



### **Topic III: Fisheries Issues**

#### **BACKGROUND:**

- Beginning with its chartering in 1993, the Council has focused significant attention on fishery management and conservation issues. Much of this effort has focused on the Fisheries Program of the Fish and Wildlife Service (Service).
- In 2000 and 2003 at the request of the Service, the Council conducted comprehensive assessments of the Fisheries Program and its National Fish Hatchery System. The resulting recommendations led to substantive changes in program management and focus.
- Subsequently, the Council assisted the Fisheries Program to develop a program vision and 5-year strategic plan that has guided its operations during 2004-2008. As a result of the Council's work, program priorities refocused to emphasize habitat conservation, fish passage projects and a more partner-oriented approach to fishery conservation.
- In 2005, the Council completed an Office of Management and Budget programmatic evaluation of the Fisheries Program and found the program effective in fulfilling.

#### **ISSUES:**

##### National Fish Habitat Conservation Act

- The Council first advanced the concept of a National Fish Habitat Action Plan in 2002 as an effective model to restore our Nation's most troubled fisheries. Together, the Council, the Service, and the Association of Fish and Wildlife Agencies formalized an investment strategy to leverage public and private resources toward projects that offer the greatest long-term conservation benefit.
- A governing board representing State and Federal government, Tribal organizations, and non-profit organizations now leads this effort.
- The majority of federal funding has come from the Service. In 2008, the agency and partners awarded \$11 million to fund 70 projects in 31 states.
- Legislation to codify a national fish habitat action plan was introduced in the 110th Congress, but did not pass. Similar legislation may be introduced early in the 111th Congress and is expected to have strong support from the recreational fisheries community.

##### Organic Legislation for the FWS Fisheries Program

- The Service implements its Fisheries Program under nearly 70 authorities, ranging from numerous statutes to various court decisions. The Council's 2005 Fisheries Program

evaluation noted that this complex history has "...accumulated a set of Program responsibilities with little apparent concern or direction on how the agency should deal with any resulting inconsistencies. While this is an understandable outcome of a century of legislative evolution, it does make the agency's job of complying much more challenging."

- Legislation establishing the Fisheries Program under one legislative authority has been considered, but never pursued in Congress.
- Based on its 2005 Fishery Program evaluation, the Council considered the need for legislation to authorize the Fisheries Program and selected the matter as a priority issue.

### Aquatic Nuisance Species

- The spread of aquatic nuisance species is a growing threat to the health of our Nation's waters. Examples include Eurasian milfoil, Asian carp, and nutria, as well as zebra and quagga mussels, all of which cause great ecological and economic harm.
- Boaters and anglers are often the first to deal with the environmental consequences of aquatic nuisance species. In many areas, nuisance species have damaged or destroyed native fish populations and decreased recreational fishing opportunities, including access to water.
- The National Invasive Species Act of 1996 (NISA) is the preeminent Federal authority regarding the management and control of non-native plants and animals. NISA expired in 2002 and should be reauthorized by the 111th Congress. (The Council notes that the Secretary of the Interior, acting through the Service Director, co-chairs the Aquatic Nuisance Species Task Force.)

### Fisheries Program Funding

- In 2006, the Council passed a resolution commending the Service for its progress in modernizing the mission of its Fisheries Program and for adequately funding the program to allow implementation of the authorities under which it operates.
- However, the Fisheries Program budget has not kept pace with fixed cost increases in recent years.
- In addition, the National Fish Hatchery System water management infrastructure is in poor condition and in need of repair.
- The resulting erosion of program capability noted above has impeded Service delivery of its fisheries conservation mission.

### **RECOMMENDATIONS TO THE ADMINISTRATION:**

- Collaborate with industry partners, state and federal government, Tribal organizations, non-profit organizations, and the National Fish Habitat Board to support legislation that codifies the National Fish Habitat Action Plan.
- Once Congress passes legislation codifying the National Fish Habitat Action Plan, collaborate with partners and stakeholders to seek passage of organic legislation to consolidate authorization of the Service's Fisheries Program.

- Partner with States, the private sector and nongovernmental organizations to support a positive reauthorization of NISA in the 111th Congress.
- Provide funding to the Fisheries Program that adequately supports its core mission while also allowing for improvement and proper maintenance of facilities and equipment.