October 15, 2008

The President
The White House
Washington, D.C. 20500

Subject: Appointment of U.S. Commissioners to the Western and Central Pacific Fisheries Commission

Dear Mr. President:

On behalf of the Pacific Fishery Management Council, I would like to note our surprise and disappointment with your recent appointments of U.S. Commissioners to the Western and Central Pacific Fisheries Commission (WCPFC), because no Pacific Council member was appointed. Language in the Western and Central Pacific Fisheries Commission Implementation Act states:

In making the appointments, the President shall select Commissioners from among individuals who are knowledgeable or experienced concerning highly migratory fish stocks in the Western and Central Pacific Ocean, one of whom shall be an officer or employee of the Department of Commerce, and one of whom shall be the chairman or a member of the Western Pacific Fishery Management Council and the Pacific Fishery Management Council.

Clearly, the wording is unfortunate in its ambiguity; the interpretation you made was that one Commissioner shall be chosen from either the Western Pacific Fishery Management Council or the Pacific Fishery Management Council. An equally valid interpretation would be that a third "one of whom" is implied: ...and one of whom shall be the chairman or a member of the Pacific Fishery Management Council. In fact, being the legislative intent, the latter interpretation had been in place since passage and signing of the Act. It is on this basis that we were so surprised and disappointed that Ms. Marija Vojkovich—having served as an interim Commissioner along with the others originally appointed—was not included among those permanently appointed.

However interpreted, there are several good reasons to include a member of the Pacific Council among the Commissioners; a primary reason is direct representation of the fishery for North Pacific albacore based on the U.S. west coast, which is affected by Commission decision-making. Currently, only one Commissioner, Mr. Paul Krampe, hails from the west coast. He has excellent credentials and capabilities to represent the interests of tuna canneries and tuna purse seine vessels operating in the Western Pacific ocean. However, he is not typically engaged in the many relevant issues associated with the Pacific Fishery Management Council process and west coast based fishermen.
North Pacific albacore are very important to west coast fisheries and these fisheries are an important component of the international picture. U.S. North Pacific albacore catch, principally by west coast vessels, accounts for about 17 percent of the total catch by all nations. In 2007 some 680 west coast commercial vessels participated in the commercial albacore troll fishery, landing 11,496 metric tons of albacore worth $20.7 million dollars at the dock. Albacore are also a vital component of West Coast recreational fisheries. The importance of these west coast fisheries alone is sufficient justification for allocating one of the five Commissioner seats to a member of the Pacific Fishery Management Council.

A subsidiary body of the Commission, the Northern Committee, provides recommendations for management of this stock, while the Inter-American Tropical Tuna Commission (IATTC)—the regional fishery management organization in the Eastern Pacific—has been only marginally involved in North Pacific albacore management, because that organization’s focus is on tropical tunas. In contrast, the Northern Committee is concerned with species, such as North Pacific albacore, that principally occur north of 20° N latitude. Furthermore, heavy fishing pressure in the northwestern Pacific, within the WCPFC Convention area, is having a major impact on the albacore stock.

Since implementation of our Fishery Management Plan for West Coast Fisheries for Highly Migratory Species in 2004, the Pacific Council has worked closely with our partners in the Departments of Commerce and State and the Western Pacific Fishery Management Council to develop management and conservation recommendations for U.S. delegations to the WCPFC and IATTC. For example, it was the Pacific Council that compiled information on U.S. fishing effort on North Pacific albacore in response to resolutions adopted by both Commissions. The Pacific Council has also spurred efforts by the U.S. delegations to see that other nations similarly characterize their level of fishing effort as a prelude to not increasing those levels. This work is especially important because fishery scientists have expressed concern that North Pacific albacore may be approaching a point of over-exploitation.

The Council has proven effective in giving voice to the concerns of U.S. west coast fishermen with respect to international management of tuna stocks. We feel that appointment of a Pacific Council member as a Commissioner, as indicated in the act referenced above, would substantially strengthen this role and contribute to a more coordinated overall national approach in this important international body. For that reason we ask you to consider such an appointment at your earliest convenience.

Sincerely,

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

KRD: rdd

c: Council Members
   Mr. Carlos M. Gutierrez, Secretary of Commerce
   Dr. Condoleezza Rice, Secretary of State