



# PRESS RELEASE

## Recreational Fishing Alliance

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For Immediate Release  
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### **NOAA/NMFS GIVES SOUTHEAST ANGLERS THE FINGER Flawed Federal Law Provides Fisheries Service Cover to Close Fisheries**

South Atlantic sea bass fishermen should head out and grab a biscuit this weekend - as of Monday morning the kitchen's officially closed!

On October 7, NOAA Fisheries and the National Marine Fisheries Service (NMFS) determined that the 2011/2012 recreational annual catch limit of black sea bass had been reached. Using survey data which the National Research Council (NRC) in 2006 called "fatally flawed" and inadequate for making fishery management decisions, NMFS determined that the annual catch limit of 341,747 pounds of recreationally caught black sea bass has already been reached, resulting in a closure of the fishery in federal waters from Cape Hatteras Light in North Carolina to Key West, FL, effective October 17 at 1 minute past midnight.

According to NMFS, for vessels with a valid federal charter vessel/headboat permit for South Atlantic Snapper-grouper, the closure applies to state and federal waters. The operator of a vessel that has a federal for-hire permit for snapper-grouper must land any black sea bass harvested from either state or federal waters prior to this coming Monday morning.

According to the Recreational Fishing Alliance (RFA), NMFS decision to close down another fishery is damning evidence of a rogue agency and a severely broken fisheries law. "This is the train wreck that the RFA has been talking about, this is what happens when Congress votes for a law that doesn't get time for debate in Committee, and this is exactly what should be expected when you put a fisheries czar in place who refused to work with the coastal fishing community," said RFA executive director Jim Donofrio.

"I don't care how many meetings the NOAA chief has attended, nor do I really care that her agency pays \$10,000 to business executives hosting cocktail party receptions, what the individual anglers of this country expect from their government leaders is action, not lip service," Donofrio said.

According to government sources, NOAA Fisheries this week co-sponsored an invite-only industry trade event in New Orleans, LA, smack dab between last Friday's closure announcement and the closure itself which goes into effect on Monday.

According to a NMFS bulletin, Amendment 17B to the fishery management plan for the South Atlantic region snapper and grouper complex implemented annual catch limits (ACLs) and accountability measures for nine different species, including black sea bass. Accountability measures are actions intended to prevent ACLs from being exceeded; if NMFS even forecasts that a recreational ACL will be met during a given season, the recreational fishery would close.

Far more damaging to the future of recreational fishing, if an ACL is actually exceeded according to the recreational harvest data used by NMFS, the ACL for the following fishing year will be reduced by the amount of the overage.

"It's not too hard to figure out, if fatally flawed harvest data used by NMFS overestimates the amount of fish being harvested by anglers, the fishery has to be shut down," Donofrio explained. "Then at the end of the season, if this same fatally flawed data shows that we did in fact go over the ACL by 50 or 60 thousand pounds, then that's coming off the top next year."

According to the RFA, NRC in 2006 conducted a comprehensive review of the Marine Recreational Fishing Statistical Survey (MRFSS) used to determine annual angler harvest to apply against stock assessments and found the methodology “fatally flawed,” to the point where one Connecticut researcher, Dr. Victor Crecco, found that MRFSS overestimates angler effort and participation (and thereby harvest) by as much as 300% to 400%.

In the 2006 reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act, Congress mandated that NMFS replace the flawed MRFSS system as of January 1, 2009 using the NRC recommendations for improvement. NMFS officials have already publicly stated three full seasons later that they have yet to meet the congressional requirement.

“If NMFS estimates on angler effort are inflated by 400%, it’s no wonder why are community’s not fishing on a complete season,” Donofrio said. “Imagine what happens when these recreational paybacks begin in 2012, NMFS is going to have a field day shutting down U.S. coastal fisheries in the next few years if we don’t get Congress to act.”

RFA is currently lobbying to support the Flexibility and Access in Rebuilding American Fisheries Act of 2011 (HR3061) which would amend the Magnuson Stevens Act to extend the authorized time period for rebuilding of certain overfished fisheries, increase transparency in the scientific process, require consideration of better information for managing recreational fishing, and responsibly open up angler access to healthy fish stocks.

HR3061 would also reconvene the NRC to conduct a comprehensive review of the current recreational data collection systems to determine what improvements, if any, have been made by NMFS to improve science and data collection.

“This Administration is clearly hostile towards the recreational fishing community, and we’re past the point of calmly urging Congress to take action here,” Donofrio said. “If Congress intends to do what’s right, to protect the rights of constituents against a burdensome bureaucracy, while also preserving coastal jobs, they’ll put partisanship aside and support the Flexibility and Access in Rebuilding American Fisheries Act of 2011. No question about it, HR3061 is a jobs bill.”

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*The Recreational Fishing Alliance is a national, grassroots political action organization representing recreational fishermen and the recreational fishing industry on marine fisheries issues. RFA’s 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](http://www.joinrfa.org).*