

THE
PEW
CHARITABLE TRUSTS

June 14, 2016

The Honorable Rob Bishop
Chairman
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

The Honorable Raúl M. Grijalva
Ranking Member
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

RE: OPPOSE H.R. 3094

Dear Chairman Bishop and Ranking Member Grijalva:

On behalf of the Pew Charitable Trusts, I write to urge you to oppose H.R. 3094, a bill that would remove American red snapper in the Gulf of Mexico (Gulf) from the regionally-based, stakeholder-driven management system established under the Magnuson-Stevens Act (MSA) and risk the ongoing recovery of the fish's population. The bill would reduce the participatory roles of fishermen and other citizens in basic management decisions, weaken requirements to ensure sustainable and equitable management, and erode transparency.

In response to decades of chronic overfishing, in 2007, the Gulf of Mexico Fishery Management Council (Council) developed a rebuilding plan to restore red snapper to healthy levels. The plan, firmly grounded by requirements and processes of the MSA, commits the Council to set annual, science-based catch limits to prevent overfishing and put the stock on a path to being fully rebuilt by 2032. Progress is being made. The total annual quota for red snapper in federal and state waters of the Gulf has nearly tripled between 2008 and 2016. However, there is still a significant way to go before the population reaches a full recovery. The hallmark of a healthy red snapper population is increasing numbers of older, larger fish which produce larger numbers of more viable eggs and larvae. The latest scientific studies indicate that too few fish are older than ten, the outset of the best spawning years for red snappers. In fact, scientific estimates of their spawning potential are only 67 percent of what is necessary to support a rebuilt population.

H.R. 3094 is a significant threat to the progress that has been made in achieving a fully rebuilt Gulf red snapper population.

If enacted, H.R. 3094 would:

Remove fishermen and other stakeholders from the decision-making process: The Council, which is comprised of recreational, charter and commercial fishermen, state wildlife agency representatives from each Gulf state, scientists, and one NOAA Fisheries representative uses its authority under the Magnuson-Stevens Act to manage red snapper populations in federal waters. H.R. 3094 would take red snapper populations out of this stakeholder-driven process and transfer it to a newly created Gulf States Red Snapper Management Authority (Authority), a five member panel comprised exclusively of state government bureaucrats. Critical decisions could be made by just three of the five state representatives.

Transferring management to the Authority would eliminate participatory management that has been a feature of the MSA. Fishermen would no longer be directly represented on the decision-making body. In addition, H.R. 3094 does little to assure robust public involvement and transparency through the new Authority-driven process.

Weaken requirements for sustainable and equitable management: Although H.R. 3094 indicates management should provide for the “long-term sustainability” of red snapper, it lacks any requirement to prevent overfishing. In fact, H.R. 3094 would require that fishery management plans developed by the Authority to be consistent, only to the extent practicable, with requirements of the MSA, including, but not limited to:

- setting science-based annual catch limits that prevent overfishing;
- timely rebuilding of overfished stocks; and
- ensuring that the restrictions or benefits resulting from management decisions are shared fairly and equitably among fishing sectors.

Prior to the 2006 reauthorization of the MSA, fishery managers set annual red snapper quotas well above what scientists determined to be sustainable. Overfishing and depletion was the result. Improvements to the law in 2006 have been critical to putting red snapper on the road to recovery.

Create duplication and waste taxpayer dollars: Under H.R. 3094, red snapper management, and the responsibility to conduct the scientific research underpinning it, would be transferred to the Gulf states. All other Gulf fish caught in federal waters would continue to be managed by the Council. As more than 30 other reef fish coexist and are often caught with red snapper, such an overlapping management system would not only be complicated, it would be highly duplicative and waste U.S. taxpayer dollars.

Reduce scientific rigor and transparency: Scientific assessments of red snapper under H.R. 3094 would be coordinated by the Gulf States Marine Fisheries Commission and conducted by the Gulf states, which lack the experience, capacity, and resources to conduct the type and scale of research necessary for the management of red snapper across the entire Gulf of Mexico out to 200 miles. Additionally, the bill provides no guidance or requirements for how stock assessments are to be conducted, what sources of information would contribute to assessments, or the extent to which assessments would be conducted or reviewed under established scientific principles. Further, H.R. 3094 would make scientific data, stock assessments, and other information less available to the public, reducing the transparency and accountability of management decisions.

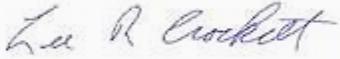
Undermine enforcement and compliance: Under H.R. 3094, the Authority would vote whether to address inadequate state management of red snapper populations. Even if this happened, resulting accountability measures would only apply to federal waters under a state’s purview. Noncompliant and unsustainable fishing could continue unabated in state waters.

Because red snapper is so highly prized by commercial fishermen, charter-for-hire captains and their clients, private anglers, chefs and seafood consumers in Gulf states and throughout the nation, there is strong interest in ensuring successful rebuilding of the population. H.R. 3094 would tear down the current red snapper management system that although not perfect, is clearly working to fully recover the population. It would be replaced by an untested, less participatory system with no requirement to prevent overfishing. H.R. 3094 would establish a dangerous precedent for other federally-managed fish populations.

U.S. fisheries managers have made substantial advancements in preventing overfishing and rebuilding stocks under the MSA. H.R. 3094 would fundamentally undermine progress towards sustainability, stakeholder participation, and transparency. Therefore, we urge you to oppose H.R. 3094.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Lee R. Crockett". The signature is written in dark ink on a light-colored background.

Lee R. Crockett
Director, U.S. Oceans

cc: Members of the House Committee on Natural Resources