



St. Thomas Fishermen's Association

Protecting our Natural Heritage and Culture

June 25, 2014

Good evening, CFMC staff and members and Virgin Islands fishermen.

My name is David Olsen, Chief Scientist for the St. Thomas Fishermen's Association, twice Director of the Virgin Islands Division of Fish and Wildlife and author of 32 reports and publications on Virgin Islands fisheries.

We are here tonight to address the Council's request to develop a mechanism to increase flexibility in setting allowable catch limits. I personally support this effort. After all, it took the Council 7 years before they became fully compatible with the catch limit that I set for conch in 2007 in the Virgin Islands and there is a need for flexibility.

I would like to briefly address the events which led us to this point.

- In 2004-5 the National Marine fisheries service felt the need to declare some Virgin Islands fisheries as being overfished, most notably, Parrotfish, Snappers and Groupers. In St. Thomas these fisheries have been extremely stable for the past three decades and there was no evidence of overfishing and NMFS totally failed to substantiate their claim.
- In the case of the groupers they were, in fact undergoing a massive recovery which was documented and published by Rick Nemeth at UVI.
- In 2005 in order to address this supposed "overfishing" NMFS/CMFC proposed to close large areas of the shelf to fishing including Tampo, a large area northwest of St. Thomas and an extensive closure around the Grammanik Bank.
- This threat led to the formation of the St. Thomas Fishermen's Association.
- At a 2005 Council Meeting, with the support of Delegate Christensen and Senate President Berry, the STFA was able to obtain seasonal closures for some snapper and grouper species as a substitute for the large area closures. These seasonal closures represented a 25% reduction in fishing effort for those species.
- In 2007 the Magnusan Act was amended to require that US fisheries be managed through a series of quotas called Allowable Catch Limits.
- Overfishing would then be determined in the case of the Caribbean by an average of landings minus a reduction for uncertainty. By using an average, this means that in any given year, landings would be expected to be below the average or above the average (undergoing overfishing) half of the time. The addition of the reduction for uncertainty would increase the likelihood that any given year landings would be above the overfishing level.
- For example, in the case of St. Thomas Groupers, since 1983 landings have fluctuated around an average of around 62,000 pounds. During 11 years landings exceeded the average.
- The Council, since Groupers (and Snappers and Parrotfish) were supposedly undergoing "overfishing". The overfishing limit was calculated for a more recent

- subset of the landings data and reduced the quota by 15%, setting the ACL at 45,6714 pounds.
- This basically guaranteed that St. Thomas groupers would exceed the ACL almost every year. There have been only 3 times in the last 30 years had landings been below that ACL level.
 - In 2013 NMFS declared that the ACL had been exceeded that that there would need to be a closure of the fishery in December.
 - Also, in 2013 in a NMFS report to Congress on the State of US fisheries, NMFS removed Snappers, Groupers and Parrotfish from the list of species undergoing overfishing. I listened to the Webinar where the report was presented and asked the presenter how NMFS had come to that conclusion. He told me that the Council had made that determination. I have attended every Council meeting since 2004 and this was never discussed. He basically lied to me and NMFS has lied to the US Congress of the United States in order to justify management with ACLs.
 - Certainly in light of the fact that Virgin Islands fisheries are almost never under the ACL and are therefore “undergoing overfishing” almost continuously, they misrepresented fact.
 - At the next Council meeting the STFA pointed out that CFMC/NMFS could not have it both ways. If these species were no longer undergoing overfishing, then the ACLs needed to increase.
 - You can see from the meeting document that instead of simply allowing for an increase in landings for the affected ACLs, NMFS/CFMC are using this as an opportunity to reduce the permitted landings for surgeonfish and angel fish from 15% to a 25% reduction.
 - There is no limit to their attempt to shut down Virgin Islands fisheries. They will never miss an opportunity to cut our quotas

It appears that these quotas are perfect for NMFS’s rigid top-down approach to management. Recently the STFA completed a three year study to develop fish trap escape vents to reduce the mortality of bycatch species. The final vent design would reduce the bycatch of surgeonfish (blue tangs by 80% and doctorfish by 45%) and angelfish (gray angelfish by 38%). The Council even funded construction of 5,000 of these vents. It would seem rational to just install these vents and leave the ACLs alone.

The STFA also carried out a study of spiny lobster in which we tagged nearly 5,000 lobsters, got 400 recaptures. We also hired a former NMFS stock assessment specialist to look at available data. He concluded that the St. Thomas lobster quotas could be raised by nearly 15,000 lbs annually without endangering the resource. When I presented these results to the CFMC Scientific and Statistical Committee I was criticized for thinking that any amount of data or studies would lead to action which might benefit fishermen.

The simple fact is that there is no way CFMC/NMFS would credit local fishermen for new data or for use of alternative methods for reduction of fishing mortality or even for actions which have already been taken. For example:

- During the 1990s St. Thomas fishermen agreed to a fish trap mesh size of 2 inches square. This led to an immediate reduction of catch of up to 50% when compared to other areas which use a smaller mesh¹.
- In 2005 St. Thomas fishermen agreed to seasonal closures for snappers and groupers which constituted a 25% reduction in fishing effort.

At no point have NMFS/CMFC credited these prior actions but continue to build upon and add more restrictions. If St. Thomas fishermen were to install the trap vents they would not be credited to this action either.

There are signs that Virgin Islands fishermen have chosen to deal with this problem on their own, however. Reported landings for a number of species have been in decline. I recently received a lobster landing data set from NMFS Southeast Fishery Science center for 2006-2013 which I was assured was complete. The peak season landings for the Sept through December period normally average around 30,000 lbs. The 2013 reported figure was 3,607 pounds, less than 15% of the normal average. I know from talking with these fishermen that there is nothing unusual about 2013. It appears that fishermen are getting tired of this crap, no longer expect to be treated fairly and are simply reporting numbers which will be less than the ACL.

I never thought that I would say this but I agree with them. This system can do nothing but punish them for failing to meet standards that are entirely irrelevant to the actual facts on the ground and how the fishery operates.

NMFS and the Council have totally destroyed trust built up since 1971 which led to accurate reporting by fishermen. The only solution from the Federal point of view will require major investment in port sampling and enforcement. We all know where enforcement priorities lie so that solution seems unlikely.

There is talk of more outreach. At the last meeting in this room were told that the Council would initiate an effort to involve fishermen and relevant parties in planning for the Island specific plans. To date, no one has heard anything about this effort.

I'm going to be leaving the islands in the next few months. I had always hoped that when I left it would be in a situation where I had helped to engage fishermen and managers in a reasonable information based system to manage Virgin Islands resources.

Now, I think back a few years to when I worked for the Lummi Indians in Washington. At that time there was a story going around Indian Country about when NASA was testing the lunar lander out on the Navajo reservation. The tribal manager and one of the

¹ Munro, J.L. 1974. The mode of operation of the Antillean fish trap. J. Conseil Permanent Int. Explor. Mer. 35:378-350, Johnson, A.E. 2010. Reducing bycatch in coral reef trap fisheries: escape gaps as a step towards sustainability. Mar. Ecol. Prog. Ser. 401: 201-210, Olsen, D.A. and R. Hill, 2013. Engineering Bycatch Reduction in St. Thomas Fisheries: Development of Escape Vents for St. Thomas Fish Traps. Gulf and Caribb. Fish. Inst. : (65)341-345.

Navajo elders were watching when the elder asked a question in Navajo. The NASA guy asked “What did he say?” The tribal manager said “He said that the Navajo came to this earth from the moon and could he send a message up there in case some of them were still there?” The NASA guy said “Sure, get him to write it down and I’ll see that it gets to the moon.” The elder wrote his message in Navajo and handed it to the NASA guy. “What’s it say?” he asked. The tribal manager looked at it and said “It says, don’t trust these guys. They don’t keep their word!”

So I want to tell our fishermen Don’t trust these guys! They don’t give a crap about you and your families and your fishery. Don’t agree to anything!

Thank you;

A handwritten signature in black ink, appearing to read 'David A. Olsen', with a large, stylized flourish at the end.

David A. Olsen, Ph.D.
St. Thomas Fishermen’s Association
8168 Crown Bay Marina, Ste. 310
St. Thomas, USVI 00802

Cc: Hon. Donna Christensen, Delegate to Congress
Hon. Penny Pritzker, Secretary of Commerce
Miguel Rolon, Executive Director CFMC