

**DRAFT
MEETING REPORT
CCC Legislative Workgroup Conference Call
April 21, 2017**

Workgroup Members:

Gregg Waugh (SAFMC), Chair
Michelle Duval (SAFMC)
Terry Stockwell (NEFMC)
Kitty Simonds (WPFMC)
Dan Hull (NPFMC)
Doug Gregory/Carrie Simmons (GMFMC)
David Crabbe (PFMC)
Carlos Farchette (CFMC)
David Whaley (Ex Officio Member)

Agenda Items: The suggested approach was to review the Revised Working Paper, and modify as necessary, with the goal of providing a version for the CCC to review/approve at the May 16-18, 2017 meeting. Next, time permitting; we discussed HR 200 and HR 2023 and how we want to develop responses to what is in these 2 bills (e.g., timing).

1. Call to Order, Introductions & Draft 3/31/17 Meeting Report – the call began shortly after 3 pm EST after resolving a phone issue. Gregg noted that the MAFMC and CFMC did not have representatives on the Workgroup, and given the level of activity on reauthorization, they were contacted to appoint a representative. Carlos Farchette, CFMC Chair, was added. Carrie Simmons is an alternative for Doug Gregory. All Councils were represented with Joshua DeMello sitting in for the WPFMC and Dave Witherell joining Dan Hull from the NPFMC. Dave Whaley was also present. One minor correction was made to the 3/31/17 meeting report.
2. Legislative Overview – Dave Whaley gave the following update:

Newly Introduced Bills:

H.R.2083 — Beutler (R-WA) – “Endangered Salmon and Fisheries Predation Prevention Act” – amends the MMPA to give temporary authorization to issue “eligible entities” to lethally take sea lions on the Columbia River

H.R. 2079 – Young (R-AK) – “Young Fishermen's Development Act of 2017” - requires the creation a new grant program to provide training, education, outreach and technical assistance to “young fishermen” for new entrants, captains, crew, etc.

H.R.2074 – Walden (R-OR) – “Public Input for National Monuments Act” - requires the President to comply with NEPA in designating monuments

H.R. 2023 – Graves (R-LA) – “Modernizing Recreational Fisheries Management Act of 2017” - amends the MSA, but does not reauthorize - 1) process for allocation review for SA and Gulf (based on NAS guidelines); 2) allows alternatives for

management of recreational fisheries; 3) institutes a moratorium on any new catch shares for recreational only or mixed-sector fisheries; 4) provides flexibility in rebuilding timeframes; 5) provides flexibility in establishing ACLs; 6) implements new requirements prior to authorizing Exempted Fishing Permits; 7) requires increased data incorporation in stock assessments, etc.; 8) requirement that the Secretary establish new partnerships with States for recreational data collection (NAS study).

H.R. 1887 – Diaz-Balart (R-FL) - amends the Billfish Conservation Act of 2012 to clarify an exemption for traditional fisheries and markets – similar to the Senate billfish bill but not identical

MSA-related bills:

H.R. 200 – Young (R-AK) - comprehensive MSA reauthorization

H.R. 374 – Beutler (R-WA) – Dungeness crab – passed House

S. 61 – Cantwell (D-WA) – Dungeness crab – marked up (April 5, 2017), report not yet filed

H.R. 1411 – Pallone (D-NJ) - summer flounder bill – freezes management measures – hearing held

H.R. 1382 – Weber (R-TX) – freezes the Gulf red snapper seasons for 2017 and 2018 at 2016 levels

H.R. 2023 – Graves (R-LA) – recreational wish list for MSA

H.R. 2079 – Young (R-AK) – creates a new grant program to provide training, education, outreach and technical assistance to “young fishermen” for new entrants, captains, crew, etc.

H.R. 1456 – Royce (R-CA) - Shark Finning prohibition – imposes MSA penalties

S. 793 – Booker (D-NJ) - Shark Finning prohibition – imposes MSA penalties

S. 396 – Nelson (D-FL) – commercial billfish prohibition – was supposed to be marked up by Senate Commerce Committee, but the bill was pulled from the April 5, 2017 markup

H.R. 214 – Young (R-AK) – amends the Saltonstall-Kennedy Act to establish the American Fisheries Advisory Committee and five regional components of the Committee

MSA Timing (hearings?):

Senate Commerce Committee plans to have at least one oversight hearing before releasing a bill (probably a draft bill for public comment)

House Natural Resources Committee – shake-up in staff (Bill now staff director), MSA still a priority for this Congress, hearing schedule unclear

Recent or Upcoming Hearings:

House Natural Resources Committee legislative hearing on H.R. 1411 – hearing held on April 4, 2017, Capt. John McMurray (charter captain, NY) and Bob Beal (ASMFC) testified. Not a lot of support expressed for the bill.

House Natural Resources Committee - Oversight Hearing on Examining the Creation and Management of Marine Monuments and Sanctuaries – March 15, 2017

Senate Commerce Committee hearing on sanctuaries (scope?) – Sanctuaries, how they were created, nominating process, conflicts with MSA, conflicts with other MPAs? (or MSA conflicts with other MPAs?)? First week in May (at the earliest) – I suspect later

Dungeness Update:

House has passed bill, Senate has marked up
Senate report has not yet been filed so we can't tell whether there will be a hold put on the bill like last Congress

Appropriations Update:

Current CR runs through April 28th (one week from today)
House expected to bring up a one-week CR sometime next week (schedule should be released today)
Unclear whether it will be clean of all controversial language/provisions
Unclear whether the Freedom Caucus will object (no limiting riders – Planned Parenthood, etc.)
Unclear whether any democrats will vote for it
Unclear whether the President will sign it
Unclear what the next step is – another short-term CR? A CR that runs for the rest of the Fiscal Year? A CR containing some appropriation bills and attempts to follow “regular order” with the rest of FY 2017 bills?

Michelle asked about MSA hearings and Dave indicated they would likely be “regional hearings” but held in Washington, DC.

3. Regional Fishery Management Council Positions on MSA Reauthorization
 - a. Overview – Gregg Waugh stated that two versions were distributed: one with track changes and one with all changes accepted; he asked what should be included for the CCC meeting. Terry felt some individuals would want to see what changed. **The Workgroup agreed to include both versions for the CCC meeting but walk through using the version with all changes accepted.**
 - b. Workgroup Discussion & Recommendations – the Workgroup used the track changes version for review and went through the document page by page making suggested revisions as needed. After making changes, the Workgroup discussed the strategy for using the Working Paper. There was some discussion about removing items as they are used in drafting letters responding to requests for comments. However, it was noted that this document is very valuable to document the Councils' comments over time (history of work on reauthorization) and useful to individuals not familiar with the Council process. **The Workgroup agreed by consensus to keep all items in the working paper and to use this as a source document when preparing comment letters; the working paper can also be attached to a comment letter to provide more details on specific points. The Workgroup recommends that individual Councils be responsible**

for providing their regional perspective to the lead Council in any year, and that the lead Council be responsible for updating the Working Paper. Further, that the lead Council prepare an initial response (when requested to comment) and provide to the other Councils for their review.

4. HR 200 & HR 2023 – the Workgroup discussed how to proceed on developing comments on these bills (and others as they develop). The Working Group concluded that they don't need to develop a response on every aspect of every bill. If there are big issues in any bill that are not covered in the working paper, they should be added. The Working Group agreed to add two topics: (a) Expiration of EFPs after 12 months and (b) Data to be used in stock assessments. **The Workgroup recommends comments be developed for HR 200 and HR 2023 separately.**
5. Other Business – Dave reminded the group that the Senate Commerce Committee will be holding a hearing on Sanctuaries so the group may want to develop some comments for any Council requested to testify to use. The Workgroup agreed to develop regional perspectives on how the Councils have interacted with sanctuaries.
6. Next Conference Call – the Workgroup concluded that adequate progress was made on the working paper and that the draft call scheduled for May 1st was not necessary.
7. Adjourn – the call ended at 4:17 pm EST.