February 27, 2018

Senator John Thune, Chairman
Committee on Commerce, Science, and Transportation
United States Senate
512 Dirksen Senate Office Building
Washington, DC 20510

Senator Bill Nelson, Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
512 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson,

Please accept this letter on behalf of the Gulf of Mexico Reef Fish Shareholders' Alliance (Shareholders' Alliance) regarding the *Modernizing Recreational Fisheries Management Act of 2017* (S. 1520).

The Shareholders' Alliance is the largest organization of commercial snapper and grouper fishermen in the Gulf of Mexico, with a substantial membership base on the west coast of Florida. 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.

In our letter dated February 8, 2018, we raised a number concerns with provisions of S. 1520 that would restrict or otherwise impose harm on our commercial fishing business. We've recently seen the S. 1520 Amendment in the Nature of a Substitute and want to commend Senator Wicker for beginning to address some of these critical concerns raised by us and our commercial fishing colleagues throughout the country. Unfortunately, there still remains work to be done on S. 1520 and we urge the Committee on Commerce, Science and Transportation (Committee) to address these concerns before advancing the bill.

Specifically, we call your attention to two provisions (Section 101 and Section 103) that still harm commercial fishermen without any promise of legitimately fixing the problems faced by private recreational anglers in our region.

While Section 101 of S. 1520 has been modified slightly, it still requires allocation reviews in mixed-use fisheries within 2 years and every 5 years thereafter. Yet it only requires these in the Gulf and South Atlantic regions. We simply cannot support this contradiction. We question why these reviews only need only take place in two of the eight fishery management regions in the United States – what qualifies the other six fishery management councils from being exempt from

this rule? Additionally, we want to alert Congress to the fact that in the Gulf of Mexico and South Atlantic, this would amount to allocation reviews for more than 30 different fish species managed under "mixed-use fisheries" (i.e. commercial and recreational components). This unfunded mandate would effectively mean that the Gulf of Mexico Fishery Management Council would need to forego the 20+ management plans it is currently working on and devote nearly its entire capacity to reviewing allocations, leaving no time to do anything else. We don't believe that cumbersome and controversial allocation reviews should take precedence over seasonal fishery management work, creation of recreational accountability solutions, development of electronic logbooks, improving data collection and reporting programs, habitat protections, and crafting of proposals that help the next generation of fishermen.

In addition, despite changes in the language of Section 103, S. 1520 will still impose a two year moratorium on Limited Access Privilege Programs (LAPPs) on a select few regional fishery management councils (Gulf of Mexico, South Atlantic, and Mid-Atlantic), which we cannot support. As we highlighted in our prior letter, we have strong concerns with prohibiting management tools from being considered even if a majority of fishermen support them. We question why this provision singles out three of the nation's eight fishery management bodies - if LAPPs are acceptable in Alaska, California and Massachusetts (for example), why aren't they acceptable in the Gulf of Mexico? Furthermore, we question the logic behind exempting the North Pacific Fishery Management Council from the National Academy of Sciences study. Again, if the study isn't appropriate for the North Pacific, why is it appropriate for the Gulf of Mexico? Furthermore, we are concerned that this section would bind existing LAPPs to the results of a future study without knowing what the study is going to produce. Mandating a blind obligation is reckless and puts our fishing businesses and the seafood supply chain at risk – we believe it is a reasonable request for the commercial fishing and seafood industries, along with Congress, to have the opportunity to review the study and its findings before making an informed decision on whether the recommendations are appropriate.

Sections 101 and 103 will do nothing to help improve sustainable private angler access, but will certainly harm commercial fishermen. We know there is a better path forward than S.1520 and we call on the Committee to recognize the restrictions this will impose on our commercial fishing businesses and our ability to provide sustainably-harvested seafood to millions of American seafood consumers.

We are encouraged to see cooperation and collaboration to improve S. 1520 and urge the Committee's continued work on these controversial issues. The *Modernizing Recreational Fisheries Management Act of 2017* is not complete and we strongly recommend postponing its markup this week.

Sincerely,

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