

State-Federal Cooperation in Conservation and Management

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It not only seems a long time but it has been a long time since I first became involved with domestic management problems. This was in the years after World War II, and life seemed fairly simple in California where I was then working for the Department of Fish and Game as a marine biologist. All the states, at least those in the west, were convinced that they were managing their fisheries quite competently, and that they would continue to do so with no help from outsiders.

Foreign fishing off the American coast was yet to come, and only the faintest specter of federal intervention was on the horizon. That faint specter did lead, however, to the formation of the Pacific Marine Fisheries Commission and to interstate cooperation, if for no other reason than to keep the "Feds" out.

Over the years, we in state service came to accept the fact that for most species no one state could go it alone—not even one with as long a coast as California. Interstate, national, and international cooperation was essential to rational management.

Cooperative research became an accepted part of life. No state, however, was about to relinquish any managerial authority.

In the late 1960's, the Bureau of Commercial Fisheries floated the draft of a possible domestic management bill before the states that to us states-righters smelled of preemption and to which we in California proposed a number of emasculating amendments. We did see the need for and were willing to go along with more federal control than existed, and the difference between the state and federal views was actually more one of degree than of substance. Nonetheless, we took a rather hard-line position. Shortly after this, I joined the federal establishment and was exposed to the other side of the coin. It did not change my basic philosophy which is, in simplistic terms, that the least federal control is the best. The question remains: how far, to whom, and to what degree can managerial authority be delegated?

Today, much is going on that can, and I hope will, lead to resolution of this question and to implementation of a truly effective domestic management and conservation regime.

In the Congress, the draft legislation of the late 1960's, that I mentioned, was the prototype of the much-cussed and discussed HR 4760, introduced early in 1973, and the recently introduced Sullivan-Dingell bill, HR 15619, both of which attack the domestic problem.

The Executive Branch has been equally active. The speech presented for David Wallace yesterday and the panelists of that session discussed the National Ocean Policy Study and the National Fisheries Plan. Clearly there are many things moving—at the federal level, the state level, in industry, among sportsmen.

John Gottschalk has done a fine job in putting things into perspective. I am sure that he will get plenty of support for his view that fisheries interests tend to be used as pawns in international chess games, and that a prerequisite to effective domestic management is a positive federal posture toward fisheries. I am also sure that there will be those who think any dentures ICNAF may have acquired are too poor a fit to do much good.

I remain to be convinced that development of a suitable domestic management system can await the curing of our international ills. It seems to me that we must move ahead simultaneously and aggressively on both fronts if we are to have viable fisheries a decade from now. This will be particularly true if, as Harold Allen emphasized in his introductory remarks, extended jurisdiction becomes a fact in the next year or two.

Clearly, an effective domestic system will involve far more federal control than now prevails. The degree of federal preemption that will be required remains a major and explosive issue. That was made abundantly clear during the symposium on the National Fisheries Plan.

The philosophy of management is another highly debatable unresolved issue, as became evident yesterday during the Law of the Sea symposium: should the principles of maximum sustainable yield and full utilization remain a cornerstone of the United States fisheries position? I think most of us now regard optimum yield a far better concept, as attested by the papers given at a symposium on that subject at last September's meeting of the American Fisheries Society.

It has been said before. The fisheries community in its broadest sense must come to grips with the problems and agree on a system with which we all can live. Otherwise someone else is going to do the job for us. We are going to have to bite the bullet and indeed we are awfully late in doing so. I hope that at the end of this session we are a little closer to what I am sure is everyone's goal—rationally managed fisheries in the United States.