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Fishermen say rules hurting business

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Valerie Garman / Florida Freedom Newspapers

MEXICO BEACH — Chip Blackburn's boat hasn't gone out since September.

Blackburn, captain of the charter boat Miss Mary out of Mexico Beach, has seen a drastic change in the fishing business since he started chartering 25 years ago.

Blackburn, along with a host of other gulf fishermen, have watched their work days deplete as a result of stricter regulations from the Gulf of Mexico Fishery Management Council, a branch of the National Oceanic and Atmospheric Administration.

"At this point, I can't afford to get out of the business," Blackburn said. "We only had (48) days to fish for red snapper this year. Can you make a living in (48) days?"

This year's gag grouper season was also short, lasting only from Sept. 16 to Nov. 15.

Blackburn is part of a coalition of gulf fishermen fighting against further funding for catch share programs, a controversial form of fishery management that dictates the amount of fish that can be caught through the distribution of individual fishing quotas (IFQs) to fishery participants.

Although the recreational sector that the charter boats fall into is not bound by the catch share programs in place for commercial fishermen in the gulf, many charter fishermen fear implementation of further catch share programs on the horizon, and see it as a way for NOAA to privatize their right to a public resource.

Blackburn fears that younger generations of fishermen will not have a chance in the business, which he said is becoming more difficult to stay afloat in each year, and harder to acquire the necessary permits to fish in federal waters, required for charter and commercial boats that fish more than nine miles off the Florida coastline.

“Originally to get a federal fishing permit was no big deal,” Blackburn said. “I don’t want to see people not have the chance that I had to get into the business.”

With federal fishing permits on a limited-access system, no new permits are issued, meaning a permit must be surrendered by a fisherman for another to obtain it.

Blackburn said while the 1,300 charter boats in the gulf depend on a clean environment and healthy fisheries, there is an underlying fear among local fishermen that NOAA, backed by the Environmental Defense Fund, is not interested in the health of the fishery, but rather in controlling access to a public resource.

Blackburn is one of many local fishermen who believe NOAA’s regulations are based on invalid data and bad science.

Chuck Guilford, owner of Charisma Charters in Mexico Beach, also believes the regulations have nothing to do with the health of the fisheries.

“The biggest problem is that the government is trying to regulate the fish out there in the gulf, and they operate without sufficient data as to how many fish are actually out there,” Guilford said. “Anything that’s controlled by the forces of nature, there’s no way that the government can control it themselves. All things in nature, hot summers, cold winters, hurricanes, red tide, they have more to do with the amount of fish out there than the government ever will.”

Like Blackburn, Guilford has also felt the pinch of less fishing days.

“Quite frankly, the government is just putting me out of business,” said Guilford, a fourth generation fisherman who has been in the charter business for 36 years.

Guilford said his business has lost money the past two years because of stricter regulations. Red snapper and grouper regulations in particular have hurt him; both species he says are abundant.

“The fish are so plentiful now,” Guilford said. “Right now, because of the reproduction, we have more red snapper than you can count. You can’t go fishing without catching a red snapper.”

Guilford said five to six years ago he could fish 220 to 240 days per year. Now he is fishing only about 80 days on his main boat and 57 on his second boat.

To cover the cost of operations, Guilford said he needs to operate at least five months out of the year.

“I spent 20 years in the military serving my government, and now my government is the one that’s putting me out of business,” Guilford said. “I’m 81 years old. I love what I do. I love to charter.”

Not the American way

Panama City charter fisherman Bob Zales admits he would probably be better off in a catch share system.

“But that’s not the American way of doing business,” Zales said. “To have the government say who can and can’t fish is just not the way.”

Zales’ family has been in the charter business for 46 years, a legacy that would make him a “big winner” in a catch share program, where businesses with tenure receive the largest piece of the pie. However, it’s a system Zales will never support, he said.

Zales is the owner of Zodiac Charters in Panama City, president of the National Association of Charterboat Operators (NACO) and the Panama City Boatman Association, and an advocate against sector separation, stricter regulations and funding for more catch share programs in the Gulf of Mexico.

Zales said implementing a catch share system among charter fishermen in the gulf would virtually cut the fleet in half, leaving consumers with less of a choice and hurting the local economy.

“The people who support (catch shares) are generally the ones that have the quota,” Zales said. “Clearly the catch shares battle is a have-and-have-not fight.”

Zales said the organizations that support catch shares, like the Gulf Fishermen’s Association, represent the “have” side in the red snapper shareholder alliance.

“(The GFA) won’t tell us where their funding comes from and they won’t tell us how many members they have,” Zales said.

Emily Muelstein, fisheries outreach specialist for the Gulf of Mexico Fishery Management Council, said the GFA is made up of a group of large shareholders or “businessmen” in the commercial sector.

A press release from the GFA claims that commercial fishermen in the gulf are “fishing more sustainably than ever,” and “not one single fish has been taken from anyone for our programs.”

The release also stresses the GFA’s stance that classifying catch shares as a “privatization of the resource” is a mischaracterization. The release reads, “Fishermen don’t ‘own’ the fish; they simply have a fishing license proportionate to their investment in the fishery... Income for trading this privilege or catching the fish is all taxable income. Unlike open access fisheries, every single fish is made available to American taxpayers through federally authorized seafood wholesalers.”

Like Guilford and Blackburn, Zales also fished fewer days in 2011 due to stricter federal regulations.

“Any time you fish fewer days, you’re going to make less money,” Zales said. “All of the federal regulations have impacted us regularly. Our businesses are seriously affected by every move they make.”

Zales’ top goal is for the Florida Fish and Wildlife Commission and NOAA to complete a comprehensive study on what a catch share program really does and how it affects the fishery, environment, economy and community.

“Let’s get a comprehensive study and let’s show what the real impact is,” Zales said. “As taxpayers, let’s not spend any more time, money and effort on catch share programs until we know what the real impact is.”

It’s a fight Zales is not alone in.

Rep. Steve Southerland, R-Panama City, sees a dangerous precedent being set by federal agencies like NOAA, whose regulations he believes are another attempt to take away individual rights.

Southerland serves on the House’s Natural Resource Committee and the fisheries subcommittee and, like Zales, is dedicated to fighting against further funding for catch share programs and sector separation.

“I think anytime you privatize a resource we have individual rights to, it’s very, very dangerous,” Southerland said. “It’s a very dangerous precedent when you cap an individual’s right to fish and implement a trade, a privatization, of a public resource.”

Southerland supports a variety of fisheries bills, like the Pallone Bill, that call for better research to be done on the effects catch share programs have on a fishery.

“The science is speculative at best,” Southerland said. “It aims legislatively to require (NOAA) to find proper science and have good data.”

The Pallone Bill, sponsored by New Jersey Rep. Frank Pallone, also calls for incremental access to a fishery as it’s being rebuilt.

Southerland is also a sponsor of the RESTORE Act, which would require NOAA to dedicate a portion of funding to data collection to research the economic impacts fishing regulations have on a community.

The long-term goal, however, would be to amend the Magnuson-Stevens Fishery Conservation and Management Act, the primary law governing marine fisheries in the U.S.

“Magnuson-Stevens as it is is crushing our fishing industries,” Southerland said. “It needs to be examined thoroughly and amended.”

For Southerland, the fight against onerous fishing regulations is one that directly channels his political ideologies. He sees onerous regulations as a vehicle that is used to reduce personal freedoms and liberties.

“My ultimate goal is to shrink the size of our federal government and expand the rights of the individual American,” Southerland said. “To expand personal freedoms and personal liberties and produce a healthy fishery.

“Natural resources don’t belong to the government, they belong to the people. My constituents see how dangerous these policies are. If people can’t fish, they won’t come here.”

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