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Op-Ed: David E. Preble: A new course for New England fisheries

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IT IS CERTAINLY no secret that commercial groundfishing in New England is in a shambles. Hardly a day goes by without an account of some new catastrophe befalling the industry. What is now completely clear is that, without some fundamental change, a centuries-old source of some of our deepest traditions may simply cease to exist, and an economic staple of our entire region will finally collapse or be transformed in a way we may neither desire nor recognize. Gone forever will be the prosperous New England fishing communities. Gone forever will be the family fishing businesses with their values of independence and success based upon hard work.

How did we descend to such a sorry condition within the lifetimes of many still alive and active? I remember, even into my early adulthood, abundant and healthy fisheries in a living, vibrant sea. But now I cannot take my grandson out on the ocean and show him the things I have seen, and it has been a quarter-century since one of the old-timers, now gone, said to me, "I saw the best of it and you saw the last of it."

The "last of it" really began in the decade after World War II, when the protein-starved countries of Europe sent an ever-growing fleet of ever-larger factory trawlers to the waters off New England and Canada, sweeping the bottom in an uncontrolled bonanza. The richest fishing grounds in the world couldn't withstand such an attack, and early efforts to control it through multinational treaties and agreements were ineffectual. Open harvest had become overharvest, and the "tragedy of the commons" had come to pass with a vengeance. It had, in the end, become necessary to manage the harvest of these public resources through the agencies of government and, at least in the United States, by our open political process.

By 1976, unrelenting stock declines and impending collapse finally led both Canada and the U.S. to establish fishery jurisdiction zones extending 200 miles from their respective coasts. In the United States, the enabling legislation was the Magnuson-Stevens Act of 1976. The "MSA", as it became known, set basic specifications and granted authority to manage most fisheries, under limited oversight by the National Marine Fisheries Service (NMFS), to eight regional Fishery Management Councils. Since that original act, which has twice been revised and strengthened, most fisheries off the New England coast have been managed by the New England Fishery Management Council, in an uneasy and occasionally tense relationship with NMFS.

The original Magnuson-Stevens Act of 1976 was crafted with three purposes: ending uncontrolled foreign fishing in the U.S. contiguous waters, modernizing the U.S. fishing fleet, and providing for management and conservation of fish stocks. The first two were accomplished rather easily, but it was understood by the framers of the law that the third goal would be a long-term work in progress. Little was known about fishery management at that time, and it was expected that changes would be driven by emerging needs as fishery science matured and management techniques were developed. They anticipated a simple dynamic but failed to anticipate the complexities that would be encountered. As a result, what has actually evolved is a system that is both complex and static, and that responds poorly to the dynamics of marine food webs and the fishing industry.

The management course that was finally selected was based upon controlling fishing effort by limiting the number of days a boat could fish, an approach that seemed fair to all. But it ignored the simple fact that fishermen are aggressively creative and adaptable by nature. Given limited time to fish, their incentive was to catch more fish in less time. In short, they improved their methods and multiplied both their efficiency and their productivity, and the “days at sea” system failed. As fish populations continued to decline, the next step was to try to make “days at sea” work by simply adding “daily trip limits” to artificially decrease efficiency. This step has proven disastrous since it both multiplies average daily operating costs and requires the discarding of fish caught that are above the daily limit or are of a lower market value. On top of that, once a species begins to recover, the odds of catching it in numbers above the daily limit quickly increase, thereby thwarting the recovery.

A third of a century has passed since the original MSA, and we are now in two untenable situations. First, we are trying to control overfishing by methods that ensure a high level of “bycatch,” a euphemism that really means an outrageous number of dead and dying fish discarded into the ocean, often more than are landed. I know of no fisherman who isn’t sickened by this wanton waste or angry at the system that requires it. Second, we are trying to micromanage the fishing industry by decreasing the efficiency of its individual businesses, a practice that can only lead to economic disasters such as have notably occurred in New England. The New England groundfishery currently yields less than 15 percent of its potential, while fishermen go broke.

But it doesn’t have to be that way. There are policy options available that could stop the bleeding and turn the downward spiral around, if we but had the wisdom and the fortitude to adopt them. The fishing industry must move away from the failed paradigms of the past and adopt a modern economic structure. Management must adopt incentive-based tools that free the fisherman to run his business in the most efficient way he can devise, while protecting the resource upon which his future depends. Only managing by catch shares — preassigned to individuals or harvest cooperatives and backed up by strict, scientifically determined quotas — will do the job. Catch-share management can free the fisherman from stifling bureaucracy and crushing regulation, and it is the only fisheries-management system that has a proven record of success.

The policy changes required to initiate percentage catch shares are surprisingly straightforward, but will involve coordinating executive, legislative and management efforts. We have made a start, but the process has become bogged down in bureaucratic bungling and industry bickering. Our course is set, but our compass is broken.

We need to get back on course with a well thought-out plan, and the other week one came along. Under the title *Oceans of Abundance: An Action Agenda for America's Vital Fishing Future*, the new action plan was produced by a bipartisan working group, made up of 23 policy leaders, to assist the new Obama administration in forming new fisheries policy.

Co-chaired by former Secretary of the Interior Bruce Babbitt and former Pennsylvania Congressman James Greenwood, the working group has concluded that catch-share management is the best and fairest tool to manage our nation's fisheries. Further, its action plan outlines concrete steps that can be taken to get back on course, with specific timelines and policies that would hold federal agencies and regional councils accountable for their performance. Its ultimate goal is for all fishery-management plans to be evaluated for catch shares by 2012, and for at least 50 percent of all U.S. fisheries to be managed through catch shares by 2016.

New England loses a half-billion dollars of potential income every year in just its groundfishery through continued adherence to a failed business model. The New England groundfish industry remains overcapitalized, overregulated, micromanaged, economically inefficient, and poorly structured, while the ecosystem that supports it has become severely unbalanced and is losing overall usable productivity. It is long past time to end the management merry-go-round that allows this to continue. It is long past time to reform the industry, to let managers manage and fishermen fish. It is long past time to reintroduce proper market forces through catch shares and return prosperity to New England's fishermen.

David E. Preble, retired from fishing, is a member of both the Rhode Island Marine Fisheries Council and the New England Fishery Management Council. He was recently appointed U.S. commissioner to the Northwest Atlantic Fisheries Organization.