

LEGISLATIVE COMMITTEE REPORT ON LEGISLATIVE MATTERS

The Legislative Committee (Committee) convened at 3:00 p.m. on Saturday, March 31, 2012. In attendance were Committee members Mr. Dan Wolford, Ms. Dorothy Lowman, Mr. Gordy Williams, Mr. David Crabbe, and Mr. Dale Myer. Also present were Council Executive Director, Dr. Don McIsaac, Council member Mr. Mark Helvey and Groundfish Advisory Subpanel member Mr. Mark Cedergreen.

The Committee briefly reviewed a variety of fishery related bills in the 112th Congress and focused the majority of the meeting on H.R. 1837 the Sacramento-San Joaquin Valley Water Reliability Act (Agenda Item H.2.a, Attachment 2). The Committee highlights information on the following two pieces of legislation for Council consideration and makes four recommendations as detailed at the end of this report.

H.R. 1837, San Joaquin Valley Water Reliability Act

The Sacramento-San Joaquin Valley Water Reliability Act (H.R. 1837, Agenda Item H.2.a, Attachment 2) amends the Central Valley Project Improvement Act (CVPIA) and includes provisions that would alter water use policy and salmon management in the Sacramento and San Joaquin River basins. In mid-February, the bill was passed out of committee and forwarded to the full U.S. House of Representatives for consideration. On February 29, 2012, after considerable floor debate, H.R. 1837 (as amended) passed the U.S. House and in early March 2012, the bill was reported in the U.S. Senate where, as of this writing, it has been placed on the U.S. Senate Legislative calendar, but has not been assigned to a Committee or scheduled for hearings..

At the September 2011 Council meeting, the Committee and the Council reviewed and expressed general opposition to H.R. 1837 in a response letter to Congresswoman Grace Napolitano who asked for Council review of the bill and its potential socioeconomic impacts. At this meeting, the Committee reviewed H.R.1837 and notes that, from the perspective of potential impacts to salmon stocks and fisheries, the recent amendments to the bill have not alleviated the Committee's previous concerns.

The Committee also reviewed a draft Council staff report on the potential effects of H.R.1837 on Central Valley salmon stocks and the fisheries that depend on them (Agenda Item H.2.a, Attachment 7), as well as a letter in opposition to the bill from the Golden Gate Salmon Association (Agenda Item H.2.d, Supplemental Public Comment). The Committee found the draft Council report to be an ample general review of the bill's potential effects and recommends the Council Executive Director forward the report to Congresswoman Napolitano with the following two additions:

- Although it is difficult to predict specific changes to the operation of the Central Valley Project from H.R.1837, it appears evident that the bill's potential alternations to the overall project could affect water flows in both the Sacramento and San Joaquin River basins. The Committee recommends that this linkage to Sacramento River flows be more fully described in the report's section entitled "Central Valley Water Management

Operation” due to the importance of Sacramento River salmon stocks to commercial and recreational salmon fisheries.

- The Council staff report presents the economic benefits of commercial and recreational salmon fisheries as personal income impacts as described in the Council’s Review of 2011 Ocean Salmon Fisheries. The Committee recommends that the description of the personal income impacts be expanded in the Council staff report to clarify which economic benefits are included in the Council figures. Additionally, the Committee notes that the letter from the Golden Gate Salmon Association references substantially higher economic benefits from a fully restored Central Valley salmon fishery as reported by Southwick Associates. The Committee discussed some preliminary reasons for the discrepancies and recommends that the Council look into the Southwick Associated reports for future Committee review, but not for the Council staff report on H.R.1837.

S.2184 (H.R.4208) Fisheries Investment and Regulatory Relief Act of 2012

S.2184 amends the Saltonstall-Kennedy Act to create a fund dedicated to supporting sustainable fishery management, scientific research, monitoring, and data collection programs. The bill was introduced March 12, 2012, by Senator Kerry and was referred the U.S. Senate Committee on Commerce, Science, and Transportation. A companion bill was introduced in the U.S. House by Representative Frank on March 26, 2012.

S.2184 would require each region’s fishery management Council to establish a fishery investment committee charged with developing a fishery investment plan to establish a grant process for distribution of funds to eligible projects in support of fishery management.

The Committee feels that these bills have the potential of moving through Congress with relative speed and could provide important financial support to fishery management during this time of budget uncertainty and proposed reductions. The Committee recommends that Council staff continue to track this matter for further Committee review in June.

Future Meeting Plans

The Committee anticipates a need to meet at the June Council meeting as indicated on the draft June Council agenda (Agenda Item H.5.a, Attachment 2) to discuss the status of existing or newly introduced Federal legislation, particularly H.R.1837 and S.2184.

The Committee adjourned at 4:30 p.m.

Legislative Committee Recommendations

It is recommended the Council:

- 1. Direct the Council Executive Director to forward the Council staff report, “A General Review of Potential Effects of H.R. 1837 the Sacramento-San Joaquin Valley Water Reliability Act, on Central Valley Salmon Productivity and Salmon Fisheries In Ocean and Inland Waters” (Agenda Item H.2.a, Attachment 7) to Congresswoman Napolitano as amended in response to the Committee’s comments above.**

- 2. Direct Council staff to follow up on the economic reports by Southwick Associates referenced in the letter from the Golden Gate Salmon Association (Agenda Item H.2.d, Supplemental Public Comment.**
- 3. Direct Council staff to track H.R.1837 and S.2184 for future Committee consideration.**
- 4. Tentatively schedule a June Committee meeting.**

PFMC
04/02/12