

LEGISLATIVE COMMITTEE REPORT ON LEGISLATIVE MATTERS

The Legislative Committee (LC) met on Thursday, June 7, 2018. The meeting was attended by committee members David Crabbe (Acting Chair), Rich Lincoln, Herb Pollard, and Dorothy Lowman; Council members Marci Yaremko, Marc Gorelnik, and Pete Hassemer; Maggie Smith (NOAA General Counsel); Council staff Chuck Tracy, Mike Burner, Jennifer Gilden; and Gilly Lyons (Pew Charitable Trusts).

The LC first heard a staff review of recent Federal legislation (Agenda Item C.6, Attachment 1). The LC was particularly interested in a draft aquaculture bill introduced by Senator Roger Wicker (MS) (Attachment C.6, Attachment 2). The bill has been subsequently amended, but has not been introduced, and the Council has not been asked for comment. The LC agreed that if the Council is asked for comment on the bill between Council meetings, the Council should refer to the Council Coordination Committee (CCC) consensus statement on aquaculture, which states:

“The CCC believes that the Councils’ existing authority under the Magnuson-Stevens Act allows them to develop fishery management plans to regulate aquaculture in their respective exclusive economic zones (EEZ) to address major topics like permitting process and duration, approval of systems and siting, species that may be cultured, and record keeping and reporting. The Gulf Council has an existing fishery management plan and other Councils have programs and/or policies addressing aquaculture in the EEZ. The Councils are in the process of determining whether they will develop an aquaculture fishery management plan and do not feel a consultation role alone would adequately address Council concerns.”

The LC also discussed current riders on House appropriations bills. One rider would incorporate similar language as HR 3144, which would effectively reduce spill in the Columbia hydropower system. A rider on the Commerce appropriations bill would limit NOAA’s ability to prescribe fish passage on certain dam projects in California. Again, the Council has not been asked for comment.

The LC heard a report on the recent CCC meeting held in Sitka, Alaska (C.1, Supplemental Attachment 2) and noted that the CCC incorporated the Council’s comments and edits to the consensus statements in the CCC MSA Reauthorization Working Paper.

Next Meeting

The LC proposed tentatively scheduling a meeting at the September Council meeting, and making a final decision whether to meet on August 10 (the Federal Register notice deadline). It is possible that a final aquaculture bill will have been introduced by that date. It is also possible that S 1520, the Modernizing Recreational Fisheries Management Act (Wicker), or another bill to amend or reauthorize the MSA, will have moved forward.