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OP-ED

Magnuson Stevens needs a 40-year tune-up

By Robin Alden, Executive Director
Penobscot East Resource Center

Anyone paying even casual attention to news about New England's fishing industry knows that the federal government's efforts to manage our nation's fisheries have not served small coastal fishing communities well. Last week the National Oceanographic and Atmospheric Administration in Washington DC convened experts from around the country, some of whom recommended that the Magnuson Stevens Act be revamped to create policies that promote both sustainable fish stocks *and* fishing communities.

To achieve that goal we need to update our models of science and management to account for an increasingly dynamic marine ecosystem. There is a better approach based on new science and adaptive management.

The current basis for allocating quota – how much each species fishermen can catch – rests on stock assessments for large bodies of water, like the Gulf of Maine. Yet new research, by many scientists including Ted Ames from Maine, reveals that there is no such thing as, say, a single population of cod in the Gulf of Maine. Instead, studies show that there are many sub-populations, each distinct to particular bays and reefs, with unique migration corridors. This could explain why groundfish can be present in certain parts of the Gulf and virtually extinct in others. Setting catch limits based on large regional scale sampling overlooks localized depletion, and has driven fishermen to do the rational thing – they fish aggressively where the fish are. In so doing, they have unwittingly taken out the remaining productive sub-populations one by one, even though they were abiding by catch limits. It provides one explanation of why the National Marine Fisheries Service has just announced a 70% reduction in the allowable catch of groundfish. The federal system needs a feasible way to assess the health of these finer scale fish populations in order to produce fishing rules that provide for sustainable harvest levels for each species in what we now understand to be a stunningly complex and changing ocean.

One thing that is currently missing in our fisheries management system is a way to get good, local observations about conditions into the larger-scale federal scientific process in a timely and cost-effective way. This is where coastal fishermen enter the picture. In New England many fishermen operate smaller boats close to shore where most fish species reproduce. Coastal fishermen have deep knowledge of fish behavior that occurs there. It is a place that needs good monitoring and rules that protect the area's productivity.

But here's the problem - in New England, those smaller, coastal fishermen have largely lost access to participate in federal fisheries. Recent changes to fishing rules in have

impacted the entire industry, but they've impacted smaller coastal fishermen the hardest. The business strategy of a coastal fisherman fishing from a small day boat is to fish a variety of species depending on season and availability -- for example shrimp or scallops in winter, cod, hake, flounder in the spring or summer and perhaps lobster in the summer and fall. When NOAA adopted a catch share system for allocating the allowable catch of each groundfish species two years ago, only fishermen who'd been actively fishing for particular species were assigned a quota. It worked initially for the large operators who targeted single fisheries, but has resulted in a steady erosion of opportunities for fishermen whose business plan and community is built on being able to shift among resources near their harbors as local abundance changes. Under the current quota system, many day boat fishermen have lost access to groundfish even when the stocks do recover. Since they can't participate in the federally-managed fishery, their knowledge and history are being lost.

Here in Downeast Maine, we have learned that when fishermen and regulators work together, they design management strategies that fishermen support and abide by. The Maine lobster fishery is well-known example. More recently, the state and fishermen, assisted by Penobscot East Resource Center, have been working to restore and manage nearshore sea scallops. It has produced better results than any past efforts, and has demonstrated the potential for new kinds of collaboration in fisheries management.

The upcoming reauthorization of Magnuson Stevens Act is a chance to create room for a different set of voices in federal fisheries management, but not those shouting for higher catch limits and blatant self-interest. Rather, we should tap coastal fishermen's knowledge about fish dynamics and changes in the marine ecosystem, and position them as partners with NMFS in taking care of the most productive areas of the ocean.

The Magnuson Stevens Act should prioritize ongoing adaptation and learning, and, in highly productive nearshore areas, facilitate creative collaboration between regulators and local fishermen. This is a sea change from the usual "top down", regulator-knows-all approach to fisheries management. It is also a culture shift for fishermen – the approach asks them to be active collaborators to participate in data gathering and information sharing.

There is no longer room for a blame game -- we all live, work and depend upon the same complex environment, and we all recognize that change is constant and inexorable. Simply ratcheting down catch limits based on outdated models is not enough. Federal fishery management should be restructured to employ 21st century science and management tactics that prioritize stewardship through ongoing learning and adaptation.

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