

The Policymaking Process and the Politics of Managing the Nassau Grouper and Other Marine Resources

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ABSTRACT

Science and scientific studies have played an important role in the management, utilization, and protection of edible marine species. The Nassau grouper has been one of the prime targets of this effort. Despite good research, political decisions don't always mesh with the recommendations of scientists. This presentation will discuss some of the issues related to the decision making process by policymakers, and how scientific findings can be more influential in the process – if not the final decision.

KEY WORDS: Nassau grouper, policymaking

El Proceso en el Diseño de Políticas para el Manejo del Mero Criollo y Otros Recursos Marinos

La ciencia al igual que los estudios científicos han jugado un papel importante en el manejo, utilización, y protección de especies marinas comestibles. El mero criollo ha sido uno de los blancos principales de este esfuerzo. A pesar de los buenos trabajos de investigación, las decisiones políticas no siempre tienen engranaje con las recomendaciones de los científicos. En esta presentación discutiremos algunos de los asuntos relacionados con el proceso de la toma de decisiones por los que diseñan las políticas, y como los resultados de estudios científicos pueden ser de mayor influencia en el proceso – o decisión final.

PALABRAS CLAVES: Mero criollo, política de manejo

The Nassau grouper has been, and still is, a highly prized commercial catch. It is one of the finfish that is most desired at restaurants and at the home dinner table. To understand the statistical diminution of the Nassau grouper and other commercially harvested marine species, one must consider the culture of “fish/fishing” and what it means to the peoples of the Caribbean and the world. Man depend upon the sea to make a living has skyrocketed during the last four decades, many families look forward to the daily or weekend catch of fishers to supply their families with a reliable source of protein.

During World War II meat and other goods were in short supply or periodically not available at all. Island communities could usually resort to the sea to retrieve enough fish to feed themselves. If too much fish was harvested to be consumed, and no means of preserving them was available, the remainder would be shared with neighbors, family, and friends.

As tourism grew in the Caribbean following World War II, there was a growing demand for those fresh, tasty “vittles from the sea”. The demands of the hotels and restaurants to supply their guests with fresh seafood led to a greater demand for fishers to harvest ever greater quantities of seafood to supply their needs as well as that of a growing local populace. The latter group always expected fish to be there because they have always been there. The Nassau grouper was among the fish that fetched a good price and was eagerly sought after by commercial establishments as well as individuals. This was, and still is, a classical manifestation of the law of supply and demand. The politics of fishing was not far behind because elected

leaders view this constituency as very important to the local way of life. It is difficult to tamper with traditions – culture. Traditions are hard to change and are rarely given up without a fight. Fishers like to tell scientists and policymakers that they know what is happening in the sea because they are out there all of the time.

As stocks began to diminish and fishers went further afield to make their harvest, prices began to rise. This sent little economic and social ripples throughout the community. Politicians paid homage to the need for a regulatory process by passing new laws, but provided few resources for management and enforcement. Initially, the courts also showed minimal interest in fishing violations. Such cases were given a low priority on the dockets, and when heard, the offenders were usually given minimum fines or let off with a warning. This was not encouraging to enforcement officers.

Last year, the Virgin Islands Department of Planning and Natural Resources gave notice that it would implement a regulation which would ban the importation of queen conch into the territory during the closed season. There was such uproar from restaurant owners and conch consumers that the Virgin Islands legislature adopted a law prohibiting the implementation of the proposed regulation. This was an unusual act, but it represented the impact that culture, traditions, and economics have on the institution of laws and policies governing the management and utilization of marine resources.

The closed season for harvesting conch in the Virgin Islands (primarily affecting St. Croix) has been extended from September 30th to December 31st. Some fishers are not happy with this extension into the month of December

because it will interrupt one of the prime selling seasons on St. Croix. From Christmas to three kings day is festival time on St. Croix, and everyone celebrates the event. The booth owners in the festival village want to cook and sell conch to their patrons who want it - expect it - demand it. Some fishers are already lobbying their favorite senators to reduce the extended closed season by one month so they can harvest conch in December to sell at festival time. This comes on the heels of reports that thousands of pounds of queen conch were harvested in St. Croix and exported to Puerto Rico through a buyer who came specifically for that purpose.

Should the senators respond to the call of the conch fishers and diminish the time of the closed season? Or will they heed the considered advice of the scientific administrator? This is one of those classic cases where the justification for a management action is clear. However, it is being challenged by culture and tradition - not to mention economics.

The Nassau grouper has suffered a similar fate. In the 1970s the commercial harvest of this species reached its highest point. It was determined that fishers were attacking breeding aggregations. Efforts to get the legal arm of the government of the Virgin Islands to fashion a competent legal mechanism to halt this assault on the aggregating groupers was slow and placed at a low priority. This, coupled with the novelty of enforcing fisheries laws and a continuing public demand for the product, led to the demise of the known Nassau grouper aggregation(s). Subsequently, the Caribbean Fishery Management Council (CFMC) enacted a prohibition on "fishing for or possession of Nassau grouper in or from the U.S. Caribbean Exclusive Economic Zone" through its shallow reef fish management plan. The U.S. Virgin Islands and Puerto Rico have adopted regulations that are generally compatible with those of the CFMC.

Additionally, the CFMC established a no-take marine protected area (MPA) off the southwest coast of St. Thomas which is the known aggregating site of red hinds and, perhaps, Nassau grouper. This closure has adopted after several years of sometimes contentious public meetings with fishers and the general public. Eventually, we reached an agreement on the final location and the closure of the red hind bank. However, evidence has been collected that demonstrates that some fishers have been illegally placing fish traps inside the no-take MPA. Recently, one fisher was arrested and charged with illegally fishing within the MPA. This arrest, reportedly, took place because another fisher did not want to see the MPA violated and suffer the loss of rebuilding stocks.

A review of 74 conservation tickets issued from February 2007 to October 2007 show that one ticket was issued for prohibited possession of Nassau grouper. There is no indication of the disposition of this case at this time.

Developing, implementing, and enforcing laws governing fishing and utilization of marine resources is not

easy. It is not enough to collect statistical data, present findings and recommendations, and expect them to be adopted or accepted without questions, objections, or challenges from fishers, consumers and/or lawmakers. It is important to present findings, recommendations, and justifications in a manner that can easily be understood by the layman. A collaborative relationship should be developed with fishers and the user population to help them fully understand the problem and potential solution(s). Their views should be actively solicited and utilized in every practical instance. When, and if, a consensus is reached, efforts should be made to share it with chief administrators and lawmakers. It would be prudent to involve the latter two groups at an early stage.

The important point is that when fishers and the general public understand the problem and agree on a solution, the policymakers and the lawmakers tend to follow. It is up to us to make our findings and recommendations understandable and usable by those who make policy and by those who are affected by them.