

REGIONAL FISHERY MANAGEMENT COUNCILS

North Pacific Council
Pacific Council
Western Pacific Council

New England Council
Mid-Atlantic Council
South Atlantic Council

Gulf Council
Caribbean Council

November 18, 2004

Admiral Conrad Lautenbacher
NOAA Administrator
14th Street & Constitution Avenue NW, Room 6217
Washington, DC 20230

Dear Admiral Lautenbacher:

The eight Regional Fishery Management Councils (RFMCs) consider themselves to be direct partners with NOAA Fisheries in managing our Nation's fisheries and other marine resources, and we were extremely pleased to meet with you and other NOAA officials last month in Baltimore. The workshop provided a very useful dialogue among the Councils and NOAA Fisheries regarding key issues facing our shared management mission. One of the most critical issues, which is the focus of several recommendations in the report from the U.S. Commission on Ocean Policy (USCOP) and also of the pending Magnuson-Stevens Act (MSA) reauthorization, is the subject of ecosystem-based management. We understand NOAA's desire to be on the leading edge of the movement to ecosystem-based management, and appreciate your comments in this regard in Baltimore; however, based on presentations we received in Baltimore, coupled with other, less formalized ecosystem related initiatives ongoing within NOAA, we are very concerned that these collective initiatives are reaching an advanced stage of development without any meaningful input from the RFMCs.

NOAA's recent Draft Strategic Plan emphasizes the focus on ecosystem-based management, and it contains brief reference to the creation of regional ecosystem councils. In Baltimore last month we received a report from Mark Holliday regarding NOAA's initiatives in creating and coordinating regional ecosystem councils, which appears to involve a broad, multi-agency bureaucratic super-structure, but without any defined regulatory authority or specific mission. Neither does this plan identify the role of the existing RFMCs, or how the existing structures and authorities of the RFMCs and NOAA Fisheries could be built upon to accomplish the ostensible mission of regional ecosystem councils. We believe that building upon existing structures and authorities would be a more logical, efficient approach. We further understand that the current 'goal team' structure within NOAA

Admiral Lautenbacher
November 18, 2004
Page 2

includes an ecosystem goal team as one of four primary divisions, and that significant resources are being devoted to the overall ecosystem initiative, including an internal, draft discussion paper containing guidelines for the regional ecosystem approach. We also understand that NOAA is in the process of creating, or assigning, high-level ecosystem coordinator positions to at least 10 ecosystem regions across the country. Finally, we understand there is a draft NOAA position paper relative to amending the MSA with specific requirements and provisions for ecosystem-based management. Other than the very recent overview we were given in Baltimore, and an invitation to participate in an August 2004 workshop relative to possible delineation of geographic ecosystem regions, the RFMCs have not seen any of these materials, nor have we been invited to provide input into any of these planning efforts.

We are unclear on how these numerous ecosystem-related initiatives relate to one another, and what the end result could be relative to the role and responsibilities of the RFMCs, NOAA Fisheries, and other agencies. It is clear to us however that development of Regional Ecosystem (or Ocean) Councils, associated regional initiatives including new ecosystem coordinator positions within NOAA, a national strategy for ecosystem focus, and legislative requirements for ecosystem management plans (under MSA or otherwise) will all directly and significantly affect the role, function, and responsibilities of the RFMCs, as well as that of NOAA Fisheries. The most likely focus of any regional ecosystem council will be on fisheries and fisheries related activities, for which there is already a management council system in place. We all support the concept of ecosystem-based management, we already incorporate ecosystem principles in our management approaches, and four of the regions have received funding to establish explicit pilot programs for ecosystem plans. That the other four regions have not received support for such explicit ecosystem development adds to the confusion we are experiencing with regard to overall coordination of these efforts.

Moreover, we are very concerned about setting up a process that could directly or indirectly usurp existing processes and authorities, or at a minimum could prescribe the role of the Councils without our input. We should also be very careful that we do not set overly ambitious timelines, or impose impossible requirements upon ourselves, and create fertile grounds for additional litigation that could further stymie our ability to meet existing management goals. Given the apparent high priority the agency has placed on this initiative, and the resources being applied, we are also concerned that funding not be diverted to the point of compromising existing management responsibilities and critical management initiatives. It may be prudent to focus initial ecosystem strategies on scientific research, and attaining a better understanding of ecosystem components, before designing new policy and management structures.

Again, we recognize the agency's desire to get a jump start on potential legislation arising from MSA reauthorization, or potential action by the President and Congress relative to US COP recommendations. However, we respectfully request that the agency proceed carefully with development of these ecosystem related initiatives, and that you do so in an open, collaborative manner with early input from the RFMCs. Defining ecosystem-based management, and appropriate

Admiral Lautenbacher
November 18, 2004
Page 3

application of its attendant principles, is one of the key issues on the agenda for our co-sponsored "Managing our Nation's Fisheries" conference next March in Washington D.C. The RMFCs and NOAA Fisheries need to work together to define a responsible, realistic approach, and to coordinate the appropriate authorities under which this approach will be administered.

We appreciated your comments in Baltimore regarding the Councils, NOAA, and all of our constituencies being "under the same tent", and we look forward to that collaboration as the agency moves forward with this initiative. The Council Executive Directors and Chairs request an opportunity to meet with you and other NOAA leadership at your earliest convenience, before the agency's various ecosystem related initiatives become solidified. Our designated point of contact on this issue is Chris Oliver at the North Pacific Council. Again, we very much appreciate the importance of the ecosystem-based approach, and the significant implications to NOAA Fisheries' and the Councils' management mission. We look forward to working with NOAA to design that approach.

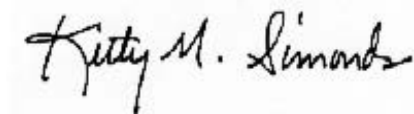
Sincerely,



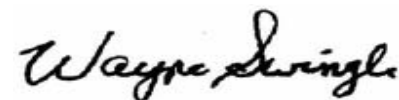
Chris Oliver
Executive Director, North Pacific Council



D.O. McIsaac, Ph.D.
Executive Director, Pacific Council



Kitty Simonds
Executive Director, Western Pacific Council



Wayne Swingle
Executive Director, Gulf Council

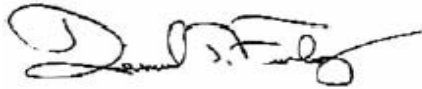
Admiral Lautenbacher
November 18, 2004
Page 4



for Miguel Rolon
Executive Director, New England Council



Paul Howard
Executive Director, New England Council



Daniel Furlong
Executive Director, Mid-Atlantic Council



Robert Mahood
Executive Director, South Atlantic Council

CC: Bill Hogarth
Jack Dunnigan
RFMCs
Senator Ted Stevens
Senator Daniel Inouye