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Senate Progress on Fishery Funding Front

By Zeke Grader

Good fisheries news can be hard to find these days.

Alaska's fabled halibut fishery had been faced with catch cutbacks and now there's an allocation squabble between commercial and charter boat operators. Alaska's salmon catch was down this year and the king salmon fishery has been a disaster, probably due to warming of streams.

In New England, the groundfish fishery is in shambles and even the glut of lobster has been a problem with prices to fishermen taking a tumble last year.

Here on the West Coast, the Pacific Council's groundfish "rationalization" program will spell trouble for small trawlers and fixed gear fishermen alike. Even this year's resurgence in California's salmon fishery must be put in the perspective that the total catch will still likely be less than the historic average. Yes, catch per unit of effort has been good, but then the fleet is now only about 15 percent of the size it was historically and even the price paid this year is not that high when adjusted for inflation.

The resurgence in salmon, of course, has had little to do with the Magnuson-Stevens Act and everything to do with enforcing the Endangered Species Act (i.e., fishermen and conservation group lawsuits), where protections for listed stocks also helped rebuild fall-run

Chinook populations supporting ocean salmon fisheries. Curtailing Sacramento-San Joaquin Delta water diversions at the pumps, for example, made a big difference in baby salmon survival from their natal Sierra streams to the Pacific.

The bad news for salmon this year is that spawners will be returning to streams with low flows and high temperatures in the Klamath Basin, the Central Valley and in most coastal streams. Too many rivers are no longer "salmon friendly" due to a combination of "over appropriation" (i.e., too much water being diverted from the rivers for agribusiness) and near drought conditions. Fish kills, similar to that in the Klamath in 2002, are a very real possibility, with the outlook for success of this year's spawn problematic at best. That does not bode well for 2015 and beyond.

The good news is that at least there was a season this year, with most trollers able to recoup financially for the past years' disasters and trying to prepare for a looming disaster in the future.

It's also hard to find anything good to say about fisheries management. Yes, there was the announcement earlier in the year that the number of "overfished" stocks had declined and many fish stocks have recovered or had recovery plans in force. But even that news must be put in perspective. After all, it has taken

two reauthorizations of the Magnuson-Stevens Act in two different decades (along with numerous lawsuits), explicitly prohibiting overfishing, and mandating the rebuilding of fish stocks and management based on science, not fish politics, to force this to happen.

And, of course, the very same fishery managers and fishing industry leaders who fought the language strengthening the MSA are now taking credit for its success, proclaiming U.S. fisheries to be the best managed in the world. Even with that, however, many managers and fishery leaders were in D.C. in May calling for rollbacks in MSA stock protections (e.g., "flexibility"), while complaining about fishery science, but not once talking about how to fund it.

Rather than complain about the dearth of fishery science – stock assessments, data collection, research – or its quality, we've been calling for over a decade in this column and elsewhere to establish an ample and stable fund to support fishery science and other pressing fishing needs.

Frankly, that call for better funding of fishery science has largely fallen on deaf ears. Most of the marine environmental community and their foundation sponsors, along with most in our industry, have been oblivious or indifferent to the funding mechanisms essential for the science that is now



supposed to be the foundation of our nation's fishery management system. And with little interest among either the conservation or fishing community there hasn't been much interest on the part of Congress either – and that was before the current ideologues in the House came along intent on defunding government and repealing environmental laws.

Admittedly, there has been a little progress made. In the 2006 MSA reauthorization, Senators Ted Stevens and Barbara Boxer did succeed in getting language inserted in the Act for creation of a National Fishery Trust Fund, but leaving the source of that funding for later discussion. Moreover, at least one foundation/environmental group, Pew Charitable Trusts, has taken up the funding issue. It helped develop the bi-partisan Kerrey-Snowe Senate bill (S. 2184) in the 112th Congress, along with its House companion (H.R. 4208), a measure that would have tapped the existing Saltonstall-Kennedy Act (S-K) funds and designating those for fishery research grants.

In the 113th Congress, however, it looked initially like everything was moving backwards. There has been the clamor to rescind some of the strong stock protection language from the two previous MSA reauthorizations, with support from some House members. Further, with Senators John Kerrey and Olympia Snowe gone from the Senate, along with Barney Frank in the House, there seemingly was no champion for wresting control of S-K funds from NOAA and designating them for fishery research grants.

Making matters worse, on 17 July 2013, the House Appropriations Committee slashed NOAA's overall budget, with the National Marine Fishery Service particularly hard hit. The House Commerce, Justice, Science and Related Agencies measure cut NOAA funding to \$4.9 billion; \$88.7 million less than FY 2013 and \$524 million less than requested by the Obama Administration. Included in the cuts were funds for fishery research and monitoring and slashing the Pacific Salmon Recovery Fund to \$35 million,

about \$30 million less what it has been and \$15 million less than requested by the President. This was not a fish or fishermen friendly Appropriations Committee.

In the Senate, the news was better. First off, Senator Mark Begich (D-AK), who chairs the Commerce Committee's Oceans, Atmosphere, Fisheries & Coast Guard Subcommittee which is holding the Senate hearings on MSA reauthorization, recognizes the importance of science to fisheries management. Second, Senator Begich's Alaskan colleague, Senator Lisa Murkowski (R-AK), has been leading a bi-partisan effort with Senator Elizabeth Warren (D-MA) to better fund fishery programs including those for research and disaster relief.

The success of that effort can be seen in the final CJS appropriations bill approved by the Senate Appropriations Committee (S. 1329) in July, 2013, that would provide NOAA with \$5.6 billion, including for important NMFS programs related to fishery research and disaster relief (see pp. 13-14 of the bill, that can be found by bill number at: <http://thomas.loc.gov/home/thomas.php>). It also provides the full \$65 million for the Pacific Salmon Recovery Fund – \$30 million more than that called for by the House, but in line with prior years.

The House and Senate CJS bills will go to conference when Congress returns this month (September, 2013). Whether a budget bill will emerge and be passed is doubtful, but what Senator Murkowski and her Senate colleagues have succeeded at is drawing attention to the S-K funds and the effort to designate those funds for some of the purposes they were initially intended for when the Act was passed in 1954. S. 1329, referring to the transfer of funds from the Department of Agriculture to Commerce (NOAA), states:

“That in addition, \$115,000,000 shall be derived by transfer from the fund entitled ‘Promote and Develop Fishery Products and Research Pertaining to American Fisheries’, which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program, Cooperative Research,

Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks.”

In addition to its redirection of about 10 percent of tariffs from the Saltonstall-Kennedy Act, away from NOAA's budget and toward improving the cooperative research and science behind fishery management, the significance of this is that it would force a degree of transparency in the S-K fund for the first time, and include Congressional direction on how the moneys are to be spent. This will, in turn, make it more difficult for NOAA/NMFS to cry in the future when it comes to funding needed fishery science or even disaster relief. And, while the bill itself may never see passage it will be hard for NOAA/NMFS to ignore its report language in the future.

Fishermen are encouraged to read the report language in full as it pertains to NMFS, but the Promote and Develop (P&D) report language, in particular, is worth noting:

“Promote and Develop Fisheries Products and Research Funding Transfer – The bill maintains the provision restricting the use of the Promote and Develop Fisheries Products and Research funds transferred from the Department of Agriculture to NOAA in a way that better meets the intended purpose of the transfer mandated by the Saltonstall-Kennedy Act. None of the funds may be used for internal NOAA management, but rather funds may only be used for activities that directly help U.S. fisheries and fishery communities. Specifically, these funds may only be used for: cooperative research; annual stock assessments; efforts to improve data collection, including catch monitoring and reporting for commercial, charter, and recreational fisheries; interjurisdictional fisheries grants; and Fisheries Information Networks.

“The Committee further directs that no less than 10 percent of the total amount of the transferred funds shall be provided for the competitive Saltonstall-Kennedy Grant program.



For fiscal year 2014, NOAA shall direct these funds toward community-based bridge plans designed to help coastal fishing industries adapt to reductions in allowable catches by retooling their fishing fleets, shore services, and port facilities into sustainable and innovative businesses. The Committee sees the value in using this transition assistance to stabilize our Nation's valuable fishing communities during times of recovery.

"As part of the 2014 spending plan, NOAA shall include a clear accounting of how the Promote and Develop transfer funds will be allocated. Furthermore, NOAA shall provide a clear accounting of how the agency plans to allocate these transferred funds based on the funding criteria described in this bill." (Pg. 29 of the CJS report language; this can be found at: www.gpo.gov/fdsys/pkg/CRPT-113srpt78/pdf/CRPT-113srpt78.pdf).

Let's be clear that the action by the Senate is not the bold proposal made in

this column 10 years ago, calling for a Fishery Trust Fund approximating \$4 billion annually to support a host of necessary fishery needs from domestic fishery research, new gear development, disaster funding, catch insurance, marketing, sustainable aquaculture development, fishermen's health care supplementation, and foreign assistance for sustainable fishery development and to fight IUU fishing. What the Senate has done, nevertheless, is clearly forward progress.

Instead of continuing to complain about a lack of fishery science and the questionable quality of that which exists, it is time this month to thank Senator Murkowski and the Senators who supported her efforts to ensure that there is funding for essential fishery science and disaster relief. And, importantly, to thank her for initiating the effort to finally make S-K transparent and responsive to fishery needs, not a captive slush fund for NOAA's whims.

In addition to thanking Senator

Murkowski and some of her Senate colleagues, let's also make it known loud and clear to the others in the Congress that our nation's fisheries rely on good science – and that takes money. Whether those funds come through Congressional appropriations, a user or specially funded trust account outside of the appropriations process, or some combination thereof, good science is essential for our nation's fisheries and supports the economies, employment and food production of our nation's fisheries.

This is the time to make our voices heard. Let's create some good news for a change. 🐟

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