Politicalizing of the Management Process

This Council needs to address a problem that has developed in near shore management. When the council split management up into slope, shelf and near shore species, the council decided to take the sport catch out of the near shore fishery. The council uses a sport set-aside to guide management decisions. This set-aside has had many unintended effects on the management process that endanger both the fish stocks and the small boat commercial fishermen.

With this set-aside, sport fishermen have the perception that they do not need to make adjustments to protect stocks. The proof of this is the continuing pressure from sport advocates to take over all near shore stocks in California. These advocates do not come to the management table to help manage their own fisheries effects on the resource. Instead, They have become obsessed with having all of the fish. This has reduced the near shore management process into an allocation battle.

This battle in the near shore has taken the energy that could have been applied to the structuring of a near shore fishery that fulfills the council’s mandates and deflected it into a political grab for the fish. This allocation battle is a direct consequence of the council’s lack of a near shore allocation between sport and commercial fisheries.

This lack of allocation has allowed the sport catch to take over the near shore fisheries. The fact that small commercial boats can not fish in off shore waters makes this a direct violation of the Magnuson Act Section 301 part 98-623 #4 which states: “If it becomes necessary to assign fishing privileges among various United States fishermen, such allocation shall be (A) fair and equitable to all such fishermen; (B) reasonably calculated to promote conservation; and (C) carried out in such a matter that no particular individual, corporation, or other entity acquires an excessive share of such privileges”.

And section 303 part 95-354,101-627,104-297 # 14, which states “To the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate any harvest restrictions or recovery benefits fairly and equitable among the commercial, recreational, and charter fishing sectors in the fishery.

Also the sport set aside can not be sustained in current management conditions as all fisheries face reductions, and set-a-side based on last year’s catch allows for continuing catch rates. This padding of the sport catch, using the small boat fisheries open access catch, is unfair to the commercial near shore fishermen. The council needs to immediately set an allocation formula based on the historical near shore catch of both sport and commercial fishermen. The council needs to lead on issues, or risk replacement by the court system, thus farther politicalizing the management process.

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