

The Honorable J. Dennis Hastert
The Honorable Nancy Pelosi
United States House of Representatives
Washington, DC 20515

July 19, 2006

Dear Mr. Speaker and Minority Leader Pelosi:

The Joint Ocean Commission Initiative, a bipartisan effort of the members of the U.S. Commission on Ocean Policy and the Pew Oceans Commission, offers the following recommendations for enhancing H.R. 5018, legislation to reauthorize the Magnuson-Stevens Fishery Conservation and Management Act, which is scheduled for consideration on the House floor in the near future.

We greatly appreciate House Majority and Minority Leadership's commitment to improving our nation's management of its fisheries, which is vitally important to the health of our economy and our oceans. We also applaud the work of the Resources Committee, whose bill incorporates, in whole or in part, a number of the Commissions' key recommendations, including, but not limited to, provisions that:

- Improve science-based management
- Promote cooperative research
- Authorize the development of ecosystem-based fishery management plans, regional stock assessments, and regional ecosystem research
- Promote the collection of socioeconomic data
- Establish a council member training course
- Authorize the establishment of Limited Access Privilege Programs
- Endorse joint fisheries enforcement
- Authorize the use of vessel monitoring systems

However, there are a number of provisions either contained in or missing from the legislation that are of concern to the Joint Initiative, and we strongly urge the House to take this opportunity to further strengthen the bill by addressing these provisions so that H.R. 5018 more closely follows the recommendations made by the two Commissions.

Before discussing these provisions, we would like to clarify that the basis for the Joint Ocean Commission Initiative comments are a set of fundamental principles that are articulated in both Commission reports and that we believe should ground all ocean policy reform (see enclosed statement of principles). These principles promote an ecosystem-based management

approach, a stronger reliance on the science, greater participation and support of fishermen and the general public, an enhanced stewardship ethic, and adequate funding to support fishery management and recovery. We believe effective fisheries management legislation should incorporate all of these principles and will continue to work with both the House and Senate to incorporate as many as possible in the final Magnuson-Stevens reauthorization bill.

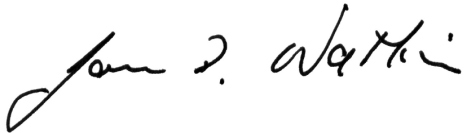
The Joint Initiative respectfully requests that House leaders support the following changes to H.R. 5018:

- **Promote Rebuilding Stocks.** Eliminate new exceptions to current rebuilding provisions that would allow stock rebuilding time frames to be extended, thereby delaying the recovery of many depleted fisheries.
- **End Overfishing and Ensure Catch Accountability.** Include language requiring the Councils to implement measures that stop overfishing as soon as possible, but not to exceed two years after its determination. Councils should also be required to adjust the annual harvest level of a stock immediately following an episode of overfishing by the amount overharvested to compensate for such overfishing. Such a provision will help ensure accountability with annual management measures and should take into consideration the sector or gear contributing to the overharvest.
- **Exemptions to the National Environmental Protection Act (NEPA).** Remove language that exempts federal fishery management from compliance with NEPA. We appreciate the desire to harmonize Magnuson-Stevens and NEPA requirements and timelines, and we recognize that an improved regime would facilitate better adaptive management. However, we feel that granting the Secretary of Commerce the authority to issue a NEPA consistency determination for Fishery Management Plans or amendments would seriously compromise the integrity of NEPA and efforts to move toward the integration of management on an ecosystem basis, resulting in greater inconsistencies in natural resource management policies.
- **Ecosystem-based Management.** Further strengthen the role of an ecosystem based approach to fisheries management by providing additional incentives for the Councils to adopt and utilize these approaches. This could be accomplished through the development of fisheries ecosystem plans and pilot projects based on comprehensive guidelines developed in a manner consistent with a cooperative conservation approach, including clear and strong involvement of fishermen and other interested and affected communities.

We commend you for your efforts to undertake Magnuson-Stevens reauthorization in the 109th Congress. The Magnuson-Stevens Act is the cornerstone of our fisheries management regime. Its regional management process, reliance on strong science and public participation, and call

for transparency of the information upon which management decisions are based are central to its effectiveness. Enhancing these elements during its reauthorization is crucial and long overdue. We look forward to working with you and your staff on passage of H.R. 5018 so that it can fulfill the principles the Joint Ocean Commission Initiative believes are essential to fisheries management reform.

Sincerely,



James D. Watkins
Admiral, U.S. Navy (Retired)
Chairman, U.S. Commission on Ocean Policy



The Honorable Leon E. Panetta
Chair, Pew Oceans Commission

Cc: The Honorable John Boehner
The Honorable Steny Hoyer
The Honorable Richard Pombo
The Honorable Nick Rahall