



March 18, 2015

United States House of Representatives
United States Senate

Washington, D.C. 20515

Dear Representative:

As Congress moves quickly to address the challenges facing the recreational red snapper fishing community in the Gulf of Mexico, we would like to take this opportunity to outline several concerns the Gulf Seafood Institute (GSI) has with various legislative proposals on this matter. Notably, several bills have been introduced that would effectively grant the five Gulf States exclusive management authority over red snapper in the Gulf of Mexico. While simply extending state water boundaries to achieve this goal seems like a viable solution, there are a host of unintended consequences and harmful impacts to Americans' ability to access red snapper that Congress must address prior to moving forward on these proposals.

First, one area where we can all agree is that section 407(d) of the Magnuson Stevens Act (MSA) must be repealed. This is the provision of MSA that sets mandatory, inflexible quotas for commercial and recreational fishermen in the Gulf and requires the entire recreational fishery to be closed when the catch limit is reached. Language to repeal 407(d) is currently included in both H.R. 1335 and H.R. 981. Eliminating 407(d), will give the Gulf Council and fishery managers more flexibility to try different management approaches that work best for the community. GSI is strongly supportive of eliminating 407(d) and is pleased to see that many in Congress agree.

An area of primary concern to the Gulf seafood community remains the push to extend state water boundaries of the five Gulf States out to 9 miles (or more) for the management of red snapper and other species. It is important that state authority be extended **only** for purposes of managing the **private angling community** and that the extension NOT interfere with the successful management of the commercial red snapper fishery OR the federally-permitted charter-for-hire component. These two communities combined comprise approximately 70% of the total fishery and represent thousands of jobs and millions of dollars in revenue annually. According to the National Oceanic and Atmospheric Administration (NOAA), commercial red snapper fishing in the Gulf, which has been managed separately and sustainably by NMFS since 2007, directly provides over 1,600 jobs¹ which would be imperiled under a state management regime. Further, American consumers across the country depend on a robust commercial fishing community to provide them with red snapper. Restaurants, retailers, processors and others along the seafood supply chain need the certainty that federal management provides to ensure long-term access to this iconic fish. Additionally, the federally-permitted charter-for-hire community in the Gulf is managed by NMFS and the Gulf Council as a separate sector which may pave the way for fishing captains and their clients to fish for red snapper year-round. These federal charter-for-hire fishermen are prohibited from fishing in state waters and depend on consistent management from the federal government. Being thrust into the state system would lead to serious uncertainty for these small business owners and their customers.

¹ National Oceanic and Atmospheric Administration (NOAA), Fisheries Economics of the United States, 2011.

Again, any new federal legislation must **not** interfere with either the successful management of the commercial red snapper fishery in the Gulf OR the progress of the federal charter-for-hire component.

Another concern with state management of all red snapper in the Gulf would be unintended impacts to the shrimp community in terms of their red snapper bycatch program. We have significant concern over the possibility that state management will tie the hands of federal fishery managers such that, if red snapper harvests in state waters exceed limits, federal managers will have no choice but to further restrict fisheries remaining under their jurisdiction, including shrimp trawl bycatch of red snapper. In addition, if existing state fishing gear restrictions are extended out to nine miles or more, this would have significant economic impacts on the domestic offshore shrimp and other fisheries in the Gulf.

Finally, GSI is concerned that state management of all red snapper would threaten federal sustainability standards currently required by the Magnuson Stevens Act. These National Standard guidelines are imperative for both preservation of the stock as well as utilization of the species. For example, National Standard No. 7 calls for minimizing costs and "avoiding unnecessary duplication," National Standard No. 8 requires fishery management plans to take into account community needs, National Standard No. 2 requires that conservation and management measures shall be based upon the best scientific information possible, and National Standard No. 10 promotes the safety of life at sea. Simply leaving management up to the states may result in these National Standards being unmet resulting in economic and ecological harm to the region.

One possible compromise we encourage you to consider would be alternative legislation that: 1) repeals Sec. 407(d) of the Magnuson Stevens Act and; 2) ONLY extends state water boundaries to 9 miles for the purpose of managing the private angling, non-federally permitted recreational red snapper fishery in the Gulf. While GSI prefers to maintain the status quo of federal management for all Gulf red snapper, it is clear Congress is determined to address ongoing challenges facing private anglers in the Gulf. If the five Gulf states and their private angling communities prefer state management of the red snapper private angling community, GSI would not oppose this concept at this time. However, it is critical that any legislation clearly preserve federal management of the commercial and federally-permitted charter-for-hire communities in order to protect access to Gulf red snapper for all Americans.

Thank you for giving GSI an opportunity to weigh in on this critical issue and we look forward to working closely with you on this matter throughout the 114th Congress.

Sincerely,



Harlon Pearce
President



Margaret Henderson
Executive Director