

State Fisheries Programs- Is the Financial Commitment There?

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Proc. Annu. Conf. Southeast. Assoc. Fish and Wildl. Agencies 36:18-24

Over the past 50 years we have seen state fish and game agencies evolve from an aggregation of untrained game protectors into sophisticated organizations employing scientists, managers, and enforcement officers to protect, manage, and enhance fish and wildlife resources for the public benefit. That evolutionary process is continuing, although perhaps more slowly in these economically stressed times.

I believe a case can and must be made that the fish and wildlife resources entrusted to the states are worthy of public financial investment to ensure that they continue to contribute to the economic, esthetic, and recreational well-being of the citizens of the United States.

In this day of environmental awareness, I look at the state fishery field biologist as being the first line of defense for the aquatic environment. It is usually the state fishery biologist who makes field inspections for Section 404 (dredge and fill) permits, inspects fish kills, and is constantly on the alert for insidious and gross pollution of the aquatic environment.

It is the fishery biologist who has day-to-day involvement with the indicators of water quality, the fish themselves. On the whole, the state fishery agencies have done an excellent job of protecting the aquatic environment.

What lies ahead for state agencies and what factors will influence the direction and composition of state fishery departments?

That question was perhaps best answered by an individual who is, and has been, on the firing line. Recently, Bob Kemp, Director of Fisheries for the Texas Parks and Wildlife Department, received the Heddon Hall of Honor Award. The Award is presented annually by James Heddon's Sons, a well known manufacturer of fishing tackle, to an individual or organization who has made outstanding contributions to sport fisheries.

Bob Kemp received the award for his leadership in the development, enactment, and defense of legislation that prohibits the commercial exploitation for a 2-year period of red drum and spotted seatrout in Texas waters.

When Bob received the award, he told the audience, ". . . there are certain lessons in the recent struggle in Texas. No longer can we rely on issues critical to fisheries management to be advanced solely as a 'popular cause.' Nor can we rely on those issues being settled in an atmosphere of reason and calm. Reliable: data are the cards that count. And those cards can only be produced and backed by a longterm and on-going financial commitment to scientific fisheries management."

In the Texas case it was competition between user groups for limited fish stocks, but the lesson can be applied to all forms of competition for natural resources: public interest vs private interest in competition for wetlands, allocation of water resources between fishery interests and agribusiness, competition between cattlemen and fishery interests for riparian habitat, small-scale hydro development for energy production vs fishery interests, and the list could go on. However, the bottom line is, if we want to make a case for fishery values, we are going to have to be prepared to enlist an army and fight--our cannons will be reliable data.

The Texas red drum/spotted seatrout experience vividly pointed that out twice--once in the Texas Legislature when facts were needed to get the votes to pass the legislation and again in court when the legislation was contested. While Bob Kemp provided the leadership within the Texas Parks and Wildlife Department, a public interest group, the Gulf Coast Conservation Association provided the public leadership. Both elements were essential ingredients for success in the Texas struggle.

Another point raised by Bob Kemp was financial commitment to scientific fishery management. I can think of no problem more topical to the states than funding.

A recent American Fisheries Society survey of state fishery agencies found a projected annual funding shortfall of \$135 million to maintain programs; not to expand them, but to maintain them. That survey was conducted before many of the states were aware of federal program cutbacks that contribute directly and indirectly to state fishery programs. Important federal fishery programs slated for reduction or termination include: the Anadromous Fish Conservation Act; the Cooperative Fish and Wildlife Research Units; the National Reservoir Research Program; closing 13 Fish & Wildlife Service (FWS) Fishery Assistance Offices; closing 31 national fish hatcheries; serious curtailment of the National Marine Fisheries Services (NMFS) Habitat Protection Program; and, curtailment of NMFS's marine resources monitoring assessment and prediction program.

Federal agencies other than the FWS and NMFS with fishery resource responsibility will also be impacted. For example, the U.S. Forest Service's fishery research program will suffer reduction in research on pacific northwest

anadromous fishery spawning and rearing habitat relationships, and some loss to the southeastern United States trout research program.

Many of the federal programs proposed for reduction or elimination by the Reagan administration provide funding assistance to state fishery conservation agencies. Such extensive cuts in these support programs will be severely felt by the state agencies, particularly now, when funding levels for even traditional state fishery programs, financed by fishing license fees, are becoming increasingly inadequate in many states. It must be stressed that these cuts are proposed-intense lobbying efforts can modify and influence the priority of final cuts by Congress. These programs are being cut on the premise that many of these functions are the responsibility of the states. It is President Reagan's "New Federalism" program. However, no financial mechanism presently exists within the states to take over many of the functions, and gearing up to accommodate these needs would take years.

While on the subject of funding, it might be productive to review the course of events and the status of recent Dingell-Johnson fund expansion efforts.

Several years ago fishery conservation organizations founded a coalition called the D-J Expansion Committee. The Committee espoused a significant increase of the D-J fund through a 3% manufacturers excise tax on certain boats (under 26 feet), outboard motors, and boat trailers, and expanding the tax on fishing tackle from rods, reels, creels, lures, artificial baits, and flies to all items of fishing tackle. The additional taxes were projected to increase the fund from \$30 million to \$100 million annually. The legislation was introduced as identical bills in the House and Senate and hearings were held. Due to opposition by the boating industry, the legislation quickly stalled and was in legislative limbo for many months.

Recognizing the overriding necessity for additional revenues to maintain state fisheries management programs, the Sport Fisheries Institute (SFI) offered a compromise to the stalled-out legislation in May. This compromise language formed the basis of Section 286 of HR 4961, the Tax Equity and Fiscal Responsibility Act of 1982, which was passed by the Senate.

The House Merchant Marine and Fisheries Committee staff also drafted D-J expansion language based upon, and more nearly representing, the SFI compromise. The staff's language was endorsed by the leadership of the Merchant Marine and Fisheries Committee. A noble attempt was made to amend Section 286 in a House-Senate Conference Committee, ironing out differences in the language between the 2 bodies on HR 4961.

The amended version offered to the Conference Committee by the leadership of the House Merchant Marine and Fisheries Committee included:

1) Transfer of $\frac{2}{3}$ of the monies authorized by the Boating Safety and Boating Facilities Improvement Act of 1980 (at least \$20 million, possibly as

much as \$27 million) to the D-J program with ½ earmarked for boating facilities improvement and ½ for traditional D-J programs. Source of these funds: an existing 4-cents-a-gallon motor boat fuel tax, and reverted highway fuel tax monies paid by boaters. This would have brought boaters' dollars into the D-J fund, a goal of the D-J expansion proponents. Boating interests would have gained a continued appropriation for their Boating Safety and Boating Facilities Improvement Act of 1980, which never has been funded.

2) Earmarking presently collected import duties on fishing tackle, yachts, and pleasure boats to the D-J program (about \$20 million annually).

3) Extension of the 10% manufacturer's tax on selected items of fishing tackle to additional items of fishing tackle presently not taxed under D-J (about \$12 million).

4) "Deferral language" that would have extended the period of payment of D-J taxes by tackle manufacturers. (The present payment system does not accommodate the seasonality of fishing tackle sales and, in fact, increases the retail cost of D-J taxed fishing tackle items.)

On August 14, 1982, in the early hours of the morning the House-Senate Conference Committee on HR 4961 decided to delete Section 286. The reasons for the D-J expansion measure's failure within the Conference Committee are conjectural at this point. The generally accepted reason is that the House-Senate Conference Committee elected to eliminate, without regard to individual merit, sections of the tax bill that were considered extraneous to the purpose of the legislation.

With the loss of Section 286 from the tax bill, any possibility of securing significant new monies for the fishery resource is back to square one. The compromise D-J language endorsed by the House Merchant Marine and Fisheries Committee leadership represented the best deal available that was acceptable to legislators, bureaucrats, and D-J expansion advocates.

Where do we go from here? SFI believes that D-J expansion is but 1 facet, albeit of significant proportions, of the bigger picture of increasing the level of public investment in the fishery resource base.

Without a doubt, if the American public is to be attracted to recreational fishing, the fishery resource must be of sufficient quality to draw the discretionary time and dollars the public will spend on outdoor activities. In 1980, according to the U.S. Fish & Wildlife Service's National Survey of Hunting, Fishing and Wildlife-Associated Recreation, recreational fishermen spent 17.3 billion dollars. Protecting, managing, and enhancing the fishery resource base that generates expenditures of this magnitude is important to the national economy. So, failure to significantly expand the D-J fund, coupled with cutbacks in other federal fishery programs, is a major setback.

The expansion of the fishery resource will only come about by increased

expenditures for intensive management of existing waters; few new fishing waters are coming on line. During the 1960's and early 1970's the federal government invested huge sums of money in reservoir construction. Those investments created millions of acres of new fishing waters and resulted in greatly expanding the fishery resource base, and fishing opportunities. The Clean Water Act (PL 92-500) also contributed substantially to increased fishing opportunities by cleaning up grossly polluted waters. The combined increased fishing opportunities attracted millions of new fishermen.

The case in point is, if there is to be continued expansion and protection of the fishery resource base, it will only come through substantial government (state/federal) investment. It is no longer possible to attract hoards of new anglers by significantly increasing the amount of fishery waters. Rather, intensively managing the fishery resource will be required to maintain, with modest growth, the numbers of anglers. Intensive fishery management is expensive but cost effective.

Where is the money to come from? The obvious answer is from the angler, the user of the resource. Is it to be from across the board increases of fishing license fees? Our examination of the complex, widely varying licensing fee structure of the 50 states and the political intricacies of gaining substantial license fee increases on a timely basis, indicates that the answer is probably not. We know that expanding the historic D-J tax base has its critics. Should monies come from state general funds? In 1965 there were an estimated 28.3 million anglers; by 1975 the number had almost doubled to an estimated 54 million anglers. Although some of this growth was due to an increase in saltwater angling, the greatest share of the increase was in freshwater. Five years later, in 1980, the estimate was once again 54 million anglers, indicating a virtual plateauing in the numbers of anglers. In 1975 there were 27.5 million licensed anglers, 51% of all anglers, who paid \$141.5 million for licenses. In 1980, 27.9 million fishermen, again, 51% of all anglers, paid \$196.3 million for licenses. The number of licensed fishermen has also plateaued and the average license expenditure in 1975 of \$5.14 rose to \$7.03 in 1980. It is noteworthy that while the average license expenditure increased 36%, the dollar, because of inflation, was reduced in buying power by 53% over the same period, resulting in a net buying power loss to state fishery agencies.

Fishing license income has been the historic financial base for many state fishery agencies. But it is becoming apparent that license income as a sole source of income is insufficient. As stated before, of the 54 million fishermen enumerated in 1980, approximately 28 million were licensed. The young, the old, the infirm, the military, and (in most of the marine coastal states) saltwater anglers are exempted or are not covered by most states' licensing laws.

Many state legislatures have used the bestowal of exemptions from

licensing requirements as a charitable social benefit, without compensating the state fishery department for revenues foregone. It is SFI's position that the cost of such social charity should be borne by the state's general treasury, and should not continue to be imposed as an added financial burden to be borne by the license buying sector of society. The State of California is a state which has remunerated its fishery agency for senior citizen fishing license exemptions. Last year, 1981, the California legislature failed to appropriate monies to compensate the fishery agency--so this year the agency did not permit a senior citizen exemption or reduced license fee for senior citizens.

With today's requirements that only certain sectors of the angling public be licensed, the fishing license as a sole revenue source is an inequitable way of financing recreational fishery programs. Until the inequities are resolved fishery agencies will have to look to other sources, such as D-J, to provide increased income to finance their programs.

Fishery resources and their management are largely the responsibility of the federal and state governments. Management of the public fishery resource with private capital is not a reasonable alternative--management cost must be borne by the public, most everyone will agree with that. The question is how to equitably assess the costs to the various segments of the public. Many fishery programs benefit a far greater segment of society than those that purchase fishing licenses.

An additional potential source of income for state fishery agencies is from monies derived from state income tax check-off designated for non-game and endangered species management. Many fishery management programs benefit non-game and endangered species directly and indirectly. States that have such a provision should make optimum use in fishery programs.

Presently 20 states have such a provision and it is pending in 5 other states. SFI hopes to determine to what extent these states are utilizing non-game monies for fisheries purposes. In a funding questionnaire SFI sent to all fishery chiefs, marine and freshwater, we asked if their state had a check-off provision and if so, how much income was apportioned to fisheries.

Funding fishery programs is of critical concern to state fishery agencies. Unfortunately when increased funding is discussed, the user part of the user-pay concept, the fisherman, is relegated to the role of the funding extractee. Little is heard on how we can involve the fisherman to a greater extent in the fishery management process. What are his wants and needs? How can the licensing process be made more convenient for him or her?

Perhaps in our quest for more socio-economic data we should be determining what fishermen want. I do not propose that we acquiesce to his every whim. Through education we should be able to mold and guide the angler.

Many states do have Sportsmen's Councils or some method for dialogue between fishermen and fishery managers. That is not enough, we owe it to the

fishing public to tell them what we are doing and why we are doing it. The state fishery agencies must get involved with public interest groups to promote responsible leadership and programs within such organizations. The effectiveness of the Gulf Coast Conservation Association mentioned earlier is a classic example of public interest group effectively promoting an issue that was developed and articulated by the resource professionals of the Texas Park and Wildlife Department.

The public is too sophisticated to accept the idea that fishery managers are altruistic and that if you give them a lot of money they will go out and do good things. What it is going to take is developing a sound program with public input and then hitting the road and selling that program. That is how you are going to get fishing license increases and compete with other programs for general revenue monies.