



March 30, 2017

Mr. Herb Pollard, Chair  
Pacific Fishery Management Council  
7700 NE Ambassador Place, Suite 101  
Portland, OR 97220

**RE: Agenda Item C.3 - Membership Appointments and Council Operating Procedures**

Dear Chair Pollard and Council Members:

We are writing in regard to the Pacific Council's representation on the Council Coordination Committee's (CCC's) Legislative Committee. Specifically, based on criteria laid out below, we recommend Ms. Culver be appointed to this committee, and Mr. Anderson as an alternative choice. These recommendations are intended for consideration during the April 2017 Pacific Council meeting, both in the closed executive session and the legislative subcommittee meeting, or any other time as appropriate.

The CCC's Legislative Committee provides comments on behalf of all eight Regional Fishery Management Councils on how federal legislation affects the councils in carrying out their responsibilities. The CCC's Legislative Committee has been tasked specifically with developing comments on Magnuson-Stevens Act reauthorization legislation, and may also review other pending legislation in the current and upcoming Congresses.

Given the nationwide importance of Magnuson-Stevens Act reauthorization, the Pacific Council should think carefully in choosing a delegate to send to the CCC Legislative Committee. Below we offer a suggested set of criteria for selecting a delegate.

**I. Criteria for Selecting a Pacific Council Delegate to the CCC Legislative Committee**

The following are minimum criteria that should be accounted for when choosing a Pacific Council representative. These criteria are drawn from, and reflect, the function of the CCC's Legislative Committee and the role of a Pacific Council representative.

## **A. National Perspective**

The Pacific Council representative must have a solid understanding of fisheries issues in other regions and at the national level, in order to participate meaningfully in the CCC conversation. Without a working knowledge of fisheries issues and politics in New England, for example, a Pacific Council representative would have a hard time providing context for the successes and failures of the Pacific region in managing its commercial groundfish fishery. And the experience of the Pacific region in managing its recreational fisheries is most relevant when explained in the context of recreational issues elsewhere, particularly in the Southeast.

Phrased differently, the Pacific Council representative should understand and be able to articulate what factors do and do not make the Pacific region different from other regions. This requires a strong knowledge of fisheries management in other regions, as well as of national politics and overarching issues.

## **B. Knowledge of State-Federal Dynamics**

Recent developments in national politics are likely to cause increased tensions between federal and state entities. This may take the form of budget disputes and disruptions in the coming years, or diverging views on regulatory issues between states and the federal government. Given this, the Pacific Council should send a representative to the CCC's Legislative Committee who understands the interplay between state and federal jurisdictions, both in terms of regulatory authority and budgets.

## **C. Ability to Represent PFMC Viewpoint**

The CCC speaks on nationwide fisheries issues with one voice. As such, it is important that CCC positions truly reflect the view of all councils. The CCC nominally uses a consensus process for reaching decisions, but in practice the positions of the CCC are often driven by individual regions that have strong points of view on a particular issue.

To avoid this, it is critical that the Pacific Council send a representative to the CCC's Legislative Committee who can stand strong in the face of pressure from other regions. If a change to the Magnuson-Stevens Act does not make sense for the Pacific region or is not necessary, the Pacific Council representative must be ready to stand up and say so, to avoid the appearance of consensus at the CCC.

This is not an easy task. In consensus-based committees, it is much more comfortable to stay silent and allow the committee position to be shaped by those with strong opinions. But the job of the Pacific Council delegate is to represent the view from the Pacific region. This requires preventing consensus statements from the committee if the position would not represent the Pacific region's interests, would be unnecessary for the Pacific region, or would potentially unravel the Pacific region's hard-earned progress over the past few decades. When the CCC

speaks—for all regions, with one voice—the content must truly reflect a nationwide consensus and not be driven by just one or two regions’ agendas.

**D. Durability of Tenure**

Lastly, because the timeline of Magnuson-Stevens Act reauthorization is uncertain, it is important that the Pacific Council send a representative who can commit to membership at least through the current Congress, and potentially through the current Administration. In practice this means sending a state resource agency designee, or a non-state member with significant tenure remaining on the Council.

**II. Recommendations for the Pacific Council Delegate**

Ms. Culver has significant experience dealing with federal-state issues, a strong working knowledge of nationwide fisheries politics, a proven ability to stick to her guns, and no current expiration date on her seat at the Pacific Council. In the alternative, Mr. Phil Anderson has similar experience at a state resource agency, a keen eye for policy analysis, and is available for re-appointment to the Council when his current term expires.

Thank you for your consideration.

Sincerely,



Corey Ridings  
Policy Analyst  
Ocean Conservancy  
725 Front Street, Suite 201  
Santa Cruz, CA 95060  
831-440-7956



Seth Atkinson  
Oceans Program Attorney  
Natural Resources Defense Council  
111 Sutter Street, 21<sup>st</sup> Floor  
San Francisco, CA 94102  
415-875-6100



Paul Shively  
Project Director  
The Pew Charitable Trusts  
111 Southwest Columbia St.  
Portland, OR 97201  
503-230-1222