

U.S. Department of Commerce
National Oceanic and Atmospheric Association
National Marine Fisheries Service
Council Coordination Committee (CCC) Meeting
Tuesday, October 18, 2022

The Council Coordination Committee met in the Holiday Inn - Capitol Hill, 550 C Street, SW, Washington, D.C., at 1:00 p.m., Michael Luisi, Chairman, Mid-Atlantic Council, presiding.

Council Members:

New England Council:

Eric Reid, Chair
Rick Bellavance, Vice-Chair
Tom Nies, Executive Director

Mid-Atlantic Council:

Michael Luisi, Chair
Wes Townsend, Vice-Chair
Chris Moore, Executive Director

South Atlantic Council:

Carolyn Belcher, Chair
Trish Murphy, Vice-Chair
John Carmichael, Executive Director

Caribbean Council:

Marcos Hanke, Chair
Carlos Fauchette
Miguel Rolon, Executive Director

Gulf of Mexico Council:

Dale Diaz, Chair
Greg Stunz, Vice-Chair
Carrie Simmons, Executive Director

Western Pacific Council:

John Gourley, Vice-Chair
Kitty Simmonds, Executive Director

Pacific Council:

Marc Gorelnik, Chair
Brad Pettinger, Vice-Chair
Peter Hassemer, Vice-Chair
Merrick Burden

North Pacific Council:

Bill Tweit, Vice-Chair
David Witherell, Executive Director

NOAA Fisheries Headquarters:

Janet Coit, Assistant Administrator for

Fisheries

Sam Rauch, Deputy Assistant Administrator
for Regulatory Programs

Jim Landon, Director, Office of Law
Enforcement

Jon Hare, Science and Research Director,
Northeast Fisheries Science Center

Adam Issenberg, NOAA Office of General
Counsel

Richard Methot, Senior Scientist for Stock
Assessments

Stephanie Hunt, Branch Chief NOAA
Fisheries Office of Communications:

Rebecca Ferro, Deputy Director

NOAA Fisheries Regions:

Jon Kurland, Alaska Regional Office

Sarah Malloy, Pacific Islands Regional Office

Korie Schaefer, West Coast Regional Office

Andy Strelchek, Southeast Regional Office

Michael Pentony, Greater Atlantic Regional
Office

Other participants:

Fern Gibbons, Minority Policy Director, Senate
Commerce, Science, and Transportation
Committee

Jared Huffman, U.S. Representative,
California, 2nd District

Dave Whaley, CCC Contractor

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Proceedings

(1:07 p.m.)

Welcome and Introduction

Chair Luisi: Welcome. I'd like to call to order this meeting of the Council's Coordination Committee. We are in Washington, D.C., and we have a full agenda for the next couple days.

The first thing that I would like to do is just do a quick around-the-table round of introductions so that everybody -- there are some new faces from our meeting in May, and I think it'd be helpful for all of us to just do a quick round of instructions.

I'll start. My name is Mike Luisi. I am the chairman of the Mid-Atlantic Council. Everyone was in Annapolis a few months ago, and we had a great meeting there. We're looking forward to another great meeting here this week in D.C.

I work for the Department of Natural Resources in Maryland as a fisheries director there. So that's me. And I'm going to go to my left and start with Chris, and we'll come around the table.

Dr. Moore: Hello, everyone. I'm Chris Moore. I'm the executive director of the Mid-Atlantic Council.

Mr. Townsend: Wes Townsend, Mid-Atlantic Council, vice chair, commercial fisherman from Delaware.

Mr. Pembry: Mike Pembry, the regional administrator for Greater Atlantic Region.

Mr. Bellavance: Rick Bellavance, vice chairman of the New England Fishery Management Council, charter fisherman from Rhode Island.

Mr. Reid: Eric Reid, chairman of the New England Council, former commercial fisherman.

Mr. Nies: Tom Nies, executive director of New England Fishery Management Council.

Dr. Belcher: Carolyn Belcher, chair for South Atlantic Fishery Management Council and chief of marine fisheries for Georgia Department of Natural Resources.

Mr. Carmichael: John Carmichael, executive director of the South Atlantic Council.

Mr. Farchette: Carl Farchette, vice chair, Caribbean Council.

Mr. Rolon: Miguel Rolon, executive director of Caribbean Council.

Mr. Hanke: Marcos Hanke, chair, Caribbean Council, charter operator.

Mr. Strelcheck: Andy Strelcheck, regional administrator, NOAA Fisheries, Southeast Region.

Dr. Simmons: Good afternoon. Carrie Simmons, executive director, Gulf Council.

Mr. Diaz: My name is Dale Diaz, and I'm the chair of the Gulf Council.

Mr. Stunz: I'm Greg Stunz, vice chair of the Gulf Council.

Mr. Pawlak: I'm Brian Pawlak, director of the Office of Management Budget for NOAA Fisheries.

Mr. Rubino: Mike Rubino, senior advisor for Seafood Strategy at NOAA Fisheries.

Dr. Howell: Evan Howell, director of the Office of Science and Technology, NOAA Fisheries.

Ms. Malloy: Sarah Malloy, acting regional administrator, Pacific Islands Region.

Mr. Gourley: John Gourley, vice chair, Western Pacific Council, environmental consultant.

Ms. Simonds: Kitty Simonds, the longstanding executive director. Just want to tell you that my 40th anniversary will be next year.

Mr. Kurland: Hi, I'm Jon Kurland, the Alaska regional administrator for NOAA Fisheries.

Mr. Tweit: Bill Tweit, I'm the vice chair of the North Pacific Council.

Mr. Witherell: David Witherell, executive director, North Pacific.

To me, 40 years seems like a life sentence, so thanks, Kitty.

(Laughter.)

Ms. Simonds: I've enjoyed every bit of the challenge.

Ms. Schaeffer: Kori Schaeffer, I'm the acting deputy regional administrator for NOAA Fisheries West Coast Region.

Mr. Pettinger: Brad Pettinger, vice chair, Pacific Council.

Mr. Hassemer: Pete Hassemer, the other vice chair of the Pacific Council.

Mr. Burden: I'm Merrick Burden. I'm the executive of the Pacific Council.

Mr. Gorelnik: Marc Gorelnik. I'm the chair of the Pacific Council.

Ms. Denit: Thank you, Marc. Gosh, it's like déjà vu being in this room again, right. And these microphones seem -- they're throwing me back. Anyway, Kelly Denit, director of the Office of Sustainable Fisheries. Good to see you all.

Mr. Issenberg: Hello. I'm Adam Issenberg. I'm representing NOAA's Office of General Counsel.

Mr. Landon: Jim Landon performing the duties of the deputy assistant administrator for operations for NOAA Fisheries.

Ms. Koch: Hi, everybody. I think this is my last day

as the acting NMFS chief science advisor in lieu of Cisco Werner for NOAA Fisheries.

Mr. Rauch: Sam Rauch, the deputy assistant administrator for regulatory programs, NOAA Fisheries.

Ms. Coit: Welcome, everyone. I'm Janet Coit. I'm the acting assistant secretary for Oceans and Atmosphere and the head of the National Marine Fisheries Service.

Chair Luisi: Okay, thank you for that. Just a couple announcements. I don't know if anyone else is having trouble getting online. I'm having a little trouble getting online, but I think we can manage with Chris and Wes.

I would suggest writing down the bathroom code on your hand because the last thing you want to do is get to the bathroom and not remember the code. It's up on the screen there.

Approval of Agenda

I think it's time to kind of kick things off. Again, welcome everyone. Thank you for that round of introductions. Our first item on today's agenda -- well, let me say this first. Are there any objections to the agenda?

Approval of the agenda, let's do that first. Okay, seeing no objections. I'm going to try my best with -- I'll make a couple quick announcements here as far as people participating virtually.

For public comment, depending on time with each agenda topic, I may go to the public for comment. But there is a public comment period at the end of the day for anything that the public wants to weigh in regarding information for the CCC.

But we'll just manage the time and see kind of how we are and where we are with the agenda. I'm going to turn things over at this point over to Janet

Coit, who's going to provide some opening remarks.

Janet?

Ms. Coit: Thank you, Mike. Again, hello everyone. Happy National Seafood Month, the month of October. I mean, that's a lot about what we do. So we have a number of ways we're just trying to celebrate the most sustainably harvested seafood in the world that you're all responsible for. So thank you.

Very happy to be here on a cold and lovely fall day in D.C., so thanks again to all of you who traveled great lengths to be here. It still feels kind of special to be together in person. So it's wonderful to see all of you again.

I feel like it's been a really long time since our last meeting. The agenda looks great. I'm going to go do my absolute best to be here, but I'm called away for some other meetings at Commerce Department at least tomorrow. Planning to be here all day today and Thursday and will do my tomorrow but may not make it here.

Since we last met, there's so many aspects to this job and the scope of this job. But as I look sort of week to week at what I'm spending my time and what's keeping me up at night, I spend an awful lot of time on offshore wind.

In particular, New England and GARFO have been the folks who've experienced that most specifically and acutely in terms of our responsibility to responsibly site offshore wind, comply with all the many statutes that we're responsible for.

But increasingly, I know those of you on the West Coast and in the Gulf are also taking a look at what we're responsible for and concerns about impacts to fisheries and fishing communities. So I just thought I'd mention a few things that consume a lot of my time.

One is offshore wind, a pillar of this administration's climate change strategy and something we're working very hard to handle in terms of the workload and support in terms of appropriate siting and development. That's a tremendous workload.

And then one of the things we're doing is working hard to get more resources. Because right now, the draft EISs, the consultations, you know all the elements associated with those projects are hitting really the same team of people at GARFO, another office of protected resources. It's strained us at the seams.

Another issue that I spend a very lot of my time on is associated with the North Atlantic Right Whale, endangered mammal that we are compelled to recover that is impacting our work along several dimensions.

I was just in Maine meeting with the lobster industry and looking at the next round of regulations that the Take Reduction team is evaluating. We had a scoping hearing and where people are concerned for their livelihood, their families, their identity.

It's very emotional, and we have a grave and significant responsibility. So that's been a big focus of work with Sam and his team. As well we have a proposed Vessel Speed Rule that's garnering a lot of attention. There's entanglement and there's vessel strikes, and now we are looking at the impacts from offshore wind.

But that proposed rule is we extended the comment period, and that is -- the comment period goes through the end of October. I was just saying to Marc I will be at a sport fishing conference in Louisiana next week and definitely hearing a lot of feedback on that proposed rule that we'll of course take into account.

The other issues just associated with Right Whales in terms of updating the science and our decision

support tool. They're very consuming because of the impact on the industry because the impact on one of our most endangered mammals and because of the impact on the livelihoods of people.

You each have things like this that you're dealing with in your councils. I'm just highlighting a few things that have been very consuming for me.

Looking over at Pacific Salmon and the work that we're doing in the Columbia River Basin surrounding both the litigation and the opportunity to work with the Army Corps and BPA, another area that I'm spending an awful lot of time on because this administration is hoping that we could do something historic in terms of reconnecting river habitat and recovering Pacific Salmons.

So about two weeks ago, we put out a report on recovering salmon and steelhead in the Columbia River, looking not just at ESA recovery goals, but looking at goals that the Columbia River Basin partnership had identified of healthy and harvestable levels, healthy and abundant levels, and what would we need to do including our conclusion that taking out some of the Snake River dams was something that needed to be on the table in terms of meeting these goals.

That's something that's garnered a lot of attention as you can imagine. I also have been trying to just get out there more. Spent a couple of weeks in Alaska this summer. I'm going to be able to hit at least hit the first part of that Gulf Council meeting in Biloxi next week.

I just got back from South Carolina where I was at the American Fly Fishing Association's event, and I'm trying to kind of make up for lost time. I'll be out in California a couple times, including the state director meeting in San Diego. But trying to make up for lost time.

There's absolutely nothing that replaces meeting people, going through a facility, walking the pier.

And so that's another thing I'm spending a lot of time on. Anyway, that's just since I've seen you last.

I just wanted to highlight some of the things that I've been focused on, but I should have probably started by welcoming the new members of the CCC and thanking people who stepped up.

I mean, this work is so difficult and complicated and consequential. Such great admiration and respect for our partners here and what you do. So wanted to mention a few of the new folks that, Mike, you mentioned too.

But Dr. Carolyn Belcher, thank you. Not new to the Council, but newly elected to the South Atlantic as the chair.

Trish Murphy, elected to the South Council vice chair role.

And then Pete Hassemer, stepping into the vice chair role for the Pacific Council, which added a second vice chair, as he mentioned.

Also, Jim Landon, where's Jim?

Mr. Landon: Over here.

Ms. Coit: Oh. He mentioned this when he saw Paul Doremus' last day was last week, so that is kind of a seismic shift in NOAA Fisheries. Paul has been in that position for well over a decade, and we wish him well.

He's going off to a new role in the seafood sector to be announced. And we actually will do something more for Paul later, but his last day in the office was Friday.

And then Jim is going to be dual-hatted here as the head of law enforcement; an area where he's really helped bring that department along and filling in for Paul as acting.

I do anticipate posting and recruiting someone to fulfill that position, but we're going to take stock of kind of the scope of Paul's authority and spend a couple of weeks really looking at how do we want to shape that new position.

But we'll look for -- Paul's been a stalwart. He's been the leader in the national seafood strategy, which we're going to unveil and draft for him in a couple of weeks. And Michael Rubino is here to talk more about that. Michael's the point on that.

And Paul in so many ways has supported the modernization and help support the staff at NOAA Fisheries, so we're going to miss him a lot.

Kristen Koch mentioned this is her last week in an acting role as our chief scientist. Cisco Werner, who is also trying to do three things today had taken over as the acting head of the OAR, the NOAA research arm, and is coming back to us.

And both Jon Hare's, I think, training is delayed, and Kristen Koch took a turn for about three months filling in that role. So thank you Kristen and John, and it'll be fantastic to have Cisco back.

Quickly, there's a few other additions at NOAA. More broadly, Dr. Sarah Kapnick is our new chief scientist. She's doing a lot of work on climate change, and she's terrific. Dr. Michael Morgan is the assistant secretary for environmental observation and prediction.

Someone told me the other day the role I'm acting in is the only Senate-confirmed position that has not yet been filled at the Commerce Department. I need to fact check that, but the nominee is still sort of hung up in the Senate confirmation process.

All right, so those are updates on personnel. I also wanted to start by just giving a few shoutouts. This is not exhaustive, and I know you're all going to think, well, there's something she could have highlighted. But just wanted to talk about some of

the great work that you're doing, and again getting back out there is important to us. And I know Sam has been to three, I think, Council --

Mr. Rauch: Four.

Ms. Coit: Four council meetings recently.

Mr. Rauch: At least.

Opening Remarks

Ms. Coit: Yes. And will continue to do that.

So Caribbean Council recently moved from a species-based fishery management plans to island-based FMPs for Puerto Rico, St. Croix, and St. Thomas, St. John. It's expected that this island-based approach will better account for the existing difference among the Caribbean islands with respect to culture, markets, fishing gear used, seafood preferences, and ecological impacts. Very interesting approach.

Western Pacific Council recommended an amendment to its fishery ecosystem plans to establish a framework for managing offshore aquaculture and federal waters of the U.S. Pacific Islands.

If approved, those FMPs will establish a framework for promoting sustainable seafood production and job creation in the U.S. Pacific Islands. And hoping when I get out there for a leadership council meeting to see the aquaculture facility and federal waters.

I better not ad lib too much. I'm going on for 45 minutes. All right, the South Atlantic Council developed and implemented a citizen's science program.

I'm partly highlighting these things because they're so cool, and I'm hoping you can learn from one another and in the hallways talk more about it. And this was at the request of fishermen who expressed

the desire to become more involved in collecting data used to manage their fisheries.

The Gulf Council approved a framework amendment that when implemented would increase catch levels of Gulf of Mexico red snapper in response to an interim analysis, which indicates an increase in the red snapper population.

That's in combination with information from the so-called Great Red Snapper Count, which estimated the abundance of red snapper in the Gulf of Mexico is higher than the previous estimates.

I think it was just last week that the North Pacific Fishery Management Council voted unanimously to add a designated seat on its advisory panel for an Alaskan Native Tribal representative for a recurring three-year term. The Council's intent is to have tribes or tribal consortium submit nominations.

Was that last week or the week before? Last week. Yes, really -- and I heard a lot about the discussion and how appreciative people were of that.

The Pacific Council approved an updated regional operating agreement among the council, the region, the Northwest and Southwest Fishery Center, NOAA's Office of Law Enforcement, and the Northwest and Southwest General Councils.

This operating agreement was revised to strengthen the collaboration and coordination and to ensure that the council has the analysis and information it needs to make decisions and help clarify the Fishery's policy in our regional agreement, really trying to simplify and strengthen our relationship to one another.

The New England Council just shortly after our last CC meeting approved a new habitat area of particular concern that overlaps with the offshore wind energy lease site in Southern New England. This area is very important for cod spawning activity, and it's intended to highlight the potential

adverse impacts on cod spawning.

The Mid-Atlantic, Mike, you and I talked about the Recreational Fishing Reform Initiative at our last meeting, and you assured me that you were going to get it done. You may want to talk more about that, but really appreciate the innovation and the work that you did on that Rec Reform Initiative.

And hope I hit all the councils. Just speaking of recreational fishing, just wanted to also -- I don't think Russ Dunn and Tim Sartwell are able to attend this meeting, but after the Rec Summit that many of us were at, we put together a new draft policy document that was intended to try to follow through on the issues that were raised at that Rec Summit and create a framework for our work around recreational fishing.

So I know some of you have already hosted conversations at your council meetings, but we're looking for input through the end of the year on that policy.

Couple of other major items I just want to highlight from the administration, and one is that Bipartisan Infrastructure Law. For us, NOAA is receiving \$3 billion over five years, NOAA in total.

This is historic funding in terms of our fish passage, habitat restoration, pacific salmon, and it's something that Carrie Robinson is leading, working with Sam, that we're really excited about in terms of getting work done that we've been -- that partners and the states and that all of us have been looking to complete for years.

I think it's going to open up many, many opportunities. The good news is there's lots of projects that are ripe. The bad news is even this first round, we got ten times more requests than we have funding.

This is a huge amount of money that can really increase our habitat restoration goals, our fish

conservation goals. There's specific funds for tribes. There's some specific funding for disadvantage communities, including to help them build capacity and develop portfolio projects.

And we're going to move as quickly as we can on these funds. We got some great feedback and some sessions with the tribes around fish passage. The habitat restoration amounts are up to \$15 million, which is a huge grant for us, but we're considering whether it needs to be even higher in future years.

And we're hoping that the underserved communities competition will both provide capacity and also an opportunity for folks to kind of determine their own priorities and then move on them in future years of this funding.

So we're thrilled that we have five years of funding. My goal, and I think Carrie shares it, is to frontload is as much as possible so we can get this worked on.

Sam is going to give an update on America the Beautiful. Clearly, the bipartisan Infrastructure Law funding is going to help us accomplish those goals around access, around biodiversity, around climate resilience. And thank you for the CCC input.

I know subsequent to our last meeting, a number of you met with CEQ. And we're continuing to collect input and, again, I don't want to steal any thunder from Sam, but he'll talk further about that.

I'm hoping the Inflation Reduction Act money, which is another huge slug of funding, a lot of it going towards climate change purposes, \$2.6 billion going to NOAA for climate resilience.

I'm hoping that a decent share of that money will also come for stock assessments, science, and supporting climate-ready fisheries. That's still under discussion right now, but I know a number of -- thank you for the letter that you sent.

Marc, I think you might have spearheaded that.

But I know a number of you all right also really hoping when we talk about coastal resilience and our communities that we talk about fishing communities, fish stocks and the ability to keep those jobs and those families going that are involved in the fishing sector.

Speaking of which, I just wanted to acknowledge we're all dealing with many challenges, but the closure of the crab fishery. That's made international news, and it's of great concern to all of us.

I know you heard wrenching testimony like we did in Portland, Maine, out in Anchorage on the impact on folks involved in the crab industry. Unfortunately, we missed one year of a survey.

I don't think that's the reason for the crash, but to me it highlights that the science and the work that we're doing around climate change is critical.

I don't know if anyone could have predicted the heat wave and the subsequent crash of the snow crab and the decline of the red crab on a different trajectory in the Bering Sea.

But if anything, to me it just underscored how difficult these jobs are, how much we need to invest in science, and how quickly we need to move to make sure that science informs our management decisions. I just want to acknowledge that that's a really difficult situation in Alaska.

As you all work to balance these various national standards and to carry out the mission of the Magnuson-Stevens Act and the other statutes we're responsible for, I wanted to let you know that I'm taking a look.

We are going to talk today about National Standard 1, but Sam, Kelly, and I and others have been talking about other national standards specifically 4,

8, and 9 related to discrimination, related to communities and related to bycatch.

Updating national standards is a very significant undertaking. It takes years and a lot of discussion with the councils and with your stakeholders. So that's something I'd love to talk further about.

We're thinking about an advanced notice of proposed rulemaking to gather initial input to inform efforts to update or consider how we might update or sequence, modernizing those. Kelly could tell you more, but some of them -- oh, goodness.

I think it's been 20, 30 years since it's been updated. So they're really things that we should take another look at in our efforts to modernize and sure that we're doing our best to implement the statutes. I think there's opportunity there.

All right, moving along. I know some of you got an email. I think all of you probably got an email about a national strategy for a sustainable ocean economy that you would have received this week or last week.

And I just wanted to highlight this is something that the White House -- the U.S. made a commitment to develop a sustainable ocean plan for the EEZ as part of COP26. COP27 is coming right up.

That was last year when the administration and Dr. Spinrad, the NOAA administrator, were all together looking at commitments that nations would make together around climate change.

So the White House is leading that with the CEQ and the OSTP, which is the Office of Science and Technology Policy, and CEQ. So they are looking for information.

They also recently published a federal register notice on the U.S. Ocean Climate Action Plan. And those two efforts are linked. That plan is intended to guide and coordinate actions around oceans, coastal

and Great Lakes, climate adaptation. We're going to give you more information about these.

The turnaround time on the comment periods was rather short for these very large efforts. And it's something that we're tracking across NOAA and want to make sure we inform you of and how to be involved in that.

So more to come. I just wanted to acknowledge that and as part of the ongoing efforts to work on climate change and build resilience and adaptation.

I'm just going to segue into -- really, the last is about in general the climate change work that each of you are doing, the concerns that you have about making science-based decisions in a time where the changes are often more rapid than we maybe would have predicted and that you got to make the best decisions.

I'm interested to hear more about the East Coast scenario planning work, the North Pacific Climate Task Force.

As you know when we discussed at the last meeting, we're looking at our responsibility under MSA and the governance issues together, dovetailing with some of the planning and the efforts that you're doing. And we want to make sure that those projects complement one another.

I can't help but think whether it's the drought in California or the crash of the crabs or the changing distribution of Right Whale prey that these climate-based changes and the need to invest in science and surveys are going to be all consuming for all of us over the next few years.

So I hope that we can we have some side conversations as well as conversations at this meeting as we launch the seafood strategy and talk about our excitement about the benefits of seafood, the protein, it's good for your brain.

All the ways that we're excited about supporting the seafood sector, we're also at a really difficult time with a lot of challenges, and I appreciate again the incredible brainpower and time and effort and work that goes into being a council member. And I'm pleased to be here with you all. The last 16 months have been a whirlwind. Thank you.

Chair Luisi: Janet, thank you very much for that update. A lot of really good information in there.

I think what I'd like to do is go next to Kelly to -- and we'll have time hopefully after Kelly and Michael Rubino provide their presentations to ask some questions of them. So maybe we'll go to Kelly next.

Other policy updates

Ms. Denit: Sounds great, Chair. Thank you so much. Good afternoon, everybody. I will run you through just a couple quick updates. Next slide, please.

Oh, sweet Jesus. Let's all buckle up.

(Laughter.)

Ms. Denit: All right, success. I can push the green button.

Okay, if we jump into our time machine, you may or may not remember that back in March of 2020, the GAO conducted a review around allocations and issued a couple recommendations to us.

They were specific largely to the South Atlantic and Gulf Councils, although they did include language referencing. The other councils may learn from these lessons as well.

The GAO report highlighted two recommendations. One, that we needed a better document allocation decisions. And two, that we needed to be better about documenting when we were making those decisions, even when we didn't actually make changes to any allocations.

So this is just an update that in fact both the Gulf and South Atlantic Councils have taken steps to address both of these recommendations. In the South Atlantic, they finalized an allocation decision tree and are already in the process of updating a number of different allocations.

And in the Gulf have also updated and completed or developed and completed a couple different allocation-related guidance documents and procedures for themselves to use as part of their allocation decision-making. And again, I've already been taking action to revise some of those allocations across different sectors.

So the last thing I wanted to hit on under allocation is that in fact in this room approximately five years ago, we finalized an allocation policy for the agency in collaboration with the CCC. Some of you may have in fact been on that subcommittee with us.

Regardless, that's coming up for review in the fall of 2023. This is part of our policy directive systems. It's a time to review. It happens every five years or so. And so that is up for next year.

And so one of the questions for the group is whether you all would be interested in having a conversation about that policy at the May CCC meeting so you can percolate on that and let us know when we get to the discussion part of this agenda.

Second topic I wanted to hit on was data confidentiality. So I sent an email to all of you on Friday evening, afternoon, to let you know that the Agency is in the process of getting itself organized to issue a proposed rule in 2023 around data confidentiality.

You will recall that there have been a number of changes, not the least of which is the expanded implementation of electronic monitoring and electronic recording.

So the Agency is looking at kind of a two-pronged approach to updating our procedures around data confidentiality. One is this proposed rulemaking for 2023 that's going to focus on those areas that you see highlighted to finding when information is considered submitted, mandatory versus discretionary information, the limited access program exceptions in the Magnuson Act, and a couple other pieces.

Following that, we intend to develop some additional policy guidance. This will be looking at various topics including our data aggregation in order to share information and a number of other steps that are highlighted there including the procedures for accessing information, particularly confidential information, et cetera.

Lastly, a couple of you had expressed some interest in hearing a little bit more about our sustainable fisheries strategic plan. So this is specific to the office that I lead, and thank you for your input for those of you who are able to provide it. This is just giving you a snapshot of that timeline.

We are right around in the middle of Phase 1. I'm sure there's a pointer on here because there's a little danger triangle, but I'm not quite sure what button -- oh, I bet I push that button. Okay, watch out.

We are here. You all provided some fantastic input along with the commissions and along with several of our internal stakeholders. Our intent is to get to completion of a new strategic plan for our office by next spring.

We are in the process now of collecting internal feedback from our staff in the office, and then we're going to synthesize all of that and move into the Phase 2 here that you see highlighted where we will review that information, process it, figure out what are actually going to be our strategic objectives, what are going to be our measures and all of that.

Some of you have participated in similar exercises with the Alaska Regional Office and the Southeast Fisheries Science Center. We're using the same consultant, Michael Parsukis (phonetic), who has been in touch with all of you. So he's helping us through this, and I can answer any questions on that.

But the short version is we expect to have a revised strategic plan out by next spring and certainly will be sharing that with everybody and again express my appreciation for all of your input as part of that process.

And so with that, Chair, that is my presentation. Thank you.

Chair Luisi: All right. Thanks, Kelly, appreciate the update.

We have one more update under the seafood strategy. Michael Rubino. Whenever you're ready.

Seafood Strategy

Mr. Rubino: And we can just advance the slide. There we go. That's all we need.

Well, it's great to be here in person as Kelly said. Certainly, the last three years has been tumultuous for, I think, all of us in many ways, including the U.S. seafood industry which is facing really unprecedented challenges.

Climate change, market disruptions caused by COVID, the Ukraine war, inflation, offshore wind, labor shortages, along with aging boats, processing and infrastructure. All of which are testing the viability of the U.S. seafood industry and the health and resilience of the communities that rely on the seafood jobs.

At the same time, there's some good news. Seafood is increasingly being recognized as a superfood and one of the most environmentally efficient ways to

produce protein so with a small climate footprint. During COVID, people learned how to cook seafood.

And increasingly we hear that, especially amongst frequent buyers of seafood, they're looking for local, they're looking for sustainable. All of which bodes well for U.S. seafood.

So what should we do, what can we do as an agency, as a fishing community, to respond to these challenges and to these opportunities. During the past couple of years, we've been seeking the advice of a wide cross section of the seafood industry, informally and through a series of small regional roundtables that Janet hosted earlier this year.

And that advice has been distilled down into a draft national seafood strategy, which should be out for formal public comment sometime in the next few weeks.

The strategy has four goals. The first two are about production. So how do we maintain wild capture production. Two, how do we increase production, which is largely going to be through aquaculture. And how do we make room in our marine neighborhoods for aquaculture.

And the other parts, you know, we live in a global marketplace so international trade, IUU, opening up export markets is the future of the seafood industry. And then the fourth goal is this catch-all which includes infrastructure, workforce development, generic marketing.

So things that the Agency doesn't necessarily do, but we could use our knowledge base to leverage others. For example, this past year, USDA has gone beyond just purchasing pollacks, salmon and catfish to produce Pacific rockfish as well as haddock on the East Coast for the first time.

A lot of that work was done behind the scenes with NOAA Fisheries providing advice to USDA. So we've got limitations in terms of budget, staff, what we

can do collectively. The core fisheries work of the Agency, surveys and allocations, Goal 1, needs to be maintained.

So we're going to need your advice on what other actions under the other goals could be done, should be done over the next five to ten years given limited resources.

It goes without saying that we need to be creative, we'll need to leverage resources and partnerships, we need to broaden the stakeholder base of the Agency and the fishing committee beyond councils. We need to be able to make the case to Congress for funding. So it's a tall order.

When you see the draft strategy, one final note, please remember that seafood is just one of several priorities of the Agency sort of in our broader stewardship mission and that this strategy complements other strategies that address climate, recreational fishing, protected resources and equity and environmental justice.

That's the overall context. That's a quick introduction to the seafood strategy. Thanks.

Chair Luisi: All right. Thank you very much for that update. Let's go ahead and take some questions from the table. If anyone has any questions, comments they'd like to raise based on the updates that we've received from Janet, Kelly and Michael, now's the time.

Bill?

Mr. Tweit: Thanks, Mr. Chair.

Michael, a question about Objective 1 there. Is one of the features of that going to be continuing efforts to maximize retention and minimize regulatory discards?

Mr. Rubino: I think Goal 1 is the bulk of the Agency's work in fisheries. So think climate-ready

fisheries, ecosystem-based fishery management, all the work you do through surveys and allocations with the Council, so yes.

Mr. Tweit: So then including changing current management practices to --

Mr. Rubino: We could, but --

Mr. Tweit: -- to minimize regulatory discards in particular?

Mr. Rubino: Well, it includes the ongoing work of the councils to deal with these questions of allocation, yes.

Chair Luisi: Okay, thanks for that, Bill.

Seeing no other hands, let me -- I do have a question. Maybe, Janet, you touched it on briefly, but something that we're dealing in the Atlantic is the Right Whale issue and the speed restriction areas. And it's something that's a major concern for a lot of our fishermen.

I know that the comment period is opened until, I think, it's the end of October. Is there a timeline that you might be able to provide as to when if action is taken?

Are we looking in the spring? Is there some kind of heads up that we can start to put out there to our public on the speed restriction zones and maybe you or Sam could help me with that?

Ms. Coit: Yes. It will be definitely be in 2023, but Sam -- and depend on the number of comments we get and how we address them.

But Sam?

Mr. Rauch: Yes. So what we put out is a proposed rule, so we would have to develop a final rule based on the availability of comments at this point. That would probably be sometime in 2023.

And we will set an effective date after that for when it's effective. Given the extent depending on what's in there, we'll have to make sure we give people enough time to come into compliance.

Chair Luisi: Okay, thank you for that.

Are there any other questions? Chris Moore?

Dr. Moore: Thank you, Mr. Chair.

Kelly, I have a question for you. So you mentioned this allocation policy review, and you want to have it done by the fall of 2023?

Ms. Denit: So we have our existing policy on allocation, and it's up for essentially review or renewal next fall. So the question is whether we would like to have a conversation at the May CCC to inform our decision about whether we would renew that policy or review it and make potential changes.

Dr. Moore: That makes sense to me, and I would endorse putting it on the agenda for May.

Chair Luisi: Anything else from members of the CCC?

Okay, seeing no other hands, thank you all for the updates. We look forward to talking with you over the next couple days.

I'd like to move onto our next topic on today's agenda, which is the -- and before we get into that, can everybody do me a favor and just kind of turn their little cards so I can see them a little better. I know almost everybody at the table, but it would just be a little helpful.

I can't see anything between my hand and my eyes without my glasses, but I can see pretty far away. That would just be helpful when people raise their hands. Thank you very much for that.

I'm going to go next to the FY23 budget breakdown. I'm going to turn things over to Jim and Brian. I am

going to step away from the table for a second to go get a different device that I can log in to the internet.

My state computer doesn't let me get on the internet. That way, I can deal with public comment and people raising hands online. So I will be back in a minute.

I just need to run to my room, but I'm going to turn things over to Brian. Or I guess, Jim, you're going to start.

Mr. Landon: I'll kick it off.

Chair Luisi: Okay, perfect.

FY23 Budget Breakdown

Mr. Landon: Thank you, Mr. Chair.

Once again, I'm Jim Landon. As Janet mentioned, I'm going to be stepping into the role of the deputy assistant administrator for operations. It's been a while since I've been at a CCC meeting, but I was heartened to see a few friendly faces or few familiar faces.

Those of you will probably know me as the director of the Office of Law Enforcement. For those that I don't know, I look forward to getting to meet you and to learning more about the work of the councils and the commissions and the partnerships in this new role.

So I'm the new guy. This is Day 2 for me. I may not know all of the answers to the questions that you have. If you were looking forward to asking Paul some questions, ask them of me. I probably won't have an answer, but I'll do my best to get a response for you.

I look forward to continue working with you. I look forward to advancing Janet's priorities, and I look forward to advancing keeping fisheries on steady-as-she-goes, maintain course and speed, as we

continue to operate and come out of the pandemic.

So once again, look forward to meeting all of you in those discussions. Without ado, turning it over to Brian for the budget update.

Brian?

Mr. Pawlak: All right. Thank you, Jim. And I have the same issue as the Chair has of not being able to see two feet in front of me. So if I delay a little bit going back and forth between notes, please bear with me and I'll see if I've got command of the slides here.

Maybe not. The green button, is that -- oh, you got it. Okay. Here we go, here we go.

There we go. All right, thank you for the introduction and thank you for having me here. Good to see folks in person again after quite a few years of not being here. So big overview, we'll obviously review the budget.

We'll talk about where we are in FY23, do a little bit of highlight where we are with budget, supplementals that Janet already referenced. And at the end here, we'll also talk about the American Fisheries Advisory Committee Act, which relates to our Saltonstall-Kennedy Program and give an update where we are with that responding to that legislation.

First off, particularly for the newer members and the folks who maybe not dived into the budget world yet. We're always working in multiple budget years, four budget years. We just closed out FY22.

We're already into FY23 but under a continuing resolution. And FY24, we're already in the formulation stage and just got done briefing OMB on the FY24, and we will just soon be kicking off in the next couple months start considering FY25 budget.

So it's all these years going on at the same time. All

the discussion with budget is often best framed with the first question I'll ask when folks are asking about budget is what budget year you're talking about in what context because it kind of makes a difference for what year you're in.

I think as most folks know, we are in a continuing resolution through December 16th. This slide here, I don't need to dig into details, but the main message really here is we're used to continuing resolutions.

They happen often, happen frequently, happen every year, so we know how to work within those. Under this CR, we're authorized to obligate our existing financial awards. So council awards should no problem, obligating and getting those out the door.

The current CR, since it's roughly close to a quarter of a year, we have approximately 25 percent of the full year appropriation that we can get out the door. Although last year within the first quarter, we got 50 or 60 percent of council funding into grants awarded within the first quarter.

Someone just asked me before the meeting started what do we think the budget is going to look like and will CRs be over. As you can see the chart here, pretty hard to predict that. No one can predict that. But we're used to operating in them.

It does create challenges for us the longer they go and the further we don't have clarify on the budget. But specifically for council funding, we can start to move on that, but it does leave a lot of uncertainty in other funding opportunities and other places where we might just end up.

Don't know what will influence the budget and finalization of the budget, but I think mid-term elections are going to have a big impact on kind of when they finalize things.

As mentioned just a second ago, first quarter, we got our continuing resolution allotment. That's the

request for money to come from NOAA to NOAA Fisheries so we can make an award and start putting awards out to the councils.

We will keep with the objective of obligating as much as possible in our council awards and actually as much as possible as we can in almost all awards across the Agency within the first quarter.

And even though we're at a 25 percent kind of generic spend rate across the agency in this last year, same thing this year, we hope to be able to push out 50 percent of the council funding by end of the first quarter. But we do need that allotment first. We do need some kind of gates to go through for NOAA to be able to do that.

So where do we sit particularly in FY23. And so FY23, I think you know we all briefed in spring. We briefed Congress on that budget. It's a strong budget for us, and we have House and Senate marks back for the FY23 budget.

The House and Senate marks are obviously our strongest signal, our best known and direct signal, of where the House and Senate sit in support of the president's budget.

I'll give one caveat. That last year, House and Senate marks in president's budget will assume into this year. Very strong president's budget, very large proposed increases across a number of areas including offshore wind, climate-ready surveys, that type of thing.

So last year was probably the first year of our House and Senate mark came out. The resulting enacted budget came out way below House and Senate mark. That created a little nervousness about planning and what you can afford to fund and how you can execute.

At least in my tenure and I think even before my tenure, House and Senate mark, you rarely off those numbers in the House and Senate mark in

enacted budget.

But last year, it was definitely a surprise year for that which really made planning and down to the weeds of some of the Pacific items that we typically fund. We weren't able to. Had big plans for it, but with the enacted budget and the enacted budget coming very last year, it was challenging.

So optimistic again this year though that we're back at a place with a very strong president's budget, close to \$60 million increase across multiple programs, which we'll walk through here some.

House is obviously supporting that not quite fully, but quite well as is the Senate supporting those initiatives, which again I'll step through some of those.

Key here too in the president's budget as well as the House and Senate Mark is this requested inflationary costs or ATBs, Adjustments to Base. Prior administration in many years before this administration, we were not even able to get ATBs into the president's budget. So we weren't able to request those, and we did not them often in the enacted budget.

So last year, we did receive our ATBs roughly the scale of about \$25 million, and they're in here again. And ATBs, if folks are wondering what they are, as the slide kind of indicates. It's inflationary cost, but it's not all inflationary cost.

It's a formula to try to get at the cost of living increases, salary increases, rent, contracting increases, what have you. But that's very crucial for us for kind of maintaining our core functionality across the Agency in addition to the program increases.

What does the Council's funding look like. Both the House and Senate mark have the council lines above the FY23 president's budget, which is good news. So in the president's budget, so one column

back from the end there, you can see a \$44 million requested for the regional councils and fisheries commission.

That's about a \$1.4 million increase from prior year. That is, again, we talked about the ATBs I was just talking about a couple minutes ago. That is due to the ATBs and the spread of ATBs to this budget line.

That's important that we keep receiving those and have those and have support in that for the Hill to address at least to the extent those ATBs do address inflationary cost and increase, labor, fuel, whatever you might be looking to purchase.

Underneath the House and Senate marks there, we have TBD on that split in that breakout. The House mark has, like, \$200k of unspecified increases. It just gives you the number. It doesn't direct you how to use it.

The Senate mark has about \$2 million in unspecified increases. By that, we mean the big budget line here, the big PPA we're looking at, regional councils and fisheries commissions. They've given us that number. They've given us a bump up more than we asked for.

We don't quite yet want to presume where they want that money spread. That ends up sometimes being conversation or directive language in the final bill before we know where that goes. So right now, that's a TBD. But overall, it's good news and good projection of where we hope to be given where the marks are.

This slide just kind of gives historical trends and where we sit in the budget. I think most folks who at least been here before or been to this meeting before have seen these budget lines. With the big story here being flat budgets for us.

The red line across the bar graphs there is the deflated dollars for NOAA Fisheries. So as you can see really since 2014 or so, we are a flat budget,

maybe slightly starting to increase here at fisheries.

In that, that's the challenge that we have with maintaining our programs, maintaining the existing work and current work that we have. It's not shown on here, but it's true for you all as well. The Council's line would be deflated numbers too. I didn't want to clutter up the chart.

So in deflated dollars, the \$42 million here, your deflated dollars is down -- a \$31 million deflated dollar. And I have a separate slide on that, I think Slide 20 or so, that depicts that as well.

Both the councils and fisheries as many components of the federal government even though we're seeing large increases, large increases in supplemental funding that's directed toward Pacific activity, our core functions, our core work is really flat.

It's a flat environment with increasing demands for IT and IT security services. It's a flat budget under increasing demands for facilities and facilities needs with our aging infrastructure that we have in our buildings.

And it's largely a flat budget with an increasing labor costs as well. Again, Slide 20, I think you'll see the Council's deflated number down there to about \$31 million as well.

So what are we focusing on in FY23? This complements much of what Janet said up front in her open remarks in the president's budget. I won't read through every one of these row by row but kind of in big, general themes in where we are seeking increases in our president's budget to address our prior needs is in our climate research.

Really focused on work that allows to kind of predict and direct fisheries management efforts by science that is driven by understanding of climate and how the climate impacts, doing regime shifts or impacting populations or impacting recruitment.

So the idea here is to step beyond some of our core survey and assessment capacity and start interjecting climate and predictive modeling and climate into our core stock assessment functionality.

You can see here we requested \$10 million for that in the president's budget. Some support in the House and Senate there for that. Not quite what we've asked for, but some known support.

We're also are looking to just advance our survey capacity. This is some of the core capacity that Mike Rubino spoke about and Jan spoke about some and maintaining what we have and addressing where we have shortfalls where we had to step back from surveys because of that flat budget and trying to make up for some of that in this advancing fishery survey capacity for valuable species, this component here.

A bump up here in the president's budget for species recovery grants. Enterprise solutions is an IT thing, not worth more mention than that.

Big item obviously that Janet has spoke about and that the Agency has been heavily focused on is the president's budget in FY23 asking for a large infusion of resource in here to deal with the scientific understanding of what the impact of offshore wind development might be, as well as our legal and regulatory responsibilities in responding to federally permitted and federally designed projects offshore.

So a number of components there, including a big piece of scientific survey mitigation; that's \$17 million here in the second row down from the offshore wind.

Which is here the potential impact for offshore wind development to, I don't know if disrupt is the right word, but to interfere with where the survey tracks have typically been and to understand how our surveys might need to respond and be recalibrated due to different places so that we might be able to

basically do the survey is a key component of the offshore wind.

FY22, we also had a big request for offshore wind. I think roughly the same scale, \$20, \$25, \$30 million. We received \$6 million in FY22 to help start addressing our offshore wind needs.

Also in FY23, again, focused on some of the economic development pieces. These are kind of binned by strategies that NOAA has outlined. So on the economic development side is again allowing us to deal with MMPA permitting and ESA consultations and allow other industries to develop and work within a marine environment.

Fisheries disaster assistance fund, that's to deal with disasters and have staff dedicated to that.

A big focus for this administration's environmental justice and equity, a number of smaller items here significant to getting more participation and greater participation of fisheries management process, tools that we can use to make sure we're evaluating kind of underserved or underrepresented communities into the fisheries management process as well.

A new thing that's been added, they don't quite call them earmarks anymore, but we're kind of still vernacularly used to them as earmarks. But a number of places in the House and Senate mark including FY22 received a number of these.

Again, at least in the House and Senate marks, it looks like we're on target to receive again a number of directed spending, language that direct spending in a particular area or for actually through a specific entity.

Here, I think of most note, maybe the most interest to this group, is where we have this \$3 million for additional surveys and assessments kind of the second row down.

And the Senate is directing \$6 million to fishery

surveys with the language specifically looking for -- making sure we complete six Alaska bottom trawl survey and four West Coast groundfisheries at a minimum.

So again, you can see a theme there. The House and Senate is supportive of our survey. Well, one theme is we are requesting money in quite large amounts to shore up our survey and assessment capabilities.

We are seeing support from that from Congress. Not quite at levels we've asked, but we're also getting very specific language to make sure we cover our base needs first with this kind of direction.

So shifting gears slightly from the FY23 budget to just where we are with the supplemental funding. I think Janet already referenced these components.

But in the Bipartisan Infrastructure Law or the BIL funding now. It has secured a couple names I think since it started, but the BIL funding. This funding is over a five-year period, so these amounts you see up here are annual amounts with FY22 being the first year.

And so we have four additional years to go on this restoring fish passage. And it's into two components, restoring fish passage specifically directed toward tribal and tribal communities as well as more generic solicitation.

I think as Janet referenced, I think this is in total of these two bins. We'll talk about it. It's like \$172 million available, and I think we got over \$1 billion of requests for proposals -- response to our request for funding opportunities.

Similarly here but slightly different from the fish passage is the habitat restoration funding opportunities. Again the goal here, big transformational habitat restoration projects that are done in a watershed scale, big enough where you can see a signal in the environment, you hope.

And here over the five-year period, upwards -- I think it's a \$470 million over five years. Again, with the goal and interest of the administration focused on undeserved communities.

Similar type of awards, similar type of projects and activities here but definitely a slight shift in focus on ensuring that underserved communities have a unique opportunity to apply and compete for the habitat restoration funding.

Not a whole lot of details here yet on the Inflation Reduction Act. I think as Janet flagged, there's \$3.3 billion across NOAA available for the periods of FY22 through FY26. At least the most clear direction in the IRA is \$20 million for NOAA Fisheries for consultation and permitting.

Small portion of that will be shared with NOS for some of their permitting requirements and their consultation requirements in sanctuaries and their coastal zone management requirements, but that's a nice infusion for us for our regulatory requirements.

And yet to be decided is how to manage or how to allocate \$150 million in new facilities money to address largely aging science center facilities. And then again, \$2.6 billion within largely habitat work.

But also within that habitat work as you'll see up there the language in legislation provides support for fisheries stock assessments to include protected resources. So those pieces are still being worked out, spend plan is being developed.

So there's not really much more information beyond that there, although optimistic as Janet said that we will see some support out of that for some component of that for stock assessments.

So slightly shifting gears again out of straight kind of where we are with the current budget or enacted budget or future budgets, reaching out to a couple folks before the meeting. Folks kind of just said,

hey, we haven't heard about Saltonstall-Kennedy Grants program in a while.

If you got any detailed questions, I got some back bench here if we need to when we get there. But FY22 competitive awards totaled just shy of \$12 million. You can see the split and breakout there across the regions of where those awards were made.

As you might have remembered years ago, we took the Saltonstall-Kennedy Grants program. The multiple priority categories we had in the funding opportunities was kind of necked down to two big areas.

One of those being promotion, development and marketing and science. The other being science or technology that promotes sustainable U.S. seafood production and harvesting. So that's the model we're still operating on.

We're in the middle of FY23 awards, and we're evaluating FY23 process. The process is still open, and the competition is still ongoing. But use the S-K grants kind of status where we are now to highlight what you all might have a keen interest or new requirements for fisheries is what was passed through the American Fisheries Advisory Committee Act.

So this act was various forms for multiple years, at least four or five years I believe, of looking to establish more legislative direction and how we award and what we award on the Saltonstall-Kennedy Program.

And so this legislation, it's designed to form communities around regional councils, councils not structured anything like our regions, and councils not structured anything your councils. So that's something we have to manage.

But the committees' purpose is really to make recommendations on the Saltonstall-Kennedy grant

competition. So the \$8, \$10, \$12, \$15 million program that we have annually, the committee is to participate in identify priorities for that program and helping in award selections for that program.

Again, what might be of interest to this group here is we have to establish those communities. We are in the middle of establishing them now. Those committees are set up by the six regional structure here.

If you're not familiar with the act at all, I won't read all of them to you, but Region 1 covers from Alaska to Hawaii. It's a broad swathe, but as well as there's a Pacific kind of Northeast region. There's a bit of a Southeast region and West Coast region including Oregon and Idaho.

They don't give them those titles. I'm giving generically. They're just called Region 1, 2, 3, 4, 5, 6 in the legislation. There's also a Great Lake regions because the Saltonstall-Kennedy program is open to members of the Great Lakes, so there's a Great Lakes component to that.

So we are in the middle of seeking nominations for members of those different regional councils. I think we're just about received all the names that we have. The process is such similar we do MAFAC, similar to we do council prosecutor and that we definitely engage our leadership in that.

Our regional administrators have weighed in on the list of nominees and names that we received that were deemed qualified. We're putting together a final list for all the committee members for the different regions, which will ultimately go to Janet for a decision.

The first meeting of this group will be in December where I think the focus of the group's first meeting here, kind of the final bullets on this slide here, for them to help with elements of what should be priors and what should FY24 Notice of Funding Opportunity look like.

Quick question beforehand, again, what's the Council's participation in this process is that council members can be nominated for the different regional committees.

I think that's kind of the key place council members are allowed to participate, but the legislation doesn't have a specific engagement step for the regional fisheries management councils beyond what we kind of do here.

I think that's a lot of stuff to throw at you at once. That is the conclusion of the kind of formal presentation. There's some backup slides if we need them.

And to the Chair, I'm glad to proceed as you'd like.

Chair Luisi: Yes, thank you very much for your presentation. Let me look around to the members of the CCC to see if anybody has any questions or any comments on the FY23 budget breakdown.

Tom?

Mr. Nies: Thank you, Mr. Chair.

Thank you, Brian, for the presentation. I guess I got a comment and then a question that is perhaps a little deeper than the presentation.

The comment is I wish you would have put Slide 22 up instead of Slide 8. I think comparing the Council's undeflated numbers to the Agency's deflated numbers as was done in Slide 8 gives a very misleading picture as if the councils have seen a real increase in dollar significantly over the last five to six years.

When the reality is we've seen a decline in dollars since, I don't know what that is, '18 or '19 in real dollars. I guess in the future, I wish you'd show in your presentation all the numbers the same way either deflated or not deflated rather than mix and match apples and oranges on the same slide.

Mr. Pawlak: Yes, that's fair, and I've got the slide up here to convey that.

Mr. Nies: Great. But I had a question, what's the MB Audit Program? And the reason I ask is that we had heard that when the Congressional PPA comes, dollars are taken off of that for something called the MB Audit Program, and then they're backfilled with money that comes from a different PPA.

I don't know if this was a one-time, if this has always happened and we just didn't know about, and is this something we need to be concerned about if it turns out that sometime in the future the Agency can't afford to backfill what's taken out for that audit program?

Mr. Pawlak: Yes, no, good question. We don't have an MB Audit Program, but what we do have and what we are supporting within the Office of Management and Budget is we are supporting a one contract position, so it's less than \$200k a year, for support for external audits and reviews that happen across the commissions and the councils.

So there's a number of open IG investigations, reviews of CARES Act funding, for example. There's a number of open reviews of different commission activities, including council activities. The support for that work, which is a lot of technical support, which in our grants division supports one contract position.

There's not a mixing and matching of PPAs here. It comes from the base regional fisheries management commissions line there to support the legwork and groundwork for the documentation processes for supporting any council or commission that might be subject to IG or other external review.

So it's audits that we're doing. I think if the title implied MB is completing audits or doing audits of the council or commissions, that's not the case, but it's the support work for those audits that are happening directed by others. It could be NOAA

AGO Office, it could be IG, what have you, or Congressional.

Chair Luisi: Okay, thanks, Brian.

Tom, did you have a follow-up? I'm trying to read your reaction there.

Mr. Nies: No, I'll follow up with Brian offline. I think that's probably easier.

Chair Luisi: Okay, thank you.

Ms. Simonds: I have a follow-up to what you just said about paying for audits. What about paying for audit responses? For example, we hire the lawyer with our funds to respond to an audit. Do you consider that? I mean, I'd love to be reimbursed for that.

Mr. Pawlak: No, I think to the function that we're serving with our one contract staff person is to support that. Because there's work that the commissions and councils have not been able to handle on their own. So some of that is support for that.

We supported the commissions, I think more recently the councils in some of that effort to take some of that burden. Some of that burden is digging into the data and numbers and execution. And our policies that are internal to fisheries and internal to NOAA --

Ms. Simonds: Okay --

Mr. Pawlak: -- Acquisitions and Grants Office but that's -- you're correct, that's not support for the external component to the commissions or the councils.

Ms. Simonds: I'll follow up with you later.

Chair Luisi: Okay, thank you for that.

Anything else for Brian? Chris? Kitty?

Ms. Simonds: I did have one question about the coastal resilience fund that you were talking about. Can local governments apply for those funds?

Mr. Pawlak: Might have to look to Sam. I believe they can, Sam?

Ms. Simonds: Just curious about that because it's something I know our territories --

(Simultaneous speaking.)

Mr. Pawlak: States, I believe --

Ms. Simonds: -- would like to do that.

Mr. Pawlak: I'll have to -- Sam, do you -- by local, you're talking like municipalities?

Ms. Simonds: The territories.

Mr. Pawlak: Territories.

Ms. Simonds: Territory governments.

Mr. Rauch: You're talking about the Inflation Reduction Act funds?

Mr. Pawlak: The BIL funds.

Mr. Rauch: The BIL funds?

Mr. Pawlak: IIJA funds.

Mr. Rauch: Oh, the IIJA funds? I believe so, but we can get back to you.

Ms. Simonds: Okay.

Mr. Rauch: The IRA funds, we don't yet fully figured how we're going to allocate those.

Ms. Simonds: Okay, so I do have an issue to bring up. It's a budget issue. Over the years, we've shared our issues with you all. Most recently over the last several years, it's been about the lack of biops and those kinds of things. And as we've said,

if NMFS doesn't do its job, we can't do our job.

So our region is going to be 20 years old next year. For more than half of those years, it's been dysfunctional as far as our council is concerned. But I'm going to only raise one issue today.

So over the years, we have received \$200,000 for our ESA coordinator. So every year in December, I would talk to the regional administrator and say, hey, when are we going to get this money and all of those kinds of things.

You know, the money doesn't always come in January like we all know. Our funds come later whenever Congress does whatever. And so I did approach the region several times, let's see, December, January, February, March, and didn't hear anything back. And our staffs have tried to work together about that. It's like, oh, standby.

Then at the CCC meeting last year, there was a slide that came up that showed we were going to be getting \$150,000. So I sent a note to Doremus and I said, what's going on here? We usually get \$200,000, and nobody's talked to me about this at all, and the Council has been asking about this.

And so didn't hear back about that. Then it was like, stand by, everybody.

And then on June 7th, I get an email from the RA to say that we're not getting this money in the middle of our fiscal year. How would you like it if -- of course, this is nothing compared to all the billions we've been talking about earlier.

But not giving us \$200,000 for our budget is -- so what's happening is we can't have an in-person Council in the Marianas that we had planned. We can't hire a person. We're down three people because we had retirements.

So for me, the councils are longstanding partners, statutory partners of the National Marine Fisheries

Service, and this is disrespectful to tell us in the middle of the fiscal year that we're not getting \$200,000. And you all should be ashamed of yourselves.

We have written back and forth. The Council has taken actions about this. So if you really didn't want to give us that money, why didn't you tell me in December of last year, right? Isn't that the proper way of dealing with something like this?

Because we all live marginally. Do you think we have extra money to go and then add on another \$200,000? From where? So I bring this up because as I said, we've shared our issues, and this is a big issue for this council. So I am asking for the \$200,000.

Otherwise, it's a virtual meeting, and obviously we can't do anything else. So thank you for much for listening, and I hope to see something before the end of the year. Or not. Or just talk to me. Just tell me, sorry, Kitty, this is it. You won't be receiving the \$200,000 anymore.

And you have to remember it was the Council that helped with Senator Inouye to establish the Observer Program with millions of dollars to establish the turtle program. So once he passed away, we were given \$200,000.

And that's fine. I can deal with that. But to take it away is, as I said, it's not just disrespectful, but it's wrong. So mahalo for listening.

Chair Luisi: All right, thanks for that, Kitty.

I'm going to go next to Chris Moore.

Dr. Moore: Thank you, Mr. Chair.

Thank you, Brian.

In your presentation, Brian, you mentioned Inflation Reduction Act quickly. We, the CCC, sent a letter to Dr. Spinrad and Janet back at the end of the August

basically suggesting that when you do get that money to consider some of that money for data collection, stock assessments.

We never got a response to the letter, but it sounds like internally we've been talking about it. We may get a positive response. I don't know if you or Janet could respond to that and tell us what we might expect?

Ms. Coit: Thank you. I can take that.

Yes, the reason you haven't -- thank you for the letter. I thought it was very well-written and helpful. The reason there isn't a response, among others, is that the NOAA administrator, the secretary of Commerce, are still discussing how that \$2.6 billion that's for coastal resilience will be allocated and used.

I'm reasonably confident that some of that will be used for stock assessments and fisheries. But until those decisions have been finalized and approved by the secretary and ultimately OMB, we can't give you an answer. But I really appreciate you weighing in.

Chair Luisi: All right, thanks, Janet.

Anything else before we move on?

John?

Mr. Gourley: Thank you, Chair.

Thank you, Brian, for somebody that is fiscally and budget-ly challenged. It was a whole lot to absorb. But the IRA budget was kind of interesting, and you had mentioned that you wanted to make sure that underserved communities were going to be able to compete for the money or -- what I'm getting at is American Samoa and the Marianas I would consider highly underserved communities.

If we have to compete for this money, we oftentimes are not successful because we do not have the capacity to put together proposals

anywhere near as nice as these guys. Is there going to be a formula where you are going to dedicate a certain percent of that money to underserved communities, or can you possibly give it all to underserved communities?

Mr. Pawlak: Yes, I think on IRA funding -- I don't have enough detail on the IRA funding, on the specifics, where that will go and how that will be broken up. Although, there is an interest there ensuring under -- so I'm not sure how the IRA piece will work under the BIL funding, the BIL funding where there's presently pieces broken out for underserved communities.

I have to get back on the specifics, but I believe it's some of those -- the slides are gone. Let's see if they're still up. On the habitat restoration pieces, for example, I think there are capacity components within the Notice of Funding Opportunity that are designed to help underserved communities build that capacity and be able to compete better in the future to ensure future projects.

I don't know how that applies to the specific territories and such that you mentioned, so we'd have to get back on that piece. But IRA, I don't think it's yet defined well enough to where that will go. But there's presently not formula process in the BIL money for the --

Mr. Gourley: Okay. Yes, because the underserved community is a buzzword. You want to help them out and do this, but I'm kind of wondering is the money actually going to go to underserved communities. And if it does, how is it going to get there and how are you going to ensure that right people get that?

Mr. Pawlak: Yes, and it looks like Sam is on the way in, yes.

Mr. Rauch: Yes, I just want to be clear. So in the current BIL money, we intentionally split out a portion of that money, \$10 million a year, to run a

competition that is focused solely on underserved communities. So you're not competing with all those other people. There is a competition among the underserved communities.

But this is dedicated underserved community money in the BIL funding, so that's up to \$10 million a year. We do not have yet a split out of the Inflation Reduction Act, that \$2.6 billion. But one of the things that we will be talking about, I'm sure, is of those pots of money could you do something similar that we did with the BIL. But the BIL does have a dedicated pool of money annually that is only going to underserved communities.

Mr. Gourley: Sam, how do you define underserved?

Mr. Rauch: There's a definition in the -- if you look at EEJ policy, there's a definition in the executive order. I think also if you look at the FFO, the Funding Opportunity on that one, it includes a definition as well. I'm happy to talk with you about that, but I would look at funding opportunity and/or the EEJ strategy, which both of them use basically I think the same definition.

Mr. Gourley: Okay, thank you.

Chair Luisi: All right, thank you.

Ms. Simonds: I just have a quick follow-up to John. In asking that question because for American Samoa, more than 50 percent of the citizens there live below the U.S. poverty level for American Samoa, all of American Samoa. And of course, parts of the Marianas as well.

Chair Luisi: Go ahead, John.

Mr. Gourley: Thank you, Chair.

I just wanted to follow up on an earlier comment, the budget constraints that the Western Pacific is currently experiencing. A lot of our fisheries are driven by ESA issues, Endangered Species issues,

and our endangered species person works overtime trying to keep up with everything.

And if you wanted to hurt a council or our council in the most severest way, that would be to take away our ESA position. We crucially need that, and we have had to take money from elsewhere to make sure that that person stays in that staff position because we have to have it.

And we right now don't have enough money for the December meeting. So we have to make a decision probably in the next week whether or not we are going to have a virtual December meeting or we can have an in-person meeting.

So I just wanted to emphasize that other positions maybe we could have gotten away with it, but this particular position was not the right move to do. We really need that money returned to us. And we'll take a check.

(Laughter.)

Mr. Gourley: Thank you. That's it.

Chair Luisi: All right. Thanks, John.

Anyone else? Any comments or questions?

Tom?

Mr. Nies: Thank you, Mr. Chair.

Brian, I'd like to shift gears away from dollars and go to the American Fisheries Advisory Committee. Has the Agency sketched out how that committee is going to operate, or are you expecting to do that once you meet? Because I'm just curious how they're going to come up with recommendations. Are they planning to vote, or how is that going to work?

Mr. Pawlak: Not completely and not yet. I think at the last slide, if you got it open in front of you, we're drafting a charter that would outline how they

operate. Or that charter we're not quite done with. I think some of this will be learning as we get the groups together.

All those pieces you kind of flagged, it's something we have to work through. Particularly as some of the, I won't say constraints, but sideboards we have with making financial assistance towards the grants are some of the same things I think frustrated this group sometimes. You said, hey, where are we with S-K? Well, we can't show you the things that didn't make the priority list. We can't share some of the early proposals, that kind of thing. So we're still under all of those requirements for fair and kind of grant processes and those components.

So some of that, we're going to have to figure out and work that through because the council, I'm sorry I keep thinking of the slides up here. We'll contribute to a recommendation, but ultimately the recommendation or the decision point is secretary of Commerce. So we're still working through that with the charter to be developed.

Is there anything you want to add there on that charter development, or? The chairperson doesn't mind?

And this is Cliff Cosgrove. He's actually the one working on forming the councils and committees and runs our S-K grant program.

Mr. Cosgrove: Thank you.

As far as the charter, we're just about complete with that, and that outlines the process. One of the things we've been with -- as Brian said, it's not quite complete yet so we can't share that at this time.

One of the things while we worked on this, we had some briefings with Senator Sullivan's staff who asked to make sure that we understood the intent of the act. So yes, that will be complete probably within the next three, four weeks --

Mr. Pawlak: But shared at the first meeting is really --

(Simultaneous speaking.)

Mr. Cosgrove: Correct, yes. It will be shared prior to the meeting, probably two weeks prior with an agenda.

Chair Luisi: Okay, thanks for that.

Okay, one last call for questions or comments.

Okay, seeing none, Jim and Brian, thank you for your discussion and presentations. We're going to move onto our last item before our break. The next item on the agenda is the science update. And we've got Kristen with us. I think you said it was your last day, it's nice to be able to give an update and then just backpedal and walk away.

(Laughter.)

Chair Luisi: Enjoy your update. We're looking forward to it. It's all you.

Fisheries Science Update

Ms. Koch: Good. All right. Thank you, Mr. Chair.

As I said, I'm Kristen Koch. Many of you don't know me. I, normally during my day job, which I am looking forward to going back to, is as the director of our Southwest Fishery Science Center.

I do want to take a moment to thank Janet for bringing in a couple of science center directors from the field to do this job. It's been really illuminating and helpful for me to get a chance to see headquarters in action and see how things get done there.

And also hopefully for headquarters to bring in a couple of regional people to infuse some regional thinking into headquarters. So you need to do that every once in a while, and this was a great

opportunity. So I am looking forward to going back home, but I really did enjoy my time here.

I'm really going to focus just on two areas. And these are two areas that I believe Jon Hare when he updated you last time talked about as well. I think these might as well be permanent fixtures, I think, on the science update agenda for you all in the coming years because they really are fundamental.

They're changing both of them, and we need to be talking about them. So I will update you a bit on adapting our survey enterprise, which surveys are essential to everything that we do, as the slide says.

And I will talk a little bit about data acquisition planning that we're undertaking right now in NOAA Fisheries, and then I will finish out with some slides on advancing climate-ready fisheries.

As you know, ocean ecosystems are changing at unprecedented rates affecting our mission. So we'll talk a bit about what we're doing in each of those areas.

So on adopting the survey enterprise, this slide I don't need to spend much time on, but obviously surveys are essential to what we do in terms of sustainable management and fisheries and recovery of protected resources as well as understanding the impacts of climate change on our missions. So the data collected from our survey form that scientific foundation.

I wanted to start with this histogram. I think Jon may have showed this back when he updated you last this, but the general message being that our survey days on the water, which is oftentimes how we measure our productivity in this area is how much time are we spending on the water, has really gone down over the years.

So since 2010, looking at that bar chart, the blue being the NOAA FSVs or white boat days, the

orange being charter vessels, chartered surveys, and the gray being small boat surveys.

And what we're really aiming to do is first and foremost to sustain our current survey enterprise but also to grow it where we can -- so to restore capacity to expand some regional coverage where we can and increase data collection because we know with climate change how much we are going to have to stay ahead of the game in this arena and adapt our surveys as such.

So things like continuing advanced technology initiatives. We have at least a couple of those underway and then increasing staff proficiency. We have a need much like you all to maintain the staff that we have with the skillsets that we need for just normal stock assessment, sort of soup to nuts.

But we also have a need for increased staff proficiency in some areas that we haven't necessarily needed in the past. So we're focusing our survey enterprise efforts on those areas.

This is just a snapshot of our fishery independent surveys for FY22. I don't have time to go into all of the details behind these numbers, but just you can see there the blue again being NOAA chartered vessels that the fishery survey vessels. The black being the charter vessel surveys, and the small boats survey is there in red.

And that canceled row is probably the one that might draw your eye. Those are the numbers of canceled surveys. And you can see there were a number of them on NOAA white ships this year.

We typically deal with a lot of delays in our world getting surveys off the dock due to weather or maintenance issues with the fleet. But this year, really -- well, I don't want to say it was unprecedented in terms of cancellations, but it's certainly not following 2020.

But these past three years have been really difficult,

and coming out of the pandemic where we thought we would be coming back to more operational normalcy, if you will, for surveys. We still had a number of challenges.

The reasons for those really are -- we had some COVID lingering issues with COVID on ships. That really is sort of amounting to delays on surveys, and that statistic I don't have up here.

But outright cancellations really are due these days more to mechanical failures on the ships and staffing, which is not unique to NOAA and the fleet. As you know, NOAA Fisheries does not operate the NOAA fleet. That's operated by another part of NOAA called OMAO, the Office of Marine and Aviation Operations.

But those issues related to staffing have just gotten worse. We've gone through periods of time where we've had -- the oil and gas industry goes through fits and starts, and they wind up hiring away a lot of the people that engineers and such that the fleet needs for the NOAA ships.

But really some of the issues with staffing that we've been seeing this past year are really in a different ballpark than they have been in the past. They're not unique to NOAA. UNOLS, the academic fleet, is seeing some of the same issues as is DFO. I've talked with some counterparts up in Canada. They're seeing similar things.

So keeping people on ships with the kind of pay that we can offer and with the kind of rotational opportunities that the NOAA fleet is trying to work on. They're doing the best they can to keep folks on these ships, but it's been tough. And then a number of mechanical failures with the ships as well.

So that's just a picture of some of the challenges behind getting these surveys off the dock. But our survey vision for the future really is encapsulated in this slide, which is to sustain the core strength of really our ship-based surveys, shipboard surveys,

while we build additional capacity needed to face that ever growing challenge of climate change.

Part of this of course is modernizing. Ships, the way we do business in our survey part of our business, has evolved somewhat over time but we still have a lot of needs that we had 20, 30 years ago. We still need that.

We still need ships for those particular parts or aspects of our surveys, but we're also trying to move into, as you all probably know and as seen as in your council presentations from the science centers and other places, that we are modernizing our technology platforms.

More and more uncrewed systems getting out there to not necessarily take the place of ships yet but more in an augmentation fashion, augmenting our surveys to collect data either where we can't get the ships in because it's too close to the shore or because we know we need to collect more fine-scale data in some areas or things like that.

And then finally that last bullet gets at strengthening our survey -- sort of our internal NOAA Fisheries survey planning prioritization and management of our survey resources to optimize the return on investment there.

So when we talk about surveys, this occupies -- Janet talked a little about what's occupying her time. This occupies, and the person sitting in the seat, probably 50 percent of the time that the chief scientist is spending on just maintaining and looking ahead at what we need to be doing in surveys.

So along those lines, we've been undertaking a pretty sizeable effort on data acquisition planning. So what kinds of data are we going -- and platforms are we going to need in the future, looking about 10 to 15 years into the future.

Along those lines, a little over a year ago we let a contract to a company called IBSS to help us in

identifying those current and future data needs and priorities. So they undertook a rather large process, and I wanted to give you some statistics on that to first of all review the literature on data collection.

They developed an internal questionnaire within NOAA Fisheries, but then they also conducted a number of listening sessions and workshops. So they did five listening sessions with external non-NOAA stakeholders, each with a core theme which focused on fisheries, protected species, ecosystems, human dimensions and the Blue Economy.

So those were kind of the five themes of those workshops were built around. We had over 300 representatives from industry, non-governmental organizations, academia, probably some councils as well participating in those workshops.

In the end, we had over or nearly 400 NOAA Fishery employees. And again, there was 300 stakeholders involved in this process. So it was pretty sizeable. We now as of a few weeks have a draft IBSS document in our possession that outlines some recommendations along data acquisition lines.

So each of the building blocks within this process built on each other and culminated in a list of recommendations to the Agency. So we're now taking that document and reviewing it internally and determining some next steps. Just a brief preview into some of the themes that emerged out of that process.

Not surprising here, looking at some of the types of platforms that we know we need to begin to incorporate into our suite of survey tools. And we have been doing that, of course, at some of these areas. And in others, we really need to define the program going forward and how we're going to integrate those types of observations from, say, citizen science program into our program more fully.

So the next steps are to complete that internal review process to review the IBSS document and

then also to look at integrating that with another effort that's going within NOAA led by OMAO to look at fleet capitalization.

This is an effort that's kind of ongoing within the Agency, but they are in the middle of coming up with a new fleet recap plan update. And so the data acquisition with NOAA Fisheries will need to take into account what's going on with the fleet recap plan at the broader NOAA level.

So that's a little bit of an update on our data acquisition planning efforts. And I'll segue into advancing climate-ready fisheries here starting with our climate regional action plans. Jon Hare may have updated you a little bit on this effort as well.

As you know, we put out in 2015 a NOAA Fisheries climate science strategy to look at how we, without a whole lot of new resources, are going to confront climate change at fisheries. We in 2016 developed some initial regional action plans, which we put out in 2017 and began implementation of those.

So those regional action plans really forming the regional basis of our climate science strategy and action items of how we were going to work with councils and our regional offices to implement these regional plans or implement the climate science strategy at the regional level. So that has been going along.

And in 2020, we issued a five-year progress report on those RAPs. And in the process of that, and that's available through that link in the slides. In the process of that, we determined that we needed to do an update of our regional action plans.

So we launched that effort in 2021. We did a couple of different comment periods, which will show on the next slide, and we're getting ready to complete those RAPs, the second version of the regional action plans for the years 2022 to 2024.

Just a little bit on what those regional action plans

do. Again, actions are proposed for 2022 to '24 addressing key regional needs around the country. They build on that progress since 2016. And we did a couple of different public comment periods for these RAPs.

One was in 2021 asking the question about how to advance resilience, and we got a lot of input from that period. And we did a second public call for comment on the actual draft RAPs themselves. So you all provided a lot of comment on that.

This slide just shows you a little pie chart of the where did we get comments from during that second comment period. You can see the councils up there account for about 9 percent of the comments that we did get in on the regional action plans. So thank you very much.

I actually personally read at least a couple of the comments that came in from the councils and just really impressed with the amount of time and energy that went into those. Thank you very much for responding to that. You can see where some of the other comments came from after we put out a federal register notice and posted it on our website.

We requested input on clarity of, in other words, are the actions that we were proposing to take in the RAPs for the second round clear and appropriate for your region and ways to strengthen those. Again, just a number of different sources of comments.

This is just another slide that tells you we got about 44 submissions. The submissions ranged in input from broad input on sort of the collection of RAPs and the climate science strategy itself to very specific comments about your regions.

Some comments addressed multiple region action plans, so thank you to those councils who may have provided comments on more than one region. And the majority of the comments focused on Alaska, Northeast, and then some general comments on the RAPs in general.

But each region received between 12 and 23 public input documents to consider for those regional action plans. And so what did they say? What did you all say and what did some of the input that we got back from the public comment.

There was a lot of supports for NMFS to identify regional needs for advancing climate-ready fisheries. There was a lot of support for additional actions to prioritize surveys and ecosystem monitoring, increasing funding for key tools including CEFI, which I'll talk about in a minute, better linking science to regional management needs.

I think you'll hear a little bit more about that also from Kelly. Expanding the regional action plans to include more management applications. Engage more and collaborate with stakeholders and adapt a more consistent format and track progress.

So we're taking all of that feedback, and I think we're on track to publish those second round of regional action plans by December. So, yes, next steps. September to November, incorporate those inputs and finalize our metrics and get those out and published for January implementation start date.

Okay, CEFI. Switching gears a little bit. You've heard about the Climate, Ecosystems and Fisheries Initiative in the past. Brian mentioned the potential for funding of this. This has really been an effort going back probably close to five years now. It's a cross-NOAA line effort.

So not just NOAA Fisheries, but how can we bring to bear all of the assets, resources and expertise across NOAA including primarily the Office of Oceanic and Atmospheric Research, which coincidentally or not is the line office where Cisco just spent six months. So he was the assistant administrator acting of OAR.

That's the line office that we have really primarily

been working with to bring you all CEFI, which is really this cross-line office effort to provide climate-informed advice to reduce the risks and increase the resilience of marine resources and the people that depend on them.

It's designed and meant to be an end-to-end system starting with observations. Moving to ecological forecast and projections. There's a component to assess risk and evaluate management options, turning into that climate-informed advice for you all for decision making.

And much like our kind of soup-to-nuts stock assessment process, we are aiming to bring CEFI into a more operational and well-supported framework within our, first of all, our science centers, working with our other line office partners. But eventually that end-to-end system will come to fruition.

We've been doing this, planning for this for four to five years with no new money. So it has been with the kind of support that we have currently in both the science centers and the regional offices, primarily the science centers.

But we're hoping for greater support for that from a budget standpoint because it will take -- in order to make it truly operational, it will take resources. So as Brian said, CEFI was in the 2023 PrezBud, president's budget, at \$20 million. That was \$10 million for fisheries, \$10 million for OAR to do the climate modeling.

Where they're really, I didn't say this, but they're taking sort of global scale climate models and downscaling them at the regional level and then handing that model output out to scientists in the science centers who will take that and develop distribution maps and things, other types of products that will support the councils.

We do have a number of CEFI pilots that are underway in four different regions, the Northeast,

West Coast, Gulf of Alaska and Bering Sea. Those are really have been built through an RFP that's come out from OAR over the last several years.

It's allowed to kind of move forward in some of these areas, but it's not permanent funding. So we've leveraged that for these four pilots, but we're looking to of course build that into a more permanent structure.

So we have updated our buildout plans for FY23 to '26. As others have noted, the Inflation Reduction Act funding as Janet has said, we're hoping that fisheries will see some funding out of that act. And this CEFI effort would be one of the top priorities if we were to receive funding from IRA to seed this. So there's more information at the link there.

I just note that the need for this, of course, is great. I don't need to tell you that. I think Janet remarked in her initial comments today on the state of the situation in Alaska with respect to red crabs. I think they're looking at a second year of closure there.

So just a couple of examples of why this is moving - - this really needs to be moving ahead in quick fashion. You see an overall long-term warming trend affecting spawning stock biomass up there.

And at the same time, some issues with bycatch that are leading to the fishery really needing some greater flexibility at the management level to be address that when the spawning stock biomass issue is -- and the underlying directionality of that is really unknown or uncertain.

I think that's a situation where we are going -- again, we're going to have to bolster our efforts in this area to help councils develop tools that help you.

Another area was the snow crab issue where you had a really different situation with very high recruitment year followed by a very strong marine heat wave in the summertime the following year.

And then that leading to starvation, disease, migration and some of these other patterns that you're seeing as a result of those physical factors operating in the environment. Pointing to the need for really improved science to help our decision-making processes in some of these scenarios where we really -- that was really a bit of a surprise.

Janet mentioned missing one survey in one year can really lead to a much higher, greater uncertainty in council decision-making processes. And so the fundamental needs between surveys and these kinds of efforts where we developing the analytical capability to deliver new products to you all is really where our current focus is at the leadership level.

So the ocean really isn't the same as it was as you all know. And studies that measured things like vital rates years and years ago of some of the species that we manage both on the protected species side and the fisheries side, those really have to be repeated, those studies, laboratory and survey alike.

So we're working hard to do that and underpinning some of the CEFI efforts going forward. We did have a GAO report come out a few weeks ago, about three weeks ago now, on looking at the issue of enhancing climate resilience of federal fisheries.

This is a report that GAO had come to us over the past year, year and a half, and interviewed a lot of our scientists and the regional offices. They also interviewed a number of councils.

So that report is out. You can read it. And the primary effort was to examine the use of climate-related information by fisheries managers and look at the challenges and opportunity to enhance the climate resilience of federal fisheries.

So the report is out, the findings. They had two main findings. First of all, they were fairly complementary of NMFS and our efforts to get ahead of the game in this respect, but they did have

a couple of recommendations.

One, to collect and publicly share more information on the actions that you all are taking at council-level to enhance climate resilience of your fisheries.

The second recommendation being to work with the councils to share that back out more freely with you all and identify and prioritize opportunities to enhance resilience by sharing information, best practices across regions.

There was a whole lot of that going on right now that NMFS could do a bit more in that arena. So we will be looking at a plan to address those two recommendations going forward, and you'll hear more about that soon.

I believe that is my last slide. I did also have -- I've been hearing some other questions that I wanted -- I thought I would just address in my comments here briefly.

One was related -- these are questions coming from the councils that I've been hearing. One was related to the DisMAP tool, which I believe you heard about at your last meeting from Jon Hare. This tool that's a distribution mapping and analysis portal. That's what DisMAP stands for.

It's a tool to track and understand the distribution of marine species that we've developed in the last few years. And there was a question about are there plans underway to address the separation between the Northeast and the Southeast in the DisMAP tool as that greatly limits its use.

By way of response, I think we recognize that the problems that that faces. We agree, it's not ideal. And we're working on some efforts to compile and harmonize survey data. So for the East Coast, the DisMAP tool contains bottom trawl data from fishery surveys around the country unique to the regions.

So for the East Coast, I think contains the spring

and fall offshore bottom trawl survey from Cape Hatteras to Canada. And then also contains bottom trawl survey data from the southeast coastal trawl survey from Cape Hatteras down to South Florida.

So obviously the issue is those surveys are designed differently. They collect data at different depths. They collect data using different gear. And so for those reasons, it's been difficult to harmonize those to surveys and the DisMAP tool, but we are working on a model exercise through the Northeast Center using a model called VAST to look at those issues.

We're aiming for kind of a 2024 date to hopefully come up with some responses and some tools for that difference. Another question that's kind of come up to me has been that before COVID, science center, the science enterprise within fisheries, had embarked on some program evaluations.

If you remember, we spent about five years looking at program evaluations from across our science centers. We would take one programmatic area per year and review all the science centers in that area. We did that for five successive years. And the question is are we going to be doing those regularly.

And so the five-year effort was a huge effort on the part of all the science centers. We had independent experts come in and had multiple panels to do these reviews at each science center. We did multiple synthesis documents. So it was a huge effort.

We are still responding to, reacting to, the recommendations coming out of those program reviews. So the question are we going to be doing them regularly.

I think we're rethinking how we do scientific reviews within NOAA Fisheries, and we are looking at the next one being a little higher level, looking at questions of organization of the science enterprise, how we interface with the regional side and the management side.

So it's going to be done a little bit differently, but we are thinking about that going forward. And then finally one other question that's come up to me in light of increasing costs.

So all this talk about surveys and particularly climate, but there's some really fundamental questions that I know are still on your mind about our stock assessment business.

So in light of increasing costs, one of the Agency's plans to ensure biological port sampling is adequate to meet assessment needs, so I'm not surprised to hear this question. It's a hard one.

The answer is that we prioritize in each region the biological sampling needs in that region and we match with available funding and fund them as we can. I know in my own region in the Southwest, this has become more and more of a problem.

We do have cooperative research funds that we used for some of that life history sampling that we need to do. We also have some other funds that we have. We try to leverage with partners. But it's really like most things, we try to match our funding that we do have available for things like port sampling to the highest priority needs.

I think with that, I don't have any more slides or questions, so done.

Chair Luisi: Thank you very much, Kristen.

What I'd like to do in discussions with Dave Whaley, we have a hard start time for our next legislative update in five minutes. So I think what I'd like to do. Everyone take a quick break, get something to drink. Maybe we can put up the number again to get into the restroom. So let's take five minutes. We'll be back down. If you need a little longer, that's okay.

And Kristen, we'll come to you perhaps later for questions after we get through the legislative

update, if that's okay. You going to be around this afternoon?

Ms. Koch: I could be, yes.

(Whereupon, the above-entitled matter went off the record at 3:10 p.m. and resumed at 3:18 p.m.)

Chair Luisi: Okay, so the next item on our agenda today is the legislative outlook. There's no gavel. There's nothing to slam.

I'm going to turn things over to Dave to start working through that legislative outlook.

Whenever you're ready, Dave.

Legislative Outlook

Mr. Whaley: Thanks, Mr. Chairman.

Is Congressman Huffman on the line? Do we have him?

Mr. Huffman: I am here.

Mr. Whaley: Hi, Congressman.

Mr. Huffman: Hello there. Hi, everyone.

Mr. Whaley: Let me give you a quick introduction if I may. Congressman Huffman represents California's Second District, which spans the north coast of the state from the Golden Gate Bridge to the Oregon border, includes Marin, Sonoma, Mendocino, Humboldt, Trinity and Del Norte counties.

He was first elected to Congress in November 2012. Currently serves on the House Transportation and Infrastructure Committee and the House Select Committee on climate crisis.

But most importantly to this group, he serves on the House Natural Resources where he's Chair of the Water, Oceans, and Wildlife Subcommittee. And he's also importantly the sponsor of HR 4690, the

Sustaining America's Fisheries for the Future Act, the bill that would reauthorize and amend the Magnuson-Stevens Act, and which was just reported out by the House Resources Committee about a month ago.

Chair Luisi: Dave.

Mr. Whaley: So Congressman, thank you. I know your time's short, but thank you for joining us.

Chair Luisi: Yes, thank you very much for being here.

Dave, there's an echo coming from somewhere. So hopefully when the Congressman begins his speech, we won't hear that echo. We'll try to work on that, but I'll hand it over to you. Go ahead and try it again.

Mr. Huffman: Is that sounding okay?

Chair Luisi: Yes, you sound great. Thank you.

Mr. Huffman: Okay, terrific.

Well, thanks very much. I appreciate you inviting me back to speak with you. Really wish I could be there in person. Most members of Congress are out of D.C. right now. But look, I appreciate the work that the Council Coordinating Committee does.

It's a really important part of our process for successful fishery management. And it is great on my screen at least to see a whole bunch of partners in fisheries management gathered together in one place. I appreciate your work.

Let me begin with something that seems pretty obvious to me that it is sad to be talking with all of you about these issues without the venerable Don Young. He was an original author of the MSA, was always an integral part of these conversations in this process.

And frankly, while he and I had some policy

disagreements, we certainly had a lot of disagreements on things other than fisheries. I considered him a friend, and we found a lot to agree on. In fact, we were very close to an agreement where we would move this legislation forward together.

We essentially had that conceptual agreement right before he passed, which was a real blow to all of us. So following his unfortunate death, Congressman Ed Case and I paused our effort on MSA reauthorization. We had originally planned for a markup many months ago. We thought that was the right thing to do out of respect for Don.

But also, you need to have Alaska represented in those conversations. So that's why we were glad that when Congressman Mary Peltola won that seat despite all the odds against her, we brought her into the process. And she is a champion for fish.

She's already joined me and Congressman Case as a co-lead on this bill. And she testified in favor of the bill as many of you heard back in the last hearing. She had testified before she came to Congress in the hearing that Don Young and I pulled together.

He and I both asked her to be a witness in that hearing, and that was last November. And among the things that she spoke about were the climate-ready fishery provisions in the bill, our efforts to reduce bycatch and also increasing Alaska native representation on the North Pacific Council. That's something that both she and Don Young felt very strongly about.

So as you probably know, the bill that we are moving forward includes improvements that I think are very helpful to fishing communities like the Fishery Disaster Relief Program, which needs a lot of work.

We have provisions to increase transparency in public participation, advancements for electronic

technology and improved data. That's something we've heard a lot about from stakeholders. And also provisions that we think strengthen sustainability.

We incorporated several bipartisan bills. That includes Representative Pingree's Working Waterfronts Act, Representative Bonamici's NOAA Sexual Harassment and Assault Prevention Act.

And I know that potential new requirements under the bill are causing some concerns about budgets for councils, things like that. We increased authorization levels in this legislation by 50 percent, and we will continue to push for more funding from appropriators to support the good work that our councils do.

So with Congresswoman Peltola on board, we did move forward through a markup. We incorporated a lot of technical changes into the bill. But I do want to emphasize that it is a work in progress.

We are going to continue to try to incorporate feedback and to improve this bill as it goes forward, so no one should think that the opportunity to be heard and considered and have a hand in shaping this bill is over. We've got a long way to go. Some of the issues that came up during markup, and we are going to be taking all of these in to closer consideration, but this includes the (audio interference).

Quite an echo there. You want me to continue? Okay, I'm hoping everything is okay on your end.

Chair Luisi: We lost you for a second.

(Simultaneous speaking.)

Mr. Huffman: -- the EFH provision of Magnuson. Look, my goal there was simply to create a more meaningful consultation process, not to build a huge bureaucracy or a bunch of loopholes that can create endless litigation.

So we've heard concerns from stakeholders that there could be unintended consequences to the way that is drafted up. We're going to keep working on that, and I'm hopeful that we will find a point of consensus on that.

The current essential fish habitat is totally toothless and almost meaningless. So I do think we do need to do better, but we don't need to build this overbuilt perhaps section that some of you were concerned about. So we're going to work on that. I hope we'll be able to earn your support of that.

Through this process (audio interference) I think you know we worked hard (audio interference) management regions around the country, two-year process. And we continue to take input in person and online. I want to thank all of you for your feedback.

Reauthorizing Magnuson is a large task. There's a lot of work to do, but I look forward to continuing to work with all of you whatever technical substantive concerns that you have, and maybe I'll stop there because the audio is really strange, and I'm a little worried that you may not be able to hear me.

Chair Luisi: Yes, Congressman, thank you (audio interference.) Yes, it's a little strange, but we appreciate your time spent (audio interference) the updates that you did. And so I think at this point given some of the audio issues that we're having, I'm going to turn things back over to Dave to provide some additional updates.

But Congressman Huffman, thank you very much for your time and maybe sometime down the road in the future, we'll be able to have you hear in person to provide us additional updates.

Yes, I'm not sure if you can hear me or not. Yes, I'm going to go back to Dave. So Dave, if you have other items you want to bring before us.

Mr. Whaley: Thank you, Mr. Chair. Appreciate Mr.

Huffman being with us. I don't know if he can hear us at all.

Mr. Huffman: I can hear you faintly, and I do have my chat open. If you can hear me and you want to pose questions in the chat, I'd be happy to do my best.

Mr. Whaley: Okay.

Did people hear that? He's available on chat. We also have a staffer for the Senate Commerce Committee who has agreed to join us. I don't know if she's online.

Fern Gibbons is currently the policy director for the Republican staff of the Senate Commerce, Science and Transportation Committee. She received her PhD from the MIT-Woods Hole Oceanographic Institution joint program in oceanography.

She was a Sea Grant Fellow and did her fellowship with the Senate Commerce Committee in 2012. She then worked for The Nature Conservancy before returning to the Commerce Committee in 2014. And she's covered fishery issues for eight years. You may remember her. She's participated in CCC meetings in the past. If Fern's with us, can we activate her mic?

Chair Luisi: Yes, I can see her, and she just posted in the chat. I see her online.

Ms. Gibbons: I am here.

Chair Luisi: There she is. At least on my screen I can see her. So why don't we go ahead to Fern for updates.

Ms. Gibbons: Yes, I'm happy to go ahead.

The Congressman has been busy on a variety of things like all these. I would say our biggest fisheries issue is somewhat parochial, as they always are. And we've been really tracking this issue of red snapper very closely, particularly how

does NOAA utilize the state red snapper data when they calibrate it against the federal data.

And I know the Gulf Council has been working really hard on that issue, and we really appreciate all of your efforts there. It's, you know, one of these frustrating situations. There's not an obvious legislative solution, which is the usual trigger.

We've been trying to keep the pressure on NOAA to really engage with stakeholders and try and come up with a more thoughtful solution there. I would definitely welcome feedback on what if anything else we should be doing in that arena.

Anyway, that's super parochial and in the Gulf. Otherwise, I think things we hope to wrap up this Congress would be passing our fish disaster legislation, which in our mind would simply kind of streamline how NOAA processes fish disaster requests.

And our hope is if we can just condense some of the bureaucracy. In particular, put strict timelines on. That can really help NOAA. Particularly when NOAA needs to go to OMB and badger OMB to get the disasters cleared. Having statutory timelines can give them leverage in that space.

I think we're pretty close with the House on that bill. By pretty close, I mean I think we are actually in full agreement. It's just a question of how we actually get the final passage there. So that will be exciting.

No surprise, the Senate has made less progress on MSA reauthorization than the House does. The House is -- I know they've worked really hard and done some really great bipartisan work. We don't have a comparable product on the Senate side. I think it's unlikely that the Senate advances anything with respect to MSA overall this Congress.

The other topic we've been working on and of course value your all's feedback on this is how to

address the issue of IUU fishing in a strategic and productive way that doesn't overburden NOAA, doesn't create unintended consequences for our fishermen, but does crack down on the incoming IUU product to United States.

I know Rep Huffman's office has put in a lot of work here. We've scoped a little bit on our side. The Senate Coastguard Authorization Act has a handful of IUU provisions. And for the Senate, IUU provisions, we have tried to really take into account all the concerns from fishermen.

That said, as you review them, be in touch if you think those can't work as well as we think they can work. Because first and foremost when it comes to IUU, we want to do no harm to our domestic fishermen. And sometimes what seems like a great idea in our office wouldn't actually make sense when it's implanted out in the fleets.

On the topic of IUU, it's just a great opportunity for that to begin and ongoing discussion because first of all, it's a problem we all want to solve with a lot of pressure for us to solve it. But we really are trying very hard to guard against unintended consequences as we put forward legislative proposals in that arena.

With respect to next Congress and kind of our outlook there, obviously this Congress is rapidly winding to an end. I think from my perspective, potentially the fish disasters legislation we can get through and some of the IUU provisions and the Coast Guard Auth Act.

But besides that, we're pretty much out of time for any new bills over here. Next Congress, there will almost certainly be changes of obviously election-dependent, but also I'm sure as many of you know with Senator Inhofe's retirement at SASC, Senator Wicker will be moving over to take over the senior republican position at SASC.

So Senator Cruz will be coming in from Congress.

Kind of selfishly from the Gulf perspective, I think that's always nice for us to have a Gulf voice on fisheries. But obviously he'll come in somewhat fresh on a lot of these issues. Their office obviously is very attuned to the red snapper issues in particular, but they'll be building up a whole expertise on national fisheries issues.

I think that as they get staffed up, I would encourage you all to get in and help with staff education and really serve as some institutional knowledge for the new either chair or ranking member of the Congress committee.

I think that's all the kind of top line stuff I wanted to hit. I'm happy to answer questions. If I get too much of an echo, folks can put it in the chat. I'm happy to answer that way.

But I feel like I always get more from trying to make this as interactive as possible understanding the limitations of remotely dialing in. So apologies about that. I really wanted to be there in person, but it's been too busy for recess, so here we are.

Chair Luisi: Fern, thanks. Can you hear us okay?

Ms. Gibbons: I can hear you fine, but as soon as you start talking, your echo gets going. I don't know why that is. Maybe just make very brief questions.

Chair Luisi: Let's see. Yes, as soon as I start to talk it -- I'll look around the table if anyone has any comments or questions for Fern. It's not as bad the Congressman. I don't know if he's still on.

Dave, do we have any other presenters?

Mr. Whaley: Just me.

Chair Luisi: Okay. Let me ask the Coordinating Council. Does anyone have any questions for either Mr. Huffman or Fern? Bill?

Mr. Tweit: Thanks, Mr. Chair.

And thanks, Fern, for your time. I'm just wondering a little bit more about is the proposed improvements to the legislation that hopefully will improve the federal disaster response for fisheries.

You highlighted the addition of statutory timelines. Are there other aspects of that process that you're also adding too? Or is it primarily just speeding it up through adding in the statutory timelines.

Ms. Gibbons: One is the timeline. Two, there's currently two existing -- NOAA has two existing disaster statutes, so we're combining them into one, that's kind of just a, you know, legislative cleanup. The other thing that it does that I think is important is it lists the potential -- it lists things that disaster funds can be spent on, and essentially the things that the disaster funds have been spent on, but we felt that was really important because, at least according to NOAA, you know, their spend plan can go back and forth at OMB for a while, with OMB saying, well, you really shouldn't be spending money on direct payments, you should be doing jobs and training, you should be doing this.

And we wanted NOAA to have in statute the ability to say, no. We can -- direct payments are authorized, it's in the spend plan, like, you should approve it. And so we really just wanted them to have the statutory backstop of what in our mind is like the full suite of things that people put into spend plans, because depending on who's ever reviewing the spend plan at OMB, it's like the flavor of the month as to what that individual thinks is appropriate, but we think the spend plan should ideally be edited relatively lightly by OMB, that would be our goal. And so that's the other big thing, is to try and -- not just the timeline, but trying to put some more oomph to NOAA's pushback when OMB tries to adjust the spend plan.

Chair Luisi: Okay, thank you for that.

Are there any other comments? Questions?

I will point out up on the screen in the chat it appears that Representative Huffman had to leave, but there is an email address there if anyone has any questions for him. It's casey.maclean@mail.house.gov

Anything else for Fern? Okay. Fern, thank you very much. We appreciate your time here today. I'm going to turn things back over to Dave, but thank you for being here with us today.

Ms. Gibbons: Thanks for having me.

Chair Luisi: Dave?

Mr. Whaley: Thanks, Mr. Chairman.

Thanks, Fern, and Chairman Huffman.

I don't know if I've been beamed up onto a spaceship or what.

I was just going to go over a couple general things. For those of you who don't know, there's an election coming up 21 days from now.

Chair Luisi: So Dave, can you stop for one second. So I just got feedback that all of the electronics that everybody has on the table is interfering with the audio system.

Okay, so you can leave your computer on, but you need to turn off the audio portion. You can click the button at the bottom. Let me see what it looks like since I just closed everything down here. If you click on the three little dots next to the exit, there's a thing where you can turn off the audio. That might help with the problems we're having. I'm just going to shut everything down anyways, so it's all good.

All right, back to you, Dave.

Mr. Whaley: Okay, let's try again. Of course this didn't come up until I got up at the table. Might be me.

So as I started to mention, there's an election coming up 21 days from now. All 435 members of the House of Representatives, all of those seats are up for election and one-third of the Senate. So 35 members of the Senate are up for election.

Right now, both the House and the Senate are very tight margins, which in theory would mean you'd have to compromise a lot in order to get any legislation passed. Elections have consequences. So right now, the polling is indicating -- there we go.

Polling is indicating that the House is likely to flip to republican control. The Senate is still up in the air about whether it will flip or not. But elections do have consequences. If either the House or the Senate flip, we'll have new chairs and ranking members for each of the committees, which means new staff coming. It means new priorities, it means the person in charge who gets to pick what hearings are held and what legislation moves will switch.

As Fern mentioned, if the Senate were to flip, Senator Cruz from Texas would be the new chair of the Senate Commerce Committee. We assume that Senator Cantwell would remain as the ranking member, a democrat from Washington State.

If the Senate does not flip, Senator Cantwell will remain chair, but it's likely that Senator Cruz will become the new ranking member. So those will be the new folks we deal with.

In the House, right now the democrats control the House. Chairman Grijalva from Arizona is the chair of the House Natural Resources Committee. Congressman Westerman from Arkansas is the ranking republican. If the House were to flip, those two would just flip seats, but both would remain in the leadership roles for the committees.

As Chairman Huffman mentioned, we're getting real near to the end of the 117th Congress. I try and give you guys a civics lesson every time, and I'll remind you that at the end of the Congress, all

legislation goes away.

And when the 118th Congress starts in January, any bill that was around for this Congress is gone and has to be reintroduced for action to take place. So while the Magnuson bill has passed out of committee, if it does not become law before the end of the session, it will need to be reintroduced.

As I mentioned, the new Congress begins January 3rd. The current Congress can go right up until the new Congress starts. So we're going to be going into a lame duck session right after the election.

It looks like most of November is going to be taken up with Veteran's Day holiday, Thanksgiving. So November and December, at least in the House, we're only looking at 17 days of potential session unless they have weekend sessions. So not a lot of time to get things done.

This time of year at the end of a Congress during lame duck session is when a lot of mischief happens. A lot of packages get put together. A lot of unrelated bills get tacked onto must-pass legislation. So there's a lot that could happen in these last two months.

There are a couple must-do things that Congress is looking at, which could become vehicles for other things. Brian mentioned a continuing resolution.

We probably won't know until after the election whether it's going to be a short-term CR or whether they're going to try and do something for the rest of the fiscal year. Again, that may depend on who takes control of the Senate.

They're also looking at a supplemental bill for disaster assistance as a result of the hurricanes in Florida and Puerto Rico. That could be a vehicle for other miscellaneous provisions.

The National Defense Authorization Act currently has passed the House. Senate is going to be

working on it when they come back. It already includes at least one marine mammal provision. The House bill is 3,854 pages.

It includes the marine mammal provision. It includes a requirement for the AIS systems to be on all vessels over 35 feet. There is a Senate amendment that was proposed by Senator Schotz from Hawaii, an amendment to the NDAA, which includes IUU fishing provisions, expanding the SIMP program to all important seafood.

It includes the Drift Net Modernization Act. It includes the Shark Finning Sales Elimination Act. It includes Coral Reef Conservation Act. It includes two provisions dealing with blue carbon. It includes Working Waterfronts.

So if that amendment is made in order and passes, there will be significant fisheries legislation on the NDAA, which is a must-pass bill, before they leave for the new session.

There's some other bills that have been talked about as individual priorities for congressmen or senators, which again could become packages. The Water Resources Development Act. There's talk of doing a tax extenders bill.

There's talk of doing an assistance package for COVID and monkey pox. There's again Ukraine funding that's likely to come up. Senator Manchin has proposed an energy permitting package, would could become a vehicle for other things. And then there's also potential for a debt limit extension.

Again, all of these could become packages toward the end of the session. There are a number of fisheries-related bills that are still in session. I mentioned a couple of them already. Obviously, the Magnuson-Stevens act has been reported out by the House Natural Resources Committee.

It's unlikely the House will have time to take it up, but it's possible. Shark Finning legislation has

passed the Senate and has been put on at least one other bill and potentially several other bills. The West Coast drift net ban has passed the Senate. And on the House side, it's been reported out of committees. So it's likely to be put on a package.

There are several marine mammal provisions that could be put on a package. One of which would require NOAA to implement a program to reduce collisions between large whales and marine vessels across the U.S.

So we talked a little bit today about the effects of the Right Whale protection measures that NOAA is taking now. This would extend that across the U.S. to all large whale species.

So I mentioned a little bit potential outcome for the election. Like I said, if you listen to the current polling, it's likely the republicans will take control of the House. It's possible the republicans will take control of the Senate, but that's unclear.

So again, those flips could impact who gets to chair the committees, who gets to hire the staff, who decides what the priorities for the committees will be, and who decides what hearings are held. I know I've thrown a lot out at you, but Mr. Chairman, I'll answer any questions. I'm sure you have a lot.

Chair Luisi: Yes, let's see if anyone has any questions for Dave? Look around the table.

John?

Mr. Gourley: Thank you, Chair.

Thank you, Dave. Given the circumstances with the short time fuse, if any of the fishery legislation gets attached to a must-pass bill, do you envision any type of coordination with the councils or the general public for additional comments, or will these be attachments that will go in cold?

Mr. Whaley: So generally, things like the NDAA, the

National Defense Authorization Act, that's a bill that's run by the House Armed Services Committee and the Senate Armed Services Committee.

They generally don't like miscellaneous things being put on their bill, which is a must-pass bill. Having said that, if there are bills that have passed either of the House or Senate, they're more likely to accept those because they've gone through part of the process.

So no, there won't be a chance for additional comment, additional hearings. If they're put on that bill, it's likely they'll become law.

Chair Luisi: Okay. Thanks, Dave.

Anything else for Dave? Any other questions or comments?

Okay. Seeing none at this time, Dave, I appreciate your update. We know how to reach you if we need to. Thanks again.

At this time, what I'd like to do since we're a few minutes ahead of schedule is to go back to Kristen with the science update and if anyone has any questions or any comments regarding the presentation we heard before we took that short break. Tom Nies?

Mr. Nies: Thank you, Mr. Chair.

Thank you, Dr. Koch, for your comments. I guess I don't really have a question; I've got a comment. I didn't find your answer on collection of data through biological sampling particularly helpful.

In New England, for relatively small amounts of money, missing money, we're seeing our biological sampling fall apart. It's already having a major impact on some of our stock assessments as was seen in a recent assessment for American Place, where we had a, not we, where the assessment scientists had a very difficult time characterizing the

age structure of the catch, which introduces increasing uncertainty into the assessment as you know.

So it's difficult for me to reconcile all these projects you've got going on for improving next generation data and climate resilience when we're not even making sure that we're collecting the data we need to do accurate stock assessments now.

I just wanted to make that point because I personally didn't really find your explanation very convincing. I realized it's not entirely on you, but it is on the Agency to try and make sure this gets done. Thank you.

Chair Luisi: All right, thanks, Tom.

Do you guys have any follow-ups on that?

Ms. Koch: Yes, I recognize that as a Senate director trying to manage that myself in the Southwest. It is a continual challenge to try to try to prioritize what we need to be doing and also recognizing the new directions we need to be going.

But point very well taken that we need to do that. It's, again, possible with some of the infusions of funding that could be coming towards NMFS that we may be able to rectify some of that. Albeit, it would be on a temporary basis. But it is a constant struggle to look at those priorities.

Chair Luisi: Tom?

Mr. Nies: Just a quick follow-up. I'm not certain, but I think part of the problem here may be that it's not actually the center in our region that controls that program, but it's through the regional office which does not have the money to adequately provide the sampling. So there needs to be some coordination apparently between different sides of the house on how the funding is awarded and implemented and contracted.

Ms. Koch: Sure. Sometimes these samplings programs do involve our regional offices. They also involve the states in coordination with the states. And sometimes, the states have funding that they can put at particular species that we don't have funding for. It just depends on where you are on in certain cycles, but point taken. Thank you.

Chair Luisi: Okay, thank you.

I'm going to go next to Marcos.

And then, John, I'll come down to come to you.

Mr. Hanke: I would like to bring a little bit of Caribbean perspective up to your presentation on the slide where you talk about the next generation data acquisition. There is just a few things that are really applicable to the Caribbean because of the distance and our environments and so on.

And there is a historical disconnect from the NOAA big ship mentality with the needs of the small-scale fishery. No problems to facilitate insurance, license, training to really allow fishers to engage in efficiently as partners. This is the big hurdle that we never addressed for many, many years.

And then we ask why the fishermen don't participate or not there. They are not capable because they are not trained. There's no emphasis on that. Also to facilitate local scientific community to participate on research effort maybe by dedicating some funds to that.

Maybe like a pilot on the small fronts to address urgent needs because of climate change issues or gasoline flux, et cetera, et cetera, et cetera.

This is especially important to the Caribbean, and I know because of climate change it will be important to all the regions because we're going to have -- if you do something like that, you're going to have much more eyes in the water collecting data that's spread all over the country.

Even more important under this climate change scenario, which is very data hungry. Something that has strike me out too is that on list that you present, citizen's science was below the list. The last on the list of the feedback from the people.

There is discussion about the validation process behind the citizen's science. I want to mention the big difference between comparative research and citizen science. And I think both of them are super important, but if I had to put my money and my bet in what's going to make the difference is to facilitate comparative research making the industry more capable because of the insurance and the things that I mentioned before to be available. Thank you.

Chair Luisi: Thanks, Marcos.

Ms. Koch: All great comments. The big ship mentality and issues related to that, I take that point very seriously. I do think the data acquisition plan is trying to address that in these various different programs.

We also have a citizen's science plan that we've been developing within NOAA Fisheries that gets at hopefully some of the issues in some of these areas where data collection -- yes, you're right. Some of these efforts going forward are data hungry.

We've always been a pretty data hungry organization, and some regional areas we have not been able to sample as much as we really need to. So some of these programs that we're developing will speak to that. I like the idea behind training and pilots. Thank you for bringing that up.

Chair Luisi: Okay, thank you.

John?

Mr. Carmichael: Yes, thank you. A lot of interest in surveys, obviously. A couple of questions. I really appreciate that you highlighted the decline in survey days over time. It's certainly a concern because if

you look at some of the other presentations like the MSI, you see how important surveys are to the data-limited species.

So it's certainly concerning when we're not getting surveys that we used to get even ten years ago. And I was wondering in those charts, where do some of the somewhat hybrid operations that may be only somewhat white boats, but other boats, state boats, et cetera. So programs like CMAP, EMAP and RMAP. Where do they fit in?

Ms. Koch: I would have to phone a friend on that. I've been three months in this seat, so I don't have as much familiarity with those programs. I'm not sure if anybody else has -- or if Evan has anything to add to that, but we can take that back and get back to you. But I appreciate the calling out of the sea day issue and the need to bolster those programs for our science.

Chair Luisi: Go ahead, John.

Mr. Carmichael: And then you mentioned increasing capacity. Given the budget presentation earlier and sort of what we see there, what are thoughts on realistically increasing capacity in terms of sea days? Or is it more of trying to get more out of that suite of tools that was also presented?

Ms. Koch: Yes, thanks for that question. So in the FY22 budget, I'm not sure if Brian made this explicit in his presentation or not, but we did receive \$8 million in the final budget to support our survey programs. That's separate than the budget that OMAO gets for the big fleet surveys that we conduct.

And so we have been in the process of trying to come up with a way to allocate those resources. There is an additional bump up in the president's request to get to \$11 million, and then he showed me where that is in the House and Senate marks. So we'll see where that comes out.

But I think through that additional bump up, and then again we'll see whether or not any inflation reduction act funds can be applied towards surveys. But that's really where we're focusing a lot of our effort in terms of bolstering capacity.

And that could be in the form of -- we have a number of ways we can execute surveys or apply resources that we get in our budget to the survey problem. So we can either buy boat days back on the NOAA fleet. We can charter surveys ourselves. We can develop uncrewed systems that we fund or that we do in partnership with others.

There's a lot of different -- and then getting at some of the citizen's science and other ways. A variety of different ways we could use those resources towards collecting additional data where we most need it.

Chair Luisi: All right, thank you for that. Any other comments or questions before we move on?

Chris Moore?

Dr. Moore: Mr. Chair, I have a quick one.

Thanks, Kristen. You mentioned a GAO report in your presentation, but we received another GAO report last week that I don't think you mentioned.

And I don't know if, Janet, if you mentioned it. That was the one on overfishing --

Ms. Koch: Yes.

Dr. Moore: -- definitions and data challenges?

Ms. Koch: Yes.

Dr. Moore: So maybe you or Janet could speak to that in terms of implications and what are the next steps and what we can help with from the Council perspective?

Ms. Koch: Right. I have not myself fully read

through that particular report, Chris, but I know we have in hand and we are looking at how to address it.

I don't know, Evan, if you have any other comments towards that in S&T but how much we've been looking at -- sorry.

Dr. Howell: Yes. So no, that one was pretty much handled by OSF --

(Simultaneous speaking.)

Dr. Howell: -- Sustainable Fisheries.

Ms. Koch: Okay.

I think Evan said that sustainable fisheries is handling it, but I don't think any of us have had a chance to really read and process it to know what our follow-up is going to be. So thanks for raising it.

Chair Luisi: Okay. Thanks for that. Last call for questions or comments.

Okay, Dale?

Mr. Diaz: I just got a quick comment. I think all of this stuff is falling into place of what we've been over so far this meeting for me. So in a former life, I used to be the head of fisheries in Mississippi for a while. And Brian talked earlier about flat budgets. And what would happen, we'd meet at states every year to start talking about who's going to manage money to do data collection.

And flat budgets will kill you over time because all these other things go up. I would always try to argue that we need to protect these long-term data sets because they're so important. But over time, it gets to a point where you got to start cutting stuff, even meaningful stuff.

I think that might be how some of these port samplers got canceled. I don't know what went into that, but there is an opportunity now to look at

some of this Inflation Reduction Act money that might plug some of these holes and try to protect some of these long-term data sets that are just so critical to keep over time.

So hopefully some of those things will materialize where we can plug some of these holes. Thank you.

Chair Luisi: Thanks for your comment. Appreciate that.

Okay, I think it's time that we move on to -- we have one more item on our agenda for this afternoon. And then we'll have a public comment session. The next item on the agenda is a climate governance and scenario planning updates. We have three presenters. I'm going to ask Toni Kerns. I thought I saw Toni.

Just step up to the table. Toni, you can go either or down where Dave is or there's the podium if you want to stand behind that.

Toni is with the Atlantic States Marine Fisheries Commission and one of the core scenario planning team members. Welcome, Toni.

East Coast Scenario Planning

Ms. Kerns: Thank you, Mike, and thank you for having me today. As Mike said, I am one of the core team members so presenting on behalf of the core team on the East Coast Climate Change Scenario Planning update.

Next slide, please.

Today, I'm going to provide an update on the developments since the last time Kylie presented to the CCC specifically on our scenario creation and deepening process that we completed that drafted and refined the scenarios as well as our recent brainstorming sessions with managers and then the next steps following that.

Next slide.

As a reminder, the initiative's objectives are to explore how the East Coast governance and management issues will be affected by climate change in fisheries particularly, changing stock availability and distributions as well as advancing a set of tools and processes that provide flexible and robust fishery management strategies which continue to promote fishery conservation and resilient fishing communities.

And also to address uncertainty in the era of climate change. As a reminder, this initiative is being put on by the three Atlantic Coast councils, the Commission and NOAA Fisheries.

Next slide.

This is a timeline that you have seen before where we are -- and the timeline is sort of the latter half. We completed the scenario creation phase. In June, we held a workshop with 65 participants that ranged from stakeholders, managers, community members.

We drafted scenarios that were stories about potential future conditions for fisheries. Specifically, we aimed at thinking about the future in 20 years. Also as a part of this phase, we held scenario deepening webinars.

These webinars invited all of the public that had been interested in this process. We had about 150 stakeholders involved. They were able to review, validate and add details to the draft scenarios that had come out of the workshop.

We asked them to provide comments and suggestions to make the scenarios more plausible, challenging, relevant, memorable and divergent. And from the feedback we received, the core team then adjusted the scenarios to account for their recommendations.

We are now in the application phase, which will extend into early next year. This is focused on applying the scenarios to create ideas for actions

and recommendations. I'll talk about that in more specifics. But first I just want to give a quick glance at what we put together for the scenarios for plausible futures.

Next slide, please.

So this is the framework that we put together for the scenarios. We have two axes. The horizontal axis describes to what extent climate change will contribute to the predictability of conditions and availability to assess stocks. How well does science keep up with changing conditions.

So on the lefthand side, conditions become much more unpredictable and existing science is not able to provide much useful information. On the righthand side, conditions are sufficiently predictable and allows science to provide mostly accurate information about stocks and their location.

On the vertical axis, it explores what happens to stock production and species productivity as climate change continues. On the bottom, it is declining productivity alongside worsening habitat, low rates of species replacement.

At the top, productivity is mostly maintained with adequate habitat and sufficient levels of species replacement. Combining these two uncertainties results in this 2x2 matrix. It creates four distinct quadrants.

None of these quadrants are predictions. Instead, they outline what might happen in ocean conditions to stocks and changes to our coastal communities.

Next slide, please.

The scenarios are designed to be divergent from each other, but we do acknowledge that there are some aspects that are broadly predictable over the next 20 years. And so the elements that you see up on the slide here are reflected in most of the

scenarios generally speaking.

We assume ocean temperatures will increase, affecting marine species' biology and distribution. Regions are likely to exhibit differences in seasonal temperatures. Primary production will vary across our regions. We expect sea level to rise.

In terms of economic and social changes, it's likely the coastal population will grow, and new and changing ocean uses will create competition for fisheries, particularly for space and labor. These factors and features of each of our scenarios, their impacts may be different in each of the quadrants.

Next slide, please.

Here are our four scenarios that we created. I'll just quickly go into each of the scenarios.

Next slide, please.

In the upper-lefthand corner, we have the ocean pioneers. This is where the stocks are maintained, but it's hard to assess and predict. It's a scenario of turbulence. We have weird weather, crazy conditions. The ocean is very different from today.

We have a lot more investment in alternative energy and aquaculture due to climate change. Seasons and locations of fisheries change very unpredictably; traditional science is unable to make accurate assessments.

But despite this, fishermen are reporting that they are encountering plenty of seemingly healthy stocks. It requires taking risks, deep pockets and the ability to ride out the storms of uncertainty to survive in this scenario.

Next slide.

The next one is the lower left, and this is compound stress fractures where stocks are declining, and it's hard to assess and predict. There's a lot of stresses in this scenario. There are shifts in currents,

extreme weather, ecosystems are tipped out of balance, threshold events start to happen.

We see more pollution and degraded habitat. Healthy stocks are getting more scarce. Lower abundance of stocks leads to reduced harvests. And we see a lot more protected resource interactions with our fisheries.

It's a low-trust scenario with stakeholders. And we start to see targeting of lower trophic species that we hadn't seen before. And government support is needed to save a few selected fisheries.

Next slide.

We have sweet and sour seafood. This is the lower right quadrant where stocks decline, but it's very straightforward to assess and locate. On the positive side, really good science. But the news is coming out of that science is not so great.

We see range shifts in declines in productivity and abundance. Better forecasts help fishermen to prepare for extreme conditions that we're seeing. Aquaculture provides alternative sources of income. And we see some signs of smart management decisions and adaptation coming from fishery operators in some regions, but not in all of the regions.

So some management approaches aren't adapting to the tougher conditions that we're seeing in our environment. So some fisheries are not as successful.

Next slide.

This is our last scenario. It's in the upper-righthand quadrant. It's not necessary an easy road, but it is the best of the best of our scenarios that were created. Stocks shift and expand their ranges, but busier coasts and new offshore activity create accessibility challenges to industry.

Investments in habitat protection and restoration begin to reverse decades of damage and loss in our environment. Science capacity is boosted. We have improved monitoring, catch reporting, and population monitoring.

And a prosperous ocean economy leads to competition, but also a lot of collaboration with alternative ocean uses. Coastal gentrification creates a concern over accessibility for the recreational sector.

So what do these scenarios mean? We use these scenarios as a platform to discuss our future fishery governance and management issues. The creation of the scenarios were not intended to be focused on solutions or changes. They're a means to an end.

The scenarios should allow for a productive and creative conversations with managers about what actually needs to change with East Coast governance and management and ultimately help us decide on the tools and the processes that we need to advance to prepare us for fisheries in an era of climate change.

And so what we're asking ourselves is would our current system work if these scenario conditions were to occur in 20 years from now. Will we be able to manage?

What would we need to change to better prepare for any of these scenarios in our management process, and what are those tools and processes that need to be advanced right now in order to ensure that fisheries are governed and managed effectively 20 years from now in this era of climate change.

Next slide. I'll skip this and go into this next one. Apologies.

So the current phase of the initiative is the application phase where participating organizations apply the scenarios to generate ideas and offer recommended changes to highlight in the initiative.

This will include exploring what different scenarios means for the future of fisheries management and governance.

Our most recent task has been some manager brainstorming sessions. We held three of them this fall. We brought together a cross section of representatives from each of the participating management organizations. And the purpose of these sections for these small groups to identify the issues, ideas and options that could jumpstart later scenario conversations with the Council and Commission.

Next slide, please.

At these management sessions, we framed the conversations around four broad topics to put towards each of our scenarios. And in these four topics that you see up on the screen, sort of the biggest one that hit home was governance and management.

It really gets at the goals of the initiatives and the issues that the scenario planning process is supposed to address. And the folks that attended these sessions put a lot of energy and good discussion around this topic.

Next slide, please.

So during these sessions, we used the scenarios as a platform to discuss the four categories. You can see the questions that we asked our managers to think about and answer for each of the scenarios.

And these helped us to identify the challenges, the aspects of our management that could work well into the future and what aspects of our management might need to change.

We just finished these sessions, so I don't have a summary of each of them, but a general gist that's what we did there.

Next slide.

And then for the next couple steps in the application phase, at each of the Council's and Commission's November and December meetings, we will use the information that we got out of the management brainstorming sessions to sort of jump start the conversations at the Commission and Council meetings.

And we are looking to develop ideas and recommendations from each of the management bodies to bring forward to a scenario plan summit meeting, which will be in the February of 2023. We think it will be approximately 50 people from each of the organizations.

We are working with the NRCC to work out the logistics of who will participate and how that meeting will work. But the idea is to develop a final set of governance, management and monitoring recommendations for the process to bring forward.

Next slide.

And you all saw this last time, so I'm not going to read them. But this is the list of the project outputs that we are hoping to bring forward. Some of these have been completed while there are others that we still have to work on and bring forward.

Last slide.

Just as a reminder, if you're interested in more aspects and more details of this project, our website is hosted on the Mid-Atlantic Council's webpage. It has all of the documents that we've used for each of the meetings, the summaries of each of the meetings that we've had and where we're going to for our next steps.

These are the core team members from each of the participating organizations as well as our facilitator, Jonathan Star. And I can take any questions.

Chair Luisi: Thanks so much, Toni. And before I turn to the members around the table, I do want to just thank you and the rest of the core team for all the hard work that's gone into this.

This has been quite an undertaking. You know, given that, as you mentioned, we have three regional Councils, ASMFC, and NOAA Fisheries all working on this together. And I'm really looking forward to the next steps and the summit that's being planned for February.

So, we'll look forward to updates between now and then, but that's, we're looking forward to it. So, thank you.

Okay, let me look around the table to see if anybody has any questions for Toni, or comments? Janet.

Ms. Coit: Yes, first Toni, thank you for that excellent presentation and for the incredible work that so many people have been involved in. It's really impressive, and important.

My question is for the policy recommendations, did you bound those with parameters? Like, within current law, or is it, you know, the infinite possibilities?

Ms. Kerns: It is an infinite possibility. I think we have broken it -- I think what we have been thinking about at least on the core team, is okay -- and what we've tried to frame from the questions when we did these manager brain storming sessions, was, okay, what do we have right now?

Is, you know, does the processes that we have right now, work? If they're not working, do they need small tweaking, or do we an overhaul? And if we need an overhaul, what do we need an overhaul of?

So, we're trying to keep it somewhat controlled in the recommendations, so it's palatable. But we also recognize that in some cases, something might

need a big change for it to be plausible to manage in the future.

Chair Luisi: All right. Thanks for that, Toni. I saw John over this way, and then Merrick, I'll come to you. Go ahead, John.

Mr. Carmichael: Yes, thanks and appreciate the update, Toni. And certainly, obviously from your coming steps, I got plenty to talk about this in the future. I just, you know, was sort of struck by, the big picture thing when you laid out the different types of scenarios that were discussed. It seemed to focus on either stocks being maintained or stocks declining.

And that's kind of always been one of my concerns, I guess, as we talk about this, is, you know, consideration that there may be some climate winners, and how do we deal with those?

And it just sort of surprised me, that after all of this discussion that's gone on up to this point, that there's not consideration that, you know, some stocks may expand their range and have a greater habitat, and have a bigger carrying capacity or k, ecologically, and should be more productive.

And, you know, to me that's one of the areas that I think is going to be the biggest governance challenges, because you may have a stock that's still available where it used to be, and more available where it's now becoming available.

And how do we rectify that with, you know, productivity built on stock assessments that are relying on like 40, 50, or time series. And so, I was surprised that there wasn't any consideration of, you know, stocks increasing. And really difficult to assess.

Ms. Kerns: I think that's a fair point, John. I'm trying to think back to when we were creating these scenarios. We started with more axes, than just two, and we narrowed it down.

And I'm trying to remember if, when we were narrowing it down, that in the majority, or I'd say, the general sense of what stakeholders brought or thought about the future, was a little bit more doom and gloom, less good things happening.

I'm looking to the back of the room to my core team member, teammate, Wendy, and see if she remembers it being different than that?

Participant: I can add a little bit. So, the idea is on the maintain, is overall. But you're going to have some stock that do well, and some stock that do poorly. So, we do have in all situations, the ability for some stocks to do well.

So, even in the situations where the stocks are declining, overall. There might be one or two, that -
-

(Off-microphone comments.)

Participant: I can just speak loud. Sorry.

Okay, so yes, our understanding when we made these -- I'm going to start over, because I forgot about the Webinar -- is we, in all four scenarios, there is a chance for some species to do well.

And the scenarios that have an overall decline, we expect the majority of the species to decline, but there will still be winners. So, when we're talking through the management implications of this, we are discussing what we are going to do for those winners.

And I agree, that is a challenge. It is something we need to consider. When we've got that maintained, stocks maintained, it's really, you know, as I mentioned the general overall that some will go up and some will go down. And so, we are accounting for those winners. That's short in keeping. Thank you.

Chair Luisi: Thank you for that, Wendy. And thanks

again, Toni. Merrick.

Mr. Burden: Yes, thank you, Mr. Chairman, and thank you, Toni. That was a very nice presentation. I guess I have an observation, maybe there's a question in there, but when I take a step back, and I think about what it is we're doing here? Those of us that have gone through this scenario planning exercise, and things like it, there is no roadmap for us.

And in this sort of situation where we often find ourselves is doing what I call, expansive thinking. Saying what's possible, what's the realm of possibility? And this is what we did on the Pacific Coast, with the scenario planning exercise. And what this presentation is leading me to conclude here, is that, the same type of situation is happening on East Coast.

It's fairly high level, general. And that definitely adds value. What it also means, is that there will be another step to come, if we want to start to bring this down into something that's more operational, something that we might want to act upon.

And I start to connect the dots then back to what we heard from Kristen Koch. And just as a thought, where I think the next step might be for us, might look something like what's on Kristen's Slide 18, the CEFI.

And so, in there is a science driven process, but I would imagine something that merges what we're doing here, with scenario planning to the Councils, with what the science centers are trying to do with CEFI. And that might how we get closer to our FMP level, where we can start to some action.

So, how we do that with our resources is another question, but there's a few, maybe points in there for consideration. So, thank you.

Chair Luisi: Yes, thanks for those comments. Toni, did you have any response? There wasn't really,

wasn't really a question in there, but --

Ms. Kerns: I think the core team does want to try to advance recommendations that come out of the summit, to drive changes. We definitely didn't want to spend, you know, two years of our lives to just not have anything come out of it.

So, it is our hope, from the core team, that recommendations do get advanced. And some of those may be recommendations that are outside of some of the management body's control, that are in this process.

And some of them could be more on a level of things that you can do to individual FMPs, things that you can do for a regional management process, and so those would be recommendations that were within the control of the bodies that are participating in the process. So, that is our hope.

Chair Luisi: All right. Thanks, Toni. I'm going to take one last comment/question. Bill.

Mr. Tweit: Thanks. Thanks Toni. Just curious about how well the scenario planning, how well the development of the four scenarios went? Did you have any sort of scenario development, that essentially was almost a proxy battle over some of, you know, our age-old issues, like allocation battles, or battles about what conservation constitutes, you know, more sanctuaries, that kind of thing? Or was it pretty collegial and collaborative?

Ms. Kerns: I would say, generally speaking it was pretty collegial and collaborative. We definitely had a couple of, you know, moments where we kind of diverged, and kept thinking about the now versus the future. That was a real tough thing to get out of your head, to think forward, and not right now.

And there were a couple of times where we got stuck on an allocation discussion, you know, more about today, which, but I think Jonathan did an amazing job of bringing the group back to the task

at hand. And to keep everybody working together, thinking about what someone's challenge or issue was. And then thinking about what other ideas everyone was bringing to the group. And how each person could come to sort of consensus about the scenario itself.

You know, we had, as a core team, had to take what happened at the work shop and narrow the focus down some on our end as well. But we tried to do a gut check with those deepening Webinars to make sure what we narrowed it down to was in reality, what the stakeholders were thinking about.

Chair Luisi: Okay. Thanks Toni. Take one last question/comment. And I want to go back to Marcos.

Mr. Hanke: Thank you for your presentation. And just by curiosity, on your work, you guys address when the Special Plan Area, or a closed area, because of climate change lose its regional importance because of shift of stocks, or things on that line?

Ms. Kerns: I'm trying to think if we specific -- I think one of those scenarios talks about closed areas, but I'm not sure if it specifically got into shifting of closed area locations. And Wendy is giving a shoulder shrug that she doesn't remember as well.

Chair Luisi: Okay. All right, thanks Toni. Appreciate your time today, and the update.

I'm going to go next to Bill for the North Pacific Climate Task Force update.

North Pacific Climate Task Force

Mr. Tweit: Thanks for the opportunity to provide this. While bringing it up, I'll just let folks know that the Council just had its first opportunity to really work through the initial draft from our Climate Change Task Force, of their work on supporting

climate resilient fisheries through examination of -- essentially through resilience testing of our existing tools.

And so, it's still very much a work in progress. We have a draft that's ready to go, that'll take some additional corrections and additions after the Council review. But then will be posted as ready. But it's also intended to be a living document.

And so, what it looks like this year may well be different from what the exercise looks like in a couple of years. And but I'll try and orient folks to it pretty quickly here, as soon as the slides can come up.

I will also, the slides are busy, and that's because we're still sort of working on getting our brains around this exercise enough to really simplify it. And we're not really there yet. We're still sort of wallowing in the complexity of it.

But it looks like for us, and I think much more broadly, it's going to be a really powerful sort of approach to beginning to essentially, give your management framework, and the tools that you use as part of management, give them essentially a resilience test, a climate shock test. And see which ones are actually going to serve you well under various scenarios.

So, next slide please. The cover page there, on the left is there largely just to give you a fine print look at the composition of the task force that produced this. This is one of two task forces that we put together under our recently adopted Bering Sea Fishery Ecosystem Plan.

The Council when they adopted the Fishery Ecosystem Plan, chose to really do some initial development of two primary areas. One, is Readiness for Climate Change. And the other is, Integrating Local and Traditional Knowledge.

I'm presenting today, just on the work of the

Climate Change Task Force. Hopefully, be able to come back at some point fairly soon, with maybe some comparable overview of where we're getting with -- for us, it was a pretty big challenge, but a pretty exciting challenge of -- integrating local and traditional knowledge into our current management process.

On the right, you can see how we sort of conceptualize climate information in general, into three basis categories. One, is just what we'll be using near term. And we're doing a lot of experimenting in that area already. Trying out different approaches for incorporating information on climate.

And it's essentially, as characterized here by the Task Force, it's largely tactical. And we're seeing some promising successes there. The second, sort of what we call, on-ramp, but the second category is, more moving into the strategic. Giving us just a little bit longer time horizon.

And beginning to really affect more than just this year's forecast. But beginning to speak more towards the long-term prognosis of where some of these populations, as well as where is the ecosystem headed?

So, beginning to give us some directionality and some understanding, not just of, of annual shifts, but longer-term shifts and productivity, and potentially, also distribution.

And then finally, over the longer-term, and I think this would really resemble more those four scenarios that you looked at. Where's the ecosystem going to be by 2040? We're not thinking that concretely yet, but the bottom one is really our long-term view. And there, we're trying to use a lot of the information that's coming out of the longer-term climate projections for the Bering Sea.

And then down-scaling them through our models of how the Bering Sea works, to give us a sense of at

least what some of the longer-term winners and losers will be, and what the ecosystem will look like.

Next slide, please. So, we really had three objectives for -- or the Task Force had three objectives for this work. The first one is just to pull everything together. And that took quite a while, especially thanks to COVID. Took us longer than we'd hoped, but we're there now.

We have, not just a collation, but an initial evaluation of most of our tools. Where they fit in to those bins, and where we have gaps. And in our ability to synthesis climate information on everything from a short to a long-term scale.

This report really then represents the culmination of both that and objective two, synthesis of that information. So, we can ultimately develop new pathways for including that information in the fishery management process, after evaluating which ones are more applicable, and which ones may have much application.

And for us then, the ongoing challenge of communication. We're talking about re-evaluating a set of management tools and a fundamental management approach, that actually has a pretty high level of stakeholder support, and a pretty high degree of comfort. As I think most of you know, we've by and large, got some pretty -- we've had pretty successful run now, for quite a while in terms of fisheries management, that's generally worked to the benefit of most of our stakeholders.

And so, as a result, there's a fair amount of buy-in in the current system. And now that we're talking about changing those tools, that people have really come to rely on, and have a fair amount of faith in, that's a real challenge.

It's sort of, well, wait. How do we know that we should be moving on at this point? These still appear to be working. And so, working through that conversation, is going to be one of our ongoing

challenges.

Next slide. And this is kind of my circles slide. So, let's go on to the synthesis then, and a little bit of a deeper dive into that. So, our objective -- oh, sorry, one more. Thank you.

We're really again, as I said right at the beginning, sort of resilience or shock-testing, both our information system, but also, our ability to make decisions. And obviously, our objective, and we've heard this universally, it's not just North Pacific Council, all the Councils are really looking for ways to make our processes more robust too.

These four sort of, and I guess these aren't exactly the same as the four scenarios from the Atlantic, but with similar kind of picture. Both, long-term change, but equally increasing randomness. Here, called, sort of shocks. The scientific term I'm now hearing more and more is nonstationarity. Sort of moving a little bit more towards randomness.

Managing still to provide some sense of equity among all the different stakeholders, among the different sectors, among all the different folks who are impacted by our choices, and our actions. And recognizing as well, that we're moving into just foreign terrain, for us. Unprecedented has crept into the Council dialog more and more over the last few years. And I think we'll just continue to hear more of that.

So, the synthesis that the task force has presented, has these three basic sections, on the management process. And then a deeper dive into parts that -- particularly, what we call, our SAFE documents, which are our stock assessment documents, that now include a lot more in terms of ecosystem, or basic-reporting ecosystem monitoring. And are no longer just sort of single stock assessments, but are moving towards even multi-species or ecosystem-based reports.

And then finally, our knowledge and information

base. And that's where we're hoping to have some synergy between the work of this task force, and the work of the LKTK Task Force, as well, contributing to the knowledge and information base.

And you can see all those in the draft report right now. But again, you can see where particularly, the third section will be a living document. But actually, as we move forward through this, they'll all be living documents.

We're pretty excited about this tool. Several Council Members when they were taking a somewhat deeper dive into this at the Council meeting, said, "You know, this is finally beginning to feel real to us."

A lot of our climate-change discussions to this point, have been fairly abstract, or sort of jaw-dropping, where, you know, these are unprecedented changes. But feeling sort of helpless in front of them.

I think for a lot of Council Members this was the first time they really felt like okay, we're beginning to move more into, towards a proactive environment. And hopefully, we won't have to be quite as reactive as the next set of shocks come at us.

We haven't given this a really test-drive yet. But as we look at it, it just looks like, yes, this ought to work. This ought to be helpful. This is identifying gaps. So, I've got a couple thoughts about -- so that's the quick, sorry, breathlessly quick, walkthrough on the Task Force report.

But I do have sort of a couple thoughts about what we as the CCC should be doing. Not just with this, but with the East Coast Scenario Planning, the information from the Regional Action Plans, and the CEFI Initiatives of the Agency, with what we're going to hear tomorrow from SCS7, which I thought was some incredibly meaty and powerful findings from that workshop.

I think we as a CCC should begin to really grapple with, okay, there's a huge amount going on here. We're all seeing these fairly daunting challenges facing us. How can we as a CCC help the individual Councils, help the Council process, advise the Agency on navigating forward through these?

So, I think we should, A, start to schedule some CCC time. I think it's worth the conversation about how much room there is in the May agenda to devote some significant amount of time to maybe a deeper dive into -- we'll get an overview of the SCS7. But I don't --

They're still working at really getting a lot of presentation synthesized and a report drafted. I think the facilitators for that, the convener for that will be a position to provide us with a much clearer sense of the meat of what they worked on next spring.

We'll have more information of all these other initiatives that are underway. They're continuing to sort of generate some insights. Are continuing to generate some sense of maybe what some of the pathways look like through this. So, there will be the potential for updates from a lot of the initiatives we're hearing about today.

But I think we should focus around planning for providing CCC input into the development of the science, further development of the science, and further development of management tools.

Right now, we've been largely an information exchange forum, which is highly useful, as the GAO report sort of emphasized. But I think as a CCC, for a lot of us, we're in leadership because we've been around this process for a long time. We've got the ability to sort of see the field a little more broadly, maybe because of that as well.

I think we have as a CCC something pretty substantive to begin to contribute to developing next steps for building resilience, while maintaining

sustainable fisheries.

So, I think if we can commit as a CCC, and again, I think we should come back to this at the end of the meeting, and after we've had a chance to maybe have some hallway conversations, to listen to the SCS7 presentation as well. Listen to some of the other presentations.

I'm sure we'll also touch on climate change. It seems to be hard now to have a presentation that doesn't talk about climate change from one angle or another, and envision where we might want to go next with that. So, with that, I close.

Chair Luisi: All right, thanks, Bill. Yes, I'll support anything you want to do, as soon as pass the baton down to the Gulf, that'll make my life a little bit easier.

Mr. Tweit: I was checking Carrie's face, just to see.

Chair Luisi: Yes, I think your points are well taken. And there are a lot of actions being discussed around the country, and it probably deserves additional time spent having conversations within the Members of the CCC. So, thank you for your presentation.

Let me look around the table to see if anybody has any questions, any comments for Bill? Merrick.

Mr. Burden: Thanks Mr. Chairman, and thank you, Bill. Bill, I'm sorry if I missed this in your presentation, but a couple of times you referenced the creation of a tool. Could you describe what that is, or what the vision for it is, if it's not created yet?

Mr. Tweit: It's sort of a process tool. When you look through the draft report, I think it becomes sort of evident. Where we've gone through and taken most steps in our current, sort of stock assessment, management process, and put them through the, where do they fit into these -- what, at what point would climate-change information improve these?

So, sort of which bin do they fit into? Either the near-term tactical, or the medium-range, or the long-range very strategic? How much information is going into them now? And essential then, and what their potential is for getting information? And that begins to give then a sense of, as we step through our management process, where do we already have the avenues or the possibility of being climate resilient, more climate resilient than we are?

And where in the management process do we have gaps, where we don't right now, have a way of incorporating climate information that could be useful? Where should we start looking to introduce that? What kinds of climate information would be most useful at that point? Are we generating it?

So, it's that sort of comprehensive and systematic, just step through what our existing tools are. That then begins to give you a sense of, are there things we should be building? Or can we just make modifications to our current process? You know, conceivably, even do we just need to scrap it and start over with a random number generator? You know, I mean it's -- it gives you a sense of where you are in that scale.

And then, I think you can kind of run your own scenarios through it, as you choose, if you want to be really pessimistic about the future. What was that called? The lower left, that was such a great term, of the four scenarios? What was that?

(Off-microphone comments.)

Mr. Tweit: No, I don't think that was the -- yes, sweet and sour, was the lower right. Anyway, if you're sort of that category, you can have that as your perspective as you're going through. Or, if you're much more optimistic, you can have that as your perspective as you're going through.

But either way, it allows you to come to some assessment of, do we have what we need for the next ten years? And or, do we need to be devoting

significant resources to either adapting them, or scrapping them and starting over?

You know, should we step into multi-species, or even ecosystem-based management? Should we be expediting our efforts to do that? Or are we on track for making the changes that we need? Answering those kinds of questions.

Chair Luisi: Okay, thanks for that. Eric.

Mr. Reid: Yes, thank you, Mr. Chairman. Yes, I've heard quite a lot about ecosystem planning. I've been to all of the workshops. I could probably give the presentation here pretty shortly. Because I'm going to see it three more times in the next couple of weeks.

But, you know, we talk a lot about ecosystems and ecosystems, and ecosystems. At what point, and whose responsibility is it going to be, to talk about economics? Because at least from where I sit in New England, your permit suite on your vessel, is more restrictive all the time.

And we've got, you know, we're talking about -- well, we're not talking Magnuson re-authorization, because Fern told us it's not happening. So, we can dodge that bullet for a while. But we're going to have governance issues. And we're going to have permitting issues, at some point. And I don't know when that conversation starts, or whose responsibility that is?

But I don't really expect an answer today, but when we start talking about adjusting permit suites, that's going to be a tough conversation. But I mean, at some point, we're going to have to start thinking about that as well, so.

Chair Luisi: Yes, it's a great point, Eric. I'm going to turn to Janet.

Ms. Coit: Yes, thanks Eric, for saying that. Yes, the only thing I wanted to add -- thanks Bill, that was

great -- was that, you know, I heard that at the meeting of SSC heads and Sitka, you know, there was this feeling of more urgency needed to have our science informing our management. And I'm really glad you raised, what you did, Eric. I'm sure we all feel this way.

I just wonder if the pace of what we're working on is fast enough to actually meaningfully address the challenges in front of us the next few years? And that's a good way to transition into Kelly Denit.

No, but seriously, you know, I think that it's all really great work, but as Kristen said, the ocean isn't behaving the way -- maybe the research we did in the past wasn't looking always at the right things. You know, things are happening rapidly, and these tools and our process just feels like it's at a different pace from what is going on around us. And I think that's on all of our minds.

But I think, quickly getting into -- are we being more restrictive when we should be being more flexible? You know, these types of conversations that I think are the next phase of scenario planning, need to be happening.

Chair Luisi: All right, thanks Janet. All right, I'm going to come back to you Bill, and then I'm going to turn things over to Kelly. Go ahead, Bill.

Mr. Tweit: Yes, I just quickly wanted to respond, and we'll hear more about this tomorrow in the SCS7 report. But I heard a sense of urgency as well as a sense of just a lot of emphasis on the concept of the future, is a lot less predictable than we even think it is, that nonstationarity, and that I haven't heard before in the science community.

Both of those, and I've heard glimmerings of it, but there was an unanimity, there was a clearness about it, and that I think, you know, I think you'll, I hope you'll get that out of the discussion tomorrow.

And I think it leads exactly to the kinds of questions

that you're asking too. And I think those are next, certainly on our agenda, to look at those sorts of restraints as well. And see if they're, how much they're inhibiting our ability to be resilient.

Chair Luisi: All right, thanks, Bill. Appreciate that. I'm going to go to our next presenter, and our last presenter for the day. I'm going to turn things over to Kelly Denit on the Climate Governance Policy that's being worked on. So, whenever you're ready, Kelly.

Fisheries Climate Governance Policy

Ms. Denit: Great. Thank you, Mr. Chair. You can go ahead and go to the next slide. Oh, the three.

So, you all will recall our conversation from back in May, that we are working to develop some guidance focused on the Magnuson 304(f) provisions. And just as a very brief reminder, these are the ones that are focused on the Secretary's ability to designate which Council shall prepare an FMP, or require that an FMP be developed jointly.

And certainly, we heard loud and clear the feedback in May, regarding the parallels with the scenario planning efforts that are underway on the East Coast.

And really appreciated Toni's presentation in stepping everyone through those. And in particular, that, that group is focusing on the governance aspect as one of the four key pillars that they're looking through for each of those scenarios that they have identified. And I think a lot of that will feed into what you're going to see here from us.

So, my plan is to step through the main components of the policy here. And provide at least some of the preliminary thinking that we have under each of those components.

The first is to look at the geographic location of the fishery. And then I'm sure that everybody has their

Blue Book in their bag. But you may not have the definition of fishery or stock memorized. But certainly, there is a lot of fodder in our existing statute and guidance around what is the geographic location of a fishery?

And there's a lot to think about there, from the flexibilities that we have and how we define fishery, all the way to National Standard 3, which of course is encouraging us to think about stocks as units, and trying to manage throughout the range of a given stock or species.

In addition, there is the added complexity, which both of those presentations kind of touched on, a bit of, you know, is there actually a new fishery, or is it an emerging fishery, where something is actually shifting location? So, again those are three aspects of that first component. And I'm sure that there will be others that need to be contemplated. But those are the three that sprung to mind for us in thinking about this.

The second key component of the policy of the guidance, is the initial designation. And I should say that these first two steps are obviously a little bit more focused on a situation where we actually do have a new situation. Compared to where we have existing designations already, which will be more into part three, when I get to that.

So, here, under Number 2, is the initial designation. We touched on this last time, which is, are we looking at one Council with one FMP? Are we looking at one F -- multiple Councils and one FMP? Or are we looking at multiple Councils and multiple FMPs? And we have examples of all three of those approaches that we have taken up to this point.

There's a lot of considerations folded in here, the geographic range of the stocks, is the stock actually in need of conservation and management? The idea of adaptability, looking at the relationship with other managed species. So, thinking about predator/prey connections, or other kinds of connections. And of

course, the need for cross-jurisdictional coordination.

So, Part 3, this is digging into a little bit around the criteria to trigger a review. So, as I just mentioned, we obviously have several places where we have already made determinations about one Council leading across multiple -- or one FMP per Council, or different directly managed FMPs, et cetera.

So, then that would be where those FMPs would come in, is this Part 3. So, different criteria to trigger a review of initial designation. I don't think anyone will be surprised by these bullets that we came up with. They are a reflection of some of the indicators and triggers that we used in the allocation policy, that seemed apropos here as well.

So, should we have a time-based trigger? Should we have an opportunity for requests? If we have an opportunity for someone to request a change of a designation, is that from the public, is it from a Council? What would be the threshold, if any?

And then also, indicators of change. So, is that performance metrics related, whether that's ecological, economic, social? Those would be the kinds of options to consider under this Part 3.

Part 4, is the actual process to determine whether to revise a designation. So, here we've outlined a few different facets to this. The first, is the potential process features. Should we have consultations with Councils? Should there be open hearings with stakeholders? What are the roles of the science centers and or SSCs? Should we establish deadlines and target timelines as part of the process?

Additionally, what are going to be the steps? Is it a review of the original designation? Is it focused solely on the criteria that we've established on under Number 3? And then thinking about how the current information that we have, may or may not change that previous determination. So, again, looking for feedback when we get to the end of this,

on ideas you all have, on all of these aspects.

Potential considerations, similar to earlier there, under Number 2. Do we need conservation and management? What are the objectives of the existing FMPs? What are the roles of the National Standards, as we're thinking about whether to revise that designation, in particular, National Standard 3? What consideration should be given to stakeholder representation as part of whether any shifts in designation happen or not?

And then the last key component of the policy is the considerations for transitioning to a revised designation. So, should change be phased in over time? What types of approach should we be taking to grandfather in certain provisions?

Are there provisions that shouldn't be? How do we manage that shift, or potential shift from one management body to another? And then an open question of, are there other considerations as part of that transition that we would need to take into account?

So, I did want to note, a couple of the issues that have come up in the East Coast scenario planning, that certainly we will use to inform our continued thinking, as we're developing this governance policy.

And these first two bullets are around that concept of certainty, which I think, you know, came up a bit in Toni's presentation, as they're thinking through the different scenarios, and how certain are we that we're actually seeing a shift in the stock?

As well, as what Bill, the point Bill was just making around, are we going to see increased variation, or variability? And what does that mean in terms of governance? We certainly wouldn't want to be yin and yanging back and forth. So, how do we take that into account as part of our decision making?

And also, one of the themes that came through was

the idea of the need for stability and a planning horizon. So, what does that look like, and how do we make sure that we're taking that into account as part of thinking about how we would revise governance?

So, briefly touch on the timeline. Toni already hit on the estimated timeline for the East Coast scenario planning. We will obviously be working in parallel to those activities happening.

Our goal is to have a draft policy to share with you at the spring CCC meeting. And that will be an opportunity for the CCC to have comments and then of course, we'll have the summer, next summer for each of the Councils to provide input and or the CCC as a body to provide input. With the goal of receiving all of those comments by next fall, and then finalizing the guidance by next spring, summer timeframe.

And so, a couple questions here at the end, welcome conversation right now. Also, welcome this feedback and input via email or conversations on the side of our meeting here, but focused on, are there additional components to this policy that you think we're missing? We've identified five in these slides. If there are others, we would welcome that input.

In addition, what are the criteria or factors that you would recommend under each of these five components? So, we've laid out some of the thinking that we have, focused again, on existing statute and guidance. But would welcome feedback from all of you, on if there are other facets that we should be taking into account? And I'll stop there, Chair. Thank you.

Chair Luisi: All right. Thanks, Kelly for your presentation. Let me look around the table to see if anybody has anything they would like to offer to Kelly, based on what was presented? Anybody? Oh, I'm sorry, go ahead, Tom.

Mr. Nies: Thank you for the presentation, Kelly. I'm not going to remind what happened in May, but I want to remind you what happened in May. But I do have a couple comments here on Slide 4. You know, maybe this is just me that always struggles with this, but I always struggle when slide -- when I see the Agency try and treat the SSCs as if they're independent from the Councils.

They're not. They work for us. And so, you know, when you talk about the role of the Science Center and SSC, please put the SSC under the Council when you talk about that. Because they report to the Council, they don't report to the Agency.

And I think that sometimes gets lost by some of the Agency personnel here at headquarters. But I've made that comment, several times over the years, which is why I bring it up again.

With regard to some of the other potential considerations at the bottom. I guess it's with your last slide. You know, I think that, I think these really only apply to the situation where we're talking about shifting jurisdiction of an existing FMP. And maybe this comes in under the timeline of the grandfathering in and everything.

But I think there's a number of considerations that don't seem to be explicitly mentioned here. And I would characterize them all as the knowledge base that's involved. You know, my staff knows a lot about groundfish. They don't know anything about black sea bass.

You know, so the idea, not to suggest that we touch that one, but the idea that, you know, if something were to switch from one Council to another, you've got to remember that the gaining Council may not know anything about how that fishery has been managed over time. And that's going to be, that's a key component of FMP, you know.

It's conceivable that the same problem goes on if the responsibility of the science center changes. You

know, we don't get our science from the Southeast Fishery Science Center. And so, that's an issue. And the same thing could happen potentially with databases.

You know, if they have a different -- you're going to have -- you could conceivably, if it's a large shift, have to transfer who is managing the data from where.

The other thing I would mention is this inter-Council coordination and adaptability. The Mid and New England have a fairly long history of, I won't say cooperating. Some people might disagree, but working together on the management of monkfish and dogfish, both of those are joint plans. One of us has the lead on dogfish, the other is the lead on monkfish.

Magnuson Act exclusively states that when you have a joint FMP, both Councils have to approve any action for it to move forward. That has in the past sometimes caused actions to stall. Where one Council wants to do one thing, and the other doesn't. And, you know, you can't get it voted through. I don't know how that gets resolved without a statutory change, that I can't suggest. But that's an issue when you have joint management plans.

And I can see it particularly being an issue if you had a joint management plan, where you have state by state allocations, and you're talking about changing the management of that to states that don't have an allocation.

So, I think those are all considerations that, I don't see them exclusively called out in here. And I think maybe at least some of them should be going forward.

But my only other question, I guess is, I see your timeline there, but if a Council were, you know, to put comments in, is there like a deadline when you want them by?

Ms. Denit: Thanks, Tom. Those are all really great comments and feedback. And certainly, I think at least some of the points around the data transition, and others was part of what we were thinking about with the grandfathering aspect. But your points are well taken and certainly we can incorporate that as we're -- as we're moving forward.

And then, we welcome your comments anytime. So, please feel free to send them to myself or Marian, who is the -- I think the email address is on the very last slide. So, we didn't receive any comments in this intervening period since May, but I understand everybody has had very busy summers.

So, please feel to send us any thoughts or feedback up until, you know, maybe a couple, maybe a month before. With the CCC we've got some time to incorporate it, but ideally before then. Thank you.

Chair Luisi: All right. Thanks, Kelly. Anyone else? John.

Mr. Carmichael: Yes, thanks, Kelly. I was looking at your Slide 4, where you have the criteria. I think, the certain number of years seems dangerous. Could lead to just a lot of busy work for things that aren't changing.

I personally think a lot of attention should be given to indicators, biological indicators. Is the stock moving? Is the fishery moving? Considering, you know, the fishery as well as the infrastructure, boats are more mobile than fish houses, and that sort of stuff.

And I think that should come into consideration when you decide what to do. We do have examples of fisheries that have southern fish houses, but boats operating far north, and I think that has to be considered.

The quality of information is where there's going to be an awful lot of uncertainties. And I think that gets to the earlier discussion we had about the

challenges we face with DisMAP, because the Southeast data collection is different than the Northeast.

You know, for most of our managed stocks we rely heavily, particular to which type of river we're on, pot surveys. And it's not real easy to compare a pot survey with a trawl survey. And I think that's going to be a real challenge when we try to figure out, you know, where is the stock truly, as opposed to where the fishermen are?

And then the other part there to me, in the quality of information and uncertainty is the seasonality. We may see things showing real seasonal shifts, that maybe it's just temporary. And I think it's real important to keep that in the considerations as well.

Chair Luisi: Okay, thanks, John. Chris Moore.

Dr. Moore: Thank you, Mr. Chair. Thank you, Kelly. And thank you for acknowledging the scenario planning project in the modification of your title. And certainly, you know, I think I'm looking forward, as we heard earlier from Toni, looking forward to the results of that. And certainly, around the meeting in February.

I think it will play well into, you know, the policy that you folks are involved in. I look forward also to seeing the draft in May. One of the things -- I have a couple questions. One of the things that I did see in your timeline, is after we go through the process in 2023, that you don't bring, we don't have a discussion at that May 2024 CCC meeting about the policy. That might be the appropriate thing to add to that.

Certainly, I understand that you're rolling out in 2024, but I think it would be good that you allow the CCC to see it in May, if we could. So, that's one thing.

Like most times, I agree with everything that Tom said, he's my collaborator, and John as well. And I

think that we have to be very careful when we have conversations about the use of Section 304(f). We're starting to hear from stakeholders they're becoming concerned. They're becoming nervous, largely because of the issues that Eric raised, right, economic issues.

And we, you know, we really need to think about triggers that are based on socioeconomic, biological indicators. And get away as much we can from the political part of it, you know, politics I'm sure is going to be involved.

And I think in terms of how we talk about Section 304(f), I think this would be an important part of your policy guide. It's an answer to changing stock distributions, it's not the answer, right? There's other things we're going to hear about as we get through the scenario planning exercise, that actually might be better. You know, given some of the concerns that we've expressed today and concerns that we've heard about in the past.

But certainly, I have a lot of other things that I could apply, or we could talk about, but I know we can't spend the time today, so look forward to, you know, sending you some comments, and looking there. Thank you.

Chair Luisi: Okay, thanks, Chris. Anybody else? Okay, seeing none at this time, I'm -- man my hair is really gray, isn't it? Looking at myself.

(Off-microphone comments.)

Chair Luisi: Okay, so, let's conclude business under that topic for discussion. I thank Toni, and Bill, and Kelly for their presentations.

Public Comment

I'm going to look back to Morgan to see, we have an hour of public comments session. Morgan, is there anybody on line that would like to make any public comments at this point? If you're on line, or

on the Webinar, is there anyone in the audience?

(Off-microphone comments.)

Chair Luisi: I must say, that's easy. Okay, so that concludes our business for today. Thank you all for your time. And so, we'll be in recess until 9:00 tomorrow morning. Enjoy your evening.

(Whereupon, the above-entitled matter went off the record at 5:13 p.m.)