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Fishing debate not over in NW Isles

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President Bush's creation of the Northwestern Hawaiian Islands Marine National Monument may have resolved one of the state's most intractable controversies — whether to allow commercial fishing in those waters.

Or maybe it hasn't.

For years, a consortium of environmental groups and Hawaiian organizations has fought the Western Pacific Regional Fishery Management Council over its dogged determination to promote fishing in the region. Some of the battles have been fought on newspaper pages, some in fisheries council meetings and some in federal courts.

With the stroke of a pen, Bush on Thursday apparently resolved the issue. His proclamation forming the national monument wiped out any chance for reopening closed fisheries for products such as lobster, and gave existing bottomfishing and pelagic fishing boats a five-year run before they also need to shut down.

And that's only for the boats that have permits from the council. Boats that have been fishing legally for deep-sea species such as tuna are out of luck: They've been banned from the region.

The monument regulations will allow the killing of marine life only for scientific purposes with permits, or for consumption while in the region by people who have permits to do work or cultural practices there.

But while the language seems clear, the council, commonly known as Wespac, isn't giving up.

"It looks like it's over. Only Congress can change the regulations within a monument," said Kitty Simonds, Wespac executive director. But she said she believes a good case can be made to Congress that fishing within the national monument is a good thing.

"It's a principle. This is a healthy, well-managed fishery. It's hook and line. They're not fishing on coral reefs. There are no interactions with turtles or seabirds.

"I think we're going to continue to carry that message. I think it's important at least to do whatever we can to allow bottomfishing beyond five years," she said.

And there is some evidence that the message could resonate with Hawaii's senior members of Congress. While both Reps. Neil Abercrombie and Ed Case have expressed strong support for a preserve with the maximum possible protection, both Sens. Daniel K. Inouye and Daniel K. Akaka left the door open for fishing.

"It is my hope that we are closer than ever before toward the dream of a place where all may enjoy the wealth of the ocean's bounty — and the fishermen can make their living in harmony with monk seals, the coral reefs and all that call these islands home," Inouye

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The Western Pacific
Regional Fishery
Management Council:
www.wpcouncil.org

Kahea — The Hawaiian
Environmental Alliance:
www.kahea.org

said in response to the monument's establishment.

Akaka, too, cited controlled fishing, calling on the administration to "properly incorporate the cultural traditions that are of great importance to Native Hawaiians and careful traditions of fishermen."

LETTING FISH RECOVER

Jean-Michel Cousteau, whose film "Voyage to Kure" helped convince Bush to establish the national monument, said he supports fishermen — but rejects commercial fishing in the Northwestern Hawaiian Islands. It's too important as a fish replenishment area to allow high-intensity fishing, he said.

"I'm on the side of the fishermen. I'm not a hypocrite; I eat fish. But no-fishing zones become nurseries. This vast expanse is going to act in a major way to enhance fish populations. We know for a fact that this works," Cousteau said.

Hawaiian fisherman Isaac Harp said the government should not allow fishing for another five years, and ought to quickly raise the money — perhaps through the Pew Charitable Trust, which has offered to raise the cash — to pay bottomfishing boat owners to quit the fishery.

"I think they should buy the bottomfishermen out. I think we should find employment for them, getting marine debris or carrying researchers around. The breeding stock in the main islands is so poor, I hope we can control fishing up there so we can replenish the stocks here through larval distribution," Harp said.

QUESTIONING PRIORITIES

If Simonds is the state's most vocal advocate of the appropriateness of managed commercial fishing, her counterpoint is Stephanie Fried, senior scientist with Environmental Defense. Fried said Wespac has done a poor job of management, often promoting fishing now at the expense of future catch.

"I feel sorry for the fishermen because Wespac has badly mismanaged it, and they're the ones who bear the brunt. They're victims of this Wespac system. For Wespac to even pretend that they're managing this area and doing so in a good way, it's not true and the lobsters are a complete testament to that," Fried said. (See related story on page B1.)

Cha Smith, executive director of Kahea, a collaboration of Hawaiians and environmentalists, has argued for a commercial-fishing-free sanctuary, and like Fried, she argues that Wespac is more about today's fishing profits than long-term sustainability. Part of the problem with Wespac and all the other fishery management councils is that the Magnuson-Stevens Fishery Conservation and Management Act that created them assumes that the fishing industry itself is best able to manage fishing. As a result, a large proportion of the council members are associated with fishing.

"I don't think you'll find a conflict of interest clause. There's no checks and balances. It's fishing industry regulating itself," Smith said. "That's why the codfish (fishery) is closed, why there's crisis in the Atlantic, why the salmon are in trouble. It's rampant. It is a factor of the Magnuson-Stevens Act that (membership on councils has) not been broad enough."

Smith said the council should have ecosystem scientists, coral reef biologists, fishery biologists, Hawaiians and public interest representatives, not primarily fishing interests.

While Fried, Smith and others argue that Wespac picks and chooses science to meet its agenda, the government scientists who do much of the work say Wespac generally is doing a good job. Wespac's role is to study fisheries and produce management plans and recommendations for regulation. It doesn't actually enact regulation — that's the job of the Department of Commerce's National Oceanic and Atmospheric Administration.

"If we did not have this intensely public controversial issue of the Northwestern Hawaiian Islands, I don't think anybody would be noticing the council that much. I think generally, the council has developed conservative, scientifically based solid fishery management plans," said Bill Robinson, head of the Pacific Islands Regional Office for the NOAA Fisheries — a job that gives him a seat on the council.

IS PRISTINE POSSIBLE?

Sam Pooley, director of NOAA's Pacific Island Fisheries Science Center, said Northwestern Hawaiian Islands bottomfish populations appear to be holding up under existing fishing pressure.

"I think that the evidence is pretty clear that the populations are in pretty good shape. The indicators that we used historically had to do with the size of fish, the percent immature, things like that. If you look at the last 20 years, things aren't that much different in 2006 than they were in 1986, by those kind of indicators," Pooley said.

For him, the issue of fishing in the new monument comes down more to a philosophical than a sustainability argument.

"If you want a pristine habitat, then any kind of fishing isn't going to meet that criterion," he said.

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[Back](#)

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