

State-Federal Management Initiative

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Pressure on the once thought inexhaustible fishery resource by massive foreign fishing fleets, our domestic fishing industry and a large population of recreational fishermen is relentlessly expanding. The time has come to develop some system for adjusting this pressure and metering it to the limits of maximum sustained yield of the resource. Further postponement will only compound the acuteness of this problem.

With the formation of the National Oceanic and Atmospheric Administration (NOAA) in the U.S. Department of Commerce, a sturdy fishery management focal point has been created. The National Marine Fisheries Service under NOAA has legislatively been assigned the responsibility for the total living marine resource including both recreational and commercial interests. Our basic goal, therefore, is conservation of the resource which, stated another way, means its wisest utilization.

We are restructuring our organization to cope better with these new responsibilities. In so doing, we are giving major emphasis to the problem of increasing demands on the fishery resource. The State-Federal fishery management initiative is one of these new approaches.

Those problems to which this initiative responds are of the kind that people frequently choose to ignore rather than try to resolve. They are very sophisticated as well as difficult, and some of the tools needed for their solution are yet to be formulated and tested.

Perhaps the foremost problem is generated by the fact that fish in the water are common property. Fishermen, therefore, have no property rights to them. Since everyone owns the resource, there is a natural tendency to overcapitalize a growing fishery. The result, particularly in many mature fisheries, is too many units of gear, too many fishermen, too many boats, too much capital or all of these.

Historically the states have exercised the right to manage their living marine resources. This has led to a multitude of management systems which are often tailored to the needs of a given state, but they are often not tailored to the needs of the fish stocks which are unable to delineate state or national boundaries. Further, some managerial schemes tend to take the form of instituting inefficiencies through such means as gear restrictions rather than dealing with the real problem of too many fishermen pursuing too few fish. The State-Federal fisheries management initiative will deal with these problems by developing cooperative management plans that will assure the rational use of fishery resources for both sport and commercial purposes.

The initial draft of this initiative was developed several years ago along with draft legislation designed to implement the provisions of the Geneva Law of the Sea Conference of 1958, and to provide managerial authority for the contiguous fishery zone of the United States. This draft, developed in the old Bureau of Commercial Fisheries, was reviewed by fishery administrators of the coastal

states about two or three years ago, and its initial form was altered in many respects to reflect their comments. Because of the changes brought about by the President's Reorganization Plan No. 4, this proposed legislation has not as yet been introduced into the Congress.

The closest possible cooperation between the states and the federal government is required for the successful implementation of the initiative. We should be prepared to face the fact, however, that there may be some loss of independence currently exercised by individual states. Logically, migratory marine fisheries should be under some sort of common governance for national management. On the other hand, the draft legislation would give the states additional opportunity to join in regulation of fisheries within the contiguous fishery zone. Therefore, this initiative should be acceptable to all or most of the coastal states because of the long-range economic and social gains that will result from this scheme. To do the job requires a half-dozen steps and perhaps a half-dozen years. It involves the following steps: (1) strengthening the mechanism for control of international exploitation of resources adjacent to the U.S. coasts; (2) establishing national guidelines for managing fisheries; (3) providing a mechanism through legislation for states and groups of states and the federal government to manage fishery resources cooperatively; (4) helping to improve the capability of states to conduct management-oriented research; (5) evaluating the feasibility of alternative programs of state and/or federal management systems and (6) implementing specific management programs for each fishery.

We began conducting basic studies of the problem in FY 1971 with \$660,000 appropriated for this purpose. Economic studies were made to look into the extent of overcapacity in our major fisheries; the detrimental impact of existing regulations; and examination and evaluation of alternative management schemes and how they might be implemented. In FY 1972 — with another \$608,000 — we plan to emphasize (1) measuring fleet capacity versus resource capability for the major fisheries; (2) developing legal and legislative requirements for limited entry-type management plans and (3) studying the socio-economic structure of various fishing areas and the possible impact of new management schemes on local areas.

In the international area, our efforts will be expanded to include: (1) preparation of necessary background material and analyses to ensure appropriate strategies at the forthcoming Geneva Law of the Sea Conference; (2) greater in-depth backup work necessary for the almost continuous bargaining associated with the 18 conventions, treaties and executive agreements now in force and (3) expansion of the monitoring, evaluation and analysis of foreign fishing activities in waters adjacent to the United States.

Our statistics program is being improved to allow further automation of data storage, retrieval, tabulation and printing of publications; the implementation of scientific sampling procedures; the shortening of the time lag in releasing information and the collection of additional statistics, particularly economic data needed for improved management programs.

In our opinion, it will take several years to resolve both the international allocation and the internal management problems. Therefore, we cannot afford to wait for resolution of the first before starting on the second. We must tackle both at the same time. If all goes well, we will have available an international allocation system at about the same time that we have worked the "bugs" out of the State-Federal system.

Some questions have been raised with respect to research aspects. Again, obviously, rational management schemes depend on an adequate scientific base. We are currently undertaking the so-called MARMAP program (Marine Resources Monitoring, Assessment and Prediction), which is designed to furnish the scientific data base we require in a timely fashion, filling the gaps in existing programs through a nationally coordinated effort. If all goes reasonably well, the scientific results will start flowing in the necessary quantity at about the time the international and national problems are resolved.

A fundamental objection to the joint management proposal has been expressed by some state officials. Their objection was to the basic concept of limited entry. Yet some sort of limited entry appears to be the only rational way of coping in a sound economic way with such matters as overcapitalization that arise from the common property nature of the resource. The answer, from our point of view at least, is that fish are indeed different because of their common property nature and it is in the broad interest of society and the free enterprise system itself to have economically sound fisheries.

Another question frequently raised dealt with the impact of the proposed initiative in state waters. The answer is that the federal government has no intention of preempting any state's authority inside the territorial sea.

We have begun discussions with state officials to formulate plans and review possible concepts for the State-Federal management initiative. These discussions will be continued in an effort to obtain mutual agreement on guidelines for the establishment of the initiative and a proposal for renewing of the highly successful PL 88-309 State Aid authority which will complement this program. State officials have been most cooperative and we feel confident that a consensus on the basic concepts can be obtained in the near future.

It is our thought that the new legislation should contain provisions to implement various aspects of the initiative through a system of additional grants to the states that will not require state matching funds. However, the manner of state adherence to certain performance standards for resolving managerial problems would be specified. If this additional money becomes available, it would be provided to the states for projects which would be of particular value in devising and administering joint State-Federal management plans. These plans would take into account social and economic factors as well as biological. Preference should be given to projects that would especially benefit management of multi-state fisheries, projects for development and implementation of management plans and projects contributing to improved regulations and to their enforcement.

We are now developing our program for FY 1973. Recommendations therein will be for action necessary to bring the foregoing management plan closer to fulfillment. Reflecting on the conditions of many U.S. fisheries, it is our judgment that only through a program like this can our fisheries be rationally managed in the future.