



December 11, 2017

The Honorable Rob Bishop
Chairman
United States House of Representatives
Committee on Natural Resources
Washington, D.C. 20515

The Honorable Raúl Grijalva
Ranking Member
United States House of Representatives
Committee on Natural Resources
Washington, D.C. 20515

Dear Chairman Bishop and Ranking Member Grijalva:

I am writing on behalf of the Gulf of Mexico Reef Fish Shareholders' Alliance (Shareholders' Alliance) to express our opposition to pending legislation before your committee – H.R. 200 and H.R. 3588. These bills would jeopardize the tremendous progress made in managing the nation's fisheries over the last forty years since enactment of the 1976 Magnuson-Stevens Fishery Conservation and Management Act, as amended by the 1996 Sustainable Fisheries Act and the 2007 Magnuson-Stevens Fishery Conservation and Management Act reauthorization (MSA).

The Shareholders' Alliance is the largest organization of commercial snapper and grouper fishermen in the Gulf of Mexico. We work hard to ensure that our fisheries are sustainably managed so our fishing businesses can thrive and our fishing communities can exist for future generations. We are the harvesters that provide much of the American public with a reliable source of domestically-caught wild Gulf seafood, and we do this through a philosophy that sustainable seafood and profitable fishing businesses depend on healthy fish populations.

It is our understanding that the Committee on Natural Resources (Committee) is scheduled to consider two fisheries management bills in a markup this week – H.R.200 (Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act, a bill to revise and reauthorize the MSA) and H.R.3588 (RED SNAPPER Act of 2017, a bill to permit state management of recreational red snapper fisheries). While we applaud the Committee's interest in trying to improve fisheries management and alleviate the challenges frustrating the recreational red snapper fishery in the Gulf of Mexico, we must oppose these bills in their current form. Without significant changes, these bills would undermine the MSA, in particular but not exclusive of the annual catch limits and accountability measures needed to effectively manage federal fisheries.

Our nation has set the gold standard for sustainable fisheries because of our commitment to science-based management. The MSA's science-based conservation requirements and the commercial individual fishing quota (IFQ) program in the Gulf of Mexico have both played crucial roles in nearly *tripling* the red snapper quota for *all* fishermen in the Gulf of Mexico over the last 10 years, from 5 million pounds to nearly 14 million pounds. Our region – the Gulf of Mexico, has only three managed stocks that are overfished, and we have the distinction of being the *only* region in the United States where not a single primary managed species is undergoing overfishing. This is a testament to the

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success of this landmark, bipartisan piece of legislation and is the very reason why we cannot let our guard down and risk rolling back the progress we've made over the last four decades. Forty-one fishery stocks have been rebuilt since 2001 and the number of stocks on the overfishing and overfished lists remains near all-time lows. The proposed bills would diminish conservation measures and science-based management, rolling back the progress that has been made and threatening the future of our fishing businesses.

The MSA has proven to be effective in providing the tools to conserve and manage the nation's fishery resources. It is important, therefore, that in making changes to the law that the Committee not undermine the effectiveness of the law. Unfortunately, the proposed bills would do just that - putting commercial fishermen in jeopardy.

In an attempt to revise and reauthorize provisions of the MSA, H.R.200 makes several damaging changes to the bedrock principles of the statute. Proponents of the reauthorization bill claim that inflexibilities created by the MSA have to be addressed. However, we feel that MSA already includes adequate flexibility, which allows fishery managers to approve rebuilding timelines greater than 10 years in length due to a range of biological, economic, or social factors. In fact, Gulf of Mexico red snapper is already experiencing the existing flexibility that the MSA has to offer as it is in Year 12 of the current 27 year rebuilding plan. If the red snapper stock rebuilds by 2032 as intended, the stock will have been under a rebuilding program for over 40 years.

Additionally, H.R.200 promotes new limitations and exemptions to annual catch limits. Annual catch limits provide fishermen with the opportunity to fish at sustainable levels in a way that maximizes access while minimizing risk to the conservation of our shared fishery resources. Inherent in this management tool is the acknowledgement that exceeding science-based catch limits can reduce future opportunities, and that this should be avoided. The existing generation of fishermen has already sacrificed to rebuild these fisheries – let's not burden the next generation with having to rebuild them again. H.R.200 also unnecessarily makes it more difficult for the Gulf of Mexico Fishery Management Council (Gulf Council) to use catch shares as a management tool. We believe that the decision-makers on the ground in the region should be able to make an informed decision as to whether catch shares may be appropriate for a fishery or not. Congress shouldn't tie the hands of Gulf Council and preemptively remove this tool from the toolbox.

H.R. 200 would add more restrictions to the development of exempted fishing permits (EFPs). Just last week, the Florida Fish and Wildlife Conservation Commission unanimously agreed to develop an EFP to manage private recreational red snapper fishermen in state and federal waters off of that state. In a rarely seen show of solidarity, commercial fishermen, charter fishermen, and private angler representatives *unanimously* testified in favor of this approach. We expect the states of Louisiana, Alabama, Mississippi, and Texas to soon follow suit. Legislative restrictions on EFPs will curtail critical momentum in the region and frustrate the collaboration that's starting to materialize. Finally, H.R.200 removes certain types of Gulf of Mexico red snapper mortality from the calculation of annual catch limits (which could lead to overfishing) and requires the burdensome process of Gulf and South Atlantic allocation reviews for several species every 5 years.

H.R.3588 provides insufficient protections for the commercial and federal charter fishing sectors. To truly improve access for recreational fishermen, the bill needs to hold the private recreational sector to its science-based annual catch

limits, while allowing the Gulf States to learn to manage the larger fishing area provided in the bill. We believe the Gulf States should have an opportunity to succeed while working within a scientifically-justified, conservation based backstop to protect against potential problems, without having to resort to ending a state's participation in this program. H.R.3588, however, would eliminate critical safeguards in current law designed to prevent overharvesting of the resource by private recreational fishermen and would not provide the appropriate federal tools to backstop State actions that could endanger the red snapper fishery.

The nation's fishermen, seafood suppliers, consumers, and congressional leaders must protect the gains we have made under the last 40 years of the MSA. It is in everyone's best interest to pass on to the next generation vibrant national fishery resources. This will help to ensure Americans have access to sustainable seafood today and for years to come. These bills unfortunately would not accomplish that goal, and instead would eliminate some of the critical protections that have helped many of the nation's fisheries rebound. For that reason, the Shareholders' Alliance must oppose the bills as they are currently written.

Thank you for your consideration on this important matter.

Sincerely,

A handwritten signature in black ink that reads "Eric Brazer". The signature is written in a cursive, flowing style.

Eric Brazer, Deputy Director
Gulf of Mexico Reef Fish Shareholders' Alliance

CC: Members of the House Natural Resources Committee
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