

## THE WATCH (from page 3)

Robert C. Vandermark, executive director of the Marine Fish Conservation Network, said “The Senate hearing was another opportunity to build upon the successful management of our fisheries upon which America’s working waterfronts depend. Instead, many of the witnesses during the hearing focused on short-term exploitation of the resource at the expense of more abundant and healthy fish populations now and in the future.”

Vandermark said that his Network believes we must ensure that the decisions we make now support coastal communities for generations to come. He said it is wrong for any of us to rob tomorrow’s recreational, commercial and charter fishing businesses – and the communities that support them – of economic opportunity and prosperity because a few want more fish for themselves today.

Many conservationists believe that changes proposed to the Magnuson-Stevens Act under the guise of ‘access and flexibility’ have the potential to cause overfishing and adversely extend rebuilding timelines. Taking us back to the days of declining and unhealthy stocks would only lead to businesses failing, communities suffering and less fish for everyone.

Vandermark said “The Magnuson-Stevens Act allows for plenty of access and flexibility in managing these public resources while still preventing overfishing with science-based catch limits and accountability measures. Because of improvements to the law since the last reauthorization, we’ve seen great success in rebuilding fisheries crucial to fishermen and working waterfronts.”

## Recreational Fishing Participation Increased Nearly 20% Over Past 10 Years

ALEXANDRIA, VA - September 13, 2017 –

The U.S. Fish and Wildlife Service has released its initial report of the 2016 National Fishing, Hunting, and Wildlife-Associated Recreation national survey. The survey, conducted every five years in partnership with the U.S. Census Bureau, shows that fishing participation is up nearly 20 percent over the last 10 years. Anglers also increased their overall spend by 2.4 percent during the past five years.



“Dedicated efforts by the Recreational Boating & Fishing Foundation (RBFF), state fish and wildlife agencies, the recreational fishing industry and independent programs have made increases in recreational fishing possible,” said American Sportfishing Association’s (ASA) Glenn Hughes, vice president of Industry Relations. “Thanks also goes to ASA’s Government Affairs team and our partners who helped ensure that legislation and policy decisions were in place to provide access, clean water and fisheries conservation which anglers need for a successful day on the water.”

Overall, fishing participation increased 8.2 percent for individuals 16 to 65 years of age over the last five years. This is the highest level of participation since 1991. Revenue from equipment purchases to all trip expenditures also increased from \$45 billion to \$46.1 billion in the last five years.

## WITEK: PARTY BOAT BOUNDS (from page 30)

Requiring all fish to be filleted on shore is an even more effective measure, that prevents racks from a previous trip to be retained to cover the inevitable shorts kept by passengers (a practice that is currently illegal but, reportedly, far from unknown).

Even so, none of the measures restricting filleting at sea would have prevented the *Fin Chaser* incident, as many of the illegal fish landed were still intact. Thus, it falls back on the need to adopt rules that make violating the law too painful for the vessel and crew to risk.

Fines alone won’t do that, and in the real world, no judge is going to impose jail time for some undersized or over-limit fish, absent a long history of egregious violations.

In the over-all scheme of things, when overworked and understaffed law enforcement agencies have difficulty covering all of the docks where violations might occur, the odds of being caught and fined are fairly remote. That makes even a \$1,000 fine just another cost of doing business.

Take the *Fin Chaser* as an example. [An article on the incident published in \*Newsday\*](#) states that the boat can carry ‘more than 50 passengers’ and charges each one \$90 for a porgy and black sea bass trip; it was allegedly carrying 46 passengers on the day that the enforcement agents came aboard.

But even if it only carried 40 passengers each day, the fares collected would equal \$3,600—a significant sum.

Far from all of that is profit. The boat must pay for fuel and

bait, dock space, insurance and maintenance of the boat and fishing gear. The deck crew largely works for tips, but probably also receives some fixed income to keep the boat from losing them if weather prevents sailing for a few days in a row. Even so, \$1,000 spread out across the entire season—even a few fines of that size—don’t amount to much of a deterrent.

And as I note earlier, jail isn’t a realistic option.

So what is needed is a sanction that will have some teeth, and can realistically be imposed. The answer is something that we see used far too seldom in the for-hire world, the imposition of administrative sanctions. That basically means that, after providing the operator an opportunity to be heard, either NMFS or the State of New York—preferably both—suspend the permits the boat needs to operate for an appropriate period of time.

While a \$1,000 fine might not mean very much, being tied up to the dock for two weeks during the peak of the season is going to hurt, when no income is coming in but the fixed expenses for dockage, insurance and crew are still piling up.

And the boat lying empty at the pier would provide a good example to other captains and crews thinking about crossing the line, reminding them why countenancing illegality is just not a good idea.

Right now, there’s just too much illegality going on. It’s time for NMFS and the states to take meaningful action to get it to stop.