



# PRESS RELEASE

## Recreational Fishing Alliance

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### **PALLONE INTRODUCES COMPREHENSIVE FISHERIES REFORM BILL RFA Says Industry Agrees Magnuson Is “Flawed and Must Be Modified”**

In response to the growing chorus of support for fisheries reform, Rep. Frank Pallone (D-NJ) today announced the reintroduction of legislation designed to amend the Magnuson Stevens Fishery Conservation and Management Act. The Flexibility and Access in Rebuilding American Fisheries Act of 2011 (HR 3061) would extend the authorized time period for rebuilding certain overfished fisheries, while also calling on the scientific and statistical committees to provide regional fishery management councils with annual reports on the process used in their recommendations.

Pallone’s HR 3061 would also put more emphasis on NOAA Fisheries’ personal responsibility to provide detailed fishery impact statements for the Secretary of Commerce reporting on the economic impact each fishery management plan is having on coastal business.

“This bill will create not only the flexibility needed to responsibly manage fisheries but will also improve transparency in the fisheries management process, provide a mechanism to mitigate the real economic impacts fishermen and coastal businesses face and improve access to healthy fish stocks in a way that balances sustainability with uncertainty in science and management that is used to reduce access,” Rep. Pallone said today.

“This is precisely the type of fisheries reform that coastal advocates have wanted since Magnuson was reauthorized in 2006,” said Jim Donofrio, executive director of the Recreational Fishing Alliance (RFA). “We’ve said that rigid definitions, inflexible deadlines and arbitrary measures included in the reauthorization would lead to a train wreck in several U.S. fishing regions, but not too many folks in DC had that vision. Mr. Pallone understood this all along.”

In 2007, Rep. Pallone sponsored the Flexibility in Rebuilding American Fisheries Act, a bill with bipartisan coastal support in Congress that included a Senate companion bill sponsored by Sen. Charles Schumer (D-NY). Donofrio said RFA and other coastal advocates have been actively lobbying in support of the ‘flexibility’ bills to help coastal fishermen access rebuilding stocks which had not yet been classified by NOAA as officially rebuilt stocks.

Four years ago, RFA sounded the alarm on annual catch limits and accountability measures rooted in the reauthorization, and how they could lead to serious management problems down the line, however Donofrio said Southeast and Gulf fishermen weren’t seeing the same type of devastation felt by those fishing in the Northeast and Mid Atlantic states. “Many representatives didn’t see the need to reopen the federal fisheries law for reform in 2007, but we’re glad to see the support of the national industry today.”

RFA points to a recent release by the American Sportfishing Association (ASA), a once ardent supporter of the 2006 reauthorization language in Magnuson, as evidence that more groups are willing to come out publicly in support of federal fisheries reform.

“If this new, arbitrary catch level is exceeded on a given species, the Councils are going to treat that as overfishing and shut down that fishery, and possibly many others, even though there’s no evidence to suggest that the stock is in trouble,” said Michael Nussman, CEO of the ASA, adding “this is a problem rooted in the MSA that must be fixed immediately.”

Ken Haddad, ASA’s Marine Fisheries Advisor also noted “If the Councils are forced to develop ‘work around’ solutions for annual catch limits, then it is abundantly clear that the MSA is flawed and must be modified.”

For many anglers and retailers alike, the collective call for federal fisheries reform is a welcome sound.

“Magnuson is the same today as it was in 2006, nothing has changed in 5 years to make it any more broken now than it has been all along,” said Nick Cicero, sales manager at the Folsom tackle corporation and member of the RFA Board of Directors. “With more of the tackle manufacturers in America beginning to understand what our local tackle retailers have been experiencing due to lost angler access, perhaps now we can get everyone on the same page.”

Cicero said he and other industry representatives had originally requested support from his trade association’s government affairs committee for Magnuson reform legislation back in 2008, but they were informed by ASA staff that committee members were unable to get consensus on the Pallone legislation.

“The fisheries service has had plenty of time to do absolutely nothing about our situation, it’s time for a unified rapid response now that we’re looking down the barrel at devastating catch limits and overage paybacks in 2012,” Cicero said, adding “local anglers and business owners need this support, we need to fix the broken law to help our customers get back to fishing.”

In addition to adding management flexibility on deadlines and requiring more responsiveness from NOAA Fisheries, the Flexibility and Access in Rebuilding American Fisheries Act would also give the Secretary of Commerce more authority to suspend application of annual catch limits (ACL) in certain situations where a fishery is not classified as overfished, or is considered a rebuilt fishery (as is the case with black sea bass and scup.) Furthermore, HR 3061 would allow the Secretary to suspend ACL’s when the scientific advice presented to a regional management council has a high level of uncertainty.

“There are certain national standards which by law must be met, however we believe NOAA Fisheries has disregarded both the standards and the law itself in issuing certain fisheries closures like red snapper and black sea bass based on fatally flawed science,” said Donofrio.

RFA believes ACL’s and AM’s as included in the last reauthorization of Magnuson have no place in management of recreational fisheries, given the fact that anglers are not required to check in their daily catch of fish. “It’s unreasonable to manage recreational fisheries in the same way as commercials who bring their daily catch into port for weighing and sale,” Donofrio said, adding “because of the numbers of individual anglers out there in so many locations, we’re being monitored using arbitrary, random survey collection models, not concise weights and measures as in the commercial sector.”

“Commercial fishermen can capably be monitored based on pounds of fish, but when anglers are bound by random harvest surveys and forced to clumsily translate pounds of quota into numbers of fish and then back into pounds of harvest, all for the purpose of setting annual catch limits and forcing overage paybacks, it’s not hard to see where management really begins to unravel,” Donofrio said. “NOAA has no intention of helping the recreational community out of this mess, we need a legislative fix.”

“Fishermen are rightfully frustrated by overly burdensome management measures and a lack of access to healthy stocks created not by overfishing but by a lack of information on fish stocks and how the management of those stocks is working,” Pallone said in publicly announcing introduction of HR 3061, which also includes fellow congressional co-sponsors Rep. Rob Andrews (D-NJ), Rep. Barney Frank (D-MA) and Rep. Walter Jones (R-NC).

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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).*