

FINAL
Meeting Report
Legislative Committee Conference Call
January 30, 2017

The CCC Legislative Committee met via conference call from 5 pm to 6:50 pm EST on Monday, January 30th.

Gregg Waugh (SAFMC), Chair
Michelle Duval (SAFMC)
Terry Stockwell (NEFMC)
Kitty Simonds (WPFMC)
Dan Hull (NPFMC)
David Whaley (Ex Officio Member)

1. Call to Order & Introductions. All committee members were present.
2. Legislative Overview. Dave gave us a verbal report:
 - a. All bills died when Congress ended and new bills will need to be introduced. MSA and Dungeness Crab have been introduced and are considered “old business”. Old business items tend to get expedited and could move quickly.
 - b. Dungeness Crab – was on floor while we met.
 - c. MSA has a bill introduced (HR 200) and expect more. Given this is old business it could move quickly and the Senate is likely to work from the House bill.
 - d. House Natural Resource Committee members and chair not named yet but expect in the next couple of days.
 - e. Senate Sub-Committee on Oceans has 7 Republicans (2 coastal) and 6 Democrats (5 coastal).
3. Overview of HR 200. Dave reviewed his outline of what is in the bill; basically the same as last year but with 4 differences:
 - a. Flexibility for ACLs under international or trans-boundary situations – rewritten because wording last year did not fix spiny lobster.
 - b. Section on Data Collection & Confidentiality – removed.
 - c. Allocations in SA and GM mixed use fisheries had called for a contract with the National Academy of Sciences that costs about \$1M and NMFS would have paid; removed.
 - d. Authorization dates have changed to 2022. Once an amount is authorized, then it needs to get appropriated. House rules don’t allow an increase in authorization. The Senate can add funding. It would be appropriate for the Councils to indicate where they need more funding if requested.
 - e. Some of changes in HR 200 are addressed in the NS1 Guidelines. Michelle pointed out that the changes to NS1 Guidelines don’t help the SAFMC very much and Terry agreed especially for choke species. The SAFMC has specific examples of where phasing out overfishing has worked (e.g., snowy grouper, black sea bass and vermilion snapper).

The Legislative Committee (LC) discussed items that could be worked on in the Working Paper:

- a. The LC expressed some concern about Section 27 on Guidelines for Data from Non-Governmental sources. Kitty said they have a process for addressing this; Michelle said some of the points about data not being used are not correct and the SAFMC has had their SSC review 3rd party stock assessments. Also, the SEDAR process provides for data to be included.
- b. The LC discussed being prepared for likely amendments to HR 200 that may appear.
- c. Rulemaking needs to be timely to implement positive regulations quickly as well as regulations that limit catches.
- d. Other statutes that may be considered:
 - i. MMPA – zero mortality rate goal
 - ii. Antiquities Act
 - iii. ESA – distinct population segments
4. Review of Draft Comments. Gregg outlined the intent to work from the last CCC letter and have a draft for review/approval by the CCC at the February/March 2017 meeting. This way the CCC would have a letter to use if we are asked for comments. The remaining issues would be discussed in an updated Working Paper. The Legislative Committee (LC) approved this approach.
5. Committee Discussion & Revisions to Comments. The LC reviewed the draft letter and made the following recommendations:
 - a. Change to Draft Position Paper and include the 2014 letter for comparison to the new wording
 - b. Change the order of items to track HR 200
 - c. Modified the Transboundary Stocks wording
 - d. Changed Data Poor to Data Limited
 - e. Removed Data Confidentiality and Marine Spatial Planning as these are not in HR 200
 - f. Modified the wording under Collection and Use of Fishery Data and Electronic Monitoring
 - g. Added wording to the end of Recreational Fisheries
 - h. Removed the wording about Ecosystems
 - i. Modified the last sentence under Catch Share Programs
 - j. Modified the wording under NEPA Compliance and deleted the paragraph about the White Paper
 - k. Revised the wording under Other Federal Statutes
 - l. Added wording about Forage Fish
 - m. Added General Comments – mostly taken directly from the NPFMC letter dated April 21, 2015.
6. Other Business. The LC discussed adding members to the committee. Since there are a number of likely amendments addressing issues in the Gulf, perhaps someone from the Gulf Council should be added. Also, we should look at the House and Senate Committees when considering adding members.
7. Adjourned at 6:50 pm EST.