



New England Fishery Management Council

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Testimony Before the Honorable Olympia J. Snowe
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Good morning Senator Snowe. On behalf of the New England Fishery Management Council, I am both pleased and honored to respond to your invitation and hope that I can be helpful to you as well as those members of the fishing community who are here today.

Background

Before I begin, I would like to offer a few details about my background. I have served for five years on the Council and three terms as its Vice Chair. I am currently Chairman of the Council's Northeast Multispecies or Groundfish Committee and have served in that position for four years. Prior to my appointment to the Council, I was the owner, Publisher and Editor-In-Chief of *Salt Water Sportsman*, the world's largest sport fishing magazine, with approximately four million readers. I am privileged to have made a living by working with and for our valuable marine resources.

With 18 voting New England Fishery Council members, there often are 18 different opinions about the problems we face and their solutions. As a result, my comments may not represent the opinion of any individual member or the official position of the Council, but I will try to convey the sense of the Council as a body. I will address three broad topics: the relationship between the National Marine Fisheries Service and the Council during the development of Amendment 16 and the pending interim action, the long-term future of the groundfish fishery and how communities can ensure future access to the fishery.

The National Marine Fisheries Service and the Development of Amendment 16

The Council is currently preparing Amendment 16 the Groundfish Plan. As a quick review, the amendment was designed to continue the formal rebuilding programs first adopted in 2004 as part of Amendment 13. These programs were designed to meet the strict rebuilding timelines called for in the Magnuson-Stevens Fishery Conservation and Management Act. Also included in Amendment 13 was a mid-term review to assess the progress of the programs following several years of implementation. The National Marine Fisheries Service recently completed this multi-year effort by assessing each of the 19 groundfish stocks at a series of meetings called the Groundfish Assessment Review Meeting III, or GARM III. (Interestingly, in Norse mythology GARM is the dog that guards the land of the dead, a coincidence that did not go unnoticed.)

Planning for Amendment 16 began in the spring of 2006. The leaders of the Council, the Northeast Regional Office of the National Marine Fisheries Service and the Service's Northeast Fisheries Science Center met several times to coordinate timelines for development of the amendment. It was immediately obvious that completing Amendment 16 in time to implement new regulations by May 2009 would be nearly impossible. Further, the Science Center was being asked to do something never before attempted --- to conduct complete "benchmark" assessments for 19 stocks at the same time. This was a herculean task, and the NEFSC deserves a lot of credit for that accomplishment.

Simultaneously, the Council and its staff were asked to digest the assessment information and develop revised management measures in an unrealistically short timeframe. To facilitate this process, the Council had to begin its work before knowing what the new mortality objectives would be. With the receipt of preliminary information from the GARM in June 2008, it became obvious that there would have to be a change in strategy. In response, the Council and the Regional Office agreed to delay developing the amendment until after all the assessment information was final and released in September 2008. At that point, it also became apparent that the Service would need to prepare an interim action by May 2009, and Amendment 16 would be implemented at a later date. We now expect the amendment to be in place by May 2010.

Throughout the development of Amendment 16, as with all amendments, the Council, the Regional Office and the Science Center coordinated their efforts. The Council would be at a loss if not for the expertise of the Service's assessment and social scientists that perform the majority of the technical analyses that form the basis of our actions. At times our different perspectives required a healthy exchange on the issues and compromise by each party. This cooperative spirit tends to take a backseat once the Service begins preparation of an interim action, as is currently the case. While the Council discussed and provided suggestions for measures that the Service might adopt, the Service's need to complete the action has resulted in a loss of technical support for the Council's amendment until work on the interim action is completed. In addition, the need to maintain the Secretary's independence means that almost no dialogue occurs between the Council and the Regional Office concerning the design of measures for the interim action.

We expect the combination of the interim action and Amendment 16 will continue the groundfish rebuilding that has been documented. Make no mistake, in spite of all the rhetoric, in spite of all the gloom and doom, real progress is being made. Let me cite some examples. Georges Bank haddock and Gulf of Maine haddock are rebuilt, five years before the planned deadline. Redfish is nearly rebuilt, forty years before the deadline. Gulf of Maine cod is no longer overfished and is at a stock size that has not been seen in thirty years. Many of the stocks that are still overfished are seeing increases in stock size for the first time in nearly a decade, and fishing mortality has been reduced.

Now, in many instances stocks are not growing rapidly enough to comply with the law, or fishing mortality is still too high, but we are in a much better position now than in the past. Progress also has been difficult at times because reports of stock status have had to be dramatically revised, even over relatively brief time periods. The confidence of fishermen in the management system suffers each time this happens, but as discouraging as that may be for all of us, more and better science is essential to crafting effective management measures.

It is equally important to recognize the sacrifices made by the fishing industry, both commercial and recreational, and their communities. In order to comply with requirements to rebuild, groundfish landings were reduced by 44 percent between fishing year 2001 and

fishing year 2007. Gross revenues, adjusted for inflation, declined by 35 percent. The number of vessels landing groundfish declined from over 1,300 in fishing year 2001 to about 750 in fishing year 2007. I could go on, but the picture is clear --- the requirement to rebuild overfished stocks has forced many fishermen out of the groundfish fishery, and the situation has not been helped by rising energy costs. Nonetheless, there is a glimmer of hope. Groundfish landings increased in 2007 for the first time in six years.

I hope, though, that there is a take-home message here that is not lost. I firmly believe groundfish stocks will be rebuilt, but we cannot afford to mismanage them again because of the unacceptably high price paid by fishermen and their families and the negative effects on the infrastructure that supports their activities, as well as the communities in which they live.

Future of the Groundfish Fishery

Looking at the future, groundfish stocks, when rebuilt, should produce nearly triple the current catches. Managing a rebuilt fishery will have its own set of problems as current legal requirements tend to force us to manage for the weakest stock, sacrificing yield from abundant stocks. There are a number of ideas circulating for ways to improve management: individual fishing quotas or other limited access privilege programs, sectors and area management are a few. The Council is exploring these ideas, but it is premature to know which will be selected in the future. It is safe to say that the industry and the Council believe that input management controls need to be replaced with output controls. The inefficiencies required with input controls, no longer can be overcome.

We also cannot ignore that there is much we do not know about the ecosystem. How are changing temperatures affecting fish stocks? Are there effects from declines in inshore water quality? Has the very act of fishing changed the genetic composition of the stocks? These and other questions often are forgotten by the public. We may ultimately find that the answers to these and similar questions contribute as much to stock health as fisheries management.

Future Access to the Fishery

How do communities cope with the rebuilding program so that they can benefit in the future?

It has to be recognized that the industry is unlikely to return to its recent past. There may be fewer landing ports, there will be fewer boats and they will land their catch where it is advantageous to do so. The recent experience of the state of Maine may be illustrative.

Groundfish landings for vessels that claim Maine homeports declined by 27 percent between fishing year 2001 and fishing year 2007 (less than for some other important groundfish states), but boats are often landing their catches outside the state. In fact, groundfish landings in Maine declined 63 percent over the same period. At the same time, Maine vessels have actually seen their share of groundfish landings increase slightly. So while the catch is not being landed in Maine, Maine vessels remain a key component of the groundfish fishery.

How do these vessels remain active? At least two organizations with strong ties to Maine communities are acquiring permits to preserve future access. This is a model that can be used even without changes in the current management system. While not universally supported and difficult to implement, programs such as groundfish sectors or other rights-based systems provide current participants the opportunity to preserve future access. A carefully designed individual quota program should be able to address concerns over excessive consolidation. Some suggest that area management, which restricts access to an area to a specific group of fishermen, may be another option. The details of such a system have yet to be worked out, and often these proposals are resisted by many other fishermen who prefer the flexibility to move between areas.

I suspect that until our capacity to catch fish more closely matches the available resource, all of these systems will struggle. Some of them, however, allow fishermen to make more rational business decisions to determine their future. The current approach to reducing capacity, a Darwinian survival of the fittest, is not the preferred method, but industry support for a capacity reduction program tends to hinge on external funding. While some Council members may disagree, I think that capacity reduction has to occur if we are to achieve the most benefit from the groundfish fishery.

Summary

Simple answers are not always available to any of us within the context of a regulatory framework; and evolving science is necessary but often difficult to understand. Despite the revised timetable, I personally feel that Amendment 16 must go forward to continue the important stock rebuilding we have achieved to date. I also feel that the Council and fishermen are developing innovative management strategies, scheduled for consideration in Amendment 17, that will help them adjust to changing resource and economic conditions and begin to reap the benefits of their sacrifices.

Senator Snowe, on behalf of the New England Council, I hope my comments are helpful to you as you continue to engage in discussions about the groundfish fishery. I am available now or in the future to answer questions.

Spawning Stock Biomass of 15 Groundfish Stocks, 1985-2007

