

UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

COUNCIL COORDINATION COMMITTEE MEETING
(Via Webex)

Annapolis, Maryland
Tuesday, May 17, 2022

1 PARTICIPANTS:

2 CAROLYN BELCHER
South Atlantic Council

3 RICK BELLAVANCE
4 New England Council

5 TONY BLANCHARD
Caribbean Council

6 MERRICK BURDEN
7 Pacific Council

8 JOHN CARMICHAEL
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9 JANET COIT
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12 MARC GORELNIK
13 Pacific Council

14 MARCOS HANKE
Caribbean Council

15 JON KURLAND
16 NOAA Fisheries

17 DAVE WITHERELL
North Pacific

18 MIKE LUISI
19 Mid Atlantic Council

20 JARAD MAKAI AU
NOAA Fisheries

21 JACK MCGOVERN
22 NOAA Fisheries Southeast Regional Office

1 PARTICIPANTS (CONT'D):

2 CHRIS MOORE
Mid Atlantic Council

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4 TOM NEIS
New England Council

5 BRAD PETTINGER
Pacific Council

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7 SAM RAUCH
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8 ERIC REID
New England Council

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10 MIGUEL ROLON
Caribbean Council

11 CARRIE SIMMONS
Gulf Council

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13 KITTY SIMONDS
Western Pacific Council

14 ARCHIE SOLIAI
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16 GREG STUNZ
Gulf Council

17 WILL SWORD
Western Pacific Council

18
19 WES TOWNSEND
Mid Atlantic Council

20 BILL TWEIT
North Pacific Council

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22 RYAN WULFF
Sustainable Fisheries

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

2 (1:00 p.m.)

3 CHAIRMAN LUISI: I call this meeting to
4 order. This is the May 2022 Council Coordinating
5 Committee meeting. We are hosting this meeting --
6 The Mid-Atlantic Council is hosting this meeting.
7 We're in Annapolis. This is my hometown. I live
8 just a few miles away. So, I want to welcome all
9 of you to the Town of Annapolis. There's a lot of
10 history here, a great deal of history that I was
11 looking up on Wikipedia this morning to try to
12 give you some thoughts. We also have the Naval
13 Academy right across the street. So, if you have
14 any questions about the history of Annapolis or
15 the Naval Academy, I'd recommend you finding a
16 tour guide downtown and asking them, because it's
17 not -- I'm not a history buff and I'm not going to
18 have many answers for you.

19 So, I will -- I can provide you some
20 information about where to eat, where to go out
21 and have fun and drink and, you know, have a good
22 time downtown. But by the history, guys are going

1 to have to find somebody else to help you with
2 that. We have a really great agenda planned for
3 these next couple of days and we're going to start
4 out this afternoon with some opening remarks. But
5 what I'd like to do -- I'll do my best (audio
6 drop) as we go around the table and ask questions
7 and have conversations. So, I would like to start
8 with just a round to go around the table and have
9 everyone introduce themselves. And I'm going to
10 start with myself. My name is Mike Luisi. I am
11 the chair of the Mid-Atlantic Council. I work
12 here in Annapolis for the Maryland Department of
13 Natural Resources I'm the current Fisheries
14 Director. In an acting role in that capacity and
15 I've been on the Council for maybe 10, 11, 12
16 years, something like that, and I've been Chair
17 for about 6 years now. And I'm really looking
18 forward to facilitating and working through the
19 agenda that we have planned for you today. So,
20 I'm going to start with the introductions. I'm
21 going to start to my left and go to Chris Moore
22 first.

1 DR. MOORE: Hello, everyone. I'm Chris
2 Moore, Executive Director of Mid-Atlantic Council.

3 MR. TOWNSEND: Good afternoon, everyone.
4 Wes Townsend, commercial fisherman from Delaware.
5 And I am the current Vice-Chair of the
6 Mid-Atlantic Council.

7 MR. ISSENBERG: Hello. I'm Adam
8 Issenberg. I'm with NOAA General Council based in
9 Silver Spring.

10 MR. BELLAVANCE: Hi, everyone, Rick
11 Bellavance. I'm a charter boat captain from Rhode
12 Island, and I'm the Vice-Chair of the New England
13 Fishery Management Council.

14 MR. REID: Good afternoon, everyone. My
15 name is Eric Reid. I am the chairman of the New
16 England Council and I'm a third term council
17 member from Rhode Island.

18 MR. NIES: Good afternoon. My name is
19 Tom Nies. I'm Executive Director of the New
20 England Council.

21 MS. BELCHER: Hi, Carolyn Belcher. I'm
22 with Georgia Department of Natural Resources

1 Coastal Resources Division. The Marine Fisheries
2 Section Chief there. And I'm Vice-Chair for the
3 South Atlantic Council.

4 MR. CARMICHAEL: John Carmichael,
5 Executive Director for the South Atlantic Council.

6 MR. MCGOVERN: Good afternoon. I'm Jack
7 McGovern. I'm Assistant Regional Administrator
8 with the Southeast Regional Office in Saint
9 Petersburg. NOAA Fisheries.

10 MR. ROLON: Good afternoon, Miguel
11 Rolon. Sales Director Caribbean Fishery
12 Management Council.

13 MR. HANKE: Marcos Hanke. CFMC Chair,
14 Charter Operator. Thank you.

15 MR. BLANCHARD: Tony Blanchard.
16 Vice-Chair, CFMC Commercial Fisher.

17 MR. STUNZ: Hello. I'm Greg Stunz, a
18 member of the Harte Research Institute for Gulf of
19 Mexico Studies. And I'm the Vice-Chair for the
20 Gulf Council.

21 MS. SIMMONS: Good afternoon, everyone.
22 Carrie Simmons, Executive Director at the Gulf

1 Council, our office is in Tampa, Florida. And
2 I've been with the Council, at the end of this
3 month for 14 years.

4 MR. WULFF: Good afternoon. I'm Ryan
5 Wulff, the Assistant Regional Administrator for
6 Sustainable Fisheries - NOAA Fisheries West Coast
7 region.

8 MR. BURDEN: Good afternoon. I'm
9 Merrick Burden. I'm the Executive Director of the
10 Pacific Council.

11 MR. GORELNIK: Good afternoon. My name
12 is Marc Gorelnik. I'm a recreational fisherman
13 from California, and I am Chair of the Pacific
14 Council.

15 MR. PETTINGER: Good afternoon, I'm Brad
16 Pettinger. I'm Vice-Chair of the Pacific Council
17 and a commercial fisherman.

18 MR. KURLAND: Hi, I am John Kurland,
19 Alaska Regional Administrator for NOAA Fisheries.

20 MR. WITHERELL: Dave Witherell,
21 Executive Director at North Pacific. My Chairman,
22 Simon Kinneen sends his regards. He won't be here

1 in person. He is attending his son's high school
2 graduation, so he'll be listening in when he can.
3 But he was unable to attend and wanted to say hi
4 to all of you.

5 MR. TWEIT: I'm Bill Tweit, right here
6 with the North Pacific Council. I'm the
7 Vice-Chair and I think I've been on the council a
8 little bit longer than Michael Luisi has been.
9 But we're not going to talk numbers today.

10 MR. MAKAI AU: Hello everyone. My name
11 is Jarad Makai au, I'm the Assistant Administrator
12 for Sustainable Fisheries Pacific Islands Region.

13 MR. SWORD: Hello, everyone. My name is
14 Will Sword. I'm the Vice-Chair from Western
15 Pacific Council.

16 MR. SOLIAI: Hello. I'm Archie Soliai
17 for the Western Pacific Council, as it seems like
18 everybody in Maryland knows that I tore my rotator
19 cuff. So, no autographs this week. Okay.

20 MS. SIMONDS: Kitty Simonds. Nothing
21 else needed.

22 MS. DENIT: Good afternoon. I'm Kelly

1 Denit. I'm a Director for the Office of
2 Sustainable Fisheries.

3 MR. RAUCH: I'm Sam Rauch. I'm the
4 Deputy Assistant Administrator for regulatory
5 programs at NOAA Fisheries.

6 MS. COIT: Hello. I'm Janet Coit. I'm
7 the Assistant Administrator at NOAA Fisheries and
8 the Acting Assistant Secretary for Oceans and
9 Atmosphere at NOAA. Department of Commerce.

10 CHAIRMAN LUISI: Thank you for everyone
11 for that. I thought we had Kitty's mic turned
12 off, but I guess it's working. What -- what I'd
13 like to do --

14 MS. SIMONDS: I'm going to go over time,
15 just, so you know.

16 CHAIRMAN LUISI: I'd like -- so we don't
17 have too many people in the audience here. We
18 have a lot of staff present with us. So, I'd like
19 to start over with Dave. Maybe, if you can, just
20 stand up and recognize -- and introduce yourself.

21 (No microphone in the audience so
22 audio not captured). All right.

1 Thank you very much. We have the
2 A-Team here with us today. And I
3 want to I want to recognize Hannah,
4 who's this is -- day two, I think,
5 with the Mid-Atlantic Council. So,
6 she's new to our team and look
7 forward to working with you as we
8 take on the issues that we have to
9 deal with. So, a couple of things
10 before we get started.

11 We have a court reporter who is going to
12 be taking notes and transcribing our meeting. And
13 so, if you can, if you can try to speak clearly
14 into the microphone this morning, people have mics
15 turn this way and that way, if you can really try
16 hard to lean in and speak clearly into the
17 microphone, that's going to help tremendously as
18 that. For the record, reporter is doing this
19 virtually. We also have some people who are
20 listening to the webinar right now who are part of
21 the CCC that are not here. And so, what I'd like
22 to do, I have the webinar open on my screen.

1 If you are part, if you are a member of
2 the CCC and you want to ask a question or raise a
3 comment, if you can, raise your hand on the
4 webinar, I'll call on you accordingly. During the
5 session today, there's going to be an opportunity
6 for public comment. What I explained this morning
7 when we had our agenda run through is that as long
8 as time allows, I'll go ahead and turn over to the
9 public for any comments or questions that folks
10 may have. But if we are pressing up against our
11 agenda allotted time, I'm going to go ahead and
12 move on to the next agenda item. And there will
13 be a public comment session at the conclusion of
14 the meeting.

15 So, anything that isn't covered during
16 the session public can engage at 5:00. I really
17 want to keep us on, on track and on time. We have
18 a hard stop today. There is a reception this
19 evening. And so, we're going to need to wrap
20 things up by 5:00, 5:15-ish or so. So, I want to
21 keep everybody on target to get that done. Are
22 there any questions at this point regarding how

1 we're going to proceed with the meeting? Okay, I
2 don't see any questions at this time. So, we're
3 going to go ahead and start off.

4 I'm going to do a quick introduction to
5 -- we have a couple of slides prepared as
6 highlights to the Mid-Atlantic Council and the
7 work that we're doing at the Mid-Atlantic Council.
8 After I go ahead and walk through this
9 presentation, I'm going to turn things over to
10 Janet for some opening comments. And then Kelly
11 Denit is also going to provide some comments and
12 some remarks as well before we get into the
13 agenda. So again, we're in this Mid-Atlantic
14 Council. This presentation is a very general --
15 is an overview of the work that we're doing here,
16 highlighting a lot of the success that we've had
17 and the topics that were engaged in at this time.
18 So' this picture here shows, I was not eating
19 solid food when the first picture was taken in
20 1977. But you can see that not a whole lot has
21 changed.

22 We do have a little bit more diversity

1 in our council than we did back in the '70s, but
2 that picture was actually taken here in Annapolis
3 at our meeting in December. We have a really
4 great crew, and we are represented by seven states
5 and there are 21 voting members and not -- four
6 non- voting members of the council. Next slide,
7 please. So, we manage a lot of different
8 fisheries. Some are very commercial centric.
9 Others are recreationally focused. And so, we
10 have 15 species and seven fishery management plans
11 that we work through. One of the keys to our
12 success has been the work that we've done on a
13 strategic plan. We update that every five years.
14 We just got through that process last year.

15 It's a long - the strategic plan is what
16 gives us our long term vision and, you know,
17 highlighting our mission and our goals that we
18 want to achieve over those five years. Each year
19 we also go through what we refer to as our annual
20 implementation plan. And so, we make decisions
21 prior to the next year as to what we're going to
22 try to tackle in the coming year. And the Council

1 has -- we discuss it, you know, there's a long
2 list of things that we want to accomplish and
3 achieve. And if something is not on that
4 implementation plan, it's likely that we're not
5 going to take it on for that year. And so,
6 there's a lot of discussion about the work that
7 we're planning for the near term, that annual
8 implementation plan is something we do annually.
9 And it gives us our guidance for the upcoming
10 year.

11 Next slide, please. In the Mid-Atlantic,
12 we have a lot of very important commercial
13 fisheries. You can see the numbers here. We
14 have, you know, a tremendous amount of jobs and
15 millions and millions and millions of pounds of
16 commercial fisheries landed in the Mid-Atlantic.
17 Some of our key commercial species, our surf clam
18 and ocean quahog, we have squid fisheries, and our
19 summer flounder fishery is critical to the
20 commercial industries and the infrastructure
21 throughout the Mid-Atlantic.

22 Next slide. We have little Jason hidden

1 in the middle of the picture here and we have a
2 tremendous amount of really important recreational
3 fisheries as well. Forty-three million fishing
4 trips, 1.6 billion in trip expenses, creating a
5 lot of jobs all throughout the Mid-Atlantic. Our
6 key species that we manage recreationally are
7 summer flounder, black sea bass, and scup
8 fisheries, as well as bluefish. The bluefish
9 fishery is a coast-wide fishery and for all four
10 of those species we manage -- the Mid-Atlantic
11 Council manages these fisheries jointly with the
12 Atlantic State's Marine Fisheries Commission,
13 which is a challenge, you know, when we have a
14 table this big and then you add the Atlantic
15 State's Marine Fisheries Commission to it, it even
16 goes even longer.

17 So, there are a lot of managers, a lot
18 of people involved in in managing those key
19 recreational fisheries. And there are some
20 significant commercial fisheries that are part of
21 those species that we manage as well. Our
22 Atlantic Surfclam and Ocean Quahogs, the first

1 council FMP, which started in 1977, this was -- we
2 managed this to an ITQ, and it was the first ITQ
3 in the nation at the time. They're primarily
4 harvested with hydraulic dredges, and some of the
5 recent work that we've been doing is on the
6 genetics of the surf clam. Some interesting
7 information coming from that work. And something
8 that we're currently working on, which is a
9 commercial issue, has to do with the separation of
10 both species on the boats is sometimes well, what
11 we're finding is that these species are starting
12 to mingle a little bit more to -- more closely,
13 and it's difficult to sort and separate those
14 either surf clams or quahogs on the boat. And
15 we're working to try to figure out a best way to
16 do that for the industry. Next slide, please.

17 Okay.

18 Our summer flounder, scup, and black sea
19 bass, I mentioned that a little bit already,
20 again, we manage these cooperatively with the
21 Atlantic States Marine Fisheries Commission since
22 1990. They are both commercially and

1 recreationally important and the commercial
2 industry typically harvest these species with
3 trawl gear and pots and traps. Wes is one of the
4 guys who is out there fishing for sea bass with
5 pots. And if you have any questions about that,
6 he's a great guy to talk to. Some of the things
7 that we're working on regarding this FMP. We have
8 gone through the process, so we'll probably talk
9 about it at some point during the week. But we've
10 seen some shifts in stocks regarding both summer
11 flounder and black sea bass.

12 Summer flounder are tending to move kind
13 of north and east away from the historical areas
14 where the fishery was. And the Black Sea bass
15 fishery is doing more of an expansion. So, they
16 haven't really left the area where they were, but
17 they're expanding into new areas. So, we took on
18 some allocation discussions which as you can all
19 -- as you all know, can be very challenging,
20 trying to take into consideration some of these
21 shifts in stocks and these expansions of stocks.
22 And that was something that we took on recently

1 and were successful at, making adjustments to
2 those allocations for the purposes of dealing with
3 those shifts and those expansions. Something
4 you'll hear about during this week.

5 We are and I mentioned it this morning,
6 for those of you who are here this morning, we're
7 working on a recreational reform initiative. We
8 also are focused on something, what we were
9 referring to as a harvest control rule. And what
10 that is, it's a new way of thinking about how to
11 manage recreational fisheries using MRIP data and
12 stock health and condition factoring into the
13 management process. Currently, we just use -- we
14 look at MRIP data and we compare it to the
15 projections for next year. We make reductions or
16 we liberalize depending on what those numbers look
17 like. This new work takes into consideration the
18 limitations that we have with Magnuson, but it
19 also is something that I've been very excited
20 about which we hope will provide for some
21 stability in the recreational fisheries, taking
22 into consideration that stock component as well.

1 And it's exciting work and we're moving forward,
2 and we hope to have something done pretty soon on
3 that. And we'll make sure to get that information
4 out to all of you when we complete that work.

5 I'm not going to focus too much here. I
6 already mentioned the fact that we've been --
7 we've made some adjustments to our commercial and
8 recreational allocations based on those shifts.
9 And the important thing here is that the work that
10 we did is it's a continued look. So, each time an
11 assessment's done, there's possibility for those
12 -- to those numbers based on what the newest and
13 the most up-to-date science tells us about those
14 stocks. So, it was something that we worked on
15 for a number of years, and I'm not going to go
16 through the details of that with you, but if you
17 have any questions, certainly, let me know.

18 For black sea bass, commercial state
19 allocations again, this was an amendment that we
20 focused on again, changing and -- changes and
21 distribution of the black sea bass stock required
22 that we needed to take a look -- to take a hard

1 look at the allocations for black sea bass. And
2 the new allocations were based on a combination of
3 historical dependence on the fishery and recent
4 biomass distribution. So again, each time there's
5 an updated assessment, we're going to take another
6 hard look at that and come up with a strategy for
7 how to best maximize the harvest of those -- of
8 that species with the best science that we have.
9 Next slide, bluefish mentioned that it's one of
10 our prized recreational fisheries, as well as some
11 commercial fishing that that occurs with the
12 Atlantic bluefish.

13 We -- this is one of the species that we
14 have here that's undergoing a rebuilding plan.
15 And so, we have a seven- year rebuilding plan,
16 which was implemented just this year. And we are
17 looking at revisions to the commercial and
18 recreational allocations as well. So, lot of
19 allocation work at the Mid-Atlantic over the last
20 few years. And so, there's -- as you know,
21 there's challenges with that, but it's something
22 that we needed to do. Recreational reform, again,

1 is something that we're currently working on with
2 those four recreationally important species, and
3 we hope to come to some conclusions on that in the
4 near future.

5 Our mackerel, squid, and butterfish
6 fisheries are really very important to the
7 Mid-Atlantic. They've been managed since 1978.
8 And the commercial harvest is caught by mid-water
9 trawls, other types of outer trawls and small mesh
10 bottom trawl. The chub mackerel and Atlantic
11 mackerel have also been harvested recreationally.

12 So, not only is there a commercial
13 component to this, but a recreational component as
14 well. And mackerel is another one of the species
15 that's also undergoing a rebuilding plan. So, of
16 the species of all the species that we manage, we
17 have the two bluefish and mackerel that are
18 undergoing rebuilding plans. Something a little
19 more new to the Mid- Atlantic, golden tilefish has
20 been part of our FMP package for a while, but
21 blue line tilefish is something that we've added
22 just recently, just a few years ago, working with

1 the South Atlantic Council and coordinating with
2 them on our management of the blueline tilefish
3 fishery as it shows here was added in 2015.

4 This is one of the species that's based
5 on limited data poor -- and you know, we'll get to
6 talking about it later. But some of the concerns
7 that we have, based on what we've heard recently
8 about cutting back on the amount of port sampling
9 that's going to be taking place throughout the
10 region is something that we're concerned about
11 because this is a data limited, we need all the
12 information we can get. And if we don't get it,
13 it's going to be very difficult to manage.

14 There's going to be a lot of uncertainty built
15 into our assessment of those stocks, and it will
16 likely just cause us to have lower quotas for that
17 uncertainty. And one of the things that we that,
18 you know, we did recently was because of the data
19 poor quality of the golden tilefish and blueline
20 tilefish, we went forward and mandated that
21 recreational permitting and reporting take place.
22 So, in order to go out and catch these fish, you

1 need to get a recreational permit and there's a
2 reporting requirement for it.

3 So, that's been a plus helping us
4 understand a little bit more about the fisheries
5 so that we can manage it accordingly. Next slide.
6 Here's a little more information about the
7 reporting and permitting program. I don't want to
8 get into too many details here, but you can see on
9 the slide here that, you know, this is significant
10 data uncertainty. So, we're hoping that this
11 program will provide us the information that we
12 need to better serve our stakeholders in managing
13 these resources.

14 Spiny dogfish is another species that we
15 manage. It's been managed since 2000. And this
16 is both a commercial fishery. It's very -- it's
17 limited recreational fishery. But there are some
18 people who catch these catch these fish
19 recreationally. One of the things that we've had
20 a difficult time with has to do with the MSC
21 certification issues that we've had.

22 The spiny dogfish are mostly sent

1 overseas to Europe and issues with the MFC
2 certification can provide a roadblock for that
3 overseas distribution of these fish. And it's
4 something that we work with the industry very
5 closely with, and we'll probably hear a little bit
6 more about it later when we talk about the seafood
7 section of the agenda.

8 And finally, I just want to thank all of
9 our partners, as well as our stakeholders. We
10 tried to incorporate as much stakeholder
11 information and comment as we can throughout our
12 meetings and throughout our committee meetings and
13 in between meetings. And, you know, we really --
14 we focus on the public and we welcome public
15 feedback at all of our meetings. I want to
16 recognize the Atlantic State's Marine Fisheries
17 Commission and NOAA Fisheries, also the Mid-
18 Atlantic Council.

19 We do a lot of coordination with the --
20 I'm sorry, the New England Council. We do a lot
21 of coordination with them as well as the U.S.
22 Coast Guard. So, again, thanks to everyone who

1 plays a significant role in in our Mid-Atlantic
2 Council, and I can take some questions, but we
3 also have the A-Team here. If there's any
4 question specifically about any of the species
5 that I mentioned, I might turn over to staff to
6 help me out a little bit. But with that, are
7 there any questions, comments? Dave?

8 MR. WITHERELL: Thanks, Mr. Chairman.
9 Not a question, but a comment. I really
10 appreciate the presentation. It was helpful for
11 me to understand what's going on in the
12 Mid-Atlantic. Thank you.

13 CHAIRMAN LUISI: You're very welcome.
14 Thank Mary for putting it all together for us.
15 And thanks to the folks who sent pictures and we
16 figured we just kind of blur everybody out with a
17 bunch of nice pictures of fish and get the meeting
18 started here today. So, anybody -- anyone from
19 the audience have anything they want to bring up?
20 Any questions or comments? Okay. Seeing none at
21 this time. What I'd like to do is pass the baton
22 over to Janet, who is going to provide some

1 opening remarks.

2 MS. COIT: Thank you Mike. Thank you.

3 It's wonderful to be here and great to see all of
4 your faces. I look forward to getting to know
5 everyone. I've been able to meet some of you
6 yesterday evening or at the RecFish Summit or
7 Marcos in Puerto Rico and as well, Miguel. But I
8 hope to spend as much time as possible present in
9 this meeting over the next few days and to get to
10 know all of you. It is a great pleasure. After
11 starting up mostly virtual just to be together in
12 person. So, thank you for hosting. I haven't
13 been to Annapolis for 30 years.

14 So, as some of you know, I know Dave
15 knows I worked in the Senate for almost 10 years,
16 the United States Senate for three different
17 senators from New England. And when I worked
18 there, I used to come to Annapolis quite a bit.
19 And so, it's really wonderful to just walk around
20 and sit back in this beautiful, beautiful place.
21 It reminds me some of Newport or parts of Rhode
22 Island, but it's historic and unique. And one of

1 the fun things about this job that I have missed
2 out on is the opportunity to travel around and to
3 get to see people. And as Yogi Berra said, "You
4 can see a lot by looking". And I always feel like
5 I don't have that tangible connection to the work
6 we do unless I get out and see the places, see the
7 ports, meet people. So, this meeting is
8 particularly meaningful to me.

9 I also worked for three Governors in my
10 last role as the head of the Rhode Island
11 Department of Environmental Management. I was the
12 longest serving person ever in that political
13 role, and one of those Governors was Gina
14 Raimondo. And you can connect the dots. So, she
15 is the Secretary of Commerce. I am in touch with
16 her regularly. She is very interested in what
17 we're doing. She's interested in the job. She's
18 interested in how we handle offshore wind. She
19 gets a lot of calls from Senators and House
20 Members and is in close touch. So, I think
21 besides my experience, I'm always going to think,
22 what? What is this? What is the role of the

1 state? What is the role of the territories? What
2 is the role of the tribes? And I come from that
3 background, but I'm also in close touch with the
4 Secretary of Commerce. And I think that's an
5 asset or something that I bring to this role,
6 maybe uniquely. So, I want to commend the CCC.
7 I'm very sorry that we didn't get to Monterey, but
8 for working very hard virtually and again, just
9 really thrilled to be participating in this
10 meeting. So, our work together, you know, many of
11 you, there's centuries of experience in this room.
12 So, I'm going to go over some of my priorities and
13 thoughts. But I'm eager to also listen to and
14 learn from you throughout my entire tenure here at
15 NOAA Fisheries.

16 Our work together is so consequential
17 and important and it's at a really challenging
18 time, I think. If there were ever easy fisheries
19 issues, there aren't anymore. So, I just commend
20 all of you for the way that you tackle these
21 issues and the hard work together. It's critical
22 for our food security, and we're talking about

1 food, we're talking about subsistence, we're
2 talking about culture. We're talking about the
3 wellbeing and quality of life for folks out
4 casting a line and we're obviously talking about
5 jobs and the economy, working waterfronts. So,
6 what we're doing is so tangible and important to
7 Americans and to households as well as being a big
8 part of the economy of commercial and recreational
9 fishing.

10 So, as we begin today, I want to
11 acknowledge your critical role and also, the
12 importance of Magnuson-Stevens Act, and we were
13 talking last night about losing a legend,
14 Representative Don Young, one of the original
15 authors of that act, who worked -- and I was
16 saying I testified in front of House Natural
17 Resources the day before he died on that plane
18 trip. But he was also there when I worked on the
19 Hill 35 years ago and before that. So, I just
20 want to acknowledge his role and contributions and
21 the loss of someone who's been such a giant in the
22 fisheries world. And also, just commend the

1 brilliance of the Magnuson-Stevens Act, which
2 allows for regional differences. It allows for
3 people who are very knowledgeable to be engaged
4 for public engagement. And the 10 National
5 Standards are you know what you pledge to uphold
6 but are often in conflict or require balancing.

7 So, as I look to those 10 standards and
8 think about the way optimum yields and reducing --
9 minimizing bycatch of coastal communities, I just
10 again think that this is difficult work and coming
11 into it and hearing all sorts of perspectives and
12 then trying to balance these National Standards.
13 And that's what we're striving to do.

14 A couple of things on my mind right off
15 the bat, and I'm going to get a little more deeply
16 into them. But one is that work that we're doing
17 around climate. I mean, climate change is
18 constantly on my mind. And honestly, I felt like
19 I most tangibly heard about climate change from
20 fishermen who were seeing, you know, species show
21 up in Rhode Island waters that hadn't been there
22 before or that hadn't been harvested at commercial

1 levels before. And even during my past 25-plus
2 years in Rhode Island, there's been significant
3 changes in what's landed commercially and what is
4 caught recreationally or -- and so, I just want to
5 commend to you that addressing those challenges
6 there a framework for this administration.

7 They drive a lot of our thinking and the
8 work that you're doing, the scenario planning and
9 some of the decisions that the North Pacific has
10 made in terms of looking at recruitment and
11 predicting the need to reduce landings. I mean,
12 all of you in different ways are dealing with this
13 issue and I know we're going to get into it more,
14 but that's something I really think during my time
15 how we grapple with ecosystem changes. Jon Hare
16 and Kelly Denit and I were just talking. They're
17 not all -- always negative. You know, we want to
18 plan for fish that are shifting and distributions
19 that are changing emerging fisheries as well as
20 for the most vulnerable species. But that is a
21 foremost issue on my mind.

22 Seafood, we'll talk more about a

1 national seafood strategy. That's something
2 Secretary Raimondo is really interested in and was
3 when she was Governor; promoting seafood
4 marketing, seafood, underutilized species and how
5 we might make better use of them and how we -- I
6 think one of the things on my mind there is, what
7 is the role of NOAA in terms of supporting all the
8 work that, the good work, that's going on at a
9 state level or at other levels in terms of
10 supporting our seafood and promoting that is
11 sustainably harvested and promoting that it
12 supports local businesses and local families and
13 working waterfronts.

14 And then equity and environmental
15 justice. I know that you've done some work on
16 this, and I commend that. Sam has identified a
17 team of people who've worked really hard on this
18 strategy, a draft strategy that we rolled out
19 recently was going to talk more about those
20 issues. But there's things they are -- that's an
21 area where I would like to see each of the
22 Councils identify and take on challenges and do

1 more to both increase representation, to increase
2 access, and to consider systemic issues that
3 either shut people out or have had ramifications
4 over the years in terms of equity and opportunity
5 and as well as data gaps. And I could -- I won't
6 go, but I think it's something that each of you
7 have ideas on and I'd like to see each of the
8 Councils take on.

9 You probably saw last week we announced
10 -- there's so much good work, let me just stop and
11 say I have been here for 10 months and people like
12 Sam, and Kelly, and Mike, and Jenny, and all the
13 people in this room. What a wonderful group of
14 brilliant, experienced people. And I want to
15 thank you all for supporting me over the last 10
16 months as I've done this work. And just endorse
17 the partnership that we have working with the
18 staff at NOAA, the Council Executive Directors and
19 the Council Members, is really core to how we get
20 this done. So, thank you.

21 So, last week we announced -- the reason
22 I just did that riff was because I just think

1 there's so much good work coming out of NOAA
2 Fisheries. And we've talked to Kate Naughten is
3 here from Communications and she's our Comms
4 Director. She also happens to live in Annapolis.
5 So, it's an easy commute for her today. But we
6 talk a lot about are we communicating well enough
7 about the science, about the work we do? So, I
8 hope you saw that last week we announced both the
9 status of the stocks as well as the fisheries of
10 the U.S. Studies. And we tried to get some good
11 press around all of that information. You have
12 all made tremendous progress. And those of you
13 who've been in this for decades, the status of the
14 stocks report we held steady, which I think, given
15 all the stresses, is a positive, with more than 90
16 percent of the stocks not subject to overfishing
17 and 80 percent not overfished. The number of
18 stocks on the overfishing list also held steady at
19 26, and the number of overfished stocks slightly
20 increased to 51, up from 49.

21 So, obviously, we have a lot of work to
22 do, but I think just holding steady demonstrates

1 progress right now. And our other flagship
2 report, Fisheries of the U.S., revealed that in
3 2020, landings for fish in the U.S. were down 10
4 percent and overall seafood consumption decreased
5 slightly from the previous year to 19 pounds per
6 person. So first, given the pandemic, we weren't
7 surprised to see the decline in landings. I know
8 what we experienced at the time, I was the head of
9 DEM in Rhode Island, but, you know, tremendous
10 drop off in trade and with the restaurants all
11 closed. You know, it was, yeah, really
12 devastating for a time.

13 The slight decline in the amount of
14 seafood that people are consuming per person and
15 that's something we're hoping our seafood
16 strategy. We're excited about it not just because
17 it supports commercial fisheries, but also,
18 because with a climate change and disruptions,
19 we'd just like to see more food supporting local
20 coastal communities. And so, we'd like to work
21 generically on the message about why seafood is
22 healthy, why it's the protein with a lower

1 greenhouse gas footprint, why it can be part of
2 increasing resilience in a community.

3 So, my first 10 months have been largely
4 virtual. It's been very difficult for me, I'm an
5 extrovert, to work with people that I never met.
6 And so, I still feel very much like I'm at
7 start-up. There's a very steep learning curve,
8 and it's been nice for me to spend some time with
9 Chris Oliver. I think he did a really great job
10 in a difficult circumstance and he's been in touch
11 with me and it's always nice to have a colleague
12 that you can let your hair down with. So, I just
13 want to acknowledge the work that he did as the AA
14 and that he's been very supportive. And I think
15 one of the things that attracts me to this work
16 and to what I see and perceive with the Councils
17 is that in a world that is very shrill and divided
18 at times, you really do come together and sort
19 through a lot of complex issues, hear from the
20 public, agree to disagree, work through to a
21 consensus or a majority vote in a way that I think
22 is really admirable.

1 Right now, we are returning to work in
2 person. I don't think I've been at one of these
3 events where afterwards we don't hear about a few
4 positives. So, sorry to say that, but really
5 supporting the staff at NOAA Fisheries as people
6 return back to the office and we sort of sort
7 through this hybrid environment. I always think
8 it's difficult for the people who are
9 participating, who aren't in the room. It's one
10 of the challenges that we all have right now in
11 our respective sectors. And so, it's something
12 I'm very mindful of because I'm concerned about
13 morale. People certainly work harder and are more
14 motivated when they're feeling good about their
15 work. You want to have a safe, supportive
16 environment, and many people, for a variety of
17 reasons, are nervous about coming back.

18 I want to highlight some of the
19 leadership changes. He had to go to a Science
20 Advisory Board meeting. But many of you know Jon
21 Hare, who has stepped in while Francisco Werner is
22 acting Head of Oceanic and Atmospheric Research at

1 NOAA. Jon Hare come from our New England Science
2 Center, and is stepping in, almost seamlessly, as
3 the Chief Scientist here at NOAA Fisheries. So,
4 please, spend time with him. And you'll hear from
5 him later. John Kurland is our newest Regional
6 Head here from Alaska. So, thank you, John, for
7 traveling to be here. He's no stranger to NOAA
8 Fisheries, a 31-year veteran. But Jim Balsiger
9 was there for 21 years. So, it's a big transition
10 for the Alaska program. And John Kurland has
11 spent a lot of time just making sure that he goes
12 travels and -- travels around Alaska and meets
13 people and introduces himself in his new role.
14 And I plan to get up there a couple of times this
15 summer and do that with John. Barry Thom is not
16 here. He, of course, was our wonderful Western
17 Regional Head. And I think all of you know, Ryan
18 Wulff, he's here representing the Western Region,
19 but Sam -- Scott Rumsey is acting right now. And
20 as Sam works to fill that position, some of you've
21 been on calls.

22 There's a couple of new people in our

1 political team, Zach Penney, again, those of you
2 from the Western Region may know Zach from his
3 work on the Columbia River or his Uncle Sam Penny.
4 So, he has a lot of expertise on salmon. He's a
5 member of the Nez Perce Tribe, and he is working
6 on both tribal issues and fisheries issues for
7 NOAA, and a really valued member of the team. And
8 then Adena Leibman, who Rick and Eric probably
9 remember, worked for many years for Senator
10 Sheldon Whitehouse on fisheries issues. She's a
11 smart lawyer who has been involved in fisheries
12 for many, many years. She has come on the team to
13 help us with offshore wind and is working almost
14 full time on offshore wind issues. And believe
15 me, we need more firepower in that area. And I
16 also just wanted to acknowledge Merrick Burden,
17 who is also even newer than I am, so as a new
18 Executive Director. Welcome, Merrick, who's at
19 the table here for the first time.

20 We, I mentioned the status of U.S.
21 Fisheries. We are doing that in a more
22 user-friendly way. We know it's a lagging report

1 and we hope to very quickly get the 2021 Report
2 up. But we have reworked it in a way that is more
3 user friendly and available online. And we'd like
4 to see that be a living document that is not
5 always a couple of years behind. So, we're
6 working on that. But do check out the 2020
7 version that's on that website as well as the
8 status, stock status, and the fisheries of the
9 U.S. and Earth Week.

10 We made a couple other announcements I
11 just wanted to commend to you. One was DisMAP.
12 It is a tool to visualize stock shifts. It's
13 based on our survey data over a period of years.
14 It's very user friendly. It's very cool. You can
15 see how stocks have either expanded, shifted,
16 contracted over a period of years. I think it
17 helps visualize some of the work that you're doing
18 with the scenario planning or that the West Coast
19 has been doing and people are pretty excited about
20 it, and I am one of them. We also, after a lot of
21 work by the folks in our science centers, put out
22 for public comment the regional action plans for

1 all the regions, that climate action plans as
2 well, we also announced a new ability that NOAA
3 researchers have to provide up to a year's advance
4 notice on marine heatwaves to try to give people
5 time to react. And hopefully, this is the kind of
6 thing that we hope to do with our science is, be
7 more predictive so that people can plan their
8 investments and their activities knowing - having
9 a better sense of what is to come. So again,
10 helping to get those tools and that kind of
11 information out to people and let us know your
12 feedback and hopefully that they're useful to you.

13 So, just a little bit more about my
14 priorities. And you know, that the core work of
15 NOAA Fisheries will go on under my leadership and
16 under my successors or the people that came before
17 me. You know, the work we're doing around
18 sustainable fisheries, protected resources,
19 habitat conservation is critical and core to our
20 mission. We also -- you'll notice in our 2022
21 Priorities Document organizational excellence and
22 trying to improve our customer service, improve

1 our systems. Kelly and her team have been working
2 with me on the fishery disaster process. I was
3 talking to some of you about it this morning. Can
4 we make it more efficient? Yes, we can make it
5 more efficient and more transparent. And it will
6 be more equitable and more useful if we can make
7 it more efficient and transparent. So,
8 organizational excellence is something I want to
9 work on day in and day out. And part of customer
10 service is really having clear, predictable,
11 reliable regulations. And I've heard from Kitty
12 and others about frustration, about how long
13 things take. And I definitely hear that. And
14 when I have processes that you can count on moving
15 along in a timely way.

16 So, a bit more about -- the priorities I
17 have, we have all got to serve somebody. They're
18 the administration's priorities. They're the
19 Secretary's priorities. They're Dr. Spinrad's
20 priorities, and they're my priorities. But they
21 make perfect sense to me. So, one is our work
22 around climate change, and we'll get a lot more

1 into that. But clearly, the science that we do
2 and the need for additional stock assessments, the
3 need to support our science, to grow our science,
4 to do more science in data poor areas, you know,
5 that is foundational to our work on climate
6 change. Having said that, science is a process.

7 There's no reason not to take action
8 now. There's no reason not to make decisions now
9 towards better governance and management in the
10 face of climate change. So, we want to both
11 promote having additional science in our climate,
12 ecosystems, and fisheries initiative, but also
13 press you to keep doing the work that you're doing
14 with the science and the tools that you have now
15 to predict and forecast and manage in a time when
16 there is significant change.

17 Offshore wind is consuming more of my
18 time than any other issue for a number of reasons.
19 And one is that it's a priority for this
20 administration. And the pace and the ambition of
21 30 gigawatts by 2030 is putting a tremendous
22 pressure on NOAA, the states and, of course, the

1 fishing community and coastal communities.

2 So, working to make sure that we are
3 living up to our mission; stewardship, protecting
4 marine resources, looking out for fisheries and
5 coastal communities and the people that depend on
6 them, while trying to meet a very ambitious pace
7 on the leasing approval. And ultimately, the
8 construction of these large offshore wind projects
9 is a very, very consuming and a high priority for
10 this administration. Again, the casual
11 conversations are so valuable sometimes. As
12 valuable or more as the meetings. But we were
13 talking last night about, for instance, the
14 Pacific Coast having a chance to learn from some
15 of the lessons that we have learned already
16 painfully on the Atlantic. And in the Atlantic,
17 we're trying to keep moving and move forward with
18 a crushing workload, increase our staffing, work
19 with BOEM on policies to avoid, minimize,
20 mitigate, compensate so that we can have offshore
21 wind energy, which of course, reduces dramatically
22 the greenhouse gas emissions from our energy

1 sector in a way that is consistent with healthy
2 ecosystems and commercial and recreational fishing
3 and the vitality of our coastal communities.
4 That's a big challenge. We will talk about it
5 more.

6 The Atlantic Coast has been the
7 epicenter, but it's coming to the Gulf, it's
8 coming to the Pacific and being smart, using the
9 authorities that we have now to the best of our
10 abilities, and working together on offshore wind
11 will continue to be a large focus of mine and
12 something Secretary Raimondo feels particularly
13 strong about, because Rhode Island has the first
14 offshore wind farm, the Block Island Wind Farm,
15 with just five turbines. But we also were in
16 Rhode Island, you know, part of the process for
17 siting and approving the first two major wind
18 farms in federal waters, Vineyard Wind and
19 Southwark. So, it's a place where we have some
20 experience to bring to bear and also, some scars.

21 So, that's a big focus and it's part of
22 the climate change framework. It's not something

1 that our authorizing legislation is well prepared
2 for in terms of MSA or other statutes, don't
3 really contemplate offshore wind that we're using
4 all the authorities and our responsibility.
5 Essential Fish Habitat, Marine Mammal Protection
6 Act, ESA, NEPA. A lot of work for the regulatory
7 folks trying to use our authorities and our -- and
8 a bully pulpit and the relationships we build and
9 all that we can to make this be something that 50
10 years from now we don't bemoan the way some of us
11 do some of the dams that are blocking the
12 migratory fish runs that aren't doing well, we
13 don't want to have renewable energy at the expense
14 of fisheries. Enough said on that.

15 The seafood strategy. Seafood
16 competitiveness, really excited about working on
17 that and getting your input and thinking uniquely
18 about what are the roles of Councils on that.
19 Some of the issues that have come up at the
20 roundtables about you know, trade tariffs and
21 working waterfronts may be things that we can help
22 with, but we're jurisdiction and authority is

1 elsewhere. And then there's things that are
2 really core to what we do and what you do about
3 supporting economic vitality and diversity within
4 the fishing industry and then equity and
5 environmental justice.

6 And again, we'll talk more about that,
7 but that's something very much on my mind every
8 day and work that was begun before I got here.
9 That was one of the first executive orders that
10 President Biden issued was around climate change
11 and then equity and environmental justice. But
12 Sam and his team and all of you had already been
13 working on those issues.

14 Dr. Spinrad likes to talk about the new
15 blue economy. For us, that's a very old
16 profession, old blue economy. But in general,
17 looking at how our science and how our work can
18 support investments and sustainable jobs is a
19 focus from Secretary Raimondo on down. And a lot
20 of the comments that we'll hear about that will be
21 around the regulatory environment as well as see
22 the need for improved science to make sure that

1 we're making good decisions. I guess I'll wrap
2 up.

3 Let me see if there's anything more I
4 wanted to mention. Yeah, actually, I will wrap
5 up, I promise you. Just the work on threatened
6 endangered species is always very, very difficult.
7 And probably, that's another issue I've spent a
8 good share of my time on has been North Atlantic
9 Right whales as well actually, as endangered, and
10 threatened salmon. And when we think about
11 climate change being here now, I always think
12 about the drought conditions, in particular in
13 California, and how challenging they are in
14 situations where we already had significant
15 challenges to recover, to reconnect river habitat,
16 to recover threatened and endangered species. So,
17 that's an area where so often the work that you're
18 doing intersects with threats and things outside
19 of our control.

20 So, all we can do is work on the things
21 that are in our control. But I would like, as
22 best we possibly can, in regard to conflicts

1 between traps and vertical lines and North
2 Atlantic Right whales, other places where we have
3 fishing conflicts with threatened and endangered
4 species to be as creative and innovative as we
5 possibly can to both support and sustain the
6 fishing industry while we work to reduce threats
7 and recover threatened endangered species. So, I
8 expect to spend a lot of time on that. And those
9 issues are often in the floor as part of a
10 political controversy. So, with everything we do,
11 I just think if we can be honest and explain the
12 legal authorities under which we work, the
13 constraints we have, the information we're using
14 and how that supports the decisions we're making,
15 at least we can have respectful conversations even
16 with people who disagree with us.

17 And so, I think the work on improving
18 data collection heard a lot at the RecFish Summit
19 about frustrations with MRIP on electronic
20 monitoring work that supports accountability. I
21 think it helps us demonstrate our responsibilities
22 in the area that you that you work on.

1 So, I'll just close by saying, you know,
2 I think that America leads the world in terms of
3 our sustainable fisheries management. I want to
4 support the science that underpins it. And I want
5 to support, you know, my staff here at NOAA
6 Fisheries and the incredible collaboration we have
7 with all of you, a great respect and gratitude for
8 people like you.

9 They're putting your time and energy
10 into this work. It's so important and it's
11 fascinating. And we're really privileged to be in
12 the position that we are, it matters a lot to
13 people. So, thank you, and I'm rooting you on in
14 terms of your scenario planning and all of the
15 climate change work. And doing that in a
16 proactive way I think will help set the stage for
17 good decision making and if anything, just want to
18 press forward on that. So, we'll talk about that
19 more, too. But thank you, all, again. I look
20 forward to some of the side conversations where we
21 can delve into these issues and hear some more of
22 your ideas and experience. Thank you.

1 CHAIRMAN LUISI: All right. Thank you,
2 Janet, for your opening remarks. Before I turn
3 over to Kelly for a presentation, does anyone have
4 any comments or questions at this time for Janet?
5 Dave?

6 MR. WITHERELL: It's not a question, but
7 I have an observation that I wanted to make and
8 share with you, Ms. Coit. First, you referred to
9 the Councils as partners, and I appreciate that
10 because in previous administrations we've been
11 considered to be stakeholders. And I think
12 thinking of the Councils as partners is a real
13 positive move.

14 Secondly, you mentioned communication,
15 improving communication with the Councils and not
16 all the Council's staff have noaa.gov emails. And
17 those of us that do really appreciate your weekly
18 emails, the monthly highlights. And I would make
19 a suggestion that maybe you expand that
20 distribution to include other Councils, and
21 especially, members of the CCC if not all council
22 members, because the information is positive news

1 and sometimes, we need to hear that. So, thank
2 you for your presentation.

3 CHAIRMAN LUISI: Okay. Thanks, Dave.

4 MS. COIT: Thank you. And yeah, I do.

5 I think being optimistic and sharing successes and
6 being positive is something that we could do more
7 of. But I take that to heart. Thank you for the
8 suggestion.

9 CHAIRMAN LUISI: Yeah, and again, and
10 thank you for your for your update and discussion.
11 I think our agenda falls very well in line with
12 some of the comments that you made. And so, we
13 look forward to continuing those discussions in
14 more detail on some of the issues that you brought
15 up as priorities for this administration. So,
16 thanks again. I'm going to go next to Kelly
17 Denit, who's the Director of NOAA's Office of
18 Sustainable Fisheries.

19 Kelly has a presentation for us, and
20 we'll see what time we have at the end of that
21 presentation before we take a quick break. And
22 again, if anyone on the webinar would like to

1 raise their hand if they have a question, if you
2 remember the CCC and you have something you'd like
3 to offer after Kelly does their presentation,
4 certainly, raise your hand and I'll call on you.
5 And Kelly, you and I spoke, I want to kind of
6 leave it up to you if you want to stop along the
7 way rather than going through everything at once,
8 it's totally up to you, just do whatever you feel
9 comfortable with. And then we'll go around the
10 room and see if people have comments or questions.
11 It's all you.

12 MS. DENIT: Sounds great, Mr. Chair.
13 Thank you. Can everybody hear me okay? All
14 right, great. Well, thank you all for your
15 feedback in advance of this presentation. I will
16 try to hit the questions that folks had submitted
17 to us as I go through. I like to think of this
18 presentation as the potpourri category, and we're
19 starting out with the \$1,000 question, which is
20 electronic monitoring. They gave me the remote
21 control here, too. So, we're going to cover a
22 series of topics. The information law in EM, as

1 well as an update on the national standard
2 technical working groups, BSIA, and then Executive
3 Order 13921, and then the Recusals. And so again,
4 if I miss any of the questions that I'll provide
5 in advance, just let me know. But I'm going to
6 try and hit them as I go through. Okay.

7 Let's start with the mouthful here. We
8 got the applying information law to electronic
9 monitoring data and supporting guidance in U.S.
10 Fisheries. Try to say that five times fast with a
11 Jolly Rancher in your mouth. All right. Nobody's
12 laughing. We got some more work to do. Okay.
13 Thank you, Liz. Appreciate that.

14 Okay, so I'm going to do my best to step
15 everybody through this. I want to start with the
16 feedback that you all very kindly provided to us
17 last summer, and then I will update you on kind of
18 implementation. I'm going to step you through the
19 table that was in the draft directive that I think
20 hopefully will clarify a number of the issues that
21 were raised as part of the feedback.

22 So first, we got a number of questions

1 around what information from EM will be released
2 in terms of video, still images, et cetera. So,
3 we have gone through the directive to try and make
4 that more clear, and I'll touch on this a little
5 bit more in the next slide. But the short version
6 is we don't expect to be pulling still images from
7 video and we don't anticipate to be releasing raw
8 video unless certain thresholds are hit. These
9 next two bullets are really tightly connected.
10 There was a number of comments related to scope
11 and the questions around why were we including
12 third-party references and guidance around third
13 parties. And of course, that's because we have a
14 number of programs that are looking at that type
15 of model where a third party, whether it's an
16 electronic monitoring service provider or some
17 other entity, is serving as a third party to
18 provide that electronic monitoring service.

19 So, we have gone through to try to make
20 that more clear. In particular, there were
21 comments around when does EM data become a federal
22 record. So, when does it actually become the

1 agencies? And then a different set of rules apply
2 compared to when it's not. There's also questions
3 around who is actually submitting the information.
4 Is it the fishing vessels or the service provider?
5 And of course, it a little bit depends on the
6 program, but in some cases, it is going to be the
7 third party who is the submitter of the
8 information on behalf of an individual fishing
9 vessel?

10 There was questions around
11 applicability, but we wanted to make it very clear
12 that this procedural directive does not apply to
13 scientific research, and it does not apply to
14 pilot studies that the agency is not a part of.
15 And then there were also some comments around
16 access to that data by the third party, which I
17 think I will touch on here in this next table that
18 I'll get to here in a second. In terms of next
19 steps, you should have all received this guidance
20 from Sam last week in your in your inboxes. So,
21 it is finalized and out, and everyone is asked as
22 part of their council process for those who are

1 working on EM programs to take this into account
2 as they're finalizing those. And for those who
3 have EM programs to think about how it's
4 applicable and make any revisions that are needed
5 as part of that.

6 Okay. So, I'm going to -- oh, okay. I'm
7 going to use the T because honestly, I think
8 getting into all of the does not apply gets really
9 confusing. So, I'm going to step through where
10 this applies and hopefully that will provide
11 enough clarity for folks. But if you have
12 questions, please, chime in. Okay. So first, FRA
13 the federal records act, MSA 402 everybody knows
14 that their confidentiality requirements and then
15 of course, FOIA, which I think everybody knows
16 what that stands for. So, for NOAA fisheries, all
17 three of those statutes apply to raw EM data that
18 is the agency's. Right? And so, one of the first
19 questions that I mentioned was comments that we
20 got around the when does data actually become a
21 federal record for the agency? And that is when
22 the agency receives it in order to make a

1 decision. And so, while a lot of the questions
2 were around third party and so, in those cases,
3 I'm just going to use a specific example because I
4 think it helps clarify. If the agency is looking
5 at one haul in one video that one haul might
6 become the federal record if the agency is using
7 that as part of its audit to ensure that that
8 service provider is meeting the standards that we
9 have established in that EM program. Is everybody
10 sufficiently confused now? Great. So that is how
11 that would work. And hopefully, we have made that
12 clear in the policy directive so that everyone's
13 on the same page about where some of those lines
14 are, because that was one of the main questions
15 that we got in terms of scope.

16 And so, I'm going to go down the T
17 there, the 402(b) in terms of when that
18 confidentiality applies. So, we do expect, and we
19 do have obligations to ensure that EM data is
20 confidential consistent with Magnuson, even if
21 it's with a contractor that the agency is using
22 directly or with another party that we're using to

1 help us, whether that's the federal financial
2 assistance recipient, that's where we would have
3 that. In terms of fishing industry, so now, we're
4 talking about contracts between industry and an EM
5 service provider.

6 In those cases, that is going to be up
7 to the industry participants and the contractor
8 that they're negotiating with to determine, and
9 ideally include, confidentiality requirements. We
10 won't be dictating that, but we will have the
11 expectation that any program that a Council is
12 passing is going to include that a service
13 provider would meet the Magnuson confidentiality
14 requirements as part of their standards for the
15 third party. And again, hopefully, that is clear
16 for folks and let's see I will touch on just a
17 couple of the does not apply in particular I point
18 you to footnote four and footnote five here on
19 this table in the sense that going back to that
20 concept of when does data become a federal record,
21 if the data is not on NOAA's system, then in all
22 likelihood it is not going to be covered by the

1 Federal Records Act or FOIA.

2 It's only when the agency takes that
3 record as part of its decision making that then
4 those other thresholds are triggered, and it falls
5 into that top category where all of the statutes
6 apply. Okay. And then I've got another slide on
7 specifically the monitoring third party
8 performance. I've already touched on this a
9 little bit. So, of course, that authority is
10 established in the generation of the program.
11 Sorry, I've got to turn two things here. And so,
12 as I mentioned, when we're monitoring third party
13 performance in terms of ensuring that service
14 provider is hitting the quality standards that the
15 Council has established as part of their program,
16 that is when the agency might be having remote
17 access to those EM data, and we would need the
18 ability to be able to access that data at the time
19 that we actually use that information for our
20 decision making. And again, this is the example
21 that might be only a single haul. It might not be
22 the entire video of an entire trip that the agency

1 would use as part of that decision making. And
2 then the third party is responsible for keeping
3 the original data consistent with the data
4 retention requirements that were out in our other
5 policy that I think we spoke about last summer.

6 Access to and use of EM information.

7 This was another area where there was a number of
8 comments, I think just a couple of main points
9 here. The first is that any of the records that
10 do come in can be used by our agency for any of
11 our statutory obligations in terms of our actions
12 as managers and regulators.

13 The second is there was a lot of concern
14 about access to the video and how that would be
15 shared even internally. And so, we wanted to make
16 clear that even if it's NOAA Fisheries employee or
17 another federal agency there, depending again on
18 what we're looking at, it could be that they are
19 required to sign nondisclosure agreements as part
20 of their ability to access our confidential data.
21 And finally, yes, analysts, if they do observe an
22 event that would potentially trigger off the law

1 enforcement investigation or engagement by U.S.
2 Coast Guard, we will pass that information on, for
3 example, if there's harassment of observers,
4 harassment of Marine Mammals. Those are things
5 that we would pass forward to our Office of Law
6 Enforcement. So, here is just kind of a summary
7 of the most recent policies and how they all kind
8 of nest together.

9 Of course, your main contact is Brett
10 Alger and Laura Keeling for comments or questions,
11 but I think I'll go piece by piece if that's okay
12 with you, Chair. And happy to take any questions
13 on the EM part. I'll do my best to answer it. I
14 tried to cram it into my head here in the last
15 couple of days.

16 CHAIRMAN LUISI: All right. Thanks,
17 Kelly. Any questions, Bill?

18 MR. TWEIT: Thanks, Mr. Chair, and
19 thanks, Kelly. Really good walkthrough on that.
20 And thank you so much for, how you work to try to
21 really accommodate, I think, a fair number of
22 disparate needs regarding this, given that this is

1 a really new ground for all of us in a lot of
2 ways. And given as well, the potential effect
3 that some of these requirements can have, both on
4 cost of the program to the participants, as well
5 as their support for the program. And I'm
6 wondering if you're considering some form of sort
7 of formal look at how well it's working, how well
8 implementing this directive is working after a
9 couple of years of experience so that if something
10 some parts of this aren't going to fit well.

11 Well, I'm just saying, even though I
12 think you've done a great job of trying to set it
13 up and anticipated as many of the problems that we
14 saw as possible, because this is so new, I'm sure
15 that some parts of this aren't going to fit really
16 well. And it seems to me that having a process in
17 place or an expectation that will try and do
18 really timely fixes to those is pretty critical.
19 And so, I'm wondering if you've got some sort of
20 after a year, after two years, we're going to take
21 we're going to check in with all the Councils,
22 find out how it's working and see if there's

1 anything that needs to be fixed and make that a
2 priority. Because if there's major problems, it
3 will erode.

4 As you well know, it will erode both
5 stakeholders support, which is critical to
6 successful EM implementation as well as could
7 really affect costs, and that's equally critical.
8 So, but again, thank you. It's a great starting
9 point. I don't hear it as a criticism of your
10 initial decisions more just trying to think down
11 the road.

12 MS. DENIT: Yeah. No, I understood
13 Bill, and certainly, appreciate that feedback.
14 And I know that, you know how much we tried to
15 balance both this information law aspect as well
16 as the cost aspect when we were developing the
17 record retention requirements and setting bounds
18 around how long raw video does have to be kept or
19 not. So, yeah, I appreciate that. And yes, we do
20 actually, I believe any of our documents that are
21 in, I'm going to nerd out here in our policy
22 directive system. There is a specific timeframe

1 under which we review the policies. I forget what
2 it is off the top of my head, whether it's three
3 years or five years.

4 So, certainly, there will be an
5 opportunity to kick the tires. And I have no
6 doubt that if this is not working, that all of you
7 will let me know that or you will let Brett know
8 that, and then we'll have some follow up
9 conversations on places that we might need to make
10 some adjustments as we're going through. Because
11 yeah, we're all going to be learning about this
12 together. So, understand that there might need to
13 be some adjustments down the road.

14 (Recess)

15 CHAIRMAN LUISI: Okay, Any other
16 comments or questions, Tom Nies?

17 MR. NIES: Thank you, Mr. Chair. Thank
18 you for the presentation, Kelly. Reading the
19 document, it says that access may be granted to
20 state agencies for enforcement of the FMP or FMP
21 enforcement, presumably. I guess the question is,
22 does that only mean the FMP that is implementing

1 the monitoring program and are there other state
2 agencies that may request and may be granted
3 access, which does not appear to be covered in the
4 policy directive?

5 MS. DENIT: I am not 100 percent sure
6 about the answer to your question, Tom. I am
7 fairly certain that that is talking specifically
8 about the JEAs that NOAA has with the state
9 enforcement folks, but whether it would be
10 specific to only the specific FMP that is
11 implementing the requirements of the EM program or
12 would be more broad, let me get back to you.

13 CHAIRMAN LUISI: Okay. Thank you. Any
14 other questions around the table? Okay seeing
15 none at this time, Kelly, if you want to go ahead.

16 MS. DENIT: Absolutely. All right. So
17 next up, we're going to talk about the National
18 Standards Technical Working Groups and Best
19 Scientific Information Available. These are
20 topics that we've talked about with you all
21 before. And I'm looking forward to Tom and
22 Kitty's questions after I get through these next

1 two slides. So, subgroup one is reference points.
2 This is our technical guidance to look at
3 guidelines for the estimation of FMSY and our
4 proxy.

5 And I'm sorry, but I guess we're having
6 two things going. Which you all know I mean,
7 these are the determination criteria. This is the
8 backbone of our fishery management decisions. And
9 so, we've been working on pulling together advice
10 that looks at how to estimate our FMB and their
11 proxies for those fisheries where we can't
12 estimate FMSY and BMSY directly. At this point,
13 the main area that is -- that work that is
14 continuing is on data limited situations as well
15 as the area of reference points when there's
16 changes.

17 So, essentially, if there's prevailing
18 conditions that have changed, there's a range of
19 advice that's out there and our folks are trying
20 to pull that together to provide in this document.
21 So, I know that this is one that everyone has been
22 anxiously awaiting for. And I am -- all I can

1 tell you is that it's still in process, and I hope
2 that we will have it soon. But I don't want to
3 give you a specific time since we've given you two
4 specific times before and haven't met either one
5 of those.

6 Subgroup three, this is our data limited
7 technical guidance. You all reviewed this last
8 year, provided a number of thoughtful comments to
9 us. In the fall, we provided an update. This one
10 is very close to getting over the finish line. We
11 expect to have it finalized by this fall. I think
12 that you will see that it has not changed
13 substantially from the draft that you saw
14 previously.

15 And one other point that I wanted to
16 make about it. Oh what -- there it is, it just
17 flew right back in, that, of course, there's
18 nothing that precludes the Councils from moving
19 forward with trying to take advantage of some of
20 the advice that we've provided in the draft of
21 looking at different approaches, in particular for
22 data poor stocks. And of course, I'm happy to

1 talk more about that with any of you, and I'll do
2 my best to answer any questions. But we do expect
3 to have that one finalized by this fall.

4 Next was BSIA. So, congratulations, to
5 everybody on the next slide who got theirs done in
6 time. You might recall that this was a procedural
7 directive that we put out back in 2019 in order to
8 provide more transparency and clarity around that
9 scientific information. And when that -- those
10 decisions happen, in particular as it relates to
11 the status determinations for various stocks, we
12 gave each region center council group three years
13 to come up with that framework. And the idea was
14 to identify rules, have it be publicly available,
15 provide a general overview of your process so that
16 everyone could be on the same page, and making
17 sure that framework overall is ensuring that our
18 decisions are using that best scientific
19 information available.

20 And so, I believe you all had asked for
21 an update by region on where each regional
22 framework was. So quickly, I will just step

1 through it. The New England and Mid-Atlantic
2 Council are done as of last summer. The
3 Southeast, all of the South Atlantic, Gulf and
4 Caribbean Council are still in the process of
5 reviewing their frameworks. West Coast and North
6 Pacific just finished theirs. And so, those are
7 done as of May. Western Pacific is still in
8 review, and Atlantic HMS has also finalized their
9 BSIA framework. And so, that's that next topic.
10 I'd be happy to answer Kitty and Tom's questions
11 and anybody else.

12 CHAIRMAN LUISI: Kitty?

13 MS. SIMONDS: Just making a comment is
14 that we just received the draft from the region
15 and center. And so, what was missing was
16 information about how the SSC should be involved.
17 And so, we're going back and forth on that,
18 because when they wrote it, well, I guess it was
19 done differently in all parts of the country. And
20 for ours, they decided to develop it on their own.
21 And both the regions, et cetera, and then give it
22 to us. So, I'm not sure when we're going to be.

1 Probably the SSC and the Council will have to
2 review it, so we won't be finished until this
3 summer.

4 CHAIRMAN LUISI: Okay. Thanks, Kitty.
5 Carrie?

6 MS. SIMMONS: Yeah, thank you, Mr.
7 Chair. And thank you for the update, Kelly. Are
8 those available? The completed regional
9 frameworks, are those available on each Council's
10 website, or do you have a central location for
11 those under sustainable fisheries? Or where will
12 those be kept?

13 MS. DENIT: That's a fantastic question,
14 Carrie. I know that we have them all. I don't
15 think we have them all posted to our website. But
16 I actually would have to ask if each of the
17 Councils has that already posted on theirs,
18 because I'm not sure whether it's posted on the
19 respective Council websites. We can track that
20 down for you.

21 CHAIRMAN LUISI: Okay. Thank you for
22 that. Any other comments or questions, Tom?

1 MR. NIES: Thank you. Kelly probably
2 knows what she's going to get asked. This is on
3 the National Standard One Working group. I guess
4 what I've got really is more of a comment and I'm
5 a little disappointed, Dr. Hare is not here to
6 hear it. So, he may hear it later when he gives
7 his science report as well. I guess it's very
8 frustrating to me. First, on how slowly this
9 national standard one working group seems to be
10 going. And then, from what I hear from our
11 representative on the National Standard Working
12 Group, how narrowly focused it seems to be.

13 It doesn't seem to be addressing two of
14 the issues that are of critical importance to us,
15 particularly on the East Coast in the face of
16 climate change. The first of those is being able
17 to come up with a way to either have dynamic
18 reference points or adjust our reference points in
19 the face of changing conditions or to provide some
20 guidance on how to do that. And that's critical
21 for our ability to set appropriate catch levels.
22 And from what I'm hearing from our representative,

1 I'm not in the working group meetings. There's
2 likely to be very little guidance on that in this
3 document, and that's disappointing.

4 Not only does there not seem to be any
5 guidance in this document, there doesn't seem to
6 be any plan for a follow on to address that
7 shortfall going forward. That may be inaccurate,
8 I admit, but it does seem to be a concern. The
9 second concern I have is, I don't know if Mike
10 Pentony is on the line, he might remember it was
11 either three or four years ago that the agency
12 directed us to come up with a way to set reference
13 points for stocks that no longer have analytic
14 assessments. And we have repeatedly sought
15 guidance on how to do that and have tried to work
16 with our Northeast Fishery Science Center on how
17 to do that so we can meet that legal requirement.

18 We currently have one outstanding
19 lawsuit which is challenging us on at least two
20 stocks. As a result of that argues that we're not
21 in compliance with the law because the Plaintiff
22 argues that we don't have those reference points.

1 Obviously, the government argues differently, but
2 the Court hasn't ruled yet. So, it's frustrating
3 to me that we're not getting the support we need
4 to try and fulfill that. And you know, I have
5 people who say just make one up and I'm like,
6 great, how do I justify it if it ever winds up in
7 court? If I just make one up.

8 So, that really isn't a very
9 satisfactory answer. And I would hope that you
10 convey back to this working group how important it
11 is, and that I hope that somehow, we can make
12 progress on this. You know, we had a stock
13 assessment, where it's called an index based
14 method stock assessment. And one of the terms of
15 reference was to figure out a way to set reference
16 points. And the answer was, well, we didn't get
17 around to it. So, you know, we've tried within
18 our region to get to that point and we're not
19 making any progress on it. And it's a real
20 shortfall, particularly since we are seeing more
21 and more of our analytics assessments fail and we
22 wind up using empirical methods instead. So, it's

1 not really a question there, but I just wanted to
2 convey that to you. And I knew you were expecting
3 it and didn't want to disappoint you.

4 MS. DENIT: I appreciate that, Tom, on
5 your first point. Yes, I agree. It's also
6 frustrating for us and talking with Jon Hare,
7 we're trying to move that working group forward.
8 I can address your second concern to say that,
9 yes, this technical working group is trying to
10 stay focused and not get too much into the
11 prevailing conditions issue and when you might
12 change a set of determination criteria based on
13 climate change, but we absolutely have plans to
14 develop guidance on that.

15 So, please, note that we recognize that
16 that is a very fundamental part of us grappling
17 with climate change as we're moving forward in
18 fisheries management. I know that is not going by
19 the wayside. It's just going to probably be a
20 separate a separate task that we take. And I'm
21 not as familiar with the empirical determination
22 aspect that you brought up, so but I'll make sure

1 we can talk about that with Jon and follow up on
2 that part as well. So, thank you.

3 MR. NIES: Thank you.

4 MS. DENIT: Yes.

5 CHAIRMAN LUISI: Okay. Thank you for
6 that. Anything else for Kelly on this topic?
7 Seeing no hand at this time. I'm going to turn
8 back to you, Kelly, to continue.

9 MS. DENIT: We also asked for an update
10 on the EO 13921. So, this was the Seafood
11 Executive Order, which you all provided a number
12 of comments and feedback to us about. If we go
13 back into our way-back machine back to May 2020,
14 which is hard to believe, and so you all provided
15 a prioritized list of specifically actions that
16 you would be taking within your Council area to
17 try and increase efficiencies and create more
18 streamlined management for our fisher folk. And
19 we continue to move forward in implementing those
20 actions as they move through the Councils.

21 And so, our main task under the Seafood
22 EO was to help make sure that those actions that

1 you pass get onto the unified agenda and that the
2 regulatory actions go forward, which we have been
3 doing. And there's a couple examples up here on
4 the slide. In addition, there were a number of
5 other recommendations that you all provided. They
6 ranged from support for specific surveys to
7 looking at international trade issues, market
8 access issues, seafood promotion. And so, all of
9 those recommendations have been passed to the
10 relevant offices within National Marine Fisheries
11 Service to look at and incorporate into their
12 actions. And I think a number of those have been
13 folded into the seafood strategy that Paul will be
14 presenting to everyone tomorrow. They'll have an
15 opportunity to see where some of that feedback has
16 fit into that national seafood strategy. I only
17 had that one slide. I don't know if anybody has
18 any questions or comments on that one.

19 CHAIRMAN LUISI: Questions or comments
20 for Kelly.

21 MS. SIMONDS: I have a comment.

22 CHAIRMAN LUISI: Kitty?

1 MS. SIMONDS: So, one of our suggestions
2 well, it's a real issue with us is the Billfish
3 Act. And as you recall, and NMFS actually
4 testified in favor of lot of us. So, what
5 happened is that Hawaii and the territories cannot
6 sell their healthy billfish to the continental U.S
7 or to foreigners. We can sell that fish among
8 ourselves. And so, I'm not sure how you all can
9 deal with it since it was an act of Congress. A
10 couple of senators from the Gulf introduced that.
11 So, for all of these years, we've been able to
12 sell our billfish to the, to the U.S mainland.
13 And but the fishers on the mainland can't sell
14 their billfish.

15 That has been going on for years and
16 years. So, anyway, you know, it has passed. And
17 that is to me, I think that's like, you know,
18 unconstitutional, like what happened to, you know,
19 interstate commerce and all of those kinds of
20 things because our fishery is healthy. And so,
21 the other thing about the Billfish Act is it
22 doesn't have any regulations. So, I often wonder

1 about the enforcement because we do have our
2 fishermen who go to tournaments on the mainland.
3 I'm talking about our Council Member, McGrew, who
4 says that he sees those fish being sold following
5 tournaments and those kinds of things. So, it's
6 very unfair. And so, that was one of the things
7 that we wrote about. But so, I don't know how you
8 can resolve this. We can't lobby the Congress,
9 but you can talk to the Congress about this. And
10 of course, it's difficult. It's a political thing.
11 But for us not to be selling our healthy fish to
12 the U.S. Mainland is terrible. So, that's still
13 on the list, right? Keep it on the list.

14 MS. DENIT: Understood. Yes.

15 CHAIRMAN LUISI: Okay. Thank you. Yes,
16 go ahead, Kelly.

17 MS. DENIT: Okay, I'm going to move to
18 the next.

19 CHAIRMAN LUISI: Does anyone have any
20 other questions or comments for Kelly before she
21 moves on? All right. Seeing no hands. Go ahead,
22 Kelly.

1 MS. DENIT: All right. Last topic is
2 the original recusal determination handbooks.
3 Yes, riveting. I told you, was a potpourri
4 category. And we went from the \$1,000 questions
5 and now the \$200 questions. Okay. So, you all
6 will recall again, if we go into our DeLorean on
7 the way-back machine back to 2020, we issued our
8 final rule on financial disclosure. As a follow
9 up to that, we issued our policy and procedural
10 directives to help provide more clarity on how
11 this process was going to work.

12 We issued that last November, and so
13 we're now in a timeframe where we are developing
14 these regional recusal determination procedure
15 handbooks. So, those handbooks will explain the
16 process and the procedure that should be followed
17 within each Council region. Those are being led
18 in drafting by the respective regional GCs. The
19 expected time frame is for those to be reviewed by
20 November of 2023. So that is generally where
21 those stand. If you have specific questions about
22 where your regional handbook is, you need to

1 engage with my good friend Adam Issenberg across
2 the table or with your regional, your local
3 regional GC. So, that as I think hits on the
4 questions that I got around the recusal handbooks.
5 But again, if there is additional questions,
6 please. Please, chime in.

7 CHAIRMAN LUISI: Any questions for Kelly
8 on recusals? Tom and then John I'll come to you
9 next. Go ahead, John.

10 MR. CARMICHAEL: I'm sure I won't answer
11 your question, Tom, but it's more of a request
12 than it reflects upon the experience we just
13 talked about with BSIA. You know, the Southeast
14 is still under review. We didn't receive them
15 until mid-April. I'm not seeing anything to that
16 point. So, depending on when these are due, you
17 know, are we on a three year or a two year or
18 whatever that these are supposed to be done? I
19 would hope that we could see a draft well before
20 it's ready to be due so that we can actually
21 discuss it with our Council and have time to
22 adequately review it and potentially head off a

1 lot of minor issues that could be clarified with
2 the conversation, which is not going to be the
3 case with BSIA.

4 There's a lot of potential issues which
5 may be simple, may be significant, but since we
6 weren't really given any involvement during the
7 development, we're kind of left with, you know, do
8 we be real persnickety and nit-picky about it to
9 clarify the issues. We don't really have much
10 choice. So hopefully this goes, you know, if
11 headquarters can bring down some pressure on the
12 regional GC people to say, hey, we are partners,
13 as we've heard today, and let's actually just
14 share this stuff with us and have a simple
15 conversation well in advance so we can head off
16 any major disagreements or issues.

17 MS. DENIT: Yes. Thank you for that,
18 John, because you just reminded me of the one
19 talking point that I didn't give as part of that
20 slide, which is that a process requires, if I'm
21 not mistaken, that there is at least one Council
22 meeting for you all to discuss the Regional

1 Handbook, and I apologize that I forgot to include
2 that in my remarks. So, thank you for teeing that
3 up for me.

4 CHAIRMAN LUISI: Okay, thanks, John.
5 Tom, did John cover what you were going to cover
6 or do you have a question or comment?

7 MR. NIES: I do have a question you
8 know, hopefully three years is long enough to get
9 these done. I'm just curious how we're supposed
10 to comply with the regulatory requirements in the
11 interim. I think there's a requirement, for
12 example, to post regional recusal determinations,
13 which I think is on the back of the regional --
14 I'm sorry, the regional attorneys. So, you know,
15 have you implemented a way to get those things
16 done in the interim?

17 MR. ISSENBERG: Yes. So, just a couple
18 of points on this to Tom's specific question. We
19 are -- I think that the requirement to post
20 recusal determinations is distinct from what's
21 covered in the regional handbooks. And so, that
22 is something that we are we are working on

1 separately, the handbooks. I mean, I think these
2 are going to be relatively simple documents. And,
3 you know, we are working now on a timeline within
4 GC to get those done. And, you know, I think,
5 one, there will be plenty of time for, for working
6 with the Council's giving you all an opportunity
7 to look at them and provide comments and two
8 again, I think, you know, I'm sure there will be
9 comments, but I think they're going to be
10 relatively straightforward documents.

11 CHAIRMAN LUISI: Okay. Thanks, Adam.
12 Any other comments or questions for Kelly? Kelly,
13 you said that was the last topic you wanted to
14 cover. Okay, we're a little bit ahead of
15 schedule, so I'm going to go to the audience or
16 members that are on the webinar. If anyone has
17 something that they'd like to offer, either a
18 comment or a question, now's the time to raise
19 your hand. Okay. I do not see any hands going up
20 on the webinar. Kelly, thank you for your
21 presentation. Kitty?

22 MS. SIMONDS: I have a last comment, but

1 not for Kelly. It's about the list of overfishing
2 and overfished stocks. So, we have seamount
3 groundfish and that was overfished by the
4 Russians. And we've never fished there. But
5 because you see, when you see this list, you know,
6 oh, my goodness. So, then there's striped marlin
7 that's overfished internationally. That's not
8 because of us. And then there's the clownfish for
9 American Samoa and the Marianas. And that is
10 really not from fishermen overfishing. It's
11 because the science center of the region for let's
12 say 30 years has just never gotten their act
13 together about data collection. I mean, we are
14 part of the data poor Councils like the South
15 Atlantic. And so, finally, I mean, there needed
16 to be changes in the office.

17 So finally, this year, you know, they're
18 actually working on improving life history. Can
19 you imagine, though, life history out there and a
20 whole bunch of things. But we have to start it by
21 first getting a group together to do catch it, log
22 it and whatever. So, we're finally turning all of

1 this over to the center. But it's really sad that
2 American Samoa can only fish for 5,000 pounds of
3 bottom fish for the next three years until there
4 is a new stock assessment. And that's all because
5 of not having a good survey, not taking care of
6 how to how to collect information from a place
7 like American Samoa, which is still run by the
8 village Chiefs. And so, I think I mentioned it
9 before, is that our struggle all these years has
10 been to try to meld Western science with the
11 traditional ecological knowledge in our part of
12 the world.

13 And I'm talking about the territories
14 and so, you know, we the Council Members sometimes
15 are very frustrated and so the scientists get
16 frustrated. But I told them that, no, they have
17 to bear the sins of the father. It's very
18 difficult for the Council Members to just forget
19 about the past. So, we're all working moving
20 forward. But our poor fishermen in the Marianas
21 and in American Samoa, I mean, are in a bad way.
22 So, what are they going to be doing, right?

1 Fishing at five zero to three. How are we going
2 to get good information? If they need to if they
3 need to fish to eat, they're going to go over the
4 5,000 pounds. So, I just wanted to make that
5 comment about our overfished fisheries.

6 CHAIRMAN LUISI: Thank you. Thanks
7 Kitty, I have a comment from Janet.

8 MS. COIT: Thank you. I realized I was
9 thinking about what I've been spending my time on.
10 I realize I forgot to mention one really big
11 opportunity that I just wanted to highlight, which
12 is the funding, the infrastructure bill funding.
13 And Sam will likely talk more about it when he
14 talks about America, the Beautiful and
15 conservation. But NOAA has Over \$3 billion in
16 total for coastal resilience, fish passage and
17 climate related work, including over a billion
18 dollars that we have at fisheries for the Pacific
19 Coast, Salmon Recovery Fund, fish passage, habitat
20 restoration. They'll be 15 percent of the fish
21 passage money is identified. Up to 15 percent for
22 tribes, and our habitat restoration will have a

1 special opportunity in a separate grant program
2 for disadvantaged communities. So, we're working
3 very, very hard on getting those notice of funding
4 opportunities out the door. But it's super
5 exciting for the team at NOAA to look at the
6 opportunity to take grants that will be
7 significantly larger than anything we've done in
8 the past and provide that opportunity. So, be
9 ready for disseminating that information. I think
10 in regard to some of the habitat work that is
11 critical for a habitat, fish, and the health of
12 our ecosystems, we have this really historic,
13 transformative opportunity because the funding
14 level. So, I meant to mention that it's very
15 exciting and it is part of the positive.

16 CHAIRMAN LUISI: Okay, thank you, Janet.
17 I appreciate that. Anything else? On this topic.
18 Okay. Seeing no hands at this time, we have
19 concluded our first item of business here today.
20 Let's go ahead and take our 15-minute break and
21 come back at 2:55 and we'll -- 2:50. Let's come
22 back at 2:50 and we'll pick up with the

1 presentation on Budget and Council funding by Dr.
2 Paul Doremus. Thank you.

3 (Recess)

4 CHAIRMAN LUISI: Okay, let's go ahead
5 and get started. Back for the rest of our
6 afternoon agenda. It was brought to my attention
7 in all of the excitement about introducing Mid-
8 Atlantic Fisheries to all of you and to get the
9 comments by Janet, I failed to have the agenda
10 approved. So, let me ask you all at this point
11 now, since we're halfway through the afternoon
12 agenda, are there any additions to the agenda for
13 this week? Any modifications to the agenda? Any
14 objection to approving the agenda?

15 Okay, the agenda is approved. So, I
16 made my one mistake for today.

17 Okay, the next item that we have on the
18 agenda this afternoon, is a budget and Council
19 funding update. We have Dr. Paul Doremus, here
20 with us with NOAA Fisheries, the Deputy Assistant
21 Administrator for regulatory programs. And Paul
22 is going to provide us a presentation.

1 So, Paul, I know you just got here. But
2 if you're all set, I will turn the mic over to
3 you.

4 MR. DOREMUS: Thank you, Mr. Chair,
5 wonderful to see you all and glad to be here to
6 give an account of our whole situation with the
7 budget. As you're accustomed to seeing with us,
8 we're always juggling multiple years, at any given
9 time. So, we're looking right now at our
10 executing of our FY 22. Deep into it, and having
11 gotten the budget rather late, it was a difficult
12 year and a lot of things going on. At the same
13 time, FY 23 is on the hill. And we are in the
14 process of starting to think about formulating FY
15 24.

16 So, a lot to cover today. We're going
17 to do some highlights on FY 22. And the
18 highlights on what's in the President's budget for
19 FY 23, which is kind of a key piece. So, overall,
20 we're looking at -- for our total budget 1.02 --
21 big chunk of some 17 percent of NOAA's overall
22 budget of 17.3 billion. And you can see on the

1 left-hand side, where the breakout is in terms of
2 our major program areas with protected resources,
3 having had a substantial increase largely around
4 North Atlantic right whales. 16 million; most of
5 which went to Atlantic States to handle some of
6 the requirements coming out in that arena. And
7 you can see the sort of breakdown there as well.
8 Fishery Science and Management, increasing a bit
9 for offshore wind. Not as much as we'd hoped as
10 we'll get into. But those were the major movers
11 of that budget.

12 And I want to provide just some really
13 quick highlights in FY 22 of where we landed
14 relative to the request. It was a substantial
15 request for us, and one that we're really pleased
16 to see go forward in FY 22. But at the end of the
17 day did not see congressional support for a lot of
18 significant requests. In the climate research
19 arena, 8 million around our survey capacity for
20 commercially and recreationally valuable species
21 was approved. And our request for climate related
22 work, both on the fisheries and the ESA MMPA side,

1 did not. Nor did a number of the -- of pieces of
2 our offshore wind request. Particularly the
3 science survey mitigation approach, and less than
4 the request levels for our scientific and
5 technical reviews, fisheries management lines and
6 our protected species piece as well.

7 So, this is -- many of you are well
8 familiar with offshore wind and the kind of
9 pressures that puts on fisheries broadly
10 construed. And this is a topic that is of great
11 interest, not just in '22, but in '23 and will be
12 for a good number of years, as you can well
13 imagine.

14 We're also looking at some important
15 requests, that ultimately were not enacted around
16 species recovery, some aspects of restoration and
17 resilience, particularly species recovery grants
18 and large-scale habitat restoration. Some of that
19 is essentially being handled through the IIJA
20 piece, which came through onto a separate
21 appropriation line. And similarly, seven million
22 dollars in requests for environmental justice and

1 equity considerations and programs listed here
2 also, were not advanced in this particular budget.
3 So, those are kind of programmatically speaking in
4 terms of what was requested in FY 22. The major
5 highlights.

6 A big -- a good news story, is that we
7 got for the first time, adjustments to base. This
8 is essentially some recognition of inflationary
9 cost to doing business. All of you -- we're all
10 on the same line of business. You all know that
11 the costs of conducting our work continues to
12 increase. It has for many, many years, we've been
13 making the request for many, many years, for some
14 degree of inflationary adjustments to base. And
15 we're fortunate to have 21.1 million of that
16 request recognized in the '22 budget. And plus,
17 an additional 16 million North Atlantic right
18 whales and a million for Mitchell Act Hatcheries.
19 So, those were the big upsides of the story.

20 On the '23 front, that's where I really
21 wanted to spend just a little bit of our time,
22 given the current discussions that are happening

1 on the Hill around that. We're looking primarily
2 at our operations research and facility. That's
3 where all of our programs are funded. Our total
4 budget includes other accounts. It includes the
5 mandatory accounts and some, what are called
6 discretionary but they're largely formula driven.
7 The biggest one of that 100 million or so, in non
8 ORF spending, is our Pacific Coastal Salmon
9 Recovery Fund. 65 million request in '23,
10 consistent with a number -- with prior years for
11 some time. So, all of our focus here is going to
12 be on the portion of our budget, that is the
13 operations research and facilities, because that
14 is where our programs increases are requested.
15 And it was -- it's a good request. 141.5 over FY
16 21, enacted, and just about 60 million over FY 22
17 enacted. So, significant upside on -- under
18 discussion now on the Hill for FY 23. And the
19 Blue Book was just released, the URL is here. But
20 if you Google, "NOAA Budget Blue Book FY 23,"
21 you'll get a really nice synopsis. And it's as
22 close to plain English as you can get in the

1 budget world with description of what the puts and
2 takes are in FY 23. And I highly advise looking
3 at that.

4 So, there's three areas where we're
5 dominantly focused in this budget, and they're
6 very similar to FY 22. Climate is overall and
7 encompassing issue. It relates to economic
8 development, it relates to environmental justice,
9 and equity. But we have an enormous as NOAA does,
10 as a whole, with its broad strategy advancing a --
11 what we're calling a Climate Ready Nation, very
12 much patterned after Weather Ready Nation, which
13 has been a major strategic initiative of the
14 National Weather Service for many years, along
15 with other pieces of NOAA. So, that's the whole
16 of NOAA effort looking at some of the major
17 drivers on the climate side. We have a piece of
18 that and a substantial piece, along with some
19 important components of our environmental justice
20 and equity and our economic development agenda.
21 So, I'm going to step through these pieces. The
22 major highlights, of them at least, so that you

1 have a good sense of what's in those respective
2 three general thematic areas.

3 In the climate front, we have a request
4 for 10 million for what is essentially our Climate
5 Ecosystem Fisheries Initiative. And this is a
6 really substantial augmentation of our capability
7 to respond to what we've been hearing from the
8 fisheries world, from industry, from our fisheries
9 management community for years now. And we've
10 been getting a good deal of input on this, as
11 we've looked into some of the formative needs
12 around our national seafood strategy, which I'll
13 talk with you all about tomorrow. This is coming
14 through very, very loudly is the need for climate
15 informed analysis, scientific developments, data
16 collection proceeding all of those and mechanisms
17 for driving this into decision. So, this would
18 set up fishery and climate decision support
19 systems in -- around the country, five regions,
20 and get us towards a tighter connectivity between
21 management decisions and climate drivers and
22 climate related modeling of our regional

1 ecosystems.

2 There's a 11.6 request on the survey
3 side. And again, this is also very oriented
4 towards augmenting our survey capabilities,
5 increasing geographic extent, in particular, to
6 understand climate related drivers of abundance
7 and distribution. So, that's an important piece,
8 and ties right into our sort of core mission
9 function around assessments. And we also have a
10 10 million request for species recovery grants,
11 going to states and tribes to help with the
12 overall agenda of understanding and appropriately
13 responding to and trying to improve the
14 conservation capabilities around -- and recovery
15 capabilities around the protected species. So,
16 that's very significant climate component of our
17 overall agenda. And we have, as well, some key
18 pieces that are ultimately climate related, but
19 driven by offshore wind, which I was alluding to
20 earlier.

21 There are a number of different pieces
22 of this, that comprise a pretty significant

1 request for us around the requirements for
2 scientific and technical reviews. Survey
3 mitigation as a huge piece of this. That is the
4 piece that was not covered in FY 22. And
5 understanding some of the impacts on fisheries
6 management. So, both on the fisheries management
7 and protective resources side. Understanding
8 impacts on federally managed species, our trust
9 responsibilities, and consequent management
10 decisions associated with them. So, those are
11 significant requests.

12 We also have some requests for amping up
13 our overall capability for ESA, and MMPA,
14 permitting in consultations. That's a significant
15 one outside. There's obviously big components of
16 that related to wind that are in those other
17 pieces. But we're seeing rising demand, and
18 certainly will with the infrastructure investments
19 that the Nation has set out to make a rising
20 demand for those capabilities. So, that's five
21 million-dollar augmentation to respond to that.
22 And we'd also have a seven and a half million

1 (phonetic) dollar request for a Seafood Inspection
2 Program. This is really the short end of a long
3 story. This is a reconfiguration of how we're
4 operating that program. That responds in
5 particular to the effect of the pandemic on how it
6 operates. So, we're moving towards a different
7 way of accounting, and managing towards full cost
8 recovery, which is a core part of how that program
9 functions. And what we need is some money at the
10 beginning of the year before receipts come in. As
11 well as some money to handle any variations from
12 predicted demand levels from the industry for the
13 types of export certificates and inspection
14 services that this program provides.

15 So, that is intended to be a kind of
16 funding that will help us transition from the way
17 we used to run the program to the way we need to
18 run it in the future so that it is more fiscally
19 sound, and able to handle a variation year to year
20 and not put demand on our operations research
21 funding.

22 So those are the key things there. And

1 we also have some additional pieces on
2 environmental justice and equity, and really want
3 to acknowledge Sam's leadership in this territory,
4 where we put together a series initiatives and
5 have a "this is all consonant" With an
6 overarching strategy around environmental justice
7 and equity that Sam has helped lead through a
8 number of iterations in the organization. A three
9 million dollar investment for advancing
10 Territorial Fisheries Science and Management. In
11 the Pacific territories we have about two and
12 about a million in the Caribbean. And some
13 interesting tool development to assess community
14 social vulnerability. A very kind of
15 sophisticated way of looking at variables that
16 affect vulnerability for different communities,
17 and some resources going into essentially
18 training, that will improve participation of
19 underrepresented communities and fisheries
20 management processes, as well as workforce related
21 training to diversify the sector, if you will, in
22 that long-term strategy to make sure that we've

1 got a good robust, diverse workforce, for our
2 continued evolution of our fisheries sector.

3 So, those are the principal requests
4 that are in our budget. There is a very
5 substantial one that is in a different part of
6 NOAA's budget. It's in the Mission Support
7 section. And this is to fund the recapitalization
8 of our Northwest Science Center. A really
9 significant need here. It's a major shift in how
10 we are -- we're seeing recapitalization options
11 for the agency. So, this is different than we've
12 ever done before. Typically, when we get to the
13 end of useful lifecycle for a building, we go
14 through a process of vetting alternatives,
15 building and owning and operating a new facility
16 and recapitalizing on a multiplicative basis.
17 This will be shifting to release structure. And
18 we anticipate with congressional approval, which
19 has not yet happened. If Congress approves this
20 approach, working with GSA, they will put out this
21 summer a request for lease proposals in the
22 Seattle area where we could co-locate with a

1 research partner. They build the building. We
2 lease it. And we get the benefit of a
3 collaborative, physical center that brings
4 together academic industry and our governmental
5 capabilities and perhaps multi agency
6 capabilities. And we've promptly used that model
7 in other parts of agency. It's worked
8 fantastically well. And I really am quite
9 optimistic that will work well in the Northwest
10 Center, and possibly in other regions as we
11 continue down this path.

12 So, in the Council funding front, the
13 long-term story is there. I'll leave that for
14 your perusal just to see how things have evolved.
15 The table that we look at every year is customary
16 here. This -- the increases that you're seeing,
17 driven in FY 23, are largely driven by those
18 adjustments to base that I talked about earlier,
19 and how those ratchet through our Regional
20 Council, our Commission Interstate, Commission
21 funding and the Atlanta Cooperative Management
22 funds. So, that's again -- largely it's

1 consistent with historical pattern should be no
2 surprise. And it builds on, as the previous slide
3 indicates, it builds on a good history. And some
4 degree of consistent progression in the funding
5 for these activities, for quite some time, are
6 going back well over 10 years.

7 So, those are quite key developments
8 that we wanted to highlight, but also point out
9 that there are significant steps as always, in the
10 budget process. It's never over. People think
11 when Congress grants and appropriation, that
12 that's it. That's the number. But there's a lot
13 in the pipeline. And I'll leave this for your
14 review after congressional action. But we're in
15 the apportionment phase now. There are
16 historically often, as was the case last year,
17 maybe the case this year as well, we need to deal
18 with NOAA- wide needs around recissions (phonetic)
19 and other costs, NOAA departmental issues. So,
20 we're not quite at the final allocation point yet.
21 But we're close. So, it should -- the table is a
22 pretty good indicator of where things should land.

1 But it's not the final story. The -- so we're
2 like three quarters of the way there. It's this
3 small figure that we intended to indicate.

4 So, I wanted to mention a couple of
5 things very quickly and moving at speed to provide
6 some time for questions here. We have a lot going
7 on. We're shifting now as the whole Nation
8 appears to be shifting from a largely pandemic
9 oriented mode of operations to what you might call
10 an endemic mode of operations. We formally went
11 back to -- we were able to move back into our
12 offices starting in April 25th. As the figure
13 here indicates, and we have an adjustment phase
14 from April through to the end of June, where
15 people are coming in, checking out what happened
16 since the last two years, when they have largely
17 not been in the office. Making sure we got IT set
18 up, we've got space configuration changes. All
19 kinds of things. Adjusting their schedules,
20 working out new ones, and by late June, we are all
21 anticipating being in what you might call, is
22 depicted here, as new normal. I think it's

1 actually going to take quite some period of time,
2 as it's proving to be the case with all large
3 organizations, really all organizations, to really
4 figure out what this new hybrid work reality is
5 all about. How to make it work best. How to get
6 the advantages of remote type operations that we
7 experienced in 2020/2021. And the advantages of
8 in-person work, which all of us have, as we've had
9 virtual meetings for two years now. All of us
10 have. All the way along, lamenting the inability
11 to get together in person. And that is something
12 that everybody is looking forward to just stepping
13 through. So, I covered these issues. This is --
14 you know, we're tracking like everyone, the CDC
15 community transmission level. So, this is the
16 caveat to our return, is we're going to make
17 adjustments and we are doing that now. When we
18 started this process in early April. All but one
19 of our locations was in low CDC transmission
20 level. Now half of them are, and the other half
21 are in medium to high. And a lot are progressing
22 in that direction. So, we're seeing that in a lot

1 of places. We're seeing it here, and we've have
2 to make adjustments and we have a whole plan for
3 what do you do in the transition from low to
4 medium, transition from medium to high. And I
5 think by virtue of the high levels of vaccination
6 and the nature of the variants that we're dealing
7 with these days, this will be the kind of put
8 intake that will have to work out over time and
9 adjust as circumstances warrant.

10 So, I think we're probably going to have
11 a few months where things will settle out. It's
12 likely in the fall, as it's been the case with
13 previous variants to come back at us. We'll
14 adjust as the data require. So, that's the basic
15 plan. We are stepping through our process for
16 getting back into the office in 22 and are really
17 looking forward to the full development in FY 24
18 of our budget's responsiveness to the
19 administration priorities, taking on major issues
20 related to climate, related to environmental
21 justice and social equity, related to economic
22 recovery, and related to the state of the seafood

1 industry and how we can address all of those
2 things with a very good strategy to improve our
3 fishery sector, as a whole. Commercial,
4 recreational, and aquacultural. We'll talk about
5 that more tomorrow. That particular piece, Mr.
6 Chair, I will leave it there and I'll turn the mic
7 back to you and happy to address any questions as
8 time allows.

9 CHAIRMAN LUISI: Excellent. Thank you
10 very much, Paul, for your presentation. I'm sure
11 there'll be some comments and questions around the
12 table. I'm going to look for hands at this time.
13 Tom Nies.

14 MR. NIES: Thank you, Mr. Chair, I
15 probably have four or five questions. Do you want
16 me to ask them all at once? Or would you rather I
17 rotate through?

18 CHAIRMAN LUISI: Hit him with it.

19 MR. NIES: Okay. So, thank you, Mr.
20 Doremus. I guess I got a couple of questions on
21 the FY 22 budget and a couple of questions on the
22 FY 23 President's proposed budget. So, in light

1 of the fact in your FY 22 budget, you did not get
2 as much money as you'd hoped for, for some of the
3 new initiatives. I think he referred to marginal
4 increases in your presentation. What's the
5 agency's plan?

6 Do you plan to sacrifice some existing
7 programs in order to undertake the
8 administration's new initiatives? Do you plan to
9 slow down and work on the new initiatives? How
10 are you going to adjust to -- I'm not sure calling
11 it a budget shortfall is exactly correct, but
12 getting less than you asked for?

13 MR. DOREMUS: Less than optimal. We
14 are adjusting as the resources allow us. You
15 know, because we have to fit our program to the
16 available funds. A big piece of what we did not
17 see, and we're really quite dependent on, in FY 22
18 is around offshore wind that's coming back in '23.
19 And a lot of our engagements on the Hill related
20 to that, related to budget overall, are focusing
21 first and foremost on those requirements.
22 Requirements for people to be -- handle our

1 consultation and review work. To be able to
2 understand the science impacts and be able to
3 handle the endangered species and marine mammal
4 requirements. That's the biggest one. And right
5 now, we can do nothing other than pace our
6 responsiveness and growth in these areas to the
7 resource levels that Congress provides.

8 MR. NIES: Thank you. I guess our
9 concern is that existing programs might get
10 sacrificed for new initiatives. Staying with the
11 FY 22 budget, and we've talked about the
12 adjustments to base that accounted for I think a
13 22 million or 21 million dollar increase in that
14 budget. Yeah, I'd point out that in the Councils,
15 we get the council PPA and then we get money under
16 two other PPAs. The money under those other two
17 PPAs has remained constant, I think since 2014.
18 Without even any of the small -- relatively small
19 adjustments to base. Can we expect that in '22,
20 that we might see some changes in those other PPAs
21 or are they going to remain constant and we're not
22 going -- still not going to get any adjustments to

1 base on them?

2 MR. DOREMUS: The chart that I showed
3 you is the total levels because we aggravate that
4 all now and I haven't seen the breakout. We can
5 get that. But it is increasing in '23,
6 proportionate to the ATP component that got
7 attributed to those to those PPAs. So --

8 MR. NIES: Paul I --

9 MR. DOREMUS: -- so, it is increasing.

10 MR. NIES: I don't think that's the part
11 I'm talking about. That's the Council PPA that's
12 shown in that chart according to Blue Book. And
13 I'm talking about the pieces we get from the
14 Fisheries Program and Services and the Science and
15 Data Collection PPA. Which I don't believe is
16 included in that chart that you've shown.

17 MR. DOREMUS: I'll get back to you on
18 that. My understanding is that those were rolled
19 in. But I'll check on that to make sure.

20 MR. NIES: So, that leads me to the FY
21 23 budget. The President's budget proposes about
22 a 3.2 percent increase in the Council PPA. And in

1 the Blue Book it says that there's no program
2 changes included in that. That's just adjustments
3 to base.

4 MR. DOREMUS: That's right.

5 MR. NIES: And so, I'm a little confused
6 because there are a number of new initiatives that
7 the Councils are expected participate in. Such as
8 environmental justice, climate initiatives,
9 offshore wind. And yet, while the agency
10 requested program changes for themselves in those
11 categories, you're not expecting to give any more
12 money to the Councils to help participate in
13 those?

14 MR. DOREMUS: Not at this time. I mean,
15 right now, we have not received any increases in
16 other areas. And, like -- I think we're all in
17 the same boat. In the sense that we're often
18 being asked to respond to issues out of existing
19 resources. And we do as well as we can. So, the
20 funding line for '23 has increased. And we'll
21 have to pace what we can do in terms of our
22 responsiveness to those resource levels.

1 MR. NIES: Thanks. One more question in
2 '23. And then sort of a question that I'm used to
3 seeing addressed here, that wasn't. So, the other
4 issue on '23 is, for the last couple of years, the
5 agency has proposed to Congress rolling the three
6 PPAs that we presently get money from into one PPA
7 and just giving it as a council PPA. And I think
8 it was rejected twice in a row by Congress for
9 reasons I don't know. Maybe you do. It doesn't
10 appear that the agency is trying to do that
11 anymore. Did you drop that idea?

12 MR. DOREMUS: Still think it's a good
13 idea. But I don't know where it currently stands
14 in terms of receptivity. So, we'll follow up with
15 you on that as well.

16 MR. NIES: Thanks. And then the last
17 question I have isn't related to the budget, it's
18 related more to the SK Program, which is often
19 covered in this presentation, and it is the recent
20 passage of the -- I think it's American Fisheries
21 Advisory Committee Act. Is that going to be
22 addressed somewhere else in this meeting, or?

1 MR. DOREMUS: The basic numbers on SK,
2 the way that the '23 proposal racks (phonetic)
3 out, it is about seven and a half million for SK.
4 That bill was just passed. And we haven't yet
5 assessed how we are going to implement that. And
6 any kind of implications for how SK is allocated
7 in FY 23.

8 MR. NIES: Okay.

9 MR. DOREMUS: So, we'll -- there's
10 really not much to add. It was literally signed
11 within a week or so ago. So, we're mapping out
12 how they're going to respond to that effectively.

13 MR. NIES: Yeah, I guess we're all kind
14 of curious how that -- I forget what it is -- I
15 think it's the American Fisheries Advisory
16 Committee, is going to be structured and formed
17 and organized. So, we all look forward to getting
18 --

19 MR. DOREMUS: Lots to figure out in
20 terms of implementing that bill, for sure. And
21 we'll look forward to talking with you further as
22 we work out our approach.

1 MR. NIES: Thank you.

2 CHAIRMAN LUISI: All right, thanks for
3 those questions and comments, Tom. Anyone else at
4 the table have anything they'd like to ask Paul
5 about?

6 We have a couple of minutes. Is there
7 anyone online on the webinar or in the audience
8 here that would like to ask any questions? Okay,
9 I do not see any hands online. I see Kitty. Go
10 ahead, Kitty.

11 MS. SIMONDS: So, Tom asked you about,
12 you know, the increase in funding for '23, for EEJ
13 (phonetic), and those kinds of things. And then
14 he asked about, are you considering sharing some
15 of those funds with the Councils? Because we also
16 are working on those prime initiatives as well.
17 So, and of course, you said that, you know, you're
18 not ready to discuss this and whatever. But
19 should we maybe prepare a budget of what we think
20 -- that we think we need in order to fulfill the
21 mission on the Biden administration? I mean, I
22 would love to do that. I bet every council would

1 love to do that. So, is it too early to do that?

2 MR. DOREMUS: The IIJA resources were
3 provided by Congress for specific reasons.

4 MS. SIMONDS: Okay.

5 MR. DOREMUS: And we're working out
6 very-detailed spend plans right now on how those
7 resources are going to move against their intent.
8 And, you know, they're dominantly going out to
9 outside entities. So, I don't believe there's
10 terribly much room for augmenting the council
11 budget on behalf of the IIJA processes, although
12 in the longer term strategically, as we look at
13 the council work portfolio as a whole, which is
14 how I understood Tom's question. The variety
15 areas where you're seeing pressure, we're seeing
16 pressure, and we need to make decisions about what
17 we do and don't do it based on available
18 resources.

19 MS. SIMONDS: And we do get funds from
20 the Center and the Region to fulfill obligations
21 that we can do better than they can. And so --
22 but this is, you know, I think this is something

1 that we all think is really important that -- and,
2 you know, it's our staff time or we're hiring a
3 contractor to help out with these kinds of things,
4 because we believe in them as well. And I think
5 that we all should think about -- you should think
6 about it, maybe you'll find it in another pot.
7 But that's the request that I'm making from the
8 group, is that you all look into this by
9 augmenting our budgets or separate, you know,
10 contracts or whatever. There are many ways to
11 deal with it. And so, just asking you to consider
12 this, think about it. And let us know.

13 MR. DOREMUS: Thank you, Kitty. I'll
14 make a general point. You know, coming at this as
15 a -- career guy, having done this for a long time.
16 We're all in the same boat when it comes to that
17 kind of resource pressure. One of the reasons I
18 put the historical table in there, pulled it deep
19 out of backup. To get some reference, and to show
20 that the rate of increase for funding has
21 generally been a little bit more favorable for the
22 councils and commissions than it has been for our

1 base programs. We are all struggling with being
2 asked to do more than we're resourced to do.

3 MS. SIMONDS: Or covering for other
4 people who have overbudgeted and all -- yeah.

5 MR. DOREMUS: Yeah, and it's extremely
6 valuable for us to understand where the pressure
7 points are for you. What you can't do, because of
8 resource constraints and we can factor that into
9 the total picture. But in -- while adjustments to
10 base are incredibly welcomed and it's great to see
11 that in this year's budget, there not -- they're
12 nowhere near covering the types changes we've seen
13 and the real drivers in our cost profile. Not the
14 least of which is labor. And we're seeing a lot
15 of inflationary pressures now. Which are going to
16 show up in additional cost of doing business
17 pressure over time. So, we are going to need to
18 keep, as we have tried to in the past, a good
19 conversation going between the Councils with us,
20 as we do our planning and handle our sort of base
21 activities out of our base funds. Which may
22 increase slightly but never enough to do the work

1 that we're all seem willing to do --

2 MS. SIMONDS: We seem to be specifically
3 talking about EEJ and some of those other budget
4 line items that the administration is asking an
5 increase for. So, you know, it's not like
6 something that you've really done before. It's
7 something new for you. It's new for us, and I
8 think you should try to find a way to share some
9 of that money with the Councils. That's -- you
10 know, I'm not talking about base, I'm talking
11 about --

12 MS. COIT: I think you both might have
13 just spoken past each other, although you've both
14 made excellent points. There's you talking about
15 Equity and Environmental Justice, correct?

16 MS. SIMONDS: Well --

17 MS. COIT: Because I think Paul was just
18 talking about IIJA, which is the infrastructure
19 funding and then the point you're making was EEJ.
20 And so, I just thought -- I just wanted to point
21 that out. But --

22 MS. SIMONDS: Oh. Okay. Thanks. But

1 anyway -- but that request still stands. Or those
2 funds -- I think there was another line item. But
3 can't remember that right now. But I'll come back
4 to it later.

5 MR. COIT: Thank you. And Kitty, we did
6 not get -- in FY 22, we requested funds.

7 MS. SIMONDS: Right.

8 MS. COIT: -- for Equity and
9 Environmental Justice and got nothing.

10 MS. SIMONDS: And so, for the FY 23 is
11 hopeful, but not certain. And we're also thinking
12 that because we put forth a strategy, and I would
13 like to hear during the discussion more about how
14 we do outreach effectively around that. That
15 perhaps Congress would be more amenable for FY 23,
16 in funding the EEJ work because they can see a
17 strategy and, you know, specific elements that
18 they might support. But that still as of right
19 now, is of course just a request, right?

20 And so, for you all, that includes, hiring
21 people and training people and all of those kinds of
22 things. And so, again, I am repeating myself I think

1 you all should share.

2 CHAIRMAN LUISI: Okay. Thanks for that
3 back and forth. For the person that's online
4 recording, this that third voice in that
5 discussion was Janet Coit. I didn't have an
6 opportunity to call on Janet, but that's who that
7 was.

8 Okay, that concludes our business. We
9 have Tom's hand. You have one more Tom?

10 MR. NIES: I do. And this is a little
11 bit in the weeds, and I don't know if you guys
12 know this, Janet, and Paul, but I wanted to get it
13 across to you. I don't know if you realized, but
14 we access our money to the SAM system. And there
15 was some weird glitch with the SAM system this
16 year that won't go into, that threatened a lot of
17 the Councils with being unable to get their
18 dollars, bluntly. And just want to highlight, the
19 work that your Grants Office did, Ann Namer
20 (phonetic), and a bunch of other people, who I
21 don't know all of them, to get that fixed. I
22 mean, this was something that we had been working

1 on for about four or five months on our own and
2 really didn't get anywhere. And then eventually,
3 Ann's office and other people at NOAA, and I think
4 at the Department of Commerce finally managed to
5 get things straightened out. It was bizarre.
6 But, you know, you can ask them for the details,
7 because I don't understand it, I just wanted to
8 make sure you were aware of their efforts to make
9 sure we could spend money, which is appreciated.

10 MR. DOREMUS: Thank you Tom, and I will
11 convey that along and very much appreciate the
12 recognition there. You never know what's the
13 bureaucracy is going to throw at you. And we've
14 clearly made it a priority for years, as you know.
15 This is one of the earliest discussions that I
16 had, with all of you, was on getting the funding
17 flow to you as quickly as possible, we made a
18 number of structural changes to do that. And when
19 things like this happen, we got to hear from you
20 quickly and figure out how to fix it. So, I'm
21 glad it worked out in that case. And we'll pass
22 along the compliment. Thank you very much Tom.

1 MR. LUISI: Eric Reid?

2 MR. REID: Yeah, thank you, Mr. Chair.

3 I'm going to stay in the weeds with Tom on his
4 question. It's not that -- well, you've got a lot
5 of money dedicated for offshore wind. And, you
6 know, we're talking about maybe moving some money
7 around. My question really is, it's not about the
8 budget, it's, has something changed, as far as the
9 Councils and your ability to actually influence
10 anything that happens in BOEM? What's the cost
11 benefit of that giant budget when we're only
12 advisors? And I just don't know whether or not
13 that has changed. So, I that's not really a
14 budget question. But it's in there somewhere.

15 MR. LUISI: Janet?

16 MS. COIT: Thank you. Nothing -- how to
17 say this? So, you know, the regulatory
18 responsibility that we have under the various
19 statutes, is where a lot of that funding is coming
20 from and to the point that several of you made, in
21 order to meet those needs, we're diverting money
22 from other areas. Which means other

1 infrastructure projects and other things that need
2 to happen that get regulatory approval are being
3 delayed. So, it's imperative that effort is being
4 led through BOEM and the Interior Department; is a
5 train barreling down the track. So, we need that
6 funding in order to do that regulatory work.

7 Having said that, the work that we're doing every
8 week to try to influence overall, the White House
9 and BOEM in terms of some of the marine issues. I
10 think we're hopeful. For instance, that survey
11 mitigation strategy was a joint strategy doesn't
12 come with funding. We need to make sure we secure
13 funding. The Fisheries Mitigation Strategy that
14 BOEM is going to unveil, we've been working to
15 influence and improve. Nothing specifically has
16 changed in terms of authorization. And I even
17 think -- again, a discussion, I believe, for
18 later. But the Councils have been engaged but
19 don't have clear authority. Even our Central Fish
20 Habitat is advisory. And we've seen so I think
21 right now we're doing everything we can to
22 strengthen our hand, but nothing has really

1 materially changed that I could point to.

2 CHAIRMAN LUISI: Okay, thanks for that,
3 Janet. All right, that concludes our business
4 under this item on the agenda. I'm going to go
5 ahead and move to the next item that we have for
6 you today. We're going to receive a fishery
7 science update by Dr. Jon Hare. I believe I saw
8 him come in just a few minutes ago. Jon, if you
9 want to join us at the table for your
10 presentation.

11 DR. HARE: Thank you very much. I'm Jon
12 Hare Acting Director of Scientific Programs and
13 I'll be giving a science update today. There is a
14 lot that we could talk about going on in science
15 and NOAA Fisheries. And rather than sort of dig
16 into the details, we wanted to just highlight
17 three issues that we think are major issues ahead
18 of us that we need to do our best to address.

19 Next slide, please. So, these three
20 issues are first, and we've heard about it here a
21 little bit this morning, Climate Change and Marine
22 Resource Management. Second issue is Offshore

1 Wind Energy Development. To Eric's question just
2 a moment ago. And then, third issue is adapting
3 our Survey and Data Collection Enterprise. I'm
4 going to go through each one of these in terms of,
5 you know, what we have been doing, what we're
6 doing now, and what we're planning to do in the
7 future.

8 Next slide, please. So, Climate Change
9 and Marine Resource Management.

10 Next slide. Trying to make sure we're
11 staying -- can we go back one? There we go. Just
12 trying to make sure we're staying where I know we
13 are. I think we all recognize that climate change
14 is having major impacts on marine ecosystems. You
15 know, droughts and floods, warming oceans, loss of
16 sea ice, rising seas, ocean acidification, that
17 sort of statements are affecting each one of your
18 region differentially. So, there is a regional
19 expression of climate change and each one of your
20 regions, but the evidence of climate change is
21 striking. These impacts are real on the issues
22 that we deal with. It's changing habitats,

1 changing distributions of our living marine
2 resources, changing abundance of our living marine
3 resources, and changing how we as humans are
4 interacting with the marine ecosystem. So, it's a
5 clear present challenge that we are facing.

6 Next slide, please. So, thinking about
7 where we have been, NOAA Fisheries released a
8 climate science strategy in 2015. That strategy
9 envisions, sort of a, you know, a pyramid of
10 actions that are needed to address the challenge.
11 At the base is science infrastructure, sort of
12 maintain our surveys, maintain our data collection
13 programs maintain our assessment programs. At
14 second tier, is track the changes in our
15 ecosystems and provide early warnings. We have
16 established ecosystem status reports in many of
17 the regions to that track, not just fish
18 populations, but track ecosystem components as
19 well. That fifth tier is understanding the
20 mechanisms of change. That's more research
21 oriented. Process research to understand how
22 warming oceans is affecting fish populations, or

1 how changing sea ice is affecting call out of
2 seals in the in the Alaska region.

3 That fourth element is to really
4 projecting forward climate change. Most of our
5 stock assessment models are projecting forward.
6 Projecting so you all can set catch level. You
7 know, the climate science strategy calls us to
8 couple our climate projections with our stock
9 projections to get a better understanding what's
10 going to happen in the future. And then those top
11 three parts of the pyramid, I really think are
12 what is important on the management. It's
13 developing adaptive management strategies. It's
14 robust management strategies, and it's really sort
15 of considering our reference points, dynamic
16 reference points, or revisiting reference points.
17 And so, the -- we've been working hard on this in
18 NOAA Fisheries since 2015.

19 Next slide, please. And in terms of
20 just documenting some of our recent
21 accomplishments, three issues I'd like to
22 highlight one is -- so, next slide. One is we

1 just released a five-year progress report on our
2 climate science strategy. And we describe
3 activities that we've taken undertaken in terms of
4 tracking change, assessing vulnerability of fish
5 and shellfish species, assessing vulnerability of
6 marine habitats, assessing vulnerability of marine
7 mammals. Third place where we've made significant
8 progress is understanding and projecting climate
9 impacts in the future. We've also been building
10 capacity to use climate information and beginning
11 to identify climate ready management strategies.
12 And these last two are really getting to the top
13 of that pyramid. And we know we need to do more
14 work here. Both there's the ACLIM Project in
15 Alaska. And there's a Northeast Climate
16 Integrated Modeling Project in the Northeast that
17 are really pilots for how we're going to translate
18 this information to management.

19 Next slide, please. Another area of
20 just like the highlight here is the Distribution
21 Mapping and Analysis Portal DisMAP. This portal
22 is a national portal that consolidates trawl

1 survey data from around the country and allows a
2 user to interact with the data to look at changes
3 in species distributions. There's going to be
4 sort of a display out here. I think tomorrow,
5 just sort of a hands-on sort of interactive with
6 this portal. And we really think it's a useful
7 way for all of us to visualize and understand
8 changes in distributions that have occurred in our
9 marine systems. So, hopefully, you'll have the
10 chance to check that out tomorrow. And we
11 certainly welcome any feedback or recommendations
12 for improvements we envision it to just
13 continually to improve as we go forward.

14 Next slide, please. And then, just to
15 highlight a recent research accomplishment, some
16 of our researchers led out of our Southwest
17 Fisheries Science Center have developed an
18 approach for predicting marine heatwaves. And
19 they are now producing global forecasts that can
20 provide up to a year's advance notice of marine
21 heatwaves. So, we think of, you know, how did the
22 2012 heatwave in the Northeast affect our

1 resources? How did the heatwave on the West Coast
2 affect our marine resources? And we've developed
3 sort of a forecasting tool that can give us up to
4 a year advance notice of heatwaves coming in the
5 future. And this will really, hopefully, empower
6 decision makers, you all, and stakeholders with
7 information to help mitigate the impact of marine
8 heatwaves on the work that we do and on the
9 livelihoods of people who use the ocean.

10 Next slide, please. So, in terms of our
11 future plans, again, I'm going to talk about three
12 issues. Sort of our Regional Action Plan drafts,
13 our Climate Ecosystem and Fisheries Initiative,
14 and then talk a little bit about our FY 23 budget
15 request.

16 So next slide, please. So, as part of
17 the 2015, National Climate Science strategy, we
18 released Regional Action Plans. Those regional
19 action plans have been updated. They're currently
20 out for public comment. I wanted to let everyone
21 know that the comment period was supposed to close
22 June 2nd. But we're going to make an adjustment

1 and close the comment period on July 29th. That
2 hasn't been announced yet, because it has to work
3 its way through the Federal Register system. But
4 I've been assured that that change is going to
5 happen. And I could let all of you know about
6 that here. So, please take some time, look
7 through those Regional Action Plans. And we very
8 much view the Councils as partners in this
9 endeavor, we'd very much appreciate any comments,
10 recommendations, or advice that you have around
11 these Regional Action Plans.

12 Next slide, please. Some of you would
13 have likely heard about the Climate Ecosystems and
14 Fisheries Initiative. And again, as Northeast
15 Fisheries Science Center director. You know, I
16 know, Vince Saba gave presentations on the effort
17 at the New England Council at the Mid-Atlantic
18 Council. And I think there have been other
19 presentations in other councils. But this is a
20 budget proposal, budget initiative, which was part
21 of the FY 22 budget, which was not funded. So,
22 it's back into the FY 23 budget. And it envisions

1 an end-to-end system climate model forecasts to
2 applications to support decision makers. In the
3 NOAA Fisheries realm, we envision using this
4 end-to-end system to support the fisheries
5 management council. So, working with at our
6 current advice processes, but providing modern up
7 to date climate models connected to stock
8 assessment models or climate models connected to
9 species distribution models, and then working with
10 all of you to develop those applications to help
11 manage our nation's fisheries more sustainably.
12 Again, this is based on ongoing pilot projects in
13 Alaska and in the Northeast. And in FY 23,
14 there's a budget proposal to build out this system
15 nationally. It's in coordination -- close
16 coordination with the NOAA Research, which is a
17 world expertise in climate modeling. And it's
18 also in close coordination with a NOAA Ocean
19 Service, which has modeling capability and sort of
20 a place-based management responsibility. So, it's
21 a true cross NOAA line office initiative.

22 Next slide, please. And just thinking a

1 little bit about some of the applications that we
2 envision being able to inform with this end-to-end
3 system. We see it in forming scenario planning
4 activities. And Mid-Atlantic has a Mid-Atlantic
5 New England and South Atlantic have scenario
6 planning activity going on now. Pacific Council
7 just completed one. But we imagine being able to
8 use this system to support additional scenario
9 planning activities. Supporting risk assessment
10 in terms of looking forward to our projecting
11 forward climate change, and allowing us to think
12 about what risks does that climate change present
13 to all of us? We can think it's also helpful in
14 the rapid response. So, think about that marine
15 heatwave forecast. That's an example of what
16 could be done with this fully built out climate
17 ecosystem fisheries initiatives.

18 So, how could you all respond if you got
19 the indication that there was going to be a marine
20 heatwave in your area in the next year? Could you
21 respond to that and make changes?

22 And we also imagine that it will be

1 useful in terms of consultations that are done in
2 our regional offices and by the councils and we
3 see it being a very useful tool in management
4 strategy evaluation. Either qualitative or
5 quantitative analyses. And then, we also see its
6 use and recovery plans, rebuilding plans. Many of
7 those plans are 10 years. Ten years at the
8 timescale at which climate changes is reasonable
9 to include. And so, we imagine being able to
10 think about rebuilding plans with a couple climate
11 information to be included.

12 Next slide, please. We have gotten
13 strong support for the Climate Ecosystem Fisheries
14 Initiative from the NOAA Science Advisory Board.
15 There is 20 million dollars in the FY 23 budget
16 request, 10 million dollars for NOAA Fisheries and
17 10 million dollars for NOAA Research. Again,
18 pilot projects are underway. And then we're
19 thinking about how would we build out this system
20 more completely in FY 23 and beyond and some of
21 the areas we've been talking about is, you know,
22 goes to the conversation we just had about, how

1 can we support regional office offices,
2 sustainable fisheries office, office of protected
3 resources, and fisheries management councils to be
4 better able to use this information? And we also
5 understand that this -- the Climate Ecosystem
6 Fisheries Initiative needs to be supported by our
7 observational and research capacity as well. So,
8 happy to provide more information about that if
9 there are questions.

10 Next slide, please. And so, just to put
11 a fine point on the budget request, Paul covered
12 this as well, we have a 10 million dollars request
13 in our FY 23 budget for the Climate Ecosystem
14 Fisheries Initiative.

15 Next slide, please. That second grand
16 challenge -- just checking. Now that second grand
17 challenge that we see is Offshore Wind Energy
18 Development. It's more present in some of the
19 regions and sort of further away in other of the
20 regions. But I have been involved in
21 conversations with the Bureau of Ocean Energy
22 Management in the past six months where all of our

1 regions have been discussed. So, I think this is
2 a national issue, as Janet talked about it. You
3 know, it intersects with pretty much everything
4 that NOAA Fisheries does. It intersects with
5 pretty much everything that fisheries management
6 councils are engaged in. And so, I think it's
7 something that we need to really look forward to,
8 how are we going to, to work to develop offshore
9 wind energy development, while protecting our
10 species and while maintaining sort of our
11 fisheries, sustainability, and communities.

12 Next slide, please. So, this slide came
13 from BOEM. It was sort of their release, about,
14 you know, future lease areas. There's a call area
15 in the Gulf of Maine. Active leasing in southern
16 New England and the Mid-Atlantic Bight. There's a
17 call area off the southern Mid-Atlantic Bight.
18 They call it the Central Atlantic. But I think
19 it's -- from my perspective, it's the southern
20 Mid-Atlantic Bight. They have as a recent lease
21 in the Southeast United States 350 million
22 dollars, I believe, for two lease areas. There's

1 a call area in the Gulf of Mexico, and there's
2 call areas, both off of Oregon and California that
3 are (inaudible) to one off of California is moving
4 forward to leasing. And the one off of Oregon is
5 being discussed. You know, again, some just very
6 general conversations about potential in Alaska, a
7 lot of wind potential. And so, you know, is there
8 opportunity to develop there, and then continued
9 conversations about the possibility of offshore
10 wind and a development of Pacific. So, it's
11 something which is a national issue.

12 Next slide, please. Anyways, on my
13 slide, it's the six buckets, the sixth one falls
14 off the bottom. So, it's good that they're all up
15 there. So, from a NOAA Fisheries perspective,
16 we've identified six buckets of need. There's the
17 policy and legislative needs, you know, not
18 necessarily the science needs, but very much, you
19 know, how do as an agency, how do we address the
20 policy and legislative requirements around
21 offshore wind energy development, and how it
22 affects what we do. There are the regulatory

1 processes which Janet discussed. And Mike Penney
2 is not here today. But I think he will tell you
3 about the regulatory load that offshore wind
4 energy development puts on to a regional office, I
5 think Tom and Chris in the New England Council in
6 the Mid-Atlantic Council will talk can talk about
7 sort of the load that it puts on to their staff, in
8 terms of all of the reviews and sort of comment
9 periods. So, there is that regulatory bucket of
10 need. And then there's the science to support
11 that regulatory bucket of need. Our third bucket.
12 The Science Center is engaged with the Regional
13 Office and reviewing all of the permit
14 applications and reviewing the lease applications
15 providing scientific advice around construction
16 operation plans. So, that those regulatory needs
17 also come to our Science Center.

18 The fourth bucket is sort of the impact
19 intersections with our survey enterprise. The
20 Northeast Fisheries Science Center, we have -- now
21 have 13 surveys that have the potential to be
22 interacting with more offshore wind energy

1 development. And that's pretty much our full
2 suite of surveys. And we're trying to understand
3 how we mitigate our -- how we do our surveys in
4 light of offshore wind energy developments in our
5 survey areas. Janet mentioned that we did just
6 release a survey mitigation strategy. Public
7 comment for that closed on May 6th. I know some
8 of the councils provided comments. And so, we
9 appreciate that. We have a small team of people
10 who are going through all the comments, and we
11 hope to have a final strategy by June. In the
12 Northeast, we would then implement that strategy,
13 form an implementation team, and start stepping
14 through the actions. And then in the other
15 regions, we would be working with your regional
16 office and science centers to then sort of
17 consider the strategy from their regional
18 perspective, go through a strategy development
19 process, hopefully using what the strategy has
20 been developed as a template, and then quickly
21 stepping into implementing the strategy in the
22 other region. On the sixth bucket of the fifth

1 bucket Of need, is science for understanding. You
2 know, we're in the Northeast arguably be putting
3 2,000 -- 2,500 fixed wind turbines into the
4 ecosystem. And then the question is, what is that
5 going to do to marine ecosystems structure and
6 function? That's a science for understanding
7 question. And so, there's a large need for
8 science to help us understand what the impacts of
9 this development is going to be to our marine
10 ecosystems. And something that NOAA Fisheries has
11 started trying to develop a science plan to help
12 us do that. And then the sixth bucket of need, I
13 think, came up earlier, as well is this fishing
14 industry mitigation, or compensation. Bureau of
15 Ocean Energy Management is leading a group to
16 evaluate sort of fisheries industry mitigation.
17 NOAA Fisheries has been providing our expertise to
18 that group and working with that group. And I
19 know many councils have also provided input to
20 that group. And so that's a sixth area of need
21 that we've identified to date.

22 Next slide, please. Again, coming back

1 to survey mitigation, that's, you know, where
2 science really sort of intersects with offshore
3 wind. We've got our implementation strategy,
4 which we're finalizing. The strategy identifies
5 sort of the essential components of how we need to
6 move forward to mitigate offshore wind energy
7 development on our surveys. It identifies goals,
8 objectives, which are general and hopefully,
9 intended to be applicable in any region. And then
10 it identifies specific actions for the Northeast,
11 which we would take in the next year to start our
12 mitigation process.

13 And again, as Janet said, the strategy
14 is currently largely unfunded. So, it's, you
15 know, laying out this is what we plan to do. And
16 then we will do what we can to mitigate the
17 impacts on our surveys. And this last bullet, you
18 know, fully intended is developing this to share
19 our experiences and lessons with other regions to
20 help quickly transfer the information to the West
21 Coast to the Southeast. You know, the intent is
22 to try to get the survey mitigation idea before

1 leases are sold. And thereby try to sort of get
2 into the mitigation at the beginning of the
3 mitigation process, and not sort of think about
4 mitigation when we've already leased areas when
5 there's already construction operation plans that
6 have been approved.

7 So, the next slide, please. So, in
8 terms of the budget request, there is a large
9 budget request for offshore wind energy. In the
10 -- nationally, largely focused on the Northeast
11 region, we've got funding for the fishery science
12 and technical reviews, which covers buckets two
13 and three, we've got requests for the survey
14 mitigation, which is largely bucket four. Again,
15 we have funding identified for protected species
16 environmental reviews, and protected species
17 science, which again, is largely buckets, two and
18 three. And then we have funding for the fisheries
19 management bucket, which is largely bucket three.

20 So, you'll see that there. You know,
21 we're not trying to at least get funding for all
22 the buckets of need that we've identified. But

1 these are the high priority areas that we've
2 identified for FY 23.

3 Next slide, please. And then in terms
4 of -- thinking about our survey enterprise. Next
5 slide, please. So, again, surveys are fundamental
6 to what we do. They are essential for the work
7 that you all do sustaining our management of our
8 nation's fisheries. They're fundamental for the
9 recovery of protected species. They're
10 fundamental for understanding the impacts of
11 climate change on fisheries, on protected species,
12 on ecosystems, on habitats. And so, that the data
13 from the surveys really forms the foundation for
14 our work.

15 Next slide, please. In FY 22, we have
16 been sort of experiencing some challenges. This
17 is just shows where we are in terms of quarter
18 one, quarter two. Our success rate in terms of
19 the surveys conducted on our NOAA vessels, surveys
20 conducted on charter vessels, and surveys
21 conducted on small boats. So, we've been largely
22 successful in FY 22. But we have had three

1 surveys that have been cancelled, those are on the
2 NOAA platforms. And at the you know, pathway
3 going from quarter to quarter three, we had one
4 survey that was underway. So, the challenges in
5 the survey front remain, increasing fuel prices,
6 we still have, you know, addressing trying to
7 operate safely in an environment with COVID. We
8 have then some staffing challenges on survey
9 platforms on the -- I think the maritime industry
10 in general, is having sort of a difficult time.
11 And, you know, in the economy in general is having
12 a difficult time, keeping trained people in
13 positions and that is also affecting the NOAA
14 fleet. So, we have been largely successful in
15 '22, we were largely successful in '21. FY 20, we
16 were largely unsuccessful. So, we are getting
17 back to our normal survey cadence.

18 Next slide, please. So, looking
19 forward, we need to sustain this core strength,
20 and really build additional capacity. Again,
21 speaking from my Northeast Fishery Science Center
22 perspective, I know that there are additional

1 surveys that we would like to be able to do to add
2 to our survey portfolio, not simply maintain our
3 survey portfolio. And I imagine that many of our
4 regions, many of us, all of you, many of our
5 science centers are in a similar situation.
6 There's more data that we need, not simply
7 maintain our current data collection, or think
8 about needing to prioritize our current data
9 collection, and we also understand that we need to
10 modernize. And this means evaluating and
11 implementing new technological platforms for
12 collecting data and enhancing workforce
13 proficiency. During COVID, I think we did do some
14 work with Saildrone. Used they're basically
15 autonomous vehicles that were able to collect
16 acoustic data, not as a direct one to one
17 replacement for the acoustic data collected from
18 the fishery survey vessel of Dyson (phonetic).
19 But there, you know, we've learned a lot and there
20 is opportunity to use these autonomous collection
21 platforms to a much greater degree to help us
22 sustain and also, add new data that we're all

1 interested in obtaining. And then we need to do a
2 better job, strengthen our survey planning,
3 prioritization, and management. And I'll talk a
4 little bit more about, you know, how we came to
5 recognize that with a fine point.

6 So, next slide, please. In terms of
7 sustaining our survey enterprise, this is a bar
8 chart that shows sort of our successful days at
9 sea over time. The blue at the bottom are our
10 days at sea on the OMAO White Ship Platforms. The
11 orange in the middle are our days at sea on our
12 Contract Platform, and then to the grayish at the
13 top is our as our success on our Small Boat
14 Platform. What strikes me when I look at this is
15 a decline in our days at sea, which means a
16 decline in our ability to collect data that we all
17 need. And so, from my perspective, you know, one
18 of the most important things that we need to do is
19 turn this trend in the other direction. How do we
20 collect more data more efficiently? And do we
21 sort of turn the trend in terms of our ability to
22 conduct our surveys. And I think that's in

1 modernizing our survey data collection, taking
2 greater advantage of the uncrewed systems and
3 being more efficient in our use of contract
4 vessels and OMAO vessels.

5 Next slide, please. So, this point
6 about strengthening our national survey program
7 management. There we -- Congress requested and
8 NOAA Fisheries engaged the National Academy of
9 professional --

10 SPEAKER: Public Administration.

11 DR. HARE: National Academy of Public
12 Administration to sort of review fisheries
13 operations, and one of the areas specifically that
14 they were at asked to review is this sort of a
15 program management around surveys. So, the report
16 is available. I believe the link has been shared,
17 you know, the six, eight months ago that it came
18 out. And on the science centers led by Office of
19 Science and Technology. Evan Howell at the end of
20 the table, our Director of Office of Science and
21 Technology has been putting a lot of thought into,
22 how can we modernize our survey program management

1 as a way to gain efficiencies to help turn that
2 graph around that I showed in terms of declining
3 days at sea? So, we start taking the
4 recommendations to heart. We're starting to frame
5 out a National Survey Program with sort of a
6 national implementation, national coordination,
7 integration, regional implementation. We've
8 conducted a cost analysis to understand the cost,
9 the full cost of our national survey portfolio.
10 We have gone through a prioritization exercise
11 whereby each region has prioritized every one of
12 their surveys. And we're starting to use that
13 prioritization in terms of making decisions about
14 our FY 22 and FY 23 survey execution. And then
15 we're continuing to evaluate, you know, where are
16 our gaps in terms of, what are we not collecting?
17 Or where are there opportunities to collect
18 similar comparable data but using different
19 platforms?

20 So, you'll be hearing more about this
21 National Survey Program in the future. But it's
22 an emphasis for us to be responsive to this

1 recommendation from the NAPA review that was --
2 Congress asked us to undertake.

3 You know, going to the next slide,
4 please. In terms of modernizing the enterprise.
5 You know, there's clearly, technology offers
6 opportunity. And to help us understand the
7 opportunities that are presented. We've recently
8 started a next generation data acquisition plan,
9 which Evan Howell again, is leading. And then, I
10 think some of you have been involved in the
11 workshops and the questionnaires that have gone
12 out in terms of what data do we need to collect.
13 How do we need to collect it? How often? There's
14 also a fleet recapitalization plan, which is being
15 led by the Office of Marine and Aircraft
16 Operations. And that plan is -- sort of looks
17 forward, what platforms are needed in the future
18 for NOAA to be successful. From our perspective,
19 it's what platforms are needed in the future for
20 NOAA Fisheries to be successful. And that
21 platform mix includes both ships or all ships,
22 aircraft, and uncrewed systems. But this fleet

1 recapitalization plan is focused on the ship
2 platforms specifically. We also understand that,
3 you know, with modernizing our survey enterprise,
4 we also need to modernize our data management, and
5 our sort of assessment or ability to conduct
6 assessments. So, there is a -- the FIM effort was
7 a Fisheries Information Modernization effort. And
8 then we also have a NMFS Data Vision 2022, which
9 is developing for us to, you know, think again,
10 about how we're going to manage data from our
11 current survey enterprise, and then, how we are
12 going to manage data as we make changes to our
13 enterprise.

14 And then we have the, you know, the
15 surveys are not done simply to collect data.
16 Those data are used for purpose. And so, we need
17 to collect these changes in our survey enterprise,
18 to the purpose in which the data is being
19 collected for. So, we see opportunity in the
20 Climate Ecosystem Fisheries Initiative. We --
21 there's need for high performance computing to
22 analyze some of these data. And then we have the

1 environmental justice strategy, which we'll be
2 talking about. And we also have a fisheries
3 integrated modeling effort underway to work sort
4 of developing a national toolbox for stock
5 assessment, with each region contributing, thereby
6 sort of furthering that idea of national
7 coordination and integration and regional
8 implementation and sort of pushing that idea into
9 our stock assessment portfolio as well.

10 Next slide, please. So, the data -- The
11 use of innovative technologies, uncrewed systems
12 also all mix. I just want to call out the
13 Southeast Region, the Gulf Council, South Atlantic
14 Council for really breaking ground on the close
15 kin genetics as a way to estimate population
16 abundance. And then trying to work that into our,
17 you know, assessment processes and management
18 processes. There is some real potential there.
19 And we also have modernizing fisheries information
20 collection and how we're distributing information.
21 I think DisMAP is an excellent example of some of
22 those improvements. It's taking our regional

1 survey databases and displaying those databases in
2 one national framework. So, we can understand
3 what's happening at the national level. But using
4 our regional level information. There is, you
5 know, a lot of opportunity around artificial
6 intelligence and machine learning. You know,
7 utility in our electronic monitoring, sort of
8 capacity, utility in sort of how we are analyzing
9 large data sets, the acoustic data sets in
10 specific. So, trying to optimize the use of those
11 sort of computing technologies. And then we have
12 you know, the intent of the next generation data
13 acquisition plan to really think about our next
14 generation analytical and modeling tools.

15 Next slide, please. So again, is that
16 process is ongoing now. There have been
17 opportunities to gather your feedback. And I hope
18 that you're able to stay engaged, and Evan Howell
19 again, can provide more information if you're
20 interested. But we did do a questionnaire to
21 collect needs. And then there are five public
22 listening sessions to capture information. And in

1 those five sessions, we had more than 300
2 attendees. So, the intent is to gather a broad
3 perspective on what our data needs are going to
4 be, and then develop this draft data acquisition
5 plan.

6 Next slide, please. And this is my last
7 slide. So, you know, we've, from a science
8 perspective, have identified these three grand
9 challenges, recognizing that there are challenges
10 across our science portfolio. But looking up and
11 trying to look ahead a little bit further from the
12 day to day, we really see Climate Change, Offshore
13 Wind Energy Development, and this need to adapt
14 our survey enterprise as those three longer-term
15 challenges that we are focusing on. And
16 developing plans around how to approach -- how to
17 address these challenges.

18 So, I'll stop there. And I'm happy to
19 take any questions.

20 CHAIRMAN LUISI: Okay, Jon, thank you
21 very much for the presentation. There was a lot
22 of information packed into that. So, we'll take a

1 little bit of time at this point, if anyone has
2 any questions or comments they'd like to make to
3 Jon. This time. John?

4 MR. CARMICHAEL: Yeah, trying to catch
5 my breath. That was a lot Dr. Hare. I guess,
6 sort of a big, big picture question, looking at
7 all that, in its totality, and thinking about the
8 situation of a region, like the Southeast with
9 many unassessed species, and, you know, trying to
10 get back to where we used to be much less, you
11 know, get to the future, you know. The sort of a
12 question is, how do you see us being able to say,
13 restore the capabilities, considering, like, the
14 days-at-sea example. You know, then maintain
15 that, and then actually build it to the point
16 where, you know, we can do what's expected under
17 the SFA, much less is likely to be expected under
18 climate ready fisheries. And then you know,
19 dealing with wind power, environmental justice,
20 climate change, all that. You know, to make sure
21 that basics are covered. Surveys, catches, life
22 history. Now, there's all those competing

1 resources for that, and certainly appreciate the
2 importance of surveys, I like that you highlighted
3 how critical those are. Because, you know, if
4 you're trying to manage fisheries as just catch,
5 it's very difficult. You know, surveys are
6 critical. And in many cases, we don't have
7 surveys. And while we have in this somewhat of an
8 expansion of fishery independent surveys, some of
9 our long-standing ones have been greatly reduced.
10 And they're doing practical things that hurt
11 assessments, like they can't put the effort into,
12 life history research that may have been done in
13 the past, because they have to spend more of the
14 available funds on just doing the basic data
15 collection at days-at-sea. You know, so in many
16 cases, you know, we really are losing ground.
17 Other regions are sharing, you know. There's --
18 you hear things about port sampling being cut in
19 some areas -- surveys been cut in some areas and
20 all of that stuff. Assessment abilities,
21 certainly in our region is a constant struggle,
22 getting assessments that are timely, and not

1 greatly out of date. So, you know, when in many
2 areas where, I like to say, still trying to catch
3 up with the SFA after almost 25 years.

4 And you've got all these other competing
5 priorities on science, you know. So, what are the
6 thoughts on doing as Paul said a couple of times.
7 We'll have to do make decisions about what we do
8 and what we don't do based on the resources.

9 And I think around most of the Councils
10 we sort of feel like, we really have to focus on
11 meeting those basics, first. Let's raise all
12 ships up to some minimal level, you know.
13 There's, you know, there's some basic level of
14 assessment. So, we're not saying setting catch
15 levels on just -- you know, setting ABCs, and
16 such, just on catch.

17 DR. HARE: An excellent question. Thank
18 you for summarizing the state of play. And I'll
19 try to answer sort of two different answers,
20 right? I think, in terms of, you know, focusing
21 on what we need to do now and not focusing
22 forward. I think, you know, climate change, and

1 offshore wind development is now. You know, to
2 not account for those in our current, you know,
3 science and management is from my perspective, I
4 think it's a conversation we can have, it's not
5 really tenable. Because we know climate change is
6 affecting species distributions. We know climate
7 change is affecting species productivity, which
8 are really at the heart of what we're trying to do
9 in terms of sustainable fisheries, similar to
10 offshore wind. So, then your point, similar to
11 the second answer, you know, how do we -- we've
12 got these new challenges, which are affecting our
13 fundamental work, but we're not able to really
14 support our fundamental work at the capacity that
15 we would like to. And I've sort of come to -- and
16 you know, Paul articulated this and MAFAC as well,
17 right? You know, there's sort of three, we have
18 to work all three options at the same time. And
19 those three options are, make sure we're making
20 the best use of our current resources. And that
21 gets into sort of the prioritization and
22 efficiency and in trying to really, you know, hold

1 on. I think we've done a lot of honing, right,
2 you know, for past 10 years, we've been honing but
3 we need to go back and try to get whatever
4 efficiencies we can out of our current resources.

5 Second, is, you know, continue to
6 articulate the need for new resources, and
7 articulate, you know, what new resources get you.
8 And so, from my perspective, you know, new
9 resources, get to sustainable fisheries get to,
10 you know, recovery of protected species, which can
11 take the pressure off of fishing. Gets you, you
12 know -- fishing as an economic driver is a highly
13 distributed economic driver. So, it gets you sort
14 of, you know, economics that are much more
15 distributed and focusing on some of the other
16 industries. So, really connecting the argument
17 for new resources to what you're going to --

18 (Audio drop).

19 CHAIRMAN LUISI: When you receive a
20 report that Congress sort of requested by a group
21 like this is the agency -- will we be bound to
22 implement the recommendations of the report or can

1 the agency treat those recommendations as useful
2 input? Janet?

3 MS. COIT: So, the ladder. We're not
4 vying for Congress appropriated a million dollars
5 for that report, and they're a well-known
6 institution with much credibility that does this
7 kind of work. And we are looking at the
8 recommendations as an opportunity to do better,
9 but we're not compelled explicitly to implement
10 them having said that, Jon and Evan are leading
11 the effort on the survey side. There were very
12 important recommendations around improving
13 interactions with Congress around improving
14 transparency or whether --

15 (Audio drop).

16 CHAIRMAN LUISI: We're back.

17 MS. COIT: Is this working?

18 MR. PEARSON: Yeah.

19 MS. COIT: Awesome. In regard to the
20 NAPA Report, we have a plan of action in regard to
21 each of the recommendations. And we'll have later
22 this year, a plan that spells out how we're

1 responding to each and many of them are well
2 taken. And we will take the recommendations and
3 others we feel are either under advisement for
4 things we're already doing.

5 CHAIRMAN LUISI: Thank you. Go ahead,
6 Bill.

7 MR. TWEIT: Thanks, and then this may
8 actually just go to the point you just made. But
9 I'm trying to figure out what elevate the national
10 program management model means. And I'm worried
11 that it represents a departure from an area that
12 -- a departure from the current practice in an
13 area that at least some of the councils have
14 expressed really concern -- really deep concern
15 about in the past. As an NMFS has developed the
16 tools for prioritizing survey effort within
17 existing resources. And as we've worked with
18 NMFS, to help shape those tools. I know my
19 Council, and as well as some others have expressed
20 real concern that those tools not be used cross
21 council. That they just be used within each
22 region, at least, to prioritize within region.

1 And we thought the tools were probably useful and
2 appropriate for within region. But we had real
3 concerns about their utility or their
4 appropriateness and being used cross region. This
5 feels like this might be moving towards cross
6 region, it feels like it might be using those
7 tools cross regionally in ways that at least some
8 councils have expressed some very, very strong
9 concerns about in the past. And so, I'm wondering
10 if you can give me a little bit more insight in
11 the what elevating the model means.

12 DR. HARE: Yes, so I think we've talked
13 about that within NOAA Fisheries and we recognize
14 that each region is distinct. That's why we have
15 regional fisheries management councils. That's
16 why we have regional offices. That's why we have
17 science centers, you know, more specific. And so,
18 we're sort of describer to defining what that
19 national model looks like. But in terms of
20 surveys, we're, you know, our top priority is to
21 meet the regional priorities. And so that's kind
22 of its -- kind of takes what you just described

1 and elevates that. So, that's our national
2 priority, is to meet regional priorities. And
3 then as you know, how do we allocate funds among
4 regions? It gets a little stiffer, like tougher
5 there, particularly as our resources available to
6 surveys are more limiting. And so, we're trying
7 -- we're going to continue to work on this idea of
8 balancing regional priorities but using each
9 region's priorities as the way to sort of achieve
10 that balance. I don't know if that answers your
11 question or, but it helps you understand a little
12 for -- mitigates the concern a little bit.

13 CHAIRMAN LUISI: Bill?

14 MR. TWEIT: Well, it does, I was hoping
15 that, as you described that you were going to say
16 that you anticipated ongoing conversations with
17 the Councils as part of that. And I didn't hear
18 you say that.

19 DR. HARE: Yes. So, I will say that we
20 anticipate an ongoing conversation with the
21 Councils as we do it. We're just, you know --
22 we're trying to -- we're taking the

1 recommendations, we're facing some -- you know,
2 you saw the graph on survey on the sort of days-at
3 sea-available; the survey. So, we are sort of
4 under -- we recognize we're under survey pressure
5 of -- and we recognize and take the NAPA
6 recommendation to heart. That we really need to
7 think about it not as five or, you know, six
8 regional problems, but as a national problem
9 that's implemented regionally. And so, we're
10 trying to sort of, you know, structure what would
11 a national survey program looked like, that is
12 responsive to regional need. And we will
13 certainly be discussing that with the Councils as
14 we make progress on it. But I don't know, Evan,
15 if you want to add anything? Because the Office
16 of Science and Technology, as you know, they are
17 our national coordinator, integrator on this
18 survey program idea.

19 CHAIRMAN LUISI: Evan?

20 MR. HOWELL: Yeah, thanks, Jon. I think
21 that I would keep that same frame of conversation.
22 Which is we keep the regional specificity. That's

1 about the highest we want to roll up because we
2 have regional needs that we're not going to be
3 able to generalize nationally. But we find
4 ourselves in a lot of conversations, especially
5 with appropriators trying to explain this survey
6 program, and how much it costs and what is needed.

7 And then as we try to look towards
8 basing, getting back to baseline. And one of the
9 core things that we need to do as well is trying
10 to invest in modernizing things, being able to
11 speak of it nationally, but also for us
12 internally, being able to understand what it costs
13 for us and what we're willing to, you know,
14 reprogram or move towards a national program.
15 Without knowing the bounds of that national
16 program, we have trouble because there's just --
17 it's more than just the sum of the regional needs.
18 We need to look it off to the national investment
19 we're going to make for modernization that we
20 could make in one region, and then work backwards
21 to apply across other regions. So, I don't see us
22 ever going to a one to end to end continuous list,

1 where we have surveys that are ranked one, two,
2 three, four, five. But we have more of a regional
3 prioritization that we might put in terms of tiers
4 of priorities, and absolutely have to have for
5 base essentials necessary to have and not nice to
6 have. That's the right way to put it at this
7 point. But something that sounds a lot better
8 than right now, yeah. Thank you.

9 CHAIRMAN LUISI: Thanks, Evan. Eric
10 Reid?

11 MR. REID: Thank you, Mr. Chair. And
12 thank you, Dr. Hare. So, I know you're only
13 reading a screen in this big. So, you might have
14 missed the point where you were going to talk
15 about how you're going to handle fisheries
16 dependent data and possibly integrate that.
17 Things like study fleet to augment with, you know,
18 when you have a problem. So, how does that all
19 fit into helping this thing out?

20 DR. HARE: Yeah, I mean, you know,
21 cooperative research is a very effective way for
22 us to achieve many of our survey goals. And so,

1 you know, in every region, there are cooperative
2 research funds. And those funds are used for, you
3 know, many different projects, but in many
4 regions, they're supporting survey enterprise.
5 You mentioned study fleet. Study fleet is a
6 program which is run on commercial vessels.
7 Whereby the vessels report tow by tow. And that
8 tow-by-tow information is then used as in-stock
9 assessments as a -- like a catch per unit effort,
10 type of index. There's also in the Northeast,
11 which I know well. There's the Gulf of Maine
12 bottom long line survey, which is done from
13 commercial platforms was designed and is used to
14 augment our bottom trawl survey. Recognizing the
15 bottom trawl survey is not effective around hard
16 bottom, bottom long line survey was designed to
17 sample those hard bottom areas and then compare
18 back to the bottom trawl survey.

19 So, you're right, I think there is a lot
20 of opportunity for us. And that goes into that
21 sort of the partnership bucket, right? How can we
22 better partner with industry, fishing industry,

1 recreational industry, commercial industry to
2 collect data, which can help us -- help all of us
3 in terms of managing fisheries? So yes, thank you
4 for bringing that point up.

5 CHAIRMAN LUISI: Eric?

6 MR. REID: Yeah, no problem. Glad to do
7 it. But you know, the big -- I mean, you're
8 asking what the biggest challenges are, and to me,
9 it's maintaining your surveys, you know,
10 financially, but also, you know, offshore wind is
11 going to be a giant nightmare. The White Ships,
12 whatever you want to call them, they're not going
13 to be able to get into those areas. And that's
14 the ones that are on monopiles. So, you know,
15 developing some program with the industry.
16 Smaller platforms that are towing the same gear as
17 yours are towing. Now that to me, that's a
18 win-win situation. But you know, the other issue
19 I have, is we understand what a Monopile looks
20 like. It's a, you know, the stick sticking out of
21 the bottom. How are you going to deal with
22 floating wind, which is a giant spider web of, I

1 don't know what that's going to look like?
2 There's a lot of different designs for floating
3 wind. But, you know, you're talking about
4 developing a template and moving it around the
5 coast. I mean, I don't know how you're going to
6 develop a template for something that's going to
7 change everywhere you go.

8 DR. HARE: Yeah, you know, I'm not
9 trying to be funny here. But I don't think it's
10 just the science problem. I think you know, we're
11 -- it's, you know, for our fishing industry in
12 general. How are they going to operate, you know?
13 How they're going to operate round fix turbines?
14 Is one question. How they're going to operate in
15 floating arrays? Is another question and your
16 point exactly, right. You know, float -- there's
17 many different ways you can set up a floating
18 array, so it's multiplying the problem. And
19 that's why, you know, sort of -- the Gulf of
20 Maine, a call area will largely be floating.

21 The Mid- Atlantic, there's two sections,
22 there's one section on the shelf, which will

1 likely be fixed. And the section off the shelf,
2 which would likely be floating. West Coast, I
3 think, is all floating. So, we really need to,
4 you know, think about how we're going to survey
5 these areas, but also work with our industry
6 partners, in terms of what types of fishing will
7 they be able to do in and around these areas, and
8 you know, as possibility to help them adapt
9 fishing methods, as well as helping us adapt our
10 survey method. But you're right is I think,
11 working collaboratively going back to this point
12 that Jon raised, we need to address these problems
13 together.

14 CHAIRMAN LUISI: Thanks, Jon. Thanks,
15 Eric, for bringing that up. We have time for one
16 more comment or question from members around the
17 table. Tom Nies?

18 MR. NIES: So, Mr. Chair, in your
19 introductory comments today, I think you mentioned
20 an issue that I didn't know if you were going to
21 bring it up later. I was interested in hearing
22 more detail. Something about port sampling.

1 CHAIRMAN LUISI: Yeah. I want to turn
2 to Chris, to bring that topic up.

3 DR. MOORE: Thank you, Mr. Chair. So,
4 this is actually something that tees off of what
5 John Carmichael said earlier, and it's a specific
6 related to lack of basic information. And it's
7 something that Jon -- Jon Hare is very familiar
8 with. It's something we've talked about before
9 and that is reduced port sampling, biological
10 sampling. So, last week, we were at a NRCC
11 meeting, and we received a briefing from GARFO
12 that indicated that we're looking at a 50 percent
13 reduction in number of samples, which sounds bad.
14 And it gets worse when you think about what the
15 implications are for that 50 percent reduction,
16 which Jon is fully aware of. And then, the
17 implications are that you're going to have more
18 uncertainty with the assessments, which is going
19 to lead to lower ABCs.

20 So, given that we have explored with the
21 region and had a good conversation last week about
22 it, as to exactly how much money are we talking

1 about, relative to getting back to the levels that
2 we had a couple of years ago. We've got
3 reductions over the last three years. We're
4 looking at around 900,000 dollars to get back to
5 2017, 2018, 2019 levels. And that's just to keep
6 it you know, level because what we - what we've
7 been faced with, the region has been faced with,
8 is increasing contract costs and level budget. So
9 not, you know, dissimilar to some of the other
10 things that you're dealing with as well. But this
11 is a very critical basic program. That's
12 important to a number of the fisheries and stocks
13 in the Northeast. So, I'm not sure where that
14 takes us. You said you don't have a check book.
15 So, you can't write the check. But certainly for
16 900,000 dollars relative to other things that
17 we've been talking about, I think it might be a
18 good investment. So --

19 DR. HARE: Thank you for that. I mean,
20 one question is, I know it's an issue in sort of
21 Mid-Atlantic and New England. You know, like one
22 thing we should probably do is find out if it's a

1 concern. Which is, you know, is it two councils?
2 And how the Northeast Fisheries Science Center and
3 GARFO is making decisions, or is it a broader
4 national issue? And so that would be one thing.
5 I'd be curious how it gets, you know, for people
6 to provide feedback on that. And then in terms of
7 a 900,000-dollar cost. Yeah, we can talk about
8 how we could possibly come up with that. But
9 again, it's not going to be pretty.

10 DR. MOORE: Yeah. Thanks for that. One
11 other group you didn't mention is the Commission.

12 DR. HARE: Yep. Correct. Thank you.

13 CHAIRMAN LUISI: Okay, thanks for that.

14 As I promised you to be done at 5:00 today. We --
15 so we have a little free time before the reception
16 this evening. We are at 4:30. So, I'm going to
17 go ahead and move on to the last item on our
18 agenda today. We have a legislative update. And
19 we have two presenters. The first one is Dave
20 Whaley is the independent contractor to the CCC.
21 Welcome, Dave, and we look forward to your report.

22 MR. WHALEY: Thank you, Mr. Chairman. I

1 know there are a lot of new faces around the table
2 since we last met in person, so let me just
3 introduce myself. My name is Dave Whaley. As the
4 chairman mentioned, I'm an independent contractor
5 that works for the CCC. I track congressional
6 actions and I try and report on fisheries and
7 ocean issues, to let councils know what Congress
8 is up to that might affect how you manage the
9 nation's fisheries.

10 Just to give you a little background, I
11 worked on Capitol Hill for 32 years. I was
12 involved in both the last major reauthorizations
13 of the Magnuson Act, both '96 and 2006, so I've
14 been around. I know a little bit about how the
15 Magnuson Act works.

16 As with Council meetings, it's been a
17 little difficult to watch Congress do all of their
18 work virtually. In the old days a lot of work got
19 done in the hallways after hearings. Right now,
20 most of the hearings that are being held are
21 either hybrid or virtual. In fact, one of the
22 last hearings that I watched members, rather than

1 going to the hearing room, which was in the same
2 building where their offices were, they were
3 sitting in their offices participating virtually.
4 It's a little disheartening to see that happen.
5 So much good legislation comes when members
6 interact and talk.

7 You can go to some of the hearings. On
8 the Senate side it's a little bit easier, they are
9 having in-person hearings. On the House side it's
10 a little more difficult. If you want to get into
11 a hearing, you have to get cleared and you have to
12 have a congressional staffer come and get you and
13 take you to the hearing. So, it's a little harder
14 to participate or actually watch hearings.

15 I do this every time, and I'm sure some
16 people probably get bored with me doing it, but
17 I'm going to give you a little civics lesson for
18 those of you who haven't remembered your high
19 school civics. Every Congress lasts for two
20 years. We're in the second half of the 117th
21 Congress, which means this Congress will end the
22 end of December of this year. When a Congress

1 ends, the slate gets wiped clean. Any legislation
2 that has not passed, goes away, and in order for
3 it to be considered in the next Congress, it has
4 to be reintroduced. Because we're at the end of a
5 Congress, this is where everybody realizes their
6 bills haven't gotten passed and they start
7 pushing. Everybody wants their bill passed. So,
8 this is the time of year where we see a lot of
9 activity.

10 Time's getting short. Right now,
11 including this week, looking at the House
12 schedule, the House is only in session for another
13 39 days before the election. After the election
14 there are scheduled to be another 17 days of
15 session. So we're looking at not a lot of time to
16 get things done.

17 As many of you know, there's going to be
18 an election in November. Why is this important?
19 According to Politico, there is a likely chance
20 that the House of Representatives will flip to
21 Republicans being in charge and there's a
22 possibility that the Senate will also flip.

1 Why is that important? Well, the party
2 that's in charge gets the chairmanship of the
3 committees. The chairman sets the schedule, the
4 chairman decides what bills get heard, the
5 chairman decides when hearings are going to be
6 held. The chairman gets more staff, the chairman
7 gets more funding. The chairman decides who the
8 witnesses will be, so it's good to be the chair.

9 Going back to Civics 101, every member
10 of the House of Representatives is up for election
11 in November. They serve two-year terms, so they
12 serve for one Congress. One-third of the Senate
13 is up for re-election, which means this year there
14 are 34 senators up for re-election, so it's a
15 pretty big year.

16 Let me talk about some legislation
17 that's going on right now that's moving.
18 Obviously the most important for you guys is the
19 Magnuson-Stevens Act Reauthorization.

20 There are two bills that have been
21 introduced, both on the House side, H.R. 59 that
22 was introduced by Congressman Young from Alaska

1 and H.R. 4690 which was introduced by Congressman
2 Huffman from California, who is the chair of the
3 Water, Ocean, and Wildlife Subcommittee, which is
4 the subcommittee which takes action on fisheries
5 bills.

6 There was a hearing held last November
7 on both of those reauthorization bills as well as
8 the Forage Fish Conservation Act, which a lot of
9 you have looked at in the past. Two of the folks
10 who testified at that hearing are here today,
11 Janet Coit and Marc Gorelnik. Marc testified on
12 behalf of the CCC, when he was chair of the CCC
13 last year; did a great job. All hearings that
14 have been held are videotaped or webcast or
15 whatever. You can go back and watch any of those
16 hearings. So, if you want to go back and see the
17 hearing on Magnuson, it is on the committee's
18 website.

19 After the hearing, there were some
20 negotiations that went on or at least discussions,
21 I should say, between Congressman Young and
22 Congressman Huffman about trying to figure out

1 some middle ground between the two bills. There
2 were some very clear similarities, especially on
3 data collection and science. There were also some
4 very big differences. So, there were some
5 negotiations that were going on between the
6 members and their staffs.

7 Unfortunately, Congressman Young passed
8 away in March really suddenly. Following his
9 passing, Congressman Huffman announced that he was
10 going to suspend further action on the Magnuson
11 Reauthorization until a new member could be
12 elected to that seat from Alaska. That will not
13 happen, or somebody will not be seated until
14 September. So, that makes it very unlikely that
15 we will see much more action on Magnuson, at least
16 on the House side.

17 On the Senate side, no reauthorization
18 bills have been introduced. No hearings have been
19 held. And when we had some Senate staff who
20 participated in the CCC meeting a little over a
21 year ago from both sides of the aisle, there was
22 indications that members of the Senate were not

1 interested in looking at that reauthorization at
2 this point.

3 Some other bills that are moving or have
4 just been signed, as was mentioned, a bill was
5 just signed by the President to amend the S-K Bill
6 to create six new regions that would advise the
7 Secretary on spending the S-K money. I think the
8 Secretary has 90 days to implement that, so we
9 should be seeing some action on that fairly
10 quickly.

11 A bill has just passed both in the House
12 and the Senate. We're waiting on seeing when
13 it'll be sent to the President. It's The South
14 Florida Clean Coastal Waters Act. Deals with
15 harmful algal blooms and hypoxia. I'm expecting
16 that it'll be noncontroversial and the Secretary
17 will sign that.

18 One other bill that I talked about to
19 some of you earlier is H.R. 4521, the America
20 Creating Opportunities for Manufacturing,
21 Pre-Eminence in Technology, and Economic Strength
22 Act or the America COMPETES Act. This started out

1 as a 30-page bill to help the American
2 semiconductor industry and help the U.S. become
3 more competitive. Right now it's in conference,
4 and the Senate version is 2,326 pages and the
5 House version is 3,610 pages. Fifty-four pages
6 are just the table of contents in the House
7 version.

8 The reason I bring it up is, there are a
9 lot of fish provisions in this bill, which is now
10 in conference. Conferences between the House and
11 the Senate are one of those closed-door,
12 smoke-filled rooms where there's not a lot of
13 transparency. So, when bills get to conference
14 and they're 3,000 pages long, there's a lot of
15 opportunity for mischief.

16 Just to go real quickly through some of
17 the specifics in the bill. In the Senate Bill
18 there's the Shark Fin Sales Elimination Act, and
19 there's also a country of origin labeling
20 provision for king and tanner crab. In the House
21 side, there's the Illegal Fishing and Forced Labor
22 Prevention Act. The reason I bring that up is it

1 would expand the SIMP Program to all imported
2 seafood within two years. It would also require
3 any fishing vessel longer than 65 feet while
4 operating in the navigable waters to have an AIS
5 system onboard.

6 The House bill also includes the Drift
7 Net Modernization and Bycatch Reduction Act, a
8 significant provision dealing with marine mammal
9 research and response; several coral reef
10 provisions; a sense of Congress dealing with buy
11 American seafood; several National Academy
12 studies, including one on offshore aquaculture.
13 The bill also includes the Shark Fin Sales
14 Elimination Act and some more IUU Programs, as
15 well as quite a bit on blue carbon, and finally,
16 provisions dealing with working waterfront.

17 So, just real quickly, to wrap up a
18 couple other things, the appropriations for 2023
19 appear to be on target. There have already been
20 three hearings with another scheduled, so that's a
21 good sign.

22 And lastly, I just want to highlight

1 something that goes on every year, it's called
2 Capitol Hill Oceans Week. It used to be a close
3 collaboration, where they brought a lot of
4 scientists in and a lot of academics and a lot of
5 people in the industry to talk to congressional
6 staff, have good interaction with people in the
7 industry and in academics. It's become a little
8 bit more detached. There's less interaction with
9 congressional staff than there used to be. But
10 one of the reasons I bring it up is there's a
11 panel on Tuesday, June 7th, titled "Food from the
12 Sea," and our own Paul Doremus is going to be the
13 moderator. There are three panelists, and the one
14 thing that concerns me a little bit is two of them
15 are academics and one of them is (inaudible)
16 aquaculture. So, we're talking about food from
17 the sea and there's nobody from the commercial
18 fishing industry that's going to be involved in
19 that. So that's a little bit worrisome. But part
20 of the reason I bring it up is since Paul's the
21 moderator, maybe we can feed him some questions
22 and he can push the discussion a little more our

1 way.

2 So, with that, Mr. Chairman, I'll answer
3 any questions you have, and I know Tom has a
4 presentation as well.

5 CHAIRMAN LUISI: Yeah, I appreciate
6 that, Dave. We'll get to Tom in a minute. Let's
7 take some time, if anyone has any questions for
8 Dave now's the time. Any questions? Any
9 comments? Bill?

10 MR. TWEIT: Thanks, Mr. Chairman.
11 Thanks, Dave, for all your work throughout the
12 year on this. When it's in conference, and I know
13 you said things can get -- they can be hard to
14 trace what's going on there, but if a provision is
15 in one of the House's starting document, but not
16 in the other, what are the odds then that it makes
17 it through? Is there any sort of -- if it's in
18 both, I think, it's obviously pretty good odds,
19 but if it's in only one, the odds are
20 substantially decreased. Is that right?

21 MR. WHALEY: The more controversial it
22 is, the less likely it stays in. It also depends

1 on who's running the conference. For example, the
2 Department of Defense Authorization Bill had some
3 marine mammal provisions in it. Nobody from the
4 Armed Services Committees wanted to deal with
5 marine mammals, and so it was dropped. The
6 original intention of this bill was to deal with
7 the semiconductor industry and make the U.S. more
8 competitive in technology. Again, marine mammal
9 things may or may not make the cut.

10 One of the other issues is the number of
11 conferees. There are 15 of the 20 House
12 committees that are represented on the Conference
13 Committee. I counted 85 total members of the
14 House who are conferees. That makes it harder to
15 get agreement. So, if the goal is to get this
16 legislation enacted by the end of the year,
17 they're going to have to start cutting things.

18 MR. TWEIT: The one provision that you
19 didn't mention, because I think it's buried in one
20 of the ones you did mention, that we're -- the
21 North Pacific Council (phonetic) is tracking one
22 of them, is the RQE funding provision. And it's

1 just in one, it's not in both, correct? I
2 understood you correctly, that it's just in the
3 House version?

4 MR. WHALEY: Correct, it's just in the
5 House version.

6 MR. TWEIT: Thank you.

7 MR. WHALEY: However, that is part of
8 the Drift Net Bill, which could move separately.
9 As you may remember, it was passed by House --
10 both the House and the Senate, and sent to the
11 President last Congress, so there is precedent for
12 moving that.

13 MR. TWEIT: Thank you.

14 CHAIRMAN LUISI: Okay. So, I was doing
15 a little sidebar with Chris. Any other questions,
16 comments for Dave? Okay, seeing none, Dave, thank
17 you very much for all the work that you do
18 informing the CCC on legislative topics.
19 Appreciate it very much.

20 All right. Our last item tonight is a
21 presentation by Tom Nies, who is New England's
22 Executive Director. So I want to turn it over,

1 Tom, to you for the Legislative Work Group Report.

2 MR. NIES: Thank you, Mr. Chairman.

3 I'll try to get through this pretty speedily. I'm
4 going to give a report on the Legislative Work
5 Group obviously. But first, I thought it might be
6 worthwhile if we just all remind ourselves a
7 little bit of Congressman Young and his
8 contributions to fisheries.

9 He was elected I think 24 times out of
10 Alaska starting in 1973. So, he's been associated
11 with fisheries longer than even somebody else at
12 this table, I think. Over that time, he chaired
13 the House Resources Committee for about six years,
14 the House Transportation Committee for I think
15 another six years. But more importantly to us, I
16 think he was one of the original authors of the
17 MSA, which he always told us was misnamed and
18 should have been called the "Young Studs Act". He
19 was a strong supporter clearly of fisheries and
20 fisherman, and clearly felt the regional council
21 -- the fisheries management councils were
22 important to sustainable fisheries and supported

1 us.

2 A lot of times, I think we forget what a
3 unique management system we have here. It's one
4 of the few in the world, maybe the only one in the
5 world, where not only fisherman, but also other
6 stakeholders are at the table when decisions are
7 made on how to manage fisheries and have a lot of
8 influence on when it gets done. I just hope that
9 we all remember all of the contributions of
10 Congressman Young and don't forget his support for
11 sustainable fisheries in the U.S.

12 Moving on, these are the members of the
13 Legislative Work Group who have done a little bit
14 of work over the last six months. All of the
15 councils are represented, and all of these people
16 contribute quite a bit to the report and the work,
17 so I just want to make sure they're recognized.

18 Our activities really boil down to three
19 things. We helped past Chairman Mr. Gorelnik
20 prepare his testimony for the reauthorization
21 hearing in November. We've held one meeting. We
22 took a Look at I guess I'd say the lack of

1 movement on a lot of the bills that had been
2 circulating, including MSA Reauthorization. And
3 we decided that what we should focus on was take a
4 close look at our Forage Fish Consensus Statement
5 and it's in our MSA working paper, and perhaps
6 update it a little bit.

7 So, that's exactly what we did, and we
8 are going to look for CCC approval of the revised
9 statement. I'm not going to put it on the board
10 because in our council, we have a rule that it's
11 got to fit on one page and this would take about
12 four. So we're not going to put it on the board,
13 but it's in your binder and on the webpage, with
14 both the current version and the new version. We
15 added some text in the new version that is
16 marginally substantive and that text that we added
17 in the new version is yellow. But more
18 importantly, I think we restructured the Forage
19 Fish Consensus Statement a little bit because over
20 the years we've been adding things to it, and it
21 got a little bit -- it didn't really read well
22 basically. And thanks to particularly one of the

1 members of our Legislative Work Group, who's
2 sitting over there, we managed to get it
3 rewritten, so I think it flows a lot better, and
4 that's the big advantage to it.

5 So, with that I would suggest that we
6 just consider approving that. I'd be happy to
7 answer any questions on the changes we made, if
8 there are any. But if not, I suggest we just go
9 ahead and try and get the consensus statement
10 approved, Mr. Chair.

11 CHAIRMAN LUISI: Okay, thanks Tom.
12 Before we bring that -- before we get to that, let
13 me see if anybody has any questions for you, Tom.
14 Eric? No, no questions? Anything regarding the
15 consensus statement? Any questions for Tom, Eric
16 Reid?

17 MR. REID: No, I don't see any
18 questions, Mr. Chairman. I'm happy to make a
19 motion to that effect if you want. I think Mr.
20 Pearson has it already. Whenever you're ready for
21 it.

22 CHAIRMAN LUISI: Go ahead.

1 MR. REID: Okay. Draft motion, I move
2 that the CCC approves the updated Forage Fish
3 Consensus Statement prepared by the Legislative
4 Work Group. And if there's no discussion, there
5 you go. If I can get a second, I don't have any
6 rationale, so it's fine.

7 CHAIRMAN LUISI: Understood. Thank you.
8 Bill Tweit? Second?

9 MR. TWEIT: Second.

10 CHAIRMAN LUISI: Second. Any discussion
11 on that motion? Any members around the table have
12 anything they'd like to discuss on the motion? Is
13 there any objection to the motion? Seeing no
14 objection, motion carries by consent. Tom?

15 MR. NIES: That concludes my report, Mr.
16 Chair.

17 CHAIRMAN LUISI: Great, that was a lot
18 faster than I thought it was going to be. Okay,
19 so that concludes our business today. I do want
20 to offer, as I mentioned before the meeting began,
21 I do want to offer the public an opportunity to
22 provide public comment. Is there anyone here in

1 the audience that would like to provide any public
2 comment at this time? Is there anyone
3 participating on the webinar? Okay, all I see is
4 Greg. Is that Greg Didomenico?

5 MR. DIDOMENICO: That is.

6 CHAIRMAN LUISI: There you go, Greg.

7 MR. DIDOMENICO: Can you hear me?

8 CHAIRMAN LUISI: Loud and clear.

9 MR. DIDOMENICO: Excellent. Just for
10 clarification, I got a copy of your presentation
11 on the economics in the Mid- Atlantic. In the
12 future, if we're going to do a comparison between
13 recreational and commercial values, it would be
14 helpful not just to portray the value of
15 commercial landings in ex-vessel price only. It
16 would be helpful and useful, I think, for a fair
17 comparison that would include our multipliers of
18 economic impact. I have seen those as high as
19 four, six, or eight times ex-vessel price.

20 So, I know it's a difficult comparison,
21 especially between regions. But it would be
22 helpful in the future to do something a little bit

1 more than ex-vessel price, because the comparison
2 appears a little misrepresented and a little
3 skewed. Because we take so much of the other
4 economic comparisons and economic multipliers and
5 recreational expenses, it offsets it a little bit
6 too much. So, in the future I think that would be
7 helpful, especially if this type of presentation
8 is taken farther than this. I would hate to have
9 that characterization of the economics. Thank
10 you.

11 CHAIRMAN LUISI: All right thanks, Greg.
12 I appreciate the point and I'll definitely keep
13 that under consideration if we provide that
14 information at another venue. But thanks for
15 bringing that up.

16 Is there anyone else on the webinar that
17 would like to provide any public comment at this
18 time?

19 All right. Seeing no hands coming up on
20 the screen, before we adjourn, I'm going to turn
21 the mic over to Chris, who's going to provide us
22 some details about tonight's festivities. Chris.

1 DR. MOORE: Mr. Chair, for folks that
2 are registered we have the Sunset Cruise. That
3 basically happens -- starts right over here across
4 the -- what is this body of water?

5 CHAIRMAN LUISI: It's called Eagle
6 Alley?

7 DR. MOORE: Yeah, Eagle Alley. So,
8 right on the other side, you have the
9 instructions. You should have gotten them from
10 Shelly when you checked in. If you're not sure
11 whether or not you're actually registered for the
12 event, look on the back of your name tag, it'll
13 tell you.

14 If you are in the room today and say,
15 boy, I sure wish I would have signed up for the
16 Sunset Cruise, you still can because all you need
17 to do is go see Shelly and she'll sign you up. We
18 have plenty of time to get over to the boat. You
19 can board the boat at 5:45. It'll leave the dock
20 at 6:00. It's about a 5- to 10-minute walk. So
21 basically, be there at 5:45, boat takes off at 6.

22 One other thing, it says cash bar. That

1 means you have to pay for your drinks, but you can
2 pay with cash or a credit card. So, you don't
3 have to go to the ATM machine. Any questions
4 before we adjourn about any of that? All good?
5 Okay? Thank you.

6 CHAIRMAN LUISI: Okay. We are in recess
7 until 9 a.m. tomorrow morning. I'm looking
8 forward to seeing everyone tonight.

9 (Whereupon, at 4:43 p.m., the
10 PROCEEDINGS were continued.)

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CERTIFICATE OF NOTARY PUBLIC

STATE OF MARYLAND

I, Mark Mahoney, notary public in and for the State of Maryland, 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.

(Signature and Seal on File)

Notary Public, in and for the State of Maryland

My Commission Expires: June 7, 2022