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ON "THE IFQ ACT OF 2001"

BEFORE THE SENATE OCEANS AND FISHERIES SUBCOMMITTEE OF THE
COMMERCE, SCIENCE AND TRANSPORTATION COMMITTEE

Wednesday, May 2, 2001

Good morning. My name is Pat White and I am the Executive Director of the Maine Lobstermen's Association. I also serve as Commissioner to both the Pew Oceans Commission and Atlantic States Marine Fisheries Commission and am a member of the Marine Fish Conservation Network. I began fishing in 1956 and currently work as commercial lobsterman when time allows.

I would like to state up front that I am not an advocate of IFQs (Individual Fishery Quota), but I do realize that quota-based management may be desired by some sectors of the industry. I complement Senator Snowe and her co-sponsor Senator McCain on their efforts to accommodate the wishes of those who favor quota-based management, while being sensitive to those who are not.

In Maine, and in much of New England, quota-based management programs are very unpopular and an issue of serious concern to fishermen and coastal communities. At this year's Maine Fishermen's Forum, a significant portion of the agenda was devoted to this topic. The pros and cons of quota-based management systems were discussed and recommendations made for implementation. Overall, participants felt that quotas are not an appropriate management tool for New England because of their effect on fishermen, fishing communities and the health of the resource. We have watched the Grand Banks of Newfoundland, the premier commercial fishery of the world, and the other important fisheries of Atlantic Canada collapse under quota management and a system very close to IFQs.

It is imperative that you proceed with caution and carefully consider the implications quota management may have on our fisheries and fishing communities. I would like to share with you a very brief summary of the major recommendations which resulted from our Maine Fishermen's Forum meeting. In order for quota based management to work, socially and biologically, it must:

1. ensure that creating quota does not privatize the public resource,
2. ensure that quotas are not transferable,
3. ensure that any quota program protects the social and economic fabric of coastal communities, does not result in consolidation and absentee corporate ownership of fisheries, or give exclusive power to elite groups,
4. establish an equitable system which considers historic participation, protects the diversity of the fleet, and allows for new entrants,
5. provide for the long-term conservation and availability of the resource,
6. consider an ecosystem rather than single species management approach to the extent possible (it was felt that IFQs inhibit any willingness to take an ecosystem approach to management),
7. include a data collection program which provides for the timely dissemination of information to the industry, and
8. set-up a review mechanism to allow the program to be changed or undone if it is not working.

New England fisheries have long been characterized by small family fishing businesses able to react to the natural ups and downs of various species. For example, many of Maine's lobstermen fish for lobster in the summer and fall, shrimp or scallops in the winter, and perhaps some clamming or weir fishing in between. Others who once predominantly fished for groundfish have turned to shrimp and lobster over the past few years, and may wish to shift back to groundfish in the future. The ocean is highly unpredictable and almost impossible to predict. We have learned to adapt. This is how we survive. Quota-based management systems on the other hand have been known to result in fisheries characterized by large corporate businesses with highly sophisticated gear aimed at a particular species. There is little or no room for adaptability. The corporate bottom line shapes the fishery rather than mother nature's whim.

Many New England stocks have remained healthy for decades while dozens of others are making tremendous progress under current management programs. We've certainly made our share of mistakes, but I know we have come a long way. In Maine, we continue

to see record landings of lobster. Our New England scallop stocks and many of our groundfish species are making remarkable recoveries. The bottom line is that our way of life and economic survival depends on access to and availability of healthy fish stocks. Any management system, quota-based or otherwise, must recognize this.

I feel that Senator Snowe has been thorough in her research and has done an admirable job addressing many of these issues which are vital to the preservation of our fishing industry.

S637 contains language to ensure that the establishment of quotas will not result in the privatization of the resource. The quota instead is considered “a grant of permission to engage in activities allowed by the individual quota” (Section 303e, 2A) and it “shall not create, or be construed to create, any right, title or interest in or to any fish before the fish is harvested” (Section 303e, 1B). Under this proposed program, quotas can be revoked or limited. This should help safeguard the fishery in the event the program is not working.

I am pleased that the bill clearly states that “individual quota shares may not be sold, transferred or leased” (Section 303e, 6A). This language is essential to ensure that a small fisherman who experiences a tough year will not be bought out by a large corporate interest. However, I am concerned that this bill allows transfer to family members due to hardship (Section 303e, 7). I suggest that you consider redefining this as a hardship exemption. Appointing an interim Captain for a limited duration under specific circumstances is very different than permanently transferring a quota.

I am very pleased to see that a condition of establishing a quota program is that it “shall ... minimize negative social and economic impacts of the system on local coastal communities” (Section 303e, 1Diii). The two referenda allowing eligible holders to approve the establishment of a program go a long way in protecting the social and economic structure of the community (Section 304i). These referenda encourage fishermen’s participation in the decision making process and the management of the resource. This ensures that fishermen buy in to the program which is essential to the success of any fishery management program.

S637 states that a quota system must “provide for fair and equitable allocation of the quota” (Section 303e, 1Dii) and calls for a quota system to take into account both present participation and historical fishing practices (Section 303e, 1Dv). While I understand the

need to consider both these items, I feel that the emphasis should be on historical fishing practices rather than present. There are a lot of ups and downs in fishing. Present practices only provide a snapshot while historical fishing practices show how a business has done over time.

S637 bill allows for quotas to be allocated among categories of vessels as well as a portion of the annual harvest be provided for entry level fishermen (Section 303e, 4A&B). These two provisions are crucial and must be compulsory components of the program.

I am encouraged to see the bill requires present fishery management plans be studied to determine their effectiveness so that the successful elements of these plans can be preserved and incorporated into a quota management system (Section 304j). It is particularly important to consider the economic and social impacts on these plans of fishing communities.

S637 has also built in a provision to allow for the review of the quota system and the expiration of a quota after 5 years (Section 303e, 2E). This ensures that the program will be evaluated and quota reissued if the program is successful. While it may be appropriate for the Councils to have this authority, I strongly recommend that a Peer Review also be conducted.

This bill makes great strides in dealing with many issues and concerns about IFQs. If it is necessary to lift the moratorium, this program provides a compromise allowing quota-based programs to be developed. However, I'd like to remind you that New England fisheries are doing well under our current management programs and many people have serious concerns about the impact IFQs will have on our fishermen, communities and fishery resources.

Thank you for your consideration of my testimony.