

Testimony of Cora Crome on behalf of
United Fishermen of Alaska
To the House Subcommittee on Fisheries and Oceans

July 6, 2005

Good morning. My name is Cora Crome and I represent United Fishermen of Alaska. UFA is an umbrella organization representing 35 commercial fishing groups and over 10,000 individual fishermen who participate in fisheries throughout Alaska. I am also the executive director of Petersburg Vessel Owners Association and sit on the advisory panel to the North Pacific Council. Thank you for the opportunity to offer comments to the Subcommittee regarding reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act.

First, let me say that the United Fishermen of Alaska believe strongly that the current system for managing fisheries and fisheries resources off Alaska is effective and successful. Coordination and cooperation between federal and state agencies, industry, and scientists have resulted in healthy stocks, safer fisheries, and an industry that provides tens of thousands of jobs in the Pacific Northwest. The U.S. Commission on Ocean Policy identified the North Pacific as a potential model for the rest of the country. As a representative of the industry regulated by the North Pacific Council, I appreciate the opportunity to provide our insight on what has made this process so successful, as well as our recommendations to further improve this outstanding process in the future.

Council Appointments and Public Participation – The United Fishermen of Alaska believe that the current appointment process outlined in the Act should be maintained. The dedicated individuals who serve on the Council are an adequate and appropriate representation of the affected interests. In addition, we believe that all authorities that currently lie with the regional councils should remain with there. Members of the public currently have the ability to attend meetings held throughout the affected area and interact with those making fishery management decisions. We believe that the public meetings held by the Council in Alaska, Washington, and Oregon provide substantial opportunity for public involvement. In addition, the Council seriously considers the advice of its advisory panel, which is made up of industry, community, and environmental representatives. This public participation would be severely compromised if the current process were changed to transfer decision making to either Washington D.C. or to an additional body such as an ecosystem council.

Scientific Advice and the Precautionary Principle - The Council's reliance on a strong scientific and statistical committee for review of all biological and socio-economic information is the single most important part of responsible management. Annual catches of our fish stocks are controlled by strict harvest limits. The Council establishes annual harvest limits for each stock that never exceed the biologically safe and precautionary harvest level recommended by the scientists on the Plan Teams or Scientific and Statistical Committee. Our scientists recommend harvest levels using a tiered approach. The less we know about the dynamics and condition of a stock, the more conservative the harvest rate. Fisheries are closely monitored and closed when the harvest limits are reached. The application of conservative catch limits has resulted in sustainable catches and healthy stocks.

Observer Program and Inseason Catch Monitoring - Our comprehensive observer program and inseason monitoring program ensure that the conservative catch limits recommended by scientists and set by the Council are achieved and not exceeded. Observers are required on all vessels longer than 60 feet as well as at most processors. Fishery managers at NMFS use information provided by industry and the observer program to manage quotas. The combination of timely reporting and observer information allows managers to monitor catch levels and restrict fisheries so that catch limits are not exceeded. Although our observer program is widely recognized as one of the best and most comprehensive in the nation, we are currently working to restructure the program to provide for even better information gathering.

Rationalization of Fisheries to Achieve Conservation and Safety – The North Pacific Council has instituted a number of effort limitation and fishery rationalization programs. The Bering Sea pollock fishery, the Halibut and Sablefish IFQ program and the new Bering Sea/Aleutian Islands Crab Rationalization program are examples of fisheries that operate in a fully rationalized manner. The Council is currently working to develop rationalization programs for other fisheries in the Bering Sea and Gulf of Alaska. The United Fishermen of Alaska believe that IFQs, dedicated access privileges, or similar limited entry/rationalization programs must be at the disposal of the Councils in order to achieve conservation and safety goals. Rationalization programs have been shown to improve safety and efficiency and reduce bycatch. When properly designed and implemented, they lead to increased product value and quality. The Magnuson-Stevens Act should provide flexibility to the Councils to tailor rationalization programs to specific fisheries. Councils should have clear authority to design programs that promote safety, conservation, quality, and economic stability.

Reconciling Statutes – The United Fishermen of Alaska believe strongly that the current mix of statutes which govern the fisheries management process needs to be reconciled, and that the Magnuson-Stevens Act needs to be reaffirmed as the guiding Act in this process. Currently, all Council actions must adhere to a number of Acts and Executive Orders including

the Magnuson-Stevens Act, the Administrative Procedures Act, the Regulatory Flexibility Act, the Endangered Species Act, and the National Environmental Policy Act (NEPA). The requirements for social and economic analysis, scientific review, and public comment specified in the Magnuson-Stevens Act are substantially the same as under NEPA; however, the timeline and administrative process under the two Acts often conflict, and NEPA has become the defining act for processing and review of management actions. The process requirements under NEPA have led to delays and litigation, regardless of the validity of the underlying science or the conservation benefits of the proposed action. Litigation is seriously impeding the Council's ability to take timely management actions based on the best scientific information. Council staff and NMFS personnel devote thousands of hours to meeting litigation-driven requirements, compromising their ability to focus time and resources on real management and conservation issues

United Fishermen of Alaska would like to request that Congress assist in resolving the conflicts between these statutes in order to clarify and streamline the regulatory process and reduce the exposure of the Councils and NMFS to litigation. We believe this can be done by clarifying that the Magnuson-Stevens Act is the governing statute for actions taken by the Council and NMFS, given that the process and requirements for fisheries management as outlined under MSA satisfies the intent of NEPA relative to analysis, public participation, and environmental conservation.

Funding – The United Fishermen of Alaska further recommend that Congress consider the ability of both NMFS and the Councils to fulfill their mission at current funding levels, especially when considering any new mandates. While research and monitoring programs are expensive, they are invaluable to preserving the health of our fisheries resources.

In conclusion, we would like to express our appreciation for this opportunity to comment on the successes of fisheries management in the North Pacific as well as our recommendations for ways the process could be improved. It is our hope that these comments will be helpful to you in your continued work on reauthorization of the Magnuson-Stevens Act.