which says --

21          (Gap in tape.)

22          DR. CRAMER: -- numbers.

23          According to that, when we read (inaudible) in '95, we're catching more fish. That doesn't mean  
24 it's doing anybody any good.

1 But, you know, what it's doing, actually, is it's moving the effort to the north proportionally,  
2 because you're closing a lot of southern two degree squares and it's --

3 A PARTICIPANT: When you say, "fish," you're not meaning just swordfish, you're meaning  
4 any (inaudible).

5 DR. CRAMER: Yes, landings included everything.

6 If you look just to your right, then we're looking at what those scenarios do to swordfish.

7 It's interesting, in 1995 you're getting a few more swordfish landed. For the most part you're  
8 reducing the swordfish landed by about 10%, which is interesting because with the blue fitting around 10%,  
9 that's about what the perfect hindsight model did.

10 If you look at the lower left hand, which I'll push up here so you can see in the back, this is what  
11 happened to the number of discards.

12 And, once again, the blue is giving us around 20, 25%, on the average, reduction in discards if we  
13 don't redistribute the effort.

14 But, if we redistribute the effort, we can be as low as just a 7% decrease in discards. And the effort  
15 redistribution scheme that I used is probably not what would happen.

16 There's a higher likelihood, especially with these near shore fisheries, that they would redistribute  
17 closer to the same area and you could end up with pretty low percentage gain here, because they might still  
18 be fishing in southern areas and catching a fairly high proportion of swordfish, small swordfish.

19 This graph gives an estimate of the pounds and dress weight of swordfish landings that would be  
20 lost and in the scenario without replacement.

21 Just as an explanation of sort of giving you an idea of why some of this happened, I've plotted  
22 and I sort of organized them by area.

23 Here's the Gulf of Mexico two degree squares, and you have the name of the square. The name of  
24 the square is the lower right hand corner of the two degree square. But in the square and then up above the



1 bars are the quarters, so this is a Gulf of Mexico square 8424 in the forth quarter.

2 But you can see the variability in the, well what I ' d call the DPUE, the discard per unit effort, and  
3 that ' s discard rate per thousand hooks in this case. It varies a great deal.

4 And this is part of the hazard of saying, okay, for the next five years I ' m closing this two degree  
5 square in this quarter. Oceanographic conditions may change, year to year variation, you may not have a  
6 gain.

7 The ones on the bottom are the Florida east coast with a huge variation in quarter four at 8028.

8 Are there -- I ' m open for questions now.

9 MR. DUNNIGAN: We ' re going to do Karyl first. Let ' s get Karyl first so that we can  
10 consolidate everything.

11 MS. BREWSTER-GEISZ: (Inaudible) some time (inaudible).

12 MR. DUNNIGAN: Oh, okay, let ' s not. Let ' s do questions then first. Alan Weiss?

13 MR. WEISS: It ' s not so much a question as an observation. I think you ' re quite correct that the  
14 areas you ' re looking at to redistribute the effort out of those areas, they ' re primarily smaller boats, they ' re  
15 not going to redistribute (inaudible) in the middle of the ocean. They ' re going to redistribute as close as  
16 they can to the areas they ' re displaced from. So I ' d reinforce that hypothesis on your part. And  
17 also, there ' s another effect that may take place and I ' m just throwing it out for your consideration, which  
18 is that if you displace some of that effort out of the south in to the north, where vessels are fishing on  
19 oceanographic features, yet there are five vessels presently fishing in a given area, and you throw five more  
20 there, they ' d have to stack out further in to the warmer water.

21 Their discard rates may end up being higher than the vessels that are presently deployed in that  
22 area.

23 DR. CRAMER: Yeah, I think you can ' t make a decision about one species in a vacuum from the  
24 other effects, which is one reason I carried along the other discarding in catch.

1 MR. DUNNIGAN: Nelson.

2 MR. BEIDEMAN: Nelson Beideman, Blue Water Fishery.

3 First of all, I'd really like to thank (inaudible) service for the work you've been doing over the  
4 last couple years.

5 Basically, you've been the only one that's been able to put some of this information in front of  
6 us where we can start evaluating it.

7 And I wish we were a lot more organized but we just got the information a couple of days ago,  
8 that, you know, we could have more detailed comments, which I'm sure we'll have.

9 And if possible, I'd like to have both myself and John Hoey, the overheads that you've had,  
10 because some of that information (inaudible).

11 DR. CRAMER: Sure.

12 MR. BEIDEMAN: But we do have some preliminary things that I think might be helpful and,  
13 you know, at least let the panel know how complex and difficult these issues can be.

14 If I could go over a few of them and if you want to, you know, get in to discussion or whatnot on  
15 any one, let me know.

16 For one thing, we need to consider what closures we're already having. This fishery is closed two  
17 months in the spring and two months in the fall and those closures do coincide with peak periods of small  
18 swordfish discard rates.

19 Now, we need to consider that, and the benefits of redistributing or won't completely be there  
20 because, you know, if we redistribute to larger sorted fish with our by-catch quota, that means longer  
21 closures. We won't be able to catch those fish, we'll just be catching the (inaudible) closed.

22 For one thing, we're going to need estimates of all HMS mortalities for these areas, for all the  
23 fisheries. Now that's, again, we will be needing that, and the fact that closing areas may well result in  
24 worse by-catch.

1           Now this fleet is keying in these areas for reasons. And I think you'll find that most of our  
2 targeted catch is also associated with the same effort. But as you move these boats, here and there in the  
3 stratus of work, it's a real dangerous circumstance.       Such as things like in '95, '96, when the pear  
4 drawers were down there in the canyon areas, well the vessels, the low line vessels were pushed off into a  
5 warmer stratus of water, which makes a whole totally different by-catch complex, totally different, a lot  
6 more billfish involved for one thing.

7           So, we need to be very, very, very careful. This set, including both live and dead of (inaudible)  
8 makes it difficult for us until we know we have post release mortalities on both the commercial and  
9 recreational fisheries.

10          We should figure, you know, make a precautionary approach, and figure, you know, what we're  
11 dealing with here, whether it's 15% or what have you, and, you know, look at this equitably on a  
12 mortality level. And, you know, environmental interests and scientific interests should certainly be able to  
13 appreciate that.

14          The assumption that all discards are small fish is very false. During closures we also have to  
15 discard large fish.

16          And another situation that hasn't been addressed, I'd like to bring it forward, is according to the  
17 figures that we have, last set is your 1993 observer figures, there's 17% of all the swordfish discard, 10%  
18 of all the (inaudible) tuna discarded, 11% of all the yellowfin tuna discarded, just from shark bait and well  
19 fed.

20          Now, we strongly suspect that they are very, very low estimates. That the observers really aren't  
21 counting all the lifts that come up from (inaudible), etcetera. Because we have areas where it goes up to as  
22 high as 70% of the targeted catch being scavenged by pilot (inaudible).

23          And when that occurs, you know, the boats, they have to move. You know, there's no sense in  
24 putting the gear in the water. They either have to hold it in the boat for two, three days and hope they go

1 away, which usually doesn't happened anymore, you know, they just hang around and wait for a free meal,  
2 or they have to move.

3 But, you know, some of these discards are not just small fish. And that should be recognized.

4 I think the data, you know, that's going to need a lot more cleaning up because, you know,  
5 we've got shark directed data that's in there and it's very difficult to try to figure out. What are we  
6 talking about, are we talking about pelagic, all pelagic fisheries, are we talking about, you know, all  
7 bottom fisheries as well? You know, very difficult.

8 I think that one of the scariest things to my group has been -- and I got one of the best comments  
9 out of a fisherman right of the bat, as soon as he saw this, he called me up, he's got like a 40, 45 foot  
10 boat in these areas.

11 And his question was, "Well, where do I go fishing?" "Where can I go fishing?"

12 And if you look at it, you know, this is really taking a pretty shot (inaudible). You know,  
13 there's basically all of the fishing areas connected to Florida, that a 40, 45 foot boat can't reasonably fish  
14 in, there gone, there gone.

15 Now, I think that there needs to be, you know, some consideration of the liability of the fishery,  
16 whether or not you'd want Atlantic (inaudible) long line fishery period.

17 And if there's to be a viable fishery, then the same as with the angling for bluefin tuna, there  
18 needs to be some bounds, some consideration. And what we would like to have, you know, is a goal.  
19 What is the goal? And what is the standard?

20 We're 57% on a stock that's at 58%, bluefin tuna is 79% immature on a stock assessed at 13%.  
21 Now, where's the consistency, where's the balance, where's the standard, where's the goal?

22 And I especially looked at, you know, scientists and environmentalists in the road here, that's,  
23 hey, step up to the plate. You know, step up to the plate here. You know, we have a chance to do  
24 something for highly migratory species fisheries.

1 I think if we could work a little closer with the fishermen, you could come down to key times and  
2 areas, and it may well go by paddle lines.

3 Because what I'm told in the Gulf of Mexico is you're basically looking at (inaudible), the inside  
4 of 4 or 500 paddles, that if you keyed in on that area, you're taking out the biggest part of the problem in  
5 that whole region right there.

6 I never fished in the straights of Florida, but I'm sure that fishermen approached, for a reasonable  
7 basis, would be willing to, you know, discuss these issues that need to be discussed with fishermen.

8 As far as Charleston, I don't understand why your data shows a forth, and we really need to figure  
9 that out, because the basic problem off of Charleston is a strip about 60 miles long that's an in (inaudible)  
10 strip, and it's set basically in the springtime.

11 It's first quarter, it's not fourth quarter. I don't understand, you know, we need to figure out  
12 why, you know, there's that difference there.

13 And then, you know, as the situation of the fishery and by-catch (inaudible) changes, for different  
14 areas. Basically, you know, fathom occurs and the in-shore where the small fish were on the in-shore,  
15 holds until you get about up to Hatteras.

16 Once you get up above Hatteras, you want the long line boats fishing toward the bank, you want  
17 the cold water edge because that's where the big fish's cleanest fishing is.

18 The more you push that off in to the warmer stratus, the worse the situation is, especially for  
19 billfish. So, you know, there's a lot of practical common sense, you know, considerations and I caution  
20 everybody that they've got to go slow.

21 And first off, they've got to figure out whether or not they want a long line fishery and a viable  
22 fishery that, you know, catches a lot of good, fresh, domestic seafood for a lot more consumers than what  
23 we have had at recreational interest.

24 And those things need to be out there, out front before you can expect the fishermen, in the

1 atmosphere that 's been created in the last few years, to say okay, we' ve got another problem, and, you  
2 know, let ' s roll up our sleeves and figure it out.

3 It needs consistency, it needs balance, it needs complement, and that ' s going to be critical.

4 MR. DUNNIGAN: Thank you.

5 A PARTICIPANT: I just got a simple question I wanted to ask.

6 A PARTICIPANT: I think we would all benefit here if we could limit our discussion to try and  
7 understand the information that ' s just been presented, not present the same speeches that have been  
8 presented two or three times already.

9 A PARTICIPANT: Jean, when you distributed your effort from the (inaudible). As I understand  
10 it, you simply uniformly distributed that amount of efforts, over, across everywhere.

11 DR. CRAMER: I distributed the effort in proportion to the effort that was already there and it, for  
12 instance, if you had a 2% square that had a thousand hooks, it then had a thousand and ten. Whereas if it  
13 had a hundred, it would have a hundred and ten.

14 I distributed the proportion that had been lost.

15 A PARTICIPANT: Each unit effort that moved from a closed area to another area then was  
16 assigned the CP (inaudible) that had been observed in the other area?

17 DR. CRAMER: Yes.

18 A PARTICIPANT: Prior to distribution?

19 MS. CRAMER: Yes, yes.

20 A PARTICIPANT: Okay, so an alternative might have been to look at those areas of very high  
21 hook density and say that this effort would have, in fact, simply diluted the previous CP (inaudible).

22 DR. CRAMER: If, well, if one wanted to be more realistic, one would have redistributed the  
23 effort closer to where it had been eliminated because realistically, as was pointed out, many of these boats  
24 don' t have the option of going large distances.

1 I think that was the -- that would be the first criticism, that this distribution scenario was the  
2 quickest and easiest one to do, so I did it just to sort of get an idea as to what would happen, it's not the  
3 best.

4 A PARTICIPANT: I understand that. I understand why you did it, but my real -- the only thing I  
5 want to know is did you -- when you reassigned effort --

6 DR. CRAMER: Yes.

7 A PARTICIPANT: -- the effort then got catch in proportion to the effort that had been the  
8 historical catch reference for that grid?

9 DR. CRAMER: Yes.

10 A PARTICIPANT: Oh, and that's certainly a reasonable way to -- alternatively, couldn't you --

11 DR. CRAMER: It's very simple.

12 A PARTICIPANT: -- assign a catch and said, when you reassign the effort, then that effort only  
13 got a proportion of the catch that it reported. You see the difference?

14 In one case you're assuming that there is catch available, additional effort --

15 DR. CRAMER: Oh.

16 A PARTICIPANT: -- to catch at the same rate. On the other hand, in those areas of very high  
17 hook density, you might figure that the effort was more than sufficient to take everything there and  
18 additional effort would only redistribute the previous catch.

19 DR. CRAMER: Yeah, I did not take in to the count that you might be diminishing the  
20 catchability in the other two degree squares. That would be another level of complexity which we don't  
21 have a lot of data on, and obviously you could do that, I did not do that.

22 MR. DUNNIGAN: David Wilmot.

23 MR. WILMOT: Just a follow up on what Russ was asking, you also assigned the by-catch values  
24 for the area that the effort was moving in to, correct?

1 DR. CRAMER: Yeah, everything went up proportionally and with the original catch per unit  
2 effort in any given two degree square.

3 MR. WILMOT: Are the data available to be able to make more sophisticated assumptions on  
4 what the entities effort may actually do to the by-catch totals and ratio?

5 DR. CRAMER: Sure.

6 MR. WILMOT: That would be available to make more sophisticated --

7 DR. CRAMER: Yeah.

8 MR. DUNNIGAN: Jim Donofrio?

9 MR. DONOFRIO: Thank you Jack. I agree with Russ. This (inaudible) for Dr. Cramer. I'd like  
10 to request, perhaps when Dr. Cramer gets done, that maybe Dr. Powers or Dr. Scott could demonstrate that  
11 there is a difference between bluefins stocks and swordfish stocks, so we don't have to continue to listen to  
12 rhetoric on the two stocks --

13 MR. DUNNIGAN: Well, we're going to have a separate discussion on them.

14 MR. DONOFRIO: Can we do that?

15 MR. DUNNIGAN: There's a separate discussion of blue fin coming up. Peter Weiss?

16 MR. WEISS: I wanted to save the question because I just have to (inaudible). But if your goal  
17 was to minimize by-catch, after the work you did, what conclusion did you come to?

18 DR. CRAMER: The conclusion, well the general conclusion is that swordfish by-catch does  
19 occur in the more southern areas and moves north during, in to the fourth quarter is what my analyses say.

20 And I think part of the problem, part of the difference between what Nelson is saying and what  
21 I'm observing, is that I was using the ratio. And my -- well, now I go to sizes from observer data, but  
22 what I'm seeing is that in the fourth quarter even the discarded swordfish tended to be smaller, and these  
23 areas, which may be one of our differences.

24 But, you know, my observation is that, you know, we can more or less tell where the high discard



1 ratios are. What we want to do about it is another question.

2 And I do feel that we need to make a decision based on -- we need to make one decision that takes  
3 in to account the blue fin you're going to hear about next. Because that's going to involve the northern  
4 areas.

5 It's a complex decision, rather than saying, "oh, well here's where the swordfish are discarded,  
6 let's close these areas." I think it's a more complex decision than that.

7 MR. DUNNIGAN: There's Vince Pyle and then Dave Borden.

8 MR. PYLE: Thanks a lot. Just so I understand the data correctly, if you don't distribute effort at  
9 all, the best case --

10 DR. CRAMER: Eliminate.

11 MR. PYLE: Eliminate, right. Just eliminate all the squares, which would eliminate, in reality,  
12 the entire fishery other than the distance from Hatteras south, the best case scenario is a 27% improvement  
13 on (inaudible).

14 DR. CRAMER: Reduction of (inaudible).

15 MR. PYLE: That's the best case?

16 DR. CRAMER: That's correct.

17 MR. PYLE: And if we take, considering that over 80% of these vessels could unsafely move very  
18 much further than the squares that are in place, very little movement from where the squares that are in  
19 place, then you get down towards about a 7% improvement or less than --

20 DR. CRAMER: In the worst -- the lowest estimate for the redistribution effort was 7% in 1995,  
21 but 1995 wasn't a year that was like the other four. You know, basically, the numbers came out of this  
22 five year period.

23 The one year that was less like the other four, would tend to have the less success rate. I think it  
24 varied between about 23% and 7% as far as how much you would reduce swordfish discards with effort

1 redistribution.

2 MR. PYLE: So with that said, and following up on Peter ' s -- what is -- does this sound like a  
3 viable alternative to you as a scientist, to eliminate the million some pounds, the 5, \$8 million in actual  
4 value of the fish that is caught that is legal, and eliminating 90% of the vessels in the lower line fishery  
5 industry, is this a good -- is 27% absolute perfect, is that a good improvement?

6 DR. CRAMER: I have not presented this report as a suggestion of time area closures. I presented  
7 it as information about where small swordfish are discarded in the greatest numbers. I would not be happy  
8 with this being adopted as it ' s laid out here, as, " oh let ' s close these two degree squares."

9 MR. BORDEN: David Borden.

10 Can you document a vessel profile on the fleet because we displaced from the closed areas? If you  
11 had gone back in to the database and said, these are the boats that are fishing in these areas and then come  
12 back and close them, these are the (inaudible).

13 DR. CRAMER: No, I have not done that. I think maybe some of the work of some of our  
14 economists would relate to that.

15 MR. BORDEN: That might be very helpful. Being able to predict or have them predict what the  
16 impact would be.

17 A PARTICIPANT: Well, if I could, that ' s a fairly easy, without too much variation, I could give  
18 you a little thumbnail sketch, considering that this is the only place and the only vessels that I trade with.

19 You range from 31 foot one-man, one-day vessels, which there ' s approximately a dozen of, to up  
20 to 60 foot plastic or fiberglass vessels that might make as much as 10 sets.

21 The medium, or the mean average, I would guesstimate to be 45 foot number one hulls made out  
22 of Key West, fiberglass vessels, that were built and designed and have fished for decades and decades in the  
23 straights of Florida and from Hatteras through these squares.

24 These vessels man three to four people and have a duration of five to seven days.

1 MR. DEAN: Jean, I want to complement you on the analysis as this is the first effort that I have  
2 seen to where we could actually start asking substitute questions about each of these issues that we've been  
3 graphing and also the reality that you put (inaudible) about the log books that have come through the lower  
4 line fishery.

5 So, those two things fit together. The thing that I would observe on this, and it follows on  
6 Vince's questions, that I would observe is that in other areas of natural resource regulation and control,  
7 what we have watched over the last several years, an evolution from what is called command and control for  
8 regulation to a system that is driven, a goal driven system, and the industry or whomever is being regulated  
9 actually determines the mechanisms of processes to achieve the goal.

10 And I would like to put that on the table. That this body -- think about that, that is, if this body  
11 thinks that a 27%, I don't care Jean if it's 18% or 35, the point is you're able to look at it in a way that  
12 we haven't looked at before.

13 If we say 25% reduction is desirable then, in fact, those that are being regulated by that say, and  
14 this is how we'll do it. But, of course, they're going to have to demonstrate that they have, in fact,  
15 accomplished that.

16 So it's a movement -- EPA you know, has moved this way very bigger, so those of you who deal  
17 with our industry know that.

18 But I think that's something we ought to be thinking about and talking about.

19 MR. DUNNIGAN: Let's take our last comment and then let's see if we can learn something  
20 about bluefin tunas.

21 A PARTICIPANT: This is not a direct question to Jean, and I want you to just stroke up, when  
22 are we going to discuss some of the policy implications? I think we should wait until after we see the  
23 bluefin presentation.

24 But I just want to make sure we're going to get back to talking about what John just (inaudible).

1 MR. DUNNIGAN: Okay, Karyl?

2 PRESENTATION OF KARYL BREWSTER-GEISZ

3 HMS SILVER SPRING

4 MS. BREWSTER-GEISZ: Hi, I'm Karyl Brewster-Geisz. I don't know how many of you have  
5 met me, but I do work in HMS in the Silver Spring office. And I'm working closely with Jean Cramer,  
6 Steve Turner, and Craig Brown in trying to get this whole issue straightened out.

7 The ultimate goal that we have is that ICCAT requirement, actually the reduction of Atlantic  
8 bluefin tuna dead discards by the incidental fishery, this is something we have to accomplish in '97, '98.

9 Ninety-seven has already gone past, so we're working on '98.

10 Incidental fishery, we are the -- United States is the only country right now reporting dead discards  
11 to ICCAT. That's why we're working on the incidental because that's where we get our numbers from.

12 As many of you know, bluefin tuna already has some restrictions on how much they can catch, the  
13 incidental fishery. We have target catch restrictions.

14 Some of you may not know that we went out with an AMPR a few years ago to redo the analyses  
15 on target catch requirements.

16 If I understand correctly, the initial analyses, we're trying to get rid of any economic incentives,  
17 trying to get rid of the directed fishery by taking the average catch of sets that did not catch any bluefin tuna  
18 and then trying to put the target requirements related to that average catch.

19 Before I begin too much, I want to explain some of my assumptions. Now this is a very  
20 preliminary analysis, it's at a much earlier stage than Jean's.

21 I would like eventually to get to the stage that Jean Cramer is at so we can propose a rule.

22 First of all, we just considered those that were reported in the pelagic log book. We only  
23 considered sets which actually caught a bluefin tuna, not necessarily landed one, not necessarily discarded,  
24 but caught one.

1           The number of bluefin tuna discarded, I had as equal to the number of bluefin tuna discarded dead,  
2 and the number discarded alive.

3           This was based on a lot of what I saw. I did not see any relationship between the number of  
4 bluefin tuna caught and the number of target catch.

5           This is good, this is what we want if we actually did get rid of the economic incentive, if this is  
6 truly an incidental fishery.

7           What I was saying instead was that in certain areas, the long line would go in the water and a set  
8 would catch a lot of bluefin. That 's what we want to get rid of, those sets which are catching the bluefin.

9           And when you're catching a lot of bluefin, I don 't think there 's any way you can promise me  
10 that they 're all going to be discarded alive or discarded dead.

11           So just to simplify everything, discarded dead, discarded alive, that 's what we 're looking at.  
12 Another thing we did is, instead of the discard ratio Jean was working with, Jean and I worked on this and  
13 we decided to do discard per unit effort.

14           This is very similar to catch per unit effort except we 're looking at only discards and effort here is  
15 sets, not hooks as many of you are used to. That 's because there seems to be a pretty straight relationship  
16 between the number of hooks and the number of sets.

17           This is an open book, we can discuss using different methods if you want. When you 're looking  
18 at what I'm showing you here and what 's in the hand out that went out to everybody, these are the same  
19 graphs that 's in the hand outs, I want you to consider these options. I want you to consider everything  
20 that enforcement talked about, how you want to simplify the area, how you want it to occur at the same  
21 time.

22           I also want you to consider how long of a time we should consider closing. Is it worth it to close  
23 for a week? Is it easier to close for a month? I mean, I know saying we close just in March, every year,  
24 it 's very easy to remember March is closed on a particular area.

1           Consider the other species we need to look at. We need to look at the other tunas. Are we going  
2 to effect the landings of skip jack, or albacore? Are we going to change the landings of large coastals?  
3 Will this help in by-catch issues of marine mammals? How much are we going to effect the swordfish  
4 landings?

5           You want to work on economic affects, we don't want to put any more fishermen out of the  
6 fishery. I don't think we will because, as I said, we're just trying to focus on those sets that are catching  
7 a lot of tuna.

8           And anything else you can consider, we're working on proposed rule, we're working on getting  
9 alternatives out. Anything you can come up with I'm sure we can work some way of analyzing.

10          Now, we worked on two time series. We worked on just '92 though '95, this is a historic database  
11 we're using. We started with '92 because this was when we started the target catch requirements.

12          You have here -- I don't know if you can see this too well -- the number of fish. This is the  
13 latitude and the month. As you can see, or maybe not see, cut off here, but in your hand outs you have  
14 high number of bluefin tuna landed in this area here.       That's off the Gulf of Mexico and off the South  
15 Atlantic by Florida, and we have a lot over here, which is in more northern areas off the Mid-Atlantic bite.

16          A lot of the scientists have commented that these numbers in the Gulf of Mexico area seems to be  
17 high. We're working on that. We think some people might have been reported yellowfin tuna and bluefin  
18 tuna and mixing it up because they were so close in the log books.

19          Look at graph one. All these should be pretty much in the same order they are in the hand out that  
20 I gave you.

21          This is 1996, this is the most recent time we have. It's the most recent we were able to look at  
22 what's happening in the fishery now. Once again, you have number of fish, latitude, and month, and you  
23 have the same sort of distribution.

24          Looking at discarded, however, you see a much different layout. Suddenly you have a lot of

1 bluefin tuna being discarded off this Mid-Atlantic. And you see that in the past.

2 And this is a map that I did, just showing the discards. All of these different figures indicate how  
3 many bluefin tuna were actually discarded. They're over laying on the thing, so just because you have a  
4 square there does not mean there's not a circle or triangle behind it.

5 As you can see, there are a number of triangles here, but that's only two to five bluefin tuna  
6 discarded per set. If you go up here, the red square means a hundred bluefin tuna discarded per set.

7 You're seeing the much higher discards occurring off that region. That's the region we're  
8 basically trying to focus on. Nineteen-ninety-six, the same thing, and once again, it's in the same regions.

9 How does this relate to landings and the number of bluefin tuna caught? Just looking at the  
10 numbers that I have right now, which as I said we're working on, it looks like about 75 to 90% of the  
11 blue fin tuna caught are discarded.

12 That's a lot of discards. This doesn't necessarily mean it's immature, mature, we're not  
13 looking at age structure at all.

14 Number of sets, once again, we have a lot occurring, Gulf of Mexico, Florida region, and a lot in  
15 that northern area. In the past, future, same thing -- well not future, I suppose present.

16 Now this starts getting in to discard per unit effort. Once again, DPUE is the number of discards  
17 divided by the number of sets. We see peaks, this is month on the X axis. We see peaks in August and  
18 September, both in the past and in the present. This doesn't necessarily mean those are where we're going  
19 to cut the discards.

20 When we go and focus in on those areas, the peaks may change. Also, just because that gives you  
21 a big bang for your buck, it doesn't explain how big the buck actually is.

22 Let me just go back for a few minutes. Oops, going forward, sorry.

23 If you look in September and August, you're not really seeing a lot of discards occurring in those  
24 months.

1           We can also look at discard punit effort by latitude. This region down here is the Gulf of Mexico,  
2 very little discard punit effort but a major peak occurring as you get in to the areas that we 're concerned  
3 about off the Mid-Atlantic.

4           And more maps just showing you were that 's issued. Once again, you get the lower ones, .5 to 1  
5 and 1.5 down here and here and much higher ones concentrated off that region there. Same in the most  
6 recent data.

7           And now we 're getting in to just the number of other species. What we also want to consider,  
8 and a lot of them are caught in the same areas, these are swordfish landed. I shouldn 't be saying caught, I  
9 should be saying landed.

10          Just things we need to worry about, all I 've presented is swordfish or I could go on for a long  
11 time considering the other species.

12          One of the things I haven 't mentioned which I should, is the bluefin, when we 're looking at it,  
13 the discards -- let me get back there -- as you can see in the recent, the discards mostly seem to have been in  
14 the early months and in the late months. This happened in the past as well. We 're thinking that 's maybe  
15 when the bluefin tuna are migrating in and out of the area, and that 's what we need to look at.

16          But other than that, I 'm open for comments. That 's all I had to present.

17          MR. DUNNIGAN: Questions, Jim Donofrio.

18          MR. DONOFRIO: Yes, how many animals are discarded by the (inaudible) long line fisheries?

19          MS. BREWSTER-GEISZ: Do you have an answer for that Steve, because I don 't have the actual  
20 numbers in front of me.

21          A PARTICIPANT: I 'll get you an SERS report.

22          MS. BREWSTER-GEISZ: Okay, that 's reported in the SERS.

23          MR. BEIDEMAN: Nelson Beideman, Blue Water.

24          First off, we know the rationale for why there 's no directive bluefin tuna fishing in the Gulf of



1 Mexico (inaudible). But, we've never been given a clear answer and the fishermen, you know, clearly are  
2 confused and don't understand.

3 Why is U.S. long line boat being incidental no matter where he fishes all the way out to the  
4 Azores. There needs to be an explanation, made to that.

5 One of the big problems that -- I think, you know, to key in real quick here, where talking about  
6 spring time, early water, up in the northeast.

7 Basically you're looking at that the warm eddy that gets sucked in by the Fundeal Channel right  
8 on the Haggai line.

9 And eddy comes back, and the northeast is to the point where the cold water is being spewed out  
10 because of the clockwise rotation, as that eddy northeast corner becomes available, and if somebody starts  
11 their set in the core water or gets sucked in to the core water, that's where your bad set of bluefin tuna is.

12 The problem is, in what warm core ring, that's your premise, you know, targeted catch fishery is  
13 in that ring just two, three miles away.

14 And it's a very difficult situation. Those first rings in on the bank, that's the only pelagic water,  
15 that's the only ball game in town.

16 What's resulted here is basically a couple of bad sets and I know about them because the captains  
17 have come to me, they've shown me the information, etcetera.

18 That's another thing that needs to be considered, and getting back to reducing discards, most of the  
19 folks here at this table were included in a proposal three, four year ago, we worked on it for like two years,  
20 and almost everybody here signed on to it at one point or another, and Wally Smitten (phonetic) signed on  
21 to it twice and shook hands on it twice, that we would take, from the discard column to the landable column  
22 and then that would be a big bite out of the problem right there.

23 We would take the dead discards and ease up the regulations cautiously, so that these vessels could  
24 land their traditional allocated share. And that takes a big bite right there.

1           Now, even if you said, well the Atlantic fishery, it really shouldn't be incidental, you know, but  
2 it's got to keep within its quota, you're still going to need some protections.

3           That doesn't get us out from needing enhanced protections. And you're going to have to key in  
4 on the specific area, but you're probably going to have to look at what the Canadians do as far as, you  
5 know, they do test sets, they do closures if there's a problem, and they allow it open if there isn't a  
6 problem.

7           Because those water eddys move, the time of the year that they roll in moves, and even during the  
8 winter time, if you get an eddy in there and boats go out and research, you'd be surprised what bluefin tuna  
9 we have on the continental shelf in January, February, March, April.

10          It's unbelievable and I think this fleet has done a tremendous job, tremendous job of avoiding blue  
11 fin tuna. There's been some bad sets, and there's been some back players, and there was a terrible  
12 situation a few years ago in the Gulf. We put in a graduated tool --

13           (Gap in tape.)

14          A PARTICIPANT: And you can't sit and look at this data without legitimately wondering  
15 whether the discard policy is the right policy. I would certainly like to see these analyses try and work an  
16 evaluation of the discard policy or discard as a strategy from (inaudible).

17          A PARTICIPANT: Louder.

18          A PARTICIPANT: My point is that you can't sit and look at all this data and think about it  
19 without a question on whether the discard policy or discard strategy is an appropriate way to manage this  
20 problem.

21          I would certainly like to see this data turned to that question of evaluating that question as opposed  
22 to questions of whether we ought to close or we ought to do something else.

23          If we're going to be developing a highly migratory species to plan for five, ten, fifteen, twenty  
24 years, this certainly has to be examining that question in a fundamental -- what kind of strategy or policies

1 and we build in to the long range of planning.

2 MS. BREWSTER-GEISZ: Well, as I said in the beginning, this is an ICCAT recommendation.  
3 We do have to take care of the discards. I'm sure we can evaluate in rebuilding with the method that we're  
4 doing, but for '98 we do have to. And Rebecca ?

5 MS. LENT: Yeah, let me just add to that that we did attempt to do what you just mentioned to  
6 people. Is we just tried to find some kind of a statistical relationship between the target catch and the  
7 bluefin catch.

8 Because right now, it's based on a percentage in the north, it's based on a percentage here  
9 (inaudible) landings, and south it's you have to have a minimum target catch requirement.

10 We couldn't find any relationship between the two. One of the problems had to do with data,  
11 because it's only in 1996 that the pelagic long line log of data started recording, which sets were all within  
12 one trip.

13 And so Karyl tried very, very, worked hard on this and she has for a long time, to figure out which  
14 sets were all in one trip and try to find a relationship. It just didn't pan out. It just didn't work out.

15 John Hoy (phonetic) had done an analysis based on landings, (inaudible), not based on catches so  
16 there's a big difference.

17 We need to reduce discards. We need to look at what's going on at sea, not what's brought in to  
18 the shore. So the proposal that Hammer spoke about was sound research, but it doesn't get at the core of  
19 the problem.

20 The root of the problem is reducing dead discard, so that's why Karyl's been working on this  
21 100% of her time, trying to get this analysis done.

22 We'll continue on that type of analysis to indeed see if we need to adjust our target catch  
23 requirements.

24 MR. DUNNIGAN: Vince Pyles.

1 MR. PYLES: Vince Pyles.  
2 Is there any -- do you know of how many discards of bluefin there was because the vessels didn't  
3 need to hold capacity to beat the requirements?  
4 MR. DUNNIGAN: Steve Turner.  
5 MR. TURNER: We couldn't hear in the back.  
6 MR. PYLES: There's a certain amount of bluefin that are caught by vessels that don't have the  
7 hold capacity in certain months, to bring in their targeted catch plus bluefins.  
8 So therefore, their hold capacity might be 2,500 pounds, and the regulation calls for 4,500 pounds  
9 of directed catch. Every May when you're fishing the straights and the bluefin Hoover out and you get one  
10 bluffing a year, those vessels just snip it.  
11 That was ridiculous but, is there any break out of how much, by vessels, that don't have the hold  
12 capacity to qualify to bring one in?  
13 A PARTICIPANT: Steve, do you have an answer to that?  
14 MR. TURNER: No, we haven't looked at that sort of thing, okay. Thank you.  
15 MR. DUNNIGAN: Gail Johnson.  
16 MS. JOHNSON: Gail Johnson.  
17 Rebecca or Karyl, do we have any information on discards as a whole? In other words, we have a  
18 log book for long line discards and we have some observer reports, do we know like harpooning is a pretty  
19 exact thing, but every once in a while you can't estimate from the pulpit how big the fish is.  
20 And there are mortalities associated with blue fin no matter how you catch them, and sizes, so I'm  
21 wondering what the information is on all discards for all areas (inaudible).  
22 MS. LENT: We do collect that type of information through the (inaudible) survey, and as I  
23 understand there's been no reports of dead discards.  
24 MS. JOHNSON: No reports?

1 MS. LENT: And we have had a (inaudible). We have had observers on (inaudible) missiles and  
2 we have, based on some of those concerns, as well as any concerns, no reports there of dead discards.

3 Now we have had (inaudible) evidence just from the past year or two of concern over harpooning  
4 swordfish just under the size. So that area --

5 MR. JOHNSON: Tuna, you mean?

6 MS. LENT: I'm sorry, did I say blue fin?

7 A PARTICIPANT: Swordfish.

8 MS. LENT: Sorry.

9 MR. DUNNIGAN: More questions, to your right.

10 MR. WEISS: I just have a question for Hammer. I read a lot of your stuff and you always talk  
11 about time area closures would be a good thing, break away gear, and I mean, I think you lean toward that  
12 as conservation.

13 Have you ever come up with one that you would suggest, I mean how about this bluefin area,  
14 would that be a, I mean, that's a definite area, you've got a lot of kill there, maybe it came out of a couple  
15 of sets, maybe (inaudible).

16 I mean, has your group ever said, geez, if you're going to have time area closures, this would be a  
17 good place to eliminate.

18 MR. BEIDEMAN: What I would look in to, Peter -- Nelson Beideman, Blue Water -- is that the  
19 Canadian procedure, the Canadian method of four bat area during that time of the year.

20 MR. WEISS: Where was that at?

21 MR. BEIDEMAN: I has to do with test sets. Nobody fishes in that particular area until a test set  
22 with an observer has been taken. And if it meets a certain ratio, then it's open; if it doesn't meet a certain  
23 ratio, then it stayed closed, and until the next test set testing.

24 And that's what I would, you know, suggest for that particular area, and it is a problem. I also

1 have a question.

2 MR. BOATMEN: Nelson Beideman, Blue Water. Rebecca?

3 MS. LENT: Yeah?

4 MR. BEIDEMAN: To get back to the industry and coalition proposal, you know, it was never  
5 proposed as a total solution. It was proposed as, here 's the majority bite that can be taken out of the  
6 problem. Right now we have something like three or five metric ton that are landed.

7 I don't know, you know, what is it, 145 or 170 or something that 's being discarded?

8 MS. LENT: Approximately 700 tons of discards in 1977.

9 MR. BEIDEMAN: Seventy-seven? And what did we land? And if we were allowed to land our  
10 full quota, how much of the problem would be solved?

11 MS. LENT: We 've got somebody that 's responded to that. I guess the concern that we would  
12 have is if we liberalized the allowances so it was easier to bring in blue fin, bring --

13 MR. BEIDEMAN: Cost.

14 MS. LENT: -- in bluefins, would that attract any effort to that area, because a couple of blue fin  
15 can really improve the productivity of the trip. So that 's our concern, is if we just change and say, okay,  
16 just let them land more we 'll --

17 MR. BEIDEMAN: Well then we get back to the more basic panel for the question and that is:  
18 why is the Atlantic pelagic long line fishery designated incidental only outside of the designated spawning  
19 area?

20 Because if we didn 't have that incidental designation, then you would say, yeah, sure, that we can  
21 cautiously relax and that that category should be landing its traditional quota share like the lost sets.

22 MS. LENT: Nelson, I might ask someone who was in the fishery management at that time,  
23 (inaudible). Somebody might know the answer to that question. I understood that long line was an  
24 incidental fishery because at the time we got the quota, they did not have a directed fishery open.

1 Can anybody help me, someone who was in this management before I was?

2 MR. DUNNIGAN: Let 's not go back the history here, I think Nelson 's asking a good question  
3 that needs to be answered, so David Wilmot.

4 MR. WILMOT: I have major reservations with changing the (inaudible) requirements. It 's  
5 obviously a (inaudible).

6 More importantly, the only viable alternative on the table to avoid catching fish, whether it 's  
7 juvenile swordfish or bluefin tuna -- this is a comment, not a question -- the only viable alternative is  
8 closed areas.

9 We have just been presented with the best data we have ever seen. Unfortunately, I heard Nelson  
10 plot out Jean 's next six years of what 's going to have to be done.

11 This can be viewed as experimental, we have good information. We definitely have enough  
12 information to start talking about putting an experimental program in place. We collect data constantly, we  
13 change it as necessary. As we learn more we see how effective it is.

14 In addition, we shouldn 't view this as happening in a vacuum. There are other proposals on the  
15 table to increase survivability.

16 So while we may only get 25 or 30% reduction in mortality of juvenile swordfish by using closed  
17 areas, if we reduce sub-time, if we change hooks, there are other ways to reduce mortality. As I harp on  
18 constantly, what we need to be thinking about here is mortality.

19 We talk about reducing by-catch, what we should be talking about is avoiding mortality that we  
20 don 't want to have, considering the slope of all these fish.

21 So let 's just remember there 's no other viable alternative to avoid these fish other than closed  
22 areas, best data we 've ever had.

23 Let 's (inaudible) about a concrete proposal to put in place and get the ball rolling.

24 MR. DUNNIGAN: All of I did for you for the last day and a half is going out the window this

1 morning. We are way behind and in terms of me trying to keep you moving, we need to do that.

2 So, (inaudible) comments, it is now 20 minutes after the time we were going to take our lunch  
3 break. And I know you want to discuss some of the policy implications.

4 Remember what we're doing here this week is talking about things so that the National Marine  
5 Fishery Service can go home and write up a set of new alternatives. So let's keep our focus on that.

6 We're not going to solve these issues today, we never intended to, what we're trying to do is to  
7 get information out so that a good alternative document can be written.

8 Alan Weiss and David Borden.

9 MR. WEISS: Along those lines and under the context of what's been talked about, now from  
10 several people, I'd just like to remind the service that the Mid-Atlantic council sent you advise now, about  
11 three and a half years ago, indicating the council's -- the council believes it appropriate that the directed  
12 catch requirements for landing of bluefin tuna in the incidental category that are in affect in the south should  
13 apply uniformly along the whole east coast.

14 And that position has not been changed. And just, apart from that, an observation I would make  
15 in regards to something Dave Wilmot said a few minutes ago, the vessels that catch bluefin tuna in the  
16 Gulf of Mexico on long lines are primarily vessels that operate relatively closer to port.

17 A number of them are smaller vessels, with relatively lower expenses, where if you give an  
18 opportunity for them to pursue a very limited directed fishery by setting the regulations to lax, it's  
19 economically viable for them to do so.

20 In the areas we're talking about now, we're primarily talking about relatively bigger boats  
21 operating relatively further from shore, higher operating expenses and whether they catch one bluefin or two  
22 bluefins is not what makes or breaks their trip.

23 MR. BORDEN: David Borden.

24 On the issue of the approach and the strategy (inaudible) looking at, as Jean's data, and I agree



1 it ' s excellent and support time area closures, but it ' s a question on how to get there.

2 And I go back to the comment that John Dean made earlier, I think it may be more appropriate and  
3 more productive for the staff to develop a strategy which, essentially, prescribes a phase reduction in a  
4 number of fish that could be caught. Some of these areas are a day ' s reduction, in the -- or phasing out of  
5 the discards in these areas.

6 And then essentially pass the industry with coming up with the scenario that would meet both  
7 objectives.

8 And if, in fact, they fail to meet those objectives, then I think it would be appropriate for our  
9 group to prescribe default measures which would be triggered to make sure that we adhere to the schedule  
10 which is set up.

11 It ' s a different way of getting there and I just (inaudible) back to the New England council  
12 deliberations and, in fact, we have been notoriously poor, faulting myself and everyone else in New  
13 England, at predicting the behavior of fishermen, how they ' re going to react to a given set of regulations.

14 So, you task them with meeting a time deadline and meeting a certain reduction schedule -- I think  
15 I ' ll come forward with a system that in fact does that. If they don ' t do it, then you have something else  
16 that goes in to place anyway.

17 A PARTICIPANT: I just wanted to comment with regard to something (inaudible), that ' s with  
18 regard to an agreement that we had a few years ago that never got implemented.

19 Part of that agreement dealt with two fish and those of us who got involved in it, there was a  
20 whole bunch us from recreational (inaudible), particularly signed on to it because we were going to try to  
21 get ourselves reopened, because we been shut down for the (inaudible) year.

22 The thought was, and the belief was, that that would not create a directed situation because of the  
23 vessels involved in it. I think at the time NMFS gave us an indication that they did not agree with  
24 anything other than the fact that we had a limited period.

1           They knew we went to core fish, we created directed fishery. (Inaudible) two fish was the number  
2 that, indeed I asked for specifically, instead of four fish, which was the original proposal.

3           I asked to get it knocked down, two fish (inaudible) didn't think was appropriate (inaudible) the  
4 fishery at all.

5           MR. DUNNIGAN: David Wilmot.

6           MR. WILMOT: Just two points. First, let me follow up.

7           Just a very quick glance at the number of sets and the number of blue fin tuna discards, that will  
8 not solve the problem, with just a micro glance at it.

9           So, I mean, I can't speak to whether nor not -- how I feel about that in details, but I don't want  
10 anyone to think that the 75 to 90% of blue fin tunas caught that are discarded, will be solved under such a  
11 proposal.

12           A PARTICIPANT: My suggestion would be that we look at this similar to how we're looking  
13 at the plan, I think David made some excellent points.

14           We have a target, we've set a hard quantifiable standard, we have a trajectory on how we're going  
15 to get there and milestones along the way. If we do not do that, we will fail miserably on by-catch, but we  
16 have so many other areas.

17           We've come to grips with, I think, on rebuilding, I've been so pleased to hear almost everyone  
18 embrace this idea of the structure that Joe Powers laid out on how to think about successfully rebuilding.  
19 Not the details, but just the formula to get there if we want to be successful.

20           I propose a similar way of thinking about by-catch and I'd really like to see that laid out in the  
21 draft that the staff puts together.

22           MR. BEIDEMAN: Nelson Beideman, Blue Water Fishermen's Association.

23           Another thing to add to that, needs to be laid on the table, is, now, we're really on a persecutive  
24 witch hunt here against pelagic long line.

1           Each and every fishery involved in highly microfish species has blue fin tuna discards. Some of  
2 them, some of these fisheries, the dead blue fin tuna may be, many times, more than incidental blue fin  
3 tuna category.

4           And we're ignoring all that, we're ignoring all that. And we're going on this witch hunt just  
5 because it says "long line". The panels have got to get real, somewhere along the line there's got to be a  
6 maturity.

7           And again, the consistency, comparability, the monitoring, enforcement, and the goals, and the  
8 goals, you know.

9           We all know discards, each and every one, may be tremendous numbers. That's the message that  
10 the international ICCAT partners got.

11          And all we're responding to it is exactly what we told them we would not be doing, going after  
12 the pelagic long line fishery instead of working out our discards for landable and looking at our overall  
13 fisheries of discards.

14          We're doing exactly what, not at the table, but aside from the table, that we told them we would  
15 not do.

16          And Wally Smitten's handshakes were involved there, and everybody had general knowledge of it.  
17 The credibility of the U.S. management system, now, is undermined by not looking at these things in a  
18 consistent manner.

19          MR. DUNNIGAN: Ellen.

20          MS. PEEL: I just would like to add, this is information that NMFS knows, but for the benefit of  
21 the rest of the panel, TBF also, you know, we applaud the work that Jean Cramer has done, but we've also  
22 paid a consultant to do similar type of analyses on billfish.

23          But it couldn't be presented to you here during the panel meeting, but that work will continue,  
24 and we will continue working with NMFS and hopefully that same scenario can be used to reduce billfish

1 by-catch.

2 To Nelson ' s concern, that one item in our analysis that is being considered and looked at is the  
3 (inaudible) where can you get those (inaudible) reduced discards, all at the same time have a minimum  
4 impact on industry.

5 Of course the issue of (inaudible) is also -- but I wanted the panel to be aware that we are putting  
6 money in to that sort of research also for the benefit of NMFS and for the management of the fish.

7 MR. DUNNIGAN: Is there a comment here, Peter Weiss?

8 MR. WEISS: Just a quick question. On the first chart that went up, it said ICCAT wants discards  
9 reduced from the incidental fishery, isn ' t that what it said?

10 A PARTICIPANT: No.

11 MR. WEISS: I don ' t think that ' s what ICCAT said, they just want discards for good.

12 MS. BREWSTER-GEISZ: Since the only dead discards we report are those with the long line  
13 fishery, right now, that what the quote is.

14 MR. WEISS: Oh, so that ' s what -- because it didn ' t say that.

15 MS. BREWSTER-GEISZ: We do need to have a rule sometime in the '97, '98 period in order to  
16 meet our requirements under ICCAT.

17 A PARTICIPANT: They just wanted mortalities not to exceed the 2,500 level.

18 MR. DUNNIGAN: I think we ' ve gotten a lot out on the floor and the table that is going to be  
19 (inaudible) for the service. Are there any other sort of suggestions of alternatives and ideas that you want to  
20 make sure that they have incorporated in the next version of the document that you see? Otherwise, I think  
21 we need to move ahead.

22 Jim Donofrio?

23 MR. DONOFRIO: I have a request that -- Dr. (inaudible) has done a report, it ' s an analysis of the  
24 possibility utility of time area closures --

1 A PARTICIPANT: That 's the TBF study I 'd like to add to this point. This was --

2 MR. DONOFRIO: Yeah, and this is something that needs to be at the main meeting for those

3 interested.

4 The panel needs to agree that we need to listen to (inaudible) the best available science. And it

5 was not being presented here today.

6 We all need to hear this.

7 MR. DUNNIGAN: We 'll bring that back and see how I can work in the (inaudible).

8 A PARTICIPANT: Jim, I just presented that information to the panel, thank you very much.

9 MR. DUNNIGAN: Okay, Nelson.

10 MR. BEIDEMAN: Nelson Beideman, Blue Water.

11 If we could, if we could have a summary or explanation and description of the Canadian system.

12 A PARTICIPANT: You want that now?

13 MR. BEIDEMAN: No, no.

14 MS. BREWSTER-GEISZ: Well, I think that we 're going to just make sure that this blue fin

15 material (inaudible) a rule making action, and in that -- in the documents that accompany the proposed rule,

16 if indeed that 's the route that we 're going, we 'll try and have a description very soon.

17 It 's a time area closure, but it 's based on someone going out and sampling. Of course, the

18 United States is a much bigger job, you know, compared to the Canadian right now. It would take a lot

19 more people, a lot more dollars, a lot more time.

20 But it 's always a possibility that those bucks (inaudible), or we 'll just have to spend the money

21 on something else.

22 MR. DUNNIGAN: Alan Weiss.

23 MR. WEISS: I would also like to suggest the HMS division review council FMPs just to see

24 how the councils have come to solutions with by-catch and discard problems in the fisheries that we

1 manage, and possibly glean some ideas or approaches from that that would be useful.

2 MR. DUNNIGAN: Rusty.

3 MR. HUDSON: Rusty Hudson, Director Shark Industry.

4 Isn't there something that the northwest Pacific Fishery Management Council made (inaudible)  
5 for the commercial fisherman and retention of their by-catch recently?

6 A PARTICIPANT: The answer is yes. Ellen's not here she worked it.

7 MR. DUNNIGAN: Thank you very much. This has been a good discussion. Obviously a typical  
8 issue is not over. It's 1:05, we're going to take a break but we're going to be back at 1:45.

9 The first agenda item is going to be the Gulf of Mexico Fishery Management Council's  
10 recommendation on limited entry.

11 (A brief recess was taken.)

12 MR. DUNNIGAN: All right, let's take roll for who was back on time: Mr. Wagley, Alan  
13 Weiss, Pete Jenson, Dave Borden, Jim Francesconi, Marsha Hath, Charlie Moore, Linda Lucas, Jose,  
14 Willie Compos, Gail Johnson, Ellen Peel, (inaudible).

15 A PARTICIPANT: Does that mean we get two votes now?

16 MR. DUNNIGAN: Okay. Let's go. Ms. Derclabry (phonetic)?

17 MS. DERCLABRY: The Gulf of Mexico Fishery Management Council concerning controlling.

18 A PARTICIPANT: Rebecca, are there enough people here so you'll be happy?

19 MS. LENT: If this is the best we can do.

20 PRESENTATION OF

21 THE GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

22 PRESENTER: Okay. Last week the Gulf Council met and we started discussing limited entry for  
23 higher vessels, john (inaudible) boats and that sort of stuff.

24 The thing you do when you start discussing limited entry is immediately publish a control date,

1 control date is that anybody who has a fishery after this date, may or may not be grandfathered in.

2 A control date is something, you can't go back further than that, but you could say, well, we've  
3 changed our mind, that control date was too old or inappropriate, we're going to start a new control date.

4 So the prudent thing to do is to get one out as soon as you can to avoid a gold rush deal about  
5 people rushing in to position themselves in the fishery for speculative reasons.

6 The suggestions made the council by several of the public testimony people who were in the ?for  
7 hire? vessel business was that, if we're going to do a control date, to include all fisheries that have pursued  
8 by charter vessels or "for hire" vessels, whatever you call all these vessels.

9 And the council agreed that that would be a good idea because we could back some or all of them  
10 out later, whatever the circumstance came to be.

11 The discussion is not whether there should or should not be limited entry for charter vessels, the  
12 discussion is whether or not it's okay to include the highly migratory species in the control date  
13 notification.

14 The council, of course, deals with the species other than highly migratory. For the council to  
15 publish a control date notice that includes highly migratories, would have to have Rebecca's approval.

16 I've talked to Rebecca and Jerry about it, they suggest that in order to get a full blown look at it,  
17 that I propose this as a subject for, if you have any comments to this group, so that they'll have the  
18 benefit of any input from this group in making their decision whether or not to say it's okay to include  
19 highly migratories in the Gulf council notice of a control date for "for hire" vessels.

20 Apparently a control date cannot be any sooner than when is published in the Federal Register.  
21 You can't back it out, back it back.

22 And the council's intent is to get that done as quickly as possible so if it's going to take a lot of  
23 time to include the highly migratories, staff has the ability to back out the highly migratories from the  
24 motion, and go follow it to the Federal Register notice with only the council managed species instead of

1 also including the highly migratories.

2 So this is an attempt to include everything to have the best input that Rebecca can get, which  
3 would be from this group, and what there is here, the best are here I assume.

4 So it's a matter of, if you have any questions about what all this means, or any comments, please  
5 let Rebecca hear them now.

6 MR. DUNNIGAN: Let me ask just an orientation question here. Are we just talking about the  
7 Gulf of Mexico?

8 A PARTICIPANT: Yes.

9 MR. DUNNIGAN: And we're just talking about the "for hire" sector?

10 A PRESENTER: Right.

11 MR. DUNNIGAN: Okay, so the issue is: control date for the "for hire" sector in the Gulf of  
12 Mexico, council is proposing for of all the species they manage, how do we feel about the possibility of  
13 NMFS including in that highly migratory species as well --

14 PRESENTER: Let me say one other thing. The council has just begun these discussions and the  
15 council may or may not end up with some kind of limited entry system on (inaudible).

16 MR. DUNNIGAN: The council is (inaudible) controlling.

17 PRESENTER: So that's not -- right, right.

18 MR. DUNNIGAN: They may not end up using it for limited entry, but for the moment they want  
19 a control date established. How do we feel about that being a (inaudible) HMS species? Bob Zales.

20 MR. ZALES: Bob Zales, Panama City.

21 I'm the primary one that has suggested this at that meeting and at the prior meeting in January,  
22 and I'm not speaking in favor or against limited entry for the entire business.

23 But I've seen too many mistakes in the commercial side of issuing permits and talking about  
24 limited entry to where you try to do it species specific.



1           Because you end up doing a decent job on the first species, but all the rest of them, because  
2 everybody see what happens, they all run out and get in to it whether they 're doing it or not.

3           The purpose of limited entry is just that, to limit entry. If you don 't limit it, there 's no reason  
4 to do it.

5           So we establish a control date that puts the date there and the way that I understand how this works  
6 is, that if that day is today, whoever in the "for hire" business was in the business prior to today, is assured  
7 a position in the future.

8           Anybody that gets into it after today, is told, you can do it, but at some point in the future, they  
9 may limited entry and then you would be out unless you did whatever.

10          But to me it 's better to set the control date and then discuss it, instead of discussing it and then set  
11 the control date.

12          So I 'm all -- if there 's any way that this can be done -- I 'm all for that.

13          MR. DUNNIGAN: Ray Bogan and then -- I 'm sorry, excuse me, time out, time out -- we do  
14 have a legal verification.

15          Mary.

16          A PARTICIPANT: Yeah, I 'd just like to make a couple of comments about control dates. You  
17 were almost right, but not quite.

18          A control date is just an announcement, it 's kind of a risk advisory. It doesn 't mean that anyone  
19 who was in before the control date is in or anyone who enters after the date is, or may be out.

20          You know, it doesn 't bind the hands of the agency or of the council and (inaudible) choice as to  
21 when is the appropriate time to limit entry.

22          Technically, they could go back before the control date, they could go back ten years if they have  
23 the appropriate rationale, although it 's hard to imagine that they would after certain fairness efforts and  
24 considerations.

1           The other thing, you see it in mine and this is where, I guess I kind of had a little red flag that's  
2 gone up in my little brain about control dates. And that's that we have a pretty firm opinion in general  
3 council that you were correct, Moe in saying that we have advised that the control date cannot precede the  
4 notice that the name is in the Federal Register.

5           We also have a pretty strict rule that we're following that if the agency doesn't, if once a control  
6 date is announced through the advanced notice of the proposed rule making, and there is not been consistent  
7 action toward developing a limited access program within whatever the appropriate amount of time was, at  
8 some point that control date becomes old and too stale to be used.

9           We've seen it happen in a lot of situations where people think the control date just achieves the  
10 end of keeping you entrance out.

11           And, therefore, it's done it's work, so the agency has continued work for years and years and years  
12 to do anything and you have a control date that is five or six years in the past. And we have consistently  
13 advised, that's not a good idea.

14           We think we have had some legal problems and we encouraged, in fact, have more than encouraged  
15 the agency to come up with a new control date.

16           So the flag that went up in my head is, and it was just a consideration and it'll take a lot of  
17 coordination in this situation, I think it's a great idea to do it broadly but a lot of coordination to ensure  
18 that if HMS gets involved in it, that they have the ability to put in on the top of their priority list, so that  
19 they can work hand-in-hand with the council.

20           I foresee some timing problems that aren't insurmountable, but that we have to all coordinate.

21           MR. DUNNIGAN: Ray.

22           MR. BOGAN: One of the things that I wanted to address was something that Mary (inaudible),  
23 that's the first thing.

24           Secondly, however, we're talking vessels for hire?

1 A PARTICIPANT: For hire, Gulf of Mexico.

2 MR. BOGAN: I apologize for coming in late. I know it 's only (inaudible) at this present time,  
3 but I 'll say this anyway, we in our area would be scared to death of this for a number of reasons.

4 But one of the things I 'm concerned about is we see (inaudible) a decrease in the amount, a  
5 decrease in the participation in all recreational fisheries, but in particular, the charter boat had one industry.

6 Our numbers are far higher, and that 's according to National Marine Fishery Service numbers, I  
7 understand it (inaudible) the Gulf.

8 However, the national threat is here, that is that it 's declining. And that has been exacerbated  
9 from our standpoint, and rightly so, by certain modifications that (inaudible) resulted in certain  
10 opportunistic boats who leave their write off by limiting that ability that (inaudible).

11 And that was a further (inaudible) that was not reported in my opinion in our notes.

12 So the decrease in the charter boat industry, as to the (inaudible) that 's shown in our little notes, I  
13 philosophically am against seeing a reduction in an industry that is being reduced by itself. And that is --  
14 so that 's something I 'm worried about.

15 A PRESENTER: So we don 't have time to discuss the merits here, just --

16 MR. BOGAN: Well, the only reason I mentioned it is because if it 's going to be part of that, I  
17 just thing those (inaudible) know something that 's fundamental and statistically fundamental about that.

18 MR. CAMPOS: Jose Campos, Chair of the Caribbean Fishery (inaudible).

19 I would love for the Coast Guard and for NMFS to give us a brace of the happenings of such  
20 adventure, all right?

21 MR. DUNNIGAN: Bob Zales.

22 MR. ZALES: Just real quick, that (inaudible) through the Gulf with different charter associations  
23 that I 've had, there 's some that have, and I 'm one, that has reservations.

24 But I see, in the Gulf this was first brought up under red snapper as a way to limit effort catch in

1 that fishery. And it 's figures on the Gulf seem to show that the charter industry is gone up.

2 And I don 't personally believe that because in the state of Florida licenses have continually gone  
3 down, kind of like what you 're saying.

4 And I 've always felt it 's kind of been self-limiting too but I think that something needs to be  
5 there and I think that the council will actively pursue this in a timely manner to get input from the various  
6 people that are involved in these businesses to see how they feel, or what not, and I suspect that we 'll  
7 probably be in touch with groups like yours and others up and down because, generally when trends like  
8 this start, if they start in the Gulf it 's very likely it will move around and go through Caribbean, through  
9 y 'all, whatever.

10 So as a member of the Board of Directors of the National Charter Boat Association, I 'm sure  
11 we 'll discuss it and bring people in throughout the country to discuss this thing to see what the situation  
12 is going to be, how people feel about it and what its ramifications are, you know, its pluses and minuses to  
13 see where it goes.

14 But the key thing, like was said, is right now just the control date, to put that there to limit  
15 whatever can be limited now, and then talk about it and then if we do it fine, and if we don 't we pull it,  
16 fine.

17 MR. DUNNIGAN: Real quick, we don 't have much more time to deal with this at all.

18 Mr. Jensen.

19 MR. JENSEN: Pete Jensen.

20 Background: we have limited entry on charter boats in our state and the full support of the charter  
21 boat industry.

22 From a management point of view, we like the idea because as we get more and more people  
23 chasing more (inaudible) quotas, it sure is helpful (inaudible).

24 So I urge that if you do it, you do it for everything.

1 MR. DUNNIGAN: The question isn't is it a good idea, the question is, is it okay to include  
2 HMS in the Gulf of Mexico control date.

3 Nelson.

4 MR. BEIDEMAN: I would think it would be and I would add a question on that: a year and a year  
5 and a half seems to be the limit of taking action on the control date, after that it starts becoming a problem.  
6 And I hope they have better luck than us in trying to meet those timeframes.

7 MR. DUNNIGAN: Gail Johnson.

8 MS. JOHNSON: Just a question. Where HMS is a secretarial plan that encompasses the  
9 Caribbean up through the Gulf and all the way up along the Atlantic coast and out to God knows where,  
10 can the Gulf of Mexico do it for just on area? Shouldn't it be for the whole area? I need an answer to that  
11 question.

12 MR. DUNNIGAN: What I'm hearing out here from the services (inaudible) you question and one  
13 that I'm going to have to deal with, but that's not the issue that's before us right now.

14 And the only question they have in front of them right now is the control date in the Gulf of  
15 Mexico for the "for hire" sector.

16 Linda.

17 MS. LUCAS: Linda Lucas.

18 I thought I heard you say the question was whether to include HMS under (inaudible) or not.

19 A PRESENTER: Whether to allow HMS to be included in the Gulf Council's notice.

20 MS. LUCAS: Then I guess I'm with Gail, I have reservations because of the management time.  
21 (Inaudible) to seek out the consequences of how that (inaudible).

22 A PRESENTER: Well we would do that and certainly the Gulf Council itself could not  
23 implement any restrictions on the HMS fishery. It would have to come from Rebecca's office.

24 MS. LUCAS: Yes, well in that case I would say (inaudible).

1 A PRESENTER: Isn't that right, Mary, I mean, we couldn't --

2 A PARTICIPANT: Yeah, this thing, it's not a Gulf Council notice it would be a notice that  
3 (inaudible) in the Federal Registry that says the Gulf Council is considering establishing limited entry and  
4 therefore, it's determined that such and such a date is a possible, has a possible control date.

5 And then we could add a paragraph that said highly migratory species (inaudible) oversized for the  
6 HMS is also considering it, or is, I mean, we could phrase it, you know, as doing any of the discussion so  
7 that we wouldn't have to be absolutely on way or the other as to whether or not is an HMS (inaudible).

8 A PARTICIPANT: Let me, just to try to get things moved along here because I think we're  
9 close, this is a -- in this joint workshop session of the two advisory panels, is there anybody at the table  
10 right now that objects to the request from the Gulf Council that NMFS be allowed to include HMS in the  
11 control date notice for the Gulf of Mexico "for hire" sector?

12 A PARTICIPANT: If I may, I've got a quick question for Mary and it depends on the answer.

13 If HMS decides to get in with the control date, would that, in any way, impede action for the Gulf  
14 Council to continue their own process for what they wanted to do regardless of what might happen with  
15 that control date.

16 A PARTICIPANT: It shouldn't make any difference.

17 A PARTICIPANT: If it would impede the council process --

18 A PARTICIPANT: No.

19 A PARTICIPANT: -- them I'm going to be for this, but if would impede, because I want to see  
20 the council (inaudible).

21 A PARTICIPANT: No, it would be separate records. You could, if you were absolutely,  
22 adamantly insisting on the two go together, then you might have some problems but as long as it is a  
23 (inaudible) issue, you (inaudible).

24 A PARTICIPANT: That's clear on the council's record (inaudible).

1 MR. DUNNIGAN: So the objectives are on the table and if (inaudible). There's one clearly from  
2 Ray.

3 MR. BOATMEN: I have a couple more (inaudible).

4 MR. DUNNIGAN: No, individually, I don't want to hurt you on the whole issue, but Ray would  
5 object. Who else would have an objection?

6 Alan.

7 MR. WEISS: I don't know if I have an objection per se.

8 If we were taking a vote, I would probably abstain. I would be -- I'm here representing the Mid-  
9 Atlantic Council, the Mid-Atlantic Council hasn't discussed such a thing, and I'd be happy to bring it up  
10 our next meeting in the context of the report on this meeting and see what the council's reaction is.

11 MR. DUNNIGAN: David.

12 MR. WILMOT: Ditto.

13 MR. DUNNIGAN: (Inaudible) Caribbean Council.

14 The Gulf Council has come to the HMS division with this as a proposal. Rebecca asked that we  
15 float the idea among you to see what your reaction is. I think we've gotten a sense of what that is. It's  
16 not a vote.

17 We certainly haven't taken any positions, but I think she's got something that she can go  
18 forward now with a general sense of where your concerns are.

19 So let's move on with the next agenda item.

20 PRESENTER: Thank you for the time.

21 MR. DUNNIGAN: Now, we've got on the agenda -- it's 2:22, we're going to break. We're  
22 going to be done at four. Rebecca needs some time for (inaudible). We've got (inaudible).

23 The two Majors have to deal with the discussion of deer issues and a discussion of permits and  
24 reporting requirements.

1 And the other agenda item has to do with the research report for the Atlantic Industry (inaudible)  
2 Center. So we 're going to have to sit through these things.

3 Let me remind you that, again, we are not solving a lot of these problems today. We 're trying to  
4 surface issues so that the National (inaudible) Fishery Service can get to work on drafting the documents.

5 So let 's keep the focus of where we are with that. Russ.

6 MR. NELSON: I would just suggest that, given the time restrains, we 've got a written copy of  
7 the proposed Comprehensive Research (inaudible) Plan. I would just -- we 're not going to have time to go  
8 through all this, why don 't we just drop that out, take it up at the next meeting.

9 MR. DUNNIGAN: It 's just going to be a quick overview and the answer questions, if any had  
10 come up. We weren 't going to take much time with that.

11 Why don 't we put down that, a lawyer has suggested we should cover it briefly.

12 A PARTICIPANT: We just did.

13 MR. DUNNIGAN: Okay, let 's go on to the first of these items, which is gear issues and the  
14 HMS fisheries and for that we will turn to Chris Rogers (phonetic) to kick off this effort.

15 PRESENTATION OF CHRIS ROGERS

16 MR. ROGERS: All right. Here we go.

17 Very briefly, as it is required by the Magnuson-Stevens Act, geez, what a nice crowd you are.

18 We not only have to describe the gear that is used in the various high migratory fisheries, but we  
19 can also, under the discretionary provisions limit gear in both the time and place it 's used, or how it 's  
20 used, or prohibit gears, or, you know, basically specify certain types of gear that should be used.

21 This overhead just shows exactly what 's in place now under the regulations for the various  
22 species.

23 Bluefin tuna is, of course, the most complicated, I guess you could say, in that we have various  
24 quota categories, permit categories that are required to use, or restricted to certain classes of gear.



1 The other tunas are also included under the same part, Part 285 of the (inaudible) Regulation.

2 (Gap in tape.)

3 -- all gear, which was becoming part of the tuna fisheries it had been, at a brief moment in  
4 passing, I guess, in the swordfish fishery and then moved through by 1991 and in to the tuna fisheries.

5 What we did, we prohibited in the tuna fisheries, but also part of that petition for rule making in  
6 responding to it, we published a list, or published in a regulations, a list of authorized gear for the other  
7 tunas as well.

8 And we do have provisions for other gears to be authorized, in other words, this is not imputable,  
9 you could go though what we call an excepted fishing period with the new gear so that new gear could be  
10 authorized for whatever reason.

11 Atlantic swordfish is a lot less complicated. Basically, by definitions of the quarter categories we  
12 have the harpoon, long line, and drift net quarter groups.

13 Any other gear is limited to incidental catch only and, of course, the recreational fishery is rod and  
14 reel. Those are nonpermanent vessels, can't sell swordfish.

15 Atlantic sharks. There's really no gear prohibitions in the shark regulations other than drift nets  
16 are limited to two and a half kilometers, as they are in all United States fisheries per the UN agreement.

17 Billfish, of course, is quite simple, again it's rod and reel only.

18 What we wanted to do today is not get in to any debate as to what's right or what's wrong about  
19 these currently authorized gears, was to get a list of alternatives to be considered for development of the  
20 Draft Highly Migratory Species Plan.

21 Some of the issues -- just to give you some examples maybe to see your thinking -- some of the  
22 issues that have been raised over the last couple of years are things like restrictions on long line gear, times  
23 and places; possible authorization of spear fishing -- I believe you folks that were here last night heard  
24 something about that -- possible regulation to require use of dehooking devices; or -- I know Mr. Bob Eaks

1 (phonetic) wanted to be here to speak on behalf of the use of circle hooks.

2 I think he 's left some examples around here, so be careful where you sit.

3 But it 's very good management practice for that North Carolina bluefin tuna fishery, so he wanted  
4 to have some discussion on that. Perhaps there 's somebody here who can carry the ball for him.

5 Some things that were said this morning are simplification of the regulations if possible.

6 As I said, bluefin tuna is quite complicated and it does have spin over effects, particularly in  
7 enforcement situations, as Paul Raymond, I think said this morning, that there 's a high turnover in Coast  
8 Guard enforcement personnel.

9 They try to do a good job and keep everybody trained, but sometimes some situations like this,  
10 that are too complicated to learn in an afternoon, you get in to some very difficult enforcement situations  
11 where you're not sure what gear is appropriate for what permit category. And sometimes simplification  
12 could help out those problems.

13 Plus the spillover effects is, when is somebody fishing for bluefin versus fishing for yellowfin and  
14 what gear is appropriate.

15 Finally, as I mentioned, there is this need for authorizing new gear on occasion because you don't  
16 want to stifle innovation if there 's a way to cut costs or improve by-catch problems, something like that,  
17 you would want to be able to authorize new gear.

18 So perhaps this plan needs to address provisions for a trial period documentation, sort of criteria for  
19 what would be considered in terms of authorizing new gear for the fisheries.

20 So there you have the list of what 's currently authorized. Some of the issues that I mentioned and  
21 what we really want now are some new issues, basically a list, not a discussion, pros and cons, but a list of  
22 issues that we need to address in this first draft of the plan.

23 MR. DUNNIGAN: Thank you Chris.

24 MR. GLAVERY: (Inaudible) is this plan (inaudible) a listing of (inaudible)for any use, or is this

1 for a different purpose?

2 MR. DUNNIGAN: Mariam.

3 MS. McCALL: Well, I think it's for a slightly different purpose.

4 I just want to remind all of you in case you're not aware that it's something that we haven't  
5 talked about too much, there is a requirement in section (inaudible) require the agency to, within 18  
6 months, the (inaudible) of the Sustainable Fisheries Act who publish in the Federal Register (inaudible) a  
7 list of all fisheries and all fishing gear used in that fishery.

8 And once this list of allowable or this list of fishing gear becomes final, then there's a process in  
9 the act for, if you want to come in and enter the fishery and use a new gear, there's a process that you have  
10 to follow.

11 You have to give notice to the agency or to the council X number of days prior to when you want  
12 to start using that gear. And then the council or the HMS office needs to consider the appropriateness of  
13 that new gear and improve certain emergency rule making actions, prevent it from interim.

14 So it's kind of, in addition to, or consistent (inaudible) discussion of here is the gear, is this  
15 appropriate, do we want to open up discussions for the future about adding gear, deleting gear, whatever.

16 And then we have this thing going on at the same time. I think the agency -- it's been more than  
17 18 months hasn't it since -- the agency is a little bit late in getting that out. I think it's due to industry,  
18 so, soon.

19 A PARTICIPANT: Back to that point, this is nowhere near a list of gears used. It may be a  
20 catalog of gears specifically authorized, but it's nowhere the gear being used in pursuit of the highly  
21 migratory species (inaudible).

22 MR. DUNNIGAN: Can you give us an example?

23 A PARTICIPANT: Well, basically it's the gear that everybody, because gear is not (inaudible) is  
24 it Gary? I don't think it is. In the context of the list is (inaudible).

1 In other words the Sustainable Fisheries Act says list the gear being used. It doesn't define  
2 "gear".

3 But the biggest piece of gear that's used in highly migratory species that isn't even on the list is  
4 a boat. Now, is that gear or not?

5 A fishing boat is fishing gear and we have gas, we have (inaudible), we have (inaudible) radios, we  
6 have clothing, all of this stuff is considered fishing gear, okay.

7 And whether or not it is considered fishing gear by the (inaudible), young fella that steps on the  
8 boat and says here's the list of what you can have, what the hell is this thing? It becomes very important.

9 So that's why I asked, is this just a catalog of what is considered the authorized or is it what's  
10 used?

11 A PARTICIPANT: What Chris has up here is a catalog of the current regulations and this is  
12 independent from the list that the agency is putting together of the authorized gear, although I believe it's  
13 consistent with, because, you know we are interpreting gear not to include clothing, I suppose unless  
14 you're going to do something odd with it.

15 MR. DUNNIGAN: Bob Zales.

16 MR. ZALES: Bob Zales, Panama City.

17 Under billfish, where it says "rod and reel" under all tunas, it's got rod and reel in parentheses  
18 including downriggers. Does that mean I can't use a downrigger to billfish with?

19 MR. ROGERS: Well, I'm silent on that. In other words what we've (inaudible) in the  
20 regulations, in defining rod and reel, we also define downriggers because of the situation that developed in  
21 the gulf of Maine where a type of gear, which is more bandit gear, but what they call downriggers in the  
22 gulf of Maine, was used.

23 MR. ZALES: Okay, so that type of downrigger is not what I'm using as downrigger to put my  
24 bait further down in the water with no hook line.

1 MR. ROGERS: No. What we ended up doing was calling the downrigger what a downrigger is to  
2 most people in the recreational community, and calling the gear that they were using in the gulf of Maine  
3 for blue fin tuna fishing as a bandit gear.

4 Although they didn't like that term because they say it sounded like "bandits".

5 They liked the term in the Gulf but they didn't like it in the gulf of Maine.

6 MR. ZALES: Well then I would suggest that you put parentheses down over here by billfish,  
7 because otherwise I've violated the law many times.

8 MR WEISS: Getting back to what Chris said regarding Bob Eaks, regarding discards which I  
9 think Nelson explained to all of you, shouldn't be really (inaudible) for the discards, I think long line  
10 discards, I mean, let's be honest.

11 But, this business of the North Carolina fishery, let me just tell you our experience up north.  
12 During the summer, we catch our bluefin, there's a certain amount of bluefin, more than we like to see  
13 them come up with, circle hooks that leaded them, and obviously from North Carolina most of them, we  
14 believe, and these fish are in emaciated condition when they come up there.

15 They're almost worthless; we're lucky if the buyer can take them off my hands.

16 And we really believe that down, particularly in North Carolina, NMFS should either make a  
17 recommendation or make a rule or at least try to advise the people down there that, number one, they have  
18 to make a sincere effort to de-hook the fish. They're not going to keep them. They're going to release  
19 them. They have to make an effort, I mean, we get fish with 10 or 15 field leader on them. And a  
20 lot of these -- there should also be a regulations as for the limit as to what pound test these leaders can be  
21 because, the leaders that I've seen are good for blue fish, not bluefin.

22 And when you talk about discard, the mortality rates, and things you don't know, I think this is  
23 an excellent way to slow the discards and the mortality of release fish in North Carolina, particularly for  
24 that area, where they've been know to hook 50 and 60, I think the record is 70 fish in one day, 70 hook

1 ups.

2 Now you 've got to release those fish. And you have to take the hooks out of their mouths,  
3 whether it 's that you de-hook them like the gentleman spoke yesterday, or some other way, but you 've  
4 got to take the hooks out of their mouth and you can 't slip off the leader, which they 're doing.

5 So I suggest that NMFS do something in this area, either in a law or a recommendation so you  
6 cut the mortality of these fish.

7 MR. DUNNIGAN: Questions?

8 MR PAY: Jack, Fred Pay (phonetic) from North Carolina.

9 I regret that Bob had to leave, but upon leaving he left me with his thoughts to respond to some of  
10 the questions that might be coming up regarding circle hooks.

11 And I don 't think that he would disagree with what Peter said, per se. Bob is very conservation  
12 minded, and all the work that he 's done and all the (inaudible) North Carolina has been direct in, has been  
13 in direct in trying to increasing the survival of blue fin tuna (inaudible) recreation fishery.

14 And he is, very obviously, (inaudible) advocate of the use of circle hooks and any other measure  
15 that would be proposed to facilitate the successful use of circle hooks.

16 And his experience has been that the incidents of (inaudible) about 90% (inaudible). He feels very  
17 strongly that desperate measures are necessary to (inaudible) with national standards (inaudible) that it 's  
18 directing the agency to minimize the mortality from the blackhead and (inaudible).

19 MR. DUNNIGAN: Thanks Chris.

20 MR. PAY: And you did leave some examples of circle hooks that they use, you could come up  
21 and get one of those in (inaudible)?

22 MR. DUNNIGAN: The issue before us is what? What is it we want to ask the National Fishery  
23 Service to be sure to deal with in the next drafting of the plan as their talking about gear issues?

24 Nelson Beideman.

1 MR. BEIDEMAN: Nelson Beideman, Blue Water.

2 I just wanted to reiterate some of the stuff on circle hooks, in that circle hooks may well be a very  
3 good management tool to cut down such things as juvenile swordfish catches.

4 With the J hook, we found hook up to like 30% of our catch. And the fish that hold on that foul  
5 hook, a lot of them are the small fish. It could be a management tool that also helps cutting down the  
6 juvenile catch.

7 What we need is some experimentation and Randy Edwards (phonetic) and Marine Lab has already  
8 put in a (inaudible) grant, if I could just be real brief and read the objectives: to determine the extent to  
9 which billfish and undersized swordfish by-catch and by-catch mortality can be reduced by use of circle  
10 hooks instead of conventional J hooks using modified deployment tactics to reduce fishing soak time for  
11 deployment; and to determine the extent to which such reductions can be accomplished without a reasonable  
12 economic impact.

13 So, you know, I think this is going to be an important study. And I don't know if it's proper  
14 for the panel to do anything collectively, but individually, we need this.

15 We need this information real bad, as quickly as we can.

16 MR. DUNNIGAN: Thank you. Other suggestions on what we should be doing about gear in  
17 drafts?

18 Mr. Jensen.

19 MR. JENSON: Pete Jenson from (inaudible).

20 I think this is probably the most horrible area of government regulation we could ever think about  
21 getting in to. There are so many variations, so many (inaudible) ways of doing it and so much change, and  
22 so many cards on the market.

23 We've done some experimenting with circle hooks in our state and we highly recommend them,  
24 but we sure as hell aren't going to try to regulate them.

1 MR. DUNNIGAN: Dr. Nelson.

2 DR. NELSON: We have had, in the past, in Florida, with trying to require, or considering  
3 requiring, certain bait types, limiting certain bait types and requiring hook types for fishing.

4 I think you can do it as a public relations effort, and if it's worth it, you can put in a regulation,  
5 but the bottom line is: unless there's a rule out there saying that if you're in the EEZ, you've got to be  
6 using a circle hook, it's really not enforceable.

7 One has got a line in the, you know, it's arguably so, if you have a long line, you can say that  
8 kind of gear has to have them, but if you're just out there fishing and the officer comes along and says,  
9 "What are you using?" And you've got a plain old J hook, and he says, "Well, what are you fishing for?"  
10 And you'll say, "Well, I'm fishing for king mackerel," or "I'm fishing for cod," you know, there's  
11 nothing they can do about it.

12 It's not really something that's enforceable.

13 MR. DUNNIGAN: Mr. Weiss.

14 MR. WEISS: Well, I think we've kind of lost focus. I don't think the focus is that you have to  
15 use circle hooks.

16 I think the focus should be that you have to try to get the hook out of the fish's mouth, or at  
17 least the fish (inaudible) or a leader, and I -- whether they use the circle hook or J hook, or whatever they  
18 want to use, you know, I can understand that we're not going to mandate what kind of hooks people are  
19 going to use, but we very well could mandate that you have to take these hooks out of the fish's mouth  
20 and try to release the fish (inaudible).

21 MR. DUNNIGAN: Mr. Francesconi.

22 MR. FRANCESCONI: Francesconi. I'm interested in knowing, you seem to be looking at what  
23 would be allowable gear, or preferred gears, but I haven't heard anyone propose anything for prohibited  
24 gears.



1           Certain aspects, maybe just prohibited components, of a gear, perhaps if we were to consider  
2 eliminating wire involved with shark leaders.

3           It's something that might already be uniform throughout the fishery, however, at least in our  
4 state, and some (inaudible) data from fishermen, they've indicated that since they switched from wire  
5 components in the leader, they don't seem to have the interaction with the larger fish.

6           And that has biological implications, wasted fish, sometimes they have to be tore up quite a bit.  
7 It's gear issues, but also if they're biting off, these larger fish are maintaining their existence as  
8 genepooled perhaps, or just brood stock.

9           If we slowly start going ahead and we're trying and eliminating smaller fish perhaps, with time  
10 area closures and things like that, and if we start eliminating, somehow or another, the larger fish, more,  
11 how should I say, valuable fish as far as stock growth sometimes, we could really just focus on a medium  
12 size fishery, may want to work on.

13           And so maybe we need to work at prohibited gears or maybe some refining, along that line instead  
14 of saying what can be done or allowed.

15           MR. DUNNIGAN: Thank you.

16           MR. GLATERANS: On requiring that the hook be removed from the fish, maybe with billfish --

17           A PARTICIPANT: That, and the law now reads that it's illegal to remove the hook from the  
18 fish. You have to do something else.

19           But to require that all hooks be removed from the fish may lead to mortality which wouldn't be  
20 there otherwise, because most big billfish come to the side of the boat and kind of docile, or they wouldn't  
21 be by the side of the boat.

22           But the small fish, such as sailfish and whatnot, they'll beat themselves to death on the side of  
23 the boat if you try to get the hook out.

24           And the best survival chances they have is to cut the leader and let them swim off with the hook.

1 And the hook deteriorates pretty fast, maybe not stainless steel, but these do.

2 And so to have a hard and fast rule one way or the other, they 'll always be some fish killed trying  
3 to abide by that rule that wouldn 't otherwise be killed.

4 So I don 't think it 's a good idea to say you must or must not do this, that, or the other because  
5 you have to call it when a fish is on the side of the boat, how active he is, how wild he is, where the hook  
6 is, what your capabilities are, you certainly don 't put your hand in a shark 's mouth, but you can put your  
7 hand pretty far down a mullet 's mouth without getting injured. I 'd assume you have a glove on.

8 And so a hard and fast rule could lead to mortality that care and good common sense would not lead  
9 to.

10 MR. WEISS: I think I was more specific in talking about the bluefin. I don 't know about any  
11 of these other fish. I was talking about a specific fishery that 's going on with this and (inaudible) amount  
12 of catch per (inaudible).

13 A PARTICIPANT: (Inaudible) hook may lead to injury.

14 MR. WEISS: But the act of catching a fish up north that 's half dead with a leader hanging off  
15 it 's back, that 's going to lead to (inaudible), so I guess it 's a balancing act as to which is (inaudible) in  
16 the long run.

17 MR. DUNNIGAN: Senior Campos.

18 MR. CAMPOS: Gracias. Jose Campos, Puerto Rico.

19 I would certainly like to see stainless steel hooks out of the fish, both little and other species. In  
20 Atlantic ocean a galvanized hook will deteriorate, that hook can almost -- in no time at all.

21 A stainless steel hook will probably be less (inaudible) and handicap that fishing (inaudible). But I  
22 think that 's a very close (inaudible).

23 MR. DUNNIGAN: Mr. Beideman.

24 MR. BEIDEMAN: Ditto to Jose.

1 I would go one step further and say that we need to look in to faster deteriorating hooks.

2 MR. DUNNIGAN: Any suggestions as to where we should go with this issue as they prepare the  
3 next version of the document? Anything to evaluate and consider.

4 Yes sir, name?

5 MR. PUTNAM: Tom Putnam.

6 Does rod and reel automatically say electric or manual or just -- does it preclude electric?

7 A PARTICIPANT: Well an issue -- as the tuna regulations it was, I guess you could say, silent  
8 on the issue.

9 In the billfish regulations, it clearly included the use of electric reels.

10 Recently we were trying to consolidate regulations and to make them uniform. What we had  
11 proposed was that the broader definition, including electric reels, would be applied throughout all the highly  
12 migratory species.

13 MR. DUNNIGAN: Okay? All right.

14 A PARTICIPANT: Would that also include hydraulic?

15 A PARTICIPANT: Not necessarily. The way it was written for the billfish regulations was  
16 including electric. I don't believe it said including electric and hydraulic, but that's something that we  
17 could look at.

18 MR. CAMPOS: I have one problem: supposing we have a handicapped person who likes to fish  
19 from water, and we have those in the Caribbean, and they can't -- no hand, they can't less time to apply  
20 pressure to that electric reel, like the Electromate (phonetic) or others.

21 What are we going to do in a case like that?

22 MR. DUNNIGAN: Mr. Beideman.

23 MR. BEIDEMAN: If commercial ends up, you know, having to switch gear types, I'd much  
24 rather have them on the back deck with the hydraulic reels rather than electric reels, just much, much safe

1 situation on a commercial deck.

2 MR. DUNNIGAN: Okay. Well this is good. Thank you very much. We're going to move on  
3 now from the gear questions to talk a little bit about the research plan that's been developing the Atlantic  
4 Tunas Convention Act. And for that we're going to have a short presentation by Rachel Husted.

5 PRESENTATION OF RACHEL HUSTED

6 MS. HUSTED: The objective of the current research and monitoring program and a proposed  
7 plan, is to ensure that new science is of the highest quality and that it advances the agency's ability to  
8 make sound management decisions.

9 This plan has been -- post-plan has been developed in consultation of other government agencies,  
10 scientific and technical experts, commercial and recreational fishermen, and many other people with an  
11 interest in these fisheries.

12 A Notice of Availability will be published in the Federal Register next week with a 45 day public  
13 comment period. But we wanted to provide it to the AP today just to use this forum in case you have any  
14 initial reactions.

15 You're certainly welcome to submit your comments in written form and these will be considered  
16 by the agency.

17 Once it's finalized, by the way, this plan is not carved in stone, it will be updated periodically as  
18 new information becomes available.

19 So I just want to give you some idea of our legal mandate. ATCA requires that our program have  
20 these elements: tagging studies; genetic and biochemical analyses; population censuses through aerial  
21 surveys; observer coverage; collection of comparable real-time data for commercial and recreational catches  
22 and landings; studies of life history parameters; and the integration of data from all sources in central  
23 databases; and then just other research as necessary.

24 And you may find a lot of things fall in to that category.

1           So that 's the only overhead I have so you can turn the light on, thanks.

2           In addition to the ATCA mandate, we also have requirements under the Magnuson-Stevens Act,  
3           which you 're all aware of, and this also helps us set our priorities.

4           Obviously, we need a comprehensive data collection program in order to develop FMSs, identify  
5           fisheries that are over-fished, and all the other requirements of the Magnuson Act.

6           So in addition to our legal requirements, our priorities are based on public input from the AP. As  
7           you know, we circulate a scoping document in the fall and held 22 meetings up and down the Atlantic and  
8           Gulf coasts.

9           We received lots of public comments on research and monitoring issues. These are all taken into  
10          consideration as we develop the proposed plan.

11          There are also international recommendations for research priorities coming from ICCAT 's  
12          standing Committee on Research and Statistics and also coming from the U.S. ICCAT Advisory  
13          Committee.

14          Through the Secretary of State, the U.S. then encourages other member nations of ICCAT to  
15          adopt similar programs. And we do work closely with other ICCAT nations and a broad range of  
16          international research initiatives. And we 'll continue to do that.

17          So you might be wondering what the agency has done with all these recommendations. One thing  
18          is rule making. We use rule making to implement ICCAT recommendations such as quotas, minimum  
19          sizes, import restrictions, and other measures.

20          We also use rule making to establish the permitting and reporting requirements that are the main  
21          means of monitoring these fisheries.

22          Let 's see. I won 't describe our comprehensive program that we have now, you can read the plan,  
23          including research in our science centers and regional offices.

24          We have many external partners that help us accomplish these research needs. A couple of

1 examples are: Salt Install Kennedy Program, the Marfin program. So we'd like to continue to expand  
2 these partnerships. They're very important because they extend the agency's own research capabilities.

3 NMFS is preparing to issue a Request for Proposal and it will be published in the Federal  
4 Register, a draft list of the research topics is attached as an appendix to that plan.

5 So the RFP will identify the agency's priority information needs and outline the conditions;  
6 describe the criteria for review and selection; and then the successful applicants will provide their findings to  
7 the public on the internet. So you'll have access to those.

8 Okay, that's about all I have to say.

9 In conclusion, an effective research and monitoring program provides the foundation for managing  
10 suitable fisheries and NMFS will continue to use information from this comprehensive program to develop  
11 and support future management actions.

12 We seek further input from the public as we continue to refine this plan, and we're committed to  
13 continuing and improving our interaction with the public in order to ensure that the proposed plan evolves  
14 with the progression of fishery science and the changing needs of HMS management.

15 So, if you have any questions on the context of this plan, you can ask me, and if not, we might  
16 want to move on to the next item on the agenda which is a discussion of permitting and reporting  
17 requirements.

18 MR. DUNNIGAN: We have a couple of questions. Bob Hueter.

19 MR. HUETER: You said that this plan will be published next week in the Federal Registry?

20 MS. HUSTED: No, a Notice of Availability will be published. It's too long to publish the  
21 whole thing, so we'll have our address in there and --

22 MR. HUETER: Do you have a projected date for when the RFP is going to appear?

23 MS. HUSTED: Rebecca? No. Hopefully soon.

24 MR. HUETER: One other thing is -- real quickly -- very specific, on the research list for sharks,

1 one minor thing: I don't know why they're called oceanic sharks, distinguishing those from freshwater  
2 sharks, I hate to dishonor sharks.

3 And the other thing: one thing that's interesting on this is any kind of research looking at  
4 exchange rates with other --that we receive from other nations, especially Mexico, that's such an important  
5 issue in the commercial industry, I think (inaudible).

6 MR. DUNNIGAN: Mr. Beideman.

7 MR. BEIDEMAN: Nelson Beideman, Blue Water.

8 The data will be available on the internet? And how quickly?

9 MS. HUSTED: Well, not (inaudible) which will be a provision of the Request for Proposals, that  
10 anyone who is funded through that program would provide us with an annual summary of their findings,  
11 and then those would all be put on the internet.

12 As far as results of current research, one thing that we're working on is putting together a  
13 summary of all research that has been funded by the agency for HMS and we're trying to have that ready for  
14 the ICCAT Advisory Committee meeting in a few weeks, a compilation of that, so that might answer your  
15 question.

16 MR. GRAVES: John Graves.

17 I think it's a great effort here to get a comprehensive plan, but communication is a two-way street  
18 and I see that the agency has taken a lot of input from various committees as to what research priorities  
19 should be, but getting information back from the agency to panels such as this, or to the ICCAT Advisory  
20 Committee has been pretty poor.

21 That we're not aware of the universe, not only of the studies that are being funded by Marfin, SK  
22 or HMS, but we're not even aware of all the studies which are ongoing and have been -- that are in  
23 technical reports from the centers.

24 And a lot of that information is important to us, and we need some way to centralize what's out

1 there so that we have an idea of what the universe of previous studies have been, whether it's at the  
2 Southeast Center or the southwest or the northeast.

3 We need to know that because some of that information is very germane to the kinds of  
4 management decisions we're going to be making advise on.

5 MS. HUSTED: I think we all agree that it's very important that people have access to  
6 information and studies that have already been completed and as I just mentioned to Nelson, we're trying to  
7 pull together a synopsis of currently funded studies for ICCAT.

8 MR. GRAVES: But I would go beyond just the currently funded studies. I would go to the  
9 research that is being undertaken at the centers as well.

10 MR. BEIDEMAN: They used to do it once a year.

11 MR. DUNNIGAN: Bob Sutter (phonetic) says he can address this directly.

12 MR. SUTTER: First of all John, there is a database that does exist in the Southeast Center that  
13 has all the research that's been funded, because I put it together.

14 And also we started and as it's turning in to a nation-wide database is being put together right now  
15 for anything that's been funded by NMFS is going to be available (inaudible) search.

16 So they're putting together a program right now and so that is what's going on right now.

17 MR. DUNNIGAN: David Wilmot and then John Dean.

18 MR. WILMOT: Just very briefly, for emphasis, John's point goes far beyond what you're  
19 describing and just for emphasis, I'd like to second what John is saying.

20 Critical information is not trickling down (inaudible).

21 MS. HUSTED: Do you have any suggestion about where --

22 MR. WILMOT: Well, I just think it would be an effort on the part of HMS to be sure that this  
23 information is compiled and brought forward. John brings up the centers, we're not familiar with a lot that  
24 goes on in the centers.



1 I suspect that summaries are put together (inaudible). They can be brought forward and should be  
2 brought forward, but they're not.

3 MR. DEAN: There's a little follow on to that, two things: one is, it's not enough for us to  
4 have a listing of the projects or topic areas.

5 We really need some indication of programmatic level, is a level of funding related to that project  
6 because that tells you how much effort is really being applied to that.

7 So that's part of that analysis and that has not been possible for us to do in the past.

8 Secondly, when you do this projective, (inaudible) one of the other aspects is that, it would really  
9 be troublesome for some of us to see a whole new process develop again, because we go through one kind  
10 of application process every year for market and then we go through another kind of application review for  
11 SK, we do another kind of application and review for Seagrass (phonetic).

12 Many of which these projects are directed at the same objective, correct? So to develop a whole  
13 new process internally with peer review and all of that is counterproductive with the limited resources that  
14 are available.

15 And I suggest you look at utilizing some existing process that is in place for the review and  
16 selection.

17 MS. HUSTED: I think Russ will address that.

18 MR. NELSON: As a matter of fact, I helped run with the people in the southeast, I mean, I came  
19 (inaudible) the HMS program is basically a mirror image of that process.

20 MS. HUSTED: It's the same process that would be followed.

21 MR. DUNNIGAN: Other comments about the research plan? Great. Thank you very much  
22 Rachel.

23 The next item on the agenda is a discussion of permitting and reporting requirements and for that  
24 we will move back to Chris Rogers.

1 PRESENTATION OF CHRIS ROGERS

2 MR. ROGERS: This is just a listing of all of the current (inaudible) for the various species.

3 Now before we move in this, it's a little complicated, multiple reports, multiple permit categories, that  
4 kind of thing, landing cards of each fish, by weekly gear reports, ICCAT bluefin statistically documents,  
5 selected tournaments who are required to report.

6 Similar for other tunas (inaudible) particularly for the pelagic long line fleet, permit reporting,  
7 permits required, (inaudible) of coverage for basic landings. Any of the highly migratory species can be --  
8 any vessel can be picked for an observer.

9 Swordfish and sharks, on the recreational side, it's basically the large pelagic survey on the marine  
10 recreational fishing statistics survey. It's a, obviously, a sample of a census, like some of the (inaudible)  
11 programs are intended to be a census of all selected vessels.

12 I don't think that we need to go in to too much detail on these particular situations. What we  
13 wanted to get from you folks is some sense of, where do we need to go in terms of improving or reducing  
14 the burden of reporting.

15 We get a lot of comments off and on about HMS effort that I've got to do log group for them in  
16 the southeast and this log book for them in the northeast and I'm bringing down the wall here, and it's all  
17 basically the same information.

18 So things like reducing duplication, closing gaps, there are certainly some gaps, not everybody is  
19 included in some of these log book systems.

20 There's also, a particular problem we had in HMS, that sometimes we would hide into the  
21 regions. You're looking at an existing regional log book program, rather than create a new one, we just  
22 tie in to something or allow the options to use existing log books.

23 So that becomes the problem of not that the information is not being reported to NMFS but being  
24 able to get a hold of it all, of being able to access the different databases and pulling it all together and

1 saying that this is the complete picture.

2 So things like duplication of effort are what we need to consider, how to reduce it, how to close  
3 gaps, how to avoid potential double counting, how to make sure these get categorized as the commercial  
4 side of the register versus the recreational.

5 Particularly with the rod and reel fisheries, a lot of catch just gets sold by professional fishermen,  
6 particularly in the "for hire" industry. But we've got to make sure that gets accounted in the right  
7 side of the register so I'll leave it at that, leave it open for discussion. Any particular concerns people have  
8 on existing reporting, record keeping requirements, any concerns about duplication, things that (inaudible).  
9 Because I receive feedback right back in to the research and monitoring.

10 A PARTICIPANT: Thanks Chris, Jim.

11 MR. DUNNIGAN: (Inaudible) follow up line as they prepare their next set of documents.

12 Russell, Gail, then Alan.

13 MR. NELSON: (Inaudible) as the question about the (inaudible). Does that mean that all the  
14 directed vessels (inaudible).

15 MR. ROGERS: Yes, for the last, what, I guess three or four years all shark permanent (inaudible)  
16 have been selected automatically, as well as, swordfish.

17 MS. JOHNSON: Gail Johnson.

18 Any idea, any wild, or not wild, guesstimates of how many hooks are in the water? And then the  
19 ratio of how many hooks are observed or reported for information for discards, catch, landings, whatever,  
20 versus how ever many hooks there are in the water.

21 MR. ROGERS: When you say "hooks in the water," you're meaning from all type of gear  
22 including --

23 MS. JOHNSON: Right.

24 MR. ROGERS: -- rod and reel, or --

1 MS. JOHNSON: Right, hooks in the water.

2 MR. ROGERS: I don't that anyone's looked at that completely though all the databases that are  
3 available.

4 MS. JOHNSON: I think it would be really interesting to have it given in some high guesstimate  
5 or at least say in your report, "this was not estimated."

6 MR. DUNNIGAN: Alan Weiss.

7 MR. WEISS: A statement for the Mid-Atlantic Council and also, I think, the ICCAT advisory  
8 members here. There's been a tremendous amount of concern in recent years and it's been (inaudible)  
9 about the quality of the landings data for, particularly yellowfin and (inaudible).

10 I think the service needs to do something to upgrade the quality of the start of landings database  
11 and then going forward, which I guess is what we're talking about here.

12 Some kind of a census-based data gathering in the yellowfin and big eyes fisheries would give us  
13 the numbers that are on target and I think then there would be little doubt or dispute and I think we'll feel  
14 comfortable with the information we're dealing with.

15 A PARTICIPANT: When you say "census" meaning both recreational and commercial?

16 MR. WEISS: Absolutely.

17 MR. DUNNIGAN: I've got Bob Hueter, Pete Jensen, Ray Hogan, Mark Sampson, and Nelson.  
18 You're it Bob.

19 MR. HUETER: Bob Hueter.

20 NMFS has invested a fair number of canning programs over the years and some of the sectors of  
21 fishing communities has made it to a certain degree to the programs and some do not.

22 Has there ever been any consideration given to mandatory awarding of your catch (inaudible)?

23 A PARTICIPANT: A Regulation is in place and there is a prohibition under the tuna regulations,  
24 it's fail to report a tuna, and I believe it also is under the billfish regulations.

1 A PARTICIPANT: Now this is not about sharks as far as I can find.

2 A PARTICIPANT: But then, again, how enforceable is, failure to report? Especially if somebody

3 re-releases it, catches it again and releases it, sometimes it's just forgetting to make the report.

4 MR. HUETER: I'd like some consideration given to how this might work because I think, my

5 experience (inaudible) my mind is still open.

6 A PARTICIPANT: It seems more like a public education rather than a regulatory issue.

7 A PARTICIPANT: (Inaudible).

8 MR. ROGERS: Meaning the actual survey instruments and the (inaudible) and things?

9 A PARTICIPANT: (Inaudible) books for the various categories (inaudible).

10 MR. ROGERS: We could assemble a (inaudible) a sheet from each log book, and certainly

11 instruments from the surveys.

12 MR. BOGAN: Thank you. Ray Bogan.

13 There are sessions of safe catch and landings data, highly migratories (inaudible) NMFS for various

14 reasons. (Inaudible) background on the house that you use that data in, how to incorporate it into the

15 process, does it catch up with NMFS (inaudible). (Inaudible) great North Carolina data, (inaudible),

16 great Virginia data that needs to be considered on occasion, but I'd just like to see the university

17 considering this whole thing.

18 A PARTICIPANT: When you say you got New Jersey data, Virginia data, is that add on to the

19 north like North Carolina does or (inaudible). Because North Carolina is the recreational server that they are

20 -- they are not themselves.

21 MR. BOGAN: I understand that. That's a great example of why I think (inaudible).

22 A PARTICIPANT: That's what that Atlantic Coast Parker Statistics Program is trying to do, is

23 get all the states together, as well as the federal uses of data and standardize.

24 MR. BOGAN: It would be hard for that (inaudible) perpetuate effort. That's going to be pro-

1 active and that 's good.

2 I think it 's interesting, you know, Virginia data is interesting, etcetera, etcetera, but we still  
3 haven't done anything five years later.

4 So I 'm really hoping that we have that interface, and again, the coordinated program through  
5 (inaudible) Councils, etcetera, is a very good one for pro-active purposes (inaudible) any good. If  
6 something happens across the city, we need to show some data.

7 MR. DUNNIGAN: We have Nelson, Mark and John.

8 MR. BEIDEMAN: On the final EEA regulatory impact review on billfish, the document was  
9 written quite well, I think it 's got the tournaments and the minimal sizes down pat, but I 'm very  
10 concerned with such low quota numbers that we 're not going to be able to have real-time quota monitoring  
11 for the "for hire" and private recreational sectors.

12 And that has ICCAT compliance implications. What happened to individual fish tags?

13 A PARTICIPANT: For billfish?

14 MR. BEIDEMAN: Yes, yes, for the ICCAT compliance.

15 A PARTICIPANT: For tournaments or for paddle fishing as well?

16 MR. BEIDEMAN: No, this as in all tournaments which is, you know, really good stuff, but in  
17 order to keep in compliance with ICCAT, how are we going to monitor the "for hire" and private  
18 recreational sector. We got the tournaments (inaudible).

19 A PARTICIPANT: I guess you 've got to see the next step which is to -- Ellen?

20 MS. PEEL: Ellen Peel.

21 I know this was discussed earlier and my understanding is it 's still a consideration in the plans but  
22 the (inaudible) tournament that you are referring to, I think, would be covered in interim rule because of the  
23 need to get that out (inaudible).

24 (Gap in tape)

1 MS. PEEL: -- the new (inaudible) of sizes and this tournament reporting, and we would continue  
2 to work on the other aspects of it.

3 MR. DUNNIGAN: We have Mark, John, Russ and Bob.

4 MR. SAMPSON: Mark Sampson.

5 I've just been wondering: how do you determine which tournaments are to be monitored. We've  
6 operated three major shark tournaments for 18 years and have never been chosen, and I've always kind of  
7 wondered why.

8 A PARTICIPANT: One of the aspects that we've just been working on with the building  
9 situation is that we didn't have any registration requirements.

10 We were trying to get to look at for billfish and before we consolidate regulations we going to talk  
11 more to Paul (inaudible) all highly migratory species. Basically if we can, have a reasonably assured, just  
12 to be basic selection program, unless you know (inaudible) are, what the make of the -- is it a shark, is it  
13 (inaudible) that kind of thing, you know.

14 What we'll probably get done in the next couple of months will be a management (inaudible) all  
15 HMS lines. From that we can do a better a better selection program.

16 MR. DUNNIGAN: John Dean.

17 MR. DEAN: Yeah, I think it may have been addressed, but the idea of tournaments as a database,  
18 I'm having trouble with the selection of etcetera and is (inaudible) don't have complete reporting by  
19 highly migratory (inaudible).

20 A PARTICIPANT: Select them all.

21 MR. DEAN: Yeah, just select them all. And the advantage to that is that you're then -- I'm  
22 sure you discussed this and I wasn't at that meeting -- but you have a database over time that you have  
23 control of landings data, we have effort, the same time and roughly place each year, in time you have an  
24 analysis you can't get any other way.

1 A PARTICIPANT: That ' s right.

2 MR. DUNNIGAN: Russ, Bob Zales.

3 MR. ZALES: Yeah, Bob Zales.

4 This verification on the advise that we gave you all in January, me and the APs, where does that

5 stand, for that emergency action, what happened?

6 A PARTICIPANT: I have some good news. We just got it out.

7 MR. ZALES: You did what?

8 A PARTICIPANT: We just got a docket number which means we can go to the Federal Register.

9 When this is an interim rule under Magnuson-Stevens that ' s good for 180 days, we get some public

10 hearings, we have the possibility of expanding it for another 180 days, and it implements those two

11 (inaudible)from the advisory panels.

12 MR. ZALES: When does that go to the Federal Register?

13 A PARTICIPANT: It goes down today, it may be filed tomorrow, it ' s effective three days after

14 the date of (inaudible), so that gives you about another week. Although we certainly made it clear to folks

15 that we had a consensus position from the billfish AP and this is the way, you know, it looked like we

16 were going.

17 MR. ZALES: Okay, because that included some tournament reporting stuff didn ' t it? Or does it?

18 A PARTICIPANT: Yeah.

19 MR. DUNNIGAN: Mr. Claverie.

20 MR. CLAVERIE: I ' m sorry, I was out for a little while, maybe I missed something. Is

21 tournament defined? Don ' t we have tournaments and we have --

22 A PARTICIPANT: Yes it ' s defined.

23 MR. CLAVERIE: -- those that fish HMS plus others. All that ' s covered, huh?

24 A PARTICIPANT: Do you have the wording on that --



1 A PARTICIPANT: I didn't hear the question.

2 A PARTICIPANT: That a definition of tournament, I think we've got something in the rule that  
3 explains what we mean by that.

4 A PARTICIPANT: It's a fishing competition involving the award or point of billfish. Billfish  
5 points are awarded in the rodeo (inaudible).

6 MR. CLAVERIE: Okay, what about year long tournaments or something like that, rodeos,  
7 that's part of it?

8 A PARTICIPANT: That's the intent of it and when people register they communicate the  
9 duration of the (inaudible) on the registration board, whether it's year long, month long, (inaudible).

10 MR. DUNNIGAN: Okay. Jim Francesconi.

11 MR. FRANCESCONI: Jim Francesconi.

12 If a recommendation is being made as far as shark tournaments go, there are numerous small time  
13 tournaments.

14 They are probably collectively just as important to some as the big ones, and in draft of the 1993  
15 FMP for sharks, our comments included that all tournaments should be reported, just as you felt that all  
16 commercial harvest needed to be reported.

17 Now, I imagine reporting works out of Nancy Coler's (phonetic) group, as far as tournaments go,  
18 and I would imagine other states, as well as perhaps North Carolina, can assist sometimes in doing some  
19 alternative tournaments.

20 Can't expect for NMFS to get everywhere, with their schedule.

21 A PARTICIPANT: We're trying to do it through the registration process, (inaudible), get an idea  
22 of the size of the targets, estimate the number of (inaudible).

23 MR. FRANCESCONI: All right. And Gary, it would be pointless for us to go on our own, we  
24 don't have tournament monitoring program and Nancy may not have one going on to incorporate this, but

1 if that could work out, maybe states will act cooperatively.

2 MR. DUNNIGAN: Comments, reporting fisheries monitoring, suggestions as to what we want  
3 to see the National Marine Fishery Service work on as they prepare the next outline.

4 A PARTICIPANT: This include monitoring as well?

5 MR. DUNNIGAN: Fisheries monitoring is part of it.

6 A PARTICIPANT: Just a brief statement on observer coverage. The numbers are awfully low. It  
7 would be nice to have some discussion of how (inaudible) possible (inaudible).

8 But it would be nice to see someone create a (inaudible). If not, actually increasing it, an analysis  
9 of what level one would need to go to that have trustworthy (inaudible).

10 I have a strange feeling (inaudible) set in a long line fishery, just might not be (inaudible).

11 A PARTICIPANT: Lenny, we do have a mandate for 5%. Ever since the observer funding got cut  
12 because of various funding issues, particularly the fact that all the money needed to go -- first priorities was  
13 the re-mammal issue fisheries.

14 We've been struggling to get enough money to the centers to make sure we get that coverage.  
15 We haven't always hit that 5% mark, last couple of years we haven't.

16 Working with the center, the Southeast Center in particular, now we find out in an itemized bill to  
17 say what is it going to take to get action?

18 MR. DUNNIGAN: Gail Johnson.

19 MS. JOHNSON: Thank you. Gail Johnson.

20 I thing I just thought of: relative to Jean's presentation this morning, and the reporting kinds of  
21 things, when log books are used for reports and data and presentations, I think it's really important that if  
22 there is one area that predominates in the observer coverage that that be specified.

23 Because the results that you get from the Gulf of Mexico are not the same as you'll get from the  
24 Mid-Atlantic region, not the same from the Caribbean, from the east coast of Florida, from Georgia's bay.

1           And it's very important that if there's a predominance from that one area, that be specified in the  
2 report. Thank you.

3           MR. DUNNIGAN: Mr. Beideman.

4           MR. BEIDEMAN: Nelson Beideman, Blue Water.

5           Even another step to being specified is that whatever coverage we get bumped for, if it's 2% or  
6 3% or what have you, it needs to be stratified. We need to have it stratified, and what we're working with  
7 right now is very skewed, unstratified data.

8           We know that small swordfish predominate in warmer waters and, basically, we only have  
9 observations that are extrapolated out to even cooler waters from warm water observations.

10          It is so bad that you have, in '96, I think it's like 199 in the Gulf and you have like 127 observed  
11 sets in the southeast.

12          You've got 23 observed sets in the Mid-Atlantic and zero on the Grand Banks and to my  
13 knowledge, I don't think there's any observed sets for '97 above Hatteras, that I know of.

14          A PARTICIPANT: I've been told that there are.

15          MR. BEIDEMAN: There are?

16          A PARTICIPANT: I've been (inaudible) analysis without those sets and (inaudible) '96 and '97.

17          MR. BEIDEMAN: No, no it needs to be (inaudible) reduces to 2%, then we're going to have to  
18 stratify that 2%.

19          A PARTICIPANT: I have a question about the small fish. I know we have a pilot program that  
20 we're trying to use this year in North Carolina and they didn't fish too much down there this year.

21          I just wondered if someone could fill me in on that and --

22          A PARTICIPANT: Yeah, it was a program in cooperation with the state of North Carolina, they  
23 were concerned over the quality of the data achieved through survey.

24          And the nature of the fishery, we recognize that there were some problems in trying to do a cost

1 effective survey down there at that time of year.

2 So we agree, we contributed some minds (inaudible). (Inaudible) but every bluefin tuna landed in  
3 North Carolina in the (inaudible) category (inaudible) for 1998 has to be tagged. And they put up a series  
4 of tag (inaudible) for tackle shops that volunteered and it looks like the system is in place and ready to go.

5 A PARTICIPANT: Any plans to maybe move that in to another area this year where you might  
6 get some action?

7 A PARTICIPANT: It's got to be a cooperative venture because we don't have the staff to do it  
8 on that kind of scale.

9 MR. DUNNIGAN: Peter Weiss.

10 MR. WEISS: Does monitoring refer to things like large quantity survey, is that --

11 A PARTICIPANT: Well, it's used to monitor (inaudible) effort.

12 MR. WEISS: May I suggest you really ought to look at another way to spend \$900,000. To  
13 many people's thinking, that's really a waste of money because that (inaudible) is being fully done.

14 Or will you at least, do you think we could recommend that we revisit that whole survey and  
15 maybe spend half the money on, I don't know, do something else with \$900,000.

16 MR. ROGERS: When you say revisit it, look at the way it's conducted or do something  
17 completely different?

18 MR. WEISS: Well look at the way it's conducted, and then do something completely different.

19 MR. DUNNIGAN: Other comments or questions about permits and reporting and monitoring?  
20 We're getting close to the end of the agenda here folks.

21 Okay. Chris, thank you very much.

22 That takes us through the agenda, I guess I was a little bit better in the afternoon, bringing us  
23 back, as we only turned out only 28 minutes behind where we were scheduled to be.

24 Let me just say that a number of you around the table who know me questioned why I would do

1 this and many of you over the last day or two have said some very nice things to me personally about how  
2 this meeting went, and I certainly do appreciate it.

3 But let's face the fact that I'm not doing the work here, you're the people who are doing the  
4 work.

5 And it's your commitment to working together and focusing on issues that's going to make this  
6 process successful in the future.

7 And I encourage you to keep at it, I found it was a pretty good meeting and I'm glad I had an  
8 opportunity to participate. Thank you very much and with that, your meeting.

9 MS. LENT: Thank you. First let's have a round of applause for our boss.

10 I have two pieces of good news. The one piece of good news was that we got the docket number  
11 for the billfish rule. Let me take it out of the box back there (inaudible) EIRIR on that billfish interim  
12 rule, so take one as you go so you'll have something to read on your way home.

13 Second good news announcement, this is really good news, we finally got monies to pay for your  
14 travel, it's just until the end of this fiscal year, but we're going to be needing at least two more times each  
15 panel, so I'm really happy.

16 I apologize for the delay in getting that funding. We really pushed hard for it, and finally got it,  
17 and thank you for paying the bill up to now.

18 Okay then. Just quickly on where do we go from here, as we've alluded to a number of times  
19 during the meeting, we're going to take all this stuff, everything that we've learned from the debate, and  
20 we are going to come up with a draft list of alternatives, we're going to start analyzing those alternatives,  
21 we're going to start writing sections of the FMP, we've already started certain sections, but we're going  
22 to continue writing and we're going to provide you with a document, a draft, with those sections, probably  
23 about mid-May.

24 And then we're going to meet either late May or early June, I've got to talk (inaudible). It will

1 be separate meetings. Because we haven't had an HMS AP meeting in the northeast, I'd like to hold the  
2 next AP meeting in the northeast.

3 I'll take comments on you on what might be a good place. (Inaudible) billfish panel, even  
4 though there might be a lot of overlap, it might be good to have them in the same place, and it may make  
5 more sense to have the little fish meeting in the south. Suggestions from you on that.

6 Okay, and after we meet and you give us feedback on what we've written so far, and then we'll  
7 get an update on the (inaudible) and a couple of other new issues, we'll go back and continue writing and  
8 then we'll meet again around late August.

9 By that time we'll have a near-final draft, which if we're all comfortable with our progress, we'll  
10 be sending it out per our HMS process (inaudible) consulting parties.

11 And then we'll meet again, get your feedback, and then some time in mid-September, our draft  
12 FMP and our draft proposed regulations (inaudible).

13 So before I'm gone to survey issues (inaudible) this meeting, can I check with you on dates in  
14 May, late May or early June. A lot of people are going to tuna camp, which is the 18th through the 21st  
15 of May. I don't think there's any council meetings, the last week in May.

16 A PARTICIPANT: The last week is good.

17 A PARTICIPANT: I have a conflict. I'm out 29, 30, 31st.

18 MS. LENT: You're out the 29th?

19 A PARTICIPANT: 30th and 31st.

20 MS. LENT: And somebody (inaudible). Okay, so 26, 27, 28 is still open, Sonja?

21 MS. FORDHAM: If you want to have it in New England, the council meeting is the 20th and  
22 21st.

23 MS. LENT: Ray Bogan.

24 MR. BOGAN: The last week in May is very good.

1 MS. LENT: Very good for you?

2 MR. BOGAN: Very good, damn good.

3 A PARTICIPANT: Last week in May is great for me.

4 A PARTICIPANT: Last week in May is good.

5 MS. LENT: I'm happy it's great, does anybody have any objections? That's good.

6 A PARTICIPANT: As long as it's not Friday.

7 MS. LENT: Not the 29th. Okay. Monday is Memorial Day, if we started on the 26th in the  
8 afternoon would that be okay?

9 And by the way, we can't have the two meeting simultaneously, so. We've got 26, 27, 28 open  
10 for billfish people, HMS people, maybe 26, 27 for billfish, 28, 29 for HMS?

11 A PARTICIPANT: No, 29.

12 MS. LENT: Oh, you're on a boat.

13 A PARTICIPANT: Yeah, me too.

14 MS. LENT: Okay, when are we going to do this?

15 A PARTICIPANT: How about the week before?

16 A PARTICIPANT: I also really want to mention, and I've mentioned this before, that the second  
17 time that we have this meeting in August, is a busy time possibly if we're still fishing for those of us in  
18 the commercial bluefin business.

19 And it's very important to me, at least, and I think to a lot of other people, that we have that  
20 second meeting in New England. Maybe you want to consider a different location for the first one, unless  
21 you want to have them both there, which is even better.

22 MS. LENT: Yeah, summer time is a busy time for a lot of folks, that's the problem.

23 A PARTICIPANT: I have a recommendation that (inaudible) billfish (inaudible), and secondly  
24 that the meeting in August be in New England.

1 MS. LENT: Okay that 's another question, if we have to have one of the two meetings in New  
2 England, you 're saying in August.

3 A PARTICIPANT: I would agree more with Ray right now.

4 MS. LENT: Okay. And how about August 24 through the 26 for the New England meeting?

5 A PARTICIPANT: No, that 's not AFS.

6 A PARTICIPANT: I think the AFS meeting is the 23rd through the 27th of August.

7 MS. LENT: The week before then?

8 A PARTICIPANT: We 're out. John 's booked that week, I 'm booked that week.

9 A PARTICIPANT: What are the dates?

10 MS. LENT: Okay, we may need to work some more on that, why don 't you folks send us some  
11 e-mails or fax or whatever and see if we can come up with something.

12 All right.

13 A PARTICIPANT: With something I heard about meeting scheduling (inaudible) APs, is maybe  
14 mention trying to get maybe one day on a weekend and then the next day or two weekdays, (inaudible).

15 MS. LENT: We did that at Baltimore, we had mixed reactions. Some people liked it, some  
16 people didn 't, it was a Sunday. We could do a Thursday, Friday, Saturday, maybe that 's better.

17 We 're going to have to have two meetings there, we may have both of the meetings in the same  
18 place, and then do our New England meeting later on. So this could be a meeting, say, in the Gulf  
19 area? And it could be, not joint, but what do I want to call it.

20 A PARTICIPANT: Simultaneous.

21 A PARTICIPANT: Consecutive.

22 A PARTICIPANT: The billfish panel certainly does not need three days. I think a day, at most a  
23 day and a half is all we 'd need.

24 MS. LENT: A day and a half each and maybe an evening session.



1 MR. KRAMER: Yeah Rebecca, this is Rob Kramer.  
2 You were talking about the 26th, that is the day after a holiday, I don ' t know if people are going  
3 to be traveling that --  
4 MS. LENT: So we should start in the afternoon?  
5 MR. KRAMER: Yeah.  
6 A PARTICIPANT: I know people will be traveling that Monday, they have to be at work on  
7 Tuesday.  
8 MS. LENT: Okay. I had mentioned in the summary we were going to try and do points of  
9 consensus, and things we all agreed on, and we could all adopt this (inaudible). But it didn ' t quite work out  
10 this time.  
11 I think what we ' ll try to do for the Summary Report of this meeting is a copy of the worksheets  
12 (inaudible), fill them out, and the record itself will include all the written documents that were submitted on  
13 (inaudible), a list of objectives.  
14 What ' s really important is that we have a taped copy that you can have, we have a transcript that  
15 you can have. The transcript will be available in our office, it will be available at the next AP meeting,  
16 and you can buy it, and it will be on the web.  
17 A PARTICIPANT: Will it be free on the web?  
18 MS. LENT: Available to everyone.  
19 A PARTICIPANT: Rebecca, is this \$75 just for the written transcript, not the tape?  
20 MS. LENT: Right.  
21 A PARTICIPANT: I know so many key members that talked about putting a waive for \$75 and  
22 supply us AP members with a copy of the transcript.  
23 MS. LENT: We will to do everything we can to make this available to all the HRs, it ' s  
24 estimated that it will be 300 pages a day. And we just can ' t get in to the business of reproducing that.

1 Most people would want to consult that and find one man, one (inaudible).

2 A PARTICIPANT: So it sounds like it's going to be 6 or 700 pages altogether.

3 MS. LENT: Yeah. (Inaudible) the meeting went really well. I want to thank everybody including  
4 Jim Donofrio, for all the feedback (inaudible) this meeting, that helped us improve the meeting. We're  
5 still working on it. This is our third meeting.

6 I'm sure the councils when they started out didn't have perfect meetings and they had plenty of  
7 bumps in the road. We're going to keep working on it.

8 We want to thank the scientists, unfortunately, most of them have left, Pamela is still here,  
9 Pamela, call those folks in Miami and tell them thank you very much for all the hard work, the preparation,  
10 and the work, getting ready and participating in the meeting as well.

11 Thanks Gary and Mariam (inaudible) the meeting. The folks who are in the southeast regional  
12 office, the Gulf council for lending us this stuff, enforcement folks.

13 Thanks to the Highly Migratory Species Management Division, I have the greatest crew in the  
14 world and they did a lot of work to get ready for this meeting.

15 I'd like to thank you, thank our moderator, and thank the public that came. And I think that's it,  
16 except to wish you a safe trip home. Thank you very much.

17 (Whereupon, the meeting was concluded.)

18 \* \* \* \* \*