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FISH RESTORATION ACT OF 1979

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HEARING

BEFORE THE

COMMITTEE ON

ENVIRONMENT AND PUBLIC WORKS

UNITED STATES SENATE

NINETY-SIXTH CONGRESS

SECOND SESSION

ON

S. 1631

A BILL TO PROVIDE ADDITIONAL FUNDS FOR CERTAIN PROJECTS RELATING TO FISH RESTORATION, AND FOR OTHER PURPOSES

MAY 20, 1980

SERIAL NO. 96-H51

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FISH RESTORATION ACT OF 1979

TUESDAY, MAY 20, 1980

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Washington, D.C.

The committee met at 10 a.m., in room 4200, Dirksen Senate Office Building, Hon. Jennings Randolph (chairman) presiding.
Present: Senators Randolph, Stafford, and Domenici.

OPENING STATEMENT OF HON. JENNINGS RANDOLPH, U.S. SENATOR FROM THE STATE OF WEST VIRGINIA

Senator RANDOLPH. Good morning, ladies and gentlemen. We appreciate the presence of interested citizens and, of course, we shall have the counsel of our witnesses at the hearing today.

I would make a brief statement, and I hope that my colleague, Senator Stafford may wish to speak, also, I know he will be active in connection with the hearing.

Last year 58 million Americans joined in one of the Nation's most popular recreational activities, fishing. Unfortunately, current funding for fisheries programs is proving inadequate to keep pace with inflation or meet increasing demands on fisheries resources. Today, the Committee on Environment and Public Works is holding a hearing on S. 1631, the Fish Restoration Act of 1979, legislation to respond to additional funding needs for recreational fishing programs.

I introduced S. 1631 last August 2 jointly with Senator Russell Long, Chairman of the Senate Finance Committee.

The management of America's inland fisheries resources is, as it should be, the responsibility of the 50 States. However, in 1950 Congress passed the Federal Aid in Sport Fish Restoration Act, the so-called Dingell-Johnson Act, to assist the States in funding their recreational fisheries programs. The act provides for a 10-percent manufacturers' excise tax on fishing equipment including rods, reels, creels, artificial lures, bait, and flies. The tax is passed along to the fishermen as part of the cost of the fishing equipment he or she buys. Through the years America's fishermen have recognized the need for increased fisheries management and have been willing to pay the bill.

The money collected from the Dingell-Johnson tax is distributed to the States through a matching grant program with the Federal Government providing 75 percent of the funding. These funds are distributed among the States, with each State's share based 60 percent on the number of its licensed sport fishermen and 40 percent on its land and water area. No State may receive more than 5 percent or less than 1 percent of the total.

As of 1978, approximately \$268 million had been collected with only 7 percent spent for administrative purposes. The money is used by the States for, among other things, building and maintenance of fish hatcheries, fishing lakes, access routes to waterways, the improvement of aquatic habitat, and the protection of fish habitat from pollutants.

The Dingell-Johnson program has been very popular and successful, but under present levels of funding our aquatic resources will not be able to sustain the increasing public use demand. S. 1631 would respond to additional funding needs while continuing the "user pay" fees paid by the persons who share in the resource. The bill would amend the current Dingell-Johnson Act to extend the 10 percent excise tax on fishing equipment to items not currently being taxed. In addition, the bill would establish a 3-percent tax, at the manufacturers level, on recreational boats under 25 feet and boating equipment. The tax would not apply to commercial boats, hydroplanes, kayaks or sailboats. The legislation is expected to generate an additional \$80 million annually for recreational fishing programs.

Expanding the Dingell-Johnson fund raises a number of questions:

What are the potential uses of the new funding?

How will the States provide matching money?

Is it equitable to extend the tax to boats and boating equipment? Does this continue the "user pays" principle?

What are the potential impacts to the industries being taxed?

I look forward to the testimony today which should be helpful in addressing these and other issues.

Senator Stafford?

OPENING STATEMENT OF HON. ROBERT T. STAFFORD, U.S. SENATOR FROM THE STATE OF VERMONT

Senator STAFFORD. Thank you, Mr. Chairman.

I have no prepared opening statement. I think this is an interesting matter and fishing as a recreational sport is important in this country and in my State.

If the 3-percent tax is to be applied to boats and boating equipment, I think it is important that it apply only to boats and their equipment which are principally intended for and used for fishing. I am sure that some of the manufacturers' representatives who are here today may discuss this aspect of the matter. It would appear to me that by going to 25 feet instead of, say, 21 feet for boats cruised principally in inland water, that we might find ourselves taxing small cruisers that are not principally intended for fishing at all but are family recreational boats used for weekends.

So I trust we will have testimony on this aspect of the matter, and I will look forward to listening to it.

Senator RANDOLPH. Thank you very much.

Senator Stafford, has had the problems and the joys of being the chief administrator of the State of Vermont, as well as a Member of the Senate of the United States. It's often said that Vermont is the most rural State in the country and West Virginia is the second. We could say that West Virginia is the best fishing State,

other than on the coast, perhaps, and Vermont is second. We might trade there.

Senator STAFFORD. Mr. Chairman, you will have to give me equal time later on that.

Senator RANDOLPH. But fishing is good in both States. It is not as good as the fisherman would like.

Would the commercial industry come forward?

Richard Kotis, president of the Fred Arbogast Bait Co.; Joseph Swift, director of industry affairs for Mercury Marine, Brunswick Corp.; Ron Stone, director of Government relations for National Marine Manufacturers Association.

We are very gratified that you have come to discuss this subject and to explain the positions of your organizations.

Are you Mr. Kotis?

Mr. KOTIS. Yes, sir.

Senator RANDOLPH. Mr. Kotis. Who is to your left?

Mr. SWIFT. I am Joe Swift—only my mother calls me Joseph.

Senator RANDOLPH. Thank you, Joe.

Mr. STONE. I must be Ron Stone.

Senator RANDOLPH. Thank you.

Mr. Kotis, shall we begin with you?

STATEMENTS OF RICHARD KOTIS, PRESIDENT, FRED ARBOGAST BAIT CO.; JOSEPH SWIFT, DIRECTOR, INDUSTRY AFFAIRS, MERCURY MARINE, BRUNSWICK CORP.; RON STONE, DIRECTOR, GOVERNMENT RELATIONS, NATIONAL MARINE MANUFACTURERS ASSOCIATION

Mr. KOTIS. Thank you.

My name is Richard Kotis, president of the Fred Arbogast Bait Co., a privately held corporation in Akron, Ohio.

Our entire business is devoted to manufacturing and distribution of artificial fishing lures.

I am here to testify in favor of the expansion of Federal Aid in Sport Fishing Fish Restoration Act of 1950, hereafter referred to as the D-J program.

Our company's growth, success and total income is derived from recreational fishing. For that reason, we are very sensitive to factors concerning fishing and its dependent aquatic environment.

Unlike many other recreational-oriented industries, a fishing tackle manufacturer's success depends on factors that cannot always be controlled and/or expanded. Our opportunity for growth depends upon a healthy aquatic environment, adequate access to fishing waters and more intensive management to satisfy the 54 million Americans who fish.

The present D-J program has had a very positive impact on the fishing tackle industry. Without it I believe we would have had fewer fishing opportunities. The report on the first 25 years of the D-J program—1950-75—points this out very graphically. The 2,818 public access sites developed making 799,836 more acres of water accessible to recreational fishermen.

I might drop from my notes for a second and explain to you gentlemen I am a very avid recreational fisherman myself. If you had the opportunity and had seen the social and economic impact that the walleye fishery has had on Lake Erie and wait in line for

2½ to 3 hours this past summer to put your boat in because of lack of access, you will know when I talk about we need more access.

Success of recreational fishing is defined in terms of "catch" by some, "quality of experience" by some, and "tranquility" by others. These three measures of success would be greatly diminished if our respective State conservation departments did not have the resources generated through the D-J program.

The fishing resource we depend upon has come under very heavy pressure as a result of population expansion, increased demand for water-based recreation, improvements of equipment and techniques. It is unrealistic to believe we can maintain or improve the quality of fishing we have enjoyed in the past without increasing the income needed for access and management programs.

When the D-J program was first proposed some 30 years ago, certain fishing tackle manufacturers felt it would tax them out of business. It has, in fact, kept them in business.

Gentlemen, I had an opportunity to sit in on many of those debates when we could not reach an agreement within our own industry. Fortunately, the farsighted leaders created the D-J fund, which has been very beneficial to us.

Presently, there are fishing tackle manufacturers who benefit from the D-J program but are not subject to the 10-percent tax levied by the D-J Act.

I believe fishermen fishing with natural bait, or a boater using access built with D-J funds reap the benefits of the D-J program, therefore, should pay their equivalent share.

All fishing tackle, boats, motors, and trailers as defined in S. 1631 should be taxed at the rate of 10 percent for tackle and 3 percent for boats, motors, and trailers with the resulting funds incorporated into the D-J fund.

The American Fishing Tackle Manufacturers Association is made up of four divisions—(1) rod and reel, (2) lures, (3) line and (4) accessories. At the present time, the rod and reel and lure divisions pay the excise tax. The line division is on record in favor of the expansion. The boat, motor, and trailer manufacturers must realize if they are going to sustain sales or grow, there must be increased possibilities for participation, or have improved the quality of the activity so the participants will increase the frequency of their participation.

Selected fishing tackle manufacturers, defined by the present D-J Act, have carried their share of the load. It is time for the other users to participate in the D-J program.

I must include, for the record, that I am in favor of the definition of fishing tackle as written in H.R. 6054, section 301(3)(B)(a). There are certain items omitted in S. 1631 I feel should be included.

I appreciate this opportunity to voice my opinion on a piece of legislation so vital to the health and growth of our industry.

Senator RANDOLPH. Thank you very much, Mr. Kotis. You believe that this, in a sense, would be an investment, is that correct?

Mr. KOTIS. I felt that all along as a small privately held corporation. At times, I must admit to you it has been difficult for us to come up with the excise tax because of the seasonality of our business, but, yes, I feel the only reason our company has grown at the rate it has, and the reason the artificial lure business has

grown the way it has is because we have made more opportunities available for more fishermen.

Senator RANDOLPH. You have given not only pleasure but you have performed a service. I want the record to show that.

Mr. KOTIS. I think if there is one thing that has made a tremendous impression upon those of us who have been paying the tax is the very efficient way it has been managed and the small management funds that have been used. When we stay within 7 percent of the total revenues generated, it has been a very beneficial thing.

I wish we could all run our companies on a 7-percent management fee.

Senator RANDOLPH. Thank you.

Senator STAFFORD. I would just have one question, if it is appropriate now, rather than when the panel is completed.

Mr. Kotis, you wouldn't think it equitable to tax boats that are not primarily used for fishing, would you?

Mr. KOTIS. No, sir, I wouldn't. I must admit to you that because I happen to live in the Great Lakes State, I would hesitate to go on to Lake Erie with a boat less than 25 feet.

Senator STAFFORD. I would agree with you on that. In much of the country would 21 feet be a reasonable cutoff?

Mr. KOTIS. I think so, yes. We have an unusual situation on the Great Lakes.

Senator STAFFORD. Thank you.

Senator RANDOLPH. Thank you, Mr. Kotis.

For the record, I think sometimes we should, in a hearing of this kind, look back and see who introduced the legislation. Often it is taken as automatic. These men had to work hard to have that original legislation passed. Representative Dingell of Michigan, the father of the present Member from Michigan, and I came here on March 4, 1943. At that time the Senate sponsor was Senator Edwin Johnson of Colorado. They have a different type of fishing in Colorado. Is that correct, Mr. Kotis?

Mr. KOTIS. Right.

Senator RANDOLPH. I am sure that I want the record to reflect the earlier interest of those two men.

Mr. Swift?

Mr. SWIFT. Joe Swift.

Senator RANDOLPH. Joe, yes.

That sounds kind of fishy.

STATEMENT OF JOE SWIFT

Mr. SWIFT. Mr. Chairman, members of the committee, my name is Joe Swift.

I am executive director of industry affairs for Mercury Marine. We are the second largest manufacturer of outboard engines and the largest manufacturer of stern drive and inboard engines in the world.

Of the approximately 6,000 people we employ in the United States, nearly 3,500 normally work and live in Wisconsin. This work force is presently down by more than 1,500 people, although this text says 1,000. It was written earlier.

The people we employ, their jobs, their security, their livelihood, depend totally on the health of recreational boating.

I am here to object to S. 1631, in particular that portion of the bill that would impose a 3-percent excise tax on boats 25 feet and under and on outboards, both internal combustion and electric.

The imposition of this proposed tax would be highly inflationary. It is proposed at a time when disastrous inflation is generating frightening figures in the range of 18 to 20 percent.

It is proposed at a time when the U.S. dollar has collapsed in value and at a time when the earnings and savings of many millions of Americans will no longer provide the home of their dreams, at a time when interest rates have put out of reach those things considered to be part of our basic American living standard.

By the time this 3-percent tax reaches the consumer it will add about \$300 more to the cost of equipment in the lower third of the current price range for an average rig.

And who will pay?

Some 20 to 30 percent of boat-buying Americans have little or no interest in fishing. It is unfair, inequitable tax would be imposed on that sector who don't fish, 2 million boaters, to finance a sport in which they don't participate. And what do they already pay?

Boaters in America already pay some \$300 million annually in taxes. These include \$33.5 million in registration fees, \$118 million in State marine fuel taxes, and another \$59 million in Federal fuel taxes, plus personal property taxes and other levies.

The average buyer is earning less than \$20,000 a year, is faced with rampant inflation, a shrinking dollar, disappearing discretionary income and vanishing dreams of ever enjoying his choice of recreational boating.

Our business has already suffered staggering blows inflicted by inflation, interest rates, cost of fuel, and most recently an irrational proposal by DOE. These factors alone have had a negative impact on our sales amounting to nearly 50 percent.

There is no bargain in telling our dealers that the rig on their floor, and that is the one on which floor-plan interest is eating them alive, is going to be \$300 harder to sell. Depressed marine engine sales have already resulted in the loss of more than 3,000 jobs in Wisconsin.

A lot of those are permanently lost. We don't need to add more human suffering to a situation already out of control.

Sadly enough, the threat of this tax is unnecessary. An increase in the D-J fund is not clearly needed from what we read. During the fiscal year 1979, a total of \$27.1 million in D-J funds was apportioned to the States and territories.

The \$9 million in matching funds raised that amount spent on fishing interests during 1979 to \$36 million.

Passage of this legislation, generating another \$100 million from American boaters, could grow that \$36 million to a staggering \$170 million, and that's a fivefold increase.

In December of 1978, the U.S. Fish and Wildlife Service, which administers the D-J program, issued an impact statement on the present and proposed programs. DOI determined that the program should continue as is at least through 1985.

The additional \$100 million generated by S. 2631 would come almost entirely from enthusiasts of recreational boating, not from sport fishermen. There may be a gray line between those who only boat and those who only fish, but all those additional funds would be used to benefit the fishermen at the expense of recreational boaters.

Passage of this legislation would mean that States have to find \$33 million in matching funds instead of \$9 million. That is an increase of 370 percent.

These additional dollars would have to be generated by higher charges for fishing permits and other burdensome levies.

Since the Fish and Wildlife Service has said that demand doesn't warrant an increase, it follows that there is a question as to whether State governments will be willing or able to justify or provide these huge additional moneys.

The bill is highly inflationary and flies in the face of the administration's efforts to cushion inflation.

The bill will further damage the already suffering marine engine industry. S. 1631 can cause human suffering by adding its weight to the burden that is bringing daily increases in lost jobs.

As we view it, it is unfair, inequitable, and unnecessary. The Fish and Wildlife Service says we don't need it. The States may not be able or willing to provide the matching funds.

There is an available alternative.

H.R. 4310 and its companion S. 1957 would rightfully return fuel taxes to the boater. It would benefit the fishermen and would cause no inflationary grief.

We plead with you also to recognize unless our business improves, we won't make any contribution to the increased D-J fund.

I hope I am wrong, gentlemen. Consider the useless damage this inflationary tax will inflict.

Senator RANDOLPH. Thank you very much, Joe.

When you speak of the alternate or the option in the bill you mention, is that the legislation pending introduced by Senator Eagleton?

Mr. SWIFT. The Biaggi bill is what it is known as.

Senator RANDOLPH. That is the companion bill to the Eagleton bill.

Mr. SWIFT. Yes, right.

Senator RANDOLPH. I would like to ask, what is the status of that bill? Are hearings being held, have they been held?

Mr. SWIFT. Yes, hearings are, and have been.

Senator RANDOLPH. Has the Commerce Committee had a hearing?

Mr. RANGE.¹ Yes, they have had a hearing. They have not pursued mark-up as yet.

Senator RANDOLPH. When was the hearing?

Mr. RANGE. I think about 2 or 3 weeks ago.

Senator RANDOLPH. I thank you very much.

As I understood you to say, 3,000 jobs had been lost.

Mr. SWIFT. More than that now, sir, in Wisconsin. Mercury Marine and Outboard Marine.

¹ James D. Range, assistant counsel, minority, Committee on Environment and Public Works.

Senator RANDOLPH. Over what period of time have those jobs been lost?

Mr. SWIFT. In the past 4 months.

Senator RANDOLPH. Is that attributable to bad laws on the books or the problems that are recessionary?

Mr. SWIFT. It is a combination, sir, of interest rates, available financing, the Department of Energy's proposed ban on weekend boating, and the general economy. I would say that a large part of it comes from the fact there is no consumer confidence.

Senator RANDOLPH. One further question: In the statement that you made, and I found it one that concerns me, you said that 20 to 30 percent of the boatowners have no direct interest in fishing.

Mr. SWIFT. Right.

Senator RANDOLPH. For the record, what is the source of that information?

Mr. SWIFT. The National Marine Manufacturers Association Survey.

Senator RANDOLPH. A survey made by the association. I thank you very much.

Senator STAFFORD. Mr. Chairman, could I ask questions now or wait?

Senator RANDOLPH. I perhaps should have waited, but I started.

Senator STAFFORD. I have two or three.

I was interested, Joe Swift, in your statement that you were the second largest manufacturer of outboard motors. Is OMC the largest manufacturer?

Mr. SWIFT. Yes, sir.

Senator STAFFORD. Are they also located in Wisconsin?

Mr. SWIFT. They are located in Waukegan, Milwaukee, and Galesburg.

Senator STAFFORD. The loss of 3,000 jobs is that a combination loss in Mercury and OMC combined.

Mr. SWIFT. Outboard Marine has laid off more than 3,700, but some of those were not domestic—more than 3,000 in Wisconsin. It is a combination of both of those.

Senator STAFFORD. You mentioned the Department of Energy's proposal to ban one or both days of weekend boating on powerboats, which as it originally was proposed would have prohibited the use of engines in sailboats during the same days.

Mr. SWIFT. They made some provision for emergency use of engines in sailboats; meaning if you ran out of wind you could then come in under power. How you can dock a sailboat without an engine—

Senator STAFFORD. It is the understanding of this Senator that DOE has withdrawn that proposal.

Mr. SWIFT. They have withdrawn that proposal with the face-saving statement to evaluate extending the proposal to all forms of recreation. And how you can tell whether a man is using his car to go from Milwaukee to Green Bay to see the Packers play is hard to tell.

Senator STAFFORD. Well, the Senator from Vermont would agree with you.

The bill as introduced excludes hydroplanes. I presume hydroplane is a work of art that describes a particular type of boat that flies when it travels at high speed.

Mr. SWIFT. It's a racing boat.

Senator STAFFORD. Would it not also exclude almost any high-speed runabout powered by one of your larger outboard—

Mr. SWIFT. Not if it was under 25 feet. We don't build boats, we build the engines for them.

Senator STAFFORD. I know you do.

In any event, let me ask your druthers: Would you prefer it to apply to boats, say, 21 feet and shorter, rather than 25 feet and shorter?

Mr. SWIFT. No, sir, we would be in favor of this bill if it didn't tax engines or boats at all.

Senator STAFFORD. But you have no choice at all between 25 feet and 21 feet?

Mr. SWIFT. No, sir.

Senator STAFFORD. As a matter of fact, since you are in this business, isn't it true that generally a 21-foot boat can be trailered and a 25-foot boat usually is too broad in the beam to be trailered on our highways?

Mr. SWIFT. Well, I don't agree with that, sir. There are plenty of larger boats than 21 feet. There are plenty of larger boats than 25 feet that are trailered.

Senator STAFFORD. The Senator from Vermont will have to differ with you on that.

Let me ask you one final question. Since one of the principal measures D-J provides is access to our waters, it would appear that a D-J Program increasing money or access would benefit the industry. Would you care to comment on that?

Mr. SWIFT. I would agree with that.

Senator STAFFORD. I think, Mr. Chairman, I have no further questions at this point.

Senator RANDOLPH. Thank you, Senator.

Mr. Stone?

STATEMENT OF RON STONE

Mr. STONE. My name is Ron Stone.

I appear before this committee in my capacity as director of the Government relations department of the National Marine Manufacturers Association, also known as NMMA.

My organization, representing 927 manufacturers nationwide of recreational boats, motors, boat trailers and marine accessories, opposes the tax proposed by S. 1631 on several grounds: First, the unhealthy economy. Two months ago when we testified against H.R. 6074, the House equivalent of the bill before this committee, business in the recreational boating industry was suffering, sales were down as much as 40 percent compared to the same period in 1979. Since then as the recession has started to unfold, the situation has further deteriorated.

I ask that an article from the May 1980 issue of Soundings about major cutbacks in small boat business be introduced in the hearing record.

It is common knowledge that there have been substantial layoffs in our industry—3,700 employees let go by one major outboard motor manufacturer, 1,500 by another. Some boat manufacturing plants have closed altogether.

Personally, I know several associates in the industry who have been terminated after 10 to 20 years of service. This is a human tragedy and it is no less so for the small recreational boat purchaser.

Consumers, unmercifully pinched by over 18 percent inflation, high interest rates, steadily advancing fuel prices, and growing unemployment, are staying out of our market. Most of our market is in blue collar workers who earn less than \$18,000 a year. They are the ones who customarily buy the type and size of boat, motor or trailer impacted by the 3-percent excise tax, but they are also the ones who have borne the brunt in the increase in unemployment. Among factory workers, the unemployment rate stood at nearly 8 percent in April, up a substantial 1.4 percentage points over the March level.

Our small trailerable customers cannot afford to buy in these difficult times. They are lucky they still have a job.

The backers of the 3-percent excise tax must be awakened to today's harsh economic realities. If people are not buying boats and associated equipment at the current inflation rate, by what rationale do the supporters of S. 1631 think that people will buy at even higher prices that would be forced upon them by the proposed tax?

To add a tax now would simply deepen the slump in boat and associated equipment sales and reduce general tax revenues from boating industry companies and their employees. Federal and State units of government can ill afford this additional burden in times like these when they are struggling to fight inflation and balance the budget.

If the State fisheries people truly feel they are strapped for funds, we in boating can commiserate. We are in the same boat. We have witnessed sharp cutbacks in Government spending on recreational boating safety and boating facilities development programs as a direct consequence of the administration's plans for a balanced 1981 Federal budget. Every State is worrying about the capability to adequately police boating and fishing activities and carry on search and rescue missions now that budget cuts have forced the Coast Guard out of boating safety law enforcement. In addition, every State has indicated a critical and growing lack of safe, adequate boating access and facilities.

We are desperately trying to do something about it, something that will fill the gap and at the same time help boatmen and fishermen alike.

We support a form of reasonable user fee legislation now before the Congress.

I refer to the Biaggi bill, H.R. 4310, which was passed by the House late last year and is presently assigned to the Senate Commerce Committee. It would guarantee \$30 million annually for boating safety and public access development without an additional tax on either manufacturers or users. Simply the boatman or fisherman would pay his own way by applying the 4-cent-per-gallon

Federal tax he already pays on gasoline used in his boat wholly to boating improvements.

Second, we oppose any new tax on boating because enough is enough. What the D-J expansionists overlook is that boating is already heavily overtaxed. Boatmen pay \$300 million annually in registration fees, sales and use taxes and fuel taxes, not to mention personal property taxes. The proposed 3-percent excise tax would hike boatmen taxes fully one-third again as much as they pay. This tax is not only excessive but grossly unfair because it would require all boatmen to pay for facilities and improvements which only some of them may use.

We are not unmindful that some of the advocates of this excise tax on outboard motors and small powerboats are the same ones who have successfully lobbied for severe horsepower limits or no powerboats at all on fishing waters.

According to our information, nearly 40 percent of D-J access has been built on lakes off limits to powerboating.

Third, we oppose the excise tax on grounds of equity. Why should a man who enjoys cruising with his family or a water skier pay an additional tax on his boat or motor so that fishermen will have a better chance at catching a big one? Why should a boatowner pay for the sport fishermen who wade into trout streams or stand on ocean piers and never, ever, use a boat?

If sport fishing needs additional funds, we say a direct but minimal tax on fishing should be levied instead of a tax of hundreds of dollars on many people who do not go fishing at all. Why not simply tax the fisherman directly?

Proponents of S. 1631 argue that nonfishing boatowners are benefiting from the use of access built with D-J funds. We could argue the other way, too. They overlook the fact that in many States today fishermen are benefiting from taxes on fuel used in nonfishing boats. That money is commonly used to build and maintain access ramps used by fishermen. Also, we know that Federal land and water conservation funds, a large part of which come from boating, have been used to build fish hatcheries and ocean fishing piers.

Either way you look at it, the boater who at times is a fisherman is paying his fair share, probably more than his fair share today.

In conclusion, NMMA opposes S. 1631 on the ground that a 3-percent excise tax on boats and associated equipment is economically sound, discriminatory and unfair, and totally unnecessary.

If additional long-term programs for the benefit of sports fishing are to be undertaken, then new levies on sports fishermen would be appropriate. On balance, the trust fund concept, placing the financial burden of Federal assistance on that segment of the population most directly benefiting from the existence of a Federal subsidy appears the most cost-effective and equitable alternative and consequently the logical selection as a method for expanding Federal D-J assistance to State sport fishing management programs.

Revenues sought by S. 1631, or any money shown actually to be needed, should be raised by a mechanism that does not affect nonfishing boatowners.

Thank you for the opportunity to present our views.

Senator RANDOLPH. Thank you very much.

Mr. Stone, just to clarify your statement, are you saying that under no circumstances, in good times and bad, you would still continue your opposition to such a proposal?

Mr. STONE. Yes, sir.

Senator RANDOLPH. Thank you. And would you give, once more for the record, the number of persons involved in your group?

Mr. STONE. 927 manufacturers.

Senator RANDOLPH. How many States are those companies operating in?

Mr. STONE. Forty-one States, approximately.

Senator RANDOLPH. Thank you very much. Senator Stafford?

Senator STAFFORD. Thank you, Mr. Chairman.

Mr. Stone, let me ask you, if there were to be a bill in any event, is there some lower cut-off point than 25 feet which would make the bill, if not desirable, at least more acceptable to the group you represent, say 21, 18, or 16 feet? Is there any point there which would make it more acceptable?

Mr. STONE. No, sir, there is no cut-off point which we could feel, in all good conscience, that we could support such legislation.

Senator STAFFORD. I am not asking you to say you could support it. I am asking you what unacceptable alternative would be least unacceptable to you than this? That is the question I tried to get an answer from Mr. Swift on and didn't.

Mr. STONE. Our alternative, as has been mentioned here, is we have given all our support to the Biaggi bill to tax fuel used in boats for public access and boating safety. We are very hard-pressed in boating to get tax moneys for important boating programs. We see the D-J expansion bill as a diversion. Boatmen are already taxed. We are trying to get their tax money pinned down for meaningful boating programs.

A lot of it today is devoted to nonboating programs. We have no assurance under the D-J expansion bill that this will not happen to us again. There is no guarantee the money will be used for improvement of waters where boating is allowed. We have suffered this consequence too many times.

Senator STAFFORD. Let me try once more and then I will subside.

I now assume it does not make any difference to you whether this committee writes a bill which limits the length of boats taxed to 6, 21, or 25 feet.

Mr. STONE. That is correct.

Senator STAFFORD. And any length would be equally acceptable—

Mr. STONE. Would be equally objectionable.

Senator STAFFORD. Thank you.

Senator RANDOLPH. Thank you, Senator.

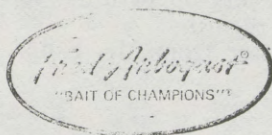
I thank the members of the panel for their testimony.

I want you all to know that if there are any other materials that you would like to share with the committee that might be helpful to us, other than your formal statements, we would be glad for you to provide those to the committee.

There might also be something you might want to add to the testimony that you have given. We want to give you the opportunity to do that, maybe updating some figures or giving a further

explanation of a viewpoint. We want to be very certain that witnesses, including yourself and all others, have every opportunity to make their positions clear as we make a public record.

[Subsequent to the hearing the following letter from Mr. Kotis was received:]



COMPANY, INC.

313 W. NORTH STREET, AKRON, OHIO 44303 • 216-253-2177

May 23, 1980

The Honorable Jennings Randolph
 Committee on Environment and Public Works
 4220 Dirksen Senate Office Building
 Washington, D. C. 20510

Dear Senator Randolph:

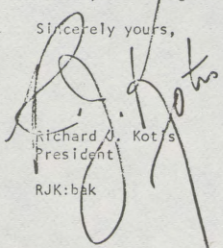
Thank you for giving me the opportunity to voice my opinion on S. 1631.

Handling employee negotiations, product liability problems, production problems, purchases, etc. is an everyday affair for a small businessman and testifying before a Senate Committee tends to be a major event. I appreciate very much your ability to put us at ease and showing a great deal of interest in our points of view.

I sincerely believe that the expansion of the Dingell-Johnson Act will, in fact, help not only the 54 million licensed fishermen in America but all of us who supply the products that they use.

Thank you once again.

Sincerely yours,


 Richard O. Kotz
 President

RJK:bak

AMERICA'S MOST POPULAR BAIT CASTING
 SPINNING - FLY RODS LURES



Panel No. 2 will be State officials, John Gottschalk, the International Association of Fish and Wildlife Agencies; Willis Hertig, the deputy director of the West Virginia Department of Natural Resources; Jack Merwin, deputy secretary, Game Fish and Parks Department, South Dakota; Wain Evans, assistant director, services, game and fish department, New Mexico; and Edward Keyhoe, commissioner of the Agency of Environmental Conservation of Vermont.

I am sure Senator Stafford has knowledge of the work being carried on in Vermont, and would like to introduce Mr. Keyhoe.

Senator STAFFORD. Thank you, Mr. Chairman.

I am looking forward to that whenever it is appropriate.

Senator RANDOLPH. Jim Addis is director of the Wisconsin Department of Natural Resources, the Bureau of Fish Management.

Senator STAFFORD. Mr. Chairman, if I may, with your acquiescence, I first note that the Senator from Vermont had the pleasure once of spending a week at an attorney general's conference in Custer National Park, S. Dak. For the Senators of that great State, I am very happy to welcome Jack Merwin here and then say that Vermont's commissioner, Edward Keyhoe, comes from the same part of Vermont I do. We have been acquainted citizens and friends for a great many years.

Commissioner Ed Keyhoe has served Vermont, I think, with competency and distinction for many years in the fish and game department. I am very happy, Mr. Chairman, to present him to you as the distinguished official in the area of fish and game.

Senator RANDOLPH. I thank you, Senator Stafford.

I am glad that Willis Hertig is here. I believe Dave Callahan had anticipated being here but was unable to come. We are very glad you, Mr. Hertig, are sitting in and speaking for him today.

Senator STAFFORD. Mr. Chairman, Senator Larry Pressler wanted to be here, but events beyond his control made it impossible for him to be with the committee this morning.

Senator RANDOLPH. Thank you.

Since we started a little late this morning and in order to have time for questions of all the witnesses, I would ask that you summarize your prepared statements, hitting the high lights, and the entire statement will be made a part of the record.

May we have the first witness, John Gottschalk.

STATEMENTS OF JOHN GOTTSCHALK, INTERNATIONAL ASSOCIATION OF FISH AND WILDLIFE AGENCIES; WILLIS HERTIG, DEPUTY DIRECTOR, WEST VIRGINIA DEPARTMENT OF NATURAL RESOURCES, CHARLESTON, W. VA.; JACK MERWIN, DEPUTY SECRETARY, GAME FISH AND PARKS DEPARTMENT, PIERRE, S. DAK.; DR. WAIN EVANS, ASSISTANT DIRECTOR, NEW MEXICO DEPARTMENT OF GAME AND FISH SANTA FE, N. MEX.; EDWARD KEHOE, COMMISSIONER, AGENCY OF ENVIRONMENTAL CONSERVATION, MONTPELIER, VT.; AND JAMES ADDIS, DIRECTOR, BUREAU OF FISH MANAGEMENT, WISCONSIN DEPARTMENT OF NATURAL RESOURCES, MADISON, WIS.

Mr. GOTTSCHALK. Thank you, Mr. Chairman.

I am John Gottschalk. I am presently the counsel of the International Association of Fish and Wildlife Agencies. This is a voluntary organization of State, Federal and provincial fish and game departments in the United States, Canada and Mexico. We have the same objectives of any association. We are trying to improve the programs of our membership, to support stronger legislation in conservation of fish and wildlife resources throughout North America.

We are obviously strongly in favor of the bill before you today, S. 1631, because it will contribute so greatly to the conservation of our sport fishery resources. We are all acquainted, and you have heard testimony before, about the effectiveness of the Dingell-Johnson program as it has been running over the past some 30 years, and we are confident that what is proposed in this bill will mean an augmentation of a program that has demonstrated its capabilities.

It will be no surprise to anybody here that the agencies which would be responsible for the administration of the funds developed through this program in the bill are strongly in favor of it.

I have attached to my statement a resolution adopted at our last annual meeting strongly supporting the bill. Our people generally feel, and I believe this is the consensus of conservation-oriented groups across the country, that the bill is designed to foster the improvement of the resource, to do something for the waters that will make fishing better and more available for more people.

We do not think that it will put more pressure on the resource but rather the other way, relieve the pressure. It will be utilized in such a way as to enhance the Nation's fishing capabilities. And that is why we think it is so important.

It is a strictly conservation measure that will provide the funds whereby the state agencies can do things constructively and positively to improve our fishing potential here in this country.

I recognize, Mr. Chairman, the limitations of time, and you have in front of you here a group of representatives, a number of our members. They are prepared to tell you in more specific detail what this legislation would mean to their particular States. Therefore, with your permission, I will not read my statement, but leave it for the record (see p. 63), and suggest that you may wish to go on with Mr. Hertig or one of the other representatives.

Senator RANDOLPH. Thank you very much, John.

I assure you that the members will read your statement.

I just have one question at this point, if I may interrupt instead of waiting until the panel is completed.

You have heard the statements of witnesses before you who testified that they are against this legislation. Do you have any comment?

Mr. GOTTSCHALK. Yes, I do.

I can appreciate their point of view. I think it is fair to say nobody likes to think about a tax. I believe the boating industry should take a look at the record that the Dingell-Johnson program has established based on an excise tax on the tackle industry. You heard what Mr. Kotis said.

Senator RANDOLPH. Yes.

Mr. GOTTSCHALK. I believe firmly that this minor tax, 3 percent, at the manufacturer's level, I might say, not at the retail level, will be plowed back into a resource that makes the waters of our country more attractive to boat users. I firmly believe that the result of this tax is going to be an improvement in our fishing potential that will result in the sales of more boats and more motors and be, in the long run, the salvation of the producers of boats that are used primarily for fishing.

Incidentally, Mr. Chairman, our information on this primarily comes from the statistics provided by the Coast Guard that of the boats in the category that is in your bill, 25 feet and smaller, some 75 to 80 percent of those boats are bought primarily for fishing.

It is true they are used for other purposes, but they are used for fishing primarily. That is the reason we have established the break point where we did. No, Mr. Chairman, we don't agree with the industry. We believe our bill is going to be valuable to the industry in the long run. We hope they will ultimately come around to that point of view themselves.

Senator RANDOLPH. Thank you very much.

Willis, where are you from in the State?

Mr. HERTIG. I am from Morgantown on leave to the State of West Virginia, from West Virginia University.

Senator RANDOLPH. That is what I thought, you had that connection.

STATEMENT OF WILLIS HERTIG

Mr. HERTIG. Thank you, Mr. Chairman. My name is Willis Hertig. I am deputy director of the department of natural resources. I come here today to speak in favor of S. 1631.

The proposed legislation has widespread support in West Virginia from fishermen, hunters, and outdoor recreationists. In addition to that, a number of organizations in the State, including the Wildlife Federation, Trout Unlimited, the Huskie Muskie Club, Izaak Walton League, and Bass Federation have all gone on record in support of S. 1631 and are actively working for its passage.

To our knowledge, there is no organized opposition to this legislation in West Virginia. The public demand in West Virginia for additional recreational opportunities has increased substantially in recent years and among other things, we are faced with the challenge of providing an acceptable fishery program to an ever-increasing number of fishermen.

We are truly grateful to Congress for the environmental legislation which has led to a dramatic improvement in water quality in West Virginia waters. The establishment of and management of desirable fish populations in these high-quality waters and the provision for public access for fishermen, hunters, and boaters is a very serious problem for us now at our current funding level.

We recognize the nearly three decades of help from the fish and wildlife restoration program. It has been an integral part of West Virginia's current sport fishery program through funding of research and management activities.

We must point out a hard fact, however, that our fishery program has increased by an average of 7 percent annually during the

last 3 years, but inflation has doubled this amount and purchasing power, of course, has been reduced significantly.

S. 1631 would provide funding for a number of projects in West Virginia which have a high priority in the public interest. I will mention a few of those: Fishermen and hunters and pleasure boaters now are unable to enjoy many sections of West Virginia's free-flowing—and I might add extraordinarily beautiful—streams because of a lack of public access.

The department of natural resources has recognized the need for an access site development program for some 15 years and has worked with very limited funds to realize the beginning of access development. What we have done so far has been enthusiastically received by the public, and we feel we must accelerate the purchase and development of access sites while lands are still available to assure that future generations of West Virginians will not be denied access to our lakes, rivers and streams.

Our hatchery system causes us serious concern. Current funding sources are barely adequate to meet the day-to-day operational needs of this important part of our fisheries program. If our hatchery system is to meet expected future stocking demands, it will need significant improvement, repair, and expansion. This will require a substantial sum of money.

There is a critical shortage of water acreage in West Virginia. West Virginia is not known as a land of many lakes, but many of the areas in the State have little or no available water suitable for fishing, swimming or boating. It is unfortunate that many West Virginians have to travel long distances to reach public fishing and boating lakes. One of our priorities, incidentally, is to construct additional fishing and boating lakes at selected sites throughout the State.

Ever-increasing environmental responsibilities require more intensive programs to assure preservation of our fishery resource. Adequate control measures and review processes necessitate more time and, therefore, more funding. In order to meet these essential environmental responsibilities and maintain the services of our fishery management program at the 1976 level, additional funding is going to be needed.

We view S. 1631 as one of the most critically important pieces of wildlife legislation undertaken by the Congress of the United States. Its enactment will assume a continuation and improvement of current fishery programs and result in improved fishing, boating and recreational opportunities for the citizens of West Virginia and the Nation. The State of West Virginia and all its organized sport fishing clubs strongly urge this committee to recommend S. 1631 for enactment during this session of Congress. Thank you.

Senator RANDOLPH. Thank you very much, Willis. I will take this moment and then we will come back to the general questions. You spoke about West Virginia not being a State of natural lakes. We do have lakes, however, that have been created and in those lakes, which were for flood protection and other uses, we have, what, good, medium or very poor fishing.

Mr. HERTIG. We have excellent fishing, excellent fishing in about 100 impoundments in the State of West Virginia which amounts to approximately 18,000 acres of surface.

Senator RANDOLPH. I think someone told me that at Summersville Lake in Nicholas County, before that lake was created that perhaps there were a dozen boats. But now there are over a thousand. Is that true?

Mr. HERTIG. I don't know what the numbers would be, sir, but I am sure there has been a significant increase in the number of boats in Nicholas County as a result of Summersville Lake and in West Virginia, too, I would say.

Senator RANDOLPH. Yes. In our State park system where lakes or bodies of water are usable for fishing, how many parks would have such facilities?

Mr. HERTIG. We have a number of parks that have small impoundments. One of the largest impoundments of course is Tygart Lake, associated with Tygart Lake State Park. That is the largest one. There are a number of small impoundments—there are small impoundments associated with a number of our State parks.

Senator RANDOLPH. Watoga?

Mr. HERTIG. Watoga would be one, yes, sir. Cacapon has a small one.

Senator RANDOLPH. Bluestone?

Mr. HERTIG. Bluestone, yes, sir. I almost forgot that one. That one is very important.

Senator RANDOLPH. Yes, it is.

I did appreciate your mention of the legislation which came from this committee for the environmental programs to purify our waters. Is it not true that many streams in West Virginia had no game fish in them, say, 10, 15 years ago, but today there are game fish and they are being caught, is that correct?

Mr. HERTIG. Yes, sir, that is correct, the Ohio River, Monongahela River all have had significant improvement as a consequence of the legislation involving the environment.

Senator RANDOLPH. Thank you very much because I think that has been sometimes overlooked by those persons who speak of pollution problems and our attempt to solve them in connection with industry and business, yet the quality of life exemplified by a program such as we have that have improved the waters from the standpoint of their usage for many purposes—swimming, for example, we could not swim, could we, in the streams?

Mr. HERTIG. No, sir. I would also add that boating generally is, I believe, much more pleasurable in clean waters than in the waters of the Ohio River 15 or 20 years ago, sir.

Senator RANDOLPH. That is true like the regatta at Martinsville bringing together hundreds and hundreds of those who use boats of one type or another. I add this personal observation because of my interest, your interest, and the interest not only of West Virginians but of the Congress in having the air purified and the waters cleaned. I think we sometimes overlook the extremely polarized controversies that arise on matters that we must deal with here. I thank you very much for your testimony and I wish to say for the record, I am happy to say it, that we are very fortunate in having in the State of West Virginia a department of natural resources which is alert to its responsibility and is well directed from the standpoint of constructive programs by David Callaghan and those of you who work with him.

How many are in this department?

Mr. HERTIG. I beg your pardon, sir, the total number of employees in the department?

Senator RANDOLPH. Yes.

Mr. HERTIG. About 1,600 employees, sir.

Senator RANDOLPH. What do they do?

Mr. HERTIG. Well, the department of natural resources, of course, is extraordinarily complex in terms of its responsibilities. We manage the park system, we enforce surface mine and water pollution regulations, we manage the wildlife resources of the State of West Virginia and the forests as well.

Senator RANDOLPH. In connection with our fish hatcheries in the State, do we have two Federal fish hatcheries?

Mr. HERTIG. I believe that is correct, sir.

Senator RANDOLPH. One in Jefferson County, one in Randolph County.

Mr. HERTIG. There are three.

Senator RANDOLPH. Where is the other one now?

Mr. GOTTSCHALK. White Sulfur Springs.

Mr. HERTIG. I had forgotten about White Sulfur Springs.

Senator RANDOLPH. How many State fish hatcheries?

Mr. HERTIG. I believe we have six trout hatcheries.

Senator RANDOLPH. Yes.

Mr. HERTIG. And we have several warm water facilities where we have rearing ponds for pike and muskellunge.

Senator RANDOLPH. In this building I took a guest from Australia to luncheon yesterday. He saw on the menu brook trout, but I remembered he said are there many bones in the brook trout and the waiter said, "Yes, there are." That is true. But rainbow trout, which are part of West Virginia's fishing family, had they been on the menu, would we have had this many bones?

Mr. HERTIG. I think, sir, you would have had about the same number of bones.

Senator RANDOLPH. How about the golden trout?

Mr. HERTIG. Yes, sir, about the same number.

Senator RANDOLPH. After getting rid of the bones, there is plenty of good palatable eating, is that correct?

Mr. HERTIG. Yes, sir.

Senator RANDOLPH. We are a State that has developed a tourist program, is that correct?

Mr. HERTIG. Yes, sir.

Senator RANDOLPH. It is because we have given attention to the quality of the facilities that are there for people. I remember that I tried very diligently to have the Corps of Engineers stop calling these impoundments of waters "flood control" especially where there are recreational facilities available. If someone who has never been in West Virginia is thinking of coming there for a vacation, let's say, with his family, and he looks at a map and he sees Summersville Dam and Reservoir. He has no interest, does he? He thinks that is an impoundment and perhaps high fencing around it. He doesn't associate it with boating or fishing whatsoever. I failed many times, but I tried to tell the corps about the correct way to designate such projects and the maps should show it Summersville Lake or Burnsville Lake or whatnot. But never

would they change their modus operandi. So I am going to plead guilty to passing a law in the Congress which called these impoundments in West Virginia lakes and that was the beginning, and finally the corps came around to changing the designations to lakes. But it was a program only in the State of West Virginia that these corps projects were designated as lakes. So when "Mr. and Mrs. Fishermen," "Mr. and Mrs. Recreation" from any part of this country were looking at a map they saw here, here, and here were lakes.

Who is our next witness? Mr. Jack Merwin from South Dakota.

STATEMENT OF JACK MERWIN

Mr. MERWIN. Thank you, Mr. Chairman. It is certainly a pleasure to be here and have the opportunity to testify before the committee on S. 1631. I might, before beginning, take a respectful and good-humored exception to Senator Stafford's comments about Custer National Park in South Dakota. It is Custer State Park. I am sure you can appreciate my point.

Senator STAFFORD. I would say, sir, even so, we thoroughly enjoyed it and I became closely acquainted with buffalo. The herd was being culled at that time and we had buffalo twice a day.

Mr. MERWIN. It is still being culled, Senator. We would love to have you come back and try it again.

I am certainly going to endorse all of the comments that my colleagues make about the general merits of the bill that is under consideration. In addition to that, there are a couple of points I would like to make that are perhaps unique to South Dakota.

South Dakota is also a very rural State located on the prairie. As a consequence of that, many of our natural lakes in South Dakota are quite shallow and highly fertile. We also are in a northern latitude and have rather severe winters. As a result of these conditions, we not uncommonly lose the fish life in some of our lakes to winterkill, which is a result of snow cover on the ice, causing a depletion of the oxygen within the water and production of toxic gases that are harmful to fish.

In the years 1977 and 1978 as a consequence of both severe winters and a rather prolonged drought which reduced the water levels within our lakes, we had the unfortunate circumstance of losing 160 of our natural lakes to winterkill; losing the fish life within those lakes either partially or totally.

These lakes, in many cases, are located relatively close to the population centers of South Dakota and, therefore, needed to be restocked very quickly, put them back into a status where they would be useful to people who want to fish in them.

To restock those lakes we had to turn to the production from our warm-water fish hatchery. We are not as fortunate as, perhaps, West Virginia, by having four trout hatcheries and two warm-water hatcheries. We have only one warm-water hatchery. This warm-water hatchery was built in 1929 and simply does not have the capacity or the environmental capability any longer of providing the fish stocks in the quantities we need to meet these exceptional demands and regular needs, extraordinarily exceptional in the case of 1978 and 1977.

We are, therefore, in the process of now constructing a new fish hatchery. This new fish hatchery, our estimate is it will cost \$4 million, but it will provide to the State of South Dakota all of the warm-water fish species stocks that we would need to adequately respond to these periodic winter kills that occur as well as providing any necessary maintenance stockings of our lakes, too.

We have applied for Federal assistance under the Dingell-Johnson program for the construction of this hatchery. However, under the existing apportionment, we feel that we can only afford about \$300,000 from that current apportionment to be devoted to the construction of the hatchery. Therefore, we are talking less than 10 percent of the total cost of that hatchery being fundable from the Dingell-Johnson program, even though the Dingell-Johnson program authorizes up to 75 percent of a project being paid for from the program.

An increase in the moneys available would be—are greatly needed in South Dakota to assist us in the construction of this hatchery. We do plan to bond over a period of 20 years to pay for the cost and we do intend to build a hatchery whether or not the Dingell-Johnson Act is expanded. Nonetheless, it would certainly be a great deal easier for us and enable us to continue with our other fisheries programs if the Dingell-Johnson Act were expanded to permit a greater sharing of funds in the construction of this hatchery.

The second point that is somewhat unique to South Dakota is in reference to Corps of Engineer impoundments. The Missouri River in South Dakota is impounded by four dams which impound a total of approximately 300,000 surface acres of water behind the four dams. The largest is Oahe Reservoir. It changed the character of the water in the Missouri River very, very substantially when the river was impounded. We are fortunate in having extraordinarily good fishing for the native fish species, such as northern pike, white bass, and walleye in Oahe Reservoir but there has also been created a vast expanse of cold deep water that is more suitable for the trout and salmon species of fish than for the native species that were resident in the river when it was impounded. Our ability to develop this fishery has been limited, of course, by budget restraints. We believe the potential is somewhat extraordinary if we would have the financial capability of developing it. We are now about 20 years into impoundment. In other words, the reservoir was impounded, dam closed in 1959 and we have yet to fully develop that potential and it has been entirely because of budget limitations.

The South Dakota Legislature recently increased the cost of the fishing license in South Dakota to the point where we now would be able to match an increase in the Dingell-Johnson apportionment. So if 1631 eventually were passed and the apportionment increased, South Dakota would be able to take advantage of it because we would have sufficient funds at the State level to match the Federal funds that would be gained.

I found it interesting to listen to the testimony of the first panel, particularly as it related to the sale of boats and motors. I made a survey of South Dakota of our retail boat dealers recently, and that survey indicated that the boat dealers themselves, the retailers,

believe that 85 percent of the boats and motors that they sell are sold for the primary purpose of going fishing. That is not the statistics of the department of game fish and parks, but that is the report of the retail boat and motor dealers themselves. They tell me that only 10 percent of the boats and motors that they sell are never used for fishing. My personal observation of the style of boats, size of the boats, the way that the boats are equipped in South Dakota also leads to a somewhat obvious conclusion that the sport of fishing is a very, very strong stimulus to the marine industry within our State.

We also asked the retail boat dealers what their position is in regard to the particular bill that is under consideration by the committee today. I will have to admit to you that while we are a small State in population, we do have a quite large per capita ownership of boats, although the total number of dealers in the State would seem very modest, I am sure, to some of you from States larger than South Dakota in population. The dealers who responded to our survey, 55 percent indicated they were in favor of the passage of this bill for the reason that they recognize it would have a positive influence on their future sales of boats and motors.

Thirty-five percent of them indicated that they would not be in favor and 10 percent of them had no opinion one way or the other. This was not a highly organized survey. We simply sent out a questionnaire asking three questions very simply and received those responses very simply. It, therefore, has not been analyzed in any great detail. I think it does express the fact I believe to be true in South Dakota, that is I think there is substantial support throughout the State, both within the marine industry as well as in the fraternity of anglers, both fishermen and fisherwomen, as well as the conservation community in South Dakota. Our people who are interested in fishing have long recognized the Dingell-Johnson Act has had a significant and lasting influence on the quality of fishing and the quality of waters within our State.

As a matter of fact, I think it is somewhat ironic to recognize that after a program has been in existence for 30 years and has been as successful as the Dingell-Johnson program has been, and it has been very successful, it is somewhat ironic to recognize that what is needed now is to expand the program even more. And the reason that is needed is because, of course, fishing has become so very popular. While in South Dakota we do not license appreciably more fisherpersons each year, we have observed that the number of times each person who is licensed to fish goes fishing each year has increased dramatically, and the interest of the sport in our State and among the visitors to our State is much greater than it was 30 years ago. I believe that is because the quality of fishing has improved dramatically in the past 30 years and that is principally because or greatly because of the Dingell-Johnson Act of 1950. I think that in itself is the strongest testimony that I could give to expand the act, and that is to point to the success of the act as we have seen it over the past 30-year period. That's all the comment I have, Mr. Chairman.

Senator RANDOLPH. Thank you very much for your contribution to the discussion. You believe that the legislation, which is proposed, does have merit; is that correct?

Mr. MERWIN. Most certainly, yes, sir, I do.

Senator RANDOLPH. People of your State generally would support such an effort?

Mr. MERWIN. Yes.

Senator RANDOLPH. We are very fortunate in having Senator Domenici come from another assignment. I wonder, Senator, if perhaps you might wish to introduce our next witness?

Senator DOMENICI. I am sorry I am late, Mr. Chairman. You hit it right on the head—not only one other one but I am at two hearings. I apologize for not being with you more. Wain Evans, our assistant director, New Mexico Department of Game and Fish is here. As I understand it, he speaks on this subject for the Governor. The Governor supports this measure. I am delighted he is here.

I don't want to take any more time other than to say to the committee: New Mexico, while many would view it as a very arid State, as you look at it on the map and look at the waters available—as an inland State, we have more people using water as fisherpersons per acre of water than any of the inland States. We usually see beautiful rivers of Colorado or some of the other States as being fish havens, but New Mexicans have somehow, with the little water they have got, they certainly understand the joy of going out in the country and fishing. So it is a very important issue to us. I am pleased we have a witness from New Mexico. Thank you, Mr. Chairman.

Senator RANDOLPH. Thank you, Senator Domenici. We haven't been provincial today, except to recognize those who come to testify from our States. They are not only, in many instances, personal friends, but they are knowledgeable witnesses who know their States and are helpful in the discussion of this legislation. I am sure that is true in your State. Would you proceed, Wain?

STATEMENT OF WAIN EVANS

Mr. EVANS. Thank you, Mr. Chairman. I am Wain Evans, assistant director with the New Mexico Department of Game and Fish, with primary responsibility for both the game management and fisheries division.

I would like to second Senator Domenici's statement about New Mexico's water. Cortez, when he arrived in the State, noticed that the State was very unblest with a water resource and during the past 400 years since he got there, it has gotten worse. Nevertheless, when we look at all the inland States, with the exception of the lake States, New Mexico ranks fifth in the number of anglers per surface acre of water. We have about 3.8 licenses sold per surface acre of water in this State. Among the inland Western States, we rank first.

So, although we don't have much water and we really don't have very many people, they make high use of what water is available.

Currently, in the fisheries program, we operate our fisheries division on a budget of about \$1.3 million, of which about \$500,000 is developed from the Dingell-Johnson appropriation each year.

New Mexico, along with most of the other inland Western States, is in the process of entering a period of very rapid transition,

primarily because of the energy development that we anticipate in the State.

One of the—probably the most limiting natural resource that these people are going to encounter is not the coal and the oil and the uranium, it is going to be water. We have long recognized in New Mexico that probably our greatest limiting factor on the growth of this State is the water resource. There is just not enough of it.

But in addition to the use of water in the industry, with the additional people coming in, perhaps doubling the population within 15 to 20 years, there is going to be increased use for municipal uses of water.

Meanwhile, we have got to remember that water is the prime habitat for fish, too, and as a consequence, it is also a prime habitat for fishermen, and I don't think we should forget the fact it is a prime habitat for those who boat, even though some of them do not fish. It has been my observation, however, as you have heard on the rest of this panel, most of the boatowners in New Mexico, or in most of these inland States, are also fishermen, at some point.

I guess what I am saying in summary is that New Mexico, as being a representative Western State, is looking at a tremendous increase in all forms of water-based use within the next few years. And there are several of us, particularly in the arid Southwest, that are faced with an additional problem in that all our water is fully committed, is hulled, bought and sold before it even gets into the State. In fact, I think we are probably in a water debt in New Mexico.

So we are then faced with the problem of how to accommodate these additional uses without having an increased amount of water.

The water is a fixed resource. In New Mexico, probably because we have less water than most of the other States, we have been looking at this problem with perhaps a little more intensity than our sister States, and we have come to the conclusion that the only solution that we can find that would assure us of preserving the recreational aspect of our water resource is to develop a system whereby the water is cycled through—I prefer the term spiraled through—as many uses as possible with the primary uses or the consumptive uses, such as irrigation on agricultural lands and things like this, located at the bottom of the spiral. Our hope is that we can develop an attitude among all public interests that will cause us to reach toward common goals; and in trying to identify these goals, we have decided to pursue a program designed to maximize the economic benefits to the State. And it has got to be done fairly quickly. If we wait much longer, we are likely to not have enough water to work with.

The first step in reaching or pursuing a program such as this is planning, and the first step in a planning program is studying it. And we have already completed a pilot study on the Rio Grande, primarily a combination of a hydrologic, biologic, and economic program. We have committed ourselves to 5 intensive years of study on the Rio Grande with the intent of coming up with an economic approach we can use on the other watersheds. But all this is costing a tremendous amount of money.

Over the next 5 years, we will have spent \$700,000 on it. In addition, there are several other biology-related studies going with it that will cost an additional \$500,000 over the next 5 years.

The primary source of this funding at the moment is Dingell-Johnson appropriations. In addition to the planning, we are also looking into—not only looking into, we are doing it—we are purchasing areas primarily for the angler and the boatman, purchasing leases, trying to get as much access to as much water as possible before the crunch hits.

At the present time, we have identified a number of significant purchases we can make which will cost the State a total of \$16 million. Obviously we cannot make these kinds of purchases except over a protracted period of time, the problem being that as time passes, the costs go up. If we don't make several of these purchases within the next few years, we probably will be unable to do it, and the areas will be lost to a water-based recreation value.

Throughout this program, in the present and in the future, the Dingell-Johnson appropriation is the primary source of funding. If we didn't have it now, we wouldn't be doing very much at all. If we don't have it in the future, and more of it, we are going to lose, in my estimation, a significant amount of water use.

I would like to reemphasize that our approach does not try to single out the angler as the only—he said, "Shut up." I will, but I would like to emphasize one thing that the angler is not the only beneficiary here. What benefits fish automatically benefits the angler, but it also benefits every other water user.

Thank you.

Senator RANDOLPH. Thank you very much.

Senator DOMENICI?

Senator DOMENICI. Wain, I haven't had any communication from one fellow there in Albuquerque that I rely on in these issues because he makes a lot of noise. Do you know that guy named Charlie Domenici up on Menaul and Albuquerque who runs that sporting goods store?

Mr. EVANS. We hear from him.

Senator DOMENICI. Do you know whether he supports this or not?

Mr. EVANS. No, Senator, I do not.

Senator DOMENICI. It might be well if you ask him when you get there. It isn't that he has any political clout, but it just seems that all the people who fish in Albuquerque buy at his store and he spreads an awful lot of rumors. So it would be very nice if you get him talking up the bill. We would have a couple thousand letters from Albuquerque in support of it.

Mr. EVANS. All right.

Senator DOMENICI. If you are wondering if he is my brother, he has a similar name. He is related. He is my first cousin. He has been at this for 30 years and has quite a following of people. I will contact him myself. I do think your testimony is excellent.

How much does New Mexico use from sources other than Dingell-Johnson in the development and promotion of fishing in New Mexico?

Mr. EVANS. Our problem, of course, is the match money. This we have gotten around, a portion of our match funds comes directly from license sales. For certain things we can also use bond funds to

match the money. For resource programs, we are using—they call it in-kind matching, usually salaries paid to researchers and this kind of things by universities.

And the State legislature indirectly is assisting in funding the program through the Water Resources Research Institute.

Senator DOMENICI. Let me ask, for instance, I note recently a very attractive private lake, Eagle Nest, one of the outstanding fishing waters in New Mexico, was recently acquired for 10 years by the State so that it would be public. I notice the price was rather steep, but I understand you all made a good decision there. Where would that kind of money come from?

Mr. EVANS. The money that came for the purchase of the Eagle Nest lease came from the general funds.

However, the capital improvements moneys, I should add part of it is going into the construction of boat ramps, is coming from Dingell-Johnson.

Senator DOMENICI. So that basic lease, which was around \$320,000—

Mr. EVANS. That is roughly correct over a 10-year period.

Senator DOMENICI [continuing]. That is general appropriations, not Dingell-Johnson?

Mr. EVANS. Yes, that is correct, sir.

Senator DOMENICI. Thank you very much.

Senator RANDOLPH. Thank you very much, Senator Domenici. Senator Stafford?

Senator STAFFORD. I am prepared, with one short question, to get on to Commissioner Keyhoe, but I might ask both Mr. Merwin and Mr. Evans if they could tell us what the size of boats are that are used for fishing in your States.

Mr. MERWIN. Most of the boats that are used for fishing in our State are less than 25 feet in length. However, we do see a steady increase in the size of boats that are being used. I would be reluctant to predict what size might be used, say, 10 years from now, or 5 years from now. An average length at this point in time would probably be 18 feet.

Senator STAFFORD. How about in your State, Mr. Evans?

Mr. EVANS. I would concur with that statement.

Senator STAFFORD. I might ask the same question of the distinguished representative, Mr. Hertig, from West Virginia.

Mr. HERTIG. I would say probably about 16 feet.

Senator STAFFORD. Not many of 25 feet of length would be in use for this purpose then in your State?

Mr. EVANS. No, there are a larger number of craft on the Ohio River. Generally speaking, I would say the average would be about 16 feet.

Senator STAFFORD. Thank you.

It is my pleasure since we are all being a little provincial now, to get to Vermont's commissioner, Edward Keyhoe.

I introduced him earlier. I won't do that again. It is a real pleasure for me, Commissioner, to have you here. I might say we will put the statements of all of the witnesses in the record in toto so that in summarizing, their full effect won't be lost.

Commissioner, we will be glad to hear from you.

STATEMENT OF EDWARD F. KEYHOE

Mr. KEYHOE. Thank you, Mr. Chairman, and thank you, Senator Stafford.

I am Ed Keyhoe, the fish and game commissioner of the State of Vermont. I have been here some 15 years. I think I am probably now the oldest commissioner in activity in the United States. How I stayed there, I can't remember, but it's all right.

Senator STAFFORD. I might say that you have been there under both Republican and Democratic Governors.

Mr. KEYHOE. Two Democrats and two Republican Governors and I am supposed to be a Democrat. What I would like to say today, I concur with all of my colleagues here, what they have done and I can say over the 15 years that I have had the experience with D-J, what we did with it, what we want to do with it. We are a small State, as Senator Randolph talking about West Virginia as a small State. We take in about \$800,000 in license fees and about \$270,000 in D-J money. This is just about, and may not be enough to operate our fisheries program. We have to take from our wildlife program to do it.

As I say, we are a small State. We have 95 employees.

But I think today I would like to say, make a short speech here, a little different maybe than what will be said and I hope the people who are against enlarging or extending the D-J will take this into consideration, and I am sure the rest of our States are doing the same as we are, maybe more than we are.

A lot of our D-J money is being spent on what are known as fish derbies, probably 15, 20 percent of the trout we raise has been used for fish derbies for kids under the age of 12.

In Vermont, children under 15 don't have to buy a license. Between Dingell-Johnson and our money, we have to handle it. Another great thing is citizens, senior citizens that are being given an opportunity. We have some 30,000 permanent licenses in the State of Vermont. Again, we are furnishing them with fish. The third thing I think should also be under consideration is mental health. Mental retardation, mental handicapped and other physical handicapped people that we have programs where we allow these people free of charge to go to ponds, some lakes, some streams and are allowed to fish.

Our feeling is that one of the greatest things fishing is is mental therapy. Maybe a lot of you Senators and Representatives wish you had a fishing place out here in the Rose Garden where when you got really tight, you could go out and get a little relaxation. But those of you who have fished and have had hard problems to realize, either taking a pole in a boat or on a stream is relaxing.

Just recently on the border of Canada, at Newport, we completed a 60-foot ramp so they could fish and this means for disabled people, this means for children, anybody who actually wants to fish.

These are areas that we feel that we need more help, we need more money, and if we do have it, we can expand it. We also run two conservation camps where we graduate 1,000 children from the ages of 12 to 15. Everyone of them goes through a fishing course. Also, we are pointing toward a cooperation with Trout Unlimited and other units within our State to promote fishing with the young-

ger people with the idea that if we can get them interested in fishing, if we can get them interested in fly fishing, we can get many of them off the streets. This was part of our improvement program when we put brown trout in Lake Champlain. The comments of the mayor was he would rather see the young people fishing down there than have them tearing up his park.

Going to the boating situation, we have 211 lakes in the State and about 2,000 miles of stream. We have about 210 access areas, probably more than any other State in the country. This is all built from D-J money.

Sixty-six percent of the cost of maintaining those areas comes from D-J funds and out of \$270,000, that is quite a bit. But we are willing to do it, we are willing to do this to promote it. Any boatman, regardless of whether he has a license or not is allowed to use it.

This is one thing to the boating industry for us to continue maintaining it and using it, as they do use it, that we do need this additional fund.

The second thing, people in the smaller States realize development along your lakes, on lake frontage, has almost completely been used. Now you get the second row of cottages and a lot of places you are going into a third row of cottages. The only access that third-row is going to have is going to be our fishing game access areas. This does promote an economic effect to the State.

In 1975, they registered 24,000 boats in the State of Vermont. In 1979, they raised it 26,000. This means you have more people using boats.

The economic effect from hunting, fishing, trapping, is about \$127 million. The State fish and game department doesn't get any.

In closing, I would like to say, over 15 years, I have seen a tremendous chance for the young, the handicapped, the mental people to be able to fish and derive some pleasure out of life instead of sitting in a cell or a convalescent home.

Thank you very much.

Senator STAFFORD. Thank you very much, Commissioner.

Could you venture an opinion as to the average size of a boat purchased and used principally for fishing in our State? I recognize Champlain is a different case from the rest of the State.

Mr. KEYHOE. Yes, I think it would be under 21 feet.

Senator STAFFORD. Under 21 feet?

Mr. KEYHOE. Under 21 feet.

Senator STAFFORD. On Lake Champlain, I expect some boats are larger.

Mr. KEYHOE. A bit bigger. We patrol on Lake Champlain, even though we don't get paid. All of our boats are under 21 feet.

Senator STAFFORD. Thank you very much.

I think it is refreshing you brought a somewhat different aspect to recreational fishing than the other witnesses. It fills out the picture for us very nicely.

The chair would now invite Jim Addis, Director of the Bureau of Fish Management, Wisconsin Department of Natural Resources to proceed.

STATEMENT OF JAMES T. ADDIS

Mr. Addis. Thank you. I am James Addis, director of the bureau of fish management, and represent the Wisconsin Department of Natural Resources.

I appear here today on behalf of the Department and in the interest of the 1.8 million Wisconsin sport fishers and also to represent the positions of neighboring Great Lakes States.

I appreciate the opportunity to testify before this committee on what we consider to be one of the most significant pieces of fishery legislation ever taken up by Congress and hope that the expansion of it can go forward.

We consider passage of this act essential to Wisconsin's economy and the management of its fishery resources.

We agree with Mr. Swift that we have problems in our economy in Wisconsin but I think we must look at the larger picture, that is that the State is heavily dependent on tourism and nearly all of that tourism depends on fishing.

Wisconsin's fishing tourist industry generates about \$5 billion worth of economic activity and is our third ranking industry. Economists estimate that about \$293 million of economic activity is generated directly by sport fishing in the State. This significant level of business is maintained on what we consider a relatively fixed resource base of about 1.1 million acres of inland waters and 6.4 million acres of Great Lakes and boundary waters.

Increasing demand for water-based recreation, particularly from fishing, is rapidly leading to serious management problems and we have used Dingell-Johnson funds since the inception of the act, to help relieve these problems.

We have shown that despite the fact we have had intensive management in our State, what was considered to be a very vast resource base, key sport fisheries, are now approaching being over-harvested.

Indeed this year, despite the nationwide economic problems, our tourist industry indicates that they are going to have the greatest year of tourism we have ever had because local folks are staying home. This, of course, is going to greatly increase the resource stresses that are presently occurring.

I will direct the remainder of my testimony to some of the opponents' comments.

The opponents have indicated that the Dingell-Johnson Act has spent too much on research. At the time Congressman Dingell and Senator Johnson made the move to enact the act, it was apparent that research and understanding of fishery science was very meager. In the some 30 years that have passed, we have gone from what amounted to a trial and error hodge-podge approach to fisheries management throughout the United States to a program that is based primarily on scientific management techniques which demonstrates that the act has been successful in improving sport fishing.

The other thing that the opponents have argued is that the act does not benefit boaters. I look at that allegation from a different perspective than they do. In Wisconsin, we have spent a major portion of our time at environmentally-related activities. Fish management in Wisconsin involves improving and protecting habitat

and providing improved aquatic environments. I contend that fisheries agencies throughout the Nation have led the battle for a healthy and unpolluted aquatic environment.

The outcome of these early actions have led to environmental action programs that have improved the aquatic environment for all.

I think boaters particularly benefit from an improved aquatic environment and we intend to continue that fight. We also intend to increase the enhancement of access, development and other boating-related activities which have been discussed by previous witnesses on this.

In Wisconsin, we believe that beneficiary taxation or user taxes are clearly the best way to go. They are both popular with the users and represents sound public policy. We believe that S. 1631 represents a beneficiary tax. Clearly both the tackle manufacturers and boat manufacturers have directly benefited from sound aquatic resource management.

It would be very difficult for Mercury or Outboard Marine not to admit that the salmon fishery has had a significant impact on both their business and on the other outdoor recreational interests in communities adjacent to the Great Lakes.

I can't help but believe but, that a major portion of the revenues from expansion of sport fishing in that area resulted from expanding the Great Lakes fisheries.

The other question that seems to be raised frequently by opponents is: "Are the States either willing or can they pay their own way?" In Wisconsin, we have had a long tradition of support for our programs. In the past year, we had an increase of 55 percent on our fishing licenses, and trout fishermen advocated a new license in the form of a trout stamp. At present, our Great Lakes fishermen are advocating a salmon stamp that would provide direct funding to that program.

Wisconsin's fishermen have tried to pay the way. Our budget analysts indicate that even with these increases in place, at the present level of inflation, we will only be able to maintain existing programs for about 4 years with these increases.

Further increases will be necessary. I should point out, however, that it is difficult for legislators to consider such increases. My discussions with our legislators have come to show that they have a grave concern that continual increases of licensing may deprive those people to whom fishing is the most important form of recreation, the poor, the elderly, and the young. One of our greatest concerns is that license increases will make sport fishing a rich man's sport, rather than a sport of all the people. Wisconsin has always had a fishery available for all its citizens, not just a few.

Although I speak primarily for the fishery, I believe the person who watches birds on a marsh that was developed as a spawning marsh for Northern Pike, or the boater who gets to the water from a Dingell-Johnson-sponsored access project, or the boater who enjoys a clean lake, such as Fox Lake Wisconsin, which at one time was inhabited by carp, that were removed as a result of D-J research, benefits directly from D-J funds, and the State license moneys with which we moved the carp.

We have expanded our fishery using Dingell-Johnson funds. In our State, D-J funding has been spent on acquiring habitat, boat access, and rights-of-way to streams and lakes, habitat development and fisheries research.

The funds that have come from the Dingell-Johnson Act have allowed us flexibility in meeting local needs with our own State funds generated from license moneys.

Our State funds are used for boating enforcement: For example 80 percent of a State conservation warden's salary is from the fish and wildlife funds.

The fact of the matter is, that D-J funding does benefit most of the people who are affected by it and therefore represents beneficiary taxation. It is a sound approach to providing additionally needed fisheries funding and I urge your passage.

Thank you, Mr. Chairman.

Senator RANDOLPH. Thank you very much, Mr. Addis. I was thinking, as you spoke, of the fishing boats that move on the lakes and rivers and the waters off our shores. I was thinking of something else, also. I have had the privilege to visit Canada and fly, by Pontoon plane, into a country where there are unnamed lakes and to land on one of the lakes. Is there much of that type of visiting Wisconsin by people who fly in small planes? I just want the record to tell whether that is something that is very uncommon or does it take place?

Mr. ADDIS. It is quite uncommon. There are some people who do fly in by plane, but by and large the fishery in Wisconsin is a boat fishery, both inland and on the Great Lakes.

Senator RANDOLPH. One question, Mr. Hertig, that I should have asked you: Do we have more licenses purchased each year for fishing or hunting? Or are there combination licenses?

Mr. HERTIG. Both, we have combination licenses, that includes hunting and fishing, and we have fishing licenses. We also have hunting licenses, so they can be separated. There has been a modest increase.

One of the things I do need to point out is we did have an increase in license fees recently. And our experience has been usually for a year or two following that, we have a decrease in license sales, but then it progressively increases again. So there has been a modest increase.

Senator RANDOLPH. Is there a difference in the cost to the out-of-State fisherman or hunter?

Mr. HERTIG. Yes, sir.

Senator RANDOLPH. How much is the difference?

Mr. HERTIG. The nonresident hunting license is \$50, and I will have to ask, if I may, Bob Miles if he can give me what the nonresident fishing license is; \$20, Mr. Miles tells me.

Senator RANDOLPH. Nonresident fishing license?

Mr. HERTIG. Yes, sir.

Senator RANDOLPH. What is the resident?

Mr. HERTIG. The resident would be \$6.

Senator RANDOLPH. Six dollars resident and twenty dollars nonresident.

Mr. HERTIG. Twenty dollars nonresident.

Senator RANDOLPH. Have you ever given any thought to making the cost the same? I am just asking.

Mr. HERTIG. I doubt it. I have not been there long enough to answer that perhaps accurately. I suspect, my intuition tells me there hasn't been any inclination to do that.

Senator RANDOLPH. I have heard that discussed many, many times. One opinion I've heard is that a nonresident who comes in is spending money in the State, strengthening the economy for a day or a week and why assess him a greater amount of money? I heard this discussed. Perhaps none of you have ever heard it discussed, but I have. Have we had it discussed?

Mr. HERTIG. I have not heard it discussed, no, sir.

Senator RANDOLPH. I think your colleagues are nodding, it has been discussed.

Mr. HERTIG. They are?

Mr. GOTTSCHALK. There has been substantial discussion about this question from time to time in the past, Mr. Chairman. The last series probably was about 15 years ago. However, there is a firm practice established in all the States that there is a differential based on two considerations.

The first is the State residents through their general taxes and other contributions they make afford privileges to out-of-State residents that otherwise would go uncompensated. Then there is also a factor of utilizing the license fee to prevent nonresidents from taking over certain choice areas for hunting or fishing.

Montana had a case related to this in the Supreme Court 2 years ago. It was held that Montana was entitled to go ahead with the present program of substantially different license fees for nonresidents.

Senator RANDOLPH. I don't know what other States have in other categories, but the nonresident student at the State college in West Virginia, for example, is paying more than the resident student in the college in West Virginia. That is our State college and two universities.

Perhaps the practice that goes across the board——

Mr. GOTTSCHALK. Same general principle.

Senator RANDOLPH. In the bill S. 1631, we would have an increase of Federal funding that would be made available to the States.

Have you wondered just where we would have the States raise the necessary additional matching funds? That is always a problem. We might think that perhaps fees for State fishing licenses be increased. I suppose that has been thought of, hasn't it?

Mr. HERTIG. Yes, it has been discussed.

Of course, our license fees are set by the State legislature.

Senator RANDOLPH. Yes.

Mr. HERTIG. Sometimes they are a little hesitant to increase those fees. Someone mentioned a moment ago there very well may be a limit to the extent you can increase that requirement.

Senator RANDOLPH. Gentlemen, we thank you very much. What I have said to others who testified I'll say to you. If you have additional information that you wish to include with your statements, we would be very happy to have that as part of the public record.

Mr. GOTTSCHALK. Thank you, Mr. Chairman.

Senator RANDOLPH. Thank you.

Now we come to the recreational users, Richard Schwartz, Eve Finch, Ray Scott and Gilbert Radonski.

Recreational users do form a different part of this subject matter. It is all meshed into one, of course. This is an important viewpoint that we seek from you.

Richard, would you begin, please?

STATEMENTS OF RICHARD SCHWARTZ, EXECUTIVE DIRECTOR, BOAT OWNERS ASSOCIATION OF THE UNITED STATES; EVE FINCH, PRESIDENT, NATIONAL BOATING FEDERATION, ARDSLEY, N.Y.; RAY SCOTT, PRESIDENT, B.A.S.S., MONTGOMERY, ALA.; AND GILBERT RADONSKI, EXECUTIVE SECRETARY, SPORT FISHING INSTITUTE

Mr. SCHWARTZ. Thank you, Mr. Chairman.

First of all, my name is Richard Schwartz, executive director of Boat Owners Association of The United States. For those unfamiliar with BOAT/U.S., we are the only national organization of individual boat owners for representation and consumer services in the country today. Our organization is not affiliated with or supported by any manufacturer, dealer, or other industry or private group. We have more than 70,000 boat owners from all 50 States.

Mr. Chairman, before I get into the substance, I would like to point out we have been hearing a great deal from the fishing interests certainly in the last couple of hours. Although this is a recreational users panel, it is mixed. We also have fishermen among the users, and you will be hearing more of that view. So this is one of the few opportunities, I think, during this hearing, that we will hear from the boating interests, Ms. Finch and myself.

Not only is sport fishing one of our Nation's leading recreational activities, it is also among the wealthiest. According to an article appearing in the June 1976 edition of *Outdoor Life*, the Bass Anglers Sportsman Society and the American Bass Federation sponsored eight tournaments that year paying out an estimated \$1 million in prize money. BASS alone gave away more than \$600,000 in prizes in 1979, according to the December 1979 edition of *Soundings Magazine*.

Mr. Chairman, a prosperous fishing lobby is asking you to approve a new tax on boatowners in order to broaden the amount and quality of recreation being provided to anglers. What they fail to disclose is the fact that 43 percent of all Dingell-Johnson funded lakes prohibit boats with motors.

We feel strongly that fishing improvements should be paid for by those who directly benefit, not boatowners, a great percentage of whom do not fish or couldn't, even if they wanted to, on the many Dingell-Johnson Lakes.

Boatowners are already overtaxed. Back in 1977, before inflation raced to double digits, it was estimated that boatmen contributed well in excess of \$300 million per year in taxes to a wide variety of jurisdictions. Precious few direct benefits are received in return.

Although the tax rate under consideration is nominally pegged at 3 percent, by the time this tax works its way from the manufacturer through the distributor and dealer to the boating consumer,

it is multiplied to a tax of near 6 percent of the final purchase price.

Requiring all boatmen purchasing motorboats less than 25 feet in length to add an average of \$180 onto the purchase of an outboard boat, motor and trailer, \$560 onto the purchase of a stern drive boat and trailer, and \$500 onto the purchase of an inboard boat and trailer, for a fund which only incidentally benefits one segment of the entire boating community, is inequitable and unreasonable.

Although most boatowners may incidentally fish from time to time, there is a huge group of boating enthusiasts who have little interest in fish or fishing.

It is not true that all motorboats under 25 feet, all motors or all trailers—or even a vast majority—are primarily purchased and used for sportfishing.

While it may be true in certain areas, the lake country of the Midwest, for example, it is certainly not true nationwide, particularly when you include all the coastal States of the country, from whom we have not heard from any representatives this morning.

These boatowners are purchasing and using their boats because they enjoy cruising on lakes, rivers, bays, oceans—because they go on family outings—because they waterski—because they scuba dive—because they sail—because they live on their boats and entertain on them.

They also fish from them. But, according to a survey of our members owning motorboats under 25 feet, only 23 percent indicate that their boats are primarily used for fishing.

Even when this figure is further refined to focus only on outboards under 25 feet, that class of boat one would expect to derive the most benefit from Dingell-Johnson funded projects, only 47 percent indicate fishing as their primary use.

The legislation under consideration is even more unfair when you consider that fishermen only contributed \$30 million to the Dingell-Johnson fund in fiscal 1979. Boatmen, if included under this tax, would contribute four times as much as all fishermen combined—well in excess of \$120 million is the estimated proceeds of this tax.

The extent to which this proposal is ill-considered is further demonstrated by the fact that S. 1631 would extend the tax to trailers and outboard motors used by sailors.

If we were to tax all those who may participate in or benefit from fishing, why stop at boats, motors and trailers? How about those modified recreational vehicles which have been transformed into veritable fishing platforms? How about all the camping gear used by fishermen? How about fishing apparel such as waders, hipboots and long-bill hats?

Mr. Chairman, our point is simple. If the Dingell-Johnson program needs further funds—and we question this—it should be funded only by those who directly benefit, and only by those pieces of equipment specifically designed and constructed for use in the sport of fishing.

The sport fisherman has had a very successful Federal program for nearly 30 years now. It is quite ironic, from our vantage point, that fishermen should now be asking boatmen to contribute to

their fund, when these very same boatmen are having considerable difficulty in getting their own proposed fund to improve boating conditions through Congress. Our marine fuel taxes are now being used by the Land and Water Conservation Fund to support the construction of hiking, biking and nature trails—even the battleship *Alabama* is being maintained and preserved with funds supposedly being devoted to recreational boating.

H.R. 4310, the Biaggi bill, which would have earmarked the fuel taxes already being contributed by boatmen for boating safety and facilities improvement, is now stalled in the Senate; although passed by the House, no hearings are presently scheduled in the Senate.

Any help you can give us in this regard, Mr. Chairman, we would appreciate.

I might also point out that boatmen are already supporting fishing through State fuel taxes. Although these funds are supposed to go to boating, we understand that the proceeds of the tax are being used as the State matching funds for the Dingell-Johnson program.

To add insult to injury, the administration last year cut out all the grants to States authorized under the Federal Boat Safety Act for safety and education. And Congress chose to ignore the boatmen's plea to override the Administration's decision.

The administration contended that the past years of Federal support under the Boat Safety Act should have prepared the States to take over responsibility for these functions. Why is not this same argument applicable to the Dingell-Johnson program?

The States have benefited from decades of Dingell-Johnson research projects. Fully one-half of all these Federal funds have been used for research and the employment of marine biologists. The States should now have the experience and trained personnel to take over the program. They should now be in a position to improve conditions themselves, without expanding Federal assistance at the cost of including others who derive only marginal benefit.

Since the Dingell-Johnson grants were first initiated, for example, only one fishing access site and three lakes have been developed in West Virginia with D-J funds.

The funds very clearly had many other uses, including marine biology and the support of research. If we are concerned with boating, we must look at access. You take one State, for example, this is all detailed in a report put out by the Fish and Wildlife Service. Only one access site in West Virginia has been built with D-J funds. During that time the States have raised and spent nearly 8 times as much as the entire D-J program by relying mainly on fishing licenses which average a mere \$5.75 per fisherman.

West Virginia, for example, charges \$6. If sport fishermen want to raise additional funds, they should look toward an increase in these license fees.

We heard, just recently, from Mr. Addis from Wisconsin, that upping the license fees could perhaps turn fishing into a rich man's sport. I seriously doubt that a \$2 increase in a fishing license fee compares to a \$500 imposition on the purchase of a boat by the same median-income person.

Mr. Chairman, the proponents of the measure before you today would levy a tax on boat owners to support fisheries development because a great deal of money can be generated with relative administrative ease. We urge you to reject the proposed extension of this excise tax because it is unfair, inequitable, and without justification.

In closing, I would just like to point out that in trying to relate Dingell-Johnson to boats, first I mentioned the fact 43 percent of the Dingell-Johnson lakes prohibit boats. I would also like to bring to your attention this very beautiful booklet put out by the Fish and Wildlife Service, on 25 years of Dingell-Johnson program, there are only four boats included in the 45 pictures shown in this book. All the rest of the pictures portray fishing totally unrelated to boating. I think trying to relate boats to fishing is, from the statistics we can show, and actually from the things the fishermen can show, a tenuous and inequitable proposition.

Thank you, Mr. Chairman.

Senator RANDOLPH. Thank you very much for your testimony. I shall be looking at it again because of some of the comments that you have made. How many members have you?

Mr. SCHWARTZ. 70,000.

Senator RANDOLPH. What do you charge for membership a year?

Mr. SCHWARTZ. Approximately \$17, several categories, but \$17 is the standard dues.

Senator RANDOLPH. Do you have a publication?

Mr. SCHWARTZ. Pardon?

Senator RANDOLPH. Do you have a publication you issue to your members?

Mr. SCHWARTZ. Yes, we have a newsletter.

Senator RANDOLPH. It is an active membership.

Mr. SCHWARTZ. Yes, we think it is a very active membership. We ask for support on the Biaggi bill——

Senator RANDOLPH. That bill is not before this committee. That is Commerce.

Mr. SCHWARTZ. Right. We sent a survey to our members and got back 15,000 returns, a 2-page survey, just to give you an idea of the interest that these members have in boating. They are not primarily fishermen. A man interested in fishing 98 percent of the time is not necessarily the best candidate for our organization. Our organization is made up of a representative group of people who buy boats to go boating and may well fish from their boat, but who are not necessarily just boating for fishing purposes or hunting purposes, which is the focus, incidentally, of most of the game and fish people in the inland States.

Senator RANDOLPH. Thank you very much.

Ms. FINCH?

STATEMENT OF EVE FINCH

Ms. FINCH. Good morning, Senator Randolph. It is a pleasure to appear before you today.

I would like to clarify one point. I am not president of the National Boating Federation, but I am the designated spokesperson for that organization today.

It is an honor to appear before you for reasons of nostalgia. You are a native son of whom West Virginians are most proud and I, too, am a native West Virginian. My parents, the Metcalfs, still divide their time between homes in McDowell county and Bluefield, Mercer County, W. Va., and their summer home on Lake Wataqua in Tennessee.

As did many of my generation, I moved to the Washington area for economic reasons, but return often to my home State of mountainous grandeur.

In the national community of recreational boaters, I am a Past Commodore of Prince George's Yacht Club located in the State of Maryland. I presently serve as rear commodore of the Chesapeake Bay Yacht Clubs Association, a nonprofit umbrella organization comprised of 82 yacht clubs with a combined membership of approximately 25,000 recreational boatmen and their families, located in the States of Delaware, Maryland, New Jersey, Pennsylvania, Virginia, and the District of Columbia along the shores and tributaries of the incomparable Chesapeake Bay. I also serve as legislative liaison officer and as national boating federation director for the Potomac River Yacht Club Association, comprised of 11 yacht clubs with a combined membership of approximately 5,000 recreational boaters and their families situated in the States of Maryland and Virginia, and the District of Columbia, on the shores and tributaries of our beautifully scenic Potomac River.

I am also an Admiralty in the Cherry River Navy, whose headquarters are in Richwood, W. Va.

Senator RANDOLPH. I must interrupt you at that point because I have noted that in your testimony—and it has been called to my attention—do you come to the maneuvers we have each August?

Ms. FINCH. I haven't been able to yet, but I certainly do want to. Maybe I will try it this year.

Senator RANDOLPH. Yes, it will be in August. I am not certain of the exact weekend.

Ms. FINCH. I will find out.

Senator RANDOLPH. We will take the responsibility of having an invitation sent to you.

Ms. FINCH. Thank you.

Senator RANDOLPH. For the maneuvers. We have about 500 or 600 members now. The Cherry River Navy operates, as you know, in waters that are not too wide.

Ms. FINCH. Yes, I understand this. They are hypothetical.

Senator RANDOLPH. It is a good fishing stream, parts of it, certainly, as are other streams in Nicholas and Webster, those mountain counties.

Ms. FINCH. Thank you. I will try to take my vacation this year at that time.

Senator RANDOLPH. We will have the invitation sent to you.

We will take care of that for you. Maybe you can come and march in the parade. Would you?

Ms. FINCH. I will do that, too. Yes, of course, with all my brass.

I am speaking to you today, as I said, as the designated representative of the National Boating Federation, a nonprofit and I mean nonprofit. No one who serves receives any money at all. We

are totally nonpaid. We are lucky if we get our printing; once in a while transportation.

A nonprofit conglomerate of State, regional and national boating organizations similar in structure and scope to that of the Chesapeake Bay Yacht Clubs Association and the Potomac River Yacht Club Association, and providing legislative representation for approximately 1½ million of the more responsible elements of recreational family boating throughout these United States by means of the time-honored elective process.

Our members are the American Waterways Operators, the American Water Ski Association, Boat Owners Associated together, from California, the California Association of Harbor Masters and Port Captains, the California Marine Parks and Harbors Association, the Chesapeake Bay Yacht Clubs Association, the Chesapeake Bay Yacht Racing Association, the Federated Boatmen of New Jersey, the Federated Boatmen of New York, Inc., Florida Council of Yacht Clubs, the Interclub Boating Association of Washington, the International Order of the Blue Gavel, Lake Michigan Yachting Association, Massachusetts Bay Yacht Clubs Association, Northwestern Boating Council, Outboard Boating Club of America, Pennsylvania Boating Association, Potomac River Yacht Club Association, United States Power Squadrons, United States Yacht Racing Union, and Wisconsin Boating Association.

We, the National Boating Federation, are unanimously and diametrically opposed to S. 1631.

The primary reason for our opposition is simply that the terms "recreational boater" and "recreational" or "sports fisher" are not synonymous. The overwhelming majority of our constituency does not utilize their boat for fishing purposes. We represent a membership whose major interest in boating is the sheer enjoyment of cruising, water skiing, racing, and socializing. In fact, the average boat does not carry even the most elementary fishing rig aboard, not even for cosmetic reasons.

We find section 201(a)(4)(A) boats not more than 25 feet in length except hydroplanes, kayaks, and sailboats, lacking in clarity. As the National Boating Federation represents both powerboat owners and sailboat owners, we must know if hydroplanes, kayaks, and sailboats under and/or over 25 feet in length are to be included and therefore taxable under S. 1631, or if all hydroplanes, kayaks, and sailboats of whatever length are exempt from this tax?

In the opening statement made by the Honorable John B. Breaux, chairman of the Subcommittee on Fisheries, Wildlife, Conservation and Environment of the Committee on Merchant Marine and Fisheries of the U.S. House of Representatives, at the hearing on the companion bill to S. 1631, H.R. 6074, on March 18, 1980, on page 4, paragraph 1, he stated: "The tax would not apply to commercial boats or to hydroplanes, kayaks, or sailboats," but the terminology of the bill does not specify these exceptions. And, most assuredly, one can fish from powerboats under or over 25 feet in length, hydroplanes if not in motion, kayaks with some effort, and sailboats regardless of size.

Again, I refer to Representative Breaux' opening statement on March 18, 1980 on page 4, paragraph 1 in which he further states, "The legislation would amend the D-J Act to establish a 3 percent

tax, at the manufacturer level, on recreational boats under 25 feet and boating equipment," but both H.R. 6074 and S. 1631 state, "not more than 25 feet in length."

The wording, "25 feet in length," as found in this section 201(a)(4)(A) is ambiguous to those in the boating industry, because boats are not always produced in precise footage. For example, my boat is exactly 25 feet and 8 inches. Fortunately, it is paid for, but if it were to be purchased with this proposed excise tax in effect, there would probably be some question as to whether or not the tax was applicable. One manufacturer might consider it a 25-foot boat, while another might list it as a 26-foot boat; and the dealer, the purchaser, and the collector of the tax might well differ considerably on this matter.

This same boat can be purchased with optional engines: (1) An inboard engine with jet propulsion; (2) an in/out engine with props; or (3) an outboard engine.

Again, assuming that this tax were in effect, there is no question but that the majority of prospective purchasers would choose the inboard engine in order to escape the unfair penalty assessed for purchasing an outboard engine. Furthermore, this bill does not clarify the status of the in/out engine with props. For the stated purpose of this bill, taxation, the question as to whether this engine is to be classified as an inboard or as an outboard must be addressed.

Additional discrimination is imposed upon that segment of our membership that owns boats of 25 feet or less, whether by choice or through economic necessity. Again, "boats not more than 25 feet in length" and recreational or sport fishing are not synonymous.

It is impossible to determine just what percentage of owners of boats 25 feet and under do or do not fish, but many owners of this size boat have chosen it, regardless of trade name, for its ease in handling and maneuverability, its lessened cost of maintenance, its lessened cost of berthing, and in many instances, because the beam of a boat 25 feet and under will be 8 feet or less, therefore trailerable, eliminating entirely the cost of berthing. This same small boat owner whose recreation money is probably budgeted, and who is ever aware of the rapidly escalating cost of his chosen recreation, will in all likelihood forego the cost of another recreational sport, that of fishing.

Concurrently, this particular typical recreational boatman will be doubly penalized by this proposed 3 percent tax: First, on the boat, and second, on the trailer. If the same unfortunate boater has chosen an outboard motor, then he will be triply penalized to help pay for a sport in which he may not wish to participate—fishing. He just wanted to go boating.

Insofar as "outriggers, down riggers, rod belts, fishing belts, fishing chairs, and flying harnesses", as documented in section 201(a)(4)(B) are concerned, please be apprised that that many recreational boatmen, we must admit, use these items strictly for decoration.

On behalf of the sports fishermen in our midst, it might well be that in these times of very real pressure simply to stay afloat in today's economy, this fisher may not be engaging in his chosen form of recreation simply for the sport. He may be fishing to

augment his declining grocery dollar; to bring home the big fish for food on the table, not just for show or for sport. Therefore, many of the items listed under section 201(a)(3) (A), (B), (C), and (D) such as fishing reel, rod, fish hooks, sinkers, fish stringer, et cetera, may not be considered "sport fishing equipment" to this fisher for food, but simply items necessary to his well-being. It is hardly fair to tax this person an additional 10 percent on equipment probably being used to provide for the family.

Insofar as the benefits to be derived from S. 1631 for the recreational boater and the recreational fisher, for that matter, the National Boating Federation fully anticipates that with the passage of S. 1957, sponsored by Senator Thomas Eagleton of Missouri, and which is the companion bill to H.R. 4310, the Biaggi bill, sponsored by Representative Mario Biaggi of New York, these same benefits, such as "the construction of structures or facilities" as stated in section 107(d) can be realized, and without the imposition of this additional proposed tax.

We urge that the distinguished members of this Committee on Environment and Public Works support S. 1957 as that bill is completely in accord with many of your stated goals. However, S. 1957 is presently languishing in the Senate Commerce Committee for lack of a sympathetic chairman. Any positive influence that the sponsors of S. 1631 or the members of this committee would expend in an effort to expedite a hearing on S. 1957 would be sincerely appreciated by our constituency.

If there is indeed a real need for more money for fish restoration and management projects at the national and State levels, the National Boating Federation suggests that a Federal fishing license be required of those most directly concerned and most readily identifiable; that is, the recreational fisher upon application for a State fishing license; or, that the cost of the State fishing license be increased in direct proportion to the amount required to meet this need. There are many people who fish who are not boaters, and as I have attempted to bring to your attention, there are many boaters who do not fish. We simply ask that if this money is indeed required, that a more equitable method of distributing the tax load be chosen.

For example, this year the State of Maryland deemed it necessary to increase the fee for State fishing licenses. The moneys derived from these licenses are used for freshwater projects such as fishing surveys, fish population studies on inland lakes and reservoirs, the operation of fish hatcheries, the stocking of fish, the enforcement of laws pertaining to fish, the providing of information to management, the development of regulations, input into the legislative process, bill drafting, the review of programs and projects and their impact upon fisheries, and advice to waterfront landowners on their problems pertaining to fishing. They will be increased in the State of Maryland approximately \$3.50 apiece. Mr. Addis stated the problem of senior citizens; in Maryland, all senior citizens pay \$1. The trout stamp is \$3.50 and in the Potomac River we only have an increase from \$4.50 to \$8. Also the regular resident is increased from \$4.50 to \$8, the 7-day nonresident is \$4.50 to \$7 and the season nonresident is \$10.50 to \$15.

Fresh water in Maryland refers to all nontidal waters. Fishing licenses are not required in the Chesapeake Bay or its tributary rivers with the exception of the Potomac River.

Maryland, with its unique and enviable position as protectorate of approximately 75 percent of the Chesapeake Bay and its tributaries, and with its unsurpassed experience with fishers of many species, including fresh and tidal waters, has chosen to lead the way in providing for fish research, management, and propagation by taxing those most concerned, the fishermen.

The imposition of this proposed 3-percent tax as so stated in S. 1631 will in all likelihood have the effect of discouraging the potential new boater and possible potential new fisher from purchasing anything.

In this event, all concerned will lose. The potential purchaser will do without boating or fishing, the boating industry will realize fewer sales, the fishing equipment industry will experience a decline in sales, and as a result, fewer taxes of any kind will be collected.

Most recently, we, the recreational boaters, were the target of still another proposed discriminatory measure, the Department of Energy's wishful thought that all power boats be restricted from operation under either a Saturday/Sunday plan or entirely on weekends. All boating interests, including fishermen, combined forces and were successful in defeating this proposed regulation. The DOE had candidly stated that the recreational boater had been chosen for this restriction for purposes of symbolism and high visibility, and because the DOE did not believe that boaters were sufficiently well organized to effectively object to the proposal.

The recreational boater does not wish to be anyone's symbol. He simply wishes to enjoy his chosen form of recreation for which he is already contributing more than his share of taxes. And we sense that the grassroots fishing interests share our position.

Along with today's ever-escalating cost of living, the reality that fuel will reach \$1.50 per gallon by summer's end, and the proportionate increase in the cost of maintaining boats, motors, trailers, and fishing equipment of all kinds—that extra \$100 to \$600 in additional taxes which would be imposed upon the typical new small boatowner, as proposed in S. 1631, just might place that particular dream of owning a boat of any size out of reach for the average American.

In conclusion, the National Boating Federation reiterates its adamant opposition to S. 1631 and respectfully requests that this bill not receive favorable consideration by this distinguished committee.

On the last page of my testimony, I have two headlines I would like to bring to your attention. "Gas Crunch Could Sink Recreational Boating," and "Is Boating Becoming Too Expensive?"

Thank you, Senator Randolph, and committee members, for your patience in receiving this somewhat lengthy, but most important stance of the 1.5 million members of the National Boating Federation.

Senator RANDOLPH. Thank you very much, Eve. Where is Shady-side?

Ms. FINCH. About 20 miles south of Annapolis. I enjoy waterfront living with a private dock.

Senator RANDOLPH. You have a million and a half members?

Ms. FINCH. Yes, sir, we do, nationwide, and some international members as well, in the National Boating Federation.

Senator RANDOLPH. I would ask you, is there any manner in which you feel the bill might be modified?

Ms. FINCH. We do not object to the aims of the bill, but we think they are already being realized.

We do not feel that this is a time in today's economy when increase in taxes of any kind should be proposed. Boaters are not buying boats today. They may be trading with one another to get around the 20-percent finance charge.

They may trade somehow or another, under the table, but by and large I know only two people who have bought a new boat in the past year. I don't know what you are going to tax, anyway, because they are just not buying, they can't afford it.

Senator RANDOLPH. Carowners are not buying cars.

Ms. FINCH. That is true. The economy, as you know, is down and additional taxes just make matters worse.

Perhaps the Government could help its citizens by cutting back also.

Senator RANDOLPH. Balancing the budget.

Ms. FINCH. Yes, right.

Senator RANDOLPH. Someone told me the other day in a letter, he said, "I see you are going to balance the budget." He said, "That is very important. I think it is very praiseworthy." He said, "The trouble is you are balancing a budget that is too big."

Ms. FINCH. That is true.

Senator RANDOLPH. I never heard it quite the way he put it.

Ms. FINCH. Let's all economize together.

Senator RANDOLPH. I do recognize the fact that nothing is done by the Federal Government, State government, or any political subdivision without the moneys that come from taxpayers. So let me say that government—any level of government—dollars spent for any program, had to be generated by other dollars, is that correct?

Ms. FINCH. Yes, that is quite true.

Senator RANDOLPH. I am very conscious of that fact.

Ms. FINCH. Boating is going to be very restricted this summer because people cannot afford that much fuel at the price it is, and will be.

Senator RANDOLPH. Do you use diesel fuel?

Ms. Finch. No, I use gasoline.

Senator RANDOLPH. Is there much diesel use?

Ms. FINCH. Some. I would say maybe 20, 25 percent.

Senator RANDOLPH. What grade of gasoline do you use in your boat?

Ms. FINCH. I use high test. I have to. It costs me to run my boat—of course, it is an exceptional kind—it costs me about \$20 an hour just to run it for fuel. That is without the insurance or the maintenance or anything else. So I choose my cruising very carefully.

Senator RANDOLPH. Do you ever have your guests pay a part of your costs?

Ms. FINCH. Beg your pardon? Do I have what?

Senator RANDOLPH. Do you ever have your guests pay a part of your costs?

Ms. FINCH. Beg your pardon? Do I have what?

Senator RANDOLPH. Do you ever have your guests pay a part of the costs?

Ms. FINCH. No, because if you do, according to Coast Guard regulations, in case of an accident or anything, you can be considered running a charter boat and you are liable to insurance problems. A wise boater does not do that. They can buy the beer or something.

Senator RANDOLPH. I asked the question, thinking of people who travel by automobile and share the costs.

Ms. FINCH. I think they share the same risk in case of accident.

Senator RANDOLPH. Thank you very much. Your testimony, your statement will be considered very, very carefully, as well as all of the testimony today at this hearing.

Ms. FINCH. Thank you, Senator Randolph.

Senator RANDOLPH. Ray Scott.

Ray, I don't know how long your statement is.

Mr. SCOTT. Not long, Senator. I promise I'll hurry.

Senator RANDOLPH. I don't want to cut you off. If you can summarize, your entire statement will be made a part of the record.

Mr. SCOTT. I will dispense with my written testimony. (See p. 97.) If I may, sir, just comment briefly on my involvement with this bill.

STATEMENT OF RAY SCOTT

My name is Ray Scott. My home is Montgomery, Ala. I am the founder and president of a 13-year-old organization called the Bass Anglers Sportsman Society of America. I wasn't aware of the conception of the idea of this bill until about 2½ years ago when I was visiting in West Virginia, in Huntington. I had the pleasure of being with some people who are much closer to the need for this money than I was aware of myself.

My organization, with more than 300,000 members, became interested in the proposition when we looked into the practical aspects of our own selfish interests as fishermen and the demands we felt were necessary on behalf of the people who testified just before us. It seems interesting to me we have got several classes of people. We have the people who are spending the money, those who just preceded us. We have those who have been merely asked to handle the transition of the money in the form of a tax and then we have folks like myself who are the fishermen.

I might add not only are we the largest fishing organization in the world, but we are the largest boating organization in the world, when you consider 93 percent of our members own one or more boats. We are not the fat cats who enjoy \$20 an hour boats. Ours would average in the neighborhood of 75 cents an hour. We are the people fishing, involved, and are in full support of the bill because we realize the merits of it. The Lord gave us so much water. We expanded a little less each year because of impoundments referred

to in testimony. We have more and more people with more and more leisure time. Despite our temporary inflationary problems, we have people flocking to those waters, crowding those access areas at a rate never before in our history.

We have got to do something about the fishing situation in this country if we are going to continue it. I am hooked on fishing, if it gets really lousy, I will continue to fish. I have a son and a grandson coming along, and if those youngsters go out and have 3 or 4 days of fishing with little or no result, they will turn to some other recreation. It has really been an institution in this country.

Senator, I just came back from Spain. My thoughts were written before I left, but I had one of the most severe impacts on my life when I looked at that country and reflected back on the blessings of our country, the waters we have, the wealth we have, the leisure time we have, and all the wonderful blessings that we take so for granted. And I listen to the testimony on the trivial—over 3 percent, and what we know would be a tremendous enhancement of what we have already been blessed with. I ask the question, why are we here weeping and wailing about the miserable 3 percent, of what a dreadful impact it would have, particularly in these recessionary times with interest rates at unheard of rates? I would like to ask a question of these people, to think: If we reduce, rather than add 3 percent, if we reduced the cost by that same 3 percent, would sales really change? Would sales really change? The 3 percent is a token. We know from Dingell-Johnson's 30 years of experience that it has done a tremendous job in providing not only a place for fishing, but it has made people very wealthy because of the attraction the waters have created.

The boating industry is the biggest recipient. Evinrude Marine claims in their testimony 87 percent of their outboard motors are used for fishing. That is a pretty good number. I don't know what the other folks are doing with theirs. I do know this, those who don't fish, that refers to many here, 25-foot boats are trailerable boats. They can be moored and harbored, but they are trailerable boats. They can be pulled up and down the highways. I have never yet seen a launching ramp that was provided by the fishermen's tax over the last 30 years that provided for that launching ramp that has a sign that says, "For Fishermen Only." You can put any kind of boat in there. I have seen many 25-, 26-, 27-footers dropped in there. But they didn't pay a cottonpickin' penny on that access area. Today it is crumbling, falling down and dangerous to put a boat in because the resource people simply don't have the money to maintain the ones started back 15, 20 years ago.

In conclusion, I say this, as representing the hard core, not the dringes, but the hard core of what this bill is all about; that is, the American hairy-legged fisherman and fisherlady, we need the help this bill would give you, and the resources.

We pray to goodness you would consider it favorably, sir.

Senator RANDOLPH. Thank you very much, Ray.

As you began to speak, I remembered you came to see me a couple of years ago.

Mr. SCOTT. Yes, sir.

Senator RANDOLPH. I remember I said, "There's a man who knows how to make a case."

Mr. SCOTT. Well, I appreciate that. I am making a living, that is the most important thing right now, and doing it fishing.

Senator RANDOLPH. Fine.

Thank you for your testimony. It will all be made a part of the record, and we give you the opportunity of adding to it if you desire.

Now we have Gilbert Radonski.

STATEMENT OF GILBERT C. RADONSKI

Mr. RADONSKI. You got it right, Senator, thank you.

Thank you, Mr. Chairman, on behalf of the Sport Fishing Institute for the opportunity to appear before this committee considering S. 1631, a bill to provide additional funds for certain projects relating to fish restoration and for other purposes.

I am Gilbert C. Radonski, the institute executive secretary. My purpose in appearing before you today is to support the intent of S. 1631.

Since 1952, sport fishermen have invested approximately \$300 million in direct D-J apportionment, plus \$75 million in State matching funds, usually derived from fishing license sales. In order to protect, manage, and research this Nation's sport fishery resources, it is a classical user-paid tax that has yielded handsome dividends.

In the estimation of the Sport Fishing Institute, S. 1631 would accomplish two important goals. First, it would broaden the D-J base significantly providing a relatively stable source of increased income to further improve sport fishing. Second, in section 102, S. 1631 would include an allocation of available funds to marine fish restoration and management programs or projects. Unfortunately, in our estimation, S. 1631 is a failure in this respect, as compared to H.R. 6074, the House version of the D-J expansion bill, which in section 201(b) provides for a 30-percent allocation to marine projects.

Fishermen have traditionally paid for the programs that benefit them directly. However, other segments of society significantly benefit from those programs as well. One segment that is greatly benefited is the boating public. They have already benefited substantially from boat landing and launching facilities constructed for fishermen and paid for with fishing licenses, or D-J moneys. They have shared from other programs as well. Lake reclamation involving the removal of nuisance fish, such as carp, results in improved water quality that attracts recreational boaters who were previously turned off by turbulent muddy waters. Vegetation control paid for by fishermen greatly benefits boaters. Introduction of new species, such as salmon in the Great Lakes and striped bass throughout our many reservoirs throughout the United States, have attracted fishermen and boaters.

In essence, a quality fishery resulting from fishery management programs attracts the investment in facilities that are essential to the nonfishing boating public. Since they benefit from the programs they should share in the costs.

It is evidence to the Sport Fishing Institute that good fishing and accessibility to those fisheries are among the most important factors that help induce the purchase of boats, motors, and trailers.

Marine recreational fishermen have a legitimate complaint that they have received inadequate return from the excise taxes they have paid on their fishing tackle purchases to date. The time to correct the injustice to marine recreational fishermen is when the D-J tax base is significantly broadened. If the discrepancy were corrected at the present time, given the D-J funded at about \$30 million, its present level, such action would serve only to dilute the present program so that neither inland nor marine anglers would adequately be served.

In summary, the Sport Fishing Institute endorses S. 1631 designed to raise significant new revenues on a commendable user-paid principle for expanding the successful D-J program. Further, SFI recommends S. 1631 be amended to include a specific and reasonable percentage allocation thereof to marine recreational fishery purposes.

If I would be allowed to take 1 more minute, Senator, I would like to correct some errors in the testimony of the boating industry relative to the Land and Water Conservation Fund. Mr. Stone, of the first panel, said the reverted motorboat fuel taxes constituted a large part of the Land and Water Conservation Fund. They constitute approximately \$30 million of a fund that is \$630 million. I don't think it is a large portion.

They say—Mr. Schwartz mentioned that much of the Land and Water Conservation Fund given back to the boaters is small in relation to what they pay.

In testimony to a housing committee, Mr. Chris Delaporte, the Director of the Heritage Conservation and Recreation Service of the Department of Interior, which administers the Land and Water Conservation Fund, stated that in 1978, \$152 million from the Land and Water Conservation Fund were used to develop boating access. I would say that is about four times more than what was paid in. So I think there are some errors in some of the statements.

That concludes my testimony.

Senator RANDOLPH. I thank you very much for your testimony.

I have noted that you referred to a prior witness. If he would like to respond we will give him the opportunity. Keep in mind that this is not a debating society, but we do want an exchange of views.

Is he here now?

Mr. STONE. My name is Ron Stone from the National Marine Manufacturers Association.

It has been a longstanding grievance of the recreational boating public and industry, the Land and Water Conservation Fund, which does utilize boat and school tax money, returns very little, if anything, to boating. It is not a misrepresentation to say we contribute \$30 million a year. The funds have been in existence for over 15 years. We contributed over \$400 million by now in the aggregate. I think that is where the consideration is. It is a documented fact from the Land and Water Conservation Fund that it has been spent on fish hatcheries and improvement of access points which are off limits to powerboating. That is what we take exception to, that our money is being spent on projects of no benefit whatsoever to us.

Thank you.

Senator RANDOLPH. Do you wish to make any further comments?

Mr. RADONSKI. No, I would reiterate though, of the total Land and Water Conservation Fund, a relatively small portion comes from reverted fuel tax. I think there is some question about the accuracy of Mr. Stone's remarks of how many lakes exist where the boater is precluded by sport fishing interests. I think it would be a much larger percentage of those lakes to which the boater, has access to.

Senator RANDOLPH. Thank you very much.

Now, we will go to the next panel.

We thank you all.

The panel designated conservationists.

Carl, will you open the panel discussion, please?

STATEMENTS OF CARL SULLIVAN, EXECUTIVE DIRECTOR, AMERICAN FISHERIES SOCIETY; THOMAS KIMBALL, EXECUTIVE VICE PRESIDENT, NATIONAL WILDLIFE FEDERATION; JACK LORENZ, EXECUTIVE DIRECTOR, IZAAK WALTON LEAGUE OF AMERICA, INC., AND CONNIE HUFFMAN, PRESIDENT, WEST VIRGINIA WILDLIFE FEDERATION, BUCKHAN-NON, W. VA.

Mr. SULLIVAN. I will be happy to.

My name is Carl Sullivan, director of the American Fisheries Society. The American Fisheries Society is the world's oldest and largest organization of professional fisheries scientists.

Mr. Chairman, the American Fisheries Society has roughly 7,500 members, and we have been active in researching, protecting, and enhancing the Nation's fisheries resources for 110 years. We are continuing to be very interested in legislation which affects aquatic resources and we are totally in favor of S. 1631.

Mr. Chairman, I have a formal written statement I wish to have included in the record, and in the interest of time, I will shorten my testimony to perhaps 1 minute or so.

Senator RANDOLPH. That will be included in the public record. (See p. 106.)

Mr. SULLIVAN. I wish to note that our society is aware that in recent months the boat and motor manufacturing industry has lost business. Obviously, the Nation is in a declining economy and sales are down. But I must point out, Mr. Chairman, that in December, the National Marine Manufacturers Association issued a press release that said 1979 was the greatest year in their history, that total sales had jumped to \$7½ billion for an increase of 10 percent. Business was excellent last year and obviously fluctuates with the economy.

There is no doubt that business is off today but we are talking about long-range improvement for aquatic resources which span a much longer period.

In conclusion, I wish to say according to a very careful study done of the Dingell-Johnson program, a study done by Dr. Lawrence Hines of the University of Dartmouth, the subjection of boats and motors to the Dingell-Johnson tax is highly recommended and fully justified for it would bring to an end the sale benefits without investment that the boat and motor industry has been enjoying for many years.

We commend you, Senator Randolph, for introducing this legislation. We consider the most visionary and important fisheries legislation ever written for the improvement of recreational fishery resources and we certainly urge the Senate to pass it.

Thank you.

[A letter from Mr. Sullivan follows:]

D-J FUND EXPANSION,
THE DINGELL-JOHNSON FUND
Bethesda, Md., June 17, 1980.

NATIONAL COMMITTEE FOR EXPANSION OF

Senator JENNINGS RANDOLPH,
Chairman, Committee on Environment and Public Works,
Dirksen Senate Office Building, Washington, D.C.

DEAR SENATOR RANDOLPH: During the May 20 hearings on S. 1631 (Dingell-Johnson Expansion Bill), Mr. Ron Stone of the National Marine Manufacturers Association and Mr. Joe Swift of Mercury Marine, both spoke of a deep recession in their industry and said that an additional 3 percent tax would have a disastrous effect on sales.

The Dingell-Johnson Expansion Coordinating Committee has no doubt that 1980 boat and motor sales are off but these matters are cyclic and sales will inevitably pick up. At this point it seems important to us to put this matter in its proper perspective by calling the Committee's attention to the attached news release from the National Marine Manufacturers Association dated December 21, 1979. The release calls the public's attention to the excellent boating industry sales in 1979, estimating total expenditures to be up 10 percent to 7.5 billion dollars. We respectfully ask that this letter and NMMA news release copy be made a part of the official hearing record.

Sincerely,

CARL R. SULLIVAN,
Executive Director.

[Enclosure.]

From: National Marine Manufacturers Association,
Contact: Nina Vogt, Director of Marketing Services (Chicago), Thomas B. Doyle (Chicago).

CHICAGO, ILL. In spite of fuel jitters and economic uncertainty, retail expenditures on boating increased 10 per cent in 1979, according to the National Marine Manufacturers Association.

In its year-end statistical report "Boating '79", the Association estimated retail expenditures of approximately \$7.5 billion for boats, motors, accessories, used boating equipment, fuel, insurances, repairs, slip fees and other services. The estimates are prepared for the Association by its Marex Marketing Services Department.

The report estimates that 58 million Americans boated at least once on the more than 11.6 million boats that make up the U.S. recreational boating fleet. Some 8 million of those boats are registered by the U.S. Coast Guard. The recreational boating fleet numbered 8.8 million ten years ago.

In the decade 1970-1979, the Association estimates retail expenditures for boating have more than doubled, from \$3.4 billion in 1970 to \$7.5 billion in 1979.

"Boating '79" breaks out the fleet

Outboard boats.....	6,700,000
Inboard boats, including auxiliary powered sailboats.....	1,284,000
Sailboats without auxiliary power.....	904,000
Canoes (this is the first year the report has estimated the canoe fleet)....	1,200,000
Rowboats and other miscellaneous craft.....	1,537,000

In addition, Americans own approximately 4.17 million boat trailers.

NMMA President Matt Kaufman noted that average length of an outboard boat purchased in 1979 increased to 16.3 feet. The average length in 1978 was 15.1 feet. More than 60 per cent of all boats registered by the U.S. Coast Guard are under 16 feet in length, "providing types of recreation that the average American enjoys," Kaufman said.

Senator RANDOLPH. Thank you, Carl. This was not a jurisdiction of ours until the Senate reorganization several years ago.

I don't introduce legislation in a cursory manner. I try, prior to its introduction, to weigh the important considerations. Often I do introduce or cosponsor legislation that I might not agree with 100 percent. Very seldom are the bills signed by the President exactly the same as the measures as presented in the House or Senate. You are aware of that. Sometimes our differences can become our strengths as we talk together, as we are talking here today. These viewpoints can be modified, and yet I am not attempting to ask anyone to withdraw from an opposition to this bill whatsoever, but hopefully with an understanding of its provisions, perhaps we can move the legislation from the committee to the Senate itself.

It is not introduced just as another bill. We will follow through, as we have, and this hearing is evidence of our interest. We want to hear both sides of this issue. I want us to continue this expression of support and opposition and they we will have to weigh the viewpoints. Whether the bill is one that would have any possibility of passage before the end of this year, I am not one to say, but there is always another year, and even though we are often disappointed and something we sponsored doesn't come to fruition as quickly as we feel it should, we know that patience, as well as a continued commitment, must go together.

I think you are understanding of that fact. Carl, have you completed your statement?

Mr. SULLIVAN. Yes.

Senator RANDOLPH. And Carl, I want, as a West Virginian, to express appreciation for your leadership many, many years ago when we came to that time when West Virginia was celebrating its 100th birthday. It was 1963; is that correct?

Mr. SULLIVAN. Yes.

Senator RANDOLPH. You were the person with the initiative that brought into being the national youth science camp. That program, which was part of our anniversary, has become a permanent program. Those two young people from each State come together in West Virginia, at Green Bank, for 3 weeks, approximately, including visits to the Nation's Capital. But here the discussions are around the campfire or in a room at Green Bank. They are also in an area that has some good fishing; is that right? That is the only reason I am mentioning this today. Do those young people, some of them who perhaps, never, threw in a line, do they become interested in fishing while they are there?

Mr. SULLIVAN. They asked me if I would come this year to talk to them about fisheries and fishing and perhaps to show them how. With Ray Scott here, I would be reluctant to profess to be much of a fisherman, but I do plan to go to camp this year and accept the invitation to speak.

Senator RANDOLPH. I hope you and Ray can both be there.

A sincere salute to you for an innovative idea which was not of the moment but continues to strengthen our State and hopefully helps those young people who come to us and, of course, our service—

Mr. SULLIVAN. The story would not be complete without the audience knowing, Senator, that largely through your efforts the national youth science camp has continued from 1963 to today. I helped get it started, but you helped make it continue 18 years

and, hopefully, longer. Every West Virginian certainly appreciates that leadership you have continued to provide.

Senator RANDOLPH. We will continue to work together with many people because it is very valuable, good for our State—especially valuable, we think, to the youth of the country who are there during that period of time.

Ray Johnson.

STATEMENT OF RAYMOND E. JOHNSON

Mr. JOHNSON. Thank you, Mr. Chairman.

I am representing Tom Kimball of the National Wildlife Federation.

The Federation 1 year ago passed a resolution sponsoring and approving of this legislation, and it did so in the belief that there are more benefits in this legislation than just to the fishing public. There were two points raised by previous witnesses which corroborated the feeling of the federation itself. One point was that many activities of the D-J funded programs have been of great benefit to the family recreation type of recreation seeker by creating water, by providing access, and by giving opportunity to families that normally would not have any aquatics experience whatsoever.

Family type recreational activities are now common in many places where water was formerly scarce or inaccessible.

The other point was: We recall decades ago a Public Health Commission officer by the name of Clarence Tarzwell, who remarked that waters suitable for sustaining well-rounded fish populations were also suitable for any public or private use or could be made suitable with a minimum of treatment.

By keeping the environment clean enough, we were keeping it clean for other human uses as well.

Looking to the future, the competition for water uses, water quantity and quality is increasing. Any help the public is going to get from those concerned about fishing will be of considerable benefit in maintaining clean water for other public uses.

The National Wildlife Federation believes the work done with Dingell-Johnson support is, therefore, a bargain, both for anglers and the rest of us as well.

Senator RANDOLPH. Thank you, very much, Ray. What is the number of members within your federation?

Mr. JOHNSON. The total of all associate members, affiliate members and other supporters is about 4.6 million.

Senator RANDOLPH. Your statement reflects their thinking.

Mr. JOHNSON. The thinking was expressed by representatives of the 4.6 million at the annual meeting in Toronto 1 year ago when a resolution was passed to that effect. A copy of that resolution is attached to this statement.

Senator RANDOLPH. I think that is a valid addition to your statement.

Jack Lorenz?

STATEMENT OF JACK LORENZ

Mr. LORENZ. I am speaking today for the Izaak Walton League of America.

I am executive director of that organization. We have 52,000 members nationwide and approximately 2,000 members in the State of West Virginia.

I am also speaking on behalf of the American League of Anglers. I am president of that organization and the American League of Anglers is a group of sportfishing organizations who are in support of this legislation.

I am going to submit my full testimony for the record (see p. 115), but I am just going to speak to a few points in that testimony and not read the entire statement.

One point I would like to make is through a question: Where would boating sales be today if we hadn't had the 30 years of the Dingell-Johnson program in this country? Mr. Kotis spoke, I think, most appropriately this morning to the fact the tackle industry was certainly benefited, and I think the same can be true for the boating industry.

Also, earlier, Summersville was mentioned. I am sorry I didn't bring my slide show with me today, although some of my cohorts feel it is to your benefit I didn't put you through that slide show. I am not the best producer of slide shows.

There were a couple in West Virginia, one on Summersville where it is covered from shore to shore with boats. I will be happy to show that to your staff at some time if you feel that is appropriate.

Senator RANDOLPH. It is appropriate. I am sure we can gather a group together.

Mr. LORENZ. It is quite something to see, the boats from shore to shore on that lake. I think somebody made the point earlier that there were three lakes in West Virginia constructed with Dingell-Johnson funds. We haven't had enough. More lakes are needed. If you look at the Summersville project, there are more lakes like that needed in West Virginia and all over this country.

Senator RANDOLPH. I agree.

Mr. LORENZ. Also, the problem of getting to the waters really concerns me. I think Dingell-Johnson can help answer that problem by making better fishing closer to home at this time when we have \$1.50 gasoline heading for us later in the summer.

I know many States are considering and have started programs to improve fishing closer to the major population centers in their States.

Dingell-Johnson, again, has a major challenge here that it cannot meet unless it gets more money.

So we strongly urge the support of this committee for this legislation. We think it is vital. We passed a resolution in Indiana at our national convention in 1978 calling for this 3-percent tax. And we are asking to be taxed. We are the fishermen who buy the boats, and we are the ones asking to be taxed. As in the future of fishing.

Thank you.

Senator RANDOLPH. Thank you, Jack.

I hesitate to talk about West Virginia again, but Connie, we are glad you are here. You are a member of the Wildlife Federation in the State of West Virginia. You are from a neighboring county. By

the way, I am going to be over in the county of Upshur—a big ground-breaking project that has to do with water service.

I am very grateful for your contribution. Would you like to talk now?

STATEMENT OF CONNIE HUFFMAN

Ms. HUFFMAN. Thank you, Senator.

I am very honored to be here today, particularly to have the opportunity to acknowledge the leadership that the Senator has provided throughout his public career in putting in place various pieces of legislation which have had such a positive, incredibly long-lasting benefit upon our Nation in the field of human services provided and environmental quality.

I am Constance Huffman. I also would like to acknowledge James C. Toothman, who cochairs the Dingell-Johnson Expansion Committee with me in West Virginia, who was unable to be here today.

Today I am speaking for various organized sportsmen in the State of West Virginia, the Izaak Walton League, West Virginia Trout Unlimited, the West Virginia Bass Federation, the Huskie Muskie clubs, the Izaak Walton League, the West Virginia Wildlife Federation, and the Stonewall Jackson Civil Club.

The mountains of West Virginia provide waters for two major drainage systems. Rivers in West Virginia flow east, west, north, and south, providing waters and giving birth to both the Ohio and the Potomac.

The near destruction of the waters of the State by siltation, raw sewage, industrial pollution, sometimes a combination of all of these, occurred within memory of many of our citizens.

Within recent years much has been done to improve water quality. Due to the cooperation of local, State, and Federal Government bodies, industries, and citizen volunteers, streams are returning to a condition where they provide quality fishing and outdoor recreation.

Expansion of the Dingell-Johnson Act is a program which will allow the sportsmen who most directly benefit from the recreational aspects of water to continue to support their sport while affording overall stream and water improvement.

The West Virginia sportsman has shown a willingness to tax himself to insure continued protection of our waters.

Each State has a unique water system, be it primarily lakes, streams, or salt water. In West Virginia many of our mountain feeder streams do not have a benthic system to support the heavy trout population that fishermen demand requires. Our hatchery system is heavily utilized to meet this need. At present funding levels the current and growing demand cannot be met. Our larger warm water streams need access sites to meet the user demand. There is a shortage of water acreage to provide boating and lake fishing. Interest in fishing becomes greater every year. A desirable goal is to provide diversified fishing opportunities, be it a wild river, a quiet lake, or a stream flowing through an urban center.

Incidentally, Senator, in West Virginia, we have over 250,000 licensed fishermen; 150,000 of those are paid license. Over 100,000 of those licenses are without fee to senior citizens and youths

under 15 so they may continue to enjoy recreational facilities and fishing.

In my home area of Harrison County, the public takes great pride in Elk Creek, which was once very acidic, but has now been restored and stocked with smallmouth bass. The West Fork of the Monongahela has been stocked with muskie from the Dingell-Johnson program. However, the West Fork and the Monongahela are severely limited by the amount of access fishermen can have to those streams.

I would like to close with this: An improved aquatic habitat as part of the larger structure in our national plan for cleaning the Nation's waters. The Dingell-Johnson expansion is part of a method to insure a heritage of fishing whether it be from a sleek motorboat with expensive equipment or a youngster with a home-whittled pole.

There is something about fishing—for food, for fun, or for getting in touch with ourselves.

Thank you.

Senator RANDOLPH. As you talked, I remember as a boy I used to fish in Ten-Mile Creek and that was in the western part of Harrison County down in the Bristol area. Do you know about that?

Ms. HUFFMAN. Ten-Mile Creek is still considered a prime fishing area in the State and is in line for department work on it.

I hope I am not saying anything out of line of the department, but my understanding is that they have a great interest in it because it is such a quality stream.

Senator RANDOLPH. Anything that can be said that is good for West Virginia, I want anyone in the audience to rise.

Connie, do you fish yourself?

Ms. HUFFMAN. Senator, I must confess I don't fish, but I love water and I love clean water. Water that can support fish can support the human population, and I think they all need to go together in a good balance.

Senator RANDOLPH. I think that is an understandable statement we can agree with.

We thank all the witnesses. We are grateful for your testimony.

I want to say for this committee of 14 members that we will be considering this subject matter very carefully based upon this hearing. It is not my intention to have any other hearing. I think that we have the viewpoints from various sources. We have heard from representatives of organizations with up to millions of members. So we will start thinking in terms of a study of the testimony and hopefully a markup of the legislation. We are laying—I won't say the groundwork—we are laying the waterwork on which we will proceed.

I think this is an important subject. It is not a cursory approach I am making, but one in which I have a positive and, I hope, a healthful commitment.

Thank you all.

[Whereupon, at 1:30 p.m., the committee was adjourned subject to call of the chair.]

[Statements supplied for the record and the bill, S. 1631, follow:]

REMARKS BY:

JOE SWIFT
EXECUTIVE DIRECTOR INDUSTRY AFFAIRS
MERCURY MARINE
FOND DU LAC, WISCONSIN 54935

HEARING S-1631

20 MAY 1980
WASHINGTON, DC

MR. CHAIRMAN, SENATORS, MEMBERS OF THE COMMITTEE:

MY NAME IS JOE SWIFT. I AM EXECUTIVE DIRECTOR OF INDUSTRY AFFAIRS FOR MERCURY MARINE. WE ARE THE SECOND LARGEST MANUFACTURER OF OUTBOARD ENGINES, AND THE LARGEST MANUFACTURER OF STERN DRIVE AND INBOARD ENGINES IN THE WORLD. WE ARE BASED IN FOND DU LAC, WISCONSIN AND ARE PART OF THE MARINE POWER GROUP DIVISION OF BRUNSWICK CORPORATION.

OF THE APPROXIMATELY 6,000 PEOPLE WE EMPLOY IN THE UNITED STATES, NEARLY 3,500 NORMALLY WORK AND LIVE IN WISCONSIN. THIS WORK FORCE IS PRESENTLY DOWN BY MORE THAN 1,000 LAY-OFFS. ADDITIONAL MERCURY FACILITIES ARE LOCATED IN CALIFORNIA, COLORADO, FLORIDA, GEORGIA, INDIANA, KANSAS, NEW JERSEY AND OKLAHOMA.

WHEREVER THEY MAY BE LOCATED, THE PEOPLE WE EMPLOY, ... THEIR JOBS, ... THEIR SECURITY, ... THEIR LIVELIHOOD, ... DEPEND TOTALLY ON THE HEALTH OF RECREATIONAL BOATING.

I AM HERE TO OBJECT TO S-1631, IN PARTICULAR THAT PORTION OF THE BILL THAT WOULD IMPOSE A 3% EXCISE TAX ON BOATS 25 FEET AND UNDER AND ON OUT-BOARDS (BOTH INTERNAL COMBUSTION AND ELECTRIC).

THE IMPOSITION OF THIS PROPOSED TAX IS, BY ANY STANDARD, HIGHLY INFLATIONARY. IT IS PROPOSED AT A TIME WHEN DISASTROUS INFLATION IS GENERATING FRIGHTENING FIGURES IN THE RANGE OF 18 TO 20 PERCENT.

IT IS PROPOSED AT A TIME WHEN THE UNITED STATES DOLLAR HAS COLLAPSED IN VALUE AND AT A TIME WHEN THE EARNINGS AND SAVINGS OF MANY MILLIONS OF AMERICANS WILL NO LONGER PROVIDE THE HOME OF THEIR DREAMS, AT A TIME WHEN INTEREST RATES HAVE PUT OUT OF REACH THOSE THINGS CONSIDERED TO BE PART OF OUR BASIC AMERICAN LIVING STANDARD.

BY THE TIME THIS 3% TAX REACHES THE CONSUMER (WHO HAS SOMEHOW MANAGED TO FIND A WAY TO OWN THE BOAT OF HIS DREAMS) IT WILL ADD ABOUT \$300 MORE TO THE COST OF EQUIPMENT IN THE LOWER THIRD OF THE CURRENT PRICE RANGE FOR AN AVERAGE RIG.

AND WHO WILL PAY?

SOME 20 TO 30 PERCENT OF BOAT BUYING AMERICANS HAVE LITTLE OR NO INTEREST IN FISHING. THIS UNFAIR, INEQUITABLE TAX WOULD BE IMPOSED ON THAT SECTOR (2,000,000 BOATERS) TO FINANCE A SPORT IN WHICH THEY DON'T PARTICIPATE.

AND WHAT DO THEY ALREADY PAY?

BOATERS IN AMERICA ALREADY PAY SOME \$300,000,000 ANNUALLY IN TAXES. THESE INCLUDE \$33.5 MILLION IN REGISTRATION FEES, (SEE ADDENDUM) ... \$118 MILLION IN STATE MARINE FUEL TAXES, ... ANOTHER \$59 MILLION IN FEDERAL FUEL TAXES AND, TO BE ADDED, ARE PERSONAL PERPRTY TAXES PLUS USAGE FEES FOR LOCKS AND LAUNCHING RAMPS.

THE AVERAGE BUYER OF A NEW BOAT IS NOT THE MILLIONAIRE YACHTSMAN OR THE COMMERCIAL FISHERMAN (BOTH OF WHOM ARE EXEMPT FROM THE TAX ELEMENT IN THIS BILL). THE AVERAGE BUYER IS EARNING LESS THAN \$20,000 A YEAR, IS FACED WITH RAMPANT INFLATION, A SHRINKING DOLLAR, DISAPPEARING DISCRETIONARY INCOME AND VANISHING DREAMS OF EVER ENJOYING THE CHOICE OF RECREATIONAL BOATING.

OUR BUSINESS OF MANUFACTURING AND SELLING MARINE ENGINES HAS ALREADY SUFFERED STAGGERING BLOWS INFLICTED BY INFLATION, ASTRONOMICAL INTEREST RATES, THE HIGH COST OF FUEL AND, MOST RECENTLY, AN IRRATIONAL PROPOSAL BY D.O.E. TO BAN WEEKEND BOATING AS AN EMERGENCY CONSERVATION MEASURE. THESE FACTORS ALONE HAVE HAD A NEGATIVE IMPACT ON SALES AMOUNTING TO NEARLY 50%!

THERE IS NO BARGAIN IN TELLING OUR DEALERS THAT THE RIG ON THEIR FLOOR (THE ONE ON WHICH FLOOR-PLAN INTEREST IS EATING THEM ALIVE) IS GOING TO BE \$300 HARDER TO SELL. BEFORE THE MAJOR ENGINE MANUFACTURERS PASS THIS TAX ON TO THE CONSUMER, YOU ARE TALKING ABOUT APPROXIMATELY \$32,000,000 INFLATIONARY DOLLARS FROM OUR INDUSTRY ALONE!

DEPRESSED MARINE ENGINE SALES HAVE ALREADY RESULTED IN THE LOSS OF MORE THAN 3,000 JOBS IN WISCONSIN. WE DON'T NEED TO ADD MORE HUMAN SUFFERING TO A SITUATION ALREADY OUT OF CONTROL.

SADLY ENOUGH, THE THREAT OF THIS TAX IS UNNECESSARY. AN INCREASE IN THE D-J FUND IS NOT CLEARLY NEEDED. DURING FISCAL YEAR 1979 A TOTAL OF \$27.1 MILLION IN D-J FUNDS WAS APPORTIONED TO STATES AND TERRITORIES.

THE \$9 MILLION IN MATCHING FUNDS RAISED THE AMOUNT SPENT ON FISHING INTERESTS DURING 1979 TO ABOUT \$36 MILLION.

PASSAGE OF THIS LEGISLATION (GENERATING ANOTHER \$100 MILLION FROM AMERICAN BOATERS) COULD GROW THAT \$36 MILLION TO A STAGGERING 170 MILLION DOLLARS! THAT'S A FIVE-FOLD INCREASE!

IN DECEMBER OF 1978 THE U.S. FISH AND WILDLIFE SERVICE OF THE DEPARTMENT OF INTERIOR (WHICH ADMINISTERS THE D-J PROGRAM) ISSUED AN IMPACT STATEMENT ON THE PRESENT AND PROPOSED PROGRAMS. SIX ALTERNATIVES WERE EVALUATED. D.O.I. DETERMINED THAT THE PROGRAM SHOULD CONTINUE AS IS AT LEAST THROUGH 1985.

THE ADDITIONAL \$100 MILLION GENERATED BY S-1631 WOULD COME ALMOST ENTIRELY FROM ENTHUSIASTS OF RECREATIONAL BOATING, ... NOT FROM SPORT FISHERMEN. THERE MAY BE A GREY LINE BETWEEN THOSE WHO ONLY BOAT AND THOSE WHO FISH, BUT ALL THESE ADDITIONAL FUNDS WOULD BE USED TO THE BENEFIT OF FISHERMEN AT THE EXPENSE OF RECREATIONAL BOATERS.

IN ADDITION, THERE ARE A NUMBER OF RECREATIONAL WATER AREAS TO WHICH THE POWER BOATER IS DENIED ACCESS. ONE SUCH IS THE MEMORABLE BOUNDARY WATERS CANOE AREA IN MINNESOTA. IT IS GLARINGLY UNFAIR TO FORCE PLEASURE BOATERS TO PAY FOR MAINTENANCE AND IMPROVEMENT OF RESOURCES WHICH THEY ARE NOT PERMITTED TO USE.

PASSAGE OF THIS LEGISLATION WOULD MEAN THAT STATES HAVE TO FIND \$33 MILLION IN MATCHING FUNDS INSTEAD OF \$9 MILLION; AN INCREASE OF 370%!

THESE ADDITIONAL DOLLARS WOULD HAVE TO BE GENERATED BY HIGHER CHARGES FOR FISHING PERMITS AND OTHER BURDENSOME LEVIES.

SINCE THE FISH AND WILDLIFE SERVICE HAS SAID THAT DEMAND DOES NOT WARRANT AN INCREASE IN D-J FUNDS, IT FOLLOWS THAT THERE IS A QUESTION AS TO WHETHER STATE GOVERNMENTS WILL BE WILLING, ... OR ABLE, ... TO JUSTIFY, OR PROVIDE, THESE HUGE ADDITIONAL MONIES.

S-1631 IS HIGHLY INFLATIONARY AND FLIES IN THE FACE OF THE ADMINISTRATION'S EFFORTS TO CURB INFLATION.

S-1631 WILL DAMAGE THE MARINE INDUSTRY (ALREADY STAGGERING UNDER BLOWS FROM SAGGING DOLLARS, UNBELIEVABLE INTEREST RATES, HIGH FUEL COSTS, COLLAPSE OF OUR ECONOMY AND THE MOST RECENT DEBACLE OF THE D.O.E. PROPOSED BOATING BAN ON WEEKENDS).

S-1631 CAN CAUSE HUMAN SUFFERING BY ADDING ITS WEIGHT TO THE BURDEN THAT IS BRINGING DAILY INCREASES IN LOST JOBS.

S-1631 IS UNFAIR, INEQUITABLE AND UNNECESSARY. THE FISH AND WILDLIFE SERVICE SAYS WE DON'T NEED IT. THE STATES MAY NOT BE ABLE OR WILLING TO SUPPORT WITH MATCHING FUNDS THE HUGE SUMS IT WOULD GENERATE.

THERE IS A VIABLE ALTERNATIVE. HR-4310, AND ITS COMPANION S-1957, WOULD RIGHTFULLY RETURN FUEL TAXES TO THE BOATER, WOULD BENEFIT THE FISHERMAN AND WOULD CAUSE NO INFLATIONARY GRIEF.

WE PLEAD WITH YOU, GENTLEMEN. PERMIT GOOD JUDGMENT TO PREVAIL. CONSIDER THE USELESS DAMAGE S-1631 AND THIS INFLATIONARY TAX CAN INFLICT ON AN ALREADY TROUBLED INDUSTRY. VOTE AGAINST S-1631 AS PRESENTLY WRITTEN.

THANK YOU.

ADDENDUM

REGISTRATION FEES FOR BOATS ARE INCREASING:

IDAHO TO \$ 6.00 FOR 3 YEARS COMPARED TO \$ 2.00

MAINE TO \$ 9.00 FOR 3 YEARS COMPARED TO \$ 5.00

MINNESOTA TO \$12.00 FOR 3 YEARS COMPARED TO \$ 5.00

MINNESOTA TO \$20.00 FOR 3 YEARS COMPARED TO \$10.00

MINNESOTA TO \$30.00 FOR 3 YEARS COMPARED TO \$10.00

VIRGINIA TO \$11.00 FOR 3 YEARS COMPARED TO \$ 8.00

STATEMENT OF THE INTERNATIONAL ASSOCIATION OF FISH AND WILDLIFE
AGENCIES CONCERNING S. 1631 "THE FISH RESTORATION ACT OF 1979"
BEFORE THE SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
MAY 20, 1980.

Mr. Chairman, I am John S. Gottschalk, Counsel for the International Association of Fish and Wildlife Agencies. The Association is a voluntary organization of the fish and wildlife managing agencies in the United States, Canada, and Mexico. The Association works to improve the management capabilities of its members to provide greater public benefits from member's programs. These hearings are very significant for they mark an important milestone in American fish conservation history. We appreciate the opportunity to add our support to that already given S. 1631.

We unanimously and emphatically support S. 1631, having urged similar legislation for years. At our 1979 meeting, we passed the attached resolution in support of additional funding for the so-called "Dingell-Johnson" program. We believe there is a great need for this legislation and that its "user-pay" approach toward the relieving of the increasing pressures on our fishery resources is sound and in the public interest.

There has been a remarkable growth in the public interest in sport fishing in the years since World War II. The numbers of anglers, as measured by fishing license sales, has increased from about 8 million in 1945 to more than 30 million in 1979, the last year for which the government has up-to-date figures. The actual number of anglers in America is much greater than those figures would indicate. The National Survey of Hunting and Fishing for 1955 showed that there were approximately 21 million fishermen that year, in the 1975 survey the figure was about 54 million. Thus the number of licensed

anglers has doubled twice in the last thirty-five years and the total number has increased at least two and a half times in the last twenty-five years. "Pressure" on our waters has increased greatly.

Naturally, in attempting to establish a relationship between fishing and fishermen it is also necessary to consider the "opportunity", that is, the state of the resource. Here the picture is not so clear. Thousands of miles of once productive waters are either barren or not up to their productive potential because of pollution. Great strides have been made in improving that situation, and many miles of streams have been drastically improved in the last decade and a half. One has only to look at the Potomac River above Washington to see dramatic evidence of that development. Sport fishing in the Potomac ranges from good to excellent!

Thousands of acres of new water areas have been created in the form of multipurpose reservoirs throughout the country. Some states, such as Texas, Oklahoma, and Tennessee have been transformed into areas of great fishing attractiveness because of the large numbers of reservoirs within their borders.

Further, there has been a dramatic improvement in the ability of the fishery agencies to effectively manage and restore their fisheries. Much of the credit for this must be attributed to the existing Dingell-Johnson program, so vital to state activities, and to the cooperative fishery unit program which has helped supply large numbers of trained fisheries scientists to aid in the total fishery conservation effort.

In spite of the progress that has been made, our assessment of the current situation and the outlook for the next decade or two, is that all of the state fisheries programs are in financial difficulties. The inroads of inflation have been met in general only by steady reductions in programs.

New developments in technology, and the major costs of maintenance and rehabilitation of facilities, have had to be delayed in far too many situations.

We are in danger of losing the bright attractiveness of America's sport fishing.

Surveys of state needs show that small additions to the state budgets for fisheries conservation will do little to improve this depressing picture. We need a major increase in funding, not merely inadequate "hold-the-line" dribbles, if we are to continue to give the American public the kind of rewarding sport fishing that has been enjoyed by so many of our people for so long.

Support of hunting and fishing in America has always been based on the principle that those who benefit directly should pay the costs even though there are real benefits that flow to the general public from any healthy resource. The vehicle for securing the fish conservation funds has been the time-honored fishing license, and with the advent of the D-J program, the excise tax on selected sport fishing tackle.

Securing needed increases in license revenue is not realistic. License increases depend upon legislative decisions in the states, and legislatures are notoriously slow to reflect resource needs in license costs. In fact, legislatures seem to view hunting and fishing licenses as an easy way to provide small favors for special groups, such as our senior citizens. Different states now have license exemptions for the retired, the young, landowners, marine anglers, and for those using the elementary kinds of equipment.

Several years ago, the Bureau of Sport Fisheries and Wildlife commissioned a study of the fisheries funding problem by economics Professor Laurence G. Hines of Dartmouth College. In a nutshell,

Professor Hines concluded that the excise tax approach was the most logical, and that a tax on boats, motors, and trailers used predominantly for recreational fishing was the most reasonable place to levy such a tax, since the users were obvious beneficiaries of a strong, national sport fisheries management effort. Furthermore, while enjoying the benefits of the contributions of others, they themselves provided no direct support to fishery conservation.

That, in brief, is our justification for supporting this bill. We believe there is a compelling case for the needs, and the justice, of the proposal.

If one may learn any lesson from history, it is that the boating industry will benefit, not suffer, from this Fish Restoration Act. With it, the sales of fishing boats, a major market for boats in the categories covered by the bill, may be expected to be maintained.

If in the absence of strong compensatory fisheries management programs, there is a continued regression in the quality of the fishing experience due to increased fishing pressure and environmental decay, the boating industry, along with the American public, will be the losers.

We note that there is no mandatory allocation of funds to marine projects in coastal states in S. 1631. We agree that marine anglers in several states may not be receiving proportionate benefits from their payment of the existing excise tax. However, we urge the Congress to recognize that the decision as to the precise allocation of these funds should rest with the individual state. The states are in a far better position to determine what division of funds is most appropriate to the needs of the resource and its citizens than the federal government. Moreover, a fixed percentage is almost certain to be inhibiting to some states and overly generous to others.

Thank you for the opportunity to make these few introductory remarks.

Resolution No. 10**Amend the Federal Aid in Sport Fish Restoration Act**

WHEREAS, the demand for sport fishing is continuing to increase, doubling approximately every 20 years; and

WHEREAS, the Federal Aid in Sport Fish Restoration Act (Dingell-Johnson Act) has provided a sustained source of federal funding to the states for the past 28 years for sport fish conservation programs; and

WHEREAS, the Dingell-Johnson Program has provided substantial benefits to fishermen with a minimum of administrative costs; and

WHEREAS, the present level of funding does not allow the states to meet increasing needs for development and restoration of the fisheries resource; and

WHEREAS, the facilities that have been paid for with these excise taxes are heavily used by recreational boaters and others who have contributed little or nothing to acquisition, development, and maintenance of these sites;

WHEREAS, under the present Act, as amended, taxes on many items of tackle and other equipment used by sport fishermen are not paid into the fund; and

NOW, THEREFORE, BE IT RESOLVED, that the International Association of Fish and Wildlife Agencies, hereby supports efforts in Congress to amend the Federal Aid in Sport Fish Restoration Act to include additional articles of sport fishing tackle and certain recreational boats and boating equipment as taxable items at rates determined appropriate for purposes of sport fish restoration and conservation as provided and proposed in S. 1631; and also

BE IT FURTHER RESOLVED, that funds raised from the boat and boat equipment tax may be used for construction and maintenance of boating facilities.

STATE OF INDIANA



INDIANAPOLIS, 46204

DEPARTMENT OF NATURAL RESOURCES

JOSEPH D. CLOUD
DIRECTOR

May 13, 1980

John S. Gottschalk
1412 16th Street, NW
Washington, D.C. 20036

Dear Mr. Gottschalk:

The Indiana Department of Natural Resources, Division of Fish and Wildlife, strongly supports expansion of the Dingell-Johnson Act (H.R.6074). The \$492,000 that the Division of Fish and Wildlife currently receives from the D-J program is providing the fishermen of Indiana with public access sites, statewide fisheries management and lake construction. Because these funds are inadequate to meet current needs for recreational fisheries restoration and management, we sincerely hope that the D-J Expansion Bill will pass.

Our Division of Fish and Wildlife currently owns and maintains 124 public access sites. However, many of Indiana's major fisheries resources are still not accessible to boat fishermen. This includes most of the major rivers, as well as a great number of natural lakes. Our access development program is at a standstill for lack of money. Lack of good access or no access at all is one of the most frequent complaints we receive from the public.

To bring access in line with demand, an estimated 500 sites are needed. Assuming an average construction cost of \$7,000/site, we are talking about \$2,632,000 for access development.

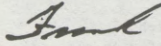
A second area lacking funds is construction of new fishing impoundments, namely in central and northwestern Indiana. While these areas represent major population clusters, they are nearly void of public fishing waters. A start toward meeting this demand would be the construction and development of four 1,500 acre fishing lakes and adjoining land at an estimated cost of \$3,500,000 each.

While these figures represent only broad estimates, they do point out the magnitude of the funding gap. Our entire statewide fisheries program operates on \$1,000,000 a year. That doesn't leave much room for stepping up access and lake development.

"EQUAL OPPORTUNITY EMPLOYER"

An expansion of the current Act will provide new and/or improved boating and fishing opportunities for many Hoosiers. This funding source is particularly equitable since it is a "user pays" program. Not only does "the quality of fishing reflect the quality of living", but more fishing water means more boating opportunity as well. Your support of D-J Expansion legislation will help insure that the recreational fishing needs in Indiana will be met, both now and in the future.

Sincerely,



Frank R. Lockard, Director
Division of Fish and Wildlife
Department of Natural Resources

FRL/scs



**South Dakota
Department of
Wildlife, Parks and Forestry**

Office of The Secretary

May 17, 1980

Senator Jennings Randolph
Chairman, Senate Committee on the
Environment and Public Works
United States Senate
Washington, D.C. 20510

Reference: S. 1631

Dear Chairman Randolph:

During the 30 years that have passed since the enactment of the Federal Aid to Sport Fish Restoration Act of 1950, commonly and affectionately known as the Dingell-Johnson Act, many vitally important improvements have resulted for the quality of sport fishing and fish habitat within these United States. The Act has not only provided many millions of dollars to the states for the conduct of their programs, but it also has provided through its administration by the U.S. Fish and Wildlife Service, the guidance and technical assistance helpful to the states in instituting fisheries programs of lasting and genuine value to all the people of America. This landmark Act should rightfully be considered as the single most important event occurring during the development of economically sound and scientifically correct fish management programs. It could be said with some confidence, in fact, that the Dingell-Johnson Act of 1950 has served as the catalyst to propel sport fishing into prominence as the most popular of all participation sports among the people of our country.

In South Dakota the Dingell-Johnson Act enabled the Department of Game, Fish and Parks to build 14 new fishing lakes providing a total of 1565.7 surface acres of fishable waters since 1950. Each of these new lakes has been located in an area of the state considered short of natural waters and/or located in relatively close proximity to population centers. During these past 30 years we also have acquired land to provide the public access and boat launching facilities on natural lakes and streams. The total number of such areas acquired is now 188. Without these public boat and fishing accesses, our citizens would find it very difficult to enjoy their public waters since many of them are surrounded by private land.

The quality of fisheries management throughout America has been greatly strengthened over the past 30 years by the Dingell-Johnson Act which encourages scientifically sound programs. A good example of this can be seen in our program of fish species rehabilitation in small lakes. During the Nineteenth Century the old U.S. Biological Survey was encouraged to introduce the European carp into waters throughout America, including South

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Dakota. This fish species has now found its way into virtually every lake and stream in the country, to the detriment of more popular and more desirable native species. Other, non-exotic but sometimes undesirable, fish species also over populate a lake, thus reducing its value as a sport fishery. When this situation develops it can be remedied by chemically eradicating all fish in the lake and restocking with a proper mix of desirable fish. In South Dakota we have treated and managed 146 lakes in this manner. It seems unlikely, however, that the carp will ever be eliminated from our waters and that it will remain as a symbol of a temporarily popular but poorly conceived project, certainly not the type of project that could pass muster under today's Dingell-Johnson Act.

In South Dakota we have other on-going fisheries management and research programs too numerous to mention here that are partially funded through the Dingell-Johnson program, including such activities as creel surveys, water quality monitoring, shoreline stabilization to stop erosion, stream rehabilitation to benefit trout, artificial spawning research to save locally threatened but important sport species and careful introductions of new American species to fill an ecological void.

The last but not the least of the important and lasting benefits that have been provided through the Dingell-Johnson Act, has been the steadily improving professionalism of fisheries management. Every program and activity funded by the Dingell-Johnson Act has had to pass the test of being both substantial in nature and biologically sound in design. This requirement has contributed to the employment by the states of academically trained, professional fisheries managers. The result is that fishing in America is better today than it was 30 years ago.

It is perhaps ironic that the 30-year success story of the Dingell-Johnson Act has now led to the undisputed need for even more funds to do an even better and larger job of managing the nation's sport fishery. And regardless of how satisfying it is to the professional wildlife community to realize that a good job has been done, it is the challenge of doing ever better to meet an even greater public demand that prompts this testimony.

In South Dakota the number of persons licensed to fish has not changed appreciably in the past 10 years, however, the average number of times that each person fishes in a given year has increased dramatically. The level of interest for the sport is, in our state, growing by leaps and bounds. One indication of this interest can be seen in the sale of new boats and motors for fishing. In 1978, in South Dakota, there were 2,186 new boats registered by the Department of Game, Fish and Parks. The following year, 1979, we registered 3,015 new boats sold for a one year increase of 38 percent. Our surveys of boat dealers in the state also shows that 85 percent of the boats and motors sold will be used for fishing.

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Only 10 percent of the boats sold, according to the dealers answering our survey, will never be used for fishing. South Dakota is a state small in population and we, therefore, do not register as many boats as some other states, however, we do rank very near the top in the number of boats registered per capita.

The need for the future is to meet the public desire for better fishing generally, and better fishing particularly nearer to home. Among the tasks to be accomplished then will be the need to continue building new lakes near population centers. Our studies in South Dakota indicate that we have a deficit of "nearby" fishing opportunity amounting to 947,000 user days annually. Yet, since 1975, no new lake construction has been possible because of insufficient funds. Without expansion of the Dingell-Johnson Act we cannot afford to build new recreational and fishing lakes.

We are fortunate in South Dakota to now have approximately 620,000 surface acres of water suitable for sport fishery. However, of this 620,000 acres of water, approximately half lies impounded behind the four dams on the Missouri River in South Dakota. These large reservoirs were built by the Corps of Engineers and while they now provide an excellent fishery for fish species that were native to the river impounded, they also offer an unparalleled opportunity to develop a new, additional fishing opportunity utilizing deep cold water species such as trout and salmon. This truly exciting potential has not been developed and will not be developed under existing budget limitations. Additional monies that would be provided by the proposed expansion of the Dingell-Johnson Act would make this possible and would have one of our highest priorities.

Viewed as an industry, sport fishing in South Dakota contributes about \$45 million each year to our economy. The full development of the Missouri River Reservoir fishery, as explained, would substantially increase the economic value of this sport to the state and provide economic and recreational returns of great importance.

The remaining 300,000 surface acres of fishable waters in our state, includes several hundred small, shallow prairie lakes that are unusually susceptible to fish loss from winterkill. This condition occurs when heavy snows blanket the ice covering of the lake, causing plant decay and release of toxic dissolved gases which kill fish. The potential for this natural loss is aggravated by drought such as experienced between 1976 and 1978 when 160 of these lakes suffered total, or near total, loss of fish life. The logical treatment in this situation is to restock the lake with fish, however, the states only suitable fish hatchery was built in 1929 and is completely incapable of meeting this demand. We have now designed a new fish hatchery and we have applied for Dingell-Johnson cost sharing. The cost of the new facility will be approximately \$4 million, but at the present rate of apportionment we can only afford to use about \$300,000 of Dingell-

Senator Jennings Randolph

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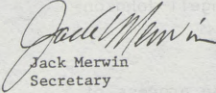
Johnson funds for construction. We are frankly hopeful that S. 1631 will be enacted and more Dingell-Johnson funds can be used for the operation of the new hatchery and for assistance in retiring the bonds that we must issue to pay for its total construction.

The total cost of new fisheries projects that the South Dakota Department of Game, Fish and Parks has identified as necessary and fundable under existing Dingell-Johnson rules is approximately \$820,000 annually. With current projects taking all of the present apportionment, it is apparent that these important new endeavors must set on the shelf until additional money is available. A progressive fisheries management program necessitates these efforts, however, if we are to provide the additional 1,030,000 man-days of fishing opportunity each year that our studies show will be required in South Dakota in the future, an expansion of the Dingell-Johnson Act, as proposed in S. 1631, will be necessary.

In summary, many South Dakota citizens understand that the Dingell-Johnson Act has been instrumental in developing recreational fisheries throughout the United States. They understand the taxing mechanism and while they are no different than other Americans in their attitudes toward additional taxes, those who have visited with me on this subject, agree that the "user pays" concept embodied in S. 1631 is fair. They know what their money will be spent for and they are in support of expanding this successful Act.

Thank you for your consideration.

Sincerely,


Jack Merwin
Secretary

JM/ld

TESTIMONY BEFORE THE SENATE COMMITTEE ON
ENVIRONMENT AND PUBLIC WORKS

May 20, 1980

By Wain Evans, Assistant Director
New Mexico Department of Game and Fish

Mr. Chairman, I am Wain Evans, Assistant Director of the New Mexico Department of Game and Fish. I am here not only to represent New Mexico, but also the western region of the International Association of Fish and Wildlife Agencies. As such I am strongly supporting the passage of Senate Bill 1631.

As a natural resource manager, flowery phrases aside, our interest in this legislation is money. It is estimated that S.1631, if enacted, would provide a four-fold increase in Dingell-Johnson appropriations for inland fisheries. In New Mexico alone, this would mean an appropriation from the current \$500 thousand per year to perhaps \$2 million in Dingell-Johnson Federal Aid. This could not come at a more opportune time.

New Mexico, as are many other western states, is in the process of embarking upon a period of rapid transition based largely upon energy development. Collectively, as you know, we in the west are sitting atop most of it. Interestingly the natural resource likely to be in greatest demand and shortest supply is not the oil, shale oil, gas or uranium and coal, but water. Not only is water a major ingredient in the energy industry, it is a major requirement of all those associated directly or indirectly with the industry--and their families. It is equally important, in the rush to capitalize upon our natural resource potential, that we remember water is also the major

habitat ingredient for fish, and by association, the fishermen. Finally, experience tells us that the fisherman is going to be a major ingredient in the human force coming to work the industries and their associated needs within the communities.

In summary, we who are responsible for the management of inland fisheries are in the process of coming to grips with a massive increase in water-based demand of every kind, and it will place a tremendous strain on our social and governmental fabric to meet it. Several of the states, including New Mexico, must find the solutions using existing water resources, which are already fully committed. It cannot be done overnight and it cannot be done for free.

Although most of the western states will eventually be facing a similar situation, the problem is particularly acute in New Mexico and we have been staring, perhaps more intensely than our sister states, at the energy train barreling down upon us. Our climate, as noted by Cortez upon his arrival, has blessed New Mexico with a lot of sandy beaches, but very little water and this situation has become more acute in the intervening 400 years. Despite the limited water resource, fishing is big business. Of the inland states, New Mexico averages 3.7 anglers per surface acre of water. In this category we rank fifth in the nation and first among our western inland sister states. Further, this figure may more than double in the next 15-20 years.

We have concluded in New Mexico that the future of our limited fishery, and indeed, all water-based recreation, lies in reaching an accommodation with all water-based users, including industry and municipalities, in striving

for common goals. We have further concluded that the lowest common denominator for these goals is economics, and management of the water resource must be aimed toward maximizing the long-term economic benefits to the state.

To the environmentalist, this may sound like a ticket for rape and pelage by the industry. It is not. The system will require that the available water be recycled, or, more precisely, spiraled through successive uses as it flows southward through the state, with the major consumptive uses concentrated at the bottom of the spiral. Recreational uses of the water are admirably adapted to such a system because they are the least consumptive of all the uses. Consequently, the state's economic gain associated with recreation is almost clear profit. From the industrial and municipal standpoint, there will not be sufficient water to go around unless conservation measures are enacted and practiced, and once used, the water must be returned to the system in an unpolluted form.

The first step in bringing this theory into practice is planning, and the first step in planning is study. At present, we have just completed a pilot study on the Rio Grande watershed in cooperation with the New Mexico Water Resources Research Institute, and the Agricultural Experiment Station at New Mexico State University. We have now committed the Department to an indepth five-year program on the Rio Grande which will establish a model for approaching the other watersheds in the State. These studies are not free. At the conclusion of our current effort we will have spent 700 thousand dollars collecting and analyzing base line data on biology, hydrology and economics. The vast bulk of these funds are being developed from our Dingell-Johnson appropriations.

In addition to the study and all the associated biological studies (perhaps another \$500 thousand over a five-year period) we have intensified our efforts to gain properties and leases on private lands for use primarily by fishermen. At present we have identified accesses and acquisitions of fishing waters currently available for a total cost of \$16 million dollars. Obviously, we cannot expect to make these purchases except over protracted periods of time, but the prices increase as time passes. Unless we make many of these purchases within the next few years, the costs will price us out of the market, and the water will be lost to the public angler and boatman.

Once an area or lease is purchased, then we are faced with a host of other expenses; capitol improvements, law enforcement and management of the water to produce the desired production of fish and recreation.

Finally, upon completion of the base line studies we will be faced with costs associated with annual updating of the informational basis, and the costs of implementing the results. Part of these results will entail the purchase of water rights at appropriate locations along the drainage systems to preserve or enhance existing water-based recreational uses.

The cornerstone throughout this ambitious and long-range program is federal assistance through the Dingell-Johnson Act. The rate at which we proceed, and the success we will have, is largely a function of the money available to do the job. As you can see, the strategy behind our effort is designed to appeal to the greatest number of interests in an effort to gain the political clout necessary to achieve the required legislative changes and bring the effort to full fruition.

Senate Bill 1631 would provide a major fiscal boost to New Mexico and our sister states in the anticipated massive increase in demand for water-based uses. As I have demonstrated, the problems and solutions go far beyond providing more anglers a place to fish and a fish to catch--it literally affects everyone.

Consequently, I have no qualms of conscience about asking that the tax supporting the bill be extracted from any form of water-based recreational equipment, including boats and motors. I would hope that eventually the fishing public, the boaters and the industry will come to realize we are all in this thing together. The future of our water-based recreation is dependant upon an unified effort to preserve it. In the west we are running out of time. We cannot afford to forsake long-term goals for short-term gains without suffering severe consequences.

Mr. Chairman, I thank you on behalf of New Mexico, the other western states and the International Association of Fish and Wildlife Agencies for this opportunity to testify before you and this Committee.



State of Vermont

AGENCY OF ENVIRONMENTAL CONSERVATION

Montpelier, Vermont 05602

DEPARTMENT OF FISH AND GAME

Department of Fish and Game
Department of Forests, Parks, and Recreation
Department of Water Resources
Division of Environmental Engineering
Division of Environmental Protection
Natural Resources Conservation Council

TESTIMONY BY: EDWARD F. KEHOE, COMMISSIONER, VERMONT FISH AND GAME
DEPARTMENT, AGENCY OF ENVIRONMENTAL CONSERVATION.

TO: SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS; HONORABLE
JENNINGS RANDOLPH, WEST VIRGINIA, CHAIRMAN RE: S. 1631, AMENDMENTS
TO THE DINGELL-JOHNSON ACT.

The Vermont Fish and Game Department enthusiastically supports the expanded Dingell-Johnson Act. The passage of the D-J Expansion Bill would enable effective administration of current fisheries programs and initiate legitimate but currently unaffordable fishery programs.

Fisheries programs in Vermont are funded entirely through license sales and Federal assistance provided by the Dingell-Johnson Act. Historically, increase in license fees has resulted in a decrease in sales. Our latest license fee increase in 1975 resulted in a 10% decrease in sales, and during the period from 1975 through 1978, license sales and revenues have remained stable. Therefore, our effective operational capital has decreased. The "tight money" situation has resulted in a reduced fish management staff. One position has been permanently discontinued and one temporarily "frozen". The abolished position has resulted in increased environmental assessment duties assigned to district biologists, resulting in more time being expended on protection rather than on fisheries management. Therefore, inflation and level funding has not only resulted in a reduced effective operating budget, but also a reduction in fish management program man hours.

The entire fisheries budget for fiscal year 1980 is \$587,630 including \$280,000 in Dingell-Johnson funds. This level funded budget does not allow for expanded fisheries programs. Expanded

programs are projected to cost at 5, 10 and 15 year intervals; \$957,375, \$1,014,817 and \$1,216,016 respectively. Because of Vermont's small size and population (approximately 450,000 residents), we currently have to take a portion of revenues derived from sales of hunting licenses to supplement fisheries programs. Some major activities that are not being done now because of budget limitations are:

- 1) Additional personnel to handle environmental assessments.
- 2) Statewide fisheries planning project.
- 3) Lake Champlain warmwater fisheries plan.
- 4) Policy development and associated field research regarding minimum flow requirements on regulated rivers.
- 5) Expanded lake, pond and stream inventories.
- 6) Expanded reclamation program.
- 7) Expanded information and education program.
- 8) Expanded statewide warmwater fisheries program.
- 9) Need development program to upgrade existing hatcheries and construction to meet future needs (not included in cost projections).

In addition, Lake Champlain has the potential to sustain one of the greatest salmonid fisheries (second only to the Great Lakes fisheries) in the United States. Funding and fish stock requirements, however, have not been met. A Lake Champlain fish hatchery is estimated to cost 11.3 million dollars to build, with an annual operating expense of \$375,000. The 3% excise tax on boats, motors and boat trailers and the expansion of the 10% excise tax to include other forms of sport fishing tackle as proposed in the expanded Dingell-Johnson Act will result in funds needed to maintain and increase sport fishing opportunities in Vermont.

Vermont has 210 public boating access facilities of which 62 are located on rivers and streams. Of the 287 lakes over 20 acres (public water), there are developed public boat accesses to 112 (39%) of these lakes. However, since access development has been primarily directed toward larger lakes, there is boating access to 80% of Vermont's larger inland water area. Of the 112 developed access areas,

93 or 83% were constructed and are maintained entirely by the Vermont Fish and Game Department with the assistance of funds provided through Dingell-Johnson Act. In addition to the inland access areas, 23 of the 31 public access areas on Lake Champlain and 3 of the 4 on Lake Memphremagog were built and are maintained by the Fish and Game Department.

The 1980 budget for maintaining these access areas is \$66,000, or 24% of our entire 1980 Dingell-Johnson allotment. Although these access areas were built and are maintained exclusively by anglers, other segments of the boating public use these areas, but contribute nothing toward the development and maintenance costs. If for no other reason, the proposed amendments to the Dingell-Johnson Act would result in all users of public access areas sharing in construction and maintenance costs.

Other programs we are actively pursuing, and as additional funds become available should be expanding could be entitled "physical and mental health" projects. We have initiated programs to encourage youngsters, senior citizens, and disabled veterans to become involved in fishing.

Each year 15-20% of our total brook trout hatchery production is dedicated to "kids brooks", fishing derbies for youngsters, senior citizens' and Veteran's Administration ponds.

Vermont senior citizens (65 years and older) are entitled to a permanent combination hunting and fishing license for a one-time fee of \$1.75, covering administrative costs only. Currently 30,000 of these licenses have been issued. While this resulted in a financial loss to the Department, we felt the therapeutic benefits to our senior citizens were well worth the revenue losses.

In order to reduce their maintenance costs, a Canadian railroad company in Newport, Vermont dismantled a portion of a bridge and pedestrian walk from which anglers fished for many years. The Department leased this portion of the bridge and rebuilt it as a fishing pier at a cost of \$10,000 to enable anglers in all age categories, as well as the physically handicapped, to again fish for walleye, yellow perch, bass, rainbow trout, and landlocked salmon. This is being heavily utilized.

In Burlington, Vermont's largest city, we have created a shoreline brown trout fishery on Lake Champlain. This has enabled non-boating anglers as well as those with small boats to take advantage of a growing trout fishery. A growing number of city residents, including many youngsters, are actively taking part in this new fishery. This program has received the praise of Burlington's Mayor, for he feels that many individuals, who may normally be idly hanging around the city getting into mischief are now busy fishing for trout on the city's waterfront.

Another critical area which needs to be expanded is educational programs for youth groups in order to develop their awareness of our natural renewable resources. The formation of student workshops throughout the State to teach youngsters about the many aspects of sport fishing and habitat improvement would enhance other programs aimed at getting them off the streets, away from drugs, and into more productive endeavors.

We feel that sport fishing is a healthy therapeutic activity that could, if properly developed, relieve the boredom faced by many of our senior and disabled citizens, as well as providing a worthwhile outlet for the sometimes misdirected energies of our youth. In a rural state like Vermont the development of sport fishing attitudes and its related activities, such as habitat improvement and protection, holds real promise in revitalizing the lives of all our citizens and could conceivably be more successful than many of our social welfare programs. What could be more rewarding than a senior citizen sharing years of experience with today's youth, teaching them not only the joys of sport fishing and the resultant relaxation from current pressures, but also teaching them to become well adjusted productive citizens.

We have accomplished much since 1950 when the Dingell-Johnson funds were established, but with one of the smallest professional fisheries staffs in the nation, increasing pressures on our natural resources, and increasing inflation, we will not even be able to maintain a status quo operation without additional financial assistance. We strongly urge your support of S.1631 so we can continue to progressively serve the residents of Vermont as well as our many non-resident visitors.

RESPONSE TO SUMMARY OF POSITION PAPER BY THE BOATING
INDUSTRY ASSOCIATIONS CONCERNING THE PROPOSED
AMENDMENT TO THE DINGELL-JOHNSON ACT

1. The proposal would add \$100 to \$275 to the cost of a typical fishing/boating rig.

Vermont's response: The additional revenue generated by the D-J amendment would result in increased access area development and maintenance.

2. There is convincing evidence that the decline in fishing/boating activity is due, in large part, to increasing costs. To add an additional cost, through the imposition of an excise tax, would only accelerate that decline.

Vermont's response: In Vermont there is no decrease in boating activity. To the contrary boat registration has increased from 23,980 in 1975 to 25,555 in 1979.

3. There is no data to prove that investing more money to improve fishing for certain species of fish will result in more fishing activity and more sales of fishing licenses, fishing tackle and boating equipment. On the contrary, there is some evidence that this will not happen.

Vermont's response: Increased fishing opportunities provided by lake reclamation and fish restoration programs have resulted in significant increased fishing activities.

4. Some 20 to 30% of boat owning families have little or no interest in fishing. It is unfair to tax these 1,800,000 to 2,700,000 boat-owning families to finance a sport in which they do not participate.

Vermont's response: It is fair to tax non fishing boaters for the use of access areas developed and maintained 100 percent by anglers.

5. Boatmen already are paying some \$200,000,000 annually in the form of motor-boat registration fees and a tax on the fuel they use in their boats. A portion of this money is being used to provide launching ramps, docks, and piers, access sites, parking facilities, etc. that are heavily utilized by fishermen.

Vermont's response: In Vermont boat registration fees go into the general fund and fuel tax to the Highway Department. Some general fund money is distributed to the Department of Public Safety for patrol only, none is used for development and maintenance of access areas.

6. At least part of the funds derived from the proposed excise tax on boats would be used to improve fishing on waterways that are inaccessible to boats, or which have been closed to motorboats, or where boating activities are greatly restricted. (Motorboats that would be covered under the proposed excise tax outnumber manually powered boats by a ratio of at least 3 to 1.)

Vermont's response: There are no public access areas we are aware of that restricts motor boat use.

7. If there is a need for more money to improve fisheries management and facilities, such funds can be obtained by: (1) Expanding the D-J tax to cover all types of fishing equipment; (2) increasing fishing license fees; (3) establishing a federal fishing license; (4) supporting legislation that would insure that funds currently being collected from marine fuel taxes are used exclusively for projects of direct benefit to the fisherman/boater.

Vermont's response: (1) We support the expanded D-J Act as proposed in S.1631/HR.6074. (2) Increased license fees has resulted in decreased license sales. (3) The Federal Government has no jurisdiction over fisheries within the states boundaries. (4) We support this concept, however, all fuel taxes are currently allocated to the Highway Fund.

8. Those who use their boats for fishing already pay the D-J excise tax on their fishing equipment. Why should boatmen be asked to pay an additional tax on boating equipment when trout fishermen and other bank and pier fishermen will not?

Vermont response: For years stream, bank and pier anglers have supported the development of access areas. It is only fair that boaters pay the major portion of access area development and maintenance.

TESTIMONY OF JAMES T. ADDIS, DIRECTOR, BUREAU OF FISH MANAGEMENT, WISCONSIN DEPARTMENT OF NATURAL RESOURCES, IN SUPPORT OF S 1631, A BILL TO EXPAND THE DINGELL-JOHNSON LAW (16 U.S. CONGRESS 777-777K).

Presented to the Senate Committee on Public Works and the Environment, Senator Jennings Randolph, Chairman.

Chairman Randolph, I am James T. Addis, Director of the Bureau of Fish Management and represent the Wisconsin Department of Natural Resources. I appear today on behalf of our Department and in the interest of 1.8 Wisconsin sport fishers to support passage of S 1631.

We sincerely appreciate the leadership you and your co-authors have provided by sponsoring this legislation. We agree with the sponsors that the Dingell-Johnson Act is among the most successful federal fishery conservation actions ever taken by Congress.

Mr. Chairman, we in Wisconsin consider passage of this legislation of critical importance to both the economy ^{of} our state and the conservation of its fishery resources. Wisconsin's tourist recreation industry, which is heavily dependent upon fishing, ranks among the top three industries of the state and in recent years has generated in excess of \$5 billion of economic activity. Economists estimate that the total value of the sports fishery on the Great Lakes approaches half a billion dollars. Direct expenditures by Wisconsin's 1.8 million fishers is valued at \$293 million. This significant level of business is maintained on a relatively fixed resource base of 1.1 million acres of inland lakes and streams, and 6.4 million acres of Great Lakes and boundary waters. Increasing demand for water-based outdoor recreation, particularly fishing, is rapidly leading to serious management problems. Dingell-Johnson funding has played a major part in developing sound resource management practices.

Wisconsin's fisheries managers recognized early on that we must use a comprehensive approach to fishery and aquatic resource management. In recent years a D-J sponsored comprehensive planning project has allowed us to take a hard look at where we have been, where we are, and where we want to go with fisheries management in Wisconsin. A comprehensive management system will lead to integrated resource management by all divisions in our Department, ^{allowing} environmental, fish, wildlife, parks, and forest managers to better provide the broad range of outdoor recreational activities demanded by our citizens and visitors. We believe this integrated multi-disciplinary approach will give more results for each dollar spent. Fish and wildlife are leading the way with our D-J funded planning project.

To date we have clearly shown that, despite what we considered to be a vast resource base, key sport fisheries, i.e. trout and muskellunge, are approaching unacceptable harvest levels. We have but two responses to make: either reduce opportunities or increase our supply. Both options require more intensive management and a more reliable data base. Both lead to greater cost of management and require more funding.

Opponents of S 1631 claim that D-J is used too much for research, provides funds that states should raise themselves, and ^{doesn't} benefit boaters. I will restrict the remainder of my comments to these points. If you or other committee members wish to receive more detail on our programs I will be glad to provide it.

I am particularly concerned regarding comments the boating industry representatives have made regarding the fact that too many states use D-J funding for research, which the industry representatives label as "overhead" - "unproductive". First, it is clear that one of the factors leading to passage of the act was the recognition during the early 50's that we lacked a broad scientific basis for sound sport fishery management. Through the first half of this century, sport fish management was largely a hodgepodge of trial and error reactions to specific problems. Most of the key sport fish management techniques and concepts now in use

throughout this country have been developed or refined as a result of the D-J program. The rapid growth in the fishing, tackle and boating industries clearly reflect that fishing has improved during the past 20 years.

Wisconsin has used D-J for research at a level of about \$200,000 each year. We are proud that our research efforts have led to nationally recognized fishery programs that have provided increased fishing opportunities. The remainder of our D-J allotments go to habitat and access acquisition and development, all of which are vital to the future of sport fishing and boating. These expenditures hardly reflect nonproductive "overhead" expenditures.

I agree with the opponents that the states should fund fishery programs with license monies. The fishers of our state requested and achieved passage of a major fishing license increase during 1979. Resident licenses were increased in excess of 50 percent. Trout fishers obtained passage of a ^{2.50}~~\$3.00~~ trout stamp for inland waters and Great Lakes fishers are advocating a Great Lakes salmon stamp, all of which reflect broad support for our programs by the people using them. Yet it took us from 1942 to 1978 to gain passage of the Trout Stamp. This reflects the serious reservations state legislators have with regard to fishing and hunting fees.

In my discussions with legislators they express a grave concern that we not outprice fishing and hunting to the poor and the elderly. This concern is further expressed in the number of bills submitted and passed to exempt various groups of people from license fees. We all share this concern and have an obligation not to make fishing a sport that can only be enjoyed by a few.

Despite our major license increases, the revenue generated will only provide funding at current levels (adjusted for inflation) for a four-year period. We face added direct increases in fishing licenses at that time. Indeed, present inflation rates exceed our projections and may require program cuts to stay within our budget.

Boating industry representatives further claim that D-J and other fishery programs don't benefit boaters or the boating industry. This is a patently absurd statement! First, most fishers boat. Secondly, most boaters fish. Fishing license monies support conservation wardens who enforce boating laws.

A major portion of the time spent by Wisconsin's fish managers is directed at protecting or improving the quality of the aquatic environment. Boating surveys show that boaters prefer clean water. I contend that fishers^{ies} agencies and fishers have led the battle to achieve a healthy, unpolluted aquatic environment. The outcome of these early battles led to environmental action programs that have improved the aquatic environment for all of us -- particularly boaters. Fisheries managers and fisheries programs certainly deserve a large degree of the credit for these environmental improvements which directly affect boaters. We have fought hard to prevent degradation of the aquatic environments and intend to continue to support and lead in these efforts. D-J funds have been a part of this.

Access developments, lake construction, shoreland, wetland and habitat acquisition all directly enhance the boater's experience.

Wisconsin advocates beneficiary taxation. We believe that S 1631 as written enacts a beneficiary tax. Clearly both the tackle manufacturers and the boat manufacturers directly benefit from sound aquatic resource management. More boaters use their boats for fishing and also benefit from the aesthetic improvements, access and other developments completed with the assistance of D-J funds. Those classes of boaters not likely to directly benefit are exempted from the tax. The vast majority of those affected by the tax receive direct benefits from it. That is beneficiary taxation!

Although I speak primarily for the fishery, I should remind you of other beneficiaries. The access site used by the pleasure boater may have been purchased by federal aid; the shorebirds skimming the waters and enjoyed by picnickers probably nested on habitat preserved with D-J funds, and perhaps the clear waters enjoyed by

all are the result of carp control measures based on the results of fish research. The quality of our environment is enhanced by good fisheries practices.

The D-J Act has been an enormous success. It is well managed and has produced results. I urge your Committee to act affirmatively on S 1631 and move this much needed legislation forward through Congress.

Statement of

RICHARD SCHWARTZ, EXECUTIVE DIRECTOR

BOAT OWNERS ASSOCIATION of THE UNITED STATES

Washington National Headquarters
880 South Pickett Street, Alexandria, Virginia 22304

Before the

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

of the UNITED STATES SENATE

in Washington, D.C.

May 20, 1980

on S. 1631

A Bill to amend the Federal Aid in Sport Fish Restoration Act

Mr. Chairman and Members of the Committee:

Good morning. I am Richard Schwartz, Executive Director of Boat Owners Association of The United States (BOAT/U.S.). For some of you who may be unfamiliar with BOAT/U.S., we are the only national organization of individual boat owners for representation and consumer services in the country today. Our organization is not affiliated with or supported by any manufacturer, dealer, or other industry or private group. More than 70,000 boat owners have joined our organization from all 50 states.

The Dingell-Johnson program has been of great benefit to the recreational sportfisherman. The federal funds provided to improve conditions for this sport over the past three decades have succeeded in making sportfishing one of the nation's leading recreational activities.

Not only is sportfishing one of our nation's leading recreational activities, it is also among the wealthiest. According to an article appearing in the June 1976 edition of Outdoor Life, the Bass Anglers Sportsman Society and the American Bass Federation sponsored eight tournaments that year paying out an estimated \$1 million in prize money. BASS alone gave away more than \$600,000 in prizes in 1979, according to the December 1979 edition of Soundings.

Mr. Chairman, a prosperous fishing lobby is asking you to approve a new tax on boat owners in order to broaden the amount and quality of recreation being provided

to anglers. What they fail to disclose is the fact that 38% of all Dingell-Johnson funded lakes prohibit boats with motors. Fishing improvements should be paid for by those who directly benefit, not boat owners, a great percentage of whom do not fish or couldn't even if they wanted to on many Dingell-Johnson lakes.

Boat owners are already over-taxed. Back in 1977 before inflation raced to double digits, it was estimated that boatmen contributed well in excess of \$300 million per year in taxes to a wide variety of jurisdictions. Precious few direct benefits are received in return.

Adding this hidden and inflationary tax to boating on top of title taxes, registration fees, slip taxes, property taxes, fuel taxes, and state sales taxes could drive out middle-class Americans and turn this into a rich man's sport.

Although the tax rate under consideration is nominally pegged at 3%, by the time this tax works its way from the manufacturer through the distributor and dealer to the boating consumer, it is multiplied to a tax of near 6% of the final purchase price.

Requiring all boatmen purchasing motorboats less than 25 feet in length to add an average of \$180 on to the purchase of an outboard boat, motor and trailer, \$560 on to the purchase of a stern drive boat and trailer, and \$600 on to the purchase of an inboard boat and trailer, for a fund which only incidentally benefits one segment of the entire boating community is inequitable and unreasonable.

Now back to our principal contention that boatmen should not have to pay for the enhancement of fishing. Although most boat owners may incidentally fish from time to time, there is a huge group of boating enthusiasts who have little interest in fish or fishing.

The imposition of the proposed tax for the benefit of fishing constitutes, in our view, an arbitrary and inequitable action. It is not true that all motorboats under 25 feet, all motors or all trailers - or even a vast majority - are primarily purchased and used for sportfishing.

While it may be true in certain areas, the lake country of the Midwest, for example, it is certainly not true nationwide, particularly when you include all the coastal states.

These boat owners are purchasing and using their boats because they enjoy cruising on lakes, rivers, bays, oceans - because they go on family outings - because they waterski - because they scuba dive - because they sail - because they live on their boats and entertain on them.

They also fish from them. But, according to a survey of our members owning motorboats under twenty-five feet, only 23% indicate that their boats are primarily used for fishing. Even when this figure is further refined to focus only on outboards under twenty-five feet, that class of boat one would expect to derive the most benefit from Dingell-Johnson funded projects, only 47% indicate fishing as their primary use.

The legislation under consideration is even more unfair when you consider that fishermen only contributed \$30 million to the Dingell-Johnson fund in fiscal 1979. Boatmen, if included under this tax, would contribute four times as much as all fishermen combined - well in excess of \$120 million is the estimated proceeds of the expansion of this tax from boats under twenty-five feet, motors and trailers.

The extent to which this proposal is ill-considered is further demonstrated by the fact that S.1631 would extend the tax to trailers and outboard motors used by sailors. Our member survey of sailboats with outboard motors indicates that a mere 3.8% are used primarily for fishing.

If we were to tax all those who may participate in or benefit from fishing, why stop at boats, motors and trailers? How about those modified recreational vehicles which have been transformed into veritable fishing platforms? How about all the camping gear used by fishermen? How about fishing apparel such as waders, hip-boots and long-bill hats?

Mr. Chairman, our point is simple. If the Dingell-Johnson program needs further funds - and we question this - it should be funded only by those who directly benefit, and only by those pieces of equipment specifically designed and constructed for use in the sport of fishing.

The sportfisherman has had a very successful federal program for nearly thirty years now. It is quite ironic, from our vantage point, that fishermen should

now be asking boatmen to contribute to their fund, when these very same boatmen are having considerable difficulty in getting their own proposed fund to improve boating conditions through Congress. Our marine fuel taxes are now being used by the Land and Water Conservation Fund to support the construction of hiking, biking and nature trails - even the battleship Alabama is being maintained and preserved with funds supposedly being devoted to recreational boating.

H.R. 4310, the bill which would earmark the fuel taxes already being contributed by boatmen for boating safety and facilities improvement, is now stalled in the Senate - and the outlook for this Congress is not optimistic.

I might also point out that boatmen are already supporting fishing through state fuel taxes. Although these funds are supposed to go to boating, we understand that the proceeds of the tax are being used as the state matching funds for the Dingell-Johnson program.

To add insult to injury, the Administration last year cut out all the grants to states authorized under the Federal Boat Safety Act for safety and education. And Congress chose to ignore the boatmen's plea to override the Administration's decision.

The Administration contended that the past years of federal support under the Boat Safety Act should have prepared the states to take over responsibility for these functions. Why is not this same argument applicable to the Dingell-Johnson program?

The states have benefited from decades of Dingell-Johnson research projects. Fully one-half of all these federal funds have been used for research and the employment of marine biologists. The states should now have the experience and trained personnel to take over the program. They should now be in a position to improve conditions themselves, without expanding federal assistance at the cost of including others who derive only marginal benefit.

Since the Dingell-Johnson grants were first initiated, for example, only one fishing access site and three lakes have been developed in West Virginia with D-J funds. During that time the states have raised and spent nearly eight times as much as the entire D-J program by relying mainly on fishing licenses which average a mere \$5.75 per fisherman. West Virginia, for example, charges \$6.00. If sportfishermen want to raise additional funds, they should look toward an increase in these license fees.

Mr. Chairman, the proponents of the measure before you today would levy a tax on boat owners to support fisheries development because a great deal of money can be generated with relative administrative ease. We urge you to reject the proposed extension of this excise tax because it is unfair, inequitable, and without justification.

STATEMENT OF RAY SCOTT, PRESIDENT, BASS ANGLERS SPORTSMAN SOCIETY OF AMERICA, INC., IN SUPPORT OF S. 1631, AMENDMENTS TO THE DINGELL-JOHNSON ACT. MAY 20, 1980. UNITED STATES SENATE, COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.

I am Ray Scott of Montgomery, Alabama, and I am president of Bass Anglers Sportsman Society of America, or B.A.S.S. Ours is the world's largest fishing organization, with some 350,000 members in all 50 states.

The fishermen and women who belong to B.A.S.S. are among the most avid anglers in the country, and they spend heavily in pursuit of bass fishing. They buy top-of-the-line rods and reels and boxes full of artificial lures -- all of which include the 10 per cent excise tax which finances the Federal Aid in Fish Restoration Program, or the Dingell-Johnson Fund.

B.A.S.S. members frequently travel to good fishing lakes and rivers in other states, and many of them buy two or more state fishing licenses every year, thereby contributing more dollars toward conservation and fisheries management, as well as matching funds for various Dingell-Johnson Fund projects.

Most importantly, three fourths of B.A.S.S. members own at least one fishing boat. They pay the same property and fuel taxes and boat registration fees that water skiers and pleasure boaters and the National Marine Manufacturers Association are complaining so loudly about.

And now, gentlemen, we are asking you to levy an additional 3 per cent excise tax . . . a user-pays tax . . . on the boats, motors, trailers, depth finders and other equipment we use in fishing and boating. This must be a momentous day in your careers as public servants. It is momentous because we, the taxpayers, are asking you to tax us even more.

We are not asking you to rob Peter to pay Paul, despite what the marine manufacturers may want you to believe. The vast majority -- as much as 87 per cent of boat buyers who will pay the expanded tax -- are fishermen. And the remaining 13 per cent use and enjoy the public access areas and boat launching ramps that Dingell-Johnson and our fishing license fees have built. They use and enjoy many of the public lakes which have been built over the past 30 years by D-J and our fishing license dollars. And they will benefit even more by the additional improvements which will be made after the D-J Fund is expanded.

Through three decades of Dingell-Johnson, the relative handful of boaters who have not yet learned the joys of fishing have had what amounts to a "free launch," at the 3,762 public access areas which have been built and maintained by Dingell-Johnson and license money. It is time that all the users begin to pay.

One of the biggest beneficiaries of the good works of D-J has been the marine industry itself. As D-J projects have created new fisheries such as the freshwater striped bass stocking programs and the Great Lakes salmonid fishery, marine dealers and manufacturers have made fortunes. And, they would be in sad shape today were it not for outstanding strides in game fish management made possible through Dingell-Johnson.

Some manufacturers (notably, Ranger Boats of Arkansas, Hydra-Sports, Terry, Fisher Marine and Skeeter) realize that good fishing means good business. Yet the National Marine Manufacturers Association refuses to acknowledge the fact that its members' businesses will die if the quality of fishing and the availability of public access continue to decline.

Instead, the NMMA is trying to make people believe that this 3 per cent excise tax on the manufacturer's cost of fishing boats, motors and other equipment is going to disrupt sales.

I don't believe it. When a 10 per cent excise tax was imposed on rods, reels and lures 29 years ago, manufacturers of those items didn't go bankrupt. They grew stronger, and richer, as quality fishing attracted new participants.

And, during the 1978-79 model year, when fuel prices continued to skyrocket upwards, and when manufacturers themselves raised prices by an estimated 10 per cent, recreational boating sales continued to climb. In fact, the NMMA itself noted that sales had reached \$3.6 billion, a 5 per cent increase.

The boating industry representatives here today should follow the example of their counterparts in the hunting industry, who support the exemplary Pittman-Robertson program, and who pay an 11 per cent excise tax on sporting arms and ammunition. It is also noteworthy that in 1970, sportsmen and manufacturers who had interests in archery and handguns asked Congress to extend the tax to those items, despite the fact that not all archers are bowhunters, and very few handgun owners use their pistols in hunting.

The handgun and archery interests supported the additional tax because they realized how good hunting is good for business, and because their taxes would pay for additional archery and hunter education programs.

The bill before you today, S. 1631, also provides for extensive water resources education programs -- another direct benefit to manufacturers and to nonfishing boaters.

In short, gentlemen, it is vital to the future of sportfishing that the Dingell-Johnson Fund expansion bill is passed and signed into law. It will ensure that boaters and fishermen for generations to come will have adequate access to public waters and quality recreation once they're on the water. It is a good bill and a fair one, and I urge your speedy approval of Senate Bill 1631. Thank you.

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STATEMENT OF GILBERT C. RADONSKI, EXECUTIVE SECRETARY, SPORT FISHING INSTITUTE. BEFORE THE COMMITTEE ON ENVIRONMENT ON PUBLIC WORKS OF THE U. S. SENATE RE: S. 1631, A BILL TO PROVIDE ADDITIONAL FUNDS FOR CERTAIN PROJECTS RELATING TO FISH RESTORATION, AND FOR OTHER PURPOSES

Thank you, Mr. Chairman, on behalf of the Sport Fishing Institute (SFI), for the opportunity to appear before you and the other members of the Subcommittee considering S. 1631, a bill to provide additional funds for certain projects relating to fish restoration, and for other purposes. I am Gilbert C. Radonski, the Institute's Executive Secretary. The Institute is a non-profit, tax-exempt, broadly-based conservation organization, staffed entirely by fisheries scientists, devoted to the protection, enhancement, and wise utilization of America's freshwater and marine aquatic resources, especially the fish populations and essential habitats. Our principal objective, by means of a program of ecological research, conservation education, and professional service, is to help develop and promote optimum opportunity for Americans to engage in healthful and rewarding recreational fishing. Our financial support comes from a broad range of manufacturers of fishing equipment and accessories and from many thousands of anglers and other concerned citizens.

My purpose in appearing before you today is to support the intent of S. 1631. The Dingell-Johnson Act [or "D-J"], known formally as the Federal Aid in Sport Fish Restoration Act (P.L. 81-6810), has had a spectacularly successful history. Since 1952 sport fishermen have invested approximately \$300,000,000 in direct D-J apportionments, plus \$75,000,000 state matching funds (usually derived from fishing license sales), in order to protect, manage, and research this nation's sport fisheries resources. It is a classic user-pay tax that has yielded handsome dividends. This fact is graphically documented in the publication, 25 Years of Federal-State Cooperation For Improving Sport Fishing: Accomplishments Under the Federal Aid in Fish Restoration Program, published by the U. S. Fish and Wildlife Service in 1977.

In the estimation of SFI, S. 1631 would accomplish two important goals. First, it would broaden the D-J base significantly, providing a relatively

stable source of increased income to further improve sport fishing. Second, in Section 102, S. 1631 would include an allocation of available funds to marine fish restoration and management programs or projects. Unfortunately, in our estimation, S. 1631 is inferior in this respect to H. R. 6074 (the House version of the D-J expansion bill) which, in Section 201 (b), provides for a 30% allocation to marine projects.

Other witnesses will present testimony on the dependency of states on D-J monies to augment their fishery programs, and on the need for additional monies over and above the \$30,000,000 projected to be generated in 1980 by the existing D-J tax. They will develop a strong case in justification of an increased D-J program. The only alternative source of significant new funds for sport fishery programs is through appropriations from general revenues. No matter how well justified in these economically troubled times, however, it is obvious that neither the federal nor state governments will make general revenue appropriations of the magnitude required to service sport fishery program needs.

The 1955 National Survey of Fishing and Hunting reported that 20.8 million Americans fished during that year. The corresponding 1975 National Survey of Hunting, Fishing and Wildlife-Associated Recreation reported that 53.9 million Americans fished twenty years later. Given substantial additional angler-demand over the next decade, which seems certain to materialize substantial new expenditures will be required in order to maintain the quality of sport fishing we presently enjoy.

This will be accomplished only if we continue to provide new fishing waters, new places to fish, and improved management of existing fisheries. Aquatic habitats must receive improved protection from destruction, degradation, incompatible development, and pollution. Previously degraded habitats must be restored to production. Moreover, such restoration must be accomplished in the face of increasing competitive demands for domestic energy; water withdrawals for agriculture, industry, and domestic uses; accelerated siltation and, above all, escalating costs.

The existing financial resources of the state fish and wildlife agencies, already severely strained, are inadequate to maintain the quantity and quality of fishing in the face of projected future demands for fishing opportunity. These agencies will continue to rely heavily on fishing license income and the Federal Aid in Fish Restoration Program to sustain them.

Licensing is based on the user-pay philosophy. Fishermen have traditionally paid for the programs that benefit them directly. However, other segments of society significantly benefit from those same programs, as well. One segment that has greatly benefitted is the boating public. They have already benefitted substantially from boat landing and launching facilities constructed for fishermen and paid for with fishing license or D-J monies. They have shared from other programs as well. Lake reclamation involving the removal of nuisance fish such as carp results in improved water quality that attracts recreational boaters who were previously turned off by turbid or muddy waters. Vegetation control paid for by fishermen greatly benefits boaters. In essence, a quality fishery resulting from fishery management programs attracts the investment in facilities that are used by the non-fishing boating public. Since they benefit from the programs, they should share the cost.

In 1973 fishermen paid \$153 million for fishing licenses and \$27 million in excise taxes credited to the D-J fund -- a total of \$185 million. If a 3% manufacturers excise tax were placed on boats, motor and trailers, and the existing 10% tax were extended to additional items of fishing tackle, it is estimated that the D-J program would swell to \$100 million annually -- and increase of \$70 million over the 1979 level. Of that \$70 million, about \$7 million would result from the taxation (@10%) of additional fishing tackle items; the remaining \$63 million of the estimated new revenue would be derived from the boat-motor-trailer buying public. That seems a small price, indeed, to pay for benefits such as they have already received and would continue to receive in the future.

The boating industry has put the actual excise tax price tag higher than 3% level set in S. 1631 by claiming a "pass through" effect of the tax that

will raise it to 5 or 6%. They contend that there would be a mark-up of the manufacturers excise tax in the channels of commerce, with everything over 3% going into the pockets of the "middleman" and not into the D-J fund. This can be avoided by stating the exact amount of the tax on the item at the manufacturers level and prohibiting such mark-up as the item moves through commercial channels. It is unconscionable that the boating industry would seek to make a profit on the tax by marking it up at each stage of handling between the manufacturer and the retailer.

To accommodate the demands of increasingly numerous anglers, new places to fish must be provided. This need is especially evident in areas that are presently deficient in fishing places. New fishing lakes must and can be constructed in and near urban concentrations. Coastal waters are poorly accessible for the most part, and many of the large multi-purpose inland reservoirs continue to need additional access sites. Such developments will relieve current overuse and overcrowding of present sites, many of which now need to be restricted to prevent their destruction.

Greatest gains must be made by managing the existing fisheries more effectively in the future. Fisheries management is a relatively new science. We have been able to rely heavily thus far on what nature has provided; but we must commence to rely increasingly on our management efforts because natural production is becoming fully utilized. More and more of the fishing now occurs in man-made or man-modified environments. This is especially true in or near large population centers.

A broad range of additional items of fishing tackle and accessories should be taxed at the same rate (10%) as the presently taxed rods, reels, creels, and artificial baits, flies, and lures. A 3% manufacturer's excise tax on boats, motors, and trailers would provide a realistic basis for significant broadening of the D-J base.

D-J funded lakes and boating access facilities, and their maintenance, plus improved fishing, have serviced boaters and stimulated many thousands of Americans to purchase boats, motors, and trailers.

The report developed by the U. S. Coast Guard, Office of Boating Safety, Recreational Boating in the Continental United States in 1973 and 1976: The Nationwide Boating Survey, states that 77 percent of households participating in boating activities took part in recreational fishing. It also states that 45% of time spent in various boating activities was devoted to recreational fishing.

It is evident to the Sport Fishing Institute that good fishing and accessibility to those fisheries are among the most important factors that help induce the purchase of boats, motors and trailers.

Increased funds from a broadened D-J base will produce additional new facilities and improved fishing. These circumstances will serve to induce additional Americans to purchase boats, motors, and trailers in the future.

The second important improvement in the D-J program that S. 1631 would accomplish is the requirement in Section 102 that a share of the coastal states D-J allotment, to the extent practicable, be allocated to marine fish restoration and management programs or projects equitably with fresh water projects. SFI feels, as I stated earlier, that Section 102 of S. 1631 would be strengthened by inserting the language of H. R. 6074 that provides for up to a 30% allotment of the coastal state's D-J allotment for marine fish restoration projects.

The call to dedicate part of the D-J allotment to marine fisheries programs in coastal states is not new. In 1973, Senator James O. Eastland of Mississippi, President Pro-Tempore of the Senate and Chairman of the Committee on Judiciary, introduced Senate Concurrent Resolution 11, to "launch a nationwide program to save our commercial fishing industry and serve our sport fishing industry." The Resolution was unanimously passed by the Senate and House in December, 1973.

One of the recommendations of the Eastland Fisheries Survey that resulted from that Resolution was:

Federal funding for marine recreational fishery programs is inadequate, and state funds are actually shrinking. In the face of increased needs of the fishing public and other resource users and demands on the resource, current programs are inadequate. Not only are additional federal funds essential for national and regional programs, but additional supplemental funding of state programs through increases in Dingell-Johnson Sport Fish Restoration Act appropriations should be authorized. Specifically, the income should be expanded by additions in items in the excise tax base and by amending the Act to direct that apportionment be based on the number of anglers as determined by qualified survey in those states where a saltwater license is not required, rather than on the number of license holders alone. Those states having a saltwater license should be allowed a premium of at least two to one over states electing to utilize a survey....

The Atlantic States Marine Fisheries Commission estimates that there are 12 million marine recreational anglers from Maine to Florida. Recent (1978) data from the Federal Aid Office, U. S. Fish and Wildlife Service, show there were approximately 5 million freshwater fishing licenses sold, applying the accepted ratio of 60/40 of licensed anglers to unlicensed anglers, indicates that there were about 8.3 million freshwater anglers. None of those states presently requires a saltwater angling license. Some of the eastern seaboard states have ongoing small D-J funded marine fisheries projects but not nearly in proportion to the amounts presently contributed to the D-J fund by marine anglers. Marine recreational fishermen have a legitimate complaint that they have received inadequate return from the excise taxes they have paid on their fishing tackle purchases to date.

The time to correct the injustice to marine recreational fishermen is when the D-J tax base is significantly broadened. If the discrepancy were corrected at the present time, given the D-J fund at about \$30 million, such action would serve only to dilute the present program so that neither inland nor marine anglers would be adequately served.

In summary, the Sport Fishing Institute endorses S. 1631, designed to raise significant new revenues on the commendable user-pay principle for expanding the successful D-J program. Further, SFI recommends that S. 1631 be amended to include a specific and reasonable percentage allocation thereof to marine recreational fisheries purposes.

POSITION STATEMENT ON DINGELL-JOHNSON EXPANSION BILL (S.1631)

Presented by

Carl R. Sullivan, Executive Director of the American Fisheries Society
Before The
Senate Committee on Environment and Public Works
May 20, 1980

Mr. Chairman: My name is Carl Sullivan, Executive Director of The American Fisheries Society. The American Fisheries Society, founded 110 years ago, is the world's oldest and largest organization of professional fisheries scientists. The members of this Society are vitally concerned with the protection and enhancement of this nation's priceless renewable aquatic resources and we thank you for introducing this bill. We consider S.1631 to be potentially the most important recreational fisheries legislation ever proposed and we urge a favorable vote by this committee.

Mr. Chairman, America's incredibly successful Agricultural Revolution occurred only after it was learned that horse and wagon agricultural methods were incapable of meeting the nation's need for food and fiber. Unmanaged streams and lakes are subject to exactly the same natural production limitations and unless carefully husbanded these waters cannot possibly provide for the needs of 60 million American fishermen. To get the most from our waters we must study, protect, and manage them with the same intensity and devotion as the agricultural community has given to the land. This kind of management costs money, more money than state fisheries agencies have available. The popular Dingell-Johnson program is based upon the classic user-pays principal of resource management and is the most equitable, logical, and justifiable funding means yet devised. Unfortunately, as now constituted, the D-J Act falls far short of meeting the need. It falls short because the funding base is too narrow. I call the Committee's attention to Pittman-Robertson (P-R) Federal Aid to Wildlife legislation which is quite similar to Dingell-Johnson. P-R funds annually total about 2½ times the D-J total and yet there are nearly 60 million fishermen compared to less than 25 million hunters in the U.S. The average hunter (through his payment of excise taxes) pays 7.5 times as much as the average fisherman

and is pleased with what he gets for his investment. Is there any wonder that fish management funds are so short?

Without exception, state fisheries agencies face critical funding shortages and at least 17 have been forced to reduce staffs at a time when they need more help rather than less. Testimony from most of the 50 states will provide full details of the financial problems being faced as they attempt to meet the rapidly expanding public demand for improved fishing.

In order to document and measure the total state fisheries agency dollar needs, the D-J Expansion Steering Committee has completed a survey of current state fisheries agency budgets and the additional dollar requirements to compensate for inflationary losses and to meet expanding public demand. It is not an encouraging picture as the table on the following page clearly indicates. The survey shows a pressing need for 79.6 million more dollars per year to adequately manage the nation's recreational fisheries resources.

According to a detailed special study by Predicasts, Inc. of Cleveland, Ohio, the 1975 manufacturers-level value of recreational boats, motors, and boat trailers (of the type which would be taxed under this legislation) was 1.445 billion dollars. That same report forecast a 13% growth per year through 1980. Based upon that 13% growth figure, the 1980 value of shipments will be 2.67 billion dollars. A 3% tax on that amount would generate roughly 80 million dollars. Of course there would be many exemptions but this figure approximates the documented need.

Exact information concerning the growth of the boat, motor, and boat trailer industry over the past 5 years is not available, but a recent news release from the National Marine Manufacturers Association (NMMA) suggests that our figures are reasonably good. On December 21, 1979, the NMMA issued a news release stating that retail expenditures on boating increased 10% in 1979, reaching an estimated total of 7.5 billion dollars. The release also reported that retail expenditures for boating have more than doubled over the past decade.

Mr. Chairman, the cost of recreational boats, motors, and boat trailers, has been increasing roughly 10% per year for several years. The official spokesmen for the boating industry say that our proposed 3% increase will drastically curtail sales and will add unreasonably to inflationary pressures. We reject that contention for the following reasons. (1) The 3% increase will be apparent for one year only and will not be compounded in subsequent years by new tax increases. (2) The industry has continued to sustain strong annual growth despite the double digit inflation of recent years. (3) The proposed 3% tax does not represent a deterioration of the dollar but is rather a fee for facilities and services rendered. Unlike the price increases for oil the tax does not "float off to Saudi Arabia" but rather returns to the purchaser in the form of new or improved facilities and services. Governmental deficit spending is the primary cause of inflation and Dingell-Johnson funds cannot be overspent.

Mr. Chairman, in closing, I ask that I be permitted to insert an article from the May/June issue of the Fisheries magazine into the Official Hearing Record. The article, entitled, "Dingell-Johnson, An Increasing Role In The Future," provides the background to the ground swell of citizen support for expansion of the Act.

Thank you again for the opportunity to testify in support of this extremely important legislation - It's-the-future-of-fishing.

Carl R. Sullivan, Executive Director
American Fisheries Society
5410 Grosvenor Lane
Bethesda, Maryland 20014

SURVEY OF STATE FISHERIES AGENCY FUNDING NEEDS
January/February 1980

- All figures in thousands of dollars -

State	Additional Funds Required for Adequate Program	State	Additional Funds Required for Adequate Program
ALABAMA	2,000	MONTANA	1,500
ALASKA	4,838	NEBRASKA	750
ARIZONA	1,500	NEVADA	220
ARKANSAS	5,000	NEW HAMPSHIRE	500
CALIFORNIA	1,500	NEW JERSEY	1,000
COLORADO	4,274	NEW MEXICO	2,500
CONNECTICUT	500	NEW YORK	1,850
DELAWARE	200	NORTH CAROLINA	1,856
FLORIDA	3,850	NORTH DAKOTA	3,861
GEORGIA	1,825	OHIO	1,600
HAWAII	330	OKLAHOMA	1,000
IDAHO	600	OREGON	2,025
ILLINOIS	5,000	PENNSYLVANIA	2,500
INDIANA	500	RHODE ISLAND	400
IOWA	1,613	SOUTH CAROLINA	1,140
KANSAS	1,750	SOUTH DAKOTA	785
KENTUCKY	2,000	TENNESSEE	750
LOUISIANA	2,000	TEXAS	1,500
MAINE	1,350	UTAH	2,000
MARYLAND	1,200	VERMONT	644
MASSACHUSETTS	625	VIRGINIA	645
MICHIGAN	750	WASHINGTON	1,000
MINNESOTA	3,000	WEST VIRGINIA	825
MISSISSIPPI	821	WISCONSIN	4,000
MISSOURI	500	WYOMING	450
		TOTAL	\$82,827

[From Fisheries Magazine, May-June, 1979]

DINGELL-JOHNSON—AN INCREASING ROLE IN THE FUTURE

Carl R. Sullivan

According to the Sport Fishing Institute, in 1978 there were 58,000,000 people who fished in the United States and the number is growing at over 3% a year. Because of the growth of leisure time and the bright prospects for increased human longevity, the rate at which more people become fishermen will likely increase. Adding to this fishing pressure is the history of fishermen devoting more time each year to their sport. Fisheries managers everywhere are worried and for good reason. How can they maintain the supply of quality fishing opportunity in the face of a demand that doubles about every 20 years.

According to a just completed survey conducted by the Fisheries Administrators Section of the American Fisheries Society, the total 1979 budgets of the 50-state fisheries agencies is about 143 million dollars. These same states report a need for approximately 76 additional millions per year simply to sustain an adequate program. This annual need will increase sharply in the near future.

Where is the money to come from? There are many who naively suggest that it is as simple as increasing the cost of a fishing license or passing a national fish stamp. Such illusory proposals ignore political realities in state legislatures, fail to consider the incredibly high cost of administration, and forget the virtual impossibility of adequate enforcement. Because of problems of enforcement plus exemptions for the elderly, infirm, veterans, the young, etc., only about half of America's fishermen are licensed today. Hunting and fishing license legislation is politically supersensitive in every state and raising the needed dollars from increased license fees is not practical; in fact, it simply will not work. To better understand why, we should study the success of the labor movement in this country. Consider that labor unions were struggling rather unsuccessfully until automatic dues payment through payroll deduction was written into labor contracts. Unions suddenly became well funded, virtually everyone shared in the cost as well as the benefits, and collection costs were reduced to a bare minimum. This principle is exactly why the Dingell-Johnson Federal Aid in Sport Fish Restoration Act has become such a successful, popular, and indispensable program.

Dingell-Johnson now imposes a 10% Federal manufacturer's excise tax on fishing rods, reels, creels, and artificial lures. Though paid by the manufacturer, the cost generally is passed along to the fisherman as a part of the price of each item he buys. The Dingell-Johnson tax is collected from the manufacturer by the Treasury Department at no cost to the fund. It is then apportioned to the states on a matching basis (up to three Federal dollars to one state dollar) for purposes of fisheries restoration, development, enhancement, and research. The apportionment is based on the state's total area and fishing license sales. No state can receive less than 1% and none more than 5%. In the 28 years since the Dingell-Johnson

enactment, collections have totaled 268 million dollars, with less than 7% consumed for administrative purposes. To my knowledge, no other Federal program is managed more efficiently. Dingell-Johnson funds have built 328 public fishing lakes; acquired or acquired and developed 2,818 access and boat launching sites; established exciting new salmon, striped bass, bass, and trout fisheries in countless waters; reclaimed hundreds of thousands of acres of lakes and streams; and funded a myriad other programs aimed at improving recreational fishing opportunity. **But it is not enough—the job has only begun.**

In February 1970, distinguished Dartmouth College Economics Professor Lawrence G. Hines completed a study to determine the impact of the Dingell-Johnson manufacturer's excise tax on the sport fishing equipment industry and recommendations for modification. Hines found that most tackle manufacturers liked the Dingell-Johnson tax program but objected to the incomplete coverage of the tax within the sport fishing industry. The tax was considered to be unfair because it applied to only part of the industry, although all manufacturers benefited from the proceeds. Hines recommended that the 10% tax be extended to all products of the sport fishing industry including fishing boats and outboard motors. In a pertinent observation, Hines wrote: "... from the equity standpoint, even if the effect of the price increase is not counteracted and as a result outboard sales fall off slightly, the benefit that the outboard motor industry has experienced through increased sales over the years as a result of Dingell-Johnson expenditures certainly has more than compensated the industry for the possible tax-induced sales decline. Actually the extension of the excise tax to the outboard motor industry constitutes the withdrawal of a subsidy to that industry rather than the imposition of a burden in the sense that it receives the advantages of the Dingell-Johnson program without sharing the costs with the other beneficiaries."¹

As fisheries management dollar woes have mounted, the American Fisheries Society and most of the nation's concerned fishermen/conservation organizations have begun to search for answers. Everyone knows that good fishing sells boats and motors just as it does tackle. The fabulous new salmon and lake trout fishery in the Great Lakes has probably sold hundreds of millions of dollars worth of recreational boating equipment. The successful introduction of striped bass in fresh water offers another outstanding example and there are many, many more. In a nation with increasing emphasis on the principle of "user pays," the 1970 Dartmouth College report has understandably attracted attention and support. There is no more logical source for needed fisheries management dollars.

In 1970 Professor Hines calculated that a 10% manufacturer's tax on fishing boats and outboard motors would

generate 72 million dollars annually. The subsequent growth of the boat and motor industry, combined with inflation, sug-

gests that a 10% tax today would generate at least 300 million dollars annually. Because this amount is more than is required, the supporters of an expanded Dingell-Johnson base have agreed to work instead for a 3% excise tax on these items. The goal of the supporting organizations is an amendment to the Dingell-Johnson tax to add fishing lines, tackle boxes, and other accessories at 10%, plus boats (25 feet or less), motors, and boat trailers at 3%, with exemptions for kayaks, hydroplanes, sailboats, and commercial craft. In 1975 fishermen paid an average of 41 cents each into the Dingell-Johnson fund. In that same year hunters, who pay a similar tax on hunting equipment, paid \$3.06 each in excise taxes to support their sport. The proposed Dingell-Johnson expansion would bring the average angler's excise taxes to roughly \$2.00. The broad concern with the future of fishing is evident by the fact that the Dingell-Johnson expansion plan enjoys unprecedented support from conservation and recreational fishing organizations. Among the groups that have announced support are American Fisheries Society, Izaak Walton League of America, American League of Anglers, Trout Unlimited, Bass Anglers Sportsman Society, Federation of Fly Fishermen, Northwest Steelheaders, and National Wildlife Federation.

Enactment of new Dingell-Johnson legislation will not be easy, but the stakes are so great that we cannot allow ourselves to fail. It is vital that this investment in the future of fishing be equally understood and appreciated by the boat and motor manufacturers for they are an integral part of the sport fishing industry with sales directly related to good fishing. A boating industry manufacturer's excise tax—invested in better fishing, better access, and new impoundments—will pay high dividends in future boat and motor sales. Compare this proposal with the handgun and archery equipment manufacturers who supported, and still support, a 10% excise tax on themselves to provide better hunting. Then consider that only a small percent of archery equipment and handguns are used for hunting. In 1977 hunting equipment excise tax collections totaled 68 million dollars with collections from handguns and archery equipment alone amounting to 17.6 million dollars. Total Dingell-Johnson collections in 1977 were but 26.3 million dollars. The incredible resurgence of hunting opportunity throughout the United States bears testimony to the success of wildlife management investments.

The excise tax on archery equipment and handguns provides that up to one half may be used by the States for *hunter* education. Many persons who are interested in broadening the Dingell-Johnson Act believe that perhaps 10% of the new funds should be dedicated to *water resource* education. Young people of today are exposed to a wide range of antikilling, antiutilization propaganda, but few are taught the joys of the aquatic environment plus the challenge of protecting the resource and the right to enjoy it. This young generation will be tomorrow's conservationists as well as tomorrow's fishing industry customers.

If fishermen and the entire recreational fishing industry join hands in this D-J expansion effort, we can do for fishing what has been done for hunting and we can keep pace with demands on our aquatic resources while protecting the interests of everyone concerned. It's the future of fishing.



STATEMENT OF THE NATIONAL WILDLIFE FEDERATION BEFORE THE
SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS SUPPORTING
INCREASED FUNDING FOR RESTORATION OF RECREATIONAL FISHING.

May 20, 1980

Mr. Chairman, I am Raymond E. Johnson, representing the National Wildlife Federation which has its headquarters at 1412 Sixteenth Street, N.W., Washington, D. C. The Federation is a nonprofit, nongovernmental conservation and education organization which has independent affiliates in all 50 states, Guam, Puerto Rico, and the Virgin Islands. Its total associate membership is approximately 4.1 million people.

Just over one year ago, our organization adopted a resolution at its 1979 meeting supporting legislation that would extend reasonable excise taxes to certain categories of boats, motors, and other pieces of equipment used in recreational fishing. The goal of increasing revenues to the Dingell-Johnson sport fishing restoration program is a worthy one. Our members believe that funds presently available to the states for use in the D-J program are inadequate, and the traditional sources of funds such as license fees are insufficient, to give our important fishery resources the study, protection, and intensive management they need in the face of increasingly heavy use.

The Federation has become convinced, over the past 28 years of watching D-J program accomplishments, that the program has done more than just restore and improve sport fishing. Many activities of D-J funded programs have been of great benefit to the public at large, not just to the one segment interested primarily in angling. By creating new lakes and by striving to maintain clean

waters that are necessary for fish survival, many D-J projects have created greater opportunities for boating and other water-based outdoor experiences in very enjoyable surroundings. Family-type recreational activities are now common in many places where water formerly was scarce or was inaccessible, thanks to the concerns of fishermen for fish.

Looking into the immediate future, increasingly heavy demands for water will be imposed by the need for agricultural crops, for the cooling of power generating plants and other industry, and for the processes that create fuels from oil shale and coal. We will be confronted, more than in the past, with threats of water diversion, consumption, and degradation. Any help we can get from state and federal fishery research and management programs in this continual fight to preserve water quality and quantity will be of general public benefit.

Decades ago, Dr. Clarence Tarzwell, a biologist (who was also a fisheries expert and a commissioned officer in the Public Health Service) remarked that waters suitable for sustaining well-rounded fish populations were also suitable for any public and private use, or could be made suitable with a minimum of treatment. By keeping the environment clean enough for fish, we were keeping it clean enough for human uses as well.

The National Wildlife Federation believes that the work done with D-J support is therefore a bargain, for both anglers and the rest of us as well.

Resolution No. 11

EXPANSION OF THE DINGELL-JOHNSON ACT

WHEREAS, the Dingell-Johnson Act has provided state fish and wildlife agencies with a continuing and reliable source of funds to perform vital functions in behalf of fisheries management; and

WHEREAS, the increased numbers of fishermen and improved fishing tackle and attendant equipment are creating ever-increasing demands for fisheries resources; and

WHEREAS, there is a clearly recognized need to develop more effective fisheries management programs; and

WHEREAS, the funds currently available for such purposes are inadequate to meet existing research and management needs; and

WHEREAS, the outlook for increased funding from existing sources, such as license fees and/or general tax revenues, is bleak;

NOW, THEREFORE, BE IT RESOLVED that the National Wildlife Federation, in annual meeting assembled March 22-25, 1979, in Toronto, Ontario, hereby expresses its strong support for legislation that would extend reasonable excise taxes to new sport fishing boats, motors, trailers, and certain types of other fishing equipment not now included on the condition that such revenues will be used to carry out purposes of the Dingell-Johnson Act to fund fishery research and management programs of state wildlife agencies.

STATEMENT OF
THE IZAAK WALTON LEAGUE OF AMERICA
RELATIVE TO
S. 1631: A BILL TO EXPAND
THE DINGELL-JOHNSON FUND
BEFORE THE
SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
BY
JACK LORENZ
EXECUTIVE DIRECTOR

MAY 20, 1980

Mr. Chairman and Members of the Committee:

My name is Jack Lorenz; I am Executive Director of The Izaak Walton League of America. The Izaak Walton League, founded by 54 fishermen in 1922, is a natural resource conservation organization comprised of 52,000 members nationwide. The quality of angling and protection of the fishery resources of America have been at the the top of the League's priority list throughout our 58-year history. The League was instrumental in the passage of the Black Bass Act in 1927, the same year that President Calvin Coolidge asked the League to conduct the nation's first water pollution survey.

Izaak Walton League members also helped lead the fight for establishment of the Dingell-Johnson Fund 30-years ago and now, deeply concerned about the future of fishing in America, we urge expansion of this vital program.

In support of S. 1631 we point to the outstanding record of the current Dingell-Johnson program, which has provided the nation's growing population with tens of thousands of acres of new and renovated fishing waters, more than 3,000 recreational access sites and over 600 important research projects.

The Dingell-Johnson program is a model Federal/State cooperative effort. It's administrative cost of less than ten percent a year offers an outstanding example of how a government program should be operated. With nearly 60,000,000 anglers enjoying the sport of fishing each year, Dingell-Johnson deserves our support on it's cost-benefit ratio alone.

We think it is not unreasonable to ask, "where would fishing be today, if it were not for the Dingell-Johnson program?" The Izaak Walton League members addressed this question at our national convention in 1978 and adopted a strong resolution in support of expansion of the Dingell-Johnson Fund so that future generations will also be assured of a quality angling experience.

The need for Dingell-Johnson to grow is clear. Fishing has gone through a dramatic period of change over the past 30-years. Population growth, increased leisure time and the addition of many thousands of acres of new fishing waters through water resource development projects have all had major impacts on angling in America. With greater fishing opportunities have come highly effective new types of fishing tackle, better engineered and specially designed boats, motors, and trailers, increased knowledge and understanding of the habits of most sought after game species. The pressure on the resource also increased with the introduction of electric fish finding equipment, light and turbidity meters, temperature gauges and electric trolling motors. All have served to sway the odds in favor of the fisherman and away from the wild-living resources.

The Dingell-Johnson program was directly responsible for the introduction of striped bass to major fresh water rivers and impoundments. Thousands of anglers are joining in the pursuit of this great sport fish, which in all but a few cases,

must be restocked through the Dingell-Johnson supported state fisheries enhancement programs. Often growing to more than 25 pounds in size in their new aquatic environment, the striped bass has been known to attract as many as 100 boats in a ten acre area of Lake Texoma on the Oklahoma-Texas border.

The sight of boats jammed close together is also a common sight on the Great Lakes where the introduction of salmon, again with the help of Dingell-Johnson, has helped establish a great fishery enjoyed by many thousands of citizens.

Huge blue catfish are now being caught in the waters of Santee Cooper in South Carolina. This exciting fishery and others like it are a result of exchanges of fry developed in hatcheries and research programs funded with Dingell-Johnson monies.

There is an urgent need for new fishing waters, access areas, further introduction of new species and the research so vital to proper management of all fisheries. With most Americans now living in urban areas and the cost of fuel rising, it is imperative that more attention be given to the development of new fisheries and access areas near our major cities. We need to see more lakes like Burke Lake (located in Fairfax County, Virginia). The most heavily fished lake in America based on its size and number of anglers, Burke Lake is often covered from shore to shore with boats. The Lake was built with Dingell-Johnson monies and is also being maintained with those funds. More such lakes are needed today nationwide and that need is not going to lessen in the coming decade. We feel that the expansion of Dingell-Johnson is far and away the best method to assure American anglers that they will have quality fishing in the future.

When the Dingell-Johnson Fund became a reality, no one could foresee the explosion of interest, the addition of so much new fishing water or the rapid evolution of angling equipment and techniques. Today, boats are no less important as fishing tools than are rods, reels, and lures. Thus, a three percent

excise tax on boats, motors, and trailers is not only justified based on the need for funds, it is justified by the role of the boat in fishing and the importance of fishing to the boating industry. We fully realize that anglers will ultimately pay that three percent tax and we strongly urge you to tax us.

The Izaak Walton League's official policy is attached and we respectfully request that it be included in the hearing record.

THANK YOU

JL:ljc
5/16/80

Attachment

1978 RESOLUTIONS

EXPANDING THE DINGELL-JOHNSON PROGRAM*

Since 1950, American fisherman have contributed more than \$266 million to fisheries research and enhancement through the Dingell-Johnson federal aid to fisheries programs. The money is collected through a 10 percent excise tax on certain fishing tackle and distributed to the states, where it has provided tens of thousands of acres of new and renovated fishing water, almost 3,000 recreational access sites, and over 600 research projects.

However, the opportunities for investments in fisheries enhancement far outstrip the funds available; the state fish agencies stand ready to provide additional matching money if the federal share, provided through the Dingell-Johnson fund, can be increased. At the same time, many items of fishing paraphernalia do not contribute to the Dingell-Johnson fund, and recreational boats, motors, and boat trailers have escaped the excise tax altogether, even though more than 70 percent of motorboat owners report fishing to be their primary boating activity.

Aware that motor boats and efficient modern tackle increase the pressures on the fishery resource, the Izaak Walton League of America, assembled in convention at French Lick, Indiana, July 19-21, 1978, finds that the fisherman and boat owners should increase their investment in the fisheries resource, and urges Congress to amend the Dingell-Johnson Act to subject all fishing equipment to the 10 percent excise tax and to apply a three percent manufacturer's excise tax to all new recreational motorboats, motors, and trailers, with revenues so raised to be added to the Dingell-Johnson fund to support the state fisheries programs.

*Excerpt from 1978 Resolutions of the Izaak Walton League of America

MAY 6 - 1980

**ARIZONA GAME & FISH DEPARTMENT***2222 West Greenway Road Phoenix, Arizona 85023 942-3000*

May 1, 1980

Senator Jennings Randolph
Chairman, Senate Committee on the
Environment and Public Works
Room 4202, Dirksen Senate Office Bldg.
Washington, DC 20510

Dear Senator Randolph:

The Arizona Game and Fish Department hereby extends its support for proposed amendments to the Dingell-Johnson Act as stipulated under your sponsorship of S-1631. Your action and that of your colleagues in this endeavor is indeed to be commended! There is little doubt that the legislation is needed to continue to maintain sport fishing in its rightful role as the number one family oriented recreation in the nation. To allow such an activity to digress or deteriorate is an invitation to possible socio-economic problems that could adversely affect a wide spectrum of society.

We realize that Arizona is far from alone in feeling the effects of spiraling inflation, decreasing dollar values and the resultant pressures that are impacting on our fishery resources just from the economic standpoint. The fact that our state is in the forefront of those states experiencing exceptional population growth obviously dictates further that our fishery resource does now and will, in the future, need additional finances in order to meet the demands and challenges that are already here and will continue to escalate. The bill that you and your colleagues are sponsoring (S-1631) and that we emphatically support, is the logical means to maintain the financial integrity of fisheries programs and to further enhance their future research and management capabilities.

The major areas for new fisheries funding application that are in the most immediate need in our state are fish hatcheries. The attached summary of capital outlay requirements for our hatchery program details some of the most pressing problems.

Senator Jennings Randolph

-2-

May 1, 1980

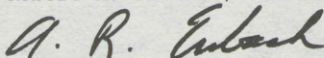
Similarly, we are attaching a program format for utilization of new funding (hopefully from D-J Expansion) in fisheries research projects. As stated in that format, our existing D-J Statewide Fisheries Investigations project could, with additional monies, be further expanded to include such desirable management work as lake restoration through dredging or aquatic vegetation harvesting as well as new lake construction. The prohibitive expense of this type of management work has precluded our ability to become involved, particularly in recent years. Again, the passage of D-J Expansion legislation would make such important aquatic resource management a viable reality for Arizona's half-million anglers.

In conclusion, we request that the above statements and the attached data concerning our fish hatchery, management and research needs for the future become part of the official hearing record as testimony to be presented at the May 20 senate hearings. We are mailing copies of this letter and attachments to our entire Washington delegation and requesting their respective support for H.R.-6074 and S-1631, and hopefully their personal involvement as co-sponsors in the hearings.

We sincerely thank you and your co-sponsoring colleagues once again for the prime concern and excellent initiative you are showing in this extremely important "crossroads" legislation for the future of our nation's fisheries.

Sincerely,

Robert A. Jantzen, Director



Alban R. Essbach, Supervisor
Fisheries Branch

ARE/cs

cc: Arizona Congressional Delegation
Mr. Carl Sullivan, Am. Fisheries Society
Arizona D-J Steering Committee

CAPITAL OUTLAY NEEDS - FISH HATCHERIES, ARIZONA GAME & FISH DEPARTMENT

I. Issue Name: State Fish Hatcheries - Modernization construction, upgrading program.

II. Program: Operations (Fisheries Management).

III. Description of Issue: Fish hatcheries are a vital part of the Department's trout fisheries recreation and management activity. The activity must be maintained due to public demand and most Arizona trout streams and lakes do not have the proper environment, water quantity and water quality to be self-perpetuating trout fisheries. Without trout hatcheries, trout fishing in Arizona would cease to exist for all practical purposes.

At least two state fish hatcheries (Page Springs and Tonto) have received very little upgrading and modernization effort in their 40 odd years of existence. Many areas of the physical plants, including employee housing, are old, deteriorating and in need of replacement and modernization to bring the hatcheries in line as efficient, productive fish culture stations. As a result of aging facilities, including dirt ponds and raceways, the diseases, mortalities and temperature problems for fish are magnified. To resolve the problem, sufficient funding (1-1/2 to 2 million dollars) is needed over the next three to five years to construct new concrete rearing structures, water delivery systems, security systems and sufficiently adequate, modern housing for employees.

IV. Program Impact: The benefits of funding this proposed action will assure that Arizona can, for many years to come, be capable of furnishing high quality fishing recreation to the public in response to an ever-growing population and resultant pressures placed on fish production. Fishing is the No. 1 family-oriented recreational activity in the country as determined by recent U.S. Fish and Wildlife Service data. Various state surveys have also supported this finding. Arizona fisheries now furnish in the area of 2.8 million man-days of cold-water angling and 3.5 million man-days of warm-water angling effort annually. In calendar year 1979, a total of 518,707 resident and non-resident fishing licenses, permits and stamps were sold. This amounted to a revenue inflow to the Department of \$3,059,441, not all of which unfortunately can be dedicated solely to fisheries management utilization.

The consequences of not funding the proposed action will result in a stabilization and very likely a reduction in hatchery production, with the ultimate consequence of inability to meet present and future stocking schedules through optimum fish production. Public reaction will undoubtedly be adverse, and a large volume of expressed dissatisfaction could reach all levels of the government and public media.

A. R. Enbach

FISHERIES RESEARCH NEEDS, ARIZONA GAME AND FISH DEPARTMENT

For several years we have requested additional personnel to expand our fisheries research effort. All such requests have had to be denied because of the tight money situation. We should have an additional three biologists, three assistants and a supervisor over this branch. Some of the immediate fisheries problems which should be investigated during the next five years include the following:

Striped Bass Investigations: How does this species fit into the ecology of such large reservoirs as Mead and Powell; competition for forage species with largemouth bass; predation by stripers on bass and other game fish. We should have some of these answers before we seriously consider putting stripers into other good largemouth bass lakes.

Research the application and manipulation of seasons, length limits and bag limits on largemouth bass populations in large reservoirs to evaluate the possible future application to anticipated recreational fishing demands.

We need more information on pumped storage projects and their effects on the existing fishery, particularly in view of the grandiose, long term plans on the drawing boards for such projects.

We need a good evaluation of the statewide catchable trout program in terms of angler harvest and overall socio-economic aspects.

Effects of major drawdowns of large reservoirs on the overall fishery of the lake.

The pros and cons of the white amur and other biological weed-control species should be fully investigated.

Information is needed on minimum stream flows necessary to maintain a trout fishery and other specific warm water stream fisheries.

One fisheries specialist feels we need a thorough investigation of the economic importance of Corbicula sp. (Asiatic clam), a high-density species in most of our reservoirs.

The list could go on but there's obviously a definite need for an expanded fisheries program. Minimal cost estimates of funding the additional personnel and programs are as follows:

Personnel Services

1 Supervisor	Grade 19 @	17,750	\$ 17,750
3 Biologists	Grade 17 @	15,140	45,420
3 Assistants	Grade 12 @	10,750	<u>32,100</u>
			\$ 95,270

<u>Employee Related Expenses @ 16%</u>	\$ 15,243
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Travel

Mileage 1500/man/mo.	\$ 18,900
Subsistence @ 7500/man/mo.	6,300
Equipment	
Boats & motors	12,000
Other equipment	5,000
OOE	3,500
Miscellaneous	<u>\$ 3,000</u>
Grand Total	\$158,713

These are the major immediate and most pressing additional needs for fisheries research.

In addition to the above listed projects that we feel should be implemented if funding becomes available, our existing D-J funded Statewide Fisheries Investigations (F-7-R) project presently operating at the \$328,000 level could, of course, welcome an infusion of additional monies. An additional \$150,000 - \$200,000 allocation to this project incorporating more technicians, equipment and sophisticated technology in specific areas would make the project that much more viable and productive.

We trust that this presents a reasonable cross section of the projects for potential research expansion in the D-J area from Arizona's standpoint, and we hope that this initiative you are spearheading gains the nationwide support required to bring it to fruition.



Department of Natural Resources

270 WASHINGTON ST., S.W.
ATLANTA, GEORGIA 30334
(404) 656.3500

Joe D. Tanner
COMMISSIONER

May 14, 1980

The Honorable Jennings Randolph
Chairman, Committee on the
Environment and Public Works
Room 4202
Dirksen Senate Office Building
Washington, D. C. 20510

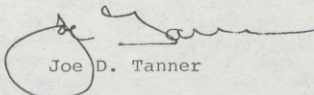
Dear Chairman Randolph:

I am encouraged to note that the Committee on Environment and Public Works has scheduled a hearing on S 1631, the Dingell-Johnson Expansion Act, for May 20, 1980. The importance of this legislation in providing funds to allow more adequate management of fisheries resources cannot be underestimated. Each state is facing increasing pressure from the fishing public to provide a suitable sport fishing recreation opportunity.

Through your sponsorship of S 1631, I am sure that you are fully aware of the need to expand the funding capability of Dingell-Johnson. I would like to submit for the Committee's consideration a detailed letter sent to Congressman Breaux in support of the House version of this legislation. It explains the various worthwhile projects which would be supported by additional funding.

I would be glad to respond to any questions you or other Senators of the Committee may care to raise.

Sincerely,



Joe D. Tanner

JDT:

Attachment

cc Senator Talmadge
Senator Nunn



Department of Natural Resources

270 WASHINGTON ST., S.W.
ATLANTA, GEORGIA 30334
(404) 656-3500

Joe A. Tanner
COMMISSIONER

March 28, 1980

Honorable John Breau, Chairman
Subcommittee on Fisheries, Wildlife
Conservation and the Environment
Room 3574 House Annex II
3rd and D. Streets, S.W.
Washington, D. C. 20515

Dear Congressman Breau:

The Georgia Department of Natural Resources supports expeditious consideration and passage of the Dingell-Johnson Expansion Act (HR 6074) of which you are a prime sponsor. This legislation is necessary to increase the general level of financial support provided to state sport fisheries programs without deviating from the principle of taxing the user to enhance recreational opportunities. The excise taxes proposed in HR 6074 are a responsible means of support within efforts by Congress to balance the budget, as the funds will only be disbursed after they are collected. Your interest in conducting timely hearings on March 18 for HR 6074 is certainly appreciated.

The D-J Expansion Act is without doubt the most significant federal legislation affecting state sport fishery resources since the original Dingell-Johnson Act passed in 1950. The funding promised with this legislation offers a bright hope for long postponed improvements in state fishery management efforts. A strong infusion of funds through the D-J program are necessary to combat the effects of inflation on existing budgets as well as the heightened demands on the fishery resources.

Increasingly, the Game and Fish Division of the Department of Natural Resources is having to rely on the support of the Governor and the General Assembly to provide funds from the general state treasury in excess of licenses and other fees to maintain a constant level of program activity. Presently, state general funds spent on sport fisheries programs, exclusive of monies spent on enforcement of fishing laws and regulations, equal license fees. Under these circumstances, general improvements needed in sport fishery programs to meet the demands of the fishing public will be ignored. Further demands on a diminished fishery resource will negatively affect fishing experiences, and hence, endanger continued public support for sport fishery programs.

Congressman Breaux
Page Two
March 28, 1980

During the 1970s, the Department of Natural Resources, along with other Georgia state agencies, has undertaken several belt-tightening moves to reduce actual expenditures. Within the fisheries program specifically, it was necessary to close two hatcheries and two public fishing lakes as well as to reduce the personnel ceiling by four positions in an effort to reduce the need for state funds. Furthermore, a fish hatchery renovation program, initiated before tightened state budgets of the mid 1970s, has been slowed. Funds for construction of boat ramps have ceased to be appropriated.

Clearly, it will soon be my responsibility to request that the General Assembly increase fishing license fees. However, I regard this as a short term solution. If a license increase is approved, the new funds will be quickly consumed by inflation or otherwise be used to offset the current use of the state general fund. The D-J fund is a far superior method of financing since revenues increase with inflation and with increases in fishing demand. The D-J excise tax, like fishing licenses, is an innately fair means of funding sport fishing programs in that the resource user pays.

Fishing pressure on the state's resources is increasing, although at a slower rate than in the past. Based on the sale of licenses and the estimated ratio of licensed to unlicensed fishermen, the total number of Georgia fishermen has increased by about 6,800 per year since 1972. That number of fishermen adds about 116,000 man-days of fishing pressure to our waters each year. Compared to the total fishing pressure that takes place in Georgia, that is a rather modest increase, and could be absorbed if judiciously placed close to new reservoirs or under-utilized lakes in sparsely populated regions.

However, this increase in fishing pressure seems to have taken place along with a shift in the population of fishermen to the more urbanized sections of Georgia, most notably to the Atlanta Metropolitan Area where about 40% of our state's population now lives. Predictably, public waters near those areas receive high fishing pressure and require active management. Even now, an unmet need for additional public fishing waters exists due to these population shifts. In addition, the 116,000 new fishing trips that must be provided for each year will require from 232 to 1,160 acres of new public fishing lakes annually, with acreage dependent upon the type of management. At least one million dollars annually are needed for new public fishing areas to address the twin problems of increasing fishing pressure and geographical shifts in demand.

Congressman Breaux
 Page Three
 March 28, 1980

The need for public fishing opportunities near population centers has become increasingly evident with the escalation of gasoline prices. Recreation demand of all types is becoming more localized as people concentrate their visitation to those facilities nearby. Not only is there a demand for new fishing areas, but the pressure exerted on existing lakes is increasing. As a result, fishery biologists must step up the level of management on existing waters. More frequent and better quality fisheries surveys are needed for optimum management. No longer can an entire decade pass without gathering comprehensive fisheries data from a major reservoir. Such has been the case in the past due to inadequate funding and staff. Georgia has twenty-nine large lakes and about twenty-four major river segments that need routine monitoring each year. About \$300,000 in new funds are needed to accomplish this objective.

Our marine sport fisheries program has fiscal needs far in excess of our ability to meet them. Fortunately, our coastline is still relatively unspoiled and thinly populated. Consequently, past demands on our marine fishery resources have not been intense. This situation is changing. The 1975 Survey of Hunting, Fishing, and Wildlife-Associated Recreation indicated that Georgians spent more time saltwater fishing in other states than in Georgia, suggesting among other things, our failure to provide adequate recreational fishing opportunities on our coast. Along with this unmet existing demand, the next decade will see a sizable increase in the human population along our coast.

Our marine sport fisheries program is ill-prepared to meet existing needs, much less those of the future. We have only four biologists assigned to sport fisheries management duties for our entire coast. A vast network of estuarine waters is largely unusable due to a lack of boat launching facilities. Entire coastal counties are lacking suitable public launching ramps, and fishing catwalks along bridges are essentially nonexistent. Surveys of existing user levels are a priority requirement to document the need for and location of fisherman access facilities. Inshore sport fish populations are believed to be significant, but so little biological data have been collected that we do not know much about their potential to support additional fishing demand.

Management of our offshore sport fisheries is similarly plagued with lack of funding. Our coast is largely devoid of natural live bottom areas that provide habitat for fishes and good catches for fishermen. Consequently, construction of artificial reefs has been successful in providing additional fishing opportunities. Very preliminary data from an existing D-J funded project indicates from 35-46% of all offshore fishermen use the artificial reefs.

Congressman Breaux
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March 28, 1980

Eight reefs were constructed in the 1970s with the last one started in 1977. Due to a lack of funding, our current artificial reef program has been reduced to adding materials to existing reefs on a limited basis and maintaining buoys at others. Without additional federal funds, no new reefs are likely despite the fact that we have already invested considerable D-J funds in surveying reef sites and learning something of the population dynamics of reef communities. Construction costs of a single reef exceed \$75,000, so it will take a major source of funds to reestablish this program.

To summarize the need for additional D-J funding, I would include the need to develop a comprehensive public fishing lake program located around population centers and areas devoid of lakes, to establish an intense survey program to better manage existing large reservoirs and major rivers, to develop a data base for managing marine inshore fishes, to establish an access program for coastal waters, to reinstitute a marine artificial reef program, and last, to stabilize funding of other eligible programs that have in the past been contingent upon an annual appropriation of state funds. Approximately \$1.6 - \$2.0 million in D-J funds would be needed annually to accomplish these objectives.

Expansion of the D-J tax base is the most logical means of developing the funding necessary. Recreational programs can only be improved when the users of those programs are willing to finance the improvements. The demand for general tax revenues from the state or federal government is so intense that recreational needs cannot often compete with other demands placed on state and federal budgets.

Major user groups of sport fishery resources have essentially agreed with this contention and are in support of the D-J Expansion Bill. Some segments of the boating industry have been reluctant to support it and have questioned the impact of the bill on their industry. Since the original D-J legislation passed, the manufacturers of boats, outboard motors and trailers have reaped the benefits of better fishery management through the sale of their products to fishermen. Improvements made in reservoir management with D-J funds, such as hybrid and striped bass introductions and establishment of two-story fisheries, have undoubtedly increased sales as boats are necessary to use those fisheries. Unquestionably, any future improvements in fishing that come about from the D-J Expansion Act will benefit the boating industry as has been the case in the past. Therefore, I believe it appropriate that a three percent excise tax be added to boats, motors and trailers as proposed.

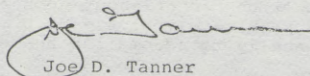
At this point, I would like to mention one concern I have regarding the House version of the D-J expansion legislation, the requirement that 30 percent of the funds are to be earmarked for

Congressman Breaux
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March 28, 1980

marine programs. I am opposed to such a restriction because any formula for the division of funds is impractical and would seriously limit the wise application of funds to areas of greatest need. Ideally, the resource manager should have the flexibility to apply the funds on the basis of meeting the fishing demand within a state. These strategies will vary from state to state. For example, an estimated 11.2 percent of all sport fishing pressure in Georgia takes place in saltwater. Consequently, requiring an arbitrary level of expenditures in coastal waters in excess of the percent of use denies the freshwater fishermen some of the benefits of taxes levied on equipment they purchased. The allocation of funds should remain with the resource manager to adjust according to need.

I am encouraged by your personal interest in this legislation and remain hopeful that HR 6074 will receive a favorable report from the Committee on Merchant Marine and Fisheries for successful passage this Session of Congress.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joe D. Tanner", is written over a circular stamp or mark.

Joe D. Tanner

JDT:dbc

cc Ga. Congressional Delegation
National D-J Expansion Committee

Illinois



Department of Conservation

life and land together

605 WM. G. STRATTON BUILDING • 400 SOUTH SPRING STREET • SPRINGFIELD 62703
 CHICAGO OFFICE — ROOM 100, 160 NO. LASALLE 60601
 David Kenney, Director • James C. Helfrich, Assistant Director

April 23, 1980

The Honorable Jennings Randolph
 Chairman
 Senate Committee on the Environment and Public Works
 Room 4202
 Dirksen Senate Office Building
 Washington, D.C. 20510

Dear Senator Randolph:

As Director of the Illinois Department of Conservation, I wish to comment on the Dingell-Johnson Expansion Bill to the Senate Committee on the Environment and Public Works.

I appreciate your interest in conducting hearings on this important legislation. Its passage is urgently needed in Illinois to expand and improve the fisheries resource base needed by an increasing population of anglers.

The number of anglers is projected to increase from 1.5 million in 1978 to 2.1 million in 1995; angling days are expected to increase from 37 million to 52.9 million during the same period. This increase will impact access, fishing pressure per acre of water and harvest.

Human population expansion will result in the need for additional industrial, municipal and agricultural pollution control in surface waters. This increase will also be reflected in greater demand for water for municipal, industrial and agricultural uses.

Although Illinois increased the resident sport fishing license fee from \$2.00 to \$5.00 in 1979, \$2.00 of the increase will retire bonded indebtedness used to finance construction of new hatchery facilities now under construction. In addition to other fisheries activities supported by fishing license sales, additional Department programs of fisheries related support services and law enforcement are also financed through these sales. Current inflationary rates will drastically impact all fisheries related programs.

An expansion of the Dingell-Johnson funding base is urgently needed to maintain our present fisheries but also to: build new fishing waters near metropolitan areas; increase the amount of fishing and boating access to Lake Michigan, rivers and streams; renew lake habitats that have deteriorated due to increased sediments and other pollutants; to protect lake watersheds from soil erosion; improve stream habitats degraded by erosion and drainage practices; expand statewide stocking programs; and to provide research leading to an increase in quality angling days in the State's public waters.

The Honorable Jennings Randolph

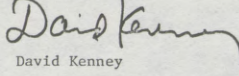
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April 23, 1980

Illinois Dingell-Johnson apportionment is now approximately \$600,000.00 (Attachment # 1). To accomplish the pressing needs outlined above, I estimate that an additional 5.0 million is needed. Passage of S. 1631 will help meet this need.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in dark ink, appearing to read "David Kenney". The signature is fluid and cursive, with the first name "David" written in a larger, more prominent script than the last name "Kenney".

David Kenney

DK:MC:kd

cc: Honorable Charles Percy

Honorable Adlai Stevenson III

Attachment

ILLINOIS DEPARTMENT OF CONSERVATION
FEDERAL AID IN SPORT FISH RESTORATIONMichael J. Sweet, Federal Aid Coordinator
and

James S. Allen, Administrative Assistant, Division of Fisheries

March 7, 1980

ILLINOIS DINGELL-JOHNSON PROGRAM

The Federal Aid in Sport Fish Restoration Act (Dingell-Johnson Act), enacted in 1950, has become an important and stable source of income for state fish and wildlife agencies. This Act provides funds to be used for reimbursement of up to 75 percent of costs for sport fish restoration programs.

Funds are collected from a manufacturer's excise tax of ten percent on rods, reels, creels, and artificial baits, lures, and flies. After the reduction from monies collected of up to eight percent for expenses incurred by the U. S. FWS for administration of the program, the remaining monies are apportioned to each State and territory. Forty percent of the appropriation is based on the area of each state (including coastal and Great Lakes waters) to all states, and sixty percent on the number of paid fishing license holders of the state to paid fishing license holders of all states.

The D-J monies are available to the State for a period of two years, at which time the remaining portion is reverted to the Secretary of the Interior to be used for expenditure in Guam, Puerto Rico or the Virgin Islands during the succeeding year. Any remaining portion is to be used by the U. S. Fish and Wildlife Service for its research programs concerning fish of sport or recreation value.

Since 1952, the apportionment for Illinois has been over 7.7 million dollars (Table 1). Through 1977 Illinois ranked fourth nationwide in the number of new lakes constructed with D-J funds and number two in the total acres of new lakes constructed.¹ Over 85 percent of project costs have been for

development and maintenance projects (Table 2). Table 3 gives a historical summary of the types of projects and their cost. Locations of acquisition and development projects are presented in Figure 1.

Lake construction has recently declined due to increased costs, causing the state to diversify its D-J program. An average of about \$600,000 has been apportioned to Illinois during the past five years. These monies are currently being used to fund thirteen projects. Six of those are development type projects which include activities such as habitat management, facility maintenance, project administration, biological surveys, habitat manipulation and area operation, as well as construction. There are also seven research projects, one coordination project and one planning project. The coordination project and three of the development projects combine Pittman-Robertson and D-J monies.

LITERATURE CITED

1. U.S. Department of Interior. 1977. Federal Aid in Fish and Wildlife Restoration - 1977. Wildlife Management Institute and Sport Fishing Institute., Washington, D. C. 90 pp.

Table 1. Illinois Apportionments of Federal Aid in Fish Restoration Program Funds, Fiscal Years 1952-1980.¹

Fiscal Year ²	Apportionment		
1952	\$ 70,387.13	1967	188,203.73
1953	88,892.10	1968	230,188.58
1954	141,429.62	1969	227,167.35
1955	154,489.72	1970	293,589.68
1956	159,107.61	1971	346,479.42
1957	170,857.14	1972	336,251.08
1958	130,586.27	1973	284,521.45
1959	147,339.34	1974	352,747.55
1960	154,089.16	1975	405,469.09
1961	140,317.77	1976	448,929.48
1962	151,356.36	1977	608,615.31
1963	147,358.70	1978	647,228.72
1964	160,497.13	1979	634,384.00
1965	181,517.11	1980	599,615.00
1966	172,849.75		
		TOTAL	\$7,774,465.35

¹The Federal Aid in Fish Restoration Act was passed in 1950. Funds first became available to the states in fiscal year 1952.

²The 1977 apportionment is for a 15-month fiscal year (6/1/76-9/30/77). Prior to 1977 federal fiscal years ended on June 30; from 1977 on, federal years ended September 30.

Table 2. Illinois Federal Aid in Fish Restoration Projects and Expenditures Summary, 1952-1979.¹

Type of Project	No. of Projects	Total Costs	Percent of Total Project Costs
Development and Maintenance	26(7) ²	\$4,467,080.64	85.6
Land Acquisition			
(577 acres)	1	299,400.00	5.7
Research and Surveys	11	372,863.68	7.2
Coordination	2(1)	76,514.94	1.5
TOTAL	40(8)	\$5,215,859.26	100.0

¹Summary of dollars received through calendar year 1979.

²() Combination Federal Aid in Fish and Wildlife Restoration projects included in total.

Table 3. Summary of Federal Aid in Fish Restoration Projects in Illinois, Fiscal Years 1952 - 1980.¹

Federal Aid Project Number and Title ^{1,2}	Description	Effective Dates	Reimbursement ³
FW-1-D, Godar-Diamond Island Development Project	Development and Operations: Construction of dams, roads, parking areas, and drainage and flooding ditches.	7/1/56 to 9/30/57	\$ 2,740.06
FW-2-D, Mississippi River Fish and Waterfowl Management	Development and Operations: Management of lands for public use; supervise development of areas for waterfowl, squirrels and game fish habitat.	7/1/56 to 10/15/61	46,757.64
FW-4-D, Rice Lake Development and Operations Project	Development and Operations: Construction and maintenance of waterfowl and fish habitat for public use.	7/1/57 to 6/30/69	37,059.43
FW-5-C, Fish and Wildlife Coordination.	Coordination: Assures proper use of funds for fish and wildlife restoration.	7/1/58 to Continuing	61,385.11
FW-6-D, Mississippi River Fish and Waterfowl Development Project	Development and Operations: Develop and maintain waterfowl and fish habitats and provide facilities for fishing and hunting.	2/5/60 to 1/31/61	3,217.50
FW-7-D, Mississippi River Fish and Waterfowl Development Project	Development and Operations: Development and maintenance of waterfowl and fish habitats to provide quality public fishing and waterfowl hunting.	7/1/65 to Continuing	286,014.02
FW-8-D, Rice Lake Development and Operations	Development and Operations: Construction and maintenance of fish and wildlife habitat for public use.	7/1/75 to Continuing	67,964.67
FW-9-D, Carlyle Lake Fish and Wildlife Management Area	Development and Operations: Development and maintenance of fish and wildlife habitat for public use.	7/1/77 to Continuing	52,993.69
F-1-R, Illinois-Mississippi Canal Fishery Investigation	Research: To establish a creel census on the full extent of the Illinois-Mississippi Canal.	3/15/52 to 3/14/53	11,406.32
F-2-R, Illinois-Mississippi Canal Fishery Investigation	Research: Collection and analysis of creel and age and growth data.	3/15/52 to 9/30/55	27,506.36

Table 3. Summary of Federal Aid in Fish Restoration Projects in Illinois, Fiscal Year 1952 - 1980 (cont.)¹

Federal Aid Project Number and Title ^{1,2}	Description	Effective Dates	Reimbursement ³
F-3-C, Fish Management Coordination	Coordination: To obtain personnel to administer the fish restoration program.	7/1/52 to 6/30/55	\$ 15,129.83
F-4-D, Red Hills Lake Development	Development: Develop a small fishing lake at Red Hills State Park.	-/-/53 to 6/30/55	69,269.06
F-5-D, Lake Murphyshoro Access Roads	Development: Construct roadway around lake.	3/2/54 to 6/15/54	14,400.95
F-6-D, Lake Argyle Access Roads Development	Development: Construct roadway around lake.	8/9/54 to 6/30/55	25,933.74
F-7-D, Siloam Springs Lake Development Project	Development: Develop fishing lake at Siloam Springs State Park.	7/1/54 to 6/30/55	103,178.51
F-8-D, Clark County Lake Development	Development: Create fishing lake at Lincoln Trail State Park.	5/10/55 to 5/9/56	158,662.78
F-9-D, Papoose Lake Development	Development: Create a sport fishing lake in the Cook County Forest Preserve.	11/28/55 to 11/20/56	25,960.19
F-10-D, Henry County Lake Development	Development: Develop a fishing lake at Johnson-Sauk Trail State Park.	7/17/56 to 7/31/57	126,765.29
F-11-D, Bullfrog Lake	Development: Construct a 15 acre fishing lake in Cook County Forest Preserve.	3/7/58 to 6/30/59	29,400.64
F-12-D, Randolph County Lake Development	Development: Construct a lake at Randolph County Conservation Area.	7/1/58 to 12/31/60	178,668.55
F-13-D, Winnebago County Lake Development	Development: Construct a lake at Rock Cut State Park.	8/15/59 to 8/14/61	263,797.21
F-15-D, Marion County Lake Development	Development: Construct a lake at Stephen A. Forbes State Park.	4/10/62 to 12/31/63	272,584.03
F-16-R, Ecology of Sport Fish and Sport Fishery Management	Research: Study ecology of sport fish and sport fishing management.	7/1/62 to 6/30/69	170,156.97

Table 3. Summary of Federal Aid in Fish Restoration Projects in Illinois, Fiscal Year 1952 - 1980 (cont.).¹

Federal Aid Project Number and Title ^{1,2}	Description	Effective Dates	Reimbursement ³
F-17-R, Small Dams Engineering Research	Research: Study small dams to improve design and construction methods.	2/15/64 to 2/14/65	\$ 3,091.67
F-18-D, Loud Thunder Lake Development	Development: Construct a lake at Rock Island County Forest Preserve.	5/8/64 to 10/30/66	351,499.78
F-19-D, Marion County Fisheries Research Center Construction	Development: Construct fisheries research lab at Stephen A. Forbes State Park.	10/2/64 to 12/31/65	37,931.97
F-20-D, Douglas County Conservation Area	Development: Construct lake at Walnut Point State Park.	3/1/66 to 8/31/67	102,675.34
F-21-D, Whiteside County Lake Development	Development: Construct a lake at Morrison - Rockwood State Park.	9/29/67 to 6/30/70	189,387.83
F-22-D, Sam Parr State Park Lake	Development: Construct a lake at Sam Parr State Park.	6/15/69 to 7/1/71	318,750.00
F-23-L, Shabbona Lake	Land Acquisition: Land acquisition for lake site at Shabbona Lake State Park.	3/1/71 to 6/30/72	299,400.00
F-24-D, Shabbona Lake Development	Development: Dam construction at Shabbona Lake State Park.	10/15/71 to 12/31/75	1,246,948.66
F-25-D, Fisheries Resource Management	Development: Construct dams, dikes, levees, roads and trails, public use facilities and erosion control.	7/1/76 to Continuing	387,712.79
F-26-R, Illinois Striped Bass	Research: Study effects of striped bass on existing fish populations and improve tank culture techniques.	3/1/77 to Continuing	112,329.42
F-27-R, Catch and Release Largemouth Bass Research	Research: Determine effects of catch-and-release largemouth bass fishing.	7/10/78 to Continuing	15,313.65

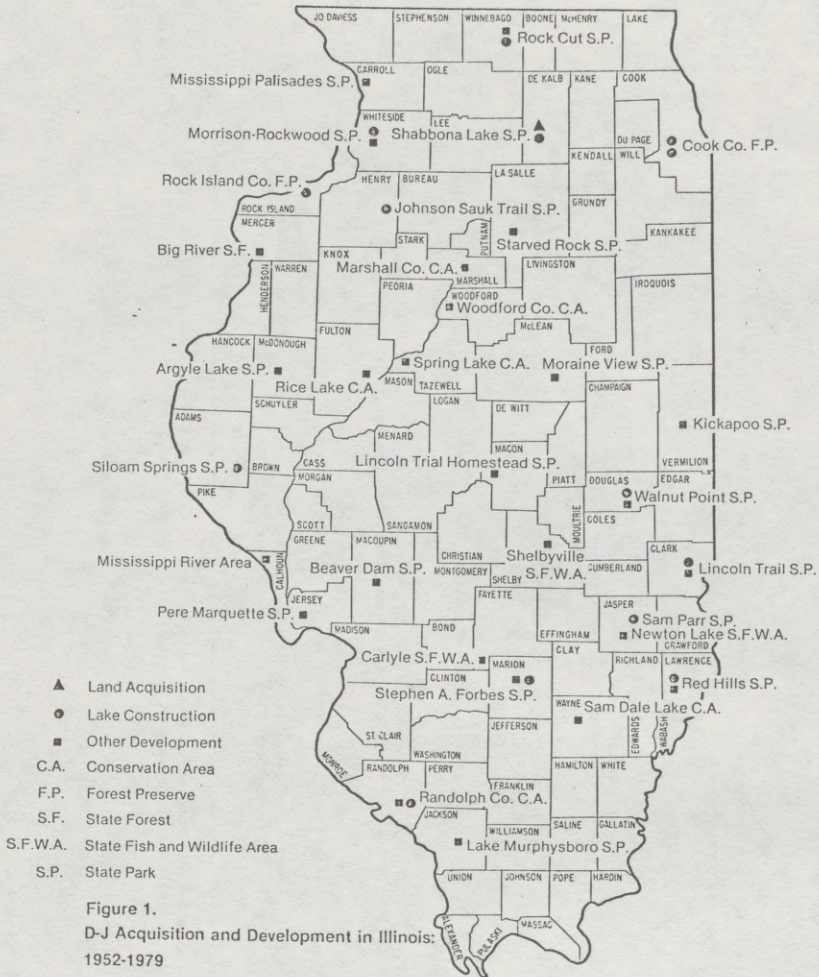
Table 3. Summary of Federal Aid in Fish Restoration Projects in Illinois, Fiscal Year 1952 - 1980 (cont.)¹

Federal Aid Project Number and Title ^{1,2}	Description	Effective Dates	Reimbursement ³
F-28-R, Illinois Fisheries Management Plan and System	Research: Develop a fisheries management plan to provide strategies for long range problems, translate objectives into actions and evaluate progress.	8/16/78 to Continuing	\$ 33,059.29
F-29-D, Management of State Lakes	Development: Conduct fish population surveys and creel censuses to manage and maintain quality sport fisheries.	9/5/78 to Continuing	66,816.31
F-30-R, Management of A Cooling Lake Fish Population	Research: Management of a cooling lake fishery.	9/25/78 to Continuing	0.00
F-31-R, Larval Fish Survival and Their Value as Forage	Research: Study environmental effects on larval fishes and their distribution in Lake Shelbyville.	3/30/79 to Continuing	0.00
F-32-R, Reproductive Requirements of Redear Sunfish	Research: Determine reproductive potential and other aspects of redear sunfish life history.	5/1/79 to 8/31/79	0.00
F-33-R, Evaluation of Largemouth Bass x Smallmouth Bass Hybridization	Research: Determine potential of hybrid largemouth x smallmouth bass as a new sport fish for Illinois waters.	6/1/79 to Continuing	0.00

¹This summary includes both Federal Aid in Fish Restoration (D-J) Projects and combination Federal Aid in Fish and Wildlife Restoration (D-J & P-R) Projects. D-J project numbers begin with the letter "D" and combination D-J and P-R project numbers begin with the letters "FW".

²The following project numbers are for projects that were planned but never activated and numbers that were never assigned: FW-3-D, F-14-R.

³Through December 31, 1979.



COMMISSIONERS

JOHN C. BROPHY, Chairman—Lansing
 THOMAS A. BATES—Bellevue
 JOHN D. FIELD—Hamburg
 RICHARD W. KEMLER—Marshalltown
 DONALD E. KNUDSEN—Eagle Grove
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Wallace State Office Building, Des Moines, Iowa 50319
 515/281-5145

An EQUAL OPPORTUNITY Agency

MAY 13 1980

May 7, 1980

The Honorable Jennings Randolph
 Chairman, Committee on the Environment
 and Public Works
 Room 4204
 Dirksen Senate Office Building
 Washington, D.C. 20510

Dear Senator Randolph:

Please accept the enclosed testimony from the Iowa Conservation Commission for the record at the Senate Committee on the Environment and Public Works hearing for S.1631 on May 20, 1980. The Commission voted unanimous support for this legislation on November 6, 1979, since enactment will have a significant impact upon recreational fishing programs for over 600,000 Iowans.

Thank you.

Sincerely,

ROBERT G. FAGERLAND
 ACTING DIRECTOR

RGF:JM:rh

Enclosure

(57-57)

TESTIMONY SUBMITTED FOR THE RECORD TO
THE SENATE COMMITTEE ON THE ENVIRONMENT AND PUBLIC WORKS
FOR THE IOWA CONSERVATION COMMISSION ON S.1631

Outdoor recreation is an important activity in the lives of one in three Iowans. Last year, more than 600,000 citizens purchased a license to fish in public waters and 175,000 registered recreational boats. Additionally, at least 300,000 fishermen representing under-aged youngsters and senior citizens that are exempt from ordinary license requirements also fished in public waters. Fishing popularity among Iowans is surpassed by only walking/hiking and picnicking as their favorite outdoor recreation activity. Iowa anglers expend over 16.5 million activity days each year to catch more than 64 million fish. Recreational boaters expend an estimated 8.2 million activity days in pursuit of their interest each year. Of course, a preponderance of outdoor enthusiast participate in both activities, since many fishermen pleasure boat and visa versa. The Iowa Conservation Commission has statutory responsibility for management of these vast natural resources. Both endeavors have become substantial ventures in terms of manpower and monetary investment.

The Dingell-Johnson Act of 1950 has been termed the single most important legislation in the advancement of fishery science, management, and fishermen facilities. We wholly concur in that assessment because the benefits directly to Iowa fishermen and indirectly to boaters have been magnanimous. Revenue from the Act has provided for acquisition, development, and maintenance of 132 public boat access areas and 417 ancillary facilities, such as parking and walk-in fishing accesses; 15 boat and fishing docks and fishing jetties have been constructed at eight public lakes; 12 public lakes containing 1,548 surface acres have been constructed or developed with D-J Funds.

The quality of sport fishing resource cannot be maintained nor improved in our state without funding commensurate with the importance of this recreational activity. Current D-J apportionments are slightly under \$500,000 while the remaining costs of fishery resource management are borne by license buyers. With only these two sources of revenue, we have clearly found that in recent years the demand placed on the resource far exceeds the funds available from license fees and federal aid.

Enactment of S.1631 would give the fishery resource agency of this state an opportunity to operate in modern, mission-oriented programs as well as alleviate the chronic need to regularly increase license fees to offset the ever increasing effects of economic inflation.

The most crucial problem facing recreation management in our state emanates from the fact that 96% of the land in Iowa is privately owned which restricts free and easy access to our lakes and streams. Long-range planning by the Commission's staff has identified six statewide programs that would benefit Iowans that participate in fishing and recreational boating from increased revenue derived from S.1631 over the next decade.

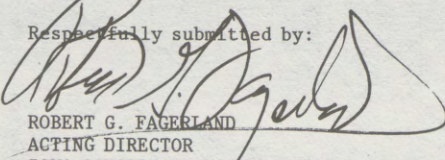
They are:

1. Increased public access sites to inland streams from 261 to 316 at a cost of \$1.4 million (see Exhibit A).
2. Increased public domain around Iowa natural lakes from 54 miles of shoreline to 67 miles and acquire and develop an additional 15 public access sites at a cost of \$5.0 million.
3. Increase public access to the Great Border Rivers--the Mississippi, Missouri, Big Sioux rivers by acquisition and development of 29 additional access sites for a total of 103 sites at a cost of \$750,000 (see Exhibit B).
4. Construct and develop three new recreational lakes--one each in the northwest, southwest, and northeast regions of the state at a cost of \$3.8 million (see Exhibit C).
5. Public agencies in Iowa currently own 45 miles of the 284 miles of trout streams. Ownership would be increased to 90 miles at a cost of \$3.0 million.
6. Habitat enhancement programs on 30 miles of public trout streams would be completed at a cost of \$900,000.

The Commission believes that those funds collected from the excise tax on small boats, motors, and boat trailers must be used by state recreation agencies that would directly benefit those that pay the tax. Therefore, the Commission requests that the Senate Committee on the Environment and Public Works amend S.1631 to earmark the revenue collected from these items for public access and development programs that would benefit fishermen and boaters alike.

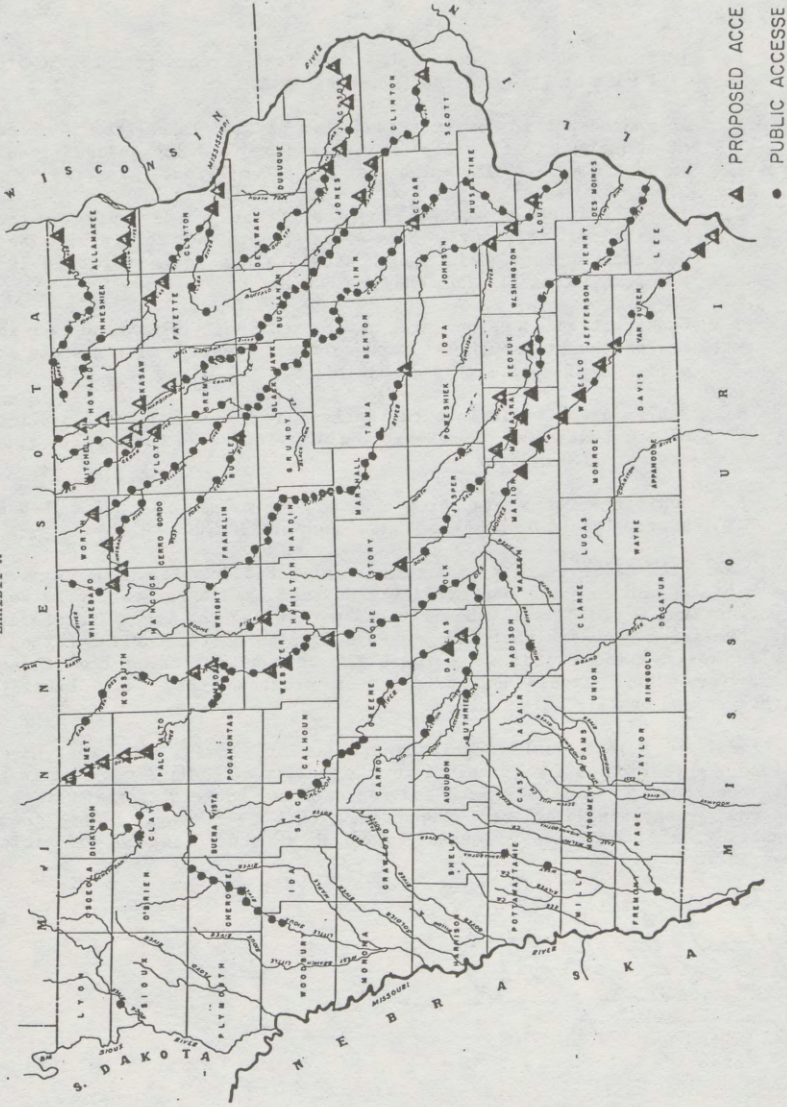
Enactment of S.1631 would significantly benefit Iowans that recognize outdoor recreation as a major facet in the quality of their lives. It is a rare opportunity for all anglers and recreational boaters to share in the awesome responsibility of supporting that endeavor. The Iowa Conservation Commission requests favorable consideration of this legislation.

Respectfully submitted by:



ROBERT G. FAGERLAND
ACTING DIRECTOR
IOWA CONSERVATION COMMISSION

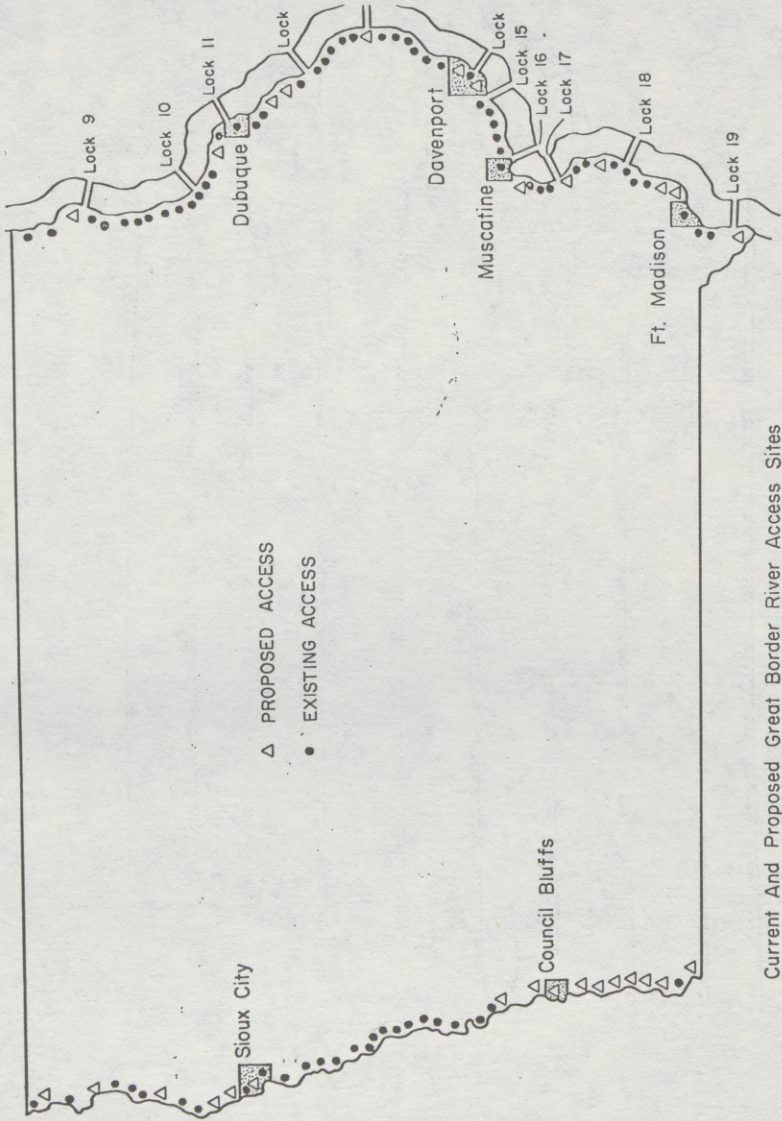
EXHIBIT A



Current And Proposed Public Access Sites Along Inland Streams

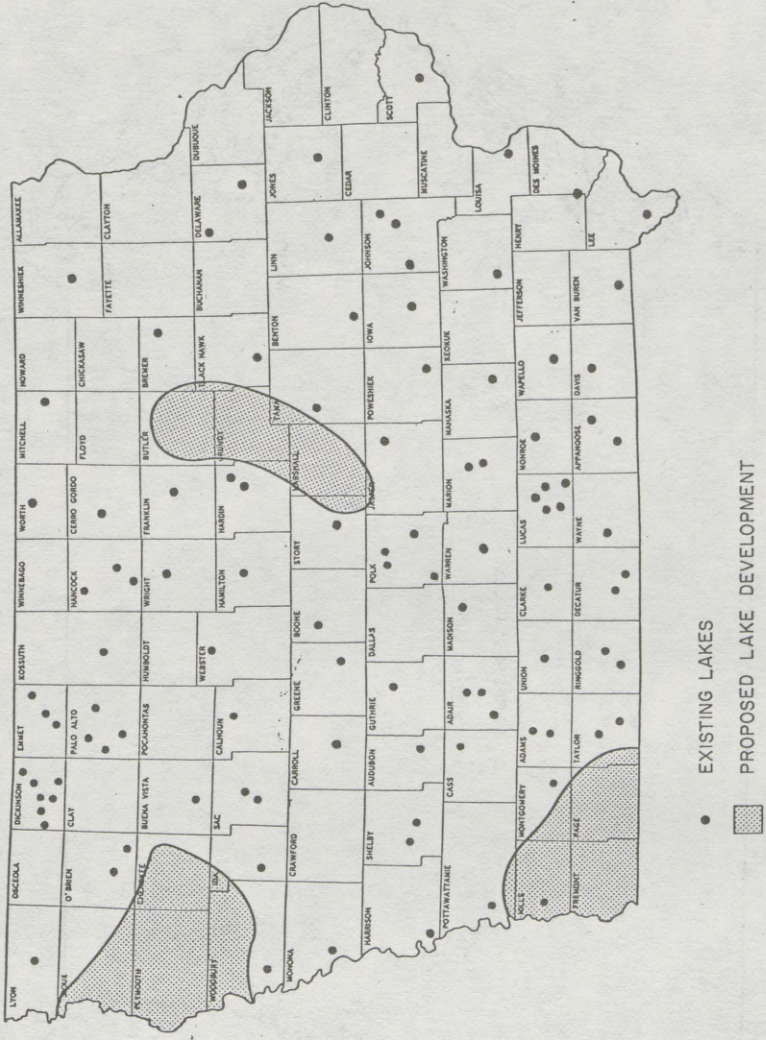
▲ PROPOSED ACCE
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EXHIBIT B



Current And Proposed Great Border River Access Sites

EXHIBIT C



Current And Proposed Public Fishing Lakes With Over 25 Acres Surface Area.

Statement on Proposed Amendments to the Dingell-Johnson Act
Submitted by the
Louisiana Department of Wildlife and Fisheries

This statement will explain the position of the Louisiana Department of Wildlife and Fisheries on S. 1631 which proposes to expand the current Dingell-Johnson fund.

Our Department is definitely in favor of this bill and we are particularly appreciative of the interest demonstrated by Congressman Breaux who is sponsoring the legislation.

A quick look at the records shows the number of sport fishing licenses sold increased from 162,000 in 1969 to 400,000 in 1979, while registered boats increased even more dramatically from 95,000 in 1969 to 275,000 in 1979. This is certainly a desirable trend in that these recreation seekers, both resident and non-resident, have a beneficial impact on our economy. High quality fishing must be maintained if we are to keep these people coming.

The cost of a resident sport fishing license in Louisiana is only \$2.00. Fortunately, all fisheries activities aren't dependent on this source of revenue for funding. Monies are made available to the Department (then apportioned to the various Divisions) from leases, royalties, etc. obtained from Department owned land. However, oil, gas, sulfur and other minerals, the revenues from which have gone into this "Conservation Fund", have been dwindling during recent years. The result of this decrease has been the imposition of a "stand-still" budget. This simply means services are being reduced proportionate to the rate of inflation. Recently a small amount of monies from the General Fund has been available to maintain the same level of budget expenditures.

Here is the situation in Louisiana. We're looking at more and more fishermen, who have larger and better boats, more time to use them and apparently more

money to finance fishing trips. At the same time, we're seeing once fabulous backwater fisheries which were characteristic of the Ouachita, Red, Mississippi and Atchafalaya River flood plains constantly shrinking as the result of drastic changes in land use made possible by widespread levee systems, drainage canals and land clearing on a monumental scale. Only the Atchafalaya Basin retains its high productivity but agriculture is steadily making inroads here and unless an effective multiple use plan can be worked out between state and federal agencies, conservation groups and land owners then we can expect to see a similar decline in fishery resources and recreation potential of this important river basin.

Oxbows, or loops of a river cut off from the main stream by natural channel realignment or protection levees, are quite numerous in Louisiana and are second in fish productivity only to backwater lakes. During the past 15 years, however, we have seen new problems arise concerning the occurrence of pesticide residues in these water bodies. It can be demonstrated that these materials, washed into the lakes by rainfall runoff, have adversely affected fish populations. This phenomenon has been particularly noticeable in the northeastern, cotton growing portion of the state. This serious problem needs to be carefully evaluated and dealt with at the earliest possible time.

As would be expected, the decline of substantial fisheries in some areas of the state is causing greater pressure on others. As this time, it is apparent our impoundments such as Toledo Bend, Lake Bistineau, D'Arbonne and others in the north and western portions of the state are receiving the brunt of this shift in recreational fishing. Fish population surveys, creel counts and drawdown programs must be developed and initiated if these water bodies are to be managed properly to meet the growing demand.

As competition for recreational space increases, so do management problems. This is true of our coastal fishery also. Two of the most popular bay fishes, the speckled trout (spotted weakfish) and redfish (red drum) are sought after by both recreational and commercial fishermen. Competition for these two species has

generated intense confrontations within the past five years. Louisiana's broken coastline with its many bayous and inlets, interconnected estuaries and numerous landings make it difficult to ascertain the total stocks of fishes available as well as the amount landed, though this basic information must be compiled before any real allocation can be made to the two interests.

Rig fishing off the Louisiana coast continues to offer some of the finest deep sea activity found anywhere. Some species of fish, such as the red snapper, have diminished in numbers or experienced changes which aren't always readily explained. It is believed that the information obtained from a study to inventory these fishes would be of considerable benefit to the recreational fisherman as well as the fish manager and would serve to make more efficient use of the resource.

Probably the one greatest complaint received by our Department concerns the lack of public boat launching facilities. Not only are new ramps and parking areas needed, but many of those built in the mid sixties with accelerated Public Works funds are in great need of repair. Such a construction program would benefit not only the fishermen but all recreational boaters.

Should the expansion of the DJ fund become a reality, it will allow the current recreational fisheries program in Louisiana to be increased by approximately 100%. Of the anticipated \$1,000,000 federal monies that would be allocated to our state annually (\$1,300,000 total with 3-1 matching ratio) if this bill is enacted into law, the Department would budget the following amounts over the first five years.

	<u>Boat Ramps & Fishing Piers</u>	<u>Management</u>	<u>Research</u>
1982	700,000	300,000	300,000
1983	700,000	300,000	300,000
1984	700,000	300,000	300,000
1985	500,000	500,000	300,000
1986	500,000	500,000	300,000

Widespread support for the passage of HR 6074 has been received from sportsmen throughout the state. As an indication of this support I am enclosing herewith a copy of a mailgram from the La. Wildlife and Fisheries Commission, mailgram and resolution from the La. Wildlife Federation, mailgram from the Jefferson Parish Rod and Gun Club and a mailgram from the Baton Rouge Sportsmans League.

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

5043425872 MGM TDBN BATON ROUGE LA 87 02-29 1231P EST
ZIP
REPRESENTATIVE JOHN PREAUX
ROOM 2159 RAYBURN HOUSE OFFICE BLDG
WASHINGTON DC 20515

THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION IS IN UNANIMOUS SUPPORT OF HOUSE BILL 6074 THAT WOULD EXTEND THE DINGELL-JOHNSON ACT TO INCLUDE A 3 PERCENT MANUFACTURERS EXCISE TAX ON MOTORS, BOAT TRAILERS, AND CERTAIN CLASSES OF BOATS. WE URGE CONGRESSMAN BREAUX TO FOLLOW THROUGH WITH THIS LEGISLATION UNTIL ITS SUCCESSFUL PASSAGE.

SIGNED

DON WILLIE CHAIRMAN
J C GILBERT VICE CHAIRMAN
JIM FARRELLY
CHARLES RIGGS
CLAY LUTTRELL
WAYNE DUCOTE
BOBBY RAWLS
J BURTON ANGELLE SECRETARY

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

5043551871 MGM TDBN BATON ROUGE LA 87 02-22 0650P EST
ZIP
CONGRESSMAN JOHN BREAUX
2443 RAYBURN HOUSE OFFICE BLDG
WASHINGTON DC 20515

Federation
THE LOUISIANA WILDLIFE ~~ASSOCIATION~~ SUPPORTS THE EXTENSION OF THE DINGELL-JOHNSON ACT TO INCLUDE A 3 PERCENT MANUFACTURERS EXCISE TAX ON MOTORS, BOAT TRAILERS, AND CERTAIN CLASSES OF BOATS. PLEASE ACT IN OUR BEHALF BY CONTINUING TO WORK FOR THIS LEGISLATION.

THANKS

RANDY P LANCTOT, EXECUTIVE DIRECTOR
P O BOX 16089 LSU STATION
BATON ROUGE LA 70893



Louisiana Wildlife Federation, Inc.

P.O. BOX 16089 LSU
BATON ROUGE, LOUISIANA 70893
504/355-1871

RESOLUTION NO. S

SUBJECT: DINGELL-JOHNSON TAX

WHEREAS, The management of Louisiana's inland fisheries resources and all coastal waters inside the 3-mile territorial sea is the responsibility of the State; and

WHEREAS, The number of fishermen is growing at over 3% each year; and

WHEREAS, This added demand for recreational fisheries and the declining funds available for management of our fisheries resources is placing a burden on the State; and

WHEREAS, The proposed expansion of the Dingell-Johnson tax to include a 3% manufacturers excise tax on boats (25 feet or less), motors and boat trailers, excluding commercial craft, sailboats, kayaks, and hydroplanes will provide additional funding for Louisiana,

THEREFORE BE IT RESOLVED that the Louisiana Wildlife Federation urge Congressman John Breaux to introduce a bill to expand the base funding of the Dingell-Johnson Federal Aid to Fisheries Act at the earliest time possible, and

BE IT FURTHER RESOLVED that the Louisiana Wildlife Federation urge all U.S. Congressmen and Senators from Louisiana to support this bill.

*Passed in
March of 1979 by the
Louisiana Wildlife Federation
at their 40th Annual Convention
held in Lafayette, Louisiana
Randy Smith
Exec. Dir.*

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

5048994049 MGM TDBN NEW ORLEANS LA 70 02-25 1138A EST
ZIP

REPRESENTATIVE JOHN BREAUX
ROOM 2159 RAYBURN HOUSE OFFICE BLDG
WASHINGTON DC 20515

THE JEFFERSON ROD AND GUN CLUB OF JEFFERSON PARRISH LOUISIANA
SUPPORTS (HB6074) THE EXTENSION OF DINGLE JOHNSON ACT TO INCLUDE A 3
PERCENT MANDATORY EXCISE TAX ON MOTORS, BOAT TRAILERS, AND CERTAIN
CLASSES OF BOATS. PLEASE ACT IN OUR BEHALF BY CONTINUING TO WORK FOR
THIS LEGISLATION.

ROBERT HERFORD, PRESIDENT, 4616 SOUTH ROMAN ST NEW ORLEANS LA 70125

11139 EST

MGMCOMP MGM

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

5049254171 MGM TDBN FATON HOUSE LA 57 02-22 1000P EST

TIP

CONGRESSMAN JOHN BREAUX
HOUSE OFFICE BUILDING
WASHINGTON DC 20515

THE FATON HOUSE SPORTSMAN LEAGUE SUPPORT THE EXTENSION OF THE
DINGLELL-JOHNSON ACT TO INCLUDE A 3 PERCENT TAX ON MOTOR BOAT TRAILERS
AND CERTAIN CLASS BOATS. PLEASE ACT IN OUR BEHALF BY CONTINUING TO
WORK FOR THIS LEGISLATION.

JOHN FEFUCCI, PRESIDENT

PO BOX 555

FATON HOUSE, LA 70721



MISSOURI DEPARTMENT OF CONSERVATION

MAILING ADDRESS:
P.O. Box 180
Jefferson City, Missouri 65102

STREET LOCATION:
2901 North Ten Mile Drive
Jefferson City, Missouri 65101

Telephone 314-751-4115
LARRY R. GALE, Director

April 22, 1980

The Honorable Jennings Randolph, Chairman
Senate Committee on the Environment and
Public Works
Room 4202, Dirksen Senate Office Building
Washington, D. C. 20510

Dear Senator Randolph:

The Missouri Department of Conservation is charged with management of the fish, wildlife and forest resources of the state of Missouri. As such, we wish to indicate our support for S. 1631 (Fish Restoration Act of 1979).

Enclosed is a brief statement which we would like to include in the official hearing record. Thank you.

Sincerely,

Larry R. Gale

LARRY R. GALE
DIRECTOR

Enc.

COMMISSION

W. ROBERT AYLWARD
P.O. Box 180

J. ERNEST DUNN, JR.
P.O. Box 180

CARL DISNEY
P.O. Box 180

A STATEMENT BY THE
MISSOURI DEPARTMENT OF CONSERVATION
IN SUPPORT OF
S. 1631 (FISH RESTORATION ACT OF 1979)

Fishing has always been one of America's favorite forms of recreation. Sixty million people are sport fishermen and the number of fishermen and the time they spend at their sport is increasing each year.

Present fishery resources cannot now meet the demands placed on them. This problem is compounded by the fact that recreational fisheries are being managed by state conservation agencies many of which have inadequate funding to do the job. A 1978 survey of state conservation departments indicated a need for an additional \$76 million just to maintain a barely adequate program; many state programs are now being sharply curtailed.

Construction of public fishing lakes and development of access to public waters have been among the major accomplishments of the present Dingell-Johnson program. Demands for these kinds of opportunities grow, especially in urban areas, and there are increasing needs for fisheries research, implementation of modern management techniques, hatchery construction, habitat preservation and improvement, etc.

Because of the needs of conservation agencies across the nation and because of the unique opportunities that present themselves considering the increased conservation awareness of the nation's people, the Missouri Department of Conservation supports passage of the Fish Restoration Act of 1979.

APR 23 1980



Ohio Department of Natural Resources

DIVISION OF WILDLIFE
Fountain Square • Columbus, Ohio 43224

April 18, 1980

The Honorable Jennings Randolph
Senate Committee Chairman
Environment and Public Works, Room 4202
Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Randolph:

The Ohio Department of Natural Resources, Division of Wildlife, supports S. 1631. The passage of this legislation will mean that Ohioans can have a future of improved fishing and fishing opportunities. Enclosed is my testimony in support of S. 1631. Please include this testimony as part of the official hearing record.

I have also enclosed a publication detailing the projects on which Ohio has spent D.J. funds to date. If I can be of any assistance, please contact me.

Sincerely,

CARL L. MOSLEY, JR.
ChiefCLM:pe
encls.



Ohio Department of Natural Resources

DIVISION OF WILDLIFE
Fountain Square • Columbus, Ohio 43224

Testimony in Support of S. 1631
Amendment Dingell-Johnson Act
by
Carl L. Mosley, Jr., Chief
Division of Wildlife

The passage of S. 1631 is very important to Ohio. Ohio's population is nearly 11 million people with over 920,000 licensed anglers. Ohio has only 124,000 acres of inland water. These facts means that Ohio has more fishermen per acre of inland water than any other state. Fish management must be very intensive to make the most of this resource for Ohio citizens and their guests.

Ohio has historically made the most of the present D-J program. We have received over \$6.5 million since 1952. This has financed acquisition and development of fisherman access, lake construction, and fisheries research.

The D-J Expansion will increase Ohio's apportionment from approximately \$600,000 annually to \$2.5+ million annually. This increased funding means that new fishing access on Ohio's lakes and streams can be developed and more intensive research can be conducted.

Ohio's Statewide Comprehensive Outdoor Recreation Plan indicates we now meet only 45% of the fishing needs required in 1985. One of the best ways we can meet this need is to provide an expanded access program. Our program is assembled, but we do not have the necessary funds to move forward rapidly. Access sites are needed on Lake Erie, on inland lakes and rivers, and on the Ohio River. Use facilities developed by the Division of Wildlife either with D-J funding or fishing license monies are open to all users. The passage of this legislation will mean that Ohioans can have a future of improved fishing and fishing opportunities.

We support this legislation.

Ohio Department of Natural Resources
Division of Wildlife

FEDERAL AID IN SPORT FISH RESTORATION IN OHIO

March 1980

The Federal Aid in Sport Fish Restoration Program, commonly referred to as the D-J (Dingell-Johnson) program, began in 1950. The program, funded by a 10% manufacturers excise tax on most sport fishing tackle, provides monies to state fish and wildlife agencies for managing recreational fisheries. It is administered by the U.S. Fish and Wildlife Service. Funds are apportioned to the states annually. Each state's share is based 60% on the number of licensed sport fishermen and 40% on the land and water area of the state. States receive up to 75% federal reimbursement for such fisheries management activities as providing new fishing waters, improving aquatic habitats for fish, providing public access to lakes and streams, and research and planning. Under the program states select, plan, and perform the work.

From 1952 through fiscal year 1980, Ohio received over \$7.7 million in D-J funds (Table 1). It is consistently one of the top ten states in the amount of D-J funds received. This occurs because Ohio ranks 7th among the states in the number of licensed sport fishermen, even though it is only 35th in size. Precise figures are not available on what proportion of the Division of Wildlife fish management program has been financed with D-J funds since 1952. However, in general it can be said that D-J funds have supported most of the research, land acquisition, and lake development during this time, as well as many of the fisherman access facilities constructed during these years. In recent years, most of the fisheries surveys on Lake Erie and inland lakes have been supported with D-J funds. In terms of D-J funds, major expenditures in Ohio have been for fisheries research and surveys (49%), development of lakes and fisherman access facilities (37%), and acquisition of lake sites and access to lakes and streams (10%). (Table 2.)

To date, 3,120 acres of land have been acquired for lake sites and for fisherman access to streams and existing lakes. Ten lakes totaling 881 acres and 10 ponds totaling 40 acres have been acquired or constructed. Fisherman access facilities including boat launching ramps, roads, parking lots, latrines, and wells have been developed at most of these lakes and ponds as well as at many other lakes and streams around the state (Fig. 1).

A total of 54 D-J projects have been conducted in Ohio since the program began in 1952, providing a wide range of direct and indirect benefits to Ohio fishermen, as well as to boaters, other outdoor enthusiasts, and the general public (Table 3).

What does the D-J program cost the Ohio fisherman? In 1975 fishermen paid an average of slightly less than 38¢ into the program. The cost per fisherman was based upon the number of fishermen in the United States in 1975 (53,929,000) and the 1976 fiscal year apportionment of D-J funds (\$20,200,000.00).

Table 1. Ohio Apportionments of Federal Aid in Fish Restoration Program Funds, Fiscal Years 1952-1980.¹

Fiscal Year ²	Apportionment	Fiscal Year ²	Apportionment
1952	\$ 99,854.82	1966	\$179,964.15
1953	97,505.36	1967	206,284.14
1954	153,587.83	1968	270,081.04
1955	141,307.74	1969	239,177.03
1956	166,939.54	1970	287,147.59
1957	162,996.28	1971	298,613.70
1958	143,306.98	1972	289,724.58
1959	152,097.30	1973	283,530.28
1960	154,402.37	1974	310,023.53
1961	152,717.08	1975	362,779.52
1962	163,773.47	1976	468,672.14
1963	151,094.00	1977	588,339.26
1964	171,549.98	1978	569,921.68
1965	193,689.61	1979	659,565.65
		1980	646,320.14
			<u>\$7,764,966.79</u>

¹The Federal Aid in Fish Restoration Act was passed in 1950. Funds first became available to the states in fiscal year 1952.

²The 1977 apportionment is for a 15-month fiscal year (6/1/76-9/30/77). Prior to 1977 federal fiscal years ended on June 30; from 1977 on, federal years ended September 30.

Table 2. Ohio Federal Aid in Fish Restoration Projects and Expenditures Summary, 1952-1979.¹

Type of Project	No. of Projects	Total Costs	Percent of Total Project Costs
Development	21	\$2,392,758	37
Land Acquisition (3,210 acres ²)	16(2) ³	683,050	10
Research and Surveys	14	3,166,633	49
Maintenance	1	5,081	--
Other (includes coordination)	<u>4(3)</u>	<u>273,811</u>	<u>4</u>
TOTAL	54(5)	\$6,521,333	100

¹Summary through fiscal year 1979.

²From Department of Natural Resources Land Inventory (7/1/78).

³() Combination Federal Aid in Fish and Wildlife Restoration projects included in total.

Table 3. Summary of Federal Aid in Fish Restoration Projects in Ohio, Fiscal Years 1952 - 1979.¹

Federal Aid Project Number and Title ¹	Description	Effective Dates
F-1-R, Investigation of the Effects of Land Use Improvement on Stream Fisheries	Determine the effects of land use improvement in Little Miami River headwaters on the fisheries.	3/31/52 to 6/30/59
F-2-R, St. Marys Rough Fish Control	Evaluate the effects of rough fish removal.	4/23/53 to 1/31/55
F-3-D, Fisherman Facilities at Knox and Hocking Lakes	Construct the following fisherman facilities: Knox Lake-2 parking lots, 2 wells, 2 latrines. Hocking Lake-3 parking lots, 3 wells, 3 latrines.	7/1/53 to 11/1/54
F-4-L, Zepernick Lake	Acquire 220.88 acres with a 41-acre lake.	5/3/54 to 3/1/55
F-5-L, Clark County Lake	Acquire 288.8 acres for lake site.	6/24/54 to 7/31/57
F-6-R, Inventory of Lake Sites for Acquisition	Statewide inventory of potential lake sites.	12/1/54 to 2/29/56
F-7-D, Maumee River Fisherman Access and Facilities	Meyerholtz Wildlife Area-construct 520' access road, parking lot, and boat ramp.	5/5/55 to 3/31/56
F-8-M, Maintenance of Improvements on the North Fork of Little Miami River	Maintain 4 miles of stream in coordination with D-J project F-1-R.	5/16/55 to 5/15/56
F-9-D, Lake St. Marys Breakwater	Construct 790' extension to the existing 800' breakwater on south shore of Lake St. Marys towards Safety Island.	6/29/55 to 10/15/55
F-10-D, Zepernick Lake	Improve dam and spillway, construct one parking lot.	9/23/55 to 6/30/56
F-11-L, Lake Park Fishing Area	Acquire 93.39 acres with a 20-acre lake.	2/21/56 to 4/26/57
F-12-D, Development of Monroe County Lake	Construct 43-acre Monroe Lake.	2/1/56 to 7/31/57
F-13-D, Development of Clark Lake	Construct 100-acre Clark Lake.	11/8/56 to 12/31/57

Table 3. Summary of Federal Aid in Fish Restoration Projects in Ohio, Fiscal Years 1952 - 1979 (cont.).¹

Federal Aid Project Number and Title ¹	Description	Effective Dates
F-14-L, Tycoon Lake	Acquire 674.32 acres.	6/28/57 to 10/31/58
F-15-L, Shreve Lake	Acquire 225.26 acres.	3/17/58 to 10/31/58
F-16-L, Paulding Fishing Area	Acquire 50.98 acres with 3 ponds-6.5, 6.2, & 6.9 acres.	6/2/58 to 6/30/59
F-17-L, Ross Lake	Acquire 671.43 acres.	10/3/58 to 4/30/61
F-18-D, Shreve Lake	Construct 58-acre Shreve Lake.	4/21/59 to 7/1/61
F-19-D, Spencer Lake	Construct 51-acre Spencer Lake.	6/1/59 to 7/1/61
F-20-L, Upper Hocking Watershed Structure No. 7 (Fairfield Lake)	Acquire 46 acres.	11/4/59 to 2/29/60
F-21-L, Grant Lake Access	Acquire 25.04 acres for access to Grant Lake.	12/1/59 to 5/31/60
F-22-L, Toussaint River Fishing Area	Acquire 200 acres.	12/4/59 to 9/30/60
F-23-D, Tycoon Lake	Construct 204-acre Tycoon Lake.	5/24/60 to 7/1/61
F-24-L, Darke Lake	Acquire 285.75 acres.	10/4/60 to open
F-25-D, Metzger Marsh Wildlife Area Jetty Reconstruction	Reconstruct Metzger Marsh Jetty (Ohio Div. of Shore Erosion paid \$30,446.37 additional cost); and construct a 6,000-foot access road, 4 parking lots, 4,000-foot fishing channel, & latrine.	2/1/61 to 11/9/68
F-26-D, Paulding Fishing Area	Reconstruct 3 existing ponds acquired under D-J project F-16-L, and construct 1 parking lot.	2/23/61 to 7/1/62
F-29-R, Inland Fisheries Research	Various fisheries research studies on inland lakes, ponds, and upground reservoirs.	5/4/61 - Continuing

Table 3. Summary of Federal Aid in Fish Restoration Projects in Ohio, Fiscal Years 1952 - 1979 (cont.).¹

Federal Aid Project Number and Title ¹	Description	Effective Dates
F-32-L, Muskingum Watershed Conservancy District Lake Lease	Lease of 16,000 water acres, annually.	7/1/62 to 6/30/64
F-33-D, Aquatic Vegetation Control	Statewide aquatic vegetation control on selected lakes.	7/1/62 to 6/30/64
F-34-R, Cooperative Fisheries Research	Limnological studies in selected inland lakes and the western basin of Lake Erie.	7/1/62 to 6/30/64
F-35-R, Lake Erie Fisheries Research	Status of selected fishes in Lake Erie and related studies.	7/1/62 - Continuing
F-36-D, Fisherman Facilities	Construct the following fisherman facilities: Oberlin City Reservoir-parking lot & steps. Brinkhaven-parking lot & boat ramp. Lake St. Marys-8 backwater pools. Knox Lake-parking lot, foot bridge, 2 latrines. Sandusky Bay causeway-extend parking & build 2 latrines. Grant Lake-640' access road, parking lot, boat ramp and 2 latrines. Strouds Run-parking lot & floating fishing pier. Ross Lake-boat ramp, parking lot, latrine, & well shelter.	8/14/63 to 9/8/71
F-37-D, Highlandtown Lake	Construct 170-acre Highlandtown Lake.	5/4/64 to 7/1/66
F-38-D, Darke Co. Pond Developments	Construct 7 ponds (20.15 acres), 6 parking lots, 2,240 feet of access roads, & 1 boat ramp.	10/2/64 to 5/19/68
F-39-D, Ross Lake	Construct 140-acre Ross Lake.	3/12/65 to 10/1/67
F-40-D, Rush Run Lake	Construct 54-acre Rush Run Lake, 3,050 feet of access road, 2 parking lots, 1 boat ramp, & 1 latrine.	5/1/68 to 1/1/71

Table 3. Summary of Federal Aid in Fish Restoration Projects in Ohio, Fiscal Years 1952 - 1979 (cont.).¹

Federal Aid Project Number and Title ¹	Description	Effective Dates
F-41-R, Environmental Evaluation of a Nuclear Power Plant on Lake Erie	Evaluate water discharge (temperatures) on fish, plankton, and benthos.	6/1/69 - Continuing
F-42-L, Dillon Dam Tailwater Fishery	Acquire 149.55 acres.	7/1/69 to 1/29/73
F-43-D, Spencer Lake	Reconstruct a portion of the lake dam, and build 2,200' access road, 2 parking lots, and 1 boat ramp.	4/1/70 to 3/31/71
F-44-R, Ohio Interstate Highway Borrow Pit Ponds Fishery Investigations	Evaluate borrow pit sport fisheries potential and pond design recommendations.	4/1/70 to 3/31/73
F-45-D, Killdeer Reservoir	Construct islands and reefs in the upground reservoir, 1,350' access road, parking lot, and boat ramp.	8/6/70 to 1/1/72
F-46-R, Mercury as a Factor in the Fisheries Environment	Identify locations in Ohio where total mercury levels in fishes, waters, or sediments indicate cause for concern, and levels of accumulation and forms of mercury in Lake Erie carp.	7/1/71 to 6/30/74
F-47-R, Characteristics of the Pay Pond Industry in Ohio and Its Patrons	Measure and evaluate the characteristics of the pay fish pond industry, the attitudes of the patrons, and the current and future needs of the industry.	5/1/72 to 4/30/74
F-48-R, Impact of Parasitic Red Worms on Lake Erie Fishes	Determine the transmission cycles, fish pathology, and effects on natural populations of fish hosts of 3 species of nematodes.	6/1/72 to 5/31/75
F-50-D, Metzger Marsh Breakwater Development and Parking Lot Reconstruction	Construct breakwall and reconstruct 1 parking lot.	4/1/73 to 12/31/73

Table 3. Summary of Federal Aid in Fish Restoration Projects in Ohio, Fiscal Years 1952 - 1979 (cont.).¹

Federal Aid Project Number and Title ¹	Description	Effective Dates
F-53-R(s), Inland Fisheries Surveys	Annually, conduct fish population surveys at all major inland lakes, and related surveys.	4/1/74 - Continuing
F-55-L, Fisherman Access	Statewide, acquire small tracts of land for access to Lake Erie, streams, and inland lakes. Mad River access.	4/1/78 - Continuing
F-56-D, Fisherman Access	Statewide, develop fisherman access facilities on Lake Erie, streams, & inland lakes. Dillon tailwater-1 parking lot. Portage River-Lake Erie access. Metzger-Lake Erie pier expansion, parking lot, courtesy dock. Myers Island-handicapped fishing platform, parking. Mohican-river access and parking.	4/1/78 - Continuing
F-57-R, Evaluation of Fish Management Techniques	Evaluate stocking tiger-muskies, northern pikes, and saugeyes in inland impoundments, effect of structure on fish behavior; evaluate water-level manipulation as a fish management technique.	7/1/78 - Continuing
FW-1-L, Perry (Magee) Marsh	Acquire 246.09 acres (50% D-J funds).	4/8/55 to 11/30/55
FW-2-R, Inventory of Fish & Wildlife Areas for Acquisition	Inventory of lake sites, wildlife areas, and fisherman access sites (50% D-J funds).	1/25/56 to 2/28/57
FW-3-D, State Land Administration	Reimbursement for property taxes on lands acquired with P-R and D-J funds (approximately 10% D-J funds).	5/20/62 to 5/20/65
FW-12-C, Fish & Wildlife Coordination	Administration of P-R and D-J projects (25-33% D-J funds).	7/1/52 - Continuing
FW-13-L, Zimmerman (Little Portage) Marsh	Acquire 357 acres (10% D-J funds).	9/21/56 to 4/26/57

¹ This summary includes both Federal Aid in Fish Restoration (D-J) Projects and combination Federal Aid in Fish and Wildlife Restoration (D-J & P-R) Projects. D-J project numbers begin with the letter "F" and combination D-J and P-R project numbers begin with the letters "FW".

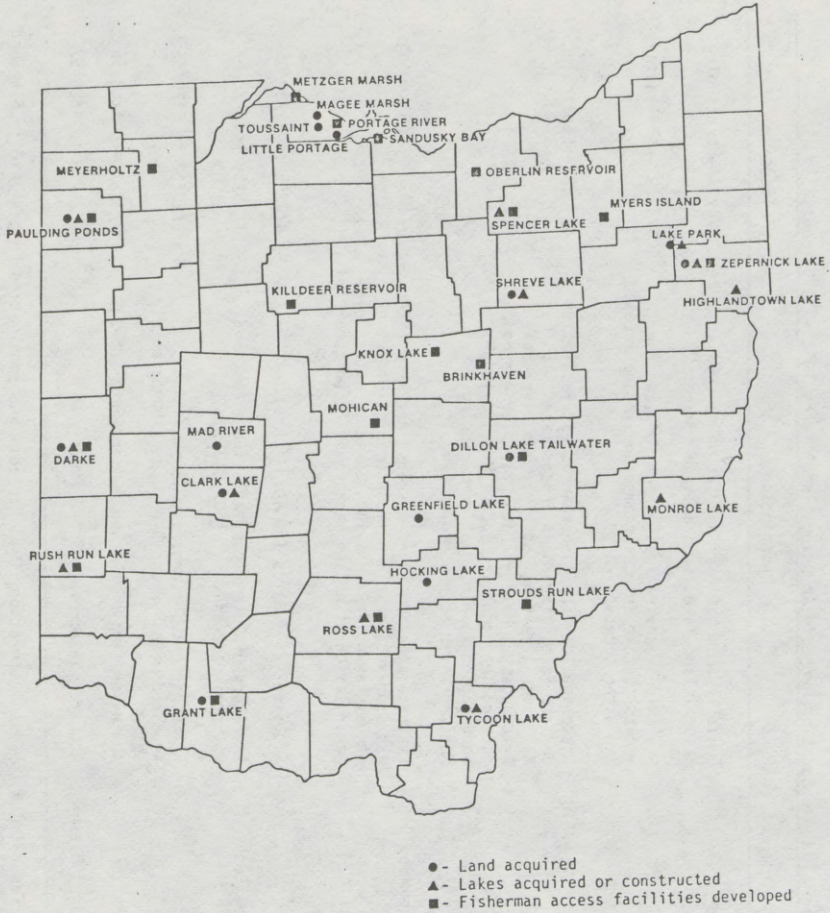


Figure 1. D-J acquisition and development in Ohio by area: 1952-1979.

APR 28 1980



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Environmental Management
 DIVISION OF FISH AND WILDLIFE
 Washington County Government Center
 Tower Hill Road
 Wakefield, R. I. 02879

April 17, 1980

Honorable Jennings Randolph
 Chairman, Senate Committee on Env. & Public Works
 Rm 4202, Dirksen Senate Office Building
 Washington, D. C. 20510

Dear Senator Randolph:

I am writing in support of S. 1631, Dingell-Johnson Expansion Bill, which is before the Senate Committee on the Environment and Public Works.

Our agency, the Rhode Island Division of Fish and Wildlife, is responsible for the proper management and conservation of both marine and fresh water fish species. The Dingell-Johnson Program has almost entirely supported our fresh water research and development programs and, to a lesser degree, certain marine fisheries programs, particularly the acquisition and maintenance of salt water public fishing access sites.

Even though the Dingell-Johnson funds have increased over the years, they have in no way kept up with the so-called cost of living, let alone the increased demands upon our agency by the ever-increasing number of anglers and other citizens interested in the aquatic environment. We are constantly competing with other water front users, most of them in a far better financial situation than we are. Our fishing license fees are dedicated to fisheries work; however, in a small state like ours, the license fees just about support our fish hatcheries, and, as I have indicated, most of our other work is done with Dingell-Johnson funds.

Increased Dingell-Johnson funding will be used for practically all aspects of fisheries management; however, in a highly developed urban state such as ours, perhaps our most important problem is attempting to get the fish and the fishermen together. Thanks to the Dingell-Johnson program, we were one of the first states to get actively engaged in a fishermen's access program that dates back to the mid 50's. However, land values along our streams, lakes, ponds and seacoast have skyrocketed to such a point that we have not made a significant acquisition in over four years. Yet, there are still many significant bodies of water and much of our coastline completely closed to the public.

Passage of S. 1631 would enable us to again engage in an active program to provide access to our waters. We would appreciate it if this testimony could become part of the official hearing record. Thank you for your support in this matter.

Sincerely,

John M. Cronan
 Chief

JMC:dh

TEXAS
PARKS AND WILDLIFE DEPARTMENT JUL 8 - 1980



CHARLES D. TRAVIS
EXECUTIVE DIRECTOR

4200 Smith School Road
Austin, Texas 78744

July 3, 1980

Honorable Jennings Randolph, Chairman
Committee on the Environment and
Public Works
United States Senate
Room 4202 DSOB
Washington, D. C. 20510

Dear Senator Randolph:

Due to previous commitments, I regret that it will not be possible for me to appear at your hearing on S. 1631, Amendments to the Dingell-Johnson Act, but I would like for this letter to be included in the official record. I am enclosing a copy of a statement given by Mr. T. L. Heffernan of my staff and entered into the record of the hearing on H.R. 6074, the Honorable John B. Breaux, Chairman.

In my capacity as Executive Director of the Texas Parks and Wildlife Department, I wish to express the need for increased funding for fishery management. Ever increasing demands on our aquatic resources, combined with inflation in cost of goods and services necessary to manage the resource, makes additional funding vital to the quality and quantity of recreational opportunities available to future generations of Texans.

Since 1976, the Fisheries Division of this agency has delayed major equipment replacements, deferred repairs and maintenance on 7.5 million dollars of capitalized facilities and equipment, stretched out programs and improvised "make-do" methods of operating. The Division has used every expedient means to keep research and management programs operational, but the cumulative impact of inflation has already caused the elimination of forty-five (45) biologist, chemist, technician, and administrative positions (16 percent of the Fishery staff).

Honorable Jennings Randolph
Page two
July 3, 1980

It now appears that additional personnel reductions may be necessary in FY 1982-83 and with these reductions a number of valuable resource management programs will have to fall by the wayside. At the same time, public recreational demands on Texas aquatic resources are expected to increase by 20 percent. Without additional funds, it appears that aquatic resource demands will not be met. The impact of such action (or inaction) can only cause a further reduction in the quality of American life.

During the past ten years, most of Texas' D-J apportionments have been used to categorize the public aquatic resources provided during the period of rapid water development programs of the 1960's and early 1970's. Now the rate of new water development projects has slowed and most of the older projects (approximately 1.5 million surface acres) have gone through a natural aging process to a point where they are in dire need of fishery management if we are to keep pace with public demands. Management needs for our inland waters include such things as: a greatly expanded fishery habitat enhancement program; major fish hatchery repair and expansion to provide the number and kinds of fishes required for management; a program to provide additional fisherman access to existing resources; and a program to provide additional fisherman facilities such as fishing piers, docks, and boat ramps.

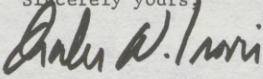
In 1979, D-J funds were first used in our coastal fisheries programs to monitor finfish resources for sport fish management. In recent years there have been declines in the two major saltwater sport species--red drum and spotted seatrout. As a result of these declines, a project was begun to develop the capability of enhancing Texas bay finfish species through stocking. In 1979, over 17 million stockable red drum fry were produced and 1.2 million fingerlings were stocked. Over 30,000 of the fingerlings were tagged before introduction in order to evaluate stocking success. At this time, several of the tagged fish have been recovered and other evidence suggests that a major stocking program is feasible. Additional D-J funds could be used to build two (2) 200-acre hatcheries along the coast to enhance sport fish populations through stocking and to provide laboratory and pond space for spawning, hatching, rearing, growth, survival, genetics, and other complementary studies.

I do not know if our share of these funds would be sufficient to accomplish all that needs to be accomplished, but it would certainly contribute

Honorable Jennings Randolph
Page three
July 3, 1980

substantially toward providing the same kind of recreational opportunities for future generations of Americans that you and I derive from our aquatic resource now.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Charles D. Travis". The signature is fluid and cursive, with the first name "Charles" being more prominent and the last name "Travis" following in a similar style.

CHARLES D. TRAVIS
Executive Director

CDT:RLB:mk

Enclosure

state of utah

MAY 5 - 1980



DIVISION OF WILDLIFE RESOURCES

DOUGLAS F. DAY
Director

1596 West North Temple/Salt Lake City, Utah 84116/801-533-9333

April 30, 1980

The Honorable Jennings Randolph
Environmental and Public Works Committee
U. S. Senate
Room 4202 DSOB
Washington, D. C. 20510

Dear Senator Randolph:

We understand hearings relative to S. 1631 (Dingell-Johnson Expansion Bill) are scheduled to begin during the latter part of May. The Utah State Division of Wildlife Resources fully supports S. 1631 and sincerely hopes it will receive a favorable response in the hearings and a rapid passage in the Senate.

Additional funding to support fisheries programs in Utah is indeed acute. This year, the Fisheries Section of the Division of Wildlife Resources had to reduce six personnel from its staff, and additional cuts must be made in a substandard budget to meet budget limitations. The work load of the Fisheries Section at the same time has increased substantially as a result of various federal and state bills that were passed, and subsequent rules and regulations adopted by federal and state agencies pertaining to the overall environmental situation, particularly in regard to energy development.

Dollars to meet these responsibilities had to be taken from the regular sports fish management program, which already has serious funding problems. The Fisheries Section of DWR is in vital need of an additional seven to nine million dollars during the next two or three years. Present revenues are primarily from sale of licenses, and income from the Federal Aid and Fish Restoration Act of 1950. They are totally inadequate to provide these dollars. Specific proposed projects and activities requiring funding are delineated below:

1. Chemical rehabilitation of lakes and reservoirs containing undesirable fish populations: We estimate that, over a three-year period, at least \$40,000 could be utilized. Our present budget does not provide any funding for chemical rehabilitation programs.
2. The purchase of conservation pools in proposed new water development programs: Over a ten-year period, we estimate that three to four million dollars could be utilized in this area of activity. Our state legislature has recently provided a 50-million dollar revolving fund to the Utah State Division of Water Resources. This fund will be utilized for water development. The stored water will be used

GOVERNOR
C. W. B. M. M. M.

DEPT OF NATURAL RESOURCES
Gordon E. Harmon
Exec Director

WILDLIFE BOARD
Roy L. Young - Chairman
Lewis C. Smith L. S. Skaggs
Warren T. Harward Chris P. J. J.

The Honorable Jennings Randolph
 April 30, 1980
 Page two

- primarily for agricultural purposes, but culinary and industrial use as well as hydroelectric power may be part of the overall program. Utah does not have a state wildlife coordination act to provide for nonreimbursable projects. Consequently, such mitigation and/or enhancement, if it is to be obtained, must be from the Division of Wildlife Resources' funds. At the present time, there are no monies provided in the existing budget for these activities.
3. To purchase water in the existing reservoirs for fish conservation pools, where the present drawdown does not sustain adequate fish life throughout the year: Some reservoirs, where additional funding is needed, in this area are six lakes in the Gooseberry drainage, Sevier County--\$150,000; six lakes in the Soloman Basin drainage, Garfield County--\$360,000; Lower Bowns Reservoir, Garfield County--\$160,000; Upper Enterprise Reservoir, Washington County--\$200,000; Oak Park Reservoir and others--\$200,000. We are at various stages of negotiation with the water users to obtain conservation pools in the above waters. However, since funding is not available, we are not actively pursuing these negotiations.
 4. To construct and perform annual maintenance on fishery impoundment: Some of these are stabilization of Jessen, Tamarack and Daggett lakes in Daggett County plus their subsequent maintenance--\$50,000 to \$60,000; maintenance of the Navajo Dam and dike--\$40,000 to \$50,000 annually; development of Pot Creek drainage fishery system in Daggett County--minimum of \$500,000; Pine Lake Dam repair estimated at \$40,000. Again, funding in the present budget is inadequate to meet the above needs.
 5. Fisherman access: A number of lakes and streams (such as Lynn and Etna reservoirs, Blacksmith Fork River, Ogden River, Lost and East Canyon creeks, Strawberry River, Upper Duchesne River and Mammoth Creek) have fisherman access problems. Since funding is not available, we have not contacted the landowners relative to the possibility of purchasing public access for fishing. Whether or not access could actually be purchased is unknown. However, if it can be purchased or leased, we suspect that \$100,000 could be spent annually for several years.
 6. Investigation, evaluation and initiation of a forage fish program: Expenditures of \$100,000 annually for several years are needed. Utah, as other states, has a problem with providing an ample forage base for warmwater game fish predators. The warmwater game fishery composed of walleye pike, white bass and crappie is suffering from a lack of forage fish in two large reservoirs--Utah Lake, which has a surface area of 95,000 acres; and Willard Bay, which has a surface area of 10,000 acres. We are in the process of investigating and evaluating various possible forage fish for introduction. However, funds are not available for implementing and maintaining such a program.

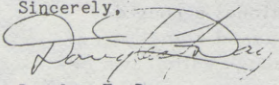
The Honorable Jennings Randolph
 April 30, 1980
 Page three

7. Construction of a warmwater fish hatchery: The recent Fish and Wildlife Service policy which de-emphasizes their warmwater fish rearing program has created a problem for Utah. Formerly, Utah's warmwater fishery needs were provided by the FWS. We now must expend our own funds to provide both warmwater game fish and forage fish for stocking. Estimated cost of construction of a warmwater fish hatchery would probably exceed \$1,500,000.
8. Nitrification in recirculating coldwater hatcheries: \$200,000. Utah has two recycling hatcheries, both built utilizing the biofilter principles for nitrification. It has become apparent the biofilters are incapable of reducing ammonia to a nitrate stage. We have explored other means of nitrification but are now lacking funds to implement the purchase and construction of a new system utilizing photozone in combination with resins.
9. Treatment of hatchery effluents: It has become obvious that improvement of fish cultural techniques at our fish cultural stations alone will not meet EPA discharge requirements at least during raceway cleaning periods. Either settling ponds or some other program must be initiated to handle the waste during raceway cleaning. Five hundred thousand dollars is probably a low estimate of the funding needed to provide the necessary pollution abatement.
10. Reconstruction of a coldwater hatchery (Panguitch) estimated at \$700,000: The above hatchery is in dire need of repair and needs to be completely reconstructed.

The latter four items: construction of a warmwater fish hatchery, nitrification at recirculating coldwater hatcheries, treatment of hatchery effluents, and reconstruction of a coldwater hatchery probably would not qualify under the D-J program. However, if D-J funds were available for the projects and activities that do qualify, it would then release funding for these latter four nonqualifying activities. Consequently, availability of D-J funds has a direct bearing on both D-J and non-D-J funded fisheries projects.

We hope the above information will be useful to the subcommittee. We respectfully request that this letter become a part of the official hearing.

Sincerely,



Douglas F. Day
 Director

cc: Carl Sullivan
 Senator Orrin Hatch
 Senator Jake Garn

GOVERNMENT RELATIONS

1701 K Street, N.W., Washington, D.C. 20006 • 202/331-1930

AMF INCORPORATED

May 15, 1980

Ms. Martha Pope
Senate Environment & Public Works
Committee
4204 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Ms. Pope:

I am writing on behalf of AMF Incorporated in opposition to S. 1631, which I understand your Committee now has under consideration.

The powerboat manufacturing industry of which AMF Powerboat Division is a part, is currently operating at severely depressed levels. For the major classification of inboard/outdrive powered craft, for example, sales were 52.6% below year-earlier levels. Estimates for April are that even sharper declines were experienced. AMF Powerboat's experience is similar to that of the industry in general. To add the burden of the proposed 3% additional sales tax upon an industry which is already reeling to this extreme degree is unreasonable and unfair.

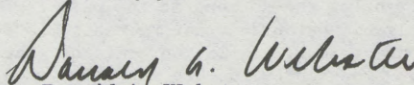
The current industry situation has resulted from the generally soft economy and inflationary pressures which affect virtually all businesses today. But to an even greater degree, it is also the result of specific governmental actions to restrict and increase the cost of credit. Credit is essential to both financing of dealer inventories and financing of actual retail purchases which are involved in the majority of transactions in this industry. An additional strong depressant has been the Department of Energy's proposed standby regulation which served to ban weekend boating. Although withdrawn because it unfairly singled out a single industry, the damage of this DOE proposal continues.

Ms. Martha Pope
Page 2

As a result of conditions which already exist, AMF Powerboat is closing its two plants in Holland, Michigan and is operating its other two facilities in Little Falls, Minnesota and Sanford, Florida at less than 50% of capacity, idling some 325 employees. The idea of further singling out for punishment the already battered powerboat industry by the imposition of the proposed tax, can only be considered discriminatory and punitive. The industry should not be forced to assume this additional burden which could result in the failure of numerous companies in the industry and the permanent loss of thousands of jobs.

I would appreciate it if you would make this letter a part of the record of the hearings on this legislation. For your information, I have sent copies to members of the Committee.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Donald A. Webster". The signature is fluid and cursive, with the first name "Donald" being more prominent.

Donald A. Webster
Vice President

DAW/bc

689 Hope Street, Stamford, Connecticut 06907 • 203/325-2211
AMF INCORPORATED

PAUL A. BENKE
Vice President

May 12, 1980

Committee on Environment and
Public Works
4204 Dirksen Senate Office Building
Washington, D. C. 20510

Re: Fish Restoration Act of 1979, S.1631

Gentlemen:

My company is one of the world's largest suppliers of recreational boats in sizes ranging from 12 to 70 feet.

Currently, the segment of the market place that has been most seriously hit by our current recession is that of motor boats 25 feet long or less. Inflation, interest rates, and a fear of fuel shortages contribute to this market erosion. Prices for boats in this range are already inordinately high. The prospects of an additional 3% tax which would have a compounding effect on retail prices is most discouraging. On behalf of my company and its 3,000 employees, we urge the Committee to reject the proposal that would impose a 3% manufacturer's excise tax on boats 25 feet in length or less.

Aside from the fact that this price increase would contribute to inflation and further depressed sales, the concept is basically unfair. No one can quarrel with the aspirations of those who like to fish to increase the probability of catching one, but the people who fish should bear the brunt of the tax. Many of the boats we sell are not used by fishermen or are used by them in areas unaffected by the Dingell-Johnson Act.

It is my personal intuitive judgment that the advocates of this tax are politically motivated and that their histrionics are a poor alternative to a rational study of the issue. No one who is about to buy a boat wants to face an increased price. Everyone in the industry, customers, dealers, and manufacturers alike, sees no benefits accruing to us or to the industry if this excise tax is invoked.

Committee on Environment and Public Works
May 12, 1980
page 2

Employment in our plants is already depressed. We owe it to our employees, not only to ourselves, to make a thorough study of the economic impact of this proposal, and we are convinced that such a study would support our contention that it is unfair, inflationary, and out of place.

I request that this letter be made a part of the hearing record.

Yours truly,

Paul a. Rusk

PAB/jlf

cc: Senator Lowell Weicker, Jr.
Senator Abe Ribicoff

STATEMENT OF
EILEEN BARTHELMY, EXECUTIVE DIRECTOR
THE AMERICAN LEAGUE OF ANGLERS

ON S. 1631
SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
MAY 20, 1980

This statement, submitted by the American League of Anglers to the Senate Committee on Environment and Public Works, is intended to demonstrate the importance of sport fishing to the boating industry.

Based on the high percentage of boats 25' long or less that are used for fishing (70 - 80%) we believe that good fishing sells boats and motors. The attached advertisements prove this to be the case. In fact, the boating industry uses fishing for their boat-selling bait.

We examined boat and motor advertisements in a broad range of boating/fishing magazines. Every issue of every magazine we examined had boat and/or motor ads that depict fishing. In some magazines up to 75 - 100% of the boat and motor ads used fishing as a selling point for their products.

"FISHING...AMERICA'S #1 SPORT - VENTURE comes to you, the dealer, with a line of quality bass boats suited to fill the needs of every fisherperson." (BOATING INDUSTRY; April 1980) Venture Boats

"No matter what you're fishing for. MerCruiser can put you where you belong. Right in the middle of the best fishing around." (FIELD & STREAM; April 1980) MerCruiser/Brunswick

"Take a Dad fishing - he'll be your pal for life...At Evinrude, we don't know exactly why it is that fishing brings the dad out of so many fathers...we'll keep building exciting new fishing motors to help the process along." (GREAT LAKES FISHERMAN; April 1980) Evinrude

"But what will really get your juices flowing is what makes it a no-holds-barred fishing machine." (TRAILER BOATS; February 1980) Boston Whaler

"I go where the fish are. And with an OMC Stern Drive my boat gets me there with ease." (BOATING; January 1980) OMC Stern Drive

"Built for the fisherman who takes his sport seriously."
(SALT WATER SPORTSMAN; April 1980) Johnson

"The beautiful new Sea Ox 230C walk-around cabin model
is a no-nonsense fishing machine with sensible creature
comforts...The cockpit is large enough for a gaggle
of fishermen." (SALT WATER SPORTSMAN; May 1980)
Sea Ox

"Comfortable enough to take the whole family fishing."
(BOATING PLEASURE; April 1980) Grady-White Boats

The preceding quotes were taken from the attached copies of boat and motor advertisements. Ads from BOATING, BOATING INDUSTRY, FIELD & STREAM, GREAT LAKES FISHERMAN, MOTORBOAT, PLEASURE BOATING, SALT WATER SPORTSMAN, SEA, SOUTHERN OUTDOORS, and TRAILER BOATS magazines are included as part of this statement. These ten publications include national magazines obtainable at almost any newsstand or drug store as well as those with a regional or highly specialized scope.

The boating industry gives fishing a prominent position in much of its advertising and in some instances points out that fishing together makes for closer families, an obvious social benefit.

The 3% excise tax that S. 1631 would place on boats 25' long or less, motors and boat trailers constitutes a reasonable and justifiable contribution of the boat motor and trailer manufacturers to the resource that sustains their industry. The similar but higher tax on rods, reels, creels, artificial lures and flies has made scientific fisheries management in this country a reality. In turn, improved fisheries resources have led to greater tackle sales for the industry. Now it's time for the boating industry to support the resource upon which it relies so heavily.

The Dingell/Johnson Fund as expanded by S. 1631 provides an equitable, effective means of doing so. We urge favorable Committee action on this bill, and thank you for the opportunity to provide testimony.

MAY 26 1980



Anne Arundel Marine Trades Association

c/o 1656 Homewood Landing Road • Annapolis, Maryland 21401 • Telephone (301) 974-1342

President
Joan Willard
White Hall Yacht Yard

Vice President
Mitchell Nathanson
White Rocks Marina

Secretary
Roger Ramsey
Berlitz Marine

Treasurer
Rita Dunbar
Casa Rio Marina

May 22, 1980

Hon. Jennings Randolph U.S.S.
Chairman
Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Randolph:

I am writing to you in behalf of the members of the Anne Arundel Marine Trades Association to express opposition to Senate Bill 1631 - "Fish Restoration Act of 1979". Our Association represents a wide range of businessmen and women on the Chesapeake Bay in Anne Arundel County, Maryland, otherwise known as the "yachting capital of the world".

S. 1631 seeks to impose a 3% manufacturer's excise tax on boats 25 feet and less, motors, trailers and various categories of equipment. This excise tax would have an extremely negative effect on many of our members and their marine oriented businesses. In an already over regulated and over taxed industry the last thing we need is another tax!

Allow me to point out that boatmen in this country already pay \$300 million annually in registration fees, fuel sales and use taxes alone, not to mention personal property taxes. Considering that \$120 million a year would be raised by this proposed excise tax, the overall annual tax burden on boaters would then be approximately \$420 million annually. The result of this increase would create a reaction detrimental to the boating industry which is primarily made up of small businesses already caught in the economic squeeze.

This Association opposes S. 1631 and we request that this letter be made part of the hearing record.

Thank you for your consideration.

Sincerely,
Joan R. Willard
Joan R. Willard
President

cc: Charles McC. Mathias, U.S.S.
Paul Sarbanes, U.S.S.
Marjorie Holt, M.C.
Dennis Griesing, Nat'l. Marine Manufacturers Asso.

"Working Together For The Marine Community"

Atlantic States Marine Fisheries Commission

1717 Massachusetts Avenue, N.W.

Washington, D. C. 20036

May 21, 1980

CHAIRMAN
RUSSELL A. COOKINGHAM
DIVISION OF FISH, GAME AND
SHELLFISHERIES
P. O. BOX 1809
TRENTON, NEW JERSEY 08625

EXECUTIVE DIRECTOR
IRWIN M. ALPERIN
12021 307-5330

VICE CHAIRMAN
SPENCER APOLLONIO
DEPARTMENT OF MARINE
RESOURCES
STATE HOUSE ANNEA
AUGUSTA, MAINE 04330

MEMBER STATES:
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RHODE ISLAND
SOUTH CAROLINA
VIRGINIA

The Honorable Jennings Randolph
Chairman
Committee on Environment and
Public Works
United States Senate
Washington, DC 20510

Dear Senator Randolph:

The Atlantic States Marine Fisheries Commission understands that your Committee held hearings on May 20, 1980, on S. 1631, the "Fish Restoration Act of 1979," which you introduced during the first session of the 96th Congress to provide additional funds for the Dingell-Johnson Federal Aid in Fish Restoration Program, administered by the Fish and Wildlife Service of the Department of the Interior. The Commission, at its 1979 Annual Meeting, passed a resolution strongly supporting the principles embodied in S. 1631, and, on its behalf, I wish to comment on the effective implementation of the amendments to the Act.

Mr. Chairman, the Commission wrote to you on April 6, 1979, that, while it recognized the benefits to the recreational fisheries programs of the several States engendered by the D-J Program, most of these considerable advances accrued only to freshwater fisheries and freshwater anglers. We further believed that unless there was a substantial increase in the funding base for the national fish restoration program, even the needs of the States' freshwater recreational fishing programs could not be met, and there was little likelihood that saltwater

TABLE III

Number and Cost of 1977 Marine Recreational Fisheries D-J Projects* in Atlantic Coast States

State	Number of Projects	Total of State & Federal Funds	Institutional Arrangements**
Connecticut	0	\$ 0	Combined Marine & Freshwater Agency
Delaware	2	17,200 ¹	Combined Marine & Freshwater Agency
Florida	0	0	Separate Marine Division
Georgia	1	70,600	Separate Coastal Division
Massachusetts	0	0	Separate Marine Division
Maryland	2	136,700 ²	Separate Tidal Waters Division
Maine	0	0	Separate Marine Department
New Hampshire	1	73,800	Combined Marine & Freshwater Agency
New Jersey	1	16,000 ³	Combined Marine & Freshwater Agency
New York	0	0	Separate Marine Division
North Carolina	0	0	Separate Marine Division
Pennsylvania	---	---	Single Fisheries Commission
Rhode Island	1	97,000 ⁴	Combined Marine & Freshwater Agency
South Carolina	0	0	Separate Marine Division
Virginia	0	0	Separate Marine Fisheries Commission
TOTAL	<u>8</u>	<u>\$ 411,300</u>	

*Reference: "Federal Aid in Fish and Wildlife Restoration 1977." USFWS, 1979

**Generally, States with administratively separate marine fisheries agencies do not have access to D-J funds for MRF programs.

¹Delaware, in addition to two itemized projects, includes marine facilities development and maintenance in a \$310,000 D-J project.²Maryland, in addition to two itemized projects, has a \$128,300 D-J project for Technical assistance and Environmental Modification Review which includes marine facilities.³New Jersey, in addition to one itemized project, has three projects totaling \$583,700 for coordination, planning and wetlands acquisition which include marine and anadromous recreational fisheries activities.⁴Rhode Island, in addition to one itemized project, has an \$160,000 access and facilities project that includes marine areas.

Hon. Jennings Randolph

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May 21, 1980

recreational fishermen would ever share equally in D-J Program benefits. Accordingly, the Atlantic States Marine Fisheries Commission advised you that it would support the move to expand the Dingell-Johnson base funding by extending the excise tax at 3% to include certain recreational boats, motors and boat trailers, tens of thousands of which are used in coastal areas for saltwater sport fishing, providing there were language in the legislation that would give increased emphasis to the development and practice of marine sport fisheries programs to provide for the needs of the millions of coastal anglers.

Further, to this purpose, the Advisory Committee of the Atlantic States Marine Fisheries Commission suggested to you, Senator Randolph, in their letter of June 1, 1979, that the Sport Fish Restoration Act of 1950 should be amended so that saltwater anglers (most of whom are unlicensed) be included in the funding apportionment formula, and that coastal States then apportion their D-J monies in relation to the number of saltwater anglers in the State, the numbers of anglers to be determined through any one of several optional surveys conducted by agencies of the Department of Interior and Commerce.

The Commission has since joined with a number of fishing, conservation and environmental institutions and organizations (a listing is attached herein) in promoting D-J expansion legislation on behalf of all State fisheries agencies.

The Commissioners and the fifteen member-States of the Atlantic States Marine Fisheries Commission continue to be in strong support of the need to expand the Dingell-Johnson Program excise tax funding base to meet the burgeoning needs of State fisheries agencies to provide first-class recreational fishing opportunity and the resources for ever-increasing legions of fresh- and saltwater anglers.

In response to this recognized need, the Commission, as a first order of business, at its 38th Annual Meeting, October, 1979, passed a resolution on recreational fishing and boating, which points out the benefits to sport fishermen that have been derived from the Federal Aid in Sport Fish Restoration Act over the past 30 years, and the need to provide these same kinds of benefits to the marine recreational fisheries. The Resolution, therefore, strongly supports the principles embodied in S. 1631, such as the amendatory inclusions of additional sport fishing equipment at the 10% excise tax level, the newly-proposed 3% tax on recreational boats and boating equipment, both of which will boost the funding level for the program Nationwide. At the same time, our Resolution reiterates the position of our Advisory Committee, upon which I commented above, that an equitable apportionment of

Hon. Jennings Randolph

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May 21, 1980

D-J funds be made directly available to coastal States' marine fisheries agencies for marine recreational fish restoration and management programs. A copy of the Commission's Resolution #1 of 1979 is enclosed for your consideration.

The ASMFC has long recognized the need for coastal States to expand marine recreational fisheries programs, having observed, over the years, the very rapid growth in the number of saltwater anglers, both land-based and waterborne, the vast quantities of food and game fish that they cumulatively land (equal to 50% of the foodfish landed by the domestic commercial fisheries), and the ensuing problems of providing access, of data acquisition, management, regulation and allocation of limited and shared resources.

There are but few sources from which funds may be obtained to conduct recreational fishing programs, and the Commission and the State marine resource agencies within it have long looked at the D-J grant-in-aid program for its potential in providing a share of this fiscal wherewithal. We have in fact, in the recent past, petitioned the Secretary of Interior to reexamine the formula by which the D-J funds are allocated to the several States in anticipation that millions of unlicensed marine recreational fishermen be added to the formula through which the States receive their annual share of the Federal funding of this program, and that the additional funds derived through the revised formula be administered for marine fisheries use. We have also recognized that without provision to very substantially increase the D-J fund, since there are scarcely adequate funds each year to maintain the ongoing needs of the States' freshwater programs, to say nothing of future expansion, we could hardly expect much attention and/or support for our position on the very real need to provide marine recreational fishing programs - including financing through D-J funding.

Now, however, Senator Randolph, if additional tackle items are to be taxed and funding augmented by a tax on boats, motors and trailers, which will substantially increase the funding base, marine recreational fishermen and boaters will be contributing even more millions and a greater share of the program dollars than they are now, without the benefits of the Dingell-Johnson Program accruing to their needs. Therefore, we respectfully suggest S. 1631 must include language that will assure that these constituent benefits will be forthcoming for marine recreational projects, as well as meeting freshwater sport fish management needs for the future.

Mr. Chairman, in providing material to the Commissioners so that they might more knowledgeably reach a position in support of

Hon. Jennings Randolph

-4-

May 21, 1980

Dingell-Johnson funding expansion as provided by S. 1631, the Commission prepared an analysis of recent D-J allocations and programs, and numbers of licensed and unlicensed anglers among the Atlantic Coast States, and I have appended, for the Committee's purposes, two tables from that report. We found that in 1977, the fifteen member-States were apportioned, on the basis of their geographic size and numbers of sport fishing license holders, about \$5.25 million of the total national apportionment of \$25.85 million - about one-fifth of all the available funds for that year. These States had 5.7 million paid fishing license holders and a total of 6.4 million licenses, tags, permits and stamps that were included in the formula for funding allocation. In contrast, in these same States, nine of which now qualify for only the minimum D-J allocation, there were 14.8 million resident marine recreational fishermen who were not being included in the formula who were contributing to the fund by paying the applicable excise taxes for their fishing tackle and accessories, but were not receiving the substantial benefits of the program. Of our fifteen States, only seven had any D-J projects that were directly applicable to marine recreational fisheries needs and the total expenditures (Federal and State matching funds combined) was only about \$411,000. As part of a five-and-one-quarter million dollar allocation for sport fish restoration, this is hardly equitable provision.

We hope, Senator Randolph, that S. 1631, while providing a greatly enhanced D-J Program nationally for the benefit of all recreational fishery users, will also provide for equitable funding to marine resource agencies so that these benefits, paid for by the sport fishing constituency, will from now on accrue also to coastal recreational fisheries restoration and management program needs.

We thank you and the Committee for the opportunity to comment on and express our views on the Fish Restoration Act of 1979, which the Commission considers high priority legislation to meet national fishery resource management needs.

Sincerely yours,

Irwin M. Alperin
Executive Director

Enclosures (4)
/h

TABLE I

Institutions and Organizations Supporting D-J Expansion Legislation:

Atlantic States Marine Fisheries Commission
Gulf States Marine Fisheries Commission
Pacific Marine Fisheries Commission
International Association of Fish and Wildlife Agencies
American Fisheries Society
Izaak Walton League of America
Sport Fishing Institute
Bass Anglers Sportsman Society (B.A.S.S., Inc.)
Trout Unlimited
National Wildlife Federation
Wildlife Management Institute
National Coalition for Marine Conservation
Federation of Fly Fishermen
Michigan United Conservation Clubs
Clean Water Action Project
American League of Anglers

ATLANTIC STATES MARINE FISHERIES COMMISSION

RESOLUTION #1 - 1979

RECREATIONAL FISHING AND BOATING REALLOCATION

- Whereas, The Atlantic States Marine Fisheries Commission finds that the Dingell-Johnson Federal Aid in Fish Restoration Program has greatly benefitted the fresh water recreational fishermen and boaters of the United States;
- Whereas, The benefits of the Dingell-Johnson Program have not accrued to marine recreational fishermen and boaters anywhere in proportion to their contribution to the program through the Federal excise tax on fishing tackle and accessories;
- Whereas, The Dingell-Johnson Program is now being considered for extension by the 96th Congress;
- Whereas, The several Coastal States Governments together with the Federal Government recognize the importance of marine recreational fishing and boating to the Nation's economic and social well-being as well as the significant production of seafood by marine recreational fishermen;
- Whereas, Development, enhancement and management of marine recreational fishing have not been adequately supported by the several State Governments and the Federal Government in the past;
- Whereas, Recent advances in marine fisheries management, particularly the State/Federal Fisheries Management Program and the Fishery Conservation and Management Act of 1976, have pointed out serious problems in and lack of knowledge about marine recreational fishing and management of such fisheries.
- Whereas, Boating is growing rapidly and there are in excess of fourteen million boats on our waterways, and as boating safety is not keeping pace with steady annual increases in boating to cope with problems of reducing boating accidents, thus saving lives and preventing injuries and property damage; and
- Whereas, Nine of the twelve States which receive the minimum Dingell-Johnson allocation are located on the Atlantic Coast, where the estimated number of marine anglers equals or exceeds the number of fresh water anglers and funding levels currently available are inadequate to meet the burgeoning needs of state agency programs for their fishermen and boaters; now therefore be it

Resolved, That the Atlantic States Marine Fisheries Commission in meeting assembled at its 38th Annual Meeting, on October 18, 1979, Hyannis, MA, strongly supports, to insure satisfactory coordination of their purpose and intent, the principles embodied in S. 1631 and H.R. 6074 ("Fish Restoration Act of 1979," the Dingell-Johnson Act Expansion), S. 1957 and H.R. 4310 (amend the Federal Boat Safety Act of 1971 to improve recreational boating safety and facilities), and S. 1445 (raises Dingell-Johnson allocation minimum to 1½%); and

Resolved, That the Dingell-Johnson Program be extended and modified to specify that Coastal States (as defined) shall apportion monies received in proportion to the relationship of the number of saltwater anglers in the State to the total number of anglers in that State as determined by the Governor of each Coastal State, and that funds apportioned to each Coastal State for development, enhancement, research, aquatic and boating safety and education, and management of marine recreational fisheries shall be directed to the State fisheries agency in each Coastal State with marine fisheries management responsibility and authority; and

Resolved, That copies of this resolution be forwarded to the appropriate Committees and Subcommittees of both Houses of Congress; and to Honorable Cecil D. Andrus, Secretary of the Interior; and to Terry L. Leitzell, Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration.

CERTIFICATION: This is to certify that Resolution #1 is a true copy of the original resolution adopted by the Atlantic States Marine Fisheries Commission by mail ballot, subsequent to the 38th Annual Meeting, and that it will become part of the official records of the 38th Annual Meeting.

Irwin M. Alperin

Irwin M. Alperin
Executive Director
Atlantic States Marine
Fisheries Commission

TABLE II

1977 Annual Apportionment of D-J Funds,* Number of Paid Fishing License Holders, and Number of Resident Marine Recreational Anglers in Atlantic Coast States

D-J Apportionment to ASMFC States ¹	No. Paid Fishing License Holders ¹	Total Licenses, Tags, Permits and Stamps ¹	Resident Marine Recreational Fisherm 1973-74 ²
CT ³ \$ 248,500	185,600	209,800	658,000
DE ³ 248,500	12,900	16,900	146,000
ME ³ 248,500	241,900	241,900	203,000
MD ³ 248,500	145,300	181,500	904,000
MA ³ 248,500	196,600	200,300	1,430,000
NH ³ 248,500	136,700	138,900	148,000
NJ ³ 248,500	176,100	278,600	1,620,000
RI ³ 248,500	30,600	31,400	285,000
SC ³ 282,596	402,900	415,400	396,000
VA 332,580	449,000	725,700	980,000
NC 401,958	458,200	538,900	1,120,000
GA 439,369	626,400	731,200	557,000
PA 569,082	991,500	991,500	1,235,000
NY 609,839	830,900	830,900	2,980,000
FL 623,393	805,700	829,300	2,101,000
<u>TO'TL \$5,246,817</u>	<u>5,690,300</u>	<u>6,362,200</u>	<u>14,763,000</u>

*Nationally, the 1977 apportionment of D-J Funds was \$24.85 million

¹Data from: "Federal Aid in Fish and Wildlife Restoration 1977." USFWS, 1979

²Data from: "Participation in Marine Recreational Fishing Northeastern United States 1973-74." CFS 6236 NMFS, 1975;

"Participation in Marine Recreational Fishing Southeastern United States 1974." CFS 7333 NMFS, 1977

³Nine ASMFC member-States receive minimum (or near minimum, i.e., SC) D-J apportionment. (Only other minimum States are Vermont, West Virginia and Hawaii.)

TABLE III

Number and Cost of 1977 Marine Recreational Fisheries D-J Projects* in Atlantic Coast States

State	Number of Projects	Total of State & Federal Funds	Institutional Arrangements**
Connecticut	0	\$ 0	Combined Marine & Freshwater Agency
Delaware	2	17,200 ¹	Combined Marine & Freshwater Agency
Florida	0	0	Separate Marine Division
Georgia	1	70,600	Separate Coastal Division
Massachusetts	0	0	Separate Marine Division
Maryland	2	136,700 ²	Separate Tidal Waters Division
Maine	0	0	Separate Marine Department
New Hampshire	1	73,800	Combined Marine & Freshwater Agency
New Jersey	1	16,000 ³	Combined Marine & Freshwater Agency
New York	0	0	Separate Marine Division
North Carolina	0	0	Separate Marine Division
Pennsylvania	---	---	Single Fisheries Commission
Rhode Island	1	97,000 ⁴	Combined Marine & Freshwater Agency
South Carolina	0	0	Separate Marine Division
Virginia	0	0	Separate Marine Fisheries Commission
TOTAL	<u>8</u>	<u>\$ 411,300</u>	

*Reference: "Federal Aid in Fish and Wildlife Restoration 1977." USFWS, 1979

**Generally, States with administratively separate marine fisheries agencies do not have access to D-J funds for MRF programs.

¹Delaware, in addition to two itemized projects, includes marine facilities development and maintenance in a \$310,000 D-J project.

²Maryland, in addition to two itemized projects, has a \$128,300 D-J project for Technical assistance and Environmental Modification Review which includes marine facilities.

³New Jersey, in addition to one itemized project, has three projects totaling \$583,700 for coordination, planning and wetlands acquisition which include marine and anadromous recreational fisheries activities.

⁴Rhode Island, in addition to one itemized project, has an \$160,000 access and facilities project that includes marine areas.



BARNACLE BILL'S
INC.
BOATS AND MOTORS

3716 EAGLE ROCK BLVD., LOS ANGELES, CA. 90065

(213) 254-0502 254-2235

May 22, 1980

Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington D.C. 20510

Dear Sirs:

My name is Bill Wallace and I am the owner of Barnacle Bill's, Inc. of Los Angeles, California. I am in the retail and wholesale recreational boating business. My living depends on this business. My employees and their families depend on the continued operation of this business for their very existence.

As you know, the U.S. Senate is currently considering the merits of S1631 which seeks to impose a 3% manufacturers excise tax on boats 25 feet and less, motors, trailers and other associated equipment. My employees, my manufacturers, my boat dealers, my suppliers, myself-----

WE ALL PROTEST THE PASSAGE OF U.S. SENATE BILL S1631.

As reported in the February Marex Statistical Report the boating industry, as a whole, is down a frightening average of about 26%. By adding the 3% excise tax, those figures will surely drop even lower, as the tax would ultimately be passed on to the retail buyer. Most boat owners finance their purchases. Adding another 3% (at least) to their costs, along with today's high interest rates, will cause chaos in the boating industry.

Over 600,000 people depend on pleasure boating for their living. The passage of S1631 will cause numerous manufacturers to go out of business. Retail boat dealers will have to close their doors. Mass unemployment will be a definite result.

Again-----WE ALL ARE IN OPPOSITION TO S1631.

I respectfully request that this letter be made a part of the hearing record.

Sincerely,

Bill Wallace

Bill Wallace
President
Barnacle Bill's, Inc.

MAY 20 1980

BOAT CENTER, INC.

49 Douglas Street

Savannah, GA 31406

Phone: (912) 355-0025

EVINRUDE

first in outboards



May 16, 1980

Randolph Jennings, Chairman
 Committee on Environment and Public Works
 2404 Dirksen Senate Office Building
 Washington, D. C. 20510

Dear Sir:

What is our own government trying to do to us in the boating industry??? With the price of gas increase, then the proposal to ban weekend boating, and now the Dingell-Johnson expansion bill # S 1631 to have 3% excise tax on boats 25 foot and less there will be many dealers across the country who will just not make it this troubled year. Our sales for this summer have already been devastated by the two problems mentioned and are off 50-75%. We are not a fly-by-night organization. We have 30 years in the industry and know to expect a bad year once in a while and we have prepared for it but just to keep getting slapped down again and again is really not being fair.

We just cannot stand any more set backs this year and I know I am not alone in this problem. Dealers across the country are experiencing the same problems and with the troubled times we are going through I earnestly urge you to plea my case and make my comments a part of the hearing record to defeat this latest disaster to our industry.

Sincerely,

Boat Center Inc.
 S. N. Smith

sns;sms



505 HARBOR DRIVE REDONDO BEACH, CALIFORNIA 90277 (213) 376-3477

May 20, 1980

Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington, D.C. 20510

Gentlemen:

I am a yacht broker in the State of California. I sell both new and used sail and power boats.

I would like this letter to be made a part of the committee record and I would like to go on record as opposing S1631. I understand this bill, the Senate version of the Dingell-Johnson expansion bill would impose a 3% manufacturers excise tax on boats 25' and less, along with taxes on equipment, motors and trailers. This bill would be yet another taxation which would have to be absorbed out of company profits. Among other reasons for my opposition of this bill is lowered funds to floor new boats and equipment. This is in turn reflected in a lessening of supplies on hand which cuts into sales for the many companies I buy marine equipment from. Last but not least, is the loss of income to myself and my sales forces because of the necessity of paying this additional tax from profits, and the loss of sales from boats "on hand".

I sincerely hope this bill does not become legislature.

Sincerely,

Bob Morris

Bob Morris

BM:ld

AVENGER

BOATS

CEE BEE MANUFACTURING CO.
11756 WRIGHT ROAD
LYNWOOD, CALIFORNIA 90262
PHONE (213) 537-0073

March 22, 1980

Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington D.C. 20510

Dear Sirs:

My name is Robert Brown and I am the owner of Cee Bee Manufacturing Company of Lynwood, California. I build the Avenger line of family ski boats. My living depends on this business. My employees and their families depend on the continued operation of this business for their livelihoods.

As you know, the U.S. Senate is currently considering the merits of S1631 which seeks to impose a 3% manufacturers excise tax on boats 25 feet and less, motors, trailers, and other associated equipment. My employees---my suppliers--my distributors---my boat dealers---myself.....

WE ALL PROTEST THE PASSAGE OF U.S. SENATE BILL S1631!

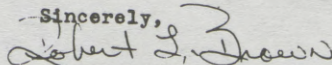
As reported in the February Marx Statistical Report the boating industry, as a whole, is down a staggering average of about 26%. By adding the 3% excise tax, those figures are certain to drop even lower, as the taxes would ultimately be passed on to the consumer. As most boat owners finance their purchases, adding at least another 3% to their costs, along with today's high interest rates, will cause chaos in the boating industry.

Well over 600,000 people depend on pleasure boating for their living. The passage of S1631 will cause numerous manufacturers to go out of business. Retail boat dealerships will have to close their doors. Mass unemployment will be a definite result.

Again-----WE ALL ARE IN OPPOSITION TO S1631.

I respectfully request that this letter be made a part of the hearing record.

Sincerely,



Robert L. Brown
Owner
Cee Bee Manufacturing

May 19, 1980

MAY 27 1980

Honorable Jennings Randolph, Chairman
Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington, D. C. 20510

Dear Senator Randolph:

As a small independent businessman whose livelihood is dependent on a viable boating industry, please consider my objections to the unfair burdens which S. 1631 place on me and my customers. Of course, many of my customers and I are all for better fishing, but we know that the boating industry cannot assume the major part of the cost and survive.

The industry is in the depths of a depression, which has already taken its toll in dealer and manufacturer bankruptcies, and inflation has already put boat and motor prices beyond any number of my potential customers. Now S. 1631 proposes to add another 3% to these prices.

My customers pay the same Dingell-Johnson taxes on fishing equipment they use as do all sport anglers. Now they will be asked, in addition, to pay an extension of that tax on boating equipment. That tax will go for more research, to stream improvements and for projects that may or may not be available to boat fishermen.

Why can't you recognize that the boat fishermen are paying the same Dingell-Johnson taxes as other fishermen, and if more funds are needed, all anglers should be treated equally.

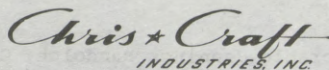
Respectfully,

LA CROSS MARINE
1257 U.S. 23 NORTH
ALPENA, MICH. 49707

() Dealer

Charles J. Holman

MAY 27 1980



600 MADISON AVENUE / NEW YORK, N. Y. 10022 / (212) 421-0200

HERBERT J. STEGEL
CHAIRMAN OF THE BOARD
PRESIDENT

May 21, 1980

The Honorable Jennings Randolph
Chairman
Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Randolph:

While the boating industry is going through the most severe recession in its history, with most boatbuilders, marine dealers and their employees struggling for mere survival, the Dingell-Johnson Expansion Bill (S. 1631) now before your Committee poses a new threat that the industry can ill afford at this time.

I am deeply concerned about the effects a new 3% manufacturers excise tax on outboard motors and boats 25 feet and under would have on the industry in general and on Chris-Craft and its dealers in particular.

Chris-Craft Corporation, a division of Chris-Craft Industries, is one of the largest and oldest boatbuilders in this country, with five plants in Florida, Michigan and Ohio. The Chris-Craft Sportboat Division builds boats from 17 to 39 feet, with by far the largest part of the production being in the 17 to 25-foot range. With the exception of one model, none of these craft are fishing boats. At a retail price range of approximately \$8,000 to \$21,000, a 3% manufacturers excise tax would result in a price increase to the consumer of about \$500 to \$1,300 per boat. At a time when sales are already deeply depressed, such price increases would make it almost impossible to market these boats and could ultimately force us to close our sportboat operation. Many of our smaller dealers would almost certainly suffer bankruptcy.

The recreational boating industry is experiencing an extremely difficult time. Economic uncertainties, concern about fuel availability, record interest rates, inflation and tight credit have done much damage. In addition, the Department of Energy selected boating as a target earlier this year by including a ban on weekend boating in the Administration's proposed Energy Emergency legislation. That proposal, which has since been withdrawn, resulted in order cancellations and a further decline in business across the nation. Some interesting statistics demonstrate

...

Chris-Craft
INDUSTRIES, INC.

The Honorable Jennings Randolph
May 21, 1980
Page 2

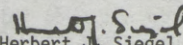
best the combined effect of these factors. Industry-wide, unit sales in March took an unprecedented nose dive:

Inboard-outdrive boats (almost all Chris-Craft sportboats fall into this category)	- 58.6%
Outboard fiberglass boats	- 50.3%
Outboard motors	- 49.2%
Inboard boats	- 39.6%.

Sales statistics for the month of April are expected to show a further deterioration.

I hope the above will help you understand that the recreational boating industry -- an industry that provides jobs for over 600,000 people and recreation for some 60 million Americans -- is in no position to carry an additional tax burden, if it is to survive. On behalf of Chris-Craft, its employees, dealers and shareholders I strongly urge you to oppose the new 3% manufacturers excise tax in S. 1631, the "Fish Restoration Act of 1979" and request that this letter be made part of the official hearing record.

Very truly yours,


Herbert J. Siegel



**JOHN H.
CONDON**

MANUFACTURERS REPRESENTATIVES

412 W. MERCER
SEATTLE, WA 98119

MAIL TO:
P.O. BOX 9723
SEATTLE, WA 98109

206 283-4646

May 14, 1980

Committee on Environment & Public Works
4204 Dirksen Senate Office Building
Washington, D.C., 20510

Subj: Senate Hearings on "FISH
RESTORATION ACT OF 1979, S. 1631

Gentlemen:

As a manufacturer's representative in marine accessories in the marine industry here in the northwest I wish to register my opposition to the Dingell-Johnson Expansion Bill (H.B. 6074) and opposition to S. 1631.

The 3% excise tax on boats under 25 feet would seriously effect the sales especially in the now depressed boating industry throughout the country. This 3% would add from \$100 to \$275 to every boat sale and we surely do not need this added detriment on boat sales. This increase would affect 500,000 people in the marine industry and would take billions of dollars in sales lost which we would enjoy if this bill were not passed.

It is requested that this letter be made part of the hearing record.

Yours very truly,

John H. Condon
JOHN H. CONDON
MANUFACTURER'S REPRESENTATIVE
JHC/jc

cc: All Washington State Senators
and House of Representatives

All Committee Members



May 20, 1980

Committee on Environment
and Public Works
4204 Dirksen Senate Office Bldg.
Washington, D.C. 20510

Reference: Senate Bill 1631

Gentlemen:

I run a small business in Ontario, California - Emerald Bay Marine.
I am writing to state my opposition to Senate Bill 1631.

I am opposed to any additional manufacturers excise taxes on boats, motors, and trailers and other various associated equipment. At a time when all Americans are feeling the effects of an economic recession we don't need additional taxes. If passed, this bill would certainly hamper marine sales, and affect a vast number of employees, suppliers, and other businesses which would feel the consequences of a price increase.


If the Senate imposes a 3% manufacturers excise tax on all boats, motors, trailers and various associated equipment, it will hurt not only my business, but many others as well because in order to absorb the tax increase it will have to be passed on to our customers by raising our prices. If they stop purchasing, I will in turn have to stop purchasing from my suppliers, and other businesses which are related. I may even have to lay off some of our employees. We would all suffer.

If passed, Senate Bill 1631 will have a devastating effect on the boating industry and family recreation because of the additional expense.

I request that my letter be made a part of the committee record, and that the committee members weigh carefully the serious ramifications involved.

Sincerely,

Ken Campbell

Ken Campbell 
General Manager

KC:kb

Nations Largest Outdoor Weekly

FISHING HUNTING NEWS

May 14, 1980

Committee on Environment & Public Works
4204 Dirksen Senate Office Building
Washington, D.C., 20510

Subj: Senate Hearings on "FISH
RESTORATION ACT OF 1979, S. 1631

Gentlemen:

As the Boating Editor of Fishing and Hunting News which is the nation's largest weekly we wish to register our opposition to the Dingell-Johnson Expansion Bill (H.B. 6074) and oppositions to S. 1631.

The 3% excise tax on boats under 25 feet would seriously effect the sales especially in the now depressed boating industry throughout the country. This 3% would add from \$100 to \$275 to every boat sale and we surely do not need this added detriment on boat sales. This increase would affect 500,000 people in the marine industry and would take billions of dollars in sales lost which we would enjoy if this bill were not passed.

It is requested that this letter be made part of the hearing record.

Yours very truly,

John H. Condon
JOHN H. CONDON
Boating Editor, F & H News
JHC/jc

CC: All Washington State Senators
and House of Representatives
All Committee Members

511 Eastlake Avenue East, P.O. Box C-19000, Seattle, Washington 98109
(206) 624-3845

Glastex Co.

600 W. 10TH AVE. MONMOUTH, IL 61462
309/734-2175

SEAL STAR

May 15, 1980

Committee On Environment & Public Works
4204 Dirksen Senate Office Building
Washington, DC 20510

Gentlemen:

I am writing as a small business manufacturer of fiber-glass boats in opposition to S 1631, "Fish Restoration Act of 1979", hearings scheduled to begin May 20, 1980.

This Dingell-Johnson bill is:

- FIRST Unfair to the whole populace of boat owners, since it would impose a tax on all boat owners which would benefit only those who use their boats for fishing.
- SECOND Very untimely so far as the boat manufacturing and sales industry is concerned. It is presently in the worst recession stage in their history. Total business is already down 50% or more, thousands of people in the industry are presently out of work, many manufacturers and dealers have been driven out of business. My particular company is at a 90% lay-off situation and 5% normal production rate.
- THIRD A despicable blow to an industry that has already suffered enough, what with the "supposed" fuel shortage effect, the aborted DOE proposal of a "symbolic" ban on week-end boating and the industry killer of impossible product financing.

Why kick a dying person?

Very truly yours,

GLASTEX CO.

C. D. Powell

Executive Assistant

CDF/mg

P.S. Please make this letter a part of the hearing record.

cc: Senator Percy
cc/ Senator Stevenson

Robt. R. Hammond and Associates

2200 East Sixth Street • P.O. Box 6427 • Austin, Texas 78762 • Phone: Area Code 512-472-0600

May 19, 1980

MAY 23 1980


 CERTIFIED MAIL NO. 5237894
 RETURN RECEIPT REQUESTED

The Honorable Jennings Randolph
 Chairman
 Committee on Environment and Public Works
 4204 Dirksen Senate Office Building
 Washington, D.C. 20510

Dear Senator Randolph:

We are a manufacturer of fiberglass pleasure boats from 17 to 21 feet in length.

We are opposed to the 3% manufacturer's excise tax as proposed in S. 1631 as this would raise the price of a typical boat, motor and trailer for the new first time boat buyer as much as \$275 and in the case of boats of our type as much as \$400.

Boatmen already pay \$300 million annually in registration fees, fuel sales and use taxes, not to mention personal property taxes.

Due to the ill-conceived and discriminatory practices as proposed by the Department of Energy in their standby rationing plan to restrict boating on weekends and the dramatic effect of high interest rates and the lack of financing for dealers and consumers alike, we have seen our sales fall to less than 20% of what they were a year ago with an attendant reduction in employees from 75 to less than a dozen. Additional pass through costs of the proposed S. 1631 bill when financing a rig would add an additional 5 to 6% and further drive the cost of boating up.

We urge you to drop this proposed 3% manufacturer's excise tax and would appreciate our letter being made a part of the hearing record.

Sincerely,

 A handwritten signature in dark ink, appearing to be "R. Hammond".

Robert R. Hammond
 President

/jcl

cc: 1) The Honorable Lloyd Bentsen
 c/o Committee on Environment and Public Works
 4204 Dirksen Senate Office Building
 Washington, D.C. 20510
 Certified Mail No. P06 5237895
RETURN RECEIPT REQUESTED

Designers and Builders of Fine Boats

HAPPEL

MARINE INC.

798 CLEARLAKE ROAD • COCOA, FLORIDA 32922 • 305/636-7562

5/12/80

Senator Robert Stafford
c/o Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Stafford,

Our firm manufactures teakwood and other wood boat parts for boat manufacturers nationwide. We feel that Senate Bill S. 1631 which imposes a 3% manufacturer's excise tax on small boats would hurt our business, as well as the businesses of our customers and suppliers.

The federal government has already severely hurt the boating industry this year as the proposed "ban on boating" by DOE has hurt boat sales. A hidden tax on boats will not only add to inflation but this increase in the costs of boats will cut back sales even more.

The people of this country are asking for less government taxes and less government control over their lives; however, it is obvious that the Congress is not listening to the people, judging by the various bills, such as S. 1631, which adds another new tax on top of all the other taxes we pay.

Boat owners already pay \$300 million annually in registration fees, fuel sales and use taxes alone, plus additional taxes for personal property on their boats. Why add an additional \$120 million a year to this tax burden? The people are trying to tell you that enough is enough. We do not want higher taxes.

I request that this letter be made a part of the hearing record on Bill S. 1631.

Very truly yours,

Henry Happel
Henry Happel
President
HAPPEL MARINE, INC.

JOE CONNORS + CO.

*Manufacturers
Representatives*

539 - 43rd AVENUE

SAN FRANCISCO, CALIFORNIA 94121

Phone 415-751-6047

22 May 1980

Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington, D.C. 20510

Gentlemen:

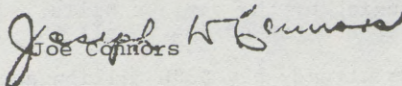
I am an Active member of the Southern California Marine Association and a Manufacturers Representative calling on the Boat Builders and Marine Trade in California.

Bill No. S1631-3% Excise Tax Proposal will have an adverse effect on the boating industry as a whole and will hamper sales of associated equipment as well.

Please make this letter of OPPOSITION TO S1631 a part of the hearing record.

Thank you!

Yours truly,


Joe Connors

JC:vmc


KLEIN PRODUCTS, OF TEXAS INC.

May 21, 1980

Committee on Environment
and Public Works
4204 Dirksen Senate Office Bldg.
Washington, D.C. 20510

Reference: Senate Bill 1631

Gentlemen:

I run a small business in Jacksonville, Texas - Klein Products of Texas, Inc., which manufactures construction machinery and marine products. I am writing to state my opposition to Senate Bill 1631.

I am opposed to any additional manufacturers excise taxes on boats, motors, and trailers and other various associated equipment. At a time when all Americans are feeling the effects of an economic recession we don't need additional taxes. If passed, this bill would certainly hamper marine sales, and affect a vast number of employees, suppliers, and other businesses which would feel the consequences of a price increase.

If the Senate imposes a 3% manufacturers excise tax on all boats, motors, trailers and various associated equipment, it will not only hurt my business, but many others as well because in order to absorb the tax increase we will have to pass it on to our customers by raising our prices. If they stop purchasing, I will in turn have to stop purchasing from my suppliers, and other businesses which are related. I may even have to lay off some employees. We would all suffer.

If passed, Senate Bill 1631 will have a devastating effect on the boating industry and family recreation because of the additional expense.

I request that my letter be made a part of the committee record, and that the committee members weigh carefully the serious ramifications involved.

Sincerely,

R. D. Klein

RDK:kb



MAY 23

OUTBOARD MARINE CORPORATION

May 19, 1980

The Honorable Jennings Randolph
Chairman
Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington, D. C. 20510

Dear Senator Randolph:

Attached is the Statement of Outboard Marine Corporation, submitted for the record of your committee's 20 May 1980 hearing on Senate Bill S-1631. Because my request to present this statement in person could not be fulfilled, I feel it is appropriate to ask that it become a part of the hearing's record.

Outboard Marine Corporation manufactures and sells marine propulsion systems, known as OMC Evinrude, OMC Johnson, and OMC Stern Drive. We are the world's largest manufacturer of outboard motors, and employ approximately 7,000 people in the states of Wisconsin, Illinois, Nebraska, New Jersey, Georgia, Florida, Texas, Kansas, Minnesota, California, and Washington.

Because we believe that S-1631 will affect adversely the sale of pleasure boats and engines, and because we believe the tax called for in S-1631 to be unjust and unfair to those people buying boats, we oppose vehemently this proposed legislation.

An extra copy of this letter and our position paper are enclosed. I would appreciate it if those copies could be file stamped and returned to me.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. H. Lincoln".

R. H. Lincoln
Director, Environmental Affairs

RHL/CS
Enclosures
CC: Committee Members
Gaylord Nelson
William Proxmire
Henry Reuss

STATEMENT OF
OUTBOARD MARINE CORPORATION

SUBMITTED FOR HEARING RECORD - S. 1631
3% EXCISE TAX PROPOSAL FOR BOATS, MOTORS, AND BOAT TRAILERS
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
CHAIRMAN - JENNINGS RANDOLPH

When the Senate Committee on Environment and Public Works considers S. 1631, the "Fish Restoration Act," please consider that the proposed tax will be another blow to an industry that is in the depths of a depression, not recession. The industry has already been the sole butt of energy curtailment proposals, and has been devastated by the administration's credit restrictions.

While we are in complete sympathy with the objective of S. 1631, better fishing, we feel very strongly that the boating industry and its customers are being unfairly asked to shoulder a burden which should be shared by all who benefit from fishery programs.

The beneficiaries of the national and state fisheries programs are not, as the sport fishing advocates of S. 1631 would have us think, only the boaters and fishermen. They also include all of the states to whom the revenues from tourism are a very important source of taxes. How important? We contacted several of the Midwestern states and learned that sport fishing contributed \$591 million to the economy of the state of Michigan, \$514 million in Wisconsin, and \$520 million in Minnesota. The U. S. Fish and Wildlife Service reported that fishing expenditures in 1975 were \$1,771,423,000 in California, \$1,704,442,000 in Texas, and \$724,231,000 in New York.

Is there any reason why the states shouldn't take some of the sales taxes resulting from these kinds of expenditures to support the goose that's laying these golden eggs? Certainly there is, when instead the Congress is being asked to tax the purchasers of boat, motors and trailers, at least 30% of whom have absolutely no interest in fish or fishing.

In the fable, the goose died in the search for the source of the golden eggs, and so may the boating industry and its customers. They have already been singled out by many segments of government. Following are a few examples.

(1) The Boating Safety Act of 1971 decreed that all powerboats should be numbered by the states only as a means of identifying them in the event of accident or misdemeanor. This has turned into a major source of revenue to the state departments created to number, not to tax, and also to the personal property tax collector.

The Land and Water Conservation Act turned to boating to finance itself and settled for half of the federal gasoline tax levied on boating fuel.

(2) The Environmental Protection Agency singled out boating rather than cities as the source of sewage in public waters and decreed holding tanks in boats. It failed to provide pump-out facilities, and where it did in many cases the untreated sewage went back into the water.

(3) States and municipalities charge to launch boats into waterways although they provide, without charge, trails and facilities for hikers and cross country skiers. These, together with sales taxes, cost the boat owners of America some \$300,000,000 annually.

(4) The Department of Energy recently singled out boating as the ONLY form of recreation or the ONLY activity which would be curtailed on weekends in the event of an energy shortfall.

Now, boating is being asked to subsidize state fishery programs because neither state revenue departments nor fishermen themselves want to do it. The industry itself is reeling from all of the regulations and demands placed on it and its customers. Inflation has frightened away the customers who were willing to live with the myriad of regulations and the uncertainty of the availability of fuel.

Now, boatmen are being asked to submit to a tax which proponents are claiming to be inconsequential, saying it costs the average fisherman 41 cents per year. The purchaser of a 25-foot cruiser who is faced with \$900 excise tax can hardly be expected to agree, nor can the purchasers of expensive smaller boats, motors or trailers.

Boatmen are not unaware of the need for additional and improved waterfront facilities, and for programs which provide for the safety of all who venture on our waters. They do object as boatmen to being taxed to pay for fish hatcheries and for research which has no relation to boating. They have backed their concern for facilities with sufficient support to secure the passage by the House of Representatives of the Recreational Boating Safety and Facilities Act of 1979, H. R. 4310. That legislation is now awaiting Senate action as S. 1957. Its passage would free Dingell-Johnson funds for their intended purpose, better fishing, and obviate the need for any extension of the excise tax to boating equipment.

OUTBOARD MARINE CORPORATION - COSTA MESA, CA

OMC Distributors-Costa Mesa1998 Harbor Blvd., P.O. Box 5014
Costa Mesa, California 92626
Phone 714/548-5574

May 21, 1980

Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington, D. C. 20510

Gentlemen:

I am presently the manager of OMC Distributors-Costa Mesa and have been directly associated in the small boat business since 1953. I wish to voice my opposition to the Senate version of the Dingell-Johnson bill #51631.

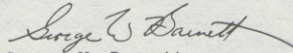
The marine industry has already suffered undue damage by the divestating effect of the Department of Energy's proposal to ban weekend boating. Coupled with the adverse interest rates for flooring and the unattainable financing for retail purchases, many large and small dealers have had to close their doors.

The first link of a successful recreational industry starts with the small boat manufacturer. A 3% tax levied would be a further hinderance to the recovery of an industry that supports thousands of employees in California.

Sl631 further discriminates against an industry which has helped provide the very quality of life that has made our nation strong.

Please be kind enough to enter my comments as a part of the hearing record.

Sincerely,

George W. Barnett
Manager

Gb/cg



PATCHOGUE MARINE

689 Route 112

Phone: 516 GR5-4850

N. Patchogue, L.I. New York 11772

May 15, 1980

Commissioner on Environment
& Public Works
4204 Dirksen Senate Office Bldg.
Washington, D.C. 20510

ATTENTION: *Mr John C Culver*

Re: Opposition to S.1631

We are engaged in, or attempting to be engaged in the Retail sale of boats (25' & under, outboard motors & trailers) all of which the Dingell-Johnson Expansion Bill seeks to impose a 3% Excise Tax on. Each year, as our season starts, customers are continually discouraged from buying. Last year it was the price of gas and the "shortage" creating gas lines.

This year its still the prices, as well as the proposed 10¢ per gal.increase still pending; then the tightening of credit by the banks and their high interest rates.

Now its this proposed bill on boats under 25 feet, motors & trailers. Why is the middle class always being socked for more & more taxes? People owning boats larger than 25' could easily pay more in the way of an excise tax, but not people trying to buy a little boat for a little relaxation. It looks like the middle class is just supposed to go to work all week and then sit home and pay taxes!

The price of fiberglass boats keep going up 2 or 3 times a year, as fiberglass is a petroleum product, as well as increases in motors & trailers several times in the season. An extra 3% Excise tax on each of these units could well prevent more & more people from affording a small boat. Hundreds of dealers could be forced out of business, which could drastically effect the economy, as the whole marine business is in the billions of dollars.

The proposed week-and ban on boating was drastic enough and slowed down thousands of dealers sales, with out this new proposal, which will cause much additional damage to the industry.

We respectfully request this letter be made part of the hearing record.

Rich Carpenter
Russell + Marie Carpenter
Ramball Carpenter
John Jarvis

Very truly yours,

PATCHOGUE MARINE

Russell + Marie Carpenter
Ramball Carpenter
John Jarvis



POMPANETTE, INC.

190 Bryan Road, P.O. Box 276
 Dania, Florida 33004
 (305) 925-7304
 May 8, 1980

Committee on Environment and Public Works
 4204 Dirksen Senate Office Building
 Washington, D. C. 20510

Gentlemen:

Pompanette is a manufacturer of accessories for powerboats.
 As such, we are totally opposed to Senate Bill S. 1631.

Briefly, our business will be substantially hurt with passage of S. 1631. The tax, effectively a price increase, will cause sales to drop, is an inflationary contributor in itself, and the proceeds will do little to help the saltwater fisherman, whom we serve. It is not fair to jeopardize the jobs of 63 people, our suppliers, and our dealers by enacting such a Bill.

Think clearly for a change! Get off of your political boxes!
 Who really needs this? Can't a license fee suffice?

I request that this letter be made part of the hearing record.

Respectfully,

Robert L. Byrd
 Robert L. Byrd
 President

RLB/11h

326 First St., Annapolis, Md. 21403 — (301) 267-7388
 Showrooms: 2817 Villa Way, Newport Beach, Calif. 92663 — (714) 673-7277
 1515 S.E. 16th St., Ft. Lauderdale, Fla. 33316 — (305) 525-6367



Specialty products for the
rigours of the Sea

Professional Mariner

Professional Mariner Inc. • Yacht Corrosion Consultants Inc.
1210 Beachmont Street • Ventura, California 93001 • (805) 644-1886

May 21, 1980

Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington D.C. 20510

SUBJECT: Opposition to S1631

Dear Sirs:

Professional Mariner, my company, manufactures specialty electrical items such as battery chargers and voltmeter panels for the marine industry.

I oppose S1631 not only in a general anti-Big Bureaucracy way but specifically as '3rd kick in the guts after you've been kicked down the stairs' type of intrusion against the marine industry.

The bulk of marine businesses are extremely small and have great difficulty eeking out a living during the good years never mind when inflation is rampant, taxes are soaring, and spendable income is down.

Lower taxes means more spendable income.

The people that this tax is directly aimed at are the blue collar workers wanting their first boat that are not buying at this minute because interest rates and fuel costs are up. The average purchaser probably paid 14-16% interest last year and didn't buy this year at 20-22%. A 6 to 8% difference.

What effect will a permanent 3% have on top of inflation - on top of reduced spendable income - on top of increased prices for fuel?

I believe the entire small boat industry especially 30' and under is in deep trouble at this minute and will not recover quickly even without the addition of a burdensome tax.

Please make this letter a part of the hearing record.

Bob Ajeman

Bob Ajeman
President

Professional Mariner Inc. / Yacht Corrosion Consultants, Inc.

Member:



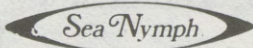
Southern California
Marine Association, Inc.



American
Boat & Yacht
Council



National Association
of Corrosion
Engineers



Division of Midas-International Corporation

An IC Industries Company

SEA NYMPH BOATS
801 E. Chicago Street
P.O. Box 337
Syracuse, IN 46567
(219) 457-3131

May 9, 1980

Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington, DC 20510

Gentlemen:

This is to inform you of our complete opposition to S. 1631 which seeks to impose a 3% manufacturers excise tax on boats 25 Ft. or less, motors, trailers, and various categories of associated equipment.

Sea Nymph Boat Company produces aluminum boats and canoes, 100% in the category affected by S. 1631. Our products are sold to primarily the lower income groups who can least afford any additional amount of taxation including the 3% hidden manufacturers excise tax in S. 1631. Because Sea Nymph products are sold to those who can least afford any additional burdens, sales of our products are extremely price sensitive. The 3% excise tax would most certainly cause a segment of our market to switch their purchases to some other form of activity. Or even worse yet, some of our future customers would skimp in other related purchases such as safety & flotation equipment.

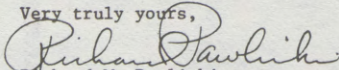
Most importantly S.1631 will not accomplish equitably the task before it.

As a 35 year old boat manufacturer, Sea Nymph employs 150 in three plant locations. Six hundred dealers, their employees and families plus the suppliers to Sea Nymph would all be negatively affected as a result of any price increases caused by S.1631.

In our opinion there are better alternatives to S.1631 that would be less damaging, more productive and certainly more equitable than what has been proposed.

We request that this letter be made a part of the hearing record. In addition, we are willing to submit specifics should you find it necessary.

Very truly yours,


Richard M. Pawlicki
National Sales Manager

cc: NMMA-Dennis Griesing
P. E. Phillabaum

Serbe Underwriters Agency, Inc.

4676 Admiralty Way, Marina Del Rey, Calif. 90291
Telephone (213) 821-8989

5-20-80

Committee on Environment & Public Works
4204 Dirksen Senate Office Bldg.
Washington, D.C. 20510

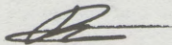
Gentleman:

Our company is in the yacht financing and insurance field and therefore directly dependant on the sale of boats.

We are therefore opposed to S 1631 which would put a 3% tax on boats. With rising costs of just about everything related to boating this would be like the straw that broke the camels back. The boating industry has already suffered tremendous losses due to the government caused inflation, government caused high interest rates, government caused high fuel prices, and the last thing we need is another tax!

I would like to request that this letter be made a part of the hearing record.

Sincerely yours,



Paul Eitel,
President

CC: Southern California Marine Association

MARINE FINANCING & INSURANCE

MAY 20 1980



PRODUCTS, INC.

1 SKEETER ROAD P.O. BOX 230 KILGORE, TEXAS 75662 214 984-0541

JERRY M. MEYER
President

May 14, 1980

Honorable Jennings Randolph
Chairman
Committee on Environment and Public Works
U. S. Senate
Washington, D. C. 20510

Dear Senator Randolph:

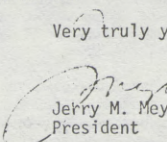
In reference to the hearing of S. 1631, May 20, 1980, I regret to inform you I will not be able to attend due to a very personal matter that cannot be postponed.

I would like to urge you to extend the bill for passage of the Dingell-Johnson Act as I feel it has a direct bearing on the future sales of the marine industry. It is imperative that additional funds be made for better fisheries resources in order to insure the future success of the total marine industry growth.

I would request you record into the record that Skeeter Products, Inc. supports the above mentioned.

Thank you for your consideration.

Very truly yours,


 Jerry M. Meyer
President

JMM:so

SKIPJACK
BOATS INC.

May 22, 1980

COMMITTEE on ENVIRONMENT and PUBLIC WORKS
4204 Dirksen Senate Office Building
Washington, D.C. 20510

Gentlemen;

Re: S 1631

I am a manufacturer of fiberglass sport-fishing boats ranging in length from 20 feet to 28 feet. The boats, I am proud to say, are well known thru out the marine industry for their superb quality and workmanship. I have been in the marine industry for 30 years and I have been building the SKIPJACK for the past 15 years. With this background I feel I am entitled to a statement with regards to S 1631.

I do vehemently oppose any and all further taxation that would be levied against the boating industry and its related 'sister' industries. The 3% manufacturers excise tax (S 1631) which seeks to impose tax on boats 25 feet and less would do more harm to our already "wounded" industry.

The boat builders and the related marine industries have taken a severe beating economically these past 12 months. First we had the gas (scare) shortage of April & May 79'. Then the "proposed weekend boating restriction" (which was successfully stopped) that created a lot of doubt in the mind of the 'boat buyer' as to whether or not he could get gas once he did buy the boat. And now the exorbitant interest rates which prohibit the consumer from acquiring a loan in order to purchase a boat. An added 3% on the purchase price of the boat would be a cost the consumer would not be willing to pay. There is no justification for adding the 3% onto this industry.

I currently employ 60 people. My current production has dropped 60%. My employees, usually during our peak period (April thru Sept.) work anywhere from 45 to 50 hours per week (40 hr. regular time + overtime). I have reduced their hours to 32 hours per week. The next step will be to lay off 1/3 of the crew.

As a small independent business man I have been forced over the years to take on a silent partner (FEDERAL & STATE GOVERNMENT). The taxes, legislation and environmentalists have made it very difficult to operate successfully. Now the government wants to penalize my customers for purchasing the product that I have worked diligently at for the past 30 years. My profit & loss statement will corroborate the havoc that has been

COMMITTEE on ENVIRONMENT and PUBLIC WORKS

May 22, 1980

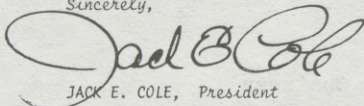
page -2-

brought to the marine industry in the last 12 months, my situation is just one of many. I am, however, one the the more fortunate ones for I still have my doors open. I do know from personal knowledge of a dozen boat manufacturers or dealerships which have closed.

During these inflationary times we are all struggling to keep our business doors open and our employees working. How can it make any sense to impose a tax on an already burdened industry? I am sure that you will get other such letters as mine and I hope that you will then be able to see that there is NO MERITS to the Senate Bill S-1631.

I do request that this letter be made part of the committee record.

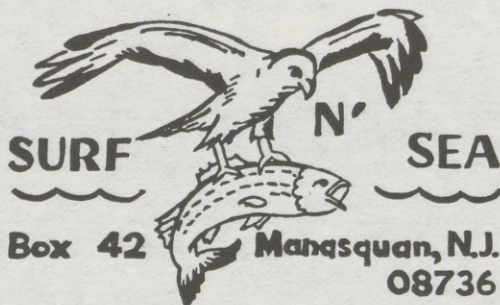
Sincerely,

A handwritten signature in dark ink, appearing to read "Jack E. Cole". The signature is fluid and cursive, with the first name "Jack" being the most prominent.

JACK E. COLE, President

JEC/jj

cc: SCMA- Long Beach, CA.



May 19, 1980

Hon. Jennings Randolph, Chairman
 Committee on Environment and Public Works
 4204 Dirksen Senate Office Building
 Washington, D.C. 20510

Dear Senator Randolph:

At the monthly meeting of the Surf N' Sea Fishing Club, a discussion was held on Bill S. 1631, expansion of the Dingell/Johnson Fund.

We now pay a ten percent excise tax on all fishing tackle and equipment, and receive a very small amount in return from the Dingell/Johnson Fund for fishery projects here in New Jersey.

In addition, restricting this tax to small boats appears to be a blatant inequity to the average income sports-person, and favors those who can afford large boats for big game fishing.

Our membership of 142 men and women would like to go on record as opposing this bill, and request that you enter this opposition into the hearing records.

Sincerely,

Marilyn C. Malone
 Corresponding Secretary



Thompson Boat Incorporated
Peshtigo, Wisconsin 54157
Telephone: 1-715-582-4515

May 13, 1980

Committee on Environment & Public Works
4204 Dirksen Senate Office Building
Washington, DC 20510

RE: Senate Hearings on "Fish Restoration Act of 1979", S. 1631

Dear Committee Members:

I am writing in reference to the hearings scheduled to begin May 20, 1980 before the full Senate Committee on Environment and Public Works, S. 1631, which seeks to impose a 3% manufacturer's excise tax on boats 25 feet and less, motors, trailers and various categories of marine-related equipment. At this time I would request that this letter be made part of the hearing record.

Thompson Boat, Incorporated is a manufacturer of fiberglass pleasure boats ranging in size from 15 feet to 28 feet. Thompson has built pleasure boats in Peshtigo, Wisconsin since 1904, and is considered to be one of the oldest boat manufacturers in America. On behalf of Thompson Boat, Incorporated and its loyal employees whose livelihoods depend upon the success of the boating industry, we strongly oppose S. 1631. The boating industry can no longer remain silent and have our market further prejudiced by opportunistic tax legislation.

The impact of the 3% excise tax would be devastating to the boating industry.

- o Effective retail price increase, accounting for cost of pass through at current credit rates for flooring and boat loans is estimated to be between 5-6%.
- o The tax would add approximately \$100-\$275 to the price of a typical entry level boat rig.
- o Boatmen already pay \$300 million annually in registration fees, fuel sales and use taxes alone, not to mention personal property taxes.
- o \$120 million a year would be raised by the 3% excise tax thereby increasing the overall annual tax burden on boaters to \$420 million annually.

DEBTOR IN POSSESSION



/ Sidewinder /



Committee on Environment & Public Works
Page 2
May 13, 1980

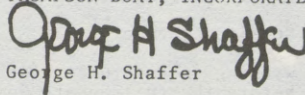
I would not even begin to discuss the number of employees, suppliers and other marine-related businesses which stand to be hurt by the consequences of adding a 3% excise tax to the boating industry.

The "Fish Restoration Act of 1979", S. 1631 will signal the beginning of the end to one of America's greatest family activities, recreational boating.

Thank you for taking into consideration the effect this bill will have on our fine industry.

Sincerely,

THOMPSON BOAT, INCORPORATED


George H. Shaffer

GHS/jmb

MAY 22 1980

TESTIMONY SUPPORTING S.1631, THE FISH RESTORATION ACT OF 1979

May 20, 1980

By John Bramble, West Virginia Bass Anglers Sportsmen Society

To The Senate Committee On
Environment and Public Works

Chaired by Senator Jennings Randolph

J. Bramble
35 Mozart Meadows
Wheeling, WV 26003

My name is John Bramble and I represent the West Virginia BASS Federation which is comprised of 19 clubs with 362 very active and vocal members. I am sure you have heard much testimony, both pro and con, regarding the benefits to be derived by passage of the D-J Bill. I would like to provide three examples in West Virginia which my organization feels would justify an increase in funding of our state fishery organization by expansion of the D-J allocation.

The three northern-most pools on the Ohio River in West Virginia have a total of three public boat ramps for 94 miles of river. This is a heavily industrialized and densely populated area. The Ohio River is potentially a very significant recreational area for residents of both West Virginia and Ohio, and yet there are only three public ramps to serve 94 miles of river and 200,000 people in West Virginia.

Everyone is aware of our current gasoline situation. One way to reduce the consumption of gas, obviously, is to provide recreational opportunities closer to home. In this particular situation we have the recreational opportunity close to home but its accessibility is severely limited. For example, residents of the Moundsville area, who desire public boating access, although living directly on the Ohio River, would have to drive 40 miles to Wheeling or 24 miles to New Martinsville, cross the river and drive 16 miles to a public ramp. Thus, a total distance of 40 miles, no matter what direction you go, and another 40 miles back home.

The Monongahela River consists of four pools separated by three locks for a distance of 40 miles in West Virginia. There is only one public ramp on this entire stretch. This particular river has experienced a miraculous improvement in the fish populations and the water quality during the previous 10 years. It was once considered the worst case of acid mine pollution in the United States but now supports one of the better fisheries in West Virginia. Most of the fish stocking and fisheries management has been paid for with D-J funds. At least one public ramp is needed for each pool.

The West Fork River, a major tributary of the Monongahela River, has 70 miles of excellent fishing without any public boating access.

In conclusion, I would like to offer a first hand observation on the utilization of the boat ramps which I frequently use. Twice as many pleasure boaters as fishermen use these ramps. Obviously, new ramps constructed with D-J funds would be utilized by these same pleasure boaters. Thus, everyone with a boat benefits, not just the fishermen.



Wildlife Management Institute

709 Wire Building, 1000 Vermont Ave., N.W., Washington, D.C. 20005 • 202 / 347-1774

DANIEL A. POOLE
President

L. R. JAHN
Vice-President

L. L. WILLIAMSON
Secretary

JACK S. PARKER
Board Chairman

April 21, 1980

Honorable John C. Culver, Chairman
Subcommittee on Resource Protection
Committee on Environment and
Public Works
Senate Office Building
Washington, D.C. 20510

Dear Senator Culver:

The Institute recognizes the need for predator control under certain circumstances to protect domestic livestock and poultry. There are times when appropriate predator control is beneficial to wildlife also. Thus, our concern is about the who, when, where and how of control, rather than the activity per se.

There have been recent discussions about shifting some predator control responsibilities from Interior to the Agriculture Department. We are opposed to that. Predator control is controversial and probably always will be. Putting responsibility in an agency (USDA) responsible for commercial livestock production increases the risk that control aspects will be abused. The fact remains that this federal program impacts wildlife and should be administered by trained and experienced wildlife biologists in the agency primarily accountable for wildlife management at the federal level. That agency is the U.S. Fish and Wildlife Service. We oppose any of this responsibility being moved to USDA.

The Institute supports extended research to improve control products and techniques. We do not, however, support the Legislative requirement that the federal government use and permit the use of compound 1080.

You should understand that the Institute is not unalterably opposed to the use of 1080. Very recent research results reportedly indicate that the compound can be a highly specific poison for coyote control when meticulously applied at the proper time and places by competent individuals. Use of 1080 in the new toxic collar being developed may be especially effective. Consequently, we do not think that the application of 1080 should be ruled out completely.

On the other hand, compound 1080 can be extremely destructive of nontarget wildlife and domestic animals when used improperly. Legislatively directed use of this toxicant by federal agencies and others would be a mistake. That could open the door too wide and encourage abusive use of the compound. Wildlife subsequently would be affected adversely and public opposition to the predicide would intensify.

DEDICATED TO WILDLIFE SINCE 1911

Senator John C. Culver

-2-

April 18, 1980

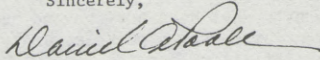
And Interior Secretary Andrus has stated that the new federal policy on predator control calls for ending 1080 research because it "is so controversial and arouses such high emotions. . ."

We believe that the long term interests of both wildlife and the livestock industry will be served best by working together to help expedite implementation of the new federal policy. Should it become apparent that the policy needs revising, we should work together to that end.

We urge the subcommittee to give the new policy a chance to work. If the policy is proven defective and legislation is necessary, we would be pleased to respond to any requests for assistance the subcommittee might have.

The Institute appreciates the invitation to comment on this important matter and requests that this letter be included in the hearing record.

Sincerely,



Daniel A. Poole
President

DAP:1bb

Committee on Environment and Public Works
4204 Dirksen Senate Office Building
Washington, DC 20510

RE: S.1631, "Fish Restoration Act of 1979"

Gentlemen:

I am an employee of the Trojan Yacht Division of Whittaker Corporation. We are in the business of manufacturing inboard recreational boats. I wish to register my strong opposition to the Fish Restoration Act of 1979, S.1631 and request that this letter be made part of the record of the Senate hearings on this bill.

The 3% manufacturer's excise tax this bill seeks to impose would have a 5-6% impact on retail prices when you consider the pass-through cost at current interest rates for wholesale and retail credit for boats. This would have a very negative impact on our business.

The boating industry has been hurt beyond belief this past year as the result of the Department of Energy's policies and proposals, the credit crunch, high interest rates, inflation, and the recession. Last year Trojan Yacht employed nearly 400 people; today, we're down to just over 100. We are trying hard to recover, and the last thing we need is another hurdle in the form of increased taxation.

Boaters already pay \$300 million annually in registration fees, fuel, sales, and use taxes alone, not to mention personal property taxes. The \$120 million this 3% excise tax would raise annually would be a 40% increase to the taxes boaters already pay. Now that's certainly not going to help our industry or the economy recover. And it surely will increase inflation.

I urge you not to further prejudice the boating industry's market with passage of this opportunistic tax legislation.

Very truly yours,

ROBI B. PICKLE
Robi B. Pickle
63 S. PEARL ST
LANCASTER PA 17603

cc Senator J. Heinz
Senator R. Schweiker

96TH CONGRESS
1ST SESSION

S. 1631

To provide additional funds for certain projects relating to fish restoration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 2 (legislative day, JUNE 21), 1979

Mr. RANDOLPH (for himself and Mr. LONG) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To provide additional funds for certain projects relating to fish restoration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Fish Restoration Act of
4 1979."

5 TITLE I—FISH RESTORATION PROGRAM

6 SEC. 102. Section 1 of the Act entitled "An Act to
7 provide that the United States shall aid the States in fish
8 restoration and management projects, and for other pur-
9 poses", approved August 9, 1950 (16 U.S.C. 777), is amend-

1 ed by adding at the end thereof the following new sentence:
2 "To the extent practicable, moneys apportioned to a coastal
3 State shall be equitably allocated by such a State between
4 marine and fresh water fish projects."

5 SEC. 103. Section 2 of the Federal Aid in Sport Fish
6 Restoration Act, as amended (16 U.S.C. 777a), is amended
7 by adding a new paragraph:

8 "(e) The term "coastal State" shall mean any one of the
9 States of Alabama, Alaska, California, Connecticut, Dela-
10 ware, Florida, Georgia, Hawaii, Louisiana, Maine, Maryland,
11 Massachusetts, Mississippi, New Hampshire, New Jersey,
12 New York, North Carolina, Oregon, Rhode Island, South
13 Carolina, Texas, Virginia and Washington. The term also
14 includes Puerto Rico, the Virgin Islands, Guam, and Ameri-
15 can Samoa.

16 SEC. 104. (a) Section 3 of the Federal Aid in Sport Fish
17 Restoration Act, as amended (16 U.S.C. 777b), is amended
18 to read as follows: "To carry out the provisions of this Act,
19 there is authorized to be appropriated an amount equal to the
20 revenue accruing from tax imposed by section 4161 of the
21 Internal Revenue Code of 1954, as amended (relating to
22 sport fishing equipment and certain recreational boats and
23 boating equipment) during fiscal year 1980 and each fiscal
24 year thereafter. The appropriation made under the provisions
25 of this section for each fiscal year shall continue available

1 during the succeeding fiscal year. So much of such appropri-
2 ation apportioned to any State for any fiscal year as remains
3 unexpended at the close thereof is authorized to be made
4 available for expenditure in that State until the close of the
5 succeeding fiscal year. Any amount apportioned to any State
6 under the provisions of this chapter which is unexpended or
7 unobligated at the end of the period during which it is availa-
8 ble for expenditure on any project is authorized to be made
9 available for apportionment and disbursement by the Secre-
10 tary, without regard to subsection (b) of section 4, to other
11 States on the basis of need to carry out the purposes of this
12 Act.”.

13 (b) The amendment made by subsection (a) of this sec-
14 tion shall take effect October 1, 1979.

15 SEC. 105. The first sentence of section 4 of the Federal
16 Aid in Fish Restoration Act, as amended (16 U.S.C. 777e) is
17 amended to read as follows: “So much, not to exceed 4 per
18 centum, of each annual appropriation made in pursuance of
19 the provisions of section 777b of this title as the Secretary of
20 the Interior may estimate to be necessary for his expenses in
21 the conduct of necessary investigations, administration, and
22 the execution of this chapter and for aiding in the formula-
23 tion, adoption, or administration of any compact between two
24 or more States for the conservation and management of mi-
25 gratory fishes in marine or fresh waters shall be deducted for

1 that purpose, and such sum is authorized to be made availa-
2 ble therefor until the expiration of the next succeeding fiscal
3 year.”.

4 SEC. 106. Section 5 of the Federal Aid in Sport Fish
5 Restoration Act (16 U.S.C. 777d) is amended by striking all
6 after the period ending the first sentence.

7 SEC. 107. Section 6 of the Federal Aid in Sport Fish
8 Restoration Act, as amended (16 U.S.C. 777e) is amended
9 by adding a new subsection:

10 “(d) The Secretary is authorized to enter into agree-
11 ments to finance up to 75 per centum of the initial costs of
12 the acquisition of lands or interests therein and the construc-
13 tion of structures or facilities from appropriations currently
14 available for the purposes of this Act; and to further agree to
15 finance up to 75 per centum of the remaining costs over such
16 a period of time as the Secretary may consider necessary:
17 *Provided*, That the liability of the United States in such
18 agreements shall be contingent upon the continued availabil-
19 ity of funds for the purposes of this Act.”.

20 SEC. 108. Section 8 of the Federal Aid in Sport Fish
21 Restoration Act, as amended (16 U.S.C. 777e) is amended
22 by adding the designation “(a)” before the first sentence of
23 the existing section and by adding the following new subsec-
24 tion:

1 “(b) Each State may use not to exceed 10 per centum of
2 the funds apportioned to it under section 4 of this chapter to
3 pay up to 75 per centum of the costs of an aquatic resource
4 education program for the purpose of increasing public under-
5 standing of the Nation’s water resources and associated
6 aquatic life forms. The non-Federal share of such costs may
7 not be derived from other Federal grant programs. The Sec-
8 retary shall issue not later than the one hundred twentieth
9 day after the effective date of this subsection such regulations
10 as he deems advisable relative to the criteria for aquatic re-
11 source education programs under this subsection.”.

12 TITLE II—TAX ON SALE OF SPORT FISHING
13 EQUIPMENT AND CERTAIN RECREATIONAL
14 BOATS AND BOATING EQUIPMENT

15 SEC. 201. (a) Section 4161(a) of the Internal Revenue
16 Code of 1954 (relating to the imposition of tax on the sale of
17 certain articles) is amended to read as follows:

18 “(a) SPORT FISHING EQUIPMENT AND CERTAIN
19 RECREATIONAL BOATS AND BOATING EQUIP-
20 MENT.—

21 “(1) There is hereby imposed upon the sale
22 by the manufacturer, producer, or importer of any
23 article of sport fishing equipment a tax equivalent
24 to 10 percent of the price for which so sold.

6

1 “(2) There is hereby imposed upon the sale
2 by the manufacturer, producer, or importer of rec-
3 reational boats and boating equipment a tax
4 equivalent to 3 percent of the price for which so
5 sold.

6 “(3) As used in this subsection, the term
7 ‘sport fishing equipment’ means—

8 “(A) fishing reels, rods, fabricated poles,
9 organic, synthetic, and metallic lines testing
10 80 pounds or less, fishing spears, underwater
11 spear guns, and items of terminal tackle in-
12 cluding, but not limited to, leaders, artificial
13 lures, baits and flies, fishhooks, bobbers,
14 sinkers, snaps, drayles, swivels, underwater
15 riggers, and underwater spreaders;

16 “(B) fishing supplies and accessories in-
17 cluding, but not limited to, fish stringers,
18 creels, bags and baskets, portable bait con-
19 tainers, landing nets with handles not more
20 than 6 feet in length and hoops not more
21 than 36 inches in diameter, and gaff hooks
22 with handles not more than 6 feet in length;

23 “(C) fishhook disgorgers, scalers, rod
24 holders, line and fly dressing, fly tying mate-
25 rials, preserved packaged bait; and

7

1 “(D) tip-ups, tilts, ice augers (both
2 manual and power), ice spuds, ice skimmers,
3 and manufactured ice houses, and wind-
4 shields.

5 “(4) As used in this subsection, the term
6 ‘recreational boats and boating equipment’
7 means—

8 “(A) boats not more than 25 feet in
9 length except hydroplanes, kayaks, and sail-
10 boats: *Provided*, That the tax imposed by
11 this subsection shall not be applicable to
12 boats to be used chiefly for commercial pur-
13 poses other than commercial purposes related
14 to recreational fishing;

15 “(B) outboard motors (both internal
16 combustion and electric), boat trailers, porta-
17 ble fish finders (including both thermometers
18 and depth finders), outriggers of 10 feet or
19 more in length when extended, down riggers,
20 rod belts, fishing chairs, and flying harness-
21 es.”.

22 (b) The amendment made by subsection (a) of this sec-
23 tion shall apply with respect to articles sold by the manufac-
24 turer, producer, or importer thereof beginning with the next
25 succeeding quarter of the fiscal year following enactment of
26 this Act.

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