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**Opening Statement by**  
**The Honorable John C. Fleming**  
**Chairman, Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs**  
**At the Oversight Hearing On**

***“Empty Hooks: The National Ocean Policy is the Latest Threat to Access for Recreational and Commercial Fishermen”***  
**March 22, 2012**

I would like to welcome our witnesses to today’s hearing titled *“Empty Hooks: The National Ocean Policy Is The Latest Threat to Access for Recreational and Commercial Fishermen.”*

As many of you are aware, coastal communities are feeling the pain of tough economic times and fishermen are having a hard time making ends meet. Both recreational and commercial fishermen are seeing their harvest levels reduced, the areas available to them diminished, and the cost of doing business increased.

This Subcommittee has heard loud and clear from many parts of the country that commercial and recreational fishing are being restricted due to inadequate or old data. While Congress has required that science should be the underpinning of management decisions, this Subcommittee has heard testimony that layer upon layer of precaution are being included in the scientific calculations to set harvest levels. This overly precautionary level of management is affecting the economies of our coastal communities.

In addition to inadequate data, fishermen are seeing their access to fishing grounds restricted. Efforts to create Marine Protected Areas are growing even as questions about their effectiveness are being raised. At an earlier hearing, we heard that efforts such as the California Marine Life Protection Act were disadvantaging fishermen while increasing the costs of management and enforcement- and were being imposed with little if any input from the fishermen. Currently, only 272 out of the 556 National Wildlife Refuges are open to recreational fishing and, unless there are special circumstances, all of these Refuges are closed to commercial fisheries. In the past, this was not as much of a concern because not many Refuges extended into the marine environment; however, as more Refuges and Maine Monuments are created or restrictions implemented, this lack of basic access is disturbing. In addition, I understand the National Park Service is now undertaking a policy to restrict recreational fishing access to National Parks - restricting fishermen in one Park at a time.

And at the same time that scientists are recognizing the importance of man-made structures to rebuilding the red snapper population in the Gulf of Mexico, the Department of the Interior is

pushing to remove some of these same structures at an expedited rate without regard to the effect on fisheries. And to make matters worse, a few years ago the Environmental Protection Agency proposed regulating rainwater that comes off of the decks of fishing vessels. Without Congressional intervention, this would have already been implemented and thousands of fishermen would have been required to either collect rainwater or apply for discharge permits from the EPA.

With all of this as a backdrop, the Obama Administration has proposed a National Ocean Policy that will add new regulations and implement closures that will affect fishermen as well as inland activities. Of the nine National Priority Objectives in the National Ocean Policy, four call for closed areas or restrictions on activities - including fishing. To make matters worse, the Policy requires that all of these decisions be made by federal officials behind closed doors. There is no opportunity for direct stakeholder participation in these decisions.

At a time of tight budgets, I believe this new Policy is draining resources away from existing missions and duties of a number of federal agencies. Yet this Administration either cannot, or will not, answer questions about where the funding for this far-reaching national zoning effort is coming from.

This Subcommittee will examine these funding questions and will continue to raise concerns with the National Ocean Policy and its objectives.

I appreciate the witnesses being here today and I look forward to your testimony.