

Save the Fish Foundation



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October 23, 2002

Admiral James D. Watkins
U.S. Commission on Ocean Policy
1120 20th Street NW
Suite 200 North
Washington, DC 20036

Dear Admiral Watkins:

On behalf of the Save the Fish Foundation, I am please to submit the enclosed comments to the U.S. Commission on Ocean Policy.

The Save the Fish Foundation (SFF), a 501(c)(3) organization, was formed in 1996. The Foundation's mission is to build a solid base of information to educate the public regarding the current state of fisheries and recreational fishing in the United States. As a supporting arm of the Recreational Fishing Alliance, information developed through the SFF is utilized by a number of organizations as a basis on which to build their positions and recommendations to fisheries management agencies and policy makers.

I recognize that the Ocean Commission has received scant information from the recreational fishing and boating community (which includes end users and businesses). In that regard, the testimony contained herein should be viewed as an opening to raise some of the issues that are prominent within the community. It should in no way be viewed as a comprehensive briefing of all of the issues facing the marine angling community.

I appreciate the opportunity to submit these comments and would welcome additional interaction with you and your staff as you enter the deliberative stage of your work. Please feel free to call upon me or any of the Save the Fish Foundation associates if you need additional information.

Sincerely,

Andrew J. Loftus
Managing Director

STATEMENT OF THE SAVE THE FISH FOUNDATION¹
ON
MARINE RECREATIONAL FISHERIES MANAGEMENT

Submitted to the Commission on Ocean Policy by

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Richard B. Stone, Associate⁴

October 23, 2002

INTRODUCTION

The deliberations and findings of the Commission on Ocean Policy, created by the Oceans Act of 2000 (Public Law 106-256) to study and to make recommendations to the President and Congress for a national ocean policy for the United States, are of great importance to the marine angling community (MAC).

As the Commission promulgates its charge it will find that this community is significantly interwoven throughout the economic and social fabric of coastal and ocean issues. The Commission's recommendations will provide guidance toward a coordinated and comprehensive national ocean policy on a broad range of issues that impact the MAC, ranging from the stewardship of marine resources and pollution prevention to enhancing and supporting marine science, commerce, and transportation. The work of policy makers and legislators will follow. The fairness of their difficult task of allocating finite ocean and coastal resources will, in a large part, be determined by the depth of the OC's analysis of issues.

Currently a host of laws and Presidential Executive Orders constitute national ocean policy. Much of that policy was the result of the previous oceans commission, the Commission on Marine Science, Engineering, and Resources (the "Stratton Commission" 1967 – 1969), that was mandated by Congress to formulate and advance "an overall plan for an adequate national oceanographic program that will meet the present and future national needs." The commission's work resulted in creation of the National Oceanic and Atmospheric Administration and the Coastal Zone Management Act of 1972. Further, its findings influenced ocean policy decisions for decades. However, many of the issues that were addressed 30 years ago remain with us today, even though the environmental and management contexts have changed in dramatic ways. The marine angling community that has been dramatically impacted by the management regime

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of the past 30 years has also changed and will likewise be impacted by the recommendations of the current Ocean Commission.

The Ocean Commission (OC) is faced with determining how ocean policy has performed in the face of increased coastal and ocean resource exploitation and a dynamic environmental awareness and ethic. The fallacy of the infinity of the marine resources has become apparent as efforts have been made to expand their use and accelerate development to grow the economy. Marine resources are now understood to be finite, even fragile. The interconnectedness of all resources on or near the coast, and even far upstream, has become apparent. A new environmental awareness in the nation—indeed, in much of the world—now influences virtually all aspects of governmental policy.

The OC has held eleven regional hearings throughout the coastal zone with two remaining meetings in Washington, DC. It has heard from a broad spectrum of those user groups and commerce that are affected by ocean and coastal policy. To date, the input from individuals or organizations representing facets of the marine recreational community has been sparse.

The information contained herein, describes a large marine resource user-group, the marine angling community comprised of marine anglers and businesses that provide them goods and services. The few witnesses from the MAC testifying before the OC provided credible introductory comments, but those remarks must be expanded and comments of other witnesses framed in the context of marine anglers' interest.

WHO WE ARE

The MAC - anglers and the business that provide them goods and services - is well aware of what attracts anglers. It is a healthy, sustainable multi-species fishery resource that is openly accessible. It is further understood that an esthetically pleasing and pollution free environment is an important factor of the angling experience.

In 2001, almost 9.1 million anglers (16 years and older) enjoyed *saltwater* fishing on 72 million trips totaling 91 million days⁵. If anglers of all ages (age 6+) are considered the number of anglers soars to more than twelve million. Overall, these individuals spent \$11.3 billion during the year on trips and equipment, creating an economic impact of more than \$31 billion and generating nearly 300,000 jobs (table 1).

The U.S. Fish and Wildlife Service/U.S. Bureau of Census study from which the above numbers are derived is generally considered to under report marine recreational anglers. In a directed study conducted as an add-on to the Marine Recreational Fisheries Statistics Survey that is carried out annually by NMFS, the nationwide economic expenditures reported for marine recreational angling was nearly twice that reported in the USFWS study - \$20.4 million. Unfortunately, no corresponding economic impact information (i.e., output, employment, etc.) is available.

⁵ U.S. Department of the Interior, Fish and Wildlife Service and U.S. Department of Commerce, U.S. Census Bureau. 2002. 2001 National Survey of Fishing, Hunting, and Wildlife Associated Recreation. Washington, DC.

Table 1. Economic aspects related to marine and Great Lakes recreational angling.⁶

| | <u>SALTWATER</u> | <u>GREAT LAKES</u> |
|------------------------------|-------------------------|---------------------------|
| | <u>FISHING</u> | <u>FISHING</u> |
| Out of Pocket Expenditures | \$11.3 billion | \$2.5 billion |
| Economic Output | \$31.1 billion | \$7.4 billion |
| Wages and Salaries | \$8.1 billion | \$1.9 billion |
| Jobs Created (fte's) | 296,898 | 66,324 |
| Sales Tax Generated | \$493 million | 102 million |
| State Income Tax Generated | \$85 million | \$28.6 million |
| Federal Income Tax Generated | \$1.3 billion | \$303 million |

These large expenditures require a huge coastal zone infrastructure including roads, lodging facilities, marinas, boat ramps, gas stations, grocery stores, tackle shops, camping facilities and a host of support services for boats and vehicles. Constructing, operating and maintaining the infrastructure in an environmentally appropriate manner must be considered in the review of current ocean policy.

A community that is often affiliated with the marine angling community is the recreational boating community. The recreational boating community is very large-with more than 12 million boats registered in the United States.⁷ Upon examination it is found that most recreational boaters are also recreational fishermen. In a nationwide study, eighty-seven percent of powerboat owners listed fishing as an activity for which they used their boats. Sixty-three percent of *all* boaters (including sailboats, kayaks, and personal watercraft) responded similarly.⁸ These boaters share a common infrastructure necessary to access the ocean. The OC needs to address their collective needs. The OC's, "Ocean Policy Topics and Related Issues, Working Draft for Public Comment, Topic 8: Technology and Marine Operations" asked many questions but few relating to recreational boating. It appears that the recreational boating community and their particular needs including a service and access infrastructure, weather and ocean current forecasting, search and rescue and a host of support services have not been fully explored by the OC.

There are many values to society from the use of fish resources for recreational purposes. They include the consumption of large quantities of fresh-caught wholesome fish as important nutritional contributions to subsistence. As noted above, the market value of the angling activity is substantial in terms of the dollar volume of business and jobs generated through retail purchase of related goods and services. Finally, the therapeutic or psychosomatic health value is evidently enormous if not readily quantifiable.

⁶ Source: American Sportfishing Association, 2002. Based on Data from USDI and USDOC, 2001.

⁷ National Marine Manufacturers Association, 2002. State Recreational Boat Registrations for 2001.

⁸ 1991 American Red Cross National Boating Survey

RECREATIONAL FISHING CONTRIBUTIONS TO MANAGEMENT COSTS

In general, the recreational fishing community has long recognized the need to support the cost of sound fisheries management. Since 1950, anglers and the sport fishing manufacturers have supported a 10% excise tax on most sportfishing equipment through the Sport Fish Restoration Program. The vast majority of this tax is provided to state fish and wildlife management programs. In 1984, this program was expanded to include the funds from the federal gasoline tax that are attributable to recreational motorboat usage (1.08% of all federal gasoline tax collections). As a result, nearly \$300 million is made available each year to the states for sport fishery management and enhancement, boating access, boat pumpout facilities, wetlands restoration, boating safety programs, and other affiliated activities. In coastal states, the amount that is appropriated to marine (saltwater) projects in each state is directly proportional to the number of saltwater anglers in that state in relation to the total number of anglers. Further, all Pacific and Gulf of Mexico coastal states, and five of the Atlantic coast states currently have in place a saltwater fishing license or special fishing stamp⁹. These funds are generally available for marine fisheries management programs. Through the combination of the excise tax and license fees, the marine angling community is contributing directly to fisheries management for the resources on which they depend.

WHAT DOES MAC EXPECT OF THE OCEAN COMMISSION?

First, the OC must recognize that sound marine fisheries depend on healthy and sustainable fishery resources. Second, the OC must recognize our community's significant role in coastal communities' social and economic well-being. This is important because status factors into the allocation of scarce coastal resources. We want to be included in the decision making process of any governance schemes recommended by the OC. And, third, the OC must recognize the fragile and unique nature of the coastal and ocean environments, and that any development of those resources shall be done in the most environmentally safe manner possible.

SOME ISSUES OF CONCERN

FISHERY SCIENCE AND OUTREACH: Marine recreational anglers are motivated to go fishing only if there is a reasonable opportunity to catch fish. By its very nature, the activity of angling is premised on the use of traditionally "ineffective" gear; i.e., a single hook held by a single angler in a vast ocean. Because of this, angling depends on higher abundances of fish stocks than may be required with other fishing gears often deployed by commercial fisheries. Other factors such as the sights and sounds of the ocean and anticipation are important, but without fish, one cannot go fishing.

The OC obviously recognizes the importance of fishery resources. Witnesses at all eleven regional hearings have spoken to the issue. The roster of witnesses included representatives of government entities responsible for management and representatives of NGOs and user groups.

⁹The Chesapeake Bay licenses required by Maryland and Virginia are considered as saltwater licenses.

Dr. William Hogarth, Director, NOAA Fisheries, testified twice before the OC. In his first appearance, he discussed the status of U. S. fisheries and the performance of his agency. He was particularly protective of NMFS science and scientists. No doubt, NMFS science is state of the art and has “world-class” status. He was not as clear on the success of communicating science to managers and fishery user groups. A prime example is the Marine Recreational Fishery Statistics Survey (MRFSS). The science employed by the survey is very good but the application of the survey to management and its acceptance by its angling constituents has been abysmal. Much of this mistrust can be traced directly to poor outreach and education efforts by the NMFS to the marine recreational community.

The recommendation to the OC for increased funding of science and data collection by Dr. Hogarth merits consideration. However, no matter how sound the science or complete the data, if the effort is not understood or accepted by the constituencies it is futile to spend more money. It would behoove the OC to recommend outreach programs to help the constituencies understand and accept how data is collected and applied. **Government fishery scientists and managers would likely find an increased level of cooperation, understanding and support if they dedicated more resources to public outreach programs.**

MARINE RECREATIONAL FISHERIES DATA COLLECTION: Another area that lacks outreach and constituent understanding is in the data collection efforts for recreational fisheries. Fishery management plans, and regulations, must be based on reliable catch statistics, but current recreational catch statistics are often viewed with suspicion. In today’s world, with more and more anglers and fewer fish, we need accurate statistics, generally on a state-by-state basis, to properly manage and conserve fish stocks. The key is state-by-state versus regional as most of the present recreational fisheries data collection is designed to do. There are some exceptions, and North Carolina would be a good example, where sample size has been increased considerably to provide more reliable estimates at the state level. But there are examples as well where there is no single sampling program designed to collect harvest data throughout the range of the fishery - this being for highly migratory species (HMS). The Atlantic Coastal Cooperative Statistics Program (ACCSP) is an effort to correct these problems, but it must have the support of the National Marine Fisheries Service (NMFS), all the states, Congress, and adequate funding if it is to succeed. The ACCSP is an attempt to improve data collection and management through a cooperative state/Federal program that will build on existing and new programs to achieve an accurate and more user friendly program. It is a program that needs to be understood and supported by the OC.

MARINE PROTECTED AREAS (MPA): MPAs are a very volatile subject in the MAC. Its importance as a resource management issue, and its regional significance, was underscored when Dr. Hogarth spoke exclusively to the issue at the Los Angeles, CA regional meeting of the OC. His presentation was comprehensive and described the controversial nature of MPAs. He noted that the concept of MPAs as a fishery management tool has been with us for some time, its efficacy is not in question but how and where it is applied.

The MAC recognizes the value of MPAs as a fishery management tool as part of a comprehensive management plan and in the past has called for such protection over artificial reefs (then called Special Management Zones) constructed with private funds meant to be solely

for the use of recreational anglers. Advocates of MPAs that exclude all exploitation see them not as tools but as a simplistic fishery management regime to replace existing fishery management structure. Such goals are unrealistic but do serve to demonstrate dissatisfaction with the performance of traditional fishery management. The MAC does object to MPAs whose objectives are undefined and exclusionary. Further, there is strong objection to the implementation of MPAs without adequate notification and public hearings (i.e., due process). A specific example is the Hawaiian MPA created by Presidential Executive Order with virtually no recreational fishing community input.

MARINE BIODIVERSITY: This term came up in the “Mid-Term Observations of the Ocean Commission.” Biodiversity is impossible to legislate. In simple terms, biodiversity is the variety of native organisms that exist in a specific area at any given time; a single frame from a never-ending motion picture. Problems immediately arise in determining the period for defining a native organism and defining the spatial measurements of the ecosystem in question. Is an organism that has been established in an ecosystem for 300 years native, while one that has only been established for 25 years not native, even if both have been introduced by humans? Biodiversity has been variously defined and often takes on a meaning that best serves the objectives of those employing the term. Like beauty, biodiversity is in the mind of the beholder. Because the use of biodiversity as a management objective is ambiguous, contemporary biodiversity initiatives leave fisheries managers unsure that their motivation is understood. Employing recommendations of the Marine Fish Conservation Network outlined in Mr. Lee Crockett’s testimony to close loop-holes in the Magnuson-Stevens Act would do much to promote biodiversity:

- Prohibit overfishing of all stocks, and include a margin of safety to compensate for scientific uncertainties.
- Make it a high priority to avoid bycatch and require managers to further reduce this practice annually and account for unavoidable bycatch in management.
- Keep bottom trawling, dredging, and other physically damaging fishing practices from destroying sensitive sea floor habitats.
- Require managers to consider the needs of ocean ecosystems when developing management measures.

In 1976, the Sport Fishing Institute (SFI) called for an “Ecological Reserve” in the northern anchovy fishery (*SFI bulletin* (NO.280, Nov.-Dec., 1976). The Ecological Reserve would include necessary broodstock as well as food for carnivorous game and food fishes, seabirds, and marine mammals. Scientists argue that the needs of ocean ecosystems are accounted for in “natural mortality” (natural mortality plus fishing mortality equals total mortality). In some cases, establishment of an Ecological Reserve may provide “a margin of safety to compensate for scientific uncertainties” as called for by Mr. Crockett.

CONCLUSION

The needs of the marine angling and boating community are not at odds with good, sound management of the ocean resources. Angling, and the industry that it supports, depend on healthy ecosystems and access to the resources. In recognition of this, the marine angling

community provides hundreds of millions of dollars to support fisheries management programs in addition to generating millions of dollars in state and federal income taxes that could potentially be used to provide additional support if so allocated. In addition to providing a source of recreation, enjoyment, and protein to millions of residents, angling supports a vibrant and substantial economic infrastructure,

The needs of the marine recreational community in the management programs of the 21st century include: recognition as a substantial industry; integration into all aspect of the management arena; improved outreach to the angling community by management agencies; improved recreational fisheries data collection; and integration of due process into all management initiatives. Anglers have always been staunch advocates of sound environmental management and with such improvements can become stronger allies with public agencies in the future management of marine resources.