June 15, 2016

The President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

Our organizations write because the National Oceanic and Atmospheric Administration’s Fisheries Service (NOAA Fisheries) is on the brink of finalizing a rule change that would be, if not amended, the first weakening of the conservation mandates in the nation’s fisheries law and regulations since 1996. The proposed rule (Magnuson-Stevens Act Provisions; National Standard Guidelines, 80 Fed. Reg. 2786-2811 (Jan. 20, 2015)) would weaken fisheries protection and threaten jobs, coast economies, and the health of our oceans. We ask that the proposed rule either be fixed to remedy the substantial deficiencies identified below, or be withdrawn.

The U.S. has made notable progress in restoring U.S. fisheries. Levels of overfishing are declining and the number of depleted fish populations has reached historic lows. The progress towards sustainable fisheries has been the product of a series of improvements in the country’s fisheries rules and the governing law, the Magnuson-Stevens Fishery Conservation and Management Act (MSA), as well as hard work by fishermen, managers, scientists, conservationists, and other stakeholders.

These notable successes, however, are not a rationale to weaken protections. There remains much work to be done. Many fish populations, such as Atlantic cod and Gulf of Mexico greater amberjack, are still in trouble. At the same time, new challenges are surfacing, such as rapidly changing ocean environments brought about by climate change, and many old problems, such as habitat destruction and excessive bycatch, remain. NOAA Fisheries’ National Standard One or “NS1” Guidelines are a key component of addressing these challenges, as they provide direction to regional fishery managers on how to prevent overfishing, rebuild overfished fish populations, set catch limits, and generally conserve and manage fish populations for the nation’s benefit.
NOAA Fisheries appears poised to finalize changes to the NS1 Guidelines that would weaken U.S. fisheries policy by:

- Increasing the likelihood of overfishing by allowing managers to delay necessary reductions in catch limits resulting from new scientific information, to avoid overfishing determinations by averaging data over multiple years, to carry over unused quota without knowing if it is a sign that a fish population is in decline, and to overfish certain species by grouping them with other species;

- Allowing managers to delay the rebuilding of depleted fish populations, including by stretching out rebuilding timelines; and

- Allowing fish populations to be dropped or excluded from any conservation and management under the MSA.

NOAA Fisheries proposed the rollbacks to the NS1 Guidelines in January 2015. Since that time, there has been widespread opposition to the proposal, including from members of Congress (by letter on November 5, 2015), more than 100,000 members of the public, and 45 ocean and environmental organizations, as well as from a host of scientists, seafood associations, businesses, and retailers, fishermen, and seafood chefs. Many of our organizations have met multiple times with members of your Administration to express our strong concerns and have offered specific language fixes to the proposal’s flaws in writing.

Shortly before your Administration took office eight years ago, the NS1 Guidelines were strengthened by the previous Administration. We hope that you help cement your legacies in both ocean conservation and job creation by withdrawing or fixing NOAA Fisheries’ proposal that rolls back these same guidelines. Stronger, not weaker, fisheries management is necessary to ensure the long-term sustainability of fishing communities and to protect and restore ocean health. Thank you as always for your tremendous leadership in protecting our environment.

Sincerely,

Jen Hilbum  
Executive Director  
Altamaha Riverkeeper

David Flores  
Waterkeeper  
Blue Water Baltimore

Dean A. Wilson  
Waterkeeper  
Atchafalaya Basinkeeper

Myra Crawford  
Executive Director  
Cahaba Riverkeeper

Margo Pellegrino  
Field Organizer  
Blue Frontier

Catherine Ware Kilduff  
Staff Attorney  
Center for Biological Diversity
Kim Coble  
Vice President for Environmental Protection  
Chesapeake Bay Foundation

Dana Beach  
Executive Director  
Coastal Conservation League

Peter Shelley  
Senior Counsel  
Conservation Law Foundation

Larry Baldwin  
Waterkeeper  
Crystal Coast Waterkeeper

Mike Senatore  
Vice President  
Defenders of Wildlife

Martin Hayden  
Vice President, Policy and Legislation  
Earthjustice

Laurie Murphy  
Executive Director  
Emerald Coastkeeper

Manley Fuller  
President  
Florida Wildlife Federation

Jen Prowls  
Board Member  
Galveston Baykeeper

Phil Kline  
Senior Ocean Campaigner  
Greenpeace

Cynthia Sarthou  
Executive Director  
Gulf Restoration Network

Jennifer Kalt  
Director  
Humboldt Baykeeper

Andy French  
Fellow  
League of Conservation Voters

Rachel Silverstein  
Executive Director  
Miami Waterkeeper

Carol Parenzan  
Riverkeeper  
Middle Susquehanna Riverkeeper

Cheryl Nenn  
Riverkeeper  
Milwaukee Riverkeeper

Sarah Chasis  
Senior Attorney and Oceans Program Director  
Natural Resources Defense Council

Carol “Krill” Carson  
President  
New England Coastal Wildlife Alliance

Jeff Tittel  
Executive Director  
New Jersey Sierra Club

Lara Levison  
Senior Director, Federal Policy  
Oceana

Andreas Merkl  
CEO  
Ocean Conservancy

Rob Weltner  
President  
Operation SPLASH
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<tr>
<th>Name</th>
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<tr>
<td>Shari Tarantino</td>
<td>President</td>
<td>Orca Conservancy</td>
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<td>Tom Wathen</td>
<td>Vice President</td>
<td>Pew Charitable Trusts</td>
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<td>Matt O’Malley</td>
<td>Legal and Policy Director</td>
<td>San Diego Coastkeeper</td>
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<td>Mary M. Hamilton</td>
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<td>Captain Emmett Duke</td>
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<td>Wendy Lull</td>
<td>President</td>
<td>Seacoast Science Center</td>
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<td>Georgienne Bradley</td>
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<td>SeaSave Foundation</td>
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<td>Jamie Pollack</td>
<td>Executive Director</td>
<td>Sharks Angels</td>
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**cc:**  The Honorable Shaun Donovan, Director, Office of Management and Budget
Ms. Christina W. Goldfuss, Managing Director, Council on Environmental Quality
The Honorable Penny Pritzker, Secretary, U.S. Department of Commerce
The Honorable Dr. Kathryn D. Sullivan, Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator
Ms. Eileen Sobeck, Assistant Administrator, National Marine Fisheries Service