

Recreational Fishing Alliance

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RFA CALLS ON FISHERMEN TO UNITE **Fluke & Snapper Closures Fan Flames Of Angler Discontent**

Because of obsolete NOAA harvest statistics and questionable assessment data, summer flounder (fluke) fishermen will take another hit in 2012 - in turn, coastal fishermen are planning to hit back at Washington DC sometime later this winter!

A [Northeast Fisheries Science Center](#) report indicates that while the summer flounder stock was successfully rebuilt in 2010, angler harvest data compiled through the Marine Recreational Fishing Statistical Survey (MRFSS) and applied to NOAA assessment models predicts fishing mortality rate will be exceeded in 2011, once again causing statutory overfishing to occur. In addition to known flaws with the MRFSS data, independent scientists have also been critical of the assessment models used by the federal fisheries service.

Citing new findings, the Mid Atlantic Fishery Management Council (MAFMC) warns that harvest limits originally recommended by council members for 2012 are actually too high and may need to be reduced. On top of recent reports from the South Atlantic and Gulf of Mexico regional fishery management councils that sea bass and red snapper fisheries have also been closed to anglers due to flawed data, the Recreational Fishing Alliance (RFA) said they are moving forward with another rally in Washington DC later this winter like the one held during the winter of 2010.

"In conducting stock assessments, NOAA Fisheries is using recreational harvest data deemed fatally flawed and woefully inaccurate by the National Academy of Sciences, which is exactly why Congress told them to stop using MRFSS as of 2009," said Jim Donofrio, RFA's executive director. "Whether it's sea bass, red snapper or fluke, annual or semi-annual stock assessments don't mean squat when you're using illicit data and questionable models."

"Five years is long enough to wait for Congress to react, so if they're not coming to us then it looks like we'll be heading back to see them this winter," he added.

Reauthorized in 2006 by unanimous consent with support from 'green' groups like Pew Charitable Trusts and their Pew-funded affiliates including [Marine Fish Conservation Network](#) and [Theodore Roosevelt Conservation Partnership](#), the Magnuson Stevens Act calls for rigid rebuilding deadlines while incorporating annual catch limits (ACLs) and accountability measures like catch shares to help ratchet down regulatory controls on fishermen.

"RFA has taken our lumps by some in the industry because we've been so openly vocal about the issues with Magnuson while also rallying for more accountability from our federal government, but who can sit back quietly while this injustice continues," Donofrio asked, adding "this is a jobs issue."

Last week, Donofrio appeared before a House Resource Committee hearing on behalf of America's coastal anglers, and specifically brought up the issue of NOAA's inattention to meeting requirements set forth by Congress. "We don't have a data collection program that Congress mandated in the 2007 reauthorization for marine recreational statistics, the new MRIP program, they're still using the MRFSS data and they're shutting down fisheries," Donofrio told committee members," adding "they told the judge we're not using MRFSS data anymore."

Two years ago, RFA brought a federal lawsuit against NOAA for closing the black sea bass fishery using data compiled through MRFSS. Based on the NOAA testimony, a federal judge determined that there would no future fishing closures based on MRFSS data given the fact that NOAA was no longer using MRFSS, rendering RFA's lawsuit moot. That's a concern which Donofrio and the RFA have specifically brought to the attention of Congress.

"NOAA's legal team essentially showed a copy of the Magnuson reauthorization of 2007 showing where Congress mandated that MRFSS be replaced as of January 1, 2009," Donofrio said. "While NOAA has yet to meet their congressional obligation three full seasons later, our recreational fishing community is being forced to adhere to a broken law enforced by an overzealous and contentious enforcement office."

Donofrio told House Resource Committee members that coastal businesses are having a bad enough time staying open in a down economy, but when combined with burdensome regulations based on hopelessly flawed harvest data, many recreational fishing professionals have been getting out of the business entirely. "They're disgusted with federal regulations that are not allowing them to fish on rebuilt stocks and NOAA's not doing a thing about it, what they want to do is add more layers of bureaucracy that costs more money when they're not spending the money to keep us fishing," Donofrio said.

In response to a question from [Rep. Jon Runyan \(R-NJ\)](#) Donofrio said issues experienced within the New Jersey congressman's home district were the same as those down in the southeastern United States and throughout the Gulf, "all the way down to Mr. Southerland's district," he added, referencing committee member [Rep. Steve Southerland \(R-FL\)](#) who also took NOAA to task at the recent hearing. "We have people sitting at the dock can't catch red snapper because the stock assessments and the data that NOAA's been using is flawed, we're literally tripping over red snapper, tripping over them" Donofrio said.

Since 2007, RFA and their coastal allies have vocally pressed forth with support for legislation to reform the Magnuson Stevens Act to rewrite the fouled language which has allowed NOAA to shirk its responsibilities while punishing coastal fishing communities. Donofrio said it's been an uphill battle because of

congressional gridlock and an industry divided. "A handful of legislators were led to believe that Magnuson was just fine back in 2006, but that's obviously not the case," Donofrio said.

According to MAFMC chairman Rick Robins, part of the problem with summer flounder is the fact that NOAA Fisheries is taking important scientific funding away from his council and shifting the spending up north. "The current situation is an unfortunate consequence resulting from the redirection of Science Center resources to New England groundfish," Robins said. While the MAFMC is in the process of scheduling meetings with the science and statistical committees to review the information before their December meetings, independent scientists including [Brian Rothschild](#) and Mark Maunder have openly challenged the data used by NOAA scientists in their assessments models.

"There are scientists in the field who have critical data with regard to summer flounder to challenge the government's unreasonable findings, but the only way to shake some sense into this government bureaucracy is through an act of Congress," Donofrio said. "Without a new benchmark assessment or peer review of the government data, there's no way for individual anglers and independent scientists to challenge the data," he said.

Donofrio said the best option for protecting the future of saltwater angling opportunities is to fix a broken law while securing legislative commitments to overhauling a big government bureaucracy which he says "has gone rogue" in the past 3-1/2 years. "Comprehensive reform of the law is the only choice right now, and the quicker the industry realizes that they've been hoodwinked by anti-fishing interests the quicker we can address our coastal access issues in front of Congress," he added.

"There are several different Magnuson reform bills in Congress right now, including the more comprehensive version in [HR3061](#)," Donofrio said, adding "what we need is get the whole suite of legislation into committee for review and debate so that we can get the law fixed now to protect jobs."

About Recreational Fishing Alliance

The Recreational Fishing Alliance is a national, grassroots political action organization representing recreational fishermen and the recreational fishing industry on marine fisheries issues. *The RFA Mission is to safeguard the rights of saltwater anglers, protect marine, boat and tackle industry jobs, and ensure the long-term sustainability of our Nation's saltwater fisheries.* For more information, call 888-JOIN-RFA or visit www.joinrfa.org.