



## *Briefing Document*

# **Saltwater Angler Registration**

### **Packet Contents:**

- NOAA's key messages
- Explaining it to anglers
- Upcoming constituent/partner events
- Position of the sportfishing community: pro and con
- Questions/concerns raised by the community

## **NOAA's Key Messages on Saltwater Angler Registration**

1. Our recreational surveys work and must be constantly refined to keep up with changing management needs.
2. An angler registry is a tool to help increase survey efficiency and improve precision of catch and effort statistics.
3. The Senate's draft Magnuson-Stevens bill requires NOAA to compile an angler registry. This is simply a list of saltwater anglers and their contact information, a virtual phonebook of anglers.
4. The greatest benefits will be realized if we work together to develop registries that capture anglers in both state and federal waters.
5. We have some thoughts for moving forward to meet our requirements under MSA, but we'd like your input for developing the best system to meet all our needs.

### **Every Angler Counts How an angler registry benefits anglers**

NOAA's data collection program is predicated on the idea that the best fishing information comes directly from anglers. Creating exceptional saltwater fishing is more likely when fishery managers have reliable information on when, where, and for what anglers are fishing. In September, the Administration submitted a proposal to Congress to reauthorize the Magnuson-Stevens Fishery Conservation and Management Act. In it, NOAA Fisheries is tasked with working with the states and anglers to develop a strategy to ask every saltwater angler about his day on the water.

Creating a nationwide database, a virtual phonebook of saltwater anglers, will help managers better answer three fundamental questions...who went fishing, where did they go, and what did they catch. Being able to ask every angler *directly*, "how was your fishing today?" is an important step towards improving our recreational data program. Not only will managers have quicker, more precise information about saltwater sportfishing, but anglers will have greater confidence in those data that are being used to manage their fisheries. To be clear, a saltwater angler registry does not guarantee anglers more access or more fish. What it does is ensure that both anglers and fisheries managers have a complete picture about the scope and impact of sportfishing in our oceans and along our coasts.

## **Improving the Recreational Fishing Data and Communication Upcoming Opportunities to Discuss Angler Registration as part of MRFSS**

1. **Partner/Constituent Meetings** (February – March 2006)
  - ***Council Chairs Meeting*** (January 25-26)
  - ***MAFAC*** (February 14-16)
  - ***ASMFC Meeting*** (February 20-23)
  - ***GSMFC Meeting*** (March 13-16)
  - ***Joint State Directors/Constituent Meeting*** (March 28-30)
2. **Recreational Constituent Data Review** (March 28, 2006)
3. **NRC Review Release** (April 2006)

# **Sportfishing Community Arguments for a Saltwater License**

## **Groups Publicly Supporting a Saltwater License**

American Sportfishing Association  
Billfish Foundation  
BoatU.S.  
Coastal Conservation Association  
Coastside Fishing Club  
International Game Fish Association  
National Association of Charterboat Operators  
National Marine Manufacturers Association  
Northwest Sportfishing Industry Association  
Pure Fishing  
Sportfishing Association of California  
United Anglers of Southern California

## **Summary of Key Points**

- More accurate count of saltwater anglers.
- More reliable data angler catch and participation.
- Greater political power and influence.
- Increased funding for fisheries management.

## **Examples of Articles or Policy Statements**

### **Stand Up and Be Counted By Walter W. Fondren III Chairman of Coastal Conservation Association**

It has been proven time and again that our marine resources are not infinite. Efficient, modern technology is capable of simply overwhelming our oceans. Diesel-powered boats equipped with an array of electronic equipment, guided by spotter planes, utilizing monofilament gill nets, huge bottom trawls and miles of longlines have proven more than a match for many species of fish.

The New England ground fishery, for example, is a faint shadow of its former productivity, and there are indications that after decades of commercial overfishing, it might not ever recover. Locals recall a time when the ocean teemed with bait, fish, birds and whales. It is a virtual desert now in some areas.

When we first formed Coastal Conservation Association more than a quarter century ago, our goal was to prevent that kind of reckless abuse of our marine resources. In our early skirmishes with gill-netters along the Texas coast, we quickly found that the real power to conserve or destroy our marine resources does not lie with the technology. The real power in this battle is political.

The commercial fishing industry enjoys the kind of political power that comes from being a small, but concentrated source of jobs, economic activity and influence. Technology alone did not wipe out groundfish stocks off New England. Even after it became very apparent what was happening to the resource, the considerable political clout held by the commercial fishing industry for generations in that region allowed the destruction to continue almost to the point of no-return.

CCA has seen firsthand what a politically active, well-financed and motivated minority of businesses are capable of achieving in fisheries management. Often, millions of recreational anglers have found themselves on the sidelines as decisions were made that led to the decimation of some species of fish. There is strength in numbers, but only if someone is counting. The owner of a seafood company that employs 100 people has historically wielded far more power in the fishery management arena than a vast, silent, unknown population of recreational anglers. That seafood company's payroll, landings data and bottom line provide a tiny snapshot of the value associated with a particular fishery, but it may be the only snapshot. That monopoly on information translates into political power.

However, CCA has found that recreational fishermen do have a weapon to level the playing field and provide a more realistic evaluation of our marine resources: a saltwater recreational fishing license.

Sometimes leadership means taking unpopular positions, and few issues have angered and confused anglers more than the subject of a saltwater recreational fishing license. CCA has fought for licenses in states all along the Gulf and Atlantic coasts. It is a difficult issue, especially in the Northeast, and we have lost more than a few members over it. Regardless, implementation of a saltwater recreational fishing license is the most important single step that a state can take to conserve and improve its fisheries.

The saltwater license remains a bedrock principle for CCA and I firmly believe the benefits far outweigh the costs.

On the surface, it is very easy to attack licenses as nothing more than just another tax to raise money for the government. For recreational anglers, this is a much deeper issue than that. While some people see a license as a tax and others refer to it as a user fee, the fact remains that a license is a mechanism that enables recreational anglers to have a seat at the bargaining table when critical fisheries management issues are decided.

To argue against a license is essentially to argue for representation without taxation and, in this business, you get what you pay for. From a historical perspective, in those states where saltwater licenses have been implemented, recreational anglers have been able to achieve near-miraculous conservation victories.

## **NUMBERS GAME**

It is not all uncommon for the commercial fishing sector to argue in public against the need for a saltwater recreational fishing license, only to have those same people dismiss recreational arguments before federal, regional or state regulatory agencies because recreational anglers don't "pay to play."

When 300,000 recreational anglers pay \$15 each to register for a saltwater license, I assure you that we are suddenly major players in the game.

However, the reality of a saltwater license is that the money it generates is secondary. The real value of a license is in the data. Regardless of how much money is generated or where it goes in a state budget, the most important function of a license is to provide a simple count of recreational saltwater anglers in a given state.

I have often stated that if you took all the money brought in by a saltwater recreational license and literally gave it to the commercial fishing industry, recreational anglers would still have the advantage. That is a shocking statement, but it is the truth. Why? Government bureaucracies tend to pay attention to large voting constituencies, and the license defines the enormous scope of the recreational angling constituency. Those numbers simply cannot be ignored in our political system.

Without a recreational license, the community of saltwater anglers and the millions of dollars they spend each year cannot be accurately established, and don't think our opponents in the commercial sector don't use that against us. A recreational license does not buy power or influence. It is merely a tool to reflect the numeric and economic reality of the recreational fishing industry in a state.

That reality, however, quickly reveals that the economic activity generated by hundreds of thousands of recreational anglers dwarfs that of the commercial sector in almost every state. The last thing the commercial fishing industry wants to see is a substantial dollar figure labeled "Recreational Fishing" in the state budget.

### **CHECK THE SOURCE**

Perhaps those recreational anglers opposed to the saltwater license should check to see who they are standing with shoulder-to-shoulder in this debate. The most vocal anti-recreational license arguments are usually commercial fishermen. The commercial fishing industry rarely utters a word in protest of its own license and fee structure, yet it is vehemently opposed to a recreational license

Why do commercial fishermen, who will not be asked to pay one cent for a saltwater recreational fishing license, argue so strongly against it? Simple. For decades the commercial fishing industry has benefited from being the only paying constituency in fisheries management. They are all too familiar with what is at stake politically if they are suddenly confronted with a large, unified, politically powerful, revenue-generating constituency of recreational anglers. The days of thousands of commercial fishermen making decisions for millions of recreational anglers would be over.

Perhaps there is no better argument for the license than the words of Jerry Schill, executive director of the North Carolina Fisheries Association, a non-profit commercial fishermen trade association. Schill has been leading the fight *against* a saltwater recreational fishing license in North Carolina.

"Look at what has happened in the other states," he said in the November 2003 issue of *National Fisherman*. "Look what the CCA has done with that license when it's been put into place. In some states you've got fish that have been given 'game fish' status, taken off consumers' plates. In other states, gillnet bans. And in Florida, they got the ultimate: a commercial net ban."

Well said. It is as simple as that.

# **Sportfishing Community Arguments Against a Saltwater License**

## **Groups Publicly Opposing a Saltwater License**

- Jersey Coast Anglers Association (NJ)
- Recreational Fishing Alliance
- United Boatmen (NY/NJ)

## **Summary of Key Points**

- A saltwater license is another tax on anglers.
- Burden for funding fisheries management should not fall only on the shoulders of recreational anglers.
- Concern that collected fees would not go back into fishery management.
- Could create a confusing patchwork of required permits and licenses.

## **Examples of Articles or Policy Statements**

### **RFA Opposed to Recreational Saltwater Fishing License in NJ**

A recent study by an independent consulting firm investigating potential new revenue sources for the NJ Division of Fish and Wildlife proposed that a recreational saltwater fishing license may be the answer. The study has created a wave of debate throughout the state with many viewing a license as an unnecessary tax. The Recreational Fishing Alliance (RFA) is currently opposed to a recreational saltwater fishing license in NJ.

"Clearly, the funding for conservation and management of NJ marine resources is inadequate," said Jim Donofrio, RFA Executive Director. "But recreational fishermen should not bear the burden of increasing the state budget when we already contribute over \$50 million in state sales taxes and over \$2 billion to the state's economy overall." In addition, recreational fishermen already pay federal excise taxes on boat fuel, fishing rods, reels and tackle.

The State Division of Fish and Wildlife is seeking to increase its Marine Fisheries Administration budget from \$3.5 million to \$9.45 million and increase its staff from 44 to 108 to enforce fisheries regulations and conduct research. The study says NJ could raise around \$6 million a year by imposing a license on anglers.

"Recreational fishing adds a lot to our quality of life here in NJ. A license could turn a lot of people off," said Mr. Donofrio. "Our recreational fishing industry depends on public participation so a license could end up hurting boat builders, party and charter boat businesses, bait and tackle shop owners, as well as NJ tourism."

"It's hard to justify a recreational saltwater license when the fish we target migrate in and out of our state waters and most are harvested by both recreational and commercial fishermen," said Herb Moore, Jr., RFA Director of Government Affairs. "Take summer flounder, one of NJ's most popular recreational fish. Sixty percent of the catch is allocated to the commercial sector while recreational fishermen are left with only forty percent." Some license advocates say the creation of a saltwater license would give anglers more clout in Trenton. "Political power comes from getting organized and campaigning," said Michael Doebley, RFA Deputy Director of Government Affairs. "Five of the fourteen Atlantic seaboard states currently have a recreational saltwater license and it hasn't given anglers the clout they deserve."

"RFA recognizes the need for more funding for research and management programs in NJ but this shouldn't come on the backs of recreational fishermen," said Mr. Donofrio. "The state should support other methods of funding such as a special striped bass license plate and a conservation lottery where revenue goes to the Division of Fish and Wildlife. Also, it may be time for the state to increase expenditures for an industry that contributes so much to the NJ economy."

### **Recreational Fishing Alliance (RFA) Provides National Research Council Recommendations on Improving Recreational Catch Data**

The RFA made the following recommendations to the NRC:

1. Increase funding for recreational data collection programs. Angler expenditures generate more than \$30.5 billion in sales annually and \$4.9 billion in federal and state tax revenue. NOAA must make a financial commitment to recreational fisheries data that is more reflective of this tremendous economic impact. The RFA recommends that increased funding be directed at more field intercepts and better socio-economic data while diverting effort and funding from telephone surveys.
2. Recognize the diversity within recreational fisheries. Recreational data collection programs must recognize that not everyone fishes for the same reason. Therefore, participation is not linear with catch. Managers cannot assume a constant catch rate across the board for all anglers. Recreational data collection programs must also recognize regional diversity where certain sized fish are more common in some areas than others.
3. Incorporate additional sources of data to estimate recreational catch. The recreational for-hire sector is a tremendous source of recreational data that is not being fully utilized. Managers should better utilize data available from the for-hire sector but must view this data in a historical context.



4. Compare weather data to recreational catch data. Recreational fishing is greatly impacted by weather, therefore a weather corrective factor should be incorporated into recreational catch estimates.
5. Establish fixed sampling sites to interview fishermen.
6. Count numbers of recreational fish caught- not pounds caught. With larger and larger minimum size limits, recreational harvest may increase in pounds when in fact the number of fish being taken is constant or even decreasing.
7. In rebuilt fisheries, or where overfishing is no longer occurring, managers should consider averaging recreational catch data over a three or four year period to reduce the impact of statistical anomalies.

**Saltwater Fishing License**  
**By Tom Fote, Jersey Coast Anglers Association**

I saw an editorial in Saltwater Sportsman Magazine making a pitch for a saltwater fishing license. When I first got involved in JCAA, Fish and Wildlife was already pushing for a saltwater license. I remember staffing booths and gathering signatures on petitions opposing a saltwater license. JCAA still has these petitions on file. Times have changed and I know some anglers believe that the money raised with a saltwater license could be a quick fix for our problems. It is interesting that freshwater anglers feel that saltwater anglers should make the same contribution they do.

We already have a saltwater license in New Jersey at the federal level if you fish for highly migratory species. We are paying \$28 to count the number of boats fishing for tuna. Of course, it isn't called a license. That would require a vote by the Congress. The President, through the Secretary of Commerce, allowed for a permit. The National Marine Fisheries Service now wants to expand the permit to include anyone fishing for any highly migratory species. The money goes into the general fund. It is interesting that New Jersey, with a \$28 freshwater license, can stock all the lakes, streams and rivers and hire sufficient law enforcement. All the federal government does for \$28 is count the number of permits. It is a fine example of how we waste money. The only thing accomplished with this permit is to reduce the number of anglers fishing for tuna and decrease the bag limit while increasing the regulations. Maybe this is a move to reduce the number of recreational anglers.

The recreational fishing community pays a considerable amount of taxes on tackle (regular sales tax plus 10% excise tax that goes into the Wallop-Breaux Fund). We also find ourselves taxed in other ways. We pay boat registration fees. That money goes into the general fund and is not earmarked for any fishing or environmental activities. Remember, only recreational anglers pay a boat fuel tax. Commercial, charter and party boats do not

pay this tax. We get a lot of promises but very little action for our fuel tax. At this time New Jersey is proposing to double the boat registration fee, again putting this money into the general fund.

Freshwater license fees are earmarked for freshwater activities, stocking lakes and streams, providing access, and providing adequate law enforcement. The New Jersey Fish and Game Council plays a significant role in decisions about how this money is spent. They can also hire and fire the director of Fish and Game. The whole process that puts people on the Fish and Game Council is very democratic. People are nominated, voted for by their peers and approved by the Governor. We don't get surprises. People who serve on the Fish and Game Council really understand the resource and the needs of the people they represent.

The only equivalents on the marine side are the Shellfish Councils and the New Jersey Marine Fisheries Council. The Shellfish Council does not even have a recreational member. At the first Shellfish Council meeting I attended, there was a discussion by all four council members about eliminating recreational clamming. Yet they use the \$100,000 generated by recreational licenses to serve their own needs. The New Jersey Marine Fisheries Council's membership is not a democratic selection. Political considerations are more important than the needs of either the commercial or recreational community. There are more commercial than recreational members on this council and this council could not make fair decisions about how to spend the funds generated by a recreational license. So where do I actually stand on the issue of a saltwater license? I have given this a lot of thought. \$25 is very little money to some of us and a large amount to others. There are many anglers who fish on docks and piers and from the beach to supplement their diet. They use the least expensive tackle available. What guarantee would we have that people who cannot afford \$25 dollars would not be eliminated from fishing? Before I would consider a saltwater license, I would need these preliminary concerns addressed:

1. The fee would have to be dedicated for just saltwater recreational fishing needs.
2. The people who pay the license fee would have control over how the money is spent.
3. The recreational fishing community appoints the people who control how the money is spent. There should be a limited appointment similar to the Fish and Game Council.
4. Any fee increase must first be approved by the new council and then voted on by the Legislature and signed by the Governor.
5. The license procedure must be user friendly and not create more bureaucracy.
6. We must not penalize our out-of-state anglers with larger fees. This would have a negative impact on the entire recreational industry and tourism.

These points are only the beginning of the discussion that must precede any consideration of a saltwater license. A saltwater fishing license is not a cure-all to protect recreational fishing. It has not accomplished this goal in states where it already exists. A saltwater license was discussed at the last JCAA meeting and there was a wide diversity of opinion. This discussion will continue.

**A Response to the President Calling for a Saltwater Fishing license  
By Tom Fote, Jersey Coast Anglers Association**

I was asked what I thought about thought about the Ocean Report call for a saltwater fishing license and I gave it some thought. I thought of what NMFS had told us when they implemented the Bluefin Tuna permit. NMFS told us they would be able to have a better count on the number of bluefin and anglers participating. All you have to look at is what is happening to bluefin recreational statistics and you will realize that it is in a bigger mess than it was years ago. But now the NJ recreational anglers are filling some US Government Contractor pockets with over \$220,000 a year and we still do not have accurate catch figures. What a waste of our money. The Bluefin Tuna Permit debacle shows how bad it can get when people are forced to buy a permit. The recreational angling community already contributes a huge amount of money into the federal and state governments through taxes. These figures below do not even take into consideration boat and trailer registration fees. Those fees were doubled in NJ two years ago and went into the general fund.

## **Some Questions/Concerns Raised by the Sportfishing Community**

### **Better or Worse?**

- How do we avoid “doubling up” of licenses whereby anglers would have to pay for both a state and a federal license/permit?
- How do we ensure that fees for a license are put back either into the MRFSS program or fishery management?
- How will we register anglers and run parallel surveys without sacrificing funding for existing data collection efforts?
- A saltwater license is not a panacea.

### **Drawing the distinction between the survey science and the management**

- We need to figure out what information the fishery managers needs, and then design our data program around that. Using the “best available data” clearly doesn’t work.
- In some places, management is misusing MRFSS data. How do we address this?

### **Lessons Learned**

- What have we learned from the California (CERFS) approach? How is it different than current MRFSS, does it cost more/less, are we getting better information?
- Some states run complimentary volunteer angler surveys that corroborate or build upon MRFSS data. What have we learned from these complimentary opportunities that will help us address concerns with the data?

### **Implementation**

- What alternatives are there to a state or federal license? What if anglers or a non-profit were to collect the names and supply them to NOAA?
- How do we implement a license/registry program so it’s convenient and efficient for both the anglers and the agencies?
- What process needs to be put in place to determine the best approach?
- How do we use the growing availability of internet based licensing and reporting to make this work efficiently?
- Is it better to build on state licensing systems?
- Do we identify a pilot system to test?