

MAGNUSON-STEVENS ACT REAUTHORIZATION IMPLEMENTATION

The Council has been working closely with the National Marine Fisheries Service (NMFS) and the other seven Regional Fishery Management Councils on implementing new provisions in the Magnuson-Stevens Act (MSA) as amended by the *Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006* (MSRA).

On September 25-26, 2007, Council Staff Council Members attended a workshop hosted by NMFS entitled *Magnuson-Stevens Reauthorization Act: Working Together on Implementation*. Topics discussed at the workshop included: determining optimum yield and annual catch limits (ACLs), preventing overfishing, bycatch management, ecosystem-based fishery management, international fishery management, and aquaculture. Council Staff will provide a brief review of the workshop at the November Council meeting and Council Members that were in attendance are encouraged to provide their perspectives. Materials from the meeting, including electronic copies of all of the presentations and summary conclusions can be found at the workshop's website (msra.webexone.com).

At this Council meeting, it was expected the Council would focus on four matters: (1) a draft Environmental Impact Statement (DEIS) from NMFS regarding the process for establishing ACLs and accountability measures (AM) that insure catch limits are not exceeded, (2) a proposed rule for a new environmental review process for fishery management actions, (3) a proposed rule for expedited, uniform, and regionally-based exempted fishing permits (EFPs), and (4) draft revisions to the Council Operating Procedure (COP) 4 which governs the Scientific and Statistical Committee (SSC).

Regarding the first three of these matters, no review materials were available by the deadline for the advance November Briefing Book. Council Staff will continue to work with NMFS on implementation of MSRA provisions and should review materials on the first three matters become available; they will be distributed as supplemental material at the November Council meeting.

Regarding the fourth matter, the Council and its advisory bodies reviewed a preliminary draft COP 4 and provided recommendations for improvements. Council Staff has incorporated these recommendations, and re-drafted the new Disclosure of Financial Interest section for purposes of clarity, and provided a second draft of COP-4 for review and potential Council approval (Agenda Item C.3.a, Attachment 1). To further facilitate implementation of MSRA provisions, Council Staff has provided a first draft revision of COP-12 governing development and distribution of the Council's Research and Data Needs document (Agenda Item C.3.a, Attachment 2). Draft revisions implement an MSRA requirement for identifying needs for a 5-year period and updates the COP to reflect current practices regarding economic, social, and ecosystem research and data needs.

Council Action:

Adopt COP Revisions and Direct Planning and Action on New Requirements as Needed for Timely Implementation.

Reference Materials:

1. Agenda Item C.3.a, Attachment 1: Second Draft of Revisions to Council Operating Procedure 4 – Scientific and Statistical Committee.
2. Agenda Item C.3.a, Attachment 2: Draft Revisions to Council Operating Procedure 12 – Update and Communication of Research and Data Needs and West Coast Economic Data Plan.
3. Agenda Item C.3.d, Public Comment.

Agenda Order:

- a. Agenda Item Overview
 - b. NMFS Report
 - c. Reports and Comments of Advisory Bodies
 - d. Public Comment
 - e. **Council Action:** Adopt COP Revisions and Direct Planning and Action on New Requirements as Needed for Timely Implementation
- Mike Burner
Frank Lockhart

PFMC
10/19/07