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# **Committee on Conservation & State Lands**

**Wednesday, February 06, 2008  
9 AM – 12 PM  
216-Capitol**

## **ACTION PACKET**

**Marco Rubio  
Speaker**

**Rep. Will Kendrick  
Chair**

**COMMITTEE MEETING REPORT**  
**Committee on Conservation & State Lands**

**2/6/2008 9:00:00AM**

**Location:** 216 Capitol

**AMENDED**

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Will Kendrick (Chair)	X		
Mary Brandenburg	X		
Charles Chestnut	X		
Faye Culp	X		
Rene Garcia	X		
Doug Holder	X		
Richard Machek	X		
Robert Schenck	X		
Will Weatherford	X		
<b>Totals:</b>	<b>9</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Wednesday, February 06, 2008 2:30:10PM

**COMMITTEE MEETING REPORT**  
**Committee on Conservation & State Lands**  
**2/6/2008 9:00:00AM**

**Location:** 216 Capitol

**AMENDED**

**Workshop**

**Fish & Wildlife Conservation Commission 2008 legislative proposals.**

*Workshopped*

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**Other Business Appearance:**

Boating Safety Education

Phyllis Kopytko (General Public) - Proponent  
Accident Survivor  
7732 Spindle Tree Court  
Jacksonville Florida 32356  
Phone: 904-363-6459

Boating Safety Education

John C. Fetterman - Proponent  
National Association State Boat Law Administratio  
State House Station #21  
Augusta Maine 04333  
Phone: 207-624-6555

Boating Safety Education

Marie Daniels (General Public) - Proponent  
2357 Areadell Way  
Tallahassee Florida 32308  
Phone: 850-878-5222

Boating Safety Education

Connie Moore (General Public) - Proponent  
1394 Robin Ray Road  
Tallahassee Florida 32312  
Phone: 850-906-9848

Boating Safety Education

Captian Frank Howell - Proponent  
Sea Tow  
13750 W Colonial Drive, Suite 350-407  
Winter Garden Florida 34787

FWCC 2008 Session Legislative Proposal

Julie Rowland (Lobbyist) (State Employee) (At Request Of Chair) - Information Only  
Fish & Wildlife Conservation Commission  
620 S. Medidain Street  
Tallahassee Florida 32399  
Phone: 850-487-3795

FWCC 2008 Session Legislative Proposal

Lt. Colonel Jim Brown (Lobbyist) (State Employee) (At Request Of Chair) - Proponent  
Fish & Wildlife Conservation Commission  
620 S. Medidain Street  
Tallahassee Florida 32399  
Phone: 850-488-5600

Repeal of Shoreline Exemption

John Boreman, PHD - Information Only  
NOAA Fisheries (National Marine Fisheries Service)  
1315 East West Highway  
Silver Spring Maryland 20910  
Phone: 301-713-2367

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Repeal of Shoreline Exemption  
Preston Robertson (Lobbyist) - Proponent  
Florida Wildlife Federation  
Post Office Box 6870  
Tallahassee Florida 32314  
Phone: 850-656-7113

Repeal of Shoreline Exemption  
Gerald M. Ward - Opponent  
31 West 20th Street  
Riviera Beach Florida 333404  
Phone: 561-863-1215

Repeal of Shoreline Exemption  
Mark Robson (Lobbyist) (State Employee) (At Request Of Chair) - Information Only  
Fish & Wildlife Conservation Commission  
620 S. Medidain Street  
Tallahassee 32399  
Phone: 850-487-0554

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**AMENDED**

**Summary:**

**Committee on Conservation & State Lands**

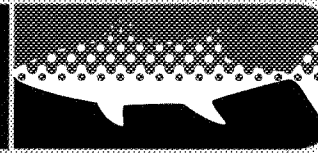
*Wednesday February 06, 2008 09:00 am*

Fish & Wildlife Conservation Commission 2008 legislative proposals. Workshopped

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# FACT SHEET

MARINE  
RECREATIONAL  
INFORMATION  
PROGRAM



YOUR TRUSTED SOURCE FOR FISHING DATA

New regulatory mandates have led to ever-greater demands for more timely and accurate data on saltwater recreational fishing. An initiative is underway to build a new program to improve the collection, analysis, and use of recreational saltwater fishing information.

## BRINGING THE BEST MINDS TOGETHER

NOAA Fisheries oversees several data collection and analysis programs to track a host of factors affecting fisheries populations, ranging from commercial discards to recreational fishing catch rates to habitat quality. The combination of all this information gives policy-makers the information they need to make sound conservation decisions.

Today, NOAA Fisheries, state natural resource agencies, and community partners are working together to revamp saltwater angler surveys, which are among the most important data collection tools. Because so much has changed since NOAA Fisheries launched its original recreational fishing data program, the agency is bringing the best minds together, inside and outside the agency, to develop a new survey program to meet the needs of today's fisheries managers. The idea is to address ever-greater demands for more timely and accurate data on saltwater recreational fishing.

## ANSWERING THE IMPORTANT QUESTIONS

NOAA Fisheries' original recreational fishing data program, the Marine Recreational Fisheries Statistics Surveys, will be phased out over the next several years. The new program is called the Marine Recreational Information Program (MRIP). Quite simply, the new survey will better answer these fundamental questions: Who fishes? What's being caught? How many fish are caught? Where and when are they caught? In addition, a new saltwater angler registry will give the agency a more definitive pool of survey participants to call upon, at the same time giving saltwater anglers better representation in the decision-making process.

## LOOKING OUT ON THE HORIZON

The new Marine Recreational Information Program is designed to improve the methodology of collection and analysis of saltwater recreational fishing data. Ultimately, it will help decision-makers gain a far better understanding of saltwater recreational fishing's relationship to fisheries conservation.

Beyond the numbers, the Marine Recreational Information Program also will help all of us who care about the health of ocean fisheries and the sport of fishing to pass on these strong conservation values to future generations.

## PARTNERING FOR THE COMMON GOOD

The most important federal law related to ocean fisheries is the Magnuson-Stevens Fishery Conservation and Management Act. Under this law, NOAA Fisheries oversees a network of authorities who regularly monitor the health of hundreds of ocean fisheries. They use this information to decide how many fish can be taken commercially and recreationally without negatively affecting the long-term health of individual fisheries. They also ensure appropriate measures are taken to recover fisheries in trouble.

State governments also have an important role in conserving ocean fisheries because many saltwater fish thrive in coastal areas or migrate inland. Since many fish also migrate across state boundaries, the federal-state partnership approach is imperative in ensuring the health of these fisheries.

Countless private organizations have strong interests in protecting ocean fisheries, too. Sometimes partners' interests conflict, creating intense debate and challenging decision-making about fisheries conservation. But this does not take away from partners' roles as strong advocates for fisheries conservation who have valuable expertise, perspectives, and resources to share.

## MRIP Initiative

c/o NOAA Fisheries Service  
Office of Science & Technology  
1315 East-West Highway  
Silver Spring, MD 20910  
Tel: (301) 713-9501  
Fax: (301) 713-2384  
Web: [www.st.nmfs.noaa.gov](http://www.st.nmfs.noaa.gov)

# FREQUENTLY ASKED QUESTIONS



## WHY IS NOAA FISHERIES REDESIGNING ITS ANGLER SURVEYS?

In recent years, fisheries managers, as well as partners in the recreational fishing community, increasingly raised concerns about the timeliness and accuracy of NOAA Fisheries' primary angler survey program, the Marine Recreational Fisheries Statistics Surveys (often called MRFSS).

NOAA Fisheries responded by requesting a thorough review by the National Academy of Sciences' National Research Council in 2005. In April 2006, a group of independent scientists announced their findings, recommending the agency and its state partners dramatically redesign the angler survey program.

In addition, when Congress reauthorized the Magnuson-Stevens Fishery Conservation and Management Act in January 2007, it echoed many of the council's recommendations and included a provision requiring a new national saltwater angler registry.

For these reasons, the nearly 30-year-old MRFSS is being phased out as a thoroughly updated angler survey is phased in. The new Marine Recreational Information Program will improve the collection, analysis, and use of fishing data and eventually replace MRFSS.

## HOW IS THE NEW PROGRAM GOING TO BE DIFFERENT?

After carefully considering the recommendations from the National Research Council and Congress, NOAA Fisheries took an entirely fresh look at the way information about recreational fishing was collected. The new program needs to be far better at identifying and eliminating gaps and biases in the data and estimating total catch.

The Marine Recreational Information Program will be more than a one-size-fits-all survey. Rather, the program will be made up of an interconnected system of surveys, each targeted toward particular segments of the fishing community (for-hire, private anglers, highly migratory species) and regions of the country. This allows the agency, the states, the fishery management councils, and the recreational industry itself to most efficiently capture information from these important segments.

Anglers who participate in sampling efforts may not immediately notice many differences, as some of the changes to recreational fishing data program will be taking place behind the scenes. The process will be similar to rolling out a new car that looks similar to previous models, but under the hood is a completely redesigned engine.

## WHY DO WE COLLECT INFORMATION ABOUT MARINE FISHERIES AND SPORTFISHING?

Data programs are vital tools for ensuring the health and sustainability of marine fisheries. Timely and accurate data leads to effective policy-making about how best to provide for the lasting protection of marine ecosystems. Healthy fisheries are in the interests of our livelihood and leisure now and in the future.

## WHAT INFORMATION DO ANGLERS PROVIDE?

To get a clear picture about what's going on in a fishery, anglers are asked five basic questions:

1. Who goes fishing?
2. How often do you fish?
3. Where do you go?
4. How do you fish?
5. What is caught?

## HOW DO THE ANGLER SURVEYS WORK?

The current program randomly samples a subset of anglers about their catch and effort. There are two parts that are combined to estimate total catch. Catch data is gathered through in-person interviews with anglers. A separate telephone interview collects information about the number of trips taken.





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## **WILL THE SPORTFISHING COMMUNITY BE INVOLVED WITH THE REDESIGN EFFORT?**

Yes. Many people, both inside and outside NOAA Fisheries, will be involved throughout the process. Even the most statistically sound data program cannot succeed without the support of those who collect, use, and are ultimately affected by the data.

NOAA Fisheries has established teams of experts from the agency, state fisheries agencies, regional fisheries councils and interstate fisheries commissions, and partner organizations to lead the development of distinct aspects of the Marine Recreational Information Program. In addition, partners in the recreational fishing community and the outdoor media are providing a vital service by helping NOAA Fisheries ensure anglers are kept well informed as the new program progresses.

Everyone who has an interest and a stake in the process has been invited and encouraged to participate from the beginning, and the agency will continue to lead a cooperative and transparent redesign process.

(A complete roster of team members can be found at [www.st.nmfs.noaa.gov](http://www.st.nmfs.noaa.gov).)

## **WHAT WILL THE MARINE RECREATIONAL INFORMATION PROGRAM DO?**

The new survey will help managers better understand saltwater sportfishing's relationship to fisheries sustainability by better answering these fundamental questions: Who fishes? What's being caught? How many fish are caught? Where and when are people fishing?

Data collection has traditionally been conducted through telephone interviews and in-person field sampling. These practices are expected to continue with the Marine Recreational Information Program, but many survey elements (related to both data collection and analysis) will be updated and refined to address issues such as data gaps, bias, consistency, accuracy, and timeliness.

One of the most important improvements is the development of a national saltwater angler registry, providing a much more efficient and effective route for collecting data than current techniques.

## **WHAT IS THE NATIONAL SALTWATER ANGLER REGISTRY?**

Congress, through the recently reauthorized Magnuson-Stevens Fishery Conservation and Management Act, called on NOAA Fisheries to take the lead in creating a national registry of saltwater anglers. The legislation set a January 1, 2009 deadline for the registry to take effect. (In its recommendations to NOAA Fisheries, the National Research Council also advocated for such a registry.)

The registry will help improve data collection by creating a universe of saltwater anglers—essentially a phonebook of fishermen that is updated each year. This resource will help reduce bias and improve the efficiency of catch and effort surveys. It also will give saltwater anglers better representation in the policy-making process.

Instead of asking a random sample of coastal U.S. residents if they've gone fishing (what is currently done), an angler registry would allow surveyors to call upon those who have already identified themselves as saltwater fishermen. For example, if you needed a loaf of bread you wouldn't randomly visit a hardware store or a post office, you'd go directly to a grocery store. Likewise, if you want to know what anglers are catching, it's much more efficient and effective to go directly to the fishermen and ask.

## **WHY IS NOAA FISHERIES IN CHARGE OF CREATING A REGISTRY?**

NOAA Fisheries is the logical choice because it's the federal agency with primary responsibility for the conservation of anadromous fisheries and marine resources in federal waters. Given that most fishing takes place in state waters (which include ocean waters up to 3 miles off the coasts), counting saltwater



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anglers is more than just a federal issue, however. NOAA Fisheries, state fisheries agencies, and the regional fisheries councils and interstate fisheries commissions are collaborating to design and implement the registry. Many states already collect the information needed for the registry, especially through saltwater fishing license records.

#### **IS THERE A DIFFERENCE BETWEEN A REGISTRY AND A FISHING LICENSE?**

Yes. A registry is like a national phonebook containing the names and contact information of saltwater anglers. By itself, a saltwater fishing license is not a registry. Rather a license is just one way to get the contact information contained in a registry.

A registry that many people are familiar with is the "do not call" telemarketing list. Instead of using a license to add names to the list, the "do not call" registry allowed people to voluntarily register by visiting a website or calling a number to provide their information.

#### **DON'T MOST STATES ALREADY HAVE A SALTWATER FISHING LICENSE?**

Many states do have some kind of fishing license for saltwater anglers. The actual requirements for who has to have a license vary from state to state. States that are currently without any saltwater fishing license include Connecticut, Hawaii, New Hampshire, New Jersey, New York, Maine, Massachusetts, Rhode Island, and the western Pacific and Caribbean territories.

#### **DOES THE REGISTRY PRECLUDE THE NEED FOR A STATE SALTWATER LICENSE (ASSUMING THE STATE HAS ONE?)**

No. Actually the reverse is true. Having a resident saltwater fishing license would preclude an angler from having to register because their state would automatically take care of that with the information provided for the license.

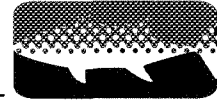
The national registry never pre-empts state licensing requirements. Any person fishing in state waters must abide by those state's regulations. For example, if an angler registers because he or she lives in a state that does not have a saltwater fishing license, but goes fishing in another state which requires a saltwater fishing license, then the angler would have to buy that state's fishing license. Unlike licenses, an angler's registration carries over from state to state, and it is only necessary to register once each year.

#### **WHAT INFORMATION WOULD BE INCLUDED IN THE REGISTRY?**

The registry will include just enough information to make it possible to contact anglers to conduct surveys of catch and effort. As is the case already, surveys may be handled by representatives of NOAA Fisheries or state fisheries agencies. More specific information about minimum data requirements and acceptable state fishing license exemptions will be more clearly spelled out when NOAA Fisheries releases a proposed rule on the national saltwater angler registry in Spring 2008. (A proposed rule is a public document announcing significant government plans and offering opportunity for public input, usually for 45 days or more).

#### **WILL IT COST ANGLERS MONEY TO BE REGISTERED?**

It could. Congress gave NOAA Fisheries the option of collecting a fee to cover administrative costs of running a registry, but not before 2011. However, if NOAA Fisheries ends up collecting fees, the agency will not necessarily be privy to the revenue generated. In general, fees from any federal government program go back into the U.S. Treasury and can be used for any federal program, unless specific legislation or special Congressional action funnels it back to the originating agency. (This is meant to protect the public interest by avoiding an automatic incentive for federal agencies to charge fees. The



downside is that anglers' dollars would not necessarily be channeled back into fisheries conservation and management).

Anglers investments would be more likely to go to programs they care about if states administered their respective portions of the national registry. Congress provided an added incentive for states to do so by giving them the option of collecting fees for the registry if they require a saltwater fishing license or otherwise collect the data the registry requires. If states collect fees for the registry they can use their discretion on how the fee revenue is spent.

If any fees become necessary, whether collected by NOAA Fisheries or state fisheries agencies, the benefits of such investments would be better surveys, better fisheries conservation and management decisions, and better fishing experiences, which are in everyone's interests.

#### **ARE THERE ANY EXEMPTIONS FROM THE REGISTRY REQUIREMENT?**

If states already have a program in place that gathers the data necessary for the registry (such as a complete saltwater fishing license that accounts for all anglers), there is no requirement that they develop another system for collecting this information from anglers.

#### **DOES THE REGISTRY APPLY TO FISHING IN STATE WATERS?**

Generally, no, but with one major exception. Congress specified that the registry would only apply to those fishing in federal waters and those fishing for anadromous species in any waters, including those in state jurisdiction. In other words, even anglers in inland states like Idaho or Pennsylvania would have to be registered to fish for salmon or striped bass. (The Great Lakes would not be subject to the registry.)

Inland state anglers not fishing for anadromous fish would have no registry requirements. For example, an angler surf fishing for flounder within the 3-mile coastal zone (managed by state agencies) would not be required to register. This is an obvious gap that would impact the benefits of using a registry to conduct surveys. That's one reason why NOAA and states are working together to ensure there is a complete accounting of saltwater anglers whether they fish in state or federal waters.

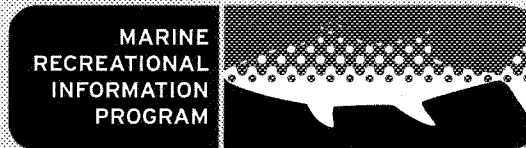
#### **WILL ANGLERS FISHING FROM FOR-HIRE VESSELS HAVE TO BE REGISTERED?**

No. If the only fishing anglers do is from a charter or party boat, they will not have to register. This is because the for-hire sector is already well accounted for. For-hire vessels are sampled weekly from a coast-wide vessel directory to report trip information for the previous week's fishing activity. Catch information is obtained through a dockside field survey.

#### **SINCE A VESSEL-BASED SURVEY IS USED FOR THE FOR-HIRE INDUSTRY, WOULD IT BE POSSIBLE TO REGISTER PRIVATE BOATS IN THE SAME WAY AND USE THAT IN PLACE OF AN ANGLER REGISTRY?**

It's theoretically possible, but problematic for several reasons. First, the National Research Council made it clear in its recommendations that the best option is for anglers to be registered directly, instead of trying to get catch and effort information indirectly through a boat registry. Secondly, the sheer number of private recreational boats makes this option difficult. There are an easily manageable number of for-hire vessels compared to the millions of private recreational boats. Lastly, using registered boaters would require the design of a specialized survey different from both the for-hire and angler surveys. This would increase the complexity of managing the surveys and data and would significantly raise survey administration costs.

# TIMELINE



YOUR TRUSTED SOURCE FOR FISHING DATA

**SUMMER 2005:** NOAA Fisheries hires the National Academy of Sciences' Natural Research Council to conduct an independent scientific review of the government's data collection programs related to saltwater sportfishing.

**APRIL 2006:** National Research Council releases their findings, recommending NOAA Fisheries and partnering state agencies dramatically redesign angler surveys to update data collection methods and analyses and foster positive public relations.

**SEPTEMBER 2006:** NOAA Fisheries convenes a gathering of state and federal fisheries agency leaders, managers, and biologists in Denver, Colorado, to evaluate current data needs and review the National Research Council's findings. NOAA Fisheries is tasked with preparing, in cooperation with states and other partners, a blueprint for redesigning angler surveys by June 2008.

**OCTOBER 2006:** An executive steering committee—primarily made up of NOAA Fisheries experts and regional fisheries council and commission representatives—is formed to oversee efforts to develop this blueprint.

**NOVEMBER-DECEMBER 2006:** The executive steering committee holds a series of conference calls with key constituents from the recreational fishing community to get initial input and invite participation throughout the redesign process.

**JANUARY 2007:** Magnuson-Stevens Fishery Conservation and Management Act is reauthorized. The legislation echoes many of the concerns raised by the National Research Council in calling for redesigned angler surveys. It also includes a requirement for NOAA Fisheries to develop a new national saltwater angler registry as a key part of a broader redesign effort.

**FEBRUARY 2007:** To formalize plans to redesign the angler surveys, the executive committee launches an initiative to develop the Marine Recreational Information Program to address the National Research Council recommendations and Magnuson-Stevens Act mandates. This new program will be phased in to eventually replace the Marine Recreational Fisheries Statistics Surveys (commonly called MRFSS) that have been in place for nearly 30 years.

**MARCH-JULY 2007:** Executive committee establishes teams of experts from NOAA Fisheries, state agencies, regional fisheries councils and commissions, and partner organizations to deal with distinct aspects of the redesign process. Teams are tasked in these focus areas: Data Management and Standards, Design and Analysis, For-Hire Surveys, Highly Migratory Species Surveys, the Saltwater Angler Registry, and Communications. This approach promotes a survey redesign process that is inclusive and transparent.

**SPRING 2007:** NOAA Fisheries' Assistant Administrator Bill Hogarth dedicates almost \$2 million from fiscal year 2007 discretionary funds to develop the Marine Recreational Information Program (an increase to the \$8 million budget for the program).

**AUGUST 2007:** Teams in charge of distinct aspects of the redesign effort meet in St. Pete Beach, Florida, to begin developing project proposals that address the highest priority recommendations from the National Research Council and the Magnuson-Stevens Act requirements.



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**DECEMBER 2007:** NOAA Fisheries agrees to invest nearly \$2 million for a dozen projects proposed by teams during fiscal year 2008. These include projects related to using dual frame survey methods, reducing potential for bias in catch and effort estimates, establishing survey standardization, and improving data collection from for-hire vessels and for highly migratory species.

### **On the Horizon...**

**ONGOING:** Leaders from NOAA Fisheries, state natural resource agencies, and regional fisheries councils and commissions spread the word at numerous conferences and other venues to keep partners and the public well informed and engaged in the redesign process.

**MAY 2008:** NOAA Fisheries issues a proposed rule (developed by the Saltwater Angler Registry Team) on the national saltwater angler registry requirements and state exemptions. A proposed rule is a public document announcing significant government plans and offering opportunity for public input, usually for 45 days or more.

**JUNE-JULY 2008:** Blueprint for the Marine Recreational Information Program will be unveiled.

**JANUARY 2009:** As required in the Magnuson-Stevens Act, NOAA Fisheries will deliver to Congress a comprehensive report on all efforts underway to phase in the new Marine Recreational Information Program.