

Distinguished Senators, Congressmen, State legislators and local officials: Thank you for this opportunity to share my thoughts on the reauthorization of the Magnuson-Stevens Act as they relate to the Northeast groundfish fishery.

As a fisherman and the policy director for the Northeast Seafood Coalition, I have been deeply involved in the process to implement many key provisions of the MSA.

The bottom line is that the current statute is not working for the Northeast groundfish fishery.

Fundamentally—the management strategy set forth in the statute places demands on groundfish science that far exceed its capacity.

Consequently, the strategy has failed.

As confirmed by the recent NRC report, the annual recruitment, growth and natural mortality of a fish stock are highly susceptible to environmental and ecological conditions.

These are the core biological parameters that will define the future performance of a stock.

Present day fishery science cannot reliably predict, nor can our policies dictate, the annual reproductive success, growth or natural mortality of our groundfish stocks any more than we can predict or control the environmental and ecological forces that define how those parameters will perform.

Nature determines those results, not the Act.

Our reality is that the GB and GOM marine ecosystems are highly dynamic and far less stable than is contemplated in the statute or reflected in the agency's narrow interpretations of the law.

The problem is that stability and predictability are at the core of the current timeframe-based rebuilding strategy set forth in the Act.

History has proven that we cannot rely on any single stock assessment to reflect the actual level of change occurring in nature, yet current interpretation of the statute fails to provide managers with the flexibility to buffer management responses, in either direction, to account for the volatility in assessment results.

As futile as this exercise has been, it has also been expensive.

Foregone sustainable yields and unrealistically low ACLs have caused huge social and economic costs without a commensurate biological benefit.

By trying to know the unknowable and to control the uncontrollable, we have paid an unprecedented price. In stark contrast to the statute's definition and mandate to achieve optimum yield, we've lost yield, revenue, stability and ultimately jobs in both harvesting and shoreside small businesses. These are the costs of being wrong.

If we are to succeed in managing groundfish stocks to achieve a sustainable resource and a sustainable fishery then we will need some important revisions of the Act.

We need some new tools in the toolbox.

First and foremost, we believe section 304(e)(4) rebuilding policy must be expanded to provide the Councils with additional authority to implement alternative rebuilding strategies that focus on limiting the rate of fishing mortality rather than on the rate of rebuilding to a highly speculative target within an arbitrary timeframe.

The reason for this is simple, once fishing mortality is managed sufficiently below the overfishing level, the ability of the stock to rebuild is entirely dependent upon the three parameters of stock dynamics over which man has no control. We are essentially gambling away our fishing communities using highly uncertain projections and speculating on Mother Nature's performance.

One F-based strategy would be to set ACLs at or below the fishing mortality rate that will achieve MSY – known as F_{msy} .

As confirmed by the NRC, this strategy will, by definition, achieve the dual overarching objectives of the Act. It will prevent overfishing and it will result in a rebuilt stock.

But, it will do so within nature's timeframe.

It could also avoid many of the costs of being wrong inherent to the current strategy.

Second, we should provide managers the tools to smooth the management response to the profound volatility inherent to our groundfish stock assessments. **Allowing multi-year evaluations of overfishing and overfished status is one widely discussed tool that we feel should be explicitly incorporated into the statute.**

The critical point is our need for stability.

Finally, I'd be remiss not to remind you of our immediate reality.

All of the long term policy improvements in the world aren't going to matter much if there aren't any fishermen left when those policies are implemented. We are in the midst of a crisis that needs immediate attention.

This holds just as true for our shoreside infrastructure as it does for fishermen.

My son's own and operate an offloading and auction facility that is one of several remaining waterfront businesses that are central to the port of Gloucester's shoreside infrastructure. Their future is just as much in question as is the future of any vessel in the fleet.

The situation is catastrophic and it's clear now that nothing short of an appropriation for disaster relief will build a bridge sufficient to sustain the groundfish industry in New England.

We deeply appreciate all of the extraordinary efforts you have made and continue to make to secure this relief—and thank you again for this opportunity to appear before you.