

May 28, 2012



Ms. Nancy Sutley, Co-Chair
Dr. John P. Holdren, Co-Chair
White House National Ocean Council
Executive Office of the President
Washington, D.C. 20503



Dear Ms. Sutley and Dr. Holdren:



Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, the Regional Fishery Management Councils (FMCs) convened our Council Coordination Committee (CCC) on April 30-May 2, 2012. The CCC meeting agenda included an overview by Sam Rauch, Acting Assistant Administrator for NOAA Fisheries, of the current implementation status of Coastal and Marine Spatial Planning (CMSP). The CCC commends the National Ocean Council (NOC) for its determination that the FMCs shall be members of the Regional Planning Bodies (RPBs). Further, this determination acknowledges that the FMCs have unique and important roles in management of the Nation's fisheries and that the FMCs will provide valuable expertise and knowledge about the wide array of marine resources that are vital to coastal communities and local economies.



However, the NOC has restricted FMC membership on the RPBs to that of only Federal, State, Tribal, or local government FMC members. The CCC believes that this limitation could potentially result in conflicts between FMC positions and the positions of these other jurisdictions and put FMC representatives in potentially difficult and ineffective positions. For example, a state Director of Fisheries representing a FMC could find him/herself in opposition to the view of his/her Governor. Therefore, the CCC requests that NOC reevaluate this restriction in the light of the FMCs' standing as executive agencies of the Department of Commerce, which could resolve the apparent Federal Advisory Committee Act concerns that may exist in terms of FMC representation on the RPBs.



The CCC also discussed issues associated with the continued implementation of CMSP by NOAA without any Congressionally appropriated funding. In many of the nation's fisheries, there is lack of basic fisheries data and stock assessments, which limits the FMCs' ability to establish annual catch limits and other management measures. The CCC strongly recommended that if further implementation of CMSP continues, that it shall not reduce the funding for core NMFS programs and functions such as that for monitoring and stock assessments. In addition, the CCC remains unclear on how the various agencies will be able to implement coordinated and specific CMSP activities under their respective authorities. The CCC further recommended that by no means shall CMSP diminish the regulatory authorities of the FMCs to manage fisheries in their respective regions.



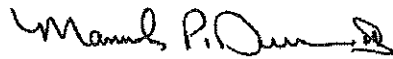
Lastly, the CCC supports members of Science and Statistical Committees (SSCs) of the FMCs being included in the standing technical committees of the RPBs, but the CCC does not support SSCs being the sole scientific advisory committee of the RPBs due to funding constraints, existing SSC workloads, and meeting schedules.



May 17, 2012

In conclusion, the CCC appreciates the NOC's inclusion of the FMCs in this important work and we thank you in advance for the NOC's consideration of these recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "Manuel P. Duenas". The signature is fluid and cursive, with a long horizontal stroke at the end.

Manuel P. Duenas
Chairman

Cc: Dr. Jane Lubchenco, NOAA Administrator
Eric Schwaab, NOAA Acting Deputy Administrator
Sam Rauch, NOAA Fisheries Acting Administrator
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