

U.S. Senate passes new fishing rules
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WASHINGTON - Congress was set to approve the first change in fisheries regulations in a decade after the Senate passed compromise legislation Thursday by a voice vote.

The House must still consider the bill, but approval is expected before the chamber adjourns today for the year.

"Whether we are talking about a 300-year-old fishing village in Down East Maine or remote fishing outposts in Alaska's Aleutian Islands, we must be bound by a thoughtful balance between sustaining both fish and fishermen," said Sen. Olympia Snowe, R-Maine, in a prepared statement.

The legislation is important to Maine because commercial fishing employed 8,500 people in the state and provided \$400 million worth of landings last year.

Changes in the rules ripple through the economy. Between 1996 and 2005, for example, groundfish landings in the state declined by a quarter, and the number of active fishing boats fell by almost a third.

The variety of interests, from fishermen to environmentalists, and differences among the eight fisheries management councils that establish rules for various regions made agreement on a national policy elusive.

The law known as the Magnuson-Stevens Act governs how fish are managed in federal waters, within 200 miles of shore. It began in 1976 and was last updated in 1996. With more than 100 lawsuits pending against the National Marine Fisheries Service, lawmakers hoped to legislate new policy rather than have rules settled in court.

The central question was how to limit the total catch for depleted fish. The compromise settled on limits that don't exceed the "maximum sustainable yield."

Councils must "establish a mechanism for specifying annual catch limits at a level such that overfishing does not occur in the fishery, including measures to ensure accountability," according to the bill.

The House version would have set a total allowable catch limit, which critics argued would have been a dangerous loophole.

A provision in the earlier Senate version would have allowed overfishing in one year to be counted against the following year's limit, but that element has been dropped.

"This historic legislation creates a cap-and-trade system that will provide an economic lifeline to fishermen and ensure a secure supply of fresh, local seafood for all Americans," said David Festa, a former policy director at the Commerce Department who is now oceans director for the advocacy group Environmental Defense.

Another point of contention involved the experimental programs that regional councils could adopt to protect specific fisheries.

For example, herring fishermen could adopt a cap on tons caught, then divide the total among the licensed fishermen.

But concerns about individual fishing quotas or limited-access privilege programs include big companies buying out the licenses of family fishermen.

The compromise settled on a two-thirds referendum of the entire fishery required to adopt any quota program in New England.

"Our fisheries law must also accommodate scientific uncertainty, recognize that fisheries ecosystems are highly complex and ensure that our management system can adapt to ever-changing marine environments," Snowe said. "There is no one-size-fits-all solution to conserving the marine resources of our coastal communities."

Rep. Tom Allen, D-Maine, supported the compromise after changes such as eliminating a provision to allow overfishing in one year to count against the following year's catch limit.

"Inclusion of these amendments in the final bill assures that small operations, especially family-owned boats and fleets, will continue to have access to their fair share of the resource and won't be swept aside by the massive industrial fishing juggernauts," Allen said in a prepared statement. "It also ensures that decisions about fisheries management policy will take local concerns fully into account and provide for local voices to be heard in the management decision-making process."

Other provisions:

- Allow international processing for fisheries that have traditionally been handled overseas, such as Maine herring fishermen enjoy with Canadian processors.
- Deduct the steaming time for boats to get to fishing grounds from the clock counting a license's days at sea.
- Clarify rules for experimenting with new catch methods or equipment.
- Study the impact of regulations on fishing communities.
- Authorize \$338 million this year, ramping up to \$397 million in 2013, for science and technology to study fisheries.
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