

Written Testimony

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Chairman Begich, Ranking Member Rubio and Members of the Committee,

Thank you for the opportunity to testify on the important fisheries issues currently under discussion in your committee. As a commercial fisherman from Dunedin, Florida with 30 years of experience in the industry, I proudly provide access to domestic, sustainable Gulf seafood to meet the growing demand of millions of Americans who have chosen to enjoy our native wild fishery resources on a plate, at home, or in restaurants throughout the country. This is how the vast majority of Americans get their fish. I support their access. In fact, I depend on it.

I have served the Gulf of Mexico Fishery Management Council (Gulf Council) as a member of several of its Advisory Panels related to the reef fish fishery. I am thankful for the regional Council process that allows stakeholders to have direct involvement in management of our fishery resources. There is a lot to be said in favor of the Councils open process where verbatim minutes and rigid notification requirements are among the disciplines that ensure fairness and equity among all user groups. As a participant I've seen good, bad and ugly, and I credit the Council process for doing a pretty good job of shining the proper light on each.

On balance, the Magnuson-Stevens Act (MSA) is working. The congressionally-authorized management system of science-based limits, accountability measures, and new management methods such as individual fishing quotas (IFQs), are rebuilding fisheries and ending overfishing in the Gulf of Mexico and around the country. I strongly believe that sustainable fishing businesses and strong fishing communities can only exist where fishery resources are responsibly managed using science, and accounting for fishing in excess of limits is enforced. I am happy to report that we are making strides towards meeting these goals. And while there are forces to the contrary, it is my opinion that placing the health of our fishery resources as priority one is the best way to set the stage for maximizing economic and social benefits for our Nation.

Current Management

The Gulf Council oversees all of the commercial fishing for federally managed species in the Gulf of Mexico from the end of state waters out to 200 nautical miles. While not perfect, the

congressionally-authorized Council system manages many of the Gulf's commercially important species in real time, and coordinates the management, data collection and enforcement of fishing activity across several jurisdictions. The benefit of the Council structure is that representatives from all of the Gulf States and stakeholders are able to make decisions that reflect local needs. Many people are not aware that sixteen of the 17 voting members of the Gulf Council are either nominated or appointed by Gulf state governors. This is an important structure to have because no two fisheries are the same and management decisions should be based on local needs. The Council process does a great job of integrating the ideas of a diverse mix of opinions into alternatives that address issues specific to the Gulf Coast.

In the commercial sector, current management is working. The overwhelming success in rebuilding the red snapper fishery in the Gulf of Mexico shows the benefits that can be achieved through the right management system and fishermen participation in the process. Several years ago, commercial red snapper and grouper fishermen voted to move to an individual fishing quota system (IFQ) that has reduced discards, kept catch within limits and allowed fishermen the flexibility to operate when weather or market conditions are best. In an era where reduced quotas almost always translate into shorter seasons, IFQ management has provided the dynamic to change that. By aligning business incentives with stock rebuilding, IFQ's work where traditional command and control management continue to fail. Since the program was adopted for commercially-caught red snapper in 2007, we have seen the total allowable catch increase from 5 million to 11 million pounds – that's an increase of 120% that benefits consumers and recreational fishermen alike.

Unfortunately, for-hire operators, their clients, and private recreational fishermen have not experienced the benefits of these extra fish because they continue to be managed in the traditional command and control manner of restrictive seasons and bag limits. This is not the fault of individual anglers, but of the management system under which they are operating. There is an obvious need to consider and implement new management tools that improve recreational access and flexibility, yet it seems to be an uncomfortable concept that the recreational demand for fish exceeds the recreational quota. Overcoming this perception is the first step in reconciling their demand for fish with the available supply. Solutions are readily available but first will require the acknowledgement that allocation of the recreational quota among recreational fishermen is a challenging but necessary prerequisite. Our fishery resources are renewable, but not unlimited. Restraint is necessary.

Regional Management

The frustrations felt by many recreational fishermen are understandable, and solutions do exist, but some of the ideas being put forth to address them would cause more harm than good. Regional management – or transferring more authority to the states or other entities – has been proposed in many different forms in Congress through legislation as well as at the Gulf Council through Amendment 39. I believe that giving states more authority to manage the recreational fishery *with Council oversight* may have merit, and the concept should be further explored.

However, the commercial management system will not be easily replaced by state or regional management, and efforts to transfer authority of the commercial industry from the Gulf Council

to other entities would hurt our industry. States have more experience and capacity to manage recreational fishing than they do commercial fishing. For our industry, they lack the monitoring and enforcement resources and capacity to do so.

I do not support legislation in Congress to transfer authority from the Gulf Council to the Gulf States Marine Fishery Commission (Comission). This is duplicative and would serve only to create more layers of government. As I mentioned previously, 16 of the 17 Council members are nominated or appointed by Gulf state governors. Many of these same members sit on the Commission. The difference is that the Commission is not as well equipped to manage offshore fisheries as the Council, and in any case it makes no sense to use a separate layer of bureaucracy to manage one of many species that are caught together primarily in Federal waters.

Reallocation

Another idea being debated in the Gulf today is to allocate more red snapper to recreational fishermen. Today, the allocation formula is roughly 50-50 and it should stay that way. Taking fish away from an accountable commercial sector would limit public access to this resource. Of the U.S. population of more than 300 million people, roughly 3.2 million people, or about 1 % fish recreationally in the Gulf of Mexico and its saltwater tributaries. Currently they are allocated roughly 50% of the red snapper resource. Were we to alter this balance of 50-50 between recreational and consumer access, restaurants and consumers would see a shortage in supply and an attendant increase in price. Our fishing businesses would be damaged in the short term by disruptions in supply, and in the long term by permanent shifts in market share that favor imported red snapper and the foreign businesses that ply the trade. On the other hand, continuing a reliable and vibrant supply of safe, sustainable domestic seafood is an obvious barometer of a sustainably managed resource. Besides, the Gulf's recreational fishermen already take home 80% of the most popular fish in the Gulf, including overwhelming majorities of amberjack, red drum, speckled trout, king mackerel and triggerfish. Even if the recreational sector received the *entire* red snapper commercial quota, anglers would get only another month or two of fishing each year, and that season would continue to shorten over time because the underlying management system is inadequate to prevent overharvest. Indeed, the recreational fishery already accounts for 56% to 65% of total red snapper landings even though their allocation is supposed to be 49% of the total catch. For the sake of common sense, language should be included in the reauthorization that precludes reallocation to any sector that overharvests its annual quota, because reallocating from an accountable sector to one that overharvests sends the wrong message about taking stewardship seriously. Recreational fishermen who are understandably frustrated with short seasons are looking for solutions, and those solutions exist, but reallocation will not provide them with any long term benefits. It will only prolong the implementation of sound management, while short-changing millions of Americans by redistributing their seafood access to others.

Data Collection

I have witnessed the frustrations of many who complain that somehow fishery science is flawed, especially in cases where the scientific conclusions do not coincide with popular conceptions. My experience is that the NMFS, NOAA Fisheries and the State Agencies have the best, most

objective scientists in the world. These people are smart, and have an ability to exclude the various political pressures from their scientific analysis. I have to give them credit.

And while I credit the scientists for their exceptional abilities, data collection seems to be a weak link in the scientific process. Budget constraints are one of the drivers of data paucity. This reality is dealt with on a regular basis at the regional fishery offices and science centers. Cooperative research is one effective and promising avenue to collect data. But my experience tells me that for some data, a fundamental change in philosophy is needed. In my opinion, every extractive user of our nation's fishery resources should be expected, as a condition of participation, to submit catch and effort data. This is exactly how we have designed the commercial fisheries in the Gulf, where data submission is a condition of permit renewal. It's an amazingly simple and effective discipline. The cumulative effect of this individual accountability in the commercial sector is the fundamental basis for accountability at the sector level. I see no good reason why the expectation of data submission for the recreational sector should be discounted on an individual basis. This requirement could mirror the way many States manage recreational migratory bird hunting, where next years 'stamp' is not issued until the hunters previous year effort and harvest data is submitted. The benefits of this approach would be substantial. Not only would the quantity of data improve, but so would its quality and resolution. And one of the understated benefits would be the buy-in of the fishermen, since they would know that their data is used for better 'science'.

These types of improvements can be made and Congress can help. To that end, I support legislation recently introduced by Congressman Rob Wittman (VA) – H.R. 3063 – called the Healthy Fisheries Through Better Science Act. The bill would make several improvements to the current system.

First and foremost, the bill recognizes that fishermen should be more involved in the data collection process. This is important for two reasons. First, fishermen know the waters they fish, and can make valuable contributions to the underlying information managers use to make decisions. Second, fishermen do not always trust the data and models NMFS uses and as a result are more likely to oppose management based on them. H.R. 3063 would require NMFS to establish standards for the submission of data and analyses by outside sources, including fishermen and academics.

Congressman Wittman's bill also addresses the need for more timely stock assessments by requiring the Secretary of Commerce to set a public schedule for conducting stock assessments, including species that have never been assessed. The legislation also requires NMFS to ensure that it is using the most cost-effective methods for monitoring and to inform fishermen in advance if they will be required to share these costs.

Conclusion

In closing, the fishery management tools and requirements in the MSA have succeeded in bringing U.S. fisheries up to a standard of sustainability of which fishermen can be proud. And after years of work by fishermen and regional managers, the commercial sector's management plan is finally working. There are many things left to do in fisheries management, including modernizing fishery data collection and analysis, incentivizing stewardship and conservation, developing and testing new management methods, and ensuring fair access to seafood for the American consumer. I look forward to working with members of this committee to meet these goals. Thank you for the opportunity to testify, and I look forward to answering any questions you may have.