

# POLICY BRIEF

# Revising the Fish Bill: Ensuring the greatest overall benefit to the nation

November 2017

## SUMMARY

The Magnuson-Stevens Fishery Conservation and Management Act is now under congressional revision. We refer to this act as the Fish Bill because of its central purpose to protect fish in a manner that ensures the “greatest overall benefit to the nation.” This Policy Brief outlines key evidence and recommendations for members of Congress to utilize throughout this Fish Bill reauthorization in order to preserve marine environments, protect fishing communities, and improve our seafood supply chain.

## WHO WE ARE:

Northwest Atlantic Marine Alliance (NAMA) is a fishermen-led organization building a broad movement toward healthy fisheries and fishing communities.

## WHAT WE DO:

NAMA builds deep and trusting relationships with community based fishermen, crew, fishworkers and allies to create effective policy and market strategies.

## CONTACT US:

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## INTRODUCTION

The Magnuson-Stevens Fishery Conservation and Management Act is now under discussion for revision. We refer to this act as the Fish Bill because its central purpose is to protect fish in a manner that ensures the greatest benefit to the nation.

The Fish Bill was originally enacted in 1976 to govern marine fisheries in federal waters. In its most recent reauthorizations in 1996 and 2006, attempts were made to shift the focus toward an ecosystem-based approach. However, the Fish Bill also adopted a “Catch Share” system – a fishing quota scheme that relies on private ownership of fishing rights.

While its supporters tout the benefits of privatizing fishing rights through Catch Shares, this approach has been highly contested as it could make ecosystem-based approaches difficult if not impossible to implement.

Evidence from NAMA’s work has indicated that:

- Privatization of fishing rights has grave human, economic, and environmental consequences.
- The ocean and rights to its fisheries do not need to be privatized to prevent overexploitation.
- Once fisheries are privatized, public input is limited, if not discouraged, and oversight is trusted to those who own the quota and permits.

## KEY RECOMMENDATIONS:

In revising the Fish Bill, Congress must:

- Improve marine environments
- Safeguard democracy
- Improve transparency and accountability
- Support communities and local economies
- Increase access to seafood

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<http://bit.ly/FishBill>

The current Fish Bill causes harm to marine ecosystems, fishermen, and their communities across the US due to its over reliance on Catch Shares as a panacea. To overcome these challenges, the Fish Bill needs sensible, productive revisions that protect both fisheries and fishermen.





## WHY IS REVISING THE FISH BILL IMPORTANT?

The current Fish Bill neglects its duty to manage not only environmental but also social and economic impacts on fishing communities. This occurs to the detriment of the fisheries and those community-based fishermen who have the smallest ecological footprint. The opportunity to avoid further damage is shrinking as the problematic Catch Shares system is further ingrained in fisheries across the country.

## EVIDENCE

Under Catch Share policy, the allocation of fishing rights has sweeping negative consequences for:

### Marine Ecosystems

- Consolidation of fishing quota can increase negative ecological impacts of fishing<sup>1</sup>.
- Habitat, migratory patterns, and trophic relationships have been disrupted by Catch Shares<sup>2</sup>.
- Catch shares can cause “anti-conservation incentive” among fishermen, either in “high-grading” or, if a quota does not yet exist, in aiming for larger catch histories to ensure a greater percentage of future quota allocation<sup>3</sup>.

### Democracy

- The current Fish Bill lacks sufficient accountability measures for regional fishery management councils. At regional fishery management meetings, fishermen’s voices were silenced and/or intentionally excluded from public record<sup>4</sup>.

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*“Once fisheries are privatized, public input is limited, if not discouraged, and oversight is trusted to those who own the quota and permits”*

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### Local Economies

- Catch Shares can lead to the creation of an absentee owner class that does not fish, but only leases fishing rights, which can reduce fishermen’s economic benefit.
- Under Catch Shares, quota and permit values create capital barriers to entry for new fishermen<sup>3</sup>.

### Communities

- The current Fish Bill has not provided sufficient support for small & medium scale fishing operations, causing decline in both<sup>6</sup>.
- Catch Shares are leading to mass-consolidation of fisheries and fishing business with little restriction.
- Consolidation of fisheries access causes the loss of working waterfront infrastructure that has a disproportionate impact on rural coastal communities.

### Food System

- The current Fish Bill does not address or promote access to healthy, economically accessible, and local seafood for all.

## RECOMMENDATIONS

NAMA has developed five initial recommendations to ensure that fisheries are indeed managed for the greatest benefit to the nation. Doing so will directly improve the marine environment, the democratic processes of fisheries management, the livelihoods of fishermen, and the health of local economies, as well as the provisioning of quality seafood to all in the nation.

**It is NAMA's strong belief that Congress must:**

### Improve marine environments

- Institute limits on fleet consolidation so that no entity may control more than 2% of any species. Limits on the consolidation of fisheries access privileges are made to avoid the negative ecological impacts of large, vertically integrated enterprises.
- Fish Bill requirements should specifically address non-fishing impacts to the marine environment, such as climate change, pollution, deforestation, mining, and oil and gas exploration.

### Safeguard democracy

- Reform the Regional Council process with internal mechanisms that decentralize authority and create authentic participatory roles for fishermen and all other interested parties<sup>7</sup>.
- Redesign meetings to include collaborative working sessions that promote active participation and dialogue not only among council members and fishermen, but also with the public.



### Improve transparency and accountability

- Catch Shares are leading to more and more data and materials being labeled as “proprietary information” and keeping the public in the dark about what is really happening to the ocean commons.
- The Council process must be reformed to better represent the wide range of concerns of fishing communities and of the national interest, and more information needs to remain in the public domain.

### Support communities and local economies

- Incentivize diversification of fishing methods and species harvested by vessels.
- Promote and support independent, small and medium scale fishing businesses.

### Increase access to seafood

- Create an initiative that ensures healthy and local seafood is provided to all people regardless of economic status. Community-supported fisheries and fish-to-institution programs could be incentivized and directly supported by the Fish Bill to achieve gains in the seafood supply chain.

## CONCLUSION

Your attention to this matter is important because of the harm posed to our local economies and marine environments.

If these issues are not addressed in the Fish Bill, then Congress runs the risk of overexploiting our marine environment, losing certain fish stocks for generations, eroding the potential for young and beginning fishermen to move into the industry, and disrupting longstanding fishing knowledge and traditions in favor of consolidation across the industry.

NAMA and its collaborators believe that by advocating for these five recommendations there can be tangible improvements to the Fish Bill that may help us to avoid these risks.

Incorporating these recommendations into the future reauthorization of the Fish Bill will benefit the environment, community-based fishermen, and the provisioning of quality seafood for the public.

## WORKS CITED

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