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Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs Oversight Hearing on “Empty Hooks: The National Ocean Policy is the Latest Threat to Access for Commercial and Recreational Fishermen.”
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Chairman Fleming, Ranking Member Sablan and members of the subcommittee, thank you for the opportunity to testify before you today. My name is Terry Gibson and I am a small-business owner, entrepreneur, and a third-generation Floridian. Some of my earliest memories are of enjoying Florida’s great outdoors, and I spent much of my youth hunting and fishing while living in Florida and Alaska. I remain an avid angler, diver and hunter, and I own a charter fishing service in Jensen Beach where I reside. I also spend time working as a contractor, including work for the state of Florida to promote boating and fishing. I am co-owner and editor of a new tablet-based recreational fishing publication, *Fly & Light Tackle Angler*.

I grew up learning to love the outdoors from my parents and grandparents, and spent years hearing their stories of how the South Atlantic’s coastal and ocean environment had changed over the preceding 100 years. Each time I go fishing, I don’t just see the fisheries of today; I also remember the abundant fisheries of the past—and envision their future.

Though I have published in the scientific literature and contributed to a number of reports on serious conservation issues affecting sportsmen, my primary professional background is in journalism for outdoor enthusiasts. I have served as the East Coast Editor of *Surfer Magazine*, Editor of *Saltwater Fly Fishing* magazine, as an editor at *Florida Sportsman/Shallow Water Angler*, and as the Fishing Editor of *Outdoor Life*. I have covered conservation issues in more than 20 countries and most coastal states. And I have done some combination of fishing, hunting, diving and surfing in at least 10 countries and 40 states, often as a paid professional.

In a time when most in the outdoor media industry see little reason for optimism, my business partner, Capt. Mike Conner and I see a landscape teeming with opportunities for those willing to embrace evolving media formats and do the hard work to ensure that our natural resources are managed sustainably. The health of our ocean and coasts underpins the prosperity of many thousands of small coastal businesses that benefit in numerous ways from recreational fishing and responsible commercial fishing.

Need for Better Management

Growing up in South Florida, I have watched countless state and federal agencies work at cross-purposes. Fragmented management regimes have consistently led to irrational management choices, unnecessarily destructive development, and frustrated stakeholders. Time after time through the years, I have thought to myself, “There has to be a better way.”

Indeed, there is a better way: The National Ocean Policy.

The National Ocean Policy (NOP) addresses problems that have been raised for years by experts in science and policy and people like me who have been hurt by the impacts of a tangled web of bureaucracy. The current system is a labyrinth of jurisdictional boundaries, where legal challenges are often the only tool to settle conflicts between user groups. Our nation needs to reform ocean management and create a coordinated, regional system that breaks down silos between different agencies. The NOP ensures that activity on or impacting our ocean is managed in a smart and coordinated way. It’s an effort to move beyond the failed system of the past and create a better future for fishermen and countless others who enjoy and rely upon the ocean. It’s an important step forward that our nation’s fishermen should embrace.

I speak from experience when I say that without a new management framework, which the National Ocean Policy has an opportunity to provide, fishermen are—and increasingly will be—at a severe disadvantage when it comes to head-to-head conflict with other interests and industries. I don't want to perpetuate a system in which different stakeholders settle conflicts through costly and damaging legal and political battles. I want a system that anticipates those conflicts before they explode, and makes the best possible choice, balancing competing interests in an intelligent way.

I am a veteran of the kinds of conflicts inherent in the old system. Several times, together with friends and groups with shared interests in protecting Essential Fish Habitat, I have had to file lawsuits to try and stop development and construction projects from destroying the most productive places where we love to fish. For example, one of these suits prevented a massive dredge-and-fill project, advertised as “beach nourishment,” from destroying the beach at Florida's Lake Worth Pier and surrounding beaches and reefs, where thousands of people go every week to fish, surf, dive and more. I had seen the consequences of these massive dredge-and-fill operations before: miles of shoreline of chronically filthy water, buried reefs, and fake mud beaches that the turtles and birds hate. That's the kind of no-fishing zone I'm dead against—the type that renders valuable places unproductive and unattractive for wildlife and people.

Access is a null issue in places where fishing is no longer worthwhile. I could spend all week telling you about the countless honey holes I've seen destroyed since my childhood—because government agencies worked against each other, treating fish, fishermen and fish habitat as little more than an afterthought. As a fisherman and small-business owner, I shouldn't have to go to court just to try and force the government to consider a project's impacts on my livelihood and quality of life. I should not have to hire lawyers just to have my voice heard.

That is why the administration's National Ocean Policy—in large part an effort to implement key recommendations of the bipartisan, Bush-appointed U.S. Commission on Ocean Policy—is so important. It will finally place the management decisions closer to those who are impacted. It will finally create an integrated, multi-sector, regionally based ocean management system and a forum where all stakeholders can be heard. And despite the claims of others on this panel here today, it will finally protect fishermen and small-business owners like me.

National Ocean Policy

Unfortunately what you will hear from many of the more vocal voices on the fringe of the fishing community is fear, confusion and an unwillingness to engage in a proactive process.

In reality, the NOP does not grant any agency additional powers to close fisheries, or to create marine reserves or any other type of protected area. When more than one-third of federal waters in the Gulf of Mexico were closed to fishing, it was not because of the NOP. The closure occurred because of a conflict between two key ocean uses in the Gulf: offshore oil drilling and fishing. It occurred because of an absence of agency oversight—and because of an inadequate initial response due to the lack of coordinated planning between state and federal agencies.

The NOP gives fishermen an equal, if not greater, voice alongside other ocean industries and users. In its absence, what are we to expect? Take, as just one example, the administration's “Smart from the Start” initiative, unveiled by Interior Secretary Ken Salazar in November 2010. The initiative seeks to speed offshore wind energy development off the Atlantic Coast. How can we ensure that alternative energy projects are sited, and sited in a way that doesn't negatively impact fishing opportunities from Maine to Florida? I ask my friends who love to fish: do you want to have to fight for your voice to be heard for each and every new initiative like this one, or do you want to have a single forum for all ocean issues where you are guaranteed a seat at the table?

Regional planning bodies (RPB) under the NOP are a venue that can give fishermen a voice. Fishery Management Councils, as representatives of the fishing industry, will be given a seat on these bodies

under the administration's proposals. I am optimistic that the process will help new stakeholders find places to operate profitably and sustainably in U.S. waters without displacing traditional commercial and recreational uses. Wind energy, wave energy, aquaculture—they are all coming. And we must have a plan to develop and site these industries responsibly. If we don't, chaos will ensue and fishermen will lose out.

Real Threats to Fishing

I hope that the NOP and the RPBs it creates will work aggressively toward addressing the biggest threat to fishing—loss of functional access to productive waters due to pollution and habitat degradation. One of my biggest concerns is that other industries, with more resources to devote to high-priced lobbyists and insider games, will squeeze fishermen out of productive areas and damage essential habitats—as it has pained me to watch so many times. Such undesirable outcomes are far more likely to become realities under our current chaotic system than with the implementation of the NOP. The challenge as industrial uses of the ocean expand—and expand they will—is ensuring that conservation gains achieved under the Magnuson-Stevens Act (MSA) and the Fishery Management Council system are not further undermined by uncoordinated decision-making by other federal agencies.

As fishermen we fought hard to ensure that we were given a seat at the table and a vote on the RPBs and we have been heard. The RPBs will give us a place besides the courtrooms to stick up for ourselves, to learn more about the challenges of implementing new offshore development such as wind energy, and to work collaboratively with these new stakeholders to ensure that ocean uses are safely maximized for the nation's benefit.

Conclusion

The National Ocean Policy was the product of a long, thorough, bi-partisan process. It will continue to evolve and needs the input of us all; but it must not become a political whipping boy for people who don't understand—or choose to ignore—the critical void it is seeking to fill. The National Ocean Policy, the important coordinating structures it establishes, and critical tools like Marine Spatial Planning, are too important for our fishing future to reflexively vilify. Many fishermen like me see these tools as essential if our long-term fishing opportunities are to be sustained.

Fishermen have made sacrifices to achieve the progress we are seeing on the water. The NOP works to ensure that the progress towards sustainable fisheries achieved through implementation of science-based catch limits is not undermined by an activity that the fishery management councils have no control over. The National Ocean Policy creates the appropriate regional forums and processes for conservation benefits to be guaranteed.

As American fishermen, we are proud of the great strides we've made toward ending and preventing overfishing. MSA is clearly working—the list of species rebuilt or rebuilding continues to grow, and landings will increase as the populations do. Now we must work within the regional planning body process to ensure that we stem the tide of empty hooks because of other major fisheries problems, including habitat loss, declining water quality and unplanned offshore energy development. Fishermen around the country stand ready once again to roll up their sleeves and engage in the difficult work necessary to ensure our kids will be able to enjoy abundant fisheries. In so doing, we look forward to striving for harmony with ocean neighbors old and new through the National Ocean Council process.

H. Terry Gibson