

STATEMENT FOR THE FISHERY MANGEMENT PLAN BY
SENATOR SHAWN-MICHAEL MALONE
CARAMBOLA MEETING JUNE 23, 2009

As Chairman of the Committee on Planning and Environmental Protection of the 28th Legislature of the Virgin Islands and pursuant to the proposed amendments to the Fishery Management Plan (FMP), allow me to express my concerns and offer workable solutions that will bring closure to the long-standing issues regarding fishery management in the U.S. Virgin Islands.

I am in full agreement with the *purpose* of the proposed amendments and what it seeks to do for the U.S. Virgin Islands, but I am disconcerted with how we have arrived at its conclusion.

Based on my research and personal attendance at the St. Thomas Fishermen Association (STFA) meetings, there are two underlying issues to the FMP proposal that must be addressed before implementation. First, whether the data collection driving this FMP proposal is fair to the restrictions it imposes. Second, whether the proposed catch limits and area closures are fair to our local fishing industry.

With reference to data collection, there is no precedence for local governmental areas accepting and implementing restrictions based on information obtained from different, outside locations. The restrictions imposed on our fishing industry must be based on accurate information obtained from our local waters.

From my understanding, the National Oceanic and Atmospheric Administration (NOAA) based this proposal solely on the information obtained from Puerto Rican waters, because the U.S. Virgin Island's data collection process was deemed insufficient.

This raises a major concern, because NOAA determined the degree of our data collection reports since the late 1970's and they have never filed a non-compliant or insufficiency complaint with respect to that data. If our data collection is truly insufficient for an accurate determination, then we must have the opportunity to structure and enforce an accepted proper data collection process before imposing restrictions.

What is most perplexing to me, is that since the MSRA was signed into law in January 2007, or two years and six months ago, it does not seem that any significant effort has been made to rectify the data collection issue which is at the core of the disagreement between Federal and local stakeholders. Now, January 2010 is just around the corner, and this matter has not been resolved. Why?

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My second and final concern is the matter of catch limits and closures proposed in the FMP document. It is very important to note that the U.S. Virgin Islands fishing industry is not an export industry. Everything caught in our local waters is distributed and consumed locally. Since there is no excessive fishing due to exportation, then our catch limits and area closures must be adequate to supply our local consumption needs.

For example, absent accurate data with respect to the population of all edible fish species inhabiting our territorial waters, it is hard to believe that our population of 110,000 people can consume what I am sure is a vast amount of fish living in local waters. The Virgin Islands has 309 licensed fishermen, of which only 30% of these are full-time, career fishermen. In 2008, the total pound unit of fish caught in the Virgin Islands was 1,028,373 in the St. Croix District and 700,147.75 in the St. Thomas-St. John District.

My suggestion is to delay the submission of the Amended FMP until the U.S. Federal and Territorial Government agree on the proper data collection process. Once an accurate system is accepted there should be a 5 year implementation period for proper data collection. After the implementation period our FMP shall be amenable to any proposed amendments based on properly obtained information.

I support our Delegate to Congress for the Virgin Islands, the Honorable Donna M. Christensen's legislation to extend our territorial waters to a 12 mile boundary. In the meantime, however, I will encourage our Delegate to introduce legislation to put on hold the implementation of the MSR Act as it relates to the FMP for the Virgin Islands, if administrative remedies do not work out to accomplish the same. This suggestion is strictly in the face of fairness, inclusion and equality for all concerned here today.

I urge the CMFC and relevant Federal agencies to work with our fishermen in arriving to a consensus on a data collection system, catch limits, and closures that take into account our fishermen's many years of experience and the true commitment to the proper management of our local fisheries.

Thank you very much for this opportunity and I too stand ready to work closely and amicably with all gathered here today so that we can bring final resolution to these long-standing issues.