

UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NOAA FISHERIES COUNCIL COORDINATION COMMITTEE

COUNCIL COORDINATION COMMITTEE MEETING
(Via Webex)

Washington, D.C.
Tuesday, May 18, 2021

1 PARTICIPANTS:

2 MEL BELL

3 JOHN CARMICHAEL

4 CONGRESSMAN ED CASE

5 MORGAN COREY

6 KELLY DENIT

7 PAUL DOREMUS

8 TOM FRAZER

9 FERN GIBBONS

10 MARC GORELNIK

11 JOHN GOURLEY

12 MARCOS HANKE

13 EVAN HOWELL

14 CONGRESSMAN JARED HUFFMAN

15 ADAM ISSENBERG

16 MIKE LUISI

17 CHRIS MOORE

18 TOM NIES

19 BRAD PETTINGER

20 NICHOLAS PIEPER

21 JOHN QUINN

22 SAM RAUCH

1 PARTICIPANTS (CONT'D):

2 ERIC REID

3 ANNICK MILLER RIVERA

4 MIGUEL ROLÓN

5 CARRIE SIMMONS

6 KITTY SIMONDS

7 LORA SNYDER

8 ARCHIE SOLIAI

9 NIKKI TEUTSCHEL

10 CHUCK TRACY

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15 MS. WING

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

2 (1:30 p.m.)

3 MR. PIEPER: Let's get started with
4 Webex things while we're waiting for the last
5 couple of people to get here. So if you're not
6 familiar with the software, all the controls are
7 at the bottom. You should be able to see the mute
8 button, the video button, and the share your
9 screen button. Most of you won't have to worry
10 about that, but please do keep yourself muted at
11 all times unless you are speaking.

12 If you have any issues, you can click on
13 the chat button also on the bottom right and look
14 up my name, I'm SF Webex as I'm shown on screen,
15 and just send me a message and I will try and help
16 you out. And if you need to share your screen and
17 for some reason you are unable to, same thing,
18 just let me know, but we should have that all
19 taken care of.

20 CHAIRMAN GORELNIK: Thanks for that,
21 Nicholas. Are there any questions on the
22 technical matters before we get started?

1 All right then. Well, let's get started
2 then. It's 10:32. So welcome, everyone. Good
3 morning to those in the West. Good afternoon to
4 those in the East. I am Marc Gorelnik, Chair of
5 the Pacific Fishery Management Council and the
6 2021 Chair of the Council Coordination Committee,
7 which means you only need to put up with me for
8 two meetings.

9 I'm pleased to call to order this
10 meeting of the Council Coordination Committee
11 conducted via Webinar. This meeting is open to
12 the public and copies of the meeting agenda and
13 other documents used are available on the Regional
14 Fishery Management Council website
15 www.fisherycouncils.org and the NOAA Fishery's
16 website.

17 Members of the public will be provided
18 an opportunity to provide the CCC with our
19 comments on each agenda item taken up by the CCC.
20 There will also be opportunities at the end of
21 each day to testify on items not on the agenda,
22 after presentations, before we open to CCC members

1 for questions or clarification. When all
2 presentations are completed, public comment will
3 be heard followed by CCC discussion and action as
4 appropriate.

5 Members of the CCC should used the
6 raised hand feature and wait until called on by
7 the chair to engage in questions and discussions,
8 otherwise, your microphone should be muted.
9 Please note that the Webinar chat feature should
10 be used for technical issues and not to make
11 public comment or support or criticize policy
12 positions.

13 If possible, please sign in or change
14 your name once you have connected to the Webinar
15 to your first and last name followed by your
16 affiliation, for example: Marc Gorelnik, PFMC or
17 Ryan Wolf, NMFS West Coast Region. Let me remind
18 CCC members and others to speak directly into
19 their microphones so that all can hear. Lastly, I
20 ask that CCC members and members of the audience
21 to turn off the sound ringers on their cell phones
22 and, as I said before, mute your connection while

1 the CCC meeting is in session.

2 So at this time I'd like to have all CCC
3 members introduce themselves and I'll start with
4 the Pacific Council. I am Marc Gorelnik Chair of
5 the Pacific Council, as I mentioned. With me is
6 my Vice Chair Brad Pettinger, our Executive
7 Director Chuck Tracy, and our Deputy Executive
8 Director Mike Koerner. I'll now call on the other
9 councils for their introductions.

10 MR. WITHERELL: Dave Witherell Executive
11 Director. On the phone I have my Chairman Simon
12 Kineen, Vice Chair, and Deputy Director Diana
13 Evans.

14 CHAIRMAN GORELNIK: Thank you very much,
15 Dave. Western Pacific?

16 MS. SIMONDS: Kitty Simonds the
17 Executive Director. We have here our Chair Archie
18 Soliai meeting in American Samoa and we have
19 Michael Duenas the Vice Chair from Guam and Ed
20 Watamura the Vice Chair from Hawaii.

21 CHAIRMAN GORELNIK: Thank you very --

22 MR. GOURLEY: Don't forget John Gourley.

1 MS. SIMONDS: John Gourley from the
2 CNMI. It is, what, 2:30, 3:30 in the morning
3 there.

4 CHAIRMAN GORELNIK: Well, thanks for
5 staying up late with us, John.

6 Caribbean Council.

7 MR. ROLON: Miguel Rolon, Executive
8 Director.

9 MR. HANKE: Marcos Hanke, Chair.
10 Present. Thank you.

11 CHAIRMAN GORELNIK: All right. The Gulf
12 of Mexico Council.

13 MS. SIMMONS: Carrie Simmons, Executive
14 Director, Gulf Council.

15 MR. FRAZER: Tom Frazer, Chair, Gulf
16 Council.

17 CHAIRMAN GORELNIK: All right. The
18 South Atlantic Council.

19 MR. CARMICHAEL: Thank you. John
20 Carmichael, Executive Director. We also have on
21 the line Chairman Mel Bell and Vice Chair Steve
22 Poland.

1 CHAIRMAN GORELNIK: Thank you.

2 Mid-Atlantic Council?

3 MR. LUISI: Hi, everyone. I'm looking
4 through the list. This is Mike Luisi. I am the
5 Chair of the Mid-Atlantic Council. I believe that
6 Chris Moore, he was planning to be on this call,
7 and Wes Townsend who's our Vice-Chair on the call
8 as well, so, but I'm here and I can't see
9 everybody. I'm scrolling through all the names,
10 but Chair of the Council is here for the
11 Mid-Atlantic. Thank you.

12 CHAIRMAN GORELNIK: All right. Thank
13 you very much, Michael. And now the New England
14 Council.

15 MR. NIES: Thank you, Mr. Chair. This
16 is Tom Nies Executive Director and I think my
17 Chair and Vice Chair will introduce themselves.

18 MR. QUINN: John Quinn, Chairman.

19 MR. REID: Eric Reid, Vice Chairman.

20 CHAIRMAN GORELNIK: Welcome all. Now
21 I'd like to call on Dr. Paul Doremus the acting
22 NOAA Assistant Administrator for Fisheries to

1 provide his welcoming remarks and introductions.

2 MR. DOREMUS: Thank you, Mr. Chair.

3 Welcome to everybody and really do appreciate the
4 Pacific Council hosting our virtual event here
5 today and getting everything orchestrated and off
6 to a good start. Mr. Chair, if you would like to
7 handle the business on approval of the agenda and
8 the minutes and then I can just combine my opening
9 remarks with agenda item one and just get right
10 into the topic of administration priorities and
11 transition update, if you'd like. That would work
12 well from my vantage point.

13 CHAIRMAN GORELNIK: Excellent. So then
14 that's exactly what we will do. So, let's start
15 with the approval of the agenda and the minutes.
16 The proposed agenda and the transcripts from the
17 September 2020 meetings are in the Brief and
18 Materials under tab one. If anyone has any
19 proposed modifications, we'll start with the
20 agenda. Please raise your virtual hand.

21 And I'm not seeing any hands. Archie,
22 please. Archie, your hand is out. Are there any

1 proposed modifications to the agenda?

2 MR. SOLIAI: Mr. Chair, do you hear me?

3 CHAIRMAN GORELNIK: I can hear you now,
4 yes.

5 MR. SOLIAI: I just wanted to make a
6 motion to approve the agenda and the minutes.

7 CHAIRMAN GORELNIK: All right. Very
8 good. We have a motion to approve the minutes.
9 Is there a second?

10 MR. PETTINGER: I'll second.

11 CHAIRMAN GORELNIK: A second is by Brad
12 Pettinger of the Pacific Council. If there's any
13 discussion? I'm not hearing any. I'll call into
14 question all those in favor of approving the
15 agenda, please say 'aye.'

16 Are there any opposed? And I'm not
17 hearing any oppositions, so we have an agenda.
18 So, we have a road map now. So now let's turn to
19 the minutes of the September 2020 CCC meetings and
20 first I'll ask if there are any corrections to
21 those minutes? Raise your hand. I don't see any
22 hands, so I'll entertain a motion.

1 Archie, I see your hand is up again. Go
2 ahead.

3 MR. SOLIAI: Yeah, I'll move, Mr. Chair.

4 CHAIRMAN GORELNIK: Archie, you're
5 moving to approve the minutes. I need a second.

6 MR. PETTINGER: I'll second.

7 CHAIRMAN GORELNIK: A second by Brad
8 Pettinger. Thank you. Is there any discussion on
9 this motion? Not hearing any. I'll call the
10 question of those in favor of approving the
11 minutes of the September 2020 meeting say 'aye.'

12 Opposed, no? Any extensions? All
13 right. The minutes are approved. Thank you very
14 much. We're making some progress. So now that
15 we've taken care of that, I'll turn the floor back
16 over to Paul for his introduction.

17 MR. DOREMUS: Thank you, Mr. Chair, and,
18 again, very much appreciate your hosting of this
19 event and welcome to everybody all the
20 participants signed in today. It's wonderful to
21 be able to connect with everybody around the
22 country, all early morning, afternoon, late at

1 night, wherever you happen to be. It's a
2 wonderful capability to pull everybody together
3 quickly.

4 When we last spoke in February, the
5 administration had just released a whole series of
6 executive orders and moved down very quickly as we
7 are all quite well aware, on a whole series of
8 priorities related to, obviously, COVID-19,
9 recovery, building back better, a major campaign
10 theme enacted very quickly with a lot of
11 provisions.

12 A huge focus as you well know on climate
13 change, racial equity, and a number of other
14 topics. The administration clearly moved out
15 quickly how to plan, and we are working very
16 aggressively and have a great opportunity to
17 tomorrow connect in greater detail both step
18 through the executive orders related to our work
19 in fisheries to our overall science and management
20 responsibilities, and focus, in particular, on
21 Executive Order 14008, which we are all quite
22 familiar with by now, tackling the climate crisis

1 at home and abroad especially the provisions in
2 there related to 216(a) around the 3530 conserving
3 land and borders and 216(c) focused on making
4 climate resilient -- making fisheries and
5 protective resources resilient in the face of
6 climate.

7 Huge topics, big issues, and we are
8 very, very grateful for the work that the councils
9 already have undertaken at the front end of all of
10 this and providing opportunities for either Sam or
11 for me to attend your spring meetings to hear your
12 thoughts around 216(c), in particular, this whole
13 issue of climate resilience. And it's a massive
14 topic in all of the events that I've participated
15 in as well as in our capturing the various lines
16 of input from around the country. Just a
17 fabulous, I think, testament of the very deep
18 knowledge and historical perspective that we have
19 readily available to us through the councils. And
20 the changes that we're seeing in the marine
21 environment are clearly very profound and raising
22 significant questions that all of you put forward

1 related to science support, to deepen our
2 understanding of climate related impacts, and some
3 focused attention to a whole range of different
4 management issues that come in the wake of that.

5 So, wonderful input. This is clearly a
6 long-term issue that we're going to be working
7 together on for some time. It is a very present
8 issue, it's not theory, it's a reality for us
9 today, and this is something that's very urgent
10 and touches all of us in one way or another, but
11 in often very different ways, region by region.

12 And we have also some recent
13 developments, as I'm sure you're all aware, just
14 two weeks ago the administration true to the
15 requirements under Section 216(a) released
16 Conserving and Restoring America the Beautiful,
17 this preliminary report that put forward
18 recommendations for achieving conservation in 30%
19 of our lands and borders by 2030.

20 This will be a big focus of our
21 discussion tomorrow and we're very pleased to have
22 Letise LaFeir joining us. She is the Senior

1 Advisor to the NOAA Administrator. She'll be
2 talking with us about the recommendations in the
3 report, how we see things evolving from here, and
4 we really look forward to a true to all the
5 initial input that we got around this broad topic
6 on both 216(a) and (c). We look forward to a very
7 substantial engagement and a long-term engagement
8 on these issues. I'm sure, like me, that all of
9 you are very pleased to see the recognition that
10 has come forward throughout this whole process and
11 in this America, Conserving and Restoring America
12 the Beautiful document with the strong recognition
13 of the role that all of us play in addressing
14 these topics.

15 Also, since February we've seen the
16 American Rescue Plan passed, the American Jobs and
17 American Family Plans introduced. The jobs plan
18 in particular is a very expansive proposal
19 building on new job creation opportunities,
20 focused very heavily on rebuilding the nation's
21 infrastructure.

22 We'll certainly be looking at that plan

1 with our fishery's management lens and the overall
2 health welfare direction of the fishing and
3 seafood sector to see if there are opportunities
4 for the fishing industry with respect to
5 investments and port revitalization, job creation
6 advancing, fishery science investments, and
7 research and development in federal agencies, new
8 technologies to address climate change there's a
9 lot that can support the combined goal that we see
10 here in the jobs plan around investment
11 strengthening and climate resilience and the job
12 creation and the basis for future sustainable
13 growth. So a lot to look at there.

14 Meanwhile, in terms of the human side of
15 the transition, the people involved, the other big
16 news of late is that the administration has
17 nominated Dr. Rick Spinrad to be the next NOAA
18 Administrator. Very well known to us here in
19 NOAA, in the organization, having served as the
20 Assistant Administrator for the National Ocean
21 Service for the office of Oceanic and Atmospheric
22 Research, served as Chief Scientist in the Obama

1 Administration for a period of time, and just an
2 extraordinarily experienced, credentialed,
3 thoughtful and deeply knowledgeable person that we
4 really look forward to working with.

5 The confirmation process is underway, a
6 lot of preparation. He is scheduled to go forward
7 with his confirmation hearing in just a couple of
8 days on the 20th. And we hope that there'll be a
9 vote following not too long in the wake of that
10 and we will have our first Senior Appointee from
11 the -- at the NOAA level that is politically
12 confirmed by the Senate and we'll anticipate
13 further appointments in the wake of his arrival
14 including the appending appointment of a NOAA
15 Fisheries Assistant Administrator, which of course
16 we await and I will be continuing to act in that
17 capacity until a new appointee is selected.

18 So we have an awful lot to look forward
19 to. We have already started, internally, given
20 the very significant signs and the very -- it's
21 really the magnitude of the issues that are being
22 addressed. We're looking and drafting and have

1 produced and are internally working now, a draft
2 strategic plan. This is where we can look at our
3 core mission mandates and the administration's
4 priorities and show what we can do to contribute.
5 Where the alignment is in advised on the range of
6 ways in which we see our ability to respond more
7 effectively and more strategically to the
8 extraordinary pressures that we're all feeling
9 throughout all components of the fishing and
10 seafood sectors and in all of our management
11 responsibilities, not just related to recovery
12 from COVID, and in the development in a more
13 resilient fishing and seafood sector in the
14 future, but also tending to this very
15 comprehensive and very challenging impact of
16 climate on living resources and our scientific and
17 management regimes that are trying to respond.

18 So that will be covered at a high level
19 in our strategic plan and look forward to future
20 engagement with you on that. Meanwhile, we're
21 dealing with other sorts of changes and I will
22 shift here into part B of the update having

1 covered some of the transition administration
2 issues here just now. I wanted to give you a
3 little bit of update as we have been doing in our
4 meetings on where things stand with our effort to
5 run the organization in the context of the
6 pandemic changing as it is and what the outlook is
7 in the coming months.

8 There has certainly been a lot of
9 developments since our last meeting and we have
10 seen most favorably in the grounds for greatest
11 optimism is the increased rate of vaccination in
12 the country and the gradual impact that's having
13 on the presence and the sort of transmission risk
14 of COVID-19 around the country. We still have a
15 long way to go and while there's great grounds for
16 optimism, there's also great reasons for prudence
17 and for staying consistent and true to our
18 risk-based approach to managing our organization
19 and ensuring the health and safety of our people
20 particularly as we start to move into phases of
21 unwinding of the COVID-19 related restrictions
22 allow us to use our facilities to greater extent.

1 We're continuing the phasing process
2 that all of NOAA is. We're following NOAA in
3 departmental guidance and the protocols
4 established over some time now on understanding
5 the phasing status of our facilities in different
6 parts of the country. So at this point in time we
7 still have of the 42 facilities that we're
8 tracking, we still have 11 that are in phase zero,
9 which is a mandatory telework mode and a number or
10 just over 30 that are in phase one, which is a
11 maximum 25% occupancy. That's an option to use
12 our buildings to that level, but it just sets, in
13 our mind, a context for gradual reintegration of
14 the formal work place into our work.

15 We have been working throughout this
16 pandemic, all of us have, not without enormous
17 disruption and we certainly want to bring the
18 formal work place back into our reality as soon as
19 we can and to be able to work in person and all of
20 us know by virtue of not having been able to do
21 that for so many months, all of us know the
22 benefits of doing that.

1 We are still taking this as a slow
2 steady, flexible kind of requirement. Vaccines
3 are certainly helping, but we're not completely
4 out of the woods. So there's a lot of thinking in
5 the federal government now around mask
6 requirements, all these things, that's getting
7 worked in as our plans adjust, but we're not going
8 to see a wholesale, rapid, and certainly not a
9 kind of universal change in our operating model in
10 a short time period. There will be plenty of
11 notice.

12 It will evolve region by region as the
13 nature of the COVID tracking that we're doing
14 varies a lot by region, and we'll look forward to
15 gradually, in effect, constructing our new normal,
16 much used phrase nobody knows exactly what that
17 means, and we're going to have to build that as we
18 go.

19 We intend to use the pipes, the
20 flexibilities, virtual connectivity, teleworking,
21 various types of flexibilities in how we are using
22 staff to keep the organization moving, prioritize

1 areas where we have to be in the field, when we
2 have to get at sea, those are obviously have been
3 and continue to be our highest priorities for
4 reintegration of formal work place participation.
5 And that will continue throughout the year, but
6 things are not going to be what they were prior to
7 this pandemic. I think that that's universally
8 understood. And I think there's also no real
9 universal understanding of what the new operating
10 model is going to be. We'll build it as we go and
11 adjust to the presence of COVID.

12 And as many seem to be in the public
13 health community seem to be indicating true for
14 the nation it will be true for our organization
15 and all of our processes. We're going to need to
16 adjust to the presence of this virus and how it
17 evolves and we're still not real sure what that
18 will look like, but we certainly have a more
19 favorable path ahead of us than we have had for
20 many, many months. So, I'm extremely optimistic
21 about that.

22 I do think we have learned some good

1 things and in some aspects, you know, there's a
2 silver lining in every cloud, and we have learned
3 some things that I don't know that we would have
4 learned without an incredible, exogenous shock
5 like this, that I think we should keep in mind as
6 we kind of walk our way towards this new normal
7 and continue to emphasize in terms of how we can
8 connect and bring people into our discussions when
9 needed and ensure that we have the sort of
10 broadest availability of input channels, which is
11 very central to how we operate in so many of our
12 fisheries, discussions, and operations.

13 And our third item here the fisheries
14 update and upcoming priorities is on post-pandemic
15 council operations. And I wanted to turn to Sam
16 Rauch on this piece to talk a little bit longer
17 with you about lessons learned from the pandemic
18 and how we might be able to think about our
19 council operations going forward from here as we
20 have more and more opportunity over time to work
21 in person and get back into using some of our
22 modes of work, in person work that we very much

1 favor and are all familiar with. So, Sam, can I
2 turn it over to you on this topic?

3 MR. RAUCH: Yes. Folks, can you hear
4 me?

5 MR. DOREMUS: Yes, you're coming through
6 great.

7 MR. RAUCH: Okay. Thank you. So as
8 Paul indicated the purpose of this session is to
9 think about the challenges of this past year and
10 to put some of the opportunities along side that.
11 This is a difficult thing to think of because the
12 past year has been really difficult and tough and
13 I think it is -- you can't really say that there
14 are many good things that have happened, but we
15 did learn some things and we did learn some things
16 about how we can operate.

17 I know the councils had to transition to
18 a virtual meeting which was very difficult and
19 created, I've heard from many of you individually
20 how difficult it had been, but there are a couple
21 of things that we have learned about that. And as
22 we have the opportunity to sort of reconstitute

1 the council process, I know some of you are, in
2 the next few months or next month or so maybe, are
3 going to try to come back into with some in person
4 meetings.

5 As we rebuild this process together, I
6 think it is a good time to think about what other
7 remote experience would we retain, what should we
8 jettison, how would we continue to operate? I
9 think we are all in agreement that one of the
10 functions of the council meeting is the
11 discussions that happen in person and you can
12 never -- this year of virtual meetings cannot
13 replace that. I think we are not better off for
14 doing that all remotely.

15 I think we do want to go back to some
16 substantial part of that, but we do need to be
17 mindful that one of the things that happened over
18 the last year is the entire council system became
19 more accessible to a segment of the community that
20 were unable to participate in the council process
21 before. Council meetings, as much as you try to
22 move them around to be in places where the

1 stakeholders are, you can never be where all the
2 stakeholders are all the time, and it can be
3 expensive to travel to and participate in council
4 meetings.

5 But we have seen, with various degrees
6 of issues, that we have a larger suite of
7 participation from the public virtually because it
8 has been easier for them to call in or to remote
9 in through their computer and to participate. And
10 that has brought it's own set of issues, but it is
11 at a minimum allowed a broader suite of
12 participation than the normal participation we
13 get.

14 And as we think to, and I will talk
15 about this a little more tomorrow, to some of the
16 administration's priorities in terms of
17 environmental justice and equity. There are a lot
18 of aspects to that, but one of the aspects of that
19 is to look at the ways that underserved
20 communities can participate in the governmental
21 decisions that affect their lives. It is hard for
22 people who have difficulty meeting their

1 day-to-day needs to set aside the extra time or
2 resources to participate in the council and it has
3 been easier for some of those folks to participate
4 in this last year despite the overall difficulties
5 the year has presented.

6 And that is one of the things we want to
7 talk with you about is how to preserve that, how
8 to preserve their participation of these
9 communities that otherwise would not have
10 participated. Recognizing that it is not been
11 easy, that there have been some issues that have
12 come up, but how can we do that to have meaningful
13 participation by all people regardless of their
14 economic circumstances, their race, their national
15 origin, their income levels, or wherever they come
16 and if you look at the administration's view of
17 equity, it includes all those things.

18 So we would like to talk about that as
19 we transition back to in person meetings: How can
20 we retain some of that and still go back? I think
21 we have learned, at least on the fishery side, we
22 have learned a lot about our own staff and how we

1 staff up and telework and those kind of issues and
2 I know some of those issues are facing you all
3 right now as you reconstitute and rebuild our
4 workforce. I've heard, you know, variously that
5 you all going back into the office? Some of you
6 already are, some of you are not for a while. How
7 are we dealing with that?

8 And then the last issue is, you know, is
9 there a cost model to virtual versus in person
10 meetings? Have we saved any money that we could
11 spend on other things by doing this, or have we
12 not? Because some of this is, you know,
13 subcontract, so we couldn't get out of and we just
14 lost that money. But is there any opportunity for
15 cost savings by presenting at least some of our
16 meetings virtually and then maybe being able to
17 use some of that money on other council
18 priorities.

19 So those are some open-ended questions,
20 those are some things that we would like to
21 discuss. Participation, you know, you've heard
22 from Paul about how we're thinking about

1 reconstituting our workforce back in the office
2 and about, sort of, you know, is there an
3 opportunity here to save some of the cost and
4 shift that to other council priorities and maybe
5 there's not, but what are your opinions of that?
6 So those are the questions we'd like to pose, and
7 with that I would like to open it up.

8 And, Mr. Chair, I don't know how you
9 would like to run this discussion, but I think we
10 anticipated we would open it up for our council
11 CCC based discussion at this point.

12 CHAIRMAN GORELNIK: All right. Thank
13 you, Sam. Yes, what we're going to do is folks
14 who want to participate in the discussion ask
15 questions, seek clarification, should raise their
16 hand, and then I will call on you and we can do
17 this as rapid fire as people raise their hands.

18 Chuck Tracy.

19 MR. TRACY: Thanks, Mr. Chair. Thanks,
20 Sam and Paul, for the presentation. I had a
21 question about (inaudible) returning to our
22 (inaudible) meetings. I was talking with our West

1 Coast region folks recently, we were talking about
2 trying to have a partially in-person meetings in
3 September and they mentioned that the approval for
4 travel is sort of limiting, I guess, how much
5 participation staff may be able to accommodate to
6 attend our meetings. So, I don't know if that's
7 -- I guess my first question: is travel approval a
8 regional issue, as it has been in the past? Or is
9 it elevated, I guess, to -- because of the
10 universal nature of returning to travel. And if
11 there are limitations associated with that, when
12 do you think they would ease such, you know, in
13 addition to perhaps just the top level, I suppose,
14 being able to travel council meetings. We might
15 need some staff to support our processes and our
16 management team and those sorts of things.

17 MR. DOREMUS: Mr. Chair, if I could
18 respond to that. There's -- thank you, Chuck, for
19 raising that topic. It's a very important one.
20 The department, during the course of the pandemic,
21 did put in place travel approval requirements that
22 are highly centralized and those still hold. I

1 expect that that we'll be able to change that
2 gradually. We don't have a timeline on when that
3 might happen. We have already asked and the
4 sentiment was that we're not quite ready yet. And
5 I do think this is one area where the availability
6 and ability to handle information around people
7 being vaccinated can help looking forward, looking
8 ahead can help a lot in facilitating
9 travel-related decisions. I do expect it sounds
10 like the region already communicated to you that
11 we will walk back into our ability to participate
12 in person with processes and make some choices
13 about what the most important functions are that
14 need to best be tended to in person and prioritize
15 those. Participation council meetings have always
16 been a priority, when it comes to travel.

17 So, we'll work our way there, and I
18 think working in concert with you, making it clear
19 what you feel are the areas of highest priority
20 that you would like us to focus on in terms of in
21 person presence to the greatest extent possible.
22 We'll try to make that happen, but it will need to

1 be cleared all the way through the NOAA
2 Administrator at this point in time. We'll
3 certainly let you know when that changes. I do
4 think it will change, but that's the system that
5 we have in place right now. And it's prudent to
6 plan for that through September. I do expect that
7 things will improve between now and then and I
8 hope provide a little bit greater flexibility.

9 CHAIRMAN GORELNIK: Chuck, do you have a
10 follow up?

11 MR. TRACY: Yeah, thanks. Maybe just a
12 quick one. So, my discussion with our regional
13 staff was in the context of the region and I was
14 just curious if (inaudible) would also be eligible
15 to gain approval to travel to our council
16 meetings.

17 MR. DOREMUS: We would certainly support
18 that. Again, at this point in time NOAA would
19 have to concur, so I don't want to over promise,
20 but I would certainly support that and we'll make
21 every effort to make sure that folks can be where
22 they need to be as we get greater flexibility and

1 lower risk for being able to travel. So, it is
2 regionally specific in timing and circumstances,
3 so we do try to collaborate with the regions on
4 their priorities and support those in terms of
5 getting full power of approval.

6 CHAIRMAN GORELNIK: Thank you, Paul.
7 Mike Luisi?

8 MR. LUISI: Thank you, Mr. Chairman. I
9 just wanted to say to the comments that Dan made,
10 I think -- I know there's a cost saving to not
11 having meetings in person, but, you know, as part
12 of both the Mid-Atlantic Council and, as a
13 representative on the Atlantic States Marine
14 Fisheries Commission, I feel, like, that cost
15 savings may, I think - personally, I think we
16 should try to get together more often, and, you
17 know, I know cost is an issue, but being in
18 person, it makes a huge difference than being
19 virtual or being, you know, on the phone. So
20 those are my thoughts. I've talked to, I mean --
21 and I'll represent, you know, my commission, my
22 council members as many of us have spoken about,

1 you know, the complexities of dealing with things
2 like allocation over the phone, it just makes it
3 really tough. So, you know, I'll turn -- maybe
4 I'll -- and then Chris Moore, I just talked to
5 Chris a little while ago. Maybe Chris might want
6 to add something to that. You know, we're working
7 to get back to in person meetings, but maybe Chris
8 might want to add a few comments as well from the
9 Mid. Sorry to put you on the spot, Chris, but
10 I've done it a thousand times before, so it's all
11 good.

12 CHAIRMAN GORELNIK: Is Chris with us? I
13 don't see him presently.

14 MR. MOORE: I am, Mr. Chairman.

15 MR. LUISI: Chris is here. He's got his
16 hand up.

17 MR. MOORE: So, it's up to you, Mr.
18 Chairman. If you want me to go now, you have a
19 number of other hands as well.

20 CHAIRMAN GORELNIK: Oh, you know what,
21 why don't you go ahead since you're following
22 along with Michael, and then we'll come back to

1 the list.

2 MR. MOORE: Great. Thank you, Mr.
3 Chairman. So, yeah, there are a couple things
4 that I just wanted to mention. You know, I think
5 everyone that's been involved in our CCC calls
6 knows that we are planning to have -- we, the line
7 of council, are planning to have a hybrid council
8 meeting in August. So that particular meeting is
9 going to be in Philadelphia. We also have
10 meetings scheduled in October and December that we
11 expect to be hybrid as well.

12 As you might expect, and for folks who
13 have thought about it they know this, it's going
14 to be very complicated. And one of the things I
15 haven't explored as much as I'd like, is what do
16 we have to worry about from a legal perspective if
17 (inaudible) in person in Philadelphia and some are
18 on the line virtually and we have motions and
19 things happening, how does that work? Do we have
20 any complications or things we have to worry about
21 from a legal perspective, we need to think about
22 it. I know that Carrie has probably talked to her

1 region about it more than I have, and maybe she
2 has some insight into what they're telling her.
3 But, yeah, I'd like to just have a general
4 discussion about that. Thanks.

5 CHAIRMAN GORELNIK: That's a good
6 question, Chris. I don't know if Mitch wants to
7 respond to that now. I see Adam is with us, but
8 we'll see if Mitch wants to respond to that hybrid
9 meeting question.

10 All --

11 MR. ISSENBERG: Sorry. Hi, this is
12 Adam. I was trying to figure out how to raise my
13 hand and I couldn't.

14 CHAIRMAN GORELNIK: There you go.
15 Welcome, Adam.

16 MR. ISSENBERG: So I can just speak up.
17 I -- you know, we'd be happy to -- I don't know if
18 you've talked to the folks in GC or East or about
19 this. We -- I'm not sure, Chris, exactly what
20 your concerns are. You mentioned the fact that
21 some people would be remote and some people would
22 be in person and motions and things like that, so

1 I don't know if you're concerns are procedural or
2 something else. But, you know, I think in a
3 broader perspective, I'm not sure we have the sort
4 of time to talk about those things today, but I
5 think, you know, what might make sense would be
6 for you all to -- I'm sure you all have similar
7 questions and we have regular meetings with all of
8 our attorneys who work with the councils and NOAA
9 GC could certainly get together and work together
10 to make sure we've got answers for all of these
11 questions for all of you as we start to approach,
12 you know, returning to either in person or hybrid
13 meetings.

14 MR. MOORE: Mr. Chairman, if I could?

15 CHAIRMAN GORELNIK: Yes, please.

16 MR. MOORE: Yeah, so thanks for that,
17 Adam. The question was more about our SOPs
18 (Standard Operating Procedures) and all council
19 SOPs probably don't really talk about these hybrid
20 kind of meetings; right? And if, in fact, we're
21 limited by our current SOP might not allow us to
22 interact virtually with council members when 75

1 percent of the other council members are in
2 person; right? We wouldn't get to vote, their
3 votes wouldn't count, so those are my concerns.
4 You know, beyond that, we have logistics and
5 process questions and other things that we need to
6 work out or starting to think about it. But that
7 was my general question just in terms of that,
8 like, what do we have to do prior to August to
9 make sure everything's going to work. Thanks.

10 MR. ISSENBERG: Mr. Chairman, if I may.
11 Thanks, Chris, that was helpful. You know, I
12 think it would be -- I think when we first moved
13 to virtual meetings, as you'll recall, we
14 provided, NOAA GC provided, you know, a lot of
15 guidance on sort of procedural requirements, and I
16 think, you know, it wouldn't make sense and we
17 will put together a working group to, you know,
18 help you think about the transition back to, you
19 know, back to in person meetings, hybrid meetings,
20 and answer some of these questions which I'm sure
21 many people share.

22 CHAIRMAN GORELNIK: Chris, are you good

1 with that?

2 MR. MOORE: Yes, thank you. Thank you,
3 Mr. Chairman. Thank you, Adam.

4 CHAIRMAN GORELNIK: All right. Mel Bell
5 followed by Tom Nies.

6 MR. BELL: Thank you, Mr. Chair. I was,
7 basically, going to second what Mike had said, but
8 serving the same roles he does on council and then
9 on the commission and we're all struggling with
10 this as we try to figure out how to get meetings
11 kind of back into a more normal setting. But I do
12 think, yes, cost savings are great associated with
13 the ability to do this remotely in some cases, but
14 we -- I think the quality often of the meeting
15 itself and the interactions between, in our case
16 the council members or commissioners, you lose
17 that, you know, when you're not together. And I
18 know from a commission stand point, you know,
19 we're looking at options moving forward and
20 actually going to be discussing it in an executive
21 committee meeting this week because of a survey we
22 did, but I think, you know, don't sell short the

1 value of actually meeting together when we can.
2 And I know, you know, no one here is in control of
3 when that will be possible (inaudible), but, you
4 know, and also, Chris brought up things that I was
5 thinking about as well is just making sure
6 whatever we do how we run meetings is totally
7 within the SOPS we're following, we're totally
8 legal in how we're doing it and how we (inaudible)
9 in all. But I think there is value in utilizing
10 the video conferencing as a tool, but the sooner
11 we can kind of all get back in the room and we
12 don't want a situation where, you know,
13 everybody's there and our (inaudible) partner
14 isn't there because they're part of the process,
15 you know. The sooner we can get back to everybody
16 back in the room, that'll be a great thing. Thank
17 you.

18 CHAIRMAN GORELNIK: Thank you, Mel. Tom
19 Nies.

20 MR. NIES: Thank you, Mr. Chairman. You
21 know, moving forward, we'll probably with a mix of
22 in person and virtual and perhaps hybrid meetings.

1 But I wanted to give Mr. Rauch's some feedback on
2 his comment about reaching out to underserved
3 communities. When we did notice an uptick in
4 attendance in a lot of our committee and council
5 meetings, that the virtual meetings -- I'm not
6 sure I would characterize that as reaching out to
7 the underserved community.

8 You know, I would look at the attendants
9 list and the attendees, I think, were more people
10 that may not have chosen to participate in a
11 particular discussion or meeting, but because it
12 was convenient to them, they did. But I'm not
13 sure they were necessarily new attendees or new
14 communities that were reaching out to.

15 You might recall that we held an in
16 person public hearing outdoors under a tent on one
17 of our management actions. And to be honest, the
18 main motivation for that was complaints from,
19 arguably, an underserved community that they were
20 not comfortable participating in the online mode
21 and they were insistent that we had an in person
22 meeting because they felt more comfortable

1 providing commentary in person.

2 And, you know, we've seen that before
3 with some of the other underserved communities in
4 other areas where, on rare occasions, we've been
5 able to have a translator in place and translated
6 to the -- during the meeting and increased
7 participation that way, which is not something we
8 can really do in the virtual world. So, I'm only
9 speaking to our experience in New England, but I'm
10 not sure I would characterize increased attendance
11 as successfully reaching out to underserved
12 communities in our case.

13 CHAIRMAN GORELNIK: Thank you, Tom.
14 Sam, you had your hand up. You want to respond to
15 some of these comments?

16 MR. RAUCH: Yeah, I was thinking, Mr.
17 Chair, that the comments were done and I could
18 wrap this up, but if there's another comment, I
19 would defer. I was thinking I could close out
20 this discussion.

21 CHAIRMAN GORELNIK: All right. Well,
22 there are a number of hands up, but I'm not sure

1 if they're artifacts from past -- Mike Luisi, Mel
2 Bell, and Tom Nies? So, you need to manually
3 lower your hand when you're done and if,
4 certainly, if you have additional question or
5 comments, leave your hand up.

6 Okay. Mel? Okay. Kitty, please.

7 MS. SIMONDS: Okay. Thanks. Aloha from
8 the Aloha State. What I'd like to say, Sam, is
9 that what happened with us going all virtual is we
10 did get fisherman and others from the neighbor
11 islands calling in because they wouldn't be able
12 to afford to come to our meetings, but the biggest
13 thing was we got the enviros all on and speaking:
14 PEW, Ocean Foundation, Conservation International,
15 Wild Oceans, Earthjustice. So they all
16 participated where, and normally if they don't
17 participate in our meetings even when we have, you
18 know, face- to-face meetings, but once we went
19 virtual they have all been on our meetings, making
20 comments, and maybe we're working well together.
21 So, I did want to mention that. Thank you.

22 CHAIRMAN GORELNIK: Okay. Thanks,

1 Kitty. Are there any other questions or comments
2 on this - on the NOAA Fisheries update and if not,
3 I will then turn back to Sam. I don't see any
4 other hands. So, Sam you've go the floor.

5 MR. RAUCH: All right. Thank you, Mr.
6 Chairman. And thank you all for those who
7 commented. I appreciate your thoughtful approach
8 to these issues and they're not easy and I do not
9 want to -- I agree with all of you about the value
10 of in person meetings and I do believe we will
11 eventually, and hopefully quickly, go back to in
12 person meetings. Whether it's fully in person or
13 hybrid where some of the voting members are not
14 present, I think that's a unique model that we'll
15 have to consider.

16 We were considering some of that last
17 spring when all this started and I know general
18 council gave some advice at that time, I don't
19 recall exactly what it was about how to deal with
20 some voting members being there in person and some
21 not and how that related to your various SOPs so I
22 appreciate general council offering to work with

1 you on that.

2 And also, the different issue in terms
3 of the voting members versus the general public,
4 and I appreciate the thoughtful approaches to
5 trying to incorporate some avenue for public
6 comment both broadcast your council meetings to a
7 broader communities and to hear from them and
8 maybe, as some of you indicated it has not been as
9 successful, I would encourage you to -- I know
10 I've talked to a number of councils, I know you
11 all do think about how to reach out to these
12 various communities.

13 Maybe it is in person, although in
14 person is difficult to do, maybe it is virtually.
15 I think that that's going to be an issue we want
16 to talk about with some intention of what the
17 council, is that how to continue to incorporate
18 the views or reach out to communities that haven't
19 participated in the past, but are stakeholders in
20 this process and now the opportunity to do that.
21 And I do appreciate (inaudible) maybe the virtual
22 is not quite the fantasy that we think it is.

1 And so, I didn't anticipate that we
2 would come to some complete resolution of this. I
3 do think this is an issue to talk about. I know
4 various councils are in different places, you're
5 on different schedules, and you have different
6 criteria, different situations that you're looking
7 at, but I do appreciate the discussion. And I
8 think we should continue talking about these kinds
9 of things.

10 And I'm pleased to know, Kitty, that
11 you're going to get along with the environmental
12 groups from now on. Thank you.

13 CHAIRMAN GORELNIK: Thank you very much,
14 Sam. So, on this agenda item, I think we've heard
15 from NMFS, we've had our question period with
16 NMFS. Now would -- comes public comment, if any,
17 so I think Nicholas is handling public comment.

18 Nicholas, do we have any requests in the
19 public to comment on this agenda item?

20 MR. PIEPER: I have not seen any.

21 CHAIRMAN GORELNIK: All right. Great.
22 And so before we conclude this agenda item, I'd

1 like to see if there's any further council
2 discussion or action. So I'm not seeing any
3 hands. We've had a good discussion, a number of
4 important unanswered questions. It's all new to
5 us, so we're going to have to feel our way through
6 this, but we're smart and capable, we'll figure it
7 out, I'm sure. So I believe that concludes this
8 first agenda item of the CCC meeting -- well, the
9 second, actually, after the approval of the
10 minutes. So we'll bring this now to our next
11 agenda item which is the NOAA Fisheries Science
12 Update. And I think that Dr. Werner has that
13 agenda item or, Sam, let me know if I'm wrong.

14 MR. RAUCH: It is Cisco.

15 MR. WERNER: Yeah, that's correct. Hi.
16 Happy to jump in, Mr. Chairman and members of the
17 council. I will be talking about -- I've been
18 providing an update together with Evan Howell who
19 I'll introduce after I give a couple of slides on
20 the status update of the science enterprise, in
21 particular on the fisheries surveys and MRIP catch
22 estimates. And I'll just jump straight into the

1 presentation. So the next slide, please.

2 I'll be talking about the large scale
3 fishery surveys. I've provided updates in the
4 past two months in terms of where we are on the
5 getting back out on the water again, and I'll give
6 you a more fresh update in terms of where we are
7 and where we go next. So if I could go to the
8 next slide, please.

9 This is a look at the last five years of
10 the surveys we've conducted in terms of days at
11 sea, DAS stands for days at sea. Both using NOAA
12 vessels, which are in blue, and also charter
13 vessels, which are in gray. And what you see is a
14 three years prior to COVID. We were averaging
15 just under 3,000 days combined between charters
16 and NOAA vessels. You see the drop that took
17 place within the COVID year.

18 And then, of course, we are also now
19 looking at a 2021 plan. And it's a little bit
20 lower than the previous three years and I'll talk
21 a little bit about that in terms of the challenges
22 that, you know, that we've -- that resulted in a

1 smaller, slightly lower days at sea associated
2 with logistics and other issues, but I think the
3 good news is that we see that we are slowly coming
4 back to the cadence that we would like to be in.
5 And so the next slide, if I could, please. There
6 you go.

7 It says that we're back on the water.
8 And, in fact, we are. What you see there is a
9 picture of the Sette taking off from Pacific
10 Island on it's way to Guam. And it's actually now
11 doing the survey out there, this is an acoustic
12 survey that is conducting out there. Probably one
13 of the more challenging surveys that we have this
14 year given the distances involved, the number of
15 people involved, et cetera, but I'm - we're all
16 very pleased to say that we were able to, in fact,
17 getting out on the water and actually conducting
18 it right now.

19 As I said, you know, we still have, as
20 of right now, a shelter in place and other
21 protocols that we have to follow and having to do
22 with resulting in a cadence of, as I said, 45 days

1 at sea then followed by 16 days on shore. You
2 know, this, of course, will evolve as new
3 protocols emerge from, you know, in terms of
4 COVID, but right now that's in part of the
5 explanation for why we can't aim to have, you
6 know, the full days at sea as we did in previous
7 years.

8 The surveys that were identified going
9 forward, you know, are balanced between data gaps
10 that may have emerged, prioritizations associated
11 with the assessment needs, as well as logistics
12 that I talked about. And so that's resulted in
13 the schedule that we're trying to execute this
14 year. In addition to the surveys that we're
15 conducting right now, we continue to explore
16 mitigation options, use of advanced technologies,
17 unmanned systems, un-crewed systems such as sail
18 drone that I talked about also last year that we
19 were able to conduct from in the Bering Sea.

20 We were also able to conduct some
21 optically-based instruments with cameras using
22 artificial intelligence in machine learning; in

1 places where we were not able to deploy our white
2 ships and this is in collaborations with fishers
3 and fishing industry, which, again, took advantage
4 of development in advanced technologies that
5 allowed us to actually conduct surveys and be able
6 to provide data for assessment, as well as
7 expanded collaboration with industry stakeholders
8 and partners.

9 And so I'm going to go into an example
10 on this last one that we're planning. It's not --
11 it hasn't been executed yet, but the next slide
12 focuses our activity on the U.S. West Coast and
13 it's looking at a number of partnering
14 opportunities with our white ship, in this case
15 the Reuben Lasker, as well as private fishing
16 boats, as well as advanced technologies with sail
17 drones, as well as with the California Department
18 of Fish and Wildlife aerial surveys. And in
19 addition, it's a collaboration with our partners
20 in Mexico.

21 And the idea here is that this is an
22 area or survey that we've been trying to conduct

1 going from the northern tip there on Vancouver
2 island all the way down at the bottom you see the
3 inside of the map there, you see the different
4 lines covering from, as I said, from Canada
5 halfway into Baja, and then it continues all the
6 way into the Gulf of California.

7 And again the coverage here is
8 important. There's a number of questions of on
9 the fisheries along the West Coast. And by
10 bringing together the advanced technologies, again
11 the sail drones, the different partners, the state
12 and our partners in Mexico, we're, actually,
13 again, trying to execute quite an ambitious survey
14 that would address the number of questions that we
15 have. This is again an example of despite the
16 challenges that we've had, I mean, we are trying
17 to take advantage of how we learn to work under
18 these conditions and actually try to do things
19 that we haven't before.

20 This is a survey that we hoped to
21 conduct, you know, starting this summer of this
22 year. There are still some issues to work out,

1 but that's the plan that we have going forward for
2 this particular U.S. West Coast Coastal Pelagic
3 Species Survey, CPS Survey.

4 And so the next slide is where we are
5 now just a, sort of a numerical account of where
6 we are of completed, underway, planned and
7 postponed surveys. We have eight completed
8 surveys, seven of them on NOAA vessels, one on a
9 charter. We have six currently underway four
10 (inaudible) two NOAA vessels. And we have 42
11 planned surveys upcoming.

12 We've had to postpone or cancel some
13 surveys. In some cases it was weather, some cases
14 it was mechanical, in some cases the logistics
15 just didn't allow for the survey to go out earlier
16 in the year. And so far, you know, we're well on
17 our way to, as I said, you know, meet the target
18 that we set for ourselves in this fiscal year.

19 And the last slide is basically a review
20 of what I said. COVID, of course, created a
21 number of unique challenges in FY-20 (phonetic),
22 but in FY21, we're on track to resume many of our

1 at sea survey operation. We continue, in addition
2 to standard the fishery survey, if you will, to
3 develop advanced technologies as well as exploring
4 collaboration and partnerships, you know, that
5 could result in short and long term strategies for
6 data collection.

7 And I also do want to just include a
8 sincere thanks to everybody who has made possible
9 getting back on the water. There's -- to conduct
10 a survey, it takes -- there's a thousand moving
11 parts to get the ships and the people out there
12 and there's just a -- even under normal
13 circumstances this is a challenge, but under these
14 circumstances to be able to get out really did
15 require a lot of people getting together and
16 figuring things out. So thanks to everybody for
17 making that possible. And I think my part of what
18 I wanted to update you, you know (inaudible). I
19 would like to introduce Evan Howell the speaker
20 following me. Evan is our new, Dr. Howell, is the
21 recent as of last August or September Director of
22 NOAA's Office of Science and Technology. And

1 Evan, if you don't mind, I'll turn it over to you
2 and maybe you can give a little bit of a
3 background, where you came from, and go into the
4 presentation.

5 Evan?

6 MR. HOWELL: Sure. Thanks. I hope
7 everybody can hear me and see me. It's great to
8 be here. And, yes, as you said, I came over the
9 Office in Science Technology during, you know,
10 this last year, as we've been talking about. So
11 it's been an interesting transition. In some ways
12 I feel new, in some ways I feel fully
13 indoctrinated. But it's the first time being in
14 this combined CCC space, so I appreciate the
15 introduction.

16 And it's nice to virtually meet people.
17 I agree it'd be really nice people in person, it
18 gives me a much better sense, not just who people
19 are and where they are, but what the issues are
20 for the respective councils.

21 So, I did come. I was in the Pacific
22 Islands for about 25 years. Started out as a

1 contractor and then as a federal employee at the
2 Pacific Island Fishery Science Center, so very
3 familiar with the Western Pacific Regional Fishery
4 Management Council. See some familiar faces.
5 Hello to everybody out there. And looking forward
6 to meeting everybody else.

7 So today, as part of the Science and
8 Technology portfolio, as you know, the national
9 program, MRIP, Marine Recreational Information
10 Program, you know, is under our purview, and so I
11 wanted to talk today about the 2020 Catch
12 Estimate. So if you don't mind going, you can
13 even go to the next slide, I'll provide the
14 outcome for the 2020 estimates, talk about some
15 impacts from COVID, what was done to get the 2020
16 Catch Estimates. And then, of course, talk about
17 our 2021 outlook.

18 So, just as a spatial reminder, MRIP is
19 the national program that has regional
20 applications and regional programs that are run
21 both through federal survey programs as well as
22 state partnerships. We have different programs

1 that run with different parts of the region. So,
2 in terms of the space, I really like seeing Hawaii
3 and the Mariana Islands in the center of things,
4 but it's not to scale, as you know, but
5 regionally, if you look at the different programs
6 that we're looking at across the country, and if
7 you go to the next slide, what you'll see -- and
8 this'll become important as we talk about impacts
9 -- is we have different types of surveys that are
10 done to collect different points of information.

11 So we have different surveys that are
12 done along the East Coast or in the Southeast to
13 collect information on catch or actual samples.
14 But we also have mail and telephone-based survey
15 efforts for -- to catch fishing effort. And those
16 are in different parts of the country, as well.
17 And so you can see, on the left, the federal ones
18 as well as the ones in the blue, which are our
19 state partnership surveys, that are our certified
20 surveys, or commissioned certified surveys, both
21 on the West Coast for the general state surveys
22 and Louisiana, as well as some specialized state

1 surveys to try to improve our ability to do
2 in-season management or have the states, you know,
3 do the in-season management part in conjunction
4 partnership with us in the Gulf region.

5 So again, just to give you an idea of
6 the national program, regional implementation, but
7 also different types of surveys to get different
8 data collected through the survey efforts. So, if
9 we can go to the next slide, please.

10 So this is just kind of an introduction
11 to the results, you know, the overarching take
12 home story is the pandemic has minimal impacts on
13 the mail and telephone surveys that were used to
14 estimate the recreational fishing effort. But the
15 pandemic did have impact on the shore side and
16 actually sampling, as you can expect, in the
17 Atlantic Gulf and Pacific Coast. And this did
18 create significant gaps in the data that was used
19 to estimate the recreational catch.

20 And so, of course, the catch rate and
21 the effort gives you the total catch, which is
22 used in the management of many of these species,

1 to give you a total recreational catch that's
2 there. So we did have minimal impacts, as you can
3 possibly expect on the mail and telephone, but
4 it's this in- person, and it will show what those
5 impacts are. So if you'll could go to the next
6 slide, please.

7 So in terms of the 2020 data collection,
8 and we can go -- The Access Point Angler Intercept
9 survey, it is an in- person survey from Maine to
10 Mississippi. And there were certain decisions
11 during COVID to either suspend, modify, or resume,
12 that were made at the state level. And I'll show
13 the differences in that in an upcoming slide. But
14 the states were in charge of understanding what to
15 do in terms of their in- person surveys.

16 But between March and August of 2020,
17 the 17 states either suspended, reduced, or
18 modified their conduct of this Angler Point
19 Intercept survey. As of August 1, 2020, all the
20 state partners had resumed the shore side
21 sampling. But as of April 1, 2021, all of the
22 ACCI headboat sampling still remain suspended. So

1 we're waiting for that.

2 So the conduct of our APAIS survey does
3 continue to be impacted by social distancing
4 guidelines, as well as the sampler safety
5 protocols, but we have, you know, again, the shore
6 side sampling but not the ACCI headboat going.
7 And just to look overall at our APAIS results, if
8 you go to the next slide.

9 This is a lot of information in a heat
10 map, but what's good to see about this is if you
11 look at the Y axis, that's through time of 2020.
12 And then, if you look at the X axis, this is
13 actually the different states and you can see them
14 broken down. And what you're seeing is that as
15 you go south to north in the graph, this is the
16 comparison of how much data was collected through
17 APAIS in 2020 compared to the three-year average
18 from beforehand.

19 So one would be the maximum. That means
20 that you've done exactly as much in 2020 as you
21 did in the last three-year average. And then the
22 zero would be nothing was collected, and that's

1 those gray boxes. And so anything in gray means
2 that no data was collected. And you can see that
3 this was very variable, state by state.

4 (Interruption)

5 CHAIRMAN GORELNIK: Did we lose you,
6 Evan?

7 MR. WERNER: It appears we might have
8 lost Evan. Hopefully he can recover indeed.

9 CHAIRMAN GORELNIK: We'll give him a
10 moment here.

11 MR. WERNER: Okay. Thank you.

12 CHAIRMAN GORELNIK: I don't know if you
13 have a way to text him and see what sort of
14 difficulties he's having. We can wait a few
15 minutes, but --

16 MR. WERNER: Yeah, I just texted him.
17 I'm hoping he's getting my messages. I'll let you
18 know if I hear otherwise, but, yeah, hopefully
19 he'll be back on. Thank you.

20 CHAIRMAN GORELNIK: Let's take advantage
21 of this time, then, to see if there are any
22 questions on Cisco's portion of the presentation.

1 I see Ed Watamura has his hand up. Do you have a
2 question for Cisco?

3 MR. WATAMURA: Yeah. Hi, how's it going
4 Cisco?

5 MR. WERNER: Hello.

6 MR. WATAMURA: Yeah, I had a question.
7 When you were -- when you are doing the
8 observations in Guam, are you looking at the
9 bottom fish stock abundance? First question. And
10 second question is, in Hawaii when they did
11 similar surveys, they did -- there was
12 coordination with fishermen to see what the fish
13 were and is that same thing being done in Guam?
14 Thanks.

15 MR. WERNER: Yeah, thank you. So, the
16 survey that's being conducted in Guam this year is
17 mainly a marine mammal survey. I think the
18 fishery survey effort is going to be largely next
19 year, and we're planning that one carefully now
20 that that's, again, a particularly challenging
21 survey, and so we postponed that one to next year.

22 MR. HOWELL: I'm back, if you can still

1 hear me.

2 MR. WERNER: Yeah, we just went to a
3 couple of questions on the survey. So, I don't
4 know, we'll come back to you.

5 MR. HOWELL: Yep.

6 MR. WERNER: And so, the question was
7 what the survey was in Guam and I was just saying
8 that that one is largely a marine mammal survey.

9 And in terms of the surveys that are
10 happening in the Hawaii region for bottom fish,
11 this year -- and Evan maybe came back at the right
12 time -- I believe, that in the Hawaii area, there
13 will be bottom fish surveys again as they were
14 last year; is that correct?

15 MR. HOWELL: Yes. Yes, that's the plan.

16 MR. WERNER: Yeah, and for the bottom
17 fish for the Guam area, it's going to be, and some
18 are on other places, that's a survey that we'll be
19 conducting next year.

20 MR. WATAMURA: All right. Thanks,
21 Cisco.

22 MR. WERNER: Thank you.

1 CHAIRMAN GORELNIK: All right.

2 MR. WERNER: Evan, we lost you as you
3 were explaining the heat map. So, you were just
4 talking about the gray areas of the heat map when
5 you broke off.

6 MR. HOWELL: Well, this was a great
7 crisis intervention I got to do as my wif
8 crashed. But, I appreciate the patience. I'm
9 back. I'll go back to the heat map, if you don't
10 mind. I don't see the slides any more, so I'm not
11 sure if we could go back to those. Yeah, we don't
12 have this problem in in-person meetings. I
13 haven't fallen asleep during a presentation yet,
14 but maybe it'll happen when we come back.

15 So, yeah, if you go to the heat map,
16 what's nice about -- you know, I'm not sure if you
17 saw -- the gray is just a zero count; so, meaning
18 that we didn't collect any information in 2020.
19 We see that in April, but the states were able to
20 come back really rapidly. And you're seeing more
21 in yellow and green, and that means that a lot of
22 the information, almost up to a 100 percent, 75

1 percent, was conducted in a lot of these areas.

2 So we were able to get some pretty good
3 coverage in APAIS even though there were impacts.
4 So again, this heat map is available for you to
5 look at in the presentation, but we wanted to show
6 how there was state variability in this. So, we
7 can go to the next slide.

8 So again, another survey with the large
9 pelagics, and we did continue to get reported
10 trips via telephone. So the collection of the
11 Large Pelagic Survey catch rate and effort data
12 was conducted with minimal disruptions because we
13 were able to do this through telephone. We had
14 field samplers that were validating and reported
15 effort, but the biological sampling remained
16 suspended for this pelagic survey.

17 In terms of the Headboat Survey, again,
18 this is suspended in North Carolina to Texas. And
19 we have state creel surveys that did have, again,
20 intercept surveys that experienced similar
21 disruptions and modifications to the standard
22 sampling procedures. Again, you see the impacts

1 on this in-person, especially when you had
2 sampling procedures or things that were in very
3 close contact. Go to the next slide, please.

4 So, in terms of the Fishing Effort
5 Survey in the For-Hire Survey, in the East Coasts
6 and also the Gulf states, I'm sorry, and Hawaii,
7 the off-site mail and telephone surveys continued
8 with minimal disruptions. Again, same principle.
9 Preliminary wave-level estimates were published
10 throughout the year for the effort and the effort
11 estimate components that were normally derived
12 from APAIS were monitored as we evaluated ways to
13 do the estimation option at the end of the year.
14 So again, for the effort, we were able to produce
15 the waves as normal, with minimal disruptions.
16 So, next slide.

17 And so then, if we talk about what these
18 impacts were in terms of the estimate, so we
19 continued to publish the estimates for shore,
20 private boat, and for-hire effort through 2020 and
21 we published the preliminary. The estimates were
22 produced using the standard methodology, but, of

1 course, some of the components were lacking from
2 the APAIS because those were normally derived and
3 there were some impacts from the APAIS survey.
4 So, 2020 estimates are available at the two- month
5 wave level, and that's in terms of the effort.
6 So, the next slide.

7 If we start to talk about the catch,
8 this is where we do see significant data gaps.
9 And because of the data gaps in real time, the
10 decision was made not to publish the preliminary
11 catch estimates for the waves two to six as
12 normally done -- those two-month waves in 2020.
13 We wanted to see -- wait for the entire year and
14 get the information at the end of the year. So,
15 the first annual wave-level catch estimates were
16 produced in April, so we saw this at the Gulf
17 Council last month, and are available at the
18 website.

19 So, there were a number of options to
20 understand how the data gaps would be evaluated
21 and it was determined through looking at different
22 options, complicated to simple, and with some

1 advice from the survey statisticians that we work
2 with, that we -- a simple imputation approach was
3 selected using data that was weighted down from
4 2019 and 2018 to fill in gaps from 2020.

5 So, using that, you know, we were able
6 to get to the wave estimates at the two-month
7 level. So you will see published that you have
8 the two-month level now that were done based on
9 the imputation approach. The imputation approach
10 doesn't have a huge impact. We looked at what
11 would happen if you didn't have the data imputed
12 from -- to fill in the gaps. It's not a large
13 part of the data gaps that were there, but it was
14 significant enough that we wanted to use the
15 imputed data to fill in the data on wave estimates
16 and then final reports.

17 So, we will revisit this also once we
18 have 2021 data and it becomes available. And in
19 that way we'll be able to bracket 2020 with the
20 year before and the year after. We don't have a
21 year after, obviously, right now, so we're using
22 the two years before.

1 Oh great, thank you. So yeah, so once
2 again, you have the annual estimates that were
3 released and we were also able to go back with the
4 imputed approach and do the two-month estimates as
5 well for 2020. So, if you go to the next slide.

6 And so what do we expect for 2021?
7 Obviously, as we've been talking about in the last
8 presentation, there is still COVID impacts. We're
9 hopeful that these will diminish over time. And
10 states have put a great deal of effort into
11 developing effective sampler safety protocols. We
12 do still impact -- there will some impact to the
13 samplers' ability to collect the length, weights,
14 and counts for 2021, but we're hopeful that this
15 will improve throughout the year.

16 There may be some impacts, depending on
17 the state, with state budgets, in the ability to
18 conduct the surveys, depending about furloughs,
19 hiring restrictions, we're not sure, but we are
20 optimistic that data collection will be very much
21 improved in 2021 as compared to 2020. And when we
22 complete the APAIS data from 2021 and they're

1 available in '22, we can go back then and evaluate
2 the effects of using that 2021 data in the
3 imputation. Again, the imputation currently uses
4 2018 and 2019, the data we have available to fill
5 in the gaps. But once 2021 is there, we'll take a
6 look at using that, as well, with 2019 to do the
7 imputation.

8 And that should be the end of the
9 slides. And again, I appreciate it. I appreciate
10 the patience when I dropped off the face of the
11 Earth, and I'm happy to take any questions people
12 have. If I can't answer them today, I will take
13 them and I can answer them for you later. But I
14 appreciate your time. Thank you.

15 CHAIRMAN GORELNIK: Thank you very much,
16 Evan. And don't worry about that technical
17 difficulty. But we know that's not something that
18 would have happened in an in-person meeting. So,
19 another reason to have those. We have some hands
20 up. Ed, your hand is up. Is that from before, or
21 do you have a new question? Ed Watamura.

22 MR. WATAMURA: Yeah, I have some new

1 questions, but I can wait for the other hands, if
2 they're ready to go.

3 CHAIRMAN GORELNIK: All right, fair
4 enough. So we'll go -- I have three hands up:
5 Michael Luisi, John Carmichael, and then we'll
6 come back to you, Ed. Okay?

7 MR. LUISI: Yeah, thanks for the
8 presentation. So, I guess my question is to the
9 service. So, if there's going to be a new
10 evaluation of the information, if you're going to
11 bracket what you've come up with for 2020 with
12 2021 data, how are 2020 data going to be used in
13 the upcoming assessments? I might have missed it
14 in the presentation, but -- because we have some
15 assessments coming up, and just wondering whether
16 or not that information's going to be used in
17 there. And whether or not we have to wait through
18 this year to figure out if there's going -- are
19 there going to be changes? So, well, I'm dancing
20 around it. Are the data final? Are they final at
21 this point? Or is there a possibility they can
22 change based on what happens in 2021? I guess

1 that's my big question. Thanks.

2 MR. HOWELL: No, I appreciate the
3 question. It's a really good one. And so, I'm
4 going to also be like Kelly and Sam, if you want
5 to add any of the management implication side of
6 it. From the scientific perspective, this is the
7 best that we have available. Now, I can say best
8 scientific information available that means
9 something. This is due to the estimates that we
10 have. They are final, they are published. If,
11 for some reason, 2021 provides us information from
12 a scientific standpoint that we feel greatly
13 enhances the numbers that we have, then I think we
14 need to take a look -- the serious determination.

15 I don't expect it would make huge
16 changes and that we would use these 2020. We
17 would also -- I will take this back with the team,
18 as well, because we understand that there are
19 potential implications. So no, I would not wait.
20 I think that you need to use the information that
21 we have on hand. But because this was such an
22 unprecedented year, it is in our best interest to

1 take a look at 2021. And if, for some reason, we
2 see that there were huge changes based on getting
3 new information in 2021, then we can approach that
4 at that time, but for now, no, 2020 is published.
5 We're standing behind those numbers. But it is a
6 great question and I appreciate it.

7 MR. LUISI: Yes, thank you so much for
8 that. I appreciate your answer. Thank you.

9 CHAIRMAN GORELNIK: All right. John
10 Carmichael followed by Ed Watamura.

11 MR. CARMICHAEL: All right. Thank you,
12 Mr. Chairman. And thank you for the
13 presentation. I have a -- maybe a potential
14 clarification and then a question, and it has to
15 do with the Southeast Headboat Survey. It says it
16 is suspended, when actually that's the sampling
17 component. So the dock-side or the onboard
18 sampling component is what's suspended. But the
19 operators of those vessels are still submitting
20 their data. So we are still getting the catch and
21 effort and the other aspects of it. So it's not
22 fully suspended in terms of how that seems to read

1 in that slide. So I think that would be
2 important, particularly for any fishermen that
3 might be seeing this and go wait a minute, we're
4 still submitting our data. We want -- you know,
5 they weren't told you no longer have to report.
6 So the big part of the survey is continuing.

7 And then my question is, given that and
8 seeing what we see in the heat map diagram, which
9 -- and I really appreciate that. That's a really
10 good way of showing the reality of last year. You
11 know, you can see that those states where the
12 Southeast Headboat takes place, all returned the
13 MRIP sampling largely by June of last year. And
14 yet the headboat is continuing to not do, you
15 know, essentially the APAIS equivalent to
16 collecting the lengths on the APAIS and
17 potentially going onboard some vessels. And I can
18 understand concerns with going onboard, but it
19 would seem like the time is certainly here where
20 we could start to see more return to dockside
21 sampling, particularly given the CDC guidance
22 recently, and even Dr. Fauci telling us we can

1 return to normal, and that takes place outside and
2 that's very important data.

3 So -- and then to just reflect back upon
4 the earlier discussion about priorities for
5 (inaudible) returning to normal, I would say
6 collecting data should be very high on the
7 priority list. You know, we can deal with people
8 participating remotely in meetings, but when we
9 lose a year, and possibly two years of data
10 collection, we never get that back. And that's
11 going to be an uncertainty in stock assessments
12 forever. So that's my comments on that, to lead
13 off the discussion. And I would be interested in
14 what y'all think about when headboat sampling may
15 return.

16 MR. HOWELL: So (inaudible) you said for
17 clarification, yes, I agree with you. It's our
18 component and that's the in-person component,
19 which getting into the question about when that
20 might resume, then I am going to defer back; it's
21 part of the overall safety that the agency is
22 looking at. So I take your points. I hear you.

1 I appreciate them. And that's -- yeah, I would
2 look forward to discussion as well, and I think
3 we're all looking to when we can get out and do
4 the data collection again, as well.

5 MR. WERNER: Sorry, if I could jump in?

6 CHAIRMAN GORELNIK: Go ahead.

7 MR. WERNER: Yeah, sorry, apologies.

8 Echoing John's point about the importance of the
9 data collection, in part, that's what we're trying
10 to show is how we're trying to get out there to
11 collect the data; whether it's with advanced
12 technologies, whether it's, you know, combining
13 with industry partners, or any which way we can,
14 we'll try and do that. So I couldn't with you
15 more, John, than what you said. So I appreciate
16 the comment.

17 CHAIRMAN GORELNIK: All right. Ed
18 Watamura. Let me just remind folks that after you
19 raise your hand, you've been called on, please
20 remember to lower your hand, or else I'll think
21 you've got another comment. So, Ed, please go
22 ahead.

1 MR. WATAMURA: Yeah. So, as you
2 reported, numerous efforts in the area of data
3 gathering and monitoring have been basically by
4 COVID-19, the question that I had was over here in
5 the Western Pacific, like, will we also be subject
6 to the imputation method?

7 MR. HOWELL: Hi, Ed. It's good to see
8 you.

9 MR. WATAMURA: Hi.

10 MR. HOWELL: So, no. Most of the --
11 there's not as much impact. You don't have the
12 in-person as much in the Western Pacific. So the
13 imputation is not going to be there, and most of
14 it is through the mail. And so, because you have
15 the offsite mail and telephone surveys in the
16 fishing effort, you're not going to have the same
17 impacts and the same imputation. Imputation is
18 mostly for APAIS Catch that we had.

19 MR. WATAMURA: All right. I just wanted
20 to say that, for the territories, we've got the
21 Catch-It Log-It app that's being implemented and
22 gaining some -- more and more interest. And we're

1 hoping that that would be an additional data
2 gathering source for you, especially for the
3 bottom fishermen. You know, like, the question I
4 had, also, was in American Samoa, there seems to
5 be very few participants in the bottom fishery.
6 And you know, we're wondering whether -- or, you
7 know, how appropriate an expansion-extrapolation
8 type of, you know, data usage is really
9 appropriate for someplace like American Samoa.

10 We are, you know, they're faced right
11 now with a situation where the stock assessment,
12 you know, show that it was overfished and it's not
13 a good situation for the fishermen because they're
14 really just kind of struggling to feed their
15 families and their villages. And we're kind of
16 scrambling to find a way so that they can do that.
17 I was wondering that, you know, while this data
18 was being gathered and extrapolated in American
19 Samoa, especially, you know, at some point, it
20 must have been kind of obvious to the scientists
21 that it just didn't seem to match their reality of
22 that fishery.

1 So I would hope that, in the future, you
2 know, we could have some more collaboration with
3 the Council, with the scientists, with the Council
4 and with the fishing community, to say hey, wait a
5 minute, you know, this doesn't look right.

6 Because, as it happened, the complete stock
7 assessment was done and now we were forced to do
8 an ACL and it's just not matching reality and it's
9 inappropriate. So I was hoping that, in the
10 future, we could have more collaboration. Thanks.

11 MR. HOWELL: Sure. I appreciate your
12 points. And so we're very familiar. There are
13 several apps that are in different stages of
14 development. I think we're interested in all of
15 them, as well as trying to understand how to use
16 the information that comes in, in a survey, a
17 probabilistic survey way, that leads us to exactly
18 what you're saying -- getting information that
19 we'd use to represent what the fishery looks like.
20 And that is the challenge for all of us. And I
21 think we're all in different stages of trying to
22 get to that. And we could all argue and debate.

1 While we all want the same thing, what's the best
2 way to get there? And every year, we get better.

3 And so I know very well what you're
4 talking about with the surveys always in American
5 Samoa, when we release the stock assessment
6 results. So we heard first hand at the Council
7 meeting. So I think that, yeah, we're very
8 interested in continuing to work with the FINs and
9 West Pac FIN here on how we do that data
10 collection. So thanks for your comments and I'll
11 take those back.

12 MR. WATAMURA: I appreciate (inaudible)
13 that can be done. Thanks, Evan.

14 CHAIRMAN GORELNIK: All right. Thank
15 you. Carrie Simmons, and then we'll come back to
16 Michael Luisi, who has his hand raised.

17 MS. SIMMONS: Yes. Thank you, Mr.
18 Chair. Thank you for the presentation. So, now
19 that the 2020 landings are finalized, is it
20 largely up to the regional office to decide --
21 make the determination whether overfishing
22 occurred in 2020 for some of our high-profile

1 species where we're trying to end overfishing and
2 rebuild the stock -- will those determinations be
3 worked out later based on confidence of the
4 imputations, or is there any discussion about,
5 perhaps, waiving any types of accountability
6 measures or payback measures for these stocks that
7 are in overfished or overfishing conditions based
8 on these imputations that were done in 2020?

9 Thank you.

10 MR. HOWELL: I think that's a great
11 question. I'm going to ask if, Kelly or Sam, you
12 have any input on that from the management side.

13 MR. RAUCH: Maybe you can restate the
14 question for me.

15 MS. SIMMONS: So, as the 2020
16 Recreational Landings have now been finalized, if
17 there is an overfishing determination, would that
18 be primarily up to the region to decide how those
19 imputations were done, if there was questions
20 about that, in order to determine that overfishing
21 occurred in 2020 and various payback measures may
22 have to take effect, or would those potentially be

1 waived due to the uncertainties of those
2 imputations? Have you all talked about that at
3 all?

4 MR. RAUCH: Unless Kelly has a different
5 view, I do not believe we have discussed whether
6 or not we would waive any of those at this point.
7 Or how we would conduct that yet. Kelly, do you
8 have anything to add to that? I do not believe
9 we've discussed it at that level of detail.

10 MS. DENIT: That's correct. We haven't
11 discussed that yet, Carrie. And those decisions
12 on overfishing, overfished, those are made at the
13 AA level based on the information that we have.
14 So those are conversations that we will need to
15 have.

16 MS. SIMMONS: Thanks.

17 CHAIRMAN GORELNIK: Chuck Tracy.

18 MR. TRACY: Thank you, Mr. Chair. I
19 have a question for Cisco back on the survey, too.
20 Just kind of looking at slide six on the planned
21 surveys, it looks like there's about half of the
22 NOAA surveys are sort of a challenge (inaudible)

1 and their numbers, but not many of the chartered
2 surveys. I'm just kind of wondering what the
3 difference there is, if chartered surveys are
4 just planned to be later in the season or what is
5 going on with the charter surveys. Doesn't look
6 like any of them have been addressed.

7 MR. WERNER: Yeah, hey, thanks. Thanks,
8 Chuck. Yeah, those are probably ones that will
9 happen later in the season at this point. That's
10 correct. Yeah, particularly, you know,
11 (inaudible) the Northwest and the Southwest. And
12 there's a lot of the Northwest surveys that will
13 take place on charter vessels, later on.

14 MR. TRACY: Thanks.

15 CHAIRMAN GORELNIK: All right. I'm not
16 seeing any other, further hands or questions. I
17 want to thank Cisco and Evan for their
18 presentation. And so, now we will go to public
19 comment, which is done by folks raising their
20 hand. Nicholas, do we have any raised hands from
21 the public?

22 MR. PIEPER: No, we do not. And I'd

1 like to verify that the last time you chat
2 message, don't believe the public have the ability
3 to raise their hands. So they'll just have to
4 send a message to me to let me know if there's any
5 public comments. But as of now, there are none.

6 CHAIRMAN GORELNIK: And you're
7 identified as SF Webex?

8 MR. PIEPER: Yes. I'm the person SF
9 Webex, or Host.

10 CHAIRMAN GORELNIK: All right. So, the
11 public would need to click on that and send a chat
12 message if you wish to be added to the list of
13 speakers under Public Comment. So, right now we
14 don't have any. So, we'll close public comment on
15 this agenda item and we'll see if there's any
16 further Council discussion or any action on this
17 agenda item. I'll look for hands. And I don't
18 see any hands.

19 We already had a good discussion. Some
20 great questions were posed to Cisco and Evan on
21 this. And Sam got in the discussion. So unless I
22 see a hand going up, I'm going to deem this Agenda

1 Item Number 3 completed. And so it is. Great.

2 So that concludes the first portion of
3 today's agenda. We now have on the agenda a
4 break. So we will break until 3:25 Eastern Time.
5 And everyone will have to make their own
6 calculations for their time zone. Basically
7 that's in about 18 minutes. So we'll take a break
8 and we'll come back then. And we'll pick up with
9 the legislative outlook, we have a number of
10 speakers there. So we'll see you then.

11 (Recess)

12 CHAIRMAN GORELNIK: All right. It is
13 3:25 Eastern, 12:25 Pacific, and we will get
14 started now with our next agenda item, which is
15 Legislative Outlook. And, we are honored to be
16 joined by a number of congressional members, and
17 we also have a video from another.

18 So, I first want to see if -- before I
19 can do any introductions, to make sure that
20 Representative Huffman and Representative Case are
21 present. I do not see them on the list. Of
22 course, maybe I'm just not noticing. Nicholas,

1 can you let me know whether you see these
2 gentlemen?

3 MR. PIEPER: Yeah, Marc. I have not
4 seen either of them yet.

5 CHAIRMAN GORELNIK: All right. Well, we
6 do have a plan B. Representative Young was
7 invited and had planned to join us and was unable,
8 so he did send a brief video. Before we start the
9 video, I'll provide an introduction. I think
10 Representative Young is well known everyone here.
11 He's currently the dean of the House of
12 Representatives, and that is the longest serving
13 member.

14 He was one of the original sponsors of
15 the Fishery Conservation and Management Act, now
16 known as the Magnuson- Stevens Act, and has been
17 involved in each reauthorization. He has
18 introduced legislation to reauthorize the MSA in
19 the last couple of congresses. And, he's the only
20 member of the House still serving that voted on
21 the original bill.

22 So, we do have a video. So, if we could

1 start that video. I'm not sure who has it. I
2 certainly don't have it. There we go. Thank you,
3 Morgan. The audio. Morgan, I'm not hearing
4 anything here. Is that a problem on my end?

5 MS. COREY: No, that's not just you,
6 Marc. I can't hear it either. I'm going to
7 restart, and just let me know if you can hear it.

8 MS. DENIT: Still nothing, Morgan.

9 CHAIRMAN GORELNIK: Well, I think that
10 having his audio would be very helpful. I know
11 that Christine Sur of Representative Huffman's
12 office is with us. I don't know if she has an
13 update on --

14 MR. DOREMUS: Marc, I can update you.
15 We're going to get him in here.

16 CHAIRMAN GORELNIK: Okay. Great.

17 REPRESENTATIVE HUFFMAN: Congressman
18 Huffman here by audio. Can you hear me, Marc?

19 CHAIRMAN GORELNIK: Absolutely. If you
20 will allow me to provide a brief introduction, I
21 will then allow you to speak. We all know, I
22 think, Representative Huffman, I certainly know

1 him and I fish with him, so, there's that. He's a
2 Democrat of the 2nd Congressional District of
3 California.

4 Mr. Huffman has represented California's
5 northern coast since 2013 and is chairman of the
6 Water, Oceans, and Wildlife Subcommittee of the
7 House Natural Resources Committee. He also serves
8 on the Select Committee on the Climate Crisis.
9 Prior to serving in the House, Representative
10 Huffman represented the North Bay and the
11 California State Assembly and was a senior
12 attorney for the Natural Resources Defense
13 Council. It's my pleasure and honor to introduce
14 Jared Huffman.

15 REPRESENTATIVE HUFFMAN: Well thank you
16 so much for that introduction, Marc. And, I
17 apologize that you're not seeing me by video. We
18 were having some trouble logging in, and rather
19 than continue to fiddle and get my camera working,
20 I thought I would at least join you by audio. So,
21 I hope this can work. And, it's also great to be
22 here with my colleague, Congressman Ed Case, and,

1 of course, to hear from Congressman Don Young.

2 So, as all of you know, in an effort to
3 include as many viewpoints as possible in this MSA
4 reauthorization process, I undertook a National
5 Listening Tour. We did eight listening sessions,
6 covered seven management regions during a 2-year
7 process that was unfortunately interrupted by the
8 pandemic. But, we continued part of it remotely.

9 This was co-led by my wingman, I'll call
10 him, Ed Case of Hawaii, and together, occasionally
11 joined by other colleagues, we heard from 80
12 different experts and stakeholders in addition to
13 getting public comments from dozens of members of
14 the public, in persona and online. We didn't get
15 to as many places physically as I would have
16 liked, but I am hopeful that this is not the end
17 of the conversation, that we'll continue to hear
18 from stakeholders from all regions as we go
19 forward.

20 And, the summary of what we've received
21 by way of feedback is reflected in what we
22 released last December, a discussion draft, and

1 revisions for that bill are underway with the bill
2 that we will be introducing very soon. So, this
3 includes taking into consideration the positions
4 that you folks have laid out in the CCC policy
5 paper on Magnuson reauthorization, and also some
6 input we've gotten directly from various council
7 members.

8 So, I plan to continue this maximum
9 transparency stakeholder inclusion approach as we
10 go forward through the legislative process. I'm a
11 firm believer that good process makes good policy.
12 And, frankly, one of my frustrations in tackling
13 conflict issues in my 9 years in Congress is that
14 so much of it has just evolved to backroom deals
15 to really close proceedings that aren't delivered
16 that aren't inclusive, that aren't transparent.
17 So, we hope to do a process reset, and I hope the
18 politics will kind of reset along with that.

19 I am looking forward to continuing to
20 work with my colleagues on this, and I think it is
21 crucial that we try to find agreement where we can
22 to address the urgent needs in fisheries

1 management. And, so, we're going to keep trying
2 hard to make it bipartisan, if that's possible.
3 It's not an easy thing to do in Washington these
4 days. But, I promise you the effort has been
5 there and will continue to be there.

6 So, the draft that Representative Case
7 and I have developed -- I want to emphasize --
8 does not reinvent the Magnuson framework. It
9 really reaffirms the basic policy framework of
10 Magnuson, but it also recognizes that it has been
11 a long time since the last Magnuson
12 reauthorization.

13 And, there are new needs, some new
14 realities, and a few new considerations that
15 really should be reflected in a 21st century bill
16 that endeavors to improve fisheries management and
17 strengthen fishing communities. Many of the
18 concerns we heard during the listening tour, as I
19 mentioned, are reflected and addressed in this
20 draft.

21 So, I know I don't need to get into too
22 much detail, but just a few top lines for you as a

1 refresher. The draft includes provisions to
2 further prepare fisheries and communities for
3 climate change. It includes improvements to
4 support fishing communities.

5 And, a great example of that would be
6 disaster relief, a program that had not been fast
7 enough or adequate enough, in my experience, and
8 certainly based on a lot of the feedback we've
9 received. The draft includes provisions to
10 increase transparency and public participation,
11 and also advancements in electronic technologies
12 and improved data.

13 That was a consensus that we seemed to
14 hear just about everywhere, was that more
15 resources, more technology, these were areas of
16 broad consensus, and then provisions to strengthen
17 sustainability, such as essential fish habitat
18 consultation.

19 So, we incorporated several bipartisan
20 bills into this draft, and that includes some that
21 go beyond the Magnuson Act but are also really
22 important for fishing communities and fisheries

1 management. That includes Representative Chellie
2 Pingree's Working Waterfronts Act, Representative
3 Suzanne Bonamici's NOAA Sexual Harassment and
4 Assault Prevention Improvement Act. The draft
5 previously included additional bipartisan
6 fisheries bills that were signed into law earlier
7 this year, so we won't need to continue to put
8 those in the bill.

9 I want to mention that I know that, from
10 the council perspective, any potential new
11 requirements under an already strained budget
12 situation could be a potential concern. So, we're
13 definitely going to continue looking at funding
14 levels, to make sure that you all are adequately
15 supported. And, we will continue to push for more
16 funding from our appropriators here at Congress.
17 This will not be the only thing we do on marine
18 fisheries management.

19 In closing, I just want to reiterate
20 that you're going to see a sustained commitment to
21 good process from Representative Case and me.
22 That means that it needs to be collaborative and

1 open, and our discussion draft is the starting
2 point for that.

3 I will keep working with stakeholders
4 and experts and colleagues in Congress throughout
5 the legislative process, and, as I mentioned,
6 we're going to make every effort to try to make
7 this bipartisan. So, I really appreciate you
8 inviting me and look forward to our discussion.
9 Thank you, Marc.

10 CHAIRMAN GORELNIK: Thank you very much.
11 Is Representative Case with you?

12 REPRESENTATIVE CASE: Yes, I'm right
13 here.

14 CHAIRMAN GORELNIK: All right. Great.
15 Representative Case, allow me to provide a proper
16 introduction. Representative Ed Case is a
17 Democrat, 1st District of Hawaii. Mr. Case is
18 serving in his second term in Congress after
19 having previously served in the 2nd District. He
20 sits on the same subcommittee that Mr. Huffman
21 chairs -- Water, Oceans, and Wildlife. Mr. Case
22 also serves on the Commerce, Justice, Science

1 Subcommittee of Appropriations, which covers NOAA.

2 Mr. Case practiced law between his two
3 congressional stints and was senior vice president
4 and chief legal officer of Outrigger Enterprises,
5 a hotel and resort company. Representative Case,
6 welcome.

7 REPRESENTATIVE CASE: Thank you so much.
8 Welcome to each and all of you from Washington,
9 D.C. and to my friends and colleagues in the
10 Western Pacific. (Speaking Hawaiian) Aloha.
11 Talofa. It's good to be with you again. I
12 appreciate the opportunity to be with you here
13 today with Chair Huffman and other of our
14 colleagues. I want to keep my own remarks short,
15 because we'd love to get into your discussion and
16 questions.

17 So, I was able to go on a number of
18 Chair Huffman's listening sessions. The listening
19 sessions for the North Atlantic and for the
20 Northern Pacific and for other parts of our
21 country was quite eye opening for me, and I took
22 away a couple of things to pass along to you.

1 I think the first thing to pass along to
2 you -- and I wasn't sure that this was going to be
3 the answer -- but, MSA is generally working.
4 That's a pretty basic place to start, because that
5 means what we want to do is to update and upgrade
6 and improve an existing act as opposed to trying
7 to replace it. I think that's positive.

8 I think that the issues that I heard
9 expressed by the people in the listening sessions,
10 there weren't that many that were universal to all
11 of the listening sessions. There were areas where
12 we needed to improve, and I think everybody was
13 pretty much on the same page. But, where there
14 were concerns, they tended to be a little bit
15 more, you know, localized.

16 And, so, I take very seriously your
17 caution that we not solve any problems for any one
18 council -- perceived problem at least, with some
19 broad mandates that will upset the applecart for
20 all other councils. And, of course, that's always
21 the balance when you craft or improve national
22 legislation to find the things that should be

1 national. The mandates should be national and
2 consistent. And, then you find on the areas that
3 should be addressed on a more regional or local
4 basis. And, I think we're trying to sift through
5 that all.

6 So, from my perspective, pretty good
7 news overall, areas that I feel needed to be
8 upgraded included representation on the councils
9 from a broader diversity of folks, to some extent
10 activities of councils, whether they were in
11 consonance with statutory mandate or not. But,
12 these are things that we can all work through and
13 solve together, I think.

14 So, I'm going to stop there and simply
15 thank you for the partnership and to reinforce
16 Chair Huffman's statement in spades, if this is an
17 open, transparent process where we all want to
18 talk very openly and civilly with each other about
19 how to move into the next generation of MSA.

20 CHAIRMAN GORELNIK: Thank you very much,
21 Representative Case. I want to see if we can give
22 another shot at that video from Representative

1 Young. So, see if we've got the audio worked out.

2 MR. PIEPER: Marc, I'll try again, see
3 what we can do here.

4 CHAIRMAN GORELNIK: Thank you.

5 REPRESENTATIVE YOUNG: Hello, I'm
6 Congressman Don Young and I want to thank the
7 Council Coordination Committee for having me speak
8 to you today. I'd like to be there personally, as
9 you well know. You know, COVID-19 has caused a
10 lot of problems, but that's not the real problem
11 we have today.

12 There's a crucial way of securing
13 necessary economic opportunities to manage our
14 fisheries as we've done. You know, as an original
15 co-sponsor of the Stevens-Magnuson Act, it was
16 supposed to be the Gerry Studds-Don Young Bill,
17 but in reality it's work. As an original sponsor,
18 I've watched it work, and, you know, it's one of
19 those things that I believe very strongly in.
20 It's very important for the fishing industry, the
21 State of Alaska, and, of course, the nation as a
22 whole.

1 We know that we believe in a sustainable
2 yield and a constant working on that with the
3 councils, and that's been very successful and I
4 don't like the idea of someone trying to undo it.
5 There are people within this legislative body that
6 would like to change the system and put all the
7 power back into the secretary's hands instead of
8 the council's. I think that would be a bad
9 mistake. And, we're in this for the conservation
10 and continued sustainable yield.

11 I've been working on a bipartisan effort
12 to make sure that this happens. Mr. Huffman is a
13 subcommittee chair. I've talked to the full
14 chairman. They have some different ideas, but I
15 believe in the long run, with the help of my
16 delegation on the senate side, Senator Murkowski
17 and Senator Sullivan will keep anything harmful
18 from being done to the Magnuson-Stevens Act. This
19 is an issue which we have to continue to work on
20 and pursue.

21 We know that the President's come down.
22 Why? I don't know, the 30 by 30, which he wants

1 to take 30 percent of the ocean and 30 percent of
2 the land mass away from activities other than just
3 to look at. That would be detrimental to the
4 fishing industry and especially online. We
5 already have regulations, already have laws that
6 take care of all those problems.

7 So, we have to continue to watch this
8 concept of fishing is not evil, it is good, as
9 long as you manage it as we have in Alaska. I'm
10 very proud of that and I'll continue to work with
11 you. Keep working together. Keep having the
12 councils together.

13 Thanks, Dave Whaley, for working with me
14 on this issue. He helped write the bill, so he
15 knows what he's talking about. And, I am with you
16 all the way into making sure that the
17 Stevens-Magnuson Act, or the Young-Studds Act, is
18 reality implemented as it should be, even with a
19 little bit of latitude, which I think is important
20 for the councils. Some people say no. I say yes.

21 So, we'll see what happens. It's going
22 to take your help and your efforts and your

1 coordination to make sure this happens. Thank you
2 and have a good conference, and God bless you all.
3 This is Congressman Don Young.

4 CHAIRMAN GORELNIK: All right. We
5 should thank Congressman Young for that video.
6 So, we have with us still Representatives Huffman
7 and Case who are probably willing to respond to
8 questions from the CCC. But, first, Adam, do you
9 have any admonitions for us as we engage in this
10 discussion with these congressional members?

11 MR. ISSENBERG: Yes. Hi, everyone. I
12 was asked to just, you know, reiterate some of the
13 rules relating to lobbying as it relates to
14 council activities and to remind you all that this
15 is a council forum, and, as such, participants are
16 constrained by the constraints on lobbying using
17 grant funds.

18 And, just a reminder of some of the
19 basic rules related to that, the main point is
20 that it is not permitted to lobby, which is to
21 seek specific legislative action, using council
22 funds. What is allowed is, where there's a

1 specific request to do so, to make a technical or
2 factual presentation related to the performance of
3 the grant. So, just some guidelines on how to,
4 you know, distinguish between those.

5 What is appropriate is to talk
6 specifically about how particular legislative
7 proposals might affect the council's ability to do
8 its work, to try to be specific about those
9 concerns and to avoid advocating for specific
10 outcomes, recommending specific outcomes,
11 supporting this or opposing specific outcomes,
12 and, you know, just sort of general high- level
13 policy discussions about legislative proposals.

14 So, I hope that's helpful. I'm happy to
15 answer any questions. But, otherwise, I will let
16 you get back to the discussion.

17 CHAIRMAN GORELNIK: All right. Thank
18 you very much, Adam. So, I want to be respectful
19 of the time of representative Huffman and
20 Representative Case. So, let's see if there are
21 any questions or, you know, within the limits we
22 have that Adam has just set for it. Let's have

1 some discussion. John Gourley.

2 MR. GOURLEY: Thank you. And, to
3 Representatives Huffman and Case, welcome. You
4 said that it was going to be -- MSA legislation
5 was going to be dropped fairly soon. Do you know
6 if it will be dropped this month or in the month
7 of June? Do you have a more accurate date when it
8 will be introduced?

9 REPRESENTATIVE HUFFMAN: This is Jared
10 Huffman here. I'll try to be as specific as I
11 can. We're waiting for legislative council to
12 finalize the process of giving us a bill that
13 could be introduced, and, if I had any more
14 specific data I would give it to you. I promise.
15 But, leg council has been a little slower than,
16 you know, historically, we would have expected.
17 If we can get it introduced this month, I would
18 love to do that, but if it leaks into next month,
19 it wouldn't shock me.

20 MR. GOURLEY: Thank you very much.
21 Appreciate it. We look forward to looking at it.

22 REPRESENTATIVE HUFFMAN: Thank you.

1 CHAIRMAN GORELNIK: All right. Further,
2 there must be some questions. Tom Nies.

3 MR. NIES: Thank you, Mr. Chairman.
4 Thank you, Congressman Huffman and Congressman
5 Case. I'm Tom Nies. I'm Executive Director of
6 New England Fishery Management Council. I'm
7 curious if you're committee will be asking the
8 councils for technical comments on the impacts of
9 the draft legislation. As Attorney Issenberg just
10 pointed out, we can only provide that information
11 if we receive a specific request. And, while I
12 know there were some specific requests, I think,
13 on some earlier bills, I don't believe all the
14 councils received specific requests. Would that
15 be your intent when the legislation is dropped?

16 REPRESENTATIVE HUFFMAN: Thanks for that
17 question, Tom. I do understand. There is very
18 specific process. And, I should say that in
19 addition to Congressman Case and I being committed
20 to making this transparent and deliberative and
21 inclusive, we want to make it ethical and keep
22 everybody out of trouble. So, we're going to do

1 it right. And, when we have a bill in print, we
2 will initiate the formal process of getting
3 council feedback on the bill in print.

4 But, I also want to emphasize that we
5 have read your white paper where you put out
6 principles that you think are important from a
7 council perspective for Magnuson reauthorization.
8 And, we've had individual conversations with some
9 council members along the way. So, it is not like
10 we have -- we've not had some input, but we will
11 definitely formalize that input going forward.

12 MR. NIES: Thank you.

13 CHAIRMAN GORELNIK: John Gourley.

14 REPRESENTATIVE HUFFMAN: Ed, if you're
15 trying to speak, you're muted.

16 REPRESENTATIVE CASE: Apologies. I
17 would just add, quickly, that this is quite
18 unusual in terms of preparing legislation. Most
19 legislation doesn't happen this way. We did
20 deliberately go out in advance of even setting any
21 kind of pen to paper to conduct the listening
22 sessions, and then, of course, we came up with

1 specific approaches that we sent out there for
2 folks to weigh in on. And, so, that level of
3 advance discussion and openness is unusual. And,
4 so, I hope that that will give people comfort that
5 we plan on following the exact same approach after
6 formal legislation is introduced.

7 CHAIRMAN GORELNIK: Thank you. Chuck
8 Tracy.

9 MR. TRACY: Thank you, Representatives
10 Huffman and Case, for coming and presenting your
11 views to us here today. I just did want to mostly
12 say thank you for your listening to us, and I
13 think that it will be a unique approach to
14 legislation. And, I agree with your statement
15 that transparent process is key to good quality.
16 I think that's sort of the mantra here at the
17 councils. We firmly believe that open meetings
18 and getting lots of public input and opportunity
19 is really key to locked doors, so I just wanted to
20 thank you for that unique approach that you're
21 taking.

22 REPRESENTATIVE HUFFMAN: Thank you,

1 Chuck. I appreciate that.

2 CHAIRMAN GORELNIK: John Gourley, your
3 hand is still up?

4 MR. GOURLEY: Yes, thank you. I had a
5 second question. Representatives Huffman and
6 Case, are y'all planning to hold legislative
7 hearings in Washington, D.C. on the
8 reauthorization? And, are you planning to
9 continue with your -- another round of meetings
10 around the country for it, or can you give us some
11 insight into that?

12 REPRESENTATIVE HUFFMAN: Yes, John,
13 there will definitely be hearings. So, I would
14 imagine there's probably one hearing in the house
15 and then hopefully moving through a markup. And,
16 then, I can't say what the Senate would decide to
17 do, but, along the way, we will continue to have
18 conversations with all types of stakeholders.

19 And, I should clarify that, even after
20 the formal listening tour was over, I found myself
21 in really large virtual meetings with groups of
22 stakeholders in Alaska and other places. So, this

1 has really been an almost continuous feedback loop
2 and I would expect that will continue for some
3 time.

4 MR. GOURLEY: Thank you, gentlemen.

5 CHAIRMAN GORELNIK: The CCC is awfully
6 shy. Are there any further questions? I'm not
7 seeing any further hands. I want to thank both
8 Representative Huffman and Representative Case for
9 joining us. You're certainly welcome to stay with
10 us as we continue this agenda item on Legislative
11 Outlook, and we appreciate your willingness to be
12 with us.

13 REPRESENTATIVE HUFFMAN: Well, thank
14 you, Marc, and I want to thank my good-looking
15 colleague with the working video camera, Ed Case.
16 That's one of many reasons he's a great guy to
17 work with. And, thank you, Marc, for showcasing
18 the beautiful Farallon Islands behind you, so --
19 if I'm not mistaken, right?

20 CHAIRMAN GORELNIK: Indeed, those are
21 the North Farallon Islands, a place I'd like to be
22 when the weather is good but not when the weather

1 is not.

2 REPRESENTATIVE CASE: I want to say
3 thank you, also. I was very puzzled by why my
4 chair was not on video, because he's not shy to go
5 on video. So, I wasn't sure what that was all
6 about. But, we look forward to working with each
7 and all of you further. Mahalo.

8 CHAIRMAN GORELNIK: All right. Thanks,
9 again. And, again, you're more than welcome, or
10 your staff is welcome to stay with us. Next, we
11 have some staffers that have joined us, and I'm
12 going to ask Dave Whaley to provide some
13 introductions to see if they have anything to
14 share with us and to see if we have any questions
15 of them. So, Dave, are you with us?

16 MR. WHALEY: I'm here, Mr. Chairman.
17 Thanks. First of all, let me thank the staff that
18 are willing to participate, and also thank the
19 members for taking time out of their busy
20 schedules. I know there's been floor action today
21 in both the House and Senate. So, I'm glad folks
22 are willing to participate.

1 We've got a panel of congressional staff
2 today. There are two main committees that deal
3 with fishery and ocean issues in the U.S.
4 Congress. There's the Senate Commerce, Science,
5 and Transportation Committee, and there's the
6 House Natural Resources Committee. We have
7 bipartisan staff, or I should say partisan staff
8 but from both sides of the aisle, both committees
9 that are joining us today.

10 I've been looking on the participants
11 list. I see three of the four, and hopefully the
12 fourth will join us. But, we have Nikki Teutschel
13 from -- she's Senior Professional Staff with the
14 Senate Commerce Committee. She works for Senator
15 Cantwell and has for quite a number of years. So,
16 she works on the democratic staff on the
17 committee.

18 Hopefully, we'll soon see Fern Gibbons
19 who is the policy director for Oceans and Surface.
20 With the Senate Commerce Committee, she works for
21 Senator Wicker and obviously works for the
22 Republican staff.

1 On the House side we have Lora Snyder
2 who is Deputy Staff Director for the full
3 committee and also the staff director for the
4 Water, Oceans, and Wildlife Subcommittee. She
5 works for Congressman Grijalva, the chair of the
6 committee and works for the Democrat staff. And,
7 we have Annick Miller who is professional staff on
8 the Natural Resources Committee. She works for
9 Ranking Member Westerman and works for the
10 Republican staff.

11 So, those are quick introductions.
12 Going by seniority, I think Nikki is the most
13 senior. So, Nikki, if you want to start off. I
14 know folks are interested in not only what's going
15 on with the Magnuson Act reauthorization but also
16 any other fisheries issues that your bosses might
17 be interested in, or you want to break out your
18 crystal ball and tell us what you think is going
19 to happen in the next 2 years, that would be
20 great.

21 MS. TEUTSCHEL: Thank you, Dave. And, I
22 apologize now if I have to hop off quickly. The

1 Senate is pretty busy today, working on a
2 competitiveness bill that is being managed by
3 Senator Cantwell. So, it's an all-hands-on-deck
4 situation over here.

5 My name is Nikki Teutschel. I work for
6 Chair Cantwell from Washington State on the Senate
7 Commerce Committee. I am the Ocean Subcommittee
8 lead and I also oversee the maritime policies and
9 the Surface Subcommittee. I've worked for Maria
10 for more than 10 years, and I'm a proud member of
11 the Seagram (phonetic) mafia, which I know a
12 number of folks are on this call.

13 I want to kind of keep it brief, as I
14 said, in case I get pulled. Senator Cantwell's
15 been talking a lot about salmon infrastructure,
16 which in her mind is habitat for fish, essential
17 fish habitat, stock assessment, science. She's
18 just trying to capture that this infrastructure
19 process should include natural infrastructure and
20 another from Washington State. You know, we know
21 salmon management is a little separate from you
22 all, but nothing captures that better for us than

1 talking about this in the context of salmon.

2 So, she has been pushing Secretary
3 Raimondo and others to start looking at some
4 solutions. We're trying to work with our
5 colleagues to get more oceans tax (phonetic) in
6 that package, because we do see this as a rare
7 opportunity to make some meaningful investments in
8 fishery science, habitat, and the like.

9 In addition, a number of our members are
10 interested in ocean acidification and other
11 science-type bills that affect fisheries. With
12 respect to Magnuson-Stevens, we have little bills
13 here and there that may amend Magnuson, including
14 the Shark Fin Sales Elimination Act, which is
15 actually on -- in the bill that's on the floor in
16 the Senate this week and top out of committee last
17 week.

18 But, we haven't had a lot of pressure to
19 look at reauthorizing Magnuson in the Senate. St.
20 Cantwell believes that Magnuson is working, and,
21 while there are little improvements that perhaps
22 could be made to various processes, -- and you

1 should talk about those -- as a whole, we need to
2 protect Magnuson and look forward to doing so, as
3 she is Chair.

4 Let's see. I'm trying to think of other
5 fisheries things. Forced labor in IUU is a hot
6 topic these days. We're hearing a lot about that
7 from a number of committees. Senators Wicker and
8 Cantwell work together to secure the Maritime
9 Space Act that passed a couple of years ago and
10 the National Defense Authorization legislation. I
11 think it's likely that there will be some followup
12 to that activity in a bipartisan manner.

13 Also, we're cognizant that members are
14 talking a lot about SIMP improvements. But, you
15 know, in the Senate I think we need to see the
16 outcome of SIMP. SIMP is in its infancy. We're
17 hearing that NOAA has a lot on its plate on SIMP.
18 We want to make sure that that program is
19 acceptable, and we'll be looking to know and to
20 make sure that it's working as is before we put
21 more on NOAA's plate.

22 Just, more broadly, the Senate is --

1 it's a 50/50 Senate, which is really interesting.
2 That means our committee is half Democrats, half
3 Republicans. So, every bill we pass has to be
4 bipartisan. (inaudible) time my boss operates
5 normally anyway, but it's a little more acute. I
6 think, on one hand, folks would say that's a
7 challenge, but on the other I think it's a real
8 opportunity, because fisheries should be
9 bipartisan. We work very well with the number of
10 our colleagues across the aisle.

11 With respect to Magnuson, getting a
12 Magnuson out in a 50/50 Senate would be a
13 Herculean task. Perhaps we can use this challenge
14 and opportunity to focus our efforts on areas
15 where we do have bipartisan insurance and
16 opportunity and keep us focused on what's
17 achievable.

18 So, to that end, you know, I know we
19 hear from a lot of constituencies or are
20 surrounded by folks on this all the time.
21 Fishermen are not shy in Washington State and
22 across the country, but if there are things you'd

1 like us to be smarter on, to be considering as
2 we're looking at opportunities, our door is always
3 open. So, it's nice to meet you all, and thank
4 you for including us.

5 MR. WHALEY: Thank you, Nikki. That was
6 great. I don't see if Fern is on. Fern, if you
7 are, do you want to say something? If not, we'll
8 go to Lora. Lora, are you there?

9 MS. SNYDER: Yes, hi. Thank you. Yes,
10 I'm Lora Snyder. I'm the deputy staff director
11 for House Natural Resources Committee and the
12 subcommittee staff director for Water, Oceans, &
13 Wildlife. I'm not going to speak much about
14 Magnuson reauthorization, since you just heard
15 from my subcommittee Chair and one of our favorite
16 members of the WOW subcommittee, Mr. Case. I
17 think they gave you a pretty good recap.

18 Kind of jumping on some of the topics
19 that Nikki was discussing, I think one of our
20 priorities through the American Jobs Plan is
21 focusing on ways to get additional funding to
22 coastal communities to do shovel-ready projects to

1 restore habitat, to make communities more
2 resilient.

3 In Chair Grijalva's Ocean-based Climate
4 Solutions bill, there is a title in there that,
5 without the energy assessment standalone bill, Ann
6 got into the broader HR2 infrastructure package
7 from last year on shovel-ready restoration
8 projects. We do add a section in there that says
9 to prioritize grants if the applicant can
10 demonstrate that they are working with fishermen,
11 especially fishermen who have been negatively
12 impacted by the pandemic.

13 We modeled the program, the overall
14 program off of the 2009 RF (phonetic) funds, the
15 stimulus funds, and it was hugely successful. So,
16 I think that's one of our top priorities within
17 the House Natural Resources Committee in addition
18 to Chair Grijalva's Ocean-based Climate Solutions
19 bill.

20 I know we heard from a number of you on
21 that bill. It will be reintroduced, I think, in
22 the coming weeks. I do want to (inaudible) that

1 30 by 30 section is not going to be included,
2 because that's going to be part of -- that's
3 already part of items planned. So, there is the
4 title on climate ready fisheries that we've made
5 significant changes to. I hope folks will take a
6 hard look at that bill, because I think that
7 there's a lot of good stuff in there for the
8 fishing community. We're looking at working
9 waterfronts, et cetera.

10 Nikki also touched on the issue about
11 illegal fishing and human trafficking within the
12 seafood supply chain. The last Congress partnered
13 with her colleagues on the Ways and Means
14 Committee to request the International Trade
15 Commission to conduct a report, looking at how
16 much illegal fishing is coming into the United
17 States (inaudible) 2.4 billion worth of seafood,
18 11 percent of it.

19 It also looked at the impact to domestic
20 fishermen, and I think it's taking \$60 million off
21 the table away from domestic fishermen. So, we
22 worked with Subcommittee Chair Huffman and

1 Congressmen Garret Graves who just (inaudible) to
2 bipartisan piece of legislation, the Illegal
3 Fishing and Forced Labor Prevention Act that was
4 introduced last week. That will be a top priority
5 of the committee.

6 We do think that there are a lot of
7 opportunities for SIMP to be expanded, not only
8 for additional species but also to help give the
9 United States Government more tools to identify
10 human trafficking within the seafood supply chain
11 and to ensure that that's not entering our market.

12 So, we're looking at that. And, then, I
13 believe Congressman Huffman talked about this in
14 the context of MSA, but we also -- the essential
15 fish habitat, consultations, language, we have
16 made changes to that. That's also included in
17 Ocean-based Climate. It's in Magnuson and in the
18 Magnuson draft as well. And, then again, just
19 working on some of the smaller goals that
20 Congressman Chair Huffman (inaudible).

21 MR. WHALEY: Great. Thanks, Lora. I
22 still don't see Fern on the list. So, Annick, are

1 you ready to go?

2 MS. RIVERA: Sure.

3 MR. WHALEY: Perfect.

4 MS. RIVERA: Annick Miller. Nice to see
5 most of you. I have been with the committee for
6 almost 3 years. I mostly work on western water
7 issues, but I have been known to work on ocean
8 policy throughout the years. As you've heard from
9 the majority, so I won't really bore you with many
10 details. Since we are not in charge, we don't
11 really get to control the agenda.

12 But, we look forward to the discussions
13 that Chairman Huffman has talked about with
14 potential MSA reauth, especially the hearings in
15 the regular order. We definitely believe that
16 anything that we're talking about when it comes to
17 MSA reauth, or any of these bills that we're
18 discussing, should go through regular order and we
19 should have the opportunity to have all
20 stakeholders engaged.

21 Aside from that, I know a lot of our
22 coastal members, including Mr. Graves, are very

1 interested -- or the Gulf Coast on the red snapper
2 issue, which I will not be going into right now.
3 I will save you all from that.

4 But, aside from that, we have -- yeah, a
5 lot of our members are very interested in any
6 potential changes to MSA that have been
7 introduced, and the IUU issue for sure is one that
8 is a hot topic. But, we look forward to having
9 hearings and going through regular order to
10 discuss these issues and obviously to hear from
11 you guys.

12 MR. WHALEY: Thank you, Annick. Mr.
13 Chairman, do we want to open up for questions, and
14 are staff willing to stick around for a few more
15 minutes?

16 CHAIRMAN GORELNIK: Yes, I think that if
17 there are any questions of the staff, we want to
18 be respectful of their time. But, if they're
19 willing to stick around for a few minutes to see
20 if there are any questions from the committee and
21 CCC, and, of course, if you have questions of
22 staff, you would please raise your hands and I

1 will call on you.

2 I'm not seeing any hands. Dave, do you
3 have any questions? Bill Tweit, please go ahead.

4 MR. TWEIT: Thanks, Mr. Chair, and hello
5 to Nikki in particular. Good to see a face.

6 MS. TEUTSCHEL: Hey, stranger. (Laughs)

7 MR. TWEIT: I appreciate everybody's
8 time here today. I understand you all are working
9 really hard at the moment, and that's great. One
10 of the issues that we have been hearing more about
11 and, in fact, was highlighted some by Sam Rauch
12 from the agency this morning with some of his
13 introductory remarks -- our ability to reach out
14 to underserved communities. And, for us on the
15 North Pacific Council, that's a really
16 cross-cultural as well as a gigantic geographic
17 challenge.

18 And, just wondering, what kinds of tools
19 you think Congress may be thinking about to
20 provide councils with assistance in that. It
21 definitely broadens our workload, it broadens our
22 sort of time demands on us, our resources and all

1 that.

2 But, we also see it as something that
3 we've certainly gained experience with this
4 through the pandemic that's been one of the --
5 sort of the unexpected consequences of the
6 pandemic is that some of those underserved
7 communities have felt more isolated from us
8 because we couldn't meet in person, but others
9 have taken advantage of the opportunities that
10 we've afforded to meet with us virtually more.
11 And, so, we're really grappling with this issue of
12 -- they can't take a diverse range of outreach.
13 That's clear as well. And, that's going to be a
14 challenge for us, also.

15 So, back to the basic question is, what
16 kind of tools do you think Congress is sort of
17 thinking about for helping us address that?

18 MS. TEUTSCHEL: Thanks, Bill. I'll take
19 the first crack. You know, I appreciate you
20 bringing that up. I think that's a big issue
21 across the NOAA enterprise, not just fisheries and
22 councils but something they should be thinking

1 about (inaudible) large. I think the obvious
2 answer is appropriations. There needs to be more
3 funding for councils for a lot of things,
4 including this.

5 I think, in addition, the last 4 years
6 showed us some of the challenges we have and
7 opportunities for improvement, I'll say, to keep
8 it positive, on tribal consultations specifically,
9 and what more NOAA can do both from a staffing
10 infrastructure perspective with interacting
11 (phonetic) with our tribal -- that are recognized
12 treaty tribes as well as -- you know, I think
13 there's a real interest in Indian country, as it's
14 been described to me.

15 And, in talking about not only having
16 that consultation relationship on regulatory
17 issues, including many of the actions councils
18 take, but also on policy and larger initiatives
19 where indigenous knowledge and tribal treaty rites
20 are affected, again, through NOAA's enterprise.

21 So, I'm not sure what the answer is
22 right now, but it's something that we are talking

1 a lot about and are considering as we're working
2 on -- Senator Cantwell's working on a NOAA Organic
3 Act. NOAA has never been authorized, and so we're
4 looking at kind of strengthening the role for
5 tribes at that level. If there are
6 recommendations from the CCC on additional tools
7 besides money that we can work with you all on, we
8 are all ears, because this is a really important
9 issue.

10 MS. SNYDER: I'll just jump in, because
11 on (inaudible) on Thursday Chair Grijalva's
12 (inaudible) that it looks into the requirements of
13 tribal consultation, tribal federal actions.
14 We're having a hearing on that on Thursday, and
15 Chair Grijalva is the author of the Environmental
16 Justice for All bill. So, this is definitely a
17 top priority of his.

18 I will (inaudible) attention on this a
19 little bit, the ability to host things virtually
20 has actually opened up the ability to hear more
21 voices. We've actually, through conducting our
22 hearings online and virtually, we're able to get

1 such -- so many more stakeholders that probably
2 couldn't afford to fly to D.C. on short notice to
3 testify.

4 So, we have found that it's been really
5 valuable to get more perspective in place. So, I
6 will also encourage the CCC and the councils that
7 -- to allow virtual participation. And, that
8 shouldn't be too expensive. So, that would be one
9 thing I can -- I mean, I would suggest outside of
10 -- like a (inaudible) appropriations. The other
11 thing that we're also -- again, because of, you
12 know, my boss's priorities and where he has been a
13 leader, those shovel-ready restoration projects,
14 that bill, also where I said it prioritized
15 working with fishermen, it's also prioritizing
16 some habitat restoration projects, living
17 shoreline projects that are, again, good for fish
18 in under- resourced communities as well.

19 CHAIRMAN GORELNIK: Anything further
20 from staff in response to Bill's question? Thank
21 you. And, thank you, Bill, for the question. Are
22 there any other questions of our congressional

1 staff?

2 MR. WHALEY: Mr. Chairman, for the
3 record, when I used to come up to these meetings,
4 I got peppered (phonetic), and I can't believe
5 nobody's going to ask any more questions.

6 CHAIRMAN GORELNIK: I think people are
7 being very polite, which is nice. But, I've not
8 known this to be a shy group. So, let's see if
9 there's anything -- any further questions. Or,
10 maybe government is working so well that we don't
11 have any further questions. I'm not sure what the
12 answer is. Kitty.

13 MS. SIMONDS: Well, I have to be very
14 careful here. I don't have a question, but I just
15 did want to convey concerns for our region. The
16 United States has three tuna fisheries in the
17 Central and South Pacific, and our fishery is one
18 of them. The other is the American Samoa tuna
19 fishery, and the other is the U.S. (inaudible)
20 fishery.

21 So, our concerns are with illegal,
22 unreported fishing, and we monitor global

1 FishWatch, which I hope everybody does as well.
2 And, the seafood competition, we are in huge
3 competition, because our fishermen have to fish
4 alongside of China, Japan, Taiwan, Korea. And, as
5 you all probably know, China increased its
6 longliners in the last 5 years from 100 to several
7 hundred, and Taiwan has 2,000 longliners out
8 there.

9 So, our big concerns are in the
10 international arena, and I think it's wise that
11 there are -- there is legislation out there and if
12 anybody needs any information about all of this
13 out here, we have it all. And, the U.S., the U.S.
14 Provides aide to many of these countries and
15 billions of dollars. So, really, looking at and
16 supporting U.S. fishing is what needs to happen.
17 So, thank you.

18 MS. SNYDER: Thank you, Kitty. I'll
19 just respond really quickly. The ITC report that
20 was finalized, I think, 2 months ago did identify
21 China as the top importer of illegal seafood. I
22 think they're the highest amount, and we do think

1 that the IUU report by NOAA, that there's
2 certainly room for improvement.

3 The bill (inaudible) that -- I don't
4 think it's posted yet, because it was just
5 introduced last week, but we'll make sure that you
6 guys have it. And, to Nick's point, I promise
7 everything will go (inaudible). (Laughs) We are
8 planning to have a hearing, and we had two
9 hearings on the issue in the last Congress as
10 well. And, we'll continue that dialogue and I'm
11 happy to send it to the CCC to ask for CBA
12 (phonetic) as well. And, we're happy to do that.

13 MS. SIMONDS: That's all I can ask for.
14 (Laughs)

15 CHAIRMAN GORELNIK: All right. Thank
16 you. Eric Reid?

17 MR. REID: Yes, thank you, Mr. Chairman,
18 and thank you, Ms. Teutschel, Snyder, and Miller.
19 My question is about the industry's interaction
20 with alternative energy. I'm from New England. I
21 guess we're the first one over the edge when it
22 comes to interacting with wind farms.

1 So, my question is, how do you see the
2 industry as a whole being better able to enhance
3 its participation and interaction with not only
4 our politicians but with these foreign companies?
5 At this point, I would say we are an
6 underrepresented community at this time, and I'd
7 just be interested to hear if you have any ideas
8 or suggestions on how we can have more meaningful
9 input in the outcomes of some of these cumulative
10 impacts for thousands of wind turbines. Thank
11 you.

12 MS. SNYDER: Yes, I think, well, early
13 engagement is obviously very important by the
14 agencies and by industry. I guess I recently was
15 looking through all of the mitigation pieces of
16 the EIS for the proposal up in New England. And,
17 at some point it doesn't need to be here, but I'm
18 curious, because it seems like there are a lot of
19 proposals on the table to help mitigate the
20 concerns, but would love to hear some more
21 specific feedback from the fishing community on
22 their concerns around this mitigation component.

1 MS. RIVERA: I'll jump in.

2 CHAIRMAN GORELNIK: Go ahead, please.

3 MS. RIVERA: I have mostly a question
4 for you guys. Do you think both NOAA and BOME
5 (phonetic) talk to each other very well and
6 listen, or have you different opinions on that?
7 Not to put NOAA and BOME on the spot, but.

8 CHAIRMAN GORELNIK: Well, the only hand
9 up I see is Dave Whaley. I'm not sure if he wants
10 to respond or if there's a CCC member who wants to
11 respond to that. I'm not going to offer an
12 opinion. I'm not sure if the question was
13 rhetorical.

14 MS. RIVERA: It doesn't have to be
15 rhetorical, but it might be. (Laughs)

16 MS. SNYDER: So, I have a suggestion.
17 You asked for some of us to -- one of the things
18 that we definitely, for a period of time, a lot of
19 -- we are hearing mainly from fishermen and
20 offshoremen (phonetic). And, one of the things
21 that we heard a lot was that their proposals are
22 in the historical fishing area. But, that

1 information is not public, unless the vessels have
2 AIS on them.

3 And, then we went -- it's -- we had to
4 know and asked some questions about what
5 percentage of fisheries have BMF (phonetic)
6 requirements, so even where NOAA would know where
7 fishing is happening. And, this has actually come
8 out a few times, because NOAA had this website
9 that shows where wind activity can happen, it
10 shows where fishing activity is happening, but it
11 doesn't include all fishing activity.

12 So, one of the things that I do think is
13 really important is that fisheries have AIS or
14 BMF. So, we actually can make smarter decisions
15 for other uses of the ocean. So, I am a huge
16 proponent of AIS for that purpose, too, and also
17 for -- Kitty just mentioned Global Fishing Watch
18 and being able to identify illegal fish coming
19 into our country that uses AIS, BMS.

20 I think it's just a very valuable tool,
21 and I'm helping to determine where different
22 activities should take place and also helping to

1 determine illegal fishing activities. So, that is
2 one thing that I think is very important.

3 CHAIRMAN GORELNIK: Eric, you had your
4 hand up since the start of this topic. Go ahead.

5 MR. REID: Yes, sorry, Mr. Chairman. I
6 opened Pandora's box. Sorry about that, but, to
7 that point, Ms. Snyder, it's very impressive that
8 you know about AIS and I'm happy to talk to you
9 offline, not to waste everybody's time here. But,
10 your point about AIS should not fall on deaf ears,
11 especially for fisheries, not necessarily in New
12 England but around the rest of the country that
13 have no data on where they work. So, that was a
14 great answer and I would -- you know, anytime you
15 want to talk about offshore wind, I'd be more than
16 happy to have a conversation with you. And, thank
17 you very much for your time.

18 MS. SNYDER: Thank you.

19 CHAIRMAN GORELNIK: Ed Watamura. (No
20 response) Ed, you're muted. There you go. (No
21 response) Ed, we're not hearing you.

22 MR. WATAMURA: Yes, I just wanted to

1 (inaudible) answer your original question and
2 (inaudible) BOME --

3 CHAIRMAN GORELNIK: Ed, your audio is
4 not really readable, so.

5 MR. WATAMURA: (inaudible) Russian
6 (phonetic) energy --

7 CHAIRMAN GORELNIK: Can you try that
8 again, because we really couldn't understand what
9 you're saying.

10 MR. WATAMURA: The BOME (inaudible)
11 energy at (inaudible) has met with us and have
12 laid out their proposal and the location
13 (inaudible) of where they're thinking about doing
14 the wind farms here (inaudible) -- oh, I have my
15 mic on. I don't know why --

16 CHAIRMAN GORELNIK: All right. Well, I
17 think you provided some input on -- it sounded
18 like with your work with BOME. Is that right?

19 MR. WATAMURA: How about now?

20 CHAIRMAN GORELNIK: Yes. Try it again.
21 Go ahead.

22 MS. SNYDER: Perhaps he could type it in

1 the chat.

2 CHAIRMAN GORELNIK: Yes. Why don't you
3 try that, Ed. I think there is an audio problem.

4 MR. WATAMURA: Yes, the summaries that
5 I've -- I'm not hearing --

6 CHAIRMAN GORELNIK: Yes, I think that
7 there is a bandwidth issue somewhere in the pipe
8 here. But, Ed, let me --

9 MR. WATAMURA: Yes, I guess I'm not
10 coming -- the connection must be not good. Sorry.

11 CHAIRMAN GORELNIK: It kind of comes and
12 goes. Dave Whaley, your hand has been up awhile.
13 What say you?

14 MR. WHALEY: Thanks, Mr. Chairman. I
15 was just going to ask another question, if we
16 wanted to move on to another issue.

17 CHAIRMAN GORELNIK: Why don't you go in
18 and ask your question and then we'll come back to
19 Ed, and hopefully whatever is limiting his
20 bandwidth will be resolved by then.

21 MR. WHALEY: Okay. Before I do that, I
22 understand Fern Gibbons is online as an attendee.

1 She had some trouble logging in as a presenter,
2 but maybe the Webex host could move Fern Gibbons
3 into a panelist or participant mode.

4 The question I was going to ask was,
5 we've talked among the executive directors and
6 some of the council members quite a bit about the
7 30 by 30 executive order. Councils around the
8 country have done a lot to protect habitat, to set
9 aside areas to protect marine mammals, and have
10 done other closures. I just wondered, from
11 congressional staff's point of view, if you have
12 any insights on what the administration might
13 consider as conservation and whether the closures
14 that councils have worked on count toward that 30
15 percent number.

16 MS. RIVERA: I'll let Lora go first on
17 that one.

18 MS. SNYDER: (Laughs) I believe in the
19 report that NOAA put out -- and NOAA can speak to
20 -- the administration can speak to this better
21 than I can -- but, I believe they're working with
22 USGS to do the mapping and identifying. Is it 23

1 percent that's already been protected or is it 26
2 percent that's already been protected? Because,
3 those seem to be the two numbers that are out
4 there.

5 I will say, from Chair Grijalva's
6 perspective and our perspective, with the
7 Ocean-based Climate Solutions bill, we had the 30
8 by 30 section in there. Now, I don't know if
9 people picked up on this, but we did try and very
10 much acknowledge the work that councils had done,
11 and not just for closed areas but for areas where
12 it was -- some of them were destructive fishing
13 gears were not allowed, that low bycatch fisheries
14 or whatnot.

15 We did say identify what those are and
16 look and see what other additional protection that
17 Magnuson-Stevens is not able to -- you know, from
18 whether it could be mining, drilling, whatnot.
19 But, go and look at what the councils have already
20 done. Don't use that as like low-hanging fruit to
21 just completely ban those areas when there's been
22 council action and a lot of stakeholder input in

1 what not to do. They're good measures to protect
2 habitat and species. What else could be layered
3 on for those protections?

4 So, that we called out in our person
5 (phonetic) of the bill, and they do (inaudible)
6 might think that that is important. And, then I
7 think for terms of council protection, there is a
8 question -- is that permanent? And, then there is
9 also the question of -- for -- Magnuson is not
10 able to protect everything, you know, from
11 everything. So, what additional protections need
12 to be in place for those areas outside of
13 Magnuson? So, I mean, that's just where we are
14 coming from, our perspective, but I can't speak
15 for the administration on their plan.

16 MS. RIVERA: From our perspective, I
17 mean, obviously we don't want to see full closures
18 that will affect fisheries. The report doesn't
19 really go into too much detail, at least the one
20 that was released on the ocean side. So, we look
21 forward to seeing what the administration puts out
22 when it comes to the ocean component of it.

1 Obviously, we've listened to our witnesses when we
2 talk about MPAs. We clearly are not huge fans of
3 it. So, that tells us our first LTR (phonetic)
4 perspective on increasing MPAs in general.

5 MS. GIBBONS: This is Fern. Maybe I'll
6 just jump in, because I think I'm live. Sorry I'm
7 late. So, I work with Ranking Member Wicker and
8 it's our position the U.S. already has the
9 strongest ocean conservation laws in the world and
10 we (inaudible) we are able to, which is obviously
11 more limited than we would like, we'll continue to
12 convey to the administration that we have laws on
13 the books. We don't need arbitrary goals
14 (inaudible) actually serve conservation needs.

15 CHAIRMAN GORELNIK: Dave?

16 MR. WHALEY: I think Nikki got off the
17 line as soon as I asked that question. So, she's
18 probably the smartest of the group. Mr. Chairman,
19 if I could have one more quick question that
20 relates to some issues that are going to come up
21 later in the CCC meeting. But, I know Senator
22 Wicker had an aquaculture bill in the last

1 Congress. Not much had been said about
2 aquaculture legislation for the 117th Congress
3 yet. I just wondered if any of your bosses have
4 an interest where that issue ranks in a priority.

5 MS. GIBBONS: I mean, we think
6 aquaculture can be a really important part of the
7 overall (inaudible) economy, where the aquaculture
8 initiative is largely (inaudible) by the
9 (inaudible) office for us, but I will meet with
10 them and say that they are taking last year's bill
11 as a starting point but doing yet another round of
12 stakeholder feedback and input and trying to
13 really see if they can't get to a consensus
14 product (phonetic). By the fact that the bill has
15 not yet passed, it's a pretty heavy lift, because
16 there are a lot of equities to consider, and I
17 think that we're -- I know that commercial fishing
18 interest is very high on the list of folks, that
19 they would want any process -- they would want any
20 process to be in close (inaudible) with the
21 commercial fishing industry, because that's
22 obviously really important to some folks, to

1 Mississippi specifically, but nationwide
2 generally.

3 So, it is a work in progress. It's an
4 important topic, but we don't yet have a workable
5 solution, a passable solution.

6 MS. SNYDER: And, then, from our
7 perspective, our position on aquaculture is in the
8 Ocean-based Climate Solutions bill. We think that
9 all aquaculture is created equal. We are more
10 supportive of what we're (inaudible) restorative.
11 Ocean aquaculture is still looking at primarily
12 bivalve (inaudible). So, if you look at that
13 bill, you'll see where we are in aquaculture.

14 MS. RIVERA: I'm going to stay out of
15 that one for now.

16 MS. SNYDER: That's a signoff, too.

17 (Laughs)

18 CHAIRMAN GORELNIK: Well, thank you for
19 your time. We value your participation. I see
20 (inaudible), if you stick around, Chuck Tracy has
21 his hand up.

22 MR. TRACY: Thanks, Mr. Chairman, and

1 all of you for coming in to give us your thoughts.
2 I just wanted to follow up with Lora. I should
3 mention some of the aspects of the 30 percent
4 conservation objective and the permanence of
5 areas, and I guess that's something that the
6 council has some thoughts about and some
7 discussions about. So, I guess any feedback you
8 could provide, now or in the future, as to what
9 you mean by permanence of our closed areas would
10 be helpful. I mean, I think there's been some
11 questions about whether the council's regulations
12 are permanent. But, you know, I think they're
13 pretty permanent as far as we're concerned, but
14 (inaudible) any (inaudible) on that would be awful
15 to us.

16 MS. SNYDER: Well, I mean, they can
17 change the regulation. I think of this as
18 difficult. Again, I can't speak for the
19 administration, but as we were drafting some of
20 this language, like the (phonetic) address some of
21 the questions that we are asking ourselves.

22 And, one of -- oh, I forget if it was

1 like deep-sea coral -- because I think we had a
2 provision last time that was basically like if the
3 council designate like a deep-sea coral area, then
4 we lay on it a bunch of protections, too, and then
5 layer on other protections for closed areas.

6 And, there was concern while -- for the
7 councils, but the councils just go and do closed
8 areas to get these additional protections and then
9 open them back up. So, we just did a review. I
10 think we said it needs to be looked at every 5 or
11 10 years, I think, is how we dealt with it. But,
12 I think that those are -- and more (inaudible)
13 speaking to some of the feedback and concerns and
14 comments that had been (inaudible) about that and
15 looking at some of the definitions. So,
16 certainly, I'm sure it's going to be something you
17 all will be discussing with NOAA as they are
18 working on their next report.

19 MR. TRACY: Thank you.

20 CHAIRMAN GORELNIK: Mr. Whaley, your
21 hand was up?

22 MR. WHALEY: Yes, thank you Mr.

1 Chairman. Before we move on to the next item I
2 just wanted to put in a shameless plug for the CCC
3 Working Group paper, position paper on the
4 Magnuson-Stevens Act Reauthorization. It's been
5 something that the councils have, the CCC in
6 particular, has worked on for a number of years;
7 when I was on the Hill, it was a very valuable
8 document and I think the work that's been done on
9 it makes it a really valuable resource.

10 And lastly, before I get in trouble with
11 Adam, I just wanted to note there are a lot of new
12 members of the House, Natural Resources Committee,
13 and there are quite a few new members of the
14 Senate Commerce Committee. For those that might
15 represent coastal districts, I think we're allowed
16 to invite them to council meetings to help educate
17 them on fisheries issues; but as Adam told us, we
18 need to be careful about lobbying, but I just want
19 to put in a plug, if you're having a meeting, an
20 in-person meeting, and you know there is a new
21 member of congress who's not familiar with fish
22 issues, give me a yell.

1 CHAIRMAN GORELNIK: Or staff.

2 MR. WHALEY: Or staff.

3 CHAIRMAN GORELNIK: All right. Well,
4 I'm not seeing any more hands. Thank you to each
5 of the staff members who joined us, you're always
6 welcome, either at CCC or at council meetings, and
7 hopefully one day we can all meet in person to
8 have these discussions. So, with that, thank you
9 to the staff, you're welcome just to hang with us
10 if you'd like, but we're going to move on within
11 the same agenda item. I'd like Dave Whaley to
12 provide a wrap, if you will, on legislation and
13 then we will go to the legislative work group
14 report after that.

15 MR. WHALEY: Thanks, Mr. Chairman. I
16 know a lot of legislative issues have already been
17 brought up; I'll just note a couple of quick ones.

18 Obviously, right now we only have one
19 Magnuson- Stevens Act Reauthorization Bill that's
20 been introduced. Chairman Huffman noted that his
21 might be introduced as soon as the end of the
22 month, so we'll look forward to that. So far

1 there are no Aquaculture Permitting Bills that
2 have been introduced; as Fern mentioned, that's
3 still a priority for Senator Wicker, so we might
4 see something before too much longer. Forage fish
5 legislation, there is no House Bill, but there has
6 been a Senate Bill that was introduced by Senator
7 Blumenthal from Connecticut. As mentioned, there
8 are shark issues or shark bills that have been
9 moved, there are currently four shark bills that
10 have been introduced; one of those was added to
11 the Endless Frontiers Act Bill, which is being
12 considered by the Senate right now, this week; so,
13 it's possible that there will be a Shark Fin
14 Prohibition Bill that will pass the house this
15 week. Last year we had a Driftnet Bill that would
16 have banned West Coast driftnets for certain
17 fisheries. That bill passed both the House and
18 the Senate, but was vetoed by the President. It
19 has been reintroduced in both the House and the
20 Senate, so I expect action before too much longer
21 on that.

22 One other issue that I was going to

1 bring up was the, Congressman Grijalva had
2 introduced the Ocean Climate Solutions Act that
3 Lora talked about. It was a fairly comprehensive
4 bill that included a lot of issues that the
5 councils might be interested in. It was 259
6 pages, so I was, I was killing myself trying to do
7 a summary last year. As Lora mentioned, it's
8 likely to be reintroduced soon; so once it is, I
9 will try and do a review of that.

10 Lastly, it was mentioned that Rick
11 Spinrad has been nominated as the Under Secretary
12 for Oceans and Atmosphere for NOAA. On Thursday
13 morning a 10:00, the Senate Commerce Committee is
14 going to do a hearing on his nomination and he
15 will be testifying, so for those of you on the
16 East Coast that are awake and want to watch that,
17 you might get some insights into Mr. Spinrad.

18 And lastly, the NOAA Fisheries AA is not
19 a Senate confirmation, is not a Senate confirm,
20 confirmable position, easy for me to say, but I
21 suspect the Senate Commerce Committee will do a
22 hearing on whoever that nominee is, and I'll let

1 you know when I hear about that. So, Mr.
2 Chairman, unless there are questions for me, I'll
3 shut up.

4 CHAIRMAN GORELNIK: Well, look. We have
5 a question. Go ahead.

6 MR. TWEIT: Thanks, Mr. Chair. Hey,
7 Dave. The -- you mentioned that the Drift Bill
8 Net Ban is moving through, that has one other
9 element to it, totally unrelated, and that's the
10 authorization of an unspecific council to raise
11 revenues for an RQE. My understanding is that
12 that's attached, but in a slightly different
13 language. Can you enlighten me on that?

14 MR. WHALEY: I have not looked at that
15 language specifically. I know they were talking
16 about putting it in the Senate bill at least; I
17 don't know if it's in the House bill. Let me get
18 back to you on that.

19 MR. TWEIT: I appreciate it.

20 CHAIRMAN: GORELNIK: Any further
21 questions of Dave on his wrap? All right. Thank
22 you very much, Dave, for your help. We'll now go

1 to the Legislative Work Group report and Dave
2 Witherell.

3 MR. WITHERELL: Thank you, Mr. Chairman.
4 Morgan's going to help me and load the PDF of my
5 first presentation from the Work Group. Stand by
6 until that comes up.

7 CHAIRMAN GORELNIK: No problem.

8 MS. COREY: Yeah, just a moment, Dave.

9 MR. WITHERELL: Thank you, Morgan. I
10 have a very brief report of Legislative Work Group
11 activities and embedded in the presentation is a
12 short picture story, if you will, of what I did in
13 my free time during the COVID lockdown. Next
14 slide.

15 So, we have membership on the Work Group
16 from all of the different councils, as well as
17 Dave Whaley as an ex- official member. This was
18 my last meeting as Chair of the Work Group and,
19 according to our bylaws, I guess, if you will, and
20 Tom Nies will step up to the Chair for the next
21 two years, and the CCC will need to approve a new
22 Vice Chair to take that role. Next slide.

1 So, we did have a meeting since the last
2 CCC meeting. If you remember at the last CCC
3 meeting, the group passed the Legislative Work
4 Group with revising the Consent to Statement for
5 Aquaculture, because in 2020 the 5th Circuit Court
6 had issued an opinion that NOAA didn't have the
7 authority to issue regulations for Aquaculture,
8 and the councils didn't have the authority to, or
9 ability to adopt the Aquaculture FFP. So, the
10 Work Group worked on a Consent to Statement for
11 your approval at this meeting. We also received a
12 status report on MSA Reauthorization, another bill
13 from Dave Whaley similar to what you heard today.
14 We took a look at our working paper relative and
15 specifically to the references to very old
16 legislation pre 2019 legislation. Many of the
17 links were no longer working, so we decided to
18 take those links out of the working paper and just
19 include a pointer to the fisherycouncils.org
20 web-page that contains all the council letters,
21 comment letters on legislation, and all of the
22 links to the various fishery legislation that we

1 will keep updated.

2 Fourth, we talked about whether or not
3 we wanted to add additional topics at this point
4 for the working paper based on the legislation
5 that was introduced in the last congress, and we
6 decided to wait and see what was introduced in
7 this congress, and see if there were other topics
8 that we needed to address in the future. Slide.

9 And here is the proposed Aquaculture
10 statement, Consent Statement from the Work Group.
11 I'm not going to read it here, it is attached to
12 the Work Group minutes, but basically it says that
13 the CCC believes that the councils do have an
14 important role, particularly with regard to
15 permitting and review of Aquaculture operations.
16 And the statement really discusses what the
17 benefits that the councils bring to the table in
18 doing so. Next slide.

19 So, the next steps for the Work Group
20 would be to update the working paper to include a
21 new Consent of Statement on Aquaculture and to
22 continue adding and refining our regional council

1 perspectives, and you recall that we try to keep
2 those updated and we put a date noting when the
3 last update in the working paper from now-on-out.
4 And we do have some updates from the South
5 Atlantic and New England included in the draft
6 that's posted for this meeting, CCC meeting.

7 Additionally, of course, we'll continue
8 to track various fishery bills, including MSA
9 Reauthorization. Next page.

10 Just to reiterate at this meeting, we'd
11 be looking to have the CCC approve a Consent to
12 Statement for Aquaculture and to make a motion to
13 select a new Vice Chair; and as I mentioned, that
14 Vice Chair will assume the chairmanship of the
15 Work Group three years from now.

16 Mr. Chairman, that concludes my
17 presentation. You can put on the next slide,
18 Morgan, if anyone wants to see the final project
19 I'm working on too. Thank you, Mr. Chairman.
20 That concludes my report.

21 CHAIRMAN GORELNIK: Thanks, Dave. Both
22 the report and your handiwork are very impressive.

1 So, let me see if there are any questions of Dave
2 on the work group report. John Quinn.

3 MR. QUINN: Chairman, I don't have a
4 question, but at the appropriate time, I have a
5 couple of motions to make; so after the question,
6 I'd be happy to put a couple motions forward.

7 CHAIRMAN GORELNIK: All right. John,
8 thanks for that. What we'll do is, we'll see if
9 there's any questions here, then we'll go on to
10 see if there is any public comment, and then we'll
11 come back to council discussion and action. So,
12 let me see, before we go to public comment, I want
13 to make sure we've answered any questions there
14 may be on the report. And, John, your hand is
15 still up for motions, which will be later; is that
16 right or do you have a question? There you go.

17 All right. I'm not seeing any hands for
18 any questions on the report, so I will next see if
19 there's any public comment, so I'll turn to
20 Nicholas and see if there's any public comment, if
21 anyone has chatted you with a public comment
22 request on this agenda item.

1 MR. PIEPER: No, I don't see any
2 comments as of yet.

3 CHAIRMAN GORELNIK: All right. All
4 right, so that will take us to council discussion
5 and action on this agenda item; so, now would be
6 the appropriate time for folks to raise their hand
7 for discussion or motions. John Quinn.

8 MR. QUINN: Thank you very much, Mr.
9 Chairman, and I would like to move that the CCC
10 approves the Legislative Working Group's proposed
11 Aquaculture Consents of Statement.

12 CHAIRMAN GORELNIK: All right. Thank
13 you, John, for that motion. We will need a second
14 on this motion, if someone will raise their hand
15 to second the motion. Chris Moore raises his hand
16 to second the motion. So, John, do you want to
17 speak to your motion at all?

18 MR QUINN: No, I think Dave Witherell
19 explained it and I think he said it was a rather
20 lengthy one, and I assume people have reviewed the
21 document.

22 CHAIRMEN GORELNIK: All right. Thank

1 you. Let me see if there's any discussion on this
2 motion. Raise your hand if so, and if not, I will
3 call the question, so unmute yourselves so you can
4 vote. So, all those in favor of this motion say
5 "I", oppose "No", "Extensions". (Motion passed
6 with no nays voiced) The motion passes
7 unanimously. John, thank you very much for that
8 motion. Is there, or I think you said you had a
9 further motion?

10 MR QUINN: Yes, I have a further motion,
11 yes. My second motion is that I nominate Dr.
12 Carrie Simmons for the position of Vice Chair of
13 the Legislative Working Group. In making this
14 motion, I want to thank Dave Witherell for all of
15 the work he's done, I know it's a challenge to get
16 deep into some of these legislative matters; and I
17 want to congratulate my colleague and friend, Mr.
18 Nies. I think I want to congratulate him to
19 ascending by bylaw to the chairmanship.

20 CHAIRMAN GORELNIK: All right. Thank
21 you, John, for that motion and I agree with
22 everything you just said. Do we have a second on

1 this motion? Tom Frazer seconds the motion, and
2 so, John do you feel you need to speak any further
3 to this motion?

4 MR. QUINN: No, I think in my making of
5 the motion I added the comments I wanted to add.

6 CHAIRMAN GORELNIK: All right. Is there
7 any discussion on this motion? I'm not seeing any
8 hands, I'll call the question, so everyone unmute.
9 All those in favor say "Aye," "Opposed," anyone
10 opposed? (Motion passed by voice vote, no nays
11 voiced) All right. I wouldn't be surprised if
12 Carrie voted no, a lot of responsibility there,
13 but the motion passes unanimously. As was stated,
14 many thanks to Dave Witherell for his service and
15 leadership on the committee. Good luck to Tom and
16 to Carrie in your new positions on the Legislative
17 Committee. So, John, do you have anything
18 further?

19 MR QUINN: No, those are the only two
20 motions I wanted to make, so thank you, Mr.
21 Chairman.

22 CHAIRMAN GORELNIK: Thank you very much

1 for moving us along there. Let me ask the CCC, is
2 there any further business on this, either
3 discussion or motions, on this agenda item?

4 Okay. I'm not seeing any hands, so we
5 have no further business here. I think, I want to
6 thank John for the motions and I think that was a
7 very informative agenda item; but that concludes
8 the legislative outlook agenda item and will take
9 us to our next agenda item, #5 integration of the
10 ESA section 7 with MSA, and I think there is a
11 slide deck on this, is there not, Kitty?

12 MS. SIMONDS: Right, there is, yes. So,
13 who has it?

14 CHAIRMAN GORELNIK: Morgan's bringing it
15 up?

16 MS. SIMONDS: Right. Thank you and I am
17 ready to rock and roll here.

18 CHAIRMAN GORELNIK: All right. Rock and
19 roll.

20 MS. SIMONDS: I've provided a summary in
21 your briefing materials, so hopefully ya'll have
22 read that one pager. So, let's go with the next

1 slide.

2 So, you know, the ESA Policy Directive
3 started with a CCC recommendation that lead to a
4 joint Working Group of the CCC, MAFAC and NMFS.
5 We wanted to find ways to better integrate the ESA
6 consultation process into the Magnuson Council
7 process. Each council had different levels of
8 involvement and experiences with ESA
9 consultations.

10 For our council, our ability to review
11 draft BiOps and the coordination between council
12 management, actions and BiOps, had changed over
13 time. So, the 2015 ESA Policy Directive was
14 significant. It recognized the unique role
15 councils have in ESA consultations, and that the
16 councils to be involved without being designated
17 as an action agency or advocate.

18 It also outlined processes for councils
19 to coordinate with NMFS early in the consultation
20 process, as well as opportunities to review and
21 provide input on the draft BiOps in RPA'S or
22 RPM's. So, our council, and other councils as

1 well, established a regional agreement with our
2 region, and we have been utilizing that agreement
3 to request review of draft BiOps.

4 While the policy directive and our
5 regional agreement have helped improve our
6 coordination with FFD in front-loading the
7 consultations, once in formal consultation, we are
8 still in the dark.

9 So, we recently reached out to the other
10 council executive directors to find out what their
11 experience has been. Next slide.

12 Of the eight councils, five of us have
13 utilized the policy directive for ESA
14 consultations. While the North Pacific, the Gulf
15 and the Caribbean, have been lucky not to have
16 contentious BiOp issues, where they needed to turn
17 to these procedures. Next slide, please.

18 For those of us that have utilized the
19 policy directive, lack of communication and
20 coordination from NMFS remains the primary issue
21 for our consultations. When the councils request
22 for early coordination, particularly with any

1 RPM's or RPA's that may be considered, requests
2 are often not granted and the councils do not have
3 an opportunity to provide input until the draft or
4 file BiOp is available to the public.

5 The policy directive includes quite a
6 few discretionary provisions and "language for
7 NMFS". For example, the directive says that NMFS
8 does not need to involve the council if there is a
9 time constraint. These types of languages limit
10 the opportunity for council involvement contrary
11 to the original intent of the directive. Next
12 slide, please.

13 The Pacific Council continues to have a
14 much better experience with consultations than
15 some of us. We have had cooperative responses
16 from NMFS, and the West Coast regional office is
17 usually the one initiating requests for council
18 assistance on consultation matters. They have had
19 success in utilizing the consult process to
20 develop measures to address ESA issues in advance
21 or while the consultation is ongoing. Their
22 experience provides a possible framework for the

1 future of NMFS and councils for meeting on ESA
2 consultations. The last slide, please.

3 The ESA Policy Directive may benefit
4 from an update based on our experiences over the
5 last six years. The Council Coordination
6 Committee may wish to consider working with NMFS
7 to address the following improvements.

8 One, strengthen the relationship between
9 NMFS and councils on ESA consultations for
10 fisheries by adding more specificity on how NMFS
11 involves the councils in these consultations and
12 timing of council's involvement. Require more
13 direct communication from Protective Resources
14 Division to the councils early in the process to
15 ensure effective and meaningful council
16 involvement. Consider providing draft BiOps and
17 draft RPM's and RPA's to council staff for input
18 in advance of these drafts being made available to
19 the public. Consider developing a process for
20 NMFS to work with the council on ESA issues
21 through the normal council process, rather than
22 through RPM's and RPA's, resulting from

1 consultations.

2 So, we would like to hear NMFS's
3 perspective on moving forward with updates to the
4 policy directive. We also understand that NMFS
5 has an inner agency working for ESA consultations
6 for fishery actions, and we're very much
7 interested to learn more about that effort and how
8 councils may coordinate with that group. Thank
9 you, Mr. Chairman.

10 CHAIRMAN GORELNIK: Thank you very much,
11 Kitty, for that. So, Sam Rauch, please.

12 MR. RAUCH: Yes, Mr. Chair, I am happy
13 to provide a brief response in advance of whatever
14 CCC discussion is on this issue. And I would
15 recommend that you all go back and look at the
16 2015 policy, which was updated in 2018, and it
17 does layout a lot of the salient points that Kitty
18 has raised; and it was 2015 and it was, at the
19 time, a novel approach for all of us; and I think
20 that council, the CCC and MAFAC, spent a lot of
21 time in there trying to get it right. And, it may
22 well, if the CCC would like, benefit from us

1 looking at it again and seeing how well it has
2 been implemented in the last six years. I am not
3 going to pretend that it was perfect then or is
4 perfect now, and I think we should always be
5 willing to look at our processes and see whether
6 they can be improved or not. So, if the CCC
7 desires, we are more than happy to work with the
8 CCC on that.

9 A couple of points I would raise; One
10 is, when we developed this policy, we benefitted
11 substantially from the facilitation that MAFAC,
12 our Marine FACA committee, provided in that; and
13 one thing I would ask the CCC, if they do go down
14 this road, is would you seek further input on
15 MAFAC? I think that they were helpful last time
16 in getting us to some resolution and they could be
17 helpful again, but that is something for the CCC
18 to consider if we are going to engage in the
19 review process.

20 Sue, a couple of other practical things
21 that I would encourage you to keep in mind, which
22 may be different now, but did seem to be important

1 at the time. We heard from the councils that
2 there was a concern on the council's end as well,
3 in terms of the requirements on the council, that
4 the council did not want to get overburdened with
5 this discussion. Some councils clearly desired a
6 stronger role in this, other councils, though,
7 were worried that if we required review of all
8 opinions, that would be burdensome to them; that
9 may or may have not have changed. That was an
10 additional, I did not hear mentioned, but that was
11 an issue that, I believe, formulated some of the
12 councils approach to this directive, and I would
13 encourage you to consider that.

14 The other one that I would just point
15 out in terms of the three recommendations, I think
16 that we were perfectly willing to talk about them.
17 The second recommended bullet that was offered,
18 which is providing draft BiOps to the council
19 staff for input in advance of the drafts being
20 made available to the public. The policy
21 extensively talks about this potential and
22 determines for legal reasons that anything that we

1 give to the councils has to go through, it is a
2 public dissemination, and there's processes that
3 we do; so, while we can give a draft to the
4 council, we cannot give the council a nonpublic
5 review. I do not believe general council has
6 probably not changed his view on that since then,
7 so I think that we would have difficulties
8 addressing this particular recommendation, not
9 that we can't talk about it, but I just offer that
10 up, but the policy itself talks about that
11 possibility and says that legally we cannot do
12 that; if we give it to the councils, it is a
13 public document at that time.

14 And with that, I am happy to engage in
15 any discussion, but those are a few points I
16 wanted to just raise to the CCC's consideration.

17 CHAIRMAN GOLENIK: All right. Thank
18 you, Sam. I think that there is probably going to
19 be some fair amount of council discussion, which
20 you would typically do after public comment,
21 although we haven't yet had any public comment.
22 Maybe I'll see if there are any questions of

1 Kitty, and if not, we'll move to public comment
2 and we'll return to council discussion and action,
3 if any. So, I'm not seeing any hands or any
4 questions of Kitty, so let me - well, Archie, go
5 ahead. And Chuck. Go ahead, Archie.

6 MR. SOLIAI: Thank you, Mr. Chair. I
7 don't have a question for Kitty, I have a question
8 for Sam and perhaps Paul, but I'm not sure if he's
9 still on the line.

10 Can you hear me?

11 CHAIRMAN GORELNIK: Yeah, I can hear
12 you. You know, I'd like to hold off on that,
13 that's really more along the lines of council
14 discussion maybe, and this is a council CCC
15 presentation.

16 MR. SOLIAI: All right.

17 CHAIRMAN GORELNIK: Chuck, do you have a
18 question for Kitty or is yours more along the
19 lines of CCC discussion?

20 MR. TRACY: Well, I'll let you decide
21 that, but (inaudible) on Sam's statement.

22 CHAIRMAN GORELNIK: Okay. Well, I think

1 we're going to have considerable council
2 discussion on this issue and, I would like to give
3 the public an opportunity first to provide any
4 comment on the report that Kitty provided; and
5 then we will move, then we will entertain all of
6 this discussion.

7 So, Nicholas, do we have any requests
8 from the public to speak on this agenda item?

9 MR PIEPER: None for this agenda item.

10 CHAIRMAN GORELNIK: All right, so, with
11 that brief detour for which I apologize, we'll now
12 go to council discussion and we can have a
13 vigorous discussion with Kitty and with Sam and
14 whomever. So, Archie, why don't you go first and
15 then Chuck.

16 MR. SOLIAI: Thank you, Marc. Good to
17 see you. I just want to say before I ask my
18 question that we are still COVID-free here in
19 American Samoa. I'm very proud of that and our
20 borders are somewhat opened, so hopefully sometime
21 soon we can maybe meet here for a future team
22 meeting.

1 But, I wanted to ask one of the NMFS
2 leaderships, believe that the ESA Policy Directive
3 has improved integration of the consultations with
4 MSA actions? I'm not sure if, Sam, you had
5 covered that in your address.

6 MR. RAUCH: Mr. Chair, I can respond.

7 CHAIRMAN GORELNIK: Please.

8 MR. RAUCH: I do believe it has improved
9 integration. It recognizes that there is a role
10 for the councils in these consultations without
11 you being an action agency or an applicant, which
12 was an improvement. There has been these
13 agreements, integration agreements that many
14 councils have worked on that have clarified roles,
15 and that have helped. I would defer to the
16 councils in this review as to whether or not we
17 think we are where we want to be, and I get the
18 sense from at least Western Pacific, because of
19 this agenda item, maybe you do not believe we are
20 where we need to be.

21 But, I certainly think we could agree
22 that it has improved, this process improved

1 because of the effort that the CCC went through in
2 the development of this policy.

3 CHAIRMAN GORELNIK: Archie, does that
4 answer your question?

5 MR. SOLIAI: Yeah, thanks and based on
6 the presentation, it's concerning that, you know,
7 some of the councils are facing more challenges
8 than other councils, and hopefully that
9 improvement can continue to progress for the
10 betterment of the council process. Thanks.

11 CHAIRMAN GORELNIK: All right. Chuck,
12 and then Kitty.

13 MR. TRACY: Thanks, Mr. Chair. Sam,
14 just a quick question, or clarification. So, you
15 mentioned that the second bullet on the last slide
16 was a legal concern in terms of providing a draft
17 to the council in advance of the public drafts.
18 So, the second bullet actually says council staff;
19 so, is there a distinction between providing the
20 public release drafts to staff as opposed to
21 providing it to the council for, you know,
22 inclusion in its' briefing book, for example?

1 MR. RAUCH: Mr. Chair, I can respond.
2 Thank you. I do not know. I think that is an
3 issue we could look at. I know that the policy
4 talks about providing it to the council. I do not
5 recall off the top of my head that it made this
6 distinction between council and council staff.
7 Maybe there is something there. I think we could
8 look at that, I'm not sure that that makes a
9 difference, however. I mean, if we look at FOIA
10 as a guidance off the -- well, I don't want to
11 prejudge what that might or might not be. I don't
12 think. I reread the policy recently and I don't
13 recall there was a distinction between council and
14 council staff. I could be wrong about that.

15 CHAIRMAN GORELNIK: All right. Kitty?

16 MS. SIMONDS: Thank you, Sam. Yes,
17 well, you recall we, you agreed to look into
18 developing a directive when we were all there.
19 When (inaudible) was the Chair and, yes, and then
20 you tasked MAFAC to assist with this. And I can't
21 remember his name, but he was a lawyer, and it was
22 just him, not really the committee, and they took

1 two years to get to this directive; and, of
2 course, we said we wanted to see something like
3 this because the relationships were all different
4 among the regions and the councils. And we wanted
5 to at least try to get some kind of standard, we
6 think, for all of the councils and whether a
7 council uses it or not is something else. It's up
8 to them, and the region, I suppose.

9 But, getting back to that, what Chuck
10 brought up. We think that there is a distinction
11 and I'm glad to hear that you guys, you know,
12 would consider looking into that. Sharing a draft
13 with the staff really -- you know, I understand
14 sharing it with the council because the council is
15 a public body, so then it becomes, you know,
16 public. But, sharing drafts with the staff, I
17 think is really important for us, especially out
18 here. I don't know what other councils, but you
19 know, our recent several year consultation process
20 with swordfish was very, very difficult, and
21 didn't end very well. So, I'm glad to hear that
22 you all will consider looking at that.

1 And so, I did ask about the Interagency
2 Working Group, that we understand there is
3 something going on regarding consultations, ESA
4 consultations with, for fishery actions, and so we
5 wondered what that group is all about, if you
6 could tell us about it, and is it possible that we
7 could discuss some of these kinds of things with
8 that group?

9 MR. RAUCH: Mr. Chair, if I could
10 respond.

11 CHAIRMAN GORELNIK: Please.

12 MR. RAUCH: Yeah, thank you, Kitty, and
13 thank you for reminding me I had neglected to
14 address that, you did raise that, I apologize.

15 We do constantly look at how to improve
16 the ESA/MSA interactions. Obviously, this is a
17 frequent consultation paradigm for us and we want
18 to get it right. We've had a number of recent
19 litigation challenges to various fishery actions
20 in terms of whether certain reinitiation triggers
21 had been met, how we deal with new listings, and
22 those kinds of things, and we are looking at that.

1 And I do think that we are happy to discuss some
2 of these things. I don't think that group's
3 currently working on these issues from this, and
4 is more looking at what is the nature of the
5 reinitiation obligation, when and how to do that.
6 And we are happy to discuss that, once we actually
7 think about that a little bit more, with the
8 councils, with the CCC of the individual councils,
9 and are happy to try to formulate. I don't know
10 that that group would be the group if we wanted to
11 work on this, but we would be happy to work with
12 you on creating the right function to address the
13 kind of issues you want to raise here; and to
14 share with you some of our thinking, where we've
15 progressed some of that thinking on some of these
16 other issues.

17 MS. SIMONDS: Okay, thank you.

18 CHAIRMAN GORELNIK: Thanks, Sam.

19 Archie, your hand is up, do you have a further
20 question, comment, discussion?

21 MR. SOLIAI: No, I'm sorry. I forgot to
22 put it down, but I do have a motion when we get

1 towards council action.

2 CHAIRMAN GORELNIK: All right. Very
3 good. Well, let me just see, let's exhaust any
4 discussion. Is there further discussion
5 questions, anything folks want to raise before we
6 come to council action, CCC action? Archie,
7 please go ahead.

8 MR. SOLIAI: Yeah, just a quick question
9 on those Working Groups, Sam. Is that Working
10 Group also addressing better coordination between
11 the councils and the Science Centers?

12 CHAIRMAN GORELNIK: Sam?

13 MR. RAUCH: Mr. Chair, I do not believe
14 that that's the subject of the Working Group that
15 Kitty was referring to, which was limited to the
16 kind of questions I outlined. We, I don't know
17 that we have a Working Group, but we constantly
18 are trying to improve coordination between the
19 councils and the Science Center, and the council
20 (inaudible), and also the public on these issues,
21 but I don't believe we have a specific Working
22 Group that is looking into that at the moment.

1 CHAIRMAN GORELNIK: All right. Thank
2 you, Sam, for that answer. So, Archie, I'm not
3 seeing any further hands for discussion, so if you
4 have a suggestion for CCC action, please go ahead.

5 MR. SOLIAI: Thank you, Marc. I
6 appreciate this discussion and the comments from
7 Mr. Rauch in regards to reintegration. But, I
8 would like to move that the CCC requests NMFS to
9 work with the councils to strengthen the
10 relationship between NMFS and councils on ESA
11 consultations for fisheries by updating the ESA
12 Policy Directive to improve the process and timing
13 for council involvement in ESA consultations.

14 These may include, but not limited to:

15 1. Requiring more direct communication
16 from PRB to the councils early in the process to
17 ensure effective and meaningful council involvement.

18 2. Providing draft BiOps and draft RPM's
19 and RPA's to council staff for input in advance of
20 these drafts being made available to the public.

21 3. Developing a process for NMFS to work
22 with the council on ESA issues through the normal

1 council process rather than through RPM's and
2 RPA's resulting from consultations.

3 And suggest further that the CCC request
4 that NMFS coordinate with council staff from each
5 region for the Interagency Working Group on ESA
6 consultations for fisheries. And, I put that into
7 a motion, Mr. Chair.

8 MR. HANKE: Second.

9 CHAIRMAN GORELNIK: Who offered that
10 second, is that Eric?

11 MR. HANKE: This is Marco Hanke,
12 Caribbean.

13 CHAIRMAN GORELNIK: Okay. Thank you
14 very much.

15 SPEAKER: That's why I had my hand up.

16 CHAIRMAN GORELNIK: Okay. All right.
17 So we have a motion and a second. So this motion,
18 do you want to speak to your motion Archie, as
19 necessary?

20 MR. SOLIAI: Pardon, Mr. Chair?

21 CHAIRMAN GORELNIK: Yes, go ahead,
22 Archie.

1 MR. SOLIAI: I make the motion, Mr.
2 Chair.

3 CHAIRMAN GORELNIK: All right. So,
4 okay. And -- so, let me see if there's any
5 discussion on the motion that's before us. Tom
6 Nies?

7 MR. NIES: Thank you, Mr. Chair. I
8 would like to speak in favor of the motion. You
9 know, it has been a few years, anyways, since this
10 policy directive was put in place. There's been
11 some experiences, that, I think, pointed out the
12 experience with the Pacific Council that maybe has
13 some lessons for us that will help the rest of us,
14 you know, help us perhaps refine this and make it
15 a little better.

16 You know, I am little hesitant about --
17 I am glad to see that the motion really doesn't
18 say let's establish a CCC Work Group because I
19 think, you know, sometimes when we establish
20 additional Work Groups, that it drags things out.
21 I recognize that we're going to have to figure out
22 a way on how to interact with this, with the

1 agency on it, but I think this is a good approach
2 for us to follow.

3 CHAIRMAN GORELNIK: Sam.

4 MR. RAUCH: Thank you, Mr. Chair. Just
5 one question about the motion, as I had raised the
6 original policy was developed, as Kitty
7 elaborated, with the assistance of MAFAC. This
8 motion does not discuss that MAFAC is meeting next
9 week, I believe, or the week after that. But, as
10 I read the motion, this is not, the CCC would not
11 be favoring any further involvement from MAFAC in
12 this issue. And I would just, I don't know what
13 to intend because it was really done with MAFAC,
14 and I just would like to get an understanding. I
15 don't know whether it's appropriate in this motion
16 or not, but just an understanding of whether or
17 not the CCC believes MAFAC would be involved
18 should this motion pass. That was my only
19 question. Thank you.

20 CHAIRMAN GORELNIK: All right. Well, I
21 see Kitty has her hand up. Please go ahead,
22 Kitty.

1 MS. SIMONDS: Well, yes, that's, when
2 you were talking about that and I was thinking
3 about that suggestion, but I don't really know
4 those members. I'm not sure, and you said it
5 yourself, about whether or not they would be an
6 appropriate group to involve. You know, I would
7 have to ask you what you think about that, because
8 you probably know those members and, you know, I
9 don't. I mean, what other tasks, kinds of tasks
10 like this policy have you all tasked with them,
11 you know, over the last several years?

12 MR. RAUCH: Chair, if I may?

13 CHAIRMAN GORELNIK: Please.

14 MR. RAUCH: I would say MAFAC turns
15 over, much like the council does, but there are
16 not the same sort of permanent members that the
17 council, or longer-term members of the council.
18 So, I think MAFAC would have a very different look
19 now than it did in 20 -- I don't remember when
20 their report came out, sometime in advance of
21 2015. So, they haven't -- yeah, so it would be
22 very different. And the individual that you

1 talked about who was very active is no longer on
2 MAFAC.

3 So, I cannot say that. They do have
4 protective resources expertise. They, to some
5 extent, were helpful within the last process in
6 that they were a neutral arbiter between some
7 defined views, if I could say this delicately,
8 between the councils and CCC, and I thought they
9 were helpful. But, I don't particularly have a
10 view, I just, I do feel that if we undertake this
11 review again, we should at least tell them whether
12 or not we would expect them to be involved or not.
13 I don't have a view as to whether they would be
14 helpful or whether we're in that same sort of
15 position. I don't think we are, I hope we are
16 not, with very defined and ardently held views, I
17 think we hopefully can be constructive while
18 working together. But, they were helpful, I
19 think, in the last process getting to this, that;
20 and they might be again. But, I leave that up to
21 you. I just think that we should address whether
22 the CCC believes they should be involved or leave

1 it up in the air one way or the other. And, I
2 don't know how, what they mean in terms of this
3 motion. It's just, that is a question that I have
4 about this motion because it doesn't mention that
5 at all.

6 MS. SIMONDS: Right, exactly. Well, you
7 know, I think we should wait and have a little bit
8 more discussion about including that entity
9 because now that, you know, you've talked a little
10 bit more about their roles the last time; I think
11 that I need to have a talk with the other
12 executive directors and if we do want to change
13 things, I mean, you know, we can write you a
14 letter to say that we would like to include them.
15 So, I think for now, I think we should leave this
16 the way it is, but we will take that into
17 consideration, about MAFAC, I need to find out a
18 little bit more about them as well. So, is that
19 okay with everybody else? I see Nies with his
20 thumb up, so.

21 CHAIRMAN GORELNIK: Well, Chuck Tracy
22 has his hand up, so I'm going to call on Chuck.

1 MS. SIMONDS: Okay. Thank you. Thank
2 you, Sam.

3 MR. TRACY: Thank you, Mr. Chair, and
4 thank you, Sam, for the question or the comment on
5 MAFAC. I guess just speaking to the motion in
6 general, I, you know, I'm not really weighing in
7 on whether MAFAC should or shouldn't be involved
8 in the process going forward, but it does seem
9 like this motion is a little bit, is proposing a
10 little bit different process than the original
11 effort completed in 2015; and that one was in
12 order to develop a policy directive and put some
13 pen to paper, and lay out some specific
14 guidelines. This seems a little bit more towards
15 encouraging conversations and cooperation, and
16 some flexibility.

17 And so, with that being said, I guess I
18 would note that Pacific Council has had a fair
19 number of interactions on ESA listed consultations
20 that we've worked through the council process
21 since this policy has been undertaken. But, I
22 guess I will also note that I wouldn't say that

1 all of those, certainly not all of those and maybe
2 not many of those, you know, necessarily strictly
3 follow the guidelines that are in the policy
4 directive either. You know, I think a lot of,
5 we've had to be flexible with what the region has
6 needed from the council and what they have been
7 able to provide to the council, and we've kind of
8 worked around that. And, so I guess I would say
9 that, you know, I think this motion maybe gets to
10 that sort of process a little bit more than
11 revising the policy directive, for example.

12 So, to the extent that that is
13 understood, I think this a reasonable approach at
14 this point, and not (inaudible) benefit from
15 involvement of other parties and perhaps may not
16 benefit them at all, but I just kind of wanted to
17 be clear that, you know, I'm not sure writing down
18 rules that we aren't quite able to follow for
19 whatever reason, as they try to implement them.
20 You know, we should be cautious about that and to
21 encourage the regions and the councils to work
22 together to find ways to accommodate what

1 involvement is practical (inaudible). Thanks.

2 CHAIRMAN GORELNIK: Thank you, Chuck.

3 Is there further discussion on this motion? And
4 if not, I will call the question, so please unmute
5 yourselves. So, all those in favor say "Aye,"
6 oppose "No," "Extensions"? (Motion passed by
7 voice vote, no nays) The motion passes
8 unanimately. Thank you, Archie, for the motion.

9 Let me see if there is further action or
10 discussion by the council on this agenda item,
11 I'll look for a raised hand if there is; and if
12 there is not, then that will conclude this agenda
13 item #5 on day one of this CCC meeting.

14 The remaining business we have is really
15 to see if there is any public comment for items
16 not otherwise on the agenda, and I'll go back to
17 Nicholas to see if there has been any request for
18 public comment. I do see a hand raised amongst
19 the attendees, Kate Wing.

20 MR. PIEPER: Yes, she would like to make
21 a public comment. I'm going to unmute here.

22 CHAIRMAN GORELNIK: Okay. Welcome.

1 MS. WING: Hello, everyone. Nice to see
2 some of you visually and hear your voices. I am
3 Kate Wing and among other things, I'm a member of
4 the Net Gains Alliance, which is an organization
5 that's working to support data modernization for
6 fisheries in the U.S. and all over the world, as
7 best we can.

8 I wanted to just share with this group,
9 if you haven't already seen it, an open letter on
10 NOAA leadership that we recently released. I've
11 put it in the chat that's going to all panelists
12 and it's a public letter, so if (inaudible) wanted
13 to share it with all of the participants, you're
14 welcome to do so.

15 Because we are an organization focused
16 on data improvements and digital transformation,
17 we highlighted a number of key issues that we're
18 hoping that the new and incoming NOAA leadership
19 will move forward, including things that we see
20 NMFS already doing, such as supporting staff
21 training and professional development,
22 prioritizing hiring new data staff, updating data

1 policies and practices, and working on explainable
2 AI and advanced AI for fisheries data, as well as
3 continuing to implement the Fisheries Information
4 Management Modernization Program that they adopted
5 as a result of the workshop they held in the fall
6 of 2019.

7 So, we're excited to see the progress
8 that's been made on fisheries data improvements at
9 the agency, and we've presented on these topics at
10 CCC meetings in the past and some of you have been
11 very involved with Net Gains over the last four
12 years that we've been doing this work, and we
13 really appreciate your time. So, I wanted to just
14 bring this letter to the group's attention and
15 make myself available if folks wanted to talk
16 further about it. You're also welcome to contact
17 me or anyone else in Net Gains if you want to
18 follow up on any of the recommendations we make in
19 this letter. But, we look forward to continuing
20 to work with everyone in the fisheries community
21 to get us the data we need to make the best
22 decisions we can for the fishing communities and

1 the ocean. Thank you.

2 CHAIRMAN GORELNIK: All right. Thank
3 you very much, Kate. Are there any questions by
4 members of the CCC to be addressed to Kate? I'm
5 not seeing any raised hands. Thank you very much,
6 Kate, for your public comment. And, Nicholas, are
7 there any other requests for public comment?

8 MR. PIEPER: So far I've not received
9 any messages.

10 CHAIRMAN GORELNIK: All right. Well,
11 thank you for your help, Nicholas. I believe that
12 concludes our business for day one, but before we
13 adjourn for day one let me just see if there are
14 any raised hands, if anyone on the CCC has any
15 final thoughts or complaints about the way I've
16 run day one. Well, no raised hands, I'll take
17 that as good news.

18 All right. Folks, thank you very much.
19 We will meet again tomorrow at 1:30 eastern for
20 day two. We will continue with our agenda, which
21 will start with recent executive orders. So,
22 until tomorrow morning/afternoon, enjoy the rest

1 of your day.

2 (Whereupon, at 5:32 p.m., the
3 PROCEEDINGS were continued.)

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I, Mark Mahoney, notary public in and for the District of Columbia, do hereby certify that the forgoing PROCEEDING was duly recorded and thereafter reduced to print under my direction; that the witnesses were sworn to tell the truth under penalty of perjury; that said transcript is a true record of the testimony given by witnesses; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was called; and, furthermore, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



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