

**U.S. DEPARTMENT OF COMMERCE  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
NATIONAL MARINE FISHERIES SERVICE**

**MARINE FISHERIES ADVISORY COMMITTEE  
INTERNATIONAL GAME FISH ASSOCIATION  
DANIA BEACH, FLORIDA  
FEBRUARY 14-16, 2006**

**SUMMARY REPORT**

The Marine Fisheries Advisory Committee (MAFAC or 'the Committee') held its first meeting in fiscal year 2006 at the International Game Fish Association in Dania Beach, Florida, February 14-16, 2006. The Committee was requested to provide input and recommendations on a number of priority legislative initiatives for the Administration that the agency anticipates will be addressed by Congress during the 2006 legislative session, including the reauthorization of the Magnuson-Stevens Act and the National Offshore Aquaculture Act of 2005, submitted to Congress in June 2005.

The meeting was open and attended by several members of the public and press. The following report summarizes the Committee's discussions and resulting actions which are appended as attachments.

**Tuesday, February 14, 2006**

**9 AM Meeting Convened**

Dr. William T. (Bill) Hogarth, Vice Chairman of MAFAC opened the session with introductory remarks, and introductions of the newly appointed members and attending NOAA staff. Professor Tony DiLernia, Committee Liaison Co-Chaired. Dr. Hogarth noted the unforeseen absence of several members due to family emergencies and the resignation of Dr. Manuel Valdez Pizzini from Puerto Rico, whose obligations at the University of Puerto Rico prevented him from attending to his obligations to MAFAC. Dr. Hogarth announced he would be reviewing the recent pool of candidates received during the last nomination cycle and would get back to members regarding replacement for Dr. Valdez.

Dr. Hogarth reviewed the role of MAFAC as a national representative committee of stakeholder expertise within the fisheries science and management communities. He emphasized the chartered function of MAFAC to advise the administration and provide guidance on the direction of national policy dealing with the science and management of living marine resources noting the Committee has increasingly served to identify common ground on which key issues of science and management can move forward. As part of NOAA's increasing efforts to ensure stakeholder input, Dr. Hogarth referenced MAFAC as one of three key representative stakeholder groups with unique perspectives

and roles in the science and management processes that the agency meets with periodically throughout the year. The other two groups are the chairs and executive directors of the fishery management councils, and directors of the coastal state marine resource departments along with the executive directors of the three state marine fishery commissions.

Dr. Hogarth and Prof. DiLernia lead a brief discussion of the long-term projects MAFAC has been asked to undertake, including providing guidance for Congressional action on the National Offshore Aquaculture Act of 2005 and development of an implementation strategy (discussed below). In addition, the development of a long-term vision document for the nation's fisheries - "Fisheries in 2020," was introduced for consideration by the Committee and set for discussion on Thursday, February 16. Lastly, MAFAC's annual role as the external review panel for the newly established Stewardship and Sustainability Awards was outlined along with an update on the status of current nominations with final awards anticipated for June 2006 in conjunction with Oceans Week in Washington, D.C. Discussion also considered the need to provide travel support for MAFAC leadership that would allow for participation in appropriate award ceremonies associated with this program.

### Aquaculture

Susan Bunsick, NOAA Aquaculture Program Office, gave the Committee an informational update on the status of the legislation emphasizing the legislation is to authorize NOAA to conduct a public and an environmental impact statement (EIS) process to develop an offshore aquaculture permitting program. The following points are summarized from the discussion:

In reference to interest from environmental organizations for the agency to conduct an environmental impact statement process prior to the passage of any legislation, Dr. Hogarth indicated it would be inappropriate and costly to expend valuable resources to conduct such an effort in advance, pointing out the legislation is constantly changing and an EIS cannot be properly developed until final legislation is passed and its requirements are known.

With regard to coordination with regional fishery management councils, coordination is strongly assumed but has not been specifically spelled out in the legislation. Dr. Hogarth noted that the Gulf FMC is already proceeding with its own aquaculture FMP and the administration does not want legislative language to be too prescriptive, acknowledging each council may have its own unique requirements.

In response to commercial fishing concerns, Dr. Hogarth again emphasized that the public regulatory process is the more appropriate forum for sector-specific and regional concerns to be addressed and that prescriptive language could result in a one-size fits all approach that could prove problematic to other regions and sectors.

It was asked whether or not there has been an effort to compare the environmental impacts of overseas aquaculture operations with what is being envisioned by the U.S. for an environmentally and economically sustainable aquaculture industry. Dr. Steve Murawski, Chief Scientist for NOAA Fisheries Service, indicated that the environmental issues associated with aquaculture products imported from countries that lack our standards should be emphasized and the U.S. should take the lead in establishing best sustainable practices that can help lift the entire international industry.

Linda Chaves, Senior Advisor to NOAA on Seafood Industry Issues, referenced that NOAA is working with the United Nations Food and Agriculture Organization to identify best practices and risk assessment standards so that everyone can be working from the same comparative standards to develop the industry.

The issue of permitting on a site-by-site basis was suggested to be changed and made more flexible for evolving technologies that may be more mobile.

The process for authorizing research and development in the legislation (section 6) should be more detailed and provide more stability for investments. Aquaculture will be driven by economic opportunities. As such, NOAA should consider looking at 'Business Incubators' through university programs as a potential model on which to authorize and support a research program that is not only focused on science but includes establishing sustainable business practices. In addition, there does not seem to be the infrastructure and research plan necessary to deal with and address the fundamental issues of hatchery issues, brood stock needs, etc.. It was suggested that the legislation needs to provide more than just 'authorization' to develop a program that will rely on individual entrepreneurs to step out on their own and take a chance. Rather, incentive programs for investment into offshore aquaculture, such as capital construction grant or loan guarantees, should be considered.

Dr. Hogarth was appreciative of the detailed discussion and agreed all these details will have to be considered, but again emphasized that to include this level of detail in the initial 'authorizing' process could overwhelm the initiative.

The need to address foreign ownership and ensure economic benefits accrue to the U.S. and individual states who may decide to host these operations off their coastlines were suggested inclusions that could positively influence deliberations over the legislation. In addition, NOAA should consider providing more details and emphasis on the economic and environmental benefits anticipated for local economies and fishing communities as a result of offshore aquaculture development.

The issue of feed resources for aquaculture operations was raised. Linda Chaves pointed out that although there is no specific research exclusively addressing this issue, environmental impact and ecosystem needs assessments may indirectly address them. It was also noted that the soybean agri-business is taking a serious interest in aquaculture development and that the amount of fish meal going into aquaculture operations is also

changing as more aquaculture operations are willing to pay higher prices for feed than has traditionally been utilized for agriculture.

The issue of wild stock enhancement was also pointed out as a compelling argument in favor of offshore aquaculture with suggestions that including more details regarding its integration into the legislation could be helpful.

The discussion concluded with a general acknowledgement that working out the longer term details will rely on authorizing an appropriate framework. In the interest of getting a handle on some of these long-range details, MAFAC requested, and Dr. Hogarth agreed, that the NOAA Aquaculture program will draft a comprehensive 10 year plan to be made available in advance of the next MAFAC meeting scheduled for July 2006.

Susan Bunsick informed MAFAC that a review of what would constitute a comprehensive regulatory framework was conducted through the University of Delaware and promised to distribute the study to MAFAC when it is published – anticipated later in March 2006.

#### Seafood Health & Safety

Linda Chaves, Senior Advisor to NOAA Fisheries Service on Seafood Industry Issues, gave an informational overview on the Seafood and Health conference held in Washington, D.C. last December. The conference was primarily driven by the medical profession from which mounting research points to the tremendous benefits of seafood consumption and the need to re-evaluate current understanding of the risks associated with particular species. The conference did not focus on the management or source of seafood but it was noted that emerging research indicates levels of contaminants in fish are dropping (reference article sent by T. Billy here). Issues discussed included:

The need to proactively address the continuing discrepancies between seafood health advisories issued by the Environmental Protection Agency and the Food and Drug Administration, which frequently contradict each other. In this same regard, states need to be included in the process, particularly with regard to recreationally caught fish and the contradictory advisories to the public regarding the health risks and benefits.

The issue of food security with regard to the health of imported seafood was brought up as a concern, pointing out that increasing supply will come from foreign sources. It was pointed out that a National Academy of Sciences study is currently underway looking at the hazards and benefits associated with seafood as well as recommendations for educating consumers on how to make educated choices about their seafood consumption.

Dr. Hogarth suggested and the Committee concurred that a representative of the FDA should be invited to participate in discussions at the next MAFAC meeting.

#### International Affairs

Dr. Rebecca Lent, Director, Office of International Affairs, gave an informational overview of the newly established office within NOAA Fisheries Service, detailing the organizational structure and some of the key priorities the office plans to pursue as part of its Strategic Plan in support of NOAA and DOC priorities. The following issues were raised and briefly discussed:

Illegal, Unregulated and Unreported (IUU) fisheries and the need to prioritize identified problems and support increased fisheries enforcement in the international arena.

The need to ensure a level playing field for domestic fisheries complying with the requirements of the Magnuson-Stevens Act's conservation measures.

The importance of working with nations in the European Union to get them to adopt and enforce conservation and ecosystem approach to management measures such as the use of circle hooks as well as reduce sea turtle and other bycatch in fisheries.

Utilizing partnerships such as the IGFA to help export conservation strategies and data to help build more comprehensive conservation and data collection systems internationally.

Lastly, it was suggested that with regard to trans-boundary species, NOAA should look to expand the work being conducted by Canada on Northeast groundfish species.

### Seafood Marketing

Dr. Hogarth gave a brief overview of the proposed rule to establish seafood marketing councils and his goal of acknowledging sustainable fishing industries and to better inform the public about these resources. The comment period on the proposed rule closes February 23, 2006. Dr. Hogarth requested members who are interested to submit comments on the issues, concerns, strategies, etc... that the agency needs to consider when developing a final draft. There was general support and interest in contributing to comments. Some issues raised included clear and standardized criteria and a certification process, the need to include environmental factors such as bycatch, and the need to address whether foreign industries can participate and, if so, how enforceability and traceability procedures will ensure the integrity of the program, and clearly identify who pays.

### Hurricanes 2005 – Impacts

Drs. Steve Murawski and Roy Crabtree, Regional Administrator for the Southeast Regional Office, NOAA Fisheries Service, gave an informational overview of the 2005 hurricane season impacts and some of the most recent data regarding the impacts to fish stocks in the Gulf. Discussion focused on what NOAA's role can and should be and what preparations are being made for the next hurricane season. There was general agreement that NOAA should carefully address the overcapitalized shrimp fleet in the Gulf but also acknowledgement that this is a very sensitive issue, particularly with regard to the level of economic devastation suffered by this sector. In terms of preparing for

future catastrophes in the Gulf region, it was suggested that NOAA take a serious look at the ‘seafood parks’ in Hawaii as a potential model for consolidating and protecting fishing infrastructure resources. Lastly, there was expressed support for looking at private sector incentives to help rebuild the region (e.g. low interest loans). Dr. Hogarth indicated NOAA was developing a ‘Lessons Learned’ document and that when it is available copies will be distributed to MAFAC.

### **5PM Meeting Adjourned**

**Wednesday, February 15, 2006**

### **9 AM Meeting Convened**

Dr. Hogarth called the meeting to order.

Prof. DiLernia reviewed the day’s agenda and referenced his discussion with Dr. Hogarth regarding MAFAC’s development of a ‘Fisheries Vision 2020’ document, indicating he would be working with the Committee’s Executive Director, Laurel Bryant, to draft an outline plan for Dr. Hogarth’s approval and submission it to the Committee later in the month.

Prof. DiLernia requested members to submit their subcommittee selections by the end of the day.

#### Litigation Review

Dr. Hogarth introduced Caroline Park, Attorney Advisor with the Office of General Counsel for NOAA Fisheries Service. In preparation for the day’s discussion on Magnuson-Stevens Act reauthorization issues, Ms Park gave a brief overview of litigation since the passage of MSA in 1996 and the lessons learned by the agency. Approximately one-third of the cases resulted from establishing rules and regulations versus those that resulted from compliance and enforcement issues.

#### Magnuson-Stevens Act Reauthorization

Alan Risenhoover, Acting Director, Office of Sustainable Fisheries, and Sam Rauch, Director, NOAA’s Office of General Counsel for Fisheries, gave a brief overview and comparison of the Administration’s legislative proposal and the Senate’s proposal. The Administration’s priority provisions for reauthorization are premised on those detailed in the Ocean Action Plan and include: 1) ending overfishing within two years, 2) expanding use of dedicated access privilege (DAPs) programs, 3) enforcement improvements, 4) ecosystem approaches, 5) expanded data collection and saltwater anglers registration, 6) formal peer review of science at the council level, 7) broaden representation on fishery management councils, and 8) authorizing use of ‘frameworks’ and improving integration of NEPA (National Environmental Protection Act) analysis into the MSA process.

Much of the general discussion concerned DAPs and how they are envisioned for recreational fishing quotas, foreign entities and processors. With regard to recreational fishing both the Administration and Senate bills are silent on the issue, neither prohibiting nor providing for transfers between sectors, again leaving it flexible. As for processors, the Administration does not provide for it as processor shares have no conservation benefit and are generally artificial barriers to protect existing processors.

The 3% limit on government's cost recovery was noted as potentially restrictive for a long-term learning curve. Over the duration, costs can be recovered but in the short term there are often cost over runs.

In response to a suggestion that cooperative research programs be included, it was noted that the Administration supports the concept but that inclusion was done too late for inclusion into the proposal.

Lastly it was noted that following the hurricane disasters in the Gulf, disaster provisions consistent with conservation goals need to be a focus of legislative negotiations.

#### Ending Overfishing & Saltwater Angler Registration

The two key provisions for ending overfishing and establishing a saltwater angler registration program contained in the Administration's proposal were presented in-depth by Dr. Steve Murawski and Sam Rauch and discussed by the Committee for the remainder of the day.

With regard to the Administration's proposal to end overfishing within two years there was general support from the majority of the Committee. The two year time frame was noted as having potentially significant impacts on some fisheries. In addition, the opposition from some of the conservation organizations for maintaining current timelines on overfishing was acknowledged as being a position the Committee would need to take into consideration in its final views and recommendations to the Administration.

With regard to the saltwater angler registration there was unanimous support from the Committee members present and several members of the attending public who spoke on the issue.

#### Breakout Assignments

The Committee unanimously agreed to provide recommendations on the following items and specific members were assigned leadership roles to organize breakout sessions and meet Thursday a.m.

1. Aquaculture (Commerce Subcommittee) – Tom Billy
2. MSA Provisions (Strategic Planning Subcommittee) – Pete Leipzig and Eric Schwaab
3. Overfishing – Ralph Rayburn
4. Saltwater Angler Registration – Bob Fletcher

## Subcommittee Assignments

The following subcommittee assignments were made:

Strategic, Planning, Budget and Program Management –

Jim Gilmore, Chair  
Chris Dorsett  
Pete Leipzig  
Dorothy Lowman  
Tom Raftican  
Ken Roberts  
Eric Schwaab

Commerce –  
Tom Billy, Chair  
John Forster  
Bob Fletcher  
Rob Kramer  
Heather McCarty  
Tom Raftican  
Ralph Rayburn  
Ken Roberts

Protected Resources -  
Bob Fletcher, Chair  
Jim Cook  
Jim Gilmore  
Mary Beth Nickell-Tooley

Ecosystem Approach -  
Chris Dorsett, Chair  
Steve Joner  
Dorothy Lowman  
Heather McCarty  
Tom Raftican  
Ralph Rayburn  
Eric Schwaab  
Mary Beth Nickell-Tooley

**5 PM Meeting Adjourned**



**Thursday, February 16, 2006**

**9 AM Meeting Convened**

Prof. DiLernia, Committee Liaison, called the meeting to order briefly to assign breakout rooms for the four groups to develop draft recommendations for full Committee review.

**9-11 AM Breakout Sessions**

**11 AM Meeting Reconvened**

Offshore Aquaculture (Tom Billy, Heather McCarty, Ken Roberts)

Tom Billy began by reiterating MAFAC's comments from the June 2005 meeting report on offshore aquaculture in which MAFAC agreed to serve as a sounding board during the legislative process and to provide guidance over the long term.

Two recommendations were made by the breakout group and a resolution presented to the full Committee:

1<sup>st</sup> Recommendation: NOAA Fisheries Service needs to utilize MAFAC as a sounding board for ideas and engage MAFAC in related policy issues, including citing of facilities, identification of species for research and ensuring fishery management councils are consulted early on and in an on-going manner.

2<sup>nd</sup> Recommendation: the NOAA Aquaculture Program is to submit their 10 year business draft for input and review to MAFAC in June, in time for July 2006 meeting.

Resolution in support of the Administration's Offshore Aquaculture initiative (**Attachment A**).

Motion to Accept – Tom Billy

Seconded – Heather McCarty

Resolution was unanimously accepted by the Committee.

Magnuson-Stevens Act – Administration's Proposals (Pete Leipzig, Eric Schwaab, Chris Dorsett, Mary-Beth Nickel Tooley)

Eric Schwaab presented the breakout session report. A number of modifications were made. The Committee agreed to conduct post-drafting work to consider inclusion of language addressing overfishing and saltwater angling registration issues. (**Attachment B**).

Motion to Accept – Tom Billy

Seconded – Heather McCarty

Recommendations were unanimously accepted by the Committee

Overfishing Language (Ralph Rayburn, Chris Dorsett, Laurel Bryant)

Ralph Rayburn provided a side-by-side of the Administration's and Senates language. It was acknowledged that there was opposition by some of the conservation organizations to modifying any timelines. It was agreed that MAFAC's Executive Director would work with members Chris Dorsett and Jim Gilmore to draft language for the Committee's consideration post-adjourment. If possible, the resulting language would be included with the other MSA recommendations.

Saltwater Angling Registration Program (Bob Fletcher, Rob Kramer, Tom Raftican, Forbes Darby – staff)

Bob Fletcher presented the break out groups support for the Administration's proposal in the form of a draft letter that was suggested be sent by the Assistant Administrator to the state commissions, state directors, fishery management councils, and key saltwater recreational fishing interests explaining the importance of the provision, its expectations, and extending an open commitment to work with the agency's partners in building such a program.

With one abstention, the full committee agreed to submit the draft letter to Dr. Hogarth. Dr. Hogarth agreed with the strategy to proactively communicate with the stakeholders and partners on this issue, including the media and agreed to get back to the Committee with a resulting communication.

The Committee agreed that the executive director would work with Bob Fletcher, Eric Schwaab, Tom Raftican, Rob Kramer and Tony DiLernia post adjourment to draft supportive language for the saltwater angler registration provision that could be included with the final MSA recommendations above.

Hurricane Impacts

Ralph Rayburn submitted a draft document regarding the establishment by NOAA of an emergency response team within the Gulf that would pull together expertise and resources from around NOAA Fisheries Service, other NOAA line offices, Sea Grant and other facilities that can be targeted and strategically mobilized. Dr. Hogarth was appreciative and agreed to make comments on the draft concept and work Mr. Rayburn to further develop it.

Vision Document

Prof. DiLernia informed the Committee he would be working with the executive director to develop an outline strategy and budget for the development and objectives of a Fisheries Vision 2020 document and get back to the committee post adjourment.

Administrative Issues

Prof. DiLernia lead a discussion to review subcommittee assignments, business practices, meeting management strategies, and what communications between meetings the Committee would like to see implemented prior to the next meeting. Conference Calls were agreed as the most cost effective mechanism to improve advanced coordination and subcommittee work in between meetings.

The next meeting has been scheduled for Seattle, July 25-27, 2006. The agenda will be developed in May and finalized by June; members are to get any suggestions or requests in prior to June. The first meeting for fiscal year 2007 was scheduled for January 2007 in New Orleans. The final meeting dates will be determined post adjournment.

Dr. Hogarth and Prof. DiLernia expressed the Committee's appreciation to Rob Kramer and the IGFA for the use of their facilities and support of their staff. A recommendation was made and agreed to by consensus that Dr. Hogarth and Prof. DiLernia co-sign a letter to the Board of the IGFA expressing appreciation for its hospitality and compliment its staff on the courtesies given the Committee during its meeting in IGFA Headquarters. A letter was signed and sent March 3, 2006.

### **12:30 PM Meeting Adjourned Sine Die**

#### **ATTENDEES**

##### **MAFAC Members:**

Tom Billy  
Jim Cook  
Tony DiLernia (Committee Liaison)  
Chris Dorsett  
Bob Fletcher  
Dr. Bill Hogarth (Vice Chair)  
Steve Joner  
Rob Kramer  
Pete Leipzig  
Dorothy Lowman  
Heather McCarty  
Mary Beth Nickell-Tooley  
Tom Raftican  
Ralph Rayburn  
Dr. Ken Roberts  
Eric Schwaab  
Russell Porter (Acting for Randy Fisher/ Non-Voting)  
Vince O'Shea (Non-Voting)  
Larry Simpson (Non-Voting)  
Laurel Bryant (Executive Director, MAFAC)

##### **Absent:**

Bill Dewey  
Jim Donofrio  
John Forster  
Catherine Foy  
Jim Gilmore

##### **NOAA Fisheries Service:**

Kim Amendola, Public Affairs, Southeast Region, NOAA Fisheries Service  
Dr. Jim Balsiger, Deputy Director, Regulatory Programs  
Susan Bunsick, NOAA Aquaculture Program Office  
Linda Chaves, Senior Advisor on Seafood Industry Issues, NOAA Fisheries Service

Roy Crabtree, Regional Administrator, Southeast Region, NOAA Fisheries Service  
Forbes Darby, Recreational Fishing Liaison, NOAA Fisheries Service  
Gordon Helm, Director, Office of Constituent Services (Acting)  
Dr. Rebecca Lent, Director, Office of International Affairs  
Dr. Steve Murawski, Chief Scientist, NOAA Fisheries Service  
Rachel O'Malley, Environmental Liaison, NOAA Fisheries Service  
Caroline Park, Advising Attorney, Office of General Counsel for Fisheries  
Samuel Rauch, Director, NOAA Office of General Counsel for Fisheries  
Alan Risenhoover, Director, Office of Sustainable Fisheries (Acting)

**Guests and Attending Public:**

Ken Banks, Broward County Environmental Protection Department  
Dianne Behringer, Florida Sea Grant  
Dick Brame, Coastal Conservation Alliance, South Carolina  
Sue Cocking, Miami Herald  
Rick Gaffney, Western Pacific Fishery Management Council  
John Jolley, West Palm Beach Fishing Club  
Dennis O'Hern, Fishing Rights Alliance  
Jim Roberson, International Game Fish Association  
Mark Worth, Food & Water Watch

Respectfully Submitted,

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Laurel G. Bryant  
Executive Director, MAFAC  
National Marine Fisheries Service  
March 3, 2006

## **Attachment A**

### **Marine Fisheries Advisory Committee International Game Fish Association, Dania Beach, Florida March 3, 2006**

#### **Offshore Aquaculture Act - Resolution**

The Marine Fisheries Advisory Committee (the Committee), in light of:

1. The growing scientific recognition of the health benefits of seafood;
2. The growing dependence of the U.S. on imports and the resulting trade deficit to meet growing demand;
3. The increasing recognition of the importance of food security in today's world;
4. The opportunity to conduct commercial aquaculture in the Exclusive Economic Zone (EEZ) consistent with environmental, conservation and protected species goals;
5. The opportunity to provide direct economic benefits to coastal communities through development or expansion of shore-based support services and complementary economic strategies and incentives.
6. The opportunity to establish mechanisms for cultured and wild market development and education (e.g. marketing councils); and
7. The opportunity for U.S. leadership to develop, test and implement best practices for offshore aquaculture; therefore

The Committee strongly supports the need for legislation to authorize establishment of a regulatory framework to permit commercial aquaculture in the EEZ.

**Marine Fisheries Advisory Committee  
International Game Fish Association, Dania Beach, Florida  
March 3, 2006**

**Magnuson-Stevens Fisheries Conservation & Management Act  
Reauthorization Recommendations**

**Overfishing & Rebuilding Standards**

The Committee supports the Administration's emphasis on ending overfishing at the front end of a rebuilding plan, recognizing that the hard deadline of two years, as proposed, may require significant action in some fisheries and is of particular concern in New England.

In strengthening the overfishing and rebuilding provisions, the Administration should take into consideration the following:

- Environmental conditions and ecosystem considerations, including interactions between stocks and predator-prey relationships.
- Recognize monitoring bycatch is a critical component to end overfishing and requirements for bycatch data collection should be strengthened.
- Review the management strategies of fishery management councils that have maintained healthy fish stocks and/or successfully ended overfishing and implemented rebuilding programs, while recognizing the need for flexibility in the strategic options available for addressing issues unique to each region.

**Dedicated Access Privileges**

The Committee strongly supports greater use of market based approaches to improve management efficiency, promote safety at sea, increase profitability for fishermen and fishing communities, and provide greater incentive for investment in long term conservation of fish stocks.

The Committee supports efforts to protect historical participants (fishermen,) ensure continued opportunity for small operators and provide mechanisms for new entrants into the fishery.

Dedicated Access Privilege systems should include the following:

Allow for fees to cover the direct new cost of administration of the program. These costs should not include general science and assessment

costs inherent in the management of any fishery. Consider condition of the fishery in assessing costs.

Emphasize allocation of shares that assign privileges over longer time periods and that utilize percentage shares of a TAC (or other catch limits) rather than absolute amounts to invest individual fishermen in longer term stock maintenance or growth.

Minimize barriers to implementation of DAP systems. Referenda and petition processes should not be included in the law.

Allow full open market participation providing management goals are not compromised.

### **Enforcement**

The Committee supports provisions for sharing VMS data with Homeland Security agencies and with partner state fishery management agencies.

The Committee endorses public funding to support the maintenance and development of VMS systems, particularly in support of homeland security efforts.

The Committee supports increased penalties for willful, egregious violations as articulated in the Administration bill.

### **Ecosystem Based Management**

The Committee endorses greater use of ecosystem based considerations in the management process.

The Committee specifically endorses and encourages the use of ecosystem based considerations in determining appropriate recovery levels for depleted stocks and in balancing multi species management concerns in setting target levels for individual species. Shifts in environmental quality may constrain the ability to achieve historic abundances. Additionally, multi species prioritization decisions may require compromise on target levels for some species in favor of others.

### **Recreational Saltwater Fishing Data Collection**

The Committee is very supportive of establishing a saltwater angler registration program as a key component of the larger recreational fisheries data collection program.

The Committee recognizes states are in a superior position to collect information on the saltwater angling activities occurring in federal waters along their coastlines. As such, the Committee strongly encourages NOAA to work with the states, state Commissions and the larger community of recreational fishing interests to help define the scientific criteria and develop an implementation strategy.

Recognizing state data collection programs are unique from state to state, the Committee encourages avoiding requirements that are too prescriptive and to maintain flexibility while at the same time requiring participation from all coastal states in a data collection program on saltwater angler activities in federal waters off their coastlines.

### **Council Operations and Peer Review of Science**

The Committee supports general provisions contained in the Senate bill to improve Council operations, including operations of scientific and statistical committees and enhanced Council training. (Note: Care should be taken to ensure that academic institution participation should not be hindered by stipend language.)

Requirements to set annual TAC's for *all* species should not be included in the law. However, TAC's should be the norm, with specific exceptions based on specific criteria to be articulated under agency guidelines.

The Committee supports provisions that would require the Secretary and each Council to formalize a peer review process for scientific information.

### **Council Membership**

The Committee is supportive of balanced representation and participation by involved interests and stakeholders.

### **Regulatory Streamlining**

The Committee supports improvements and streamlining without compromising substantive benefits of the reviews.

The process must continue to be an inherently public process.

### **Cooperative Research**

The Committee expresses support for Cooperative Research as articulated in the Senate bill (section 204), requiring the Secretary to establish a regional program.