



FISHERMEN'S NEWS

May 2011

The Advocate for the Independent Fisherman

\$2.00



Pacific Coast Federation of Fishermen's Associations

The following article is the opinion of the writers and does not reflect the opinions of Fishermen's News or Philips Publishing Group.

Time for a National Fishery Trust Fund

By Zeke Grader

For nearly 10 years PCFFA has been advocating for a "stand alone" Trust Fund mechanism, independent of the annual Congressional budget slugfest, to help reliably fund our nation's vitally important fisheries and marine resource management programs. See for instance the August, 2003, *FN* article, "Planning and Paying for Future Fisheries Research," available on the Internet at: www.pcffa.org/fn-aug03.htm.

In this current Congress, key federal fisheries research and data collection programs – not to mention fisheries management itself – are likely to take even bigger budget hits than ever before. All the NOAA and National Marine Fisheries Service (NMFS) programs, especially the science programs, are now being targeted by a Congress that is trying to be "penny wise," but has instead become terribly "pound foolish." Congress has continually starved the very basic science and data collection programs that fish managers need to properly manage fisheries. But in this Congress it is likely to get much worse.

Many previous problems in past US fisheries management, including several major stock collapses, stem from a sheer lack of agency resources to do a good monitoring and data collection job. But it is always the commercial fishermen and their families and communities who suffer the consequences when that happens.

Scientists spend a lot of time agonizing about how to make sure our fisheries more biologically sustainable. What Congress should be doing now is making sure our fisheries management process is fiscally sustainable. Instead, Congress – and this Congress in particular – seems intent on starving it to death.

Given the prospect of less and less Congressional support for even the most basic management and monitoring programs for our irreplaceable marine resources, the time is ripe for establishing such a stand-alone "Fisheries Trust Fund." The letter below was sent on March 17, 2011, by PCFFA to President Obama and key members of the Administration and Congress to push this new funding concept.

17 March 2011
The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

The Pacific Coast Federation of Fishermen's Associations (PCFFA) represents working men and women in the West Coast commercial fishing fleet. We write you today, as the Congress prepares to pass another stop gap spend-

ing measure, to ask for your leadership in helping on critical federal budgetary issues surrounding our nation's fisheries – America's oldest industry – and the public trust fish resources that support this industry.

Fisheries are uniquely American. When John Cabot made his voyage up the coast of North America in 1495 he was reported to have found a fleet of Basque cod fishermen fishing just offshore. Native Americans along the shore, of course, had depended on fish for thousands of years before the arrival of the first European distant water fishing fleet. Indeed, it was fish – not turkey – that sustained the Pilgrim settlement. George Washington even had an interest in a commercial shad fishery on the Potomac.

On the West Coast, it was salmon that fed the early miners headed for the gold fields of California, and it was salmon that were so much a part of the food supply, culture and commerce of Native Americans along the Pacific and well inland from the Southern California bight to the Bering Sea for 10,000 years before the Spaniards and the miners arrived. And, thank you for the mention of our salmon in your State of the Union, although the problem that plagues this fishery is different than you described.

Fisheries have played an important - albeit overlooked - part in Amer-



ican history, and our wild fish remain a significant part of every healthy American's diet today. Over the years, however, we have witnessed efforts to marginalize fisheries by past Congresses and administrations – even trying to remove the word “national” from the name of the nation's fishery agency – while others would just as soon forget, dismiss or write-off our fisheries – seeing fish and fishermen as an impediment to some dystopian view of “progress” or “prosperity.”

Those of us in our nation's fisheries are not ready to go away; fisheries have been around for more than 10,000 years and we plan on them being around for another 10,000 years. Nor do we believe most Americans want to see their fisheries disappear. Health conscious Americans want seafood as part of their diet – many preferring it to be locally-caught, seasonal and sustainable. Americans enjoy knowing they can visit the nation's coastal ports – from Key West to Kodiak, Booth Bay to Morro Bay – to see the working lobster boats of New England, the skipjacks and workboats of the Chesapeake, along with shrimpers in the Gulf, and the salmon trollers and halibut schooners of the Pacific. Our nation's fish stocks are no less important to America's recreational anglers or Native American fishermen. This is part of our economy; it is part of our national heritage.

While most fishing men and women are committed to the future of our fisheries, we also recognize the seriousness of the crisis we're faced with by the inadequacy of the current knowledge

of many of our fish stocks. The dearth of information on many of our stocks – ranging from abundance, geographic range, and life history undercuts our national commitment to science-based fishery management.

The lack of good data leaves us unprepared to confront a myriad of non-fishing factors affecting abundance and uncertain how best to adapt to the coming effects of climate change. At the recent Senate Commerce Committee subcommittee hearing on the implementation of the Magnuson-Stevens Act, the one thing all there could agree on was the need for better science, for better data-collection for making fishery management decisions. The problem is, research and data-collection (which mostly has to be continuous to have validity) costs money. It's not free; it doesn't come cheap.

Even in the best of economic times our nation's fisheries have not been received adequate funding – either in the administration budget requests or congressional appropriations – to meet scientific and other pressing needs. Now faced with record budget deficits, our fisheries – in the discretionary part of the federal budget – are looking at major cuts in scientific research and data collection along with other programs intended to restore stocks and rebuild fisheries.

PCFFA is not here, however, asking for a special appropriation for fisheries, when other parts of discretionary spending in the budget are being cut; nor are we asking for any subsidy, handout or welfare. Rather, what we are asking for is

your leadership in helping us find a way to find an alternative method for funding the nation's fishery programs – in a way that will not be onerous on working fishing men and women, or our shoreside fish processing operations.

Finding this funding is crucial for the support of essential scientific research and data collection, as well as meet other management and enforcement needs, along with making needed improvements in fishing – whether it be modifying fishing gear to be more environmentally-friendly, or improved handling of the fish we catch to ensure American consumers are getting the very best and most healthful seafood possible.

When the federal deficit began increasing in the early 2000's, we began worrying what might happen when the administration or Congress – to address that deficit – began cutting discretionary spending, particularly fishery appropriations. We also began thinking about the problems confronting our fisheries – particularly the dearth of good research and data collection and how that led, in part, to some serious overfishing in the past. And, we considered how funds could be raised outside the normal appropriations process to pay for many of the nation's unmet fishery needs.

The nation's recreational fisheries have for some time had a popular trust fund – the Sportfishing Restoration Fund, also called Dingell-Johnson and Wallop-Breaux after past congressional sponsors – funded by an excise tax on sportfishing gear and some marine gas taxes. The SRF has funded

important recreational fishing programs in all 50 states. A national fishery trust fund, paid for out of receipts from commercial fish sales, we believed, could help to fund many of our nation's unmet fishery needs. However, the funding mechanism for the commercial fisheries would likely be different than that used for sportfishing.

In August 2003, an article (attached) was published in one of the West Coast's leading trade publications, *Fishermen's News*, discussing the funding issue and advocating for the creation of a national fishery trust fund. One of the authors was a former President of PCFFA, Pietro Paravanno, who was then one of two commercial fishermen members on the Pew Oceans Commission (he currently is President of the Institute for Fisheries Resources and a board member of both the Joint Oceans Commission Initiative and the Commercial Fishermen of America). In 2006, when the Congress reauthorized the Magnuson-Stevens Act, language was inserted by Senators Stevens and Boxer authorizing creation of such a trust fund. What that language did not do was identify a funding source for providing the substantial amounts such a trust fund would require to be effective. That decision was left for further discussion.

Following MSA reauthorization, we put together a draft fishery trust fund bill, hoping to initiate discussion on the issue. The discussion draft, now in its third iteration, identified a funding mechanism for the trust fund, along with a detailed mechanism for the expen-



diture of monies from that fund. PCFFA believed, for such a fund to have support, it had to have an open and transparent method for appropriating money, based mainly in the regions. A good deal of detail was needed to assure any monies collected would not simply become an agency slush fund, much, unfortunately, as Saltonstall-Kennedy Act monies have become.

What we have put together and submitted to you is not what we see as a final product, but rather a document to begin serious discussion on how we can fund our nation's fisheries – not just for the next three weeks, or the next year, but well into the future. Some of the provisions, for example, such as collection of a conservation fee at the retail level, rather than the wholesale level, may be problematic and we're fully ready to discuss that and any other provision of the draft we're offering up to initiate the conversation. We're fully prepared to compromise. What we will not compromise on, however, is on the need to find funding to protect and augment essential fishery programs.

Mr. President, we recognize that it is never easy, never popular to suggest new fees or taxes. But, we are reminded that the war of independence from Britain was not won by polluting Boston Harbor or fiery rhetoric on the floor of the Continental Congress. It was won, rather, by those mostly unknown colonists whose courage, tenacity and enduring hardship saw the conflict through. They, in turn, depended on a Congress and colonial legislatures will-

ing to take on the unpopular task of raising funds to arm, clothe and supply an army. If America's oldest industry is to survive, we have to invest in it – in research, data collection, management and other unmet needs.

In your speech earlier this year on budget negotiations you talked of not getting in the boat alone for fear of turning it over. Well, our members are fishermen – skilled seamen in the nation's most dangerous profession – who can get into a boat alone without capsizing it. We've done that here by offering a draft to begin the conversation for, at least, funding our nation's fisheries. We now welcome you and whatever leaders there are in Congress aboard. We can leave the wimps and whiners behind, onshore.

Mr. President, we look forward to working with your administration and leaders in Congress on funding our nation's history. We come not with our hand out, but offering a hand; willing to firmly grasp the oar and begin rowing.

Sincerely,
Zeke Grader
Executive Director

Summary

Safe, Secure, Sustainable Fish & Seafood Trust Fund

Proposal: The draft *Safe, Secure, Sustainable Fish & Seafood Trust Fund* is a proposal to amend the existing off-budget trust fund language in the Magnuson-Stevens Fishery Conservation & Management Act, 16 USC 1801 *et seq.*, by inserting new language establishing a substantive revenue source for the fund, and spec-

ifying the uses for the fund monies together with a method for their allocation.

Purpose: A national fishery trust fund is proposed for the purpose of augmenting current annual congressional appropriations that have been unable to meet a myriad of the nation's fishery needs, including, among other things, fishery research and data collection, development of more environmentally-friendly fishing gear, advancement of sustainable aquaculture, adequate seafood inspection, and prevention of illegal, unregulated and unreported catches from reaching US domestic markets. The need for such a fund is expected to be even more critical in the future as the nation struggles to fund it economic recovery, military expenses, entitlement programs and debt service. The competition for appropriations means funds for fishery or fish-related programs will be even more strained, placing seafood consumer health, the health of fish stocks and the health of the nation's fisheries at risk.

Uses of the Fund: The proposed uses of the fund monies are specific and non-discretionary, however, they include more than two-dozen different uses. Those uses include:

1. *Seafood Inspection.* Strengthen US Food & Drug Administration's seafood inspection program.
2. *COOL.* Strengthen U.S. Department of Agriculture's enforcement of country-of-origin-labeling (COOL) for seafood.
3. *Fishery Research.* Substantially augment fishery research, assessments and

data collection, including collaborative fishermen-scientist research programs, and ocean instrumentation.

4. *Gear Development.* Develop environmentally friendly fishing gear, i.e., gear that does not harm habitat, and/or minimizes waste and harm to wildlife.
5. *Habitat Restoration.* Augment existing, and establish new, fish habitat restoration programs, e.g., restoration of salmon watersheds and oyster beds.
6. *Prevent IUU Fishing.* Provide assistance to nations for efforts to prevent illegal, unregulated and unreported fishing where those stocks are shared with US fisheries or where the fish are imported into US markets.
7. *US Fleet Health and Safety.* Provide assistance to fishermen for equipment to make fishing operations safer and financial matches to state or regional health care programs for fishing families.

Revenue Source: The proposed revenue source is a nominal *ad valorem* fish conservation fee, of between one to five percent, leveled at the retail level. This fee is on all fish sold in the US – domestic or imported, wild or cultured. The draft proposal calls for 3.5 percent, however the actual percentage would depend on the amount sought to be raised annually, assuring the fee will be low enough not to be onerous, nor discourage seafood purchases, but high enough to make its collection worthwhile. 🐟

Administration and Distribution: It is proposed the fund be administered by the National Marine Fisheries



Service. Most of the monies, however, would be distributed regionally depending on need and program merit, based on recommendations from 10 regional advisory

bodies (the eight marine fishery council regions, plus Great Lakes and Inland regions).

Zeke Grader is the Executive Director of the Pacific Coast Fed-

eration of Fishermen's Associations (PCFFA). He can be reached at PCFFA Headquarters, at PO Box 29370, San Francisco, CA 94129-0370, (415)561-5080, and by email to: zgrader@

ifrfish.org. PCFFA's Internet Home Page is at: www.pcffa.org. For more detailed information on this concept, please feel free to contact him.