

House amendment would cut NOAA spending on new catch share programs

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The U.S. House of Representatives passed an amendment early Saturday that would prevent NOAA from spending money to promote and institute new limited-access fishing programs such as catch shares on the East Coast, a development that commercial fishing advocates have labeled as "very significant."

The move to strip money from the National Oceanic and Atmospheric Administration passed by a 259-159 margin around 1:45 a.m. Saturday, with 51 Democrats and 208 Republicans voting in favor of the measure, which was sponsored by U.S. Rep. Walter Jones, R-North Carolina.

Bob Vanasse, head of the fisheries public relations campaign Saving Seafood, called the vote on the Jones Amendment "a major salvo" fired at federal fishing regulators.

"Basically, the message was, 'We've had it and we're going to use the power of the purse to have you reconsider your policies,'" Vanasse said.

Jim Kendall, president of New Bedford Seafood Consulting, said the amendment could prevent NOAA from spending "another \$50 million to advocate and promote catch shares."

"A lot of the money is used to essentially disseminate propaganda," Kendall said. "They've been forcing catch shares down the throats of various fisheries."

Last May, federal regulators introduced the New England groundfishing industry to a new fishing management system, replacing a days-at-sea model with "catch shares" and "sector management."

The system requires boat owners to join cooperatives and manage their share allocations, or "catch shares," as they best see fit within the law.

The new system has been met with opposition and controversy.

Catch shares, said Kendall, "do nothing to further the conservation of the resource."

U.S. Rep. Barney Frank, D-Mass., a proponent of the amendment, said the vote conveyed to NOAA "that you don't have to shut down the fishing industry to sustain the fish."

The amendment, said Frank, does not prevent NOAA from using a provision in the Magnuson-Stevens Act that allows for transferable quotas. That provision, however, requires a referendum, Frank said.

The amendment will now go before the U.S. Senate.

Frank said the Senate is expected to make a decision regarding the amendment within the next month, and Kendall said he expects the Senate to pass the amendment.

New Bedford Mayor Scott W. Lang called the House vote "extremely significant."

Lang said he spoke with Rep. Jones last Thursday and the North Carolina Republican told him he was hoping to assemble a sizable coalition in support of the amendment to, if nothing else, attract some attention to the issue of fishing regulations.

"When I saw they had a majority, that made me sit up and take notice," Lang said. "The coalition that Jones and Frank have put together is very significant and could lead to reform and transparency."

Referencing the majority in favor of the amendment, Frank said, "The rigidity of NOAA has gotten us more support."

The amendment covers the fisheries under the jurisdiction of South Atlantic, Mid-Atlantic, New England or Gulf of Mexico Fishery Management Councils, but does not affect Alaska or the West Coast, according to Vanasse's organization.

Attempts to reach NOAA for comment Saturday were not successful.

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House backs killing NOAA catch share funds

By Richard Gaines
Staff Writer

The U.S. House has voted to cut off funding for future catch share programs, the National Oceanic and Atmospheric Administration policy that opens the door to commodities trading of fishermen's catch allocations — and a policy already steering control of the fishing industry to larger corporations while driving out smaller, independent boats.

The 259-159 vote early Saturday morning was largely un-lobbied by either fishing industry backers or the Obama administration and its environmental allies, notably the Environmental Defense Fund that developed and has pushed hard for catch share policies.

The vote marked the first time a House of Congress has weighed in on the management regimen, and it looms as a setback for the Obama administration, whose most visible advocate of catch shares is Jane Lubchenco, the embattled NOAA administrator who formerly served as a top board member with Environmental Defense.

While with EDF, she helped organize a disputed scientific justification for catch shares, implying that without them, all food fish would soon be taken. Those claims have since been disputed by many marine scientists, up to and including Steve Murawski, the recently retired chief NOAA scientist who asserted last month that U.S. conservation policies have already succeeded in effectively ending overfishing.

The bipartisan budget amendment tied to NOAA's proposed catch share funding was sponsored by Congressman Walter Jones, a North Carolina Republican who represents the Outer Banks, and two Democrats — Barney Frank of Massachusetts and Frank Pallone of New Jersey.

"This is a shot in the arm for fishermen, and a shot across the bow of the National Marine Fisheries Service," Jones said in a prepared statement sent to the Times. "I am very grateful to Congressmen Frank and Pallone and to the broad coalition of commercial and recreational fishermen, boat builders and consumer groups who came together to make this happen."

The amendment sponsors were also among eight signers of a letter sent earlier this month to Commerce Secretary Gary Locke, Lubchenco's superior, urging him to halt implementation of catch shares against the fierce resistance of the industry.

In New England, where catch shares were imposed on the groundfishery last May, the effect has been typical — the number of boats has dramatically dropped and equity in the market shifted to the biggest businesses.

Lubchenco has proclaimed eliminating a "sizeable fraction" of the fleet to be her goal.

But Mayors Carolyn Kirk of Gloucester and Scott Lang of New Bedford, on behalf of their communities, have denounced the economic and social harm from the regimen, and NOAA's lack of concern in mitigating the economic impact.

"We are one step closer to overturning the federal government's attempt to drive the Gloucester, New Bedford, and New England fishermen out of business," Kirk said Sunday.

"We need to keep the pressure up, though," she continued. "Mayor Lang and I are planning a visit to Washington, D.C., to make personal appeals to U.S. senators to uphold the Jones amendment, and to thank those House Representatives who voted in favor."

Lang said he, too, believes the amendment vote "sends them a message" that the catch share policy does not have public support.

Kirk and Lang have committed their port cities to a broad-based federal lawsuit challenging the legality of Amendment 16, which includes the catch share regimen. The lawsuit is expected to be heard next month in U.S. District Court in Boston.

The future of the Jones amendment in the unfolding partisan budget skirmishes roiling the halls of Congress is unclear.

The 100-vote margin was a surprise even to Jones, according to sources close to the congressman, who has formed a tight alliance with New England colleagues on most fisheries issues.

Jones, Frank and Congressman John Tierney all called for Lubchenco's removal from office last summer in a stew of frustration over what they perceived to be her lack of interest in mitigating the impact of catch shares, and damaged caused to fishermen and businesses by vindictive law enforcement actions.

These were exposed by the Commerce Department inspector general after more than a decade of complaints from fishermen and other related waterfront businesses, primarily out of Gloucester. The Northeast Division of NOAA, headquartered in Gloucester's Blackburn Industrial Park, polices federal waters from Maine through the Carolinas.

The surprising House vote came shortly after 1 a.m. and capped a tumultuous week in the industry's and fishing communities' struggle against Obama administration fisheries policy, with another wild week all but certain.

A mass rally in St. Petersburg, Fla., is scheduled for Friday, and could outsize the historic "United We Fish" rally outside the U.S. Capitol in Washington last Feb. 24. There, about 5,000 fishermen and families gathered with more senators and representatives and rallied for modifications of the Magnuson-Stevens Act that would allow more catching while conservation targets stretched out under certain conditions.

The rally also pointedly attacked catch shares and what the industry sees as an undue environmental influence on the Obama administration, especially through Lubchenco. Jones, Frank, Tierney as well as federal lawmakers from Florida and New York spoke to the crowd.

The organizers of the St. Petersburg rally expect to have perhaps 10 times the size of the crowd in D.C., noting there are 1 million licensed fishermen living within 100 miles of St. Petersburg.

The surprising 100-vote margin for the Jones amendment was made up largely of Republicans, who split 208-28-4 in favor, while Democrats split 51-131-11.

The all-Democratic Massachusetts delegation broke 8-2 for the amendment, with the only "no" votes on the Jones amendment coming from Congressmen John Olver of Amherst and Edward Markey of Malden.

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