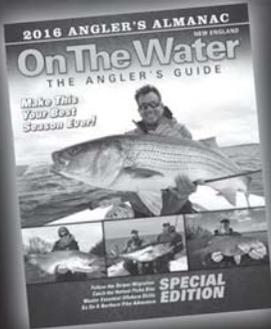


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LESSONS LEARNED (from page 9)

But while the proposed target fishing mortality rate would have called for a quota that was, from a political standpoint, unrealistically small, some at the meeting argued that the threshold fishing mortality rate would have permitted the harvest to increase substantially before overfishing occurred.

The combination of an unrealistically low menhaden quota, if the stock was managed at the target rate, and the threat of an undesirably high menhaden harvest, if the stock was fished near the threshold rate, was enough to convince some Management Board members that the conservationists' preferred option wasn't a viable alternative. An option that set a more realistic interim target mortality rate, and prevented quota from increasing much above the status quo, might have fared better, if it had been available.

3. The Management Board is not engaged in a democratic process

Much was made, both before and after the Management Board meeting, of the fact that about 158,000 people commented on the interim ecological reference points, and that about 99% of those comments favored putting such reference points in place.

Public comment is certainly relevant to ASMFC decisions, and people should be urged to comment on any issue that they care about. However, it's not the Management Board's job to count votes. They are tasked with reviewing the biological and, yes, the social and economic information available, and making their decision on that basis.

Hundreds of fishermen, who are active participants in the fishery and take the time to come out to hearings, submit their own comments and perhaps even show up at the management board meeting will sway some commissioners' decisions, because they speak with some personal knowledge of all three of those factors. Thousands of preprinted e-mails, sent by folks who have no obvious connection to or knowledge of the menhaden fishery and who failed to make the effort to come out to a hearing and speak for themselves, are a different story. While not worthless, as a practical matter, they count for a lot less.

When faced with choices that are each supported by some valid data, a management board's actions are often decided by interpersonal and interstate relationships that extend far beyond the issue in question. Virginia will always walk in lockstep with Omega Protein, which has long been an economic and political presence in the state. The current administration in Washington, which controls both the National Marine Fisheries Service's and U.S. Fish and Wildlife Service's votes, will always favor short-term profit over healthy natural resources. Few states are prone to take actions which will cause significant economic dislocation in another jurisdiction, because everyone knows that, one day, the wheel will turn again and they may be the state pleading for a little understanding.

It is clear that the great majority of people wanted to see interim ecological reference points adopted. However, when commissioners were faced with conflicting data regarding that issue, and realized that both federal agencies would oppose ecosystem reference points, overwhelming public comment in favor of that outcome was not enough to prevail. (to page 34)

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