

Statement of Chef Kerry Heffernan
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Testimony on Restoring Atlantic Fisheries and Protecting the Regional Seafood Economy
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Committee on Natural Resources
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Chairman Bishop, Ranking Member Huffman, Representative Zeldin, and distinguished committee members:

Thank you for the opportunity to appear today to discuss the crucial issue of restoring Atlantic fisheries and protecting the regional seafood economy. My name is Kerry Heffernan. I'm a chef, fisherman, conservationist, very small scale oyster farmer and, most importantly, father to four boys.

I consider myself extremely lucky to have had the privilege of growing up on and around the water in the Northeast. As a boy living both in Connecticut and on Cape Cod I was fortunate enough to see many of the wonders of our rich intertidal zone firsthand. The last 30 years I have explored the waters from southern New Jersey to the Stellwagon bank, both inshore and offshore, as well as the once-rich waters of the Gulf of Maine. In that time I have witnessed significant changes in the marine ecosystem.

My love for cooking goes back many years as well. I began working in restaurants at 15. I attended the Culinary Institute of America and after cooking for some years in France, have spent most of my career in the New York area. In the early years, I learned my trade working at restaurants like Montrachet, Restaurant Bouley and Mondrian with Tom Colicchio before landing my first job as Chef de Cuisine at One Fifth Avenue. I spent five years as Executive Chef of New York City's South Gate, later becoming the Executive Chef of the Westbury Hotel's famed Polo Restaurant. Soon afterward, I opened Union Square Hospitality Group's Eleven Madison Park as Executive Chef, eventually becoming partner. Under my leadership, Eleven Madison Park received numerous accolades, including a tie with Per Se on Zagat Survey's "Top 20 Most Popular Restaurants in New York," The James Beard Foundation's Award for Outstanding Service in America, and Esquire Magazine's "Best New Restaurant." While in that position, I created the Shake Shack Burger with Danny Meyer. I currently work as the Chef at Grand Banks, a seasonal Oyster Bar and galley on the deck of a historic cod fishing schooner moored at Pier 25 New York.

I am also deeply involved in advocacy concerning sustainable seafood. I serve on the Blue Ribbon Panel of Chefs at Seafood Watch, a project of the Monterey Bay Aquarium and the country's leading resource guiding consumers to sustainable fish buying choices. I also serve on

the New York City Harvest Food Council and cook for Share Our Strength, Project by Project, and both the Central Park and Madison Square Park Conservancies. I serve as a Chef advisor to nonprofit groups engaged with seafood sustainability and conservation including Chefs Collaborative and the South Fork Natural History Museum.

In 2012, I was honored to be the commencement speaker at the Culinary Institute of America. In both 2014 and 2015, I was a Panelist for New York Sustainable Seafood Week with Barton Seaver and Paul Greenberg. We worked in concert for that event with my fellow witness Ms. Bonnie Brady and the amazing folks at Viking Village New Jersey. This year, I was Guy Harvey Magazine's "Chef of the Year" and the Fisherman's Conservation Association "Man of the Year" for my efforts in bringing awareness to issues around the dwindling striped bass stocks, a topic I believe we will be discussing today.

How do these many experiences affect my views on the topic of this hearing? As a chef I see myself as having the serious duty of being a steward of great local seasonal and sustainable ingredients. More and more people look to those in my industry and position for guidance when it comes to how to choose and prepare the bounty of our region. I take those responsibilities quite seriously and have endeavored to be a great resource to many clients, friends, family members, and professional organizations. I certainly will try my best to do the same for this committee.

I am here today to thank you for helping to keep our waters clean and our fisheries sustainable and to provide my local perspective on why we need to work together to ensure that things improve in the face of significant challenges.

Federal management has helped sustain our fisheries

As you know, the bounty of the sea in our region is controlled by federal and state managers through a variety of laws and regulations. The Magnuson-Stevens Fishery Conservation and Management Act, or MSA, controls most fishing in federal waters and states usually govern what happens from shore out to three miles, but striped bass is governed through special laws and data is collected by a variety of entities. Consistently, though, we have seen that strong conservation standards lead to more abundant and resilient fish populations, with benefits to fishermen, chefs, consumers, and diners alike.

For example, many people enjoy fishing for and eating summer flounder, or fluke. Many of us remember years ago when the population was overfished and quota cuts were necessary to bring back the fishery. And it worked! We rebuilt summer flounder to a healthy population size with relatively high quotas. Recently, the number of new fish entering the fishery has crashed and once again regulators are reducing the amount of fish commercial and recreational fishermen can catch. No one wants these harmful quota cuts. But imagine if we had a similar scenario without the healthy population size to begin with? We would be in even worse shape. And although we may hate the lower quotas, following the science as required by federal law will ensure that we have fish in the years to come.

Striped bass is particularly important to me as a fisherman and a chef. Again, striper populations were driven to very low levels for many years, to the point where commercial fishing simply did not occur. Through a combined state/federal system, we were able to rebuild striper populations to where chefs and consumers, not just recreational anglers, could enjoy them. I personally favor a very conservative approach to striped bass management so that we can ensure these tasty fish are around in years to come. Partly, this is due to my work as a chef. I want to be able to prepare and serve fresh, locally-caught fish for friends, family, and clients, rather than have to fall back to something imported.

But at least as importantly, my four-year-old loves to fish and wants only to cast, cast, cast, for bass — he can't stand trolling, and has no interest in the fish I catch for him. I want him to be able to enjoy local striper fishing and not have to answer, as I have had to this year, "Daddy, why are there no more striped bass in our cove?" As adults, and especially as parents, we have the responsibility to conserve the resource for the next generation to fish for and enjoy.

The regional economy needs sustainable management to thrive

As a chef, I have always paid close attention to where the food I prepare comes from. In recent years, I'm pleased to say the general public has developed more and more of an interest in fresh, sustainable, locally-caught seafood as a key ingredient in what we cook and eat. We have done our jobs well in preserving that wild resource so far, and thanks to responsible aquaculture like local oysters, we are able to serve over 5000 oysters a week. But stewardship is key, in both oceanic and estuary environments. For example, if we do not act soon to improve the way we treat the water in our very own Peconic bay, it will by the New York Department of Environmental Conservation's own estimate, become virtually uninhabitable for shellfish and many finfish in less than 20 years. Enforcement is also part of stewardship. We need enforcement to make sure that everyone is following the rules set to preserve the resource and reward those working within the system. I have personally observed poachers illegally catching striped bass and have had recreational anglers try to sell bass to me, which is appalling.

We love it when our favorite species of fish are available. But sometimes, for example as we face quota cuts this year for both striped bass and summer flounder, we may need to consider eating what the sea is giving us, rather than continuing to insist on specific species as the only ones we will eat. I have made it a point to offer fishermen a higher price to treat species like bluefish and porgy as if they were tuna, thereby allowing me to showcase these underappreciated species as celebrities.

For example, we sold thousands of pounds of porgy this summer as crudo to absolute raves. I caught and cooked a bluefish for several very accomplished NYC chefs; they were blown away and said it could not be the fish they have heard such horrible things about! There simply is much more truly spectacular seafood in the waters right at our feet than what we are necessarily targeting, and by creating markets for those additional species, we can support local fishermen and protect the resources at the same time. For example, what if I told you there was a market for large sea robins? They are essential to bouillabaisse! Whelks? Surf clams? Bonita? Even false albacore. If you could get me large slipper shells I could find you buyers.

It's about being in tune to the resource. We may need to reduce our reliance on certain species for a time in order to rebuild them. But that need not be a disaster for the fishermen and chefs in the region if we are more thoughtful and flexible in what we choose to prepare. As a chef I can educate my guest and we can collaborate to use the media to create truly local and amazing success stories of species saved and hundreds of new dishes to explore.

It is extremely rare to come upon a new terrestrial-based protein source, but it happens all the time with fish. Many of the experts here have seen far more than I have in the marine world; we can improve markets together with just a couple of champions and an image makeover.

Climate change is impacting fisheries, and we need to adapt

In the more than 30 years I have lived, fished, and cooked in this region, I have seen significant changes in the marine ecosystem. Every fisherman has similar stories to tell. We are seeing fewer lobsters, definitely, and the number of scallops may even be declining. Ocean acidification will not help these species.

The most striking thing to me is the extent to which we are seeing tropical visitors on a more and more regular basis. Groupers, snappers, tarpon and black drum are now appearing at levels and latitudes never seen before. Lionfish sightings are on the rise. I know I am not alone in fearing when this invasive, destructive species will truly be endemic to the region.

Under these circumstances, it is even more important to manage fishing conservatively. Science has shown that when populations are at a healthy size, they can withstand low recruitment, such as summer flounder is dealing with now, and possibly other challenges that the warming climate may pose. Unfortunately where, as we are now seeing in the Gulf of Maine, you have key fish populations such as cod driven to very low levels and then significant climate shifts at the same time, you create an even bigger challenge to recover the resource. That's a true tragedy, and something I hope we never have to face in the mid-Atlantic.

Improving science to assess and monitor how many and what kind of fish caught by fishermen could help us adapt to climate change and better manage the resources we rely on. Electronic monitoring, including angler self-reporting, could be a way for individual fishermen to provide important information on their catch and, if the technology becomes widespread, feed directly into the stock assessments and management tools that we use to ensure continued sustainability of the resource. These tools offer an exciting way to improve science and management.

Conclusion

In conclusion, my decades of fishing and cooking in New York and around the region and the world have given me a deep appreciation of the importance of conserving the marine resources on which we all depend. I am deeply committed to working with the fishermen of Long Island and the region to ensure an ongoing supply of sustainable, fresh seafood that I can cook for enthusiastic restaurant-goers. And of course as a father, I feel great urgency to protect

the natural heritage of our waters for the next generation and those that follow. Thank you for the opportunity to testify, and I look forward to answering any questions you may have.