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Testimony on H.R 3094 – Gulf States Red Snapper Management Authority Act
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Subcommittee on Water, Power and Oceans
Committee on Natural Resources
United States House of Representatives

Chairman Fleming, Ranking Member Huffman, and Members of the Subcommittee - thank you for the opportunity to address you today regarding the proposed Gulf States Red Snapper Management Authority Act (H.R. 3094).

My name is Jason DeLaCruz and I'm a commercial spear fisherman and fish house owner in John's Pass, Florida. Let me start by saying that I cannot support this proposal and neither can the commercial fishermen and fish house owners from Florida to Texas that I speak for today. H.R. 3094 creates loopholes that will undermine our commercial fishing businesses and our ability to provide the American people with a stable source of domestic, sustainably-harvested red snapper. My message here today is consistent with what you have heard from the commercial industry since this idea was first developed – we cannot support state management of the commercial red snapper fishery in the Gulf of Mexico.

I started my fish house business – Wild Seafood Co. – with my wife Vicki in 2012 and in just three years my business now handles three quarters of a million pounds of reef fish that makes its way to seafood consumers in the Gulf and throughout the Nation. My business is made up of 15 fishing boats that employ around 50 captains and crew, as well as 15 fish house staff. I also sell bait, tackle, and ice to private recreational fishermen and charter captains in my area.

When I'm not at the dock or in the water, I'm working to improve the way we manage our fisheries. My boats are currently testing ways to report their catch data electronically rather than through an antiquated paper-and-pencil system. I'm also working with scientists to test how video cameras can improve data collection on commercial fishing boats. I am on a number of fishery Advisory Panels for the Gulf of Mexico Fishery Management Council and I'm part of a fisheries advisory committee commissioned by Congressman David Jolly. I'm the Vice President of the Gulf of Mexico Reef Fish Shareholders' Alliance - a strategic non-profit organization that is working to protect the Gulf's fish and fishermen for today and for future generations. Everything the Shareholders' Alliance does is founded in our belief that conservation and stewardship protect fish populations *and* fishermen's businesses. I also helped start, and am now the Executive Director of, Gulf Wild - a comprehensive seafood traceability program that is built upon a series of conservation covenants and utilizes unique tags to track fish from the boat to the plate. Gulf Wild engages fishermen to improve their fishing practices, delivers better fishery data, returns a higher ex-value price to fishermen, and produces a seafood product that consumers can track back to the very captain, vessel, and area in which that their fish was caught.

Sometimes I wish for simpler days when I was just a spear fisherman, but I now understand the need to stay active and involved in my fishery and directly work to improve the way it's managed. Being a fisherman today isn't just about catching fish anymore – it's about finding solutions that preserve the long-term health of our fishery and our businesses.

I'd like to address three points regarding the Gulf States Red Snapper Management Authority Act.

- 1. The commercial fishery is a success under Magnuson and it should not be turned over to the Gulf States.**
- 2. The Gulf States are not in the position to manage a federal commercial fishery.**
- 3. H.R. 3094 is a threat to the commercial fishery and seafood supply chain.**

1. The commercial fishery is a success under Magnuson and it should not be turned over to the Gulf States.

Our federal fishery law – the Magnuson-Stevens Fishery Conservation and Management Act – is the bi-partisan backbone of our management plan and is the reason that we have a rebounding red snapper fishery today. Strict rebuilding requirements, mandatory accountability measures, and a common core of conservation have helped increase red snapper quotas to some of the highest levels on record. In fact, the commercial red snapper quota has *nearly tripled* in less than 10 years – a testament to the effectiveness of our federal fishery laws. The commercial individual quota program was put in place in 2007, and we have remained within our science-based quotas every year. Fishing businesses are profitable again; we have all but eliminated wasteful discarding; the flow of fish into the marketplace has stabilized and grown; and fishing and shoreside jobs are being promoted. Magnuson is working for the fish and for commercial fishermen, and transferring the commercial red snapper fishery to the Gulf States threatens to undermine everything we have done to bring this fishery back from the brink of disaster.

We simply have no assurances that the Gulf States will uphold Magnuson, and we have every reason to believe they won't. We have no assurances that the Gulf States will protect our small businesses that we've built under the security of federal fisheries law. And we have no assurances that the Gulf States will identify and enact conservation as a keystone issue. Therefore we cannot and will not support H.R. 3094.

2. The Gulf States are not in the position to manage a federal commercial fishery.

The commercial red snapper fishery mostly occurs in federal waters and our boats are federally permitted. Furthermore, we manage our quota through a federal database, we report our landings through a federal trip ticket system, and we pay federal cost recovery fees. When we're fishing for red snapper, we're also catching red grouper, gag grouper, tilefish, and various species of deep water and shallow water groupers – all of which are managed under the federal system. State management just does not make sense for one species in a federally-managed multispecies commercial fishery.

Time and time again in the Gulf of Mexico, we have seen the Gulf States deliberately set fishing seasons in their state waters to conflict with and undermine federal regulations. In 2014, all five Gulf States allowed additional fishing days for red snapper in state waters (Texas had a 365-day season) and half of the entire recreational quota (2 million pounds of the 4.3 million pound catch target) was caught in state waters under these non-compliant regulations. We want nothing to do with being managed by the states that constantly thumb their noses at the policies that have helped rebuild this fishery and stabilize fishing businesses.

3. H.R. 3094 is a threat to the commercial fishery and seafood supply chain.

H.R. 3094 opens up loopholes that will undermine and erode the commercial fishery. If passed, it will allow 3 individuals to eliminate almost 10% of the commercial fishery every year without discussing it with the Gulf of Mexico Fishery Management Council – a stakeholder group that was approved by Congress to manage the federal commercial fishery. All five Gulf States already voted to take allocation away from commercial fishermen this year, so why would we think that they'd do anything different under state management?

H.R. 3094 leaves too much to chance – it doesn't define what it means to have a “satisfactory” enforcement plan, nor does it define what “necessary measures” it would use to rebuild a fishery. It falls short of identifying what standards will be used to evaluate state management plans, and only explains that public participation will be “adequate.” Commercial fishermen are not willing to gamble our businesses on things like weakened enforcement, diminished rebuilding measures, diluted standards, and restricted public access.

It's very important to understand that this conversation is about more than just red snapper in the Gulf of Mexico – it's about setting a precedent where states can sidestep federal fishery laws and conservation requirements, take control of a commercial fishery, and destabilize it to the point where it can be eliminated in less than a decade.

Through the Shareholders' Alliance, we reached out to commercial fishing organizations on the east coast, west coast, and Alaska, and over 40 of them signed onto a letter opposing this state takeover. These commercial fishing organizations, some of which come from states represented on this Subcommittee, represent thousands of commercial fishermen and tens of millions of pounds of commercially-important seafood. They oppose this state takeover because the implications of such a plan are far-reaching and set a dangerous precedent for our nation's coastal regions – something like over 97% of the more than 300 million Americans get their access to fish and shellfish by purchasing it in restaurants, grocery stores, and fish markets that we supply. What's being proposed here today doesn't just harm commercial fishermen, it also impacts American seafood consumers. Our commercial fishing friends throughout the country cannot support this state plan in the Gulf because they would not support it at home.

In conclusion, the Gulf States have demonstrated that they do not have the best interests of commercial fishermen and seafood suppliers at heart. Their track record of destabilizing our businesses and undermining conservation is clear and troubling. The Gulf States are not in a

position to effectively manage a stable and growing commercial fishery that by many accounts is a wild success under federal management.

Commercial fishermen do not want to be managed by the Gulf States – we want to remain under federal management with the protections and conservation requirements of the Magnuson Act. Therefore, I respectfully ask this Congress not to force a regulatory regime on our small businesses that we adamantly oppose.

Thank you, and I'm happy to answer any questions you have.