



GULF STATES MARINE FISHERIES COMMISSION

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Larry B. Simpson
Executive Director

April 17, 2002

Mr. James D. Watkins
Chairman, U.S. Commission on Ocean Policy
1120 20th Street, NW
Suite 200 North
Washington, DC 20036

Dear Mr. Watkins,

This letter is in response to the request for more information in your letter dated April 10th:

1) Passage of the Magnuson-Stevens Fishery Conservation and Management Act greatly expanded the role of the federal government in the management of marine fisheries. In your opinion, has this worked?

It depends on your definition of worked. The Magnuson Stevens Act has no doubt affected marine fisheries management positively. Worked is another matter. The system is expensive and not very responsive. The Council systems have fostered thinking broader than your own limited area and has provided guidelines for rational management and even has had several successes (I only speak from a Gulf of Mexico perspective), King mackerel for example. On the other hand fishermen and processors have had to pay a heavy price for Gulf wide standards on many fishes.

Without question the reduction of foreign fishing off our coasts to the benefit of our own fishermen has been successful and beneficial, so that part has worked.

Regarding habitat losses, the Act has been very limited in causing real change. It has been able to bring the voice of the fish and their environment a little more to the front but lacks the real teeth to effect hard changes when weighted in the balance of other social and economic desires.

The Act has been successful in engaging the general public in the management process by selection of individuals to serve on the Councils and establish management measures rather than just respond

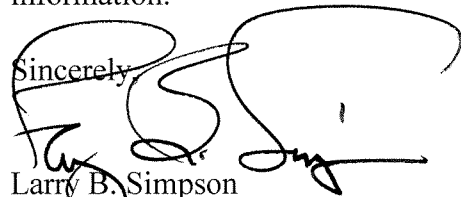
to them from government edict. However, only those few individuals who are selected have that opportunity. Many more people desire that opportunity than seats exist or could be effectively and efficiently handled.

The whole system is data driven and in my opinion, the Councils through and with National Marine Fisheries Service (NMFS) have failed to take the initiative to improve and establish systems and mechanisms for future sophisticated management needs.

2) What would be the pluses and minuses of returning the primary role of fishes management to the states, with the federal government supporting the state in federal waters and in international management?

I have heard this concept tossed about for about 25 years. Some of the early consideration for legislation of region wide management prior to and instead of the current Magnuson Act system contemplated this very thing. Technically and ideally it could be done. Mechanically I have my doubts. Even under the current system I maintain that the States control most of the real management actions in our region. Essentially all the enforcement is dockside. State actions with regard to shrimp really determine management of that animal, in a biological sense anyway. Florida's actions on Spiny Lobster and Stone Crab drive those fisheries. Spanish Mackerel and Red Drum take is mostly in state waters. The mechanical problems I allude to stem from different states having different management goals. These are sovereign states and one may want to manage for maximum economic return while another wants maximum poundage produced. Recreational species may be managed for large or trophy fish by one state while another wants to maximize number allowed to be caught by individual fishermen. The shrimp count (number per pound) that determines when the season is open varies across the Gulf at this time. If this was to be implemented then the various states in a region would need to agree upon overriding standards or means by which the regions fisheries will be managed. Of course all international management would and should be by the federal government. I think the costs would be lower for the State to do it and it would be more responsive in a time sense also. Political forces would be difficult to overcome but that is no different than it is currently.

I hope that you find this information useful. Please feel free to contact me any time for more information.

Sincerely

Larry B. Simpson
Executive Director