

QUESTIONS FOR THE RECORD

SEPTEMBER 12TH, 2017 HEARING:

REAUTHORIZATION OF THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT: OVERSIGHT OF FISHERIES MANAGEMENT SUCCESSES AND CHALLENGES

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

Question for Mr. Horton

Angler-Supported Taxes and Aquatic Conservation

Your written testimony describes efforts to establish and expand angler-supported taxes on various types of fishing and boating gear. The amount of money you described coming from these taxes and being put toward fisheries and aquatic conservation is significant.

- What are the impacts of conservation measures supported from the \$8.6 billion generated through the taxes you described in your written testimony?
- Can you share some of the conservation successes that have been supported through these taxes?

It is significant in that these taxes and angler license fees, collectively known as the American System of Conservation Funding, have largely funded efforts to restore critical fisheries habitat, reintroduce extirpated fish species or supplement recruitment-limited fish populations through state fish hatchery systems, conduct research on fish population dynamics, develop state fisheries management plans, conduct routine monitoring and harvest adjustments necessary to maintain and enhance fish populations, and to construct and maintain access areas for America's anglers and boaters.

While there are thousands of examples of conservation success stories across the nation funded by the Sport Fish Restoration and Boating Safety Trust Fund (SFR) program, a likely familiar example for Senator Peters can be found in the fisheries of Lake Michigan. Like so many of our natural resources in the late 1800's and early 1900's, popular fish species in Lake Michigan were subjected to commercial overexploitation to the point of collapse. Some species, like lake sturgeon, were thought to have been extirpated from Lake Michigan entirely. Likewise, by the mid 1950's, lake trout had been virtually eliminated as well. In a 1990 Michigan Department of Natural Resources (MI DNR) report entitled [*Review of salmon and trout management in Lake Michigan*](#), the authors state, "We believe that the disappearance of the lake trout in Lake Michigan was a direct result of overfishing and sea lamprey predation." While the Great Lakes Fisheries Commission became a key partner in reducing sea lamprey predation, MI DNR managers made a paradigm shift and started managing the Lake's fisheries resources for recreational fishing first, and commercial fishing second. This resulted in the restoration of fish populations, like lake trout and lake sturgeon, through supplement stockings from state fish hatcheries, habitat restoration and protection, and more intensive population monitoring and harvest rate management – all of which were predominately funded by angler license fees and excise taxes on their equipment.

Sport Fish Restoration and Boating Safety Trust Fund

Mr. Horton, your testimony cited the Sport Fish Restoration and Boating Safety Trust Fund in regards to the recreational and boating manufacturer industries' contributions to fisheries conservation. The Trust

Fund provides grant monies to the States to support various important efforts, including fish conservation, within their own waters. It does not, however, have very much impact on fisheries conservation conducted under the Magnuson-Stevens Act.

- Given that, what is the Congressional Sportsmen Foundation and other groups in your coalition advocating for to improve fisheries conservation under the Magnuson-Stevens Act?

This is an excellent question that highlights the unfortunate misunderstanding by many Members of Congress and some environmental organizations as to the fundamental importance of recreational angling to fisheries conservation. Through the Sport Fish Restoration and Boating Safety Trust Fund (SFR) and angler license fees, we provide the base funding, or a significant portion thereof, for all fisheries management – including federally managed species. Since I am most familiar with fisheries management in the Gulf of Mexico, I will address the statement and question from this perspective, though the same holds true for states all along our nation's coasts.

There are many examples of how SFR funds benefit federally managed species. One of which is improving upon the first leg of the fishery management stool – habitat. Good habitat is essential to healthy fisheries, and while NOAA Fisheries focuses relatively little attention on improving habitat, the states spend a considerable amount of angler funded effort and resources improving and protecting habitats that benefit a variety of species, including those under the jurisdiction of regional fishery management councils. For example, low profile artificial reefs constructed by the states using SFR dollars, both in state and federal waters all along the Gulf Coast, benefit reef fish species directly. SFR funding also supports habitat restoration and enhancements in vital nearshore and inshore nursery rearing areas through projects like oyster reef establishments and coastal marsh restoration. These projects provide critical juvenile habitat for not only species directly managed under federal management plans, like some grouper and snapper species, but also support healthy forage bases (menhaden, mullet, shrimp, crabs, etc.) that are important to all federally managed species.

Another leg of the fishery management stool is the people who participate in the fishery. Again, the taxes generated through the SFR program and angler license fees supported all five Gulf states developing more accurate angler harvest data collection programs to supplement MRIP's inability to adequately estimate recreational harvest in relatively short federal seasons, like red snapper. In addition to funding better angler surveys, enforcement of fishing regulations of federally managed species in state waters is primarily paid for by the SFR program and angler license fees.

In addition, the SFR and angler license programs provide federal managers with the critical data needed to understand the third leg of the management stool – the fish. For example, the Florida Fish and Wildlife Conservation Commission's (FWC) Fish and Wildlife Research Institute (FWRI) Marine Fisheries Research program conducts a number of studies (e.g., tagging projects to look at stocks distribution, abundance, and connectivity) as well as broad scale data collection and stock assessment programs with SFR funding. Examples of federally-managed species benefiting from the data collection and stock assessment funded with Florida's SFR dollars include gag grouper, red grouper, red snapper and hogfish, among others. Likewise, Texas uses SFR funds for fisheries independent sampling such as Gulf trawls, longline and vertical line sampling, along with other fishery-independent surveys in the bays and estuaries,

all of which provide key biological information for stock assessments and ecosystem approaches to fisheries management in the Gulf.

In summary, to truly understand the importance of the SFR program and angler license fees to managing all three legs of the fisheries management stool in the above examples, in 2017 the state of Texas alone used \$3.9 million of SFR funding, combined with another \$7.8 million in angler license dollars, to address the management needs of Gulf of Mexico fisheries, including federally managed species. While funding levels will vary by state and their number of license buying anglers, recreational anglers provide significant funding for marine fisheries conservation, both in state and federal waters.

Forage Fish Management

My understanding is that the Morris Deal report, which articulating a number of the recreational industry's policy priorities related to the Magnuson-Stevens Act, included a conservation pillar related to the management of forage fish. Management of these important fish was not addressed in the Modern Fish Act.

- Do you still believe enhanced forage fish conservation remains an important issue for federal managers to address?

Yes. We support the Regional Councils review and identification of forage fish stocks that should be covered in fishery management plans based in part on the value of the forage fish stock for predator stock health, reproduction and growth. In fact, the Subcommittee has recently been provided with language to that effect that would be supported by CSF, other recreational angling representatives and the sportfishing industry.

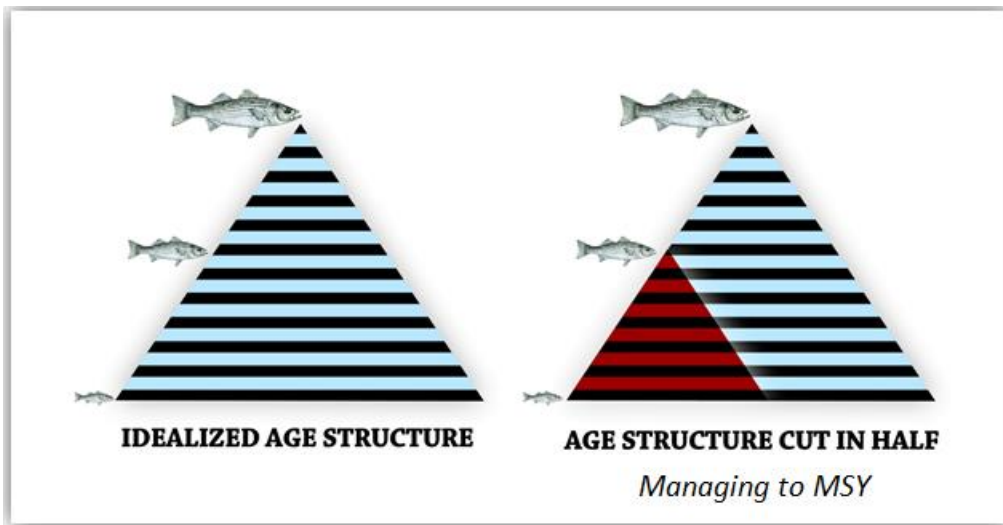
Federal versus State Management of Fisheries

You describe philosophical differences between federal and state-level management of fisheries, in your written testimony.

- Can you clarify how a fishery that provides its maximum sustained yield year after year would not be a healthy population and a robust fishery?

Another excellent question, since there is a common, misinformed belief that managing for Maximum Sustainable Yield (MSY) is the epitome of fisheries management. However, for most species, managing for MSY is actually the antithesis to a healthy, robust fishery. The concept of MSY stems from the commercial sector's goal to efficiently remove fish from a population. Basically, the premise of MSY management is to cut the population down to the size where there are just enough breeders to maintain the population indefinitely and is thus considered "sustainable". In fact, if a new species were discovered, managers would first try to cut the population by roughly half to get to MSY. This produces the highest yield per recruit that can maintain the population. It also reduces or eliminates any density dependent factors that decrease spawning potential, essentially trying to maximize recruitment. It does not optimize size or age structure, which is typically important in defining healthy, balanced populations. The forestry equivalent would be converting old growth timber, with high wildlife values, to a much higher yield pine plantation with much lower wildlife values.

The below pyramids highlight how managing to MSY can truncate the population potential.



Rather than managing for maximum harvest under the MSY model, recreational anglers would prefer to be managed for maximum encounter rate, which is more in line with the premise of Optimal Yield (OY), with the “yield” being abundant fish of all sizes in the population to provide encounters and an enjoyable fishing experience - not necessarily harvest. Unfortunately, the Gulf Council has often used OY and MSY interchangeably. A good example is with king mackerel in the Gulf. Although the commercial sector harvests their quota every year, the recreational sector leaves much of our quota in the water. While there have been discussions to reallocate more king mackerel to the commercial sector in the name of maximizing the economic benefits to the nation, or OY, recreational anglers argue that we are achieving OY because of the opportunity created by leaving fish in the water. When most of the easily accessible reef fish seasons are closed, king mackerel are readily available for anyone who just wants to enjoy a day on the water with family and friends catching fish. Those trips for king mackerel, regardless if any harvest occurs, result in a significant economic value to the nation.