

United States Senate
Committee on Commerce, Science, & Transportation
Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

Written Testimony of Ray Toste
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Introduction

Chairman Begich, Ranking Member Rubio, and Members of the Committee, thank you for the opportunity to testify today on West Coast and Western Pacific perspectives on Magnuson-Stevens Act (MSA) reauthorization. My name is Ray Toste. I reside in Westport, which is located on the west coast of southwest Washington State, on Grays Harbor. I am President and General Manager of the Washington Dungeness Crab Fishermen's Association (WDCFA). I am also the co-founder of the Ocean Coalition of Fishermen, an umbrella group which over the last 17 years has grown to represent 17 member organizations, which in turn represent over 5000 individual members from Alaska, Washington, Oregon and California. I am pleased to be testifying today on behalf of both WDCFA and the Ocean Coalition of Fishermen.

Mr. Chairman, I have been fishing commercially for almost five decades. And although I'm definitely not as young as I used to be, I'm proud to say that I'm still a working fisherman to this very day. My job takes me fishing not only in my home state of Washington, but also off the coasts of California, Oregon and Alaska. I'm deeply proud of what I do. For me, fishing is not merely a job—it's a way of life. And it's profoundly gratifying to know that my work brings fresh, delicious American seafood to restaurants and kitchen tables across the country.

I also believe that a central part of being a good fisherman is being a good steward of the resource. To that end, I currently work with seven different fishing organizations. I serve on the Grays Harbor Marine Resources Committee, and on the Washington Coastal Marine Advisory Council at the Governor's request. I have worked closely with local, state and the federal governments on many marine issues. One is conservation of Bristol Bay, where some of the most productive salmon runs in the world are threatened by a massive mine development proposal. Members of this committee have been champions

for America's fishermen in pushing back against the unwise Pebble Mine proposal. I particularly want to thank you, Chairman Begich, for your recent comments, as well as Senator Cantwell for her leadership on this vital issue.

Magnuson-Stevens and Pacific Fisheries

I've always believed that conserving marine resources for future generations is a central part of a fisherman's responsibilities—it's simply the right thing to do. But as I grow older, I feel a responsibility to those who come after us more strongly than ever. For me it's no longer an abstract thing: it's personal. All three of my sons have chosen to become working commercial fishermen just like me. It's a source of deep happiness for me that after leaving home and earning college degrees all three of my boys chose to come back to Westport and make commercial fishing their livelihood. The fact that the option was available to them speaks to improved fisheries management in the state of Washington and across the entire Pacific region.

The truth is, I haven't always been optimistic about our ability as a country to conserve our marine resources. Although I don't participate in the Pacific groundfish fishery, I've watched it closely for many years. Not having a stake in that fishery I believe I can comment as a neutral party—a disinterested observer. A decade or more ago it was truly a mess. Overfishing had depleted the resource, hurting not only the environment but also the bottom line of fishermen. Depleted fisheries and poor management meant many couldn't make a living and didn't see a future. Today, the picture is very different. Communication and cooperation between the National Marine Fisheries Service (NMFS) and the fishing industry has improved. Overfishing has been addressed and bycatch has been dramatically reduced.

I'm here to tell this committee that the sustainability mandates in the Magnuson-Stevens Act are working. They've forced much-needed changes in the groundfish fishery in the Pacific. And now fishermen are enjoying the benefits. The Pacific Fishery Management Council is to be commended for its role in improving management and turning the fishery around. This committee should learn from this experience. First and foremost, it should do nothing in the upcoming reauthorization of MSA to weaken the sustainability mandates. They are working, they are needed, and they should be retained.

As in any fishery there are still many challenges and improvements needed to how Pacific fisheries are being monitored and managed. Presently resource constraints, both in funding for the Council and for NMFS are hindering progress in the region. The regional NMFS office has been consistently understaffed during the last few years

meaning that Council priorities can not be addressed in a timely fashion. Lack of time and resources is continually cited as a constraint for why management actions or regulatory reforms important to the industry are postponed.

We should be looking to help fishermen adapt to management requirements and simplifying regulations to ensure they are not overly burdensome to either the industry, enforcement authorities or the National Marine Fisheries Service. This will increase profitability for the industry and reduce cost to government agencies.

Additionally, with more robust funding we can increase and improve fisheries data. It is important to improve the quality of science being used to manage fisheries. Increased opportunities for organized collaborative research would be welcome and could reduce costs of scientific data collection while also improving data quality. Often there are significant time lags between when a stock is assessed and when those assessments are reflected in management, which can lead to skepticism among fishermen about management decisions.

Securing the long-term durability of Pacific fisheries will require reducing costs, improving data to ensure industry access to healthy target species, and leveraging the high level of accountability in Pacific fisheries to improve the price and market opportunities of Pacific fishery resources. I want future generations of fishermen to be able to participate in profitable fisheries that are managed reliably and in coordination with the fishing industry.

The Dungeness Crab Fishery

I also want to address management of the dungeness crab fishery. This is a unique fishery, requiring careful and customized management. I'm pleased to report that management is working well. Specific management arrangements were put in place in 1996, granting Interim Authority to the states of Washington, Oregon and California to manage the fishery out to 200 miles. That system has been uniquely successful for the Pacific. It's not a model that would work in other fisheries, but it works for us.

Since Interim Authority was first granted it has enabled many key management improvements. These include:

- L.E.200, which ended cross-boundary fishing;
- pot limits in Washington and Oregon, and now in California;
- pot tags, which aid enforcement;
- log books, which aid science and help with Marine Spatial Planning; and

- better and equal testing protocols, which have helped us fish at the right time and led to a better product for consumers.

As this Committee considers tweaks and adjustments to the Magnuson-Stevens Act, I believe it should make this highly successful management system of the dungeness crab fishery permanent. The system has been in place for almost 20 years and it is working well. So long as Interim Authority is not made permanent by Congress there is always a risk that it won't be extended. I urge the committee to act on this recommendation. It's time.

This committee should also consider whether a buydown of the fishery is possible. For complex reasons that I'd be happy to explain, a previous federal court decision resulted in the fishery becoming overcapitalized. So long as seasons are strong—as they have been in the last few years—dungenous crab fishermen can get by. But if we have successive bad seasons it will be the ruination of what is Washington's biggest fishery. I'm very sad to say that this season is shaping up to be the worst season since 1973. A way to reduce capitalization of the fishery is urgently needed. All Washington State fisheries that fell under federal tribal management judicial regulations have been mitigated with some sort of buy down except for coastal crab. The buy back is literally in place at this time – the heavy lifting is done, but due to lack of federal and state funds a much needed buydown is on hold. Many other fisheries have received federal assistance in reducing capitalization. I urge this committee to help provide similar assistance in securing the long-term future of the dungenous fishery.

Conclusion

Mr Chairman, I am optimistic about the future of Pacific fisheries. Sustainable, science-based management has helped improve fisheries' health. A state-of-the-art Doppler radar, which Senator Cantwell and her staff worked so hard to bring to the harbor area a couple of years back, is keeping fishermen safer on dangerous Pacific seas. It's saving lives, and we're all very grateful to the Senator for that. I served on her blue ribbon panel. Other new technologies are helping improve management.

I do encourage the committee to consider how we can ensure more young people are able to enter the business. One thing we must prioritize is ensuring that financing is more readily available to those starting out. For my three sons, however, their choice to become fishermen speaks for itself. So long as Congress doesn't do damage to a good law and repeat the mistakes of the past, I believe they have a promising future working as commercial fishermen for many years to come.