

Verbal Testimony  
of  
Dr. Donald McIsaac, Executive Director  
Pacific Fishery Management Council  
Pacific Council Perspectives on Magnuson-Stevens Act Reauthorization  
Before  
U.S. Senate Committee on Commerce, Science, and Transportation  
Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

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Chairman Begich and members of the Subcommittee, thank you for the opportunity to testify today.

My name is Donald McIsaac; I am the Executive Director of the Pacific Fishery Management Council. The Pacific Council manages over 160 fish stocks off the coasts of Washington, Oregon, and California.

We were the primary organization responsible for planning the Managing Our Nation's Fisheries 3 conference, held here in Washington, D.C. last May. We were honored to have you, Mr. Chairman, as a featured speaker at that conference—thank you again. As you know, that meeting looked at the successes and challenges of the MSA, drew over 600 attendees with diverse fishery backgrounds and interests and produced 128 findings, or ideas, on improving marine fishery management.

Since the big Conference, the Pacific Council has spent many hours at two Council meetings discussing its priorities on MSA reauthorization. We managed to winnow those 128 findings and a variety of additional ideas down to 16 priorities listed in my written testimony. These represent notable priorities identified at this time, with the reservation for changes in priorities and refinement of positions as the reauthorization process moves forward.

First, I would like to emphasize the point that the Pacific Council believes that the MSA as it currently stands, has been a success. It has worked well to ensure a science-based process that ensures long-term sustainable fisheries while preventing overfishing and mandating rebuilding of depleted stocks. Under the Act, the Pacific Council has ended overfishing in West Coast waters of any and all stocks within one year of detection, has rebuilt seven depleted stocks, and is in the

process of successfully rebuilding eight long-lived stocks that remain depleted—three of which are projected to be rebuilt in the next year. We have implemented a successful groundfish trawl individual quota catch share program that has been held up as a model for programs in other regions for its ability to reduce bycatch and increase economic yield. We annually craft ocean salmon fisheries that accomplish stock-specific conservation goals for a multitude of individual salmon stocks, including many listed under the Endangered Species Act. We have created an ecosystem fishery management plan which we are now in the process of implementing, along with protections for unmanaged forage fish. We are successfully participating in international fisheries organizations to protect highly migratory tuna-like species and the West Coast fisheries that rely on them. The current MSA has been a key driver of these successes. We believe large-scale changes to the MSA are not warranted, and any changes made to the Act should be carefully considered.

Still, there is room for improvement. Despite the effectiveness of the MSA, the Pacific Council believes there are areas that can be refined in order to improve marine fishery management in the United States and internationally.

Of the six higher priority matters in my written testimony, **revising rebuilding time requirements** is a very important one for the Pacific Council. Three improvements can be made:

1. Addressing the discontinuity associated with the 10-year rebuilding requirement. Also known as the “Bermuda Triangle” of rebuilding plan requirements, this provision has been the subject of costly litigation and economic loss to commercial fisheries on the West Coast.
2. Providing direction to not “chase statistical noise” in administering rebuilding plans, but rather deal with true, significant changes in the status of a fish stock.
3. Providing flexibility to properly accomplish **rebuilding as soon as possible while taking into account the needs of fishing communities**, as currently phrased in the Act.

The current MSA requirement to *rebuild as soon as possible, while taking into account the needs of the fishery communities*, has been subject to Court interpretation as nearly ignoring the needs of recreational, commercial, and

tribal fishing communities until such time as they have demonstrated a disastrous state. While fish conservation should trump immediate economic yield when stock productivity is at stake, there is a need for more flexibility for Councils to properly take into account social and economic impacts to communities when reducing catches in a rational stock rebuilding plan. It is important to note the purpose that rebuilding programs are designed for is to ultimately help the same fishery-dependent communities that might be devastated now—if there is not the right balance between proper conservation and the effects on those reliant on robust fisheries.

**Lastly**, let me highlight two of the second tier priorities in my written testimony—both in the area of improving management in international fisheries.

First, we think it is important to designate one Commissioner seat in the Inter-American Tropical Tuna Commission arena to represent the Pacific Council perspective.

The Pacific Council has a dedicated seat in the Western and Central Pacific Fisheries Commission arena, which we feel brings added value to the US delegations when they debate conservation of North Pacific Albacore, the most important tuna species on the West Coast—that happens to have a cross-ocean migration pattern that carries them through some intensive Japanese fisheries. The same kind of participation is important in the international organization dealing with West Coast fish that migrate through southerly fisheries off Mexico, Columbia and Ecuador.

Second, towards improved international cooperation from other countries that may not play by the rules as well as the United States, we feel it is important for the MSA reauthorization process to consider stricter imported seafood labeling requirements in the US market.

Thank you Mr. Chairman, for the opportunity to testify before this Committee.