

Testimony of

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Good morning. I'd like to thank Chairman Begich and Ranking Member Rubio for the opportunity to testify today. As someone who has worked full-time in the recreational fishing industry for most of his adult life, I am familiar with the impact the Magnuson-Stevens Act has on my vocation, which is also my avocation. I appreciate being invited to offer comments on the Act's pending reauthorization.

I'm editor-in-chief of *Salt Water Sportsman* magazine, a vocal proponent of the original Act back in 1976. That first version sought to expel foreign commercial fishing fleets from US territorial waters by creating a 200-mile Exclusive Economic Zone. The Act succeeded at moving foreign commercial fishing fleets far offshore, but since then, we've done a less than stellar job in many instances of managing our own domestic commercial fleet.

We have also failed repeatedly to recognize the significance and economic impact of the recreational fishing industry. In fact, many of us have spent years trying to get regulators to simply acknowledge that we are just that — an industry. There are 11 million recreational saltwater anglers in the United States, and these anglers create \$70.3 billion in annual economic output. This directly supports more than 454,000 jobs and generates \$20.5 billion in annual labor income.

But even though we are large in number and an undeniable economic force, we often feel overlooked in the federal fishery management process. Recreational anglers account for only about two percent of all finfish landings in the US, and fishery managers have historically paid a lot more attention to those who harvest the other 98 percent, the commercial industry.

Recreational anglers have repeatedly demonstrated their willingness to accept restrictions on their catch in the form of size and bag limit reductions, or temporary season closures, when they are scientifically justified. We have always been willing to do the right thing for the fish, when we are shown it makes sense to do so.

Sometimes, however, management makes no such sense and we're still asked to sacrifice. This has manifested itself in several ways. First, there's the issue of allocation between user groups. Unfortunately, some allocations of total allowable catch in mixed-use fisheries between recreational and commercial fishermen were set decades ago and no longer reflect the realities of the times.

We believe it's vital that potential allocation changes be part of the upcoming reauthorization of Magnuson-Stevens, and that the regional fishery management Councils develop guidelines and criteria to consider such reallocation possibilities for mixed-sector fisheries on a regular basis. Allowing allocations to stand for decades untouched and unexamined should be unacceptable.

Recreational fishermen also need relief from the rigid annual catch limits and the accompanying accountability measures, which became part of the Act during its last reauthorization in 2006. The creation of these measures forced the Councils to take

drastic action in some circumstances, to meet a previously adopted 10-year rebuilding schedule.

Nowhere has this been more apparent than in the Gulf of Mexico, where the closure of the red snapper fishery due to this inflexible rebuilding schedule has caused great hardship among charter boats and rank-and-file recreational fishermen alike. The snapper closure was based on outdated and incomplete science, but while the fishery was closed, recreational fishermen reported seeing more red snapper than ever before while fishing for other species.

In an effort to comply with the Act, Gulf fishery managers are attempting to count every red snapper caught by recreational anglers, and then close the fishery if the recreational quota is exceeded. We all know this is an impossible mission, and that the numbers used in these determinations are an educated guess at best, yet they have led to very short red snapper seasons in the past few years since the Council's hands are tied in the matter.

This discrepancy between the reality anglers experienced on the water, and what federal fishery managers told them was happening, has created widespread cynicism and anger toward the entire management process, a regrettable situation that seems to have no easy solution. We support giving the regional Councils the latitude to institute rebuilding timeframes, based on biological criteria that is defensible, achievable and tied to the biology of the species rather than tied to an arbitrary time frame, so they may act with confidence where good science exists, and proceed with caution where it does not.

There are many instances where science is either outdated, or non-existent, yet annual catch limits are still set. This is of particular concern in multi-species complexes in which many different species of fish might be caught indiscriminately. Under a rigid interpretation of annual catch limits, if an ACL for one species in such a complex is deemed to be exceeded, it could close down all fishing for other species, which may not be over-exploited.

It seems logical to manage recreational fisheries through the use of traditional tools like size and bag limits and seasonal closures, rather than Draconian closures affecting everyone. Recreational fishermen need an open fishing season they can count on, with biologically necessary adjustments in landings made through changes in per-person bag or boat limits in response to timely stock assessments.

NOAA should develop a recreational fishery management system that uses sound scientific data that we now have, and does not penalize the recreational industry in instances where that data is incomplete or missing entirely. NOAA should further be willing to utilize the strengths of individual and collective state management of certain stocks of fish where appropriate.

Managers in my home state of Florida, for example, have consistently proven themselves to be innovators in saltwater fish conservation, and we believe other states, as well as interstate fisheries management commissions, offer a viable and practical alternative to continued federal oversight of all saltwater fishery management.

Thank you Mr. Chairman.