

April 28, 2015

The Honorable Rob Bishop
Chairman
Committee on Natural Resources
1324 Longworth House Office Building
Washington, D.C. 20515

The Honorable Raul Grijalva
Ranking Member
Committee on Natural Resources
1329 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Bishop and Ranking Member Grijalva:

We are writing to express our concerns about H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act, scheduled for markup this week.

The U.S. fishing industry and millions of recreational anglers need fair, stable, and effective management as much as they need healthy and well-managed fish stocks. As a result of the management framework established by Congress through the Magnuson-Stevens Fishery Conservation and Management Act (MSA), 37 depleted fisheries have been rebuilt for the benefit of fishermen and communities. For this reason, despite the tough choices involved in fishery management, reauthorization of the MSA has always enjoyed strong bipartisan support.

The Nature Conservancy's approach has been to work with fishermen and fishing community leaders to find common ground. We have done this by investing in cooperative research and management, acquiring permits and vessels, and participating in harvest operations. Through these efforts we have seen directly the ways in which the Magnuson-Stevens Act is working and ways it should be improved. The MSA should be amended to enhance community engagement in the cooperative management of fisheries and improve fishery science. Unfortunately, the current bill does not address these important issues and has a number of problematic provisions, including:

- Creates open-ended exemptions to scientifically determined rebuilding timeframes. (Sec. 4)
- Undermines the interplay of multiple critical environmental laws (NEPA, Endangered Species Act, National Marine Sanctuaries Act, and Antiquities Act) that together ensure sound conservation and management of ocean and coastal resources. (Sec. 7, 15)
- Further confuses the process for establishing cooperative management efforts, hindering the ability of communities to address the social and economic effects of catch shares. (Sec. 8)
- Prohibits the use of fishery information for research and management purposes that ensure the productivity of ocean ecosystems and preserve fishermen's access. (Sec. 10)

We appreciate that this bill includes a number of helpful provisions including to periodically review rebuilding targets to ensure progress is made, take steps to address data poor fisheries, and make regional fishery management council meetings more transparent. However, the harm from the provisions outlined above far outweighs these benefits and The Nature Conservancy cannot support the bill in its present form.

As recommended overwhelmingly at the Managing Our Nation's Fisheries conference, NOAA has initiated a rulemaking to update the National Standards to provide greater clarity and flexibility in fishery rebuilding, potentially resolving issues raised in H.R. 1335 without drastically undermining the MSA conservation goals. The nearly 6-month comment period runs through June 2015 to provide for robust stakeholder

engagement through the Regional Fishery Management Councils. The Committee should support this effort rather than prematurely moving a flawed bill through the legislative process.

We deeply appreciate the leadership Representative Young has shown on issues related to U.S. fisheries management over his career in Congress and are grateful for the time his staff has spent discussing these issues. We urge you to take the time to resolve the serious concerns with this bill and move forward legislation that ensures the health and sustainability of U.S. fisheries that allows fishing business and communities to thrive.

Following the sacrifices of fishing communities around the country to end overfishing and rebuild stocks, we need a reauthorization that builds on the MSA's record of success to help tackle current and emerging fishery management challenges.

Sincerely,



Erika Feller, Program Director
North American Fisheries