

**United States House of Representatives
Committee on Natural Resources**

**Written Testimony of Donald Waters
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Chairman Hastings, Ranking Member Markey, and Members of the Committee, thank you for the opportunity to testify today on how strengthening America's fisheries can strengthen our economy. My name is Donald Waters and I've been an active commercial reef fish fisherman out of Pensacola, FL since 1974. My grandfather first introduced me to red snapper fishing when I was just six years old. At age fourteen I began gill net fishing, which I did for over twenty years until the Florida net ban. I am the owner of the F/V Hustler, which I've operated for the last twenty years. I've been an active participant in the Gulf of Mexico Fishery Management Council process since 1985, and have attended more Gulf Council meetings than any other commercial fisherman alive. I serve on the Red Snapper Advisory Panel, Red Snapper Ad Hoc IFQ panel, and the Red Snapper stock assessment panel. I am also a founding member of the Gulf Coast Professional Fishermen.

Mr. Chairman, our nation's fisheries provide us with food, jobs and a way of life. Nowhere is that more true than here in the Gulf of Mexico. I'm proud to be part of a commercial fishery that generates jobs—not merely on the dock, but right down through the seafood supply chain. Commercial fishermen in the Gulf of Mexico landed 1.4 billion pounds of finfish and shellfish in 2009, earning \$629 million in landings revenue. But critically, that is only the start of the benefit my industry brings to our region and our nation. For example, right here in the State of Florida, the seafood industry generated 65,000 jobs and \$2.4 billion in income. And perhaps just as important, we are the conduit for the more than 250 million Americans who don't fish in our oceans but want to enjoy the delicious, healthy seafood they provide.

So Mr. Chairman, the assertion contained in the title of this hearing—that "fishing = jobs"—is a truth that I know better than most. But with all due respect to you and members of your committee, it also risks being a dangerous over-simplification of a very complex issue. I've learned during decades of change in Gulf fisheries that *more* fishing doesn't always mean *more* jobs. And I've seen up close how an unwise policy or management decision taken in Washington, DC can jeopardize the jobs of fishermen like me, and the wellbeing of coastal communities like this one.

Today I would like to focus my remarks on matters that I believe can help guide the committee during its fisheries deliberations—for the remainder of the year and into the next Congress. Some members of this panel are calling for immediate and far-reaching reform of the Magnuson-Stevens Fishery Conservation and Management Act. Others would like to see significant changes in the context of the next reauthorization, scheduled to occur as early as 2013. I hope my testimony today can provide useful context for those debates. Because although I believe there are significant improvements that can still be made in our fishery management system, ignorance of the shameful mistakes of the past must not be permitted to undermine the slow and often painful strides we've made in creating one of the most successful systems of science-based fishery management that exists anywhere in the world.

A legacy of job-killing mismanagement

At the time when I first started participating seriously in the Gulf of Mexico fishery management process, our fisheries were hardly managed at all. It seemed to me that we were practicing a form of 'faith-based' fisheries management, crossing our fingers and hoping we caught the 'right' amount of fish.

Some who weren't there with me might look back on such a system through rose-tinted glasses, viewing the absence of regulatory controls as 'liberating'. But you cannot condemn the system of today unless you have lived the system of the past: for those of us who struggled through it, the reality was anything but liberating. Red snapper was chronically overfished, severely curtailing our fishing opportunities. I remember back in the 1970s when if we caught 400 pounds in five days we counted ourselves lucky. Mr. Chairman, more fishing may have equated to more jobs for some of my predecessors—those who over-exploited God's creation and left the fishery in crisis. But for me and my contemporaries it meant that we struggled to make ends meet. For many, fishing was no more than a low-paying part-time job. And the impacts of fishing on the local economies throughout the Gulf were drastically worse than they are today.

The depleted number of fish in the sea was not the only problem we faced. Back then, it wasn't just a question of how many fish there were to catch, but also how we went about catching them. In a clumsy attempt to control fishing effort, managers instigated 'derby' fisheries, which allowed fishing activity to occur only on a small number of days selected through an arbitrary process—for much of the time the first 10 days of the month. I sure didn't see much evidence of that system creating jobs, but it did create a lot of mayhem. The limited number of permissible 'Days At Sea' meant being on the water whenever the fishery was 'open'. That

meant going out in dangerous weather conditions, often putting yourself, your crew, and your boat in jeopardy. And it meant missing weddings, funerals and birthdays because you couldn't afford to miss a fishing day—no matter what.

The derby system wasn't just dangerous and depressing for fishermen, it was also disastrous for our bottom line. Unnecessary wear and tear on our vessel, and higher fuel and maintenance bills resulting from the race for fish, cut into what money we could make at the dock.

Even more absurd, though, was the impact the derby fishery had on the prices we could command. With all the catch arriving on shore in a glut when the fishery was 'open', there was little fishermen could do to secure a fair price for their catch. Equally intractable was the fact that the derby system didn't generate a regular source of supply. Buyers found in imports the certainty and consistency that our fisheries lacked. In a manner of speaking, the derby system was shipping jobs that should have stayed right here in the Gulf region to countries that exported seafood to the United States. It was absurd.

A growing number of us viewed the status quo as a low-paying, high-risk gamble. As we were fond of saying in Pensacola, if we kept swimming in circles like a one-legged duck we were destined to be eaten by a Vietnamese catfish. Something had to change.

Fishermen-led, job-creating reforms

No single tool was wholly responsible for our success in charting a different course. But I'd like to tell the Committee about two reforms that were critical in rebuilding our fisheries: reforms that are turning our fisheries around, and should bring sustained economic benefits to our region for years to come.

First, wholesale changes to the Magnuson-Stevens Act included mandates that science-based Annual Catch Limits be imposed in all fisheries, and that overfished stocks be rebuilt. It has taken years of additional hard work at the council level to implement these legislative mandates, and in some cases the effort controls they required imposed additional limitations on my fellow fishermen and me. But the fact is that we're seeing results—here in the Gulf and around the country. The number of overfished stocks in federal waters has steadily ticked down, while the number of depleted fish populations that have been rebuilt has gradually ticked up. Mr. Chairman, you have no doubt seen the same estimates from NOAA as I have regarding the additional economic activity and employment opportunities rebuilt fish stocks could generate. Thankfully I'm a fisherman, not an economist. But my belief, based on the

decades I've spent working and helping to manage the Gulf's fisheries, is that the economic dividends healthy fisheries could provide are immense.

Second, we commercial reef fish fishermen won the opportunity to choose for ourselves how to manage our fishery. And we chose—through two overwhelming majority votes—to move away from a derby fishery and instead to embrace a catch share program.

Mr. Chairman, I know that on Capitol Hill catch shares have been controversial among some of your colleagues; and that Mr. Southerland has led a thus-far-unsuccessful effort to prevent fishermen here and around the country from deciding for themselves whether they want to transition to a catch share system. I certainly would not presume to suggest that catch share management would be the right choice in every fishery. But I'm very surprised that Mr. Southerland would presume to suggest that it would never be—and that he would enshrine his misguided conviction on that point in legislation.

The truth is that catch share management has worked well for Gulf fisheries. Although the Florida net ban caused me significant economic hardship at the time it was passed, it had the benefit of forcing commercial fishermen to examine ways to more effectively regulate themselves. The Lobster fishermen had already entered into a tag program in 1992. And after the net ban, they were followed by the Stone Crab fishery in 2002. The Red Snapper fishery ITQ went into effect in 2007. Today, fishermen are able to catch their limits under safer conditions and we get paid far better for it. A slower harvest results in little or no glut in supply, which has allowed ex-vessel prices to climb from as low as \$1.50 per pound under the derby fishery to \$4.75 per pound today. Higher prices and a year-round commercial season have flow-on effects for the regional economy. For example, local fish houses are staying busy year-round, resulting in more full-time employment.

We can do even better

Of course, there are more challenges looming.

- The BP Deepwater Horizon disaster of 2010 was a catastrophe for us and its impacts continue to be felt in our fishery. I remain very fearful about the long-term consequences that disaster will have on the Gulf of Mexico ecosystem and our fisheries' long-term health.
- Red Snapper is still rebuilding, and the timeline to restore the fishery to full health is long. We are fishing under a plan with a target rebuild date of 2032—the longest

anywhere in the country—but some are already seeking to push that date back even further.

- We are the victims of endemic seafood fraud, and more must be done to combat instances of our catch being undermined in restaurants and on supermarket shelves by cheap and inferior product. The Gulf Coast Professional Fishermen support introduction of a binding traceability system for seafood bought and sold in the United States, and urge committee members to examine both legislative proposals and regulatory hooks that could help address this troubling phenomenon, which costs jobs in our fishery every single day.
- Ongoing investments in the ‘information infrastructure’ upon which science-based fishery management depends are essential. I encourage committee members to do what they can to provide adequate appropriations for fisheries science; and to consider supporting pending legislative proposals that would dedicate Saltonstall-Kennedy funds to those purposes.

Mr. Chairman, difficult changes in fisheries management over the last two decades have only been possible because of the presence of strong and visionary leaders in the United States Congress. Senators Ted Stevens of Alaska and Trent Lott of Mississippi were among the most impressive principals I worked with on the 2006 MSA reauthorization, and their absence from Capitol Hill is sorely felt. My sincere hope is that the enthusiasm some members of this committee have shown for engaging on questions of fisheries management may evolve into a sustained commitment to forging policies in Congress that promote healthy fisheries, support stable jobs, and secure prosperous coastal communities. Those giants of the Senate have left big shoes to fill, but their leadership, courage and foresight are qualities we need in our elected representatives if we are to conserve our fisheries—for the jobs we need today, and the jobs of our sons and daughters tomorrow.