

**American Sportfishing Association - Center for Coastal Conservation  
Coastal Conservation Association - Environmental Defense Fund  
International Game Fish Association - National Marine Manufacturers Association  
Natural Resources Defense Council - Oceana - Ocean Conservancy  
Pew Environment Group - The Billfish Foundation  
Theodore Roosevelt Conservation Partnership**

April 9, 2010

Dr. Jane Lubchenco  
Under Secretary of Commerce for Oceans and Atmosphere  
National Oceanic and Atmospheric Administration  
1401 Constitution Avenue, NW  
Room 6217  
Washington, DC 20230

Dear Dr. Lubchenco:

Recently a group of recreational angler and environmental conservation organizations came together to discuss a variety of issues of common interest and concern, including the draft NOAA catch share policy. While the groups could not come to a universal position on the draft catch share policy as a whole, there was general agreement on the need for the policy to be comprehensive, providing guidance to the Fishery Management Councils on key issues that should be considered during the design and approval of new catch share plans. Two important issues that NOAA should evaluate as part of this process concern inter-sector allocations and inter-sector trading.

Catch share plans are adopted as major amendments to Fishery Management Plans, and like all major amendments, they should be based on the best biological and economic information available. Major amendments of this sort also provide an opportunity to review and update as necessary the key underlying management assumptions and past management decisions concerning the affected fishery, thereby insuring that the next generation of Management Plans will not be premised upon outdated management strategies or stale statistics and analyses.

When the Magnuson-Stevens Fishery Conservation and Management Act (MSA) was originally passed in 1976, its primary focus was phasing out foreign commercial fishing nations and developing a sustainable domestic commercial fishing industry. There was little or no thought given to the impact of recreational fishing on marine fisheries and almost no regulation of it at the time. Since the passage of the MSA, however, marine recreational fishing has grown tremendously, becoming the immensely popular activity that it is today. According to NOAA's own reports, recreational fishing encompasses an estimated 16,000,000 marine anglers and contributes more than \$80 billion annually to the nation's economy. Unfortunately, past Federal management and recognition of this sector has been somewhat of an afterthought and sorely inadequate. Both you and Eric Schwaab have signaled your intention to make a break from this past history on recreational fishing and for that you are to be congratulated. Taking a long overdue fresh look at an allocation system that has rusted shut would be a major step in fulfilling that commitment.

The signatories to this letter acknowledge that sector allocations are determined in an administrative process led by the regional councils that is separate and distinct from the administrative process for approving proposed catch share plans that is led by NOAA. Nevertheless, significant concerns have been expressed by the recreational fishing community that as a practical matter, the approval of a catch share plan will make future reallocations much more difficult to achieve. Having said that, what we all

Dr. Jane Lubchenco

April 9, 2010

Page 2

are in agreement on is that the failure of the allocation process to remain dynamic, allowing some allocations to remain frozen in time for decades, has become a legitimate marine fisheries public policy issue that should be addressed since it has become an impediment to broader private angler support for catch shares.

The final catch share policy should provide for reallocations and inter-sector trading that would, consistent with the requirements of the MSA, promote conservation and accountability. As proposed, the draft catch share policy was silent as to whether the Councils should consider out-of-date underlying allocations between sectors during the development phase of a new catch share plan. It also did not require a reappraisal of this key parameter during the statutorily required periodic reviews of catch share plans once they were approved and in operation. And finally, there was no guidance in the draft policy on inter-sector trading which could facilitate useful free market adjustments of allocations. In short, the policy as proposed ignored the elephant in the room on inter-sector adjustments and left private anglers with little enthusiasm for supporting the implementation of new catch share plans. The final catch share policy should avoid these omissions and address the questions of inter-sector allocation reviews and inter-sector trading.

We would be happy to work with the catch shares task force to discuss these important issues further and believe that addressing these matters directly in the final policy is your best opportunity for gaining broader private angler support for catch shares.

Sincerely,

Mike Nussman  
President and CEO  
American Sportfishing Association

Sarah Chasis  
Director, Ocean Initiative  
Natural Resources Defense Council

Jeff Angers  
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Director, Fish Conservation and Management  
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cc: Eric Schwaab, Assistant Administrator of Fisheries  
Dr. Mark Holliday, Director, Office of Policy, Office of the Assistant Administrator