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NOAA Abandoning Stewardship

By Zeke Grader and Glen Spain

If fishermen are looking for something hopeful in the Obama Administration they are not going to find it in the National Oceanic and Atmospheric Administration (NOAA). That was made abundantly clear on the 13th of February when NOAA released its proposed 2013 budget.

More than any official pronouncement, the budget is the best indicator of an agency's priorities and plans for the future. The release of NOAA's Proposed FY 2013 Budget Request left little doubt that ideological gimmickry was replacing comprehensive fishery stock assessments, cooperative data collection, and a commitment to strong, independent regional fishery management.

Also known as the "wet NASA," the Nixon-created agency encompasses the National Marine Fisheries Service (NMFS), the National Weather Service, and a host of other marine and science-related bureaus. NOAA's proposal to slash funding for NMFS is egregious, sending a clear message it is abandoning its stewardship of our nation's fisheries.

This is devastating for working men and women in the already struggling fishing fleet. NMFS is charged with protection and recovery of marine and most anadromous Endangered Species Act (ESA)-listed fish, including runs of Pacific salmon. The protection and speed

with which these runs are recovered has a direct bearing on fishery management measures. In many instances, ESA-mandated habitat and flow measures will aid ESA-listed stocks, directly benefit harvestable salmon stocks, and thereby improve fishing. If NMFS is shorted funds needed for habitat protection and species recovery, this has a direct and adverse impact on fishing.

The 2006 reauthorization of our nation's primary fishery law, the Magnuson-Stevens Fishery Conservation & Management Act (MSA), required that decisions made in federal fishery management be science-based. In other words, fisheries administration is to be grounded in science, not politics. This makes sense because science not only provides protection for fish stocks and the environment but also for the fishing fleet, by ensuring over the long term that there are stable and abundant stocks available for harvest. Who, after all, can argue with science to determine at what levels to fish, provide guidance on the sizes of fish to be taken, even when and where they should be caught. Science can even help guide measures for bycatch reduction and habitat protection.

There's only one glitch. Science – the research, stock assessments and data collection needed for sound fishery man-

agement – costs money. If funds are lacking, or reallocated for other uses, fishing becomes highly restricted or even closed. Reverting to the pre-2006 MSA reauthorization days, when seat-of-the-pants management decisions were based more on politics than any objective data, is no answer. Where science is lacking, the fisheries are "data poor," and the mandated precautionary approach restricts or even halts fishing to leave a large enough buffer to prevent overfishing. Many of our fisheries are paying today for past excesses allowed when management lacked sufficient science or ignored the science.

Shorting funding for fishery science, like shorting it for fish stock and habitat protection and restoration, hurts fishing. It reduces the nation's food production, it hurts economies – including those of Tribes and recreational fishing – and it's a job killer.

The US likes to boast (or at least those in NOAA do when it's convenient) that our system of regional fishery councils brings decision-making closer to the fisheries being regulated and provides, at least in theory, an open, transparent and accessible management process. The regional councils, however, have not lived up to their promise.

One of many problems facing the regional fish councils has been NOAA/



NMFS failing to secure the funding necessary for the councils to adequately carry out their responsibilities under the MSA. For instance, NOAA has never provided the regional councils enough funding for independent legal counsel. And funds have always been short for personnel to develop the management plans for each fishery and the subsequent amendments to keep plans current. NOAA's new budget request will make matters worse.

The problem of inadequate funding for fishery science and other national fishery needs is not new. We wrote about it in this column over eight years ago and in numerous other columns since. Thankfully, the problem never reached a crisis stage, because Congress and the Administration continued funding NOAA/NMFS through the appropriations process – even providing slight increases each year – despite the growing federal deficit. Not this year. Congress has suddenly woken up to the federal deficit that it has created and is demanding cuts nearly everywhere in federal appropriations, and that includes NOAA.

Responding to the Congress's new-found deficit concerns as well as the need to keep federal spending in check, NOAA along with other federal agencies have submitted 2013 budget requests that entail major spending cuts, particularly for NMFS, which comes in at about \$1 billion, depending on which figures are considered. The total FY 2013 NMFS request is for \$15 million less than 2012's estimated budget, but cuts are targeted in several ways that cause us concern.

We are still sorting through the President's proposed budget, trying to get exact figures. A better understanding should come from upcoming Congressional budget hearings. Here is what is known at this time:

Shorting Pacific Salmon

Salmon is probably the biggest single species hit by the FY 2013 NOAA budget request. This could not come at a worse time. This year's predictions for many salmon runs along the coast are good, particularly in the Central Valley and the Klamath where good water

conditions and some targeted protections resulted in good juvenile production. If the jack count predictions are to be believed, this could be one of the best seasons in at least three decades.

It could be good except for one thing: the imposed constraints to protect ESA-listed runs such as California coastal fall-chinook. After being listed for twelve years, NMFS still does not have even a population count on these fish. This means it does not know if the run is improving or declining, much less appropriate levels of incidental take. As a result, salmon fishing in California and Oregon certainly will be restricted, perhaps unnecessarily. It's not much better for Southern Oregon/Northern California (SONC) coho, where NMFS is developing a recovery plan but with no idea of actual river conditions. None of this will be fixed if NOAA gets away with slashing its NMFS salmon budget.

Under the 2013 request, substantial cuts to two salmon programs will greatly affect habitat protection programs, particularly non-listed species:

Salmon Management Activities: NOAA's budget request proposes \$26.9 million for Salmon Management Activities, approximately \$10 million less than the FY 2012 amount. This program supports important salmon management activities on the West Coast and Alaska including the operation and maintenance of the Mitchell Act hatcheries, the mark and coded wire tag programs, the Pacific Salmon Treaty, the Chinook Salmon Agreement, and ongoing work to establish a genetic stock identification database. Salmon management in the West is at a critical juncture and it is imperative that we maintain these programs, at a minimum restoring them to the FY 2012 base level of \$37 million.

Pacific Coastal Salmon Recovery Fund: NOAA's budget requests \$50 million for the Pacific Coastal Salmon Recovery Fund (PCSRF) in FY 2013, a reduction of \$15 million from FY 2012. This comes after a drastic cut from \$80 million in 2010 to \$65 million in 2011. The States of Oregon, Washington, California, Alaska, and Idaho submit project proposals to promote the recovery and sustainability of wild salmon and steelhead stocks to be awarded on a competitive basis. The conservation and economic benefits

realized by PCSRF projects justifies that funding be restored to 2010 levels of \$80 million in the FY 2013 bill.

Protected Species and Habitat

NOAA is requesting an increase of approximately \$3.5 million for its Protected Resources Research & Management Program and Species Recovery Grants program. However, it is cutting \$750,000 from Pacific salmon at a time when an increase is clearly needed. It also proposes a cut of \$12.5 million for habitat management and restoration efforts.

Stock Assessments

NOAA is requesting an increase over FY 2012 of \$4.3 million for annual stock assessments and \$2.3 million to support fishery independent surveys. While it is an increase over 2012, the question is whether this will be adequate given the more stringent MSA science requirements and mandates to begin developing ecosystem-based management plans. Much of this increase appears to be designed to aid NOAA's New England groundfish catch share and North Pacific IFQ programs, not provide an increase in science for fishery management plans generally. For example, a \$1.6 million increase is requested for the Bering Sea & Aleutian Islands (BSAI) groundfish fishery and nearly \$5 million for Integrated Ecosystem Assessments.

Observers would get an increase, but mostly to facilitate NOAA's rush to put all fishing under catch share privatization schemes. Collaborative Research shows an increase of \$868,000; however, that was slashed in 2012 to provide funding for NOAA's Catch Share Program. Collaborative or cooperative research programs involving fishermen and scientists working together have proven highly successful and cost effective for many types of research and data collection, but were nonetheless targeted for elimination in NOAA's 2012 request.

Regional Management

NOAA proposes cutting \$5.1 million out of the already fiscally constrained budgets of regional councils along with the interstate fishery com-



missions (e.g. Pacific States Marine Fisheries Commission). At a time when more is being requested from the regional fishery councils to meet the MSA science mandates and begin preparation of ecosystem-based management plans, these bodies should be seeing an increase in funding, not cuts.

NOAA is also proposing to consolidate the Northwest and Southwest NMFS Regions, most likely putting the Southwest under Seattle's thumb if it doesn't get transferred to Newport. The claimed cost savings of \$3 million is dubious, and will probably lead to a further deterioration of NMFS relations with its constituents on the West Coast.

National Catch Share Program

The big winner in NOAA's budget request for the National Marine Fisheries Service is the catch share program, NOAA's EDF-inspired scheme for consolidation of fisheries and the privatization of fish stocks. Catch shares are an allocation tool that (depending on design) may foster or undercut species conservation. Despite an absence of community fishing association (CFA) guidelines, whom Congress intended to be eligible for initial quota allocation

as a means to protect fishing community access to their fish stocks in adjacent waters, NOAA is proceeding full-speed ahead with several flawed catch share programs. Moreover, the future of some catch share programs is in doubt. A federal court just struck down a portion of the Pacific groundfish plan (*Pacific Dawn v. John Bryson*), and the groundfish plans on both coasts are in litigation before two different federal appeals courts.

The NOAA Blue Book on just how much is going to which program and what the requested increase is over 2012 is difficult to read. For instance, \$24 million in new money is being requested for an IFQ loan program. However, Food & Water Watch's Wenonah Hauter pegged that amount at \$28 million, but Laine Welch in the *Alaska Journal of Commerce* (February 23) has it at \$36 million, with \$17 million coming from cooperative research programs. It is easy to understand the confusion, given how ambiguously the actual dollars are categorized in the budget.

Frankly, this year's catch share funding could be better reallocated for necessary and legally sound programs, including Pacific salmon, habitat protection, fishery science and regional

management.

We are not knee-jerk Obama Administration bashers. We've liked the health care plan that may finally make it possible for fishermen to get affordable health care coverage. His positions on Klamath Dam removal and opposition to legislation to dewater Central Valley salmon rivers are also right on target.

But the President has a rogue agency in his Administration that is running afoul of our nation's oldest industry and needs to be reigned in. For fishing men and women, NOAA is subverting the President's message of hope. It's time to tell the President to put our federal fishery dollars to work for the fish and our fishing communities. 🐟

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