

# GloucesterTimes.com, Gloucester, MA

February 16, 2011

## NOAA eyes \$1M to fight lawsuits

By Richard Gaines  
Staff Writer

Bipartisan opposition to the Obama administration's campaign to convert U.S. fisheries into commodity markets through a national catch share policy came from multiple fronts Wednesday, as NOAA chief Jane Lubchenco fielded questions about a \$910 million NOAA fisheries budget that proposes big increases in spending to expand the program.

From 12 programs now managed via catch shares, including the New England groundfishery, the budget targets boosting that number to 16 within four years — including the local monkfish fishery.

But the National Oceanic and Atmospheric Administration's budget also seeks \$1 million to fight lawsuits filed to block or limit catch share regimens. Multiple lawsuits are already pending in U.S. District Courts, including one filed by the cities of Gloucester and New Bedford in Boston.

Meanwhile, seven senators and representatives joined U.S. Sen. Kay Hagen, D-N.C., Wednesday in signing a letter telling Commerce Secretary Gary Locke to abandon the catch share campaign which "does not have broad based support from the fishing industry" because of harm it has already done.

One of the signers of the Hagen letter, Congressman Walter Jones, R-N.C., also announced the filing of a federal budget amendment that would bar further spending on any new catch shares programs.

Jones' amendment would "prohibit NOAA from spending any money on the development and approval of new catch share programs in fisheries under the jurisdiction of the Gulf of Mexico, South Atlantic, Mid-Atlantic and New England Fishery Management," according to the industry Internet site Saving Seafood.

Despite widespread industry opposition, the \$907.8 million budget proposal for the National Marine Fisheries Service proposes shifting money from fisheries research and management and cooperative research programs to increase catch share spending by \$36.6 million.

According to the NMFS budget, \$11.4 million would be shifted from research and management and \$6 million would be shifted from cooperative research into catch share rollout and implementation.

"We are specifically concerned that NOAA has committed significant funding to encourage the adoption of catch share programs when it has not committed sufficient funds to adequately assess the stocks of our nation's fisheries," Hagen and Jones wrote in a letter released Wednesday.

Also signing the protest letter were Sens. Scott Brown, R-Mass. New York state Democrats Charles Schumer and Kirsten Gillibrand, Richard Burr, D-N.C., (D-NC) and Democratic congressmen Barney Frank of Massachusetts, Peter DeFazio of Oregon, Mike McIntyre of North Carolina and Frank Pallone of New Jersey.

The Times was unable to reach Congressman Rep. John Tierney's office for comment Wednesday.

The consumer group Food and Water Watch, which has been a fierce critic of catch shares, praised the effort to fight the catch share management schemes.

"A wildly unpopular management tool, catch shares re-distribute access to fish, usually from smaller scale fishermen to larger, more industrialized operations," said Wenonah Hauter, the organization's executive director. "Catch shares have been proven to decrease job opportunities and wages for workers, skew fisheries toward industrial production, and devastate the socio-economic well-being of coastal and fishing communities.

"We congratulate these legislators for supporting U.S. fishermen in their desperate battle to hold on to their jobs and stop the privatization of fisheries," Hauter said in the prepared statement.

Food and Water Watch has produced research showing that catch share programs have eliminated about two thirds of the jobs in fisheries subjected to the system which tends to consolidate equity into the largest hands at the expense of small businesses.

The Recreational Fishing Alliance, which organized last year's national protest against federal fisheries policies, has announced a faxing campaign to Congress to put the brakes on catch share conversions.

There were a small number of catch share fisheries before the start of the Obama administration — the first in surf clams on the Middle Atlantic coast was in place in first Clinton administration.

But the 2009 selection of Lubchenco from the Environmental Defense Fund board and Oregon State University brought to the government a leader of the scientific sector that had produced multiple papers warning that fishing had to be severely constrained.

Environmental Defense has been promoting catch shares as market solution to fishery issues, while EDF Vice President David Festa urged as early as 2009 investors to begin buying catch shares, which he predicted at a Milkin Institute conference that spring could produce profits of 400 percent of better.

EDF sponsored a policy paper in the transition between the Bush and Obama presidencies that argued without catch shares the oceans soon would be emptied except for jellyfish.

These projections have been largely refuted by government science, and last month Steve Murawski, the longtime chief scientist for NOAA, gave a lengthy interview to the Associated Press in which he asserted that conservation programs in the U.S. have largely stabilized fisheries and that overfishing was no longer a problem in the U.S.

The U.S. imports more than 80 percent of its seafood from nations that look to the U.S. for leadership in conservation.

"The new NOAA budget demonstrates clearly that the 'Green Machine' is controlling fisheries management and not the stake holders," said Jim Donofrio, executive director of the Recreational Fishing Alliance.

"This proves our point when we told the world that fisheries management has been hijacked and we better all come together recreational and commercial fishermen and our industry people or we will get eaten up like bait fish,' he said. "Congressmen Jones and his colleges are doing the right thing by trying to halt any monies going into the EDF Lubchenco catch share program."

Joining the latest battle over catch shares were a group of fishermen flown in by EDF to lobby Congress, suggesting the opponents to the system were not the majority. EDF engineered and underwrote a similar pushback following the national meeting at the side of the Capitol last February.

"Our legislators are going to hear buzzwords like 'overfishing' and 'imperiled' when these activists plead for support of their Catch Share program, but this unnecessary and restrictive policy is the anti-fishing community's answer to a perceived problem in fisheries management," Donofrio said in a prepared statement. "Their lobbying position does not represent the views and opinions of our U.S. fishing communities."

The NOAA budget justifies catch share programs as recommended by "the best science available," but the only research cited was a footnoted promotional paper published by EDF.

The Lubchenco budget also cites a controversial paper by Canadian researchers, Myers and Worm, which claimed in 2003 that human predation was working down the fish food chain. But that piece was held out as more an example of "faith-based fisheries" than documented science in a later paper by University of Washington marine scientist Ray Hilborn.

He assailed the scientific media for credulity, subordinating rigor for circulation.

"Widely cited in the scientific and popular literature," Hilborn wrote, "this paper raised a furor among many scientists specializing in pelagic fisheries who knew the same data, knew it was being misinterpreted, and knew there was a large body of other data that contradicted Myers and Worm's results."

Richard Gaines can be reached at 978-283-7000, x3464, or at [rgaines@gloucestertimes.com](mailto:rgaines@gloucestertimes.com).