

**NORTHEAST REGIONAL MEETING
BOSTON, MA
JULY 22-24, 2002**

FOLLOW-UP QUESTIONS

The Honorable William Reilly

1. Please provide ideas regarding an approach for marine zoning and further ideas about the 1997 report you mentioned. Please update this report about marine zoning and provide your views about what has changed.

This matter is discussed in depth in testimony presented to the Commission earlier this year by William Eichbaum. A copy of Mr. Eichbaum's testimony is attached.

2. How do you manage the capacity reduction program with fisheries?

Excess fleet capacity is beginning to receive more attention as a consequence of serious fisheries depletions in many parts of the United States. Overcapacity undermines the economic position of coastal communities, triggers overfishing and exacerbates the adverse environmental effects of fishing. Reducing capacity is essential if we are to maintain the competitiveness of our fleets and assure the sustainability of important fish populations.

Key elements of a more effective capacity reduction program would include:

- *A mechanism for identifying regional priorities* – WWF believes that the Magnuson-Stevens Act should be amended to require that regional fisheries management councils identify fisheries under their jurisdiction in which overcapacity is a significant threat to fisheries sustainability or economic viability. Such a mechanism is called for in legislation introduced to amend the Act last year by Congressman Wayne Gilchrest.

- *Measures to assure that public sector funds devoted to capacity reduction are spent wisely* – Several studies, including one commissioned in 1999 by WWF, demonstrate that government-funded vessel buyback programs have had limited success in addressing fleet overcapacity. The recent buyback of vessels in New England’s groundfish fishery is a case in point. Future capacity reduction initiatives need to make better use of limited funds through mechanisms that help assure that units of capacity are acquired at the lowest cost, by requiring that in most cases purchased vessels be scrapped to prevent their use in other fisheries, and by forbidding the expenditure of government buyback funds in fisheries that have not adopted effective measures to control new fishing capacity.
- *Modifications to current government programs that subsidize additional fishing capacity* – The Federal Investment Task Force appointed pursuant to the 1996 Magnuson Act reauthorization identified several U.S. subsidy programs that have contributed to fleet overcapitalization. Of particular note is the Capital Construction Fund, a program that provides special tax treatment for monies deposited in accounts that are later used to upgrade fishing vessels or construct new ones. Detailed recommendations for addressing current shortcomings are included in the Task Force’s report, which WWF endorses.
- *New market-based mechanisms for capacity reduction* – Fleet downsizing benefits remaining participants in fisheries in a variety of ways, most notably by contributing to increased profitability. We need to do a better job of capturing future streams of income from healthier fisheries, and put them to work today to reduce fishing fleets to more sustainable, competitive sizes. WWF strongly supports the inclusion of market-based

mechanisms in the suite of tools for addressing fleet overcapacity and overfishing.

Tradable quota systems and other, similar approaches have been used successfully to attack overcapitalization in a range of fisheries. This mirrors the positive track record of market-based approaches to conservation in other settings – most notably the role that sulfur dioxide emissions trading has played in reducing levels of acid rain precursors.

3. Please discuss whether **MPAs** should be established in a bottom-up or top-down fashion and whether there should be a sunset clause for fish recovery?

MPAs should be established in **both** a bottom-up and top-down fashion. Put another way, to maximize their effectiveness MPAs must be designed in a manner that reflects national and regional objectives as well as taking into account the local situation. We suggest:

- *A) The identification of priority ocean areas of concern by regional commissions, as recommended in William Eichbaum’s testimony, or through similar regional, priority-setting exercises. Areas of concern could include places of high biodiversity value, threatened habitats or places of special importance to fisheries replenishment efforts – with the goal of creating protected area networks designed to conserve large-scale ecological processes.*
- *B) The design of marine protected areas through local, participatory processes, with the objective of conserving the priority areas of concern and the marine life within them identified through step A) above. We specifically recommend that the Commission examine the processes used to forge consensus in the recently completed design of a marine reserve in the Dry Tortugas.*

Regarding the wisdom of sunset clauses for fisheries recovery, we think that several things should be kept in mind. First, it is important to recognize that fisheries recovery is only one rationale for the creation of protected areas. MPAs also have a vital role to play in conserving the overall fabric of marine life, and the habitats upon which that life depends. In cases where protected areas are established to conserve marine biological diversity, it would be inappropriate to reduce protection simply because selected fish stocks have rebounded.

Second, our goal ought to be to maximize the long-term contribution of marine protected areas to fisheries sustainability. Accordingly, we prefer erring on the side of caution when making decisions to downgrade levels of protection. In our view, an across-the-board sunset provision would be inconsistent with this strategy. With these important caveats, we think that on a case-by-case basis it is appropriate to periodically consider changes in the management of individual MPAs – including changes in fisheries management.

4. What can the U.S. do and what can the Commission recommend specifically to protect our coral reef resources?

WWF believes that networks of well-managed marine protected areas provide the best tools to stem the precipitous decline in the health of coral communities worldwide. In our own exclusive economic zone, the United States should implement an integrated approach to management that includes effective marine protected areas, including no-take zones, as a vital component in managing human activities within larger geographic frameworks. Internationally, we should work to foster the development of similar management approaches in coral areas of high biodiversity. A variety of

approaches should be used to step up the level of U.S. leadership in support of global coral conservation, including:

- Elevating the level of diplomatic support for international coral conservation, with a view toward improving the effectiveness of international bodies such as the International Coral Reef Initiative.
- Providing enhanced support for international coral conservation through increased, direct financial assistance as well as new financial incentives, including debt relief for nations that make major commitments to coral protection.

WWF has identified areas of the tropical ocean that are of special, biological importance, including priority coral areas. A map of these areas is attached. We recommend that the United States focus its coral conservation efforts in these regions.

5. How can the U.S. become an effective leader in fostering sustainable use of fish resources in the high seas?

The U.S. is **already** playing an important leadership role in the conservation of high seas fisheries. More than any other major fishing nation, the United States has actively promoted the incorporation of the ideals of the United Nations Agreement on Highly Migratory and Straddling Fish Stocks into regional fisheries accords. We have played a key role in the World Trade Organization in the effort to develop new rules to reduce government subsidies that contribute to overcapacity and overfishing. We have set high standards for our fleets that fish in distant waters, compared to the current practices of vessels from most other nations.

We must stay the course. We need to systematically evaluate the international accords that govern key high seas fisheries to make sure that they will assure the sustainability – and where necessary the recovery – of migratory fish stocks. We need to step up the level of diplomatic pressure in cases where these accords need to be strengthened, and in instances where nations are undermining their effectiveness. We need to do a better job of making sure that important international fisheries agreements that have been adopted in recent years – such as the FAO Plan of Action on fishing fleet overcapacity – are effectively implemented and not merely paper exercises. And we need to continue to improve the way in which we manage the fish stocks within our own exclusive economic zone, so that we can serve as a model for other fishing nations.