

DRAFT Meeting Minutes

NPFMC Legislative Committee

Tuesday, June 2, 2015, Sitka, Alaska

Committee Members present: Dan Hull (Chair), Roy Hyder, Dave Hanson, Bill Tweit, Jim Balsiger, Sam Cotton, Chris Oliver (staff)

Other agency staff/public: David Witherell, John Lepore, Nicole Kimball, Dave Long, Stephanie Madsen, Robert Savage, Linda Kozak

Chairman Hull called meeting to order and reviewed and reaffirmed the Committee charge, which is to respond to introduced legislation, identify issues with other legislation, but not to initiate new legislation, or consider potential legislation that has not been actually introduced. The Committee then discussed the issue of 'lobbying' and what is fair game for Council in terms of providing input to Congressional offices. Based upon discussions with NOAA GC it is clarified that we can respond to documented requests, but we need to make our comments as factual as possible, and tie our comments to our grant performance (SOW for Council funding) and specific implications to our fisheries management activities under that grant. It is further clarified that our input is not necessarily limited to formally introduced legislation, but we can more generally provide input relative to any issue for which MSA reauthorization is relevant, including working drafts. We can also provide input relative to issues or concerns that we feel need to be addressed through MSA reauthorization, for example.

Chris Oliver provided an overview of current legislation (NPFC implementing legislation/MSA reauthorization). Based on that discussion the Committee made the following recommendations for Council consideration on specific aspects of HR1335, including amendments adopted by the House on June 1:

With regard to the NEPA issue specifically, the Committee discussed pros and cons associated with the potential MSA approach (as recommended by the CCC working group), and wishes to reserve comment pending further discussions at our CCC meeting later this month. The Committee will tentatively schedule another meeting sometime in mid to late July in order to finalize any comments on this issue (or develop comments on any other legislative developments).

Keating amendment to allow expanded use of Asset Forfeiture Funds – Committee supports this provision.

Young amendment to require Councils to develop formal schedule for actions to be taken within two years, following formal 5/7year review of LAPP programs – Committee seeks clarification from Congress on intent and effect of this provision, before taking any formal position.

Young amendment to require SOC to develop plan and schedule for stock assessments for all FMP managed fisheries – Committee supports this provision, with proviso that it not adversely affect current stock assessments in North Pacific.

Young amendment to require use of information from non-governmental sources as ‘best information available’ – Committee recommends deletion of this language, or altering the language to first require a report be developed prior to establishment of binding regulations or guidelines.

Young amendment to require SOC to submit report to Congress on cost effectiveness of various monitoring tools (human observers vs EM) – Committee recommends supporting this language.

Wittman amendment to allow use of alternative harvest controls for recreational fisheries – Committee does not oppose this language, but requests clarification of intent and effect, and assessment of how this comports with proposed changes to the NS1 guidelines.

Rubio bill – no comment at this time.

The Committee discussed recent Council recusal determinations, noting this could fall under the category of issues which might be resolved through MSA amendments. The Committee noted that the Council will have further discussions of this issue under the B-2 NMFS management report at this meeting. Additional discussions of this issue may occur at our CCC meeting later this month.

The Committee recommends sending a letter of support to Senator Sullivan and the Commerce Committee for the current version of the NPFC implementing legislation.

The Committee did not have any specific recommendations at this time with regard to the letter to NMFS requesting further clarification of harvester/processor cooperative linkages, noting that we have not seen NMFS response, and that at some point we might see specific legislation addressing this issue, and any Committee/Council comments could be considered at that time.

The Committee recommends that it be used to respond to legislation when necessary in between Council meetings, noting urgent requests for input will require response from the Chair/ED. One example is waiting for CCC meeting discussions on NEPA before finalizing any NPFMC position on this issue. Therefore we will wait until after the CCC meeting to send comment letter on HR1335.