

U.S. DEPARTMENT OF COMMERCE

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NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(NOAA)

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COUNCIL COORDINATION COMMITTEE MEETING

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THURSDAY
OCTOBER 12, 2023

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The NOAA Council Coordination Committee met at the Hilton Arlington National Landing, 2399 Richmond Highway, Arlington, Virginia, at 9:00 a.m. EDT, Kevin Anson, Chair, Gulf of Mexico Council, presiding.

PRESENT

GULF OF MEXICO COUNCIL:
KEVIN ANSON, Chair
J.D. DUGAS, Vice Chair
CARRIE SIMMONS, Executive Director

NEW ENGLAND COUNCIL:
ERIC REID, Chair
RICK BELLAVANCE, Vice Chair
CATE O'KEEFE, Executive Director

MID-ATLANTIC COUNCIL:
WES TOWNSEND, Chair
MIKE LUISI, Vice Chair
CHRIS MOORE, Executive Director

SOUTH ATLANTIC COUNCIL:
CAROLYN BELCHER, Chair

TRISH MURPHEY, Vice Chair
JOHN CARMICHAEL, Executive Director

CARIBBEAN COUNCIL:

CARLOS FARCHETTE, Chair
VANESSA RAMIREZ, Vice Chair
MIGUEL ROLON, Executive Director

WESTERN PACIFIC COUNCIL:

WILLIAM SWORD, Chair
KITTY SIMONDS, Executive Director

PACIFIC COUNCIL:

BRAD PETTINGER, Chair
PETER HASSEMER, Vice Chair
MERRICK BURDEN, Executive Director

NORTH PACIFIC COUNCIL:

ANGEL DROBNICA, Chair
BILL TWEIT, Vice Chair
DAVID WITHERELL, Executive Director

ALSO PRESENT:

JOHN ARMOR, Director, Office of National Marine Sanctuaries
MICHELLE BACHMAN, Subcommittee Member, New England Fishery Management Council
MATTHEW BROOKHART, Eastern Regional Director, Office of National Marine Sanctuaries
JANET COIT, Assistant Administrator, NOAA Fisheries
ALEXXA COLE, Director, Office of International Affairs, Trade, and Commerce
KELLY DENIT, Director, Office of Sustainable Fisheries
TANYA DOBRZYNSKI, Division Chief, Office of Protected Resources
LEEANN HOGAN, Regional Operations Coordinator, Office of National Marine Sanctuaries
LISA HOLLENSEAD, Fishery Biologist, Gulf of Mexico Council
EVAN HOWELL, Director, Office of Science and Technology
ADAM ISSENBERG, Assistant General Counsel for Fisheries, NOAA Office of General Counsel

JON KURLAND, Regional Administrator, Alaska
Regional Fishery Office

JESSICA KONDEL, Director of Policy, Office of
National Marine Sanctuaries

SARAH MALLOY, Acting Regional Administrator,
Pacific Islands Regional Fishery Office

EMILY MENASHES, Deputy Assistant Administrator
for Operations, NOAA Fisheries

EMILY MUEHLSTEIN, Public Information Officer,
Gulf of Mexico Council

DAN NAMUR, Director of Financial Assistance,
National Marine Fishery Service

BRIAN PAWLAK, Chief Financial Officer, & OMB
Director, NOAA Fisheries

MICHAEL PENTONY, Regional Administrator,
Greater Atlantic Regional Fishery Office

SAM RAUCH, Deputy Assistant Administrator
for Regulatory Programs, NOAA Fisheries

KATHERINE RENSHAW, Section Chief, NOAA Office
of General Counsel

RYAN RINDONE, Lead Fishery Biologist, Gulf of
Mexico Council

ANDY STRELCHECK, Regional Administrator,
Southeast Regional Fishery Office

JENNI WALLACE, Sustainable Fisheries

CISCO WERNER, Director of Scientific Programs
and Chief Science Advisor, NOAA Fisheries

DAVID WHALEY, Independent Consultant

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

(9:08 a.m.)

MR. ANSON: I'd like to reconvene the CCC meeting for Day 2. A couple of housekeeping issues before we get into the first agenda item.

And as we have a couple of members who weren't present yesterday, I'd just like for them to introduce themselves.

MR. TWEIT: Good morning, everybody. Apologize for missing yesterday. We ended up being as I think everybody knows, we ended up being the Council that got to butt up right against CCC.

I'm happy to be here today though. I'm Bill Tweit. I am Vice Chair of the North Pacific Council.

MS. DROBNICA: Thank you. Angel Drobica. I'm the newly elected Chair for the North Pacific Council. Happy to be here. Little jet lagged, but it's -- I look forward to meeting everyone. Thanks.

1 MR. ANSON: Thank you and welcome.
2 So the other item that I'd like to discuss
3 before we get started is a little bit of a
4 scheduling issue. Yesterday I had mentioned
5 about moving one of the topics, the ESA
6 discussion for tomorrow to 4:30 p.m. to 5:15
7 p.m.

8 But we'd like to, I'd like to move
9 that instead to 1:30 p.m. today. So the ESA
10 integration policy update, I'd like to move to
11 1:30 p.m. and then there's a little bit of time
12 left over in that 1:30 p.m. to 3:00 p.m. time
13 slot if everything goes as planned.

14 So we'll just kind of follow up with
15 some subcommittee reports to fill in that time.
16 And then maintain the schedule except for 4:30
17 p.m. We need to move that topic to tomorrow at
18 9 o'clock.

19 So we'll fill in, put in the ESA at
20 1:30 p.m., continue with subcommittee reports
21 through that time slot, and then pick up
22 subcommittee reports at 4:30 p.m. to 5:15 p.m.

1 at that time.

2 So we need to be a little flexible.

3 So thank you for that. Otherwise, we'll go
4 ahead and get started with today, day two's
5 agenda.

6 And the first agenda item is NOAA
7 Fisheries policy regarding Governance MSA
8 304(f). It will be led by Ms. Denit.

9 MS. DENIT: Great, thank you, Chair.
10 Good morning, everyone. Welcome to your
11 morning of the Kelly Denit show. I am looking
12 forward to all of our conversations this
13 morning and welcome to Bill and Angel.

14 Great, glad you all made it. And so
15 let's just jump right in. And thank you,
16 Chair, for the little grace there as I was
17 maneuvering my car through the parking garage
18 below the hotel so we could start a couple of
19 minutes late.

20 So we're here this morning first off
21 to discuss our draft procedural directive on
22 MSA Section 304(f) which has to deal, which

1 deals with fisheries that cross multiple
2 council jurisdictions.

3 We presented this to you all at the
4 last two CCC meetings so I'm not going to go
5 back through the policy. Instead, I'm just
6 going to step through a quick timeline here and
7 then leave the bulk of the time for the
8 discussion.

9 So we actually started these
10 conversations over a year ago back in May of
11 2022, but we first presented the outline of the
12 policy back in October. We had the East Coast
13 Scenario Planning Workshop that concluded
14 earlier this year.

15 We provided a draft proposed policy
16 in the spring of 2023 in large part based on
17 the feedback from the CCC in the fall of 2022
18 that you wanted us to make sure and take into
19 account the outcomes of that East Coast
20 Scenario Planning Workshop.

21 We presented that back in Key West
22 and have a comment period that is still open

1 for everyone to provide input. We will have
2 this discussion today. Welcome any additional
3 feedback.

4 I know there's a letter that you all
5 have provided to us and as we note on here, the
6 comment period is open until November 17th for
7 any additional input beyond the joint letter
8 that you've already submitted.

9 And our intent is to finalize and
10 roll out the policy by next summer of 2024. So
11 just a quick run through of what's happened
12 since May.

13 We presented to the New England
14 Council who asked to come and do so. And we
15 also conducted a public webinar on that same
16 day. And at this point, we're awaiting any
17 additional input that the Councils have with
18 regard to this particular policy.

19 And that's it, Chair. Happy to hear
20 additional feedback that folks have and go from
21 there or answer any questions.

22 MR. ANSON: Thank you. Are there any

1 questions? Anybody have -- Chris?

2 MR. MOORE: Thank you, Mr. Chair. I
3 have comments.

4 MR. ANSON: Go right ahead.

5 MR. MOORE: And silly questions.

6 MR. ANSON: Okay, comments,
7 questions, yes. You ready?

8 MR. MOORE: Thank you. Thanks, Mr.
9 Chair. Thanks, Kelly, for the overview and
10 presentation. You might expect given our
11 interactions over the last 18 months or so I
12 have another comment so I'd like to make this
13 morning for consideration by the CCC.

14 I think you know that this has been
15 somewhat difficult for us because we know the
16 folks that drafted the document. We like the
17 folks, those folks, but we don't like this
18 directive.

19 And although my comments are
20 critical, I offer them hoping that you find
21 them constructive. So I think you know that
22 the Mid-Atlantic Council Review developed

1 comments on the procedural directive at our
2 August meeting.

3 At that meeting, the Council
4 considered input from our SSC as well, which
5 had reviewed the draft in July. The, both the
6 Council and the SSC outlined a number of
7 concerns with the draft policy including
8 concerns related to the proposed process and
9 criteria for review as well as the potential
10 implications for the Northeast Region.

11 I think you may know that we're
12 holding a public webinar on October 16th from
13 2:00 p.m. to 4:00 p.m. to gather comments from
14 stakeholders. We're doing that because of our
15 concerns related to the lack of public outreach
16 and lack of opportunity for public comment
17 during the development of the policy.

18 In addition, we're opening a comment
19 forum on our website and we'll be compiling
20 comments received there to submit to NMFS prior
21 to your November 17th deadline.

22 In addition to the seven pages of

1 comments from our SSC and our four-page CCC
2 letter, I have a few general comments that I
3 would like to make today.

4 We'll have additional concerns that
5 we'll include in the Mid-Atlantic's letter to
6 the Service that we're currently preparing for
7 submission by the deadline.

8 First, in terms of the proposed
9 process and its implications, the draft policy
10 treats changes and counsel management authority
11 responsibility as a first course of action for
12 addressing governance issues associated with
13 shifting stock distributions.

14 We think revisions to the management,
15 we think any revisions that management
16 authority should be considered as a last
17 resort.

18 And other approaches have been deemed
19 inadequate. We think that the draft policy
20 undermines the efforts of the recently
21 completed East Coast climate change scenario
22 planning initiative.

1 We think that NOAA fisheries should
2 be investing resources and helping those
3 actions succeed instead of taking a
4 prescriptive approach to the application
5 Section 304(f).

6 I think you understand that
7 transferring management responsibility between
8 Councils or transitioning to joint management
9 would be a complex and disruptive process.

10 Procedural directives should be more
11 explicit as it considers the cost, challenges
12 and timeframes associated with the various
13 designation options.

14 The directive is intended to
15 establish a more transparent and orderly
16 process for fisheries management. However, in
17 its current form, the policy is missing key
18 details leaving a lot of room for inconsistent
19 and unpredictable application which we think
20 will create more confusion than clarity.

21 The SSC in their meeting indicated
22 that it's not clear how this document fits into

1 NMFS's policy directive system. The draft
2 procedural directive appears to be a set of
3 instructions without a clear link to an
4 underlying policy making it very difficult to
5 evaluate how well the draft or active vote
6 achieve its objectives.

7 We think that as written, the draft
8 policy could lead to a near constant review for
9 some species creating the possibility of
10 frequent changes in management authority.

11 The Agency and Council Staff, time
12 and resources required to conduct such frequent
13 reviews would be considerable and divert
14 resources from other critical projects, some of
15 which we've talked about this week, initiatives
16 to increase the climate resilience of our
17 fisheries and the adaptive capacity of the
18 Councils to deal with change.

19 In terms of the review criteria
20 proposed in the directive that trigger changes
21 and management responsibility, we think they
22 are potentially problematic, unclear and

1 unrelying intent.

2 For example, the directive relies
3 heavily on commercial revenue and recreational
4 fishing effort estimates, both of which are
5 compounded by many other factors not
6 necessarily good indicators of stock
7 distribution or catch location, excuse me.

8 The draft policy also does not
9 acknowledge the complexities of evaluating
10 changes in stock distribution. The proposed
11 process could create demands for data and
12 analyses that in many cases could not be
13 supported.

14 As noted by our SSC, there are many
15 ways to consider changes in stock distribution
16 and additional research is needed on
17 appropriate methods including how to
18 distinguish short-term from long-term trends
19 and how to reconcile the virgin trends and
20 various indicators to reduce instances of
21 conflicting interpretations of distribution
22 change results.

1 We think that national standard six
2 already requires fishery management plans to
3 be flexible enough to account for variations
4 and contingencies including climatic
5 conditions. Transitioning from single counsel
6 to joint counsel management based on this draft
7 which is a likely outcome for a number of Mid-
8 Atlantic and New England fisheries would
9 generally make the management regime less
10 flexible and efficient.

11 The fact that NMFS acknowledged that,
12 this fact and this recent disapproval of the
13 Council's recommendation to add Black Sea Bass
14 allocations to the Council's FFP.

15 As we stated in our letter, we are
16 disappointed in the lack of public involvement
17 in both the development of the directive and
18 the process that it proposes.

19 Transparency and public participation
20 are fundamental aspects of fisheries management
21 process under Magnuson and the stakeholders
22 should be given meaningful opportunities to

1 provide comments whenever major changes are
2 being considered.

3 Finally, many of the problems with
4 the document that could have been avoided if
5 the Councils had been consulted in a more
6 meaningful way. The unilateral process used by
7 NOAA fisheries to develop the directive is a
8 missed opportunity to work collaboratively with
9 the Councils to address climate-related
10 governance challenges.

11 With that, having said all that, Mr.
12 Chair, I have a motion when you're ready for
13 CCC consideration. Thank you.

14 MR. ANSON: I would say go ahead with
15 your motion.

16 MR. MOORE: Put that up, Morgan. Oh,
17 there it is. So I, this is the motion the CCC
18 agrees with the need for transparency and for
19 thinking in our collective efforts to address
20 climate related governance issues.

21 However, as described in the joint
22 CCC letter, a draft climate governance policy

1 developed by NOAA fisheries has a number of
2 serious flaws that need to be addressed before
3 any guidance is finalized and implemented.

4 Therefore, I move to recommend that
5 NOAA fisheries engage the Councils and the CCC
6 to develop a revised version of the policy
7 directive to effectively address cross-
8 jurisdictional fisheries governance issues.

9 MR. ANSON: Okay, we have a motion on
10 the Board. Is there a second to the motion?

11 MR. CARMICHAEL: Second.

12 MR. ANSON: Seconded by John. Any
13 discussion on the motion? I'd say no
14 discussion and is there any opposition to the
15 motion? Seeing none, the motion carries.

16 MR. MOORE: Thank you, Mr. Chair.

17 MR. ANSON: Is there any other
18 discussion under this agenda item? Seeing
19 none, that will take us to our next item and
20 IRA Climate Ready Fisheries Council Funding
21 Priorities in Process. Ms. Denit?

22 MS. DENIT: Okay, great. I, oh

1 sorry. I am going to do my best to describe
2 the process that we are envisioning to make
3 sure that we're all on the same page in
4 understanding how we're intending for this to
5 function.

6 And then I will gladly answer
7 questions and then transition over to the
8 template that I shared for the specific project
9 proposals.

10 So I've been trying to come with an
11 appropriate visualization to help describe this
12 process because I understand that it's
13 confusing.

14 And in part, that is because we are
15 trying to be responsive to the concerns that
16 you all have expressed with regard to the
17 administrative burden on the Councils in order
18 to access the funds with the processes that we
19 need to adhere to in order to execute the
20 funds.

21 So I'm not saying that the balance is
22 exactly right in what we are proposing here,

1 but that is the intent to try and find that
2 right balance.

3 So as we discussed back in July, our
4 intent is to provide a request for applications
5 for grants which would be noncompetitive to the
6 Councils.

7 As we discussed and you all provided
8 feedback back in July, our intent is to provide
9 an initial amount of funding that is an equal
10 division of the \$3 million that we had
11 discussed back in July.

12 Now, this is where I'm going to ask
13 you to form a picture in your mind. So we are
14 working to set up a process that is essentially
15 an umbrella. Okay?

16 This initial grant that you will
17 apply for will be that umbrella. And it will
18 be the mechanism through which we can add
19 additional funds to that initial, was \$375k
20 approximately to each Council, once it's
21 approved that we would be able to add the
22 funding to that.

1 The purpose of the project proposals
2 is then you would submit one package to NMFS
3 and then we would be in a position for those
4 projects that we approve to add that to the
5 grant, provide the funding to you.

6 So that Step 1, is that initial
7 umbrella which is the full grant. Step 2 and 3
8 would be underneath that umbrella and would be
9 the more iterative process through which we
10 would develop the specific projects that you
11 all would be submitting and we would be
12 funding.

13 So now I'm going to step through each
14 of the steps. Now that you have that beautiful
15 picture in your head, okay, so request for
16 applications post. Hopefully that will be
17 later this month.

18 You will submit a grant package to us
19 that provides how you would spend that \$375k
20 and you will need to include some additional
21 broad descriptions around the kinds of other
22 projects that you might submit.

1 We will run the project proposal
2 process, Step 2. And we're going to talk about
3 that template here in a second. That would be
4 the place where you will flush out in a little
5 bit more detail the kinds of projects that you
6 are envisioning for your respective Council.

7 And we'll talk through the priorities
8 here in just a second too that are kind of the
9 sandbox in which to operate for those project
10 proposals. You'll submit those project
11 proposals to NMFS, we'll conduct a review for
12 those projects that we fund.

13 We will likely have a little bit of a
14 back and forth as we need to refine any of the
15 information that came in the proposal. And
16 then as I mentioned, the intent is we would be
17 able to then take that project proposal, add it
18 to the grant, and provide the funds to the
19 Council without an additional submission or
20 separate submission from the Council.

21 That would be our process here in
22 FY24 and then we would run that same process

1 again in FY25. To the extent that there are
2 any funds remaining of the \$20 million that's
3 available total, then we would potentially run
4 the process again in '26.

5 But we'll see what kind of proposals
6 you all provide in terms of the amount of
7 funding that gets spent. I'm going to pause
8 right there and then I'm happy to answer
9 questions and then I have a team of grant
10 experts behind me to help me should I get off
11 the rails.

12 And if you see any of them cringing,
13 you'll know that I'm getting off the rails. So
14 let me pause there before I go into the
15 priorities and then go into the template and
16 I'll do my best to answer questions.

17 MR. ANSON: Any questions? Bill.

18 MR. TWEIT: Thanks, Mr. Chair.

19 Thanks, Kelly. So there's -- what's news to me
20 I think here and maybe I just wake up later
21 than everybody else in the room, but is that it
22 sounds like the, after the initial part, we're

1 going to have to instead of being able to plan
2 for three years and have essentially a three-
3 year project in mind that goes all the way
4 through '26, it sounds like each year we're
5 going to have to resubmit.

6 And there may or may not be funds
7 left in '26 for us to implement a three-year
8 plan.

9 MS. DENIT: Thank you for that great
10 question, Bill. No. You can submit a proposal
11 in FY24 that is a three-year proposal. Here's
12 what we plan to do for the next three years.

13 And if that's funded, off you go. In
14 terms of and this is where we're getting into a
15 little bit of the weeds and people I know are
16 going to start glazing over, but in terms of
17 our access to the funds, we don't necessarily -
18 - I can't just give you \$17 million. Right?

19 I have an internal Government process
20 that I have to go through. So it might be that
21 you give me a three-year proposal and I'm
22 making the numbers up.

1 Let's say it's for a million dollars,
2 I say I'm going to give you that full million
3 dollars, but in year one, I can only give you
4 \$500k. In year two, I can only give you \$200k
5 and in year three, I'm going to give you the
6 final \$300k.

7 So you would know you're getting that
8 full amount and we would go back and forth on
9 how we could divvy that out so yes. You can
10 submit multi-year proposals.

11 What I am anticipating and what I
12 heard from you all, which maybe I
13 misunderstood, was that you felt like you were
14 going to have some projects that you were ready
15 to submit proposals for now and there might be
16 some others that you needed a little bit more
17 time to think about what you want to put in.

18 And so it's possible that that's why
19 I was envisioning we would need to run it again
20 in '25. If we don't and the Councils all
21 submit proposals that the agency agrees that we
22 can fund, then we may not have to run the

1 process again.

2 But I was anticipating that would not
3 be the case based on the feedback that I heard
4 at our previous conversation. Thank you for
5 reminding me to clarify about the multi-year
6 proposal part.

7 MR. ANSON: Chris, followed by Cate.

8 MR. MOORE: Thank you, Mr. Chair.
9 Kelly, thanks again for the presentation.
10 Thanks, NOAA Fisheries for increasing that
11 initial chunk from \$2 million to \$3 million.

12 I'm still uncertain about the
13 timeline so for the \$375, you know. I'm
14 starting to figure out the rest of it, but the
15 \$375, could you go over that again because I'm
16 not, it's not clear to me.

17 MS. DENIT: That's because it's not
18 clear to me either, Chris so.

19 MR. MOORE: That explains everything.

20 MS. DENIT: Yes. Our vision is that
21 will be, that the RFA will post by the end of
22 this month for the Councils to apply for the

1 \$375k.

2 And then ideally, you will receive
3 that money in Q1 of FY24 so you would have that
4 money by the end of the calendar year. I'm
5 waiting for the tomatoes to get thrown at me
6 from my grant people behind if I got that
7 wrong, but that would be our ideal scenario.

8 Then we would run the project
9 proposal process. You would get a second slug
10 of FY24 funds that would be for the projects
11 that we have determined to fund based on the
12 project proposal. So you would get two slugs
13 of funds in FY24.

14 MR. ANSON: Follow up?

15 MR. MOORE: Yes, just a quick follow
16 up. So there's some uncertainty there. And
17 scenario two, if I'm reading between the lines,
18 might be that you bundle up the \$375 with the
19 rest of the other junk.

20 MS. DENIT: That's why you get paid
21 the big bucks, Chris Moore.

22 MR. MOORE: Exactly. So is that what

1 you guys, is that a potential then? I mean, so
2 I'm just --

3 MS. DENIT: That would be, that would
4 be a backup plan. If we have challenges in
5 getting the RFA posted or it continues to be
6 delayed, then yes, we would do likely one slug
7 of funds to the Councils that would include the
8 \$375 and it would likely be early calendar year
9 2024.

10 MR. MOORE: Thank you.

11 MR. ANSON: Cate?

12 DR. O'KEEFE: Thank you. Thanks,
13 Kelly. It's a similar question to Chris's.
14 When the RFA is posted, is there not a 60-day
15 open period for submitting applications in the
16 Federal grants process?

17 So that would bring us to the end of
18 the calendar year with just the proposal, the
19 RFA being an open period or is there plans for
20 a different open amount of time that's
21 different than typical Federal grant openings?

22 MS. DENIT: I'm phoning a friend.

1 (Off-microphone comments.)

2 MS. DENIT: I have no idea.

3 MR. NAMUR: Okay.

4 MS. DENIT: Yes. Come on up.

5 MR. NAMUR: Good morning, everybody.

6 Dan Namur, Director of Financial Assistance at
7 the National Marine Fishery Service. I'm
8 underneath Brian Pawlak.

9 The question was whether or not the
10 RFA would be open for 60 days. That's the
11 standard for competitive processes, but because
12 this is non-competitive, we can leave it open
13 as long as needed.

14 So we will make sure that it stays
15 open throughout the duration so that you guys
16 don't have the closing on you.

17 MR. ANSON: Eric?

18 MR. REID: Yes. Thank you, Mr.
19 Chair. So I still have the umbrella in my
20 head, but my umbrella is like inside out
21 because it's blowing about a hundred miles an
22 hour and pouring rain.

1 So I'm a little bit confused. I
2 mean, yesterday we heard that the \$375 was
3 going to be available very shortly. Now it's
4 not going to be available relatively shortly.

5 And, you know, to me the \$17 million
6 over and above, is we're competing with each
7 other. So it is a competitive process. I
8 mean, that's the way I see it.

9 So I don't know if that's, you going
10 to waive the 60 days, but I'm unsure about
11 that. But the review process itself is a
12 little concerning to me.

13 You know, in the template it says
14 there's going to be three reviewers. And does
15 that mean three people are going to review all
16 the proposals from the eight Councils or is
17 there going to be three separate teams or eight
18 separate teams?

19 So maybe you could explain to me all
20 the steps because you're going to have a review
21 process for the competitive grants, and then
22 it's going to have to go through several other

1 steps, I'm sure, including probably General
2 Counsel and everything else.

3 So can you explain to me what the
4 review process is from start to finish and what
5 that timeline actually is going to be. Thank
6 you.

7 MS. DENIT: Yes, thanks Eric. And
8 I'm sorry that you're having a Mary Poppins
9 moment with your umbrella there. So two parts.
10 The actual grant for the RFA will have a review
11 process that includes three reviewers,
12 individuals.

13 That will be approved, can be done
14 quickly. Typically we have that done within 90
15 days and then we would, that would put in place
16 that umbrella and that would include the \$375.

17 Separate, but underneath that
18 umbrella is then the project proposal. You
19 would submit that to me. We will run a review
20 process that will include the regional offices
21 science centers and headquarters offices.

22 Each proposal would be reviewed by

1 three people. We have not determined the
2 specifics of who those three people would be or
3 if we would do teams.

4 But it would be three separate
5 reviewers would review each proposal. I don't
6 envision any need whatsoever for General
7 Counsel review of proposals, but I don't know
8 what you all have in mind for your projects.

9 But I don't envision that would need
10 to be part of the process. Once those
11 technical reviewers complete their review, the
12 Agency would look at how all of the projects
13 fell out.

14 As you saw in the bottom of that
15 template, we spell out there are certain things
16 that we intend to prioritize which we've been
17 very transparent about which is the alignment
18 with the priorities, the cross-counsel
19 collaborations where that's relevant and
20 geographic distribution of the funding.

21 So once we have those reviews, then
22 we will look at the full package, we will make

1 decisions about which proposals get funded, we
2 will communicate that to you all.

3 Those proposals would then, we would
4 take that paperwork essentially and use that to
5 provide the funds via the grant that already
6 exists. So there's not a separate grant.

7 It's essentially we've created a
8 process where there's one grant and we will
9 have the ability to add funds to that grant as
10 we move through the process.

11 MR. REID: All right, so now I have a
12 beach umbrella that's inside out so we went
13 from having the money very shortly to maybe a
14 60-day review, but that's not in play, but now
15 there's a 90-day review so.

16 And the interesting part is the
17 geographic distribution of funds. I mean, to
18 me it only gets more complicated for me. I'm
19 not a grant person. You know, I just look at
20 the numbers.

21 And to me the easiest thing is eight,
22 \$17 million divided by eight. Give all the

1 Councils an equal amount of money and this
2 entire complicated process goes away. And I
3 don't know why we don't do that.

4 I mean that's fair and equitable to
5 me and it's a hell of a lot less complicated
6 and much faster so I really wish you would
7 consider \$17 million divided by eight instead
8 of this process. Thank you.

9 MS. DENIT: Yes, I appreciate that,
10 Eric. And you all raised that in our
11 conversation back in July and again, I'll come
12 back to that.

13 The Agency wants the opportunity to
14 review the project proposals because we are
15 going to be in the position of having to use
16 our resources to support that and that we don't
17 have additional funds coming to the regional
18 offices in order to do that.

19 So we need to ensure that what is
20 coming through from the Councils on our end
21 we're going to be able to provide the resources
22 that balance that and I appreciate that we

1 might just agree to disagree on how to divide
2 that \$17 million.

3 But that's part of the rationale.
4 And I'm sorry I just started going back and
5 forth on you, Chair.

6 MR. ANSON: That's okay saves my
7 voice. John Carmichael followed by Dave
8 Witherell.

9 MR. CARMICHAEL: All right, thanks,
10 Kevin. So just, Kelly, back to Step 1. I
11 think I understand where we're headed with
12 this.

13 Just really to try and understand the
14 timing because you said the basically the
15 intent was to have Step 1 wrapped up, the
16 disbursement, by quarter one, FY2024. Okay, so
17 yes, so that's right which is what we're in so
18 I guess I'm trying to figure out the timing.

19 The RFA goes out the end of this
20 month. If that had 30 days for us to get
21 things submitted, then that would be the end of
22 November and then you guys would have to have

1 like 29 days to do your review, not 30, not 60,
2 not 90 to actually get that money out by
3 December 31st.

4 But then, you know, not the first
5 time dealing with logistics like this, we're
6 coming to the end of the year, you've got
7 holidays that always impact everything.

8 You know, people go on leave in
9 grants offices and everywhere else and people
10 that would be reviewers as the end of the year
11 rolls around so that's a potential challenge
12 which makes me think getting this actually
13 wrapped up by quarter one FY2024 would really
14 be a stretch.

15 And then on top of that, we have
16 impending Government closures which I know
17 totally out of your hands, but I'm sure if that
18 should go down, then all of these best-laid
19 plans are out the window and I'm assuming that
20 this whole grants change that we're in the
21 middle of right now has probably not helped
22 your efforts.

1 So it does seem that there's a lot of
2 things completely outside of, you know, you and
3 Dan's control that are working against this
4 whole timeline. So I just, you know, I'm
5 looking at it now thinking that there's just no
6 way.

7 I think the general approach of
8 getting this initial grant setting up the
9 budget numbers and then being able to put money
10 into that seems like an efficient way to go
11 forward to the future.

12 But I'll be shocked and awed if we
13 have that done by the end of this calendar year
14 which would be the end of the fiscal year,
15 first quarter.

16 MS. DENIT: Yes, thank you, John.
17 All absolutely fair points. And like I said,
18 this is what Dan and I and others are, this is
19 the timeline that we are pushing to achieve.

20 I cannot guarantee that we will
21 achieve it because as I described for you back
22 in July, I -- there's just a significant amount

1 of review that we are working through as part
2 of this process.

3 And we intend to get that initial
4 slug of funds to you all by the end of the
5 calendar year. It's entirely possible that
6 will not happen, but I'm going to choose to
7 look at the bright side.

8 And then I look forward to your shock
9 and awe the next time we meet.

10 MR. ANSON: Dave?

11 MR. WITHERELL: Thanks. Thanks
12 Kelly. I had a follow up. Part of my question
13 was exactly what John was asking relative to
14 timing and reviews. Is it just the NMFS review
15 that we need to go through?

16 You said 60 to 90 days for that or is
17 there also a grants management division review
18 and maybe a CEQ review that might add to that
19 time?

20 MS. DENIT: I am not expecting that.
21 No, so it would be a NMFS review, execute the
22 proposals, yes, there will have to be review by

1 our grants folks, but we are already working on
2 our system to again try to prioritize these
3 funds and get them out the door.

4 The Agency has already made the
5 decision and directed might be too strong of a
6 word because I don't know all of the details,
7 but our grants folks have been told, discussed,
8 whatever is the right word, that the IRA funds
9 need to be their top priority for getting out.
10 Anything you want to add on that?

11 MR. NAMUR: The only thing I'll add
12 is that to your point, Dave, is on the initial
13 grant application, the umbrella application,
14 that will undergo grants management review and
15 legal review.

16 To Kelly's point once we get into the
17 proposals which is those releases of funds,
18 then we'll be moving much quicker. And to
19 reiterate what Kelly said, is that the director
20 of grants management has committed to this
21 being the number one priority for the grants
22 management division at NOAA.

1 MR. WITHERELL: Excellent. Mr.
2 Chairman, I have a second follow up. So
3 thinking back about whether it's a beach
4 umbrella or a small umbrella it seems then
5 incumbent that the Councils really know and
6 have a plan for how they're going to spend all
7 the money, including the follow-up targeted
8 research projects that we're competing for.

9 We'll have to know that in the next
10 month or two to be able to apply for our
11 initial \$375. So it's like the timing is
12 really short for the Councils, but then it's
13 open-ended on the other end.

14 And I -- is that the same impression
15 you have with how an umbrella works?

16 MS. DENIT: Yes. We're going to be
17 in a little bit of a space where you are going
18 to need to use some slightly predictive
19 capabilities to articulate in broad strokes
20 where you envision overall you would want to
21 focus your funds.

22 You will not, as part of that initial

1 application, have to get into a ton of
2 specifics. So yes. And again, we're trying to
3 do it in that way in order to facilitate making
4 the later releases of funds more quick.

5 MR. WITHERELL: It makes me wonder
6 then, if the template you have for the umbrella
7 might be different than the one you might have
8 for the project specific grants along the way.

9 So it's I guess the template that we
10 were working from that you sent out I'm not
11 clear if that applies to the projects or the
12 umbrella.

13 MS. DENIT: So that was specific to
14 the projects and Dan can speak a little bit
15 more to what would be in the umbrella part.

16 MR. NAMUR: Yes, so for the umbrella
17 award which is the initial award and the
18 release of \$375 is really not that different
19 than when you guys submit your administrative
20 awards.

21 You know, when you know you're going
22 to be getting releases of funds in the future.

1 So for those activities that you are sure
2 you're going to be doing, which is in the \$375
3 presumably, you'll be bringing on some help,
4 there will be some planning, those kind of
5 things.

6 That will need to be flushed out in a
7 lot of detail. And match the budget and then
8 you'll have basically a description of the fact
9 that you're going to be submitting future
10 proposals to the Agency for releases of funds.

11 And that can be quite vague. So the
12 umbrella application will not follow the exact
13 template because it's going to be \$375 plus
14 we're going to submit proposals in the future
15 and you're just going to describe that process
16 to us.

17 And then once you submit those, we'll
18 do releases of funds. Your proposals will be
19 associated with the umbrella award and be
20 considered a change in scope because now we
21 know what you're going to be doing. And you'll
22 get the associated funds at that time.

1 MR. ANSON: Any other questions? Ms.
2 Simonds?

3 MS. SIMONDS: You called me Mrs.
4 Simonds. So that's why I didn't recognize it.
5 I guess I have a basic question. Do you have
6 this money in hand? And if you do, great.

7 If you don't, what are the steps that
8 you have to take in order to get the money to
9 you all or approval for you all to spend this
10 money for our \$20 million?

11 MS. DENIT: Great question, Kitty.
12 Yes. I believe that as of yesterday, I think I
13 have the \$3 million because that was carry over
14 funds from FY23. And so yes, there is a
15 Federal Government process through which we get
16 the funding appropriated from Congress.

17 Then we have to go through a process
18 of getting it actually apportioned from ONB to
19 us to then actually be able to spend it and
20 execute it.

21 And my understanding is that yes, I
22 think it's either this week or next week I will

1 have the ability to access the \$3 million and
2 then we will shortly thereafter have access to
3 the FY24 funding amount which I believe --
4 you'll have to forgive me, but is a roughly an
5 additional \$10 million.

6 So that in '24 we would execute
7 approximately \$13 of the \$20 million
8 potentially. Depending on how many, what
9 proposals we get, et cetera, it might be that
10 we don't spend that full amount.

11 But that would be what we would have
12 and the steps that are required and that we are
13 already in the process and just awaiting the
14 apportionment from ONB for the FY24 funds.

15 MR. ANSON: Kitty?

16 MS. SIMONDS: Just a quick follow up.
17 So if you have the \$3 million in hand, I think
18 that we would all, we all should receive that
19 money as soon as possible because that is the
20 planning, the original planning document that
21 we want to work on.

22 MS. DENIT: Yes, message received and

1 I would love to be able to provide that funds
2 to you. But the Secretary and the White House
3 are extremely interested in all IRA funding.

4 So I have a few more things I need to
5 wait to be approved before I can post that RFA,
6 not I, we can post the RFA.

7 MS. SIMONDS: So you would want to
8 get our plan as quickly as possible then. For
9 the \$3 million.

10 MS. DENIT: Yes, once we post the
11 Request For Applications, as soon as you can
12 submit that, that's great.

13 MR. ANSON: Bill, followed by Dave.

14 MR. TWEIT: Thanks, Mr. Chair.

15 Kelly, as I'm -- you're probably hearing the
16 same thing I'm hearing. As I listen to the
17 discussion about timing, which is just a real
18 nervousness about, you know, every day that
19 goes by is one day less and what our
20 understanding of the overall IRA funding period
21 is and I think a lot of us have some pretty big
22 ideas that are going to take time.

1 So what's, how much flexibility is
2 there between years for carry over and how much
3 flexibility is there at the end which I
4 understand is the end of FY26 for additional
5 carry over?

6 For carry over of, because some of
7 these things are things that are going to take
8 at least our planning or where we're looking as
9 a Council, it's going to take the full period
10 of time and so Government shut down, things
11 like that which are outside of our control come
12 along.

13 We're just losing time that's for at
14 least, you know, on our part is just absolutely
15 precious so.

16 MS. DENIT: So a couple of things to
17 unpack there. Yes, completely agree that we
18 are increasing our risk the longer that we are
19 taking to execute and get the funds out the
20 door.

21 That has been communicated up the
22 chain some of the challenges that we face, the

1 longer that it takes to get the funding out the
2 door. Want to be really clear about your
3 reference to carry over.

4 I'm talking about in the Federal
5 Government, our ability to carry over
6 unobligated funds from one fiscal year to the
7 next. That would not impact you all, directly.

8 And I'm trying not to get too in the
9 weeds and confuse things further. The bottom
10 line is, once we provide funds to you all on
11 our grant, once the funds are obligated off the
12 Federal books, you will have the duration of
13 your grant to execute those funds because our
14 legal requirement is to obligate the funds to
15 you.

16 You are absolutely correct that FY26
17 is a hard stop. There is no carry over. We
18 have to have spent, meaning we have to have
19 obligated all of these funds by the end of
20 FY26. Hopefully that helped clarify.

21 (Off-microphone comments.)

22 MS. DENIT: Right. You have the

1 duration of your grants. So again, if you --
2 I'm making it up, you get another million
3 dollars, you only end up, you have -- what is
4 it, the four years to spend that million
5 dollars.

6 Because it's off of our books, we are
7 in compliance with the requirement of IRA.

8 MR. ANSON: Dave?

9 MR. WITHERELL: Kelly, thanks. I
10 think what Bill was getting at is a no-cost
11 carry over a possibility from 2026 to 2027 of
12 that funding?

13 MS. DENIT: Okay, that's a no-cost
14 extension. Sorry, I got --

15 MR. WITHERELL: No, he said.

16 MS. DENIT: Oh, sorry. I got
17 confused what the reference to carry over. So
18 we would have the ability to analyze based on
19 whatever information you provided to us whether
20 a no-cost extension would be appropriate or
21 not, so yes that is a possibility.

22 MR. WITHERELL: And following up,

1 just for clarification, following up on the
2 question that Kitty has, I think if I'm
3 understanding correctly that the proposal that
4 we release as in our umbrella that were to get
5 the initial \$375 actually is the proposal for
6 the whole thing.

7 You would lay out that you wanted \$3
8 million for the whole plan. Is that correct?

9 PARTICIPANT: Yes.

10 MR. WITHERELL: And I think you've
11 heard from us, I mean the Council's concern
12 about competing for these funds is really I
13 liken it to an, setting up an open access
14 fishery where everybody is going to be
15 competing and capital stuffing to get the most
16 they can from each other as opposed to some
17 kind of a rationalized fishery where there's a,
18 you know the amount going in.

19 And then you're just, you can pick
20 away at that and make the best use of those
21 funds. So I think that's the way I interpret
22 the difference between trying to compete for

1 those funds versus allocating them semi-evenly
2 among the Councils or through our formula or
3 through an even allocation.

4 MR. ANSON: Carrie?

5 DR. SIMMONS: Yes. Thank you, Mr.
6 Chair. Thank you for the presentation, Kelly.
7 So just I think you've answered this question,
8 but just in my mind to be crystal clear, the
9 earliest, I like to call to it, I like how we
10 called it Phase 1 and Phase 2.

11 I don't really like the umbrella
12 personally, but maybe I need to re-watch the
13 Mary Poppins. So Phase 1, the earliest we
14 could expect that funding would be January
15 2024, the \$375.

16 For Phase 2 if our proposals are
17 approved and it's a multi-year proposal and
18 it's a 90-day review, the earliest we could
19 expect that funding would be May of 2024.

20 And would we be receiving all the
21 funding for a multi-year award or just 2024
22 funding?

1 MS. DENIT: So first part, yes, we
2 would be targeting Phase 1 by the end of the
3 calendar year given holidays, et cetera. Yes,
4 you might not actually see it in your bank
5 accounts until January of 2024.

6 Phase 2, I think your estimate of
7 April/May timeframe is a realistic one. We
8 would be trying, that would be where we would
9 be targeting to that slug of money to you all.

10 And then when we provide those funds,
11 how much we're able to provide will depend on
12 the project proposals that we get in and which
13 ones we're able to fund. So as I noted, we
14 will have approximately \$10 million.

15 If we get proposals that are multi-
16 year proposals that exceed \$10 million, then
17 there will be some Councils who will not get
18 the full amount in that first year.

19 But we would indicate this is funded.
20 You just will get the money in FY25. Was that
21 clear, Carrie?

22 DR. SIMMONS: Yes. Thank you, but

1 also, if we -- so if we hire somebody with the
2 \$375, but we don't get the future funding, I
3 just I feel like in order for this to work, we
4 really need to understand when we submit our
5 proposal for a multi-year award, how much we're
6 going to have.

7 Because it just makes the planning so
8 difficult. I mean, I know there has to be some
9 back and forth in that 90 days, but I just
10 don't see this working out very well if we
11 don't have a clear understanding of that from
12 the onset.

13 I mean, especially since we're not
14 going to get the money until May of 2024 at the
15 earliest. So I, I mean that would be my
16 concern right now.

17 MR. ANSON: Any -- Miguel.

18 MR. ROLON: You know, I got a simple
19 mind. And I don't understand umbrellas or
20 Phase 1 or Phase 2. But in my case, I will
21 hire somebody to monitor those proposals for
22 three years.

1 And by the way, if we get to receive
2 the money by May 2024, that's a de facto
3 agreement to have an extension to see if you
4 want to have the three years in 2027.

5 So we end up, if we have the three
6 years, otherwise, we are going to be robbing
7 four or five months out of those three years if
8 we end up December 31 of 2026.

9 So I hire this person, a contract for
10 three years, from what I'm getting I have to
11 have a big clause there. If we don't get any
12 more money, you're fired in the middle of it.

13 So I would try to see if we can find
14 somebody who agrees to do that. So that person
15 is hired, let's say that out of the \$3 million,
16 we don't get a penny.

17 That person would be looking at the
18 ceiling for three years unless we got some
19 money that we can put together. Right now, I
20 have a committee that have the priorities and I
21 can put it together with this artificial signed
22 and sent to the local office and the local

1 governments.

2 So by this year, I will submit a
3 proposal for \$375 that mostly have hiring a
4 person at a level GS-13 level and maybe some
5 money for whatever else we can figure out.

6 No guarantees that we are going to
7 receive any money after that. If that person
8 receive, if we receive let's say \$300,000, I
9 can manage that on myself. I don't have to
10 hire a person to do it.

11 So I would have to fire that person
12 or do something else with it. I'm just saying
13 all of this because it looks simple, but it's
14 difficult.

15 I don't envy your shoes because you
16 are in the middle of the sandwich here. You
17 have the RSVQ asking you to do this and that
18 and they don't really understand the Council
19 system of even fisheries.

20 So anyway, that is my comment. It's
21 another question, I guess my question has been
22 answered by the round of discussion here, but I

1 will see if we can submit it, can I do this.

2 Submit a memo to you with this is
3 what we're going to do, this is more or less
4 our proposal and see if you, if you tell us,
5 yes, you're on the right direction then we can
6 submit it, the whole thing.

7 And then I will have to rely on the
8 Chair by Chair because everything we do we can
9 give that decision to the Executive Director
10 and the Chair to submit these proposals.

11 If we have to use a Council, then I
12 won't have their blessing until December. And
13 everything will go backwards, so. Anyway, just
14 to let you know, you know, I appreciate your
15 situation and the way you are and for also it
16 would be simple just to divide everything as we
17 have done before.

18 But it's not that easy I believe for
19 you and to do so. So thank you, anyway.

20 MR. ANSON: Dave Whaley?

21 MR. WHALEY: So, Kelly, can I get a
22 little bigger picture with you? It seems to me

1 that the Councils are at different places right
2 now on this issue on climate scenario planning.

3 So I'm looking at the priorities.

4 I'm not clear whether your intention is to
5 bring everybody up to the same level or reward
6 those that have done more work already.

7 MS. DENIT: Thanks, Dave. So great
8 transition. I went ahead and pulled the
9 priorities up for the next slide. I would say
10 the intent is to acknowledge that all of the
11 Councils are in very different places with
12 respect to climate change and I mean that
13 multi-faceted. Right?

14 Like how climate is impacting their
15 particular fisheries, the data that they have
16 available or not with respect to their
17 fisheries.

18 So the intent of these priorities was
19 to be broad to allow each Council to move
20 forward the climate-related projects that they
21 think are the most important within the bounds
22 of these five priorities which again were

1 written very broadly and thanks very much to
2 the Councils who provided inline edits and
3 direct feedback on these priorities.

4 We made changes to reflect that input
5 and you'll see here that it ranges from we're
6 not quite sure what climate impacts might look
7 like and so we want to proceed more on a
8 planning path to the we kind of do already know
9 what some of the impacts are and how we want to
10 incorporate it into our management system.

11 And there's a range of different ways
12 that might be incorporated into the management
13 system. Did that answer your question, Dave?

14 MR. WHALEY: So debating or deciding
15 how reviewers weight these, one or two Councils
16 could get all of the \$17 million?

17 MS. DENIT: No. The priorities all
18 have equal weight. When the proposals are
19 being reviewed, what the reviewers will be
20 looking at is the alignment with these
21 priorities.

22 Not that any particular priority is

1 weighted heavier than another.

2 MR. ANSON: Kitty?

3 MS. SIMONDS: So with all of this
4 discussion and all of the discussions we've had
5 before, I have to be honest to say that I have
6 no confidence that you all will actually be
7 treating us fairly in terms of the competition.

8 Because I don't think you all really
9 understand what is important to each of the
10 Councils. I can speak from history and that's
11 where I'm coming from so I agree with everybody
12 else that it would be a lot.

13 It would be better for all of us if
14 the money were distributed evenly because then
15 you would know from each of the Councils what's
16 important to them, what the priorities are and
17 we wouldn't be competing with each other about
18 our priorities.

19 We'd probably lose out, you know,
20 because you would think that whatever you would
21 think. We probably wouldn't agree with and so
22 this is really tough.

1 I mean, you're making it really tough
2 on all of us and so I needed to say that I
3 don't have confidence that this will work out
4 fairly in the way we are approaching things.

5 MR. ANSON: Ms. Coit?

6 MS. COIT: Thank you. I just wanted
7 to say a couple of quick things. One,
8 reiterate that getting that \$375 out as soon as
9 we can is the priority. I just want to
10 emphasize what Kelly said.

11 There's a lot of factors that all of
12 you have mentioned including a potential shut
13 down. And so we will do our best. We have
14 requirements in terms of providing grant money
15 that we have to follow.

16 We will do our best and work closely
17 with you. I just wanted to reiterate that.
18 Secondly, I appreciate the comments. I fought
19 very hard for this funding.

20 The IRA funding is very sought after
21 and is meant to be used strategically to try to
22 advance, you know, this nation's goals in

1 regard to resilience to climate change. So I
2 agree with Kelly.

3 I don't think there's any scenario
4 that two Councils get the \$17 million, but I do
5 want to be clear that as we work with you on
6 your priorities, the strategic nature of the
7 use of these funds towards meeting these goals
8 and the weighting of these elements are going
9 to govern the process.

10 So it's not divide by eight. It will
11 be we'll work with you and want to help you
12 meet the needs in your region, but it will be,
13 you know, a process with these criteria.

14 And I think it's a fantastic
15 opportunity, you know, as we talk about the
16 concerns and the processes and the ways things
17 can bog down. Let's not lose sight of the fact
18 that we have this additional \$20 million. It's
19 significant resources and we hope to work with
20 each of you to make sure it's used in a way
21 that has a tangible benefit in meeting your
22 goals and our goals around climate change.

1 Thank you.

2 MR. ANSON: Merrick?

3 MR. BURDEN: Yes, thank you, Kelly.

4 I guess we've moved on to this slide so I've
5 got a few questions about how to interpret
6 these priorities. So I think of this in a
7 couple of ways. And I could interpret these
8 priorities in a few ways. One is very broad
9 and I could nest almost everything we do under
10 one priority. Another one is very narrow. And
11 I could say like bullet one and two. I can
12 interpret them as being very, very narrow and
13 that it would be hard for us to line up with
14 those priorities. So one example, if we look
15 at the first bullet.

16 So we do ecosystem status reports.
17 We do integrated ecosystem assessments and so
18 my first question is, essentially what do you
19 mean by operationalization? Can you help us
20 understand what that might look like and what
21 you'd you be looking for if we were to take
22 that another step further in some way?

1 The second bullet, you know,
2 operationalizing recommendations from climate
3 scenario planning efforts and as you know,
4 we've done that. But we also do other things.

5 And you know, we have a couple of
6 advisory groups that have recommended to the
7 Council, our Council, some priorities for
8 advancing climate-readiness of our fisheries.
9 Those didn't come out of scenario planning.
10 That came out of the expertise within those
11 bodies looking at what we do and what we need
12 to advance.

13 And so would those be excluded
14 because they're not from a climate scenario
15 planning effort or is this to be interpreted
16 relatively broadly?

17 MS. DENIT: Great, thanks Merrick.
18 In response to your first question, a
19 hypothetical example of how you might use or
20 operationalize one of those scientific
21 processes was actually one that was discussed
22 that the East Coast Scenario Planning Final

1 Workshop which was to think about your harvest
2 control rules and is there a place to use where
3 a particular stock falls on the climate
4 vulnerability assessment as part of the factors
5 that you consider in your harvest control
6 rules.

7 So for example, the stock is in need
8 of, I mean not we're building, but let's say
9 the stock is doing really well and it's also
10 green under climate vulnerability then maybe
11 the Council chooses to take an approach that's
12 a little bit more liberal.

13 Whereas if a stock is doing well, but
14 it's on the red, maybe you choose to take a
15 slightly more conservative approach with
16 respect to your harvest control rule.

17 So that would be an example of that.
18 On your second point, from my perspective, what
19 you described would fit perfectly under Bullet
20 No. 3.

21 If you have an AP or your SSC or
22 others within the Council process that was

1 separate from your climate scenario planning
2 efforts, who have identified either changes to
3 your processes, or to particular stock
4 measures, those would fit under that bullet to
5 me as if it ties to improving the climate
6 resiliency of the respective fishery.

7 MR. ANSON: Bill?

8 MR. TWEIT: Thanks, Mr. Chair. Just
9 as quickly from the North Pacific Council
10 perspective to the thoughts that Janet was
11 offering.

12 Really appreciate the work that NMFS
13 put in to making sure there is money set aside.
14 We believe we're absolutely the right parties
15 to be able to operationalize these in a way
16 that's just really going to speak to these
17 priorities.

18 We think these are the right
19 priorities and I know it can sound like we're
20 just sort of picking apart a process, but it's
21 done out of we really want to make this work.

22 And so please hear the questions that

1 we're asking about this in the sense of we're
2 all just really struggling to operationalize
3 this. We understand that the collision between
4 the timeframe and the amount of money, those
5 aren't your doing.

6 And -- but we're just trying to work
7 with you to make this work and again appreciate
8 that \$20 million is a lot of money. It's also
9 a small amount of the total amount of money.

10 We think in the end, at least from
11 the North Pacific Council and I think every
12 Council thinks that it's going to look like
13 some of the best spent \$20 million out of the
14 whole package so.

15 MR. ANSON: Is there any other
16 discussion? Merrick?

17 MR. BURDEN: Yes, thank you. Maybe
18 just some other remarks. Not necessarily
19 looking for some feedback, but I want to put
20 some remarks out there in the interest of
21 transparency because we are under a very tight
22 timeline.

1 And I think maybe some of these
2 thoughts will help us make sure we're on the
3 same page. So when I think about how we would
4 operationalize climate resilience in our
5 fisheries, you know, we run the risk of
6 engaging in an expansion of what the Councils
7 do.

8 It's my impression that that's not
9 what we have in mind. That what we are doing
10 is saying, here's what the Councils do, this is
11 what we're responsible for.

12 How do we make that, those activities
13 and do those activities in a way that is more
14 responsive to climate change and helps to
15 foster more climate resilience?

16 And so, I've been going about things
17 in a way where I look at the Council's yearly
18 agenda and I say we've got a whole bunch of
19 things on there. Some are very routine, some
20 are new. Let's add a dimension to those.

21 Let's look at those in a way that
22 will help foster climate resilience. I'm not

1 necessarily looking to add things to the
2 Council's plate.

3 If that's not what we're supposed to
4 be doing, I think I'd love to hear it or if
5 that's the wrong way to go about it, I'd love
6 to hear it.

7 My strong opinion is that that's how
8 we ultimately operationalize things is that we
9 take the Council's docket and we say, let's do
10 this better and we'll call that climate
11 resilience.

12 So if that's out of alignment with
13 what you all are thinking, I'd love to, I'd
14 love some feedback, but that's where we are at.

15 MR. ANSON: Anyone want to comment?

16 MS. DENIT: Sure, I mean I would
17 offer that yes, I think that's consistent with
18 what we're looking for and again, this comes
19 down to all the Councils are in different
20 places and in some cases you're in different
21 places even within fisheries that are in your
22 same jurisdiction.

1 And so in some places, Merrick, yes,
2 I think what you just described is correct. It
3 might be that you're adding some additional
4 facets to the work that you are already doing.

5 And it might be that in other places
6 it's much more of a fundamental shift in either
7 the management or in, again, embarking on a
8 planning process to help the Council and its
9 stakeholders think through what climate change
10 means with respect to the fisheries in your
11 particular region.

12 MR. ANSON: Any other discussion on
13 the presentation thus far? Kelly, do you have
14 additional slides for this?

15 MS. DENIT: I think I may have made a
16 boo-boo unless Morgan and Sean (phonetic) saved
17 my tooshie which is possible, but did you by
18 any chance turn the template into a PowerPoint
19 slide or do we have a way that we can share
20 that up on the screen?

21 Do I just click to the next slide?
22 That's why my team is awesome. So while

1 they're helping me get that up, I'd again would
2 just like to reiterate my thanks to the
3 feedback we got with respect to the priorities.

4 We did make changes in response to
5 the comments specifically adding in the
6 reference to processes and not just to
7 management changes because there was a great
8 clarification that in some cases it might be
9 processes that you want to change within the
10 operational aspects of the Council.

11 And also the 'for examples' and the
12 parentheticals that we added to try to provide
13 some additional clarity on what we meant with
14 the different priorities. So again, my thanks
15 to the Councils who provided that feedback.

16 MR. ANSON: While we're waiting,
17 Cate?

18 DR. O'KEEFE: Thank you and thanks
19 for that follow up, Kelly. I guess I would
20 just sort of like to plug a little bit of what
21 Chris said in the previous agenda item under
22 304(f) procedural directive.

1 To me, that's really Priority No. 4
2 that the Councils are being asked to consider
3 through IRA funding developing measures of
4 processes and increased responsiveness of
5 allocations and other management measures to
6 climate impacts.

7 And I think, you know, I'm bringing
8 this up now because I think that the Councils
9 have talked about the IRA funding in 304(f) as
10 being on similar paths, not the exact same
11 thing.

12 So there has been, I think, some
13 confusion across the Councils about NOAA's
14 policy directive on 304(f), but then asking us
15 to, you know, partake in this \$20 million of do
16 that.

17 So just kind of coming back to
18 Chris's comments about, you know, I think the
19 Councils, the CCC really does want to engage in
20 that 304(f) policy directive.

21 And hopefully, you know, NOAA would
22 engage with us and potentially be able to

1 utilize some of these IRA funds to develop
2 those metrics, those thresholds, in a more
3 thoughtful planned way. Thanks.

4 MR. ANSON: Kelly, is this where you
5 want to go? Okay.

6 MS. DENIT: Great, yes, thank you for
7 that comment, Cate. And I think, you know,
8 appreciate the comments on 304(f) and we
9 certainly will go back and review that based on
10 the feedback that you all have provided.

11 And I think that there's a lot of
12 synergies so as I think about the 304(f)
13 process, there's two different places where the
14 Councils are engaged as in that process as
15 currently proposed.

16 And in both of those places, there's
17 the opportunity for the Council that's involved
18 or the Councils that are involved to articulate
19 how they're addressing some of the questions
20 that we've posed or the factors that we've
21 highlighted in that 304(f) policy.

22 So to the extent that Councils apply

1 to use some of these IRA funds to put in place
2 some of those mechanisms that you've already
3 identified and that you believe will help, I
4 think that fits together.

5 Thank you so much, Morgan and Sean.
6 We have touched on the priorities already so I
7 will, can you go ahead and scroll down a little
8 bit?

9 So again, this is specific to the
10 project proposals that you all will provide.
11 As I noted when I shared the template with you
12 all, there is some level of detail that I will
13 own.

14 I missed in removing from this
15 template so in particular, around No. 8 which I
16 emailed you all about in terms of the level of
17 detail -- you can stay right there. That's
18 good. I'm just previewing a little bit.

19 And I'll step through that. So first
20 couple are really straight forward. Your name,
21 titles -- go ahead and stay on that slide.
22 Great, thank you.

1 So then we are asking you to identify
2 which priority or priorities you see the
3 proposal aligns with, describe your objectives.
4 I'd like to note that we have set a page limit
5 of five pages excluding budget tables.

6 And again, we were trying to find the
7 sweet spot. That's not to say that five pages
8 is the sweet spot and we welcome your feedback
9 on that of providing us with enough detail to
10 be able to make, to conduct an informed review
11 while also not making the proposals with 30-
12 page process that's incredibly burdensome for
13 you to provide.

14 So welcome your feedback on the
15 length. So objectives, what are the key?
16 Proposals and actions that you want to take a
17 summary of those activities including any
18 specific partners that you have in mind.

19 And then the list of key folks.
20 We've included this because as we've noted for
21 you all previously, in particular all of your
22 staff currently are paid out of your

1 administrative grants.

2 So to the extent that you are going
3 to redirect existing staff to support specific
4 IRA projects, we would want to note that so
5 that we can make sure and keep everything very
6 crystal clear when it comes to the audits that
7 we are inevitably going to have as part of
8 executing these funds.

9 Okay, go ahead and scroll down a
10 little bit more. So the milestone schedule,
11 again, just trying to lay out, this can be,
12 take variety of formats. Right?

13 What your main goals are, you're
14 going to hold three workshops, you're going to
15 hold one each quarter, whatever it might be to
16 try and lay some of those out for us.

17 And then we get down to eight which
18 is the budget. We've asked you to please
19 bundle projects so that there is a minimum of
20 \$300k per proposal. And then this lists out
21 the key categories.

22 As I noted in particular under

1 travel, some of the supplies and materials, the
2 contracting and consulting services for your
3 initial project proposal, we do not need the
4 identity of those specific travelers.

5 I'm sorry, we had deleted that and I
6 missed it in my review when we shared this with
7 you all. And so you can be more general when
8 it comes to the budget.

9 I think as I alluded to in the email
10 that I shared with you all, for example, you
11 intend to conduct three to four workshops, you
12 anticipate X number of participants, you know,
13 a rough ball park of what that budget would
14 look like, you don't need to say. It's going
15 to be \$143,212. Right?

16 Go ahead and keep scrolling down.
17 Keep going. So then in our conversation in
18 July, a couple of you all asked for some
19 transparency in what would be used to evaluate
20 the project proposals.

21 And so we have provided this list of
22 the key criteria that we will use to assess the

1 proposals and tried to articulate as clearly as
2 we could what would be encompassed under each
3 of those four criteria.

4 So the first is the funding
5 priorities, how much does the proposal tie to
6 the specific priority or priorities that we've
7 identified, the technical merit is it
8 reasonable, et cetera? You all are familiar
9 with that one.

10 Budget justification, are they
11 allowable, reasonable, and then regional
12 collaboration which is again a nod towards
13 making sure that we are having that synergy
14 between our regional offices, you all and the
15 science centers on what you are proposing so
16 that we can carry it forward through to
17 implementation.

18 And we have the weightings there.
19 You'll see that the alignment with the
20 priorities and the technical merit are the most
21 heavily weighted criteria.

22 And we would welcome your feedback on

1 the criteria as well as the weighting. And
2 then the -- go ahead and scroll to the last
3 page for me please. Yes, just that paragraph
4 right -- oh.

5 There should be one more paragraph at
6 the, yes, it's like a tricky game there.
7 Anyway, while they're getting that up, I
8 mentioned this earlier.

9 This last paragraph just notes for
10 you that it would be the three reviewers and
11 that there are factors that we will take into
12 account after that technical review including
13 the geographical distribution of the funds.

14 And that our high priority will be
15 those proposals that leverage existing tools,
16 the actions that will be completed within three
17 years and the cross-Council projects where
18 that's relevant.

19 You'll not be penalized if you don't
20 have a cross-Council project. But we will be
21 looking to prioritize those. So that is a
22 super quick skim through.

1 I know that there is a lot of
2 discussion around this template and we are very
3 much looking forward to the feedback that you
4 all have on it.

5 And again, trying to find that sweet
6 spot between not administratively burdensome,
7 but also allows us to make some informed
8 choices with respect to the project proposals
9 so I'll stop there and happy to answer any
10 questions. Sure.

11 MR. ANSON: I see Dave Witherell with
12 a question.

13 MR. WITHERELL: Thank you, Mr.
14 Chairman. Kelly, before we get into a lot of
15 questions about the template specifically, you
16 mentioned that this is, this template is for
17 the project-specific actions that would be due
18 the proposal would be due in the end of
19 January.

20 But we don't have any template or
21 guidance for actual umbrella proposal that we
22 would put in for \$3 million say, that we don't

1 have any guidance. So should we just kind of
2 use this as guidance?

3 MR. NAMUR: Yes, thanks. So yes, I
4 would, my recommendation would be to follow the
5 process you typically use for your
6 administrative award.

7 Which you know, so you're going to
8 have your standard Federal forms which is going
9 to cover a lot of the information in here like
10 your key personnel and budget categories and
11 such.

12 Your budget narrative will again
13 follow those same categories on the SF424A just
14 like you do for your administrative process.
15 And then when you're doing your detailed budget
16 narrative, you have the initial application
17 process will really only be highlighting the
18 initial \$375 because those are the dollars that
19 you know you're getting and what you'll be
20 using them for.

21 And as I mentioned earlier, you will
22 outline the fact that you will be submitting

1 additional information for additional releases
2 of funds in the future.

3 MR. WITHERELL: That is helpful.

4 Second question, in thinking about the project
5 specific proposals I would imagine that rather
6 than having ten \$300,000 proposals from a
7 Council come in, you would really prefer one
8 proposal that covers the different projects
9 that might be included. Does that make any
10 sense?

11 MS. DENIT: Yes, absolutely. And
12 we're leaving that to your discretion on how
13 you want to slice and dice that. It might be
14 that there are certain projects that even cut
15 across different FMPs that are more easily
16 bundled and others that might warrant being
17 something separate.

18 MR. WITHERELL: Chairman, thank you.

19 MR. ANSON: Merrick?

20 MR. BURDEN: Yes, thank you, Mr.

21 Chairman. So Kelly, we have a -- we've huddled
22 here and thought through and talked through the

1 funding template.

2 We have some feedback for you and so
3 I'll try to tee some comments up and I'm sure
4 my colleagues will add some additional detail.
5 But just saying overall, our overarching
6 comments, so the template appears to require a
7 level of detail and certain information that
8 doesn't seem necessary.

9 And if we were to adhere to it, it
10 could actually restrict the work of Councils
11 particularly when you're considering the public
12 process and iterative nature of Council work
13 and function.

14 We think a focus should be made on
15 outcomes and how those outcomes align with IRA
16 priorities and then strike an appropriate
17 balance of detail, an appropriate balance
18 between the detail and the proposal and some
19 flexibility and how Councils attain those
20 proposal outcomes.

21 And that balance, when considering
22 it, that proposal detail, of course, would be

1 necessary to make sure that the methodologies
2 and timelines that are employed can work to
3 achieve the outcomes of the proposal.

4 But the flexibility would need to
5 exist to ensure that the work that we're doing
6 as part of IRA funding can nest underneath
7 broader Council function and process which is,
8 again, iterative and as a public process
9 component.

10 And some of that we can't hardwire
11 very well ahead of time. So some major
12 comments then on the template itself so just
13 structurally, we think it makes sense to start
14 big picture at the start of the proposal.

15 So recommend off the bat that the
16 proposals include a description of the plan for
17 addressing funding priorities, sort of an
18 overarching umbrella, not sure what size.

19 And then thinking about the
20 components of the proposal, which is really the
21 meat of this template, so thinking of
22 Components 3 and 4, we'd suggest focusing on

1 objectives and outcomes to be met.

2 Focusing on Component 5, we don't
3 think it's appropriate to have detail on the
4 who, what, how, why and instead focusing more
5 on the tasks that will be done.

6 And also on Component 5, it's not
7 clear the degree to which it would be
8 appropriate or realistic even to list the
9 contractors that would be employed. We'll have
10 to go out to bid on some of these presumably.

11 Component 6, that concerns the, we
12 have some concerns about the listing of
13 detailed activities by staff. I can't speak
14 for the other Council directors, but often in
15 our Council, we will move things around and fit
16 things to purpose based on how the year is
17 unfolding.

18 And hardwiring in staff ahead of time
19 is sometimes not realistic although we do try
20 to do that admittedly. Component 7, I think
21 all together it makes sense to strike the
22 quarterly milestone requirement.

1 That's just seemingly unrealistic
2 given the issues that arise and pop up and
3 we'll have a conservation emergency. For
4 instance, it will have to tackle and that might
5 push back and make these milestones on a
6 quarterly basis unrealistic.

7 And then a question about joint
8 proposals between Councils, it wasn't clear to
9 us that is realistic or that could even be
10 done. And so we had a question about that.

11 I will maybe turn to my Vice Chairman
12 here who took a big lead in thinking through
13 some of our responses and see if you wanted to
14 add anything.

15 MR. HASSEMER: Thank you, Merrick.
16 No, I think you covered it well. The intent is
17 some simplification and just to capture the
18 work that the Councils do and need to do in the
19 future to meet some of those goals or
20 priorities that are identified so I'll leave it
21 there. Thank you.

22 MR. BURDEN: And then before I guess

1 turn it over to my respected colleagues here.
2 Since we are under a timeline and we are
3 starting to think through this already, if we
4 can get a revised template within about a two-
5 week time period, that would allow us to keep
6 making headway and set realistic expectations
7 for getting information to you all that you'll
8 need.

9 So just look to my colleagues to see
10 if they want to add some detail.

11 MR. ANSON: Anyone else want to add
12 to that? Kelly?

13 MS. DENIT: Thanks, Chair. Thank you
14 for those comments, Merrick and Pete. And
15 certainly look forward to seeing any more
16 detailed feedback that you choose to provide.
17 That's really helpful.

18 And I think we're on the same page of
19 trying to find that right balance. And I want
20 to be clear that there is some flexibility. We
21 understand that sometimes things change.
22 Right?

1 A hurricane comes and you can't
2 conduct a workshop that you intended to do or
3 whatever it might be and so there is
4 flexibility within the grant to allow some
5 pivoting as needed to adapt as real time
6 situations are occurring.

7 And that will be within the same
8 rules of procedure for lack of a better
9 descriptor that you would follow when you need
10 to make such changes in your administrative
11 grant.

12 So there is some flexibility there
13 and Dan will kick me under the table if I got
14 that wrong. Agreed about the level of detail
15 and again, with respect to contractors
16 understand that you probably at this point
17 aren't going to know who that's going to be.
18 We're just looking for, we would be looking for
19 someone to facilitate X, Y, or Z or what it is
20 the tasks that you would be asking them to do.

21 And an estimate of what you think
22 that's going to cost and then that can be

1 refined as we move forward and you actually,
2 you know, get someone on board.

3 And then with respect to the
4 milestones, yes, certainly we're just looking
5 for general input on when you think you will
6 achieve certain tasks or actions that you have
7 described.

8 And with the grant process you'll
9 already be required to report on that every six
10 months so we don't necessarily need to have the
11 duplication there, so point taken.

12 Your request for a revised template
13 in two weeks, we will do our best, I will be
14 super candid that my daycare is closed for the
15 next two weeks and so my time is a little bit
16 cray, cray.

17 So it might be a little closer to
18 three weeks, but I certainly appreciate, again,
19 the timing conundrum that we're all in and we
20 will try to get the template turned around to
21 you all as quickly as we can.

22 And so the sooner you have any inline

1 edits that you want to provide, that's super
2 helpful for us. And then, did you have
3 anything else you want to add?

4 MR. NAMUR: On key personnel.

5 MS. DENIT: Yes.

6 MR. NAMUR: Yes, thank you. I
7 believe you made a point about key personnel on
8 your concerns about needing to list that and
9 the fact that Councils want to be able to have
10 the strategic ability to move people as needed.

11 And I know that is something that you
12 guys typically do because you're working
13 underneath one single award and everybody's got
14 100 percent of their time associated with that
15 particular award from NOAA.

16 With this, unfortunately, because IRA
17 funds do have to be in 100 percent separate
18 awards, that co-mingling of funds is a Federal
19 offense, we have to be able to track people one
20 to one to awards.

21 So each activity needs to be to a
22 specific person for a certain amount of time

1 for a certain amount of money. And that's
2 something that we need to be sure of upfront
3 because as Kelly alluded to, we fully
4 anticipate these awards being audited in the
5 future.

6 And that will be a finding with this
7 allowed cost if there's co-mingling.

8 MR. BURDEN: Yes, thank you on that
9 latter question. There's the, you mentioned
10 that we have to track the funds which is one
11 vehicle and there's plenty ahead of time about
12 how we'll use the funds.

13 If we do have to plan ahead of time
14 and specify how these funds will go to specific
15 staff are we going to be held to that real
16 tightly?

17 In other words, does it have to align
18 really closely with the eventual outcome that
19 we've tracked ourselves to? Or can there be
20 some flexibility there?

21 MR. NAMUR: So the answer is yes, but
22 I'll caveat that by saying that you always have

1 the ability to reprogramming and re-budget. And
2 I'll add to that this is not unique to these
3 awards.

4 That if somebody is 100 percent on
5 your administrative award right now and you say
6 they're going to work 20 percent on your IRA
7 award, you now need to reprogram your
8 administrative award to bring that down to 80
9 percent because you can't have someone working
10 120 percent of the time.

11 So you'll have to have actions on
12 your administrative award as well as on your
13 IRA award.

14 MR. ANSON: Miguel?

15 MR. ROLON: For other grants that we
16 have that we don't have it and everything, we
17 have a 10 percent for administrative purposes.
18 And we don't have to be that strict tracing
19 that 10 percent.

20 I mean for administrative purposes,
21 because we have the computers that we use, the
22 use of this and everything and we do this for

1 this grant too.

2 So I would say 10 percent would be
3 allocated to the Council for three years for
4 administration purposes. But I will have a
5 person that will be responsible, a coordinator
6 I will call it for the entire period.

7 And that person will be accountable
8 using this fund. We need to track that person
9 movement, work and everything. Is that okay?
10 That's fair way of presenting it?

11 MR. NAMUR: So I'll answer that in
12 two parts. If they are under your indirect
13 rate, then that is a true statement. You can
14 use it the same as you do underneath other
15 awards.

16 If they are direct costs personnel,
17 then you have to track them one to one.

18 MR. ANSON: Carrie?

19 DR. SIMMONS: Yes, thank you, Mr.
20 Chair. So Dan, if we have to reprogram or
21 repurpose, what is the process and timeline for
22 that? Because my understanding, this does not

1 go to our regional grant coordinator.

2 MR. NAMUR: That is correct that it
3 doesn't go to your regional grant coordinator.
4 It will be organized and run out of the Office
5 of Management and Budget which where I sit.

6 Mr. Derek Orner sitting behind me
7 right now, he will be the lead on this for the
8 processing of awards and his staff. It's the
9 same process as any award action request which
10 means that you'll come in and actually request
11 of the Agency.

12 It will come to your Federal program
13 officer. It will not be a regional Federal
14 program officer, it will be Derek or somebody
15 he assigns.

16 It will go through the NMFS review
17 like any other award action request and then go
18 to the grants management division at NOAA for
19 final approval. And timeline, I apologize, I
20 believe you asked about a timeline.

21 We typically try to process those in
22 less than 30 days.

1 DR. SIMMONS: And just a quick follow
2 up. So would the regional coordinators be
3 involved at all? Or copied on these changes?
4 Because they're monitoring our admin award. It
5 seems like there's a disconnect there.

6 MR. NAMUR: Yes, and I apologize.
7 Every answer, everything I just said on that
8 last answer was regarding your IRA award.

9 For administrative changes to your
10 administrative award, you will still be going
11 through your regional FPO, Federal Program
12 Officer. But in the system, you don't need to
13 choose. You just submit to Agency and it will
14 route accordingly.

15 MR. ANSON: Merrick?

16 MR. BURDEN: Yes, just quick
17 question. This is all, I'm still going to pull
18 a new guy card although thankfully I'm not the
19 newest Executive Director anymore. Is this all
20 written down somewhere?

21 Because this is coming out real fast
22 and it seems like details will have to track

1 someplace so if there's some place you could
2 direct us to where we outline this process
3 you're just outlining, that would be really
4 helpful.

5 MR. NAMUR: Yes, we can provide
6 something along the lines of a Frequently Asked
7 Questions for you guys.

8 MR. BURDEN: Great.

9 MR. ANSON: Is there any other
10 discussion or questions for Kelly? Kelly, do
11 you have anything else to provide?

12 (Off-microphone comments.)

13 MR. ANSON: No. All right. Well
14 that concludes the IRA Climate Ready Fisheries
15 Funding Priorities. We are ahead of schedule
16 quite a bit. We made some significant changes
17 to the agenda, albeit, it's after lunch break.

18 Yes, we'll go ahead and we'll take a
19 break. Let's come back at what, at 11 o'clock
20 and we'll try, we'll come back at 11 o'clock
21 and we will conclude with the agenda as it is
22 listed, the CCC subcommittee updates with the

1 climate work group. Thank you.

2 (Whereupon, the above-entitled matter
3 went off the record at 10:42 a.m. and resumed
4 at 11:04 a.m.)

5 MR. ANSON: Okay. We'll start the
6 meeting back again, and we'll move into the CCC
7 subcommittee updates that -- the first one will
8 be the Climate Workgroup. And that discussion
9 is going to be led by Ryan Rindone from the
10 Gulf Council. I think Ryan's online. Ryan,
11 are you there?

12 MR. RINDONE: Yes. Can you hear me?

13 MR. ANSON: We can. If you can come
14 a little closer, or go a little closer to the
15 microphone.

16 MR. RINDONE: I'm wearing it around
17 my head, so I'll just speak louder. Is that
18 better?

19 MR. ANSON: That'll work. Thank
20 you.

21 MR. RINDONE: All right. Good
22 morning, everyone. As Mr. Anson said, I'm Ryan

1 Rindone. I'm the lead fishery biologist for
2 the Gulf Council. So the Climate Change
3 Workgroup has put this handout together for you
4 to solicit feedback on draft questions for
5 review and input across all the scientific and
6 statistical committees and the councils.

7 Back in May, the CCC created this
8 workgroup to develop a common understanding and
9 voice among the councils on current capacity,
10 future needs, and fishery management designs
11 that can respond to climate change while
12 assisting in the regional council -- while
13 assisting the regional councils and
14 coordinating with NOAA on a response to the
15 Ocean Climate Action Plan. And specifically,
16 for our climate ready fisheries.

17 And so some of the points from that
18 Ocean Climate Action Plan include things like
19 counting for fish stocks shifting into cooler
20 waters, response to extreme events like marine
21 heatwaves. And the administration's plan to
22 try to provide marine resource decision makers

1 and other ocean users with the information that
2 they need to assess risks and take action to
3 adapt to changing ocean conditions.

4 The administration recognized that
5 investment in science seems to go hand-in-hand
6 with updated management of fisheries for
7 everything to truly be effective.

8 So the Climate Change Workgroup has
9 met twice since May to begin addressing the
10 CCC's requests. The first step was to provide
11 an overview and common understanding of climate
12 capacity and needs across all the councils.

13 And so here we ask for your feedback
14 on the survey questions that are listed in the
15 handout to better prepare for directly querying
16 the councils.

17 There's three main categories to
18 these questions. And the first one is the
19 effect on or response to climate change in the
20 fishery management process.

21 The second one, if you scroll down a
22 little bit, is information needs, simply

1 science information needs to support adaptation
2 to climate change. And then the third one is
3 an institutional or council capacity and needs.

4 And so as the -- after the counsels
5 and SSC's are queried, our next steps are going
6 to be to provide an opportunity for information
7 exchange and collaboration across regions, like
8 which techniques work and don't work, and how
9 other region -- how other councils can learn
10 from each other.

11 And then to assist the CCC in
12 communicating with NMFS on development of
13 goals, guidance, and operational approaches to
14 enable the councils to incorporate some of
15 these climate-ready approaches into their
16 decision-making.

17 And then lastly, to work with the
18 legislative working group to build out a
19 working paper, an existing policy statement on
20 climate change to help address the councils'
21 needs for investing and data collection, and
22 other climate ready tools.

1 So Mr. Anson, we're just -- we're
2 looking for feedback. Any feedback that we can
3 get from the CCC at this stage, specific to the
4 questions we are proposing, and our general
5 approach.

6 MR. ANSON: All right. So the
7 workgroup committee is asking for feedback.
8 Any comments to what they've proposed? Any
9 problems -- Bill.

10 MR. TWEIT: Thanks, Mr. Chair. And
11 thanks to the workgroup for pulling this
12 together. This -- the work that they've done
13 so far seems really consistent with, at least
14 how I interpreted the CCC's instructions to
15 them.

16 And I think getting this
17 information, pulling this information together
18 across council will really help inform the
19 councils. I'm thinking a little bit about the
20 timeframe that we laid out.

21 When we laid that timeframe out,
22 that was sort of pre-understanding both the

1 resources but also the timelines associated
2 with the IRA funding. And it seems to me, at
3 least for North Pacific Council, probably our
4 most important thing we can be doing right now
5 is making sure that we're lining up correctly
6 for the -- for smart use of the IRA funding to
7 really address the -- use the tools that we've
8 been thinking of using to address climate
9 change.

10 And take advantage of, you know, we
11 had big plans, we weren't sure that we had the
12 resources. Now it looks like we could have the
13 resources. And so that -- that's job one for
14 us.

15 And I think that'll, as we work our
16 way through that, that'll probably help us
17 contribute to the task, ultimately, of the
18 Climate Change Workgroup.

19 So I'm wondering if we should, just
20 as the CCC, think about maybe relaxing a little
21 bit on the timeframe that we suggested for the
22 workgroup to allow the councils to at least get

1 -- I'm going to screw up the terminology here,
2 but the first proposal into NMFS.

3 And then maybe the climate change
4 group could be of some assistance, but ask the
5 ED's to essentially determine whether the
6 Climate Change Workgroup could be of some
7 assistance to the councils as they pull
8 together their second stage proposals.

9 And so maybe just suggest that we
10 back off on pulling the summary together until
11 we're further along, and leave it to the
12 discretion of the ED's to maybe suggest some
13 ultimately what some new timelines might be for
14 the original tasks, as well as see if there's
15 anything in the councils' work, in the
16 individual councils' work, to put together,
17 particularly the second stage proposals.

18 If there's anything the Climate
19 Change Workgroup could do, I would again
20 propose that we just leave it to the discretion
21 of the ED's to task the Climate Change
22 Workgroup if that would be useful, just in

1 order to help the councils with that second
2 stage, if they think it's necessary.

3 If they don't, fine. Keep the
4 Climate Change Workgroup on task but change the
5 timeline to reflect this sort of immediate need
6 for the councils.

7 I hope that's clear but at least
8 that's what makes some sense to me as I think
9 about our member, the Climate Change Workgroup,
10 and what she's going to need to be -- going to
11 really contributing to over the next few
12 months.

13 MR. ANSON: Carrie.

14 DR. SIMMONS: Yes. Thank you, Mr.
15 Chair. Yes, thank you for the presentation,
16 Ryan. I really like, you know, your thoughts
17 on that, Mr. Tweit. I think that when we voted
18 on this, I believe in May, we didn't really
19 have that much information at all, really, on
20 the IRA climate resilience funding and what
21 that looked like, and what that process was
22 going to entail.

1 So it would have been great if we
2 could have moved forward with this prior to all
3 that effort to really try to hone in on those
4 priorities and then provide them, you know,
5 provide that feedback to the agency.

6 But at this point, I would agree it
7 would be nice to take a step back on this
8 effort and maybe we could get a revised
9 proposal in May or some other appropriate time.

10 I did have a very kind of specific
11 weedy question that I don't know if the group
12 would want to pull out of the proposal. And
13 this goes back to the other, I guess, pots of
14 money for the IRA effort and the data
15 acquisition and technologies piece of it.

16 There's a section B, Morgan or
17 Shawn, if you could please go to that section.
18 It's about information needs, science to
19 support adaptation. And so -- yes. Yes. I
20 think it's page 2.

21 Yes, so I don't -- would it be
22 helpful to pull that out and maybe still move

1 forward with that survey in some capacity at
2 the various regions to inform regional spend
3 plans and data needs? Or is that too high
4 level?

5 So very specific weedy question.

6 MR. ANSON: Yes.

7 DR. SIMMONS: I think to Dr. Werner,
8 probably.

9 DR. WERNER: All right. Thank you.
10 I was thinking about an answer, and I didn't
11 realize it was directed at me. My apologies.

12 In terms of the forecast and
13 planning period, is that what you're asking
14 about? You know, the scenario planning. Is
15 that the question?

16 DR. SIMMONS: Well, I mean just in
17 general if this group were to move forward with
18 the survey and, you know, as proposed here
19 exactly or some form or fashion for the
20 regional councils, could that information be
21 useful to you all as you develop the regional
22 spend plans for the IRA climate-ready

1 fisheries? Specifically for the data
2 acquisition needs.

3 DR. WERNER: There's, let's see, I'm
4 -- I was thinking in particular about the -- so
5 the answer is yes. But in terms of the
6 forecasting, which is what I was thinking
7 about, you know, we're thinking on a two to
8 five year horizon if you will, in terms of what
9 we're thinking, in terms of the -- what kind of
10 products we would be looking at and what kind
11 of, as I said, time horizons we would be
12 anticipating.

13 The data collection, of course, is a
14 bit shorter term. It's within that two year
15 time period. But I think, you know, having
16 thinking through the conversation this morning,
17 having that -- having all of these discussions
18 happen jointly between sort of the science side
19 and what the councils are thinking, would
20 certainly help us refine our needs. Yes.

21 DR. SIMMONS: All right. Thank you.

22 MR. ANSON: Cate, did you have your

1 hand up?

2 DR. O'KEEFE: Yes. Thank you. I
3 appreciate those comments. I think is some
4 ways this -- the questions that have been
5 compiled are very useful at this stage as maybe
6 an introduction to the proposals we write for
7 the IRA funding, but more on an individual
8 council basis because the answers will be
9 different across the different councils.

10 And to Carrie's point, related to
11 how we approach the IRA funding and what our --
12 what information our council might need.
13 Should we be coordinating with the regions in
14 terms of identifying their level of resources
15 and support towards our planning for IRA
16 proposals. And then they review those submitted
17 proposals on a technical basis.

18 MR. ANSON: Kelly.

19 MS. DENIT: Thank you, Chair. So
20 yes, Cate, that would be great and as part of
21 the project proposal process for the councils
22 to be engaging with the regional offices as

1 part of the formulation for your respective IRA
2 project proposals.

3 Because we will be looking at what
4 are our resources to be able to execute, you
5 know, our parts of what it is that you
6 articulate you want to achieve within the
7 council process.

8 And if I could add onto Cisco's
9 response to Carrie, I think that would be great
10 to pull out that part B, and I honestly also
11 under task 1A, number three, some of the last
12 questions there under C, D, E, and F, I think
13 would also be very beneficial for the agency to
14 get some feedback from you all on.

15 And I would make just a slight twist
16 on them, which is not just what have you done
17 historically, but what are you anticipating you
18 need, what are the kinds of decisions or
19 products that you think would be helpful for
20 your decision making.

21 So it's not just what's been
22 available to you in the past, but what might

1 you anticipate you would need. I think that
2 that would be very informative and timely. We
3 are in the process of trying to articulate for
4 ourselves across all of our program areas.

5 So sustainable fisheries, Magnuson,
6 our protected resources, aquaculture and
7 habitat, what are the key information products
8 that we need, CEFI, the Climate Ecosystems
9 Fisheries Initiative, to produce for us.

10 And so I think this would really
11 dovetail very nicely to the planning that Cisco
12 has already described. I don't know that the -
13 - whether the CCC is interested in, you know,
14 essentially might end up conducting two
15 different surveys.

16 But to the extent that you might
17 want to move forward with some of these
18 questions in a shorter term, I think that would
19 be great and those would be the ones that I
20 would highlight to help us as we're finalizing
21 those spend plans with respect to CEFI and data
22 acquisition. Thank you.

1 DR. O'KEEFE: Thank you. That was
2 very helpful. So based on that, I sort of
3 support Carrie and Bill's comments that maybe
4 putting a pause on the workgroup right now is a
5 CCC effort.

6 I think I would like to take these
7 questions back to our region, our council, and
8 go through kind of on an individual basis
9 before moving forward on next steps for what
10 the workgroup would do.

11 I think I need to kind of chew on
12 exactly where we were going to go on a more
13 national level once we understand the answers
14 to these questions in our own region and how we
15 would apply them towards IRA funding and future
16 planning towards all of the data and
17 information that Kellie just laid out. Thanks.

18 MR. ANSON: Any other discussion or
19 comments? Chris.

20 MR. MOORE: Thank you, Mr. Chair. I
21 would echo Kate's comments. Certainly putting
22 the workgroup on the shelf for a little while I

1 think is probably appropriate, as I understand
2 your proposal, Bill, and tell me if I'm, if I'm
3 not getting it.

4 But certainly given what we're going
5 to be dealing with over the next couple months
6 as it relates to IRA funding, the person that I
7 have on this particular workgroup is going to
8 be doing that or helping me with that.

9 So they're not going to have time to
10 be involved in a survey effort. What I'm
11 interested in is when do we revisit this?
12 Specifically, do we wait until May to think
13 about what this workgroup is going to do? Or
14 is it something that we're going to be talking
15 about prior to that May meeting, would be one
16 question.

17 The other thing is that I think that
18 we should consider the other possibilities for
19 this workgroup. So one possibility might be if
20 we get a favorable response to the motion I
21 made earlier, to have that group get involved
22 with that particular project. The procedural

1 directive related to, you know, 304F.

2 That may be a bust, but I think
3 those questions, those taskings would have to
4 wait, obviously, until we get more information
5 and feedback from NMFS.

6 But again, I would support waiting
7 and not moving forward at this time. The
8 question is, when do we reconsider it.

9 MR. ANSON: Bill.

10 MR. TWEIT: Thanks. The headline
11 can read, yes, Chris Moore gets it. No. If I
12 could ever appear in one of those headlines,
13 we'd really be -- I -- because we're not slated
14 to meet again until May, I really think we're
15 just going to have to rely on our ED's, and
16 their monthly call to suggest if they see a
17 great opportunity sooner.

18 But then otherwise, let's ask the
19 ED's and others to help us be prepared for
20 putting out a new timeline, cognizant now of
21 the additional IRA resources, as at least we're
22 hoping they'll play out.

1 And what that'll be able to do, and
2 maybe also reshaping a little bit of what their
3 tasking is, given all that too. So I'm hopeful
4 that the ED's can keep an eye on that in
5 between.

6 I don't know of another way to take
7 advantage of the kinds of opportunities that
8 you're talking about. And there may be a
9 couple of these opportunities. I just don't
10 know of a way for us at the CCC to take
11 advantage of those other than requesting that
12 the ED's in their monthly call think about it.

13 And so I'm proposing that we sort of
14 actually, explicitly delegate that kind of
15 discussion about taking advantage of
16 opportunities for the workgroup to the ED's in
17 their monthly call.

18 MR. ANSON: Thanks.

19 MR. ANSON: So I'm just wondering
20 does this require a motion? Do you all just
21 feel comfortable going around the table and
22 agreeing, nodding the heads. And so what -- I

1 just want to get clarification for myself and
2 there was a couple of things addressed.

3 There was the timeliness of it, and
4 whether or not there should be discussion, and
5 the survey should be postponed, and then there
6 was also the specific comment relative to
7 removing the questions from section B, I guess.

8 And so are those both moving
9 forward, or is it just some part of that that's
10 moving forward? I mean, I guess that's what I
11 need clarification on since we're just nodding
12 the heads.

13 Is it all of the above, what I just
14 said, yes. Okay. All right. I see more
15 nodding of heads, so all right. Very good.
16 Any other discussion for this topic?

17 All right. So that will conclude
18 Ryan, thank you for the presentation. That
19 will conclude that agenda item. And so again,
20 we're still very early, or very much ahead in
21 our agenda.

22 So it is nearly 11:30, and since we

1 do have quite a few folks, although it's just
2 the one agenda item, but quite a few folks that
3 are teed up to go potentially after the ESA
4 discussion, which will start at 1:30.

5 Let's just go ahead and take an
6 extended lunch break. And we'll reconvene here
7 at 1:30. Thank you.

8 (Whereupon, the above-entitled
9 matter went off the record at 11:24 a.m. and
10 resumed at 1:31 p.m.)

11 MR. ANSON: Okay. So hope everyone
12 had a great lunch. We're going to start off
13 the afternoon session with the ESA integration
14 policy update, and CCC ESA MSA workgroup
15 discussion. That's going to take the place of
16 the 1:30 to 3:00, essentially, time slot.

17 Immediately after that, it was
18 requested that the process for establishing
19 fishing regulations in sanctuaries, that topic,
20 because of some unexpected phone calls that
21 need to be tended to that those folks start
22 their presentation right after the ESA

1 discussion.

2 So we'll then just kind of push the
3 workgroup, the subcommittee updates after that
4 sanctuaries discussion. So we'll go ahead and
5 start with the integration policy update. Sam.

6 MR. RAUCH: Thank you, Mr. Chair. I
7 am going to give an overview of where we are in
8 the process, and just for those of you who are
9 new, we have an existing policy on integrating
10 the ESA consultation section seven process with
11 the Magnuson process.

12 It's been around for some time.
13 This -- the CCC was integral in providing input
14 into that process when we first adopted it. We
15 also had MAFAC, our Marine -- Fifth Marine
16 Advisory Committee, our FACA committee, provide
17 inputs into that as well.

18 We've been implementing that for a
19 number of years and about two years ago or so,
20 the councils looked over that implementation,
21 had a number of suggestions for how it could be
22 improved.

1 And we have been working through
2 that process, and we've provided periodic
3 updates. One of the things that we told you
4 that we were doing at the last few CCC meetings
5 is we have had our headquarters office work
6 with the various regional NMFS' offices and the
7 councils, to work through how is this working
8 in practice in the various regions.

9 Because we've got the input from the
10 councils, and we wanted to do that. And we
11 also, we used that both to get input from the
12 group, but also to share some best practices
13 for those areas where it was working well in
14 one council, maybe we can share with others.

15 And I will provide a report we have.
16 The last CCC meeting, we were in the middle of
17 those. We've now concluded those. I will do a
18 report. The CCC also gave us a series of line
19 edits to our existing policy, which we've been
20 thinking about in the context of those regional
21 meetings.

22 We didn't want to -- I've given you

1 some preliminary thoughts on that, and those
2 preliminary thoughts largely haven't changed.
3 But we'll go through that in detail with the
4 advantage of having worked through that
5 regional process.

6 We will talk about how we responded
7 to those, and then the next steps. We do not
8 have a draft policy to share today. But we're
9 trying to take our time and be iterative. But
10 I am going to tell you some of the things that
11 I think that we're going to do in that draft
12 policy.

13 And before I go any further into
14 that, I do want to introduce somebody. You may
15 recall, when we started this, we had Cathy
16 Tortorici come talk with you all.

17 She was the head of our endangered
18 species interagency cooperative division. She
19 has since retired and Tanya Dobrzynski, who's
20 behind me, Tanya, has just started there this
21 summer over that division. And she is --
22 that's a long time, she is basically -- she's a

1 section seven guru in D.C.

2 So she is the one that is in charge
3 of deep thoughts and trying to work with
4 everybody to make sure that section seven works
5 well together. She's taken over Cathy's role
6 in that, so this is one of her priorities.

7 And so she's here today. She may, I
8 may call her up here, but if not, take an
9 opportunity after the fact and go introduce
10 yourself to her because she's a key part in
11 finalizing this product.

12 All right. With that, some
13 takeaways from the regional meetings, as I
14 said, we -- our first task, we know that the
15 CCC, the councils sort of did their own review
16 of what was working well and what was working
17 not.

18 And we wanted to try to bring
19 together the councils and the regional offices,
20 and our headquarters folks, just so we can get
21 a good clear picture, and to try to share these
22 lessons learned.

1 These are some of the takeaways that
2 we gathered from that process. One, which is
3 what the council said, that early coordination
4 is very important. It is happening in all
5 regions, but the level varies.

6 And there is greater interest across
7 the work from the councils for greater
8 involvement in that. And so we're going to
9 talk about how that can be accomplished, and
10 what are the limitations of that.

11 There is still a workload issue in
12 every region. Early coordination is great, but
13 that means people taking time out of their busy
14 day already and going to meetings, and these
15 kinds of things.

16 And we want to be proactive. So you
17 have to balance the commitment to early
18 coordination of workload with the, you know,
19 that's the cost of being involved early in the
20 process.

21 How we can do that, how we can
22 communicate, it is working well in some

1 regions, and some regions, it can be improved.
2 We do want to send updates to the policy
3 director, that's the PD, about clear
4 expectations.

5 The PD does send out a strong
6 statement that NOAA intends to engage with the
7 councils. We believe the councils are a
8 partner in this consultation process, and there
9 are -- we would like to involve them as we can,
10 you know.

11 There are limits to that in the
12 current PD, and we'll talk about some of that,
13 but that is our clear statement. To the extent
14 that we can and you can, we would like to
15 involve the councils and work through these
16 issues together.

17 Some regions have used liaisons, and
18 that's fostered improved communication and work
19 products, developing the BA's, looking at
20 threat of one's mitigation measures well before
21 you get to the consultation process.

22 I did define fishery impacts. In

1 general, the councils often proactively want to
2 do things to try to head off any protected
3 species issues before they become an issue.
4 And that is a good partnership we can have.
5 And those areas lead to the most success.

6 Developing integration agreements,
7 not every council has those. But where we do
8 that, it has improved coordination, set
9 expectations for how NMFS and the councils
10 engage.

11 And then clarify the processes,
12 which we'll talk about in a minute with the
13 PD's. That there is -- we believe that there
14 is some advantage that can be undertaken with
15 that.

16 So let me get to some of the
17 specifics here. So this is just the overview,
18 the edits, I'm telling you what you basically
19 already know because these are things that you
20 told us.

21 Encourage more early coordination
22 and communication. Get more council

1 involvement, and pre-consultation assistance.
2 The -- one of the issues that has been a
3 particular sticking block is if a biological
4 opinion, or consultation results in a need for
5 council action.

6 And that creates tension if it is
7 unplanned for and is not good communication.
8 If we are asking you to do something, how do we
9 make sure that you are involved in that
10 process. So we'll talk about that more in a
11 minute.

12 There are schedule issues.
13 Sometimes we have the luxury of looking at
14 section seven well in advance of when it would
15 actually be required, and preparing for a
16 consultation and doing these kinds of things in
17 time to match council's schedules, which are
18 not as flexible as may be needed to be.

19 Sometimes we can't do that.
20 Sometimes we have to, we are told to consult on
21 a set schedule, and we cannot involve the
22 councils in that process. So where we can, we

1 like to reach agreement, recognizing that we
2 should not just be dictating to you that you
3 have to do things on this date, but it's a
4 partnership, and we need to discuss what's
5 available.

6 The other side of that is if we
7 can't reach agreement, we may have to do the
8 consultation anyway. You had wanted a dispute
9 resolution process. That is really difficult
10 for us, given that the decision making
11 dynamics.

12 We talked about that before, we're
13 going to talk about that a little bit again.
14 And then sharing drafts. And there are things
15 that we can do and things that we can't do, and
16 we'll talk to a little bit of that, about where
17 we think -- what we think we can do with that.

18 All right. So a little bit more
19 details of what you proposed to us. One is
20 just work in close coordination throughout the
21 process to address the impacts, rather than
22 relying on sort of after the facts RPM and

1 RPA's resulting from the consultation.

2 So this gets back to many councils,
3 maybe all councils, you know, have a very
4 proactive view that they try to -- and I'm not
5 telling you guys anything you don't know, but
6 try to look at protected resources issues ahead
7 of time.

8 Try to craft the regulations to
9 avoid these impacts to begin with and try to be
10 very proactive. It's, to some extent, it is
11 really disruptive when despite all the best
12 efforts to try to preplan and to put in
13 regulations, we find out more needs to be done
14 late in the game, after the consultations.

15 So we then are relying on RPM's and
16 RPA's, and so we want to try to work with you
17 on those actions ahead of time, that might
18 avoid the need for pay more prescriptive RPM or
19 RPA process at the end game, where we are
20 telling the councils what needs to happen, as
21 opposed to working with the councils on a
22 proactive, constructive set of measures ahead

1 of time.

2 And so we will talk about that, but
3 I think we'll talk a little bit more in a few
4 slides when we get to the RPM's, RPA's, about
5 what we mean by that.

6 So let me move on there. Because
7 there is some details about the ways I want to
8 think about these things, and I've talked to
9 you before, and we just want to be clear on
10 that.

11 The underlying stuff, and this is
12 the council's proposal, so it's a little bit
13 awkward when the entire slide is underlined.
14 But this is the terms and conditions that when
15 we, when we are -- when we do a biological
16 opinion as a term and condition, if that term
17 and condition from the incidental take
18 statement.

19 So the terms and conditions only a
20 part of incidental take statement. If it
21 requires the council to act, the council would
22 like to be involved in developing that term and

1 condition and make sure it's reasonable and it
2 is within their timeframe.

3 Our answer to that, as we'll talk
4 about in just a minute, is there never should
5 be a term and condition that requires the
6 council to act. That we might have a reason
7 for an alternative.

8 And for those of you who are not
9 steeped in the ESA, we're going to get to what
10 the difference is in a minute. But a term and
11 condition is a lesser standard, and we should
12 not be requiring council actions through terms
13 and conditions.

14 So that will solve that one problem,
15 but we still need to address what happens when
16 we're doing a reasonable alternative. But so
17 this is, this is an issue that we need to talk
18 through and we're going to talk through that in
19 just, I think next slide. Oh, no. One more.

20 So let me just get to the point
21 here. So when we consult with -- on a council
22 action, there's two kinds of consultations we

1 do. The first one is you all propose a measure
2 which has never been through section seven
3 before. It's a brand new measure. We all
4 understand that for a brand new measure, we're
5 going to do a section seven consultation.

6 And if as the result of that
7 consultation, we think the measure needs to be
8 changed, we're working through the council
9 because there's nothing in place. Right. This
10 is still something to be done and the section
11 seven process does really well in that
12 situation, and there's time to work through the
13 council with that.

14 Because the answer then is going
15 back to the council and saying your action
16 needs to be modified. We wait for the council
17 to modify it. There's not a time constraint in
18 that kind of work.

19 And my impression is that works
20 reasonably well in practice. The more
21 difficult one is where there's an ongoing
22 action. So the council has, you know, the

1 council management program's been in place for
2 decades. We get some new information, or we
3 have -- or the fishery has exceeded its take
4 limit on certain species.

5 And we have to initiate consultation
6 to update the biological opinion. If we do
7 that and find no jeopardy to the status quo,
8 there's no need for the council to act. That
9 works out fairly well.

10 If we do that and find that the
11 status quo measures need to be changed, that's
12 where we have the -- we have two choices at
13 that point. One is we can just do them as a
14 secretarial action under our authority under
15 the Magnuson Act, or the Endangered Species
16 Act.

17 But what we prefer to do is go back
18 to the council, work with the council on how
19 that can be changed. We may or may not have
20 the time to do that.

21 So that's -- that second scenario
22 where it's an ongoing action, where we think

1 that the status quo needs to be changed, is a
2 scenario where we might have the status quo is
3 causing jeopardy, and so we have to have a
4 reasonable and prudent alternative.

5 Those can be significant changes to
6 the action. That's where we should be coming
7 back to the Council. It could in theory be
8 something less. And in the past, we have done
9 something less for an incidental take
10 statement, which is something less.

11 An incidental take, when we get to
12 that slide right here, incidental take
13 statements, we give out to authorize the take
14 for a non-jeopardizing actions. So the
15 authorization of fisheries, every fishery that
16 we operate in the country is currently status
17 quo, non-jeopardy. Right.

18 We wouldn't allow it to happen.
19 Every federal fishery. But that doesn't mean
20 that you don't occasionally take an endangered
21 species in that process. And so we -- that's
22 not illegal because we issue ourselves an

1 incidental take statement that says in the
2 course of this non-jeopardizing fishery, you
3 can take a certain number of species.

4 It doesn't jeopardize the whole
5 status of the species. When we do that, we
6 issue reasonable and prudent measures, and the
7 reasonable and prudent measures can't alter the
8 basic design, location, scope, duration, and
9 timing of the action.

10 Occasionally in the past, we have
11 included as a reasonable and prudent measure, a
12 statement that the council has to do something
13 different. The council has to undertake this -
14 - change the management.

15 Well, that's really not a reasonable
16 and prudent measure. Maybe it's requiring some
17 things as substantive as requiring the council
18 to go back and act. It shouldn't -- that's
19 more than a minor change. And so we're going
20 to take these out. We're going to say, we're
21 going to stop doing that as reasonable and
22 prudent measures.

1 So that scenario where for minor
2 changes, we are requiring the councils to act,
3 we are going to -- and this is going to be part
4 of our policy is that anything that would
5 require the councils to act will not -- will be
6 more than a minor change.

7 So I think that that will eliminate
8 that situation. Now, that does not mean though
9 that we couldn't decide that the fishery
10 overhaul is having such a significant
11 unanticipated impact that it may be causing
12 jeopardy as is, and we do need to change the
13 management.

14 And in so, if we have time, we are
15 going to be approaching the councils about that
16 change. But that would be through a reasonable
17 and prudent alternative, which is a more
18 substantial change than through this minor
19 change, reasonable and prudent measures.

20 So if you have questions about the
21 details, I realize it's a little bit confusing
22 if you're steeped into this, but this

1 particular one was the source of some
2 contention with some of the councils, where we
3 were under the guise of a minor change, asking
4 the councils to undertake a major plan
5 amendment.

6 So we're not going to do that
7 anymore. We still need to talk, though, about
8 how we go about dealing with the situation
9 where in the status quo -- we'll get to the
10 graphs in a minute, in the status quo, when we
11 do a consultation with you on the status quo
12 fishery management measures, there will be
13 occasions where we will look at that and
14 conclude they need to change to avoid jeopardy
15 to the species.

16 If that happens, then we all
17 collectively have a few choices. The councils
18 can undertake a F&P amendment on their own to
19 change those management plans.

20 And then there's a back-and-forth
21 between -- with us about how you might do that
22 to get to no jeopardy. Right. So that -- we

1 would do that.

2 Or we could finalize that biological
3 opinion and say here is our reasonable and
4 prudent alternative. And we will tell you how
5 -- what we require to get to no jeopardy.

6 Either one of those requires some
7 sort of discussion with you all, if we are
8 requiring you all to undertake some actions and
9 changes to the fishery management plan. And so
10 that is an issue we're still -- that is going
11 to be an inevitable source of engagement where
12 we will be asking you to change the F&P, you
13 will be responding to us about having --
14 whether to do that or not.

15 We need to be mindful on both ends
16 that there is -- when we ask you to do that,
17 that's a time commitment and a process
18 commitment on your end that you can't guarantee
19 the end result, because it's a transparent,
20 public process.

21 And it's going to take time. On our
22 end, given what we believe is the status of the

1 stock and the impact to the fisheries, we might
2 not have that time. So we might be taking
3 secretarial action in the short term to fill in
4 the gaps or do to things pending some later
5 actions by the councils.

6 Because the ESA is such that we
7 don't necessarily have the time to defer to the
8 councils. So what you'll see in here is a lot
9 of statements about how we would like to
10 incorporate the councils in those processes,
11 and include them, but we might not be able to
12 if the timing doesn't work correctly.

13 Okay. We can talk about that more
14 in a minute. But that is -- that's what we
15 want to sort of spell out in the policy
16 directive. In response to some of your
17 comments and our review of that.

18 A slightly different issue is
19 drafts. So you ask us to share drafts of the
20 opinions with -- first it was with the council
21 as a whole, and then it was with a subset of
22 council staff.

1 And let me just be clear. We have
2 never indicated that there was problems sharing
3 the opinion, a draft of the opinion, but the
4 draft -- the full draft opinion, which is the
5 full analytical document, if we do that, we
6 feel that we need to go through our internal
7 clearance, and we can't share it with you in
8 confidence, that document is available to the
9 broader public.

10 Happy to share it with you at that
11 time. Happy to work on ways that we can take
12 public comment on that document and council
13 comment on that document, but that's what that
14 is.

15 There is, though, a way to look at
16 things like the description of the proposed
17 action. The councils have a great deal of
18 expertise on what the proposed action is, and
19 there is a lot to be said for sharing that
20 portion of the opinion, which is not the
21 opinion, but is just our understanding of the
22 proposed action, working with council staff, as

1 part of the deliberative process, which is
2 something that we do now to make sure that we
3 get that correct.

4 Similarly, if we are talking about
5 an RPA which involves council action, there is
6 a lot to be said for working with the council
7 staff and we're, you know, when can the
8 councils respond to this. What is the
9 timeline.

10 We are asking for an F&P amendment.
11 Is that one year, is that two years, is it
12 three years? You know, what needs to happen in
13 order to do that.

14 There's a dialogue between us and
15 the council staff that does happen now and can
16 happen in the context of looking at the RPA and
17 is it reasonable, and from the council's
18 perspective, at a minimum that reasonable would
19 be, you know, can the council actually do what
20 we are asking the council to do.

21 It's not a given that the council
22 can do that. So those kind of things we can

1 do. But if we're talking about sharing the
2 whole opinion, that is something that we are
3 not prepared to do without it having gone
4 through the release and treating it like a
5 public document.

6 So we're trying to sort of meet you
7 at partway between what you are, but we can
8 always share -- let me just sort of summarize.
9 We can always share the draft. That draft is
10 available to the public if we share it with
11 you.

12 We can share parts of the opinion
13 with your staff in a nonpublic manner, as we
14 would with an applicant, to clarify or actually
15 to clarify is this really the proposed action.
16 Did we say it right. Or look at things like
17 the RPA. Did we -- is it reasonable to ask for
18 this kind of thing because it -- because you
19 can do it.

20 Or is that unreasonable because it's
21 completely impossible. We'd ask you to do an
22 F&P amendment in a month, you'd probably tell

1 us that that's impossible. Right. So that's
2 the kind of thing that we can do there.

3 All right. Another thing that you
4 asked us to look at is the role of NMFS offices
5 and one of the things that we've talked about
6 through this process is that within the fishery
7 service, we have our -- there's various ways to
8 formulate the -- our sustainable fisheries
9 branch, and in our mind, that is the action
10 agency for the purposes of ESA consultation.

11 They're the ones that propose the
12 action to us. And then you got the protected
13 species offices, and they're the consulting
14 agency. And so really what happens in a
15 consultation is our SF offices are consulting
16 with our protected resources offices on that.

17 So they need to coordinate with you
18 on how all that happens. And the revision here
19 is talking about a coordinated timeframe. But
20 I just wanted to be clear, because in the role
21 of NMFS' offices, we do have those two
22 functions that we do.

1 When you are talking with SF it is
2 like they're the project proponent. They are
3 the ones that are taking what you want to do
4 and giving it to the PR side. The PR side is
5 the consulting agency.

6 So we look at that. You asked for a
7 coordinated timeframe, and we are very
8 interested in that in the normal course of
9 things. The one thing that we cannot do,
10 though, is -- well, let me rephrase it this
11 way.

12 At the outset, I said that an ideal
13 world, we would be doing a lot of things to
14 prepare for a consultation before a
15 consultation is required. We would do things
16 like collect scientific information.

17 We would talk with the council about
18 what is viable. The council might have a
19 protected species amendment in the works before
20 consultation is required.

21 In that situation, we absolutely
22 should be talking with you about the timeframe

1 and about when it makes sense to add the
2 consultation, because the consultation is still
3 discretionary.

4 There could come a point in time
5 when consultation is no longer discretionary.
6 That happens when we say -- when we give the
7 fishing industry a cap on the number of species
8 that they can take.

9 So you can only take 50 turtles.
10 They take 51, then we have to reinitiate
11 consultation. So we've gone from discretionary
12 to mandatory at that time.

13 There are certain triggers for new
14 information, that the information has changed
15 so significantly that we have to reinitiate it.
16 It goes from discretionary to mandatory.

17 So while we want to work on
18 coordinated timeframes, if we are in that
19 situation where it is now a mandatory
20 consultation, the ESA statute sets up the
21 timeframe for those consultations and sometimes
22 we have court orders.

1 And we don't have the time to just
2 defer consultation for more data collection, or
3 for more council process, or for other things.
4 So in those situations, we are not going to be
5 working with you -- we won't be able to grant
6 every, potentially every timeframe
7 consideration you wanted to undertake.

8 And it may be that we are under such
9 constraints that the council cannot act, and we
10 have to consult anyway. That is not our
11 desire, but we have to reflect that the statute
12 still sets out the endangered species
13 consultation process and we can't set it aside
14 for the Magnuson process.

15 We can try to integrate them. But
16 ultimately for section seven, we're going to
17 have to meet those section seven deadlines.

18 Yes. This is basically the same
19 thing. It's phrased a little bit more harshly
20 than I began, but the reason that we can't do
21 this is that we can't make this stuff
22 mandatory. We will involve the council as we

1 can. But there are times when we won't be able
2 to.

3 So we can't do this in every
4 instance. All right. So okay. So that was a
5 lot of detail. Happy to discuss that in more
6 depth as we need to. But going forward, we are
7 going to be taking all this input and whatever
8 we get from the council discussion today, and
9 we are going to be amending the policy
10 directive to include -- the RPM is not going to
11 -- it is not a viable RPM and requires council
12 action.

13 We are going to be clarifying some
14 of the things we've talked about here in that.
15 We are going to have recommendations in general
16 for ongoing council engagement ahead of time.

17 We're going to start thinking about
18 -- the PD right now is written in that first
19 scenario, which is the easy one, in it
20 envisions -- there is a new council action that
21 we've never consulted on, and here's how this
22 is going to operate in that scenario.

1 It doesn't really address the idea
2 of consultation for an ongoing action, where
3 we're going back and looking at the status quo,
4 or the status quo needs to be changed. So we
5 want to clear the PD in those two things, and
6 clearly articulate in that second scenario how
7 all of this works.

8 And it can work most of the time,
9 but there will be times when it won't be able
10 to work, and then we're going to talk about
11 training both for us and you all, that we can
12 operate under.

13 And where am I, did I skip one.
14 Hold on. All right. So we're going to have a
15 glossary, we're going to talk about the
16 importance, as I said at the very beginning, a
17 pre-consultation and working ahead of time to -
18 - just to avoid situations where we might have
19 JAM, that's jeopardy adverse modification.

20 So avoid jeopardy, things well
21 before the consultation starts. We're going to
22 clarify what we can and can't share and under

1 what conditions we can share. We're going to
2 clarify, like I said, we're going to -- those
3 two things are basically the same. The last
4 two bullets are basically the same.

5 So we are working on those
6 revisions. The ESA working group, we intend to
7 meet with you guys directly. And that's a
8 subgroup of CCC. To talk through that and to
9 bring back, my hope is a robust draft policy in
10 the spring for you to look at the whole thing
11 together.

12 We will take comment from either the
13 CCC or the individual councils on that draft
14 policy before we finalize it. But my hope is
15 that we have one before the CCC meeting, so
16 that at the next CCC, rather than talking about
17 these as separate concepts, we can talk about
18 the whole thing.

19 The other thing I will add is an
20 overlay that -- that we've talked to you all
21 before but is not part of this presentation, is
22 we're in the process of revising the section

1 seven programmatic regulations that we share
2 with fish and wildlife service, that talk about
3 how section seven consultation is -- works in
4 general.

5 We showed a proposed rule of that
6 last spring. We are working on a final rule.
7 To the extent that that final rule changes
8 anything that we do, we're going to offer to
9 come talk with you about that. Or just in
10 general how that gets implemented.

11 So and then we're going to talk more
12 about development of integration and agreements
13 where they don't exist, and about key points of
14 contact because that's been very useful.

15 And that, sir, is my presentation.
16 I'm sure it was very clear to everybody. It
17 certainly was clear in my mind, but I don't
18 know that everybody -- so I'm happy to take
19 questions.

20 MR. ANSON: Well, I think we'll find
21 out here momentarily.

22 MR. RAUCH: I think I --

1 (Simultaneous speaking.)

2 MR. ANSON: So --

3 MR. RAUCH: -- know the answer to
4 that question.

5 MR. ANSON: Do we have any questions
6 for Sam and his presentation? Looks like it
7 was pretty clear then.

8 MR. RAUCH: All right.

9 MR. ANSON: So we have the second
10 part of this agenda item, the workgroup, the
11 ESA MSA workgroup. Kitty, are you prepared to
12 go into that?

13 MS. SIMONDS: Yes. Thank you, Sam,
14 for your presentation. I want to make a
15 comment that -- so every -- this is just coming
16 from this council. So everything that's
17 happened in the past will no longer happen
18 again.

19 What you just described is the way
20 life is going to be in the future.

21 MR. RAUCH: What I described is the
22 way that we would like life to be in the

1 future.

2 MS. SIMONDS: Well, you know, I
3 didn't want to bring up all the bad things, but
4 so some of it sounds great, and some of it --
5 well, let me just say this. Is that first of
6 all, two of the working group members are here,
7 Carrie and Merrick.

8 So they may have things to add. And
9 really, what I was going to go through, I
10 should go through it but the point is that we
11 got your, you know, your PowerPoint, I guess it
12 was Wednesday.

13 And the working group met on Friday,
14 and they, you know, they weren't able to go too
15 far in their discussions and really, our bottom
16 line is that we want headquarters and the
17 working group to meet as soon as possible to
18 talk about all these things that you just
19 described.

20 Because I don't think that we can
21 actually respond to all of this right now in
22 this meeting. We might have some comments, the

1 members might have some comments.

2 Because we still have these
3 differences on how we both have characterized
4 what the CCC group discussed, and so I was
5 thinking that really if we zip through our
6 slides, it really is reminding everybody that
7 this is what the CCC described.

8 This is what the CCC asked. And
9 we're not there yet. And we hear you, you
10 know, suggestions or recommendations. I know I
11 would have a difficult time discussing and
12 responding at this time. But others may.

13 So I can go through this because
14 what it is, it just documents our relationship
15 on the directive. So maybe I can do that very
16 quickly, Mr. Chair.

17 Okay. So let's see, next slide.
18 Okay. So this is our group that have been
19 working since '21, 2021. So all the councils
20 are represented. Next slide.

21 Then this -- oh, what is that.
22 Kitty is not used to all this. Okay. So

1 you'll recall that the October meeting last
2 year, we -- you all, I'm talking about our
3 committee, reviewed the redline version and
4 that's when the working group was developed.

5 So we recommended that NMFS review
6 the version and implement the changes drafted
7 by the working group as soon as possible. So
8 then NMFS said well, we can't be changing the
9 policy until region specific discussions are
10 completed and proceeded to coordinate the
11 regional meetings.

12 So that process has been completed.
13 And Sam just reported in his discussion about
14 that. So then the next slide, so the working
15 group, this is from the working group.

16 And there -- the overview of the
17 redline changes that you presented to him, they
18 believe is different from how the CCC
19 characterized it. So we thought we'd just
20 recap the characterization of the key changes.

21 So for the number one there, this
22 would be an extension of the recognition of the

1 council's unique role already included in the
2 policy directive. And addresses the issue that
3 prescriptive RPMs, RPAs, do not provide the
4 councils with the opportunity to develop
5 measures through the normal council process.

6 Then the next square, this addresses
7 the issue of lack of communication and
8 coordination from NMFS, which we've talked
9 about.

10 The next square says this addresses
11 the issue that councils have been told that
12 NMFS did not need to coordinate because there
13 were no RPA's in the buy up.

14 The existing policy directive
15 focuses on working with councils on RPAs and
16 jeopardy situations. So the next square, this
17 was included in there because in the event that
18 disagreements arise on the councils role and
19 involvement, and you talked about that in your
20 discussion.

21 So at the core of these redline
22 changes, was again the recognition that early

1 council involvement and coordination for
2 developing mitigation measures will ensure
3 development of practical and effective measures
4 through a transparent stakeholder base process.

5 That takes into account MSA national
6 standards. So and as you know, I mean, we
7 councils have been successful in developing
8 management measures because of the council
9 process that ensures the voice of those who
10 will be at the receiving end of those
11 management measures, be built into the decision
12 making process.

13 And so the intent of our redline
14 changes is to build upon those successes. Next
15 slide, please.

16 And so since the May CCC meeting,
17 the remaining four councils had their regional
18 meetings and highlights from each meeting are
19 compiled in the working groups' report that you
20 have.

21 The regional meetings continue to
22 highlight the importance of working through the

1 council process to address our issues. And
2 again, the importance of early coordination on
3 section seven.

4 As -- and we've discussed this, have
5 been at the root of the challenges councils
6 have experienced in recent consultations. And
7 so those issues were addressed in the
8 committee's proposed redline changes to the
9 directive. Next slide, please.

10 So overall, the working group did
11 not see any new significant issues identified
12 through the regional meetings and reiterates
13 the importance of addressing changes to the
14 policy directive.

15 The working group met last Friday to
16 review NMFS' presentation, which was made
17 available last Wednesday. And they feel that
18 without a companion document, it's difficult --
19 it was difficult for them to evaluate whether
20 your proposed changes were consistent with the
21 intent of the CCC's redline version.

22 And as you showed us earlier, you're

1 proposing to add new sections to the policy
2 directive, including guidance for coordinating
3 development of RPA's and terms and conditions.
4 But for them, again, no details were provided
5 on what we included. And no timeline.

6 So the next -- so for them, the lack
7 of timeline was disappointing because the CCC
8 has been discussing these priority issues since
9 May 2021. And it has been two and a half years
10 since we first recommended updating the policy
11 directive to improve the process.

12 Next, so the working group suggests
13 -- all right. That the CCC work with NMFS to
14 develop a clear timeline for next steps, as we
15 started this process, as I said, in 2021. And
16 the next square, the working group finds that a
17 discussion with NMFS headquarters staff is
18 warranted before further revisions are
19 developed.

20 So that the direction for the policy
21 directive changes are aligned with the intent
22 of the -- of our committee's redline version.

1 So then the working groups suggest that such
2 training should occur after changes to the
3 policy directive.

4 And that's my report from the
5 working group. So if, Carrie, if you or
6 Merrick have anything to add to that, you're
7 welcome to proceed.

8 MR. ANSON: Any other questions or
9 comments by CCC members about Kitty's report?
10 I don't see any more questions. Do you want to
11 respond?

12 MR. RAUCH: So I'll just say, as I
13 ended the presentation, my desire, my goal is
14 to have a draft of the policy directive for
15 review of this body and the individual councils
16 by the next CCC meeting.

17 That -- and we do -- we would like
18 to have our group work with the ESA working
19 group soon, you know, I think we can arrange
20 that. Tanya is here. You know, she is a key
21 work on that. And so she can talk with you
22 about scheduling that discussion.

1 I do recognize that it is difficult
2 to just react to PowerPoints, so I think we've
3 got a lot of good concepts in there. I want to
4 be clear, we are going to try to go as far as
5 we can.

6 We will not adopt everything that
7 the CCC redline wanted us to do. Some of it,
8 we do not think we can do. And we want to be
9 clear about what we can do -- I mean, our
10 intent is to do as much as we can.

11 But we should work that out and, you
12 know, we're trying to do this in collaboration.
13 So we do want to meet. Now that we've gone
14 through our internal process, it had those
15 reasons which we think were very valuable and
16 did sort of separate out what things need to be
17 a national level process versus what things
18 needed to be a regional-specific issue.

19 There are some things, naturally,
20 that we thought were useful, which is what the
21 policy should be. And so we -- so these
22 things, I think, largely we can agree to those

1 that we do want to work with the working group
2 on next steps.

3 And the timeline that I just laid
4 out, is the timeline that we want to work on,
5 which I think will largely -- I realize that
6 you wish we had gotten to this point sooner,
7 but from here, I think that that is a
8 reasonable place for us to go forward.

9 So that's my response to the --

10 MS. SIMONDS: Right. So this is
11 your first, well, real, not all detailed, but
12 kind of detailed response to the committee's
13 redline version. So we want to thank you about
14 that.

15 And so our request is that your
16 group, your headquarters group meet with our
17 working group as soon as possible so they can
18 understand fully and they'll probably -- you'll
19 probably describe it even more than what you've
20 done here.

21 So that's our request and that is --
22 going to be a committee recommendation. Thank

1 you very much, Sam.

2 MO STOPPED 2:13:25

3 MR. ANSON: All right. Any other
4 discussion on this? Kitty, do you have
5 something else? Do you want to go ahead and
6 read it?

7 MS. SIMONDS: Okay. So the CCC
8 requests that NMFS meet with the working group
9 as soon as possible to discuss the current
10 draft change to the policy directive, prior to
11 NMFS completing the revisions with regions and
12 general counsel.

13 The CCC further requests that NMFS
14 work with the working group to develop a draft
15 revised policy directive with CCC's
16 endorsement, at the May 2024 meeting. Thank
17 you, Mr. Chair.

18 MR. ANSON: Okay. Is there -- well,
19 I guess we can remove the draft at the head,
20 the first word there. Yes. Remove. Is there
21 a second to this motion?

22 MR. REID: Second.

1 MR. ANSON: Is there a second?
2 Eric? All right. Thank you. Is there any
3 discussion on this motion? Oh, if you can just
4 I guess remove the whole -- the header there.
5 That might be the easiest thing. Yes. It'll
6 just say motion. Yes.

7 So no discussion on the motion? Is
8 there any opposition to the motion? Seeing no
9 opposition, the motion carries.

10 Is there any other discussion or
11 business for this agenda item? All right.
12 Seeing none, we will then move into the process
13 for establishing fishing regulations and
14 sanctuaries. Mr. John Armor. John, are you
15 ready?

16 MR. ARMOR: I am.

17 MR. ANSON: Okay. Great. Do you
18 want to go ahead.

19 MR. ARMOR: Yes, thanks. All right.
20 Well, good afternoon, everybody. I really
21 appreciate the opportunity to talk with you
22 all. For those of you I have not had the

1 pleasure of meeting over the years, my name is
2 John Armor. I'm the director for NOAA's office
3 of national marine sanctuaries.

4 I'm a 23 year veteran of NOAA. I've
5 been around for a while, and director of
6 sanctuaries since the last seven years or so.
7 And I was invited back in May to talk with you
8 all about the process for issuing fishing
9 regulations in national marine sanctuaries at
10 your meeting in QS.

11 Unfortunately, I had a back issue
12 and could not attend, so I really appreciate
13 your flexibility in having me on the agenda
14 today.

15 So the process in general, I'm going
16 to walk through, but I do want to just
17 acknowledge a couple things before I get
18 started.

19 I know we don't have a ton of time
20 on your agenda, and there's probably going to
21 be questions that you have that maybe you don't
22 want to ask right now, or maybe you want to

1 follow up. I just want to offer for myself and
2 anyone on my team to come and speak with you,
3 either at a council meeting or one-on-one
4 meeting with council staff in the future.

5 So please just consider that an open
6 offer, an invitation to follow up on some of
7 the details and things like that later.

8 I also want to acknowledge some of
9 the sanctuary system team that are here. In
10 the back, we have Matt Brookhart is the
11 regional director for the eastern region, so
12 that is everything east of the Mississippi,
13 basically. Right, Matt? Pretty much?

14 Leanne Hogan sitting right next to
15 him, works on Matt's team in the regional
16 office. And then our director of policy is
17 Jessica Condell back there as well.

18 So we're all available to answer
19 follow up questions and anything that doesn't
20 get addressed today. The other thing I wanted
21 to mention is that, so there's the process in
22 the statute that has not changed for quite some

1 time, you know, 30, 40 years or so.

2 And then we also have guidelines
3 that the agency has issued, and I'm going to
4 talk a little bit about those, but I do want to
5 just acknowledge up front that those guidelines
6 do need to be updated. I'm going to talk about
7 that a little bit later.

8 I just wanted, you know, Kelly and I
9 have been -- and our teams have been working on
10 that and part of the benefit of having this
11 discussion today is to get your juices flowing,
12 if you have ideas, if you have thoughts, if you
13 have recommendations that you want to -- want
14 us to take into account as we go to update
15 those guidelines, now is a fantastic time for
16 that.

17 So it's perfect. So I'm sorry, I'm
18 a bit nearsighted. So even -- so this is the
19 national marine sanctuary system for folks that
20 aren't familiar with it. It is currently 15
21 national marine sanctuaries. It's 620,000
22 square miles of ocean and Great Lakes.

1 You can see there also that we are
2 in a time of growth, admittedly, in the
3 sanctuary system, and we have -- we are working
4 on the designation for six new national marine
5 sanctuaries, and those are indicated on the map
6 there as yellow squares. I won't go into them
7 but that's -- so that's the sanctuary system as
8 it exists right now.

9 Our mandates are multifaceted. We
10 do have a regulatory mandate, but frankly, that
11 is not really what we lead with. Our program
12 is heavily reliant on our ability to conduct
13 public outreach and education within the
14 communities that we serve.

15 So we don't have a philosophy -- we
16 don't have a regulate first kind of philosophy
17 in sanctuaries. It really is first and
18 foremost about educating the public and
19 increasing public awareness about the
20 importance of ocean and Great Lakes
21 conservation.

22 We work a lot with schools, K

1 through 12 education programs, et cetera.

2 Research and monitoring is also a key mandate
3 of the sanctuaries. So once a sanctuary is
4 designated, we work very closely with our
5 partners inside and outside of NOAA to conduct
6 the research and the monitoring that's needed
7 to make management decisions in the
8 sanctuaries.

9 And much of that is done in
10 collaboration with the regional fishery science
11 centers. But also with other parts of NOAA,
12 the National Centers for Coastal and Ocean
13 Science, or NCOS, does a lot of the science
14 work, as well as partnerships with
15 universities.

16 And then we do also under resource
17 protection. Those would include things like
18 putting mooring buoys out and you know, those
19 kinds of things to help reduce impacts to
20 sensitive resources, like coral reefs you see
21 there in the upper left-hand corner.

22 And then filtering on all of that is

1 community engagement. So all of this is done
2 through the lens, we have sanctuary -- national
3 marine sanctuary advisory councils for each of
4 the advisory councils and some of the proposed
5 advisory councils.

6 And all told, there's probably over
7 5, 600 people that volunteer their time to
8 provide regular ongoing advice to the sanctuary
9 superintendents. And they form their
10 connections liaisons to the communities.

11 And by the way, include some council
12 staff at many of the sanctuary advisory
13 councils.

14 So we also have over the years
15 engaged with the fishery and management
16 councils in a number of different ways that is,
17 you know, beyond just the, you know, fishing
18 regulations.

19 So we've worked with them on
20 education programs as I said. We have fishery
21 and management council representatives sit on
22 sanctuary advisory councils. And then we have

1 also worked with them and supported broader
2 efforts that are out -- that don't really have
3 to do with sanctuaries, per se, but like this
4 example, this first bullet up here, the Pacific
5 Fishery Management Council, this was years ago.
6 I'm blanking on the year.

7 I want to say maybe 2007, '08, or
8 something like that. Had a commercial krill
9 harvest ban and that was something that we
10 worked very closely with them on.

11 Okay. So with that out of the way,
12 now we can kind of dig into I think what you
13 asked me to come here and speak about, which is
14 section 304(a)(5) of the National Marine
15 Sanctuaries Act. You can read the words there
16 on the screen.

17 But in a nutshell, this -- at least
18 the way I read this, is if the -- if NOAA feels
19 that to implement a national marine sanctuary,
20 either it's a new designation, or an existing
21 sanctuary, we -- there's a process for that.

22 And that process is to work with you

1 all through the regional fishery management
2 councils to first explain what it is we're
3 trying to achieve with the sanctuary
4 designation.

5 And have the sanctuary -- sorry, the
6 regional fishery management councils take that
7 first opportunity to draft regulations. And by
8 the way, that also applies to amendments, so
9 that, you know, so if there's -- if something
10 changes in the future, that same process, you
11 know, falls into place.

12 So those are the words that the
13 sanctuaries have, of course, I can come back to
14 this if there's any questions. But I just
15 wanted to have -- the words are up there. And
16 I don't -- you guys have materials, I assume,
17 so you can all see this in front of you.

18 So now I'm kind of getting into a
19 little bit of the interpretation and
20 operationalization of 304(a)(5) in practice.
21 And this flow diagram is our attempt to sort of
22 illustrate that. This flow diagram is coming

1 from a 2008 guidance document that the agency
2 put out years ago to try to, for lack of a
3 better word, sort of interpret 304(a)(5).

4 And so basically, the way the
5 process works is it started at the -- it
6 started with NOAA. NOAA submits a package to
7 the appropriate regional fishery management
8 council. Fisher management -- that package
9 would include goals and objectives that we're
10 trying to achieve and any other, you know,
11 documentation that would, you know, support
12 that.

13 Then the regional fishery management
14 council would then consider that request, and
15 ostensibly, there's three potential responses.
16 One is to do nothing, which you can see there
17 on the right. One would be to -- another
18 option would be to affirmatively respond that
19 in fact, that the fishery management council
20 does not think fishery -- additional fishing
21 regulations are needed.

22 And then the third option is to go

1 ahead and draft those regulations. NOAA then
2 is to take that response, ask any questions,
3 you know, of course, in the mix there, we're,
4 you know, attending fishery management council
5 meetings, answering any questions, having
6 meetings on the side, those kinds of things.

7 And then we either feel that the
8 action -- the response meets the goals and
9 objectives, or we don't.

10 So the guidance I mentioned a couple
11 of times is a little bit out of date and it's
12 out of date, you know, so as you can see there,
13 it was I think signed and put in in 2008. And
14 at the time, the sanctuary system and NOAA was
15 really focused on making what I would call sort
16 of tweaks or adjustments to existing sanctuary,
17 some of which had been at the time, had been
18 around for 30 or more years.

19 And the guidance kind of -- and we
20 were not designating new sanctuaries in 2008.
21 And so the guidance sort of reflects that
22 mentality of really just focusing on that. And

1 frankly, we did not focus on sanctuary
2 designation.

3 So obviously, that's more timely
4 today. So I think that's something that we
5 need to work on. I think the -- and in that,
6 there are other things that have come up, come
7 into question that we hadn't thought of in
8 2008.

9 Some of the things like around the
10 timing, and some of it is -- has to do with how
11 the sanctuaries act is written, especially with
12 the goals and objectives, and the timing of
13 when those goals and objectives become final,
14 officially.

15 And so now is a good time to update
16 this guidance. So as I said, so Kelly and my
17 team are working on an update to this 2008
18 guidance that addresses these and any other
19 issues that you all might have.

20 So now's a good time. If you have
21 questions or concerns, or things that we can
22 think of to make that guidance better, more

1 effective, more efficient, clearer, more
2 transparent, et cetera, this is the perfect
3 time to do that.

4 And these are just resources. So
5 I'm going to stop there and then maybe look in
6 the back and see if Matt and Jessica have
7 anything you want to add to that before -- or
8 then -- okay. Then I think we can open it up
9 for questions, and I can take these glasses
10 off.

11 MR. ANSON: All right, thank you,
12 John. I see we do have some questions.
13 Angela.

14 MS. DROBNICA: Thank you. Thank
15 you, Mr. Armor. So wondering if you could
16 expand a little bit on your thinking on
17 timeframe for the updated guidance changes, and
18 indication of how best to incorporate input
19 from regional councils.

20 I'm sure some will be very
21 interested in reviewing and whether or not
22 you're going to highlight specific areas that

1 you're thinking of updating, as well as maybe
2 some discussion around the table about how to
3 get CCC input.

4 MR. ARMOR: Sure.

5 MS. DROBNICA: I think that's how
6 you started off here, your presentation.

7 Thanks.

8 MR. JAMES: Yes. I'm happy to. I
9 mean, I would, honestly, I hate to boomerang
10 questions, but on the first one, I would really
11 defer to you all in terms of how you want to
12 provide input.

13 I mean, we can certainly take it
14 today here and now, or you know, you could hear
15 it, go back, and then provide, you know, input,
16 you know, through the local folks if you want
17 to do it that way.

18 It's really up to you. I think
19 either is fine with us.

20 MS. DROBNICA: I don't want to speak
21 for everyone. This is my first meeting, but I
22 feel like we would need some more time.

1 MR. ARMOR: Yes, of course.

2 MS. DROBNICA: Before we review the
3 guidance. We just want to make sure that
4 that's aligned with whatever time in your --
5 you're thinking about here.

6 MR. ARMOR: We really don't have a
7 specific time driver here. Right? Yes, we
8 don't. So we're happy to take our time. We
9 don't, I mean, so we don't -- this isn't
10 something that needs to take, you know, happen
11 this year. I mean, this calendar year.

12 I mean I think ideally, I think for
13 all of our sake, it would be, you know, I think
14 something that we would want to have done at
15 least next fiscal year. But we don't need to
16 rush this, so I would say I think our
17 preference is let's take our time on this.

18 You take your time to sort of digest
19 it. Give us an opportunity, go back to your
20 councils, have conversations there. Have
21 conversations with our folks in the regions.
22 Answer any questions and then you can -- we

1 can, you know, get input that way.

2 So but to your second question, in
3 terms of specific areas that we're updating. I
4 mentioned the one about the timing of the goals
5 and objectives. And vis a vis, sanctuary
6 designation versus existing sanctuaries.
7 Because that is a significant difference.

8 I acknowledge, you know, with an
9 existing sanctuary, there's a body of work.
10 There's already an advisory council in place.
11 There's always relationships and there's
12 established -- and more importantly, for this
13 discussion, there's established goals and
14 objectives.

15 With a sanctuary designation,
16 technically, sanctuary -- the goals and
17 objectives for that sanctuary aren't final
18 until the final rule is published. So I
19 acknowledge that does create a little bit of an
20 awkwardness, and I think that's something that
21 we would be seeking to clarify and make more
22 effective in the guidance.

1 In addition to that, we also in 2008
2 did not have a sanctuary nomination process.
3 You know, we've had some conversations about
4 that over the last couple of years or so. And
5 the sanctuary nomination process is -- I didn't
6 cover in this presentation. It's totally
7 different.

8 It's not -- there's no fishing --
9 there's no regulations at all, let alone
10 fishing regulations associated with a sanctuary
11 nomination. And so the -- there isn't a
12 304(a)(5) process with a sanctuary nomination.
13 There only would be if the agency decides to
14 take that forward in a sanctuary designation.

15 So I think we would seek to clarify
16 that in this process as well. That was kind of
17 the main things, weren't they? Yes. Those are
18 really kind of the main things, at least that
19 we thought of. But obviously, you know, there
20 may be other things that you all and your
21 councils have other concerns or questions that
22 may be appropriately addressed to these

1 guidelines.

2 MR. ANSON: Eric.

3 MR. REID: Thank you, Mr. Chair, and
4 thank you, Mr. Armor. So I do have some
5 concerns, and I have two questions. Maybe you
6 can help me to alleviate my concerns. So on
7 the East Coast, we have the Hudson Canyon
8 sanctuary, which is now in process.

9 And that advisory council met
10 yesterday, and the results of that meeting were
11 a little bit concerning. It sounds like to me
12 that that timeline is extremely compressed,
13 which means outreach is going to be compressed
14 as well.

15 So my first question is what's going
16 on in the Hudson Canyon, and then the reason
17 that I have additional concerns is, it was
18 mentioned earlier that I got to testify in
19 front of a subcommittee on the 19th of
20 September, but there was also some testimony by
21 Assistant Secretary Bavishi about the PRIA
22 sanctuary.

1 And she said, basically what she
2 said after she was questioned about the PRIA,
3 was I want to state for the record today that
4 we have not made any decisions regarding the
5 proposed sanctuary.

6 Where we are in the process is
7 developing alternatives that are available for
8 public comment within the DEIS. And that we
9 plan to release that in the spring of next
10 year.

11 Those alternatives will consider
12 both regulatory actions but also different
13 options for boundaries of the sanctuary and no
14 decision has been made right now about
15 prohibition of commercial fishing.

16 Well, what is concerning to me is
17 there was a letter sent from NOAA to the
18 chairman of the Western Pacific council back in
19 June, June 23rd. And that letter states that
20 NOAA believes the current regulations for the
21 Pacific Remote Islands Marine National
22 Monument, that's 50 C.F.R. 665, subparts (e)

1 and (h), which are a complete prohibition on
2 commercial fishing.

3 If applied to the full extent of the
4 proposed sanctuary, it would be consistent with
5 the goals and objectives of the proposed
6 sanctuary.

7 Now, Ms. Bavishi's comment addressed
8 step four. But the letter three months prior
9 addressed step six. So that's why I'm
10 concerned. I'm concerned about that so I'd
11 like to know which one is true as far as the
12 PRIA's go.

13 But I'd like to know why is the
14 Hudson Canyon timeline so compressed, because
15 I'm concerned that you're two steps up and one
16 step back, which I don't care for. So maybe
17 you could help me with that. Thank you.

18 MR. ARMOR: Yes. I'm happy to.
19 Yes. Yes, thanks for the question, Eric. And
20 I'll invite Matt to come up and answer the
21 Hudson Canyon question, if that's okay.

22 But the PRI question is, you know,

1 so the initial letter that we sent to the
2 Western Pacific Fishery Management Council,
3 you're right. You quoted it accurately.

4 But -- and I think, admittedly, what
5 was confusing was what was omitted. It wasn't
6 an assumption that's the only way you can be
7 consistent. I think we were giving guidance
8 that that would be a way to be consistent.

9 And I think subsequent to that
10 letter, you know, we've had a number of
11 conversations with council staff, as well as we
12 had a -- oh, hey. We had a workshop in
13 American Samoa where I think we got additional
14 clarity on you know, on that question.

15 And I think that's what fed into Ms.
16 Bavishi's response on The Hill, is that in
17 fact, that's right. We haven't made a
18 decision. The process is playing out. If I'm
19 being honest with you, the PRI process is
20 expedited.

21 I'm not sure I would agree that the
22 Hudson Canyon is, at least not intended to be,

1 compressed or expedited. So you know, so I
2 think what we're -- where we are right now with
3 the PRI designation, is you know, we're still -
4 - we just, I think last week, or two weeks ago,
5 we got a sort of preliminary read from the
6 Western Pacific Fishery Management Council as
7 to our request.

8 That NIC -- I think Will's down
9 there. Yes. He'll correct me if I'm wrong
10 here, was that you know, the initial read was
11 we feel like we, the Fishery Management Council
12 feel like the existing fishing regulations are
13 sufficient to meet your goals and objectives.

14 So that letter has been received,
15 and now we're continuing to engage staff to
16 staff with them on that as well as where the
17 main issue, at least from a fishery standpoint,
18 was in American Samoa, where we are concerned
19 about potential impacts on, you know,
20 processing and related jobs impacted there in
21 American Samoa.

22 So I know I'm not answering your

1 question directly. It's -- we're in the
2 process, so we're open to hearing not just from
3 the Western Pacific Fishery Management Council
4 formally, but also informally through members
5 and through the, you know, from the American
6 Samoan government and others on that one.

7 And I hate to throw you under the
8 bus, but I don't know if you wanted to respond
9 to Eric's comment on Hudson.

10 MR. BROOKHART: Yes. Again, my name
11 is Matt Brookhart, I'm the Eastern Regional
12 Director for Office of National Marine
13 Sanctuaries. So I guess I'm confused a little
14 bit about what the comment -- comments were
15 meant by expedited process for Hudson Canyon.

16 Where we are right now is a
17 projected date of release of draft
18 environmental impact statement, proposed
19 rulemaking, draft management plan, in summer of
20 2024.

21 I think if we've heard any comments
22 on that timeline, that -- from some of our

1 stakeholders, that that's taking too long for
2 draft documents. So I have not heard any
3 comments about that process being moved too
4 quickly or we certainly have not taken a
5 position of expediting it formally.

6 MR. REID: Yes, no. I just was
7 getting feedback from the people that we have
8 on that -- that we know, we meaning some
9 councils. They just thought that it -- it
10 seemed like it was a little bit accelerated and
11 you know, so I just, I wanted to get clarity on
12 that.

13 So and one more thing before I let
14 go of the mic. Yes, go on. Well, actually,
15 it's up to the chair.

16 MR. MOORE: Sorry to interrupt.
17 Just to add clarity maybe to help with this
18 concern that Eric is expressing. I was on that
19 -- in that meeting the other day and there's
20 some question about the steps. I don't have
21 the document in front of me.

22 At some point in the process, you

1 asked the councils about fishing regulations.
2 And that request, the way that it's listed,
3 suggests that documents were produced that
4 indicate what you might want to, you know, what
5 you're proposing before -- oh, I'm sorry.

6 Before you know, you asked for the
7 councils to respond relative to fishing
8 regulations. But we've already had that
9 request, you know.

10 MR. BROOKHART: Correct.

11 MR. MOORE: In the Mid-Atlantic
12 council and New England council have already
13 provided responses.

14 MR. BROOKHART: Correct.

15 MR. MOORE: So I think that's where
16 the concern is, is that somehow things are
17 expedited and things are different for Hudson
18 Canyon.

19 MR. BROOKHART: Oh, I see. Okay.
20 Yes. So and thanks, Eric. I appreciate that
21 question. So and thank you for that
22 clarification.

1 So yes, because this is a new
2 designation, we did choose to go forward to the
3 Mid-Atlantic, New England council and South
4 Atlantic councils as well, and HMS, the HMS
5 panel to request per 304(a)(5), as John has
6 just laid out, input on the question of whether
7 or not the councils believed new fishing
8 regulations were warranted per the goals and
9 objectives.

10 We have received responses from all
11 of those councils, and across the board, as you
12 might guess, all the councils felt that, no,
13 new fishing regulations were not warranted.

14 The reason we did that early on in
15 this new designation is so that we have that
16 information from the councils as we develop our
17 environmental impact statement and proposed
18 rulemaking.

19 It's fundamentally informative for
20 us to have that information now. I will also
21 add that that, the consensus of the four
22 councils comports with the original nomination,

1 which felt that and argued to NOAA, that no new
2 fishing regulations were warranted for Hudson
3 Canyon because the FMC's and the National
4 Marine Fishery Service, the regulations that
5 were currently in place were in fact meeting
6 the goals and objectives.

7 So we wanted that information to
8 inform the draft documents that will go out for
9 public review.

10 MR. REID: And I think signed one of
11 those letters.

12 MR. BROOKHART: You did. You did.

13 MR. REID: As it turns out. Okay.
14 I appreciate it.

15 MR. BROOKHART: And thank you for
16 getting that back to us quickly, which you did
17 as well.

18 MR. REID: Yes, no sweat, I just --
19 my one small request and I've asked it before
20 is in your three step process, it says councils
21 will develop, will develop, as opposed, yes.
22 Determines fishing regulations are not

1 necessary.

2 I don't really care for that. It
3 should say that fishing regulations that are
4 already in place are good enough.

5 MR. BROOKHART: Yes.

6 MR. REID: Because that -- they say
7 two very different things to --

8 MR. BROOKHART: Fair enough.

9 MR. REID: -- in my mind. So okay.
10 Well, thank you. I'm done, Mr. Chair. Thank
11 you, and thank you gentlemen. I appreciate it.

12 MR. ARMOR: Thank you.

13 MR. BROOKHART: There's one other
14 thing I would just like to add that John
15 mentioned a few minutes ago, and that's about
16 this question of goals and objectives. And in
17 the case of this new designation, goals and
18 objectives are part of the requirements that we
19 have to put together, which we not only sent to
20 you all, but we put out for public consumption.

21 What are the goals and objectives
22 for this new designation. In the case where

1 goals and objectives might change, and in our
2 20 years, plus years of being here, that has
3 never occurred. But in the case where goals
4 and objectives would change, we believe that
5 that would trigger then a requirement to go
6 back out with 304(a)(5).

7 MR. ARMOR: And that's also
8 something that could be, that's also something
9 that could be clarified in updated guidelines.

10 MR. ANSON: Merrick.

11 MR. BURDEN: Yes. Thank you. Just
12 to consider -- continuing along this line of
13 thought, I'll start off by saying we all really
14 appreciate the relationship we have with Bill
15 Duros and the Pacific Coast office, and it
16 functions pretty well.

17 In the process of designating the
18 Chumash Sanctuary, I think we tripped up a
19 little bit in the same way that our colleagues
20 on the Atlantic have done. You all probably
21 saw the letters, the correspondence that we
22 received from the Pacific Coast Sanctuary

1 saying, you know, we're looking for council
2 input at this early stage in the designation
3 process.

4 And our response was something like
5 didn't expect this request at this time. In
6 hindsight, I think we appreciate that
7 opportunity to weigh in early. What I think
8 would be beneficial is that as we go through
9 the designation process, if we get to a point
10 where the sanctuaries disagree with the
11 council, so in our case, we said we have, you
12 know, a lot of fishing regulations at the
13 moment that appear more than adequate to help
14 meet sanctuary objectives.

15 If there's a disagreement,
16 presumably it would come back to the council
17 with more specificity about that purpose and
18 need. And we didn't -- I don't think that will
19 be necessary here, but in the future, if it is,
20 I think that would be helpful to bake into this
21 flow diagram.

22 MR. ARMOR: I really appreciate

1 that. And totally agree with your
2 characterization. It's related to, you know,
3 Matt's response as well a minute ago. I mean,
4 I think, you know, the Sanctuaries Act, if you
5 read that language, I think what in the past,
6 the way we had interpreted it, was if NOAA felt
7 like there was a need for sanctuary
8 regulations, then we would start the -- or kick
9 off the 304(a)(5) process.

10 However, the way the language of the
11 Act actually doesn't really read that way.
12 It's no matter what. If you're in a
13 designation, you need to get -- you need to
14 consult with the Fishery Management Council.

15 So to your point, and I, you know,
16 we have to -- no matter -- even if we don't
17 think fishery -- new additional fishing
18 regulations to implement the sanctuary
19 designation are needed, we still have to ask.

20 And so that's the ask that, you
21 know, that you got from Bill and that, you
22 know, that Matt, you know, did to the councils

1 on the east side.

2 So it does create that timing
3 awkwardness. Though with -- because the
4 sanctuary could evolve, but to match point, I
5 think what we would do is if the goals and
6 objectives were to change after that initial
7 ask, you know, we would go back, you know, go
8 back to the beginning and start over again and
9 reengage.

10 But also to Matt's point, you know,
11 in our history, at least with sanctuaries, you
12 know, over the last several years, sanctuary
13 designations. The goals and objectives haven't
14 changed. But certainly, they could. So that's
15 a -- it's a good question. So we'll be sure to
16 address it in the guidelines.

17 MR. ANSON: Ms. Drobnica.

18 MS. DROBNICA: Thank you. Yes. I
19 completely agree with Mr. Merrick as well. In
20 the case, and if I interpreted them correctly,
21 so he was kind of -- he was speaking in
22 addition to what John was referencing in the

1 case that regulations are rejected under the
2 existing goals and objectives.

3 That there's some type of feedback
4 with going back to the council. And another
5 opportunity to have that discussion and
6 revisit.

7 I also -- I just want to clarify and
8 this is -- this might -- may be obvious, but
9 you know, if we reach the right hand corner
10 section where our -- where regulations are
11 declined or rejected, that there's more public
12 clarity that the Sanctuary Act would indeed
13 take precedent over MSA at that point.

14 And that the -- I think that that
15 would clarify a common concern and question
16 amongst the public about how -- what happens at
17 that point that the Sanctuary Act does actually
18 trump MSA and the councils authority if those
19 regulations are deemed in conflict with the
20 goals and objectives of the Act.

21 MR. ARMOR: I'm really sorry. Is
22 there -- was --

1 MS. DROBNICA: I guess --

2 MR. ARMOR: Is there a question?

3 MS. DROBNICA: You can correct me if
4 I'm wrong on that, but I don't know if that's
5 explicit in the existing guidelines or Act
6 right now.

7 MR. ARMOR: It isn't. And so that
8 you know, I think some clarification and
9 transparency there is warranted. So I think
10 that's something that we could tackle. Yes.

11 MR. ANSON: Dave.

12 MR. WITHERELL: Thank you, Mr.
13 Chairman. Thanks, John. I appreciate you
14 coming here again explaining this to the
15 councils. I'm trying to think about having a
16 process where the councils can weigh in on your
17 draft, whether it's some ideas you want to
18 float by the councils on how you plan to
19 address all these concerns we just talked
20 about.

21 Of if we need something a little
22 more formal through a workgroup or a scheduled

1 meeting with the executive directives, which
2 could just be an interagency call to discuss
3 that openly, or what the plans are.

4 Or would you rather have -- send us
5 the draft that you're thinking and have us
6 formally comment as a council. How would it
7 work best for the NOS?

8 MR. ARMOR: That's a great question,
9 Dave. I -- honest, I mean, we're pretty
10 flexible. I mean, I think -- I know the
11 councils have very full agendas and you all
12 have very busy schedules. So I think we're,
13 you know, willing to meet you where it's
14 easiest for you to comment on these things.

15 And like I said, we're not in a huge
16 rush to do this. Well, I don't know if you
17 have any preference, but -- yes. I mean, I
18 guess again, I hate to boomerang questions, but
19 I -- you know, I mean, is there a preference,
20 do you think, you know, in terms of how you
21 would like to engage in this and then provide,
22 you know, feedback on it.

1 MR. WITHERELL: I think the
2 Executive Directors are really your best point
3 of contact. And so I would suggest that when
4 you get to the point where you're considering
5 some changes in the guidelines that you let us
6 know by email and then we will discuss and
7 figure, probably, the best way to communicate
8 back to you, either through a virtual meeting
9 or have something in writing for you.

10 MR. ARMOR: Got you. Sounds good.

11 MR. ANSON: Peter.

12 MR. HASSEMER: Thank you, Mr. Chair.
13 And thank you, Mr. Armor for the presentation.
14 First, I want to also express my compliments to
15 the West Coast staff, Bill Duros, we went
16 through, I think as you know, the PRI and
17 Chumash National Heritage Sanctuary
18 designation.

19 It wasn't a perfect, you know,
20 experience, but our council has a pretty good
21 collaborative working relationship with
22 sanctuary staff. And in that particular

1 example, what I highlight is that you know, at
2 the start of the process, we didn't -- I'm glad
3 you're updating or looking at the guidelines,
4 because we didn't get much to look at when the
5 letter came, and to respond to in that process.

6 But in looking at the -- what the
7 applicants for the sanctuary had submitted,
8 part of that sanctuary, what they identified,
9 was the maritime heritage commercial fishing as
10 being part of that. And wanted to capture that
11 and continue it.

12 And as they went through the
13 sanctuary process, at least the proposed rule
14 that I read in the EIS captured that very well.
15 And signifies that commercial fishing as part
16 of the maritime heritage, the subsistence
17 fishing as a cultural heritage, are very
18 important components, and it does offer
19 mechanisms to protect that, to keep it ongoing.

20 But in the process of doing that,
21 maybe a trivial point, appreciate Mr. Reid's
22 comment about the language there, you know. We

1 didn't have much to go on. We reviewed it and
2 in our council process in the area the heritage
3 was looking at, or the sanctuary was looking
4 at, we have 100 plus or minus managed species.

5 There's EFH, there's conservation
6 areas. There's prohibitions in some areas on
7 deep water trawling. And a whole host of
8 things. So we got to that point, if commercial
9 fishing was going to be a part of the
10 sanctuary, they didn't, at that time, we didn't
11 need any further regulations.

12 So we didn't need to propose
13 anything. When I read the EIS, the EIS notes
14 that through two public meetings, the council
15 decided not to do it, not to recommend any
16 regulations, and NOAA accepted that.

17 So that put us in that left bottom
18 corner, which I think is pretty accepted. And
19 the language in EIS says NOAA accepts the
20 council's determination.

21 When you get to the proposed rule,
22 it says the council declined to recommend any

1 regulations, which, you know, I think puts us
2 over on the other side, and a little trivial
3 thing, but it's a misuse of the word decline as
4 it's used in the Act, that we went through a
5 pretty deliberative process, and maybe we
6 didn't express that very clearly to the
7 sanctuary, that there wasn't a need for
8 additional regulations.

9 And it, you know, I looked at this
10 thing, well, it's just a schematic, but the
11 language carries through in the EIS and the
12 proposed rule, and these federal documents.
13 And so there's some connotations in the future
14 that, you know, how do people interpret that.

15 And so, you know, to be frank, I
16 thought it was a little disrespectful to our
17 process to NMFS and what they do under the MSA.
18 So it's good to hear you're looking at revising
19 those regulations, or excuse me, the
20 guidelines.

21 As I hear you talk about it, it's on
22 the front end for a proposed designation in

1 that process, but I guess I think you should
2 also think about application of that. After a
3 designation occurs for a sanctuary, your first
4 slide showed up there that amendments to any
5 regulations, and I assume that applies to that.

6 But as I look through other
7 documents that are available and in our
8 materials, there was a handout that frequently
9 asked questions. I think it's a sanctuary
10 document that was posted in May, and there's
11 two uses of the same statement in there.

12 It says, and it's about developing
13 regulations in the proposed process and once a
14 sanctuary is established. The same sentence,
15 but in one area it says outside of the
16 304(a)(5) process, the council may continue to
17 manage fishing.

18 And the other place, it says the
19 council will manage to -- will continue to
20 manage fishing. Big difference between will
21 and may. So I went back to the Sanctuary Act
22 to see what that says, and I looked in the

1 Chumash and it's a little bit across the map.

2 And I think it gets back to what
3 you're trying to do with updating the current
4 guidelines, is what is the process afterwards,
5 and we haven't discussed this with our council
6 and with my colleagues, you know, we'll
7 certainly get some comments.

8 But I think you should think about
9 the same thing that if the intent is as stated
10 in the Act, that post-designation, the same
11 process is followed, which is the 304(a)(5).
12 The first landing spot is with the councils,
13 that it comes to the council for consideration
14 about the need and not leaving it vague that
15 there are other processes that may or may not
16 occur out there.

17 So you know, the wording has
18 impacts. And the process and how it occurs,
19 and the clarity of that, and applying once the
20 guidelines are set, making sure they're
21 followed and implemented, helps the process.
22 And it helps across -- equity across all the

1 councils. So thank you for that.

2 MR. ARMOR: Yes. Thanks for the
3 question and the recommendation. Yes. And
4 apologize if we were, you know, not as precise
5 with our wording.

6 But just to be clear, so there's no
7 ambiguity at all, with regard to Chumash
8 Heritage, we did accept, so we're in that lower
9 left-hand corner. We did accept the council's
10 recommendation for that designation.

11 And yes, apologies for using maybe
12 using the word decline incorrectly in that
13 case. So my apologies. We'll need to -- we'll
14 clean up when we make our way to the final
15 designation materials. Absolutely.

16 And appreciate your recommendation
17 on the guidelines as well, with regard to post-
18 designation changes to the sanctuary. And that
19 is, you know, at least in my mind, and I know
20 Matt, we all feel the same way. I think it's
21 pretty clear in the Act that that was what was
22 intended, and that's how we've always done it

1 is that post-designation, if there's a new need
2 that comes up, we start with 304(a)(5), start
3 with, you know, the reach to the Regional
4 Fishery Management councils.

5 But I think clarifying that in the
6 guidelines is a good suggestion. So I
7 appreciate that. Is there anything you wanted
8 to add?

9 MR. BROOKHART: I would just add
10 that your comment is fascinating, actually.
11 Because I think what we're talking about is
12 semantics here. But this is very helpful. And
13 I know I can speak for Bill to say that the
14 intent in using the word decline was not to
15 suggest that you took -- you didn't do
16 anything.

17 But in fact, the council took action
18 to suggest no new regulations were needed. So
19 that's very helpful. I think that'll be very
20 helpful for new sanctuaries on the East Coast
21 as well. But I just wanted to underscore what
22 John said and agree strongly that any new

1 proposals for fishing regulations post-
2 designation, would require us to go through
3 304(a)(5).

4 And that's how we all view it.

5 MR. ANSON: Andy other -- yes, sir,
6 Will.

7 MR. SWORD: Oh, sorry, Janet.

8 MR. ANSON: Janet.

9 MR. COIT: You go first, Will. I'll
10 go after. Oh, I just wanted to -- this is
11 truly a question because of my relative short
12 tenure. To what extent when -- since Will just
13 had his hand up, you know, something like the
14 Pacific Remote Islands, that happened suddenly.

15 I can say that many of us weren't
16 expecting it. How much exchange is there and
17 are you willing to have with council staff,
18 certainly NOAA fisheries has ready access to
19 the ocean service.

20 But you know, as they try to sort
21 out some of this, or for instance, you know,
22 moving forward, wanting to know whether

1 regulations or a decision, that new regulations
2 are not needed, you know, how that comports, or
3 what type of reaction they'll get from the
4 ocean service.

5 So I guess I'm asking the degree of
6 interaction and accessibility at different
7 stages of the process.

8 MR. ARMOR: Yes, Janet. Great
9 question. I mean, I'll just start off by
10 saying, you know, I think the PRI thing was a
11 surprise to me too. I think Will heard me, you
12 know, at the workshop in American Samoa, you
13 know, start off my closing with it wasn't on my
14 to-do list when we started the year.

15 And you know, frankly, at the time
16 when we heard about it in March or April --
17 March. You know, we were so -- we were in the
18 process of designating five sanctuaries. So it
19 wasn't on our short list, but -- and it did
20 come rather suddenly and unexpected for us as
21 well.

22 So I'll just, you know, agree with

1 you on that one. But to your question,
2 absolutely. I mean, I think we're -- and I
3 would primarily lean on the regional folks in
4 sanctuaries to, you know, as you know, as Eric
5 and Peter were just talking about the
6 relationship with Bill Duros. That's Matt's
7 counterpart on the West Coast.

8 My expectation is that Matt and Bill
9 and Christina as their counterpart in the
10 Western Pacific, is that they are engaging with
11 the councils either -- and however, I don't
12 need to -- I don't necessarily need to, you
13 know, determine exactly how that interaction
14 takes place.

15 I think that, you know, is going to
16 vary from council to council and from site to
17 site. Whatever works best. But I think
18 building those relationships, building that
19 trust, and having that interaction so that each
20 is aware of what's going on in this regions
21 before these things, to the extent that's
22 possible.

1 Obviously, with PRI, that wasn't
2 because we didn't know. But you know,
3 absolutely. I think that we're available, you
4 know, just as you all are. With the National
5 Marine Fishery Service, I think we also lean on
6 our colleagues in the -- in your, you know, in
7 the National Marine Fishery Service in the
8 regional offices, and at headquarters as well
9 to make sure that we have a as complete as
10 possible understanding of what's going on,
11 what's on the fishery management councils
12 plates.

13 And you know, what kinds of things
14 would need to be, you know, discussed
15 beforehand, that kind of thing. So, yes.

16 MS. SIMONDS: I should just respond
17 to him. Christina and I actually have a
18 longstanding relationship. She used to work
19 for Senator Inouye a long time ago.

20 So we have tried to keep each other
21 informed, but normally, I'm asking like you
22 know, can we meet, can we talk, what's

1 happening. And I frankly learned more from the
2 regional office because the regional office and
3 the sanctuary office have been working closely
4 together.

5 So I do have to ask for information,
6 and that's when I learned what you said
7 earlier, John, about -- that you conveyed, that
8 you all conveyed to us that the -- there are
9 interpretations, we could look at what your
10 goals and objectives have said, which is, let
11 me just say this, uphold and complement the
12 existing management of the Pacific Remote
13 Islands Marine National Monument as outlined in
14 Presidential Proclamation whatever.

15 So you know what that means. That
16 means total closure, no fishing, nothing. So
17 then we heard when I asked what's going on,
18 well, you know, we could interpret it as not
19 being total closure, no commercial fishing.

20 So you know, we learn these things
21 as we're going along, but we're looking at the
22 document that you sent us, that we are

1 responding to by December 20th, and that's what
2 it says. And as far as I'm concerned, that's
3 what it means, and that's what our lawyers say
4 it means.

5 Exactly like the monument, which is
6 no fishing. Okay. So you know, learning these
7 things along the way, those -- that wasn't an
8 official discussion or whatever, so when we
9 respond, we're going to respond to what you
10 have -- what you sent us.

11 And well, as you know, and as you
12 said, this is a really, you know, a difficult
13 situation that we are in. I will let Will
14 discuss the situation, but I did want to bring
15 that up, is all of a sudden, things change, but
16 people are talking, and you know, you could
17 look at it this way, or you could look at it
18 that way.

19 But that's the way to -- that's not
20 the way to operate anyway, with us. And with
21 that kind of situation. So I just wanted to
22 bring that up.

1 MR. ARMOR: I appreciate that,
2 Kitty. Thanks.

3 MR. ANSON: Will.

4 MR. SWORD: Thank you, Mr. Chair.
5 (Foreign language spoken). I wanted to say a
6 few words today regarding the sanctuary and the
7 proposed closures, because we're the most
8 affected.

9 American Samoa has been part of the
10 U.S. since 1900. We signed a deed of cession
11 with the United States. We weren't conquered.
12 The United States came to us to sign the deed
13 to say -- so that they can have a coaling
14 station for the boats that fly between the West
15 Coast and Australia and New Zealand.

16 We were the place where the First
17 Marine Division jumped off to Guadalcanal and
18 to win that first battle in World War II in the
19 Pacific.

20 In 1952, the Navy left our islands.
21 They were the administrator since 1900. The
22 DOI came in in 1954. The first cannery

1 appeared in American Samoa, the Chicken of the
2 Sea cannery, 1961. The second one was built.

3 We were very happy. We had a lot of
4 jobs and things were going really great.

5 Today, we only have one surviving full cannery
6 in the United States. Remember, it started in
7 San Diego, Puerto Rico, and then we're the only
8 ones left.

9 We have been, and have been -- we
10 are and have been the third largest fishery in
11 the United States in terms of value. Only
12 behind Massachusetts and Alaska. So our
13 cannery ensures us the ability for our
14 government to provide good water, build roads,
15 harbors, and basic utilities to help the
16 people.

17 We didn't have that before. Our
18 fisheries allow highly paid federal workers,
19 like some of you in the audience, to perform
20 and negotiate in the Pacific international
21 fisheries arena using the path we provided by
22 our Pacific indigenous people and our

1 canneries.

2 In the U.S. wars and conflicts, our
3 Samoan people have led the charge. Have had
4 the highest percentage of per capital of deaths
5 followed by Guam and the Pacific Territories,
6 and Puerto Rico, and the other territories.

7 In every war since the Korean War,
8 we are patriotic and loyal the U.S., and always
9 at the front lines defending our adopted
10 country.

11 It's my country, it's your country.
12 But I feel that DOC and NOAA's Orwellian
13 mentality and strategies are killing us with
14 MPA's. Marine protected areas in the Pacific.
15 We thought our cannery would become useless to
16 this great country, and our underserved fishing
17 community suffers.

18 Fishing is our culture. It's the
19 land, farming, and fishing. So this has
20 administration's executive orders on equity and
21 social economic justice and goals, are really
22 rubbish if this sanctuary proposal goes

1 through.

2 It becomes a reality for there'll be
3 no commercial fishing, and our canneries will
4 not be there. We will have no ways to work for
5 a livelihood.

6 This top down approach to regulating
7 fisheries is wrong. This happened when they
8 started the sanctuary process and, Papul
9 Levasa, you'll find it true the first time they
10 came down, we had protests.

11 The last CCC meeting you saw
12 evidence of that in video. We protested
13 because it -- we didn't know this was coming,
14 just like Papul Levasa says.

15 You know, we're horrified that our
16 government is following the mentality of the
17 PRI coalition and the PU foundation. This is
18 top down management in fisheries.

19 These organizations really have not
20 helped us maintain our position in providing
21 fishing product -- fish products for the
22 country. This approach is contrary to the

1 Magnuson Stevens Act, where the bottom up
2 approach is mandatory.

3 The people decide. So many of us in
4 Samoa wonder what happened to the government of
5 the people, by the people, for the people.
6 Where is it. It's a sanctuary process, it
7 seems.

8 But I want to show just up here on
9 the wall, just bear with me please, a few
10 minutes. This shows the sanctuary, so the
11 polka dot areas that are in white there, it's a
12 Panera and -- blow it up a little bit, and
13 Holland Baker. That's where they plan to
14 close.

15 Now, Jarvis is where most of our
16 fishing was done. That was close. We didn't
17 hear too much about it. There were no
18 hearings. But that's where our purse seiners
19 fish. But the two light ones there with polka
20 dots, that's where we're talking about,
21 sanctuaries currently in the Pacific.

22 Keep -- the thing I wanted to point

1 out there as well, is that 51 percent of the
2 Pacific EEZ is already closed due to
3 Presidential orders. A few months ago, three
4 governors, all three governors of all three
5 territories signed a letter against the
6 expansion of this marine protected areas,
7 sanctuaries.

8 We have to this date, not gotten a
9 response. These governors. Well, let's show
10 the next one, please. The tuna industry to
11 American Samoa, so this slide presentation is a
12 very short one, I mean, you've seen it before
13 because this was at the sanctuary, but a very
14 short version of it. Next one, please.

15 So the elapse closure, they started
16 closing the -- this is the effort limit area
17 for purse seiners without asking us. This is
18 what NOAA did. So now we're stuck. And the
19 result of all this will show up here a little
20 later. Next slide.

21 So what happened was in 2022, when
22 they wanted to close all the international

1 fisheries to our purse seiners, our governor
2 filed a notice of intent to sue against them.
3 Nothing has happened. Then we'll see in the
4 Rarotonga commission meetings in December.
5 Next, please.

6 This actually shows NOAA's
7 statistics on where American Samoa is. We're
8 number four because the other three are -- the
9 other two are New Bedford, Massachusetts, and
10 Alaska. We're number three when it comes to
11 total value of fisheries produced, well,
12 actually, because the other three are Alaska.
13 Okay.

14 So Alaska really is number one in
15 everything. And American Samoa is number
16 three. Anything goes wrong with this because
17 something was omitted in the Presidential
18 Orders, we're dead. Next please.

19 So who was in the Pacific, who
20 benefits from spatial closures. Japan, as
21 Kitty said earlier, gives a lot of their quota
22 to China. So China is the big, the big winner

1 in all of this. Forget Taipei, they're really
2 pretty much our allies.

3 But China is the big winner in all
4 of these closures that's in the Pacific. If --
5 I didn't show the slide, but all around the
6 EEZ's in the Pacific, Chinese fishing vessels
7 are congregated, waiting for the pelagic fish
8 to come out and catch it, while our boats have
9 to compete with them. Where's the justice in
10 this? Next, please.

11 Impacts on shipping costs to
12 American Samoa. So we expect to have increase
13 because ships and boats visits to American
14 Samoa for fishing have declined. So basically,
15 what happens for us is that we get fairly --
16 even in the middle Pacific, we get fairly cheap
17 cargo rates coming into American Samoa because
18 the containers are empty.

19 When they leave, it's all packed
20 canned fish. So that really helps us. Now,
21 the reduction in fisheries, closing of the
22 canneries, is detrimental to this for us.

1 Because 95 percent of the goods are imported in
2 American Samoa. Next, please.

3 The inflation, of course, is spiking
4 more than anyplace else. And you know what,
5 the property rate in American Samoa is 50.7
6 percent. You're going to actually hurt them
7 more. Next, please.

8 This is the birth rate on American
9 Samoa. You can see that, you know, we leveled
10 off in 2007, 2012, and then 2013, NOAA actually
11 had a delegation. The commission actually gave
12 away quotas and closed some of the fishing
13 areas.

14 You know what, this is a decline
15 that won't end for American Samoa. You don't
16 have people, you lose your culture, you lose
17 anything. We become irrelevant in that -- when
18 it comes to, especially to helping our national
19 security. Next, please.

20 This basically is -- reflects also
21 the vessel visitation. This is all fishing
22 vessel, marine fishing vessel sales. You can

1 see in 2003, we were in the stars there, 28, 25
2 million gallons.

3 It was -- and in 2003, the first
4 monument started. Look where we're at now.
5 We're down at, right now from 28,000 gallons in
6 2004, we're down to 6 million -- I'm sorry.
7 From 28 million to 6 million gallons now.
8 That's a huge drop of revenue to the
9 government.

10 And the other thing is when it comes
11 to national security, we won't have any fuel.
12 If we don't have any fishing, we won't have any
13 fuel for our military vessels that come in that
14 area to thwart China.

15 That's the way it looks. Next,
16 please. This is our ASPA slide that was at the
17 workshop. It basically shows that ASPA would
18 have to raise rates to customers. This is
19 people that are pretty poor already. To pay
20 their bills simply because one cannery closed
21 in 2009 to the tsunami, and here's the thing.
22 When another -- that was Chicken of the Sea.

1 And then in 2004, another company
2 tried to take over. This is Tri Marine, that
3 same cannery, but they couldn't make it work
4 because these damn closures in the Pacific were
5 killing the ability to provide fish for that
6 cannery.

7 You know, it's about production.
8 It's about catching fish for us. Anyway, ASPA
9 had to raise rates. Right now, we're paying
10 about 50 cents a kilowatt hour for our
11 electricity. It's probably worse in Alaska,
12 I'm sure.

13 All right. Next, please. So this
14 is an equation. Papul Levasa understands this
15 one, prepared by Taotasi, our former chairman.
16 It basically shows that when you have elapse
17 closures, you're closing off our purse seiners.
18 you're closing off the international waters
19 because of BBNJ.

20 The ocean monument's being done, the
21 sanctuary has being done. The 30 by 30
22 initiative, and increased cost because the

1 boats have to go further away to fish. This is
2 what happens. A U.S. purse seiner fleet fell
3 from about 40 plus in 2003 and they're
4 reflagged to our country, they're down to 11
5 now. U.S. purse seiners.

6 Vessels fishing further east, they
7 don't return. 70 percent of lost fishing
8 vessel on U.S. caught fish is not being caught
9 anymore. Basically the policies of NOAA have
10 chased them away.

11 And we're finding no fish for the
12 cannery. When you see we're down to 6 million
13 gallons, that means no fishing boats coming in,
14 they have to import fish to keep the production
15 going.

16 And that cannery supplies really the
17 only place that the military, the U.S. military
18 gets it's protein from, it's fish. Canned
19 fish.

20 So this is what happens. Impacts to
21 our community are negative, and cannery shut
22 down is negative. Next, please.

1 Can you go back to the fuel, please,
2 go back just one more. Yes, yes. Right there.
3 You know, it's this curve, I'm an engineer. I
4 like to see curves. I like to see positive
5 slopes and things. You know, I like to see it.
6 This is a negative slope.

7 The policies that have been, and my
8 point is the policies that have been proposed
9 by NOAA and all of these stuff, has been
10 negative to our territory. And it's still
11 down. I think it's really important to note
12 that this is a key performance indicator for
13 how well our fisheries are being managed.

14 And I hate to show this, but this is
15 what makes it tough to do sanctuaries. It's
16 because the past management all the way from
17 2004 has been crazy. Crazy stupid. I'm sorry.
18 It's just that way.

19 You know, it's either we call
20 (foreign language spoken). Idiotic policies.
21 You know, the only people that benefit is
22 China. China benefits. When you close off any

1 commercial fishing, and therefore our
2 canneries.

3 I showed you that chart. You know,
4 so all I can say is nothing you're doing since
5 2004 is in the best interest of the U.S., or
6 the U.S. Pacific Islanders. You know, NOAA,
7 unfortunately, is the laughingstock of all the
8 SID's, the small island developing countries in
9 the area in the Pacific.

10 Hard to talk to them. They don't
11 want to talk to NOAA anymore. They should be
12 talking -- they want to talk to our fisheries
13 people in American Samoa because they want to
14 help.

15 It's us that are standing in the
16 way. They're taking our money. Well, that's
17 good. I'm helping them. You know, so the
18 policies, you know, by fisheries, NMFS does not
19 represent U.S. interest.

20 You know, I -- the last council
21 meeting, we swore in a couple of new council
22 members. And it reminded me of my oath to the

1 MSA, the fisheries. Need to speak up and talk
2 about this because if we don't correct it, most
3 of you sitting at the room, we're going to be
4 in trouble.

5 I want to talk about the recent
6 workshop in American Samoa and I want to thank
7 those that attended. We had the high chief,
8 Papul Levasa, John Armor, sanctuary Mariam
9 Goldstein of CQ, and Sarah Malloy, our acting
10 RA, among others.

11 And I got to admit that the people
12 were very kind as compared to the first
13 hearing, actually, they're very social. You
14 know, if this workshop were held in the
15 Northeast Coast, you would have had, probably
16 had riots.

17 But our people were pretty
18 controlled. I think it was very good. Don't
19 you think so? Yes. And I believe the
20 information we presented shocked our visitors
21 because they didn't see these charts.

22 Unfortunately, a lot of people --

1 some people before them contributed to this
2 negative slope. But there is something that we
3 came away from on this and I know Papul Levasa
4 mentioned this to the governor in our after
5 workshop meeting.

6 Number one, the cannery is important
7 to the U.S. and to the local population, being
8 the third largest of fishery value in the U.S.
9 Number two, the cannery relies on tuna from
10 Pacific Remote Islands. It's important that
11 fishing continues, commercial fishing
12 continues.

13 Number three, additional constraints
14 like the elapse, it screws up the ability of
15 the canneries to survive. Whether or not NOAA
16 can rectify that, we'll see.

17 And number four, uncertainty
18 abounds. We discussed that earlier. You know,
19 when you omit things from saying the sanctuary
20 and you're allowing it, you know what, that's
21 uncertainty. That builds up a lot of
22 consternation and concern amongst the people

1 who are affected.

2 And the other thing that's really
3 important is that, you know, the WCPFC, and I
4 think you mentioned that, it can give some
5 messed up results and I'll tell you, I've been
6 there. I've seen in 2013 at the commission
7 meeting, I've watched Russel Smith, the head of
8 delegation, go into the 11th hour on the final
9 day and give away our quotas, and give away,
10 you know, elapse, closures on there without
11 consulting the delegation.

12 You know, the head of delegation at
13 this commission meetings are all powerful. But
14 who's going to control them. And this is
15 something that's really bad. And I hope NOAA,
16 again, rectifies that. Because it's not fair
17 to us, especially to us that are affected in
18 this community.

19 He alone decided this, to give away
20 our quotas. And we were shocked. And we felt
21 betrayed.

22 Number five, what John said, which I

1 agree, there's a desire to diversify our local
2 economy. We -- fishery is our -- 85 percent of
3 our economy. That goes, we're dead.

4 And then number six, everyone
5 desires a win/win scenario. So what is it. In
6 my opinion, it's very tough because a lot of
7 the policymakers, and NOAA, I hate to say it,
8 is our PU employees. They have a different
9 approach to things.

10 But the community, you got to keep
11 in mind, is a community that should be deciding
12 things. Under MSA, it should be bottom up. We
13 got to remember that.

14 So what's the solution. For us, I
15 keep saying, and I know we had a meeting
16 recently with Belasi, with Janie. And I said,
17 you know, let our marine resources group, our
18 local guys who can talk to the other local
19 countries, to help us keep our cannery going.
20 Build an alliance with our neighbors so we can
21 rebuild what we -- what you can see here is a
22 dying, it's a dying fishery.

1 Then, maybe then, our fisheries will
2 stop being a laughingstock in the south -- in
3 the Pacific. You know, I believe in
4 statistics. That gauges I'm from the private
5 sector. I used to work government.

6 But it gauges how well you're doing.
7 Negative slopes indicate bad performance. We'd
8 like to see positive slopes. We'd like to see
9 fishing thriving and total tonnage doing
10 better.

11 Is it possible? Yes. I think so.
12 NOAA is part of Department of -- the U.S.
13 Department of Commerce. That can be done.
14 Especially for our small fishing community.

15 We should follow the national
16 seafood strategy and think twice before doing
17 things to ruin our economy, and especially the
18 canneries.

19 This is key in addition to
20 continuing our commercial fishing in the
21 Pacific Remote Islands. The bottom line is
22 NOAA, USDOC, must find a more robust economic

1 alternative for American Samoa before you shut
2 down our fishing and create more MPA
3 sanctuaries, closed areas.

4 You know, we're already protected
5 under MSA and you know, but we don't need this
6 uncertainty. And I hope that, Papul Levasa,
7 that you will get rid of that soon because I
8 think that our government and our people cannot
9 accept no commercial fishing.

10 Thank you very much for indulging
11 me, Mr. Chair.

12 MR. ANSON: Thank you, Will. Sobering
13 information there and a passionate plea for
14 your voice to be heard. You want to take say
15 something?

16 MS. COIT: I just want to thank you,
17 too, Will. Will, thank you. I think you're the
18 right person to be the Chair right now, and I
19 know I speak for John, too. We're really eager
20 to work with you to try to move things, move
21 the slope upward. Thank you. That was sobering
22 information and I appreciate you bringing it to

1 us.

2 MR. ARMOR: Can I just, Will (foreign
3 language spoken), I really appreciate you
4 reiterating that information and you're right.
5 I just want to say in hearing that firsthand in
6 American Samoa from you and folks in the
7 community was incredibly impactful for all of
8 us that were in attendance. So I really
9 appreciated that and hearing it again here was
10 equally as powerful, so (foreign language
11 spoken).

12 MR. ANSON: Is there any other
13 discussion or questions for John? I don't see
14 any more. Thank you, sir, for coming and staff
15 for coming, appreciate it.

16 MR. ARMOR: Roger that. Thanks for
17 having us and look forward to hearing your
18 input on the guidance. Thanks, everybody.

19 MR. ANSON: You will, yes, thank you.
20 Getting back onto the agenda here, again things
21 have shuffled around quite dramatically, but
22 where we are as I see it is that we're in the

1 CCC Subcommittee Updates, which was scheduled
2 for 1:30-3:00 p.m. time block as the original
3 agenda had indicated. Next up we will have Dr.
4 Lisa Hollensead from Gulf Council Staff with
5 the Habitat Work Group.

6 Then we're going to skip over
7 because we previously coordinated for the Area
8 Base Management and Scientific Coordination
9 Subcommittee Meeting, those reports to be
10 provided later on around the 4:30 to 5:15 block
11 later today. After Dr. Hollensead will be Ms.
12 Muehlstein, and then David Witherell and Bill
13 Tweit's CMOD workgroup, and then Miguel Rolon's
14 EEJ workgroup after that. Dr. Hollensead, are
15 you on?

16 DR. HOLLENSEAD: Hi Mr. Chair, can
17 you hear me?

18 MR. ANSON: We can hear you well,
19 thank you.

20 DR. HOLLENSEAD: Thank you. The
21 report that I have from the Habitat Working
22 Group is just an informative report. If you'll

1 recall, back in May I went over a draft agenda
2 that the workgroup was going to be working on
3 for their in-person meeting. That will be
4 January 17-18, 2024 in La Jolla, California.
5 We've already reserved some meeting space and
6 have gotten some folks to begin booking
7 reservations for that, so that is all moving
8 forward.

9 The group met in mid-September to
10 discuss the agenda a bit further and to get
11 consensus from the group on what we'd like to
12 speak about at the meeting, and certainly
13 addressing the CCC's directive for the meeting.
14 Day 1 will include a meeting topic for habitat
15 science discussions similar to the meeting that
16 we had back in Portland in 2019.

17 We decided to delegate out within
18 the group topic leaders that will help lead the
19 discussions, prepare any of the background
20 materials, and then organize the presentations
21 for the group and the discussion outlines. This
22 is all outlined here, and this is coming back

1 again from our meeting in September. These
2 topic leaders have met, they've discussed the
3 agenda a bit more and then reported back out to
4 the larger group to get consensus on the
5 agenda.

6 The second meeting topic will be
7 climate challenges in EFH designations meeting
8 up there with the topic leaders, as well, with
9 some of those sessions objectives. That will be
10 Day 1 of our workshop. Continue scrolling down
11 for Day 2, we will be having discussions on
12 climate change and EFH consultations, as well
13 as habitat and climate scenario planning, as
14 well. So we've got some session objectives and
15 some highlights there for each of those topics
16 for the CCC's review.

17 At this time, if any CCC members
18 have any questions or comments that they would
19 like me to pass along with the group, our next
20 meeting will be November 20th, excuse me, 30th.
21 During that meeting, we'll also finalize
22 anything for the agenda, but largely that has

1 been done. In case there is a government
2 shutdown, we will have mostly all of our agenda
3 handled and ready for the meeting in January.

4 Certainly I would open the floor to
5 any comments or questions from any members of
6 the CCC at this time. Thank you, Mr. Chair.

7 MR. ANSON: Thank you. Are there any
8 comments or suggestions as Dr. Hollensead had
9 suggested that she would be happy to hear from
10 any of the CCC members? I'm not seeing any, so
11 in that case, Dr. Hollensead, thank you very
12 much for the report. We appreciate you staying
13 on.

14 DR. HOLLENSEAD: Thank you, Mr.
15 Chair.

16 MR. ANSON: Next that will take us to
17 Ms. Muehlstein with the Communications
18 workgroup report.

19 MS. MUEHLSTEIN: Thank you, Mr.
20 Chair. I think we're going to pull up--I made a
21 quick presentation to complement the background
22 document that you guys all have. It's thinking

1 about it. Okay, here we go. I don't totally
2 need a clicker. You'll figure it out. I have
3 faith in you. I am here to represent the
4 Communications group and if you want to go
5 ahead and move to the first slide.

6 We are proposing a two or three-day
7 in-person meeting in the Caribbean region for
8 next year. Just a little bit of a reminder as
9 to why we're here. Our group did actually meet
10 early this year. We don't typically meet this
11 many times in a row. We usually take a couple
12 of years in between. I presented a report of
13 our meeting during the spring CCC meeting, and
14 the CCC at that point directed our group to
15 plan for a meeting and seek approval during
16 this meeting, so here we are.

17 I am going to present to you today
18 some proposed meeting topics, and I'll weave in
19 the rationale for why we think next year is an
20 appropriate time to meet, even though it's in
21 quick succession. Next slide. These meeting
22 topics that we're hoping to start working on

1 were both suggested by the CCC itself at the
2 last meeting and also by the Communications
3 group. The first big thing that we're hoping to
4 tackle is the 50th Anniversary of the Regional
5 Fisheries Management Councils.

6 As you guys know, that's happening
7 in 2026, so it's a couple of years away. But
8 depending on the scope of that celebration,
9 we're probably going to need quite a bit of
10 lead time in order to accomplish something.
11 We've had some internal discussions, and I
12 myself have had some thoughts about what this
13 50th anniversary might look like. I think the
14 Council process and our accomplishments on a
15 national scale are something we should be
16 really proud of.

17 I think this could potentially be a
18 really great opportunity for us to display to
19 the nation why the Council system is really
20 important and also to tell the narrative of
21 some of our successes. That can look like a
22 number of different things. We can do that in

1 publications, we can do that in some
2 combination of video-type things. We could also
3 do it by hosting an event, maybe during the CCC
4 meeting in the appropriate year in DC so that
5 we are hosting the proper people in the proper
6 venues to display the things that we are proud
7 of that we have done in the Council system.

8 We'd like to get that started,
9 because as you know, hosting something like
10 this, whether it be an event or some sort of
11 large publication, is probably going to take a
12 little bit of time, especially since this is
13 what I would consider an extracurricular
14 activity on top of our normal operating stuff.
15 That's why we're looking at maybe tackling this
16 next year.

17 We would also probably as a part of
18 this do some scoping with you all, with our CCC
19 members, to try and figure out what it is that
20 you guys envision as a proper 50th anniversary
21 celebration. Next slide please. So we're also
22 thinking about developing CCC hosting guidance

1 materials. We do this once every eight years.
2 When the Gulf Council was called upon to host
3 this year, we definitely had to do a little bit
4 of groupthink about last time we did this, how
5 did we handle this? We relied very heavily on
6 some of the previous Councils and asked them
7 for materials and things to make it easy.

8 What we're hoping to do is come up
9 with a repository of information, as well as a
10 guidance document. We've talked about having a
11 process calendar that will talk about if you're
12 the host Council in January, you start thinking
13 about the agenda. It wouldn't be like a
14 prescriptive document, but it would just be
15 some guidance so that when you are handed the
16 torch, you are also handed a set of potential
17 instructions or guidance for how to do it every
18 eight years.

19 With staff turnover and, I don't
20 know about you guys, but my memory does not
21 last eight years on a good day. With those
22 things in mind, we're just hoping to make it

1 easier. I do know that the admin staff for the
2 Councils, the AOs, had talked about this at
3 some point. I think the idea here is that it's
4 time for us to maybe actually operationalize
5 something like this. Next slide please.

6 The next thing that we discussed--
7 and this is a want, not a need, I will be
8 clear on that--is having some sort of
9 professional development training for all of
10 your comms folks. There's a lot of niche
11 trainings that can happen in communicating
12 science, maybe communicating directly with the
13 news media. I know myself, I am the public
14 information officer for the Council but I have
15 very little direct media training.

16 The idea that maybe rather than all
17 of us participating in a la carte professional
18 development opportunities, getting us all
19 together and having that professional
20 development happen at one time might be a
21 pretty appropriate way and efficient way to do
22 this. I will note here that if we do engage in

1 some sort of communicating science, you're
2 about to hear, and I'm sorry to be a spoiler,
3 from the CMOD folks that there might be a
4 skills session that's part of the CMOD, but
5 that would be focused on Council members and
6 training Council members about communicating
7 science rather than your actual science
8 communicators.

9 But we might be able to get some
10 sort of BOGO deal from somebody who might be
11 appropriate to come in and do it on a level for
12 the Communications staff and then maybe do it
13 on a secondary level for the CMOD if you guys
14 find that appropriate. Next slide. The final
15 thing that we had to pitch to you guys is the
16 idea of what we want to do with our CMOD and
17 our fishery forum materials. We had heard some
18 desire and some conversation about maybe
19 turning the Council motion session from CMOD
20 last year into an infographic that would then
21 be sharable throughout all the Councils and be
22 helpful for all Council members as a Council

1 member training.

2 We also heard that there might be
3 some need for developing an infographic that we
4 can all use that details the Council process
5 and how an issue might move through Council
6 management. Then we've also heard some chatter
7 about wanting to archive fishery forum
8 materials on fisheryCouncils.org. Since
9 Fisheries Forum has gone away, there's all
10 these great resources and just this idea that
11 maybe we should be the ones that are archiving
12 that rather than just letting them disappear
13 into the ether.

14 With that, I think that's my final
15 slide. I do have some questions that I'm hoping
16 to get clarified from you guys today. First and
17 foremost, can we begin to plan this meeting for
18 next year? Second, which meeting topics would
19 you like us to prioritize? Are there any extra
20 things that I didn't pitch that you would like
21 to be addressed if we do indeed move forward
22 and have this meeting.

1 Then finally, this budgetary
2 question of if we end up doing the professional
3 development as a group, it might be helpful for
4 us, if that's something that you do support,
5 for us to have a conversation about how that
6 would be funded, because those two things come
7 hand-in-hand. That would not be free, I think,
8 if we had a consultant come in. That's all I
9 have for you.

10 MR. ANSON: Thank you, Emily. Emily
11 has posed several questions to the committee.
12 Anyone want to address any of those questions
13 or provide some guidance? Miguel?

14 MR. ROLON: Yes. Question of the
15 question. I believe that we agreed to have the
16 Communication Group meeting, we sort of agreed,
17 but we need to confirm at this meeting because
18 we are going to be--our Council is pro having
19 this Communication Group meeting in 2024. We
20 wanted to hear from the group whether do you
21 agree with that or not. Then the other thing
22 that we can do, not at this time today, but we

1 are going to communicate, Emily and Deanna,
2 with the group to see what topics you would
3 like to see addressed for the communications.

4 On a side note, the first time I met
5 Chris was several years ago, two decades ago.
6 That meeting was to train people working in
7 communication. At that time, we didn't have the
8 social network or anything. It proved to be a
9 very good meeting to introduce the topics. We
10 had people from Time Magazine and others
11 hearing those topics. That's the idea that
12 Emily is trying to convey to the group here.
13 The first question is do you as a group believe
14 that yes, we can confirm that the
15 Communications Group should meet in 2024?

16 MR. ANSON: So Eric?

17 MR. REID: Yeah, I would agree we
18 should move it forward. Part of EE&J is
19 communication, so it's a perfect time to move
20 it along, absolutely. My only question is how
21 many languages can you do it in?

22 MR. ROLON: Funny that you mention

1 that, because the other day we had a meeting in
2 the service region (phonetic) and it was well
3 received by everybody, the EEJ. It was Spanish,
4 English and Vietnamese. It surprised me to have
5 the Vietnamese, but we have a large component
6 in the Gulf area. The Communication Committee,
7 one topic that we would like to address is what
8 is it that we can do to move forward with EEJ
9 concerns or the EEJ goals and objectives? That
10 would be one topic that the Communication Group
11 would like to have there, and certainly one of
12 them is the best way to communicate. How many
13 languages, et cetera?

14 MR. ANSON: Go ahead, Dave.

15 MR. WITHERELL: Thanks, Mr. Chairman.

16 I just get from my perspective, the
17 Communication Group has provided a lot of very
18 important materials for the CCC and individual
19 Councils over the years. I support them
20 meeting. Every in-person meeting the group has,
21 we're always amazed by what comes out of that,
22 so I certainly would support that. Meeting

1 topics prioritized, I think all of them are
2 important that you've laid out, and I would
3 suggest that you touch on all of them on your
4 agenda.

5 Extra items, I don't have anything
6 to suggest. In terms of professional
7 development, I think all the Councils could
8 commit to providing the extra funding for their
9 person to attend a how to communicate and use
10 the media, however you put that wording. I
11 think the Councils would be all supportive. At
12 least I know I would. Thank you.

13 MR. ANSON: Chris?

14 MR. MOORE: Thank you, Mr. Chair. I
15 agree with Dave on all points. Thank you.

16 MR. ANSON: Anyone else have any
17 additional comments to what's been provided?
18 John?

19 MR. CARMICHAEL: Yeah, I support what
20 the others said, and I think good list of
21 topics. It's a lot, but you guys did an amazing
22 job getting through the topics that you had for

1 your last meeting. I remember being a little
2 skeptical, are you going to be able to get
3 through all this? But the group did a lot of
4 advance work, it looked like. Emily, you really
5 facilitated that well, so I think you guys can
6 pretty much bite off whatever you need to.

7 MR. ANSON: Yes, go ahead, Trisha.

8 MS. MURPHEY: Yeah, I was just going
9 to say the 50th anniversary celebration there,
10 I think that's really good. North Carolina, our
11 DMF just finished a 200-year anniversary, which
12 we did yearlong and had all sorts of--we ended
13 up with this jamboree where everybody came. My
14 point was, it really did give our division a
15 lot of recognition of all the things we do. I
16 think this will be a very good way to give
17 recognition to all the Councils. Thanks.

18 MR. ANSON: Dr. O'Keefe?

19 DR. O'KEEFE: Thank you. Just one
20 question. What would be the potential timing of
21 the meeting?

22 MS. MUEHLSTEIN: I think we've

1 discussed it happening sometime in the spring
2 of next year, but I'm going to defer to Miguel
3 because he will be the host Council for next
4 year.

5 MR. ROLON: Yeah, we discussed that
6 and we were thinking about spring. However,
7 when you look around the schedule of all the
8 Councils, it all depends how many people you
9 will have there. We only found June, from all
10 the Councils, June is the only one sort of open
11 for certain meetings. This is still an ongoing
12 conversation, but we are shooting for spring.

13 Emily and Deanna will coordinate and
14 certainly will communicate with every Council
15 to make sure that we have the right time and
16 date for the meeting. One thing for sure is the
17 meeting would be Puerto Rico.

18 DR. O'KEEFE: Thank you, that's
19 helpful. Somewhat selfishly, the document on
20 how to host a CCC meeting would be really
21 useful for us in 2025, so appreciate if the
22 timing of the meeting had a document by the end

1 of 2024. Thank you.

2 MR. ANSON: Miguel?

3 MR. ROLON: One last thing, Mr.
4 Chairman. Last year somebody was telling me
5 that we are going to have the 50th anniversary,
6 and he asked me whether we would like to move
7 forward -- or not forward, but present the idea
8 of -- do you remember at the national
9 conference we had one or two, I remember? The
10 first conference--three, three conferences. I
11 don't know if the group would like to consider
12 that for the 50th anniversary.

13 Those conferences were really good.
14 We had a very good turnout of people who came.
15 We had -- we had lawyers, we had everybody and
16 his brother wanted to come. We still used the
17 books. In fact, I have some of them in my
18 office. That's something for the group, not
19 today, but to consider and Emily and I will
20 communicate with you in due time to see if
21 there is an opportunity for that. That's a lot
22 of work, so I don't think that anybody will

1 step up and offer to do that, but it would be
2 really a collaboration if we decide to do
3 something like that.

4 MR. ANSON: I was thinking the same
5 thing. It would be a lot of work and
6 potentially a significant cost, too, for the
7 Council or partnership, at least, with the
8 Agency. If there are any additional thoughts,
9 yeah, that might be something to inquire about
10 and get in touch with the staff and the Agency
11 to do. Emily? Any other comments to what's been
12 provided to address the questions? Emily, are
13 you satisfied with the information that's been
14 provided? Do you think it covers all the
15 questions that you had?

16 MS. MUEHLSTEIN: I'm absolutely
17 satisfied, and I don't know what your guys'
18 threshold for needing a motion is. I do have a
19 motion that says that you guys say that it's
20 okay, but we're going to double-check at this
21 meeting. That would be my only leftover. My
22 next question to you is do we need a motion, or

1 does this conversation suffice as approval?

2 MR. ANSON: That was actually going
3 to be my question to the group. I'm not sure.
4 Do the members feel comfortable going forward
5 with just the discussion, or do we need to have
6 a motion? I don't see anybody clamoring for
7 anything, so maybe we can just leave it as is.
8 I'm getting some thumbs up, and the record will
9 reflect that everybody was in agreement. Thank
10 you, Emily.

11 That will then take us, moving down
12 the list, the Council Members Ongoing
13 Development, CMOD, Subcommittee update. Dave or
14 Bill? Bill, you're up.

15 MR. TWEIT: Thanks, Mr. Chair. I
16 think everybody here is pretty aware, but just
17 the quick primer as to what CMOD is, because it
18 is a new endeavor for the CCC that we've now
19 given a test run, a first-time run. You've had
20 a report back from that. The goals of CMOD are
21 fairly basic, but very powerful and important.
22 Supporting ongoing professional development of

1 Council members and cross-regional exchange
2 among Council members and Council agency and
3 staff.

4 We've certainly found over the years
5 in Fisheries Forum and now the first CMOD, that
6 there's just a tremendous amount of value in
7 allowing both Council members and Council staff
8 who don't have the opportunity to serve on one
9 of the CCC committees the opportunity for
10 networking, as well as offering just
11 professional development in topic areas that
12 are of real interest to the CCC and therefore
13 are of interest to all the nations' Councils
14 and the Agency.

15 Just a reminder that we go to great
16 lengths to make sure that CMOD is policy-
17 neutral. I've been a couple times myself told
18 that you're getting into policy, just stay
19 neutral. Our facilitators have been really good
20 about that. That's extremely important, as
21 well, to make sure that we're exploring the
22 issues in a way that individual Council members

1 can take their individual Council hat off or
2 their advocacy hat off and just soak in both
3 the information and the opportunity to network
4 from the perspective of just their role as
5 Council members.

6 Based on the success of our first
7 effort, the CCC has already approved a second
8 CMOD event, and that's what I want to focus on
9 for the rest of this discussion. The CMOD
10 Committee--and thanks to all the members of the
11 CMOD Committee--the committee has done some
12 advance planning for a 2025 event. Both the
13 numbers and venues seem workable, but I want to
14 get everybody's reaction to that today. Costs
15 are obviously up a bit, but not a gigantic
16 amount, which is good news.

17 Same funding formula that we used
18 the first time, if everyone approves, and that
19 was certainly what we were hearing after the
20 first one was that seemed to work. I believe
21 the Agency has already committed their part,
22 and I think all the Councils are anticipating

1 that. Each Council, again, and the Agency
2 funding travel for their own participants
3 really assists with keeping the overall costs
4 of the next session down. The meeting location,
5 looked at several, but the one that seemed to
6 float to the top was Vancouver, Washington.

7 For those who aren't totally
8 familiar, eminently familiar with West Coast
9 geography, Vancouver is immediately across the
10 Columbia River from Portland, Oregon, quite
11 accessible from the Portland airport and is
12 really, in and of its own, offers a good
13 location. The Pacific Council does meet there
14 with some regularity and has some familiarity,
15 and North Pacific Council is considering
16 beginning to make use of Vancouver, as well,
17 when we have one of our lower-48 meetings.

18 We did, though, also cost out both
19 Phoenix and Las Vegas, but overall the
20 committee agreed that Vancouver offered the
21 most promising venue. In particular the North
22 Pacific Council staff were appreciative of if

1 we indeed endorse Vancouver as the venue, it
2 will help the North Pacific Council manage
3 costs on our end for overseeing it.

4 To the slightly larger picture here,
5 the theme--and this had been discussed at the
6 previous CCC discussion--the theme is the idea
7 is to link this up with what we expect the SCS8
8 to be working over in advance of the CMOD, and
9 that is very much tied to our efforts to become
10 more climate-resilient, our collective efforts.
11 That is operational changes to harvest control
12 rules. We're expecting that to be a very meaty
13 SCS8, and we're expecting the proceeds from
14 that to be available in time for the next CMOD.
15 It should function as a really great
16 opportunity to really link up science and
17 management as we're all collectively
18 confronting climate change.

19 These are complex issues. They're
20 hard to wrap your brain around, but if CMOD can
21 help focus on them, it should help the Councils
22 get up to speed a little bit faster on what we

1 can expect in the future as we begin to think
2 about how to adapt our Harvest Control Rule
3 Curve Approach to a changing climate and
4 rapidly changing ecosystems and a more chaotic
5 environment, blah-blah-blah.

6 I think as most folks are aware,
7 there's usually two major components--well,
8 there are two major components to a CMOD
9 meeting. One is an overarching theme just to
10 increase individual Council members' knowledge
11 and understanding. The other is to help build
12 skills, just basic Council members' skills.
13 This time, the committee is recommending the
14 skill training be effective communication of
15 complex management actions to stakeholders.
16 You've already heard a little bit from Emily,
17 as well, about how that dovetails with the
18 Communications Subcommittee Plan.

19 I'm really looking forward to that
20 because I have a devil of a time explaining
21 some of our agenda items to my spouse and to
22 good friends. If it can help me, that alone

1 would be a miracle. What we're then looking
2 for, what the committee is looking for today is
3 based on the committee's work and estimates of
4 costs, as well as proposal for location, and as
5 well the proposed both theme and skill
6 training, the committee is looking for a thumbs
7 up from the CCC on all of those.

8 Pending that, then the next steps
9 will be North Pacific going ahead and starting
10 with securing the meeting venue and we'll
11 conduct a solicitation for the facilitators.
12 Recall that the first CMOD was facilitated by
13 Katie Latonich and Kim Gordon, who were
14 formerly the nucleus of Fisheries Forum. But we
15 did that through just a single contract. It
16 wasn't an ongoing contract, so we'll need to
17 resolicit. Obviously I think the committee's
18 role in that will be essential.

19 The North Pacific Council will just
20 be in the position of actually acting as the
21 administrative, but the committee will be
22 working closely with the Council to review. The

1 committee's role will shift then once the
2 facilitators are chosen. The committee's role
3 will shift then to working with the
4 facilitators to actually begin to put a finer
5 point on both the theme and the skills
6 development and just how the whole CMOD will
7 flow.

8 Again, the committee's put in a lot
9 of additional work since the last CCC, but this
10 thing now has some pretty good bones and I
11 think is ready for a final nod of approval or
12 for suggestions for where the committee may
13 have gone astray. Don't even try it.

14 MR. ANSON: Thank you, Bill. So
15 everyone's heard the information. Anyone have
16 any concerns or any comments relative to the
17 proposed topics? Merrick?

18 MR. BURDEN: Yeah, thanks, Mr.
19 Chairman, and thanks, Bill, for the overview. I
20 guess thanks, Diana Evans, for leading the
21 charge in all of this. I'll just speak quickly
22 to the meeting venue. We consider the hotel to

1 be essentially our home meeting venue, so we
2 use it extensively. It's a very nice location,
3 nice part of Vancouver. I want to encourage you
4 all to embrace that location.

5 MR. ANSON: Any other comments? Yes,
6 Dave?

7 MR. WITHERELL: Thank you, Mr.
8 Chairman. I just wanted to comment that the
9 difficulty with Mr. Tweit trying to explain to
10 his wife a complex motion might be more a
11 result of; She just doesn't want to hear it,
12 Bill.

13 MR. ANSON: Thank you.

14 MR. TWEIT: That never occurred to
15 me.

16 MR. ANSON: So similar to the prior
17 reports, I guess I'll look to the room. No
18 motion, formal motion, but just a nod of
19 approval that what's been presented is
20 sufficient and satisfies the CCC members and
21 they can move forward and go ahead with
22 planning and such. So we'll go ahead and do

1 that. We are getting close to the schedule--

2 MR. TWEIT: I'm sorry, Mr. Chair. I
3 neglected to mention that right now the
4 committee is shooting for one of two time
5 periods in later April, either April 21-25 or
6 the following week of April 28-May 2. If
7 anybody has any comments on either of those, it
8 would be good to get those to the committee.
9 Again, just thank you to the CCC for your
10 support for CMOD. I found in my growth as a
11 Council member the Fisheries Forum process was
12 an incredibly important part of it, and I think
13 our ability as the CCC to offer that to current
14 Council members I think is a really wonderful
15 thing, so thank you all.

16 MR. ANSON: I participated in the
17 first one myself and received a lot of
18 information, and I thought it was very
19 valuable, too. I'm not a newbie either, but
20 having the two different topics like you've
21 got, a theme and the skill set, I think work
22 very nicely and provide a little bit of a

1 contrast and such. Yeah, I thought it was a
2 very good process and I look forward to the
3 next one. Again, we're coming up close to the
4 break.

5 Just in order so that we can try to
6 maintain continuity for the rest of the day's
7 topics and their assigned time slots, we might
8 be able to squeeze in the last workgroup on the
9 list. Again, going back to the Area-Based
10 Management and the Scientific Coordination
11 Subcommittee once we return from break. That
12 would then be Miguel, the EEJ Workshop update?

13 MR. ROLON: Thank you, Mr. Chairman.
14 Since we are close to the coffee break, I want
15 to be quick. Just to remind the group, next,
16 the first slide? The EEJ, the main subjects are
17 to prioritize identification, equitable
18 treatment, and meaningful involvement of
19 underserved communities, provide equitable
20 delivery of services, and prioritize EEJ in our
21 mission work with demonstrable progress. This
22 presentation was put together by the Western

1 Pacific staff and our Council staff. Next?

2 The CCC already approved this
3 working group's terms of reference last year.
4 Next? At the May meeting, we presented the EEJ
5 strategy following the public comment period
6 that was conducted in 2022. Based on those
7 results in the comment period, it was
8 encouraging to see outcomes of applying EEJ
9 across the different regions. At this time, we
10 know that the regions are working on this at
11 different levels. Okay Mark?

12 The regional offices are working on
13 the implementation. As I said, they have
14 different strategies. As an example, in the
15 case of our regime, they're working with the
16 Gulf Council, South Atlantic Council and the
17 Caribbean. Recently we had a good meeting, the
18 one that we mentioned. Gary participated and
19 John and myself. And the first thing that we
20 wanted to do was to look at the necessity for
21 translating the documents that are available to
22 the communities.

1 The first meeting we had was a mid-
2 term (phonetic) meeting, put together by the
3 regional office. As I said, we had Spanish,
4 English and Vietnamese. This is important
5 because most of the people who receive this
6 impact, most of the time they do not understand
7 what the impact is because of the language
8 barrier. Next?

9 The development of the regional
10 implementation plan, the CCC requested a
11 national workshop to identify priorities for
12 each region and avenues to support the Councils
13 to achieve those priorities. Join efforts may
14 be made with NGOs such as the Environmental
15 Defense Fund, so the proposed workshop. The
16 title that they have for the workshop is "Best
17 Practices for Equitable, Just and Climate-
18 Resilient Fisheries."

19 We intend to do something similar,
20 but this workshop will occur next year, spring
21 or June, and it will be all paid by the
22 Environmental Defense Fund. It will be a two-

1 day virtual workshop. They encourage
2 participation of all Council region, NOAA
3 Fisheries and the Councils themselves. Next?
4 Each region will continue working on the
5 implementation of the EEJ strategy. At this
6 meeting we need to decide on the next steps
7 regarding the EEJ strategy. Next?

8 Just to refresh our memories, these
9 are the conceptual models, the next steps for
10 the EEJ. Conduct the workshop. Conduct a
11 multiregional and national workshop with staff
12 from Councils and NOAA fisheries to discuss the
13 role of the Councils as partners for
14 implementing the NOAA Fisheries EEJ Strategy.
15 This model would require that the Councils and
16 NOAA Fisheries staff have the same level of
17 engagement in workshop planning and attendance.

18 In other words, this will be a
19 partnership with NOAA Fisheries and the
20 Councils to make this a success story. Next?
21 The action items for the specific meeting, and
22 we mentioned it several times, is to see if the

1 group endorses the, not the implementation but
2 the continuation of the working group to start
3 putting together this workshop. If you all
4 agree that the workshop would be a good idea to
5 follow up, to continue, then the CFNC will work
6 with NOAA Fisheries and the other Councils, of
7 course to see if we can put this together.

8 We are going to use the EEJ Working
9 Group. Graciella or myself will be the chair of
10 that group, and we will knock on the doors of
11 each Council because we will have a list of the
12 staff members that work in the working groups.
13 At this time, the only thing that we would like
14 to hear from you is if you agree on having this
15 workshop next year. The workshop could be a
16 standalone workshop or it could be in
17 coordination with the one of EDF, but it's your
18 decision. Thank you, Mr. Chairman.

19 MR. ANSON: Thank you, Miguel. Yes,
20 go ahead.

21 MS. DROBNICA: Thank you for your
22 presentation, Miguel. I just have a quick

1 question, and please forgive me because I'm new
2 here. Would both of these workshops be directed
3 at Council members and staff, or I guess I'm
4 unclear. Is the second one envisioned to be a
5 broader public effort? If you could provide
6 some clarification, that would be helpful.

7 Thanks.

8 MR. ROLON: The presentation that was
9 provided by the Mid-Atlantic Council the last
10 time that we discussed this was to have the CCC
11 workshop directed toward Council members,
12 constituents of each area, fishers, tribes, et
13 cetera. It would be a large endeavor at this
14 time. The EDF is following the same thing. They
15 are going to contact the scientists, the
16 managers and the people who have authority in
17 National Main Fishery Service and other ANCs,
18 and that will be the first part of the two
19 parts that they are putting together.

20 They will have this virtual
21 workshop. The outcomes of the virtual workshop
22 will be conveyed to the communities. They will

1 have staff that will meet with each area, the
2 communities of the area. So for example, in the
3 Caribbean, of course they are going to meet
4 with the fisheries of St. Croix, St. Thomas,
5 St. John and Puerto Rico. They will have a
6 back-and-forth meeting with them. This is what
7 we agreed in Washington is good for the
8 communities.

9 We want to hear from you if you
10 agree or not, what other items that you would
11 like us to put together. Our meeting, the CCC
12 workshop, will be a hybrid. It will be in
13 person and also--it will not be--well, it's not
14 planned to be 100% virtual like the EDF, but it
15 could be a combination. It will be up to you
16 really. Number 1, do you want to have the
17 workshop? And Number 2, whether you want to
18 combine our efforts with another NGO.

19 MR. ANSON: Bill?

20 MR. TWEIT: Thanks, Mr. Chair.

21 Miguel, I think along the lines of Angel's
22 questions, and I may just be making this into a

1 much bigger thing, but it feels to me like a
2 national scale workshop would be as much of an
3 undertaking almost on a very big subject that
4 pulls in all of our stakeholders and probably
5 more stakeholders than we normally pull in,
6 would be as big as managing our nation's
7 fisheries for or as a 50th celebration and this
8 really big undertaking.

9 Is EDF committed to this spring, or
10 would they be willing to hold off? Because I
11 don't know how the Councils would pull off
12 anything like that between now and this spring.
13 This is a huge amount of work. If there was an
14 interest in partnership, would EDF be willing
15 to wait and do something that would fit our
16 abilities and resources better for having
17 something like this? A workshop like this?

18 MR. ROLON: If I may? Thank you, Mr.
19 Chairman. That's exactly the question that
20 we're discussing at this time with EDF.
21 Probably we may have to have two parts. We may
22 have a light workshop next year in the summer

1 in conjunction with them, and they're willing
2 to do that partnership with us. We can have a
3 combination of both. If out of that meeting we
4 believe that we have to enlarge the goals, not
5 the goals, but enlarge the endeavor of having
6 this meeting, maybe in 2025, or later in 2024,
7 that they're willing to do that, too.

8 You're right on the nail. We believe
9 that this is almost like having a national
10 conference again. If we are going to try to
11 have all the players, you're talking about
12 Western Pacific Islands, the Islands of the
13 Western Pacific, the Caribbean, the tribes in
14 the Pacific area. There's a lot of people
15 involved. Remember when we started discussing
16 this, we didn't know what the communities work.
17 Even the definition was kind of confusing.

18 More and more the scientists working
19 on this are giving us these are the communities
20 that we call communities that should be
21 addressed under EEJ. All that calls for a
22 larger meeting. Maybe we could do it between

1 here and December. I can work with this group
2 and see what we can do so we can inform them
3 the possibility of having a joint venture with
4 them in 2024 and a larger meeting later on.
5 We'll have more participation and more people
6 involved.

7 Again, they're quiet, you're right
8 here but we are going to talk to NOAA Fisheries
9 to see how can we engage better with them? We
10 always talk about funding. If we are going to
11 be involved in this, the EDF is going to pay
12 100% for what they are going to have. In our
13 case, we probably would have to ask some of the
14 Councils who have NOAA Fisheries to help us
15 with funding. Whatever we end up doing as a
16 national workshop using EEJ.

17 MR. ANSON: Follow-up, Bill?

18 MR. TWEIT: Thanks, Miguel, that's
19 really helpful. As you were talking, though, it
20 got me realizing I actually probably had a
21 bigger question. I don't know if it's just for
22 you, but I think maybe for all the members of

1 the CCC. EEJ is such a big hot issue right now.
2 Is there a real risk to us of partnering with a
3 single NGO and not also partnering, as well,
4 with some umbrella indigenous peoples'
5 organizations, and maybe also advocates at a
6 national level for food security issues
7 throughout the nation?

8 If we just did this just with EDF,
9 I'm beginning to think that could be a real
10 optics problem. They're great to work with as a
11 partner from an administrative point of view,
12 and certainly they're great at generating
13 funding and all of that. They bring a lot of
14 strengths, but I start to get really queasy at
15 the thought that the Councils, on this big an
16 issue that's got so much attention, just having
17 one non-governmental partner.

18 MR. ROLON: We discussed that, too,
19 because there are NGOs that might be
20 interested, but the optics is also important.
21 If we are going to do a CCC activity, we need
22 to talk to the other ED's, which organizations

1 can be involved? I don't know them, especially
2 the ones in the west. I would rely on the other
3 executive directors to help me identify
4 entities that might be interested in
5 participating in something like this.

6 The proposal by EDF, they will do it
7 anyway because remember, these NGOs, they have
8 three-year, five-year commitment with their
9 budget. If they don't do it, they lose the
10 money or something happens. They are offering
11 this to us as an idea, but it doesn't mean that
12 we are going to do it that way. It's just one
13 avenue that they are offering to us. If we are
14 going to have a workshop like this, first we
15 need to identify, all of us identify the
16 objective very clearly.

17 The ANCs or communities represented
18 here should be there at that meeting. I, for
19 example, believe that there are a lot of tribes
20 in the West Pacific that are working on this
21 already. The regional offices of each area,
22 they already have a program, they have

1 commitment, they have people working on this.
2 My goal will be to communicate with as many
3 people as possible. Then I would send you an
4 email especially to executive directors, this
5 is where we are. This is the list of things
6 that can be done.

7 Then when I get the feedback from
8 the executive directors, we'd probably have to
9 have a couple of meetings. From that pool of
10 ideas, we can probably refine what is it that
11 we can do in terms of a workshop. He said we
12 can maybe postpone it, not for '24, but '25.
13 Personally, I would say well, let's see what
14 EDF does and then we can use that as a good
15 opportunity for learning what can we do. EEJ is
16 very important.

17 People think that EEJ is something
18 from yesterday. We have been working on that
19 for 34 years. We called it something else. But
20 anyway.

21 MR. ANSON: Dr. O'Keefe?

22 DR. O'KEEFE: Thanks. Yeah, in terms

1 of the timing, we were informed in our region
2 that the draft Northeast EEJ strategy would not
3 be released until December or January, so we
4 really haven't seen what's planned for our
5 region. I don't think that I would be prepared
6 to identify an objective for a national-level
7 workshop by spring of 2024 any time before we
8 get our regional plan. Then it's probably going
9 to take some digestion of those regional plans
10 for everybody.

11 Just thinking about if EDF is
12 planning this anyways and wants to do that as a
13 separate effort, maybe there's some lessons we
14 could learn from them and let them go ahead and
15 do it. We can partner with them to the degree
16 that we're invited or want to participate. I
17 feel like trying to put on a national-level
18 workshop on this topic in 2024 is a pretty
19 aggressive timeline and it may result in not
20 really the outcomes that we would want to have.

21 That being said, Emily just gave us
22 an update that there's potentially something

1 big planned for 2025 for the 50th anniversary.
2 Maybe there's a way to marry these two things.
3 This is a big national strategy and roll it out
4 in the 50th year of Fisheries Management. Maybe
5 that is something to consider rather than
6 having multiple workshops at a national level
7 over the next two to three years, but maybe try
8 to think about combining some of these topics
9 in a little bit more of an integrated,
10 strategic way.

11 MR. ANSON: Miguel?

12 MR. ROLON: If I understand your
13 proposal--by the way, the anniversary is 2026,
14 but we can do that. We can use 2024, see what
15 EDF or anybody else and use that as an
16 experience and encourage you to participate
17 also. It would be virtual. Then also the
18 regional offices. We're in communication with
19 our regional offices. They already have ideas.

20 At the December meeting, they are
21 going to give us a report where they are and
22 where they're going. Yours probably would be

1 first quarter of '24 we will have maybe an idea
2 of each area where are we and we can discuss it
3 better. But out of this meeting, then I want to
4 hear from you. Do you agree that probably the
5 best time would be 2025, maybe 2026 to have a
6 large meeting?

7 By that time, we will be able to
8 have the strategies of each region implemented,
9 probably some of the players, they already have
10 implemented. What is the idea that the group
11 would like to have to move forward?

12 DR. O'KEEFE: Just a brief follow-up,
13 I don't want to speak for everyone, but I think
14 a little later, we would prefer '25, '26. But
15 coming out of this meeting, I think it would be
16 useful to convene the working group again and
17 get those meetings back up and running. I know
18 from our counsel we've had some questions of
19 can the working group get a meeting on the
20 books again and maybe have something to bring
21 to an update for the May '24 meeting and see
22 where we are with our regional strategies on

1 this?

2 Who's received them, what are people
3 thinking about them? Have the working group
4 discuss where all the different regions are and
5 start bringing it back to this group, but just
6 get that working group effort up and running
7 again sooner than later.

8 MR. ANSON: Merrick?

9 MR. BURDEN: Yeah, thanks, Mr.
10 Chairman. Let's see, I've got a few thoughts
11 running through my head. One is, we've had
12 experience partnering with NGOs in our Council
13 and if done appropriately it works quite well.
14 I have a lot of respect for people at EDF for
15 past employment reasons. I think this could be
16 a good thing. At the moment, I'm torn between a
17 few different directions.

18 One is, if I think about how EEJ is
19 playing out in our Council, I feel this strong
20 inclination to work from the bottom up. We have
21 very specific concerns with our treaty and non-
22 treaty tribes, for instance, on the West Coast,

1 and those need to be handled very appropriately
2 and delicately and a national level effort
3 doesn't--I'm having a hard time squaring that,
4 to start with that rather than lead from the
5 region.

6 I'm following Kate here in thinking
7 that we just need to take a little bit of time
8 and put some more meat on the bones and decide
9 what we need as Councils before agreeing to
10 partner with a group like EDF. It might be a
11 good idea, but I don't feel like I'm there at
12 the moment. I don't know if that helps you,
13 Miguel, but maybe another reconstitution of our
14 EEJ committee and/or a discussion among the
15 EDs, just put some more flesh to the bones. I
16 think that would be a good thing to do.

17 MR. ROLON: So Mr. Chairman, if we
18 all agree, the first thing would be to activate
19 the working group as soon as possible. The
20 second is that EDF would be there, so if
21 anybody wants to participate, fine. It would
22 not be an official partnership with us at this

1 time. With that, that could be a product out of
2 this meeting, if we all agree.

3 Then my job would be to move as fast
4 as possible to get the working group together
5 and make sure that we have ideas and everything
6 from each area to discuss the topics. Then I
7 can report back to you at the May meeting and
8 we can report on this. At that time, we will
9 have the strategies of each region finished and
10 some implementation. If we're all agreed, that
11 will be my task.

12 MR. ANSON: Everyone agree to what
13 Miguel has offered as a plan forward? Okay?
14 Nobody in disagreement? I don't see any shaking
15 of heads, so that sounds like the plan then,
16 Miguel. Yeah, go ahead and do that. All right,
17 great. That concludes the 1:30 to 3:30 session
18 that we had except for the two workgroup
19 reports remaining, and we will pick those up
20 after our break. We will reconvene here at
21 let's say at 4:40.

22 (Whereupon, the above-entitled

1 matter went off the record at 4:22 p.m. and
2 resumed at 4:41 p.m.)

3 MR. ANSON: Ok, We will go ahead and
4 conclude the last couple of items on the agenda
5 for today, and that will take us to the last
6 two subcommittee updates that we did not
7 finish, and those are the Area-Based Management
8 and the 8th Scientific Coordination
9 Subcommittee meeting. The first one is Area-
10 Based Management Subcommittee, and that's going
11 to be presented by Ms. Michelle Bachman.
12 Michelle, are you there?

13 MS. BACHMAN: Yes, I'm here.

14 MR. ANSON: You can go ahead. We hear
15 you loud and clear.

16 MS. BACHMAN: Great. Thank you very
17 much. Thanks for the opportunity to update you
18 on the Area-Based Management Subcommittee's
19 work. I think at least a couple of subcommittee
20 members and our subcommittee chair are in the
21 room there, so they can certainly jump in, as
22 well, if they have things to add. Next slide,

1 please.

2 So at the May CCC meeting, I talked
3 with you about our report and some of the
4 analyses that we'd had done for us in terms of
5 the spatial work that Pacific States Marine
6 Fisheries Commission provided for the
7 subcommittee and we shared that report. After
8 that meeting, the Gulf Council staff took the
9 lead on preparing a press release, and we
10 worked with them on the details of that. I
11 assume everybody saw that, but there's just a
12 link here if you wanted a reminder or wanted to
13 re-read that.

14 Since that time, we've really been
15 doing a couple of things. A core group of us,
16 myself and Jessica Coakley from the Mid-
17 Atlantic Council and Dave Witherell from the
18 North Pacific Council spent some time over the
19 summer working on the manuscript that we are I
20 think going to be submitting this month. Just
21 given other work, we haven't quite buttoned
22 that up, and we obviously want to make sure all

1 the details are right. There's a lot of details
2 in this report and in the manuscript.

3 I think we're pretty close on the
4 text. We did get edits from many subcommittee
5 members, so that was really helpful. Really at
6 this point we're just doing final checks and
7 making sure that the details that we've put in
8 the tables--as you'll recall, we had 648
9 different managed areas that are part of the
10 inventory. We've grouped those into like areas
11 in the tables and making sure we're
12 communicating accurately about gear
13 restrictions and describing those areas
14 effectively as we combine and condense into
15 tables has been the last check that we've been
16 trying to do.

17 That's on me, actually, to finish
18 cleaning those tables up and then we're going
19 to do one last check with the rest of the
20 subcommittee and then submit that hopefully in
21 the very near future. That's where we're at
22 with the publication. Obviously we'll continue

1 to keep you updated on that and we'll share it
2 if it gets accepted and is published
3 eventually. Next slide, please? The other thing
4 that we've been working on, as directed by the
5 CCC at the May meeting, was having this web
6 application built.

7 We had previously shared with you
8 the ArcGIS dashboard that Holy Cross, our GIS
9 contractor, prepared. A web application builds
10 an experience-builder, as we talked about
11 previously, has some advantages in that scales
12 to different screen sizes better. It allows us
13 to include a lot more text. We can have
14 multiple tabs showing multiple things. We did
15 over the summer extend our contract with
16 Pacific States Marine Fisheries Commission to
17 develop the application, so we basically just
18 appended that onto our previous contract with
19 them.

20 As of the time of putting these
21 slides together, we have a draft application. I
22 just grabbed some screenshots from that to show

1 you today. So essentially the components are
2 listed here. The homepage really provides a
3 concise overview of the project and a summary
4 of our overall methods and approach. We have
5 some national results on one tab. We have the
6 interactive web map on another tab, and that
7 lets you filter by Council region and get some
8 of the details for individual areas and zoom in
9 and figure out where you are and how areas
10 overlap with each other.

11 That's based on the web map that the
12 contractor had already developed. Then we have
13 these individual area management tabs region by
14 region. We borrowed from that just a version of
15 the text that went into the report and also the
16 publication, and we tailored it for the app.
17 Then we have some links and resources for
18 further information. Certainly we can continue
19 to make a few tweaks to this.

20 I think we're looking to have any
21 final edits or updates in the next eight to 10
22 days so that we can get the application

1 finalized by the end of the month, which is the
2 end date that we have on the contract and what
3 the contractor is planning for. Then we'll
4 launch that and we'll be sure to share the link
5 with everybody once it goes public. Right now
6 it's on their GIS server, but it's behind a
7 password with a username because it's still a
8 draft.

9 If you go to the next slide, I can
10 show you some of what the app looks like. This
11 is just the landing page. It has this brief
12 overview. You can't quite see all the text. You
13 have to scroll, but this is some of what's
14 shown on the Area-Based Management webpage on
15 fisheryCouncils.org and just gives you an
16 overall sense of the project. Next slide. This
17 is just reminding folks that we did this
18 separate report and then has the national
19 results summary in terms of number of areas and
20 types of areas and aerial coverage of all the
21 areas that are in the inventory. Next slide?

22 This one would be best if we were

1 doing an interactive demo, but really how this
2 works is right now when you hit this landing
3 page, all of the Councils I believe are
4 selected. You can toggle on and off the
5 different Council buttons on the left-hand side
6 and you can select one or more Councils. The
7 graphics on the bottom will change in terms of
8 the conservation area summary and aerial
9 coverage by those three different conservation
10 objectives.

11 Then if you were to click on these
12 individual conservation areas, you can filter
13 the data and zoom. This is basically an
14 interactive way to view the web map. Next
15 slide? I just pulled the New England tab as an
16 example, but the other tabs are available in
17 the app, as well. This is just sharing, and you
18 can't see all the text here. You'd have to
19 scroll interactively in the app to be able to
20 see that.

21 It gives the data summary by gear
22 type for year-round areas in terms of the total

1 area and then the percentage of the region. It
2 shows the static maps that we have in the
3 report and then it gives the narrative of
4 fisheries in our region and how we use
5 conservation areas. Each of these narratives
6 and figures and tables are tailored for each
7 region. The subcommittee members have had an
8 opportunity to weigh in on this text, and
9 there's still, as I mentioned, some time to
10 continue to adjust this.

11 Certainly I guess I'd say
12 communicate with your individual subcommittee
13 member if you want to have a sense of what is
14 being shared in the app for your region and you
15 want to provide any detailed comments on the
16 text there. Then I think the last one maybe
17 shows the information page, if you go to the
18 next slide. We've got some different links in
19 here, links to the Council webpages, links to
20 where you can find fisheries regulations.

21 Also a sense of how we evaluated
22 areas against the America the Beautiful

1 criteria, but certainly open to other ideas
2 about links that we might have on this page.
3 We'll, of course, on here direct people back to
4 the fisheryCouncil.org page. We have that Area-
5 Based Management section of that webpage and we
6 can make sure that people are pointed there for
7 any updates that we want to provide through
8 that resource.

9 This long-term will be hosted by
10 Pacific States Marine Fisheries Commission
11 through their GIS server, but it will be open
12 to the public. Anybody can share a link to it
13 and we can host those links on our individual
14 webpages, I would think, and point people to
15 the application. I think that's about where
16 we're at with the project and with the
17 publication. I'm happy to take any questions
18 that you might have. Thanks.

19 MR. ANSON: Thank you. We'll check to
20 see if anyone has any questions for Michelle.
21 I'm not--oh, we have one. Dave?

22 MR. WITHERELL: I don't have a

1 question, Mr. Chairman. I just want to give a
2 big shout out to Michelle and Jessica Cokely
3 from the Mid-Atlantic Council, who have put in
4 enormous amounts of effort to get this thing
5 past the finish line. So I just want you to
6 recognize those efforts. Thank you.

7 MS. BACHMAN: Thanks, Dave.

8 MR. ANSON: Michelle, thank you.
9 Thank you for your work and the team.

10 MS. BACHMAN: Great, and we'll share
11 this when it's published.

12 MR. ANSON: Yeah, we have--never
13 mind, we don't have a question, okay.

14 MR. REID: I was going to say what
15 Dave said.

16 MR. ANSON: Okay, you were going to
17 echo that?

18 MS. BACHMAN: Thank you, Eric, for
19 your fearless leadership. Take care, everyone.

20 MR. ANSON: Thank you. You, too. That
21 will bring us to the next subcommittee update,
22 the 8th Scientific Coordination Subcommittee

1 Meeting, and that will be presented by Dr.
2 O'Keefe.

3 DR. O'KEEFE: Thank you, Mr. Chair. I
4 apologize, we lost Dr. Lisa Kerr, the SCS chair
5 in New England, as well as Dr. Rachel Feeney
6 and the Council staff who have been working on
7 planning the workshop. Agenda changes and they
8 were not able to attend late this afternoon.
9 Next slide, please. We are moving forward with
10 planning for the 8th National Workshop of the
11 Scientific Coordination Subcommittee.

12 We chose a theme. The theme is
13 Applying ABC Control Rules in a Changing
14 Environment. We have selected dates and
15 location. The meeting will be held in Boston at
16 the Seaport Hotel, August 26-28, 2024. The
17 Seaport Hotel is a really great spot. It's a
18 lovely spot. I was shocked that we could get it
19 and afford it, to be honest. It's right next to
20 the Boston Fish Pier, which was established in
21 1910.

22 We are working to facilitate a tour

1 of the building for the group when the meeting
2 takes place. Next slide please. The agenda is
3 currently under development. Again, the theme,
4 Applying ABC Control Rules in a Changing
5 Environment. Some potential sub-themes, and I
6 will mention that the planning is occurring
7 with a steering committee that includes members
8 of SSCs from all of the regions, as well as
9 staff from all of the regions. I think the
10 steering committee is up to about 30 people.

11 It's been a lot of input, but it's
12 working very well to really address all of the
13 different ideas from the different regions on
14 this larger topic. Potential subthemes include
15 changes that the regions have already
16 experiences and what can be learned from
17 management responses, noting and emphasizing
18 that not all changes are perceived as adverse.
19 There have been some beneficial changes that
20 have been noted. Use of social science to 1)
21 understand the potential for control rules to
22 achieve management goals, and 2) how fisheries

1 and fishing communities can adapt to dynamic
2 conditions.

3 Use of alternate reference points,
4 indicators and analyses under data constraints,
5 for example, in the absence of analytical
6 assessments, which is a problem we face quite
7 frequently in the Northeast. Identifying
8 whether stocks are experiencing cyclic or
9 directional change in productivity and/or
10 distribution to inform the setting of reference
11 time periods, stock status determination
12 criteria and rebuilding plans. These are big
13 buckets of subthemes under the overall theme.
14 Next slide, please?

15 For the workshop structure, the way
16 that it's being talked about now, including two
17 keynote speakers for broad perspectives across
18 these subthemes. These keynote speakers may or
19 may not be from the US. We are looking at
20 potential international guests to talk about
21 experiences in other countries. Then within
22 each of those subthemes that I mentioned on the

1 previous slide, having some round robin
2 sessions where members from each SSC can report
3 on regional experiences, exploring case studies
4 in-depth, using breakout sessions for some in-
5 depth discussion, and then reporting back to
6 the full group in plenary. Trying to generate
7 ideas for actionable next steps.

8 Really, the goal here is by the end
9 of the meeting to identify cross-cutting
10 outcomes through a synthesis exercise for all
11 of the subthemes. Next slide? The logistics
12 under development, as I mentioned, we have a
13 location, we have a date. We are developing a
14 budget for a three-day workshop. This most
15 likely will take the format of two and a half
16 days, but within those three days, the 24th-
17 26th. We're aiming to be able to fund four
18 attendees from each region. This is going back
19 to how these meetings were held prior to COVID.

20 The SCS7 meeting was only able to
21 fund three attendees, but we're hoping to bring
22 it back up to four attendees from each region,

1 as well as members from NMFS Headquarters staff
2 and some local New England Council members.
3 This will allow for an in-depth discussion and
4 development of actionable recommendations. Our
5 target total participation and attendance,
6 about 60 people. We're trying to keep this at a
7 manageable number to address some of the
8 requests that the CCC had made on making more
9 actionable items out of these SCS meetings.

10 Once the subthemes are finalized, we
11 will continue on with planning and identifying
12 keynote speakers, presenters and case studies.
13 This will be conducted with Dr. Kerr, Dr.
14 Feeney, and that steering committee. Developing
15 the meeting format and timing, balancing
16 presentation with discussion. We are planning
17 for an in-person workshop with listen-only
18 webinar during plenary sessions. This worked
19 very well at the 7th SCS meeting in Sitka last
20 year. Next slide, please?

21 Responding to some of the CCC
22 tasking from May, Diana Strand gave a

1 presentation from the 7th SCS meeting, and the
2 CCC talked about how the workshop conclusions
3 could be shared with the CCC and the Councils
4 in a manner that encourages the use of the
5 recommendations. Trying to bring these two a
6 little bit more actionable and not just
7 scientific meetings that then there's a report
8 out and not much further action other than
9 shelving that report.

10 Ahead of the workshop, we're trying
11 to increase the engagement by the SSCs. This is
12 the reason for this 30-member steering
13 committee, to try to get more people engaged
14 ahead of the meeting so that we can start
15 planning on exactly how we want to translate
16 case studies and presentations at the meeting
17 into actionable items for Councils. We're
18 trying to assign attendees more preparatory
19 work, identifying the case studies to present
20 and trying to do a little bit of homework
21 across the SSCs about why these case studies
22 are important, and planning time for regional

1 discussion and final outcomes at future SSC and
2 Council meetings.

3 This is something that SSCs haven't
4 really taken advantage of. We finish the
5 meeting and then that's the end of it. We read
6 the report when it comes out, but SSCs aren't
7 necessarily referring back to those reports in
8 terms of usefulness for catch advice and other
9 things that SSCs do. During the workshop, the
10 group will try to develop actionable guidance
11 for SSCs on how to best support Councils,
12 managing fisheries with non-stationary systems.
13 That's right in line with the overall theme.

14 The bucket outcomes and next steps,
15 trying to understand who's going to do what and
16 when, and have a plan by the end of the
17 workshop of how to follow up, and allow time
18 for synthesis throughout the workshop. Just a
19 note that several SSCs are already engaging
20 ahead and thinking about how to engage
21 afterwards, but we're always looking for more
22 help and more ideas on how to really move this

1 forward. Next slide?

2 Following along in this theme, after
3 the workshop we want to distribute the work of
4 the final report-writing across different SCS
5 members so that we can have a report a little
6 bit speedier than past reports have come out.
7 We want to proactively report the outcomes and
8 don't assume that the report is read and
9 understood. We're trying to make this a
10 digestible report and ensure that people
11 understand what was done and what the next
12 steps could be.

13 Have the SCS prepare a summary
14 presentation to enhance dissemination of the
15 workshop findings and recommendations, so
16 really bringing this to Councils and to SSCs
17 rather than relying on them to take it up on
18 their own. Present outcomes to the SSCs and
19 Councils and potentially develop region-
20 specific recommendations. We want to encourage
21 continued discussion of the outcomes within the
22 regions.

1 We identified that we're going to
2 have continued staff and SSC time to support
3 the outreach dialogue and uptake after the
4 meeting, which I think in the past has really
5 been isolated by the Council that is hosting
6 the meeting, so we want to spread this effort
7 out. Then post all the presentations and
8 recordings on the website. What we're asking
9 for today is if the CCC has any other ideas for
10 improved use of the SCS recommendations other
11 than what we've identified here.

12 As Bill mentioned, one thing that
13 we've already thought about is the synergy
14 between CMOD and the SCS meeting and tying the
15 themes together and really ensuring that this
16 SCS report is completed in advance so that it
17 can be used to inform the CMOD meeting in 2025.
18 I'm happy to take any questions. I'm happy to
19 bring any recommendations from the CCC back to
20 the SCS. Thanks.

21 MR. ANSON: Thank you for the update.
22 Anyone have any recommendations? Bill?

1 MR. TWEIT: Thanks, Mr. Chair.

2 Thanks, Kate. Just a question first. In terms
3 of attendance, I think I heard you said that
4 the funding that's directed for this would just
5 support a limited number. Does that mean that
6 if Councils had some funds and wanted to send a
7 couple of additional either SSC members or
8 Council members over and above what you
9 suggested, does that mean that would work? Or
10 are you also really space-limited and trying to
11 do crowd management, as well?

12 DR. O'KEEFE: So that's certainly
13 something we could talk about. We were trying
14 to target a group size that would allow enough
15 participation from each region that it could be
16 covered under the budget, so we were targeting
17 four from each region. But also so that plenary
18 discussion and synthesis actually was
19 meaningful and that the group size didn't get
20 too unwieldy to really dig in and get good
21 results, but also have them widely dispersed.

22 It's a little bit of a balance. We

1 certainly could consider taking on more people
2 if the regions wanted to support it. One thing
3 that I think worked well in Sitka was that
4 there were some Council members there from the
5 North Pacific Council that were more of
6 audience attendees. They got the experience of
7 the meeting and didn't necessarily add too many
8 more folks to bog down discussion. So that's
9 certainly something we could consider is a
10 larger group in a little bit more of a listen-
11 only mode.

12 MR. ANSON: Janet?

13 MS. COIT: I don't even know if it's
14 appropriate to comment since this is your
15 business, but I think Bill was at that meeting
16 in Sitka. One, I just want to endorse I think
17 having Council members there, and I know Bill
18 made comments. I've just heard a lot of
19 appreciation for having Council members at that
20 meeting, so I just wanted to endorse that.
21 Secondly, thinking about Cisco's presentation,
22 I don't know the degree of participation by

1 folks, say from the science centers who weren't
2 already there because they're part of an SSC.

3 But it just seems like some of what
4 he presented about having more social science
5 and what we're investing in is relevant to
6 this, which is relevant to the Councils and
7 that we should make sure that we coordinate so
8 that we make the best use of some of what we're
9 investing in and what the SCS thinks is needed
10 and how that relates to management. I'm pretty
11 excited about it.

12 DR. O'KEEFE: Yeah, thanks for the
13 comments. I failed to mention the steering
14 committee does include three NOAA
15 representatives, as well, so they've been part
16 of the planning for it and are informed. But
17 thank you, yes.

18 MR. ANSON: Any other--Bill?

19 MR. TWEIT: Thanks, Mr. Chair.

20 Thanks, Janet. You pretty much led into my
21 question of Cisco, and that is, does the Agency
22 have plans, either as part of the CEFI or just

1 regular work for uptake for the results from
2 this workshop? I think that might help me, at
3 least, think about other forms of
4 dissemination. But if the Agency's thinking
5 about taking it up, I think that can be huge.
6 You all do a great job of disseminating.

7 DR. WERNER: Yeah, ever since the SCS
8 meeting in Sitka, we've been quite focused on
9 what has been coming out, particularly on this
10 topic of changing environment and next steps.
11 This one, I'll be sure that it's on our--more
12 than just on our radar to try to see how we
13 interact with what we were thinking and what's
14 coming out of here. The fact that some members
15 of the steering committee might be on both
16 sides, this is a really important opportunity,
17 so thank you. Thanks, Bill.

18 MS. COIT: And I think to your more
19 specific point, I think we can also help
20 disseminate outcomes, which I think was part of
21 your question.

22 MR. ANSON: Any other recommendations

1 or comments about what's been proposed for the
2 next meeting? I'm not seeing any, so yes, Bill?

3 MR. TWEIT: Given on both Cisco's and
4 Janet's answers, I think there's probably
5 enough federal folks on the steering committee
6 already, but I think I would do some focus on
7 how we can both have our own Council-driven
8 dissemination but also really just leverage
9 that and take use of the synergy with the ways
10 in which the Agency can do it. It's
11 interesting, I think about some of the older
12 SSCs that were just really internally focused
13 just for the SSCs themselves in just the last
14 few, particularly this last one.

15 Seems like each one of these is just
16 another evolution in terms of thinking about
17 how you provide the results to a much larger
18 world. This looks really thorough. You've
19 thought about a lot of things, and that's
20 really great.

21 DR. O'KEEFE: Yeah, I'll just quickly
22 respond. I was previously on the SSC and I

1 attended Sitka as an SSC member. Dr. Lisa Kerr,
2 the current Chair of the New England SSC and I
3 were inspired at learning the experiences of
4 other SSCs and regions on these types of
5 topics. That was a lot of the impetus behind
6 let's keep this going and make these really at
7 a national level so we can learn from each
8 other and then disseminate the information. So
9 in complete agreement with, and we certainly
10 will leverage anything we can take and keep you
11 guys very much in the loop, so appreciate it.

12 MR. ANSON: Any other further
13 discussion? Seeing none, that will conclude the
14 subcommittee updates. That takes us to public
15 comment. Again, tomorrow we'll start with an
16 overview of the Fiscal Responsibility Act and
17 CEQs, proposed NEPA regulations. We'll do that
18 at 9:00, but we will jump into public comment.
19 I think we have one, a couple. First person for
20 public comment will be Bryan Randolph.

21 MR. RANDOLPH: I'll just stand here
22 then. My name is Bryan Randolph. I'm a resident

1 of American Samoa, hence the shirt. I'd like to
2 make a short comment on the PRIA Sanctuary,
3 following up on Will's comments. We are a
4 remote territory. I've spent most of my life
5 here in Washington, DC, and I can tell you it's
6 really hard to conceptualize what it's like to
7 be a five-hour flight from Hawaii and to refer
8 to Honolulu as the mainland.

9 Living in American Samoa, the
10 Pacific is not just a concept or a fishery,
11 it's our front yard. It's as much a part of
12 where we live as the subway is to New York or
13 Maryland is to DC. We don't have a lot of
14 space. Our largest island is smaller than DC,
15 so the Pacific Ocean is part of where we live
16 and work. Fishing the Pacific is part of the
17 heritage and history of the Samoan and
18 Polynesian people dating back thousands of
19 years. But we all understand basic laws of
20 economics. Supply and demand requires supply.

21 A fishery we needs fish. We
22 understand ecology. Fisheries are delicate.

1 They need to be monitored and protected. I
2 don't mean to suggest we don't protect the
3 fishery. We can't survive without it, so we
4 need it to be protected, but we also need it to
5 be accessible. It is protected in many
6 different ways, and as someone in this room
7 said earlier--I can't remember who it was--it's
8 not that protection isn't necessary. The
9 protection is already sufficient. The
10 protection is already there.

11 It's incredibly difficult to run a
12 fish canning business in a place that is as
13 remote as American Samoa. Energy is incredibly
14 expensive. Transportation is incredibly
15 expensive. Our access to this fishery is
16 essential, and we've been losing that access
17 for years and the tuna industry with it. My
18 hope is that we can find a way to do both, to
19 protect the fishery and guarantee the access of
20 the American Samoan market to the fish that it
21 needs to thrive way out there in the middle of
22 the ocean.

1 It really is a big part of who we
2 are, and without it, it will become very
3 difficult to survive. (Foreign language spoken)
4 to the CCC for all of your work and the time
5 and opportunity to speak to you. Thank you.

6 MR. ANSON: Thank you, Bryan, and
7 thank you for traveling that distance. Next
8 we'll have Drew Murkiewicz.

9 MR. MINKEVIC: It's Minkevic, but I
10 don't know what happened there.

11 MR. ANSON You were quick on that, by
12 the way, the correction.

13 MR. MINKEVIC: Yeah, it's not the
14 first time that's happened, nor will it be the
15 last. I'm an attorney based here in Washington,
16 DC, and I'm making comments on my own behalf. I
17 wanted to speak on the issue of the EEJ and
18 talk about something that I've--an issue that I
19 feel is being overlooked in the discussion on
20 that. That is access to this process for the
21 hearing impaired.

22 Fisheries Management and the Council

1 process is nearly impossible if you can't hear
2 or have trouble hearing. I don't say this
3 because I just watched Coda, good movie and all
4 that, but I see it firsthand. I represent the
5 scallop fishery in the Northeast, and one of
6 our members on the AP just had to actually quit
7 the AP out of frustration because he is hard of
8 hearing. So many of the AP meetings now are
9 hybrid meetings where half the participants are
10 in-person, half are online.

11 He has to read lips to really
12 understand people, and that's impossible when
13 people are coming in through the speakers.
14 Frankly, most of the NMHS presenters now don't
15 go travel to meetings anymore, they come in
16 remotely, so he misses all of those
17 presentations and a lot of the other comments.
18 It's also an industry where, frankly, a lot of
19 the participants work long hours around diesel
20 engines, so anyone that knows commercial
21 fisherman knows someone that's hard of hearing.

22 It is a real issue and I just don't

1 hear it being discussed with the EEJ concept.
2 It seems to be focused on a lot of other
3 things, which are important issues, too, for
4 sure. But this process needs to be accessible
5 to people who have problems hearing. That's my
6 two cents. Thank you.

7 MR. ANSON: Thank you, Drew. Next
8 we'll go to the online folks. We have Mellisa
9 Maktuayaq Johnson? We're trying on our end,
10 Mellisa.

11 MS. MAKTUAYAZ JOHNSON: Hello, can
12 you hear me?

13 MR. ANSON: We can hear you now,
14 Mellisa. Go ahead.

15 MS. MAKTUAYAZ JOHNSON: All right
16 (Native language spoken), my English name is
17 Mellisa Maktuayaq Johnson. I'm a Nome Eskimo
18 Community Tribal Member and (audio
19 interference) but I'm speaking on the EEJ
20 process. The laws providing diverse
21 representation is the actual MSA, where we
22 should have diversity in these management areas

1 and realize that it is up to the states for
2 reappointment.

3 But where the Alaska Native tribes
4 make up 20% of the state's population, as only
5 one representative, there's a lack of sovereign
6 tribal representation in the North Pacific
7 Fishery Management Council body. We support any
8 proposition of MSA reauthorizations, to include
9 majority voting of Alaska Native tribal seats,
10 realizing it may change the dynamic of the
11 outcome of the votes and decisions made if
12 permitted.

13 I would like to commend the current
14 and previous North Pacific Fishery Management
15 Council and AP members for having the
16 nomination process for a designated tribal APC.
17 Also, I would like to commend the motion that
18 was just carried at the October 2023 meeting
19 out by the North Pacific Fishery Management
20 Council for continuing to work and include ways
21 of incorporating our different local knowledge,
22 traditional knowledge and subsistence

1 information into this management body.

2 MR. ANSON: Thank you, Mellisa. Thank
3 you for your comments. Next we have online
4 Matthew Seeley.

5 MR. SEELEY: Can you hear me okay?

6 MR. ANSON: Matthew, we can hear you.

7 MR. SEELEY: Thank you very much for
8 the opportunity to provide public comment. Good
9 afternoon, CCC members. Matthew Seeley, Senior
10 Manager with the Environmental Defense Fund on
11 the US Oceans Team. I also want to first thank
12 Miguel for bringing our workshop efforts to the
13 CCC's attention. Speaking on the EEJ workshop
14 that was brought up, EDF is developing a
15 workshop that focuses on identifying best
16 practices for equitable, just and climate-
17 resilient fisheries.

18 As Bill mentioned, these two major
19 efforts, EEJ and climate-resilient fisheries,
20 are very hot topics. We hope to streamline the
21 focus to ensure we appropriately prioritize
22 the needs of underserved communities and

1 marginalized groups as we approach things like
2 new species distribution and other adaptive
3 fishery management policies.

4 EDF's efforts importantly are not
5 intended to replace the work by the CCC, but to
6 support your work, as well as the efforts on
7 the national strategy and those that are being
8 put forward on the regional implementation
9 plan. EDF has already been in contact with
10 staff from many of the regional offices and
11 science centers through coordination with the
12 national EEJ working group. We've also had
13 initial discussions with many of the Council
14 staff that are on the CCC's EEJ working group.

15 Ultimately, this workshop aims to
16 bring together social scientists, economists,
17 climate scientists, tribal liaisons and Council
18 staff to discuss and develop best practice
19 recommendations on how to approach EEJ and
20 climate-resilient fisheries in tandem.

21 Ultimately, once recommendations are developed,
22 EDF plans to conduct surveys and interviews

1 with fishery stakeholders to validate and/or
2 adjust these recommendations as necessary.

3 Ultimately, a final report will be
4 made available to all of NOAA fisheries,
5 Councils and participants. As Miguel noted, the
6 workshop that EDF is putting on is tentatively
7 scheduled for Spring 2024. I just wanted to
8 make sure that that information was out there.
9 Happy to answer any questions and appreciate
10 the opportunity for public comment. Thank you.

11 MR. ANSON: Thank you, Matthew. I
12 don't see any hands, so I'll just check with
13 Morgan. Do we have anyone else, Morgan, that's
14 either registered online or in the audience?

15 MS. COREY: No one else.

16 MR. ANSON: That concludes our public
17 comment session. Thanks to everyone that
18 presented today and thanks for the
19 participation. We will go ahead and adjourn for
20 the day, but we will begin back here tomorrow
21 at 9:00 a.m., and again the overview of the
22 Fiscal Responsibilities Act and CEQ's proposed

1 need for regulations. Thank you.

2

3 (Whereupon, the above-entitled
4 matter went off the record at 5:18 p.m.)

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This is to certify that the foregoing transcript

In the matter of: Council Coordination Committee

Before: NOAA

Date: 10-12-23

Place: Arlington, VA

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