

TESTIMONY OF VITO GIACALONE
GLOUCESTER FISHERMAN
&
POLICY DIRECTOR, NORTHEAST SEAFOOD COALITION

BEFORE THE

COMMITTEE ON NATURAL RESOURCES
UNITED STATES HOUSE OF REPRESENTATIVES

REGARDING DRAFT LEGISLATION:

*“Strengthening Fishing Communities and
Increasing Flexibility in Fisheries Management Act”*

FEBRUARY 4, 2014

WASHINGTON, DC

Thank you Mr. Chairman and distinguished Members of the Committee.

Let me begin by expressing our profound appreciation to all those Members of Congress and their exceptional staff who worked on and supported the fishery disaster funding included in the FY 2014 Omnibus Appropriations.

With that assistance in place, we can now fully focus on those aspects of US fishery policy that could be improved to ensure the long term biological and economic sustainability of our fishery and many others nationwide.

With that in mind, I would like to highlight several measures set forth in your draft bill that I believe would greatly contribute to achieving that objective. I note that there are so many provisions that we view as positive and progressive that it was difficult to choose which to highlight today.

- 1) Section 3(a)(3) would add a new paragraph (8) to the rebuilding provisions of the Act that provides authority for the Councils to implement alternative rebuilding strategies that are based on fishing mortality rate targets such as Fmsy.

This represents perhaps the most important move in the direction of basing rebuilding strategies on the actual biological, ecological and environmental realities that drive the population dynamics of fish stocks. I note this provision reflects the very specific recommendations of the NRC in their recent report to Congress. This policy allows the Councils to develop rebuilding plans that will by definition achieve the dual primary biological goals of the Act—to prevent overfishing and to rebuild overfished stocks. But it will do so in a timeframe and to a biomass that is a product of prevailing ecological and environmental conditions rather than man's arbitrary goals. This approach will also by definition achieve the full suite of elusive Congressional objectives set forth in National Standard 8 – including in particular, to minimize-- to the extent practicable --adverse economic impacts on fishing communities.

That said, an equally important and necessary component of implementing this approach is to ensure the Councils have the authority to adapt their management responses to drastic fluctuations in the results of stock assessments. We have suggested one such authority which is to revise the current definition of overfishing to accommodate multiyear evaluations of overfishing as a means to smooth the management responses to these fluctuations. A strategy structured around Fmsy will instead provide the space to effectively smooth management responses to drastic fluctuations in stock abundance estimates. While some have argued that authority already exists for the Councils to employ such smoothing

techniques, we reiterate our request for the Committee to consider making that explicit in the overfishing definition.

- 2) Section 3 (a) would eliminate the arbitrary 10-year rebuilding timeframe and the discontinuity between stocks that can be rebuilt in less than ten years and those that cannot. We appreciate your proposal to instead provide a consistent biological basis for setting the rebuilding period based on T_{min} plus one mean generation for all stocks. We see this as a major step forward in managing fisheries based on biological and ecological realities rather than arbitrary statutory goals.
- 3) Section 3(a) further sets forth a number of important scenarios under which the Council can both phase-in and extend the rebuilding timeframe to reflect a range of realities and circumstances that are beyond the Councils' control. While again, this approach would still involve setting a specific rebuilding timeframe and biomass target, these provisions will provide the needed flexibility for the Councils to make common sense management decisions. They will enable the Councils to avoid the kind of prescriptive management responses that have achieved little if anything biologically in our fishery but which have been catastrophic to the economics of our fishery and communities.

I note that one of the scenarios recognizes the difficulties faced in managing internationally shared stocks through informal transboundary agreements. One such agreement with Canada has a profound impact on our fishery for our valuable Georges Bank cod, haddock and yellowtail flounder stocks. Another scenario contemplates "*unusual events that make rebuilding within the specified time period improbable without significant harm to fishing communities*" which is certainly near and dear to our hearts.

Thank you again for this opportunity to provide some input on these incredibly important and positive proposals in your bill and many more too numerous to address in this short time frame. We have learned the hard way in New England that US fishery policy under the current statute is simply too narrow and too prescriptive to embrace the dynamics of our fisheries and ecosystems. This policy needs more flexibility to be realistic and effective – and so we greatly appreciate this effort and look forward to working further with you and your fine staff on this excellent draft.