



# PRESS RELEASE

## Recreational Fishing Alliance

5724 N. Route 9, New Gretna, NJ 08224

P: 888-564-6732 F: 609-294-3812

For Immediate Release  
Contact: Jim Hutchinson, Jr.

March 8, 2011  
888 564-6732

### **SENATE SUBCOMMITTEE MEETS TO DISCUSS MAGNUSON RFA Says Today's Hearing Shows Fishermen Have Much Work Ahead For Reform**

The first official hearing of the Senate Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard under new Chairman, Senator Mark Begich (D-AK) and the 112th Congress took place this morning in the Russell Senate Office Building in Washington DC. The hearing focused on the implementation of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), reauthorized as recently as 2006. In his opening remarks, Chairman Begich recognized the contentiousness of fisheries issues in America today, noting specifically that the 2006 reauthorization wasn't a typical fisheries bill. "At the end of the day, the Senate passed it by unanimous consent, and the House passed it under suspension of the rules," Begich added.

According to Jim Donofrio, Executive Director of the Recreational Fishing Alliance (RFA), the fact that such a significant federal law was passed by unanimous consent is proof in point that the law needs to be amended. "The Chairman's opening comments show that fishermen may have a real leader here with whom we can work with to secure better access for fishermen and conservation of our resources, and putting it out there clearly in his opening statement that this legislation was put forth after setting aside specified rules of procedure back in 2006 is a clear indication by the Senate that the law needs to be addressed," Donofrio said.

RFA's executive director hand-delivered official comments to the Subcommittee this morning, which have officially been entered into the Senate record. In his letter to Chairman Begich, Donofrio submitted comments on behalf of 170 different active fishing organizations and marine-related businesses in the United States that rely on healthy, sustainable fisheries, and which have spoken up in recent years in support of efforts to reform the federal fisheries law. Read RFA's comments at [www.joinrfa.org/Press/SenateResource\\_030811.pdf](http://www.joinrfa.org/Press/SenateResource_030811.pdf).

"A year ago last week, constituents from coast-to-coast, as far away as your home state of Alaska, came to DC by car, bus, train and plane to have their voices heard," Donofrio wrote to Begich. "Five thousand commercial and recreational fishermen joined together with two-dozen Senate and House members from across both sides of the aisle, standing outside in Upper Senate Park on a cold, February day, begging for help from an overly restrictive and onerous fisheries law. Here it is, a year later and things have not gotten any better for these fishermen, their families or our marine-related businesses. In fact in many cases, it's gotten much worse."

According to Sen. Begich, the 2006 reauthorization made several changes to Magnuson in order to improve its effectiveness and strengthen fisheries conservation and management domestically and internationally. Most notably according to the Chairman were amendments which required "for the first time the use of annual catch limits and accountability measures in all management plans in order to end overfishing, and provided fishermen and the councils with new tools to rationalize fisheries where they wish to do so." In his opening remarks, Sen. Begich added "equally important, it imposed a requirement that all management plans for overfished stocks include a timeline for rebuilding that is as short as possible, and generally not longer than 10 years."

RFA and their allies have actively supported efforts by Sen. Charles Schumer (D-NY) and Representative Frank Pallone (D-NJ) to sponsor legislation in the last Congress to incorporate limited flexibility into the federal fisheries law to help loosen rebuilding timeframes in cases where fisheries are on a successful rebuilding track. In a letter to Sen. Begich as well as Commerce Committee Chairman Sen. John Rockefeller (D-WV), Sen. Schumer along with fellow New York democrat Sen. Kirsten Gillibrand said they plan on reintroducing the Flexibility in Rebuilding American Fisheries Act soon to allow consideration of the impact on coastal communities when determining fishery management plans. "We fully support the goals of the MSA and so do our constituents and we believe that we must rebuild stocks and conserve resources for the long-term vitality of the environment.

However, the fishing tradition is a way of life in New York that is under real threat due to the arbitrary timelines mandated by MSA for rebuilding fisheries,” the Senators wrote.

According to Donofrio, the 10-year rebuilding timeframes are just the tip of the iceberg, and he’s hoping that both the Senate and House committees will finally open up debate and discussion amongst fisheries stakeholders about the way the resources are managed. “As we’re seeing in the Southeast with regard to red snapper, the entire suite of ‘ending overfishing’ provisions are making things nearly impossible for our recreational fishing communities,” Donofrio said. “As we heard in the hearing today, NOAA Fisheries is still woefully behind in their mandate to improve the science and data collection, but even with the best science in the world these rigid definitions incorporated into Magnuson will only continue to impede future coastal access.” RFA is continuing to spearhead legislative efforts to overhaul the federal fisheries law.

“It was clear to me that the committee received information that the current MSA is too restrictive, several mandates have not been implemented as required, and that at a minimum the science, stock assessments, and recreational data programs need serious attention now,” said Capt. Bob Zales, II, President of the National Association of Charterboat Operators (NACO). “It was clear that fisheries along the East Coast and Gulf of Mexico are being adversely affected by Magnuson, and that fishermen and their communities are in desperate need of assistance,” Zales said, while adding he was pleased by the show of support by Subcommittee members from Florida including republican Sen. Marco Rubio and democrat Bill Nelson.

NOAA Fisheries Assistant Administrator Eric Schwaab was once again tasked by the federal fisheries service with taking the hot seat before the Senate subcommittee. When asked by ranking Republican member of the Subcommittee, Sen. Olympia Snowe (R-ME) if there was flexibility within the current regulatory process in order for fisheries managers to provide more access to fisheries during rebuilding periods, Schwaab essentially said no.

“The flexibility in our view and understanding of the law ends at the point at which we have a reasonable expectation of ending overfishing and rebuilding stocks in accordance with the timelines that are established in the act,” Schwaab answered.

Donofrio admitted that while it’s nice to see the folks at NOAA Fisheries have to struggle through legislative questioning, he felt that Schwaab’s testimony shows that much of the responsibility for fixing the current fisheries mess should be placed on the shoulders of the 112th Congress. “Once again, Mr. Schwaab made it very clear that there’s no flexibility in the law today to give fishermen any access, even on those stocks which are rebuilding successfully,” Donofrio said. “It’s like the head trooper asked to explain to legislators why he’s writing so many speeding tickets, yet it’s the legislators who wrote the speed limit law in the first place.”

RFA points out that NOAA has also been selectively enforcing sections of MSA much to the detriment of the recreational community. “NOAA has put very little effort into implementing sections of MSA that would essentially give the recreational sector the monitoring tools necessary to obey the speed limit they are enforcing,” Donofrio said. “If NOAA cannot fairly enforce MSA and give anglers the improved data collection programs required, we have no choice but to go back to Congress to fix the problem.”

Donofrio said the sad part for him was watching Dr. Bill Hogarth, the man Schwaab essentially replaced as Assistant Administrator of NOAA Fisheries in 2008, make a 180-degree flip-flop in his belief set. “When he was working with fishermen in 2006, Dr. Hogarth testified before a House subcommittee that timeframes were arbitrary and said NOAA needed better, more flexible ways to deal with rebuilding schedules,” Donofrio said. “Now that he’s working with the cultural elite over at the University of South Florida, I guess the interests of our fishermen have taken a back seat,” he said.

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*The Recreational Fishing Alliance is a national, grassroots political action organization representing recreational fishermen and the recreational fishing industry on marine fisheries issues. RFA’s Mission is to safeguard the rights of saltwater anglers, protect marine, boat and tackle industry jobs, and ensure the long-term sustainability of our Nation’s saltwater fisheries. For more information, call 888-JOIN-RFA or visit [www.joinrfa.org](http://www.joinrfa.org).*