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Dear Committee:

I submitted testimony to the House committee noting they (NDGF but more-so those who persuade them) should have left well enough alone where for decades the North Dakota Game and Fish (NDGF) operated under administrative code 30-03-05 where a fishing tournament was required to submit a conservation fee of up to 10% of tournament entry fees or up to a max of \$5,000.

And for decades chambers, non-charitable organizations and other entities held tournaments and fishermen executed and fished them with acceptance. Then the NDGF made a change where the max was removed and increased already high tournament fees compared to nearly all states in the nation to a fee unheard of. In some cases, tournaments in the state paid 10 to 20s of thousands of dollars just to have a charitable and economic impact event for the community.

Today, the amended compromise of HB 1538 establishes a tournament fee be capped at \$2,500. While an improvement, this is still an exponential fee compared to nearly every state in the nation and I cannot fully commit to this yet because as written does NOT deliver equitable representation or application. **Hence, I support HB 1538's intent to hold the NDGF accountable for developing an equally represented rule or law and have it be equally applied.**

Many have asked me why the NDGF made the change they made. In my conversations with the NDGF it was clear motivated mostly non-tournament angler minded entities injected concern of ecosystem damage to the fisheries and inconveniences to fishery access points.

This is supported by the NDGF's own summary as it altered the administrative code in October 2020 stating, "disagreements between some tournament and non-tournament anglers have occasionally led to bad blood between these two groups where one group believes money should not be made off a natural resource while the other believes fishing can be about economic development." I could go on, but words must be conserved.

Their belief was 10% served as a means of giving back and for some a means of punishment for participating in such an event. Or we can call it a tax! I can appreciate the giving back notion and I suppose that's why the old code was accepted as long as it was. But the reality is, money doesn't fix anything intangible and if it does, it's a false perception. **In addition, as we've navigated through discussion for this bill, we've learned how unequitable the current and past NDGF administrative rule has been applied.** You will hear examples in other's testimony so allow me to pivot toward the identity of a tournament angler.

It can be argued tournament anglers give back proportionally more than the non-tournament anglers. For instance, non-tournament anglers are not asked to foot the bill for improvements like that of tournament anglers just to add some competition to a day's worth of fishing (while promoting charity I should add).

There's always potentially a bad apple in the bunch but I'll speak in absolutes where most tournament anglers are the most conservative minded anglers. We practice self-conservation including selective catch and release, we pay millions of dollars in equipment bolstering taxes directly sponsoring conservation, we are vocal on fighting aquatic nuisance species, we are promoters nurturing the youth toward the outdoors, stewards of our access and facilities and often the core organizers and charitable enablers.

We believe the NDGF has a pivotal role in protecting our resources and embracing the partnership. The NDGF doesn't close our fishing season to protect the spawn, they state slot limits are not needed in North Dakota and regulate fish catch limits. HB 1538 does not take any of their control away. In fact, as part of internal discussions with tournament anglers one can argue we've been vocal on doing what the NDGF does not and require boundaries on fishing

tournaments. If the NDGF and those who share concern of ecosystem or other local impact to specific area, then it only makes sense to administer boundaries to control impact.

Back to the 10% fee and as the NDGF additionally stated in their October 2020 statement, “the combination of the 10% fishery conservation project coupled with the Department’s efforts to apply various tournament protocol (e.g. spread tournaments about, non-tournament anglers have precedent at the ramp, etc.) has helped lessen the conflict between the two groups considerably in the past 15 years.”

When I approached the NDGF and used freedom of information request protocol as a means to obtain documented evidence of how the 10% fee has eased non-tournament angler’s minds and how various tournament protocols aided the same, I received essentially none. Not that there was a means to deceive, there just wasn’t any actual documented literature available to provide! It was all obtained through, “phone calls” and “meetings.”

Where I’m going with this is in addition to my HB 1538 support, I’d recommended the NDGF bolster or renew its attempts to establish a committee to obtain and document grievances from the public, chambers and others. As I noted, a blanket statement of money has fixed the issue good enough and isn’t good enough! I agree there are still idiot anglers (both tourney and non-tourney I might add) who drive a boat like a maniac or have no respect, we could do better to build relationships with the facility or access point, we can create agreed compromise on boundaries, we can come up with collaborative efforts to give back to the area and we can certainly build consequence to fishing event organizers AND individual tournament anglers who are bad actors! **To mention again, build equal representation with equal application of the rule/law!**

I’m going to close with what I feel is a fair representation of a large fishing event such as the North Dakota Governor’s Cup. It’s a large event and often very family and friend oriented whereas it’s seen as a week’s vacation on the lake. Why this example I’m about to give? It’s because some perceive tourney anglers as fish takers, but you might find it interesting to see some simple scenario math tell you a different story!

Figure 1 – Tourney versus Non-Tourney Fish Catch Scenario

Angler scenario over 1 week of fishing <i>Tournament day is bold blue</i>	Fish Taken								Ttl	Note
	Mon	Tue	Wed	Thu	Fri	Sat	Sun			
Tourney Anglers (2 anglers per boat) - Keep 8 fish per day tournament	0	0	0	0	7	7	0	14	- Two anglers who'd normally be in their own boat with other anglers are together in one boat for the tourney - Tourney anglers rarely keep fish during pre-fish days, who wants to clean fish after a long day! - Many tournaments do not allow normal NDGF daily limit and anglers leave a slot or even two open for big fish! - Generally most tournament anglers have had enough and don't fish on Sunday!	
Non Tourney Anglers (2 anglers per boat) - On vacation same week of tournament - Can keep 10 for 2 man limit in ND	8	8	8	8	8	8	8	56	- Non-tourney anglers enjoying a week of vacation, most likely they will be out to get a limit every day! - They should catch 10 but being conservative and they only got 8!	
2 "tourney" anglers on normal weekend equaling 4 total anglers - Tourney Angler 1 (2 anglers in their boat) - Tourney Angler 2 (2 anglers in their boat)	12	12	12	12	12	12	12	84	- On a normal weekend, the two tournament anglers would be in their own boats - When in their own boats they'd have others with them (family, etc) - Just because they fish tournaments doesn't mean they are a better angler, they only got 8 per day per angler too :-)! - Point being, in this example on a tournament week we'd reduce impact to the fishery by 2 anglers or 70 fish!	
Summary: When anglers fish a tourney they actually take less fish than NOT fishing a tourney!										- 2 tourney anglers on a tourney week caught and kept 14 fish - 2 non-tourney anglers in 1 boat over same tourney weekend caught and kept 56 fish - if the 2 tourney anglers were not fishing a tourney but instead for fun that same week they'd have caught and kept 84 - Lets not forget catch and release tournaments like AIM or Van Hook Classic, 0 fish caught and kept!