

Pacific Fishery Management Council



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Dorothy M. Lowman, Chair | Charles A. Tracy, Executive Director

July 7, 2016

Mr. William Ball
House Committee on Natural Resources
Subcommittee on Water, Power and Oceans
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Mr. Ball:

Thank you for requesting the Pacific Fishery Management Council's (Pacific Council) comments on HR 4576, the Ensuring Access to Pacific Fisheries Act. We also appreciate the opportunity to discuss the bill with you during a conference call on May 13. The Pacific Council has the following comments:

- The highest priority for the Pacific Council is the inclusion of Council representatives for the Pacific, North Pacific, and Western Pacific Councils as Commissioners. The Pacific Council does not support a rotation among the Councils, and recommends retention of Section 102(a)(1) and 102(a)(2)(B)-(D).
- The Pacific Council also supports the formation of an Advisory Committee to advise the Commissioners on issues of importance to the Councils as in Section 102(d). The Pacific Council believes the Committee should be funded to meet prior to the Commission meetings so that its advice could be considered by the Commissioners, but understands that funding the Committee to travel to the Commission meetings (Section 102(d)(1)(B)) may be problematic.
- If there are funding issues for the Committee, the three Councils discussed some alternative mechanisms for establishing the Committee, including a memorandum of understanding process (similar to the Council process in regard to the Western and Central Pacific Fisheries Commission). Another possibility was to delay formation of the Committee until a specific need was identified or until a specified time.
- If the bill were modified to allow the Councils to establish the Committee without financial assistance, the Councils should have the flexibility to determine the composition of the Committee, and do not need legislative authority to establish their own committees. Under such an eventuality, the language in Section 102(d)(1)(A), paragraphs (i)-(viii) should be stricken.
- Regarding Section 106, Prohibited Acts, paragraph (11) should be deleted as it is duplicative of paragraph (6).
- The Pacific Council is sensitive to the transit issues in Section 109 regarding consistency with other policies, and defers to others with regard to paragraphs (1) and (3); however,

the Pacific Council requests that paragraph (2) regarding the gear stowage language be kept in effect.

Thank you again for your request for comment. Please feel free to contact us with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Charles A. Tracy". The signature is written in black ink and is positioned above the typed name and title.

Mr. Charles A. Tracy
Executive Director

Cc: Council Members
Ms. Kitty Simonds
Mr. Chris Oliver
Mr. Matt Strickler
Mr. Mike Burner
Ms. Jennifer Gilden
Mr. Don Hansen