



Testimony of

Jim Hutchinson, Jr.

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Madam Chairwoman and members of the Committee, my name is Jim Hutchinson, I'm Managing Director of the Recreational Fishing Alliance (RFA). The RFA is a national 501(c)(4) non-profit political action organization whose mission is to safeguard the rights of saltwater anglers, protect marine industry jobs, and ensure the long-term sustainability of our Nation's marine fisheries. The RFA represents individual recreational fishermen, recreational fishing boat manufacturers, party and charter boat owners and operators, bait and tackle businesses, marina operators and other businesses dependent on recreational fishing.

I appreciate the opportunity to appear before you today about our coastal communities and the importance of the House version of the Coastal Jobs Creation Act of 2010 (H.R. 4914). Today I have the distinct privilege of speaking on behalf of not only RFA but also as President of the New York Sportfishing Federation, and as Governmental Affairs Representative for the New York Fishing Tackle Trades Association. These organizations are made up of not just individual coastal anglers, but American businesses, many of them smaller coastal operators who are not only being hampered by a down economy, but are equally hard-hit by widespread recreational fishing closures and ever-tightening management measures. The Gulf tragedy of course has had a catastrophic impact on our coastal fishermen – and I pray every day that we'll soon see an end to the ongoing environmental disaster so that our folks there can start getting their lives back, as well as their livelihoods.

But while this disaster in the Gulf is something we all hope deeply never, ever happens again, it serves notice that perhaps our coastal communities have been somewhat overlooked during the past few years. As you probably know, the RFA and many of our allied groups including more than a thousand individuals from the Gulf states held a rally at Upper Senate Park this past February – there are several members of this Committee of course who joined us for this historic rally in support of our coastal fishermen that many media accounts tabbed at upwards of 5,000 fishermen. Our coastal communities have been suffering for years because of

these deep sacrifices being made in the name of protecting the fish – and on behalf of real, hard-working Americans, I ask you to now consider our nation’s fishermen.

Few could argue that the fisherman is first and foremost a conservationist, and those whom I represent today wish to see as many fish in the ocean tomorrow - and the day after - as there are today, and yes, even yesterday. A healthy, sustained resource is our responsibility as stakeholders, and maintaining that resource for tomorrow’s user is not just a goal, it’s truly part of our mission. That said, the federal requirements to rebuild fish populations to historic levels have had a deleterious impact on many of our coastal businesses; the for-hire fleet of charter and party boat captains has experienced significant loss of customers, which in turn has impacted their mates, their crew, and many of the ancillary businesses around the docks. Individual anglers experiencing denied access to the resource have in turn not had as much need to visit local tackle shops, or fill their boats at the gas dock, much less keep the boat in the marina. As you can imagine, the recent bottom fishing closure in the South Atlantic, the black sea bass closure in the Mid-Atlantic this past fall and winter, and of course the Gulf area closures before and after the Deepwater Horizon catastrophe have kept many folks away from our waterfront, and in turn has forced coastal businesses to suffer. Respectfully, as the members of this Committee are intimately aware, our fishermen and the communities that support them are hurting.

U.S. recreational fisheries provide enormous benefits to our national economy, including jobs, food, recreation, even ecological benefits. A 2006 U.S. Fish and Wildlife Service report said that there were 7.7 million saltwater anglers who spent nearly \$9 billion on trips and equipment to fish in our coastal communities that year. Trip-related expenditures accounted for \$5.3 billion, food and lodging totaled \$1.7 billion, while transportation accounted for roughly \$1.1 billion. In terms of saltwater equipment, bait and guide fees alone, anglers spent \$6.1 billion in 2006. Regrettably, this same year our economy began its nosedive, and our fisheries restrictions started piling up. When the U.S. Fish and Wildlife Service begins compiling new data for their next survey release two years from now, I can’t say that I’m very optimistic about where we’re going and what we’ll learn. For many small business owners along the shore, two years is an eternity considering that the next two months are do-or-die.

When the President announced plans to put forth a jobs creation bill, my friends in the coastal community had their fingers crossed. Would there be floor-planning for boat owners so that our manufacturers could keep building American-made sportfishing boats, center consoles and cruisers? Would there be stimulus funding to put coastal laborers to work on rebuilding our crumbling marine infrastructure, to revitalize our working waterfronts? Our fishermen had hoped for dedicated earmarks towards improving NOAA Fisheries’ science and data collection abilities, so that U.S. fisheries could remain healthy and vibrant while both our recreational and commercial fishermen could be assured of the best possible science through improved technology and perhaps participation in the process. None of this has happened, and our coastal communities continue to suffer.

The Coastal Jobs Creation Act of 2010 (H.R. 4914) begins to address some of these concerns of coastal business owners, and it’s a good start. RFA supports the intended purpose of this bill, to provide employment opportunities for coastal communities by increasing support for

cooperative research, revitalizing coastal infrastructure, recreational fishing registry programs, marine debris removal and restoration of coastal resources. If the funds made available under this Act to implement a Coastal Jobs Creation Grant Program are truly dedicated to those full-time fishermen, tackle purveyors, and fully vested marine industry professionals who are suffering through difficult times, then we fully support the intent of this bill. However, if monies are tied up in a bureaucratic web or reallocated to individuals, entrepreneurs and NOAA favorites who are not currently invested in our coastal industry, then this legislation will not work as intended.

It's vitally important that our active fishing businesses, the hard-working charter and party boat captains for example, are given every opportunity under this law to participate in the program. That means that longtime fishing industry representatives should be given unique consideration for any monitoring or observer opportunities. That means amending current law to allow our seasoned coastal professionals to act as observers. The National Marine Fisheries Service presently lists as minimum eligibility standards for marine fisheries observers that they possess a bachelor's degree from an accredited college or university with a major in one of the natural sciences, a minimum of 30 semester hours or equivalent in the biological sciences, and at least one undergraduate course in math or statistics. The rules also contain 'conflict of interest' restrictions which prevent anyone with an interest in a fishery, such as a fisherman who owns a boat or has a permit, or someone who works shoreside for a fishing business, from working as an observer. For the Coastal Jobs Creation Act to work as intended, it's important that NMFS loosen these restrictive measures so that we can allow seasoned professionals from our fishing communities to work as observers. Not all of these folks have college degrees, but I would argue their own on-water experience, some passed on through many generations, is more valuable in terms of a professional observation than those of some greenhorn fresh out of college who gained most of his resource knowledge by looking at a computer screen.

In terms of the revitalization of our coastal resources, we also have concerns about the broad scope of this definition, and hope this is not interpreted to further deny access to our public resources through ever-tightening restrictions and exclusions. When the fishing community sees plans to "identify habitat areas of particular concern," we understandably react with some valid suspicion. Our recreational fishermen especially have asked for increased, improved science and data collection to more accurately monitor catch and participation, but we're also concerned that some of this scientific funding might instead be reallocated towards closing off certain habitat areas which might be of concern to some. When considering the restoration of our coastal resources, I'd ask that our legislators keep in mind that the fishery management councils established by the Magnuson Stevens Fishery Conservation and Management Act are the place where many of these fisheries decisions already takes place. Again, this is also why we need seasoned veterans onboard our ocean vessels, those with knowledge of the resource, familiarity of the fishing grounds, and hands-on experience in working with the local habitat and ecosystem.

We also want to protect local working waterfronts, and ensure that the symbiotic relationship between coastal stakeholders and our oceans will continue for many generations to follow. The House version of this bill makes direct reference to the "Redevelopment of deteriorating and under-utilized working waterfronts and ports." It is vitally important that we protect the heritage and traditions of these ports for the future, and the first priority should be

toward maintaining working infrastructure for the benefit of our fishing communities. To keep fishermen working as the bill's purpose states, it's imperative that we keep this waterfronts working in the name of U.S. fisheries. What we cannot have is economically critical waterfront areas passed into private hands, razed, re-zoned and then redeveloped as condominiums or alternate uses which will further restrict our fishermen from accessing our marine resources.

I mentioned the Magnuson Stevens Fishery Conservation and Management Act, so it's important to point out the congressional mandate contained in the 2006 reauthorization that NOAA fix the recreational data collection methodologies, in part through the creation of a new national registry of saltwater anglers. NOAA has been late in meeting your demand, and instead of implementing a national registry in 2009, the angler registry component was initialized only this year. I would respectfully remind the members of this Committee of the deadlines contained in that law, which stated that the new survey program should've been implemented no later than January 1, 2009, and that within 24 months after establishment of this program, the Secretary shall submit a report to Congress to describe the progress made toward achieving the goals and objectives of said program.

The national registry was 12 months late in its rollout, and the program itself is still not in place within the recreational sector at this time. What we have now is a patchwork of registry programs along coastal states, with very little money at the state level to ensure that NOAA's grand plan for data collection can be administered. NOAA has the money to help fix this problem, and we can certainly afford to allocate monies to coastal states for the purpose of establishing and implementing a registry program to meet the requirements of Section 401(g) of the Magnuson Stevens Fishery Conservation and Management Act. This is a key component of the House version (H.R. 4914) of the Coastal Jobs Creation Act of 2010, and one which I would implore the Committee to make sure remains in place, and is also picked up in the Senate version. If this bill truly intends to meet its mission of promoting sustainable fisheries, then this particular amendment to allocate money to individual states for improved data collection should be vital to passage of this bill.

Finally, the RFA believes that the term "fishing communities" needs to be broadened to include party and charter boat operations, marina and tackle store businesses, bait dealers, and our entire recreational fishing infrastructure. As evidenced in the Gulf of Mexico, our sector has suffered equally with the commercial sector. In terms of loss from widespread fishing closures due to environmental catastrophe, acts of God, and/or restrictive acts of federal law, our recreational sector, in fairness, should be given the same consideration as those in the commercial sector. It's important moving forward that our recreational fishing communities are clearly delineated and accurately portrayed as a driving economic engine in America today. According to a recent NOAA Fisheries estimate, saltwater angling generates \$82 billion in overall sales and supports more than 500,000 jobs annually. Our community shouldn't be an afterthought, an inference, or a footnote on a graph. If the purpose and intent of the Coastal Jobs Creation Act is to promote coastal jobs creation, to promote sustainable fisheries and fishing communities, while also revitalizing working waterfronts, we'd ask then that the Committee take particular note of our recreational fishing businesses and how important our industry is to the lifeblood of our national economy.

RFA would like to go on record with the following specific items of note with regard to language contained with the Coastal Jobs Creation Act (HR 4914) and we respectfully ask the Committee to give a more thorough review of the bill before moving forward. In addition to the points made above, the RFA strongly believes the following key sections warrant special consideration.

Under the activities section 3 (c), HR 4914 identifies numerous deficiencies that if corrected would improve manager's ability to efficiently regulate recreational fisheries and provide a more stable business environment in the recreational fishing industry. RFA supports section (c)(1) to provide federal assistance to cooperative research to collect and compile social and economic information related to the recreational and commercial fisheries. This information is critically important when evaluating the consequences of management on both fishing sectors.

RFA supports section (c)(2) which would support cooperative research to identify habitat areas of particular concern and for habitat restoration and conservation. The RFA has made it clear in past testimony provided to this Subcommittee that placing the entire rebuilding burden solely on the sacrifices of fishermen is far from an efficient or productive management approach. A holistic approach that accounts for non fishing activities and sources of stress must be a part of our fisheries management process. It is undeniable that environmental factors and habitat are the bottleneck in many fisheries that prevent the fishing community from achieving rebuilding objectives. RFA hopes that the results of cooperative research conducted under section (c)(2) provides the information necessary to move in this direction.

RFA supports section (c)(3) to improve the quality and accuracy of information generated by the Marine Recreational Fishery Statistics Survey. RFA has testified a minimum of 5 times before this Subcommittee and addressed the need for better recreational catch, harvest, effort, and participation estimates produced through the programs included in this section. However, RFA points out that currently NOAA is in the process of decommissioning the MRFSS program and is moving forward with a new program called the Marine Recreational Information Program (MRIP) which is described as having some improvement over MRFSS. RFA questions the placement of additional funds into a data collection system that is activity being dismantled and would suggest that a better use of this money would be directed towards the speedy implementation of the new program which is already years behind schedule. RFA suggests funding MRIP would serve the recreational sector better, and we ask that the Senate version of this act be modified to incorporate this particular language.

RFA supports section (c)(10) to develop, test, and deploy innovations and improvements in coast and ocean observation technologies. RFA believes efforts described under this section could have dramatic benefits particularly for the offshore component of the recreational fishery. Monitoring buoys in the offshore canyons would improve fishermen's ability to predict fishing conditions in the areas that are 50 to 120 miles offshore and outside of traditional monitoring programs. RFA further believes this section would promote a greater level of safety at sea through the use of real time monitoring.

RFA supports section (c)(13) to reduce and prevent the occurrence and adverse impacts of marine debris. RFA suggests funds be directed specifically to state marine enforcement

programs to aid in achieving the objectives of this section. Without a financial incentive for marine law enforcement to reduce and prevent marine debris, they will pursue fishery violations since there is the potential to generate revenue from this action. Marine law enforcement agencies already have the infrastructure and resources to deal with marine debris and has the most potential in meeting the objectives of this section if give incentive.

RFA is uncomfortable with the language of section (c)(7) because, as written, it would prompt the redevelopment of under-utilized working waterfronts and may cause a shift away from traditional uses that service the fishing industries. It should be noted as an example that a marina or a tackle shop may have a lower ratable than a condominium complex sited on the same location. But on the broader note, a marina or tackle provides services to a far greater number of individuals resulting in a greater social value than that can be achieved through non-fishing uses. This socioeconomic information may not be captured in a property assessment or evaluation that considers the best use of the land for redevelopment. Recreational infrastructure is extremely fragile and is disappearing at a rapid rate. Experience has proven that any reduction in recreational infrastructure tends to be permanent which results in an overall lose of access for recreational fishermen and the general public. RFA suggest that this section needs to be rewritten to ensure that fishing infrastructure is preserved during redevelopment of working water fronts.

In section 4 (4), RFA suggest that “subject to the availability of appropriations” be stricken. RFA believes assistance to states should be a top priority. States are currently having a difficult time in light of their inadequate funding to comply with the mandates of MSA section 401 as reauthorized in 2007 to create saltwater angler registries. Federal assistance to implement this federal mandate should be mandatory and provided only if funds are available. Improvements to recreational data collection programs has been identified as being critical to the improved overall health and vitality of the recreational fishing industry and coastal communities, and monies should specifically be dedicated to remedying the problem. Investments to states working to meet these requirements would be a great benefit to anglers and would produce significant socioeconomic impacts in the recreational fishing industry.

RFA is suspect of Section 5 which allows upwards of 5 percent administrative expenses per year which would amount to 2 million over the course of the 5 year appropriation. This amount seems excessive and would be much better served addressing very real problems in fisheries management that are attributed to funding shortfalls.