

Testimony by Scott Gudes, Vice President American Sportfishing Association

Before the Senate Committee on Environment and Public Works

Regarding the Hunting Heritage and Environmental Legacy Preservation Act.

July 19, 2017

Chairman Barrasso, Ranking Member Carper and Members of the Committee, thank you up for the opportunity to testify regarding S. 1514, the Hunting Heritage and Environmental Legacy Preservation Act, or HELP for Wildlife Act. As a representative of approximately 800 companies manufacturing and conducting commerce in the production, sale and use of sportfishing equipment, I want to thank and express appreciation for the Committee's support of anglers, hunters, shooters and the overall outdoor recreational economy.

This bill authorizes a number of programs and policies that are important to the recreational fishing community and industry. In fact, the Committee might consider adding "Fishing" to the title, as this bill really is the Hunting and Fishing Heritage and Environmental Legacy Preservation Act. Of course, I do realize that would change the "HELP" abbreviation for the Act. Possibly the bill could be referred to in section 1 as the "HELP for Wildlife and Fisheries Act."

The outdoor industry recreational economy is often overlooked as an engine for jobs and economic growth. Recreational fishing in the U.S. generates 828,000 jobs and \$115 billion in annual economic activity. Recreational fishing is about families and young people spending time outdoors, getting on or near the water, gaining an appreciation for nature, and enjoying outdoor recreation. The Recreational Boating and Fishing Foundation notes that fishing is the second most popular outdoor recreation activity in the United States with 46 million Americans participate in recreational fishing each year. The National Oceanic and Atmospheric Administration (NOAA) estimates that 11 million of these anglers fish in saltwater. The five year survey conducted by the Interior Department and

Census Bureau, which is funded by angler and boater excise taxes is currently being updated. We believe the new survey results out later this year will show that even more Americans are fishing and the jobs and economic benefits I mentioned are even greater.

The Hunting Heritage and Environmental Legacy Preservation for Wildlife Act contains a number of provisions that will improve and conserve fishing access and fishery resources. Our community works closely with the National Fish and Wildlife Foundation and we are pleased the bill reauthorizes the Foundation and recognizes the Foundation's important work in fresh- and saltwater fisheries. The Bill reauthorizes the Chesapeake Bay Program and the Chesapeake Bay Initiative Act of 1998. The Chesapeake Bay's importance cannot be overstated. It is our nation's largest estuary. With its tidal rivers like the Choptank and numerous wetlands, the Bay serves as the nursery for 70 to 90 percent of all Atlantic striped bass, and it is home to many other sportfishing stocks, and forage fish. Millions of anglers fish the waters of the Chesapeake Bay in Maryland and Virginia each year, from Have de Grace to the Virginia Capes. It is important to the sportfishing industry and anglers in Maryland and Virginia, and up and down entire the Atlantic Coast that the bay water quality be restored and that this great estuary be well managed for future generations. The American Sportfishing Association strongly supports the Committee's efforts.

Section 9 of the bill authorizes general provision language that has been carried in annual Interior and Environment Appropriations bills which prohibits the regulation of lead fishing tackle by the Environmental Protection Agency. This provision keeps the regulation of lead fishing tackle with State Fish and Wildlife Agencies where it belongs. It also provides the same treatment for fishing tackle that Congress has already enacted for lead ammunition. Similar legislative language for fishing tackle has been included in the "Sportsmen Acts" that have come close to final passage the past few sessions of Congress.

Lead fishing tackle is used by almost all anglers when they are targeting fish below the immediate surface. Thus, sinkers, jigs and other such tackle are often used to weight a lure or bait. The metal is the preferred manufacturing material because of its density (thus size), malleability and low cost.

It is employed in almost all types of fishing, from trolling tackle on the Chesapeake Bay to plastic worm rigs for largemouth bass. Every angler intends to retrieve and reuse this type of what is called “terminal tackle.” If a fishing line unintentionally breaks, for example due to submerged structure, then the weight remains intact and does not mix with the water.

The use of lead fishing tackle is not a human health issue. The concern that has been raised is the interaction with individual birds with very small lead tackle, what is often referred to as “split shot.”

Numerous times over the last few decades, and most recently in 2010 and 2012, the EPA was petitioned to ban lead in all fishing tackle nationwide. In those cases the impact on loon waterfowl was cited by the petitioners. EPA ended up, after review, dismissing the petitions stating that “the petitioners have not demonstrated that the required rule is necessary.” Biological facts, and economic impacts did not support the proposed action.

The American Sportfishing Association believes that the regulation of sportfishing tackle and methods of fishing are issues that are appropriately within the jurisdiction of State fish and wildlife agencies. We also believe Congress should accord anglers the same treatment it legislated for hunters, sport shooters, and ammunition and we appreciate the Committee’s action in section 9.

Finally, Section 12 of the bill authorizes the National Fish Habitat Partnership or “NFHP.” This program was modeled on one of the most successful, conservation endeavors in our nation’s history, the North American Wetlands Conservation Act. The HELP for Wildlife Act would codify the National Fish Habitat Partnership – a program established through a state-led public-private partnership and housed within the U.S. Fish and Wildlife Service.

The HELP for Wildlife Act supports this voluntary, non-regulatory, “from the ground-up” fish habitat conservation program. The program has been and will continue to be driven by local and regionally-based Fish Habitat Partnerships. The partnerships are comprised of representatives of federal, state, and local agencies, conservation and sportsmen’s organizations, private landowners

and the business sector. The program is about achieving outputs, high impact habitat improvements, at the lowest cost practicable. Fish habitat partnerships have already led to almost 600 successful conservation projects in 50 states benefitting anglers and communities throughout the nation.

The fish habitat provisions in section 12 clearly protect private property rights, require the approval of projects by the state government, and provide for diverse representation on the National Fish Habitat Board that is charged with project selection. We believe that this legislation will create better fisheries habitat, more fish and quality fisheries and angler access. It will increase participation and enjoyment by Americans of our rivers, lakes and streams and improve fish habitat throughout the country. The committee's bill is clearly an investment in the future. The American Sportfishing Association strongly supports the Committee's fisheries habitat conservation and partnerships legislation.

Chairman Barrasso, Ranking Member Carper and members of the Senate Committee on Environment and Public Works, the HELP for Wildlife Act truly is a HELP for Wildlife and Fisheries Act. Moreover, this legislation represents an appreciation for the value of outdoor recreation and sportsmen. On behalf of the American Sportfishing Association and the men and women working in our industry and anglers "wetting a line" around the country, I'd like to express my appreciation for the Committee's action. We strongly support this bill.