

ESA TRANSPARENCY

As an outcome of the 2012 annual Council Coordination Committee (CCC) meeting, a letter was sent to National Oceanic and Atmospheric Administration head Jane Lubchenco requesting the CCC and the Marine Fisheries Advisory Committee (MAFAC) establish of a joint working group (Working Group) to make recommendations on increasing transparency and improving confidence in Endangered Species Act (ESA) consultations on fishery management plans (Agenda Item G, Attachment 1).

In October 2012, the National Marine Fisheries Service (NMFS) convened an ESA Working Group under the authority of the MAFAC to increase confidence in the science and process used for Section 7 consultations under the ESA on Magnuson-Stevens Fishery Conservation and Management Act fishery management actions. Membership included MAFAC, NMFS, and CCC members. Attachment 2 is the currently available Terms of Reference for the Working Group.

A progress report with draft options was due to NMFS within six months after the Working Group was constituted, and the development, completion and submission of options, including recommendations and best practices for NMFS consideration is due within 12 months.

On October 24, 2012, the Working Group organized a webinar of case studies to look for best practices and potential areas for improvement. Three subsequent conference call meetings have been held in 2013, and the Working Group is scheduled to meet next at 4 p.m. Monday, May 6, 2013. A progress report will be presented to the CCC on Friday, May 10. CCC discussion of the progress report and draft options will provide valuable feedback to the ESA Working Group as they develop recommendations over the next six months.

CCC Action:

- 1. Consider progress report and draft options presented by the ESA Working Group.**
- 2. Discuss the pros and cons of draft options and suggest additional options for consideration.**

Advance Reference Materials:

1. Agenda Item G, Attachment 1: CCC letter to NOAA.
2. Agenda Item G, Attachment 2: ESA Working Group Terms of Reference.

Agenda Order:

1. ESA Working Group Progress Report
2. Discussion and Action

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CCC

PFMC
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