

FISHING REGULATION CALLS FOR BETTER DATA, NOT MORE RIGIDITY

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in the house of representatives

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Mr. FRANK of Massachusetts. Mr. Speaker, as we prepare in the post-election session to deal with legislation involving the management of our fisheries, particularly the bill cosponsored by the gentleman from California, the chairman of the Natural Resources Committee, Mr. Pombo, and myself, it is important for Members to get information on these issues from people who fully understand them.

I know of no one in the country who is better informed or has better judgment on how to proceed than Dr. Brian Rothschild. He is the Montgomery Charter Professor of Marine Science at the University of Massachusetts at Dartmouth, and the former head of the school's School of Marine Science and Technology. Indeed, UMass lost a little bit of his time and his administrative leadership of that school when the newly elected mayor of New Bedford, Scott Lang, understandably prevailed upon Dr. Rothschild to come to work for him as a policy advisor. Mayor Lang is an energetic and thoughtful mayor dedicated to among other things, protecting the important fishing industry in that city, and it is for that reason that he wisely chose Dr. Rothschild as his advisor.

In my own work on fishing I have relied heavily on his advice because it has proven accurate in a number of cases. He points out here that better information is an essential element in sensible regulation. As Dr. Rothschild says in the article recently published by him on this subject in the New Bedford Standard Times, we need significant improvements in the data we gather about fish, in part to "send a signal to Congress that the real conservation and management of fishery stocks lies in developing the technical underpinnings to determine major uncertainties that we have on how fish interact with fishing and the changing ocean environment. This would be so much better than the cant characterizations of the fishing industry by some conservation groups. And finally, consideration of uncertainty points toward the need of investing fishery management regulations with the flexibility contemplated in the Pombo-Frank bill."

Mr. Speaker, Brian Rothschild's experience, wisdom and judgment are greatly needed as we prepare to return in November to debate the important issues involved in the fishing legislation, and I ask that his thoughtful analysis be printed here. It originally appeared in the New Bedford Standard Times, which has done a very good job of covering these issues, on September 21.

The fisheries of Massachusetts are economic engines for the ports of New Bedford, Gloucester and Cape Cod. New Bedford is the number one port in the nation. In this respect, the

future is bright.

Yet clouds loom on the horizon. While many stocks are increasing in abundance or are at historically high levels, other stocks have declined. The management actions undertaken to conserve the stocks seem lax to some, but to others the actions seem overly stringent and difficult to understand. There is no question that regulations are generating economic hardship (losses of tens of millions of dollars) and waste, even in the number one port in the nation. Evidently, no stock is optimally fished. Stocks are either overfished or underfished and a substantial bycatch is thrown overboard because of regulations that mandate waste.

Improving management decisions, building confidence in regulations, and reducing bycatch in a biological and economically sustainable way require better information on the status of the stocks. At least three areas require significant improvement:

- (1) understanding the interactions among species or stocks,
- (2) understanding the role of the ocean environment in causing fish stock fluctuations, and
- (3) systems technology to develop new sensors for counting fish and accelerating the flow of data.

Regarding the interactions among species, all fisheries are in a sense multi-species fisheries. The groundfish or dragger fishery encounters perhaps fifty species of fish. It is not unusual to have ten species on deck in a single tow. The scallop fishery appears to be a single species fishery, but in reality scallop fishery is regulated to some extent by the amount of yellowtail flounder taken in the scallop dredges. Haddock appear occasionally in herring nets. Some scientists believe that herring eat cod eggs. Rebuilding predatory species like striped bass affects their prey species. Interactions such as these need to be better understood. Until we do, our options for management will be limited as we continue to assume that all species can be rebuilt to their historical maximum abundance at the same time, which flies in the face of standard ecological theory.

The effects of the environment are ignored in developing management decisions. It is clear from the historical record that the ocean environment plays a powerful role in modulating the abundance of fish populations. Ignoring this leads to the mistaken notion that any time a stock decreases, the cause is overfishing, while any time a stock increases, the cause is successful management. The role of the environment is typically ignored in fishery stock assessments. Without such understanding, it is misleading to set rebuilding schedules and to think about mid- to long-term management strategies that match the scale of capital investment time horizons used in the fishing industry. There is even a greater imperative now that climate variability must be affecting the population of stocks even though we do not understand, even in an approximate way, the nature of this impact.

Given the substantial shortfalls in scientific understanding, the present system for obtaining data from the fishing fleets and the technology used to measure the

abundance of fish is archaic. New systems need to be developed to deliver data to scientists and managers as well as the development of techniques to measure fish abundance that depend on electronics and optics rather than outmoded prone-to-error fishing nets.

The articulation of these concerns has a function beyond catharsis. It identifies areas that National Oceanic and Atmospheric Administration Fisheries needs to address to improve fisheries management as NOAA and 21 other federal agencies move forward in an attempt to develop a coherent ocean plan for the nation. The articulation also sends a signal to Congress that the real conservation and management of fishery stocks lies in developing the technical underpinnings to determine major uncertainties that we have on how fish interact with fishing and the changing ocean environment. This would be so much better than the cant characterizations of the fishing industry by some conservation groups. And finally, consideration of uncertainty points toward the need of investing fishery management regulations with the flexibility contemplated in the Pombo-Frank bill.

Having said all of this, it is important to remember that the regulation of fisheries is not analogous to designing a better governor for a gasoline engine or a valve to regulate water flow. A critical element is the livelihood and well being of the men and women that catch and process the fish. It is important to them of course, but it is as important to the welfare of the entire community.

Significant steps forward are being made in developing the ideas of cooperative research. The UMass Dartmouth School for Marine Science and Technology has pioneered cooperative work with the fishing industry on cod tagging, scallop stock assessments, and study fleets all with incredibly strong support from the fishing industry. These efforts are now bearing fruit at the Massachusetts Marine Fisheries Institute that includes the partnership between the University of Massachusetts, principally SMAST, the state Division of Marine Fisheries, and NOAA Fisheries. Fostering the next generation of fishery scientists in an educational environment of cooperative research will promote the advancement of our science through collaboration with fishermen.