Event Transcript

WHAT: Classic Roundtable on National Recreational Fishing

WHEN: Wednesday, August 17, 2016
2 p.m. to 4 p.m.

WHERE: Kenai Peninsula College, Room 102, Soldotna

GUESTS: U.S. Senator Lisa Murkowski
U.S. Senator Dan Sullivan

MODERATOR: Mike Nussman, President, American Sportfishing Association

PANELISTS: Jeff Angers, President,
Coastal Conservation Association
Ricky Gease, Executive Director
Kenai River Sportfishing Association
Chris Horton, Fisheries Program Director
Congressional Sportsmen’s Foundation
Chris Macaluso, Center for Marine Fisheries Director
Theodore Roosevelt Conservation Partnership
Jim Martin, West Coast Regional Director
Recreational Fishing Alliance
Andy Mezirow, Council Member
North Pacific Fishery Management Council

Ricky: On behalf of the Kenai River Sportfishing Association, I’d like to
welcome everybody to the Fourth Annual Classic Roundtable on
National Recreational Fishing. I’d like to welcome our honored
guests, Senator Lisa Murkowski and Senator Dan Sullivan.
Moderating today’s panel is Mike Nussman from the American
Sportfishing Association. We have Jim Martin from the Recreational
Fishing Alliance, Jeff Angers from the Center for Coastal
Conservation, Chris Horton from the Congressional Sportsmen’s
Foundation, Andy Mezirow from the North Pacific Fisheries
Management Council. My name is Ricky Gease. I’m the Executive Director of Kenai River Sportfishing Association.

And a person we’d just like to mention who was supposed to be here today is Chris Macaluso from the Theodore Roosevelt Conservation Partnership. You may have heard in the news that there’s extreme flood events down in Southern Louisiana. He was unable to get out of Louisiana and he is probably at this moment still in his boat helping people in his community rescue and be safe from the floods. With that, I’ll pass it over to Mike.

Mike:

Thank you, Ricky. We certainly appreciate it. I can say it’s an honor for me to be back here for my second time and to be part of the Classic and the Classic Roundtable. I can tell you from a guy from the East Coast it’s really special to be here on the Kenai River, to have an opportunity to fish on the Kenai River. I’d just say that for those of you that are from Alaska I think Kenai probably is the, if it’s not the best known fishing river in the world it’s certainly one of the top five and I think from an iconic perspective you’d have to say it’s right up there at number one.

So over the past three roundtables we’ve discussed a variety of things about recreational fishing across the United States. We’ve highlighted the fact that there are over 11 million saltwater anglers that spend somewhere around $26 billion supporting nearly 455,000 American jobs. They generate over $20 billion in income, contributing something like $70 billion in economic impact each and every year.

We’ve highlighted how America’s anglers use their time, talents and treasures to give back to the resource. Each year, they contribute somewhere around $1.5 billion in excise tax on fishing, gear and boat gas and in licenses to enjoy their sport. $1.5 billion in user fees are paid by anglers each year in order to go out and enjoy the activity they enjoy. That’s a pretty significant annuity that keeps renewing itself over and over and one reason we’re invested in it is that money, those monies go to conservation and without that foundation for conservation the United States we know and the aquatic resources we know would be much less.

Back to the Classic, we’ve talked about the Magnuson Act. We talked about saltwater fisheries. We’ve talked about what it was designed to do when it first passed in 1976. We’ve talked about some of the priorities that the recreational community has. We’ve talked about the Morris Deal, Johnny Morris and Scott Deal’s work to bring together some common sense reforms that would push recreation into the modern day in the Magnuson Act, things like, well simple things like reasonable latitude in stock rebuilding timelines, codifying the process for cooperative management between federal and state entities, allocating fisheries based on what is best for the nation not
just a simple history, and a revised approach to saltwater recreational fishery management. That’s really what we’re talking about today.

The last thing we pointed out in that Morris Deal Report was the need for a nationwide recreational, saltwater recreational fishing policy. There really had never been one. Recreation had been managed as an afterthought. I’m pleased to report that NOAA has stepped forward and come out with the first ever strategy for managing recreational fisheries in the future. While it’s not perfect, it’s not the one I think any one of us would’ve written, it’s at least a first step in saying here’s what we’re trying to do from a federal perspective to manage the nation’s recreational fisheries.

As we come together today at the Fourth Annual Roundtable on National Recreational Fishing Policy, we’ve got a bigger coalition that has come and put their shoulder behind the changes we’re talking about. This started out as a fairly small group. Ricky, you of course were instrumental in starting it. We thank you for that. But we’ve added a number of other groups as we’ve come together. And all these groups are now, and I think these are sort of the leading saltwater groups and some freshwater groups across the nation in fishery management from a recreational perspective and they’ve all endorsed these changes.

We think that’s important and we think it’s really important as we begin to talk about the topic for today’s event and that is alternative management. When you say alternative management you think it’s alternative to what and that maybe is a good question. It sort of sounds like alternative medicine and I’m pretty sure it’s not. It really is when we speak of alternative management we’re talking of management that’s been used in recreational fisheries by state agencies for years and years and years and so it’s really not alternative to recreation; it’s alternative to the way the Magnuson Act has worked in the past. So it’s not necessarily the way the Magnuson Act has saw the world.

Of course, the Magnuson Act when it was drafted and as it’s been amended has been primarily focused on commercial fisheries. When we look at saltwater fisheries around this nation we find that about 98 percent of all the finfish that are harvested in saltwaters are harvested commercially. So it’s pretty easy to understand why a statute who is charged with managing marine fisheries would focus on commercial fishing. Ninety-eight percent of the catch is commercial.

Now the interesting part is the other two percent is called recreational and that other two percent, while it is the tail, there’s no question it also is important because it provides a ton of jobs. It provides about the same number of jobs as the 98 percent provides if we look all the
way across the country. So that’s why we think alternative management is important.

Today, what we’re going to do is we’re going to first define what alternative management is. We’re going to then describe some places it’s been used across the country, where it’s been used successfully. Then we’re going to try and talk a little bit about where it could be used. How could it be used in the future in more of a saltwater federal setting? And if we can do those three things, we’ll consider ourselves very, very lucky.

So with that said, I’ll just say it’s a pleasure to be here. It’s a pleasure. Alaska is per capita the fishingest state in the nation. I don’t know if you know that. But 40 percent of the residents of this state have fishing licenses, 40 percent. Nobody, no other state even comes close. Now that’s a pretty amazing number. But for a guy like me that flies all the way across the country usually once a year and spends tons of money and sits in those cramped airline seats and gets up here and goes out and sees the quality of fishing in Alaska, I have to say what are those other 60 percent doing? Because I really have to wonder. It’s shocking to me that only 40 percent -- although 40 percent is a great number and I congratulate the state on having such an outdoor-oriented and outdoor-focused populace.

So with that, Senators, I would be happy to turn it to you and hear your comments, please. The senior Senator, let me introduce her for a second. I’m supposed to do that. I’ve got some notes here.

Senator Lisa Murkowski is the first Alaska-born senator and the only sixth US senator to serve the state. She is a third generation Alaskan born in Ketchikan and raised in towns all across the state including Juneau, Fairbanks and Anchorage. Senator Murkowski is the Chair of the Committee on Energy and Natural Resources and also serves as Chair of the Interior Appropriations Subcommittee. So with that, Senator, please, we’d love to hear from you.

Sen. Murkowski: Thanks for the opportunity to be back before the Roundtable again. Appreciate the chance to visit with so many of you, not only within this panel but over the next day-and-a-half here at the Classic. So thank you for this opportunity.

And I don’t know, Mike. I’m listening to your statistic about the 40 percent and I too wonder what the other 60 percent do. But I just turned to Dan here and I said, "That’s no good. We’ve got to get that number up."

Sen. Sullivan: They’re eating the fish.
Sen. Murkowski: Those are the ones eating the fish. But I am doing my part, hopefully, to increase those numbers so that we see more Alaskans not only enjoy the benefits of great, healthy seafood, but what comes with fishing. And when we think about families that get out on the river or get out on the ocean together, it’s certainly a significant part of my upbringing. It’s certainly a very significant part of our family’s life and what our boys have been exposed to.

So just last week, a week ago Ricky and many of the others in this room were gathered together for the Kenai Kids Classic where we introduce kids to fishing. And I think the kids could care less if what they have is a pink or a silver or a king. What they want is to get out on the river fishing. And it’s those kinds of things that I think really do make the difference.

For our out of town guests, you may not know but I’ve been somewhat preoccupied over the past five weeks since we took a break in Washington, DC. I’ve been campaigning all over the state and I’ve been everywhere from the North Slope to the Southwest, to the Southeast. The only place I haven’t hit so far is the Aleutians. And there’s a lot of different issues around the state but I can tell you that there is one common theme and it’s fish.

When you’re on the Yukon River, you’re wondering what the escapement of the kinds is going to be, whether -- how many fish are going to make it over into Canada to satisfy that treaty, the people in the Yukon are feeling pretty good right now about the fisheries but the people on the Akusko (?) are not satisfied with where they are. I was down in Southeast last week. The sportfishing is fabulous. The commercial fishing is not so fabulous. It is an issue that we talk about not only from an economic perspective and what it brings to us as a state, but again the fun, the joy that fisheries brings.

I was down here on the Peninsula several weeks back on a 75 degree day walking the beach in North Kenai as families from all over the state were out there with dip nets in the water. If you’ve never seen a wader sunburn, think about this. It’s so hot people aren’t wearing shirts. They’re just wearing their neoprene waders. And when you take down those wide straps of your waders and you have that big square there it’s a very interesting sunburn. Only in Alaska can you experience this. But it’s a reminder to me that whether it’s dip netting, a very unique fisheries to us here in Alaska, whether it’s the sportfishing in the saltwater that I enjoyed down in Prince of Wales last week, whether it’s the fish camp that I visited on the Yukon from a subsistence perspective and how those families provide for their family, or whether it’s the commercial fisheries.

This is the first year in eight years now that I haven’t had one son or another on a commercial fishing vessel basically making money to
put themselves through school, working hard in an industry that I think we recognize. When we talk about management, it’s not just managing for one sector. It is making sure that from the commercial side, from the sport side, from the subsistence side that we manage in a way that allows for the opportunities for all Alaskans.

So this is a big challenge for us but one that I think for me is something that I live. So when people ask me, "Gosh, you’re always talking about fish," whether it’s fighting against frankenfish or making sure that we’ve got enough in the budget for fisheries management issues, gaining the resources for NOAA within its budget so that we understand our research and our data and our assessments, "You’re always talking about fish." And that is true, because for Alaskans so much of our world revolves around fish. I always remind my colleagues back east that statehood for Alaska was about our fisheries. It was about management of our fisheries. So it’s a pretty integral part of our life.

I’d like to just give you a quick update with my few minutes remaining about some of the things that we’re doing back in Washington, DC that really do help focus on the fisheries. I mentioned funding for our fisheries research to better understand what’s going on, whether it’s with stock assessments, working with NOAA to make sure that they have appropriate resources there. But we’ve been working pretty aggressively and I really appreciate the Angler Coalition. It was good to look at the various interests that have come together on some of these issues.

But we have introduced a bipartisan sportsmen’s package as part of the energy bill. You might think that it’s not a natural connection but the energy jurisdiction is pretty broad. And so what we have included is a series of measures that provide for enhanced opportunity for sport and recreational communities. We’ve got language that includes an open unless closed policy. Right now, within certain agencies, whether it’s BLM or Forest Service, Lands and Waters, you effectively have this policy that says this is going to be off limits. We also include a measure that relates to the National Fish Habitat Board to essentially promote conservation, establish goals and priorities, designate partnerships, review and recommend aquatic habitat protections. There’s a 50 percent non-federal cost share of $7.2 million for approved federal habitat conservation projects, measures like this that I think we recognize will help advance the initiatives as we’re looking to ensure that there is a level of appropriate conservation, management, really helping to facilitate so much of what happens within our sportfishing.

We’ve also got the provision that exempt components of sportfishing equipment from regulation under TOSCA by the EPA. We’ve got funds from Land and Water conservation funds that will be allocated
for priority projects to secure hunting and fishing habitat and grounds. So it’s a big package included in an even bigger package within the energy bill. We’re in conference right now with the House on this. When we get back the first week in September the conference will be sitting down for the first time to kind of walk through where we are with the tougher issues. But I can report at this point in time that we’re making good progress, good headway on that.

I’ve been told "You’re crazy, Lisa," to think that in a political year you can get a substantive energy reform bill through the process and signed into law. This bill has been dead so many times or written off for dead so many times. I’m prepared to say the skeptics don’t know what it is that we can’t do. We’re going to go ahead. We’re going to keep pushing this. And my goal is to make sure that this energy bill not only is signed into law but carrying with it the strong provisions as they relate to our sportsmen’s measures.

So I’ll look forward to the conversation that the panel has to present and to be able to visit with not only the panelists but many of you here over the next day-and-a-half. Last year, I didn’t get to go fishing. Tomorrow morning, I’ve got my license in my back pocket, ready to go.

Mike: Senator, thank you. Thank you so much for those comments. And certainly thank you for all the support on the Sportsmen’s Act. That’s something that many of us on the table have worked hard with your staff on and with you. So we appreciate. This has been a long slog. We hopefully get it across the finish line and just say thanks for that.

Let me know introduce Senator Dan Sullivan. Senator Sullivan was sworn in last year as Alaska’s eighth US Senator. He serves on four Senate committees that are important to Alaska, the Commerce, Science, Transportation, Armed Services, Environment Committee and Veterans Affairs. Prior to his election to the US Senate, Senator Sullivan served as Alaska’s Attorney General and Commissioner to the Alaska Department of Natural Resources. He has a distinguished record of military and national security service and currently serves as a Lieutenant Colonel in the US Marine Corps Reserves. Senator Sullivan, please.

Sen. Sullivan: Well, thanks, Mike, and I want to thank everybody for inviting Senator Murkowski and myself here. We’ve been looking forward to this for quite some time. As Lisa mentioned, I think it’s safe to say that in the summer we’re all getting out fishing. I won’t name all the different hotspots that I’ve been in the past few months but I will mention that I was here just a week ago on the Kenai as part of the Wounded Heroes program in its tenth year and General Hamilton is a key part of that. But really, the guides, the fishing guides on the river, when you think about what they do two days, the gas, the seats that
they’re giving up, it’s literally probably tens of thousands of dollars donated to these young men and women who have served their country, many of whom were Purple Heart recipients. And so I was out here fishing with them just last week. And I won’t tell you where we were fishing because we were just slaying it. So it’s kind of a secret.

But it was great and I do want to thank the VFW members who were here and did the Honor Guard for the colors. I think it’s such a great tradition in Alaska that we have in terms of our high number of vets and the community coming out and supporting the veterans. And we see it on the Kenai in a huge way and I was really happy to be part of that last week and I want to thank everybody who did that, participated in that. It’s a huge deal.

Look, I know I’m really excited here just to listen. I mean I’m really proud to be sitting next to here with my colleague, who I know I’m not supposed to get into politics, but had a really big victory last night. And as politicians a lot of times we come to these events and we talk a lot. And my goal is to actually not talk much at all but to listen and hear from all of you.

I think the points that have already been made about the numbers in the recreational fishing community as reported by NOAA in Alaska, thousands and thousands of jobs, hundreds of millions of dollars. And I know nationwide it’s an enormous number. And I think a lot of times, and I’d like your view on it, still probably underreported in terms of the numbers.

And just to give you a sense of how we work together, when I came into the Senate a year-and-a-half ago, Senator Murkowski and I sat down and literally looked at her committee assignments and decided together what we thought would be really good for my committee assignments. And one of them was the Commerce Committee, which has oversight in terms of our nation’s fisheries. One of them was Environment and Public Works Committee, which also plays an important role. There’s a subcommittee for Fisheries, Waters and Wildlife, which I chair. The other was Veterans Affairs and Armed Services.

And I literally ended up going and I know Lisa was very helpful in this, I literally went to the leader of the Senate or the new leader, Majority Leader, and told him, "Look, I know Commerce is really, really a popular and hard to get on committee for a freshman but I have to be on that committee. I have to be on that committee because..." and I told him it’s because of fisheries. I said, "I have more people in my state involved in our fisheries, recreational sport, charter, commercial, than any other industry and it’s absolutely positively critical and I made a commitment as a candidate that I
would do this." And I was able to get on that. As a matter of fact, those committees I just mentioned, I was able to get on those, four for four on my first choices. And you guys know Senator Murkowski is the Chair of Energy and Natural Resources, Appropriations, Indian Affairs, the Health Committee and it was kind of mentioned after the committees got published for the new freshman and the committees came out, they were -- they kind of came back like how do you Alaskans do this every year? Because these are really good committees for our state. And we, so we try to really have it covered. And so, but we knew how important having jurisdictional control and oversight of the key committees involving our country and our nation’s and Alaska’s fisheries and we do have that covered.

I also just want to mention because I’ve been looking into it, as you can imagine given how important these issues are I spend a ton of my time with my staff. Elaina Spraker is here, who runs my Kenai office. I’m sure all of you know Elaina. If you don’t, stand by. She’s great. Erik Elam, who I hope is listening in somehow, someway, but where we meet with all the different stakeholders, both in our state and nationally, but we’re also very much interested in and appreciative of the work that you’re doing here.

So, for example, the Morris Deal Commission work, I know Ricky worked on that extensively. I’m really interested. You mentioned, Mike, about NOAA’s national saltwater recreational fisheries policy. You mentioned, hey, that was kind of a milestone in terms of how that came out, but what elements you think are good, what elements you don’t think are good. We’ve been holding hearings on the MSA reauthorization. You may have seen, I’m sure you saw in the House that there was a reauthorization bill passed by Congressman Young and we know there were some provisions in there that you were interested in.

I’d be very interested in hearing what you thought of the House version of that because we’re certainly going to continue to be looking at that. And from my perspective as someone who is very focused on these issues, as Lisa mentioned, in different ways my family, my wife’s family, some of you might know has had a fish camp upon the Yukon for generations literally and all the other areas -- which fisheries impact our lives here in Alaska but across the country. What I’ve been trying to do like Senator Murkowski mentioned is make sure that the data and the science is very, very, very well-funded and that we can use that not to have politicians necessarily make allocation decisions and those kinds of things but to make sure that we continue to have the best managed fisheries probably in the world.

And I know Andy is a member of the North Pacific Fisheries Council. I mean again it’s not as if there’s not controversy with some of these
issues. But I think that people see that the essence of the MSA in setting up the council process was to have decisions made by experts, not necessarily politicians.

And so, that’s kind of the way I view a lot of this. But I really appreciate you, your leadership in pulling these issues together and I’m really looking forward to learning, listening today as we discuss these important issues for the state but also for the country. Thanks very much.

Mike: Senator, thank you. Thank you so very much for those comments. With that, I’m going to move right into our program. We’re talking, as I mentioned earlier, about alternative management and explaining why it is such an important solution from our perspective, from the recreational perspective for some of our saltwater woes.

I’m first in just a moment going to turn to Jeff Angers and he is going to sort of define alternative management. And as I finish that, Chris Horton will then give us an example or two of where alternative management has been used. And then we’ll move on to some successful uses out in other places of alternative management. So that’s really what we’re doing. We’ve built a little bit of question and answer. And certainly, Senators, if something gets stated and you’ve got a question, please raise it. The audience, we’re going to ask you to hold them a little bit more but we’ll make sure we have some time for questions.

So with that, Mr. Angers, please if you would, walk us through the idea of alternative management.

Jeff: Yes, thank you. Senator Murkowski, you noted earlier that statehood was about fisheries and Senator Sullivan, you just said what we say so often, the best managed fisheries in the world are here in Alaska. We hope that the management techniques and the management skills that you enjoy here in Alaska can be exported to the other 49 states. It is hard to believe when you live here with the amazing data, the amazing systems, the amazing science but so many of us in the rest of the country don’t yet enjoy some of those exact same systems and many of the techniques that we talk about today are techniques that are in use in different jurisdictions that we hope to be able to share between the states and between the regions.

So my task has been to answer exactly what is alternative management so we have a good basis from which to begin. Alternative management techniques are tools in the fishery management toolbox that work in other jurisdictions. These concepts are alternatives in the frame of some federal fisheries management approaches, especially those where councils are required to manage recreational fishing to a hard quota. They’re not ideas that we’ve
invented out of thin air but rather they are management techniques that are currently being used by state fisheries managers on inland and coastal fisheries, by regional management commissions, and by federal game managers. They are potentially a better fit for recreational fishing than the current system that continues to tweak and distort management models that were invented for commercial fishing.

Recreational and commercial fishing are fundamentally different activities and they should be managed differently and managers in different parts of the country are using different techniques to pursue that management. Alternative management approaches can provide options, tools in the toolbox, to allow federal management to be tailored to specific fisheries and can be practical and reflective of the nature of recreational fishing. They’re approaches that emphasize conservation while helping managers provide more consistent access to economically and culturally vital fishery stocks.

So why do we need to have a roundtable to discuss alternative management? Why do we need a different approach? And frankly, it’s because the current approach isn’t working all that well. In trying to squeeze recreational fishing into a management model not designed for recreational fishing, federal managers are being forced to do a lot of guessing. They guess at how many anglers are targeting a certain fish. They guess at how many fish will be caught in short periods of time using data collection methods that were never intended to determine that. They are using data that’s supposed to show long-term trends in fisheries’ harvests to manage seasons that last only a few days.

Right now, the federal government approach focuses a lot more on managing and restricting access to America’s public resources rather than looking at how fishing access is affected by the stock. The challenge really of fisheries management and a gauge of success for our conversation today is achieving the appropriate balance between conservation goals, angler satisfaction and the recreational fishing industry.

In many fisheries, the Magnuson Stevens Act does not achieve this balance and recreational anglers are deprived of access and opportunity and our industry really doesn’t perform to its potential. This has negative social and economic impacts. Alternative management measures in the recreational sector aim to better strike that balance.

The country is replete with effective tools in its toolbox that the federal government refuses to use to manage recreational fishing. One of the six guideposts set forth in the Morris Deal Commission was to ask the federal government to look at alternative management...
measures for federal fisheries managers to see how other successful fisheries managers in the states and in the commissions and in federal -- and in the Department of the Interior are currently using many of these models. This is what our roundtable is about today.

Alternative management for the recreational sector really has the potential to create stability, to afford growth and maximize recreational opportunities while achieving long-term conservation goals. And I think it would be wonderful if everyone involved in management actually worked toward a system that was working well and maybe that would give managers the opportunity to focus on science and good policy and management rather than constant, unnecessary user conflicts and worrying about where the next lawsuit is going to come from.

We know, Senators, that it is very likely in the coming Congress that the Congress will turn its attention to a reauthorization of the Magnuson Act now overdue. We pledge to work with you to try to incorporate the ideas that you like into this conversation. We think you’ll see today that these ideas work and your colleagues from other states can confirm that they work in their states and that they are indeed tools in the toolbox that can and should be shared through the statute.

Mike: Jeffrey, thank you. Let me clarify one point as I’m listening today, Senators and audience. I don’t think anyone here is going to argue that the Magnuson Act has failed. From a biological perspective the Magnuson Act has been remarkably successful. We’ve got the best marine fishery management in the world. Forget that. We’ve got the best fishery management in the world as a country.

What we’re -- the concern you’re hearing is not the biological piece. It’s the social piece. It’s, okay, once we’ve got the fish populations back where we want them, how do we catch them, how do we manage success. So that’s where alternative management gets. With that, Chris, if I could turn to you. could you give us some examples? I’d like to hear some examples of where we see this work.

Chris: Thanks, Mike. Well, let me give you a little bit of background of kind of where we are with these examples I’m going to give you. As the Morris Deal Commission Report, one of the six goals as Mike and Jeff just mentioned was looking at alternative management.

Well, just what is alternative management? What are we talking about there? So TRCP, ASA and the Coalition got together and started, had a series of workshops this year. The first workshop was in Tampa and it was the technical workshop. It included state fisheries biologists, academia fisheries professors from around the country, council members from around the country and recreational fishing groups to
get together in a room and look at all the(9,9),(995,992) science that’s out there, what are the examples out there and how could we adapt some of these potentially for marine fisheries management. The US Fish and Wildlife Service, their water fowl biologist was also there to talk to us about it.

But the goal of that workshop and the second workshop which was more of a policy-oriented workshop in DC with Hill staff and some environment organizations to present some of the ideas that had come forth from this workshop, but the goal of both of those were to identify where federal management is not working well, identify the alternative management approaches that might work better and consider potential regulatory changes that might be needed to achieve the proposed management changes. I won’t go into everything that came out of those workshops and actually a report is in development right now and should be ready in the next couple of months as to everything that resulted from those and the next steps. But I do want to touch on a few of those that kind of rose to the top.

The first one is managing for harvest rate. This is the one that anglers are most accustomed to because it’s primarily the way that fisheries are managed inland and in coastal fisheries and state waters around the country. And basically it’s instead of a hard poundage quota where you’re trying to guess at the number of fish that you can harvest each year and manage to a season, get there, you set a basic -- you set a harvest rate, a maximum amount of harvest because there’s a certain percentage of the population that you can remove each year and the fishery does fine. It continues to be stable or rebuild, depending on where that percentage is set.

But in order to set that mortality percentage, that total mortality, you need to know a little bit more about the fishery. You need to look at fishery independent data as much as you do fishery dependent data. Rather than what’s landing on the dock this year and trying to predict what’s going to happen next year, let’s look at the fishery population today. What’s it doing? How is it responding to our management? But essentially mortality based or harvest rate management better fits our current recreational angler data system, which is MRIP, which is more for a long-term look at fisheries. And we’ll talk about that a little bit more in just a minute.

That’s kind of management for harvest rate in a nutshell. The next one is spatial management. In fisheries that have high abundance or potentially bear trauma where season’s links are sometimes arbitrarily short is it possible to look instead of time or temporal, look at spatial management, look at instead of managing for seasons, maybe managing for an area. This was actually an idea that Dr. Bob Shipp of Southern Alabama University came up with several years ago when he was actually Chairman of the Gulf Council looking at
red snapper. But it didn’t get much play back then but we had a 180
day recreational red snapper season. And now we’re at nine days and
everybody’s trying to think outside the box. And Dr. Shipp threw this
idea out at this meeting and everybody just latched onto it. It’s like
where you been? And he said, "I proposed this ten years ago."

But basically he’s the foremost authority on refish fisheries in the
Gulf of Mexico and he said that red snapper are commonly found
from 20 fathoms to 600 fathoms. What if we took -- or excuse me, 300
fathoms, 600 feet. Based on our research I think we could set the
season at six months and set it at he said 50 fathoms and just let it ride
and then come back and see how it’s responding because you do two
things whenever you move it inside. And we’re thinking more 20 to
25 fathoms is what the NOAA Fisheries officials were at the
workshop seemed to think that might actually work and maybe even
under the current quota system, because what you’re doing is you’re
taking fish that were caught out of deeper waters. You have a lot of
post-release mortality factored into the overall quota. You force them
into within 150-125 feet, well that bear trauma rate goes way down.

So you shift some of that harvest to in-shore and can spread out the
season a little bit longer. Plus, you’re protecting 75 percent probably
of the stock that can replenish those areas over time. So it’s a concept
that makes a lot of sense.

The next one is harvest tags. This one obviously comes up often.
Some environmental groups certainly in the Gulf would like to see
harvest tags as the way to go for the recreational angling community.
But harvest tags, I mean you think about it’s often mentioned that
they do this for wildlife management. Well, they do for big game like
elk and trophy moose where you have a very limited population but
you have a lot of folks trying to harvest those animals. But those
animals are long-lived, very low fecund. They’re not the same as
rabbits or ducks and we don’t have tags for rabbits or ducks. Those
are more applicable to most of the fishery species that are popular
with recreational anglers.

I’m not saying tags are completely out because when you think about
compare it to wildlife management to fisheries management, there
may actually be some fisheries that we could think about using
harvest tags for. And there is an example of one in Florida with the
tarpon, tarpon tags, a very limited harvest. But another down there is
the goliath grouper that has responded tremendously well and they’re
everywhere now, on every reef. You think a shark’s bad, you should
swim up to a goliath grouper that looks like a Volkswagen. It’s
intimidating, I promise you. But they’re abundant enough now that
maybe we should consider having a limited harvest, kind of like a
trophy elk tag but have it for goliath grouper. So there may be some
instances where tags work.
The other thing about using tags on a really broad fishery where you have a lot of participants is how do you even administer it? If it’s a federal fishery shouldn’t it -- the state certainly can’t administer the draw because it’s a federal fishery so it belongs to everybody in the United States. We should all have an opportunity to draw for that tag if we want to. So when we start getting into the fundamentals of how a tag system would actually work it starts to get really difficult to manage. The states don’t want it and at least in the Gulf Council Southeastern Office of NOAA doesn’t want it either.

The next one is just improved angler harvest data. How can we continue to improve angler harvest data? Because MRIP itself is a really good program for what it was designed to do. It’s designed to measure fisheries or fishing effort for multiple species across the country but on a long-term basis. On a short or rare event fishery like red snapper, it simply cannot do the job it needs for in-season closures or to get an accurate estimate. And I’ll give you an example.

Last year, in 2015, at the end of the nine day federal season, the MRIP program had estimated that Mississippi’s recreational anglers had landed zero red snapper whereas literally 50 miles down the coastline to the State of Alabama, MRIP had estimated that they had landed 2.3 million pounds. These are states right next door, about the same amount of effort during the federal season. So MRIP is a good program. I’m not cutting it down because it’s come a long ways from MERFs(?) and it’s improving even better still. But it’s better suited for like mortality-based management or long-term management.

Because MRIP was not good enough for red snapper management in the Gulf States, all five Gulf States developed their own refish data sampling programs and they’ve proven to be highly effective. They’re spending -- they’re getting a much better accurate estimate because they’re encountering their anglers more often and more frequently. They’re putting more effort there.

The other thing that we want to look at how we improve angler harvest data is to look at new technologies like iSnapper and some of the other programs. But the key to that is getting, number one, compliance from the anglers, and, number two, acceptance into the stock assessment so it would actually help.

The next one is recruitment-based management. Again, abrupt in-season closures are just so frustrating, both for fisheries managers and for the anglers. But when fishing effort and angling effort go up, naturally -- or as the population goes up, naturally angling effort’s going to go up. But relative to the overall mortality, does it really matter? I mean if your total mortality is staying the same even though your effort went up, if you had an index of abundance to know how
many fish were coming into that population each year and if you knew that you were going to have more fish in the population, you could expect more fishermen to catch more fish.

So if you had a population that was based on some projection or quota was about to be reached, yet anglers were just encountering more fish and you had some index of abundance for that year or the year before that said they’re going to catch more fish next year, regardless of what the guess on the quota says, they’re going to catch more fish because more are coming into the fishery. How about let’s let the season finish out its two weeks and then let’s look and evaluate where we are. But I bet because we had this index of abundance of recruitment coming into the fishery that we can let it ride a little bit longer and try to avoid some of these in-season closures.

But we need some index of abundance, something. Ideally, it would be fishery-independent data. But that could be costly. But some of the scientists in the room in that first workshop thought there may be some surrogate out there. There may be some specific lure sell(?) that is an indicator of abundance because anglers are going out and fishing more because they’re catching more fish and they tell their buddies and they go again and you’ve got to use this lure. Or it could be something like boat trailers, boats and trailers at the ramps. And I know this has been used in Washington and Oregon as an index of abundance before on other things.

Next one is or the final one I guess is release mortality reduction. The key here is there’s been some really neat devices developed. I mean when you challenge the industry to come up with something to be able to get fish back down, they can come up with some neat devices rather than puncturing the swim bladder and the equalizer or Sequelizer(?) is one of those. But the catch-22 is to be able to get more days fishing you’ve got to be able to demonstrate that you can put more fish back down alive using these devices. But if anglers don’t see the benefit as far as more days to their season, they don’t have an incentive to really do it. So figuring out how to get credit at the Council and the fishery management plan on the quota level to encourage anglers to do so.

The other thing is we’ve got, I mean we’re the land of innovation. If you give them a big enough challenge I bet the industry can come up with it, just like they did the sequelizer. But are there ways or are there methods of fishing or tackle or gear that we can target specific species? And I’m talking about for bear trauma reduction purposes here primarily. But is there a way that we can target, use fishing gear that only catches certain fish species and not the other so that we don’t have that non-target fish mortality like the red snapper in the South Atlantic where we can’t even have a season because the…
But anyway, that was just kind of a snapshot of some of the things that we talked about as ways to improve recreational fisheries management at the federal level. A couple of others were intersector trading, refish seasons in the Southeast and another subject that Andy’s going to talk about here in just a minute, compensatory allocation. But anyway, like I said, the report will be coming out in hopefully within the next couple months to kind of give some more guidance on what we’re thinking there and how we can better improve recreational fisheries management. Mike?

Mike: Chris, thank you. Thank you so much. Let me turn. Have any panel that we’ve been through sort of a what is alternative management and some examples of problem areas that it could solve, different approaches, are there questions or thoughts on any of these? Chris, any example you think of out there that has been left out?

Chris: Well, I can kind of give you my example from I used to -- I started my career as a research biologist and then a black bass biologist for a state game and fish agency in the Southeast. Of course, black bass are -- I know I’m in Alaska but still, according to the Fish and Wildlife Service they’re the number one salt sport fish species in the United States. So it was kind of a big deal for our state.

But we didn’t -- we would never dream of trying to guess at how many pounds of bass were in a particular lake or reservoir. It just, it made no sense to do it because it changes every year and we’d never be all that accurate and we’d have to spend an inordinate amount of time and resources trying to get that number. We basically knew that for bass you don’t even see a population change until you start hitting 22-25 percent exploitation or fishing related mortality. At that point or higher, well then we need to adjust our regulations because something has happened to the population.

But we didn’t go in and constantly look at that mortality rate because we monitored our populations yearly. We knew what was going on in that population and when it went up and down we didn’t necessarily react right away because it could’ve been environment. And if it wasn’t environment, then we’d go in and do what’s called a tag reward study where we’d tag a bunch of fish and we’d know exactly how many fish were being removed from that population within a year. And if the harvest rate was high enough then we’d just adjust fishing regulations. But basically you know about where your mortality rate needs to put and you put regulations on it and let it ride.

Mike: Well, so...

Sen. Sullivan: Mike, can I ask a question?

Mike: Please?
Sen. Sullivan: Is that all right just to jump in here?

Mike: Sure, please.

Mike: So Chris, you mentioned a number of times the red snapper and...

Chris: I’m sorry. I’m from the South and that’s our problem(?)

Sen. Sullivan: Well, look, we hear about it a lot, quite a lot.

Sen. Murkowski: All the time.

Sen. Sullivan: And I’ve read about it and I’ve tried to understand. Would you mind in your view being a biologist from that region explain what happened there and what kind of management system malfunction or whatever; whatever the story is, it’s not a good story. And what happened and how does that relate to any of the broader topics that we’re talking about? I just want to know because we hear about it all the time and I don’t fully understand if that was state management that was kind of led to some of the challenges or the lack of coordination between the states or...

Mike: Chris, before I let you answer that question without red snapper as an incentive, I’m sure some of us wouldn’t be here. So we’re trying to avoid future red snappers. So with that said, please, Chris, go right ahead and talk about it. But it is sort of our poster child of how it didn’t work well and how we want it to work better in the future.

Chris: Yes, it really is. And Jeff can chime in because he was a part of it a lot longer than I have been. The best, the easiest way to explain it, because there’s a long history here with red snapper that’s been around for a while. But the easiest way to explain it is that with the hard pound quota that we have and as the fish population is rebounding so rapidly and growing so large so fast that we’re predicted to reach our quota because we have a 9 or 8.5 pound average fish now whereas just five or six years ago the average size, average pounds of a fish was around 5 pounds essentially. So we’re predicted to reach our quota quickly.

Now some will say, well, that’s because the states have extended seasons and that’s driving your time down. But even if we had compliant seasons, I don’t think it would be more than -- and don’t quote me on this but it’s somewhere around 20 days or 25 days, something like that just because we just encounter the fish so much because you cannot get a lure down to another species on a reef in Florida. I fished Alabama three weeks ago and I could not get a hook down to another fish species besides red snapper, which was fine because the season was open with a 9 mile extension and I was 8.75
miles from shore and I caught -- this was 31 days after the season was open and I caught a 20-plus pound red snapper.

Right there this sort of supports this whole fathom idea that Dr. Shipp has had because after 31 days, I had boats on the left, boats on the right, and still caught a trophy red snapper right there on a public artificial reef. So they're replenishing from that nine mile boundary.

But as far as, and Jeff, I’ll let you chime in here because you’ve got a little bit more history with the red snapper issue than I have, but it’s the hard poundage quota and the requirement in Magnuson 407-D that requires the season to be closed whenever the recreational sector or the commercial sector meets their quota. And because they have to stick to that quota, they have to make sure they shorten the season so they don’t go over, because we’ve been over a couple times and NEBS(?) was sued for that. So now we have to go back to the hard poundage quota plus put in a big buffer, 20 percent, to make sure that we don’t go over that. And that’s where our nine days is because we can’t.

But even with if we took the buffer out we’re still only looking at 15 or 17 days just because that’s the illogical part of it is there’s so many fish and the average size is so big and when you have so many people going for them that it’s just going -- we can’t get any longer than nine days. And even if all the states were in compliance we couldn’t get there. The states don’t want to be compliant because they have anglers saying how in the world can we have a 9 day or 10 day or 15 day season when this is the most red snapper we’ve ever seen in our entire lifetime on these reefs?

Jeff: So I’ll try to give you just a two minute overview because I know we’ve got several things to hit. But I think red snapper is the classic example of a failure, of the failure of federal fisheries management. Chris is right. There’s a special section of the Magnuson Stevens Act that deals with red snapper. It was inserted as the very last section. It is treated uniquely. There is no other fishery in the country that is treated like red snapper is treated. And where there are a few hundred commercial harvesters that are taking an individual transferable quota, there are 3.5 million recreational anglers who are wondering why is it that I can’t get my hook past the red snapper to get to the mangrove snapper or the vermillion snapper or to the grouper or any of the other 35 fish in the snapper grouper complex because red snapper have overrun their regions. And we have a strict management system that allows no latitude whatsoever.

It is counterintuitive when you have anglers encountering the critter that they can’t catch every time they drop a line. And the way that the agency and the regional office have handled the challenges has been exacerbated by some of the environmental organizations pushing their
particular agenda and their goal that the oceans be managed in an orderly aquarium-like way. And we as recreational anglers aren’t really orderly. There’s millions of us and we fish all kinds of different ways and we land our fish at all kinds of different camps and boats and beaches and everything else. And we’re not as orderly as the agency would have us be.

The statute is more tightly written for red snapper than for any other critter out there. What’s the solution for red snapper? Several of the modest suggestions that we’ve gone through this afternoon on alternative management would I think ease a lot of the tension and I think could potentially bring the user groups together.

I want to back up for just a second as Chris spoke about bass management. Bass, black bass, very popular freshwater fishery. But they’re managed by state managers and what -- the management techniques that are used by our willing partners in conservation, the state fish and game managers are those exact same techniques that are used by marine fisheries managers in state agencies, whether it’s speckled trout or flounder or red fish or black drum or sheepshead, all the different fishery management plans that the individual states pursue, they follow these principles. They follow the exact principles that Chris was describing on bass, that is focusing on access and giving anglers the opportunity to access a public resource. That’s not what our federal system is doing as it tries to cram a model that was invented to manage the commercial industry in managing the recreational industry. Mike?

Mike: Senator, we’ll never answer that question today or tomorrow or the next day. It’s a very -- red snapper are not only complicated, lots of things have gone wrong. We’ll certainly take a further shot at it. But today I’m going to take us back to alternative management because what we’re trying to do is avoid going down that -- avoid that train wreck next time. So that’s what the whole purpose is here.

If I could now, Jim Martin from RFA is going to talk about striped bass, Atlantic striped bass, a fishery that is a good example of alternative management. Jim, please.

Jim: Thanks, Mike. Yeah, Atlantic striped bass is an example of a fish that’s important recreationally and commercially but managed outside the Magnuson Stevens Act. And as I look up at the audience, you all look real smart but I wonder if everybody knows what Magnuson Stevens is and it’s kind of like the federal constitution is on how -- it sets up the rules for how we manage our fisheries.

So it’s actually striped bass on the East Coast are managed through the Atlantic States Marine Fisheries Commission and it’s an interstate commission established in 1942 through an act of Congress. The work
of the commission is outlined through the Atlantic Coastal Fisheries Cooperative Management Act, not Magnuson Stevens. The act maintains or mandates that the commission shall establish and enforce fishery management plans for the 25 stocks and/or stock complexes under its jurisdiction. The act continues to state that such plans promote the conservation of fish stocks throughout their ranges and are based on the best scientific information available.

The wording of the act is far less explicit relative to Magnuson, thus providing the commission reasonable discretion in regards to the preferred management approach. The act does not specify set rebuilding timeframes or the use of annual catch limits. Under this approach, striped bass was rebuilt from near collapse in the 1980s to historic high levels in the 2000s.

This significant conservation achievement was carried out through the use of fishing mortality rate targets and the absence of a rigid rebuilding timeframe and annual catch limits that are prescribed under the Magnuson Stevens Act. Under this approach, recreational measures were not adjusted every year because landings in a single year were not as critical as the overall impact to striped bass stock over a period of time. During this time, striped bass became one of the most important and economically valuable recreational fisheries in the country.

RFA believes the management approach utilized in the striped bass fishery is a form of alternative management that holds benefits for the recreational sector. It strikes a good balance between conservation and the needs of the fishing community. Furthermore, it does not disadvantage recreational anglers as the federal approach does for being an open access fishery or not having a data collection program in place that is comparable to the commercial sector. Thank you.

Mike: Jim, thanks so much. If we could now we’re going to move to an Alaska example. Ricky, could I turn to you?

Ricky: Sure. Let me talk a little bit about salmon management in Alaska. Salmon management in Alaska is some of the most complex fisheries management anywhere in the world and we do a great job of it. We’re dealing with king salmon, silver salmon, sockeye salmon, pinks and chums, five different species. They have mixed run timing. There are mixed stocks with each one. There are multiple watersheds throughout the state. There are diverse user groups and gear groups from commercial to sport, guided sport, personal use and subsistence fisheries throughout the state. In Alaska there is a salmon fishery management plan through the North Pacific Fisheries Management Council and that delegates all authority from the federal government
to the state for legal harvest of management, legal harvest of salmon in both state and federal waters.

The harvest of salmon is limited to state waters, both freshwater and marine waters in three historical areas in Cook Inlet area and in Prince William Sound. It requires for commercial harvest a limited entry permit, which I’ll talk just a little bit in just a little bit here.

Alaska also we have an International Pacific Salmon Treaty with Canada for management, research and enhancement. And the reason that the federal government delegates to the State of Alaska all management for salmon is that we do a much better job than the federal government could ever do and ever did in the past. The federal government right now through NOAA and the Council are still struggling of how not to catch salmon. So the state, we delegate to the state how to catch salmon and the feds are struggling with the ability how not to catch salmon in the federal fisheries. In particular, king salmon and chum salmon and halibut, which Andy is going to talk a little bit here in a bit.

It’s generally agreed that the pre-statehood salmon management in Alaska was not robust and that’s being kind to the federal government. Since 1959, Alaska’s salmon harvests have increased from about the 25 million fish that were harvested through federal management upwards now last year we had 263 million fish caught. So that’s a tenfold increase. On average since the 1980s we’ve been averaging about 100 million fish per year so that’s a fourfold increase over state management over federal management.

The salmon FMP notes that Alaska’s salmon management, research and enhancement in general conforms to the ten national standards in MSA. However, there are some differences and those differences are okayed in the salmon management plan. So instead of annual catch limits and rebuilding timelines they have a corollary in Alaska management where we have escapement goals that replace ACLs and we have stock(?) concerns that replace the fixed timelines. And in Alaska you have a little bit more discretion. The stock concerns or it could be yield concerns, management concerns are a little bit different than the rigid timelines that we find in MSA.

Now I’d like to turn just a little bit to the concept of limited entry. Commercial harvest of fish in Alaska again requires a limited entry permit. The Commercial Fisheries Entry Commission was established in the 1970s through a vote by voters in the state through a constitutional amendment and it authorizes commercial permits for the commercial harvest of fishery resources in Alaska. The permits are used to allow for economic efficiency in the individual commercial fisheries and to prevent overcapitalization. When you
have open fisheries anybody can come in. You get too much gear and too few fish.

So based on historical harvests at the time of the inception, which were primarily open access fisheries, everybody who was fishing at that time got a permit and then now have a CFEC permit. So the permits are not for quota. So they’re a little bit different than what the federal government uses. But they’re transferable permits from one person to another based on market transactions.

Now you can imagine in the 40 years since limited entry went into play there’s been technological advances with boats, motors, gear, knowledge, technology. It allows for more efficient harvests per permit. Now what the CFEC is empowered to do is to allow the reduction of permits to once again improve economic efficiency and conservation. In essence it’s an ability to relimit limited entry permits and you can do that to allow for economic viability of the fishing fleets and conservation of fishing stocks.

One of the first successful examples in Alaska was the Southeast Alaska perceane(?) buyback. That was backstopped by the federal government authorized $13 million loan to the Salmon Association that was set up there. And they basically bought about 20 percent of the permits back in that fishery. It’s generally regarded as being successful and the remaining permit holders were the source of money for that. Now that’s a homogeneous fishery. You had all the same gear type and so it was easier to charge a three percent fee and then they pay that back, they pay the loan back over a period of time.

There’s a current proposal I’d just like to talk about briefly here at the state and federal levels to authorize a voluntary Cook Inlet set net fishery buyback program. Its estimated costs are around $50 to $60 million and the goal is to reduce the number of CFEC permits in Cook Inlet and the East Side Set Net Fishery to the historical levels at the inception of the limited entry program in the 1970s which were about 200 to 240 fishing sites from Nikiski down to Ninilchik. Currently, we have about double that amount, 440 permits. The entrants doubled in the 1980s when there were some enhancement programs in place and very successful and very good productivity out in the ocean. But since that time the overall harvest of the set nets has remained flat, although you doubled the number of participants. Then you have halved basically the values of the permits and the amount of earning power per permit.

So while sockeye salmon is a priority species for the commercial fisheries in Cook Inlet, they do have incidental harvests of king salmon has been increased by having the double amount of gear out in Cook Inlet. So the effect has been decreased economic efficiency for the set net permit holders themselves. There’s been increased
concerns for king salmon conservation, not only in Cook Inlet, around the state. But having kind of an overcapitalization in Cook Inlet doesn’t help the situation. And it’s been an allocation issue for in river sport anglers. This is one of the great sport fisheries in the world. It’s iconic. And it’s iconic because of the king salmon. They have these huge 70, 80, 90 pound, the world record 97 pound king salmon. That return per fish is so much higher in this in river fishery than can be realized in the commercial fishery.

So after decades of what everybody affectionately calls the Cook Inlet Fish Wars that we’re all a part of in our community, we’re tired of them. This is a real opportunity for a win/win solution where we can reduce the number of commercial permits while maintaining an overall commercial sockeye salmon harvest. It’s a money fish for the commercial fishery. We can increase the number of valuable king salmon entering the river for sport anglers and for escapement. So that’s kind of an outline of how the state has been empowered to manage a complex fishery, has plenty of tools in the toolbox and the Alaska Department of Fish and Game does the yeoman’s job of managing our state salmon resources.

Mike: So Ricky, just let me ask this question. One thing I’m going to do is we’ve gone through sort of what alternative management is and some examples. I’m going to turn to Andy in a minute to talk about a future use of alternative management that may be coming to pass. But I want to know if there are questions or thoughts that any of the panel members or certainly any Senators have of this. But let me ask you real quickly. That’s all being done outside the Magnuson Act or without -- federal oversight but not federal direction.

Ricky: Right. It’s the federal government has delegated the authority to the state in this instance. So it’s really a great example, one of the best examples of the federal government having a certain sense of what it can manage and what it can do well and saying in this case, hey, the state is much better positioned to deal with fisheries managed for salmon. And it’s been a great success story. I think everybody in Alaska, if you ask anybody, hey do we -- raise your hand if you want federal management again to come back. No. And Andy, you’re sitting on the Council, would say the same thing. The Council is not equipped to deal with these more complex situations that the state has the in season management tools to do a much more flexible job, more nimble to get results done and that cooperation between the feds and the state and recognizing what your limitations are and then bringing in help, you’ve got a better toolbox, let’s go there, let’s let them manage it and that’s been very successful in the state.

Sen. Murkowski: Mike?

Mike: Yes?
Sen. Murkowski: Just a question to Ricky in terms of where we are with the discussions at the state and federal levels on this buyback proposal.

Ricky: Well, currently the Cook Inlet we have a couple folks here from the Cook Inlet Revitalization Association. Ken Coleman and Tim Kinart (?) have been very good at generating education and support for the concept of a voluntary buyback program, talking about the overcapitalization of the amount of gear in the water, about the need for bringing better economic efficiency to that fishery, talking about how they can minimize the incidental catch of king salmon so that we can really truly work together for a win/win situation.

So I know their groups have surveyed. There’s majority support for going forward on this approach. There’s conversations with the state of different funding mechanisms, how you would implement a voluntary reduction program, how you would target different sites, some conservation easements, how money would be raised. There’s discussions of both the commercial fishing industry and the sportfishing anglers participating and providing monetary incentives for that voluntary program, that buyback program that would benefit both user groups.

Mike: Joe?

Joe: Senator, I think Ricky noted what I think is a very important theme. States do it better and I think all of us here clearly understand that there are times when we know that our state does it better than what the federal government can do. Not long ago there was a freeze in Florida that wiped out the snook population and the state fisheries managers let it be known to all the anglers we need to lay off the snook. We’re not going to catch any snook for a certain timeframe. It’s very important. If you catch one, put it back.

Almost to an angler there was welcoming acceptance of that announcement because it came from competent local managers with whom fishermen in Florida had a relationship. I’m not saying that every state guy’s good and every federal guy’s bad. But what I am saying is management closer to the resources managed and to the constituents managed matters. And all of these different techniques, most all of which are included in salmon management, the most complex, best managed fishery in the world, are the types of things that we’d like to have Alaska take the leadership role in exporting to the other 49 states and give us the same opportunities that the State of Alaska has thrived with.

Sen. Sullivan: Can I ask a question, Mike? Just on the legal authorization of the MSA to have our salmon fishery managed by the state, does that exist in the MSA and does it exist to have that kind of discretion for other
councils in other parts of the country to have federal okay of a state management of a fishery in your local areas? Is that how that works in the MSA?

Mike: Senator, clearly the Magnuson Act does envision some relationship between state and federal managers and allows some discretion as to who is in charge, not to the extent -- these relationships are not -- don’t exist to the extent we think they should. We think they should be strengthened further. I would say with regard to Alaska I had the pleasure of working on the staff of the Senate Commerce Committee and had Senator Stevens explain to me a number of times how special Alaska was and how we had to make certain exceptions to other rules for Alaska.

So Alaska has a number of fishery provisions that are unique I’ll say. I’m not sure and I would ask Ricky to speak to this particular one what the history was, how it was established.

Ricky: So because we were historically fishing before the council process got put in place there was an initial agreement between the federal government and the state government. So by the time, it was about 20-years-old when that agreement first got signed at the end of the ‘70s and there was a historical precedent for the state doing it.

I think in the ensuing kind of 35 years since that’s been going on we’ve added more tools into the Alaska salmon management toolbox. And I think what you’re hearing from other portions of the country is like wow, there’s a lot of tools, there’s a lot of management tools in that Alaska toolbox. Can we use some of those too in our neck of the woods? And I think that’s what you’re hearing from other places of the country.

Mike: I guess we go to Andy now. Andy, talk to us a little bit about your work on the North Pacific Fishery Management Council and some ideas that are brewing there.

Andy: Okay. Thanks, Mike. Thank you for coming and hearing this all out. So halibut, like the king salmon is the iconic fish on the Kenai River, the giant Pacific Halibut in marine waters is the iconic marine fish and every part of our work at the Council revolves around halibut. Whether it’s reducing interaction and spy(?) catch or as charter harvest or the directed fishery, halibut sort of drives the work of the Council. And the work we’re doing now linked to alternative management is we’ve been working on a concept called compensated reallocation. And so what the idea of that is to be able to purchase halibut from the commercial sector and import it into the charter sector to stabilize the bag limit. But before I go too far into it, let me just give you a quick refresher on the history of this halibut fishery and then where we’re going in the future hopefully and it should give
you a pretty good update as to where we’re at with this particular fish that takes up so much of our time on the Council.

So the Pacific halibut is an international treaty fish. It’s regulated through treaty agreement through the United States and Canada through the International Pacific Halibut Commission, the IPHC. The IPHC was founded in 1923 in response to conservation concerns that the commercial fishermen had regarding the depletion of halibut over the 2,000 mile range from Northern California to the Bering Sea. The treaty was the first of its kind for a deep sea fishery and largely guided by harvesters’ concerns that they wanted to have a sustainable resource, which back in 1923 was a pretty incredible concept to be throwing around.

Over the course of time, the halibut were managed using traditional time area methods and means tools, primarily a length of season. And as the value of halibut went up and interest in the commercial fishery grew, the season shortened from a long season year-round early on to 125 days in 1975 to 25 days in 1994 and to under three days by 1994. And so basically as the price went up and conditions improved, more people wanted to enter the fishery, which is the classic tragedy of the common story with open access fisheries. It happens everywhere.

So now the directed fisheries in both countries allocate to vessels and individuals respectively through an IFQ program that was implemented in 1995. And now through that program where individuals are issued a quota based on their catch history, they’re able to fish a nine month season, doubling the number of days available to fish, increasing the value of the commercial fishery, wasting less fish and increasing safety. So a pretty big success through the Council in managing the commercial fishery.

So basically, what happens now is the IPHC sets the total removal limits in each of the regulatory areas. And then the US Regional Management Councils allocate halibut to various fisheries. In Alaska the North Pacific Management Council is responsible for allocating halibut to commercial and guided sportfishing. Once the unguided sport, subsistence and commercial wastage and by catch are subtracted from the total allowable catch, the remaining allocation is split between the guided or charter fishery and the directed long line fishery. This is a result of a catch share plan that was implemented in 2014. It sort of indexed the charter fleet and the long line fleet to the same level of abundance so now when abundance goes up and down both of them are measured the same way.

The allocations in the catch share plan were intended to reflect more recent harvest levels by the charter sector and allow the allocation percentage to fluctuate at different levels based on halibut abundance. So currently that allocation is fixed between guided sport and directed
commercial sectors. Basically, the charter fleet under normal levels of abundance receives about 18 percent and about 82 percent is directed to the commercial fishery and that’s fairly consistent with the charter harvest levels over time, somewhere between 13 and 20 percent depending on area abundance levels. The commercial long line sector has IFQs to distribute individually within their sector where the guided charter sector has common pool allocations still controlled by traditional methods of area and time and means management measures.

So the problem is that as abundance goes down the number of fishing guides remains the same. Fishing effort increases and we’re feeling this constriction. I believe that Senator Sullivan was out fishing in Seward the other day and got a look at that for himself.

And so basically what’s happened is we’ve had to figure out a way to manage this growth of the charter industry and reduction of the number of halibut. And what happened was through a stakeholder process the federal and state governments got together and the Department of Fish and Game manages the data collection and analysis for a range of potential measures to keep the charter sector within its allocation. And the unique feature of this is the Council appointed a Charter Halibut Management Implementation Committee made up of charter boat operators from all over the state to decide which one of these methods and means to reach the desired harvest level would be chosen each year. And by taking these charter operators from a wide geographic range and different types of operations, they get to choose the management measures and recommend to the Council the ones that would allow them to stay within their allocation with the least disruption to their business and the highest quality of trip for their clients.

And so this sort of utilization of expert stakeholders choosing the most equitable restrictions to put on the charter fleet is fairly unique in fisheries management. And so far, every time this group has recommended to the Council the management measures, the Council has selected the recommendations from that committee. So basically a committee of charter operators can decide what restrictions we have to take in order to best run our businesses and I think that’s an interesting alternative model where you’re allowing industry to have some say in how they’re managed and utilizing the experts in the state that understand the guided sector and can do the math to figure out which restrictions will work. And it’s been fairly accurate over time. This is a pretty good cooperative method that we’ve been using.

There have been restrictions recently and some of them have been somewhat painful. So some of those restrictions would be daily bag limit reductions and annual limit and no days of the week fishing, day of the week closures. So because these things are new to our sector
and are causing us some discomfort, the charter sector went and received a grant to study an alternative management method that we’re referring to now as compensated reallocation. And through this grant it was determined that it might be possible to purchase commercial quota and then use that to add to the common pool allocation of the charter fleet to create a more stable regulatory environment. And once the work was done, the industry came to the Council, presented their findings.

The Council decided it was worth taking a look at. And so they have reviewed this idea of forming a nonprofit association called a Recreation Quota Entity to purchase this commercial quota and essentially shift that quota to the recreational charter fishing sector. It will be a marked-based mechanism for the guided halibut sector to supplement their annual sector allocations. And the goal is to move towards a two fish bag limit or at least regulatory stability in area 3A and a one fish bag limit in area 2C.

Allowing the RQE to hold a limited amount of commercial quota on behalf of the guided recreational halibut anglers under a willing seller/willing buyer approach would likely result in less restrictive annual harvest measures for the guided recreational anglers in times of low halibut abundance while complying with the total removals under the guided halibut catch limits determined by the IPHC. In times of higher abundance when that fish wasn’t needed by the guided sector, the current plan is calling for the Recreational Quota Entity to make that quota available for entry level halibut fishermen in the commercial sector in the native CQE group so that they’d have a chance to buy into the commercial fishery.

There have been longstanding barriers to entry for entry level long line fishermen. And so the idea of this is the charter sector will purchase this quota and use it in times of low abundance. In times of high abundance they won’t need it and they can essentially give that million pounds back equally to entry level long liners and the native community groups so that they can get a leg up and make some extra money to buy into the fishery. So we’re trying to purchase it with a willing buyer/willing seller and then give back to the commercial sector when we possibly can do that.

So the total allocation would be the basis for the determination of appropriate management measures each year through the charter halibut committee, like it is now, and then whatever the RQE held would be added to that. The intent is to consider such a mechanism without undermining the goals of the halibut IFQ program where it significantly adverse impacts to the other halibut sectors. So there would be strict limitations on the amount of quota that this recreational would put and you could purchase each year so it wouldn’t inflate the price of quota shares and then also a limit on the
total amount that it could hold so that it wouldn’t take over the IFQ market and buy out the entire long line sector but only a small percentage, about 15 percent in 3A and 10 percent in 2C. So it’s a small buyout over a long period of time to mitigate management measures on the charter fleet.

So this has been going through the Council process now for a couple years and final action on this is slated for December, 2016. RQE offers an alternative management option for shifts in fixed allocation between the commercial and recreational sectors. It’s a market-based system that goes either way. It’s a two-way compensated reallocation system. And instead of a fixed allocation which results in a huge food fight at the Council that nobody wins from and usually ends up being an ugly and contentious issue, this allows the market to settle what the best value is. If the market can support purchasing commercial quota and bring it into the recreational sector, then that’s what will happen. If it doesn’t, it won’t. But it essentially takes the ugly allocation battle and lets the free market determine it.

And so this is the combined work of the charter industry, the Department of Fish and Game and the North Pacific Fisheries Management Council to use this alternative measure to try and solve a longstanding ugly dispute between the long line sector and the charter sector.

Sen. Murkowski: Andy, is there agreement, recognizing that when we talk about the charter fleet you’ve got what you have done in Southeast, what you have up here in this region and not always in complete alignment. You’ve indicated that typically when the recommendation is made to the Council that you follow the recommendation coming from the sector. Is the full charter fleet, and when I say full, statewide is there unanimity on this approach for the RQE?

Andy: Senator Murkowsi, there is. The group is split up by area. So the Southeast operators weigh in and then the South Central operators weigh in and usually it’s sometimes a lively debate and sometimes we have to reach a compromise. But ultimately each area makes recommendations to the Council that everybody is begrudgingly accepting one way or the other. It may not always be what everybody walked in the room thinking they wanted, but at the end of the day there has to be a solution drawn up on that particular day as to what we’re going to do.

And so, there was some horse trading and arm wringing at the last meeting we had. But we did come up with a solution and it was what we moved forward. So no one stomped out of the room, so I would say there was agreement at the end of the day.
Sen. Sullivan: So that’s got the support of both the different groups? I’m talking the commercial and charter?

Andy: Senator Sullivan, in a way it does. I think there are some commercial fishermen that are just opposed to losing any part of the market share and there are others who look at this as an opportunity to sell out and get a higher price for their quota. And so I think ultimately there are some long line industry representatives that do not want this to happen at all and there are some that are perfectly fine with it. And as far as the charter fleet goes, the charter fleet really wants this to happen.

Right now, we’re able to lease quota in those same percentages at 10 and 15 percent. And so what we want to be able to do is purchase it as a group instead of having individuals be able to lease it. It’s just a fairer way to do it. And I think that nobody ever wants to give anything up but the fact is we’ll likely pay higher than fair market value for those fish and the people that will sell it will want to sell it. They don’t have to. And with a willing buyer/willing seller being willing to pay more than fair market value for it, I think it’s as fair as it can be even though it’s still an allocation fight and on principle some long liners, especially in Southeast Alaska just don’t want to lose the market share. They feel like they don’t want to lose another pound of halibut to charter for any reason. But others are okay with it.

And so I think it’s a tough call and nothing that ever comes across our table at the Council is something that somebody isn’t unhappy with. And I think this one feels like people are thinking that this may be a path forward that’s worthy of consideration.

Sen. Sullivan: And the broader catch share plan covers the charter, just the charter and commercial users, right? But is that the vast majority of those who harvest halibut?

Andy: Senator Sullivan, it is. There’s the unguided sector that also harvests about the same as the charter sector roughly. And then there’s bi-catch, trawler bi-catch which isn’t linked to abundance and isn’t indexed. But we’re working on that and that’s on the agenda. The unguided sector is not. There is no plan to include the unguided private angler in any sort of fisheries management or subsistence. It’s not a conservation concern in that way yet and I think if we can get the bi-catch management firmed up and get the proper funding for observers onboard trawl vessels and get that squared away I think that the halibut resource will be well on its way to being back to its high point.

Mike: Very good, Andy. Thank you. Let me turn. Other panelists, are there questions of Andy of any issues that have been raised today?
Male: I’m just curious when’s the North Pacific Council going to act on this idea and what do you think they’re going to ultimately do?

Andy: I can’t predict what they’re going to do but what I can tell you is that final action is slated for December, 2016. And I can tell you that when we moved this forward for final action the Council did select preliminary preferred alternatives, which usually in a Council process means the Council is focusing their attention on specific details that they want to get more information about in order to make a decision. So I’m hopeful that we can reach a positive outcome to this that everybody is satisfied with. But you never know until after Christmas.

Male: Fascinating.

Mike: Other comments here? Senators, I’m going to ask each of you in just a minute for concluding remarks if you would. But I’ll offer something here and tell you what we’ve tried to accomplish today. We in a couple hour period, we tried to talk a little bit about recreational fishing. We tried to talk about some of the challenges we had. We tried to explore the whole idea of alternative management in a federal system and alternative management by its very nature, people kept saying, “What do you mean when you say that?” And it sort of stressed us out a little bit so we spent some time thinking about it and that’s part of the discussion you heard here today.

But I think for the simple layman it really is thinking outside of the standard old federal fishery management box is what I would call alternative management. Let’s figure out what we can do that’s new and innovative that solves problems. Maybe it doesn’t give us everything we want but moves us in a positive direction and I think that’s what Andy was just describing for one fishery in the country.

We’ve tried to lay that out for a variety of fisheries where it’s working, not federal fisheries in general but certainly some freshwater and some saltwater fisheries where we see alternative management being successful; tools outside the federal toolbox being used, being used successfully in managing really great recreational fisheries. States do it all the time. It’s what they do from Arkansas to Alaska down through Florida. It’s just the nature of what recreational fishery management is about.

We’ve also talked a little today about the nature of recreation. I’ve been working in and around sportfishing for much of my adult life and for years I’ve suffered under the principle in Washington is recreational sportfishing was -- it was a couple folks out on a Saturday afternoon having a good time. And it went away. It really didn’t have much consequence. Well, the truth is it is important. It’s important because those folks out on Saturday afternoon are enjoying themselves and their families and that’s a part of the culture and the
fabric of this country. But it’s also important because there are literally thousands and thousands of jobs that enable those couple folks out on the Saturday afternoon.

So we think it’s time, we as panelists think it’s time that the Magnuson Act, which largely was cooked up and developed to manage commercial fisheries, we think it’s time that it started to recognize and appreciate the importance, the economic importance and the social importance of recreational fisheries. There have been some steps in the right direction. Biologically we’ve gotten most of the fish stocks in this country in pretty good shape. That’s a tremendous undertaking and we should be very, very proud of that. Now we’d like to look at it from a little different context, turn it a little differently and look at the Magnuson Act and think about how we might use it to better reflect some of the victories we in recreation would like to see.

So with that, I’ll conclude and Senators, Senator Murkowski I’ll go to you first, then Senator Sullivan.

Sen. Murkowski: Well, thank you for convening the panel. Thank you for the good discussion and the look at alternative management. I think most of us that focus on any aspect of the fisheries recognize that we can have policies that have been put in place, well-intentioned, very well-guided at the time. But as you have changes that come about any federal law is it’s important to revisit and look to see if it is doing as we had initially intended when that law was passed. The Magnuson Stevens Act is no different.

I’m sure that I’m not speaking out of school in referring to the conversations that I have had with some fishermen and I’m sure that Senator Sullivan has as well where they come and they say, "Magnuson Stevens is working just fine. Don’t touch it. Just do a quick reauthorization, boom...boom...boom, be done." But I do think that there is a real recognition that as has been stated the MSA was effectively designed around commercial fisheries. So recognizing the impact that we see economically not only to our state but around the country, I think it is important that as we look to reauthorization we look to all facets of it.

It’s not easy. But I think here in Alaska we’re used to the fish wars. We’ve been living fish wars for as long as I have been around. I suggest that there is nothing more political than fish. And I think I’m right. And I think that as I have learned more about, for instance, some of the things in the Gulf fisheries, Gulf of Mexico that is, I realize that it’s not just in Alaska that these fish wars are as heated as they are.
But I appreciate what you have highlighted as you speak to the benefit of alternative management. And one of your bullets here is to empower federal fisheries managers to focus on the science and good policy instead of dealing with constant arguments among the sectors. It just seems like it is nonstop and it is oftentimes just almost never-ending.

And I want to applaud those who within our state are working to get us to that place where we really can get to the best policy and get around the constant arguments amongst the sectors. So the efforts that, the discussions that are underway right now on the issue of the set nets, this has been difficult. It’s been difficult here on this peninsula because it has pitted neighbor to neighbor and that’s hard and that’s difficult. I would like to believe that we will have a day when we are able to get beyond the divisiveness that we have seen unfortunately that has not helped us get to that place of good policy because we haven’t been able to kind of lay down the arms and have a good discussion.

So those who have led these very, very constructive discussions are to be applauded because the easier thing to do is just not even go in the same room as the folks on the other side. It’s just folding your arms and saying this can’t be done. We need to recognize that in the efforts of good science and good policy we’ve got to be working together as difficult as that is. And with the halibut issue and the charter versus commercial, again, Andy, thank you for your work there. Not easy but necessary to be perhaps thinking outside the box.

I would like to just point out one of the difficulties that I hear when we’re talking about how we get our fish managers to focus on the science, to focus on the data. Then we get into the debate over whose data is really the reliable data because those of us here in the state know that the fed’s data is bad data and the feds disregard the state data. We’ve got to get around that one as well.

And we didn’t really -- you didn’t really go much into it in detail, Chris, but I noted that you mentioned that as we are trying to deal with improved angler harvest data that one of the things we can be looking at is the technology. And whether it’s smartphone technology, I’m not quite sure how that would look but all I can tell you is we have a heck of a lot more at our disposal as individuals just with what we have in our back pocket on our phone. There is an app for just about everything now.

We are dealing with NOAA now trying to get them to move forward with this program for electronic monitoring for commercial fisheries. Get rid of that human observer that just takes up space on the boat. Let’s use our technologies. The fisheries, if we can’t move forward with things that are available to us now and build out a little bit of
imagination when it comes to how we can be gathering this data to assist our fisheries managers, this is a challenge for us. And I think that we’re up to it.

But we do need to make sure that we’re appropriately resourcing. That’s our job at the federal level. I truly appreciate Dan’s comment that you don’t want Congress in the midst of figuring out the specific allocation. We’ve got a lot of experts. We need to rely on you. But those in the industry need to be able to trust that those that are making these decisions are doing so based on good data, honest, unbiased, objective information and making sure that you have that at your disposal is greatly appreciated.

I want to point out, I’ve got my fish guy. He’s got a more substantive title but I just call him my fish guy. Ephraim Froehlich is in the back there. Wave your hand, Ephraim. Ephraim’s from Juno so he knows a little bit about fish but he’s learning that every day.

And just to make sure that you all know how committed I am to fish, my Chief of Staff’s name is Fish. That was not his given name. It is his adopted name. It’s really Mike Pawlowski but when I introduce him I often forget that that’s his name and I just introduce him as Fish. So he’s my touchstone there on so many of these issues. And my local contact here on the Kenai Peninsula, Michelle Blackwell(?), is standing in the back as well, works with Elaina here on many of these issues and we’ve got a good team here on the Kenai Peninsula. I’m very proud of them.

Thank you for the opportunity to be with you today and look forward to more conversation over the next day-and-a-half. Thank you.

Mike: Thank you, Senator.

Sen. Sullivan: Well, thanks again. And I just want to -- hopefully you get the sense or I certainly believe that the best way for us to serve our constituents on these issues is to really learn and try to dig into the details and understand. And so whether it’s hearings, whether it’s out on the water, I warned some of the guys I’ve been out with recently, Andy mentioned I was out in Seward and I ask a lot of questions even when I’m fishing. So beware. I was out here a couple weeks ago and I think I asked probably way too many questions as we were pulling in a lot of fish.

So I just really appreciate it. As a matter of fact, Mike, if it’s okay I still just want to kind of -- I know we’re wrapping up here. But the two questions that I did mention at the outset, I’d love because I have so many -- we have so many experts right now right here in terms of the panel. The House version of the MSA did have some of the policy recommendations from the Morris Deal Commission report and I
don’t know if you guys think that was a good step or there were ones that you liked. And then similarly on the NOAA’s National Saltwater Recreation Fisheries policy, I know we’re wrapping up but I would just be very interested. Those are two kind of important recent, just last year, documents coming out from the House and coming out from the critical federal agency that are moving in a direction to start to address some of these issues. Maybe just real quick before we wrap if you have any thoughts on both of those, I’d be very, very interested in what your thoughts are.

Male:

Yes, sir. I know, first of all, that we’ve got the room until 4:30 so we can have a little conversation about it. First, on the Saltwater, on the National Saltwater Rec policy that was issued by the agency, you all are in Washington quite a lot and you know that for an agency to put out a formal policy is meaningful. What’s in that policy is frankly pretty good. If they follow through and do it, we’ll be pretty happy. The implementation plans have been pretty darn good as we’ve tried to follow the agency and to hold them accountable for what’s in that policy. But as I said, we’re only just a year into the announcement of it. We feel like we’ve got a foothold at the agency where we really haven’t had it before. So we were really encouraged by it. When the federal government doesn’t even have a policy that addresses your industry, you know that you’re nowhere. And then once you’ve got a policy, you know you’re at least moving in a good direction so that is a good start.

Jumping to the House version of Magnuson that was reauthorized last year, first of all a special thanks to Don Young for championing that bill. That bill was as all, was as most bills imperfect. But it was pretty good. There were a number of particularly good provisions that we saw in it that we were pleased to see begin to move through the process. We know that it’s never a legislative event but a legislative process.

One of the particular provisions that was really important to the recreational industry all over the country was a discussion of regular looks at allocation in fisheries in the Southeast. Though the agency is supposed to call on the regional councils to review allocations regularly, because those topics are always contentious, councils seem to find every excuse under the sun to never talk about them. So it’s the classic kicking the can down the road.

One of the provisions that Don Young championed was ensuring that in the Southeast where there are mixed use fisheries, that is fisheries with a component of commercial and recreational, that the councils will be required to review the allocations every five years. The statutory requirement in the bill was not for an outcome. It was just for a review. And that is very important that councils and the agency
get to review regularly what's the appropriate allocation for social, economic and conservation criteria. That was one of the most important things I think Mr. Young invited into the bill that I'm hopeful that anything that is done going forward would be able to include.

Mike, other key provisions that you want to...?

Mike: I think I mean there were several, a number of provisions. We'd be happy to get to you and talk to your staff specifically about those. But I think in general we thought the bill, we'd have given the bill a B+. And of course everybody wants an A+ but in Washington a B+, particularly if it actually passes, is pretty good. So I think that would be my overall summary of the bill. We'd like to see some improvement but we were pretty pleased with it broadly. Some of the changes had to take place on the floor but they did change and we were glad for that.

Sen. Sullivan: Great. Well, listen. I want to thank all of you again and I think you see between Senator Murkowski and myself and of course, Congressman Young who was present at the creation of the Magnuson Stevens Act. He likes to remind people that on the House side there was the Young and Gerry Studds Act. So he thought it should've been called the Young Studds Act but he thought that. That's actually not a joke. But...

Male: It's true. That's exactly right.

Sen. Sullivan: ...it was called Magnuson Stevens anyways. But it is great because he does know so much and he's done so much.

But I think one area we certainly can agree on is as we work to continue to have abundance and well-managed fisheries, I think that's going to benefit every group. And that's certainly our goal and we'll continue to work with you. And I want to emphasize that our door's always open and lines of communication will hopefully -- hopefully you're seeing that we want to continue to work with you on these important issues. So thanks for taking the leadership on doing this again. It's great.

Mike: Well, thank you.

Sen. Sullivan: Very, very educational.

Mike: The State -- fishery management in this country is not an old science. And but since it's been around, the State of Alaska has been in the forefront. So we thank both of you for being here. Certainly do appreciate that.
Let me say that we promised it would be a couple hour event. We’re at that point. I want to ask, if there are public questions I want to make sure we can take some of those. But I don’t want to hold you up if you have an event you need to get to. So, please, if you need to. Okay. Well, let me go ahead. Are there questions in the audience that folks would like to ask?

Q:

Thank you, Austin. Senators, I have been an advisor to the Department of Commerce on fishery affairs for now almost eight years and lots of things have happened in those eight years. But I think the most obvious disappointment I have is seeing the agenda within NMFS getting clouded with all sorts of issues that have nothing to do with fish. Certainly those are important issues.

I love green sea turtles. I love coral. I love all that stuff. But this is the National Marine Fishery Service. And I’m not even sure that in Silver Springs, Maryland where NMFS is headquartered fish is number one on their agenda anymore. It’s certainly number one on yours. It’s certainly number one on yours. But we’re expecting NMFS to do a lot of things and their agenda isn’t as clear as yours and at some point the committee that Senator Sullivan sits on is going to have to take a more active role in helping them with that agenda because it’s moving astray, at least from my opinion.

A couple of other comments. There is one difference in the management of recreational fishing at the state level and at the federal level. The states get a tremendous and significant amount of their revenue from recreational fishermen. The feds get butkus from recreational fishing. So there is an incentive that the states have. They do a better job but they have a tremendous incentive to do a better job and I don’t think the feds feel that same passion because of that lack of economic incentive. So that’s my two cents.

Sen. Sullivan:

Well, if you don’t mind I’ll comment on your first statement which I think is very accurate. And what some of us are trying to do in terms of the oversight of NOAA, NMFS and I’ve established a good relationship with Dr. Sullivan there. But we’ve been pretty -- starting to I think reassert the Commerce Committee’s jurisdiction on getting them to focus more on fisheries and I’ll just give you two examples.

On appropriations we’ve been very -- Senator Murkowski obviously being on the committee but from my position on the Commerce Committee we’ve been trying to get them to focus back on management of the fisheries. So for example, I’ve raised this issue of ocean zoning that is coming out of the White House CEQ that they’re spending a lot of time on. And I asked them where is your statutory authority to even undertake that? Because as you’re doing that, you’re taking away funding and time and staff time from your day job, from what you’re required to do under the law. So we’re pressing them on
that which I think they spend a lot of time on this ocean zoning stuff which is I don’t think useful use of taxpayer money and it’s not in their statutory mandate. So we’re pressing them on that to get back to the basics.

Another example which is a little bit more, I mean it’s kind of on the commercial side but it just goes back into the committee taking more oversight. Some of you might be familiar with the Saltonstall-Kennedy Funds and those are supposed to help with regard to marketing and over time and I don’t really know how this happened over the years but I think almost 90 percent of those funds started going to NMFS and their other kind of activities. So I had an amendment recently in the Commerce Committee on a markup that we had on a broader bill with Senator Cantwell and it passed and I don’t think NMFS liked it but it was saying, hey, this needs to go back. These monies need to go back to the stakeholders who they were initially intended for, meaning all of you guys. And they should, the stakeholders and the industry have the say in where the funds go, not NMFS. And a couple Senators opposed it but it was pretty bipartisan. It passed in the committee. So we’re going to try and make sure that becomes law.

But as you know, even when you’re doing that kind of work it gets the attention of the agency that our oversight role has not been forgotten. And so I agree with you. And if there are other areas that you think they have strayed on, because money is fungible. I mean not fungible. It’s limited. And if we’re telling them you have the priority mission to do X, Y, and Z and they’re doing something different, then I think that’s a problem and I would agree. What we’re trying to do is be more aggressive in terms of our oversight with regard to what they’re doing to get back to the basics that I think everybody here agrees with.

Sen. Murkowski: Just to follow on to Dan’s comment, we have some tools to address where we feel that they have perhaps been overzealous in certain areas and then lacking in other aspects of what the agency is tasked to do. Dan mentions the ocean zoning. We actually put limiting language in the appropriations bill last year, year before last, that said no funds shall be expended for you to put in place these plans. And next year as we are looking at the appropriations bill and what they are doing, they basically renamed what it is, renamed the proposal so they can say, "Well, you know, we’re not really doing that ocean zoning. Now it’s regional RMPs, regional mapping planning or whatever."

And so it is an issue that is not just -- it’s not just NMFS. It’s not just NOAA. It is the regulatory...

Male: Labyrinth.
Sen. Murkowski: ...labyrinth. Yeah. I was -- I couldn’t come up with a good word so thank you. It is the issue that we are dealing with at so many different levels with our agencies that believe that they have an initiative that they can follow through with on their own, unchaperoned, unsupervised. And so our ability to check them is through the appropriations and exercising the oversight that Dan has outlined at the committee level.

But it is something that needs to be addressed. My hope is that in this next Congress we have a determined Congress that will work to rein in some of what we’re seeing with the regulatory overreach that we have seen. We’ve got to get a hold of it because it’s not just in this agency.

Sen. Sullivan: And the key issue, and this is throughout the whole federal government, the proposition that any agency action with a federal agency has to be based in statute, in statutory instruction. That’s a -- that is not some kind of radical idea. That’s the way the system of government that we have is set up. And what you have seen and Senator Murkowski and it’s actually a surprise for me having been there only a year-and-a-half the extent to which federal agencies think that they can just do anything. And they can’t do anything.

The first question I had for the EPA Administrator when I had a hearing with her my first month in the Senate was do you believe that any action you take has to be based in law or statute or the US Constitution? And she said yes, surprisingly. But to me, that’s the basis. You have to get federal agency heads to understand that principle, which is not -- I mean it’s a very basic principle. It’s not a radical idea. That’s the whole basis of how we govern ourselves. And yet, many agencies have forgotten it and it’s part of our job to get them back into abiding by it and it’s going to take some time and it’s everywhere. It’s one of the biggest problems we have with the federal government if you ask me.

Male: If I could add one more penny regarding the National Recreational Fishing Policy, you asked how that was going. We won’t know how that is going until we get the reaction from the regional councils because fishery regulations are not set by NMFS. They’re set by the councils. That policy has to be embraced at the council level if it’s to be of any good at all. And so far we haven’t seen that. So the jury’s still out on how effective that tool is going to be and it’s going to be all up to how the councils respond to it. Thank you.

Male: Okay, very good.

Mike: Other questions? Well, with that, let me bring the session to a close. And what I’d like to do is thank the Kenai River Sportfishing
Association for their commitment to this effort, to the Classic and to this Roundtable. And certainly I want to make sure I thank Yamaha for putting this together and bringing us here and giving us the opportunity and inviting the Senators. With Yamaha this wouldn’t have happened so I certainly do appreciate their leadership and their commitment to conservation, to fisheries and to the great sport of recreational fishing.

With that, thanks, everyone. I certainly appreciate it. Thank you for being here.

END

**NOTE:** Video is available online at www.krsa.com

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