

LEGISLATIVE COMMITTEE REPORT ON THE MAGNUSON-STEVENS ACT
REAUTHORIZATION IMPLEMENTATION

The Legislative Committee reviewed four general issues under this agenda item and offers the following comments.

Annual Catch Limits – The Committee discussed various methods of complying with the new requirements for Councils to establish annual catch limits for each fishery that ensure overfishing does not occur in the fishery. After looking at the history of fisheries management by the Council since the 1996 amendments to the Act, the Committee could only find one instance in which overfishing had occurred (petrale sole in 2005) and that problem was corrected as soon as it was discovered. The Committee further determined that the Council had several precautionary management systems in effect, including but not limited to the harvest control rule for groundfish, precautionary optimum yield (OY) settings for highly migratory species (HMS) and coastal pelagic species (CPS), and conservation controls for salmon. Finally, the Committee noted that the Council is proceeding with a groundfish intersector allocation and a trawl individual quota (IQ) plan, both of which would add accountability. The Committee therefore recommends that that Council document these controls to prevent overfishing, submit them to NMFS as evidence that the Pacific Fishery Management Council is already complying with the law, and urge NMFS not to enact additional regulations or guidelines that would affect the Council's successful program.

Environmental Review – After discussion with Dr. McIsaac on the work being done by the Council Coordinating Committee, the Legislative Committee recommends that the Council endorse the Coordinating Committee's proposal.

Experimental Permitting Process – The Legislative Committee notes that the Council has already adopted an extensive science-based review process for exempted fishing permits. The Committee recommends that the Council provide this process to NMFS and request that implementing regulations reflect how our process operates.