

Written Testimony**Of****Gail L. Johnson**

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Fisheries Conservation, Wildlife, and Oceans****On the****Concurrent Resolution HR 427****September 26, 2002**

I am Gail Johnson from Harpswell Maine, one of those towns in Maine where you can't get there from here, first you must go to Brunswick, unless you have a boat. From the age of 10 I fished as sternman with my father lobstering, worked at a roadside seafood stand, lobstered with my husband, Charlie Johnson, until children came along and then ran the business of buying lobsters, wholesaling them, procuring bait, and all the things that business entails.

Over the years our fishing focus changed from lobstering and Charlie was attacked by Blue Water Fever and would not be limited to the coastal bays. I was elected as the first woman on the Maine Fishermen's Cooperative Association's Board of Directors, was one of several women who founded the Maine Fishermen's Wives Association, and am a founder and officer of Blue Water Fishermen's Association. I am currently a member of the Associated Fisheries of Maine and their representative to the Maine Fishermen's Forum Board of Directors, where I serve as its Vice-President. From 1985 to 1991 I served as a member of the New England Fishery Management Council and convinced them to send a council representative to the ICCAT plenary meetings. At that time, some HMS were managed by the New England, Mid-Atlantic, South Atlantic, Gulf of Mexico, and Caribbean councils. I am gratified that I was able to convince enough people that these stocks' problems had to have an international solution, that the US could not do it alone. I am a member of the ICCAT Advisory Committee and have attended several ICCAT plenary sessions.

My years of experience with the fisheries, making business and friendly contacts in such various places as Nova Scotia, Newfoundland, Peru and Brazil, have given me a basic idea of how the HMS fisheries work in those places and enable me to speak with some authority. I have dealt with various levels of domestic and foreign governments on fishery issues.

Currently Charlie and I are co-owners of the 78 ft. Fishing Vessel Seneca, a pelagic longliner. He takes care of the boat and fishing and I take care of everything else. Between 1974 and now, Charlie's fished from 55N all the way to 25S, or the latitudes from off Labrador down to about Rio de Janeiro, Brazil. He's fished the Grand Banks since 1976. At present, the only way we may fish the international waters off the Grand Banks of Newfoundland is under government contract, the value of which could be as much as \$132,000.00 depending on the number of sets made, the unit of payment.

Congratulations to those who have made the ICCAT process work for swordfish! There are the fishermen who sacrificed more in quota, fishing areas, and juvenile swordfish restrictions than other countries and also more than necessary. Especially, there are the ICCAT commissioners to thank for their hard work and downright dedication to the US fisheries. Of the three current commissioners, Glenn Delaney has the longest track record. Glenn laid the groundwork for marlin conservation and *with the consent of the commercial fishermen*, did the trading necessary for marlin conservation. I am stunned the man most responsible for international marlin measures is not here and surprised and disappointed that you didn't ask his opinion about this resolution. Glenn was probably the largest part of the arduous process of gaining conservation for swordfish—conservation that appears to have worked, given the high estimates of the stock at this year's assessment.

Although I'm gratified that Congress has noticed the highly migratory species at last, I'm dismayed that it took a near miss of an ESA listing for white marlins as endangered or threatened. Where were you in 1998 when the longline fleet nearly went under from the reductions in prices from the extraordinary amount of swordfish imports? Ironically, that was the year of Give Swordfish A Break. More ironic is that probably most of the imports were from nations who were over-quota or not ICCAT members at all. As your resolution notes, we could be called culpable of "diminishing the effectiveness of an ICCAT conservation recommendation" for allowing fish in that were from noncompliant nations.

The resolution's narrow focus on marlins (they are mentioned eight times in the document, other species only twice) and the recommendation that white marlin be the US' "highest priority" is insulting to HMS commercial fishermen and could be counter-productive at ICCAT for these reasons.

Most countries are focused on the "money fish," the tunas and swordfish. They don't have the numbers (or the passion) of US HMS recreational fishermen. For a decade, the US has tried to educate ICCAT members about the need for marlin conservation and what it means to the US. We are making progress, as seen by the accepted measures for Atlantic marlin. It's too soon to note any trends, as the reports to ICCAT are usually two years old. The data on marlin are sparse, making assessment results speculative, or as scientists say, "uncertain." Even the U.S. has no idea of marlin mortality from recreational catch and release. Longline fishermen have observers as a basis for mortality estimates. Recreational fishermen have no such independent observations of their fishing or subsequent mortality. There are studies underway now that may provide some answers, but if we use the ESA listing petition, which could be the "best scientific information available," it says that the estimated white marlin mortality is up to 32% of those caught and released! With the estimates of numbers of marlin fishermen and the numbers of hooks they "set," the mortality rate from catch and release is likely significantly higher than from the much-reduced longline fleet. Please refer to the table in Mr. Hemilright's testimony that contains information referenced in the White Marlin ESA Petition for Listing.

The resolution's preface notes that noncompliance is "threatening the continued viability of United States

recreational and commercial fisheries.” US longliners already release 100% of the marlins caught and many are very much alive. Rationally, how could others’ noncompliance threaten U.S. longliners?

However, we have lost nearly 70% of our productive fishing grounds during some times of the year to closed areas. Some of those closed areas actually have the potential to *increase* longline-marlin interactions. Our numbers of vessels are reduced by 70%. We are continually upgrading gear for best target species results. Perhaps the threat is that some will call for “just a few” more closed areas to protect marlin from longline hooks and that will just eliminate us completely. Now that recreational HMS fishermen are threatened, the Congress acts.

What we do need is a change in the Atlantic Tunas Convention Act that relieves the problem of using last year’s data to identify noncompliant entities. As I mentioned, the data are two years old and we need the previous year before we can prove noncompliance. With measures as sensitive as trade, we must have more timely and accurate data. Perhaps provisional identification could work with 2-year-old data and be followed up in subsequent years, taking action in the second year of noncompliance.

If you’re really serious and can convince countries that marlin is worth the money and trouble, we could try to implement a statistical document such as the one that seems to be working for bluefin tuna. The swordfish statistical document isn’t yet operational but we hope it will encourage compliance by denying markets to noncompliant product.

This resolution may be useful to show our citizens that Congress cares about Atlantic white marlin, but I doubt that the ICCAT members will attach much importance to it; and, sad to say, it feels very much like a slap in the face to HMS commercial fishermen.

Thank you for this opportunity.

Gail L. Johnson