EXECUTIVE DIRECTOR’S REPORT

The Executive Director’s report to the Council typically provides information on selected Informational Reports, points of emphasis or updates on the proposed agenda, matters of interest not on the proposed agenda, and other matters associated with optimizing the Council process.

At this meeting, the Executive Director’s Report will include a report on the annual Council Coordination Committee (CCC) meeting with the National Marine Fisheries Service April 30-May 3, 2012 in Hawaii. Agenda Item A.3, Supplemental Attachments 1-3 pertain to this report.

At this meeting, there will also be elaboration on Agenda Item A.3, Supplemental Attachments 4-6 reference the Managing Our Nation’s Fisheries conference to be held in Washington, DC during May 2013. This national conference is co-sponsored by National Marine Fisheries Service and the eight RFMC; the Pacific Council staff has the lead on planning and implementing this conference and the annual CCC meeting in 2013.

Council Task:

1. Discussion.

Reference Materials:

1. Agenda Item A.3, Supplemental Attachment 1: Council Coordination Committee Interim Meeting Agenda, April 30-May 3, 2012.
2. Agenda Item A.3, Supplemental 2: 2012 Annual Council Coordination Committee Decision Outcomes Document (to be distributed at the June Council meeting).
3. Agenda Item A.3, Supplemental Attachment 3: May 18, 2012 letter to Dr. Jane Lubchenco from RFMC chairs and executive directors.

PFMC
6/13/2012
COUNCIL COORDINATION COMMITTEE  
DRAFT  
SCHEDULE OF EVENTS  

APRIL 30 - MAY 3, 2012  

Mauna Lani Bay Hotel  
68-1400 Mauna Lani Drive  
Kohala Coast,  
Island of Hawaii (Big Island)  
96743  
808-885-6622  
www.maunalani.com  
http://www.fisherycouncils.org/CCC/CCC.htm  
www.wpcouncil.org  

(4/30/12)  

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<tbody>
<tr>
<td>8:30-5:00 p.m. Council Info Officer Mtg</td>
<td>8:00 – Noon Council Only Session</td>
<td>8:00 – Noon General CCC Meeting</td>
<td>8:00 – Noon General CCC Meeting</td>
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<tr>
<td>1:30 – 5:30 General CCC Meeting</td>
<td>1:30 – 4:00 General CCC Meeting</td>
<td>1:30 – 6:00 General CCC Meeting</td>
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COUNCIL COORDINATION COMMITTEE
MAY 1-3, 2012
DRAFT
Mauna Lani Bay Hotel
68-1400 Mauna Lani Drive
Kohala Coast,
Island of Hawaii (Big Island)
96743
808-885-6622
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AGENDA
(5/1/12)

<table>
<thead>
<tr>
<th>Time</th>
<th>Discussion Item</th>
<th>Presenter(s)</th>
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</thead>
<tbody>
<tr>
<td>1:30</td>
<td>Welcome/Introductions</td>
<td>Manuel Duenas, Chairman WPRFMC</td>
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<td>Samuel Rauch, Acting Assistant Administrator for NOAA Fisheries</td>
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<tr>
<td>1:45 – 2:05</td>
<td>Opening Remarks</td>
<td>Senator Daniel K. Inouye (Statement)</td>
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<td>Coleen Hanabusa (Video)</td>
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<tr>
<td>2:05 - 2:25</td>
<td>Report from the USCG</td>
<td>Robert J. Hendrickson, CDR</td>
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<tr>
<td>2:25- 3:45</td>
<td>CCC Group Photograph</td>
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<tr>
<td>2:45- 3:00</td>
<td>Break</td>
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<tr>
<td>3:00 – 5:30</td>
<td>Council Reports on Status of Implementing Magnuson-Stevens Act Provisions and Other Current Activities of Interest</td>
<td>Chairmen/EDs</td>
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<tr>
<td>5:30</td>
<td>Adjourn for the Day</td>
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</table>
# COUNCIL COORDINATION COMMITTEE  
**Wednesday, May 2**

<table>
<thead>
<tr>
<th>Time</th>
<th>Discussion Item</th>
<th>Presenter(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00 - 9:00</td>
<td>Panel Presentation and Discussion (TelCon) - “Endangered Species Act Jeopardy</td>
<td>Kitty Simonds</td>
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<td></td>
<td>Determination in Fisheries Management: Past, Present and Future”</td>
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<tr>
<td></td>
<td>1) Overview and Introduction (Moderator)</td>
<td>Sam Pooley</td>
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<td></td>
<td>2) Panel Presentations</td>
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<tr>
<td>9:00 – 10:00</td>
<td>Panel Discussion</td>
<td>Sam Pooley</td>
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<tr>
<td>10:00 – 10:15</td>
<td>Break</td>
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<tr>
<td>10:15 - 11:00</td>
<td>Administration’s activities on CMSP/NOC</td>
<td>Sam Rauch/Paul Howard</td>
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<tr>
<td></td>
<td>1) CCC Position on CMSP implementation</td>
<td></td>
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<tr>
<td></td>
<td>(Funding/Statutory Authority)</td>
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<tr>
<td>11:00 - 12:00</td>
<td>Stock Assessments</td>
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<tr>
<td></td>
<td>1) National SSC IV</td>
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<tr>
<td></td>
<td>(i) Recommendations</td>
<td>MAC</td>
</tr>
<tr>
<td></td>
<td>(ii) Formation of Working Group</td>
<td>Chris Moore/Rick Methot</td>
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<td></td>
<td>2) Next Generation Stock Assessments and Priorities</td>
<td>Rick Methot</td>
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<tr>
<td></td>
<td>(i) FATE (getting environmental info into assess)</td>
<td>Rick Methot</td>
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<tr>
<td></td>
<td>(ii) AST (using AST to get better assessment data)</td>
<td>Rick Methot</td>
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<td></td>
<td>3) Prioritizing Assessments</td>
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<td></td>
<td>(i) Using Best Available Science: right sizing the approach</td>
<td>Rick Methot</td>
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<td></td>
<td>(ii) Allocating Resources to support Assessments</td>
<td>Rick Methot</td>
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<tr>
<td>12:00 - 1:30</td>
<td>Lunch</td>
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<tr>
<td>1:30 - 2:15</td>
<td>Bycatch, Cooperative Research, Habitat, 5-year Council Research Plan</td>
<td>Sam Rauch/Alan Risenhover</td>
</tr>
<tr>
<td>2:15 – 3:00</td>
<td>Report on the effective of MPAs for fisheries management</td>
<td>Bob Mahood</td>
</tr>
<tr>
<td>3:00 - 4:00</td>
<td>President Obama’s EO on Improving Regulation and Regulatory Review; (E.O. 13563)</td>
<td>Kitty Simonds/Alan Risenhoover</td>
</tr>
<tr>
<td>4:00</td>
<td>Adjourn for the Day</td>
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# COUNCIL COORDINATION COMMITTEE

**Thursday, May 3**

<table>
<thead>
<tr>
<th>Time</th>
<th>Discussion Item</th>
<th>Presenter(s)</th>
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</thead>
<tbody>
<tr>
<td>8:00 – 8:45</td>
<td>Report on Legislation</td>
<td>Congressional</td>
</tr>
<tr>
<td>8:45 - 9:30</td>
<td>Litigation</td>
<td>Kathryn Kempton</td>
</tr>
<tr>
<td>9:30 - 10:15</td>
<td>Marginalization of fisheries management through competing Acts/Authorities</td>
<td>Paul Dalzell</td>
</tr>
<tr>
<td>10:15 - 10:30</td>
<td>Break</td>
<td></td>
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<tr>
<td>10:30 - 11:00</td>
<td>Communities and Indigenous Issues</td>
<td>Charles Kaaiai</td>
</tr>
<tr>
<td>11:00 - 12:00</td>
<td>International Fisheries Management (TelCon)</td>
<td>Russell Smith</td>
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<tr>
<td>12:00 - 1:30</td>
<td>Lunch Break</td>
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<tr>
<td>1:30--2:30</td>
<td>Budgets</td>
<td>Gary Reisner/Lindsay Fullenkamp</td>
</tr>
<tr>
<td>2:30—3:30</td>
<td>Communications</td>
<td>Laurel Bryant</td>
</tr>
<tr>
<td>3:30-3:45</td>
<td>Break</td>
<td>Don McIsaac</td>
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<tr>
<td>3:45-4:20</td>
<td>Program Review</td>
<td>Carrie Selberg</td>
</tr>
<tr>
<td>4:20-4:45</td>
<td>MAFMC Visioning Project</td>
<td>Rick Robins</td>
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<tr>
<td>4:45- 6:00</td>
<td>Administrative Matters</td>
<td>Stephen Bortone/Adam Issenberg</td>
</tr>
<tr>
<td>6:00</td>
<td>Adjourn Meeting</td>
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</tbody>
</table>
Outcome Statements and Recommendations

Council Coordination Committee
May 1-3, 2012

Mauna Lani Bay Hotel
68-1400 Mauna Lani Drive
Kohala Coast, Island of Hawaii (Big Island)
www.fisherycouncils.org/CCC/CCC.htm
www.wpcouncil.org

ESA Jeopardy Determination in Fisheries Management

The Council Coordinating Committee (CCC) agrees that the Endangered Species Act (ESA) measures affecting fisheries (including listing, critical habitat designation, Section 7 consultation and development of biological opinions) should be accomplished through a process that includes a much higher level of transparency and public involvement than is typical at present. The CCC believes an enhanced National Marine Fisheries Service (NMFS) - Regional Fishery Management Council (RFMC) partnership should be established to ensure consistent involvement by the Councils in ESA determinations and consultations well before rules and biological opinions are published.

1. The CCC recommends that a RFMC/NMFS/Marine Fisheries Advisory Committee (MAFAC) Working Group be established to make recommendations to the CCC on a policy and best practices designed to effectively and consistently integrate the Councils in the ESA consultation process in order to achieve a high level of transparency and improve stakeholder confidence in the ESA consultation process related to U.S. marine fisheries.

   The Working Group should identify options that would integrate the Councils and their attendant committees and advisory bodies, as appropriate, into the ESA consultation process consistently and to the maximum extent practicable under relevant federal laws. The Working Group should also identify mechanisms to consistently include Council consultation in negotiated settlements resulting from litigation under the ESA.

2. The CCC recommends sending a letter to NOAA Administrator Jane Lubchenco containing the following:

   - The CCC agrees with the NOAA Scientific Integrity Policy that calls for achieving a greater level of public confidence and trust in the science used in federal decision making and, especially, ESA implementation.
   - The recent Biological Opinion on Lower Columbia River Tule Fall Chinook Salmon, authorizing an abundance-based approach to determine incidental take allowances as recommended subsequent to a public process at the Pacific Council, has been widely viewed as a great public policy success and represents a model to be used to achieve the
objectives of the new Science Policy. The process followed in this case substantially improved understanding of the risk assessment science, the trust that a complete analysis had occurred, and the perception of fair treatment of healthy fishery policy issues, which were all key in the broad support of the biological opinion. Such a transparent process, however, is currently an exception more than a norm across all Councils, as seen in the case of recent consultation processes for the Hawaii longline fishery and Gulf of Mexico reef fish fishery.

- With respect to jeopardy determinations, the ultimate goal should be to use an abundance-based metric. NMFS should continue to strive for greater clarity in biological opinions, by developing models to evaluate fishery impact against absolute population abundance, providing better explanations of the level of scientific certainty in the jeopardy determinations, and improving protected species stock assessments.
- CCC recommendation for establishing a RFMC/NMFS/MAFAC Working Group
Outcome Statements and Recommendations

Council Coordination Committee
May 1-3, 2012

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Coastal and Marine Spatial Planning

The Council Coordinating Committee (CCC) recommends that a letter be sent to the National Ocean Council (NOC) acknowledging the NOC’s determination that the Regional Fishery Management Councils (RFMC) shall be members of the Regional Planning Bodies (RPBs). The letter shall also recognize the NOC’s determination that RFMCs have unique and important roles in management of the nation’s fisheries and that the RFMCs will provide valuable expertise and knowledge about the wide array of marine resources that are vital to coastal communities and local economies. In addition to the above, the letter shall include the following points:

1. That the limitation of RFMC representatives to the RPB be restricted to only Federal, State, Tribal, or local government members of the RFMCs may result in conflicts between Council positions and the positions of these other jurisdictions, which could put RFMC representatives in potentially difficult and ineffective positions. For example, a state Director of Fisheries representing a Council could find him/herself in opposition to the view of their Governor. Therefore, the CCC requests NOC reevaluate this restriction in the light of the RFMCs’ standing as executive agencies of the Department of Commerce, which could resolve the apparent FACA concerns.

2. That further implementation of Coastal and Marine Spatial Planning (CMSP) shall not reduce the funding for core NMFS programs and functions, nor in any way diminish the regulatory authorities of the RFMCs over fisheries in each region.

3. That the CCC supports that members of Science and Statistical Committees (SSC) of the RFMCs may be included in the standing technical committees of the RPBs, but the CCC does not support SSCs being the sole scientific advisory committee of the RPBs due to funding constraints, existing SSC workloads, and meeting schedules.
Outcome Statements and Recommendations

Council Coordination Committee
May 1-3, 2012

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Stock Assessment

The Council Coordinating Committee (CCC) believes that the current state of stock assessments in its respective regions is inadequate to cope with the Councils’ management needs. In consideration of the diverse information needs between the different Council regions, the CCC recommends a letter be sent to Assistant Administrator of the National Marine Fisheries Service (NMFS) requesting a description of the decision process on whether advanced technology is warranted to attain information needed for stock assessments. The letter should include a recommendation that NMFS consider the basic data collection programs. The CCC requests NMFS that the funds intended for the Science Centers’ Stock Assessment Programs be appropriately allocated for the Centers to carry out regular stock assessments so that the Councils adequately meet their management mandates.

National SSC Working Group

Recognizing the importance and benefits in the creation of the National Scientific and Statistical Committee (SSC) Working Group (WG):

1. The CCC recommends the creation of a National SSC whose membership would be comprised of the eight SSC Chairs (or their designees) and a senior NMFS staff as an ex-officio member. Technical support for this committee would be provided by personnel from the NMFS Office of Science and Technology and Council staff.

2. The CCC recommends the development of Standard Operating Practices and Procedures which would govern the operations of the National SSC and terms of reference to direct its activities.

3. The National SSC would be tasked with the development of a prospectus for proposed Working Groups and topics for future National SSC Workshops in consultation with the CCC. These proposals would be reviewed and approved by the CCC as part of the specification of Terms of Reference (TOR) and could be sponsored by one of the Councils or brought to NMFS for consideration for sponsorship.

4. The membership of national WGs approved by the CCC would be populated based on nominations from each Council’s SSC (maximum of one SSC member per Council) and one member from NMFS. The Chair of the WG would be appointed by the National SSC (selected from the WG roster). The WG would submit a final report to the CCC that
would include recommendations to address the TOR. The final report may be subject to external peer review, the level of which would be determined on a case—by—case basis based on agreement between the CCC and NMFS. Following peer review of the WG report, the report would be published as a NMFS Technical Memorandum, or other appropriate mechanism, such that it meets the requirements for formal national technical guidance to the Councils.
Outcome Statements and Recommendations

Council Coordination Committee
May 1-3, 2012

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Five-Year Research Priorities

The Council Coordinating Committee (CCC) requests National Marine Fisheries Service (NMFS) clarify and provide the Regional Fishery Management Councils (RFMC) with information regarding the process in which the Five-Year Research Priorities developed by the Councils are considered by their respective NMFS Science Center when developing its research priorities and budgets. The respective Science Center should report back to the RFMC on what research had been addressed. The CCC also requests that the Councils be collaboratively involved in the development of the Science Plan of their respective Science Center to ensure that the priorities of the respective Council are adequately incorporated in the plan.
International Fisheries Management

The Council Coordinating Committee (CCC) acknowledges that National Marine Fisheries Service (NMFS) is working on its second report to Congress in regards to certification (positive or negative) of nations with respect to equivalent measures to the United States in relation to preventing illegal, undocumented and unreported (IUU) fishing, bycatch of protected living marine resources, or shark catches on the high seas.

In its first report to Congress on this issue, NMFS did not negatively certify any nation, which does not align with generally accepted understanding that many nations importing seafood into the US market are not on the same playing field as US fisheries with respect to data collection and monitoring, safety—at–sea requirements, protected species mitigation, and other management measures.

Therefore, the CCC recommends that NMFS enhance its activities to identify nations that do not implement equivalent measures, which may result in the leveling of playing fields between US and foreign fisheries.

The CCC further recommends that NMFS work with the US fishing industry to develop underutilized fisheries, and notes that such a program is identified in Section 2(a)(7) and Section (2)(b)(6) of the MSA. Promoting US fisheries development for underutilized fisheries may benefit target and non-target stocks and protected species through transferred effects as well as promote employment in coastal communities and enhance local food security.
Outcome Statements and Recommendations

Council Coordination Committee
May 1-3, 2012

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Budget

The CCC recommends the 2013 budget provision for RFMC operations remain the same as in 2012 at $28.4 million. The CCC further recommends that the budget be consolidated in a single line item detailed in the NMFC portion of the federal budget. The Council will develop a position paper to outline the reasoning behind the CCC recommendation, including reference to the President’s Proposed 2013 Budget and the adopted Senate and House of Representatives 2013 Budgets.

Rationale opposing the President’s Proposed 2013 Budget reduction of $3.2 for RFMC operations includes, but may not be limited to:

1. The proposed reduction in the Council budget is not justified by the completion of Fishery Management Plan Amendments incorporating Annual Catch Limits (the stated rationale), due to ongoing ACL related regulatory responsibilities;
2. The proposed budget proposes to bring additional stock assessment, monitoring, and ecosystem assessment information to the RFMCs for decision making, thus increasing workload and costs; and
3. At a time when the NMFS total budget is proposed to be stable between 2012 and 2013, the RFMC total budget should also be stable.
Outcome Statements and Recommendations

Council Coordination Committee
May 1-3, 2012

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Communications

The Council Coordinating Committee (CCC) recommends that the Councils communications committee hold face-to-face meeting annually to discuss shared best practices and ways to improve regional and national communication. Items that could be developed at the next meeting include, but are not limited to, the following:

1. Improve effectiveness of the RFMC website (fisherycouncils.org) as resources allow, e.g., adding videos, content management and social media.

2. In a significant and timely manner, improve regional and national communications coordination between the Councils and NOAA, to ensure accuracy of information as well as recognition of the Councils in the management process.

The CCC also recommends the Councils support the following efforts:

1. Coordinate a solid communication plan/strategy for the NC3 conference, including media news releases after the conference, the lead being the Pacific Council. Plan for a joint Council booth in addition to regional Councils booths and a National Marine Fisheries Service booth at the conference; Develop a twitter hashtag for the conference.

2. Facilitate the use of social media tools (Facebook, Twitter, YouTube, etc.) at the individual RFMC level.

3. Ensure the Council websites are linked to the RFMC website (fisherycouncils.org) and encourage NOAA Fisheries to do the same.

4. Cultivate relationships to promote Council communications regionally and nationally with other government and non-governmental organization offices.
Managing Our Nation’s Fisheries Conference III (NC3)

The Council Coordinating Committee (CCC) agrees on the top three theme areas and nine focus topics for NC3 to occur first week of May 2013. The three theme areas for NC3 will include Improving Fishery Management Essentials, Advancing Ecosystem-Based Decision Making, and Providing for Fishing Community Sustainability. Implementation processes will proceed as soon as possible. The themes, topics and conference structure will be posted on the NC3 website in the near future.
Outcome Statements and Recommendations

Council Coordination Committee
May 1-3, 2012

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Electronic Monitoring

The Council Coordinating Committee (CCC) acknowledges that several Council/National Marine Fisheries Service (NMFS) regions have conducted studies and programs related to video monitoring and electronic reporting. The CCC also recognizes that NMFS is developing white papers in 2012 to address the following topics:

1. Analysis of Existing Electronic Monitoring Technologies/Programs
2. Enforcement Issues/Impediments
3. Legal/Confidentiality Concerns
4. Research & Development Requirements
5. Re-alignment of Management and Monitoring
6. Funding Options

The CCC establishes a CCC subcommittee soon after the 2012 annual meeting to consider cross-cutting issues between regions in relation to the implementation of video monitoring and other forms of electronic monitoring, and make recommendations to the CCC at the interim meeting in January 2013.
Consultation with GAO on Moving National Marine Fisheries Service into the US Fish and Wildlife Service

The Council Coordinating Committee (CCC) recommends sending a request to the GAO to consult with the CCC in the development of its study on moving National Marine Fisheries Service into the US Fish and Wildlife Service.
Outcome Statements and Recommendations

Council Coordination Committee
May 1-3, 2012

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National Standard 1 Advance Notice of Proposed Rule Making

The Council Coordinating Committee recommends that the Council Executive Directors coordinate a response letter from the eight Regional Fishery Management Councils on the recent National Standard 1 advanced notice of proposed rulemaking.
May 18, 2012

Dr. Jane Lubchenco  
Under Secretary of Commerce for Oceans and Atmosphere  
National Oceanic and Atmospheric Administration  
1401 Constitution Avenue, NW  
Room 5128  
Washington, DC 20230

Dear Jane:

A panel was convened at the Council Coordination Committee (CCC) Meeting (May 1-3, 2012, Kona Hawaii) to discuss Endangered Species Act (ESA) jeopardy determinations in fisheries management. Interpretation of jeopardy and the methodology of determining jeopardy have been controversial topics, and have led to numerous legal challenges of ESA consultations on fisheries managed by the Regional Fishery Management Councils (RFMCs).

The panel’s mission was to review the current state of jeopardy determinations and consider solutions to improving scientific certainty for ESA policy determinations affecting fishery management. Panel presentations included two case studies from the Hawaii longline fishery and Gulf of Mexico bottom longline fishery, a perspective on the realities of litigation, and the role of science in making credible policy determinations.

The CCC concurs with the NOAA Scientific Integrity Policy that calls for achieving a greater level of public confidence and trust in the science used in federal decision making, and especially ESA implementation. The recent Biological Opinion on Lower Columbia River Tule Fall Chinook Salmon has been widely viewed as a great public policy success and represents a model to be used to achieve the objectives of the new Science Policy. This consultation authorized an abundance-based approach to determine incidental take and stemmed from recommendations achieved through the public process of Pacific FMC deliberations.

The process followed in the Chinook salmon case substantially improved understanding of the risk assessment science. This engendered a level of trust that a complete analysis had occurred, and the perception of fair treatment of healthy fishery policy issues, which were all key in the broad support of the Biological Opinion. Such a transparent process, however, is currently more the exception than the rule across all RFMCs. This was demonstrated by the recent consultation processes for the Hawaii longline fishery and Gulf of Mexico reef fish fishery.

The CCC recommended that a RFMC/NMFS/MAFAC Working Group be established to make recommendations to the CCC on a policy and best practices designed to effectively and consistently integrate the RFMCs into the ESA consultation process. This would achieve a high level of transparency and improve stakeholder confidence in the ESA consultation process related to U.S. marine fisheries. This Working Group will identify options that would integrate the RFMCs and their attendant committees and advisory bodies, as appropriate, into the ESA consultation process as a matter of routine and to the maximum
extent practicable under relevant federal law. The Working Group will also identify mechanisms to consistently include RFMC consultation in negotiated settlements resulting from litigation under the ESA.

With respect to jeopardy determinations, the ultimate goal should be to use an abundance-based metric. The CCC requests that National Marine Fisheries Service (NMFS) continue to strive for greater clarity in Biological Opinions by developing models to evaluate fishery impact against absolute population abundance, providing better explanations of the level of scientific uncertainty in the jeopardy determinations, and improving protected species stock assessments.

The RFMCs will work with NMFS and the Marine Fisheries Advisory Committee (MAFAC) to establish the Working Group as recommended by the CCC.

Thank you and we look forward to your support in this matter.

Sincerely,

[Signature]

Manuel P. Duenas
Chairman

Enclosure

Cc: Eric Schwaab
    Sam Rauch
    Keith Rizzardi
    RFMC Chairs and Executive Directors
May 18, 2012

Region Fishery Management Council
Chairs & Executive Directors

Western Pacific Council
Manuel Duenas, Chair
Kitty M. Simonds, Executive Director

Pacific Council
Dan Wolford, Chair
Donald O. McIsaac, Executive Director

North Pacific Council
Eric A. Olson, Chair
Chris Oliver, Executive Director

Gulf of Mexico Council
Robert Gill, Chair
Steve Bortone, Executive Director

South Atlantic Council
David M. Cupka, Chair
Robert Mahood, Executive Director

Caribbean Council
Carlos Farchette, Chair
Miguel Rolon, Executive Director

Mid-Atlantic Council
Richard Robins, Jr., Chair
Christopher Moore, Executive Director

New England Council
Rip Cunningham, Chair
Paul Howard, Executive Director
The third Managing Our Nation's Fisheries conference will be held next May in Washington, D.C. The conference is co-sponsored by the eight Regional Fishery Management Councils and the National Marine Fisheries Service. The conference will be held in Washington, D.C. and will be open to the public. This conference follows up on the highly successful Managing Our Nation's Fisheries conferences held in 2003 and 2005.

Managing Our Nation's Fisheries 3 will focus on advancing fishery sustainability. Conference sessions will be of interest to members of the public, fishery participants, environmental advocates, fishery scientists and managers, policy makers, legislators, and journalists. The discussion will look at Magnuson-Stevens Act reauthorization issues, as well as management actions that do not require legislation to implement. The conference will provide a forum for information exchange and an opportunity to hear a wide range of perspectives on the sustainability of fish stocks and ecosystem functions, and the fishing communities that depend on them.

For more information, contact Jennifer Gilden at the Pacific Fishery Management Council at jennifer.gilden@noaa.gov, 503-820-2280, or toll free at 866-806-7204.
<table>
<thead>
<tr>
<th>Time</th>
<th>Sunday, May 5</th>
<th>Monday, May 6</th>
<th>Tuesday, May 7</th>
<th>Wednesday, May 8</th>
<th>Thursday, May 9</th>
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<td>7:00 am</td>
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| 8:00 am | CCC Breakout Sessions:  
* NOAA Fisheries  
* RFMC Representatives | Plenary Session:  
• Opening Remarks  
• Featured Speakers  
• Keynote Address | Concurrent Sessions:  
Continued from Tuesday | Plenary Session:  
• Reports on Results of the Concurrent Sessions from May 8 | Breakout Sessions:  
• NOAA Fisheries  
• RFMC Representatives | Breakout Sessions:  
• NOAA Fisheries  
• RFMC Representatives | Joint CCC Session |
| 10:00 am | Break | Regional Fisheries Managers Round Robin | Concurrent Sessions:  
Continued | Plenary Session:  
• Findings Panel  
• Summary Statements | Break | Break | Joint CCC Session |
| 12 Noon | Lunch Program:  
Box Lunches for Informal Speakers; Poster Session | Lunch on the Town | MONF3 Adjourned – Lunch on Own | Lunch on the Town | Lunch | CCC Adjourned – Lunch on Own |
| 1:00 pm | Joint CCC Session | Concurrent Sessions:  
1. Improving Fishery Management Essentials  
2. Advancing Ecosystem-Based Decision Making  
3. Providing for Fishing Community Sustainability | Concurrent Sessions:  
Continued | CCC Breakout Sessions | Joint CCC Session | Joint CCC Session | Joint CCC Session |
| 3:00 pm | Break | Break | Break | Break | Break | Break | Break |
| 6:00 pm | CCC Welcome Reception | MONF3 Welcome Reception | Dinner Program – Featured Speaker | | | | |

Highlighted food and meal options are included in the registration fees. Poster session begins Tuesday, May 7 through Wednesday, May 8.  
6/13/2012
Conference Purpose Statement

The purpose of this conference is to elevate the discussion of current, developing concepts on the sustainability of United States marine fishery management, towards possible future use in improving contemporary practices. The conference will examine three theme areas of current relevance, each of which focuses on policy, science, and process issues associated with three highly germane topic areas. It is intended that findings that emerge from this national conference regarding advancing sustainable fishery management practices be considered for policy changes in current regulatory approaches or Magnuson –Stevens Act reauthorization legislation, as appropriate.

Session Themes and Focus Topics

<table>
<thead>
<tr>
<th>Improving Fishery Management Essentials</th>
<th>Advancing Ecosystem-based Decision Making</th>
<th>Providing for Fishing Community Sustainability</th>
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<tr>
<td>1</td>
<td>ACL Science and Implementation Issues, including Managing Data Poor Stocks</td>
<td>Integrating Habitat Considerations: Opportunities and Impediments</td>
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<td>2</td>
<td>Rebuilding Program Requirements and Timelines</td>
<td>Forage Species Management</td>
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<td>3</td>
<td>International Fisheries Management: Leveling the Playing Field</td>
<td>Integration of Climate Change, including Integrated Ecosystem Assessments</td>
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PFMC
06/11/12
August 17, 2011

Todd J. Zinser, Inspector General
U.S. Department of Commerce
Office of Inspector General
1401 Constitution Avenue
Washington, DC 20230

Dear Inspector General Zinser:

We are writing to express concern over the fisheries regulatory process in the Northeast, and respectfully request that you investigate the rule making at the National Oceanic Atmosphere Administration (NOAA), the National Marine Fisheries Service (NMFS) and the New England Fisheries Management Council (NEFMC).

There has been a high degree of mistrust between NOAA, NMFS, NEFMC and the New England fishing industry. Your recent investigation into NOAA’s Office of Law Enforcement (OLE) has brought renewed confidence that industry concerns will be given proper and fair consideration. Your assistance, however, is also needed to ensure that areas outside of the OLE are also appropriately carrying out the law in a fair and transparent manner.

As you are aware, the Preston Pate and SRA-Touchstone Consulting Group issued a report titled “A Review of the New England Fishing Management Process.” This report identified a number of very serious rulemaking issues. Specifically, the report identified scientific shortcomings within the agency’s new fishery management systems. This is very troubling because any agency management system will only be as effective as the science it is based upon. Furthermore, the report stated that the agency had abandoned its core missions of “development of the commercial fishing industry” and “increasing industry participation.”

The Commercial Fishing Industry is a cultural way of life and a principal component of the economy in Massachusetts. The Federal government’s ability to successfully manage fisheries requires the active involvement and cooperation of the industry. The requested investigation is vital for our fishing industry and a culture that requires the trust of those empowered to manage and enforce their way of life. It is absolutely essential that rules and regulations be implemented in a fair and transparent manner.
Therefore, we request that you open an inquiry to investigate the fisheries' rule making process. Additionally, we understand that your office expended significant resources during the investigation of the OLE and that fisheries' issues are only a small component of your office's overall oversight responsibilities. However, given the results of the investigation of the OLE, and the extreme importance of the rule making process on the economy, we request that you thoroughly investigate these issues.

We will work to secure additional funding for your office through the Congressional Appropriations process to compensate for the extensive work that was done during the OLE investigation. Thank you for your attention to this critical matter, and we look forward to your reply.

REP. BARNEY FRANK  

REP. JOHN F. TIERNEY
October 27, 2011

The Honorable Barney Frank
2252 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

The Honorable John F. Tierney
2238 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

Dear Congressmen Frank and Tierney:

This letter responds to your joint letter of August 17, 2011 expressing concerns over the fisheries regulatory process and requesting that I investigate rulemaking at the National Oceanic and Atmospheric Administration (NOAA), the National Marine Fisheries Service, and the New England Fishery Management Council (NEFMC).

Our previous work on NOAA fisheries enforcement programs and operations identified the complexities of rulemaking as a significant factor contributing to industry concerns about enforcement, particularly in the Northeast. Subsequently, NOAA undertook an independent review of fisheries management processes in the Northeast. As you note in your correspondence, the review identified serious issues.

The April 2011 independent report included a series of recommendations to strengthen New England’s fishery management processes, including increased “collection and use of socioeconomic data in fishery management plans in order to make socioeconomic analysis a more visible and meaningful part of the process.” NOAA announced short and long-term actions in response to recommendations from the review, and NOAA and the NEFMC plan to provide an update at the NEFMC meeting on November 18, 2011.

As a result of the foregoing, we have been paying increased attention to the significance of NOAA’s fisheries rulemaking, to include speaking with industry and community representatives in the Northeast to hear their perspectives. We also note that the Senate Commerce Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard recently conducted a hearing on this matter. Based on your request, the results of NOAA’s outside review, and concerns expressed to us, we will be undertaking an evaluation to address several key areas concerning fisheries rulemaking. Our efforts will center on three primary objectives:

1. Evaluate how the Fishery Management Councils (FMCs) established pursuant to the Magnuson-Stevens Fishery Conservation and Management Act are complying with the statutory and regulatory requirements under the Act, specifically focusing on National Standard 8 of the Act regarding the socioeconomic impact of regulations on fishermen and fishing communities.
2. Assess best practices across the FMCs for addressing operational requirements, including NOAA's role in providing oversight of the Councils under the regulations.

3. Conduct comparative analyses of fisheries rulemaking in relation to other federal rulemaking processes, and assess how NOAA ensures compliance with process requirements.

We are presently completing follow-up audit work on both NOAA's Asset Forfeiture Fund and the agency's implementation of the recommendations presented in our 2010 reports on fisheries enforcement. We intend to initiate our rulemaking evaluation following issuance of our reports in those reviews.

If you have any questions or if we can be of further assistance, please do not hesitate to contact me at (202) 482-4661.

Sincerely,

Todd J. Zinser
January 10, 2012

MEMORANDUM FOR: Dr. Jane Lubchenco, Under Secretary of Commerce for Oceans and Atmosphere
FROM: Ann C. Eilers, Principal Assistant Inspector General for Audit and Evaluation
SUBJECT: Review of Fishery Management Councils and Fishery Rulemaking

We are initiating a review of controls and processes used by NOAA’s Fishery Management Councils (FMCs) as related to developing rules for the commercial fishing industry. This review is being conducted pursuant to a joint request made by Massachusetts Congressmen Barney Frank and John Tierney on August 17, 2011.

Our review of FMCs and rulemaking will be conducted in phases and result in interim products produced at several intervals. In this phase of the review, we will evaluate the role of NOAA and the FMCs in the fishery rulemaking process and the transparency of the rulemaking process prescribed under the Magnuson-Stevens Fishery Conservation and Management Act.

We will contact the audit liaison to arrange an entrance conference and will conduct our review at the FMCs and other NOAA locations as necessary. If you have any questions, please call me, (202) 482-2754, or Andrew Katsaros, Assistant Inspector General for Audit, (202) 482-7859. We thank you in advance for your cooperation during this review.

cc: Monica Medina, Principal Deputy Undersecretary for Oceans and Atmosphere
Mary Glackin, Deputy Undersecretary for Operations
Samuel Rauch, Acting Assistant Administrator, NOAA Fisheries
Paul Doremus, Deputy Assistant Administrator for Operations, NOAA Fisheries
Lois Schiffer, General Counsel, NOAA
Bruce Buckson, Director, Office of Law Enforcement, NMFS
Mary B. Ward, Deputy General Counsel, NOAA
Ben Friedman, Deputy General Counsel, NOAA
Charles L. Green, Acting Assistant General Counsel for Enforcement & Litigation, NOAA
Edward Horton, Chief Administrative Officer, NOAA
Mack Cato, Audit Liaison, NOAA
# 214th Session of the Pacific Fishery Management Council

**June 20-26, 2012**

San Mateo Marriott Hotel  
1770 South Amphlett Blvd, San Mateo, CA 94402  
Telephone: 650-653-6000

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<td>8:00 am Call to Order</td>
<td>Highly Migratory Species Management</td>
<td>Groundfish Management</td>
<td>Ecosystem Based Management</td>
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<td>Administrative Matters</td>
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**Schedule of Ancillary Meetings begins on page 8.**

Refer to the Schedule of Ancillary Meetings beginning on page 8 for a complete list of technical and administrative committees, advisory bodies, work groups, state delegations, and special sessions scheduled throughout the period of June 20 - June 26, 2012.

**Proposed Detailed Agenda begins on the next page.**

The following items are on the Pacific Council agenda; however the order of the agenda items may change as required to effectively address the issues.
Thursday, June 21, 2012
8:00 am Convene Ballroom

A. Call to Order
   A.1 Opening Remarks  Dan Wolford, Chairman
   A.2 Roll Call  Don McIsaac
   A.3 Executive Director’s Report  Don McIsaac
   A.4 Agenda
      a. Council Action: Approve Agenda

B. Open Comment Period
   B.1 Comments on Non-Agenda Items
      a. Advisory Body and Management Entity Comments  John Coon
      b. Public Comment
      c. Council Discussion of Comments as Appropriate

C. Habitat
   C.1 Current Habitat Issues
      a. Agenda Item Overview  John Coon
      b. Report of the Habitat Committee  Tim Roth
      c. Reports and Comments of Advisory Bodies and Management Entities
      d. Public Comment
      e. Council Action: Consider Habitat Committee Recommendations

Council Informational Session
This informal working session is a staff briefing provided to help with understanding some of the more complex issues and actions necessary to adopt 2013-2014 groundfish harvest specifications and management measures.

D. Groundfish Management
   D.1 National Marine Fisheries Service Report
      a. Agenda Item Overview  Kelly Ames
      b. Regulatory Activities  Frank Lockhart
      c. Fisheries Science Center Activities  John Stein and Michelle McClure
      d. Reports and Comments of Advisory Bodies and Management Entities
      e. Public Comment
      f. Council Discussion
D. Groundfish Management (continued)

   a. Agenda Item Overview John DeVore
   b. Workshop Report Dan Wolford
   c. Reports and Comments of Advisory Bodies and Management Entities
   d. Public Comment
   e. **Council Action:** Review Recompression Methods and Survival Information and Provide Guidance on its Integration into Council Management

Closed Executive Session
This session is closed to all except Council members, their designees, and others designated by the Council Chair to discuss litigation and personnel matters.

Friday, June 22, 2012
8:00 am Convene Ballroom

A. Call to Order (reconvene) Dan Wolford
   A.5 Commencing Remarks Don McIsaac

E. Highly Migratory Species Management
   E.1 Management Reference Points and Measures for 2013-2014 Fisheries Kit Dahl
      a. Agenda Item Overview
      b. Reports and Comments of Advisory Bodies and Management Entities
      c. Public Comment
      d. **Council Action:** Consider Revision of Biological Reference Points and Identify Potential Management Changes for Implementation in 2013

E.2 International Management Activities and Recommendations Kit Dahl
   a. Agenda Item Overview
   b. Reports and Comments of Advisory Bodies and Management Entities
   c. Public Comment
   d. **Council Action:** Adopt, as Necessary, Recommendations for 1) Highly Migratory Species under the Purview of the Western and Central Pacific Fishery Commission, Especially in Regard to Albacore Tuna, and 2) the Fishery Regime Pursuant to the U.S.-Canada Albacore Treaty

D. Groundfish Management (continued)
   D.3 Stock Assessment Planning John DeVore
      a. Agenda Item Overview
      b. Reports and Comments of Advisory Bodies and Management Entities
      c. Public Comment
      d. **Council Action:** Refine the List and Schedule of Stocks for Assessment in 2013 and the Terms of Reference
D. Groundfish Management (continued)

D.4 Exempted Fishing Permits for 2013-2014 Fisheries
   a. Agenda Item Overview John DeVore
   b. Reports and Comments of Advisory Bodies and Management Entities
   c. Public Comment
   d. Council Action: Adopt Final Recommendations

D.5 Tentative Adoption of 2013-2014 Biennial Harvest Specifications and Management Measures
   a. Agenda Item Overview John DeVore and Kelly Ames
   b. Reports and Comments of Advisory Bodies and Management Entities
   c. Public Comment
   d. Council Action: Adopt Tentative Final Annual Catch Limits and Management Measures

(This item continues on Saturday)

Saturday, June 23, 2012
8:00 am Convene Ballroom

A. Call to Order (reconvene) Dan Wolford
   A.6 Commencing Remarks Don McIsaac

D. Groundfish Management (continued)

D.5 Tentative Adoption of 2013-2014 Biennial Harvest Specifications and Management Measures
   (This item is continued from Friday)

F. Coastal Pelagic Species Management

F.1 National Marine Fisheries Service Report
   a. Agenda Item Overview Kerry Griffin
   b. Regulatory Activities Mark Helvey
   c. Fisheries Science Center Activities Russ Vetter
   d. Reports and Comments of Advisory Bodies and Management Entities
   e. Public Comment
   f. Council Discussion

F.2 Pacific Mackerel Management for 2012-2013
   a. Agenda Item Overview Kerry Griffin
   b. Reports and Comments of Advisory Bodies and Management Entities
   c. Public Comment
   d. Council Action: Adopt Harvest Guideline and Management Measures

G. Administrative Matters

G.1 Consideration of Further Protection of Currently Unmanaged Forage Species
   a. Agenda Item Overview Mike Burner
   b. Reports and Comments of Advisory Bodies and Management Entities
   c. Public Comment
Sunday, June 24, 2012
8:00 am Convene Ballroom

A. Call to Order (reconvene) Dan Wolford
   A.7 Commencing Remarks Don McIsaac

H. Ecosystem Based Management
   H.1 Council Fishery Ecosystem Plan (FEP) Development
      a. Agenda Item Overview Mike Burner
      b. Report of the Ecosystem Plan Development Team Yvonne deReynier
      c. Reports and Comments of Advisory Bodies and Management Entities
      d. Public Comment
      e. Council Action: Review and Approve Draft FEP for Public Review and Provide
         Guidance on Annual State-of-the-Ecosystem Reporting

G. Administrative Matters (continued)
   G.2 Legislative Matters
      a. Agenda Item Overview Mike Burner
      b. Report of the Legislative Committee Dave Hanson
      c. Reports and Comments of Advisory Bodies and Management Entities
      d. Public Comment
      e. Council Action: Consider Legislative Committee Recommendations

D. Groundfish Management (continued)
   D.6 Trawl Rationalization Trailing Actions
      a. Agenda Item Overview Jim Seger
      b. Reports and Comments of Advisory Bodies and Management Entities
      c. Public Comment
      d. Council Action: Make recommendation on extension of quota share (QS) trading
         moratorium to facilitate reallocation of QS for widow rockfish, provide guidance
         on an electronic monitoring regulatory process if appropriate, and provide other
         direction as needed.

   D.7 Reconsideration of Initial Catch Share Allocations in the Mothership and Shoreside
      Pacific Whiting Fisheries
      a. Agenda Item Overview Jim Seger
      b. Reports and Comments of Advisory Bodies and Management Entities
      c. Public Comment
      d. Council Action: Select preliminary preferred alternative and provide guidance on
         analysis, as necessary.
         (This item continues on Monday)
Monday, June 25, 2012
8:00 am  Convene Ballroom

A. Call to Order (reconvene)  Dan Wolford
   A.8 Commencing Remarks  Don McIsaac

D. Groundfish Management (continued)
   D.7 Reconsideration of Initial Catch Share Allocations in the Mothership and Shoreside
      Pacific Whiting Fisheries
      (This item is continued from Sunday)

I. Enforcement Issues
I.1 Annual NMFS Enforcement Report
   a. Agenda Item Overview  Jim Seger
   b. NMFS Enforcement Report  Martina Sagapolu and Bill Giles
   c. Reports and Comments of Advisory Bodies and Management Entities
   d. Public Comment
   e. Council Discussion and Guidance, as Needed

D. Groundfish Management (continued)
   D.8 Consideration of Inseason Adjustments
      a. Agenda Item Overview  Kelly Ames
      b. Reports and Comments of Advisory Bodies and Management Entities
      c. Public Comment
      d. Council Action:  Adopt Final Recommendations for Adjustments to 2012
                         Groundfish Fisheries, Including the Carry-Over Issue

   D.9 Final 2013-2014 Biennial Harvest Specifications and Management Measures
      a. Agenda Item Overview  John DeVore and Kelly Ames
      b. Reports and Comments of Advisory Bodies and Management Entities
      c. Public Comment
      d. Council Action:  Adopt Final 2013-2014 Biennial Harvest Specifications and
                         Management Measures
      (This item continues on Tuesday)

Tuesday, June 26, 2012
8:00 am  Convene Ballroom

A. Call to Order (reconvene)  Dan Wolford
   A.9 Commencing Remarks  Don McIsaac

D. Groundfish Management (continued)
   D.9 Final 2013-2014 Biennial Harvest Specifications and Management Measures
      (This item is continued from Monday)
G. Administrative Matters (continued)

G.3 Advance Notice of Proposed Rulemaking (ANPR) for National Standard 1 Guidelines
   a. Agenda Item Overview                      John Coon
   b. Reports and Comments of Advisory Bodies and Management Entities
   c. Public Comment
   d. Council Action: Provide Comments on the ANPR for National Standard 1 Guidelines

G.4 Approval of Council Meeting Minutes
   a. Council Member Review and Comments        Dan Wolford
   b. Council Action: Approve March and April 2012 Minutes

G.5 Fiscal Matters
   a. Agenda Item Overview                      John Coon
   b. Report of the Budget Committee            Dave Ortmann
   c. Reports and Comments of Advisory Bodies and Management Entities
   d. Public Comment
   e. Council Action: Consider Budget Committee Recommendations

G.6 Membership Appointments and Council Operating Procedures
   a. Agenda Item Overview                      John Coon
   b. Reports and Comments of Advisory Bodies and Management Entities
   c. Public Comment
   d. Council Action: Elect Council Chair and Vice Chair, Consider Changes to Council Operations and Procedures and Appointments to Advisory Bodies

G.7 Future Council Meeting Agenda and Workload Planning
   a. Agenda Item Overview                      Don McIsaac
   b. Reports and Comments of Advisory Bodies and Management Entities
   c. Public Comment
   d. Council Discussion and Guidance on Future Meeting Agenda and Workload Planning

ADJOURN
### SCHEDULE OF ANCILLARY MEETINGS

#### Day 1—Wednesday, June 20, 2012

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<td>Inspire 2</td>
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<tr>
<td>Oregon State Delegation</td>
<td>7:00 am</td>
<td>Synergy 1</td>
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<td>Washington State Delegation</td>
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<tr>
<td>Groundfish Advisory Subpanel</td>
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PFMC
6/5/2012 2:23 PM