



## Pacific Fishery Management Council

---

7700 NE Ambassador Place, Suite 101 Portland, OR 97220-1384  
Phone 503-820-2280 | Toll free 866-806-7204 | Fax 503-820-2299 | [www.pcouncil.org](http://www.pcouncil.org)  
Philip Anderson, Chair | Charles A. Tracy, Executive Director

September 1, 2017

Mr. Chris Oliver, Assistant Administrator  
NOAA Fisheries  
1315 East West Hwy.  
Silver Spring, MD 20910

Dear Mr. Oliver:

The Pacific Fishery Management Council (Council) would like to congratulate you on your appointment as the Assistant Administrator for NOAA Fisheries. We very much appreciate your willingness to oversee the agency and recognize the personal sacrifice entailed in taking on such a monumental task; however, we cannot think of anyone more suitable for the job of overseeing the science-based and transparent management of our nation's fisheries and living marine resources, and we have the utmost confidence in you. I'm sure you have seen the letter from the Council Coordination Committee (CCC) that addresses some of the priorities shared by all the regional Councils, which we contributed to and support, but the Pacific Council also wanted to take this opportunity to communicate some of the priorities we see for our Council and the Agency, both nationally and regionally.

**Fishery-Dependent Data Collection.** The Council believes the Agency should consider ways to provide additional support for fishery-dependent data collection programs like port sampling, effort estimation, and age data to support stock assessments, annual catch limit (ACL) monitoring, and analyses of impacts from actions. There are obvious needs to improve recreational data collection in many parts of the nation, and while the West Coast states have had relatively strong sampling programs, funding issues have resulted in some erosion recently. For example, lingcod age data for this year's stock assessment relied primarily on National Marine Fisheries Service (NMFS) Trawl survey data, which does not effectively sample rocky or nearshore habitats, because recreational samples were inadequate or unavailable. Many states are struggling to establish or even maintain adequate sampling programs, and NMFS should consider partnerships or other mechanisms to assist or augment those data collection programs.

**NMFS Staffing.** NMFS staffing levels are important for maintaining an effective Council/NMFS partnership, and for NMFS to engage in the development of Council actions, be well-informed as decision-makers, and to ensure timely processing of Council actions. Quickly filling vacancies, and in particular retaining experienced employees, are important aspects of maintaining an effective partnership. This applies at both the staff and leadership levels.

**NMFS Travel Constraints.** Travel constraints increasingly preclude NMFS staff from attending part of, or sometimes entire Council meetings. The travel cap is a policy that has placed an

---

artificial constraint on NMFS' budget management, which deprives the Council process of NMFS analytical expertise and can exclude NMFS staff from discussions about the rationale for the analysis upon which the National Environmental Policy Act (NEPA) and other decision documents rely, and for which NMFS is ultimately responsible. Staff are also not always available to support the Regional Administrator/designee during Council discussion and action, or for immediate debriefing. We request the agency engage the administration in reviewing the travel cap policy.

**Policy Directives.** Policy directives issued by NMFS frequently do not take into consideration the need for additional staffing and resources that Councils may need to help develop and then implement them. The demands on Councils to fulfill existing regulatory and management requirements are significant, and these should be met before any new mandates are required. When new policy initiatives are considered, funding commensurate with the associated Council workload should be provided.

**NEPA/MSA Integration.** Integrating the policy objectives and key requirements of NEPA directly into the MSA is an important requirement of the Magnuson-Stevens Act (MSA). The primary benefit to this process would be to reduce or eliminate NMFS review of NEPA documents after a Council takes final action and before the regulations are transmitted to NMFS, thus starting the MSA review period. This could result in a more efficient fishery regulatory process, while ensuring that the NEPA objectives of informed decision-making and public comment opportunity are fully met. The Council decision process provides a science-based, transparent, and inclusive process that provides for public comment opportunities and participation by NMFS in the final decision. The Council believes the objective of these changes is not to circumvent the intent of NEPA, but to incorporate important aspects of the NEPA analysis and process directly into the MSA. The Council has developed recommendations for CCC consideration as an approach to address the requirements in the existing MSA section 304(i)(1)(B) ENVIRONMENTAL REVIEW PROCESS; the Council does not believe what has been called for in the MSA has been accomplished to date. Council staff would like to work with NMFS and NOAA General Counsel on this issue.

The Council also wants to bring your attention to some of the West Coast regional issues we are engaged in. Some of these issues reflect the priorities discussed above. As you read further, you will see references to the phrase "support from NMFS HQ [headquarters] and/or WCR [West Coast Region]." To clarify, by support we are referring to financial, advocacy, and staff support. As mentioned above, the contribution by NMFS staff to Council programs is critical, and the support needed is not strictly financial.

**Groundfish Trawl Catch Share Program.** The groundfish trawl catch share program has been very successful at bycatch reduction, but less so at improving economic performance of the fishery. There are a number of trailing actions the Council has and is pursuing to address some of these issues, including revising gear and area closure regulations, electronic monitoring, and allocation revisions, just to name a few. We appreciate the support we have received from NMFS WCR and HQ for these initiatives, and as we move forward with our 5-year review of the program and the priority follow-on actions we hope you will continue that support.

**Ecosystem-based Fishery Management.** The Pacific Council has been a leader in development and implementation of Ecosystem-Based Fishery Management (EBFM); concepts from our

Fishery Ecosystem Plan (FEP) were used extensively in development of the EBFM Policy and the subsequent EBFM Roadmap. Our FEP is designed to incorporate ecosystem management principals into fishery management to account for multi-species effects, social and economic factors, and environmental drivers of the marine ecosystem. We have had some success with our initiatives under the FEP, including forage fish protection measures and revision of ecosystem indicators for use in the Integrated Ecosystem Assessment report that NMFS produces annually. We have relied on support from NMFS WCR and HQ for those initiatives as well, and are hoping to pursue another initiative to evaluate socio-economic effects of fisheries management practices on fishing communities and on human recruitment to the fisheries, or an initiative on the effects of near-term climate shift and long-term climate change on our fish, fisheries, and fishing communities (TBD at September 2017 Pacific Council Meeting). We have been approved for some TEMP funding to advance this latest initiative, and have received the 2017 portion of the request (about 1/3 of the requested amount, which would fund the effort through 2019). We also are scheduled to begin a review of our FEP in 2018. Receipt of the balance of the requested funding in FY2018 will be necessary to complete the initiative process, and we would appreciate your support in that effort.

Thank you for your attention to these important issues. If you have any questions, please feel free to contact me or Chuck Tracy, our Executive Director.

Sincerely,



Philip Anderson  
Chairman, Pacific Fishery Management Council

CAT:kma

Cc: Pacific Council Members  
Regional Fishery Management Council Executive Directors  
Mr. Mike Burner  
Mr. Don Hansen