

The House Committee on Natural Resources, Subcommittee on Water, Power and Oceans
Testimony of Susan Boggs

Good morning Mr. Chairman and members of the Committee. Thank you for giving me the opportunity to testify before you today on the important issue of fisheries management in the Gulf of Mexico.

My name is Susan Boggs and I am from Orange Beach, Alabama. My family and I enjoy recreationally fishing and we earn a living taking anglers who don't have their own boats out to catch in fish in federal waters, as well as supplying boat owners with slips and fuel so that they can pursue their passion for fishing.

Specifically, my husband and I own SanRoc Cay Marina in Orange Beach. Our marina is a full-service marina with 50 boat slips, a fuel dock that sells approximately 500,000 gallons of fuel per year, and a charter office that books for twenty-four inshore and offshore charter boats (including three of our own). My family's livelihood and the livelihood of my employees depends on access to our fisheries based on sound science. Going back to the bad old days of low population sizes would cripple our business and deprive my family and our customers of our favorite pastime.

The three vessels we own carry 10-35 passengers. We offer walk-on trips or shared expense trips that charge a per person fee; the majority are six hour trips for under \$100. We provide access to recreational anglers who either cannot afford or choose not to bring their own boats. Our customers come from all over the country and are a driving force for tourism-based coastal economies.

I am here today to tell you that MSA is working. This law was written to bring fisheries back from collapse, to ensure long-term sustainability for future generations, and to provide a conduit for stakeholders to be a part of the management process. There are several species of fish that are critical to the charter/for-hire sector in the Gulf of Mexico, but perhaps none more than red snapper. Since 2007, when annual catch limits became a requirement, the recreational sector's quota for red snapper has tripled. MSA has worked for us.

You may wonder why charter/for-hire participants are mostly satisfied with the MSA, while private angling groups complain mightily about it. I can speak for our sector in saying that the MSA has given us the tools to pursue pilot programs to try new management approaches that can increase our access to 365 days.

Specifically, in 2014 and 2015 a total of nineteen head boats had the opportunity to participate in the Gulf Headboat Collaborative Exempted Fishing Permit. These participants invested approximately \$2,500 of their money in a Vessel Monitoring System plus the monthly fee for monitoring. These participants faced much criticism from those docked around them. During this two year EFP, these boats provided access to over 200,000 recreational anglers from 48 states; 120,000 of them fished for gag grouper or red snapper. Headboat discards decreased by approximately **half**. We proved that we could fish and stay within an allocation and that it would give us the flexibility to operate our businesses in a safe and profitable manner. As you can imagine, we oppose the provisions in some of the bills before the committee today that would hamstring the EFP process.

We have been asked for years to participate in the Gulf Council's fisheries management process, to come up with solutions. These head boats found a solution that allows them to operate their businesses while increasing accountability and sustainability.

The Headboat Collaborative even won a 2016 Bronze Medal, the highest honor award granted by the Under Secretary of Commerce for Ocean and Atmosphere. National Marine Fisheries Service (NMFS) was awarded this medal for developing the program, which was the first of its kind in the recreational fishery, as well as the first catch share program to use a real-time landings monitoring system for the recreational fishery in the Southeastern United States.

In general, amending MSA is not the answer to the issues that we face in the Gulf of Mexico. Through the council process we have made significant progress that holds our industry to higher standards along with separating our sector from purely private anglers to ensure we are not overfishing. We don't consider it fair to waive standards with respect to private anglers, who have the fishing power to drive down the population of many of the fish we all rely on. If the current private angler management is not working for that subsector, they can use the council process, as we are, to pursue solutions. That is even more critical now, when the additional 39 days added to the private angler season will likely generate huge overages and the agency will have to figure out how to deal with that problem.

Those in the commercial fishery started working on solutions over a decade ago. Those of us in the charter industry started a few years later and are well on our way to fishing within an ACL while being able to operate a business with some certainty. These two components of the fishery are accountable, sustainable, and have a future. There is one difference between these groups and the private recreational anglers which have found themselves in an overly restrictive fishery. These two groups, which make our living from the fishery, came to the table with ideas and plans on how to fix it. Joe Fisherman out there has not been able to do that, because he has a whole life outside the fishery. Jobs, families, soccer games and etc. have forced him to rely on outside groups and the states to look out after his best interests. After over a decade, instead of doing anything to help him, instead of coming up with a plan that is honest, all they have been able to do is point fingers or say just "give us control" --this all without any details of how they would do it better.

The proposed changes under H.R. 200 (Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act) and H.R. 2023 (Modernizing Recreational Fisheries Management Act of 2017) create a risk of overfishing by waiving the requirements for Annual Catch Limits. To remove Section 407 entirely would remove backstops against recreational quota overages and allocations that would reflect such overages. Extending state management boundaries for red snapper to nine miles adds an unknown amount of increased fishing effort during the longer state non-compliant seasons for private anglers, resulting in a decreased federal season that satisfies no one and jeopardizes the health of the fishery. While the three-day federal season satisfied no one, we should acknowledge that longer seasons in state waters (such as 60 days in Alabama) played a role in the three-day season.

Data collection is often at the forefront of red snapper discussions, but it is hard to see how the bills up for discussion actually improve data. The draft bill and H.R. 200 instruct NMFS, the states, and recreational fishermen to simply "develop and implement a real-time reporting and data collection program for the Gulf of Mexico red snapper fishery using available technology". H.R. 3588 requires the "development and implementation of **voluntary** electronic reporting applications for use by the private anglers". The data collection requirements in H.R. 2023 are weak and have no standards. None of the bills mandate data collection that will improve the management of this fishery. While we appreciate the interest in better data collection, the fleet is already working with the Gulf Council to improve it, and the states are pursuing their own programs, which are beginning to be certified by NMFS.

H.R. 2023 (Modernizing Recreational Fisheries Management Act) also makes exceptions to Annual Catch Limits. Some anglers assert that recreational fishing cannot function under quota management – but they do not explain how else overfishing would be prevented. Stocks that are overfished but not undergoing overfishing still need ACLs to make sure they rebound. Stocks for which “fishing mortality is below the fishing mortality target”, but where there is no recent peer-reviewed stock assessment, still need to have ACLs to make sure we don’t damage a stock that may be undergoing changes. Again, the MSA was put in place because we, in America, do not manage our fisheries as a free-for-all, and that is why we have thriving industries dependent on science-based management. That is why we are able to have a recreational fishing industry and all of the enjoyment and economic opportunity that it entails. That is why we have sources of fresh, healthy, wild seafood and an increasingly important hospitality industry that depends on it—especially on the Gulf Coast.

Managing the red snapper fishery in the Gulf of Mexico is complicated enough as it is. To extend the red snapper management zone out to depth /distance as proposed under H.R. 3588 (RED SNAPPER Act), would be difficult to enforce. The private recreational component wants state management of their portion of the Gulf Red Snapper fishery. After speaking with commercial fishermen and other charter-for-hire owners and captains, however, I can attest that the vast majority of them prefer to remain under federal management and the security, stability, accountability and opportunity for stakeholder involvement that comes with it.

A suggestion that I would offer to this committee that would have a meaningful impact on the management of this fishery would be a Federal Red Snapper angler license. No one can tell you how many anglers target Red Snapper in the Gulf of Mexico. This license does not have to be cost prohibitive. Even a \$10 fee would provide better data on the number of anglers targeting this species and could generate millions of dollars that could be used for cost recovery, stock assessments and better landings data which should include more real-time reporting using current technology from private anglers.

In contrast to the chronic lack of information we have with regard to the number of anglers on the water and what they are catching, the commercial and for-hire sectors have ever-improving systems to keep tabs on what we catch. On January 1, 2007, Reef Fish Amendment 26 was implemented and established an Individual Fishing Quota (IFQ) for the commercial red snapper fishery, which requires real-time reporting of catch. Currently the Modifications to Charter Vessels and Headboat Reporting Requirements is awaiting approval by the Secretary of Commerce. When implemented, these modifications would **require** charter vessels and headboats to submit fishing records to NMFS for each trip prior to off-loading fish. This is another example that the Council process does work, especially when real stakeholders are involved and engaged.

I share the desire to give private recreational anglers more flexibility and certainty in their fishing opportunities. The proposed bills lack provisions to ensure that the private recreational sector stays within their quota. This is a major concern since this sector has exceeded its quota nine of the last 12 years. I cannot support any changes to MSA that would jeopardize the sustainability of the fishery and undermine the accomplishments of the commercial and charter-for-hire sectors.

I would like to thank you again for the privilege of testifying before your committee, and I look forward to answering your questions.