



THE
PEW
CHARITABLE TRUSTS

July 17, 2017

The Honorable Doug Lamborn
Chairman
Subcommittee on Water, Power and Oceans
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

The Honorable Jared Huffman
Ranking Member
Subcommittee on Water, Power and Oceans
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Lamborn and Ranking Member Huffman:

On behalf of The Pew Charitable Trusts, I write to provide our views on the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), its successes and challenges, and our policy priorities for any upcoming reauthorization of the law.

First and foremost, we ask that Congress not weaken the core conservation provisions of the Magnuson-Stevens Act that are working to prevent overfishing and rebuild depleted populations across the Nation. Since 2000, 43 fish populations have been rebuilt to healthy levels. In addition, U.S. marine fisheries (commercial and recreational) supported 1.6 million jobs in 2015, a 12 percent increase since 2011. This record of progress is due to changes made to the law in the two most recent reauthorizations and a concerted effort by fishermen, scientists, conservationists, fishery managers, and other stakeholders to implement the Magnuson-Stevens Act through a regionally-driven management process.

Although progress toward sustainable management of U.S. fisheries over the past two decades has been considerable, much more needs to be done. Overfishing in the United States has not ended. As NOAA Fisheries indicated in its most recent Status of Stocks report, 30 stocks are subject to overfishing, including six that were newly added to the overfishing list in 2016. Further, 38 stocks, or 16 percent of stocks with a known, assessed status, are considered overfished and remain subject to rebuilding plans. Some of these overfished stocks are not successfully rebuilding. For these stocks, it is clear that annual catch limits and rebuilding timelines alone are insufficient. Additional considerations to incorporate more effective measures to restore fish populations are necessary to address these lingering problems.

To advance this more comprehensive approach, Congress should amend the Magnuson-Stevens Act so that regional and national managers:

- **Conserve forage fish** (such as sardines and menhaden), the primary food source for many larger fish species (such as cod and tuna) that are caught commercially and recreationally, in addition to seabirds and marine mammals.
- **Minimize bycatch**, which is the catching and discarding of non-target fish and other marine wildlife. Bycatch results in large-scale waste of wildlife and lost economic opportunity for fishermen.
- **Protect fish habitat** from destructive fishing practices and other damaging human activities to ensure fish have safe places to breed, feed, grow, and take shelter.

- **Proceed with caution** before establishing new fisheries to ensure they are sustainable from the start.
- Develop **Fishery Ecosystem Plans**, using the best available scientific information, to provide a road map for management that considers the important connections among predators, prey, habitat, and human needs.

America's fish populations are national resources that provide significant economic and ecological benefits. Therefore, it is important to maintain the existing, robust process for public involvement in evaluating how fishery management decisions might affect coastal and ocean environments and considering reasonable alternatives to proposed decisions. It is also critical to make sure management decisions are grounded in science and balance the immediate and long-term needs of marine life, fishermen, ecosystems, and coastal communities. Pew is concerned about recent Department of Commerce and NOAA Fisheries decisions that disregard these objectives and significantly increase the risk of sanctioned overfishing. Specifically, the agency's extension of the Gulf of Mexico red snapper recreational fishing season and the override of the Atlantic States Marine Fisheries Commission determination that New Jersey's summer flounder regulations are out of compliance with its management plan are inconsistent with these objectives.

Finally, we would encourage the Subcommittee to undertake an inclusive, non-partisan process that actively engages a range of stakeholders in considering potential changes to the Magnuson-Stevens Act. During the 2006 reauthorization of the Magnuson-Stevens Act, a bipartisan group of Senators and Representatives worked with President George W. Bush's administration to confront the problems of overfishing by ensuring councils adopt science-based annual catch limits and appropriate accountability measures. The resulting legislation passed both chambers by voice vote. We believe that the process and outcome of the 109th Congress should serve as the model for the next reauthorization, something that has been absent since the law's authorization expired in 2013. To begin the development of a similar bipartisan bill, hearings that allow a diversity of stakeholders to share their perspectives on legislative changes to the Act should be held.

Thank you for considering our views on this important issue. My colleagues and I would welcome the opportunity to discuss reauthorization of the Magnuson-Stevens Act with the Committee further. If you, or your staffs, have any questions, please do not hesitate to contact me.

Sincerely,



Ted Morton
Director, U.S. Oceans, Federal
The Pew Charitable Trusts

cc: Members of the House Committee on Natural Resources