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From Anger to an Agenda Get Over Being Mad, It's Time to Get Smart

By Pietro Parravano and Zeke Grader

"I'm mad as hell and I'm not going to take it anymore." That was the rage of fictional ex-television news anchor Howard Beale in Paddy Chayefsky's *Network*. That sentiment resonates across much of America right now and probably with most in the fishing fleet. Some of this anger is phony – generated by corporations and politicians for their own purposes – but much of it is real.

The economy is just sputtering along with one in 10 Americans out of a job and others just barely getting by in low paying jobs; the wars seems endless – and definitely not going the way Hollywood and our history books portray it; the federal budget deficit is at a record level; bankers have gotten billions in bail-outs after emptying our retirement accounts in Wall Street's gambling operations that have left seven million Americans unemployed. And then there's China, climate change and a whole lot no one seems to have control over. All this is taking place in a nation whose populace has come to expect instant gratification.

In the fishing industry no one has had to manufacture hurt and frustration. Many fisheries are severely curtailed, or completely shut down, such as salmon along California and much of Oregon's

coast. And, other fisheries are a long way from their potential.

New England is grappling with rebuilding its groundfish stocks and the only solution it has been offered is "catch shares." These just allocate fish among various groups ("sectors") and likely will leave many on the beach. It's a solution that seems to have been generated in the boardrooms of the Environmental Defense Fund with some neo-liberal ideologues, certainly not on the docks among the fishermen who are directly impacted by management decisions. To the south, there are closures on grouper and restrictions on snapper, and the Dead Zone in the Gulf isn't getting any smaller as shrimpers struggle to rebuild after a series of devastating hurricanes and against increasingly cheap imports.

Here on the West Coast, the outlook for a 2010 salmon season is grim, meaning there could be a third year in a row of no fishing. Groundfish "rationalization" is a mess, leaving many hook-and-line rockfish fishermen with the prospect of no fishery in the future, as the Pacific Council looks to consolidate the trawl fishery down to a fleet of somewhere between 35 and 60 boats, most likely leaving many ports with no access to the

fish off their own shores. Even the trawler proponents of the individual fishery quota (IFQ) system are unhappy, finding that the big quotas they were expecting – to use or sell – may not be there, and now they've got an expensive management program to pay for on top of that.

To the North, the Yukon king salmon fishery has been declared a failure and halibut quotas are being slashed. There is no shortage of unhappiness with the North Pacific Council's "crab ratz" program that has cut the fleet by two-thirds, eliminated hundreds of jobs and reduced the pay of those crew still having a job. Moreover, that program has just begun, so fleet consolidation and cutbacks on crew pay are expected to increase.

So, yes, there is reason to be angry. The problem is, the simplistic solutions being offered up by some of our colleagues are not a satisfactory form of relief, and certainly not a long-term answer.

Protests were planned by some commercial and recreational fishing organizations, including a Washington, DC rally that was held on 24 February. While it's good to generate some action from this anger, and the folks attending deserve some credit for at least mak-



ing the effort, the direction this protest is going is nevertheless worrisome. It's mainly focused on New England groundfish and summer flounder (a recreational fishing issue) and anger at the Magnuson-Stevens Act (MSA) *prohibitions on overfishing*.

The protest nevertheless is feeding on valid frustrations from a myriad of problems – but most of the real problems are completely unrelated to the MSA overfishing language.

The National Oceanic & Atmospheric Administration's (NOAA) push for catch shares in the New England groundfish fishery has set off an uproar, and commercial fishermen are now being joined by the Recreational Fishing Alliance – best known for being strongly anti-commercial fishing – which is upset with summer flounder rules. It doesn't like catch shares either. These groups are now agitating for Congress to pass legislation called the "Flexibility in Rebuilding American Fisheries Act" which was introduced last year in Congress by Representative Frank Pallone (D-NJ) – HR 1584, and Senator Charles Schumer (D-NY) – S. 1255.

Remember that current law requires regional fishery councils to rebuild overfished stocks (1) in a time period that is "as short as possible," and (2) generally not to exceed 10 years, except in a case where the biology of the stock, other environmental conditions or international agreements dictate otherwise (16 USC 1854(e)(4) (A)). Overfished populations are those that are at unsustainably low levels, usually

one-half the target stock size that is estimated to produce maximum sustained yield.

Both bills would amend the MSA to extend the authorized time period for rebuilding of overfished fisheries indefinitely. While couched in terms of providing greater "flexibility," these bills would in fact merely roll back the law, essentially allowing overfishing to again occur – and perhaps *also* continue indefinitely.

Our concern with these bills is that much of the flexibility the proponents claim they need is already in current law. The problem is not with the statutory language of the MSA, but rather the way the National Marine Fisheries Service (NMFS) is choosing to interpret that language in the Act through their regulations. For example, NMFS is insisting on an "overfishing review" of the Pacific salmon fishery, even though the same agency has stated that fishing had nothing to do with the collapse.

This fishery, as you know, has been closed along much of the coast the past two years due to the decline of Central Valley fall chinook populations, as a direct result of excessive water diversions from the rivers and the San Francisco Bay/Sacramento-San Joaquin Delta estuary. As most are aware, this run accounts for nearly all of California's and more than half of Oregon's ocean salmon catch. "Overfishing" simply cannot exist in a fishery that is completely closed.

But rather than pushing sister federal agencies and the states to curb these salmon destroying diversions (along with the discharges by these diverters of tox-

ic tail waters), some in NMFS and the Pacific Council are insisting on this nonsensical "overfishing review" and a subsequent increase in the spawning escapement floor. This is mind-boggling since there's not enough water (and not much more habitat) to provide for even current spawning escapement levels.

Here again, the problem is not the MSA, but the way some bureaucrats are choosing to interpret and implement it. There is nothing in the Pallone-Shumer bills to prevent NMFS/Pacific Council myopia, where they look only at fishing (or rather lack thereof), but not the larger underlying water/habitat factors that are decimating many salmon populations.

Since the two bills' thrust is solely on the overfishing language in the MSA, neither provide relief, nor solutions, for the host of other problems facing our fisheries that are creating considerable grief. Those problems include the adequacy of the science, enforcement, and the current promotion and creation of individual fishing quotas systems, now termed "catch shares."

Overfishing has been dealt with effectively on the West Coast and there is, in fact, no overfishing occurring there now. So what exactly – outside of New England groundfish and the recreational summer flounder fishery – do the promoters of these bills and their protest hope to gain?

In fact, trying to rescind rules against overfishing puts our industry in a bad light among the public, making it appear we're more interested in short term economic gain, rather than the long

term health of the fish stocks and our fisheries. Many of us have worked hard to persuade the public that fishing men and women can be, and are, responsible and good stewards of the stocks. These bills, however, effectively undercut the good will and credibility we've worked years to achieve for the fishing fleet.

Coupled with the economic hurt many fishing families and communities are feeling, a sense of rage has developed that is also powering various conspiracy theories of plots by Beltway bureaucrats, Big Oil, Wall Street, Wal-Mart or whomever, in league with Big Green (the large, "corporate" environmental organizations) to put fishermen out of business or take over the fishing industry. Admittedly, there is evidence of nefarious activity by some of these groups.

But whether there is some vast conspiracy, or the maladies are only the result of circumstance and serendipity, fishermen need to focus on fixing the problems at hand – whatever their cause – and not be distracted by conspiracy theory plots, real or imagined. If we allow ourselves to chase conspiracy theories, the enemy – whoever they may be – will have won.

Relief In The Short Term

Although the legislative proposal to weaken the MSA's statutory prohibitions on overfishing is misdirected, and both extremely narrow as well as unlikely to provide either relief or any solution, there are legitimate problems that have to be dealt with. In the short term, the following



need to occur:

Economic Assistance.

During the rebuilding of stocks (or, in the case of salmon, reallocating flows back to the fish and restoring habitat), where fishing is severely restricted or there are closures, fishing communities suffering economic losses should be provided short-term economic relief. This is only fair, since in some instances (e.g., salmon) it was either poor science or activities *other* than fishing (such as dewatering rivers) that created the problem necessitating restrictions on fishing. Financial assistance – usually following a disaster or “fishery failure” – has been provided fishermen in the past, and some form of financial relief is needed again to help the affected fishing communities survive until things can improve.

If this nation can continue lavishing subsidies on billionaire Beverly Hills “farmers,” or bail-out bankers with a gambling problem, or prop-up a car company, then it can provide a little assistance to working fishing men and women to get through some rough stock rebuilding periods. Keeping the fleet and fishing communities afloat is a form of economic stimulus that will pay off when stocks are rebuilt. It’s economic relief, not statutory change, that’s needed now.

Secure Funding for Science. Before the nation moves headlong into allocating fish among individuals or sectors (such as “catch shares”), it first ought to know how many fish are there. That requires credible science, built on good data sets, time-

ly and comprehensive stock assessments and sound research to increase understanding of the life histories of the stocks and their habitats.

Much of that can be achieved through cooperative research involving fishermen and scientists working together. The balance of the science needs can be achieved through instrumentation, e.g., ocean observation systems, and complimented by dedicated research vessel surveys.

However, the Obama Administration in its 2011 budget is proposing a substantial cut in funds for fishery research, including cooperative research programs, putting the money instead into “catch share” programs and marine spatial planning.

Atlantic Seaboard trawlers and anglers – both unhappy with the science on their stocks – should be protesting the loudest about this reversal of priorities, and should be pushing the hardest to get the monies put back in place, and funding expanded, for fish stock assessments, data collection and research. This is an area where there can be solidarity among fishermen from all the coasts. They should be pressing Congressman Pallone and Senator Shumer for legislation to protect and increase the funding for fishery science. Moreover, when it comes to our fish stocks, NOAA needs to be the science agency it claims to be, instead of dabbling in neo-liberal dogma or otherwise proselytizing for programs to privatize public resources.

Congressional Over-

sight. The third action that needs to be taken right away is a request for Congressional oversight of NMFS’ implementation of the MSA and the 2006 amendments. Requests have already gone in from a number of fishing groups, and from Food & Water Watch, for oversight hearings on IFQ and “catch share” programs NMFS and the fishery councils have been promoting. It’s time now to ask for a broader look at fishery management, including MSA statutory interpretation, science and enforcement, and how and to whom the fish are allocated.

As the Obama Administration moves ahead with a second economic stimulus package, there are some measures for fisheries that should be included. The point has been made in this column before that food, water and energy, overlaid by climate change, will be the underlying sources of concern and conflict in this century. Fish is an important food source and certainly central to our nation’s food security – if we want local, healthful, nutritious, and sustainably-produced protein.

Our nation’s fish production has been on the wane for a number of years now, due to a series of factors. Imports now account for nearly 80 percent of US fish consumption. Rebuilding, recovering, and restoring our nation’s fish stocks and better utilizing our catch will create jobs and reduce our dependence on foreign fish. That – coupled with an aquaculture development plan centered on shore (*not* in open waters or the ocean) where it can be contained and conduct-

ed safely – could allow the nation’s fishing industry to once again meet the nation’s demand for fish.

In addition to restoring and expanding funding for fishery science, the following five provisions we believe are needed for our fisheries in a stimulus package. Indeed, three of those five are needed not just for fisheries, but for the nation as a whole.

1. Restoring the Fish

First, among the fish measures needed in any economic stimulus or jobs package is to fund ongoing efforts to restore fish, shellfish and their habitats. This means oyster and crab restoration in the Chesapeake, restoring salmon watersheds in the Central Valley as well as along the coast and Puget Sound, and includes dam removal in the Klamath and soon, we hope, on the Snake River. These restoration efforts create jobs immediately, but more important, they will generate jobs in fishing communities and produce food for the long-term. The President has reinstated salmon recovery money in his budget proposal for 2011, although even more funding is needed.

The one caveat we would make here – the lesson learned on the Columbia and with CalFed in the Central Valley, is that funding alone will not bring back the fish. All the money in the world won’t do much good unless fish first have sufficient water as well as unblocked access to their habitat. Likewise all the money spent in the Chesapeake and other bays and estuaries won’t help much unless pollution in those areas – includ-



ing sediment and nutrient loading – is abated.

2. *Community Infrastructure.*

Second is the need to protect our fishing communities and restore fishery infrastructure. There are two types of infrastructure here. One component is the physical – that includes the wharves and marinas, channel and harbor maintenance and dredging, processing and distribution operations, ice houses and fuel docks, suppliers and repair yards. The other is the social/economic infrastructure that includes fishing organizations, cooperatives and, in the future, could include Community Fishing Associations (CFAs).

The loss of economic activity in the harbors, brought on by declining catches and fewer and fewer vessels, has resulted in a crumbling physical infrastructure in far too many of the nation's fishing ports. Worse, because of decisions in Washington to provide Corps of Engineers dredging assistance only to the large ports, many smaller harbors that once supported vibrant fisheries and served as ports of refuge are increasingly dangerous to enter, and can only service smaller and smaller vessels as their bays fill in for want of maintenance dredging. It is obvious that if fishing communities are to be preserved, then access and infrastructure have to be protected and improved.

An important step to stimulating employment and rebuilding physical infrastructure in coastal fishing ports would be the inclusion of much of the language of HR 2458, the "Keep Amer-

ica's Waterfronts Working Act" by Representatives Chellie Pingree (D-ME) and Lois Capps (D-CA). This bill could serve as the centerpiece for a renaissance of our coastal fishing ports.

The other critical piece that has to go with this is the social-economic infrastructure for maintaining fishing communities. The Administration's proposed FY 2011 budget could be a blessing or a bane here. With the consolidation of fleets and buying-out of permits, the number of vessels has diminished. This has had a two-fold affect. One has been the loss of support for the physical infrastructure businesses. Thus, when trawl permits were bought up in Morro Bay, the unloading facilities and other parts of that port's infrastructure that supported salmon, albacore, hook-and-line and other fleets was also threatened. A loss of one fishery in a port can threaten all of the others when it comes to maintaining fishery support businesses and port maintenance.

A second impact has come about as vessels have consolidated under IFQ systems and fishing communities lost access to stocks in their adjacent water when quota or permits are sold or moved to other ports. This can also happen under processor quotas where a processor decides to sell its quota to another port or move from that port to another. This has left many communities with a potential pre-1976 situation where they looked out and watched trawlers from other nations take the fish from the waters adjacent to those ports. The difference is that pre-1976, at least, the boats

from a port could go out and fish among the foreign fleets. That will not happen under the consolidation – a kind of economic cannibalism – taking place under existing and proposed IFQ systems, where vessels from a local port will be left watching on the beach as those from other ports and states take the fish.

The Administration, while it should be reallocating funds from "catch shares" to fishery science, can help here if it does use whatever funds are finally budgeted for "catch share" programs to use for the establishment of community fishing associations. This is where "catch shares" funding could be a blessing to coastal ports. To do this, however, NOAA/NMFS needs to crack down on the regional fishery councils to be sure fishing communities are actually awarded initial quota shares, and aren't forced deep into debt attempting to buy quotas on an open market.

"Catch share" funding, however, could be highly destructive if it's simply used to underwrite IFQ programs and their management. With the exception of the North Pacific halibut/sablefish program, IFQs to date have simply fostered cannibalism, creating a plantation economy and relegating fishing men and women to a future of ocean sharecropping.

To protect fishing jobs and fishing communities, it is critical that for whatever funds become available for "catch shares" that they be designated for Community Fishing Association development.

3. *Water Treatment and Supply*

New water treatment and water supply projects are desperately needed across the nation for clean drinking water, pollution prevention and increasing water supplies. The current infrastructure for treating water or increasing its availability (e.g., conservation, desalination) is inadequate and our fisheries are being badly affected.

Pesticides and fertilizers flowing off Midwest farms into the Mississippi are creating a New Jersey-sized dead zone in the Gulf of Mexico that is growing; farm and city run-off in the Chesapeake Bay watershed is killing crabs and oysters; selenium and pesticide run-off from San Joaquin Valley agriculture is toxic to fish in the Sacramento-San Joaquin Delta; discharges from municipal sewage plants are releasing hormones and cosmetics into waterways that are changing the behavior (and even the sex) of fish, making them less capable of survival. Most sewage plants are incapable of treating these modern endocrine-disrupting compounds. The list of water pollution problems goes on.

US investment in water treatment facilities is good for the nation and even better for our fish, and is essential to maintain abundant fish populations and ensure fish are safe to eat.

Water treatment facilities not only help curb polluted discharges but can also help with water supply where treated water is then reused (recycled) for irrigation and other purposes. That, in turn, can help take pressure off fish-bearing streams and rivers.

Desalination, likewise



– if it can be done without harming juvenile fish and larvae in the intakes, can be operated in an energy-efficient manner, and does not discharge toxic brines – will help by providing a dependable supply for urban uses that should prevent further diversions and even restore some flows back to rivers and estuaries.

The construction of new water treatment and supply facilities will create jobs immediately and, in the long term, will mean water that is safer to drink and fish that are safer to eat.

4. Energy and Ocean Acidification

Offshore energy development is a mixed bag for the fishing community. The fleet, excepting a few troller and hook-and line operations using sail auxiliaries, needs fuel for propulsion and operating machinery on board. At the same time, offshore drilling is widely opposed here on the West Coast, and in much of Alaska and New England, because of worries of pollution – oil spills and discharges of toxic drill muds – and displacement from fishing grounds and in ports.

Renewable energy development is exciting because it's clean, takes pressure off existing coal and oil supplies, and does not add to ocean acidification by emitting CO₂ into the atmosphere.

Moreover, development of renewable energy supplies provides an alternative energy source facilitating removal of old fish-killing hydroelectric dams. On the other hand, wave and wind energy operations in the ocean are problematic – many are proposed in prime fishing grounds,

such as Dungeness crab, that could create a serious displacement problem and significant catch losses, as well as becoming a marine hazard.

Our fishing fleet needs to work with Congress and the Administration – in both the development of the jobs bill and energy legislation – in support of renewable energy projects. Principally these would be on-shore wind and solar, coupled with development of biofuels (e.g., algae-based diesel and jet fuel) suitable for use in ocean going vessels and aircraft, neither of which can plug into a grid.

All of this should go hand-in-hand with efforts to increase energy efficiency. For fishing vessels this would mean assistance programs for both hulls and machinery. Such an effort would create jobs in the short term, while helping transition to greater efficiency, utilizing energy from renewable sources.

Health Care for Fishing Families

Finally, we desperately need Congress to pass health care legislation. Too many fishermen and their families are going without coverage and are just a major illness away from bankruptcy, home or vessel foreclosure.

For those who can still get coverage it's extremely expensive, and there's always the uncertainty always about what is actually covered. PCFFA knows the issue well; it managed a group health insurance program for fishing families from 1981, when the US Public Health Service closed its doors to fishermen and the US merchant marine, until the mid-1990's when

insurers were no longer interested in group plans, offering coverage only to the younger age groups these companies had “cherry-picked” for low risk.

The inflamed national rhetoric around health care is bizarre. Fishermen and mariners were provided coverage – a kind of “public option” – from 1799 until 1981. No one called President John Adams, who signed the measure into law, a “socialist” and these plans worked relatively well for over 180 years, evolving from the old marine hospital system to the USPHS, with contract private physicians to serve the fleet in more rural ports.

While fishermen seldom agree on anything, the one issue that the Commercial Fishermen of America (CFA) found they could get firm agreement on among members across the nation was the need for health care for the fleet. A significant amount of the financial strain fishing families find themselves under could be alleviated by Congress passing comprehensive health care legislation.

We have no illusion any national health care program will be perfect at the outset. Efforts will need to continue to control costs. But how can we begin perfecting a program without first having one?

The US is one of the only major industrial nations without some form of national health care for its citizens – including the fishing fleet – and that is a national shame.

The Long Term

We've spelled out here actions that should be taken immediately to address some

very real needs in the fleet by moving from visceral to cerebral, going from anger to an agenda. We've also elaborated on some of the measures we believe are needed in any type of stimulus package or jobs bill this year.

These measures all require financial resources, and it is that cost that will prevent any such package from being more expansive, or meeting more of the nation's needs, if one can be passed at all this year. The size of the national debt is what will constrain or defeat economic stimulus or jobs legislation.

Many of the actions identified above for the short term or this year are also long-term solutions. The need for good science will not go away, some form of disaster insurance for the fleet is needed because there will be times in the future when fish stocks will collapse as a result of natural cycles, the infrastructure of the waterfronts will still need to be maintained, and the costs of management and enforcement are annual expenditures.

There is again, after a decade, an acute awareness of the national debt and the need to do something about it. Cutbacks in programs are under consideration as well as new revenue sources (fees and taxes). Getting money for just about any fishery program after this year is going to be damn difficult. But it must nevertheless be done.

A Trust Fund to Pay for Fishery Needs

Nearly seven years ago in this column it was proposed that a national fishery trust fund be established to provide the financial support



needed for necessary fishery data collection and research, for development, and even to help offset health care costs for fishermen.

Presently under the Congressional appropriations process, absolutely essential fishing protection and data collection programs are left competing with education, health, military and a host of other national priorities. As a result, fisheries usually get short shrift in the appropriations process. One way to defend fishery needs is to remove funding for at least some of these programs out of the appropriations process entirely by creating an off-budget trust fund.

With so much focus now on reducing the national debt, but when there is widespread recognition, as well, that our fisheries still need help, this could be the time to finally push for passage of a national fishery trust fund. It's time to tell the budget hawks a trust fund will help reduce the deficit. It's time to tell academia and the environmental community clamoring for "science-based management" or "eco-system based management" to put up or shut-up.

A dedicated trust fund is how we should fund the science, not just talk about it. It is also time to tell many in the fleet, particularly those complaining about the science

or lack of development, bad enforcement or poor management, to quit complaining and get behind a funding system that can support the changes they want.

Whining is not a solution, and it's not an effective option. It's time to get serious about fixing the problems before us, being clear on what needs doing and developing the means to pay for the services we want, including the changes we need. We may be mad as hell, but let's make sure we don't have to take it anymore. 🐟

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