

# **Committee on Resources**

## **Subcommittee on Fisheries Conservation, Wildlife and Oceans**

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### **Statement**

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#### **JERSEY COAST ANGLERS ASSOCIATION**

##### **Working For the Saltwater Resource and Marine Anglers**

1201 Route 37 East, Toms River NJ 08753

Phone 732-506-6565 Fax 732-506-6975

Web Site <http://www.jcaa.org>

#### **NEW JERSEY FEDERATION OF SPORTSMEN'S CLUBS**

##### **Working For The 150,000 Sportspersons Of New Jersey**

190 Oberlin Road North, Lakewood NJ 08701

Phone 732-905-0755 Fax 732-905-5261

Web Site <http://www.njsfsc.org/>

# **Congressional Testimony on Reauthorization of Striped Bass Bill**

Thursday, May 18, 2000

My name is Thomas Fote. I am here today representing Jersey Coast Anglers Association and New Jersey State Federation of Sportsmen's Clubs. These two organizations are comprised of 150,000 concerned sportsmen and women throughout New Jersey. As their legislative liaison, I speak for the citizens of New Jersey who harvest and consume striped bass from the bays, rivers and the Atlantic Ocean. I would like to thank Congressman Saxton and Pallone for conducting this hearing.

JCAA & NJSFSC believe that Congress should reauthorize the Striped Bass Bill and continue to treat it as separate legislation. This bill was passed because we recognized the importance of striped bass from Maine to North Carolina. Their importance has not diminished and, in some respects, has grown. With the demise of other species due to overfishing, striped bass is even more important for a viable recreational fishing industry. A healthy striped bass stock equates to jobs, salaries and stronger economies for communities throughout the fish's range.

Did the Atlantic States Marine Fisheries Commission, the National Marine Fisheries Service and the Fish and Wildlife Service prematurely declare striped bass a recovered species?

The majority of anglers from all the states on the Atlantic coast believe the fishery is far from recovered. Even with very strict recreational controls along the coast, which have not been relaxed since 1989, the 1999 addendum provides further restrictions. Remember, when the Atlantic States Marine Fisheries Commission voted to open this fishery in 1989 we were allowed two fish at 18 inches in the bays and two fish at 28 inches along the coast. The only reason they can even consider striped bass recovered is because many states have had more restrictive rules in both the producing areas and the ocean. If this fishery is recovered, we should, at the very minimum, implement the size and bag limits proposed and passed in 1989. Anything less is an insult to the anglers of New Jersey.

What should we do about the moratorium on striped bass fishing in the EEZ?

Unlike the management of other species, striped bass management must consider the "game fish status" or "no sale status" imposed by some states within the range. Until other states get as smart as New Jersey, New Hampshire, Maine, Connecticut, Pennsylvania and Washington D.C. and make striped bass a game fish, the opening of the EEZ will continue to present serious management problems. At the present time, anglers have little or no trust in the ability of the National Marine Fisheries Service to manage any species in the EEZ. They are managing scup, summer flounder, blue fin tuna, sharks and yellowfin tuna so poorly that we can think of no reason to give them the opportunity to add another species to their list of failures. The only way we can see to allow striped bass to be caught outside of the three-mile limit is to revise the management rules for striped bass at the federal level and give that responsibility to the individual states. I know this is a complicated process but it would address the concerns of recreational anglers and individual states. Unless you can devise a method to allow individual states to manage this fishery, even in federal waters, we call on Congress to keep the EEZ moratorium in place.

How can we improve the harvest statistics of striped bass?

I find this to be a very interesting question. Although I have some concerns about the Marine Recreational Survey, I do recognize that the survey is not being manipulated by recreational anglers. It is applied fairly across all the states. This recreational survey is not dependent on law enforcement or the honesty of recreational anglers. The sampling techniques take into account poaching and the harvesting of undersized fish. Unfortunately, this is not true of the methods used to collect commercial statistics. There have been numerous reported cases of illegal commercial sale of striped bass in New Jersey and shipment of striped bass from New Jersey to other states for sale in violation of both fisheries and federal interstate commerce laws. It stands to reason that if this is happening and is not reported in the landing statistics in New Jersey, where the commercial harvest is banned by law, we can only imagine what goes unreported in states that have a legal commercial fishery for striped bass.

It is interesting that many states with a legal commercial fishery continue to ask for larger quotas while the statistics suggest they are not filling their current quotas. Have the commercial fishermen learned to manipulate the landing figures to such an extent that they don't even report meeting the current quota?

How can we improve the harvest statistics of striped bass?

Until we spend the necessary funds to guarantee an accurate recording of commercial landings, we will not

have statistics we can rely on. The cost of collecting honest statistics is probably so prohibitive that it would be cheaper to buy out the commercial interests and make striped bass a game fish along the entire coast. There may be state directors and federal bureaucrats who will disagree with my criticism of the statistics. If you want to know the truth, ask any recreational angler or any honest commercial fisherman about their landings.

My main concern is that we frequently change the recreational regulations - quotas, seasons, bag limits and minimum size - so frequently, we never have the opportunity to gauge the impact, positive or negative, of the previous regulations. We are making decisions in 2001 based on regulations put in place in 1999. Those are not the same regulations that will be in place in 2000. This makes no sense at all. We replay this ludicrous cycle over and over again. The statistical data we need generally comes to us after decisions are made and another set of regulations are already in place. I believe Amendment 6 needs to address this problem.

By the middle of May New Jersey will have legislation in place that provides for the same size limits in both our producing areas and the coast. By providing a slot limit we will spread the harvest across a wider range of year classes rather than concentrating on just the older fish. If we could maintain this management regime for more than two years, we could collect statistics that could really show if this is a viable management tool. That would make all future decisions much easier. Every scientist knows that you need to let an experiment work through an entire cycle to test the benefits. This should be addressed in Amendment 6.

When we passed the striped bass "no sale" bill in New Jersey in 1991, many fisheries managers and commercial fishermen said this legislation was unnecessary. They stated that this fishery could be carefully managed for both sectors. I believe the events of the past 10 years prove that JCAA was correct and the fisheries managers and commercial fishermen were in error. Just look at Amendment 6 to the striped bass management plan. Under Amendment 5 ASMFC allowed the commercial fishery along the coast to expand to 70% of their harvest during the base years. In the Chesapeake Bay and Delaware Bay the commercial catch far exceeds the base years while the individual recreational catch is far below the base years. At the same time recreational anglers have maintained the same restrictive limits since 1989. In practice, most individual recreational anglers bring home fewer striped bass for their own consumption than they did in 1989. In order to keep the commercial fishery open we are subsidizing that fishery with millions of dollars at the state and federal level. At the same time, the money available for all research and management continues to shrink. If striped bass were exclusively a recreational species, they would require little or no management at all! We could establish appropriate bag and size limits, maintain these limits for set periods of time and provide the necessary research from recreational tag and release studies. Since commercial landings and commercial discards are seriously underreported, we spend millions of dollars on constant changes in management plans to account for "unexplained mortality". I honestly believe that government spends more in tax dollars to manage the commercial fishery than generates in income to the actual participants. If we look at the statistics for the income generated by the recreational sector, we can see how little we actually spend on management and research.

We are planning three public hearings in New Jersey on Amendment 6. I can guarantee that the consensus in the recreational community will be to make striped bass a game fish along the entire coast. New Jersey's recreational anglers are frustrated and angry. They cannot understand how other states and the federal government can be so blind to their concerns. Until we make striped bass a game fish along the entire coast we will continue to waste money maintaining an inefficient, unsustainable commercial fishery that could easily be replaced through aquaculture, while downplaying the importance of an easily managed,

sustainable, income producing recreational fishery.

Sincerely,  
Thomas P. Fote  
Legislative Chairman JCAA & NJSFSC  
22 Cruiser Court, Toms River NJ, 08753  
732-270-9102 Fax 732-506-6409  
Email <tfote@jcaa.org>

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