

**Testimony
of Robert E. Dooley
President, United Catcher Boats**

**House Subcommittee on Insular Affairs, Oceans and Wildlife
House Committee on Natural Resources
Oversight Hearing: A Community Perspective on Catch Shares
Thursday, April 22, 2010 10:00AM**

Chairwoman Bordallo, Ranking Member Young, and Members of the Subcommittee; thank you for the opportunity to testify before you today regarding NOAA Catch Shares and, in particular, the West Coast groundfish rationalization plan. My name is Bob Dooley. I am the President of United Catcher Boats and co-owner of a commercial fishing company with my brother John.

John and I have lived in Half Moon Bay, CA our entire lives and have been commercial fishermen for over 40 years. Our families have been active in commercial fishing and it's supporting businesses on the West Coast for over 70 years. We presently own and operate three vessels. Two participate in the Alaska Pollock fishery and the West Coast Pacific Whiting fishery and our third vessel fishes Dungeness crab off the West Coast.

United Catcher Boats (UCB) is a trade association of 62 commercial fishing vessels that participate in the Alaskan Pollock, Alaskan crab, and West Coast groundfish fisheries. Our vessels are called catcher boats because that is all we do – we catch fish and deliver our catch to processing facilities. UCB members are very familiar with the benefits of catch share programs, participating in American Fisheries Act Pollock cooperatives as well as the Alaskan crab IFQ program, both of which were approved by Congress and developed through the North Pacific Fishery Management Council process.

I am here today to express the strong support of both UCB and myself for Catch Shares programs in general and specifically for the West Coast Trawl Rationalization Program approved by the Pacific Fishery Management Council (PFMC). We also support the subsequent request for federal funding to help implement this new fishery management program that is presently in the President's FY 2011 draft Budget.

I participate in the fully rationalized Bering Sea Pollock fishery in Alaska. That fishery was fully rationalized in 1999 through the provisions of the American Fisheries Act. I not only helped in the implementation of that program but also have the unique perspective of having participated in this trawl fishery since 1981. I have seen the problems an open access race for fish creates and the resulting downward spiral, both economically and environmentally. I have witnessed first hand the benefits to the health of the fishery, communities, crews and environment a rationalized fishery provides. This is what has been missing in the current and past management of the West Coast trawl fisheries.

Over the past two decades the PFMC has struggled with finding a way to rebuild depressed fish stocks off the West Coast, implement an accurate catch accounting system both at-sea and at the dock, and structure the fishery so the trawl boat owners can once again be profitable and thus support the local communities that they live in and deliver their harvests to. During this time period, the federal government has declared the Pacific Coast ground fish fishery a federal disaster and the PFMC has implemented a license limitation program that did not control effort. The fishery has been managed via monthly trip limits that required regulatory discards and has a minimal observer program. Congress authorized and funded a vessel and license buyback loan program that failed to reduce overall effort in the fishery. My 2009 Pacific Whiting Season lasted just three weeks. All of these measures have failed to rebuild the fishery and the value of the fishery continues to be at an all-time low. Six years ago, the PFMC embarked upon a project that would allow for “rationalization” of the West Coast Trawl fishery, otherwise known as a Catch Share program, and last year made their final recommendation to the Department of Commerce. This new management program is scheduled to go into effect just prior to the start of the 2011 fishery.

The first point I would like to make is that this program was developed from the ground up with full participation of all stakeholders in the West Coast groundfish fishery from Southern California to Northern Washington. This is not an example of NOAA Headquarters in Washington, DC trying to impose catch shares on the fishery. The PFMC established a special stakeholders committee that included a broad membership of fishermen, processors, NGOs and community representatives. Out of this open process came a preferred option for an IFQ-based system for the shoreside groundfish and Whiting fisheries and a Co-op-based system for the offshore Whiting fisheries.

The second point I want to make is that this new program will do two things that will have a dramatic positive effect on the health of the fish stocks and the value of the fishery. The first is that it will end the practice of “regulatory discards”. Under the present trip limit style management fishermen are required to throw valuable fish overboard. This discard is subtracted from existing quotas under an assumed estimated discard rate thus contributing to the actual decline of the resource while no value is being added to the fishery or our communities. Under the new program, each fisherman will be allocated their own quota, or percentage, of the stocks of fish they catch and once they reach their assigned amount, will either have to stop fishing or find another fishermen to acquire fish from. This individual allocation allows each fisherman the opportunity to harvest their own fish when it is most valuable and the ability to utilize each pound of their quota to return the maximum benefit to themselves and their communities.

The second thing that will occur under this new program is accurate accounting all fish that are harvested. Every boat will be required to carry a federal observer that will account for the harvest at-sea. There is also a requirement of a federal weigh-master at each processing or receiving plant to observe the delivery of fish and to check the weight of each delivery. These measures will result in accurate accounting of the fish that are harvested and delivered.

My third point has to do with federal funding of this new Catch Shares Program. To implement this new West Coast program, NOAA is requesting about \$12 million in the

FY11 budget. A large portion of this requested funding will go to help fishermen afford the cost of having a federal observer on board their boats (estimated at between \$300 and \$900 per day per observer).

Note that this request of funding is not a request to subsidize the federal groundfish trawl fishery. In fact the federal government has the authority under the Magnuson-Stevens Act to assess fishermen a LAPP management fee of up to 3% of the value of the fishery. The fishermen participating in the program will pay an annual fee for the cost to manage the fishery. The \$12 million request is for the start-up cost of the program in 2011.

Some have said that this funding for implementation of our new Catch Shares program will take funds away from current collaborative fishery research and fishery science research. This is simply not true. Mr. Barry Thom, the Acting NMFS West Coast Regional Director, and Dr. Eric Schwaab, the newly appointed head of NMFS, both have stated recently that the new Catch Shares programs will not take federal money away from current research programs (Mr. Thom at the March 2010 PFMC Meeting in Sacramento and Dr. Schwaab at the previous House Resources Subcommittee hearing on Catch Shares on March 16, 2010.)

Good management of a fishery requires accurate stock assessments of the fish populations, and a reliable system to determine the amount of fish that can be sustainably harvested all based on good science. Catch Share programs in other parts of the country and world have resulted in the stakeholders, namely the fishermen, demanding the best available science and research be used. The reason for this is under a Catch Share system the fishermen have a vested interest in the sustainability and health of the fishery resource.

Catch Share programs also set up the opportunity for fishermen to find solutions to management problems without a government mandate, or regulation. Rather, fishermen work cooperatively to find creative, voluntary programs to solve real problems. Let me give you a couple of examples of what I am talking about by looking at the Bering Sea Pollock fishery. The first is the Pollock fleet's actions to address the problem of incidental salmon bycatch taken while we are fishing for Pollock. Under our co-op system, the boat owners developed and approved a voluntary program to close small, discrete areas on the fishing grounds for a limited duration when high rates of salmon bycatch are encountered. We call these areas Hot Spot Avoidance Areas. Unlike the government, we are able to close these areas to individual boats or a group of boats that have above average rates of salmon bycatch while keeping these Hot Spots open to boats that have low rates of bycatch. This fleet-sponsored bycatch avoidance program can only happen when we are operating under a Catch Share program. We are beginning the process of designing a rockfish bycatch avoidance and management program for the West Coast Whiting fishery when the Groundfish Trawl Rationalization program goes into effect. So what we did in the Alaska Pollock fishery due to AFA we will do in the West Coast Whiting fishery. Our goal is to harvest 100% of our allocation while at the same time stay under a bycatch cap for incidentally caught species. Government initiated regulations have failed to achieve this goal.

The second example is the development of a salmon excluder device. Through a Pollock industry initiative, we designed, developed and tested a number of devices to put into our mid-water trawl nets that exclude the bycaught Chinook salmon. After four years of trials and testing we now have arrived at a device that over 60% of the Pollock fleet is now using –without any government regulation requiring us to do so.

As I mentioned in my introductory comments, I fish in both the rationalized Bering Sea Pollock fishery and the soon-to-be rationalized West Coast Whiting fishery. I can tell you that back in 1998 when Congress and the North Pacific Fishery Management Council were developing the American Fisheries Act, many of us out on the water fishing were very skeptical of this new program. Because of this, our concerns expressed at NPFMC meetings when they were developing the AFA regulatory provisions were very skeptical and there were a lot of boat owners that were quite nervous and in fact didn't support the program. You have to realize what we were going through in those days. Most if not all of the fishermen were just trading dollars and a number of the Pollock companies had gone bankrupt. In addition, many of the multi-national, large fishing companies were acquiring a lot of the vessels and consolidation was happening. During a 10-year period, from 1989 -1999, the Pollock industry experienced three bloody sector allocation battles at the NPFMC. For me personally, the only reason I am still in the Pollock business is due to the provisions of the AFA that gave me and my brother a certain, known allocation of Pollock annually and the ability to get the most value out of our harvest of Pollock. The ownership and use caps in this law have protected the smaller fishing companies. I do not know a single participant in the Bering Sea Pollock fishery today that does not emphatically support the American Fisheries Act and the rationalized manner of the fishery.

I can also tell you that the Whiting fishermen who also fish Pollock, like myself, were the first ones to go to the Pacific Fishery Management Council and ask for an AFA-style co-op management structure 6 years ago, to address the very same problems we were experiencing in the Alaska Pollock fishery 15 years ago. Again, this is a “ground up”, not “top down” built program and one that the fishermen who are dependant on this fishery are very excited about.

Thank you very much for the opportunity to share my and UCB's perspective on catch shares.