Federal fishery managers can be proud of such success. Unfortunately, the inshore fisheries of the Atlantic Coast have yet to enjoy the same sort of effective, science-based management.

Many of those fisheries are managed by the Atlantic States Marine Fisheries Commission (ASMFC), an organization established by interstate compact in 1942, for the purpose of cooperatively managing Atlantic Coast fisheries.

For many years, the ASMFC was merely an advisory body, which had no real authority to manage fish stocks. That changed after the coastal migratory striped bass stock crashed in the late 1970s and showed no sign of rebuilding. It became clear that the states, acting on their own, would not set aside their parochial squabbles and adopt an effective rebuilding plan, so Congress passed the Atlantic Striped Bass Conservation Act (Striped Bass Act) in 1984, giving the ASMFC the authority to impose its striped bass management plan on all member states.

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The ASMFC came close to doing so with striped bass, a stock that it successfully rebuilt after the stock collapsed in the late 1970s and early 1980s. But when a period of below-average spawning success caused that stock to begin to decline over a decade ago, the ASMFC failed to respond in time to prevent the striped bass stock from experiencing overfishing, and becoming overfished once again. We can only hope that, this time, the rebuilding effort will again be successful.

But there is no guarantee that will occur.

The only thing that almost certainly is guaranteed is that, so long as the ASMFC’s species management boards are able to craft management measures that elevate the wants of the fishermen above the needs of the fish, the stocks that they manage are unlikely to thrive.

It is time to learn from the past, when a similar situation plagued the regional fishery management councils. That past teaches that the fishermen who sit on a management body will consistently favor policies that benefit themselves in the short term, regardless of how such measures affect the long-term health of fish stocks. The past teaches that the only way to ensure the sustainability of fish populations is to limit such fisherman’s discretion, by imposing legal requirements that force them to follow the science, end overfishing and promptly rebuild overfished stocks.

If the ASMFC’s management boards fail to comply with such legal requirements, the federal courts must have jurisdiction to review ASMFC management actions, and overturn those which fail to protect the long-term health of fish stocks.

Thus, it is time to consider legislation which amends either Magnuson-Stevens or, more likely, the Coastal Fisheries Act, legislation that might be deemed the “Sustainable Atlantic States Fisheries Act,” which will compel those who sit on ASMFC’s management boards to accept their responsibility to manage fish for the good of the public, instead of themselves.

If the past teaches us anything about fisheries management, it teaches us that.

(Article written by Charles Witek for MFCN)