

OTHER OPINIONS

Congress must cast support to strong fishing bill

By Jennifer Bevan-Dangel

Lately, most of the news from Washington, D.C., has been dominated by partisan fights and acrimony. However, there is one issue receiving bipartisan support — the fate of America's oceans.

The Senate recently approved the Magnuson-Stevens Fishery Conservation and Management Act by unanimous consent. Destructive practices by the commercial fishing industry are depleting fish populations and devastating key ocean habitat.

Equipped with high-tech fleets, fishing industry conglomerates have become so voracious that some fish populations have disappeared within just a few years. A May 2003 study published in *Nature* magazine found that populations of large predatory ocean fish such as tuna, swordfish, marlin and sharks have declined by 90 percent since the introduction of commercial fishing a little more than 50 years ago. Modern, industrial fishing is a long way from the small teams of

fishermen with small nets that most people associate with commercial fishing. Armed with nets a mile long or more, today's industrial fishing operations sweep away every living thing, including dolphins and other "undesirable" bycatch that is often simply thrown away. Huge "bottom-trawlers" scrape the ocean floor clean, essentially clear-cutting everything from coral to essential marine vegetation. Industrialized fishing also puts small, more-sustainable fishing operations out of business.

Foxes guard henhouse

The problem is that under current law, limits on overfishing are set by regional fisheries management councils that are made up not of independent experts using sound science, but representatives of the commercial fishing industry bound by conflicts of interest. Since 1985, 80 percent to 90 percent of appointed council members have represented fishing interests.

The solution is simple: Fisheries management councils must be reformed to put science ahead of special interests. And penalties against

Did you know?

■ According to a May 2003 study published in *Nature* magazine, it takes only 10 to 15 years for a modern industrialized fishing enterprise to reduce fish populations by 80 percent.

companies that ignore overfishing rules must be strengthened.

The Senate bill contains a number of improvements to current law. The bill sets clearer guidance on how the councils must set annual catch limits and what happens if those catch limits are exceeded, and makes some changes to the regional management councils so that they will become more balanced between commercial fishermen and conservationists and require technical training for new members.

Although the Senate bill could be stronger, it is an excellent first step toward preserving our dwindling fish stocks.

Unfortunately, the story in the House is not so bright. The House version of the bill, introduced by Rep. Richard W. Pombo, a California

Republican, almost does more harm than good. Unless the bill is drastically strengthened to meet the Senate version, the foxes will continue to guard the henhouse and our ocean stocks will continue to decline.

This problem can't be ignored. According to the National Marine Fisheries Service, two-thirds of New England's major fish populations, such as cod, flounder and haddock, are severely depleted, meaning that populations are at 5 percent to 20 percent of their historical size. In the Southeast, all species of grouper and snapper are overfished. In the Gulf of Mexico, red snapper are depleted. Off the Pacific Coast, rockfish populations are so depleted that they are essentially closed to fishing.

Only Sen. Ted Stevens' home state of Alaska has fish populations that are mostly healthy and not being overfished. In fact, of eight regional fishery management councils across the country, Alaska's is the only one that uniformly listens to the advice of its scientific advisers on what catch levels to set and enforces those limits. Congress should pass a strong bill to ensure that the successful "Alaska model" is followed in all of America's waters.

JENNIFER BEVAN-DANGEL is staff attorney for Environment Maryland.

Fisheries legislation should be based on facts

Donald O. McIsaac, Ph. D. Executive Director of the Pacific Fishery Management Council

On September 3, the Vancouver Columbian published an opinion piece about federal marine fisheries management by Jennifer Bevan-Dangel, staff attorney for Environment Maryland. On behalf of the Pacific Fishery Management Council, which recommends management measures for the West Coast federal fisheries, I am compelled to respond to the misleading, broad generalities and outright errors contained in the article. We agree with Ms. Bevan-Dangel that Congress should pass a strong bill to protect the ocean and its fish resources; however, we believe the bill's content should be based on facts.

The author claims that marine fisheries management by regional fishery management councils is akin to the fox guarding the henhouse. She writes, "...under current law, limits on overfishing are set by regional fisheries [sic] management councils that are made up not of independent experts using sound science, but representatives of the commercial fishing industry bound by conflicts of interest."

As it applies to west coast fisheries, this statement contains several errors. The Pacific Council has 14 voting members, including four state fish and wildlife agency representatives, one federal, and one tribal representative. The remaining eight members are private citizens nominated by state governors and selected by the Secretary of Commerce. Four appointed members are from recreational fishing and sectors, three from commercial fishing sectors, and one is an independent biologist. Council members voting in defined conflict of interest situations are required to recuse themselves from voting. In addition, the Pacific Council, like the other seven regional fishery management councils, develops and recommends management measures to the Secretary of Commerce, who may or may not approve them, as a further check and balance. *The Pacific Council is not composed solely commercial fishing representatives, it does use sound science as the basis of decision-making, the appointed Pacific Council members do not show a record of voting their self interest over conservation, and the ultimate setting of regulations into federal law is by the Secretary of Commerce, not the Councils.*

The author writes, "Of eight regional fishery management councils across the country, Alaska's is the only one that uniformly listens to the advice of its scientific advisors on what catch levels to set and enforces those limits." *This is inaccurate.* The Pacific Council process includes input by a Scientific and Statistical Committee made up of government agency, academic, and private scientists, and several other advisory bodies composed of scientific experts in relevant fields. We are not aware of any examples of the Council voting for a total catch limit exceeding that recommended by these scientific advisors. On the contrary, the Council has consistently made tough decisions to follow the science stringently, to close areas and seasons when needed, and to be precautionary and conservative in order to ensure the long-term health of fish stocks and fisheries—even at the cost of significant economic and social impacts on fishing communities.

The author writes, "Off the Pacific Coast, rockfish populations are so depleted that they are essentially closed to fishing." *This is untrue.* Altogether, the Pacific Council manages 64

rockfish species, of which seven are designated as overfished. For the upcoming year, scientists recommended, and the Pacific Council adopted, 29,800 metric tons of the different rockfish species as the sustainable level of catch for commercial and sport fisheries off the West Coast. The overfished rockfish species are all being rebuilt through application of strict catch limits and area closures. Recently, two species (Pacific whiting and lingcod) were successfully rebuilt and removed from the list of overfished species; the most recent stock assessments show that six of the seven overfished stocks are improving in abundance, and one has shown no change since the last assessment. In addition to rockfish, the Council manages dozens of salmon stocks, four coastal pelagic species (such as sardines), 13 highly migratory species (such as tunas), and 27 other species of groundfish. No species other than the seven rockfish species are designated as overfished.

The author claims that “huge ‘bottom-trawlers’ scrape the ocean floor clean, essentially clear-cutting everything from coral to essential marine vegetation.” *This statement is scare rhetoric.* In fact, on the West Coast there are a number of regulations ranging from gear restrictions to closed areas that protect sensitive habitat from being impacted by current bottom trawl operations. This year, the Council closed 250,000 square nautical miles, or about 75% of the area available to fishing, to bottom trawling in order to protect essential fish habitat. These closures were developed in close cooperation with both fishermen and environmental groups. Additionally, the Pacific Council has created large de facto marine reserves within the remaining area that are specifically designed to protect overfished rockfish species while rebuilding is underway—no trawling is allowed in these areas. Further, trawlers voluntarily avoid rocky areas (which are more likely to contain corals) because such areas can destroy their fishing gear.

It is easy to cause alarm with simplistic generalizations and unvalidated perceptions. Learning the specifics and developing a full understanding of complex environmental issues takes time and work. We trust Congress will sort out the truths in producing a strong reauthorized Magnuson-Stevens Fishery Conservation and Management Act. We encourage readers who wish to influence this legislation to take the time to learn the facts about marine fisheries management.

Dr. McIsaac is the Executive Director of the Pacific Fishery Management Council is one of eight regional fishery management councils created by the Magnuson Act in 1976. Headquartered in Portland, Oregon, the Council recommends management measures for fisheries in federal waters off Washington, Oregon, and California.

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