2006 REPORT TO CONGRESS

ON APPORTIONMENT OF MEMBERSHIP

ON THE

REGIONAL FISHERY MANAGEMENT COUNCILS

PURSUANT TO SECTION 302(b)(2)(B) OF THE
MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

PREPARED BY
U.S. DEPARTMENT OF COMMERCE
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A. BACKGROUND

Section 302(b)(2)(B) of the Magnuson-Stevens Fishery Conservation and Management Act requires the Secretary of Commerce (Secretary) to report annually to Congress on the achievement, to the extent practicable, of a "fair and balanced apportionment," on a rotating or other basis, of the active participants (or their representatives) in the commercial and recreational fisheries under the jurisdiction of each Regional Fishery Management Council (RFMC). This is the 15th Report related to the status of such apportionments.1/ In addition to assessing the annual apportionment of RFMC memberships, this Report discusses significant fishery management issues and related actions either under development or pending for 2007.

B. FAIR AND BALANCED RFMC MEMBERSHIP

The consideration of balance and fairness between commercial and recreational fishing sectors is an important element in the Secretary's appointments. An equally important consideration is the stewardship responsibilities of RFMCs and the appointment of individuals who can work collectively with members to achieve the conservation standards under the Magnuson-Stevens Act. Successful nominees, therefore, are those who not only are qualified in accordance with the provisions located at 50 CFR 600.215, but who will also best contribute to the stewardship of marine fishery resources.2/

Generally, the most qualified nominees are those whose records indicate they

1. Have achieved a level of leadership in promoting stewardship of the marine fishery resources under the jurisdiction of the RFMCs to which they would be appointed; and

2. Participate in, or represent commercial fishermen participating in, one or more commercial fisheries under the RFMCs' jurisdictions; or

3. Participate in, or represent recreational fishermen participating in, one or more recreational fisheries under the RFMCs' jurisdictions; or

4. Are otherwise experienced and/or knowledgeable in leadership of organizations whose members participate in a fishery or in management and conservation of natural resources, or are representatives of consumers, teachers, journalists, writers, consultants, lawyers, or marine fishery researchers.

1/The initial report assessed the RFMC membership in 1991 and 1992 and was submitted to Congress on September 1, 1992.
2/The qualifications for appointment are derived from Section 302(b)(2)(A) of the Magnuson-Stevens Act and are also included in regulations contained at 50 CFR 600.215.

Standard for Apportionment

Before evaluating each RFMC with respect to fairness and balance, the Secretary must first have a standard for such judgments. Although clear as to intent, the amendments to the Magnuson-Stevens Act and legislative history do not provide specific guidance for judging whether the Secretary's appointments meet the statutory standard. The National Oceanic and Atmospheric Administration (NOAA) has addressed the requirement by reasoning that, in the ideal case, voting members should be individuals with prescribed qualifications related to commercial or to recreational fishing within the RFMC's area of jurisdiction, or individuals with qualifications in one of the "other" related fishing interest categories, who are personally committed to meeting the RFMC's trusteeship responsibilities for living marine resources. This continues to be the yardstick for judging whether an individual RFMC will fulfill the paramount mandate—the conservation and management of fisheries resources.

Over the past decade, fishery management issues have become increasingly complex. Therefore, RFMC members who possess the necessary background and abilities to address current issues are critical to the ultimate success of the RFMCs. A significant consideration in appointing members is their specific knowledge of the conservation and management issues and fisheries in which each RFMC is expected to be involved. Also important is the level of nominees' participation in the fishery management process, and the support for the nominees from the fishing sector communities and other individuals, largely through endorsement letters to the Secretary.

For the purposes of this Report, three general fishing interest sectors are discussed: the commercial fishing sector, the recreational fishing sector, and an "other" sector. The "other" sector is made up of appointed members with knowledge of and experience in biological, economic, or social sciences; environmental or ecological matters; consumer affairs; and associated fields.

Nominees may be categorized as participants in more than one of the three general fishing interest sectors. In these cases, the Agency's determination about a nominee's primary interest sector is the result of the Agency's interpretation of: (1) supporting background information provided by the nominating governor; (2) background information provided by the nominee, reflecting the nominee's demonstrated principal participation; and (3) other supplemental information provided by reliable sources.

C. APPORTIONMENT OF RFMC MEMBERSHIP

RFMC members are appointed from among qualified individuals nominated by the governors of the RFMCs' constituent states and, in the case of tribal representation on the Pacific Fishery Management Council (PFMC), from among Indian representatives nominated by the appropriate Tribal Governments. A major factor in meeting the requirement to balance membership is the cooperation of the governors of the constituent

states in nominating qualified individuals who are knowledgeable regarding conservation and management or the commercial or recreational harvest of fishery resources. The process works best when governors provide the Secretary with a wide diversity of highly qualified nominees to meet the requirements of the Magnuson-Stevens Act.

In 2006, the Department of Commerce announced the appointment or reappointment of 31 voting obligatory and at-large RFMC members, whose 3-year terms will expire on August 10, 2009.

Table 1 shows the current totals in the distribution of Secretarially appointed RFMC voting members by interest sector for 2004, 2005, and 2006 (page 7). In 2006, 14 members were appointed from the commercial fishing sector, 12 members were appointed from the recreational fishing sector, and 5 members were appointed from the "other" sector. The tribal representative on the PFMC for the purposes of this table is counted as a member of the "other" sector. Because of the limited number of RFMC seats, not all sectors and localities can be represented on each RFMC. In addition, the Secretary's appointments are constrained by the nominations submitted by the governors. Within these parameters, the Secretary endeavors to select appointees who possess the breadth of knowledge and experience to collectively provide a balance on each RFMC, and who pursue their RFMC roles as stewards and trustees of the living resources. To the extent practicable, the appointments also seek to rotate membership, thereby distributing participation among all sectors of the fisheries-specific actions. Adjustments to the distribution of representation on each RFMC are also made, where possible, to achieve a balance of interest sectors or needed experience to address changing agendas.

Where sector or gear components are not represented on an RFMC, membership on the various RFMC advisory panels and committees is also crucial to providing those sectors with representation during RFMC deliberations, as well as with a voice on specific issues of interest.

Women and Minority Representation

Eleven women currently serve on the RFMCs. Governors are encouraged to nominate qualified female and minority candidates.

D. RFMC MEMBERSHIP VACANCIES DURING 2005

Table 2, page 8, lists the 19 RFMC members whose terms will expire on August 10, 2007. Table 3, page 9, sorts the 19 RFMC members into the three general fishing sector categories.

The Magnuson-Stevens Act prohibits the reappointment of RFMC members to a fourth consecutive term. As a result, three of the 19 members whose terms expire in 2007 will be ineligible for renomination consideration.

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TABLE 1: APPOINTED RFMC MEMBERS SORTED NUMERICALLY BY FISHING SECTOR INTERESTS (2004–2006)

	Year	Commercial	Recreational	"Other"	Total
NEFMC	2004	8	3	1	12
	2005	8	3	1	12
	2006	8	3	1	12
MAFMC	2004	6	5	2	13
	2005	5	5	3	13
	2006	5	5	3	13
SAFMC	2004	3	4 3/	1	8
	2005	3	4 4/	1	8
	2006	3	4	1	8
GMFMC	2004	5	5	1	11
	2005	5	5	1	11
	2006	4	5	2	11
CFMC	2004	2	1	1	4
	2005	2	1	1	4
	2006	2	1	1	4
PFMC	2004	2	5	2	9
	2005	2	5	2 5/	9
	2006	3	5 8/	1	9
NPFMC	2004	6	1	0	7
	2005	6	1	0	7
	2006	6 7/	1	0	7
WPFMC	2004	3	3	2 6/	8
	2005	3	4	1	8
	2006	3	4	1	8
ALL RFMCs	2004	35	27	10	72
	2005	34	28	10	72
	2006	34	28	10	72

3/Julian M. Pendarvis was appointed to an out-of-cycle vacancy in 2004. The total number of members on the SAFMC representing the recreational fishing sector remains the same.
4/Frank E. Gibson was appointed to an out-of-cycle vacancy in 2005. The total number of members on the SAFMC representing the recreational fishing sector remains the same.
5/This total includes the Tribal representative, who, for the purposes of this table, is counted as a representative of the "other" sector.
6/In 2004, fishing sector changes occurred for Frank P. Farm, Jr. from the recreational sector to the "other" sector and Benigno M. Sablan from the commercial sector to the "other" sector on the WPFMC.
7/ Gerald P. Merrigan was appointed to an out-of-cycle vacancy in 2006. The total number of members on the NPFMC representing the commercial sector remains the same.
8/ In 2006 a fishing sector change occurred for David W. Ortmann, from the "other" sector to the recreational sector on the PFMC.

TABLE 2: RFMC MEMBERS' TERMS EXPIRING AUGUST 10, 2007					
OBLIGATORY MEMBERS	**APPT. DATE**	**CONSEC. TERMS SERVED**	**AT-LARGE MEMBERS**	**APPT. DATE**	**CONSEC. TERMS SERVED**
New England NH: D. Goethel/C	2004	1	C. Cunningham, Jr./MA (R) P. Ruhle, Jr./RI (C)	2004 2004	1 1
Mid-Atlantic DE: R. Smith/O	1998	***3	Y. Peabody/VA (C) F. Puskas/NJ (C) L. Simns/MD (C)	2001 2004 2001	2 1 2
South Atlantic NC: R. Merritt/C SC: F. Gibson/R	2004 2005	1 *	There are no at-large vacancies on the South Atlantic Council in 2007		
Gulf of Mexico TX: N. Adams/R MS: P. Horn/C	2004 2004	1 1	J. Morris/FL (O)	2001	2
Caribbean There are no obligatory vacancies on the Caribbean Council in 2007			M. Lester/VI (C)	2001	2
Pacific ID: D. Ortmann/R	2002	**2	R. Thomas/CA (R)	1998	***3
North Pacific AK: D. Hoedel/C AK: S. Madsen/C	2004 2001	1 2	There are no at-large vacancies on the North Pacific Council		
Western Pacific There are no obligatory vacancies on the Western Pacific Council in 2007			E. Ebisui, Jr./HI (R) F. McCoy/AmS (C)	2001 1998	2 ***3
TOTAL 9			TOTAL 10		

Fishing Sectors: C=commercial; R=recreational; "O"=other

*These members replaced other members who left office during a term or who are deceased; in accordance with the Magnuson-Stevens Act, section 302(b)(3), any term in which an individual was appointed to replace a member who left office during the term shall not be counted in determining the number of consecutive terms served by that Council member.

**These members served a partial term during the initial 3-year appt. in accordance with 50 CFR CFR 600.210(a), A voting member's Council service of 18 months or more during a term of office will be counted as service for the entire 3-year term.

***These members were appointed after January 1, 1986, and have served three consecutive terms; therefore, they are ineligible by law for reappointment to a fourth consecutive term.

TABLE 3: OUTGOING 2007 RFMC MEMBERS GROUPED BY GENERAL FISHING SECTOR CATEGORIES			
C=COMMERCIAL	R=RECREATIONAL	"O"=OTHER	TOTAL
New England David T. Goethel Philip R. Ruhle, Jr.	Colin M. Cunningham, Jr.		3
Mid-Atlantic Yvonne M. Peabody Frances E. Puskas Lawrence W. Simns		Ronal W. Smith	4
South Atlantic Rita G. Merritt	Frank E. Gibson		2
Gulf of Mexico Philip D. Horn	Norman D. Adams, III	Julie K. Morris	3
Caribbean Monica M. Lester			1
Pacific	David W. Ortmann Roger Thomas		2
North Pacific Douglas W. Hoedel Stephanie D. Madsen			2
Western Pacific Frank W. McCoy	Edwin A. Ebisui, Jr.		2
Total 11	Total 6	Total 2	Total 19

Removal of Members

On occasion after appointments have been made, RFMC constituents have advised the Secretary of concerns about or indicated disagreement with some of the Secretarial appointment decisions. In some cases, constituents have called for the revocation of particular appointments. All such concerns are noted. However, in accordance with Section 302(b)(6) of the Magnuson-Stevens Act, the removal of a Council member is limited to the following circumstances:

> a) The Secretary may remove for cause any Secretarially appointed RFMC member only when the RFMC concerned first recommends removal of the member by not less than two-thirds of the RFMC voting members, and the RFMC submits such removal recommendation to the Secretary in writing, together with a statement of the basis for the recommendation; or
>
> b) After notice and an opportunity for a hearing in accordance with Section 554 of Title 5, United States Code, the member is found by the Secretary to have committed an act prohibited by Section 307(1)(O) of the Magnuson-Stevens Act, which pertains to compliance with financial disclosure requirements.

Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act)

The reauthorized Magnuson-Stevens Act was signed by President Bush January 12, 2007. Below is a summary of amendments related to RFMC membership.

- Through 2012, a governor of a state submitting a list of nominees to the Secretary for appointment to the Gulf Council, is required to include at least one nominee each from the commercial, recreational, and charter fishing sectors, and one other nominee with knowledge and experience in the conservation and management of fisheries resources in the jurisdiction of the Council. If a governor does not meet the requirement, the Secretary shall publish a notice in the Federal Register asking residents of that state to submit names and pertinent biographical information of individuals who meet the requirement not met for appointment to the Gulf Council.
- The tribal representative appointed to the Pacific Council may designate as an alternate, during the period of the representative's term, an individual knowledgeable concerning tribal rights, tribal law, and the fishery resources of the geographical area concerned.
- The Secretary, in consultation with the Councils and the National Sea Grant College Program, shall develop a training course for newly appointed Council members. Currently, regular training and orientation of Council members are conducted.
- Financial Disclosure rules are modified to include disclosure of any lobbying or advocacy activity by Council nominees or appointees. In 2008, the Secretary is required to submit an annual report to Congress on action taken by the Secretary and the Councils to implement the disclosure of financial interest and recusal requirements.

E. THE SECRETARY'S 2006 APPOINTMENTS/2007 REPORT RECOMMENDATIONS

As a result of the annual appointments announced on June 29, 2006, 29 members were seated on August 13, 2006. Two additional appointments were announced in August 2006, and were seated on September 22, 2006, for a total of 31 appointments. Also, an out-of-cycle appointment was made to the North Pacific Council in December 2006, to a vacancy which occurred in August 2006.

The following sections update RFMC appointment rosters, specify apportionment totals for RFMC members, discuss fishery management issues and challenges being addressed by each RFMC, and make Secretarial recommendations for future nomination and appointment considerations. The latter reflects information included in letters sent to the constituent state governors requesting nominees, consistent with regulations at 50 CFR 600.215. The governors are required to submit their nominations by March 15.

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1. New England Fishery Management Council (NEFMC)

BACKGROUND SUMMARY:

Terms expired in 2006 for five NEFMC members. As a result of the 2006 appointments, the composition of fishing sector representatives remains unchanged at eight commercial, three recreational, and one "other." The current geographical balances regarding the distribution of at-large seats on the NEFMC remains unchanged. The appointee and reappointees are as follows:

New Member/Fishing Sector	**Outgoing Member/Fishing Sector**
Rodney M. Avila/commercial	Reappointment
David E. Preble/recreational	Francis W. Blount Jr./recreational (ineligible, by law, for a fourth consecutive term)
Sally E. McGee/ "other"	Reappointment
James A. Odlin/commercial	Reappointment
Dana B. Rice/commercial	Reappointment

The following table lists the Secretarial appointees currently on the NEFMC:

2006 NEW ENGLAND FISHERY MANAGEMENT COUNCIL (12 Members)				
Obl/Atl	Appointed Members	State	Appt. Ends	Interest Sector
O	AVILA, RODNEY M.	MA	2009	C
O	PREBLE, DAVID E.	RI	2009	R
O	GOETHEL, DAVID T.	NH	2007	C
O	MCGEE, SALLY E.	CT	2009	O
O	ODLIN, JAMES A.	ME	2009	C
A	CUNNINGHAM, COLIN M. JR.	MA	2007	R
A	LEARY, MICHAEL P.	NH	2008	C
A	HILL, THOMAS R.	MA	2008	R
A	PAPPALARDO, JOHN W.	MA	2008	C
A	RICE, DANA B.	ME	2009	C
A	RUHLE, PHILIP R. JR.	RI	2007	C
A	SALISBURY, JAMES W.	ME	2008	C

EXPIRING TERMS:

The following members' terms will expire on August 10, 2007:

1. David T. Goethel – commercial fishing sector – New Hampshire's obligatory seat

2. Colin M. Cunningham, Jr. – recreational fishing sector – at-large seat (Massachusetts)

3. Philip R. Ruhle, Jr. – commercial fishing sector – at-large seat (Rhode Island)

2007 REPORT RECOMMENDATION(S):

The majority of stocks within the NEFMC's geographical area are primarily associated with commercial fisheries. Of the nine members whose terms do not expire in 2007, six are from the commercial harvesting sector, two are from the recreational fishing sector, and one is from the "other" sector. Members from the commercial harvesting sector have experience in the groundfish, scallop, flounder, herring, and monkfish fisheries, utilizing trawl, dredge, gillnet, purse seiners, and longline gear. Recreational fishing sector members are all rod-and-reel fishermen representing private or for-hire recreational fishery sectors.

The three upcoming vacancies include two outgoing members from the commercial sector and one from the recreational sector. Presently, the NEFMC is weighted more heavily toward the commercial sector. In order to achieve a balance between both the commercial and recreational sectors, the governors are encouraged to nominate individuals from the recreational fishing sector with rod-and-reel and hook-and-line experience. Also, governors are encouraged to nominate individuals from the "other" sector including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The NEFMC is responsible for six Fishery Management Plans (FMPs): Northeast Multispecies, Atlantic Sea Scallop, Atlantic Herring, Deep-sea Red Crab, Skates, and Atlantic Salmon. In addition, the NEFMC and Mid-Atlantic Fishery Management Council (MAFMC) are jointly responsible for two FMPs (Spiny Dogfish and Monkfish). The NEFMC has the lead responsibility for the Monkfish FMP, while the MAFMC has the lead responsibility for the Spiny Dogfish FMP.

The species managed by the NEFMC are primarily commercial; however, the multispecies fishery has an important recreational component (party/charter and private vessels). The Atlantic salmon fishery is considered recreational, although possession of Atlantic salmon is prohibited in the Exclusive Economic Zone under the Atlantic Salmon FMP. Management of all of the fisheries must take into consideration effects of the fisheries on habitat, and must consider ways to minimize bycatch. Fishing gear technology and selectivity are areas of great interest, to allow healthy stocks to be harvested at or near their optimum yields while protecting overfished and rebuilding stocks.

In 2006, the Council's management actions included:

- **Northeast Multispecies**
  The Council completed Framework 42 to the FMP, which implemented management measures necessary to keep fishing mortality rates of all overfished groundfish stocks consistent with rebuilding plans for those stocks, and Framework 43, which created an exempted fishery for herring, allowing restricted retention of regulated multispecies in that fishery.

- **Atlantic Sea Scallops**
  The Council completed Framework 18, which implemented biennial adjustments to the area rotation system and other management measures for the scallop fishery for the 2006–2007 fishing years.

- **Atlantic Herring**
  The Council recommended annual specifications for the 2007–2009 fisheries, and completed a major amendment to the Herring FMP (Amendment 1), which proposes a limited access program for this fishery and other adjustments to the management program.

- **Monkfish**
  The Council made annual adjustments to the fishery for 2006; completed Framework 3 to modify monkfish trip limits; and began development of Framework 4 to the FMP to revise the annual specification process for monkfish and to continue stock rebuilding.

- **Habitat**
  The Council continued development of an omnibus habitat amendment, which will amend the Council's FMPs to revise essential fish habitat designations and to implement additional measures to protect habitat.

- **Bycatch**
  The Council began development, in conjunction with the MAFMC and NOAA's National Marine Fisheries Service, a comprehensive omnibus amendment to implement standardized bycatch reporting methodology for all of the Northeast FMPs.

Council priorities for 2007 include:

- Complete Phase 1 of a two-part omnibus amendment to address issues regarding essential fish habitat across all of the Council's FMPs;
- Initiate development of Phase 2 of a two-part omnibus amendment to address issues regarding essential fish habitat across all of the Council's FMPs;
- Complete an amendment to the Scallop FMP to control effort in the General category scallop fishery (Amendment 11);

- Continue development of a limited access program for the whiting fishery (Amendment 14 to the NE Multispecies FMP);
- Complete specification recommendations for the 2007 monkfish fishery;
- Complete, in conjunction with the MAFMC and NOAA's National Marine Fisheries Service, a comprehensive omnibus amendment to implement standardized bycatch reporting methodology for all of the Northeast FMPs;
- Complete Scallop Framework 19 to make biennial adjustments for the 2008 and 2009 fishing years;
- Complete Scallop Amendment 12 to implement provisions for an industry-funded observer program;
- Complete Monkfish Framework 4 to revise the annual specification process and continue stock rebuilding;
- Continue development of Amendment 16 to the NE Multispecies FMP to make adjustments to measures necessary to rebuild overfished groundfish stocks and to make other regulatory adjustments, as necessary; and
- Initiate development of Amendment 1 to the Skates FMP to address overfishing and, if necessary, rebuilding of overfished stocks.

2. Mid-Atlantic Fishery Management Council (MAFMC)

BACKGROUND SUMMARY:

Terms expired in 2006 for four MAFMC members. As a result of the 2006 appointments, the composition of fishing sector representatives remains unchanged at five commercial, five recreational, and three "other." The current geographical balance regarding the distribution of at-large seats on the MAFMC remains unchanged. The appointees and reappointees are as follows:

New Member/Fishing Sector	**Outgoing Member/Fishing Sector**
Edward L. Goldman/recreational	Anthony P. Bogan/recreational
Jeffrey D. Deem/recreational	Robert H. Pride, III/recreational
Laurie A. Nolan/commercial	Reappointment
Dennis L. Spitsbergen/ "other"	Reappointment

The following table lists the Secretarial appointees currently on the MAFMC:

2006 MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (13 Members)				
Obl/Atl	Appointed Members	State	Appt. Ends	Interest Sector
O	AUGUSTINE, PATRICK H.	NY	2008	R
O	GOLDMAN, EDWARD L.	NJ	2009	R
O	KRAY, EUGENE J.	PA	2008	R
O	DEEM, JEFFREY D.	VA	2009	R
O	RUHLE, JAMES A. SR.	NC	2008	C
O	JENSEN, WILLIAM P.	MD	2008	O
O	SMITH, RONAL W.	DE	2007	O
A	NOLAN, LAURIE A.	NY	2009	C
A	PEABODY, YVONNE M.	VA	2007	C
A	PUSKAS, FRANCES E.	NJ	2007	C
A	SIMNS, LAWRENCE W.	MD	2007	C
A	SPITSBERGEN, DENNIS L.	NC	2009	O
A	HOLDER, SCOTT B.	NY	2008	R

EXPIRING TERMS:

The following members' terms will expire on August 10, 2007:

1. Ronal W. Smith – “other” sector – (Delaware’s obligatory seat); by law, Mr. Smith, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term.

2. Yvonne M. Peabody – commercial fishing sector – at-large seat (Virginia)

3. Francis E. Puskas – commercial fishing sector – at-large seat (New Jersey)

4. Lawrence W. Simns – commercial fishing sector – at-large seat (Maryland)

2007 REPORT RECOMMENDATION(S):

A total of nine members will continue after 2007—two from the commercial sector, five from the recreational sector, and two from the “other” sector. Both of the commercial sector members are harvesters, with experience in the bluefish, summer flounder, scup, black seabass, monkfish, spiny dogfish, scallop, squid, mackerel, butterfish, herring, and tilefish fisheries, utilizing dredge, gillnet, and trawl gear. Recreational sector members are all rod-and-reel fishermen representing private or for-hire recreational fishery sectors.

The four upcoming vacancies include three outgoing members from the commercial sector and one from the “other” sector. MAFMC fisheries have both commercial and recreational components; therefore, it is important that a balance be achieved between both sectors. In order to achieve a balance between the commercial and recreational sectors, the governors are encouraged to nominate individuals from the commercial sector from among fisheries for summer flounder, squid, mackerel, tilefish, scup, black sea bass, surfclam, ocean quahog, bluefish, dogfish, butterfish and monkfish. Also, governors are encouraged to nominate individuals from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and habitat, and ecosystem approaches to management.

DISCUSSION:

The MAFMC is exclusively responsible for five existing Fishery Management Plans (FMPs): Summer Flounder, Scup, and Black Sea Bass; Atlantic Mackerel, Squid, and Butterfish; Surfclam and Ocean Quahog; Tilefish; and Atlantic Bluefish. In addition, the MAFMC and New England Fishery Management Council (NEFMC) are jointly responsible for two other FMPs (Spiny Dogfish and Monkfish). The MAFMC has the lead responsibility for the Spiny Dogfish FMP, and the NEFMC has the lead responsibility for the Monkfish FMP.

Some of these fisheries are primarily commercial (e.g., surfclam, ocean quahog, tilefish, spiny dogfish, squid, Atlantic mackerel, and butterfish); others have significant

recreational components (bluefish, summer flounder, scup, and black sea bass). Management of all fisheries must take into consideration effects of the fisheries on habitat, and must consider ways to minimize bycatch.

In 2006, the Council's management actions included:

- **Summer Flounder/Scup/Black Sea Bass**
  In addition to developing annual specifications and recreational measures for these fisheries, the Council continued development of Amendment 14 to the FMP to develop a rebuilding program for scup, and Amendment 15 to the FMP to comprehensively address allocation and conservation issues in the summer flounder, scup, and black seabass fisheries.

- **Surfclams/Ocean Quahogs**
  The Council considered annual specifications for the fisheries for 2007, and initiated development of Framework 1 to implement vessel monitoring system (VMS) requirements.

- **Squid/Mackerel/Butterfish**
  In addition to developing annual specifications for these fisheries for 2007, the Council continued the development of Amendment 9 to the FMP, which would revise *Illex* squid quota procedures and make other modifications to the management of these fisheries. The Council also continued development of Amendment 10 to establish a rebuilding program for butterfish, and Amendment 11 to establish a limited access program for Atlantic mackerel.

- **Spiny Dogfish**
  The Council developed specifications for this fishery, which are intended to be in place for the 2006–2008 fishing years.

- **Tilefish**
  The Council continued development of Amendment 1 to the FMP. This amendment is considering the establishment of an individual transferable quota (ITQ) system in this fishery. The Council also recommended new specifications for the 2007 fishery.

- **Bycatch**
  The Council began development, in conjunction with the NEFMC and NOAA's National Marine Fisheries Service, of a comprehensive omnibus amendment to implement standardized bycatch reporting methodology for all Northeast FMPs.

Council priorities for 2007 include:

- Complete Amendment 9 to the Atlantic Mackerel/Squid/Butterfish FMP, which will address habitat issues and extend the *Illex* squid moratorium;
- Complete a rebuilding program for butterfish through Amendment 10 to the Atlantic Mackerel, Squid, and Butterfish FMP;
- Complete a rebuilding program for scup through Amendment 14 to the Summer Flounder, Scup, and Black Seabass FMP;
- Complete Framework 1 to the Surf Clam/Ocean Quahog FMP, to implement VMS requirements;
- Complete, in conjunction with the NEFMC and NOAA's National Marine Fisheries Service, a comprehensive omnibus amendment to implement standardized bycatch reporting methodology for all Northeast FMPs;
- Develop a limited access program for the Atlantic mackerel fishery through Amendment 11 to the Atlantic Mackerel/Squid/Butterfish FMP;
- Develop Amendment 1 to the Tilefish FMP, which likely would implement ITQs in the fishery;
- Develop, in conjunction with the Atlantic States Marine Fisheries Commission, Amendment 15 to the Summer Flounder, Scup, and Black Seabass FMP, to address changes to biological reference points and to consider allocation issues in the FMP; and
- Finalize annual specifications for the summer flounder/scup/black sea bass (commercial and recreational); mackerel/squid/butterfish; bluefish; dogfish; and surfclam/ocean quahog fisheries, including research set-asides, as warranted.

3. South Atlantic Fishery Management Council (SAFMC)

BACKGROUND SUMMARY:

Terms expired in 2006 for four SAFMC members. As a result of the 2006 appointments, the composition of fishing sector representatives remains unchanged at three commercial, four recreational, and one "other." The current geographical balance regarding the distribution of at-large seats on the SAFMC remains unchanged. The reappointees are as follows:

New Member/Fishing Sector	**Outgoing Member/Fishing Sector**
Charles D. Harris/recreational	Reappointment
Anthony L. Iarocci/commercial	Reappointment
Benjamin M. Currin/recreational	Reappointment
John A. Wallace/commercial	Reappointment

The following table lists the Secretarial appointees currently on the SAFMC:

2006 SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL (8 Members)				
Obl/Atl	Appointed Members	State	Appt. Ends	Interest Sector
O	HARRIS, CHARLES D.	GA	2009	R
O	IAROCCI, ANTHONY L.	FL	2009	C
O	MERRITT, RITA G.	NC	2007	C
O	GIBSON, FRANK E.	SC	2007	R
A	CURRIN, BENJAMIN M.	NC	2009	R
A	CUPKA, DAVID M.	SC	2008	O
A	GEIGER, GEORGE J.	FL	2008	R
A	WALLACE, JOHN A.	GA	2009	C

EXPIRING TERMS:

The following members' terms will expire on August 10, 2007:

1. Rita G. Merritt – commercial fishing sector – North Carolina's obligatory seat

2. Frank E. Gibson – recreational fishing sector – South Carolina's obligatory seat

2007 REPORT RECOMMENDATION(S):

Of the six members whose terms do not expire in 2007, two are commercial harvesters, three are recreational fishermen, and one is from the "other" sector (fisheries management). The two upcoming vacancies include one outgoing member from the commercial sector and one from the recreational sector. The governors of North Carolina and South Carolina are encouraged to nominate individuals from both the commercial and recreational sectors so the Secretary of Commerce (Secretary) can achieve a balance between these two interest groups. While nominees to help balance the commercial and recreational sectors are important, the governors should also be encouraged to nominate individuals from the "other" sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The SAFMC has prepared fishery management plans (FMPs) and amendments for the following fisheries or living marine resources in the South Atlantic Exclusive Economic Zone: red drum; shrimp (penaeid and rock); coral, coral reef and live/hard bottom habitats; golden crab; dolphin-wahoo; *Sargassum*; calico scallop; and the snapper-grouper species complex. The SAFMC and the Gulf of Mexico Fishery Management Council (GMFMC) have prepared joint FMPs for spiny lobster and coastal migratory pelagic (CMP) species in the South Atlantic and Gulf of Mexico.

In 2006, the Council's management actions included:

- Snapper Grouper Amendment 13C, which established management measures to end overfishing of snowy grouper, golden tilefish, vermilion snapper, and black sea bass, and allowed for an increase in the harvest of red porgy;
- Draft Snapper Grouper Amendment 14, which would establish eight marine protected areas from northern South Carolina to southern Florida;
- Draft Snapper Grouper Amendment 15, which would establish/revise status determination criteria for snowy grouper, golden tilefish, vermilion snapper, black sea bass, and red porgy; modify rebuilding plans for snowy grouper, black sea bass, and red porgy; address permit issues, and several other management actions related to reef fish;
- Work to transfer red drum management authority in the South Atlantic EEZ from the SAFMC to the Atlantic States Marine Fisheries Commission (ASMFC);
- Draft Amendment 18 to the joint CMP FMP, which would modify allowable catch levels for king mackerel and adjust the timing of seasonally adjusted Spanish mackerel trip limits; and
- Draft Amendment 19, which would separate the joint CMP FMP into individual FMPs under the control of their respective Councils.

The SAFMC also:

- Administered and actively participated in the Southeast Data Assessment and Review (SEDAR) process for South Atlantic red porgy; South Atlantic and Gulf of Mexico gag; South Atlantic and Gulf of Mexico red grouper;
- Initiated development of Snapper Grouper Amendment 16, which will consider Limited Access Privilege Programs (LAPP) for the multi-species snapper grouper fisheries;
- Continued development of a Fisheries Ecosystem Plan and Comprehensive Amendment; and
- Continued to support NMFS by participating in International Commission for the Conservation of Atlantic Tunas Advisory Committee activities, and the Highly Migratory Species and Billfish Advisory Panels.

Council priorities for 2007 include:

- Submit to the Secretary Amendment 14 to the Snapper Grouper FMP, which would establish Marine Protected Areas;
- Submit to the Secretary Amendment 15 to the Snapper Grouper FMP, which would specify Sustainable Fisheries Act parameters for snapper-grouper species, specify rebuilding programs for overfished species, and modify permit requirements;
- Submit to the Secretary Amendment 18 to the joint CMP FMP, which would modify allowable catch levels for king mackerel and adjust the timing of seasonally adjusted Spanish mackerel trip limits;
- Develop Amendment 19 to the joint CMP FMP, which would separate the FMP into individual FMPs under the control of their respective Councils;
- Transfer the Red Drum FMP from the SAFMC to the ASMFC;
- Actively participate in the SEDAR process for South Atlantic vermilion snapper, greater amberjack, and white grunt;
- Continue development of Snapper Grouper Amendment 16, which will consider LAPP for the multi-species snapper grouper fisheries; and
- Continue development of the Ecosystem Management Plan and Comprehensive Amendments.

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4. Gulf of Mexico Fishery Management Council (GMFMC)

BACKGROUND SUMMARY:

Terms expired in 2006 for five GMFMC members. As a result of the 2006 appointments, the composition of fishing sector representatives is four commercial, five recreational, and two "other," which reflects a change from five commercial, five recreational, and one "other." The current geographical balance regarding the distribution of at-large seats on the GMFMC remains unchanged. The appointees and reappointee are as follows:

New Member/Fishing Sector	**Outgoing Member/Fishing Sector**
Robert P. Gill/commercial	Karen J. Bell/commercial
Susan S. Villere/recreational	Myron J. Fischer/recreational (ineligible, by law, for a fourth consecutive term)
Bobbi M. Walker/recreational	Reappointment
Harlon H. Pearce/commercial	Walter J. Thomassie/commercial
Thomas D. McIlwain/ "other"	Harolyn K. Williams/commercial (ineligible, by law, for a fourth consecutive term)

The following table lists the Secretarial appointees currently on the GMFMC:

2006 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL (11 Members)				
Obl/Atl	Appointed Members	State	Appt. ends.	Interest Sector
O	ADAMS, NORMAN D. III	TX	2007	R
O	GILL, ROBERT P.	FL	2009	C
O	VILLERE, SUSAN S.	LA	2009	R
O	HORN, PHILIP D.	MS	2007	C
O	WALKER, BOBBI M.	AL	2009	R
A	SHIPP, ROBERT L.	AL	2008	R
A	DAUGHDRILL, WILLIAM K.	FL	2008	R
A	HENDRIX, JOSEPH P. JR.	TX	2008	C
A	MORRIS, JULIE K.	FL	2007	O
A	PEARCE, HARLON H.	LA	2009	C
A	MCILWAIN, THOMAS D.	MS	2009	O

EXPIRING TERMS:

The following members' terms will expire on August 10, 2007:

1. Norman D. Adams, III – recreational fishing sector – Texas' obligatory seat

2. Philip D. Horn – commercial fishing sector – Mississippi's obligatory seat

3. Julie K. Morris – "other" sector – at-large seat (Florida)

2007 REPORT RECOMMENDATION(S):

Of the eight members whose terms continue beyond 2007, three are from the commercial sector, four are from the recreational sector, and one is from the "other" sector. The remaining commercial members' experiences include harvesting, processing, and seafood marketing, while the recreational members are all rod-and-reel fishermen.

The three Council members whose terms expire in 2007 include one outgoing member from the commercial sector, one from the recreational sector, and one from the "other" sector. The governors are encouraged to provide the Secretary of Commerce with a broad spectrum of nominees from the commercial sector with a mix of knowledge and experience from all major commercial fisheries, and nominees from the recreational sector should include anglers and people from the for-hire fishery. Also, governors are encouraged to nominate individuals from the "other" sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

An amendment to the Magnuson-Stevens Act now requires a governor of a state submitting a list of nominees to the Secretary for appointment to the GMFMC to include at least one nominee each from the commercial, recreational, and charter fishing sectors, and one other nominee with knowledge and experience in the conservation and management of fisheries resources in the jurisdiction of the GMFMC.

DISCUSSION:

The GMFMC has prepared fishery management plans (FMP) and amendments for the following fisheries or living marine resources in the Gulf of Mexico Exclusive Economic Zone (EEZ): reef fish, shrimp, coral and coral reefs, red drum, and stone crab. The GMFMC and the South Atlantic Fishery Management Council have prepared joint FMPs for the spiny lobster fishery and coastal migratory pelagic (CMP) species in the Gulf of Mexico and South Atlantic.

In 2006, the Council's management actions included:

- A regulatory amendment to the Reef Fish FMP, which reduced recreational landings of red grouper, while preventing or minimizing impacts on other grouper resulting from more restrictive red grouper management actions;
- A regulatory amendment to the Shrimp FMP, which would modify criteria for certifying bycatch reduction devices;
- Amendment 26 to the Reef Fish FMP, which established an Individual Fishing Quota (IFQ) program for the commercial red snapper fishery;

- Draft Amendment 14/27 to the Reef Fish and Shrimp FMPs, which would establish measures to end overfishing of red snapper by commercial and recreational directed fisheries, and the shrimp trawl fishery;
- Draft Scoping Document for Amendment 30 to the Reef Fish FMP, which would establish measures to end overfishing of gag, gray triggerfish, and greater amberjack, revise the greater amberjack rebuilding plan, and rescind recently implemented restrictions for vermilion snapper; and
- Preliminary Options Paper for the Generic Offshore Aquaculture Amendment, which would establish a framework for conducting aquaculture in the EEZ.

The GMFMC also:

- Actively participated in the Southeast Data Assessment and Review (SEDAR) process for gag, red grouper, gray triggerfish, vermilion snapper, and greater amberjack;
- Conducted a series of meetings with the Ad Hoc Shrimp Effort Working Group;
- Conducted a series of meetings with the Ad Hoc Grouper IFQ advisory panel; and
- Participated in Southeast Region Bycatch Workshop.

Council priorities for 2007 include:

- Submit to the Secretary Amendment 14/27 to the Shrimp and Reef Fish FMPs, which would address overfishing of red snapper;
- Draft Amendment 15 to the Shrimp FMP to reduce bycatch in the shrimp trawl fishery;
- Draft Amendment 28 to the Reef Fish FMP, which would address commercial and recreational allocations of reef fish;
- Draft Amendment 29 to the Reef Fish FMP, which would establish a dedicated access program for grouper;
- Submit to the Secretary a regulatory amendment to the Reef Fish FMP for vermilion snapper;
- Submit to the Secretary Amendment 30 to the Reef Fish FMP for gag, gray triggerfish, and greater amberjack;
- Submit to the Secretary a Generic Offshore Aquaculture Amendment to establish a framework for conducting aquaculture in the EEZ;
- Draft an amendment to the CMP FMP, which would address boundaries and permitting requirements for CMP management; and
- Participate in the SEDAR process for red grouper.

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5. Caribbean Fishery Management Council (CFMC)

BACKGROUND SUMMARY:

Terms expired in 2006 for two CFMC members. As a result of the 2006 appointments, the composition of fishing sector representatives remains the same at two commercial, one recreational, and one "other." The current geographical balance regarding the distribution of at-large seats on the CFMC remains unchanged. The reappointees are as follows:

New Member/Fishing Sector	**Outgoing Member/Fishing Sector**
Virdin C. Brown/ "other"	Reappointment
Marcos R. Hanke/recreational	Reappointment

The following table lists the Secretarial appointees currently on the CFMC:

2006 CARIBBEAN FISHERY MANAGEMENT COUNCIL (4 Members)				
Obl/Atl	Appointed Members	State	Appt. ends	Interest Sector
O	BROWN, VIRDIN C.	VI	2009	O
O	PIÑEIRO-SOLER, EUGENIO	PR	2008	C
A	HANKE, MARCOS R.	PR	2009	R
A	LESTER, MONICA M.	VI	2007	C

EXPIRING TERM:

The following member's term will expire on August 10, 2007:

1. Monica M. Lester – commercial fishing sector – at-large seat (Virgin Islands)

2007 REPORT RECOMMENDATION(S):

Three remaining members will serve beyond 2007 on the CFMC, one from the commercial fishing sector, one from the recreational fishing sector, and one from the "other" sector. The one upcoming vacancy includes an outgoing member from the commercial fishing sector. The governors are encouraged to nominate individuals from both the commercial and recreational fishing sectors, as well as individuals from the "other" sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The CFMC has prepared Fishery Management Plans (FMPs) and amendments for the following fisheries or living marine resources in the Caribbean Exclusive Economic Zone (EEZ): spiny lobster, reef fish, coral and reef associated plants and invertebrates, and queen conch.

In 2006, the Council's management actions included:

- Consulted with local governments to develop compatible closed season and other regulations to reduce fishing effort;
- Utilized a St. Croix EEZ Working Group to address issues related to red hind spawning closure and prohibition of bottom tending gear on Lang Bank;
- Drafted an options paper on the use of escape vents in fish traps; and
- Investigated spiny lobster management and trade issues in the remaining fishery management councils.

The CFMC also:

- Actively participated in an international delegation to study how to strengthen the Western Central Atlantic Fisheries Commission;
- Participated in an international Large Marine Ecosystem project;
- Actively participated in the international Queen Conch Initiative; and
- Actively participated in an international symposium on spiny lobster management and trade.

Council priorities for 2007 include:

- Re-visit local government consultations to complete developing compatible regulations to reduce fishing effort and protect essential fish habitat;
- Determine the feasibility of a limited entry program for St. Croix fishermen;
- Consider other alternatives for the area closure for bottom tending gear on Lang Bank; and
- Consider sale of recreationally caught fish from charter boats.

6. Pacific Fishery Management Council (PFMC)

BACKGROUND SUMMARY:

Terms expired in 2006 for five PFMC members. As a result of the 2006 appointments, and fishing sector change for David W. Ortmann from "other" sector to recreational, the composition of fishing sector representatives is three commercial, five recreational, and one tribal representative, which reflects a change from two commercial, five recreational, one "other," and one tribal representative (who is counted as a representative of the "other" sector). The current geographical balance regarding the distribution of available at-large seats on the PFMC remains unchanged. The appointees and reappointees are as follows:

New Member/Fishing Sector	**Outgoing Member/Fishing Sector**
Kathleen A. Fosmark/commercial	Darrell J. Ticehurst/recreational
Frank R. Warrens/recreational	Reappointment
David B. Sones/ "other"	James E. Harp/ "other" (ineligible, by law, for a fourth consecutive term)
Dale D. Myer/commercial	Robert D. Alverson/commercial (ineligible, by law, for a fourth consecutive term)
Donald K. Hansen/recreational	Reappointment

The following table lists the Secretarial appointees currently on the PFMC:

2006 PACIFIC FISHERY MANAGEMENT COUNCIL (9 Members)				
Obl/Atl	Appointed Members	State	Appt. ends	Interest Sector
O	CEDERGREEN, MARK V.	WA	2008	R
O	ORTMANN, DAVID W.	ID	2007	R
O	FOSMARK, KATHLEEN A.	CA	2009	C
O	WARRENS, FRANK R.	OR	2009	R
	PFMC TRIBAL SEAT (*T):			
O	SONES, DAVID B.	WA	2009	T
A	MYER, DALE D.	WA	2009	C
A	MOORE, RODNEY H.	OR	2008	C
A	HANSEN, DONALD K.	CA	2009	R
A	THOMAS, ROGER	CA	2007	R

EXPIRING TERMS:

The following members' terms will expire on August 10, 2007:

1. David W. Ortmann – recreational sector – Idaho's obligatory seat

2. Roger Thomas – recreational fishing sector – at-large seat (California); by law, Mr. Thomas, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term.

2007 REPORT RECOMMENDATION(S):

Members who will continue to serve beyond 2007 include three from the commercial sector (harvesters, seafood processors), three from the recreational sector utilizing rod-and-reel and hook-and-line gear, and one from the "other" sector (Tribal).

The two upcoming vacancies are from the recreational sector. The governors are encouraged to provide the Secretary with nominees from the commercial sector with expertise in all fisheries managed by the PFMC, as well as nominees from the recreational sector as a basis for maintaining a balance of both sector interests. Also, governors are encouraged to nominate nominees from the "other" sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The PFMC has prepared FMPs for: Pacific Coast groundfish, West Coast salmon fisheries, coastal pelagic species (CPS) fisheries, and highly migratory species (HMS) fisheries.

The PFMC also has responsibility for allocating Pacific halibut among treaty Indian and non-Indian commercial and recreational users in Area 2A under the Northern Pacific Halibut Act.

In 2006, the Council's management actions included:

- Initiated development of a Ecosystem Plan that will serve as an "umbrella" plan over the four existing FMPs;
- Adopted a preliminary range of intersector allocations alternatives for Groundfish Amendment 21.
- Adopted 2007–2008 Groundfish Harvest Specifications, amended the rebuilding plans for nine overfished species, and adopted a multi-year groundfish bycatch reduction Plan;

- Continued work on developing individual fishing quotas for the groundfish trawl fishery while considering the possibility of fishing co-ops;
- For the 2006 salmon season adopted very restrictive ocean salmon seasons to protect Columbia River and Klamath River Fall Chinook;
- Continued work on Salmon Fishery Management Plan (FMP) Amendment 15 that addresses *de minimis* fishing impacts on Klamath River fall run Chinook salmon;
- Finalized the Environmental Assessment (EA) and implement the sardine long-term allocation amendment to the CPS FMP for the West Coast sardine fishery;
- Completed the EA and Krill FMP amendment to the CPS FMP to prohibit harvest of all species of krill in the U.S. Exclusive Economic Zone off the West Coast ;
- Adopted an FMP amendment for a Pacific-wide response to overfishing of bigeye tuna with particular emphasis on providing recommendations to international fishery management organizations for reducing high seas international longline and purse seine fisheries; and
- Adopted recommendations for NMFS to authorize exempted fishing permits that would allow drift gillnet fishing in the current August 15–November 15 closed area and longlining inside the West Coast EEZ.

Council priorities for 2007 and 2008 include:

- Initiate the process for developing groundfish harvest specifications and management measures for 2008–2009, including the review of 15 stock assessments;
- Explore a license limitation program for the open access groundfish fishery;
- Continue to work on developing individual fishing quotas for the groundfish trawl fishery and associated intersector allocations;
- Complete Amendment 15 to the Salmon FMP;
- Continue to address the challenge of providing opportunities for commercial, recreational, and treaty Indian fisheries in the ocean while protecting ESA-listed and other depressed salmon stocks;
- Continued efforts to develop an umbrella Ecosystem FMP;
- Complete the HMS FMP to include the longline fishery; and
- Amend the highly migratory species FMP to address eastern Pacific Ocean overfishing of yellowfin tuna.

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7. North Pacific Fishery Management Council (NPFMC)

BACKGROUND SUMMARY:

Terms expired in 2006 for three NPFMC obligatory members. As a result of the 2006 appointments, the composition of fishing sector representatives on the NPFMC remains unchanged at six commercial and one recreational. There are no available at-large seats on the NPFMC. The appointee and reappointees are as follows:

New Member/Fishing Sector	**Outgoing Member/Fishing Sector**
David W. Benson/commercial	Reappointment
Gerald P. Merrigan/commercial	Arne J. Fuglvog (resigned August 2006)
Edward B. Rasmuson/recreational	Reappointment

The following table lists the Secretarial appointees currently on the NPFMC:

2006 NORTH PACIFIC FISHERY MANAGEMENT COUNCIL (7 Members)				
Obl/Atl	Appointed Members	State	Appt. Ends	Interest Sector
O	BENSON DAVID W.	WA	2009	C
O	BUNDY, MILTON J.	WA	2008	C
O	MERRIGAN, GERALD P.	AK	2009	C
O	HOEDEL, DOUGLAS W.	AK	2007	C
O	MADSEN, STEPHANIE D.	AK	2007	C
O	OLSON, ERIC A.	AK	2008	C
O	RASMUSON, EDWARD B.	AK	2009	R

EXPIRING TERMS:

The following members' terms will expire on August 10, 2007:

1. Douglas W. Hoedel – commercial fishing sector – Alaska's obligatory seat

2. Stephanie D. Madsen – commercial fishing sector – Alaska's obligatory seat

2007 REPORT RECOMMENDATION(S):

Of the four members whose terms will continue beyond 2007 on the NPFMC, four are from the commercial sector with experience in processing and harvesting, and one is from the recreational fishing sector. The two upcoming vacancies include two outgoing members from the commercial sector. Currently, the NPFMC is weighted heavily toward the commercial sector. Although commercial fisheries are particularly important in this

region, the governor of Alaska is encouraged to continue to nominate persons from the recreational fishing sector and from the "other" sector. "Other" sector nominees should include individuals with backgrounds in academics, fisheries management, environmental science, economics, or social science, and who have knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The NPFMC has five Fishery Management Plans (FMPs) in place for: Gulf of Alaska (GOA) groundfish, Bering Sea and Aleutian Islands (BSAI) groundfish, salmon fisheries in the EEZ, BSAI king and Tanner crab, and scallop fisheries in the GOA and BSAI.

The Council recently adopted additional amendments to the groundfish FMPs, which have not yet been approved and implemented. Routine management of the fisheries under the salmon, scallop, and BSAI crab FMPs is deferred to the State of Alaska while the Council retains oversight of major allocation, overfishing definition, and habitat management decisions. In addition, under the Northern Pacific Halibut Act of 1982, the Council has authority over allocation issues affecting the Pacific halibut fishery in and off Alaska while the International Pacific Halibut Commission retains responsibility for conservation management of this fishery.

Of all fisheries managed under FMPs, only four species are currently under rebuilding plans. These species include the Pribilof Island blue king crab, Bering Sea snow crab, Bering Sea Tanner crab, and St. Matthew blue king crab. After NOAA's National Marine Fisheries Service (NMFS) determined that each of these stocks was "overfished," the Council promptly developed rebuilding plans for these species, as required by the Magnuson-Stevens Act. These plans have been approved by NMFS. Rebuilding plans were approved for Pribilof Island blue king crab in 2004 (FMP Amendment 17), Bering Sea snow crab in 2001 (FMP Amendment 14), St. Matthew blue king crab in 2000 (FMP Amendment 15), and Bering Sea Tanner crab in 2000 (FMP Amendment 11). During 2006, the abundance of only Pribilof Island blue king crab continues to be below its minimum stock size threshold.

The most significant fishery management issues, faced by the Council in 2006 and that will receive priority attention in 2007 include:

- Ongoing development of rationalization programs for the BSAI and GOA groundfish fisheries;
- Implementation of GOA groundfish FMP Amendment 68 establishing a rockfish demonstration project;
- Restructuring of the Community Development Quota Program;
- Restructuring of the North Pacific Groundfish Observer Program with regard to costs and data quality;
- Essential Fish Habitat protection in the Bering Sea;

- Ecosystem approaches to management with particular reference to an Aleutian Islands Fishery Ecosystem Plan; and
- Ongoing protected resources concerns such as the protection of right whales and fur seals, and re-initiation of consultation under section 7 of the Endangered Species Act on an FMP-level biological opinion with particular reference to Steller sea lions

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8. Western Pacific Fishery Management Council (WPFMC)

BACKGROUND SUMMARY:

Terms expired in 2006 for three WPFMC members. As a result of the 2006 appointments, the composition of fishing sector representatives remains unchanged at three commercial, four recreational and one "other." The current geographical balance regarding the distribution of at-large seats on the WPFMC remains unchanged. The reappointees are as follows:

New Member/Fishing Sector	**Outgoing Member/Fishing Sector**
Manuel P. Duenas/commercial	Reappointment
Stephen Haleck/recreational	Reappointment
Sean C. Martin/commercial	Reappointment

The following table lists the Secretarial appointees currently on the WPFMC:

2006 WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL (8 Members)				
Obl/Atl	Appointed Members	State	Appt. ends	Interest Sector
O	DUENAS, MANUEL P. II	GU	2009	C
O	HALECK, STEPHEN	AmS	2009	R
O	MARTIN, SEAN C.	HI	2009	C
O	SABLAN, BENIGNO M.	CNMI	2008	O
A	EBISUI, EDWIN A. JR.	HI	2007	R
A	DUERR, FREDERICK E.	HI	2008	R
A	MCCOY, FRANK W.	AmS	2007	C
A	GAFFNEY, MYRICK R.	HI	2008	R

EXPIRING TERMS:

The following members' terms will expire on August 10, 2007:

1. Edwin A. Ebisui, Jr. – recreational fishing sector – at-large seat (Hawaii)

2. Frank W. McCoy - commercial fishing sector – at-large seat (Territory of American Samoa); by law, Mr. McCoy, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term

2007 REPORT RECOMMENDATIONS:

Of the six members who will serve beyond 2007 on the WPFMC, two are from the commercial sector (seafood marketers), three are from the recreational sector, and one is from the "other" sector. The two upcoming vacancies include one outgoing member from the commercial sector and one from the recreational sector. In order to achieve a balance on the WPFMC, the governors are encouraged to nominate individuals from the commercial and recreational sectors, as well as from the "other" sector. "Other" sector nominees, with backgrounds in academics, fisheries management, environmental science, economics, or social science, and who have knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management, would bring additional knowledge and expertise to the Council.

DISCUSSION:

In 2004, NMFS implemented the Nation's first coral reef ecosystem fisheries management plan developed by WPFMC. Again, WPFMC is leading the way in developing an ecosystem-focused approach to better conserve and manage all marine resources in the western Pacific region. Managing marine ecosystems is an integral part of the Pacific islands culture and social structure. Under the MSA, new fisheries management plans—called "Fisheries Ecosystem Plans" or "FEPs"—would be established, replacing the existing fishery management plans for crustaceans, bottomfish and seamount groundfish, precious corals, pelagics, and coral reef fisheries. The WPFMC developed draft FEPs that are delineated geographically or place-based, rather than species-based, for the Mariana Islands Archipelago, Hawaiian Islands Archipelago, American Samoa Archipelago, and U.S. Pacific remote islands area. Due to the highly migratory nature of pelagic species, management of these species will remain relatively unchanged, although it would be managed under a Pacific pelagics FEP. The five FEPs recommended by WPFMC are expected to be considered for approval by the Secretary of Commerce and implemented by NMFS in 2007.

In response to a determination by NMFS that overfishing of the bottomfish species stock complex is occurring in the Hawaiian Archipelago, WPFMC took action to develop management measures to reduce fishing effort in the main Hawaiian Islands (MHI), where excess bottomfish mortality is occurring. The WPFMC prepared an amendment to its bottomfish fishery management plan recommending measures to close bottomfish grounds at Middle Bank and a portion of the Penguin Bank in federal waters of the MHI. These measures are intended to reduce bottomfish mortality annually by at least 15 percent. This level of reduction is roughly equivalent to 35,000 pounds of deep snappers and groupers. The NMFS projects to implement the bottomfish plan amendment in 2007.

Another high priority of WPFMC in 2006 was responding to the overfishing condition of bigeye and yellowfin tunas, Pacific-wide and in the western and central Pacific Ocean (WCPO), respectively. In taking action to address this issue, the WPFMC prepared an amendment to its Pelagic Fisheries FMP recognizing that these tunas occur in waters of

multiple nations and are fished on the high seas by foreign fishing fleets, along with the U.S. fleet. Also, the U.S. commercial fisheries in the western Pacific account for only about 2 percent (5,000 metric tons) of the bigeye tuna and 0.35 percent (2,000 metric tons) of the yellowfin tuna total Pacific-wide catches. The plan amendment contains both regulatory and non-regulatory measures to end the overfishing condition. The non-regulatory measures focus on influencing the international management of fisheries harvesting bigeye and yellowfin tunas. The regulatory measures would govern fisheries managed under the Pelagics FMP, such as establishing permit and reporting requirements for Hawaii-based small boat pelagic fisheries to improve the quantity and quality of information on these fisheries. The amendment to the Pelagics FMP is projected to be implemented by NMFS in 2007.

The WPFMC continues to be actively engaged with NMFS and the U.S. Department of State in international fisheries management deliberations in the western and central Pacific and eastern tropical Pacific regions. Of high importance to the WPFMC is the development of and adjustments to short- and long-term approaches (e.g., quota management and limited access privilege programs) for preventing and ending overfishing in pelagic fisheries under its purview and consistent with the fisheries management efforts of regional fishery management organizations in the Pacific region.

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F. Appendix – Statistical Fisheries Data

In addition to assessing the apportionment of membership on each RFMC, this report provides, as required by the Magnuson-Stevens Act, the following statistical information about the status of fisheries managed under each RFMC, and also identifies the number of RFMC members participating in those fisheries. The most recent data were compiled to show the volume of fisheries production and the related effort in each fishery managed under an FMP. 9/

9/The Secretary also has management authority over Highly Migratory Species (HMS) in the EEZ off the New England, Mid-Atlantic, South Atlantic, Caribbean, and Gulf of Mexico coasts. An additional table has been included with the following Appendix, which lists FMPs and other statistical data for Atlantic and Gulf HMS.

Appendix

This appendix provides statistical data required by Section 302(b)(2)(B)(i) of the Magnuson-Stevens Fishery Conservation and Management Act. Unless otherwise indicated, the data are for the 2005–2006 fisheries listed by fishery management plan (FMP). Reported landings noted are for catches throughout the entire range of a fishery managed under the FMP. Beginning from the leftmost column, the listed data are:

1. FMPs developed by each RFMC;
2. the type of fishery managed under each plan, i.e., commercial or recreational, or mixed (see below);
3. species/species groups making up each fishery;
4. the weight of each species or species group in a fishery landed in 2003 (or as otherwise indicated) showing both the landings for commercial and recreational fishermen, if recreational information is available;
5. the number of fishermen participating in the listed fisheries, if available; otherwise, the number of U.S. vessels either permitted or estimated to be operating in the fishery;
6. gear and processing methods used in each fishery;
7. the range and seasonality of the fishery; and
8. the number of current RFMC members who are commercial or recreational sector participants in each fishery, or their representatives. 10/

LEGEND FOR TYPE FISHERIES

C - Commercial fishery: Eighty percent or more of the reported landings are by commercial fishermen.
c - Mainly commercial fishery: More than 60 percent but less than 80 percent of the reported landings are by commercial fishermen.
x - Mixed fishery: Sixty percent or less of the reported landings are by each group of commercial and of recreational fishermen.
r - Mainly recreational fishery: More than 60 percent but less than 80 percent of the reported landings are by recreational fishermen.
R - Recreational fishery: Eighty percent or more of the reported landings are by recreational fishermen.

10/Vertical sums in the attached appendices may not match the sums entered for interest sectors in Table 1 on page 7. If one or more fishermen actively participated in more than one fishery, the vertical sum will exceed the number entered in the interest sector column. Also, if a Council member participated in a currently closed fishery, he or she is still listed as a representative of the fishery in the table because of the expertise they bring to the Council regarding the operation of the fishery.