

RESOLUTION CONCERNING THE SAN DIEGO LONG-RANGE
SPORTFISHING FLEET

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JULY 9, 2003.—Referred to the House Calendar and ordered to be printed
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Mr. POMBO, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H. Res. 30]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the resolution (H. Res. 30) concerning the San Diego long-range sportfishing fleet and rights to fish the waters near the Revillagigedo Islands of Mexico, having considered the same, report favorably thereon without amendment and recommend that the resolution be agreed to.

PURPOSE OF THE BILL

The purpose of H. Res. 30 concerns the San Diego long-range sportfishing fleet and rights to fish the waters near the Revillagigedo Islands of Mexico.

BACKGROUND AND NEED FOR LEGISLATION

The Revillagigedo Islands are located in Mexican waters and since 1994 have been part of the Revillagigedo Islands Biosphere Reserve under the United Nations Biosphere Reserve Program. The waters around these islands have been a popular sportsfishing destination for charter vessels from San Diego, California, since their potential as a fishing destination was first realized in the 1970s.

Until 2002, access to the waters around these islands had been authorized for 30 years through permits issued by the Mexican government to a limited number of sportsfishing vessels from the Sportfishing Association of California (SAC). Permits were issued to allow only 10 boats and a total of 60 trips per year for the San Diego long-range boats. Despite the designation of the Revillagigedo Islands Biosphere Reserve by Mexican Presidential Decree in 1994, permits continued to be issued to SAC vessels. In

fact, the Presidential Decree provided for sportfishing outside of 500 meters from the shoreline of all the islands within the Biosphere.

In 1995, Mexican officials sought to establish sub-zones for the Biosphere, but again determined that sportfishing was an authorized activity and permits continued to be issued to SAC. In 1997, a draft management plan was developed, again allowing fishing within the reserve, specifically authorizing sportfishing up to 500 meters from the shoreline of the islands.

In March 2002, the permits which had been issued to the SAC vessels were revoked and sportfishing was no longer an authorized use within the Biosphere. No refund was given to the San Diego vessels that had their permits revoked.

Despite accusations that the sportsfishing fleet was contributing to overfishing in the Biosphere, a November 2001 document titled "Revillagigeda Islands—State of the Fisheries" published by Sea Watch, made the following observations:

. . . the declines in tuna at the Islands appear to be from heavy commercial pressure elsewhere, not from the yachts or long-range boats at the Islands. (Page 10)

Time and again, conservation-minded sportsmen prove to be diligent and enthusiastic supporters of their target resource. Eliminating their watchful concern would blind the most significant group who, as this document attests, love and cherish this wonderland and are leading the effort for responsible conservation. Their presence is a significant deterrent to commercial poachers. (Page 11)

. . . almost all the arrests for illegal commercial fishing have come from concerned sportboats. (Page 11)

In 2000–2001, the last full year of trips, the San Diego fleet ran 44 trips from San Diego with an average trip lasting 17 days roundtrip—with only 10 days of actual fishing. The trips carried a total of 869 passengers who caught 5,852 yellowfin tuna and 4,916 wahoo—an average of 6.7 yellowfin per passenger per trip and an average of 5.7 wahoo per passenger per trip.

It is estimated that the economic impact of the San Diego fleet to the U.S. economy is \$5.5 million annually and the estimated economic impact of the San Diego fleet to Mexico is \$2.9 million per year.

H. Res. 30 calls upon the U.S. Departments of State and Commerce to work with their Mexican counterparts to resume issuing permits for the San Diego long-range sportfishing fleet to fish the waters more than 500 meters from the Revillagigedo Islands.

COMMITTEE ACTION

H. Res. 30 was introduced on January 27, 2003, by Congressman Randy (Duke) Cunningham (R–CA). The legislation was referred to the Committee on Resources, and within the Committee to the Subcommittee on Fisheries Conservation, Wildlife and Oceans. On May 22, 2003, the Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on the measure. On June 11, 2003, the full Resources Committee met to consider the bill. The Subcommittee on Fisheries Conservation, Wildlife and Oceans was discharged from further consideration of the resolution by unanimous

consent. No amendments were offered and the resolution was ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. H. Res. 30 is a resolution encouraging the American federal government to work with its counterpart agencies in the Mexican government regarding the issuance of fishing permits. No costs are involved.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.