

Written Testimony of
Mr. Christopher Blankenship, Director of Marine Resources
Alabama Department of Conservation and Natural Resources
On Regional Management of Red Snapper Management and the Magnuson-Stevens
Fishery Conservation and Management Act
Before
The United States House of Representatives
Committee on Natural Resources
Washington, D. C.
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Mr. Chairman and members of the Committee, thank you for the opportunity to appear before you today to testify on the extremely important subject of red snapper management. I am Chris Blankenship and I am the Director of the Marine Resources Division of the Alabama Department of Conservation and Natural Resources. Under Alabama Law, the Alabama Department of Conservation and Natural Resources (ADCNR) has full jurisdiction and control of all seafoods existing or living in the waters of Alabama and it shall ordain, promulgate and enforce all rules, regulations and orders deemed by it to be necessary for the protection, propagation or conservation of the same. The Marine Resources Division (MRD) is responsible for managing the fisheries in the Coastal waters of Alabama and advising the Commissioner of Conservation relative to saltwater fisheries and seafoods.

I am so honored to appear before you today because for the State of Alabama, the red snapper fishery is the most important recreational fishery in the Gulf of Mexico. It has also become the most contentious fishery. Prior to 1997, the red snapper fishery was open 365 days a year with very liberal creel and size limits or no limits at all. The red snapper fishery was being overfished and additional management measures were put in place to protect the stock. In 1997, the season was shortened to 330 days with progressively shorter seasons in 1998 and 1999 when the season length was 240 days. During the years of 2000 through 2007, the season was stable at 194 days. In 2008, the recreational season really began to be curtailed when the season was shortened to 65 days. In 2012, the season was 45 days long and for the current year, the season was initially set at an astounding 28 days. I am happy to report that the red snapper fishery is no longer considered to be undergoing overfishing, although it is officially still overfished. The continued reduction and fluctuation of fishing seasons has placed a real hardship on the recreational and charter fishermen of the State of Alabama and other Gulf States.

Alabama has a relatively small coastline compared to the other Gulf States. Even though the coastline of Alabama only makes up less than 5% of the total Gulf coastline, we land on average 30% of the recreationally caught red snapper in the Gulf of Mexico. The City of Orange Beach is known as, "The Red Snapper Capitol of the World." The charter and for-hire fleet in Orange

Beach contains over 200 vessels. This is the largest homeport for charter and for-hire vessels in the entire Gulf of Mexico. The people of the coastal areas of Alabama and particularly the people of the cities of Orange Beach, Gulf Shores and Dauphin Island are proud of the outstanding red snapper fishery we have in the federal waters adjacent to Alabama. You might wonder how a state with such a small coastline could land that many red snapper. The State of Alabama has built this premier red snapper fishery through the creation of manmade artificial reefs.

Artificial Reefs

Alabama has the largest artificial reef program in the United States. Red snapper, as well as other reef fish, need structure to thrive. The water bottoms off the coast of Alabama are relatively flat with very little relief. Until the last 50 years, the only places that red snapper were caught off our coast were on the very few natural reefs and outcroppings in the Gulf. Beginning in the 1950's, the Alabama Marine Resources Division began placing material in the waters offshore to create habitat for reef fish. The initial placements were so successful that in the 1970's Alabama worked with the Corps of Engineers to create the Alabama Artificial Reef Zone. This 1,200 square mile area in federal waters adjacent to Alabama is managed by the Marine Resources Division. Over the past 40 plus years, there have been over 17,000 reefs placed in the reef zone. These reefs include over 100 decommissioned military tanks, concrete bridge rubble and metal bridge spans, over 1,000 ten-foot tall concrete pyramids, many barges, ships, tugs, airplanes, dry docks, oil and gas rigs, concrete culverts, and pipes. There have also been several thousand reefs placed by private companies and individuals that met reef construction protocols and were permitted by the Marine Resources Division. This habitat creation has caused the population of red snapper to increase substantially off the coast of Alabama.

I would like for my Division to take full credit for the success of the Alabama Artificial Reef Program, but I cannot. Although the program is managed by MRD and the State of Alabama has invested millions of dollars in reef construction, the level of success we have seen would not have been possible without the partnerships we have participated in with the charter industry, recreational fishing organizations and private industry. The Orange Beach Fishing Association has been instrumental in partnering with us to fund reef construction. Through the Red Snapper World Championship Fishing Tournament, hundreds of thousands of dollars were raised to build reefs. The Alabama Road Builders Association and the oil and gas industry saw the great fishery we were building in Alabama and provided material and funds to construct reefs. The Coastal Conservation Association has been a valuable addition to recent participation in reef building activities both in State waters and in adjacent federal waters. The most recent partnership has been the creation of the Alabama Gulf Coast Reef and Restoration Foundation. This group was formed to bring together state, county and local governments as well as coastal chambers of commerce, coastal businesses and fishing interests to continue to fund reef building.

The millions of dollars that have been invested in artificial reefs and the foresight of so many people has created this great red snapper fishery, but these same people are only able to have access to this fishery for a few days out of the year due to current stringent fishing seasons.

Regional Management of Red Snapper

The Gulf of Mexico Fisheries Management Council and the National Marine Fisheries Service are currently tasked with the management of red snapper. Currently, the red snapper stock is managed as a single stock in the Gulf of Mexico with an overall Gulf-wide quota. The overall quota is divided between the recreational sector, with 49% of the quota and the commercial sector, with 51% of the total quota. Once the recreational quota is met, or is projected to be met, the recreational red snapper fishery in the Exclusive Economic Zone of the Gulf of Mexico must close. The commercial sector is managed under an Individual Fishing Quota program (IFQ). The IFQ program has been very successful at constraining the commercial catch under their allotted quota each year. However, the recreational sector has exceeded its portion of the quota in 9 of the past 17 years.

As previously stated, currently the red snapper stock in the Gulf of Mexico is managed as a single unit. This single unit management includes both fish caught in state waters as well as fish caught in federal waters. All of the Gulf States do not have the same area of state waters. Texas and Florida have nine miles of state waters while the states of Alabama, Mississippi and Louisiana only have three miles. Some of the states have red snapper seasons in state waters that differ from the federal red snapper season, which is within their sovereign rights. The issue for a state like Alabama is that the fish caught during these state seasons is deducted from the overall Gulf-wide quota which shortens the seasons in federal waters off the coast of Alabama. The State of Alabama does not have many reefs within three miles of the shore and therefore there is not a sufficient red snapper population in state waters to have a season outside of the federal season. Until this year, all of the reefs we have constructed in the Gulf of Mexico are outside the state three mile territorial waters.

The large decrease in the recreational season length coupled with the inequality of state water area and inconsistent red snapper seasons by some states has many people looking for solutions. One of those possible solutions is regional management of red snapper and other reef fish. There are still many aspects of regional management that are under discussion but one thing is clear, the current Gulf-wide, single stock management system has not satisfactorily served the fishermen of the Gulf of Mexico or the resource.

As currently proposed by many states, regional management would divide the Gulf into five regions corresponding to the five Gulf State boundaries. Each state would be allocated a portion of the recreational red snapper quota. This allocation would be determined using prior landing

history and other factors to establish a fair distribution of allocation. Once a state receives its allocation of the total quota, the state could enact management measures that would best fit the needs of the region. This flexibility would assist in lengthening the season for most states but the biggest benefit would be in tailoring seasons and management measures that would optimize the socio-economic needs of each region. Currently, the red snapper season begins on June 1 of each year and runs consecutively until the quota is projected to be met. There are some states that, due to tourism, weather patterns, or other factors, would prefer a season at a different time other than June each year. For example, some states might want a season in April or May, some would like a weekend only season, some would like a fall season while some would like to have a split season. Regional management would allow each region to set seasons that would provide the greatest benefit to the fishermen and coastal economies within their state while still protecting the red snapper stock.

Regional management and quota allocation would also solve the problem of different state water areas and incompatible regulations. Each region would be allotted a certain amount of pounds to manage. It would not matter if the fish were caught in state waters or federal waters; it would still be counted toward that one region's allocation without adversely affecting another region. Regions could also use other measures to better manage the fishery in their region including setting different bag limits or size limits or assigning different sectors a portion of the regional quota.

There has been a consensus in Alabama from the charter fishermen and many recreational fishermen that for the opportunity to pursue regional management they would be willing to take a more active role in reporting of their catch. That would greatly increase the accuracy of data collection and will assist in better management of the fishery. The charter fleet in Alabama has proposed 100% electronic trip reporting to ensure compliance and to assist in quota monitoring. As the Director of the Marine Resources Division, I am concerned about the cost of additional data collection. The funds received from NMFS in the last several years for data collection for federal fisheries have been drastically reduced. For regional management, or continued federal management, adequate funding for data collection is imperative.

Regional Management and the Magnuson-Stevens Fishery Conservation Act

The proposed concept of regional management is a step in the right direction. The flexibility to set seasons and other management measures by region will go a long way to providing tailored management that best suits the socio-economic and fishery management needs of the region. However, not all regions have the same habitat and therefore not all regions have the same stock characteristics. As previously stated, Alabama has the largest artificial reef program in the United States. We have over 17,000 reefs that have been placed in our reef zones. This large amount of habitat has produced a large amount of fish. Not all states or regions have this large

concentration and population of red snapper and other reef fish. Currently, the red snapper stock is assessed and managed as a single unit. For true regional management, each region needs the ability to conduct a stock assessment for the fishery within its region and then manage that stock independent of the other regions. The current Magnuson-Stevens Fishery Conservation and Management Act (MSA) does not allow this type of true regional management.

Magnuson-Stevens Reauthorization

The initial passage of the MSA and the subsequent reauthorization were very important steps in the history of our nation's fisheries. The MSA has brought several fisheries back from the brink of elimination. There are, however, some portions of the MSA that limit the ability of the Councils to manage the fishery and the participants.

The MSA restricts the Council's ability to deviate from the biological recommendations of the Science and Statistical Committee, even if these recommendations contain substantial uncertainty. This lack of flexibility leads to the inability to balance the needs for the stock with the needs of those in the fishery. Stocks can be rebuilt in several ways. The current MSA puts greater importance on the biology of the stock (National Standard 1) at the expense of the community and fishermen's concerns (National Standard 8). Flexibility is needed to allow the Councils to balance these two very important factors in setting rebuilding or management measures.

Thank you again for the opportunity to participate in this most worthy discussion. The red snapper fishery is of utmost importance to the people and the coastal economy of the State of Alabama. If I can ever assist in any way, please feel free to contact me.

