

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

June 23, 2017

The Honorable Wilbur Ross
Secretary
Department of Commerce
1401 Constitution Avenue
Washington, DC 20320

Chris Oliver
Assistant Administrator for Fisheries
National Oceanic and Atmospheric Administration
1315 East-West Highway
Silver Spring, MD 20910

Dear Secretary Ross and Mr. Oliver,

I write to request supporting information related to the temporary rule on management of Gulf of Mexico red snapper noticed on June 14th, 2017.¹ The unpublished rule states the following:

“...this approach may delay the ultimate rebuilding of the stock by as many as 6 years. This approach likely could not be continued through time without significantly delaying the rebuilding timeline. Similarly, the approach will necessarily mean that the private recreational sector will substantially exceed its annual catch limit, which was designed to prevent overfishing the stock.”²

In order to make these statements, the National Marine Fisheries Service (NMFS) must have conducted an analysis using available data and landings projections to determine the potential impacts of the proposed plan on the stock, and the likelihood that the plan would result in annual catch limit (ACL) overages or overfishing. However, no such analysis is included or cited in the Federal Register notice. An independent analysis suggests that the plan could result in private boat anglers catching as much as 7.4 million pounds more red snapper this year than they are currently allowed under regulations established by the Gulf of Mexico Fishery Management Council pursuant to the Magnuson-Stevens Act.³ Members of the Natural Resources Committee, as well as the public, need to know what NMFS’ own estimates are, how those estimates were developed, and how this plan was conceived before this rule goes into effect.

For that reason, I request the following information:

¹ June 14, 2017. *Department of Commerce Announces Changes to the 2017 Gulf of Mexico Red Snapper Private Angler Recreational Season*. Available at: <https://www.commerce.gov/news/press-releases/2017/06/department-commerce-announces-changes-2017-gulf-mexico-red-snapper>.

² Revised 2017 Recreational Fishing Season for Red Snapper Private Angling Component in the Gulf of Mexico, 2017 Fed. Reg. 12735 (to be published on June 19, 2017) (to be codified at 50 C.F.R. 622).

³ Letter from Charter Fisherman’s Association and Environmental Defense Fund dated June 14, 2017. Available online: http://www.edf.org/sites/default/files/red_snapper_season_letter_to_secretary_ross.pdf

1. A copy of the analysis NMFS used to justify the new plan, or, if none exists, an explanation of how the plan will comply with the Magnuson-Stevens Act.
2. An estimate of private boat recreational red snapper landings for the June 1 – June 3, 2017 federal waters red snapper season.
3. An estimate of private boat recreational red snapper landings for the ongoing 2017 state waters red snapper seasons.
4. An estimate of how much of the private boat recreational ACL for 2017 has not yet been harvested as of June 13, 2017.
5. An estimate of how much red snapper would be harvested from state waters by private boat recreational anglers under the rule governing the fishery for 2017 that was in place as of June 13, 2017.
6. An estimate of how much red snapper would be harvested from state waters by private boat recreational anglers under the recently announced temporary rule to govern the fishery for 2017.
7. An estimate of how much red snapper would be harvested from federal waters by private boat recreational anglers under the recently announced temporary rule to govern the fishery for 2017.
8. Records of any communication between NMFS and officials in NOAA leadership, the Department of Commerce, and the five Gulf States discussing the development of the new plan.

Given the urgency of this situation and the absence of any public review of or comment on the temporary rule, it is important that you provide us with this information as soon as possible. Please respond to this request no later than June 30, 2017. If you have any questions, please do not hesitate to contact Matt Strickler on the Natural Resources Committee Minority staff at 202-225-6065.

Sincerely,



Raúl M. Grijalva
Ranking Member