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TESTIMONY ON “NOAA’s FISHERY SCIENCE: IS THE LACK OF BASIC SCIENCE
COSTING JOBS?”

SUBCOMMITTEE ON FISHERIES, WILDLIFE, OCEANS AND INSULAR AFFAIRS
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Chairman Fleming and members of the Subcommittee, thank you for inviting me to this oversight hearing to discuss fisheries science and the National Oceanic and Atmospheric Administration (NOAA). I am George Geiger, a past Chairman and current member of the South Atlantic Fishery Management Council (SAFMC), serving the final days of my third appointment term. Along with my position on the South Atlantic Council, I am a recreational fisherman with a Coast Guard 50 Ton Ocean Operator License. I operated a for-hire service for offshore and inshore trips until 1998, when I switched to guiding near shore and inshore clients exclusively. This business has been severely impacted by the current economic recession, like so many others. I still enjoy recreational fishing offshore for coastal pelagic and benthic species. I am also a retired U.S. Army Lieutenant Colonel, privileged to have been stationed in Daytona Beach, Florida from 1971 - 72. During those two years I experienced fishing opportunities and abundance heretofore undreamed of by me. I knew Florida was where my wife and I wished to retire, if I was so privileged as to earn the right to remain on active duty.

Upon my retirement and return to Florida in 1986, I was at first shocked, then increasingly disgusted, and eventually angered to see that the fisheries which lured me to my retirement Mecca had become virtual shadows of what I'd experienced in the 70's. I was angered to the point of seeking out and joining the Florida Conservation Association (now Coastal Conservation Association - Florida). This association lasted almost as long as my military career and culminated in my rise through leadership positions to the Chairmanship of CCA Florida in 2007.

During my 19 years with CCA Florida, I worked extensively on Florida inshore fishery issues and was appointed to multiple Federal advisory panels, including the Atlantic States Marine Fisheries Commission's bluefish advisory panel and the South Atlantic Council's red drum advisory panel. That work led to me to apply for an At-Large seat on the South Atlantic Council in 2003, and I have served on the council ever since, including as Chairman. From this vantage point, I understand exactly why Congress reauthorized the Magnuson-Stevens Fishery Conservation and Management Act (MSA), with the new conservation requirements to finally end overfishing, and I've been in the center of the heated debate about how to get the job done in the South Atlantic.

This testimony will focus on my first-hand experience gained over decades of work with the South Atlantic Council and other organizations to implement the new requirement to set annual catch limits (ACLs) and accountability measures (AMs), and the critical importance that science-based management plays in achieving that goal.

Overfishing, or catching fish more quickly than the population can reproduce, is ultimately a losing proposition for fish but more importantly, for fishermen. Just like it is important to maintain fiscal discipline and make hard choices in order to balance the federal budget, managers must make difficult, and sometimes unpopular, decisions to ensure that we don't "overspend" by allowing more fish to be caught than populations can reasonably sustain. I think of it like an investment account; you have to maintain the principle, and only spend the interest or you will eventually end up with an account that is overdrawn. Similarly, we need to leave enough fish in the water to allow each species to reproduce from year to year so that they can support a reasonable amount of harvest. Over the last few decades, it has become increasingly apparent that science-based management combined with requirements to end and prevent overfishing is the key to preserving fish populations and fishing jobs.

It is also clear to me that we have the basic data and information needed to establish catch limits that will ensure overfishing never again decimates the fish populations that so many anglers and fishing-related businesses depend upon. With this science-based framework in place, new information can continually inform managers and we can make adjustments to maximize the benefits for all participants in the fishery. The notion that we should ignore existing science and delay management decisions in the face of uncertainty will only take us back to the failed policies of the past, increasing the risk of overfishing and further eroding fishing-related jobs.

By 2004, Congress realized that overfishing had become a national problem, and needed decisive action. After a few years of debating the way forward, Congress passed what I think was a fundamentally positive change to the way the law worked: science was moved ahead of short-term economics, and the councils lost their discretion to continue inaction on overfishing. The 2006 MSA reauthorization required that all U.S. fish stocks have catch limits and accountability measures to end and prevent overfishing by the end of 2011. At the time the MSA was reauthorized, the South Atlantic region had 11 stocks that were overfished, undergoing overfishing, or both - the highest number of any region in the country.

The South Atlantic Council is responsible for the conservation and management of fish stocks within the 200 nautical mile limit off the coasts of North Carolina, South Carolina, Georgia, and east Florida to Key West. We manage 98 species through 10 Fishery Management Plans (FMPs), and we are still suffering from the ramifications of decades of overfishing for a number of snapper and grouper species. The catch limit requirements have changed how the councils operate and forced real conservation actions. In the past, we generally managed fishing using indirect controls like limits on the number of fish each angler could retain per day, size limits intended to protect juvenile fish and older fish that are often the best breeders, and trip limits that capped how many fish commercial vessels could bring back to the dock at any one time. However, very few of the nearly 100 species that we manage were subject to a cap on the total amount of fish that could be taken out of the water each year.

Fishing tournaments, charter fishing businesses, and individual fishing trips are all big tourist draws and they contribute significantly to the overall pressure on our region's fisheries. Over the last few decades, the number of recreational anglers and the number of fishing trips taken each year has increased rapidly since I first visited Florida. According to the Census Bureau's National Survey of Fishing, Hunting and Wildlife-Associated Recreation, over 2.75 million residents and visitors cast a line somewhere along the state's coast in 2006, and it's probably a safe bet that this number has continued to increase since then.

Another big change that has taken place over the last few decades is the widespread use of GPS, sonar, and other fish finding technologies that make it easy to "get on the fish", whereas in years past, you really had to know the waters to know the best fishing spots and how to get there. This combination has led to a significant increase in fishing pressure and as a result, some populations have been fished to dangerously low levels, far below what our science advisors deem to be sustainable. For example, Warsaw grouper and speckled hind are estimated to have just five and six percent of a healthy population remaining, respectively. A population that is below thirty to forty percent, depending on the species, is considered overfished. Some of these very depleted snapper and grouper can live for fifty years or more, and are slow to reach reproductive maturity. Thus, it can take many years, sometimes decades, to rebuild the population once it has been fished down to a very low level. Implementing catch limits now is a prudent, sensible and necessary approach to finally get severely depleted species back to healthy levels and ensure that we don't make the same mistakes of the past by setting some reasonable limits now.

To meet the MSA's new conservation requirements, the South Atlantic Council has taken several crucial steps and we are on track to implement science-based management, including annual catch limits and accountability measures, for all of our federally-managed fisheries by the end of 2011. In December 2010, we passed Amendment 17B to the Snapper-Grouper Fishery Management Plan, which fulfilled the Congressional mandate to set ACLs for 9 of the species in the region subject to overfishing. In June of 2010, we passed Amendment 17A which included a moratorium on red snapper catch, as that species was hovering around 3 – 6% of a healthy level at that time. Later this month, we will meet to consider approval of an Amendment to set ACLs for thirty-nine additional species, and we have developed joint plans with the Gulf of Mexico Council to set ACLs for species that occur in both regions. In the South Atlantic, and nationwide, we are on the verge of establishing science-based management for all of the species under our jurisdiction. This is a major, precedent-setting accomplishment and one that we should be very proud to have achieved.

However, getting to this point has required a significant investment of time and resources on the part of the Council, NOAA Fisheries and most importantly, the public who have weighed in on this process. In the South Atlantic, we are faced with managing many species for which limited scientific information is available. However, there are no species that we know nothing about. For every species we manage, some combination of data on catch and fish landed at the dock, biology, reproduction, habitat, and other life history characteristics are available and using this information, our science advisors developed a sound methodology to establish the basis for annual catch limits. Through the Southeast Fisheries Science Center, the South Atlantic, Gulf of Mexico and Caribbean Councils partner with NOAA Fisheries to operate the Southeast Data,

Assessment, and Review (SEDAR), which conducts stock assessments and provides data and analysis on the status of species we manage. Our stock assessment process is a collaborative one that includes fishermen, stock assessment biologists, council members and staff and provides extensive opportunity for public input at each step in the process. Driven by the ACL requirements, we have figured out rational scientific ways to set catch limits for stocks when full stock assessments are not available.

As an example of how we have managed stocks with limited information, I want to focus in on what we've done in coordination with the Gulf Council to protect coastal migratory pelagic species including cobia, Spanish mackerel, and king mackerel that spend most of their lives from the surface to the middle of the water column. These fish are very important for recreational fishermen and businesses like mine, as well as commercial fishermen like my fellow Council member Ben Hartig, who fishes commercially for Spanish mackerel. Although there is no evidence they are in trouble, fishing effort has generally intensified over the last decade, and so it makes sense to keep the catch levels under control to prevent these fish from suffering a decline in population before we have the resources to conduct a full assessment. What we did with cobia is a good example of how we've handled this "data poor" situation, and how good management has been mischaracterized. In June of this year, our Scientific and Statistical Committee recommended a catch limit for cobia roughly 25 percent higher than the median catch for the past 10 years and this is what the South Atlantic Council has used to guide our decision. Our science advisors considered a number of factors in making this recommendation, including trends in landings and whether there is a directed fishery for the species. Their expert judgment is informed by consideration of biological characteristics such as how often and prolifically each species spawns, whether they are long-lived or short-lived, and whether they are often caught accidentally by fishermen targeting other species, among other things. This is a completely reasonable approach and none of the ACLs we've set are based on "guesstimation", but rather they reflect both common sense and the use of high-quality science, along with input from fishermen and the public.

There are two philosophies when dealing with a lack of data: one approach is to wait for more science before acting, which is the exact path we took and resulted in dozens of severely depleted species nationwide, and required sharply reduced catch levels, and sometimes, total moratoriums, to put these populations on track for rebuilding. The other approach, and the one I think is right and prudent, is to use the best science available to set reasonable catch limits until new science becomes available that makes it clear a population can support an increase in catch. This is exactly what we are doing now in the South Atlantic, and it makes sense because it is a lot better to deal with a short period of reduced catch than suffer the years of painful recovery after fish populations have crashed.

Even though the South Atlantic Council's management measures are sensible, some of the strongest advocates for the MSA's conservation provisions have backpedaled when good science has made it clear that temporary cuts in catch and closures are necessary to recover from past overfishing. I am attaching the written support we have received at the South Atlantic Council within the past week supporting approval of the ACL Amendment. An awful lot of people – business owners, anglers, scientists and other – have written to us to say that they get why this new path is critically important and more importantly, they support it.

Today, I am seeing several of our South Atlantic fisheries benefit from implementation of catch limits and accountability measures. For example, a recent assessment found that South Atlantic black grouper are no longer undergoing overfishing for the first time in more than a decade. This is a species that the South Atlantic Council took action to restore back in 2004, based on what some at the time called “in-sufficient and non-definitive data.”

I'd like to offer one more example of why catch limits and accountability measures are so crucial to good fisheries management. Black sea bass are a popular recreational and commercial target species and a mainstay for many charter operators in our region. Unfortunately, they have been overfished for more than twenty years. Before the MSA was reauthorized to close the loopholes that had allowed overfishing to continue for decades, the South Atlantic Council approved not one, but two plans to rebuild this species. Both of these plans failed to do so, and nothing much changed because there was no accountability when quotas were exceeded. Finally, a new rebuilding plan was initiated that included accountability measures to make sure the catch limits were not exceeded. So far, the new plan has kept the commercial fishery near its limits, and the anecdotal evidence indicates that after decades of overfishing, black sea bass is recovering. A stock assessment is ongoing and the results should be completed by October. I hope the assessment will show that black sea bass is finally making a recovery after more than two decades and two failed rebuilding plans. However, now is not the time to deviate from the course of recovery and prudent management practices, which are proving to have been on target. South Atlantic fisheries are benefiting from the wisdom of requirements in the MSA reauthorization that pertain to ending overfishing.

We hear at every public hearing how good the fishing is getting, and has become, in comparison to past decades. Unfortunately, that success (which will only increase over time, creating more jobs and fishing opportunities) translates to the majority of the public being satisfied but not getting involved in the political process. However, it's important for Congress to know that those improvements in abundance are due to successful, science-based management. As I mentioned, the South Atlantic Council is on the verge of meeting the mandate from Congress to set catch limits that will end and prevent overfishing. The process was long and deliberate, with extensive public participation and scientific contributions, and I sense we are on the verge of a great move forward toward actually achieving sustainability for our marine resources in the Southeast. Now is not the time to backpedal and return to the ineffective management practices that existed before the 2006 reauthorization of the MSA and resulted in depleted stocks.

I still remember Florida fishing in the 70's and the astounding abundance and variety of fish that led me to retire in the state, start a fishing business and to get involved in fisheries management. Even back then, a lot of these fish populations were already a shadow of their historic numbers. The conservation measures we've nearly finished putting in place in the South Atlantic and around the country are going to work but it takes a strong backbone to protect and rebuild fisheries. That gives me hope because I know what we are working to achieve through the MSA and I know it is possible. Now is the hardest time for Congress, and even more so for the councils, to have the courage to be patient while fish stocks that have been depleted recover. That steadfast resolve will allow us to realize the benefits this will bring for fishermen and

fishing businesses, and leave future generations with even more fish and fishing opportunities than we've enjoyed.