



St. Thomas Fishermen's Association

Protecting our Natural Heritage and Culture

H.R. 59

July 9, 2006

My name is Jimmy Magner. I am the President of the St. Thomas Fishermen's Association (STFA). I am here today because the fishermen of the Virgin Islands wish to express their support for our Delegate's bill H.R. 59, which would extend the Territorial Waters of the Virgin Islands to 12 miles and connect the island platforms of St. Thomas and St. Croix in a continuous Territorial jurisdiction.

We gratefully acknowledge the Delegate's response and support to Virgin Islands' fishermen and wish to state that this bill is just one aspect of that support.

We support this measure as it addresses a "geographic" discrimination which has affected Virgin Islands fishermen through the fishery management plans of the Caribbean Fishery Management Council (CFMC), which governs fishery management in the US Caribbean through the Magnuson-Stevens Fishery Management Act.

Let it be noted that under Maritime Law, the US Virgin Islands has the right to 12 nautical miles of territorial waters.

As you may know, Puerto Rico's territorial waters are 3 leagues (over 10 nautical miles), while under the current law, the Virgin Islands has only 3 nautical miles. In fishery management terms, this results in 67% of the CFMC jurisdiction for the fisheries of the continental shelf lie in Virgin Islands waters, while only 33% lie in Puerto Rican waters.

In the 2004 Sustainable Fisheries Management Act Amendment in which the CFMC proposed closing areas of the shelf, impacts fell upon Virgin Islands fishermen five times more severely than they did on Puerto Rican fishermen. Fortunately, and to the Council's credit, the STFA and the CFMC were able to negotiate a different approach to fishery management in which the closures were largely abandoned in favor of seasonal closures and harmonization of federal and territorial regulations.

Since that time, the Council and the STFA have established a collaborative and constructive relationship which benefits all parties and will expedite fishery management in the future.

In this regard, the proposed extension of the Territorial Sea will address the geographic imbalance in jurisdiction, will address an unaddressed issue of the Puerto Rico/Virgin Islands boundary, and lead to less divisiveness in fishery management. We do not believe that it will affect the effectiveness of the CFMC's activities which now seem to

be more collaborative and cooperative than before as all parties, Commonwealth, Territory and Council are working together towards elimination of over fishing and sustainable management of fishery resources.

We support the “unification” of the waters between St. Croix and the Northern Islands for many reasons in addition to fishery management. First and foremost, this action will restore a traditional relationship which has been disrupted in recent years and has interrupted transport of people and goods between our sister islands. Secondly, it just makes sense that the barriers to free and open transport between the islands be eliminated.

A final point. Expansion of the territorial seas will reduce the jurisdiction of NOAA’s fishery enforcement officers. These officers have provided valuable resources towards management of fisheries.

At the time when the STFA and CFMC negotiated away from area closures to seasonal closures, it was our understanding that NOAA’s enforcement officers would be able to assist in enforcement of the harmonized regulations. Insofar as we support sustainable fishery management, we were disappointed to learn that NOAA’s officers did not, in fact, have authority within territorial waters. This expansion will further reduce the area in which they can enforce regulations. We would ask that this issue be addressed by NOAA, the CFMC, the Commonwealth and the Territory.

Again, the fishermen of the Virgin Islands wish to thank Congress and our Delegate for this action. It will simplify and rationalize issues which are near and dear to our culture and industry.

Thank you for allowing me the time to express the views of the Virgin Islands fishermen.

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