

Testimony of

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Committee on Natural Resources
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Regarding

H.R. 3094 – Gulf States Red Snapper Management Authority Act

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Thank you Mr. Chairman, Congressman Huffman and members of the Committee. My name is Chris Horton, and I'm the Fisheries Program Director for the Congressional Sportsmen's Foundation (CSF). Established in 1989, CSF works with Congress, governors, and state legislatures to protect and advance hunting, angling, recreational shooting and trapping.

An avid angler myself, I began my career as a fisheries research biologist for a state natural resource agency. Prior to joining CSF in 2010, I held the position of conservation director for B.A.S.S., the largest angling organization in the world. I currently serve on the Recreational Fisheries Working Group of the Marine Fisheries Advisory Committee, and I have previously served on the Sport Fishing and Boating Partnership Council for the Secretary of Interior and the board of the National Fish Habitat Partnership. Though perhaps most importantly relative to this hearing today, I'm a private recreational angler who travels to the Gulf of Mexico at least a couple of times each year to fish, both inshore and offshore.

I'm thankful for the opportunity to be back before your subcommittee to discuss the issue of federal management of our recreational fisheries, and specifically in the context of H.R. 3094. In my 2013 testimony regarding the Marine Recreational Information Program, or MRIP, I tried to convey how this program, though a significant improvement over the previous federal survey known as MRFSS, would never be able to provide the necessary information for in-season quota monitoring and closures that the federal system of management requires - especially for Gulf of Mexico red snapper. Two years later, that analysis continues to hold true. As a result of this reliance on inaccurate data and an inappropriate management model for the recreational sector in which to apply that data, anglers in the Gulf have gone from a total of 42 days of federal red snapper season in 2013, to just 10 days in 2015, despite the healthiest population of red snapper on record. While the current system of management under the National Marine Fisheries Service (NMFS) and the Gulf of Mexico Fishery Management Council (Council) seems to work for the commercial sector, it ultimately penalizes recreational anglers for a rebuilding, and possibly even rebuilt, fishery. The states can simply do better.

MRIP was developed to be a general survey of recreational angling effort and catch across multiple species around the nation's coasts. It was never designed to have a level of precision to accurately measure angler harvest for in-season closures during relatively short fishing seasons, like Gulf red snapper, which NMFS is specifically required to do under 407(d) of the Magnuson-Stevens Act (MSA). Red snapper harvest estimates are not available until months after the season has ended, so it's impossible to determine if NMFS's best guess at how long to set the season hit its mark, if anglers supposedly exceeded their quota, or if they could have had more days to fish, until well after the season is closed.

A good example of MRIP's inefficiency with measuring harvest of red snapper was in Mississippi this year. Through June 2015, MRIP indicated that Mississippi's recreational anglers landed zero red snapper, while their charter/for-hire fleet landed only 3,500 pounds. Conversely, right next door in Alabama, MRIP estimated the recreational sector landed 2.1 million pounds. It should be noted that this inaccurate data feeds into the federal stock assessments which determine season lengths for the following year. Thus, the problem continues to perpetuate itself.

Frustrated with managing a fishery based on guesswork, the states have developed their own fishery-dependent data collection programs for their private recreational anglers. As Secretary Barham has

mentioned, Louisiana started LA Creel in 2013. Louisiana's anglers even supported increasing their own license fees to cover the cost of the program because they trusted that their state agency could do a better job. Their confidence was justified. During its first year alone, LA Creel was able to survey around 50 times more anglers and intercept 23 times more harvested fish than MRIP surveys in the state. In addition, Louisiana often collects biological information from the fish they count, such as tissue samples and otoliths for ageing, which gives them a better picture of the actual red snapper population – something MRIP never does. The other Gulf states have begun similar programs that are proving to be equally as effective in gathering much more accurate information.

In addition to the significantly more precise fishery-dependent data from the recreational sector, the states have historically and successfully relied on fishery-independent data for a more accurate assessment of fish population condition, as well as a snapshot of how the population is responding to current management actions, in real-time. By sampling the actual population, and not what is landing on the docks, you get a clearer picture of population characteristics. Most importantly is estimates of abundance, but also age structure, relative health of fish within the fishery, etc. Their ability to conduct more frequent and accurate population assessments, and the capacity to respond in near real time, is what makes state management more effective than federal management.

Unlike tuna, wahoo, mahi or other migratory species, red snapper have high site-affinity, meaning they tend to stay in a relatively small area and in localized populations. Since they do not regularly migrate between jurisdictions, it makes sense, biologically, for the states to manage their red snapper fishery off their shoreline independently, rather than as one Gulf wide population as is done under the current federal management framework. The red snapper population off the coast of Texas can be very different than the red snapper population off the coast of Florida. Likewise, what works best for Texas anglers might not work as well for Florida's anglers. A great example of how the states manage their own fisheries according to stock health, abundance and angler preference can be found with seatrout. Florida has two different zones of management, one of which allows anglers to harvest four trout, while the other zone allows up to five to be harvested. Conversely, because the habitat and conditions are different, Louisiana's anglers can harvest 25 trout along most of the coast, and only 15 in a few waterways where habitat is more limited. States manage according to the capacity of individual stocks.

One need only look at state-managed fisheries to see the resounding success of their management approach, both in fresh and saltwater fisheries. State fisheries managers use the same model, whether managing primarily catch-and-release trophy fisheries (like some largemouth bass, trout, snook and tarpon fisheries) or harvest intensive fisheries (crappie, catfish, red drum, sheepshead, spotted seatrout, walleye and yellow perch), because it works well regardless of management goals. At the same time, you almost never hear of these fisheries being "overfished" or undergoing "overfishing" as defined in the Magnuson - Steven's Act. In contrast, however, virtually every fishery where there are problems with sustainability and overfishing is occurring, federal management is in place.

I think the frequent inability of federal fisheries managers to effectively manage recreational fisheries is a product of how they are required to approach fisheries management. States have a responsibility and mission to manage a fishery for maximum health so that they can provide ample opportunities for the public to enjoy their resource. To do this, they rely on actual, timely population data in addition to estimates of angler harvest. State management success is measured on both a robust fishery and a satisfied public, with no incentive to do otherwise. Unlike the states, federal managers are required by

law to manage a fishery, in part, on the concept of maximum sustained yield (MSY), which by its very definition causes managers to decrease the abundance of a population and squeeze the most pounds out of a fishery while trying not to collapse it. Because of the inherent variability in their assessments that rely heavily on harvest estimates, they must include conservative buffers to keep from exceeding the overfishing limit. The fewer the fishermen in the fishery, the easier it is to achieve this goal. Essentially, the National Marine Fisheries Service (NMFS) has built their management model around the commercial management model of managing or constraining the fishermen to attempt to keep a fishery from failing. But the states' model manages for a healthy population and a robust fishery in order to optimize access for fishermen, both commercial and recreational. From a species conservation, harvest sustainability, and overall public satisfaction perspective, the state approach is simply a better methodology.

Despite what some may lead you to believe, this isn't about commercial fishermen versus charter/for-hire fishermen versus individual anglers. While the current model is supported by a handful of commercial fishermen fortunate enough to be given a share of this public resource, it is not appropriate for the recreational sector, either private anglers or the charter/for-hire industry. The Gulf red snapper population is a public trust resource, and the American public deserves an accountable management system that maximizes access to their resource.

H.R. 3094 will provide that accountability, preserve the current commercial fishery, ensure continued sustainability of the red snapper fishery as a whole and promote access for all anglers, whether they pay a charter captain to take them to their fish or have the means to catch them themselves. For these reasons, I urge you to support H.R. 3094, and in so doing, ensure that one of the nation's most important marine species is successfully and appropriately managed for the benefit of all Americans.