



New Bedford Harbor Development Commission

Post Office Box 50899 ♦ New Bedford, Massachusetts 02745

Ph: 508.961.3000 ♦ Fax: 508.979.1517 ♦ www.portofnewbedford.org

MAYOR SCOTT W. LANG

Press Briefing: Pressing Challenges Facing the Commercial Fishing Industry

PREPARED BY THE HARBOR DEVELOPMENT COMMISSION, JANUARY 14, 2011

Issues Facing Fishing Industry in New England

From the lack of transparency in NOAA's decision-making process to the prohibitively restrictive management of stocks that have led to widespread underfishing, the commercial fishing industry contends with a variety of pressing challenges. The following are among the most urgent issues as identified by fisheries scientists and industry leaders:

Catch Share Program Has Created Major Crisis (Exhibit One)

Since the National Oceanic Atmospheric Administration began implementing a restrictive catch share policy last May, more than half of New England's entire groundfish fleet - 253 boats -- have become idle. With between three and five jobs per vessel, that means as many as 1,265 jobs have been lost in the last five months.

<http://www.savingseafood.org/state-and-local/catch-shares-cut-new-england-fleet-in-half-new-bedford-mayor-to-convene-council-me-4.html>

Higher Allocations are Necessary and Sustainable (Exhibit Two)

NOAA systematically sets catch limits far too conservatively. A report prepared by the University of Massachusetts Dartmouth and the Massachusetts Division of Marine Fisheries indicates that the new catch share policy has resulted in \$21 million in direct economic losses and forgone yield of \$19 million for the Massachusetts groundfish fishery. The report also showed that that an additional 14,500 metric tons of ground fish (such as flounder and cod) can safely be brought to market.

<http://www.savingseafood.org/fishing-industry-alerts/massachusetts-governor-attorney-general-file-brief-challenging-implementation-of-federal-fisheries-regul-2.html>

Consolidation of Enterprises Diminishes Market for Smaller Businesses (Exhibit Three)

The new catch share program has also resulted in consolidated fishing enterprises and decreasing access to fishery resources for small-scale fishing enterprises. During the first five months of the 2010 fishing year, more than half of the fleet had not fished at all, collecting zero fishing revenue from landings of any finfish. Yet, the number of vessels that earned more than \$300,000 increased from 21 vessels to 41 vessels. These forty-one vessels account for roughly 55% of the total revenues, leaving little room to compete for smaller operations.

<http://www.gloucestertimes.com/local/x1744206447/Publisher-refutes-earlier-NOAA-reports>

Decisions Do Not Completely Account for Economic Considerations (Exhibit 4)

The Commerce Department should better consider economic factors in determining policy. As it is, NOAA only looks at revenues, without considering higher costs and other factors that are integral to the equation. The result: thousands of jobs have been lost and many local economies have been jeopardized.

<http://www.savingseafood.org/state-and-local/fishing-industry-reaction-when-have-they-done-anything-for-the-fishe-3.html>

<http://www.savingseafood.org/economic-impact/nations-top-fishing-port-rallies-around-fishing-families-hurt-by-federal-regula.html>

Science and Policy are Incompatible (Exhibit 5)

There is disparity between scientific data and management policy. For instance, habitat closures, which prohibit scallop fishing in certain areas, have been shown to be counterproductive – for both habitat protection and fishing. Another example: recent science on skates shows that they are not currently overfished, yet they are being managed now as if they are. In fact, recently retired chief scientist for NOAA has remarked recently that overfishing is not happening at all.

http://www.google.com/hostednews/ap/article/ALeqM5jlaWeLkS0t_O2_fChxd-Ty6w3qA?docId=f808be18d5cc48d58ab923de17d7a604

Communication, Data-Sharing between Industry and Government are Problematic (Exhibit 6)

Similarly, there are fundamental communication issues, as well, characterized by a lack of trust between industry and government scientists, and to some extent academia. Many experts feel that the pool of scientific information should be expanded, but that NMFS is reluctant to consider scientific data from outside of its own establishment. Furthermore, NMFS used flawed data when it set about converting the scallop industry to a catch share model.

<http://www.gloucestertimes.com/fishing/x1081150919/Mid-Atlantic-lawsuit-targets-NMFS-history-of-flawed-data>

NOAA's Decision-Making Process Is Not Transparent (Exhibit 7)

A lack of transparency pervades NOAA's decision-making process and few people know what's going on at any given time or how any conclusions were actually reached. Also, it is widely thought that NGOs such as Pew and the Environmental Defense Fund (EDF) are influencing policy decisions. There's evidence that the EDF has sponsored behind-the-scenes efforts that make NOAA's catch share program appear successful. Also, New Bedford Mayor Scott Lang has called for an investigation of the regulatory process by the Inspector General's Office as a result of the consistent lack of regulatory transparency and the recently published scathing report on the law enforcement branch of NOAA.

<http://www.gloucestertimes.com/local/x20128517/Suit-cites-NOAA-sham-in-catch-share-scheme>

<http://www.savingseafood.org/conservation-environment/pew-environment-supports-secretary-of-commerce-lockes-dec-3.html>

Law Enforcement Violations and Lack of Resources Allocated to Their Investigation (Exhibit 8)

With hundreds of complaints filed over the last few years, the Commerce Department Inspector General has identified a potential pattern of intimidation and abuse by the law enforcement branches of NOAA and NMFS. Many cases involving small scale fishermen are under investigation, but there is reason to believe that the Special Master may not have been provided with enough resources to adequately or affectively pursue the investigations.

<http://www.savingseafood.org/washington/lawmakers-write-a-letter-to-special-master-charles-swartwood-to-offer-reso-2.html>

http://www.savingseafood.org/images/documents/states/massachusetts_legislative_letter_to_kennedy_kerry_frank_et_al_requesting_ig_investigation_of_nmfs_2009_03_05.pdf

<http://www.savingseafood.org/washington/blog-significant-transparency-changes-for-noaa-to-come-in-3.html>

Better Planning Needed for Federal Actions (Exhibit 9)

Prospective wide-scale federal management decisions could dramatically affect local and regional fisheries. If, for example, the status of loggerhead sea turtles is uplisted from threatened to endangered, there could be devastating affects to many fisheries, without a comprehensive plan that cohesively weighs costs and benefits. Approaches such as species status listings could also unfairly inhibit fishing practices across the board when the source of problems may be much more localized.

<http://www.savingseafood.org/conservation-environment/noaa-fisheries-service-and-u.s.-fish-and-wildlife-service-propose-listing-changes-for-loggerhead-t-3.html>

<http://www.nytimes.com/gwire/2009/08/13/13greenwire-as-risks-rise-for-sea-turtles-regulators-mull-30441.html>

Improvements Needed for Bycatch Management and Integration of Management Plans

The industry could explore ways to improve management of bycatch: blanket assumptions have created bycatch rules that should not apply to every species and could benefit both industry and conservation efforts. Likewise, the industry could explore ways to integrate management plans. There are multiple species-specific fishery management plans and considering them in a more comprehensive and holistic approach may be worthwhile.