

# PACIFIC FISHERY MANAGEMENT COUNCIL

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October 24, 2005

Representative Richard W. Pombo, Chairman  
U.S. House of Representatives Committee on Resources  
H2-188 Ford House Office Building  
Washington, DC 20515-6232

Dear Representative Pombo and Members of the Committee:

Thank you for this opportunity to testify before the Committee on Council operations and reauthorization of the Magnuson Stevens Fishery Conservation and Management Act (MSA). This statement is presented by Mr. Donald Hansen, Chair of the Pacific Fishery Management Council (PFMC) (Attachment 1) and Dr. Donald McIsaac, PFMC Executive Director (Attachment 2). The written portion of the testimony follows the interests of the Committee as expressed in the invitation to testify dated October 17, 2004. The oral portion of this testimony will highlight one or two key issues from the perspective of the PFMC.

## 1. What fisheries are under PFMC jurisdiction and how are they managed?

The PFMC is responsible for four fishery management plans (FMPs) in the Exclusive Economic Zone off Washington, Oregon, and California: groundfish, salmon, coastal pelagic species (CPS), and highly migratory species (HMS). In addition, the PFMC is involved with allocation of Pacific Halibut within our jurisdiction, although coastwide allocation, assessment and permitting responsibility reside with the International Pacific Halibut Commission. A variety of management approaches are used to manage PFMC fisheries, based on the characteristics of the stocks, fishing communities, and administrative needs. Attachment 3 is a paper extracted from the proceedings of the conference on Managing Our Nations Fisheries, November 2003 that describes in some detail the fisheries within PFMC jurisdiction. A brief outline of the fisheries follows:

### Groundfish

- Limited Entry Trawl
  - Whiting catcher/processor cooperative
- Limited Entry fixed gear
  - Includes quasi rationalized sablefish permit stacking program
- Open Access
  - Trawl, fixed gear, hook and line, troll
- Recreational
- Treaty Indian
  - Commercial

Salmon

- Commercial troll  
State license limitations, minimum and maximum
- Recreational
- Treaty Indian  
Commercial Troll  
Ceremonial and Subsistence

Coastal Pelagic Species (Anchovies, Sardine, Squid, etc)

- Federal Limited Entry south of Point Arena, California. State Developmental Fishery Programs in Oregon and Washington  
Purse Seine  
Dip Nets
- Open Access  
Incidental catch in other gears
- Treaty Indian  
Commercial seine being considered

Highly Migratory Species (Tunas, billfish, Sharks, etc.)

- Open Access  
Purse Seine  
Troll  
Harpoon  
Pelagic Longline
- Limited Entry  
Drift Gillnet  
Pelagic Longline and Albacore Troll  
Being Considered
- Recreational

Pacific Halibut

- Administer Catch Sharing Plan  
Commercial Longline  
Incidental Salmon Troll  
Incidental Sablefish Longline  
Treaty Indian  
Commercial Longline  
Ceremonial and Subsistence  
Recreational

**2. How are stock assessments developed and peer reviewed?**

The process for developing stock assessments varies among the FMPs, but they are generally developed by a team of scientists from federal, state, and tribal agencies, and may include members of the PFMC Scientific and Statistical Committee (SSC) and PFMC Technical and Management Teams. First scientific peer review can occur by specialized independent panels that include an individual from the Center for Independent Experts; however, not every stock assessment goes through this independent panel review. The SSC is responsible for the final independent review process and makes its recommendations directly to the PFMC. Attachment 4 is a paper extracted from the proceedings of the conference on Managing Our Nations Fisheries II, March 2005 that describes in some detail the use of scientific review by the PFMC and the other Regional Councils. A brief outline of the PFMC processes follows:

Groundfish

- Stock assessment authors are usually National Marine Fisheries Service (NMFS) or state agency scientists.
- STAR Panel includes scientists from agencies, academia, Center for Independent Experts, SSC, and the management team, as well as a member of the advisory subpanel.
- Full SSC reviews assessment, STAR Panel report, and rebuilding analyses for species under rebuilding plans, and recommends Council approval/disapproval for use as best available and sound science.

### Salmon

- Stock assessments compiled by Salmon Technical Team from NMFS, state, or tribal agency scientists, and published in Stock Assessment and Fishery Evaluation (SAFE) document.
- SSC reviews SAFE document and new assessment methodologies, and recommends Council approval/disapproval for use as best available and sound science.

### Coastal Pelagic Species

- Stock assessment authors are usually NMFS scientists.
- STAR Panel includes scientists from agencies, academia, Center for Independent Experts, SSC, and management team. STAR Panels review new assessment methodologies.
- Full SSC reviews assessments and STAR Panel reports, recommends Council approval/disapproval, and recommends Council approval/disapproval for use as best available and sound science.

### Highly Migratory Species

- Stock assessments authors are from parties to international agreements or commissions and assessments are published in SAFE document.
- SSC reviews SAFE document, and recommends Council approval/disapproval for use as best available and sound science.

### **3. How is science integrated into the management by the various entities?**

The PFMC has a strong relationship with its SSC and other science teams, and relies heavily on their recommendations for decisions. For Example, the PFMC has never adopted an acceptable biological catch (ABC) above that recommended by its SSC. Attachment 4 is a paper extracted from the proceedings of the conference on Managing Our Nations Fisheries II, March 2005 that describes the structure of scientific review bodies within the PFMC. A brief outline of the PFMC processes follows:

#### SSC meets concurrently with Council

- Composition: agency, tribal, and at-large/independent, fishery, social, and economic scientist seats.
- Provides advice on all scientific and technical matters affecting Council decisions, including stock assessments, fishery and economic models, FMP amendments, National Environmental Policy Act (NEPA) documents, and management measures.

#### Each FMP has a technical or management team

- Comprised of agency and tribal scientists.
- These teams monitor and analyze fishery performance and make scientifically based recommendations on proposed management measures.
- SSC reviews methodology used by technical and management teams and the qualifications of team members.

#### **4. How are annual harvest levels set?**

In the case of groundfish and HMS, harvest levels are set biennially. Generally, a range of options are adopted for public review that meet conservation and allocation objectives in the FMP, as well as applicable Endangered Species Act consultation standards. At a subsequent Council meeting a preferred alternative is selected, and submitted to NMFS for approval. The process includes an analysis of impacts and NEPA compliance. A brief outline of the PFMC processes follows:

##### Groundfish – Biennial, three meeting process

- One year for science (e.g., stock assessment).
- One year for setting regulations (Nov., April and June meetings).
- Weak stock management, all stocks must meet conservation objectives or rebuilding requirements.
- Allocation recommended by the Groundfish Allocation Committee and Groundfish Advisory Subpanel.
- SSC recommends ABC and in some cases, optimum yield (OY).
- Management Team recommends OY and regulations (trip limits, seasons, etc.).

##### Salmon – Annual, two meeting process

- Technical Team develops SAFE document and coordinates annual abundance forecasts with federal, state, and tribal agencies in January and February.
- Advisory subpanel proposes options, technical team analyzes impacts, Council refines options in March with final action in April.
- Weak stock management, all 65 stocks must meet annual conservation objectives.
- Initial allocation is set in FMP and outside forums.

##### Coastal Pelagic Species – Annual Process

- Pacific mackerel assessment adopted in June for July-June fishing season.
- Pacific sardine assessment adopted in Nov. for Jan.-Dec. fishing season.
- Management team recommends OYs.
- SSC reviews assessments.
- Pacific sardine allocation framework implemented in FMP.
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##### Highly Migratory Species - Biennial, two meeting process

- Management team recommends OY
- Initial allocation in other forums

#### **5. What are the sources and levels of funding for management and scientific activities?**

Funding for the PFMC is primarily from NOAA grants, both the Regional Fishery Management Council (RFMC) line item in the NMFS budget and supplemental funding provided annually from NMFS. The PFMC currently receives no funding directly from other Congressional line items. Attachment 5 is a graph showing the history of RFMC funding relative to overall NMFS funding. A brief summary of funding issues follows:

- There has been an increasing gap between the funding received by NMFS and the RFMC line item.
- Supplemental funding has been provided to RFMCs to deal with the problems symptomatic of the gap.
- In 2005, the collective funding for RFMCs from all sources is significantly less than the \$23.7 million received in 2004.

#### **6. What specific recommendations do you have for the reauthorization of the MSA?**

The Chairs of the RFMC's met in April, 2005 and developed a set of recommendations on MSA reauthorization, which are included in Attachment 6, and the PFMC has commented on the Senate Commerce committee discussion draft (Attachment 7). A brief summary of the most important issues to the PFMC follow:

- Authority to develop dedicated access privilege programs.
- Retain current structure of science and management integration within the Council process.
- Councils and SSC meet concurrently.
- Councils set harvest levels within limits recommended by SSC or other scientific review body.
- Fishery management authority in National Marine Sanctuaries under Council jurisdiction.
- Design and specify MSA as functional equivalent of, and exempt from, NEPA requirements.
- Delete requirement for rebuilding depleted stocks within ten years.
- Exempt meetings of Council Chairs, Vice Chairs, and Executive Directors from FACA.
- Establish SSC as appropriate alternative review mechanism for highly influential information under the Data Quality Act.
- No additional statutory requirements for ecosystem management.
- Retain current flexibility to use existing tools to incorporate ecosystem principles.
- Establish guidelines to assist Councils in developing ecosystem based approaches.

#### **7. What new challenges do you foresee for fisheries managed by your Council?**

Development of dedicated access privilege programs, also known as rationalization, individual quota, individual fishing quota, individual transferable quota programs, is the single greatest challenge before the PFMC at this time. The Council is currently developing a comprehensive dedicated access privilege program for the West Coast groundfish trawl fishery. Guidelines for establishing programs need to be developed within a set period and in consultation with Councils.

Representative Pombo and Members of the Committee

October 24, 2005

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Thank you again for this opportunity to submit testimony to the House Resource Committee. If you or your staff have any additional questions or need clarification please don't hesitate to contact either Chairman Hansen or myself.

Sincerely,



D. O. McIsaac, Ph.D.  
Executive Director



Donald K. Hansen  
Chairman

CAT:rdd

c: Council Members  
Council Staff

Attachments:

1. – Disclosure Requirement for Donald O. McIsaac to testify before the House Committee on .Resources, October 2005.
2. – Disclosure Requirement for Donald K. Hansen to testify before the House Committee on .Resources, October 2005.
3. – Proceedings from Managing our Nations Fisheries. November 2003. Pacific Council .Presentation.
4. – Proceedings from Managing our Nations Fisheries II. March 2005. Use of Scientific .Review by the Regional Fishery Management councils: The Existing process and .Recommendations for Improvement.
5. – Agenda Item D.1, Supplemental Attachment 1, 2005 CCED meeting, Graph of RFMC .funding relative to NMFS funding.
6. – Positions of the Regional Fishery Management Council Chairs on Reauthorization of the .Magnuson-Stevens Fishery Conservation and Management Act. April 2005.
7. – Pacific Fishery Management Council Letter on Senate Committee Discussion Draft Bill fro .Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act. .October 2005.