


MEMORANDUM

TO: Council, AP and SSC Members

FROM: Clarence G. Pautzke  
Executive Director 

DATE: January 12, 1993

SUBJECT: Magnuson Act Reauthorization

**ACTION REQUIRED**

Develop Council positions as appropriate on Magnuson Act reauthorization.

**BACKGROUND**

You saw most of the information in this action memo in December. Not much new has happened because the new Congress is just getting organized and it will take a while to get reauthorization going. Apparently, Congressman Studts, now chairman of the House Merchant Marine and Fisheries Committee, has established a new subcommittee on fisheries management to handle such issues as the Magnuson Act, rather than using the Subcommittee on Fisheries, Wildlife, and Conservation. Rod Moore tells me that Congressman Tom Manton, NY-D, will chair the new subcommittee, and that Don Young will be the ranking member. Evidently Manton has few if any fisheries constituents in his district which includes the Bronx.

The Chairmen of the eight councils could not find a mutually agreeable time to meet this year. Representatives of the other councils will, however, be going to either the NFI Fisheries Policy Conference: 93 on February 23 and 24 in Washington, D.C., or at the National Coalition for Marine Conservation's symposium of the Magnuson Act on March 8-10 in New Orleans. Chairman Lauber, Vice Chairman Alverson, and I will be going to the March symposium and can convey any burning issues to other councils there if so desired. I am planning tentatively to go to the Washington, D.C. conference also and will report the discussions to you upon my return.

If Congress launches into Magnuson Act reauthorization ahead of our April meeting, and if some significant issues that need our collective consideration arise, then we could hold a teleconference. Otherwise we'll just take up reauthorization again in April, as well as issues being raised with the Marine Mammal Protection Act and the Endangered Species Act.

So far the main themes raised in testimony at the National Ocean Policy Study of the Senate Committee on Commerce, Science, and Transportation on September 9, 1992 may be summarized as follows:

### Conservation

1. Strengthen conservation standards, incorporate overfishing definitions and rebuilding plans in Act.
2. Prohibit wanton waste, make full utilization a national objective, make bycatch reduction a national policy or standard and provide legal and technical tools to implement individual bycatch quotas.
3. Separate biological from allocation decisions, leaving the former with the Secretary or other independent authority, or require the Secretary to explain any approval of a Council ABC that exceeds an SSC recommendation.
4. Establish a national scientific oversight body to review and approve TACs.
5. Strengthen roles of scientists and professional fisheries managers, and insulate them from political influence.
6. Require managers to consider ecosystem interactions and habitat, and strengthen council review of other federal agency decisions that affect habitat.

### Procedures

1. Increase review time, require peer review, and give attention to social and economic impacts on commercial fisheries.
2. Align review procedures and requirements of various Acts to reduce bureaucratic delays.
3. Require super-majority or two-thirds vote by Council to protect those sectors not adequately represented.
4. Make national standard guidelines mandatory and keep Congress out of micromanagement.

### Council Composition and Conflicts of Interest

1. Add consumer advocates and environmental representatives to councils.
2. Make councils subject to Federal Advisory Committee Act.
3. Require Council members to declare their interest before votes and to recuse themselves if there is a conflict of interest.
4. Expand disclosures to include representative and fiduciary relationships, and have better agency verification of disclosure statements.
5. Restrict Council membership to those with direct interest in the resource, i.e. no lawyers, association directors, or consultants.

### Council Role

1. Secretary should be principal decisionmaker, should be able to substitute his judgement for that of Councils, and Councils should be returned to role of advisory bodies. Council authority should be more limited.
2. Strengthen Council and their staffs and make them more independent of NMFS.

### Limited Entry

1. Authorize Secretary to develop limited access programs and promote market-based mechanisms.
2. Require moratorium for any fishery on overfished stocks.

### Fisheries Funding

1. Create a funding mechanism such as a fishery trust fund to be invested with ITQ transfer fees or rents, or by repealing the diesel fuel tax exemption, or by money generated from penalties.
2. Create a federal license, user fee, or landing tax, or other means to collect royalties and rents to conserve and manage the fisheries, including stock assessment, council operations, observer programs, gear technology funds, enforcement.

### Community Enhancement

Enact CDQ-type policies nationwide to enhance local fishing opportunities and stabilize local economies.

The Council needs to consider which, if any, of these themes to work on for possible changes to the Act. There may be others as well that will come out in future hearings.

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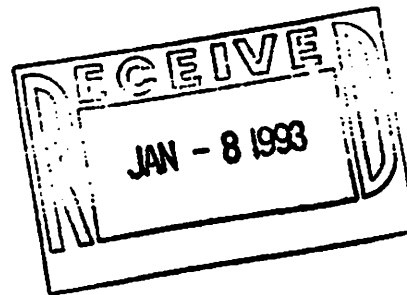
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January 4, 1993

Mr. Richard Lauber  
Chair  
North Pacific Fishery Mgt. Council  
PO Box 103036  
Anchorage, AK 99510

Re: Center for Marine Conservation

Dear Mr. Lauber:

I would like to ask for your help with the enclosed proposal which was submitted to our office by the Center for Marine Conservation.

Because it is EFA's objective to maximize its limited resources for grantees and keep administrative costs low, the staff at EFA is modest. Unfortunately, we cannot spend as much time as we would like reviewing and researching each area of giving. Because of your expertise in the field and your knowledge of this subject area, I would greatly appreciate it if you would give our Board of Directors your helpful comments regarding this proposal. Although I have enclosed a Comment Form for your convenience, if you have any questions, please don't hesitate to contact me or Terry Lisk, EFA's Grants Coordinator.

Please return your comments in the self-addressed stamped envelope enclosed by Monday, January 25, 1992 so that we can present this proposal with your comments to our Board of Directors. Thank you in advance for your help and I look forward to reading your comments.

Sincerely,

Diane M. Allison  
Executive Director

Enclosures

**PROBLEM DESCRIPTION** - Do you think this organization presents a clear description of the problem(s)? Are they accurately developing a solution based on the problem(s) they are trying to solve or impact? Is their approach to the problem feasible? Innovative? Cost-effective? Explain.

**PROJECT IMPACT** - Please explain how this proposal does or does not replicate or compliment any other work being done by any other organization in the field which is dealing with similar problems? Based on what you know, is this the optimal time to do this project or are there other areas in the field that need more urgent consideration.

**ORGANIZATION/PERSONNEL** - In light of all the groups working on this issue, is this the best organization to do the work? Are the people involved experienced and capable to successfully carry out the project? Are the leaders of this project active participants of the organization? Explain.

**BUDGET** Do you feel that the budgeting and operating procedures, as revealed in this proposal, suggest that EFA money will be well spent and appropriately managed? Will the project be able to raise or allocate sufficient funding without relying on EFA? Could budget cuts be made and still enable the organization to achieve its objectives?

**CENTER FOR MARINE CONSERVATION, INC.**  
**Training Activists for Saving US**  
**Fisheries**

Mr. Richard Lauber  
Chair  
North Pacific Fishery Mgt. Council  
PO Box 103036  
Anchorage, AK 99510

Please take a moment to answer these questions after you have read the enclosed proposal. We ask that you please type in your comments in the space provided and use additional space if necessary. If you have any questions, please contact us. Thank you for your help.

**OVERALL EVALUATION** - What is your overall evaluation of the effectiveness of this proposal?

What are the strongest aspects of this proposal?

What are the weakest aspects of this proposal?

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# TRAINING ACTIVISTS FOR SAVING U.S. FISHERIES

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## PROPOSAL

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## I. EXECUTIVE SUMMARY

The Center for Marine Conservation is requesting that the Educational Foundation of America support the activist training of the Center's Fisheries Conservation and Management Program with a grant in the amount of \$95,000 a year for two years.

Poor or non-existent management of the nation's fisheries resources have resulted in a severe decline of these resources (see attachments). The depletion of our fisheries deprives future generations of a sustainable food source, wipes out a crucial revenue base, removes a major component of offshore ecosystems, and adds to the rapidly growing list of imperiled species. Fisheries generate \$24 billion dollars annually for the economy, much of it going to regions which can ill-afford another destabilizing factor in their local economies. Ultimately, the loss of fish stocks could have a devastating impact on the balance and diversity of entire oceans and coastal ecosystems. Regional fishery management councils, which make the decisions regarding fishing practices and quotas, are often influenced by the political and short-term economic interests of the commercial and recreational fishing industries. As a result, overfishing continues, fishing fleets grow in size despite depleted stocks, and commercial fishermen resist measures to control incidental capture and killing of non-target species.

The general public is unaware of the extent of the problem or of its causes. Research commissioned by the Center reveals that citizens are uninformed about the degree to which fish stocks are depleted; they misunderstand the role played by threats such as pollution, overfishing, and wasteful fishing practices; and they do not know how fisheries are managed at the federal or regional level -- or that the resource being managed belongs to the public and not to the fishermen.

The Center for Marine Conservation has been a leader in efforts to address the dangerous decline of our fisheries, by combining policy research, advocacy, and education. To make further progress, we must raise the level of public concern and involvement by increasing the public's understanding. Only then will our leaders find the political will to make change happen. Over the next two years, the Center will continue planned oversight and advocacy on major federal and regional fisheries management policies to promote sustainable use of target species, reduce incidental take, and protect marine ecosystems from indiscriminate fishing practices. We will also pay special attention to expanding the *constituency* for sound fisheries management. It is this constituency building activity that is the aim of the Fish for the Future Campaign. Through this intensive, grassroots effort we will train 250 activists in five regions to participate in the regional fishery management council decisionmaking process and to present their regional concerns as part of the national effort to reauthorize the Fisheries Conservation and Management Act (FCMA). They will in turn train other citizens to be advocates for wise fisheries management. The Center will support these efforts by providing materials for citizen education, media relations, and information on council activities.



## II. STATEMENT OF PROBLEM

For the 16 years since passage of the FCMA, the environmental community has played a minor role in fisheries matters. The principal players have come from the fishing industry itself, focusing discussion primarily on allocation issues. Where conservation groups took part in policy development, they were mostly concerned with the impact of fishing effort on protected species, such as sea turtles or marine mammals.

Part of the reason for this lack of priority in the community has been the complexity of the issues. The intricacy of fisheries science, the decentralized nature of the regulatory process, the diversity of the gear groups and geographic fisheries, even the terminology, create issues that cannot be described in a succinct appeal, even to people who volunteer as grassroots activists. In addition, those conservationists who have wanted to get their memberships and constituencies involved in fishery issues have found the absence of emotional appeal of fish a significant challenge.

Perhaps the greatest impediment has been the lack of public understanding of the nature of the resource. It is unlikely that many consumers have ever contemplated the questions of ownership attaching to the fish they eat. Nor is it likely that most Americans can conceive of a time when there is not enough fish to put on the table. This lack of understanding has resulted in a lack of public concern and oversight. Without a constituency for fish conservation there has been no check on the control exercised by the industry. The economic self-interest of user groups has dominated the resource management process. Fisheries issues are treated in Congress as constituent casework, with the regional economic interests so tightly tied to the fishing industry that they overwhelm every other consideration -- even that of the long-term health of the industry itself. Compelling scientific evidence and good public policy have barely been acknowledged. The national interest in long-term, sustainable fisheries loses when weighed against local, short-term economic pressures.

The unremitting pressure on our nation's fisheries has resulted in a critical decline in fishery resources. According to the National Marine Fisheries Service (NMFS), of the 153 species or species groups it has assessed, 42% are overutilized, and for a large majority of the remainder, the status is uncertain. Even in fisheries that are not overutilized, waste and the discard of unwanted bycatch (species of fish that are not the target of the fishery) amount to millions of pounds of resource lost to the public's beneficial use. The depletion of our fisheries deprives future generations of a sustainable food source and a sustainable industry, wipes out a crucial revenue base, removes a major component of offshore ecosystems, and adds to the rapidly growing list of imperiled species. Ultimately, the loss of fish stocks could have a devastating impact on the balance and diversity of entire oceans and coastal ecosystems.

The reason these conditions have been allowed to exist is the absence of a constituency for conservation. Outside the committees of jurisdiction, and any further than 60 miles inland, the decline of our nation's fisheries is neither on the national agenda, nor a matter of widespread public concern. There has been little incentive for decisionmakers to address the impending disaster.

### **III. DEVELOPING A SOLUTION**

#### **Mission, Goals, and Objectives of Organization**

The Center for Marine Conservation is dedicated wholly to the health of the marine environment. Our work focuses on four major goals:

- **Sustaining fishery resources** through long-term conservation of fish populations in the federal marine fisheries management process;
- **Conserving special marine habitats** such as marine mammal and seabird feeding and breeding grounds, estuaries, coral reefs, and sea turtle nesting beaches;
- **Preventing marine pollution** including hazardous debris that washes onto our shores and oil spills that destroy marine wildlife and habitat; and
- **Protecting endangered marine species** such as whales, dolphins, sea otters, seals, and sea turtles.

The Center's fifth program aims to conserve genetic and ecosystem diversity in marine environments. This pioneering effort serves as a unifying theme for all the Center's programs and is providing for a major breakthrough in marine conservation worldwide. Funding of this program by EFA and others has resulted in greatly increased visibility for marine conservation needs, and promoted partnerships between the World Conservation Union (IUCN), World Wildlife Fund, the Center, and others.

For 20 years the Center has been using its expertise to strengthen the federal regulatory and legislative frameworks for the protection of marine resources. Our methods include scientific and policy-oriented research, on-site conservation programs, responsible advocacy, coalition-building, support of domestic and international conservation laws, and public education campaigns.

#### **The Center's Achievements and Impact in Grassroots Organizing and Activist Training**

Organizing effective campaigns on the grassroots level and training activists is something with which the Center is wholly familiar. We have years of experience in regional coalition building and citizen mobilization through both our Habitat Protection Program and our International Coastal Cleanup Campaign.

With the assistance of the Educational Foundation of America, the Center's efforts to support the National Marine Sanctuaries Program included establishing five regional sanctuary coalitions to work for national marine sanctuary designation of the Florida Keys, Monterey Bay in California, Stellwagen Bank off Massachusetts, and two sites off the State of Washington. Of these, only the Washington sites remain to be designated.

These coalitions have the pre-designation task of promoting full and effective protection for these critical marine areas, and the post-designation task of monitoring implementation and enforcement of the sanctuary management plan. The coalitions consist of both individuals and local conservation groups. Over the past three years, the Center has ensured that thousands of sanctuary supporters have attended public hearings, sent postcards and letters to local, state, and federal agency officials, and participated training workshops and national and regional conferences on approaches to marine habitat protection.

The Center has also coordinated communication and activity between the local and national levels. Our contacts and experience in working with Congressional and federal agency staff has ensured that the particular concerns of the local coalitions are heard by key decisionmakers and, where appropriate, addressed in federal legislative efforts.

The Center's International Coastal Cleanup is the world's single largest volunteer effort on behalf of the environment. Since 1986, the cleanup has grown from a one-site effort of approximately 3,000 people to its current size which encompasses cleanups in 34 U.S. states and territories and 27 other countries. While all the data has not yet been compiled for this Fall's cleanup, we expect to exceed last year's participation of 145,000 individuals.

To ensure an effective local effort, the Center identifies one individual or group willing to do on-site coordination of a local cleanup. The Center provides each coordinator with educational information on marine debris as well as Beach Cleanup Kits, which include two of the Center's publications *All About Beach Cleanups* and *A Citizen's Guide to Plastics in the Ocean*. Regional cleanups are also supported with press kits, PSAs, media contact lists, regional debris statistics, and the Center's *Coastal Connection* marine debris newsletter. These efforts generate approximately 500 articles in local, regional, and national press each year. Each November, the Center organizes a one-day cleanup coordinators meeting. Coordinators from around the country attend to share information and find solutions to common problems. This meeting is often cited by coordinators as a major factor in the steadily increasing effectiveness of local cleanups.

#### IV. PROJECT DESCRIPTION

**Goal and Objectives** -- The goal of the Fish for the Future Campaign is to train 250 activists to participate in the regional management council process; support their efforts to educate and involve others in their communities; and involve them in reauthorization of the FCMA. Only by developing this public interest and pressure, will the management agencies, the Congress, the industry, and the conservation community find the will necessary to insist upon the stewardship this valuable public trust deserves.

To achieve this goal within the two-year period during which the 103rd Congress will consider reforms to the FCMA, the Center will pursue the following objectives:

- **Build an activist base in five principal fishing regions through a grassroots strategy that includes:**
  - \* **Training 250 activists in specific, critical fisheries issues such as waste, overfishing, and the effects of pollution on fishery resources;**
  - \* **Providing them with materials to train other interested citizens, creating a regional network of individuals and groups; and**
  - \* **Transforming 5,000 of the Center's existing members into grassroots fisheries activists.**
- **Support the activities of the regional base by providing to the activist corps materials including the following:**
  - \* **materials for presentations to civic and service organizations, school groups, or local talk shows;**
  - \* **information on opportunities for affecting the regulatory process that occur in the Regional Fishery Management Councils and other relevant local forums;**
  - \* **a concerted print and electronic media effort that raises awareness of local fishery issues; and**
  - \* **opportunities for local activists to participate in the Center's national reauthorization efforts by addressing national groups, the administration, and their congressional representatives as fishery conservation constituents.**

The Center is well-positioned to undertake this campaign now. Our ongoing policy research and educational activities will be used in this effort; our prior experience with grassroots mobilization and regional coalition building in our marine sanctuary program and coastal cleanup project will be brought to bear; and data from recently completed research will be invaluable in targeting the message we need to send to the public. Moreover, the Center is serving as coordinator for the conservation community's effort to reauthorize the FCMA. The Center, World Wildlife Fund, the National Audubon Society, Greenpeace, and 12 other conservation organizations are part of this nationwide coalition.

**Findings of Constituency Research** -- Over the past six months, we have been working with the public relations firm of Powell Tate to devise a targeted, market-tested awareness campaign to promote fisheries conservation. Powell Tate first conducted a research effort to clearly assess the interest and knowledge base of the public. An underlying assumption of the research was that the Center should focus its campaign on those audiences that would either be most affected by policy changes or most receptive to the campaign's objectives. Therefore, the research targeted two communities: recreational fishermen and self-described environmentalists.

The research included a series of focus groups followed by a regional survey of recreational fishermen, environmentalists, and coastal residents, and was designed to give direction to the shape and tone of the campaign as well as the effectiveness of campaign themes and messages. Also tested were probable opponents' messages to determine where the Center's campaign could be vulnerable to attack.

Research results showed that among all groups and in all coastal locations, there was a general understanding of the need for better fisheries management. More than two-thirds of those tested said that fisheries management needed to be strengthened, not relaxed. There was also a broad recognition that current commercial fishing practices threaten our fish stocks. A significant majority of those surveyed said that it is likely fishing stocks will be depleted under existing commercial fishing practices. At the same time, the research revealed a general ignorance about the causes of fish stock depletion; that fisheries and fisheries management is a nascent issue among environmentalists and recreational fishers along the nation's coastline.

The study noted major differences from region to region in what people identified as principle threats to the resource and as possible approaches to better marine resource management. This reinforced our belief that we would need to build regional coalitions to effectively make the hard-hitting arguments about the environmental and economic necessity of maintaining healthy and abundant fishery resources.

**Targeting the Regions --** The Center applied three criteria in selecting the target regions for the Fish for the Future Campaign: location of key congressional districts of members on relevant House or Senate committees; an established, ongoing Center presence on regional fisheries issues; and the presence of regional fisheries management councils. Thus, the Center identified five regions, where we can make the most efficient use of the Center's existing resources and contacts:

- **Northeast:** using the Center's ongoing involvement at the New England Regional Fishery Management Council, and contacts with the Conservation Law Foundation.
- **Mid-Atlantic:** drawing on the Center's Hampton, Virginia office and in cooperation with Audubon and New York, New Jersey, and Maryland conservation organizations.
- **Florida and Gulf Coast:** organized through the Center's St. Petersburg office.
- **California Coast:** organized through the Center's San Francisco office.
- **Northwest/Pacific Coast:** using Center staff in Seattle and cooperating with Greenpeace and contacts in Alaska.

By using existing resources and tailoring the campaign to the specific fisheries conservation needs of the region -- be it coastal development, overfishing, by-catch or coastal pollution -- the Center will not only fully leverage its own built-in network but

also generate opportunities to develop a broader range of relationships with industry, local officials, and locally-based public interest organizations.

**Materials** -- The research suggests that it is important for the Center to make the issues of fish and fisheries management real to the average person. While many audiences intellectually understand the issue, they appear to have difficulty in making the connection to their daily lives. Exacerbating the problem is the fact that, unlike terrestrial wildlife, fish are largely hidden from view. Thus, the development of an effective set of educational materials will be extremely important in bringing the Center's messages to "life." The Center will develop materials for media placement, and activist recruitment, training, and organizing. Materials used to train the core group of 250 activists will include:

- \* **Video or slide show:** Visual images are compelling in dealing with issues relating to fisheries and marine resource management. The effectiveness of the "If Dolphins Could Talk" video on the tuna and dolphin issue gives a clear indication that visualization is a critical component in generating public understanding and support. Dependent on available funds, the Center will develop either a video or a slide show that will bring to life the issues of commercial waste and bycatch for both grassroots supporters and congressional and administration decision-makers.

- \* **Citizen's guide:** The Center has drafted and is nearing completion of a comprehensive *Citizen's Guide to Fisheries Conservation and Management*. The guide is similar in format to other successful Center publications such as *Citizen's Guide to Plastics in the Ocean* and *Environmental Quality in the Gulf of Mexico, A Citizen's Guide*. The guide is designed to educate the public on fisheries issues as well as instruct them on how they can become involved in the policy debate.

The Center will then support the regional efforts of these activists by providing them with information and materials to develop local networks of interested citizens, raise public awareness of fisheries issues, and effectively participate in the regional management process. This will include:

- \* **Organizer's training kit:** The Center will produce an organizer's training kit for each region. Included in the kit will be an organizer's manual that will have step-by-step instructions for local organizers to build, maintain and grow their organizations, the Center's *Why People Catch Too many Fish?*, a layman's guide to the economic forces influencing the fishing industry, and other educational materials.

- \* **Brochure:** the Center will use its recently produced fisheries brochure for general informational purposes. Unlike the citizen's guide, the brochure will focus solely on providing the basic information on issues affecting our nation's fish stock. The brochure will be used in responding to general inquiries on fisheries, or as part of a packet for presentations to the media or local elected officials.

\* **Point of purchase display:** the Center will work with local merchants, particularly those catering to the local angler such as bait and tackle shops and fishing retail outlets, to place point of purchase displays providing information about fisheries management and how local anglers can become involved in the management of our marine resources. The point of purchase display will include a brochure based on the existing fisheries brochure, posters, and response cards as a means to recruit new activists. The Center will explore the possibility of partnerships with fishing equipment manufacturers to include the Center materials with the distribution of their equipment.

\* **Press kits and op-eds:** the Center will develop press kits that include many of the materials outlined above. The kits will also incorporate press releases, newsclips and other items as appropriate. We will draft a series of opinion editorials for placement in local papers, geared to foster increased local media coverage of fisheries issues by tailoring each to the needs of the region.

**The First Step: A Prototype for Change** -- In launching this regional-based campaign, the Center will use the Florida and Gulf Coast Region as a model for the four other regions. Through the Center's St. Petersburg office, we will begin the formation of a local coalition and generate coverage of FCMA issues in local media. In March, a workshop for community activists will be conducted. The goal will be to train 50 people -- recruited from local and regional conservation groups, and local chapters of national conservation organizations -- to participate directly in the regional management process, speak with state legislators and members of Congress on fisheries management issues, and train an expanded network of concerned citizens about fisheries issues and public involvement in the management process. The training session will include organization materials and handbooks (described above) that will outline a clear road map for organization, stating the means and goals for the campaign in the region. These 50, intensely trained activists will be charged with recruitment of local elected officials, sport fishermen, environmental activists, local business leaders and other opinion leaders, and area Center members. Their public activities will include local town meetings, press conferences, the release of Center-sponsored studies, and the placement of guest commentaries by local environmental leaders in local publications.

The organization of the St. Petersburg area will be evaluated, and necessary changes made in the model. The Center will then conduct training sessions for organizers in other regions. Materials for training will be adapted to address the problems and opportunities present in each region.

**National and Regional Media** -- Through careful targeting of local business, environmental, outdoor, fishing and other reporters, the Center will support the efforts of local activists by raising the profile of marine resource and fisheries issues within each region. This regional media effort will compliment activity being done on a national level through the national marine conservation network. Indeed, there should develop a synergy between the two media programs, with national media opening opportunities for local stories and local media serving to legitimize the need for broader national coverage of this issue.

Most of the local and regional media activity will be executed through the regional organizing bodies. The Center will assist the organizing bodies in drafting op-eds, letters to the editor, press releases and other documents for public placement. We will also direct regions on placement of guest columns and commentaries to targeted media. Regional media tours will be conducted as local coalitions take hold to give force to specific issues affecting the local community. David Allison, the Center's fisheries program director, will identify local leaders who can jointly attend local editorial board meetings and media briefings.

**Local Paid Media** -- The selective use of paid advertising will serve to amplify the Center's messages and expand its base of support in target markets, increasing the effectiveness of its organizational, media and direct response activities. The Center will ensure that all local paid media will compliment, both in style and content, national paid media undertaken by the national coalition for the reauthorization of the FCMA.

#### **V. COOPERATIVE ACTIVITIES WITH OTHER ORGANIZATIONS IN THE FIELD**

As is the case in all our programs, the Center works whenever possible with other local, regional, and national organizations to achieve the goals of our Fisheries Conservation and Management program. In fact, the success of the program proposed to the Educational Foundation of America hinges on effective collaboration with individuals and organizations at the local and regional levels.

At the national level, the Center currently is a Steering Committee member for the Marine Fish Conservation Network, and serves as coordinator for the Network's efforts regarding reauthorization of the FCMA. The Steering Committee is comprised of the Center, World Wildlife Fund, National Audubon Society, Greenpeace, and the National Coalition for Marine Conservation. To restore depleted fisheries and institute sustainable fisheries management policies, the 16 conservation organizations which comprise the Network are focusing on improving the FCMA during the current reauthorization process. The activist training efforts described in this proposal are central to the grassroots organizing goals of the Network. The Center will thus lead those efforts for the Network. Reprinting and distribution of Center publications -- *Federal Conservation and Management of Marine Fisheries in the U.S.* and *Why People Catch Too Many Fish* -- will also be part of this effort. In addition, we will participate in Network activities including media and public relations, and information research. The Center also serves as the Network's fiscal agent.

The Center has cooperated with World Wildlife Fund and the National Audubon Society to form "ICCAT Watch" to draw public attention to the lack of effective management action by the International Commission for the Conservation of Atlantic Tuna (ICCAT) for bluefin tuna and swordfish. This group continues to push for strengthening of the proposed NMFS bluefin tuna regulations and for a more conservative international quota to be set by ICCAT. ICCAT Watch publishes a newsletter for distribution to members of Congress and their staff, and to decisionmakers in federal and state agencies.



## **VI. PROGRAM EVALUATION**

The success of the Fish for the Future campaign will be measured both qualitatively and quantitatively. The recovery of fish stocks will of course be the ultimate measure of success. We will also look to the outcome of the FCMA reauthorization, and whether the reforms advocated by the Center and the coalition are enacted.

To evaluate an increase in citizen awareness and activism regarding fisheries issues, the Center begins the campaign with the benefit of an external baseline. The research conducted by Powell Tate among conservationists, anglers, and coastal residents gives us a baseline against which to retest and measure understanding and awareness of fisheries problems and policies at the end of the campaign.

Other measures of the success of the effort will be the extent of media coverage in regional and national markets, workshop attendance, numbers of activists trained, numbers of letters generated, and turnouts at scoping meetings, public hearings, and other avenues for citizen participation.

## **VII. EXPLANATION OF FUNDING SOURCES**

The main sources of revenue for the Center are Membership and Development income (FY 1992 revenue: \$6,073,708), comprised of membership (37%), foundation grants (18%), government contracts (9%), corporation grants (5%), individual gifts (27%), and other income accruing from special events, gains on stock transactions, dividends and interest, etc.(4%).

The original budget for the Fisheries Conservation and Management Program in FY 1993 is \$518,328. Major funders of this program -- of which the activities described in this proposal are a part -- include the Dougherty Foundation (\$10,000), Davis Conservation Fund (\$10,000) Packard Foundation (\$45,000), Surdna Foundation (\$28,000), and McCune Foundation (\$83,500). We are seeking additional funding from many sources including the Vaughan Foundation, the Pew Charitable Trusts, Town Creek Foundation, and the Geraldine R. Dodge Foundation. Leadership funding for the two-year \$261,222 activist training budget is requested from the Educational Foundation of America, with the remainder being sought from the Munson Foundation and the Kendall Foundation.

# TRAINING ACTIVISTS FOR SAVING U.S. FISHERIES

Budget  
For Period January 1992 - October 1994

	<u>Rate</u>	<u>Total</u>
<b>PERSONNEL</b>		
President (5%)	\$58.05	\$ 9,875
Vice President Programs (5%)	40.00	6,804
Senior Program Counsel (10%)	33.17	5,642
Fisheries Director (20%)	27.40	13,982
Fisheries Specialist (15%)	12.02	4,089
Fisheries Specialist (15%)	11.06	3,763
Press Director (15%)	16.70	5,681
CA Regional Director (15%)	28.25	9,611
VA Regional Director (10%)	22.60	7,689
FL Regional Director (15%)	27.88	9,485
FL Program Associate (10%)	10.24	3,484
Executive Assistant Program (5%)	17.31	2,944
Salary Increases (10/1/93-9/30/94 @ 3.5%)		2,193
<b>TOTAL PERSONNEL</b>		<u>\$85,242</u>
<b>BENEFITS</b>		\$ 34,097
<b>DIRECT COSTS</b>		
Consultant		\$ 30,000
Slide Show Production		1,000
Slide Show Duplicates (50 @ \$20)		1,000
Organizer's Training Kit (5 Regions X 50 each @ \$50/Kit)		12,500
Press Kits (500 @ \$5 X 5 Regions)		12,500
Travel		5,000

<b>Training Workshops (5)</b>		
Space Rental	\$2,500	
Equipment Rental	250	
Logistics Support	750	
Travel Support for Activists	5,000	
	<hr/>	8,500
<b>Action Alerts/Grassroots Communications</b>		21,000
(6 Mailings to 5,000 CMC Members and 250 Activists @ \$1.00)		
Phone		2,500
Postage		500
Advertising Workshop Announcement		500
<b>TOTAL DIRECT</b>		<hr/> \$95,000
<b>INDIRECT</b>		\$46,883
<b>GRAND TOTAL</b>		<b>\$261,222</b>

## BIOGRAPHICAL INFORMATION -- FISHERIES PROGRAM STAFF

**DAVID L. ALLISON** -- Mr. Allison recently joined the Center as the Fisheries Conservation Program Director. As program director, he leads the Center's initiative to ensure the proper management and conservation of marine fisheries and their habitats, including overseeing the program's policy research, advocacy, and citizen education activities. Mr. Allison began his professional involvement with ocean and fisheries issues in 1979 when he became Alaska Governor Hammond's specialist on policy and planning for the development of the Alaska bottomfish industry. Mr. Allison also served Alaska Governors Bill Sheffield and Steve Cowper as a member of their Commissions on High Seas Salmon Interceptions and, for the past eight years, he has served as the environmental advisor to the International North Pacific Fisheries Commission (INPFC). He has since been heavily involved in policy development relating to fisheries management in the Pacific Northwest and nationally. Mr. Allison received his B.A. from Marian College and his J.D. from Indiana University School of Law. In 1990, he received his LL.M. in Marine Affairs from the University of Washington School of Law.

**SONJA FORDHAM** -- As Fisheries Program Specialist, Ms. Fordham monitors key fisheries, conducts policy research, and attends and collects information at public hearings, fishery management council meetings, and congressional hearings. She has served as a research assistant at the Behavioral Zoology Laboratory and the Evolutionary Genetics Laboratory at the University of Maryland, and completed an independent research project in cooperation with the Smithsonian Institution, studying microorganisms associated with dying bottlenose dolphins. Since July, 1991 she has regularly participated in New England Fishery Management Council and Multispecies Oversight Committee meetings. Ms. Fordham is presently a candidate for the Groundfish Advisory Committee to the New England Fishery Management Council which currently consists of commercial and recreational fishing representatives only. She has monitored and commented on proposed federal legislation, and has testified before the Council in support of the adoption of an amendment on the New England Groundfish Plan. Ms. Fordham worked closely with New Jersey State Assemblyman Listbader's staff to draft a resolution urging the Secretary of Commerce to implement the Fishery Management Plan (FMP) for sharks in the Atlantic. She serves as Treasurer of the International Union for Conservation of Nature (IUCN) Shark Specialist Group and is a member of the American Fisheries Society's Potomac Chapter. Ms. Fordham graduated from the University of Maryland with a B.S. in Biology with an emphasis on marine biology and studied under Dr. Eugenie Clark, world renown shark scientist and diver.

**SUZIE FOWLE** -- Ms. Fowle joined the Center's fisheries program in October, 1991. She had previously completed an internship with the Center's habitat program and a wildlife conservation policy internship at The Wildlife Society, also in the Washington, D.C. area. Since the Fall of 1991, she has attended meetings of the South Atlantic Fishery Management Council (SAFMC). This year, she spoke at the Southeast Fishery Association's International Conference on Shrimp Bycatch. She edited, prepared graphics for, and helped write several Center publications, including proceedings of the Shrimp Trawl Bycatch workshop, the "Gulf of Mexico Shrimp Fishery Profile", and *Why People Catch Too Many Fish*. Ms. Fowle maintains a working relationship with SAFMC, National Marine Fisheries Service (NMFS) Southeast, Coast Guard Gulf Council staff, ASMFC, and is a member of the American Fisheries Society's Potomac Chapter. Ms. Fowle holds a B.A. in Environmental Studies from Brown University. Ms. Fowle has conducted field work in Kenya, focusing on wildlife management and sustainable development issues in East Africa. Recently, Ms. Fowle traveled in India and Southeast Asia, observing destructive fishing practices in these areas, and the need for stronger conservation and eco-tourism efforts to help protect the marine environment in the developing world.

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### ABSTRACT

#### CONSERVATION LAW FOUNDATION GROUND FISH MANAGEMENT PROJECT

The Conservation Law Foundation is a non-profit public interest environmental law organization founded in 1966. This Abstract describes CLF's Groundfish Management Project

The New England offshore groundfish fishery is in crisis. Stocks of cod, haddock and flounder are at all time lows and declining while fishing effort increases inexorably. Fishermen are the victims as well as the culprits in this "tragedy of the commons" situation.

For the past several years, CLF has monitored, advised, and prodded the Groundfish Committee of the New England Fisheries Management Council, hoping that the Council would fulfill its statutory duties to protect and restore groundfish stocks. In June 1991, CLF filed suit in federal district court to force the Secretary of Commerce and National Marine Fisheries Service (NMFS) to do their job. In August, we won the case by virtue of a negotiated settlement with the government. The judgement requires the development of a rebuilding plan adequate to end the overfishing for cod, haddock and flounder by November 1992.

CLF wants to ensure that the ultimate management plan, a plan that is designed to achieve sustainable stocks and effort, is scientifically sound, ecologically sophisticated, and economically innovative in accomplishing its purpose. We therefore plan to participate in four concurrent efforts. The first is updating and expanding the Massachusetts offshore groundfish report and its conclusions regarding the depleted status of the offshore groundfish stocks and the economic consequences of that depletion. CLF will participate as advisor to the Atlantic Center for the Environment which will take charge of this task. The second effort will be the scientific study. Once again, CLF will serve as an advisor, this time to the Island Institute of Rockland, Maine.

The third task is implementing the recommendations of the scientific group. CLF sees this as an economic problem. With support from the National Fish and Wildlife Foundation, we would assemble an expert panel to develop an implementation plan. This would provide a critical framework to the work of the Council and the NMFS in preparing their plans -- currently there is no model to work with.

The fourth effort is project implementation. This task will require, among other things, successfully bridging the chasm of distrust that exists between fishermen, government scientists and managers, and resource advocates. Activities will include working with the New England Fishery Management Council, and the National Marine Fisheries Service -- and with the New England Congressional delegation if legislative changes are necessary -- to accomplish the development of a long-term management regime that truly works for everyone and finally restores these groundfish stocks to appropriate, sustainable levels.

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CLF is a non-profit public interest environmental law organization which uses the law to improve resource management, environmental protection, and public health in New England. The following describes the current crisis in the New England offshore groundfish fishery and what CLF proposes to do in response. CLF requests support from the National Fish and Wildlife Foundation in the amount of [REDACTED] for this effort.

### I. THE CRISIS IN NEW ENGLAND'S GROUND FISH FISHERIES

The groundfish fishery of Georges Bank and the Gulf of Maine is one of the greatest fisheries in the world, a renewable food source of extraordinary value. Catches of cod, haddock and flounder indigenous to the region have nourished New Englanders and the New England economy for centuries. These fish are a mainstay of the region's economy and a crucial part of its culture, they are associated around the world with New England.

Yet the New England offshore groundfish fishery is in crisis. Stocks of cod, haddock and flounder are at all time lows and declining while fishing effort increases inexorably. The Massachusetts commercial fishing industries alone are losing potential income of greater than \$190 million each year and consumers are paying dearly for the scarce fish. We are in danger of extinguishing the commercial viability of this resource for decades to come and altering its species structure, the consequences of which are wholly unknown.

This decimation is due to overfishing. In a "tragedy of the

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commons" situation, the New England fishing fleet has depleted major groundfish stocks to alarming levels. Not only are the stocks of most of the species at all time lows, but the overall composition of the groundfish community has shifted dramatically threatening community integrity. Once 70% of the Georges Bank groundfish biomass was cod, haddock and flounder -- only 20% is today. The remainder is largely non-commercial species like skate and dogfish. This shift in species composition is a direct result of targeted harvesting of higher value food fish by the over-capitalized, debt-driven New England fleet.

### II. CLF'S GROUND FISH MANAGEMENT PROJECT

CLF has fought to protect the Georges Bank and Gulf of Maine fisheries from threats as varied as offshore oil and gas drilling and sewage contamination. Our goal has always been to ensure the preservation of a sustainable food resource as well as the culture of the New England fish industry, and this goal has brought us regularly into alliance with New England's fishermen.

For the past several years, CLF monitored, advised, and prodded the Groundfish Committee of the New England Fisheries Management Council, hoping that the Council would fulfill its statutory duties to protect and restore groundfish stocks. No effective action was forthcoming. To increase public pressure last year, CLF helped to prepare a Massachusetts study of the offshore groundfish fishery that documented its precipitous decline and called for immediate changes in the management of

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the fishery. That call to action was essentially ignored.

In June 1991, CLF filed suit in federal district court to force the Secretary of Commerce and National Marine Fisheries Service (NMFS) to do their job. In August, the case was resolved through a negotiated settlement requiring the development of a rebuilding plan by November 1992. The plan must eliminate the overfished condition of the cod and flounder stocks within 5 years, and haddock within 10 years as measured by the Council's current "percent maximum spawning potential" standard.

Analyses indicate that at sustainable levels of effort, the fishery can support an industry and catch more than twice current levels. But present levels of fishing effort will destroy the resource. CLF's lawsuit drew a line in the sand declaring that the latter prospect was wholly unacceptable.

### III. "TOO EARLY FOR THE FISH TO RELAX"

Management of a complex, multi-species, multi-gear fishery has never been successfully achieved -- anywhere. Problems cross biological, cultural, economic, regulatory and political boundaries, and action must be taken immediately. As the court noted, "it's too early for anyone, even the fish, to relax."

A rebuilding program will require a drastic reduction of fishing effort by the New England groundfish fleet in the midst of a downturn in the New England economy. Effort reduction will be a bitter pill for an industry already in trouble, and achieving the rebuilding goal will be complicated by a dramatic



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ecological shift in the fish community over the past three decades. Redirecting the effort toward "underutilized" skates and dogfish may help depleted stocks to recover and provide some financial cushion to the fleet, but may have unacceptable ecosystem effects that are now unknown.

We must save the fishing industry by preventing it from destroying itself. This proposal outlines a plan to create the first multi-species, multi-gear sustainable fishery in the world: scientifically sound, ecologically sophisticated, and economically innovative. This is an opportunity to design a model of national and world-wide importance.

### IV. THE TASKS AHEAD

Success of this project depends upon a number of coordinated approaches -- political, scientific, and economic -- which we have broken into four parts. The first task is to update and expand the Massachusetts offshore groundfish report and its conclusions regarding the depleted status of the offshore groundfish stocks and the economic consequences of that depletion. This activity will be directed by the Atlantic Center for the Environment in Ipswich, Massachusetts, with limited involvement by CLF scientist, Eleanor Dorsey.

The second task will be the scientific effort. This has been described in the proposal separately submitted to the Foundation by the Island Institute. CLF will provide support to any necessary advocacy efforts in connection with scientific

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questions that might arise in the fisheries litigation or in the implementation of a Council or NMFS management plan. At this point in time, it is apparent that some fisheries interests intend to challenge a new groundfish management plan that reduces effort in court. CLF would oppose that challenge.

The third task is the meat of CLF's commitment to this project, and involves the difficult and politically sensitive activity of implementing the recommendations of the scientific group. Even the best and most innovative science will be useless if the practical problems inherent in the solution are not identified and tackled. In addition to transitional issues, the current economic environment in which the offshore groundfish industry operates must be understood. What are the built-in signals that drive capital investments in directions that are incompatible with the long-term best interests of the fishery? As one example, fishermen are driven by the provisions of the fishing vessel guarantee program to buy bigger and more specialized vessels. This cripples the flexibility that has allowed the economic survival of the fleet during downturns. Similarly, the high fixed insurance and debt service costs drive the fleet to sea notwithstanding the declining catch. Indeed, the current expression of the debate: "conservation or jobs" is a false dichotomy -- possessing all the latent explosiveness of the spotted owl v. lumber industry situation in the Northwest.

The success of this project rests on the success of the

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third task. CLF sees this as an economic problem, and proposes to assemble an expert panel to develop an implementation plan. This plan would provide a framework to the work of the Council and NMFS in preparing their plans.

Currently, the Council and NMFS effort with this complex fishery is handicapped by the fact that there is no model to guide it. There is, in fact, no example anywhere in the world that CLF knows, of effective effort controls in multi-species fisheries. The conventional problems faced everywhere are compounded in New England by the tradition that so many of the groundfish vessels frequently switch in and out of a variety of fisheries other than offshore groundfish. Similarly, predominantly "non-groundfish" vessels such as shrimp boats, switch in and out of groundfish. The development of an effort control plan under such complex circumstances will be difficult. As with the scientific task at hand, fundamental principles that will allow the rational analysis of accomplishing effort reduction under these circumstances have to be brought forth and vigorously debated. This activity is not conceived as an effort to short-circuit or avoid the political and management debate that has to occur under the Magnuson Act, but rather as an effort to inform and guide that important statutory debate in long-term constructive directions.

To that end, CLF requests support from the Foundation to assemble a panel that is expert in theoretical and applied

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economics and sociology for several purposes. The first preliminary purpose would be identifying the economic signals that are driving investment decisions for the New England offshore groundfish industry and fishing practices. These signals might come from the market but they might also be coming from government intervention in the market, such as in the case of the fishing vessel guarantee program. The second and more fundamental objective would be designing the principles necessary to allow the implementation of an effort control program specifically for the New England offshore groundfish fishery. This must of necessity review existing effort limitation practices and theory, but it must also have no preconceived ideas as to the appropriate approach for New England. All currently considered options, including changes in fleet composition or size, creative refinancing options, ITQs and various other privatization approaches, targeting predator species such as dogfish or skates, changing the management focus to profit maximization or other criteria, need to be considered. Moreover, the panel will not only be free to abandon current theory, it will be encouraged to do so where appropriate to innovative problem resolution.

CLF does not intend this task to be an academic exercise, however. As part of its work, the panel must evaluate the economic and cultural consequences of its proposals and any alternatives upon the offshore New England groundfish fishery.

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Effective effort control cannot be developed by cutting and fitting schemes developed for dissimilar fisheries or schemes that have lost their practical relevance because of changing technologies and circumstances. CLF sees the economics group working closely and interacting carefully with the scientific effort being directed by the Island Institute. A probable result of the scientific work, for example, would be the establishment of principles indicating the species on which effort controls are and are not needed within the fisheries community. The analysis of the mechanics of effort control may well be simplified by scientific guidance as to the need, or lack of need, of controls within the biological system.

The final task in the project is implementation. This task will require, among other things, a successful effort to bridge the chasm of distrust that exists between fishermen, government scientists and managers, and resource advocates. The strong historical connections that the various non-profit organizations collaborating on this project have developed among these various interests should ease the task of constructively changing the system. In addition to working directly with the fishermen, CLF's "phase four" activities will include working with the New England Fishery Management Council and the National Marine Fisheries Service -- and with the New England Congressional delegation if legislative changes are necessary -- to accomplish the development of a long-term management regime that truly works

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for everyone and finally restores these groundfish stocks to appropriate, sustainable levels.

It is impossible to anticipate at this early stage in the project the nature of the CLF activities that will comprise the implementation stage. It is probable that CLF will have to draft and promote new legislative proposals or packages of amendments to the Magnuson Act or new rules under the existing Act. In addition to CLF's legal time necessary for this drafting and any necessary formal role associated with pursuing such a legislative agenda, CLF would promote the proposed changes in a broad range of engagements with commercial and recreational fishing interests, conservation groups, government officials and legislators. It is equally likely that litigation may be necessary to accomplish some of the recommended changes, particularly if the conclusions of the scientific and economic analysis are that correction can occur adequately within the existing legislative framework. Alternatively, the litigation may be purely defensive in supporting a consensus approach from attack by narrow commercial interests. The fishing industry has felt no hesitation in launching legal challenges when their narrow economic interests were threatened and there is no reason to suspect that such protectionism would not surface again to block meaningful change. CLF would participate in that fight, fundamentally improving the dynamics of the legal action.

The NMFS and state fisheries hierarchy will be kept apprised

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of the proceedings throughout this project and invited to participate in an observer/liaison capacity where appropriate. The ex officio participation of these officials should keep the participants who are not experienced in fisheries regulation aware of the realities that must be taken into account in fashioning effective management approaches. We are hopeful that the cooperation that has characterized our interactions with the agencies to date will continue. It is our vision that this project will produce a scientifically superior and economically more rational and equitable approach to our common ground: protecting this resource for the present and the future.

### V. PERSONNEL AND FUNDING

To undertake this Fishery Management Project, CLF will be redeploying substantial staff resources from other marine resource and coastal protection activities. The project will be directed by executive director Douglas Foy and staffed by senior attorneys Peter Shelley and Richard Emmet, Maine CLF attorney Daniel Sosland, and staff scientist Eleanor Dorsey.

Last year, CLF's fisheries budget was roughly [REDACTED] focused primarily on litigation. This new effort, to develop affirmative proposals for management and to address the economic and sociological issues posed by management changes, requires the diversion of staff to efforts extending well beyond the simple litigation activities of the prior year. CLF could not undertake this redeployment without new sources of fisheries funding.

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This project has a total budget for the coming year of [REDACTED]. CLF has already received \$[REDACTED] from the John Merck Fund, the Island Foundation, and the Henry Foundation. (CLF's fiscal year began on August 1st.) CLF seeks a grant from the National Fish and Wildlife Foundation in the amount of [REDACTED]. We will seek to match this (1:1) with grants from the Munson Foundation and the Packard Foundation.

### VI. CONCLUSION

New England's once-rich fishing industry and offshore fishing grounds are in crisis. The composition of groundfish stocks has shifted dramatically, threatening the community integrity of Georges Bank, and the economic health of the fishermen. This decimation is due to overfishing, a problem that is terribly complicated but solvable.

The opportunity to design the principles that would support a sustainable management scheme for New England's offshore groundfish could be of telling importance elsewhere in this country and the world. While the details of this exercise may be [REDACTED] unique to New England, the scientific and economic analytical framework and the lessons from the exercise in their own right will have broad applicability to other regions and other fisheries. Overfishing and primitive management approaches are the rule worldwide. This project can start to change that rule.

We hope the National Fish and Wildlife Foundation will join us in our work. Thank you for your consideration.