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Gulf oil permit fiasco speaks volumes of NOAA's priorities

When it comes to monitoring and punishing local fishermen for so much as an errant fish or two caught in violation of its complex, confusing regulations, the National Oceanic and Atmospheric Administration and its law enforcement wing have built up a deserved reputation as aggressive, ruthless — even, in some cases, criminal.

When it comes to enforcing the regulations governing drilling for oil in the Gulf of Mexico?

Not so much.

In the wake of the catastrophic oil spill continuing to flow from the bottom of the ocean after British Petroleum's Deepwater Horizon drilling platform exploded on April 20, the Center for Biological Diversity announced last Friday that it intends to file a lawsuit naming Interior Secretary Ken Salazar as a defendant for failing to enforce the Marine Mammal Protection Act and the Endangered Species Act.

Among its complaints, it cites the authorization of more than 300 drilling operations in the gulf that were allowed to proceed by the Minerals Management Service without required permits from NOAA.

While the specific blame is pointed at Salazar and the MMS, it is not as though NOAA did not know about this.

NOAA administrator Jane Lubchenco wrote a letter last September to the MMS, saying it had a pattern of understating the risks of a major oil spill in the gulf, and the frequency of such spills.

Yet NOAA — no doubt still busy cracking down on fishermen who mistakenly brought perhaps an extra dab into the Gloucester Seafood Display Auction, or, horrors, failed to meet a deadline in filling out trip reports — did nothing to halt any of those drilling operations, even though it had the authority to do so.

That may be a reflection of Lubchenco's stated priorities. Last month, she was quoted in an interview on the Web site TakePart saying that, "at the global scale, probably the one thing having the most impact (on the oceans) is overfishing and destructive gear."

So, in her world, fishing is more of a threat to the health of the oceans than 25,000 to 80,000 barrels of oil pouring into the gulf every day.

That might actually be funny if it was not so pathetic and tragic. And it might not be as troubling if, before she took the reins of this runaway, renegade federal agency, she weren't then viewed as a noted academic and credible scientist.

The truth is, the oil gushing from the ocean bottom in the Gulf is a threat not only to a way of life in the coastal fishing communities of the gulf, but could have a significant effect on the supply of seafood worldwide.

And, as usual, when asked about apparently allowing hundreds of drilling operations to proceed without permits, NOAA — meaning the stonewalling Lubchenco — had no comment. This, once again, from an administration that President Obama promised would be the most transparent in history.

There is further context to all of this. The questions over the Gulf permits came during the time when Lubchenco continued for months to delay appointing anyone to head NOAA's National Marine Fisheries Service — waiting from April 2009 until this past February before tapping former Maryland trout stocker Eric Schwaab to head her ocean fisheries division.

Indeed, it's hard to imagine that her hard-headed insistence on passing over highly respected UMass-Dartmouth scientist Brian Rothschild and waiting to name her perfect lightweight ally — Schwaab — to the post didn't play a role in the Gulf permit fiasco.

But the drilling permit travesty drives home one very clear point:

Instead of cracking down on small fishermen and allowing the imposition of a new regulatory regime that is expected to drive nearly half of the region's fishermen out of business, Lubchenco ought to be putting her focus on enforcing existing laws and regulations.

Otherwise, the Obama administration had better take a long, hard look at her already shameful job performance and find someone who's up to the task.

It is an enormous irony for a former fellow of the Pew Environmental Group to be allowing Big Oil to evade basic regulation of its operations. But, in Lubchenco's and NOAA enforcement's mind, there were no doubt troublesome fishermen that commanded their undivided attention.

It is indeed that kind of thinking that's made Lubchenco's NOAA the embarrassing, discredited agency it is today.