

Testimony: Allen Walker
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United States House of Representatives Committee on Resources
Sub-Committee on Fisheries and Oceans
Impacts of Natural Disasters on Louisiana Fisheries

I am pleased to testify on the conditions of the Louisiana Fisheries after the hurricanes of 2005. As you may be aware, I and my colleagues (Steve Kolian and Paul W. Sammarco) have been working on a sustainable fisheries plan that utilizes retired oil and gas platforms and we have discussed the enclosed ideas and I would like to forward some of my observations and suggestions.

I grew up commercial fishing and working charter boats throughout the Gulf of Mexico and can testify that the commercial fishing industry has been on a decline for quite some time - long before the hurricanes of 2005. The commercial fishing industry in the Gulf has been mismanaged at the federal level. At this point, if Louisiana rebuilds its seafood industry without seeking a revision of relevant federal regulations, the fishermen are going to wind up in the same deteriorating situation they were in before Hurricanes Katrina and Rita, which will put the State no further ahead in economic development.

One of the major problems is that the federal government manages finfish species in the Gulf of Mexico as single geographical unit. The ecological differences between Florida and Louisiana are numerous and profound. For instance, 90% of the fish in the Gulf of Mexico are found offshore of Louisiana in an area known as the " Fertile Crescent" (GLOBEC 2000). Fish populations are significantly higher offshore of Louisiana due to several ecological factors. The local nutrient loading, sediments, and the highly reticulated, rugged marsh shore-line create vastly different conditions from those found along Florida's coast and are responsible for the very different suite of species and populations which are supported by each of these sub-regions.

The first suggestion I would like to make is to liberate Louisiana from the Gulf Council. In order to avoid the political winds of the Florida fishery managers, Louisiana will have to segregate itself from the Gulf Council, or the Council will have to regionalize. I cannot overstate the difference between Florida and Louisiana. I can testify that a single model cannot be calibrated to manage Florida, Alabama, Texas, vs. Louisiana. The differences in fish population per unit area are magnitudes greater in Louisiana than in Florida. The headquarters for the Gulf Council and NOAA Fisheries are located in St. Petersburg, Florida, and they appear to be either ignorant of or insensitive to the ecological conditions and management requirements of Louisiana.

Poor federal management is forcing Louisiana commercial fishermen to fish in state waters. In contrast to other Gulf States that have two or three times as many federally licensed vessels, Louisiana only has 1,000 commercial vessels licensed to fish in federal waters. If I recall correctly, there are about 2,300 vessels licensed to commercially harvest in state waters. These are largely composed of shrimp trawlers and oyster luggers. Food finfish compose a small percent of the Louisiana annual harvest.

The effort to re-build or stabilize our coastline will change the salinity regimes in our bays and estuaries and will create an uncertain future for fishing in state waters. Unfortunately, shrimp trawlers and oyster luggers re-suspend sediments as they scrape up fish and shellfish from the bottom along our coast. There will be some displacement of fishing grounds in our effort to restore our coastline, and it would be helpful if these fishermen could fish in Louisiana federal waters.

The federal government must help produce a long-term sustainable fisheries plan for Louisiana. Steve Kolian and Paul W. Sammarco have produced an excellent sustainable fisheries plan that utilizes retired oil and gas platforms called "Mariculture and Other Uses for Offshore Oil and Gas Platforms: Rationale for Retaining Infrastructure", 2005. It is available on the internet. Simply google the title. The key to the plan is to offer new fishing grounds offshore in federal waters. Louisiana is also unique in that it has over \$14 billion worth of artificial reefs in the form of oil and gas platforms. There are 3,600 platforms in federal waters and 2,000 in state waters. There are far more platforms than commercial fishing vessels. If we were able to utilize these platforms for fisheries, there would be more than \$5 million worth of artificial reefs available for each licensed commercial fishing vessels in Louisiana - the largest, best and most dense artificial reef system in the world.

U.S. Fishery regulations are not currently designed to accommodate aquaculture, artificial reefs, or sea farming methods of harvest. The Magnuson-Stevens Act, which is the legislation that authorizes the Gulf Council to manage federal fisheries, was not drafted with mariculture in mind. Fishery regulations were designed for hunter-gatherer methods of harvest, not agrarian methods. Louisiana fishermen could transform themselves from predators to farmers by utilizing the retired structures for mariculture tools.

If the commercial fishermen could transform from predatory methods to agrarian methods, it may be possible to permit the vessels with special aquaculture licenses. Such a designation could exempt them from the Magnuson Act. I am sure

that commercial fishermen would prefer to be treated like farmers than commercial fishermen. At present, unlike farmers, commercial fishermen are treated harshly for violating regulations. Environmental groups demand brutal penalties for transgressors of quotas and size limits. A commercial fisherman possessing an illegal fish can be thrown in jail, his boat confiscated, he can be fined, and lose his fishing license and livelihood.

Farmers, on the other hand, in the course of cultivating their fields, may actually destroy coastal watersheds and kill hundreds of thousands of fish in rivers and bayous; yet they receive land subsidies and tax breaks for their agricultural efforts. This is not to justify any environmental damage incurred; but I think it does point up a difference in approach, attitude, and perspective on the part of government in its regulations. The employees of USDA, NRCS, and State Soil and Water Conservation treat farmers with decency and respect. By comparison, the St Petersburg NMFS office and the Gulf Council distribute a monthly newspaper containing names and violations to humiliate commercial fishermen for trivial violations.

The state artificial reef program is fundamentally flawed. There is no incentive for a State program to manage fish in Federal waters. The State only takes platforms that they receive large sums of cash for and which they do not have to maintain lighted navigational aids. They have a "scrap yard" approach to artificial reef development. Artificial reef sites are chosen because of their proximity to numerous producing platforms. The platforms are reefed in a random manner with no thought about placing them in configurations to maximize mariculture potential or fisheries enhancement. Currently, only 8% of the retiring platforms are being redeployed for artificial reefs. The result is a program that does little to encourage donations, although it is certainly better than nothing. There are simply too many platforms to be managed by the State alone.

The Louisiana Rigs-to-Reefs program is one of the few artificial reef initiatives that actually receives funds to install artificial reefs. The agency that manages this program has been hostile towards marine aquaculture and the utilization of these structures for sea farming. This obstacle needs to be overcome.

There is a critical flaw in our federal policies towards artificial reefs. The federal government encourages states to manage artificial reef programs. Most states install artificial reefs in state waters so that they are managing fishing activities that take place within their jurisdiction. In the Gulf, the larger platforms have to be reefed in federal waters. The state is managing fishing activities in federal waters, which is inappropriate. There is \$14 billion dollars in artificial reef materials in federal waters offshore of Louisiana, while there is only one person administering the artificial reef program in the state. The federal government is currently ignoring this resource and delegating management to the states.

In conclusion, may I suggest that Louisiana segregate itself from the Gulf Council to avoid the political winds of other Gulf states and Gulf-wide regulations. May I recommend that Louisiana offer mariculture permits to commercial fishermen to exempt them from the Magnuson-Stevens Act. I would also recommend that Louisiana direct future fishing activities to offshore mariculture sites. Louisiana fishermen need to evolve into an agrarian fishery and utilize the > \$14 billion worth of mariculture equipment in the form of retired oil and gas platforms already in place.

Thank you for your consideration.

Captain Allen Walker