

**TESTIMONY OF JAMES W. BALSIGER, Ph.D
ACTING ASSISTANT ADMINISTRATOR
FOR FISHERIES
NATIONAL MARINE FISHERIES SERVICE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
U.S. DEPARTMENT OF COMMERCE**

**ON
NEW ENGLAND GROUND FISH**

**BEFORE THE
SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
U.S. SENATE
PORTLAND, MAINE**

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Good afternoon Senator Snowe. I am Dr. James Balsiger, the Acting Assistant Administrator of the National Marine Fisheries Service (NMFS) within the National Oceanic and Atmospheric Administration (NOAA) under the Department of Commerce. Thank you for inviting me to testify at this important hearing on New England groundfish.

BACKGROUND

Commercial fishing for cod, haddock, flounder, and other fish species has been a long tradition in New England, and this fishing history is tied tightly to the culture and economics of the region. Before serving in my current job, I was the Regional Administrator for Fisheries in Alaska where fishing is also of paramount importance. My ultimate goal as the head of Fisheries for NOAA is to see healthy stocks supporting productive fishing livelihoods in coastal communities around the nation. We have some work to do to reach that goal in New England, but we are making progress and I am confident we will reach that point in the not too distant future.

NOAA bases its fishery management decisions for New England groundfish on key legislative directives, management plans, and scientific assessments. The *Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (Magnuson-Stevens Act)* is the key legislative directive under which NOAA manages the nation's fisheries. This important legislation requires us to end overfishing and rebuild stocks, among other things. The new *Magnuson-Stevens Act*, which was signed by the President in January 2007, also requires us to implement annual catch limits and accountability measures which create an even more conservative management system.

NOAA, together with the New England Fishery Management Council (Council), manages New England groundfish as part of a 19 stock complex called the Northeast Multispecies Fishery. Atlantic cod, haddock, pollock, and various flounders are a few of the species that make up the Fishery which has been heavily overfished for several decades. In recent years, we have had to sharply reduce fishing levels in an effort to rebuild stocks in compliance with the law.

AMENDMENT 13

In 2004, the *Northeast Multispecies Fishery Management Plan (Plan)* was amended to strengthen the work that NOAA and the Council were doing to manage the Fishery. Amendment 13 of the *Plan* instituted major changes in the Northeast Multispecies Fishery. These changes substantially decreased fishing effort on several stocks and planned for further reductions beginning in 2009 to end overfishing on the remaining stocks and keep us on track to rebuild all of the stocks by 2014 as required by the current *Plan*. In an attempt to reduce economic harm to fishermen, Amendment 13's fishing reductions were the bare minimum, and only had a 50

percent probability of success.

In addition, Amendment 13 called for regular adjustments to the *Plan* (such as Framework Adjustment 42 that further reduced fishing effort) and a comprehensive mid-point evaluation in 2008 to re-assess the status of the groundfish stocks given the 2004 fishing reductions. This evaluation was meant to provide the data necessary to make any needed changes to the rebuilding programs for the beginning of the 2009 fishing year.

GARM

NOAA's work to manage the nation's fisheries, including groundfish in the Northeast Multispecies Fishery, is based on sound science. Most recently, regional scientists completed the Groundfish Assessment Review Meeting, or GARM. This 2008 groundfish assessment represents the work of more than 70 scientists from throughout the New England region, including those from NOAA, the states, academia, industry, consultants, and independent reviewers. The process used to develop the assessment was fully documented, open, and public during four week-long meetings over a year's time. The meeting's results were peer reviewed, drawing on the services of 22 scientists unaffiliated with the NMFS Northeast Fisheries Science Center, many from outside the United States. The assessments comprise hundreds of thousands of observations, records, and measurements from 13 different sources, including the fishermen.

The GARM process was exceptionally rigorous, and the results are consistent with NOAA's obligations under national standard 2 in §301(a)(2) of the *Magnuson-Stevens Act*, which mandates that management measures be "based upon the best scientific information available." Northeast region stock assessments are among the most scrutinized of any in the world, and the

methodologies have been reviewed by the National Academy of Science. By any measure these assessments set a reliable benchmark for the management of New England groundfish.

Results of these stock assessments are mixed but not entirely unexpected given the probability of success set forth in Amendment 13. Results show that while there have been large reductions in fishing mortality since 2004, overfishing is still occurring in 13 stocks, five more than in 2004. The assessments also document a decline in productivity and average weight for several species, indicating slower-than-anticipated growth for these stocks. A number of these stocks are not increasing at the rate necessary to meet the rebuilding deadlines identified by the Council in the fishery management plan.

There is some good news though. Some stocks that were the focus of concern when Amendment 13 was developed have experienced major recoveries. For instance, Georges Bank haddock has exceeded its rebuilding target, and Gulf of Maine haddock is nearly rebuilt. We have also seen major proportional increases in two yellowtail flounder stocks and southern windowpane flounder.

AMENDMENT 16

Now I want to review briefly where things stand in terms of management and what we must do next to meet our statutory requirements.

The next major amendment to the *Northeast Multispecies Fishery Management Plan* is Amendment 16, which was scheduled to be implemented in May 2009. Because of a desire to more thoroughly consider the new stock assessment results, the Council delayed action on

Amendment 16. Final implementation of this amendment is not anticipated until September or October 2009 at the earliest. At its September meeting, the Council asked the Secretary of Commerce to take interim action while it continues to develop the amendment. At this meeting, the Council also recommended interim measures for NOAA to put in place during the fishing year starting in May 2009. As we look at our options, we are considering the Council's recommendations but ultimately, we need to ensure that we continue to rebuild stocks and comply with the law and it doesn't appear that the Council's recommendations will get us to where we need to be. At present, it is clear that additional reductions in fishing mortality for some of these stocks will be unavoidable.

NEXT STEPS

In terms of the overarching management strategy for New England groundfish, it is worth noting that the existing management strategy of relying primarily on effort controls as opposed to catch controls has had mixed success and has not entirely achieved the desired results. To reach our ultimate goal of healthy fish stocks and a productive fishing industry, I think it is important to think beyond the historic management tools and I'm pleased that the Council is considering sector management as an alternative. Unfortunately, there is no silver bullet that will solve all of the problems in this Fishery. We'll need to use a variety of traditional and new management tools including catch limits, effort controls, and market approaches.

Our position on these basic management issues is clear. We will support any number of conservation and management measures but they need to demonstrate a high probability of meeting the fundamental *Magnuson-Stevens Act* mandates to end overfishing and rebuild stocks in a timely manner.

I also want to point out that fishing is not the only factor that can affect fish populations. Our recent stock assessments showed a decline in average weight for several species, which means slower-than-anticipated growth. We consider these factors when we set the rebuilding targets and as our understanding of marine ecosystems improves, we will continue to incorporate this information to improve our models and ultimately improve our management of the Fishery.

CONCLUSION

In conclusion, I want to reiterate that NOAA's goal is to have healthy stocks supporting productive fishing livelihoods. I want this for New England, and I want it for other coastal communities around the country. Rebuilding fish stocks isn't easy. No one knows this better than the men and women fishing the waters off New England. Nevertheless, we need to achieve this goal so that we can revive those communities dependent on groundfish and continue the fishing traditions that are a foundation of this region's culture and economy. Thank you, Senator Snowe, for holding this hearing. I welcome any questions you may have and I look forward to continuing to work with you on this important issue.