

Congress of the United States
Washington, DC 20515

September 11, 2020

The Honorable Wilbur Ross
Secretary of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Dear Secretary Ross:

We write to express our serious concerns regarding efforts by NOAA Fisheries to push the Gulf of Mexico Fishery Management Council (GMFMC) to move forward with calibrating Gulf State red snapper harvest estimates to the landings data generated by the Marine Recreational Information Program (MRIP). It appears that after successfully ending years of chronic user conflict and frustration with federal management of Gulf red snapper by implementing state management of the private recreational sector through Amendment 50, NOAA Fisheries is intent on reversing this progress and returning to the flawed data system that is the root cause of the turmoil. This reversion is an unacceptable development at a time when there are so many unanswered questions surrounding the Gulf red snapper population and the accuracy of historical federal recreational harvest numbers.

Passage and implementation of Amendment 50 were accomplished by the Gulf States only after federal management had utterly failed the private recreational sector. With no clear roadmap to assist them, each state designed and implemented unique data collection systems at great cost in time, dollars, and effort. It was known at the time that calibrating the different data “currencies” each system would produce with each other and with MRIP would be one of the great challenges of state management, as would fitting some state currencies into a calendar year for timely management from one season into the next. However, the superior quality and timeliness of the data procured by the states were not questioned then, nor should they be now.

It has now been several years since the Gulf States discussed taking on responsibility for the private recreational sector, first through a pilot program and then after Amendment 50 was implemented. NOAA Fisheries provided little guidance and direction when the state systems were being designed, and, unfortunately, the syncing of state and federal systems has still not occurred today. To that end, we do not believe the states and the private recreational angling sector should be subjected to rigid, hasty, federal calibrations, and possible severe penalties, as a result of an arbitrary threat of legal action by a single stakeholder group when NOAA Fisheries is clearly the party at fault due to its past inaction.

Compounding the problem further, we also understand that NOAA has also not fully calibrated its own new MRIP system with its old Marine Recreational Fisheries Statistical Survey (MRFSS) that was in use for decades and found to be significantly flawed by the National Academy of Sciences. NOAA has not accounted for differences in the recreational data collected by MRIP between the Coastal Household Telephone Survey method and the newer Fishing Effort Survey method. In short, federal recreational data

for Gulf red snapper is in such disarray that it is hard to comprehend how the states could possibly be expected to produce any result that would match it.

State systems were designed to monitor harvests in a timelier manner that would improve the states' ability to stay within their individual allocation every year. It is illogical to assume that the state data is inferior to the federal sampling system designed to reveal overall trends in harvest from year to year. It is far more likely that MRIP and its predecessor, MRFSS, have produced a wildly distorted picture of recreational harvest not just in recent years, but since NOAA Fisheries' data collection began. Given that recreational harvest plays a large role in stock assessment calculations, it stands to reason that those distortions in recreational harvest data have persistently mis-portrayed Gulf red snapper abundance for decades. That again speaks against any hasty moves to accept federal conclusion on calibrations.

Moreover, one of the most disputed questions in this process – stock abundance – is due to be answered very soon by the Great Red Snapper Count, an independent survey of absolute red snapper numbers by more than a dozen marine science institutions around the Gulf Coast. Congress authorized the Great Red Snapper Count due to an overriding lack of confidence in federal methods and data. It is premature to raise the issue of calibrating state data to federal data before the independent results of the Great Red Snapper Count are known, verified, and utilized in an interim assessment run. Indeed, those results may very well indicate that far more profound changes to the federal fishery management system are warranted.

We are proud of the work we have done for our constituents and their businesses, and we are proud of ongoing state efforts to rebuild trust in the management of the Gulf red snapper fishery. Given what we know about state data systems and the well-documented flaws of federal recreational data collection and calibration, NOAA Fisheries should be working with the Gulf States to embrace their data, as required by section 201 of the Modernizing Recreational Fisheries Management Act (Public Law 115-405). We urge you to prevent any action on the calibration of state harvest data to federal data until at least the Great Red Snapper Count is completed and to use your authority under Public Law 109-479(g) to declare the data from the Gulf States as the best available science to inform future management decisions.

Sincerely,



Steve Scalise
Member of Congress



Garret Graves
Member of Congress



Bradley Byrne
Member of Congress



Mike Rogers
Member of Congress



Mo Brooks
Member of Congress



Martha Roby
Member of Congress



Daniel Webster
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Brian Babin, D.D.S.
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Ralph Abraham, M.D.
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Michael Cloud
Member of Congress

cc: NOAA Administrator Neil Jacobs
NOAA Fisheries Administrator Chris Oliver
NOAA Fisheries Regional Administrator Roy Crabtree
Gulf of Mexico Fishery Management Council Executive Director Carrie Simmons
Gulf of Mexico Fishery Management Council Chairman Tom Frazer