

## LEGISLATIVE COMMITTEE REPORT ON LEGISLATIVE MATTERS

The Legislative Committee (LC) met on Wednesday, June 19. The meeting was attended by committee members Dr. David Hanson, Mr. David Crabbe, Ms. Dorothy Lowman, Mr. Dale Myer, Mr. Gordy Williams, and Mr. Dan Wolford. Council staff officer Ms. Jennifer Gilden, Council Executive Director Dr. Donald McIsaac, Council Special Assistant, Mr. Don Hansen, former Council member, Mr. Rod Moore, former Highly Migratory Species Advisory Subpanel Chair, Mr. Peter Flournoy, and Morro Bay fishery consultant Mr. Chris Kubiak also attended.

The Committee briefly reviewed new fishery-related bills in the 113th Congress (see Agenda Item C.3, Attachment 1) and discussed findings developed at the Managing Our Nation's Fisheries 3 conference.

### **Current Legislation**

The LC discussions focused on the following Congressional bills. No written requests for Council comments on these, or any, bills have been received to date.

#### *H.R. 1308: The Endangered Salmon and Fisheries Predation Prevention Act*

As noted in the legislative summary, the Endangered Salmon and Fisheries Predation Prevention Act, introduced by Rep. Doc Hastings, would amend the Marine Mammal Protection Act to authorize the Secretary of Commerce to issue one-year, renewable permits to Washington, Oregon, Idaho, Columbia River tribes, and the Columbia River Inter-Tribal Fish Commission to "take" sea lions on the Columbia River or its tributaries in order to protect endangered and threatened species of salmon and other nonlisted fish species. Each permit would be limited to a lethal take of 10 sea lions, and the cumulative annual taking of sea lions would be limited to 1 percent of the annual potential biological removal level. The bill included no specific discussion of criteria for authorizing take, apart from approval by the Secretary of Commerce. A hearing was held on this bill on June 13.

H.R. 1308 is identical to H.R. 3069 and very similar to H.R. 946, both of which were introduced in the 112th Congress. The Council provided comments on H.R. 946. At that time, the comments focused on creating a more rapid response to time-sensitive salmon conservation situations by continuing existing state, tribal, and Federal coordination, streamlining the permit process for lethal removal, and maintaining Federal oversight while allowing the states and tribes greater flexibility on predation control decisions. The full letter is attached to this report.

#### *H.R. 1927: More Water and Security for Californians Act*

The More Water and Security for Californians Act would essentially exempt the Central Valley and State Water projects from Delta pumping restrictions required under the Endangered Species Act to protect Central Valley salmon and Delta smelt. Specifically, the bill text states, "Beginning on April 1 and ending on May 31, rates of pumping at the C.W. 'Bill' Jones Pumping Plant and Harvey O. Banks Pumping Plant shall not be reduced pursuant to the biological opinion of the National Marine Fisheries Service." LC members felt the bill appeared to represent a significant threat to California water management that would negatively affect Sacramento salmon and other species, and were prepared to develop comments on the bill if requested.

*HR 69 (Illegal, Unreported, and Unregulated [IUU] Fishing Enforcement Act of 2013) and S 269 (International Fisheries Stewardship and Enforcement Act)*

Both HR 69 and S 269 relate to control of IUU fisheries through amendments to the High Seas Driftnet Fishing Moratorium Protection Act, and both would alter sections of the Tuna Conventions Act that currently offer protections to U.S. fishermen. The LC tasked Council staff with reviewing the past history of Council comments on similar bills from prior sessions of Congress, for further consideration at the September LC meeting.

### **Managing Our Nation's Fisheries 3 Findings**

The LC briefly discussed the 128 findings developed at the Managing Our Nation's Fisheries 3 conference, with particular reference to those that might be involved in MSA reauthorization legislation. Under the expectation that the findings will be the subject of categorization and preliminary analysis over the summer, LC postponed serious discussions on this matter until the September Council meeting. This timeline will also allow advisory bodies to comment on the findings for the September meeting. Current expectations are that the Council Coordination Committee will ask for Pacific Council perspectives on legislative priorities in advance of a webinar meeting in October. It is also expected that refinement of MSA reauthorization issues will be the subject of LC meetings over the course of the next year.

### **Other LC Business**

The LC proposes to meet again at the September Council meeting.

PFMC  
06/22/13