

**Earthjustice ♦ Environmental Defense Fund ♦ National Audubon Society ♦ Natural Resources  
Defense Council ♦ Ocean Conservancy ♦ Oceana**

February 26, 2018

The Honorable John Thune  
Chairman  
Committee on Commerce, Science, and  
Transportation  
United States Senate  
512 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Bill Nelson  
Ranking Member  
Committee on Commerce, Science, and  
Transportation  
United States Senate  
512 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson:

As you know, in the 40 years since the Magnuson-Stevens Fishery Conservation and Management Act (MSA) was passed, the statute has been a hallmark of cooperation, bipartisanship and science-based management. Our organizations are united in opposing efforts that would roll back the provisions in the law that have brought on-the-water success for our nation's fisheries. We appreciate that the Amendment in the Nature of a Substitute (ANS) filed by Senator Wicker to amend S. 1520, the Modernizing Recreational Fisheries Management Act of 2017, was the result of a bipartisan effort to address concerns over S. 1520 as introduced, and we recognize that some improvements were made. However, issues remain that would undermine fisheries conservation and take us backwards from key successes of the law. For this reason, **we collectively oppose S. 1520, and we urge members of the Commerce Committee to vote no on this bill.**

In our view, the MSA is working as intended by requiring robust science-based management and meaningful accountability in both the commercial and recreational sectors. A total of 44 stocks have been rebuilt over the last two decades, and the number of stocks on the overfishing and overfished lists remain near all-time lows. Several regionally important stocks, such as Atlantic sea scallops, Mid-Atlantic bluefish, and Pacific widow rockfish, are caught today in large numbers thanks to management measures instituted under the MSA. These successes are due to the MSA's effectiveness in halting overfishing and rebuilding fish stocks based on science-based annual catch limits (ACLs).

While we appreciate the need to improve recreational sector management and data collection, we believe efforts to amend the MSA should build on the progress we have made. Instead, S. 1520 misses the mark by opening the door for weakened accountability for recreational fisheries, creating disparities in how commercial and recreational fisheries are managed, mandating unnecessary and burdensome allocation reviews, and restricting innovative management systems and tools that are currently being used with success in many fisheries.

Managing recreational fisheries under a different system, as appears to be S. 1520's goal, is neither necessary nor compatible with sustainable fisheries management. This is especially the case when you consider that recreational anglers took 57 percent of the total Atlantic coast catch and 39 percent of the total catch in the Gulf of Mexico in 2016, according to NMFS. The MSA's unique system of stakeholder

inclusive, science-based fishery management has proved to be flexible enough to accommodate the needs of diverse fisheries and fishing sectors, while promoting innovation that better fishery management.

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The health and sustainability of our fish populations should be the primary focus of any amendment to the MSA. This focus is lost in S. 1520. **Please vote no on S. 1520 and any other bills that jeopardize the health and sustainability of our oceans and the coastal economies that depend on them.**

Sincerely,

Martin Hayden  
Vice President, Policy & Legislation  
Earthjustice

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Senior Director, US Oceans Program  
Environmental Defense Fund

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Vice President, Coastal Conservation  
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Oceana

cc: Members of the U.S. Senate Committee on Commerce, Science, and Transportation