June 3, 2014

The Honorable Mark Begich
United State Senate
111 Russell Office Building
Washington, DC 20501

The Honorable Marco Rubio
United State Senate
284 Russell Senate Office Building
Washington, DC 20510


Dear Senators Begich and Rubio:

We thank you for the opportunity to comment on the staff working draft of the “Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2014” dated April 3, 2014. We offer some brief overarching comments, comments on general topics that appear in several sections of the Bill, and then comments on specific sections (enclosure). We very much appreciate the inclusiveness in outreach from both the Senate and House on this evaluation of the Magnuson-Stevens Act (“MSA”).

As an opening matter, we view our roles on the Pacific and North Pacific Councils as essential to our stewardship mandates and focus our attention on how we see the Bill’s proposals potentially affecting our ability to carry out that mandate. From our perspective, the MSA is working well. Short of the expiring Dungeness crab authority and the need to authorize appropriations, we do not view any amendments to the law as absolutely necessary at this point. The statute currently allows the Councils flexibility to address many of the policy goals addressed in the Bill. We agree that improvements could be made, and understand how Congress may wish to enact more specific mandates in some areas, yet we do not see any urgency in making them.

We also highlight concerns we and many others hold about the workload and budgets of the Councils and the National Marine Fisheries Service (NMFS). Our biggest concern is that amendments to the law would detract from the current core capabilities, stock assessment and monitoring activities in particular. While we do see room for new initiatives, we have some
concern that certain new initiatives, or multiple new initiatives, could push workload pressures too far and require of reprioritization of staff and budgets that are already dedicated to core fisheries management activities.

Comments on General Initiatives

1. WDFW’s highest priority - State authority for dungeness crab fishery management
We are grateful that Sec. 306 of the Bill proposes repeal of the sunset provision on the added authority of Washington, Oregon, and California to enforce state rules in the Dungeness crab fisheries. The coordinated management and enforcement programs of the three states have proven effective. If this were to change, subsection (f) of the law allows the Pacific Council to recommend Council management of the fishery. We view the Council as an appropriate forum for such deliberations if the interest in changes to management were to arise.

2. Subsistence fishing and tribal governments
We are supportive of the provisions that would add explicit recognition of subsistence fishing and tribal governments to various sections of the statute. Our one concern would be making subsistence fishing a “balance” requirement for Council representation. We note that the Bill would not amend the provisions regarding tribal representation on the Pacific Council. We think the current provisions on Pacific Council representation are appropriately limited to tribes with federally recognized fishing rights.

We are very supportive of attention to fisheries bycatch issues and would be supportive the Bill’s proposed modification to the Act’s statement of policy on bycatch. At the same time, we have concerns about how the Bill’s proposed definitions of “bycatch” as well as those for “target” and “non-target” stocks. Our concern would be that they might alter the existing framework of the statute and require unnecessary re-analysis of how stocks are classified in FMPs. At the same time, we note that the Bill does not propose amendments to National Standard 9 where the statute’s main substantive provisions on bycatch are found. It is therefore somewhat unclear as to the effect the proposed changes would have on actual bycatch management.

The Pacific and North Pacific Councils pay considerable attention to bycatch. Both Councils manage multispecies fisheries and strive to understand the risk posed by fishing to all species encountered. For instance, analysts at the Pacific Council identified over 400 different fish and invertebrate species encountered by the Council’s groundfish fisheries, most of them in minor amounts. If the intent is to more precisely categorize types of bycatch (as put forth, in staff’s “Highlights” document), we see the major distinction being between catch of stocks where
overfishing is at risk and those where bycatch is of concern for other reasons. The Endangered Species Act and Marine Mammal Protection Act protections are some of the other reasons as are concerns about wasteful fishing practices and general ecological considerations.

The Bill’s proposed definitions of target and non-target stocks appear to derive from those in the National Standard 1 Guidelines. Those terms have been most meaningful as part of the Guidelines’ recommended “in the fishery” and “ecosystem component” framework for determining which stocks require annual catch limits (ACLs). ACLs are focused on preventing overfishing and the “in the fishery” framework helped the Councils identify stocks where overfishing is of high enough concern to employ them (or in the reverse, where concern was sufficiently low so that ACLs were deemed unnecessary). The definitions of “target” and “non-target” stocks were helpful but we do not see them as determinate for every stock. For example, there are some non-target stocks that are not retained by the great majority of fishing vessels, like Spiny Dogfish at the Pacific Council, yet where bycatch is high enough that overfishing is still of potential concern. We draw connections to this issue in our comments under Sec. 102 as well.

We think the MSA’s existing framework for bycatch is adequate and offers the Councils flexibility to address wasteful and otherwise environmentally harmful bycatch problems. We do recognize that bycatch is still controversial in some fisheries, the drift gill net fishery at the Pacific Council being an example where we have long had concerns. Yet we see more potential for confusion with the Bill’s proposed definition of bycatch than we do practical benefit.

4. Improvements to forage fish management – Proposal to consider amendments related to new fisheries

We support the policy goals of the Bill’s forage fish provisions. Washington’s Fish and Wildlife Commission has long had a policy for precautionary management of forage fish. At the same time, we have heard of some concerns about the proposed definition of forage fish being too broad. While we fully support the policy of taking the ecological importance into account when setting annual catch limits and defining optimum yield, we also have some concern about a definition that would be overly limiting in either direction. The existing framework of National Standard 1 and definition of optimum yield call for the Councils to weigh the trade-off between harvest and the ecological values of all stocks. Further emphasis on this requirement, as well as resources for the requisite science, would be preferable to a statutory definition.

We would also have concern about a mandatory requirement for addressing “the feeding requirements of dependent fish throughout the range of the dependent fish.” We support the concept, yet the science is not there for most species in the Pacific to make such determinations. At the Pacific Council, Pacific sardine is the best studied forage fish and the Council’s harvest
policy involves a set aside for ecological and precautionary considerations. Yet the amount set aside is viewed as arbitrary from a scientific point of view because it was established without ecological analysis. The Council’s policy is intentionally precautionary, yet the state of the science is that we do not know how well the amount truly addresses feeding requirements. With such high uncertainty, we would prefer that ecological considerations be left to be addressed on stock by stock bases as necessary and appropriate. In addition, we would be concerned that a blanket mandate might require study of stocks where harvest is low and the question of ecological requirements would be largely academic.

An alternative way of improving forage fish management might be to address an area in which the MSA is lacking in our view—its approach to new fisheries. Preventing new fisheries from developing on forage fish until the ecological consequences can be weighed is sound conservation policy. This has been the main issue with forage fish at the Pacific Council. The Council’s preferred policy has been to not allow any new forage fish fisheries to develop until there has been time for adequate consideration of the socioeconomic and ecological benefits and costs. The deliberations have only taken so long because of NMFS’ lack of comfort with the MSA’s authority for establishing such a proactive management approach. Other efforts like the Pacific Council’s preventative ban on krill fisheries and the North Pacific’s Artic Fisher Management Plan (FMP) have likewise taken more effort than they reasonably should both also because of this same issue with the MSA’s framework for addressing the potential for new fisheries.

To address this issue, we would suggest considering amending the statute to grant the Councils explicit authority to proactively recommend conservation and management measures, or alternatively, to require the Councils to affirmatively endorse a new forage fish fishery. The fact of the matter is that it takes more environmental analysis and review to make relatively minor adjustments to regulations in an existing fishery than it would to start a new fishery on forage fish. This is because no affirmative action by NMFS or the Council is required for a new fishery to start up. There is no decision by the Council or NMFS needing analysis or documentation in the administrative record. The MSA’s approach to new fisheries was appropriate in the era when the law first passed. Yet the reactive approach is now out of step with the rest of the statute’s precautionary framework.

Finally, given that the reauthorization process has just begun, please consider the WDFW comments as “initial.” We would be pleased to engage in further discussion as the draft is further developed.
Thank you for the opportunity to provide these comments. If you have questions, please contact Michele Culver (360) 249-1211, or Bill Tweit (360) 902-2723.

Sincerely,

[Signature]

Philip Anderson
Director

Enclosure

cc: Michele Culver
    Bill Tweit
    Corey Niles
    Jennifer Quan
Section by Section Comments

SEC. 3. CHANGES IN FINDINGS, PURPOSES, AND POLICY
The Bill’s proposed findings and statements of purposes and policy are consistent with how certain conditions and attitudes have changed at the Pacific and North Pacific Councils since the Act was last amended. We note some concerns below about statutory findings proposed elsewhere in the Bill.

SEC. 4. DEFINITIONS
As discussed above, we do not understand the need for or intended policy effect of the proposed definition of bycatch, target, or non-target stocks.
Please see below for our comments on the Bill’s Sec. 104(d) for our thoughts on the proposed definition of “depleted”

SEC. 101. REGIONAL FISHERY MANAGEMENT COUNCILS

Role of the Science and Statistical Committees

As a small matter, on the proposed additions to the scientific and statistical committee FMP(SSC) functions in Sec. 101(c)(B)(i) of the Bill, we would expect the SSCs of the Pacific and North Pacific Councils to flag the “goals and objectives of fishery ecosystem plans” as policy matters outside of their scientific purview. Both SSCs have actively reviewed the scientific portions of the fishery ecosystem plans at both Councils but will not go as far to recommend what goals and objectives should be. They would view that as a role for the Councils.

We would expect similar comments on Sec. 101(c)(B)(ii) and the control rule for forage fish. Only portions of the control rule would be viewed as scientific with aspects like “a minimum reference point to determine when a forage fishery should close” involving mostly policy decisions that the SSCs would not wish to make.

Sec. 101(d)(4) – Review of Allocation Decisions

We recognize the proposal in Sec. 101(d)(4) on the mandatory review of allocations as a priority for some stakeholders, including from our region. Allocation decisions can involve some of the most contentious issues taken up by the Councils and often have no clear solution. We have seen how these aspects can combine to create inertia for the status quo and unwillingness to revisit certain decisions to the frustration of some fisheries groups.
Enclosure - Washington Department of Fish and Wildlife – Initial Comments on “Discussion Draft” proposal on the “Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2104”

At the same time, we are concerned about the workload involved with an additional review requirement for the Councils. Some reviews can be very workload and time intensive and involve uncertainty about the required intensity of review. When litigation is possible, the level of review can be quite intensive and time consuming, most often disproportionately so.

On the question of a reasonable timeline for requiring a review, a pure 8 year requirement might be preferable to a default 5 year review with an option to delay the review for three additional one year periods. A 5-year review requirement would mean that the Councils would have 4 or fewer years of data with which to evaluate the effects of an allocation. Effective study might require more years of data. We are also concerned that three additional one-year delays could just create more workload for the Councils and NMFS to justify the extra time.

In our experience fishing businesses, both recreational and commercial, are not different than other businesses that hope for as stable a regulatory environment as possible to facilitate planning. Catch share programs in particular are meant to align the incentives of business with conservation. We would question if 5 years provides sufficient planning certainty in many cases.

In addition to the question of reasonable review timelines, we would emphasize that the nature of allocation decisions will vary by Council, by FMP, and even by stock within fishery management plans. Some FMPs like the Pacific Council’s Groundfish FMP have tens of stocks or stock complexes with set allocations, some established for minor administrative purposes. Congress might therefore consider limiting the review requirement by adding certain conditions as a trigger as an alternative to a blanket requirement. For example, the trigger could be a petition from the public with some minimum showing required to be put forward, or, a more formulaic approach tied to allocations being reached a certain number of times over some timeframe. Such criteria could address the concerns over the inertia for status quo allocations by removing the decision to review an allocation from the majority vote of a Council while also reducing the likelihood of causing the Councils to unnecessarily re-consider some allocation decisions.

Sec. 101(d)(5) – “Alternative fishery management measures" for recreational fisheries

Recreational fisheries have long been of high importance in the Pacific and North Pacific. We see sufficient flexibility in the MSA to address recreational fisheries and do not see this provision as granting authority that does not already exist. We may be misunderstanding the scope of the proposed change and would hope to see more deliberation or discussion on the underlying congressional intent before it was enacted.
SEC. 102. CONTENTS OF FISHERY MANAGEMENT PLANS.

We have questions about the connection of the proposed subsection (a)(15) to some of the proposals in Title II of the Bill, which we also discuss below. The proposed requirement to amend each FMP to comply with the proposed subsections (a)(15) and (e) seems potentially onerous, and again, potentially duplicative to the electronic monitoring and cost reduction reports proposed in Title II of the Bill.

We have some concerns about the language proposed for subsection (e) on integrated data collection, including the reference to “scientific data collection.” The meaning of that term can be ambiguous. Enforcement and catch accounting are sometimes not considered “scientific data” but are nonetheless very important aspects of fishery-dependent monitoring.

Also with that subsection, we would highlight potential confusion to the reference to National Standard 8. As we understand it, the reference may be unnecessary because all measures recommended by the Councils already need to be consistent with the requirements of National Standard 8. Referencing it in this provision might raise question about its applicability in other areas where it is not specifically called out. If subsection (e) were to be added, subsection (e)(2) would seem sufficient as a way of providing specific instruction on how National Standard 8 could be evaluated in the context of integrated data collection.

As discussed below, we believe the proposed (e)(1)(C)’s mandate to “give first consideration and priority” to electronic monitoring (EM) is premature given that EM programs are largely untested in U.S. fisheries. A requirement that explicitly required exploration of electronic monitoring as an option for fishery dependent monitoring would be preferable. Until EM tools are more established, we would question the appropriateness of placing the Councils in the position of having to prove that EM is inappropriate for each and every fishery. The focus would be more appropriately placed on evaluating options and identifying the option that is most cost-effective for the need.

On the proposed addition of subsection (d), which would add exceptions to the ACL requirements, we would raise some questions over (d)(1)(A)’s exception made for species where “all spawning and recruitment” occur in the waters of other nations or the High Seas. Removing spawners from the population, no matter where they eventually spawn, creates potential for overfishing. We do recognize the challenges of transboundary issues. Certain Pacific salmon stocks would be covered by this exemption yet are already subject to the international management exception to the ACL requirement.
On proposed (d)(1)(B), we do not understand the intended effect of the references made to National Standard 1 and the rebuilding provisions of Sec. 304(e). The ACL requirement has integrated well with National Standard 1 and rebuilding at the Pacific and North Pacific Councils. More on the congressional intent behind this provision would be helpful if it were to be enacted.

On the proposed subsection (d)(1)(C), we think this question was well settled by the National Standard Guidelines “in the fishery” framework and does not needed to be added to statute. If the provision is to be enacted, we would recommend adding overfishing risk as the main factor for determining whether ACLs are needed for non-target stocks. In our discussion of bycatch above, we noted Spiny Dogfish at the Pacific Council as being a non-target stock at potential risk of overfishing. As written, this provision of the Bill does not make clear what differentiates some non-target stocks from others as to the ACL requirement.

SEC. 103. FISHERY ECOSYSTEM PLANNING AUTHORITY.

We have been leading supporters of the fishery ecosystem plans and related activities produced at the Pacific and North Pacific Councils. We might characterize the Bill’s proposal as providing a blueprint for a “Cadillac” ecosystem plan. Some of the proposed “required provisions” would not likely be achievable in the short-term and would have to be built towards over time. We would therefore not wish to see plans not taken up because the full requirements could not be met. We also question the purpose of creating mandatory elements of a plan when the plans would be discretionary, as well as the very need for establishing discretionary authority when certain Councils have already established ecosystem plans. At a minimum, we would be concerned by invalidation of the plans that have already been produced.

At the Pacific Council we have been highlighting the connection between the analytical requirements of the National Environmental Policy Act (NEPA) and many of the elements discussed as part of fishery ecosystem plans and ecosystem based fisheries management. For example, we would point to the commonalities between the Bill’s proposed Sec. 303B(b)(1)(F) and the elements of a NEPA environmental impact statement. We see a potential for tying fishery ecosystem plans to the Councils’ proposals for a streamlined NEPA process. We are of the opinion that much of the time and resources directed toward NEPA analysis do not advance knowledge of the Councils or the public and would be better directed at advancing ecosystem based fisheries analyses.

Without such a tie to NEPA, we do not see the need for Secretarial approval of fishery ecosystem plans. NMFS scientists will be heavily involved in the development of fishery ecosystem plans,
and much of the substance of the plans are scientific in nature and most appropriately reviewed and approved through the SSCs and related peer review processes.

SEC. 104. ACTION BY THE SECRETARY

On Sec. 104(a) of the Bill, we agree that the 2006 amendments on integration of the National Environmental Policy Act and the MSA have not been adequately addressed. We see duplication in process and a tendency to favor form over substance in NEPA environmental impact statements and assessments. While quantity and form have been overemphasized at times, we do not wish to see the quality of NEPA environmental review diminished at the Councils. As discussed above in our comments on Sec. 103 of the Bill, we would highlight the potential to align the substance of NEPA analysis with the intent behind the fishery ecosystem plan provisions. There is considerable overlap between the aspirations for environmental analysis of ecosystem based fisheries management and NEPA.

On Sec. 104(b), as noted above, we do not see the need for Secretarial review of fishery ecosystem plans if they are mostly scientific in nature and discretionary.

Lastly, on Sec. 104(c), we would simply note that the term “sector” has different meanings in the Pacific and North Pacific than in New England. We understand the New England sectors to be very similar to what we would refer to co-ops or harvesting cooperatives.

(d) REBUILDING OVERFISHED AND DEPLETED FISHERIES

Rebuilding is an area where we agree that additional, limited flexibility, or at least more clarity in congressional intent, would be beneficial. In general, we see incorporation of the mean generation time based standard proposed in Sec. 104(d) as beneficial. However, we would be concerned about the “widely accepted among fish population biologists” determination. For one thing, it is unclear by what process such a determination would be made. The SSCs at each Council can make the determination of whether the mean generation time standard should apply.

We also think the determination would be unnecessary. We understand the mean generation time based approach to be based in conservation and fisheries science. It has never been in question at the Councils we are involved with from the scientific point of view. And the generation time is a commonly used “yardstick” in conservation science to account for differences in life spans and productivity.

We also wish to emphasize that the problems with rebuilding at the Pacific Council have come from the courts and the ambiguity in Sec. 304(e)(4)(i)’s “as short as possible” mandate as
qualified by the “needs of fishing communities.” Our best guess is that Congress was under the impression that most stocks could rebuild within 5 years at the time the Sustainable Fisheries Act was passed meaning that 10 years was twice as long as the shortest time to rebuild, as described in a 2005 op-ed article in the journal Science. We believe “the needs of fishing communities” to have originally been intended to involve consideration very similar to that established by National Standard 1 and National Standard 8. That is, we envision the original intent was to require rebuilding over a definite timeline but to allow flexibility to minimize the adverse impacts to fishing communities where needed.

The courts have interpreted the the meaning of the “needs of fishing communities” in different light. It is our view that they have done so without a solid appreciation for the scientific foundations of rebuilding. The Pacific Council still operates under considerable legal uncertainty because of continued ambiguity of the “needs of the fishing communities.” Some have argued that the “needs of fishing communities” requires proof that communities must face disastrous consequences or something similarly severe in order to justify harvest during rebuilding. We have questioned the “disastrous consequences” interpretation as out-of-step with the best available science and imbalanced in the context of what rebuilding is intended to achieve.

In summary, we see cause for a thorough reconsideration of the MSA’s rebuilding framework. A National Academies report and other scientific publications have questioned some of the core assumptions that were held about rebuilding at the time the 1996 amendments were passed. Broader reforms of the MSA’s rebuilding framework are warranted, yet we do not know if Congress has been able to give sufficient consideration to all the new information that has come to light since the 1996 Sustainable Fisheries Act amendments on rebuilding.

Lastly, we see the Bill’s proposed use of “depleted” in addition to “overfished” as having some benefit for public understanding by differentiating fishing from other causes of low abundance. However, we do not see much practical effect on the administration of the statute. While acknowledging the possible benefits, we see very few stocks where the effects of environmental factors and fishing as causes of stock decline can be definitively separated. For example, Pacific sardine is experiencing a decline that is likely environmentally driven. Yet fishing is also a contributing factor. The important conservation questions will remain focused on how much fishing to allow when the stock reaches lower abundance. And with rebuilding, the questions will focus on how much lowered fishing pressure could contribute to rebuilding of the stock. Like with a blue crab species in the North Pacific, the answer may be that reduced fishing will have no effect on rebuilding.
SEC. 105. OTHER REQUIREMENTS AND AUTHORITY.

On the Bill’s Sec. 105(c) regarding consumer information regarding sustainably caught fish, we have concern about the resources it would take for NMFS to administer the program and the potential for core science and monitoring resources to be redirected toward funding the program. Moreover, a lot of resources have been directed toward existing certification programs and we do not have a good understanding of how the Bill’s proposal would affect those. We have heard from some stakeholders that a government sponsored certification program may just be an additional requirement from fish buyers instead of a replacement for certification by independent organizations. In addition, we are uncertain about how aquaculture is proposed to be included. If it is intended to be included, then we would characterize it as a shift in policy that we have not had opportunity to sufficiently consider.

SEC. 112. STUDY OF ALLOCATIONS IN MIXED-USE FISHERIES

If such a report were to be requested, we would recommend that it consider the importance of regional differences.

TITLE II—FISHERY INFORMATION, RESEARCH, AND DEVELOPMENT

SEC. 201. ELECTRONIC MONITORING.

We are supportive of efforts at the Pacific and North Pacific Councils to evaluate electronic monitoring technologies. We see EM as having promise yet also recognize that there is a very limited track record of its use in U.S. fisheries especially for the purpose of enforcing and accounting for discarded fish. The cost of observer coverage in some fisheries, like the Pacific Council’s individual fishing quota program, has indeed become concerning for some participants. We are interested in moving EM forward yet think it should be done in deliberate, cautious manner that ensures that current monitoring and enforcement capabilities are maintained or improved.

The Bill’s proposed requirement to produce a report within 180 days of enactment seems a bit ambitious, not just in its timeline, but in the information it requests as well. The Pacific and North Pacific Councils are likely farther long in their consideration of EM than other regions and yet certain information requested in the Bill, like how much EM “can decrease costs,” is still largely unknown.

Likewise, the 1 year plus 180 days for the “regional electronic monitoring adoption plans” seems equally ambitious and potentially onerous. The 4 years for implementation may be reasonable for some fisheries yet, again, the mandate may be premature for many others. We would prefer
evaluating the appropriateness of EM in a flexible manner as is being done at the Pacific and North Pacific Councils.

SEC. 202. COST REDUCTION REPORT.

We are concerned about the work involved with this potential requirement and the potential duplication with proposals in Title 1 of the Bill on fishery dependent monitoring. However, if a review and report are to be required, the approach described in this section would be preferable to one focused only on EM. We view EM as a promising tool for monitoring and enforcement but just one of many potential tools, and again, a tool that is largely untested. It would be better to consider the relative cost effectiveness and maturity of EM within the context of monitoring and enforcement programs as a whole. We also question how this report may be redundant or complementary to the proposed addition of subsection (15) to Sec. 102.

SEC. 204. FISHERIES RESEARCH

Stock assessments are the foundation of sound fisheries management. While we do not have major issues with the substance of the proposed definition—it appears accurate at a very general level—we question whether a statutory definition of stock assessment is necessary. In practice, there are a spectrum of stock assessment techniques that can be used depending on the types and quality of data available. We do not see what purpose the definition would serve and without a clear benefit, we would recommend leaving it out.

As for the proposed stock assessment plan, we are worried about a draw on current resources. It also seems to address a problem we do not have at the Pacific or North Pacific Councils. We are happy with the state of planning at the Pacific and North Pacific Councils and the dialogue that occurs between the NMFS Science Centers and the Councils. With limited stock assessment resources, choosing the schedule for stock assessment will involve setting priorities. We see this as best done Council by Council, FMP by FMP, and in a risk-based manner. We would not want to see resources directed away from higher risk stocks because of a formalistic need to assess all stocks. Again using the Pacific Council’s Groundfish FMP as an example, there are over 90 stocks in the FMP with only a third of them having been assessed with formal stock assessments. Most of the unassessed stocks have been evaluated with risk-based techniques like the productivity-susceptibility method and have been judged to be at low risk of overfishing.

Given that the current system is working and the questionable additional benefits of adding this planning requirement to the statute, we would be concerned about its inclusion. The requirement could be improved by adding flexibility for risk-based approaches like done at the Pacific and North Pacific Councils.
SEC. 205. IMPROVING SCIENCE

We would raise some concerns about the guidelines called for by this section of the Bill. For one, it seems to be addressing issues we do not have in the Pacific or North Pacific. The Councils' SSCs and related peer review activities are the appropriate forums for evaluating and determining the best available science. Determinations of the validity of observations and the inferences that can be made from them will depend on the particulars and guidelines can only be useful at high, general level. We do agree that valuable information can come from fishermen and other non-governmental sources. Yet such research efforts are best planned ahead of time and on a case by case basis. While we do acknowledge that there are general principles that the proposed guidelines could identify, and SSCs could be encouraged to be encompassing as practicable with the types of information they evaluate, we do not see anything proposed in this Section that cannot happen already at the Councils. We are therefore skeptical that the proposed guidelines would be worth the time and effort. Again, we see the determination of the best available science happening on a case-by-case basis where general guidelines will only be of limited value.

SEC. 206. SOUTH ATLANTIC RED SNAPPER COOPERATIVE RESEARCH PROGRAM.

This proposed section of the Bill does not directly affect the Pacific or North Pacific Councils. However, we have some concern with the precedent it might set given the specificity with which the Bill addresses a research program. We may just be unfamiliar with the background. Yet if such a program were to be proposed for the Pacific or North Pacific, we think it would be best to design the program in close coordination with the relevant, Council, the Science Centers, and other industry partners.

TITLE III—REAUTHORIZATION OF OTHER FISHERY STATUTES

SEC. 301. ANADROMOUS FISH CONSERVATION ACT and

SEC. 302. INTERJURISDICTIONAL FISHERIES ACT OF 1986
We support reauthorization of these two Acts. They provide for good state-federal cooperation for conservation and management and we would like to see more funding appropriated for them.
SEC. 306. STATE AUTHORITY FOR DUNGENESS CRAB FISHERY MANAGEMENT
As discussed above, the repeal of the sunset clause on this authority is our highest priority item.

TITLE IV—INTERNATIONAL

OTHER ISSUES WITH SEC. 202
We have thought that additional funding to support travel by domestic advisors would benefit the North Pacific Anadromous Fish Commission as well as the Bering Sea Fishery Advisory Body. Without such support, the input of our advisors is limited.