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## Charting a Course for the Future of Maine's Fisheries: An Interview with Commissioner Robin Alden

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# Charting a Course for the Future of Maine's Fisheries: An Interview with Commissioner Robin Alden

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*In a January, 1996 interview, Commissioner of the Department of Marine Resources, Robin Alden shared her concerns about the direction of federal fisheries management and her goals for building a more dynamic and self-managing system here in Maine. In particular, Alden described the recent legislation which creates zone councils and an apprenticeship system in Maine's lobster fishery. Alden articulated a direction for Maine's fisheries that challenges conventional fisheries management and as such, is being watched closely by fisheries managers in Maine as well as elsewhere in the U.S. and overseas.*

*Prior to being named commissioner of the Department of Marine Resources in 1995, Robin Alden enjoyed a lengthy relationship with the fisheries industry. In 1973 she founded the Maine Commercial Fisheries, which later became Commercial Fisheries News. Commissioner Alden served as publisher and executive editor of that publication until 1995, in addition to her involvement with Fisheries Product News and Fish Farming News. She also worked for three years with the Sea Grant Advisory Program, served from 1979-82 as a member of the New England Fisheries Management Council, and founded the Maine Fisherman's Forum in 1976. Commissioner Alden holds a bachelor's degree in Economics from the University of Maine.*

*Portions of this interview have been updated since January*

**Maine Policy Review:** What made you interested in the position of commissioner of the Department of Marine Resources?

**Commissioner Robin Alden:** Well, I'm an idealist. I have spent more than 20 years observing and writing about commercial fisheries in Maine. I've spent a great deal of time thinking about the issues and commenting on what should happen. This position seemed like an amazing opportunity to put my ideas on the line instead of just commenting from the sidelines.

**MPR:** Did you have some specific objectives or goals when you took the job?

**Alden:** Fisheries management is at a pivotal point right now. The direction it is taking is potentially harmful not only to the Maine coastal economy but to the resource base of our fisheries. While this job provides me with a chance to change the tide, four years is a very, very short time. So my goals are phrased in terms of changing institutions rather than as a specific management program or a yield from any given fishery.

**MPR:** What kinds of institutional changes?

**Alden:** There are four primary areas. First, I want to decentralize management decision making on certain management parameters, giving users more responsibility for making management decisions. Second, I want our laws and rules to reinforce and reward the stewardship ethic held by many commercial and recreational fishermen. Third, it is very clear that limitations on entry are coming to the fishery. I would like to see those limitations happen in a way that is consistent with the culture of coastal communities. We need a form of limited entry that does two things: (1) continues to give access at a reasonable cost to young coastal residents; and, (2) ensures that anyone using state resources has a level of knowledge and understands and acts upon his/her responsibility to that public trust. We must design an alternative to the tradable, rights-based limited entry in the federal system. Fourth and finally, I want to make the marine science that underlies management far more of a cooperative effort between fishermen and scientists.

**MPR:** How do you accomplish these goals?

**Alden:** At its simplest, through entry that is regulated through an apprenticeship that provides a common base of knowledge and values and through stakeholder participation in management decisions so that the scale of decision making is as local as the significant events in the ecosystem. We got a start on this with the lobster legislation that passed last year. That legislation did three things. It established a statewide maximum per fisherman of 1200 traps and a trap tag system for administering the limit. Second, it created limited entry to the fishery with entry based on a two-year apprenticeship. Finally, it created lobster zones and gave the fishermen in those zones the right to vote on additional conservation measures such as lowering the trap limit, limiting the times of day fishing, and regulating the numbers of traps fished on one buoy. The law establishes elected councils for each zone and sets up a method for fishermen in the zone to vote by referendum on any rule changes. That law is fundamentally conservative. It builds on the tradition of informal lobster territories which has served as a form of local management in the past. That informal system is being stressed by the changes in technology and society along the coast. This law serves a similar purpose in a formal way.

**MPR:** What concerns do you have about the direction of federal fisheries management?

**Alden:** Fundamentally, the federal approach to both science and management techniques is overly simplistic. It threatens Maine's fishing economy and could render the management ineffective. To allow such an approach to destroy Maine's fishing communities and yet still deplete the resource would be far worse than a travesty.

Scientifically, federal management is based quite rigidly on stock assessments and fishing mortality rate calculations--how much fish is being taken from the stock over its entire range. The stock assessments for some species are state of the art. For other species the assessments are new and based on very inadequate information. The issue here, however, is not the adequacy of the stock assessments but a skepticism that knowing how many fish there are yields the kind of information needed for truly effective management. "How many" fish are caught is clearly important, but it may not be the controlling parameter for a given stock. What size, when, where, and how the fish are caught may be far more significant. These issues are local events. But the federal management system is unable to look at local events, to assess the significance of those events to the fishery, or to address whether habitat issues are part of sensible management.

The second part of the equation is the nature of the federal management prescriptions. They lean heavily toward limiting take (quotas) of fishing time instead of limitations on gear and technology, and rules for when, where, and how fishing should be done. These are the types of rules which fishermen usually propose and which make far more sense for the health of the resource at the local level, in contrast to quotas and fishing day limits.

Finally, the federal plans include moratoriums on entry, fishery by fishery. Maine is just beginning to feel the effects of the federal moratoriums which have gone into place in the last 5-10 years. Now that groundfish, lobster, scallops, and many other fisheries are limited, participation in the significant, staple fisheries in Maine is limited to a group of fishermen who qualified for the fishery prior to earlier control dates or to those who have bought them out.

The moratoriums have frozen in time what was, before, a highly dynamic system. In some cases such as lobster, the moratorium has shifted access from traditional Maine fishermen to those out-of-state boats which have purchased access. At last check, out of 7000 lobster licenses, only some 900 Maine fishermen have federal permits to fish outside the state three mile limit, despite the fact that those nearshore federal waters have been part of the Maine lobster fishery for years.

Traditionally, the inshore component of Maine's fishery--the backbone of numerous Maine communities-- has been based on the flexibility to shift between fisheries not only seasonally but as resources, markets, and the life of the fisherman changed. This fishery has adapted to the complexities of the ecological and economic system using a strategy of versatility and flexibility. That strategy is impossible in the face of the federal moratoria. The state's many small and medium-sized vessels are now prevented from switching between fisheries as they have traditionally done unless they can purchase the appropriate permits through vessel sales within New England.

It is irresponsible social policy to have simply imposed moratoriums on entry without confronting the necessary decisions about how fishermen will enter or exit those fisheries in the future. The council and the National Marine Fisheries Service allowed a market for permits to arise by default and in doing so, have created a huge group of people who are now vested in the new system.

**MPR:** What implications do these federal changes have for Maine?

**Alden:** Terrible. We are losing our fishery, and especially our inshore fishery through both transfer of fishing rights to others and to depletion. Let me give you some examples.

The groundfish control date, the cut-off for being "in" the limited entry, was set after many of our inshore coastal cod, haddock, and pollock fishermen had shifted to other fisheries due to the low stock levels. When groundfish rebounds, these people, or others in their community, will have no ability to fish those stocks unless they buy out a permit from someone further south. Those permits are likely to be held by larger, far more expensive operations. The limited days at sea approach for groundfish benefited those who had fished the hardest on depleted stocks rather than those who had shifted off of them.

The scallop plan was written with the New Bedford, Mid-Atlantic scallop fleet in mind. These are 100' boats owned by multi-boat owners, usually former fishermen turned "shore captain." Maine's scallop industry happens predominantly inshore, fished by boats in the 30-55' range. With literally only a few exceptions, Maine scallopers did not qualify for limited access permits and are now limited to 400 lbs per trip if they fish outside state waters.

We have never had a squid market here but now could develop one. The current draft of the squid plan will mean that only one Maine vessel will be allowed to fish squid in the Gulf of Maine. Mid-Atlantic vessels will be allowed to fish here.

The federal lobster plan allows the taking of large lobsters and the dragging of lobsters. Maine allows neither so the investment Maine fishermen have made in the future of the lobster resource--refraining from dragging and returning to the sea the large broodstock-- is being thrown back in their face. And because of the shift in licenses, federally-permitted vessels are taking those lobsters right outside our three mile limit. This not only threatens the lobster stock, it threatens the consensus about Maine's rules which makes the lobster business so strong.

In all cases we do not know whether the federal measures will work. Clearly the federal lobster plan is less conservative than Maine's. The new, drastic cutbacks in groundfishing that are under discussion will undoubtedly further consolidation in the industry. It is less clear whether it will benefit the fish.

**MPR:** Can you say a little more about the apprentice-ship program? How will it work?

**Alden:** The apprenticeship program provides a means of controlled, orderly entry into the fishery. Current licenses are now limited, and a new fisherman may only enter by doing a two-year apprenticeship. This eliminates opportunistic, "get rich quick" entry into the fishery. It ensures that anyone who enters does so seriously, after making a decision to invest two years of his or her life. It institutionalizes the ethics that used to be transmitted through father-son-cousin relationships or town relationships. It will be a state-overseen program, similar to that of other trades such as electricians and plumbers. In the future, I want Maine fishermen to be independent businessmen and women as they are now, viewed and licensed as professionals.

The details of the program are not yet worked out. By statute, it will be two years in duration. The lion's share of this will be work experience. In addition, I expect it will contain a basic educational component which will include such topics as lobster biology and species and habitat interactions, lobster rules and management structures, lobstering ethics and traditions as well as a fisherman's responsibility to other fishermen, the stocks, and the marine environment. We are discussing the use of video and whether workshops will be required or whether the apprentice should be given the chance to test out of the sessions.

There are three models for allowing entry in a limited entry system. You can create a group of fisher-men who are "in" and give them a windfall by allowing them to sell their rights. You can prohibit transfer, and allow entry by lottery. Or you can allow entry through a qualification and waiting process such as apprenticeship.

Many current fishermen would like to be given a valuable share of the fishery, for obvious reasons. But the further downeast you go, the stronger the feeling is that this will preclude young people from Jonesport or Stonington from being able to be independent fishermen. The lottery is rejected because it injects a level of chance that is unacceptable to someone trying to make legitimate business and life plans. Apprenticeship means that current license holders do not get a windfall from the state, and avoids the problem of a saleable right. It provides a method of entry for the coastal boy or girl who wants to start small and build up. Furthermore, only the apprenticeship approach demonstrably shifts responsibility for the stewardship of the resource from the state to a joint effort between state and users.

**MPR:** How will we know if the legislation that was passed last year in the lobster fishery (which created the local management process, apprenticeships, and a state trap limit) worked, five years from now?

**Alden:** It won't be a simple calculation. First, you should understand that we don't have an immediate resource conservation problem confronting us with lobster. The fishery apparently is very healthy now: catch levels are at twice the long-term average, driven by a combination of abundance and effort increase. However, because we do not know the factors which have caused this increase in abundance, we won't know when those conditions change and we are facing an imminent decline in population. For this reason the increase in effort gives me real concern--the recent trap escalation signals a change of approach in the fishery which could undo its traditional balance. In my view, the legislation serves as a foundation for conservation that is likely to be needed in the future. The key to this law is that the zone governance it creates should vote for conservation when it is needed. The lobster is the backbone of the coastal economy and coastal communities. Yet there are so many differences within the industry based on geography and ecology that legitimate differences are very difficult to resolve in the legislative arena. By setting up the zone councils, much more can be done by the fishermen themselves.

So, in response to your question, we will know whether the legislation worked if those institutions are functioning and able to make timely adjustments. More concretely, if the overall trap numbers start to come down below the 1200 state cap, then the zone council process will have worked. If those councils become a liaison for scientists working with lobster, we will have accomplished even more.

**MPR:** Sea urchin harvesting is the only fishery in the state with a moratorium. How is urchin regulation going to change in the next few years?

**Alden:** The urchin fishery is in terrible shape despite its moratorium. Even with a limitation on participants, the fishery has driven the stock down to the point where we have a significant resource problem. In the next few years the legislature must decide whether to extend the moratorium, and if it does, how to solve the need for entry and exit provisions. In addition, there is a need to further restrict fishing effort which is difficult to figure out in a dive fishery. This year, the legislature limited the number of fishing days in each zone, and created an appointed council to determine when those days should be taken. There is considerable discussion about trying to extend the lobster zone governance approach--after it is established and functioning-- to the urchin fishery.

The urchin fishery demonstrates far less conservation ethic than many other inshore fisheries; there is a real gold rush attitude about it. A great many urchin fishermen do not come from traditional commercial fishing backgrounds, and have not lived through the natural ups and downs of fishing. Furthermore, many urchin fishermen are not rooted in the communities where fishing takes place.

The question is: "How do you build into this fishery the types of internal policing seen in the other fisheries?" The department cannot possibly enforce rules just by force; there must be voluntary compliance. This state will never be able to afford enough wardens to keep people from fishing in the wrong zone or bringing in the wrong size urchin if there is no basic respect for the rules. In the long run, I believe the answer is requiring that those in the fishery take responsibility for the decisions and the resource.

**MPR:** The fishery that has attracted a great deal of attention for at least five years now has been groundfish. Does all the bad press we hear about groundfish reflect the status of all fisheries in Maine and New England?

**Alden:** No, and that fact is always overlooked. Groundfish stock levels are at historic lows. Some ground-fish boats are desperate and a number of groundfish boats have gone out of business. But that does not mean that the other fisheries are similarly depressed. Urchins, eels, herring, and lobster have supported a very healthy business in recent years. Less than ten percent of Maine's fishermen depend primarily on groundfish today. Cod, haddock, and flounders however, are a foundation to the region's industry. Maine has lost its inshore groundfish spawning stocks and is depending on the offshore fishery. If both the inshore and offshore stocks were rebuilt, groundfishing would be a far bigger industry for Maine. In the future, both stock enhancement and direct aquaculture of groundfish may be part of the picture.

**MPR:** What role will the Department of Marine Resources play in local clam management?

**Alden:** We currently have a number of programs that provide the infrastructure that makes a clam industry possible. These are the water quality programs, the shellfish inspection program, and the toxins (paralytic shellfish poisoning) program. Without those three programs, the Food and Drug Administration would not allow us to use our flats. However, our ability to support town clam management institutions has been minimal and we are expected to do much more. In our recent reorganization, we added some resources to that area and are currently making some significant upgrades in our efforts to support towns. We now are working with towns to establish management--not just licensing-- programs as part of our approval of town ordinances. We are encouraging recent efforts to increase productivity. And, while we do not enforce town ordinances and don't think that we should be expected to, we are now providing training to town shellfish wardens.

**MPR:** What's the future of aquaculture? Are we going to see more conflicts with traditional fisheries and with shoreline owners, or are we going to learn to accept aquaculture?

**Alden:** There is a solid future for aquaculture. We're currently involved in a very interesting process of updating the state aquaculture plan. It's such an infant industry that predictions are very dangerous. I have reached the conclusion that the most useful thing the state can do to enhance aquaculture is to build capacity to respond to new, puzzling regulatory and scientific questions.

The current state law gives some priority to traditional fisheries. I believe this has ensured the growth of aquaculture by limiting the threat it is perceived to be by traditional users and shoreline owners. What this means, however, is that the aquaculture industry must deal with those conflicts up front. As aquaculture increasingly becomes part of the waterfront, we will all become more comfortable with resolving the conflicts.

**MPR:** Do you think that aquaculture has become more acceptable among traditional fishermen in the twenty years that you've been watching the industry?

**Alden:** Yes, but only on a marginal level. What I do see is that a lot of aquaculture business has become a part of the fishery. Salmon, with its few big operators as a result of the consolidations, is clearly at a different scale of capitalization. But in mussel and oyster aquaculture, there is not always a clear separation between aquaculture and traditional fisheries. Some shellfish aquaculture operators have a background in traditional fisheries. And many who entered aquaculture from the technical, production background have found that marketing has forced them to understand and work with the traditional harvesting industry. So, there is an overlap. Yet, the basic turf issue of whose resource it is continues. Is this a public resource or is this somebody's private resource? We are going to see these questions debated in clams, urchins, and mussels, and the same thing may happen in scallops and other species.

**MPR:** Do you think that forces inevitably lead to more aquaculture operations?

**Alden:** Some people say you can produce a lot more protein if you allow the coast to go to all aquaculture. I'm not sure if that is true, especially when you consider the productivity of our multiple use wild fisheries. That's an open question that needs to be asked. If we successfully manage our wild resources, we will have some of each. Clearly, we have a commitment to major growth in aquaculture.

**MPR:** Did you know that you were going to have to face the state downsizing effort when you took the job?

**Alden:** No, I did not. It was an extremely painful process, but extremely constructive. I consider myself lucky that I was not handed an across-the-board cut and told "Find it, and don't change anything." Instead, the mandate was "Cut, and improve or maintain services, and you can reorganize to do this." The rigor of cutting taught me in detail how this department works, early in my term. The flexibility to reorganize allowed me to rethink how we do business. This was an unusual opportunity in state government.

**MPR:** What was the overall impact of the Productivity Task Force on the Department of Marine Resources? Are there many things you're not doing now that you were doing a year ago? Are there examples of things you are doing differently?

**Alden:** We cut about \$265,000 out of our annual budget and eliminated eight positions. We eliminated our Portland Marine Patrol office and consolidated field operations in Lamoine and Boothbay. We still have the same range of responsibilities.

During the reorganization, we recognized that the department's portfolio of fisheries and constituencies has exploded, driven by the explosion in new international markets and the demographic changes on the coast of Maine. We now have significant recreational fishing and aquaculture constituencies in addition to commercial fishing. Instead of dealing with the familiar species such as lobsters, herring, and clams, we now add several additional species every year: urchins, eels, kelp, sea cucumbers. Each fishery has a legislative component, a regulatory component, and an international component. Each fishery presents new policy questions on conservation, conflict, and allocation. Fisheries rules are made in-state both through rule and law, and through regional, interstate, and international management bodies. In all of these arenas, the department must represent the state's interests, a task which takes more than a full person-year's worth of meetings.

We reorganized the former Bureau of Marine Sciences into the Bureau of Resource Management in recognition that, with general fund budget monies for only four or five scientists, we are able to do science that supports policy issues, but we are unable to do pure science. All scientific functions have been consolidated in that bureau, rather than being scattered in different places. But, more importantly, we've organized within the bureau by function, rather than by species. We are operating through an ad hoc teaming approach, to use people from the different functional areas to address problems that come up. This builds an internal peer review into the department and it also builds in a responsiveness to group and re-group, depending on what the needs are. We can no longer afford specialists.

In fact, we are now operating with teams across the entire department. As a result of the reorganization, we are using the vast knowledge of the coast and its issues that is embodied in our Marine Patrol Officers. They are now involved in the formulation of policy with people from other areas of the department as well as in enforcement. This is extremely important and successful in a department as strapped as this one.

Key to the teams will be constituency managers, including two new positions not yet filled. These people will be the first point of contact for the industry, and responsible for framing the questions which internal teams work on.

**MPR:** Some would argue that we should combine our departments to form a Department of Natural Resources? What is your view?

**Alden:** I do not favor the idea. Number one, the State of Maine should not have only one natural resource cabinet member at the table. When you look at the state's economic base, you realize that forestry, inland natural resources, marine resources, and agriculture need to be at the table.

Twenty years from now we may have a different economic base in this state and then it would make sense to revisit that question. But right now we have an economy that is strongly linked to its natural resource-base.

Number two, I am not convinced that any costs will be saved by consolidation at the policy level. In this administration the natural resource agencies are working very closely together on policy issues and have consolidated numerous administrative functions.

**MPR:** What would you like to see in Maine's fisheries 20 years from now?

**Alden:** I'd like to see a healthy, small offshore fleet and a large multiple-fishery coast fleet, because that suits the resource that we have. And it is consistent with the nature of the economy that currently depends on fisheries. I want inshore fishermen to continue to be owner-operators, respected as professionals and independent business people. Linked with this, I'd like to see diversified aquaculture coexisting with traditional fisheries and interwoven into the coastal economy. Finally, there also should be a healthy recreational fishery. All of this presupposes healthy resource levels inshore and offshore, consistent with natural cycles.

**MPR:** Did you have any reservations when Governor King asked you to take this job? Was there anything about the King administration that made you decide to say "yes?"

**Alden:** Profound personal reservations because of the rigors of the job and the fact that we live in Stonington. It was a very, very difficult decision to make. But the Governor and his immediate staff is the reason that I decided to say "yes." If there were ever a chance to be given the respect to do what I felt was right, it was now. I decided this was a unique opportunity that would not come another time, something I believe even more today than I did then. As an Independent administration, it is outside of some of the usual politics and history that can constrain constructive action.

**MPR:** What have been your greatest challenges?

**Alden:** Because my activity level is higher than it has been in the past, I have become remote from the people that used to be part of my life. Talking with people in the industry and people in fisheries management was what I did for a living. Listening and using that listening to come up with ideas was my strength. That time for listening has just evaporated. It has been very discouraging to find out that 25 years of goodwill in the industry can evaporate when I can't answer a phone call. But that's how human beings operate. On top of that--and I anticipated this--I lost a lot of the good will that I had when I walked through these doors. There is an institutional mistrust of "the state" that persists.

**MPR:** You brought a background in journalism to the job. What were the advantages of having that back-ground before you got here? What perspective did you bring to the job that you found beneficial?

**Alden:** Well, a number of people are worried that I will believe everything that I hear. They think I'm new to this and they need to help me understand. But I have spent years listening to the

same meeting being described by 25 different people in 25 totally different ways. It's a type of listening where you basically discount everything but then you learn a lot from everything that's said. So, that skill has definitely been beneficial. The other thing is juggling a lot of different subject matters. I wasn't a journalist who was writing one story a week; I was an editor planning a paper and trying to cover exactly the same waterfront that we're covering here.

**MPR:** After a year on the job, what message would you like to get to the people of Maine?

**Alden:** Maine has an opportunity to chart its own course in marine fisheries management. We have a chance to build a dynamic, far more self-managing system that is more conservative and better for business than the system that is coming at us from the federal government. No one likes to admit it, but we all now know that humans can outsmart the fish. There are too many of us, and we have technology that is too sophisticated to have things the old way. It is my job to acknowledge that.

So, we need tough conservation rules. But they don't have to be top-down. We don't need our young people having to invest hundreds of thousands of dollars for a permit before they start fishing. We don't need rules which box fishermen into fishing just one or two species rather than allowing our businesses to be versatile and mesh with the changing ecosystem. Instead, we can put the responsibility for sensible decisions and performance on the users.

We have this chance because fishing is still important to Maine. Old ways, where fishing was a way of life for many generations in one location, have not yet completely been replaced by the greed of the "get-rich-quick" attitude which so characterizes much of modern fishing. We can build state institutions that reproduce what used to happen informally. We can build basic stewardship back into the rules and reward systems. In doing so, we can make rules which have a much greater chance of success biologically.

We have no choice if we want the state to continue to realize the value of this tremendous natural asset. Neither the state nor the federal government will pay the money necessary to enforce rules by force rather than consensus. The ocean is too big and the resources too obscure. Fishery managers elsewhere in the U.S. and overseas are watching Maine right now, seeing whether we as a state have the vision and fortitude to chart a new course based on the wisdom and responsibility of the fishermen. It will take time, trial and error, and faith to do so. But it is well worth the doing. We can preserve the best of the Maine coast.

*Commissioner Robin Alden has been involved with Maine's fisheries for more than 20 years. Prior to becoming commissioner of the Department of Marine Resources, Alden served as publisher and executive editor of Commercial Fisheries News.*

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