

**Remarks of Susan Shipman, Chief of Marine Fisheries,
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U.S. Commission on Ocean Policy
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Introduction

Good afternoon, Admiral Watkins, distinguished Commissioners and panelists, and members of the audience. It is an honor to speak to you today as a member of your Management of Living Marine Resources Panel. I am Susan Shipman, Chief of Marine Fisheries for the Georgia Department of Natural Resources. While today I am representing the State of Georgia, I hope to share a perspective that I believe to be representative of other states in this region. Several of these views are also reflective of the National Governors' Association's Policy on Marine Fisheries adopted last winter (Attachment).

Background

Georgia enjoys a rich natural heritage, providing habitat for many endangered, threatened, and protected species. The highest density of protected species in Georgia, is found on the coast. Many of these species are marine, including five species of sea turtles, the West Indian manatee, and the highly endangered North Atlantic right whale.

Commercial and recreational fisheries are important contributors to Georgia's coastal economic engine. We have over 900 boats and vessels and 3200 individuals licensed to harvest seafood commercially. A recent survey estimates over half a million saltwater anglers reside in Georgia. Commercial fisheries are valued at \$44 million dollars, while marine sportfishing expenditures are conservatively estimated at \$300 million dollars annually. And Georgia's marine fisheries are among the smallest on the East coast. So one can see the economic importance of marine fisheries to this region.

Georgia is one of this nation's fastest growing states, ranking fifth in growth in the recent census, and the pressures on our natural resource base continue to intensify. With rapid coastal development pressures, we are witnessing a resultant dissolution of fishing communities and cultures and heritage. And the most desired coastal land, is the most ecologically fragile. Coastal Georgia estuaries remain largely untouched as compared to others on the East coast; however, maintaining the integrity of our coast's essential fish habitat is one of our greatest challenges. This habitat is facing increasing degradation due to pollution and human activities.

Clearly, effective marine resource management and habitat stewardship are crucial to sustaining our coastal economies and our exceptional quality of life. So how does Georgia go about achieving this? Simply put, through interstate and state/federal partnerships. Cooperative state/federal programs not only reduce duplication of effort between the multiple jurisdictions, but allow for priority setting at the regional level for species and habitats of importance.

Fishery Management Partnerships

The states have a rich experience base built on partnership approaches to conservation with each other and with the federal government. As sovereign entities, each state has our own laws and public trust responsibilities for fishery resources within our respective jurisdictions. Because of the migratory nature of coastal fisheries, the states long ago recognized that we must work with our sister states and the federal government to effectively protect that public trust. Recognizing this, the Atlantic coastal states from Maine to Florida work together to conserve fisheries resources through the Atlantic States Marine Fisheries Commission (ASMFC).

Our coordinated management approach for shared coastal fisheries is executed under the Commission's Interstate Fishery Management Program. Currently, there are 22 species/species groups managed through interstate plans. This management process is guided by standards and procedures, but is not as prescriptive as the federal process, and as a result, is more flexible and timely.

Since 1994, the Interstate Fishery Management Program has been carried out under the framework of Atlantic Coastal Fisheries Cooperative Management Act. This Act not only mandates that the Atlantic Coast States develop and implement fishery management plans for coastal fisheries, it establishes an affirmative obligation for the states to comply with those plans' conservation measures. Failure to comply may lead to a federal moratorium on harvest in the offending state' s waters.

How effective has management been under the Atlantic Coastal Act? Since implementation in 1994, the commission has issued approximately 20 non-compliance findings against eight states. All have come into compliance promptly after the finding, alleviating the need to impose a moratorium. The Atlantic Coastal Act has clearly been a catalyst for needed state action. Foremost, our interstate management has been effective in that striped bass have recovered, and weakfish and summer flounder have made similar progress.

While the Interstate Fishery Management Program focuses on state territorial waters, it is a partnership with the federal jurisdiction. We have shared management priorities reflected in joint [Regional Fishery Management] Council/Commission fishery management plans. In the absence of a federal plan for a species managed by the ASMFC, the National Marine Fisheries Service may implement complementary measures in the EEZ under the authority of the Atlantic Coastal Act.

The current federal regulatory process under the Sustainable Fisheries Act is not responsive to emerging situations and must be streamlined. Intractable delays at the federal level are impeding conservation in the case of joint interstate-federal plans. As a result, we are managing fisheries piecemeal in some areas of the Atlantic coast. The nation needs seamless state/federal governance for transboundary marine fisheries. Congress needs to better empower the states to independently plan and implement programs that meet national policy objectives, and to move the joint management process forward in cases where NMFS is unable.

The states recognize the importance of coordinating conservation with regional and federal authorities, yet there are too many Federal authorities and regulations that conflict or fail to give adequate guidance. Whereas the Magnuson-Stevens Act seeks to manage fisheries for both conservation and economic purposes, the Endangered Species Act and Marine Mammal Protection Act convey protection mandates. When applied together, the resulting management regime tends to fuel litigation. As a result the judiciary is increasingly determining fisheries policy. The goals of seemingly conflicting or even contradictory conservation statutes must be coordinated and reconciled.

Other Conservation Partnerships

The South Atlantic is especially proud of the strong state-federal partnerships we have cultivated over many years in the areas of research and statistics. Cooperative fishery independent research programs, such as SEAMAP, MARFIN, and MARMAP are generating fundamental data needed for stock assessments. Additionally, each state in this region is a partner in a new state-federal cooperative effort to collect recreational and commercial harvest information. This effort, the Atlantic Coastal Cooperative Statistics Program, is outlined in a 1999 Report to Congress. For the Atlantic coast, it is the key to an effective system for fisheries dependent data collection and data sharing between state and federal levels.

There are other areas ripe for new or enhanced partnerships. Lack of enforcement can undermine the best laid management plans, credibility of the process and the natural resource management institutions. Enforcement resources were inadequate even prior to September 11. Now it is even more imperative to increase and improve the coordination of conservation enforcement by leveraging existing state capabilities. Using a highly successful South Carolina pilot, Congress recently appropriated substantial funds to expand that effort to additional states through state/federal law enforcement joint project agreements.

Another area where enhanced partnerships are imperative, is the area of essential fish habitat. States can address fishing impacts on habitat in our fisheries management programs; however, many aspects of habitat conservation are beyond the operational jurisdiction of the state marine fishery agencies. Fishery managers and habitat managers must better collaborate to share and develop best management practices, and to forge new partnership approaches in order to protect and conserve the natural coastal environment. It is imperative that government, stakeholders, and academia collaborate to further scientific research not only on stock status and species life history, but on the extent and function of essential fish habitat, much of which is found in state jurisdictions. The Coastal States Organization is examining how to work more closely with the scientific community to bolster the scientific underpinnings of coastal management regulatory decisions. Utilizing Coastal Management Program funding, Georgia is leveraging the expertise resident in our state's research institutions to generate the much needed science regarding estuarine impacts.

Protected species management is in many regards a one way conversation by the federal agencies. Yet the expertise and capabilities in some states are unparalleled. The South Atlantic states have some of the strongest protected resources programs in the country and have an impressive track record in minimizing fisheries interactions. I would propose a more cooperative approach to protected and endangered species management, and encourage a delegation of ESA and MMPA authority to the states similar to delegated authorities under the Clean Water Act.

The States' Role in Ocean Policy

The states should have a leading role in the development and execution of this nation's ocean policies and programs. While there is an overarching federal perspective relative to ocean governance, federal policies affect our communities, our constituencies, and our economies. As such, the states have a legitimate role in

defining the issues, and crafting and implementing solutions. We have the authority and responsibility to deal with population growth, infrastructure, zoning, fishing, and all the major determinants of the quality of our marine environment, inclusive of living marine resources. As noted in the National Governors' Association's Policy on Marine Fisheries, fisheries management should be carried out through the states, wherever practicable, since state processes are often more flexible, more expedient, and more easily implemented than federal procedures. Because ocean policy spans many areas in addition to fisheries, federal involvement is essential, and federal incentives and leverage are often desirable, but we need the flexibility of our state processes and not a federally imposed one rule fits all, in order to successfully execute national ocean policy.

In closing, I commend the Oceans Commission for convening these regional meetings, and I urge you to keep the states' capabilities in focus as this Commission moves forward to influence future national ocean policies.