

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

BETTINA POIRIER, MAJORITY STAFF DIRECTOR
ZAK BAIG, REPUBLICAN STAFF DIRECTOR

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Secretary Penny Pritzker
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, D.C. 20230

Dear Secretary Pritzker,

This letter is to notify you of my concern with advancing the confirmation process for Dr. Kathryn Sullivan to be Under Secretary for Oceans and Atmosphere, Department of Commerce (DoC) and Administrator of the National Oceanic and Atmospheric Administration (NOAA). There exist significant outstanding concerns surrounding the management of fisheries in the Gulf of Mexico, and in particular, the red snapper fishery.

I am eager to work with your department to constructively resolve these issues, starting with your legal responsibility under the Magnuson-Stevens Act. Specifically, I would request two things:

1. I recommend that NOAA direct the Regional Fishery Management Councils (RFMC) to implement the provisions of NOAA's own National Catch Share Policy which states:

NOAA recommends Councils periodically revisit the underlying total allocation to each sector of a fishery (e.g., commercial and recreational) on a regular basis, regardless of whether catch shares are the management tool of choice for one or more sectors.

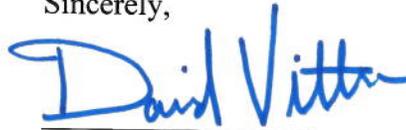
This three year old policy, in accordance with the provisions of the Magnuson-Stevens Act National Standards, requires the periodic review of allocations to ensure that they are providing the "greatest overall benefit" to the nation. However, RFMCs have failed to act upon this policy as a result of a lack of leadership. This issue can be rectified if NOAA develops and issues reallocation guidelines that examine current socio-economic criteria, including economics, demographics and conservation, and directs the RFMCs to begin using those guidelines to undertake the required periodic reviews of allocation levels in our U.S. fisheries.

2. While your department works on implementation of this policy, I request you take steps to address the current allocation issues in the Gulf's red snapper fishery. One option is to set the allocation of prospective quota increases in the Gulf red snapper fishery to 75 percent recreational and 25 percent commercial for the 2014 season and beyond. This would only affect any additional allowable catch exceeding the historical high of 9.12 million pounds.

Due to the lack of guidelines setting forth a regime of periodic review of allocations, the current allocation of 51 percent commercial and 49 percent recreational has not been revisited since its inception in 1990. Setting the prospective quota increases at 75 percent, at least until the RFMC's begin implementing NOAA's own policy, is a responsible move that will address the issues plaguing many of our recreational anglers in the Gulf of Mexico. In addition, I suggest the remaining 25 percent going to the commercial sector to accommodate red snapper by-catch in the grouper fisher. The grouper fishery off the west coast of Florida has substantial by-catch of red snapper, but since those grouper harvesters are not red snapper catch shareholders, they are required to discard their red snapper which results in the wasting of valuable marine resources.

Again, I look forward to working with you and your staff to address these issues which are vitally important to marine economy in the Gulf of Mexico.

Sincerely,



David Vitter
Ranking Member
Environment and Public Works