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MID-ATLANTIC FISHERY MANAGEMENT COUNCIL  
Room 2115 Federal Building  
300 South New Street  
Dover, Delaware 19901-6790

COUNCIL MEETING

1-3 AUGUST 2006

at

Sheraton Society Hill  
One Dock Street  
Philadelphia, PA

WEDNESDAY, AUGUST 2, 2006

I N D E X

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STATEMENT FRANK PALLONE	3

## P R O C E E D I N G S

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3 FRANK PALLONE: Thank you very much, and I  
4 wanted to listen to the report before I spoke;  
5 and I'm pretty sure the fact that some of the  
6 questions have been asked. I am going to have  
7 to leave so I appreciate the fact that you are  
8 letting me speak before some of the other  
9 members here and before the public comment  
10 period.

11 And let me just say before I say anything  
12 further that I do appreciate very much all your  
13 efforts and I also know how difficult it is.  
14 Some of you know that I am the ranking member on  
15 the fishery subcommittee of the resources  
16 committee; and -- you know, I've spent the last  
17 the last I guess 18 years or so in congress  
18 listening to fisheries management. I know how  
19 difficult it is. I know that we are always  
20 questioning the science, and I also know we are  
21 involved right now in the reauthorization of  
22 Magnuson and a lot of your concerns about where  
23 we go from here certainly relate to what we do  
24 with the Magnuson Act in terms of

1 reauthorization. So by way of background I just  
2 want you to understand that I very much  
3 appreciate all that you do, and I know how  
4 difficult your job is.

5 The reason I came today to speak to all of  
6 you personally is because not only myself but  
7 many members of congress as well as members of  
8 the senate are very concerned about the  
9 possibility of a drastic cut in the summer  
10 flounder quota; and we are concerned about this  
11 primarily because of the economic impact. As  
12 you know in my home State of New Jersey tourism  
13 is the number two industry in the State; and the  
14 summer flounder is a very important part of not  
15 only our recreational fishery which is the major  
16 concern that I wanted to address with you here  
17 today but also in general. Whether it's the  
18 bait shops, it's the party boats or whatever it  
19 is we very much depend on summer flounder.

20 I speak today not only for myself but  
21 specifically for congressman Saxton and also our  
22 two senators, Manendez and Lautenberg.  
23 Yesterday we drafted a letter to both the Mid-  
24 Atlantic regional councils as well as the

1 Atlantic States Commission which I hope you have  
2 a copy of, if not I'll make sure that you get  
3 it. And I am basically summarizing what the  
4 four of us said in that letter. The concern  
5 that we have really is that just two years ago  
6 we had a healthy quota of 30.3 million pounds  
7 and last year we fought for a constant quota of  
8 26 million pounds over three years, but we were  
9 rebuffed and were dropped to the 23.6 million  
10 pounds. And now we have NMFS here advocacy  
11 for a reduction of just over 5 million pounds  
12 almost 80 percent down from last year.

13 Now I listen to the 19 million figure, the  
14 13 million figure and of course the 5 million  
15 figure that I just mentioned. And if you look -  
16 - Bruce Freeman just gave me this chart with the  
17 quotas from 1993 until this year; and this is  
18 such -- any of these really, but obviously the  
19 13 and the 5 are such a drastic reduction from  
20 what we had in that period from '93 to 2006  
21 where for the most part -- you know, the quota  
22 didn't vary much from -- you know, up or down  
23 from the 20 million maybe a million or two  
24 either way; and that was at a time when the

1 stocks were rebuilding. It even includes a  
2 period when the stocks were way down, so I can't  
3 help and again this is what our letter says to  
4 all of you -- that I can't help thinking that --  
5 you know, these quirks in the fishery science  
6 and in particular this target biomass of 204  
7 million pounds should be relooked at, that  
8 perhaps it's not accurate, it's not based on  
9 historic fact, that it's not based on science.

10 Now, I know all of you are going to say --  
11 you know, here comes Congressman Pallone talking  
12 about the science again. We talk about the  
13 science at every fishery subcommittee hearing we  
14 have, and we are always looking for a better  
15 method of figuring out -- you know, what the  
16 quota should be and what the science is. But I  
17 just think that this number is just way too  
18 high. I don't really understand where it came  
19 from, I'm not a fishery scientists; but it seems  
20 that we don't even have definitive evidence that  
21 it ever existed in nature and if that level did  
22 exist it was probably early in the last century  
23 the time when coastal development and pollution  
24 where a lot less then they are now.

1           I have a serious reservation about no  
2           matter what you do -- you know, today or in the  
3           next few years you will ever achieve that  
4           target. I am not sure it is achievable and some  
5           of the statements that were made in the  
6           presentation today about -- you know, kind of  
7           make me feel that it is not achievable. So what  
8           I am asking you to do is to not make a decision  
9           today and I know it is difficult because this is  
10          the target you have, based on that target. I  
11          don't if that -- if you can make a decision and  
12          you have to revise that or -- you know, what the  
13          procedure is, I don't know exactly. But I  
14          really think that if the cuts today and the  
15          quota today is based on that target, which I  
16          don't think is really required or defined by  
17          either the law or the law suit and everybody  
18          keeps talking to us whenever they come before  
19          our subcommittee -- you know, that Magneson  
20          forces us into these targets and that -- you  
21          know, there's a law suit that they might be sen  
22          abroad -- and this is the reason for all this.  
23          But I don't think that the target is required or  
24          defined either by Magneson at that level or by

1 the law suit that NMFS frequently talks about.

2 So basically my plea on behalf of the four  
3 of us is that you reexamine the target, consider  
4 whether it's really appropriate for the stock  
5 and because of the fact that the biomass of the  
6 stock has done well and the spawning biomass is  
7 nearly triple since the rebuilding plan began --  
8 you know, I don't really understand why we have  
9 to have these drastic quota cuts, particularly  
10 the one that NMFS has talked about. I don't  
11 know whether this 5.2 million is the likely  
12 result of that, I certainly hope not. I don't  
13 know if the 13 is, I don't know if the 19 is;  
14 but even the 19 which seems to be the best one  
15 that you are looking at from my perspective. I  
16 think would be like a 15 percent decrease from  
17 what we had last year.

18 So again I hope that you don't adopt a drastic  
19 cut. I think we need to work in the future to  
20 find ways to produce more consistent quota  
21 numbers so that fishermen are not constantly on  
22 this roller coaster from year to year wondering  
23 what their limits are going to be, and I just  
24 hope we can come up with more workable solutions

1 in the reauthorization of the Magnuson Act.

2 But the bottom line is if a drastic cut is  
3 made like some of the ones that were presented  
4 this morning it really will shut down the  
5 fishery in my state and I think in other states  
6 as well; and the impact to the local economy  
7 will be devastating. So that's my plea and I  
8 would hope that you would consider it. I know  
9 you will, I know you work very hard, I know you  
10 get -- you know, you don't get reimbursed; and  
11 the bottom line is I just hope that you will  
12 take into account the realities that we face out  
13 there with our economy and with our fisherman.  
14 Thank you very much.