

## LEGISLATIVE COMMITTEE REPORT

The Legislative Committee met November 1, 2004. The committee discussed congressional and legislative-related matters, and the final report of the U.S. Commission on Ocean Policy (Ocean Commission). Relative to the Ocean Commission's final report, the Committee recommends the Pacific Fishery Management Council (Council) direct staff to review the final report for changes from the preliminary draft and to examine if the Council's formal comments on the preliminary draft were incorporated into the final report and prepare a report identifying discrepancies.

The Legislative Committee continues to be concerned about the Ocean Commission recommendation for Regional Ocean Councils (ROC). Specifically, the structure and function of the ROCs are not well specified in the Ocean Commission report. In addition, the final report recommends National Oceanic and Atmospheric Administration (NOAA) and Environmental Protection Agency, working with other appropriate federal and regional entities, develop regional ecosystem assessments, and these assessments be incorporated into environmental impact statements for proposed ocean- and coastal-related activities. It was reported that NOAA has developed a proposal in this regard without Regional Fishery Management Council (RFMC) or National Marine Fisheries Service (NMFS) regional input. Relative to these issues, there appears to be a high potential for conflicts with or duplication of RFMC authorities.

The Ocean Commission recommends measures for education and research, in part, through cooperative arrangements with fishing communities. The Legislative Committee sees potential benefits for communities and the Council, and supports these measures.

The Ocean Commission's final report calls for an elevated role of Scientific and Statistical Committees (SSC) within the RFMC system. Conceptually, the Legislative Committee generally supports this recommendation. The Legislative Committee emphasizes that the process used by the Council comports with the Ocean Commission recommendations in terms of development of science, SSC oversight, and Council decision making based on the best available science.

To highlight these issues, the Legislative Committee recommends the Council direct staff to draft a letter to NMFS. The letter should request:

- information on the structure and function of ROCs and development of regional ecosystem assessments, and their relation to RFMCs;
- full consideration of the Council's SSC and science development process in implementation of the Ocean Commission's fishery management science recommendations; and
- considered and inclusive implementation of the Ocean Commission recommendations with full participation by the RFMCs.

The Legislative Committee also discussed aquaculture, in general, and as it relates to the NMFS Strategic Plan. The Legislative Committee requests the Council direct staff to track this issue, notably legislation related to promotion or development of aquaculture.