



November 9, 2021

Hon. Jared Huffman, Chair
Hon. Ed Case, Member
Subcommittee on Water, Oceans, and Wildlife
House Natural Resources Committee
1324 Longworth House Office Building
Washington, DC, 20515

Dear Chair Huffman and Representative Case:

We write on behalf of our organizations and the millions of members we collectively represent, to support H.R. 4690, the Sustaining America's Fisheries for the Future Act of 2021.

The Magnuson-Stevens Act has evolved since its original passage in 1976 to become a strong, science-based framework for managing our nation's fisheries. Key mandates were added in 1996 and 2006, to curb overfishing, rebuild fish stocks, protect essential fish habitat, and reduce bycatch in federal fisheries. As a result, 48 stocks have been rebuilt to healthy levels, and annual catch limit management has been rolled out across the country, reducing overfishing substantially.

Despite this success, our fisheries today face a number of threats. Climate change in particular looms large: the oceans are growing warmer and more acidic, circulation patterns are changing, fish populations are shifting their ranges and showing altered productivity, and extreme weather events are becoming more frequent. Traditional challenges also continue, in the form of newly-overfished stocks, rebuilding failures, and ongoing overfishing, to name a few.

This is the time to rise to the challenge of climate change and strengthen our framework for fishery management. H.R. 4690 prioritizes climate-ready fishery management and improved sustainability in the face of current challenges. H.R. 4690 moreover is based on an extensive stakeholder process, in which input was gathered and considered from fishermen, managers, scientists, conservation groups, and interested parties across the country. As a result, the bill contains measured compromises and targeted solutions, which draw on the broad base of information gathered in the past few years.

While specific topics are addressed below, we note as an overarching matter the significant increase in resources indicated by the authorizing language in H.R. 4690. This is a crucial part of the bill, as it will enable both the National Marine Fisheries Service (NMFS) and the Regional Fishery Management Councils to implement the ambitious new measures and programs provided for in the rest of the bill. We commend the authors of H.R. 4690 for including a substantial increase in resources for federal fishery management, and we hope and expect to see this increase carried forward in the appropriations process.

1. Climate-Ready Fishery Management

As climate change rapidly alters the ocean, our nation's fishery management law remains largely rooted in the 20th century. The Magnuson-Stevens Act currently lacks any mention of climate change, and provides no guidance as to how managers should address climate impacts on fisheries. Reauthorization offers the opportunity to incorporate climate change into the law, and to specify appropriate procedures for doing so. Title I of H.R. 4690 presents a number of concrete steps toward addressing climate change in fishery management, which will strengthen the federal management framework and lay the groundwork for climate-adapted fisheries.

A. Integrating Climate Into the Fishery Management Process

Sections 101 through 104 of H.R. 4690 effectively integrate climate change into the management structure of the Magnuson-Stevens Act, which is critical to having a climate ready management system. Climate change must be included in assessing and specifying a fishery's maximum sustainable yield and optimum yield, as well as in identifying the fishery's scientific and data needs. Fishery management plans also must analyze the expected impacts of climate change on the fishery, review fishery vulnerability to climate impacts, and identify shifts in the range and distribution of managed stocks. The new statutory requirements in H.R. 4690 will give managers an opportunity to consider directly the challenges they face, and how they can respond and adapt.

We further support the addition of resilience to the primary requirement for fishery management plans, in Section 303(a)(1)(A) of the Magnuson-Stevens Act. Climate change is dramatically

increasing the importance of resilience for fish populations, as changing ocean conditions, altered trophic relationships, extreme events, and disrupted timing cycles will make it more difficult for fish stocks to thrive or maintain their populations into the future. Adding resilience to the fishery management plan requirements will help establish it as a goal for managers going forward.

We also support the provision prioritizing climate vulnerability assessments, which will be important in focusing management attention on fisheries and stocks on the front lines of climate change. Climate vulnerability assessments are an increasingly developed practice, as seen in NMFS's peer-reviewed methodology as well as its regional assessments, which will be completed shortly. Managers must assess the vulnerability of their stocks on an ongoing basis, using the best scientific information available, and take action to ensure the sustainability of the most vulnerable populations.

The creation of a Climate-Ready Fisheries Innovation Program also is important, as it will mobilize resources to develop new tools and approaches for climate-adapted fisheries management. Finally, we support the addition of climate change to the Act's provisions on scientific programs and Council member training, which accurately reflect the importance of climate change to fisheries management in the 21st century.

B. Managing Shifting Stocks

A significant proportion of federally managed fish stocks along the U.S. East Coast have shifted north or offshore in recent years, as they seek cooler waters. For example, the summer flounder population, historically centered off North Carolina, has shifted to off New York and Rhode Island. Black sea bass, once confined to the Mid-Atlantic region, are starting to colonize the Gulf of Maine. These trends are expected to continue for the foreseeable future, and will thoroughly upend traditional fishing patterns as well as the composition of marine ecosystems.

Management coordination across regions becomes crucial in the face of range shift. Stocks that previously did not straddle boundaries may start to, and stocks that already straddled boundaries may change their relative abundances across the boundary lines. Management now must be dynamic, but federal law currently lacks a strong requirement for coordination across regions — a consequence of the historical assumption that fish population distributions are relatively static.

We support the comprehensive framework in H.R. 4690 for managing fisheries that cross the jurisdictional boundaries between Regional Fishery Management Councils, as it will provide clear ground rules for dealing with stocks as they undergo climate-induced range shift. The neutral structure is important for determining management authority, and will help to avoid arbitrary decisions and political tensions when jurisdictional disputes arise. Cross-regional

coordination is an important element of climate adaptation in fishery management, and we appreciate that H.R. 4690 provides a workable policy solution in this area.

C. Emerging Fisheries

As fish populations shift into new areas, fishermen may be interested in catching them, and new fisheries can develop quickly. Similarly, as stocks leave a region, fishermen may begin targeting different species, some of which may be unmanaged. These kinds of emerging fisheries currently are not regulated in a systematic manner.

Federal management needs a regulatory pathway for new fisheries, with explicit provision for experimental fishing and procedures to bring unmanaged species into management. This will ensure emerging fisheries develop in a smart, measured manner, and do not outpace the ability of science and management to provide guidance. Our organizations support the provisions in H.R. 4690 that accomplish this, as it will let new fisheries develop with adequate science and management, and avoid the costly boom-and-bust cycle of unmanaged fisheries. Emerging fisheries present an opportunity to get management right from the start, and in so doing, establish productive, long-term economic opportunities.

2. Council Accountability and Representation

The Regional Fishery Management Councils generally act as first movers in fishery management under the Magnuson-Stevens Act, and as such the integrity of their decisions is critically important. Our organizations support H.R. 4690 as it addresses several current gaps in accountability, transparency, and representation for the Councils.

A. Clarifying the Lobbying Prohibition

We support the lobbying-related provisions of H.R. 4690 which serve to clarify existing restrictions and address gaps in coverage, and should lead to a better understanding for both Council members and the public of what the rules are on lobbying as well as how they are implemented.

Contrary to what some have argued, H.R. 4690 does not significantly expand the scope of what constitutes prohibited lobbying by Councils to federal or state legislatures. Under current statutory law, the Councils cannot use federal funds for lobbying executive or legislative branches in connection with their financial awards. NMFS's own regulations reiterate this prohibition, barring the "use of Federal funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with the award." 50 C.F.R. § 600.227(a). The Sustaining America's Fisheries for the Future Act does not alter Councils' obligations with

respect to federal legislative lobbying, and it only minimally alters restrictions on state legislative lobbying, by bringing them into alignment with the existing restrictions on the federal side.

The bill similarly clarifies the prohibition on Council lobbying of the executive branch, by prohibiting Council lobbying regarding Executive Orders, Presidential proclamations, or similar Presidential directives or decrees. The language in this section is clearly written, and demarcates a set of lobbying actions that the Councils cannot take—and should not currently be taking, regardless of H.R. 4690. Notably, *the executive branch lobbying prohibition in the bill does not encompass the routine communication the Councils undertake with NMFS during the fishery management process*, given the plain text of the bill as introduced, and accordingly will leave the unique and important relationship between the Councils and NMFS intact.

This bill further would promote transparency by requiring Councils to maintain publicly on their websites communications that seek to influence legislation or Presidential actions, as well as communication with legislators or executive branch officials on subjects other than routine fishery management. These categories are narrowly drawn, and would not require documentation of all communications with NMFS—only those that are outside the scope of the roles Councils were designed to fulfill.

B. Financial Interests and Recusal

As a public trust resource, our nation’s fisheries must be managed by qualified stewards for the public good. While engagement by commercial and recreational fishing participants is important for representation and informed decision-making, the Regional Fishery Management Council structure must be insulated from conflicts of interest. To this end, the law already requires voting members to recuse themselves from matters that could have a “significant and predictable” effect on their financial interests, and requires financial interest disclosures to be posted and available to the public. *See* 16 U.S.C. § 1852 (j)(7), (5). We support the targeted amendments in H.R. 4690, which will advance Congressional intent to prevent conflicted decision-making and preserve transparency in management.

Specifically, we appreciate the clarification that conflict determinations must be made by “an attorney employed in the Office of the General Counsel of the National Oceanic and Atmospheric Administration with expertise in Federal conflict-of-interest requirements who is designated by the Secretary of Commerce, in consultation with the Council, to attend Council meetings and make determinations.” This not only helps ensure that the resulting determinations will accord with applicable laws and regulations, but also promotes equitable and impartial determinations with respect to all voting members.

We also appreciate the requirement in H.R. 4690 that financial disclosures be made available on the agency and Council websites. At a time when more Americans than ever are interested in where their seafood comes from and how our oceans are managed, it is essential to promote transparency in federal fishery management.

C. Inter-Council Representation in the Northeast

Reflecting stakeholder input received over the past few years, the provision in H.R. 4690 for cross-representation between the Mid-Atlantic Fishery Management Council and the New England Fishery Management Council is an important step. We support this provision insofar as it promotes cross-regional coordination—increasingly important given climate change—and it reflects substantial public input received during the listening sessions.

D. Tribal Representation

The Fisheries for the Future Act takes important steps to secure representation of Native American Tribes in the fishery management process. Effective fishery management includes the best available scientific information, which includes Traditional Knowledge and necessitates Tribes having a meaningful role in management. This legislation promotes these goals by refining the requirements for the existing Tribal seat at the Pacific Fishery Management Council in response to requests from several Tribes during the public listening sessions. It also adds two designated Tribal representatives to the North Pacific Fishery Management Council—a major improvement that will give voice to the significant number of Tribes in Alaska. This change will respect Tribal sovereignty, bring important knowledge and views to the federal fishery management process, and will provide more equitable representation for the original stewards of the region’s marine fisheries. We support these steps to expand Tribal input in management.

E. Ensuring Needed Conservation and Management Actions Are Taken

Fishery Management Councils are complex entities, and in certain circumstances inaction from a Council can leave a fish population without needed conservation and management measures. Lacking appropriate management, a stock’s ability to produce maximum sustainable yield in the long run can be jeopardized. To deal with these situations, H.R. 4690 strengthens the provisions in the Act for Secretarial action in the face of Council inaction, and clarifies the process under which such actions may be taken. Councils will retain their role as first movers in the regulatory process under H.R. 4690; the change simply ensures that inaction by a Council cannot be the reason for a stock lacking necessary management. While feedback has been received regarding the timing of Secretarial action under these new provisions, we trust this issue can be solved and look forward to a solution that maintains the important accountability role of the Secretary.

F. Ethics and the Council Process

All federal agencies should have zero tolerance for sexual harassment, whether committed by agency staff or by the members or staff of bodies they govern, such as the Regional Fishery Management Councils. We support H.R. 4690 in applying the full suite of federal sexual harassment rules to Council staff, members, and advisory panels, as well as the necessary result that offending persons be individually liable for their actions—with the Secretary authorized to impose civil penalties including suspension or expulsion from participation or membership. This change will reduce incidents of harassment by increasing the consequences for perpetrators and by increasing survivors' confidence in their ability to effectively respond to harassment when it occurs. We also support the amendments to 16 U.S.C. § 1857(L), to clarify that sexual harassment is prohibited both on and off vessels, and regardless of whether or not it is committed forcibly. Overall, we expect these changes will reduce harassment as well as make it easier for Council staff and employees to comply, and to know when compliance has been achieved.

3. Improving Rebuilding Outcomes

Congress amended the Magnuson-Stevens Act in 1996 to add a mandate for rebuilding all overfished stocks within a time certain. While the Act's rebuilding provisions have been successful in many cases, a substantial number of stocks remain overfished. The agency's most recent status update shows 49 stocks on the overfished list,¹ and the number has been increasing in recent years. H.R. 4690 contains important changes to the rebuilding provisions in the Act that would create accountability in the rebuilding process and help return our nation's fisheries to healthy levels—in turn better supporting ecosystem function, and providing opportunities for sustainable fishing to all users.

A. Ensuring Adequate Progress

Adaptive management is a key component of rebuilding. The rebuilding provisions as added in 1996 require NMFS to “review any fishery management plan, plan amendment, or regulations required by this subsection at routine intervals that may not exceed two years,” and determine whether regulations have “resulted in adequate progress toward ending overfishing and rebuilding affected fish stocks.” 16 U.S.C. § 1854(e)(7). In practice, however, NMFS has failed to make adequate progress determinations for rebuilding stocks, and those that are made are not always shared with the public. We support requiring the agency to publish the results of its determinations, including the basis for the determination, thereby promoting transparency and compliance.

¹ See NOAA Fisheries, 2021 Quarter 3 Update through September 30, 2021, available at <https://media.fisheries.noaa.gov/2021-10/Q3%202021%20Stock%20StatusSummary%20Changes.pdf>.

We also support clarifying the criteria for when a stock is making “adequate progress” toward rebuilding. NMFS currently has criteria in its regulations for making these determinations, *see* 50 C.F.R. § 600.310(j)(3)(iv), but the agency’s criteria are disconnected from whether the stock’s biomass is actually increasing—which is the entire purpose of the rebuilding provisions. It is appropriate for H.R. 4690 to re-ground the notion of “adequate progress” in actual rebuilding, by confirming that “adequate progress” does in fact require the stock’s status to be improving.

Another important rebuilding addition in H.R. 4690 is a structure for when a stock is determined to be making inadequate progress, including a designation of when a rebuilding plan has failed and steps to be taken when that occurs. Current practice in this area is poorly-defined and tends to produce weak results; rebuilding plans are allowed to fail with no consequences, and NMFS allows the Councils to simply produce another plan and “reset the clock” for rebuilding. As a result, many stocks have languished in an overfished status for decades, and some are on their second or third rebuilding plans with no meaningful tightening of management to promote actual rebuilding. Clarifying procedures are needed, and we support requiring a higher likelihood of success for a new rebuilding plan if the previous one has failed.

B. Timeframes for Rebuilding

One area of concern for our organizations about H.R. 4690 is the bill’s removal of the default ten-year timeframe for rebuilding. The Sustainable Fisheries Act of 1996 required all overfished stocks to be rebuilt in as short a time as possible, and not to exceed 10 years except in certain designated situations. We support this requirement and recommend not changing it.

The ten year default maximum time for rebuilding helps to ensure that managers take rebuilding seriously. Evidence is clear that “[m]ost successful rebuilding program[s] have incorporated substantial, measurable reductions in fishing mortality at the onset, rather than relying on incremental small reductions over time.”² A ten-year timeframe prevents managers from extending the rebuilding period over an interminable number of years, and attempting to rebuild while maintaining high fishing mortality rates.

Ten years also was a reasonable compromise. Congress in 1996 understood correctly that the majority of overfished stocks are capable of rebuilding in approximately five years in the absence of fishing, so doubling that time frame was an intentional way of avoiding fishery closures and accounting for the short-term interests of fishermen. As noted by several prominent scientists, “This optimizing balance was deliberate and compassionate, not arbitrary.”³

² Steven A. Murawski, Rebuilding Depleted Fish Stocks: the Good, the Bad, and, Mostly, the Ugly, 67 ICES J. Marine Sci. 1830 (2010).

³ Carl Safina et al., U.S. Ocean Fish Recovery: Staying the Course, 309 Science 707 (2005).

In practice, moreover, the statutory language on rebuilding timeframes already has ample flexibility. When a stock is unable to rebuild within the default ten years due to biology or environmental conditions, longer timeframes may be used. Further time is provided for preparation of rebuilding plans. This flexibility is reflected in the results of a 2013 analysis, which found the average time period for rebuilding plans to be nearly twenty years.⁴

Because of the existing rebuilding mandate and the guideposts it provides, our nation has made real strides toward restoring overfished populations to healthy levels. But without strong timing requirements that lead to early reductions in fishing mortality, managers in some regions will allow overfished stocks to remain at low population levels for long periods — undermining their resilience, putting their recovery at risk, and jeopardizing the health of broader ecosystems.

4. Solving Bycatch Problems

Over 800 million pounds of commercial catch is discarded in the United States each year, representing a tremendous amount of waste and unnecessarily killed marine life.⁵ Bycatch is also an economic problem; NMFS has estimated that discards cost fisheries \$427 million in lost sales at port, \$4.2 billion in seafood-related sales, and 64,000 jobs annually.⁶ We strongly support measures to reduce bycatch, including the following policy solutions in H.R. 4690.

A. Bycatch and Practicability

While improved science and technology offers the promise of reducing bycatch, the current allowance in the Magnuson-Stevens Act to minimize bycatch to “the extent practicable” has resulted in fully achievable management measures being discounted if they increase costs even moderately, or if they require any adaptation of fishing technology or gear. Less effective measures of bycatch reduction therefore remain in place even when it is clear that more could feasibly be done to reduce unnecessary loss of ocean life and resources.

The “practicability” also operates as a de facto allocation standard in some situations. In the North Pacific, for example, the practicability standard is also being used to justify excessive levels of bycatch, effectively prioritizing bycatch of industrial fisheries over historic and subsistence fisheries such as halibut and salmon.

⁴ Brad Sewell et al., Natural Resources Defense Council, *Bringing Back the Fish: An Evaluation of U.S. Fisheries Rebuilding Under the Magnuson-Stevens Fishery Conservation and Management Act*, at 15 (Feb. 2013), available at <https://www.nrdc.org/sites/default/files/rebuilding-fisheries-report.pdf>.

⁵ See Lee R. Benaka et al. (eds.), National Marine Fisheries Service, *U.S. National Bycatch Report First Edition Update 3*, NOAA Tech. Memo. NMFS-F/SPO-190 (Feb. 2019).

⁶ Wesley S. Patrick and Lee R. Benaka, “Estimating the Economic Impacts of Bycatch in U.S. Commercial Fisheries,” *Marine Policy* 38 (2013): 470–475, doi:10.1016/j.marpol.2012.07.007.

We support H.R. 4690's improvements to the bycatch reduction standard by removing the qualifier of practicability that has repeatedly prevented bycatch reductions from being effectively implemented. This change would ensure that meaningful bycatch reductions are pursued, and would encourage innovation and improve accountability for bycatch that otherwise could and should have been avoided or released alive. It is worth noting that removing the practicability standard still maintains the qualifier that bycatch only needs to be minimized, but not prevented.

B. Standardizing Bycatch Reporting

Under current law, fishery management plans are required to “establish a standardized reporting methodology to assess the amount and type of bycatch occurring in the fishery.” 16 U.S.C. § 1853(a)(11). Despite this instruction to standardize bycatch reporting in federal fisheries, added by Congress in 1996, there remains a wholesale lack of uniform reporting of bycatch under the Magnuson-Stevens Act. Bycatch may be measured by weight or individuals, it may be reported at the species level or in groups of species, and estimates may be based on logbooks, observer data, or other sources. As a result, our fishery management system suffers from a lack of an effective bycatch reporting system that accurately and precisely monitors and reports discards of each managed stock across all fisheries and gear types. Without effective monitoring or reporting, it is impossible to know whether bycatch is being avoided or minimized to the extent practicable, and poor bycatch monitoring and reporting further can impede annual catch limit management.

We support standardized reporting and assessment of bycatch across regions and the development of standards for producing accurate and precise information regarding bycatch. By locating this requirement outside the individual fishery management plan requirements of Section 303 of the Act, H.R. 4690 ensures that bycatch reporting and assessment finally will be standardized at a nationwide level.

5. Protecting Essential Fish Habitat

The Magnuson-Stevens Act recognizes that marine and estuarine habitats are critical support systems for healthy fisheries, and that both fishing practices as well as activities unrelated to fishing (e.g, dredging, mining, and energy development) can contribute to habitat loss and degradation. However, implementation of the law's essential fish habitat (EFH) provisions and subsequent agency guidance has been inconsistent to date. We support strengthening the EFH provisions as proposed in H.R. 4690.

A. Essential Fish Habitat Consultation

Today’s fishery managers are grappling with far more complicated ocean management processes than their predecessors. Competing activities from offshore energy, aquaculture, submarine cables and other ocean users are often proposed and developed without any binding obligation to conserve and protect fish habitat. Although the current legal framework requires federally permitted projects to consult with NMFS on habitat impacts, this “consultation” requirement lacks teeth to require meaningful avoidance of impacts to coastal and marine habitats. We support strengthening the EFH consultation process so as to ensure that fishery managers and communities have an opportunity to have their concerns addressed, and to require EFH to be considered in the future development of our shared ocean.

We agree with the stepwise “avoid,” then “minimize and mitigate” habitat conservation strategy for EFH consultations outlined in H.R. 4690. This is consistent with an overall “mitigation hierarchy” strategy that is used in many conservation and management processes to appropriately manage adverse effects on habitats and biodiversity. It does not imply a requirement for outright removal of all adverse effects that may occur from human activities, but simply prioritizes avoidance of adverse effects ahead of minimization and mitigation. Additionally, projects that may have an adverse effect on Habitat Areas of Particular Concern would—appropriately—be subject to monitoring and adaptive management, to minimize impacts to these particularly important portions of EFH.

B. Fishing Impacts on Essential Fish Habitat

The Magnuson-Stevens Act’s existing caveat that fishing impacts to EFH must be minimized only “to the extent practicable” has resulted in insufficient protection for EFH. The majority of commercial fishing gears have some level of adverse effect on EFH, and fisheries in many regions still rely on bottom-tending gears such as bottom trawls and dredges, which can be devastating to marine habitats. Yet the Councils’ EFH authority has been interpreted as largely discretionary, allowing them to prioritize access to fishing areas, even if such fishing is harming habitat. Under this authority, half of the Councils have protected little (5 percent or less) of their designated EFH from even the most harmful fishing gears,⁷ and those that have protected meaningful portions of their EFH have done so largely through “freeze the footprint”-type closures, which allow fishing to continue where it has historically occurred.

We support H.R. 4690 in recognizing the role of healthy fish habitat, and requiring more holistic minimization of adverse effects to EFH. The bill strikes an appropriate compromise by not

⁷ See Brad Sewell & Molly Masterton, Natural Resources Defense Council, A Safety Net for Ocean Fisheries: The Case for Stronger Protection of Essential Fish Habitat Under the Magnuson-Stevens Act (Apr. 2021), available at <https://www.nrdc.org/sites/default/files/safety-net-ocean-fisheries-report.pdf>.

requiring outright removal of all effects, but rather mandating conservation and management measures that will minimize impacts—a broad standard to be further honed by agency guidance.

We also note that H.R. 4690 would codify various aspects of current regulations on EFH, including (1) requiring identification of Habitat Areas of Particular Concern; (2) requiring Councils to revise their EFH designations on a consistent schedule; and (3) providing a statutory definition of “adverse impact” to EFH. Some observers have raised questions on these provisions, but they appear to be based on the misperception that changes are being made to the status quo.

6. Recognizing the Role of Forage Fish

Forage fish are foundational to marine food webs, serving as prey for economically and ecologically important fish and other marine life. Management of these species under federal law is inconsistent and, in some cases, nonexistent. We support H.R. 4690’s provisions to ensure forage fish management addresses both the health of forage stocks themselves, as well as the role they play for wildlife and fishermen alike, so as to maintain productive oceans and other ecosystems into the future. The bill provides for best-practice approaches currently adopted in some regions to be scaled up and applied nationwide. For instance, currently unmanaged forage fish populations should be assessed to understand the impacts that any new forage fishery would have on other fisheries, coastal communities and the ocean environment, before such a new fishery is authorized.

7. Strengthening Science and Data

Science forms the foundation of fishery management under the Magnuson-Stevens Act. The Fisheries for the Future Act bolsters the role of science and data in several important ways, which we support.

A. Duties of Scientific and Statistical Committees

Section 505(b) of the Fisheries for the Future Act clarifies and builds out the role of the Councils’ Scientific and Statistical Committees (SSCs). The SSCs currently are tasked with providing the Councils with a wide range of scientific advice and recommendations, including acceptable biological catch, rebuilding, habitat status, and more. H.R. 4690 appropriately gives SSCs the opportunity to provide recommendations for promoting the resilience of fish stocks to climate change, as well as reports on climate change impacts to fisheries. These new topics for SSC advice will be critical in advancing climate-adapted fishery management. Population resilience and climate impacts are increasingly important, and the SSCs’ review and synthesis role is well-suited to distilling complex scientific information for use by the Councils in

management. The increase in resources envisioned by H.R. 4690 will support these functions of the SSCs, through direct support to Councils as well as through staff hours and data products from the agency.

B. Improving Recreational Fishery Data

Recreational fishing data is challenging to collect given the large number of U.S. anglers, the many points of access they use, and the fact that retained catch is kept rather than sold. We support the Fisheries for the Future Act provisions that require NMFS to establish guidelines to improve recreational catch data and to integrate data from multiple sources to better ensure that recreational catch is monitored appropriately and remains accountable to annual catch limits. Further improvements include a dedicated program to improve the data and management of recreational fisheries, with a suggested menu of areas for research. These provisions will lead to more effective management of recreational fishing and increased sustainability in many fisheries.

* * *

Thank you for your consideration, and for your attention to these important issues. H.R. 4690 is a strong starting point for reauthorizing and improving the Magnuson-Stevens Act, and reflects the wide range of stakeholder input that went into crafting it. We recommend moving this bill forward, and would welcome the opportunity to engage further on it in the future.

Sincerely,

Earthjustice

Oceana

Ocean Conservancy

National Audubon Society

Natural Resources Defense Council