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**Testimony on HR 3094, “*Gulf States Red Snapper Management Authority Act*”**  
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Chairman Bishop, Ranking Member Grijalva, Chairman Fleming, Ranking Member Huffman, and members of the Subcommittee on Water, Power and Oceans of the Committee on Natural Resources of the United States House of Representatives, my name is Nick Wiley, and I am the Executive Director of the Florida Fish and Wildlife Conservation Commission. Thank you for the invitation to provide testimony at this important oversight hearing examining H.R. 3094, the “*Gulf States Red Snapper Management Authority Act (Gulf Red Snapper Act)*.”

The Florida Fish and Wildlife Conservation Commission (Commission) is responsible for managing fish and wildlife resources for the State of Florida. The Florida Constitution authorizes the Commission to enact regulations regarding the State’s fish and wildlife resources. This is done by seven Commissioners who are appointed by the Governor and confirmed by the Florida Senate. The agency’s mission is managing fish and wildlife resources for their long-term well-being and the benefit of people. On behalf of the Commission, I am pleased to support H.R. 3094. The Commission believes the Gulf Red Snapper Act is a step in the right direction for red snapper management.

Red snapper is an iconic species in the Gulf of Mexico. It is a prized catch for recreational anglers and enjoyed at dinner tables around the nation thanks to commercial fishermen. Although red snapper is considered to be overfished, recent stock assessments have shown the species to be rebuilding ahead of schedule. This year’s quota is higher than ever at 14.3 million pounds.

Despite this rebuilding success, management of red snapper has been increasingly fraught with uncertainty and controversy, particularly for private recreational anglers. Anglers have faced shorter and shorter seasons despite increases in the overall quota. In 2007, the recreational season was open for 194 days. This year, the federal recreational harvest season was 10 days for private anglers and 44 days for federally-permitted for-hire vessels. The decrease in season days is due in large part to the success of the rebuilding plan for red snapper: as the fishery has improved, red snapper have become larger, more abundant, and easier to catch, which has caused the recreational quota to be caught faster and seasons to grow shorter. In 2015, sector separation was enacted in the Gulf of Mexico red snapper fishery, dividing the recreational quota into a federally-permitted for-hire component and a private angler component. While sector separation has more than quadrupled the number of fishing days available to federally-permitted for-hire vessels and their customers, private anglers fishing in federal waters have seemingly been left behind. In 2014 and 2015, all five Gulf states held longer recreational red snapper seasons in their state waters to provide harvest opportunities for private anglers. While this inconsistency in regulations by the states resulted in the federal season being shorter by 2-5 days in 2015, the economic and social benefits these seasons provided anglers and local communities is undeniable. Despite the inconsistency between state and federal seasons over the last two years, the recreational sector has kept harvest within their annual catch limit.

It is clear that big changes are needed to red snapper management that provide flexibility while continuing conservation. The Gulf Red Snapper Act provides the Gulf states with the opportunity to transform management of Gulf red snapper for the benefit of all who enjoy this treasured resource. This bill proposes to allow the Gulf states to manage the red snapper fishery off their coasts through a collaborative body known as the Gulf States Red Snapper Management Authority (Gulf States Management Authority). The Commission believes this will benefit Gulf coastal communities and the red snapper stock as a whole.

### **Why State Management Can Work For Red Snapper**

In short, the Gulf states are well-positioned and qualified to manage red snapper because they have a track record of successful conservation and management of state fisheries. In Florida, nearly all stocks that are managed by the Commission are meeting or exceeding management goals. State management in Florida rebuilt fisheries like spotted sea trout, red drum, and snook. Successful management of these fisheries continues today and is enjoyed by residents and anglers who come from around the globe to visit the Fishing Capital of the World. Many also enjoy the success of state-managed fisheries through ready access to fresh Florida seafood in restaurants and markets around the state and nation. Most of Florida's most valuable commercial fisheries like spiny lobster, stone crab, and blue crab are managed exclusively by the state, or with the state taking the leading role in management. The other Gulf states have enjoyed similar successes with their state-managed fisheries.

The Commission strives to maintain access and fishing opportunities while setting regulations to ensure sustainability of our marine fisheries resources. The Commission uses science-informed management and values collaboration with our stakeholders. This allows for management that balances the needs of the resource with the needs of Florida's fishermen, coastal communities, and all who enjoy Florida's rich marine resources.

The Commission's Fish and Wildlife Research Institute (FWRI) conducts fisheries research and stock assessments and is considered a national leader in marine fisheries science. FWRI not only regularly assesses state-managed species, but also conducts stock assessments for Florida-centric species that are both state and federally managed, like yellowtail snapper, mutton snapper, and black grouper. Our scientists, like many from the other Gulf states, also serve as experts on Science and Statistical Committees that provide valuable scientific advice to the Gulf of Mexico and South Atlantic Fishery Management Councils.

From a law enforcement perspective, state management of the red snapper fishery would not change anything. The Commission's Division of Law Enforcement already enforces regulations in both state and federal waters and would continue to do this for red snapper and other state- and federally-managed species.

### **The Gulf Red Snapper Act Provides a Unique Opportunity for Improvement**

The Gulf Red Snapper Act provides several improvements over the current management process. First, it provides a means to tailor red snapper regulations to the needs of the states and local communities. In many fisheries, particularly with red snapper, management that works for fishermen in Florida does not always work for fishermen in other states. This is due to a multitude of reasons including varying habitats, water depth, weather conditions, and tourist seasons. The Gulf Red Snapper Act would provide states the flexibility to set regulations that work for their anglers, commercial fishermen, for-hire vessels, and tourists. Even within Florida,

the desires and needs of Gulf coastal communities vary. In many cases, what works for Panhandle communities like Pensacola is not ideal for areas of southwest Florida, like Naples. This legislation would provide Florida and the other Gulf states the opportunity to manage their state, or sub-regions within their state, to meet varying stakeholder needs while continuing to improve the red snapper fishery. Commission staff have heard from fishermen all along the Florida Gulf coast who feel that more local control of red snapper regulations is needed.

Management through the Gulf Red Snapper Act also provides stakeholders with more opportunities to provide input to fishery managers. This helps promote stakeholder buy-in for red snapper fishery management decisions. In the current process, management decisions that affect Tampa-area fishermen may be made in a Gulf of Mexico Fishery Management Council (Council) meeting 1,000 miles away in Galveston. Council meetings are typically four to five days long, with public input and management decisions typically being made on different days. The time and cost associated with these meetings makes attendance difficult for many fishermen. With states taking the lead on managing the red snapper fishery, important management decisions would be made at local meetings in the states and communities that are affected by them. In Florida, stakeholders could attend a Commission meeting in their area and speak directly to Commissioners about management and what they see happening on the water. Commissioners listen to public testimony on issues as they are deliberating and formulating decisions. This allows stakeholders to easily observe the Commission's public rulemaking process and can help stakeholders provide direct feedback on Commission discussions as they occur.

Additionally, the Commission's rulemaking process is nimble enough to respond to the needs of fishermen and the resource quickly. In the current federal process, it can take years to make necessary changes that balance rebuilding with fishing access. In Florida, such changes could be accomplished in a fraction of the time, with several opportunities for public input. Under the Gulf Red Snapper Act, once states have decided on their plans for managing red snapper, the five Gulf state directors would come together to review each state's plan to ensure they promote the long-term health and sustainability of the red snapper fishery and are consistent with section 303(a) of the Magnuson-Stevens Fishery Conservation and Management Act. Plans would be reviewed for approval within 60 days. This timeline is relatively fast compared to the Council process and even the Council's proposal for regional management (Amendment 39).

In turn, the Gulf Red Snapper Act would provide oversight to ensure that each state is accountable, adequately monitoring their landings, and promoting conservation. The states recognize that the current recreational data collection through the Marine Recreational

Information Program (MRIP) does not track landings in a timely or precise enough manner to inform Gulf red snapper management decisions. As such, all five Gulf states have implemented data collection programs to collect more accurate and timely data from anglers who fish for red snapper and reef fish. These state-run data collection programs have great promise for improving recreational fisheries data collection and management under the Gulf Red Snapper Act. Florida's program is called the Gulf Reef Fish Survey and was developed largely at the request of Florida fishermen who understand that more precise and timely science allows for better management decisions and optimization of fishing access. The Gulf Reef Fish Survey improves upon the current MRIP program by: 1) defining the universe of anglers who fish for red snapper and other reef fish in the Gulf of Mexico off Florida; and 2) targeting these anglers for surveys about their fishing activity. In designing the Gulf Reef Fish Survey, Commission

scientists consulted with NOAA Fisheries MRIP staff and other Gulf states to learn what is working in other states, and to ensure that data from the Gulf Reef Fish Survey: 1) is compatible with MRIP; 2) may eventually be used in stock assessments; and 3) is recognized by NOAA Fisheries as a valid tool for tracking recreational reef fish harvest. Of course, we will also continue to work with NOAA Fisheries on MRIP improvements and managing harvest data for recreational fishing as a whole in Florida.

If a state fails to rebuild the red snapper fishery or otherwise fails to manage their red snapper fishery according to the requirements outlined in the Gulf Red Snapper Act and agreed upon by the states, then the Gulf States Management Authority can recommend that the Secretary of Commerce intervene and close federal waters adjacent to that state. This provides a huge incentive to manage the red snapper fishery responsibly and use the best scientific information available so the fishery continues to rebuild, fisherman can still fish, and Gulf red snapper can be enjoyed on dinner tables.

The Gulf States Red Snapper Act proposes to transfer management of the red snapper fishery as a whole to the Gulf states. Because of this, many commercial red snapper fishermen have expressed concerns about this bill and have questioned how transfer of management would affect the commercial fishery and the red snapper individual fishing quota (IFQ) program in the Gulf of Mexico. Over the first three years of management through this legislation, the states would work with the commercial fishery to ensure a seamless transition from federal to state management. The Commission recognizes the importance of our state's commercial fisheries to Florida's cultural values, economy, and consumers. The Commission believes that the commercial red snapper IFQ program is a management success and has no intention of making any significant changes that would disrupt the commercial fishery or diminish the success of the IFQ program. Having access to fresh, Florida seafood like red snapper is important to the Commission, Floridians, and our visitors alike.

Some federally-permitted for-hire fishermen have also expressed concerns about the Gulf Red Snapper Act, arguing that state management would jeopardize the non-boat owning public's access to red snapper. The Commission has steadfastly supported Florida's for-hire industry and recognizes their important contribution to Florida's coastal communities, culture, and economy. The strong for-hire fishing fleets in communities like Destin and Panama City provide so much public access to outstanding fishing and plays a big part in Florida's standing as the Fishing Capital of the World. The Commission is committed to ensuring fair access to red snapper for all fishermen.

## **Conclusion**

I am confident that the Gulf red snapper fishery can be successfully managed by the Gulf states through the Gulf Red Snapper Act. The State of Florida looks forward to working with our stakeholders and the other four Gulf states on improving this fishery for the benefit of all. I am confident the states can use the flexibility in this legislation to find solutions that work for their anglers, commercial fishermen, for-hire businesses, and local communities.

Chairman Bishop, Ranking Member Grijalva, Chairman Fleming, Ranking Member Huffman, and members of the Subcommittee on Water, Power and Oceans, this concludes my testimony. Thank you again for this opportunity to provide Florida's perspective. I would be happy to answer any questions.