

**A CASE STUDY OF GRASSROOTS ADVOCACY  
AND THE SOCIOPOLITICAL PROCESS:  
AUTHORIZATION OF PROCESSOR QUOTA SHARES IN THE  
MAGNUSON-STEVENSON FISHERY CONSERVATION AND  
MANAGEMENT ACT**

by  
**Stephanie L. Hunt**

**Date:** \_\_\_\_\_

**Approved:**

\_\_\_\_\_  
**Dr. Mike Orbach, Advisor**

\_\_\_\_\_  
**Dr. William H. Schlesinger, Dean**

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## **ABSTRACT**

Special interest groups are trying to change language in the Magnuson-Steven Fisheries Conservation and Management Act (MSFCMA) to allow fishery management councils to create and allocate processor quota (PQ). This limited entry tool is a companion to Individual Fishing Quotas (IFQs) which allocate harvesting rights to individual fishermen or vessel owners. Authorizing PQ would allow councils to give seafood companies exclusive buying rights and would require fishermen to sell their catch to the limited number of buyers holding PQ shares. A grassroots advocacy campaign opposing PQ prevented the 107<sup>th</sup> Congress from including controversial PQ language in MSFCMA reauthorization. Employing the Cape Cod Commercial Hook Fishermen's Association (CCCHFA) as a case study, I will analyze how strategies of coalition building, constituent mobilization, and media contact were effectively applied in this campaign. Likewise, strategies to activate members of Congress played a prominent role in the effort. The CCCHFA led 225 visits to Congressional offices, trained more than 17 commercial fishermen in advocacy techniques, generated press coverage on both coasts, and produced a hard-hitting advocacy video that was distributed to all 535 members of Congress. To accomplish future goals, the anti-PQ campaign requires a long-term commitment with flexible goals and strategies, which allow the CCCHFA to take advantage of the changing sociopolitical climate. Given its limited resources, the organization must use time efficiently and continue to build upon past victories.

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## **I. INTRODUCTION**

In this paper I will describe a grassroots advocacy campaign conducted by the Cape Cod Commercial Hook Fishermen's Association (CCCHFA). This campaign opposed a change to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) that would authorize creation and allocation of processor quota. The advocacy effort began in May of 2002 as part of a larger initiative to ensure that conservation mandates were upheld in MSFCMA reauthorization, and it continues today.

First is a theoretical discussion of advocacy and the role of non-governmental organizations (NGOs) in the advocacy process, followed by a thorough overview of the processor quota issue, including historical context. Next, I will discuss the legal mandate; the current political climate surrounding processor quota; and key players in the debate, including a description of CCCHFA's allies and opponents. I will analyze campaign strategies and tools including: coalition building, mobilization techniques, media management, partisan activation, and material development. A conclusion will follow with a discussion of the campaign achievements (paying close attention to constraints and difficulties), and a look ahead to future actions. Last are recommendations on how to move forward with a more effective campaign.

## **II. ADVOCACY THEORY AND THE ROLE OF NON-GOVERNMENTAL ORGANIZATIONS IN THE ADVOCACY PROCESS**

Broadly defined, advocacy is the pursuit of influencing outcomes (Cohen, 2001). As an organized and sustained campaign, advocacy can be an extremely powerful tool in changing public policy (Sen, 1997). Advocacy is most often used to: (1) highlight critical issues, (2) influence public attitudes, and (3) enact and implement laws and public policies (Cohen, 2001).

Non-governmental organizations employ a variety of strategies and tools in their advocacy efforts. Fundamental among these are mobilization and empowerment of people; networking and information sharing; media management; and focused action, such as educating public officials. While individual members of society can instigate change, an organized campaign supported by a group is a superior approach for advocacy work. In mobilizing and empowering civil society in support of a common goal, NGOs can be incredibly effective.

Grassroots NGOs are supported by membership. Because of this, they are directly accountable to their constituents (Carroll, 1992). These groups are often based in local communities, and have strong networks with groups working on common issues. Grassroots organizations are considered “bottom-up” because they are established by a self-identified set of persons (a community or group of citizens) with a common interest (Carroll, 1992). These groups regularly engage in collective activities – often in response to a problem or issue in their area. This is in contrast to a “top-down” organization that is established outside of a community and has no formal accountability to its constituents.

Through horizontal links grassroots organizations connect individuals with similar concerns and forge useful partnerships between local communities and fellow NGOs (Fisher, 1998). They can also serve as vertical intermediaries between their members and the power centers in society, promoting government responsiveness and accountability (Fisher, 1998; Carroll, 1992). Finally, grassroots NGOs help communities access technical expertise and resources for projects (Carroll, 1992).

Bottom-up fisheries management is often facilitated by grassroots NGOs. Management that originates outside of state control is considered bottom-up (Dyer and McGoodwin, 1994). Grassroots fisheries organizations are common in the United States, from the Gloucester Fishermen’s Wives, to the Alaska Longliner Association. Their missions vary. Some focus on marine conservation, some want more fishing rights, while others are trying to preserve traditional fishing cultures. They vary in size and organizational structure, but all of these organizations were established by fishermen or people concerned with fishing. Because they are all based in the communities that they serve and are directly responsible to their constituents, they can be considered grassroots organizations.

Numerous fisheries organizations in the United States are not considered grassroots. The National Fisheries Institute and the Marine Fish Conservation Network are two examples. Unlike bottom-up groups, these two organizations are not based in the communities they serve. Rather, they are based in Washington D.C., and although they serve a broad constituency they are not directly responsible to their members.

### **III. BACKGROUND: INDIVIDUAL FISHING QUOTAS AND THE EMERGENCE OF PROCESSOR QUOTA**

A contemporary policy instrument being debated at both national and local levels is processor quota shares. Processor quota (PQ) is an extension of individual fishing quota (IFQ) programs. IFQs are called “rights-based” fisheries because they allocate exclusive harvesting rights to individual fishermen or vessel owners. However, these systems are actually catch-share fisheries, which give quota holders the *opportunity* to capture a share of a natural resource that is owned by all U.S. citizens (Mackinko and Bromley, 2002). An IFQ is defined as, “a Federal permit under a limited access system to harvest a quantity of fish, expressed by a unit or units representing a percentage of total allowable catch of a fishery that may be received or held for exclusive use by a person,” (Public Law 94-265, 1996).

An IFQ permit suggests a privilege to harvest a quantity of fish and does not give quota owners property rights over uncaught fish (Macinko and Bromely, 2002). Congress clarifies this in section 303 (d)(3) of the Magnuson-Stevens Fishery Conservation and Management Act which states, “An individual fishing quota or other limited access system authorization shall not create, or be construed to create, any right, title, or interest in or to any fish before the fish is harvested,” (Public Law 94-265, 1996).

Individual fishing quota programs are designed to spread effort out over an extended period of time, eliminating the “race for fish” which characterizes many open access fisheries. In contrast to competing with an unlimited number of boats for a limited number of fish, harvesting rights give individuals the opportunity to catch the same amount of fish at a slower, more economically efficient rate as dictated by the market (Matulich et al., 1996). Harvesting quota is generally divisible and transferable which often results in fleet consolidation. Fishermen are compensated when exiting the industry because they can sell or trade their quota under a market system (NAS, 1999). There are currently four federally managed IFQ fisheries in the United States. They are Alaskan halibut; Alaskan sablefish; wreckfish; and surf clams/ocean quahogs (NAS, 1999).

While season elongation has often proved beneficial for fishermen, research indicates that it can be detrimental for seafood processors (Matulich and Sever, 1999). The race for fish triggers intense capitalization in the harvesting sector, as too many boats compete for too few fish, and it also triggers overcapitalization in the processing sector. Since seafood products are perishable, processors make capital-intensive investments in their businesses to keep pace with derby-style harvesting strategies (Matulich et al., 1996). When landing patterns are altered by IFQ systems it may be difficult for processors to adapt.

An example of the race for fish is the Alaskan halibut fishery, which in the late 1980s had been reduced from its traditional season of around 120 days to as little as one week per year (NPFMC, 1997).



The aggressive nature of the fishery required harvesters to overcapitalize their vessels to compete with other fishermen, and consequently required seafood processors to invest in capital capable of handling the enormous quantity of fish during the very short season (Matulich et al., 1996). While IFQs can compensate fishermen through voluntary leases or purchase of quota, there are no provisions to compensate processors for their excess capital when an IFQ-managed fishery changes the market structure for seafood products (NPFMC, August 2002 (b)).

After IFQ implementation in the Alaskan halibut fishery, in 1995, the fishing fleet was consolidated and the season changed from just a few days to eight-months (NPFMC, August 2002 (a)). This change in fishery structure stimulated a change in the market structure from a frozen product to a fresh product. Before IFQ implementation (1992-1993) 83% of the halibut caught was marketed as frozen product. However, after IFQ implementation (1999-2000) the market became dominated by fresh halibut (59%) (Matulich and Clark, 2001). This shift in market structure resulted in changes in the processing industry. After IFQ implementation, the halibut processing industry consolidated from 104 firms to 83 firms (Matulich and Clark, 2001). Many firms left the industry after IFQ implementation and were replaced by new entrants who were able to take advantage of the low capital investments associated with the new market for fresh fish. Processors use this example to illustrate the unintended distributional effects of IFQ programs on the co-dependent processing industry (Matulich and Clark, 2001).

To eliminate the potential distributional effects on the processing industry from harvester-only IFQs, seafood processors are now urging Congress to include provisions that would allow for allocation of processor quota (PQ) in the reauthorization of the MSFCMA. Allocating processing rights in addition to harvesting rights is described as a “two-pie” system. The first pie allocates the right to harvest the fish as IFQs, and the second pie allocates the right to process the catch as IPQs. Essentially, processors would be given the exclusive rights to buy a portion of the catch based on historical processing levels, and fishermen would be required to sell their catch to the limited number of processors holding PQ.

There is a two-pie system currently awaiting Congressional authorization to manage the Bering Sea/Aleutian Island crab fishery. Goals of the proposed management plan are to slow the pace of fishing, assist rebuilding elements, maintain healthy harvesting and processing sectors, promote safety at sea, and initiate voluntary consolidation (NPFMC, June 2002). To accomplish these goals the plan allocates both harvester and processor quota shares.

Key elements of the program are (NPFMC, August 2002 (b)):

- Harvesters are allocated 100% of the Total Allowable Catch (TAC) as IFQs. These IFQs are revocable privileges, which allow the holder to receive an annual allocation of a specific portion of the annual TAC from a fishery.

- Eligibility: U.S. citizen or entity with 20% or more U.S. ownership and 150 days sea time in U.S. commercial fisheries in a harvest capacity; must hold a valid, permanent, license for the fishery.
  - Initial allocation based on historical harvesting levels.
  - IFQs fully transferable (can be traded, leased, or sold).
  - Ownership and use caps set between 1% and 10% depending on species (this is an anti-monopoly feature, which prevents harvesters from owning or leasing excessive shares of quota).
- Processors are allocated 90% of the TAC as IPQs. These IPQs are revocable privileges to receive deliveries of a specific portion of the annual TAC.
    - Eligibility: U.S. corporation (must be at least 50% American owned) or partnership (can be wholly owned foreign subsidiary of U.S. corporation).
    - Initial allocation based on historical processing levels.
    - Ownership caps set at 30%, no use caps (processing firms cannot own more than 30% of the total PQ, but can lease (or use) an unlimited amount of PQ on an annual basis. An exception to this rule is for the *Opilio* species, which has a use cap set at 60%).
    - Processing firms that own fishing vessels are also eligible for IFQs.
  - Mandatory third-party binding arbitration to settle price disputes between fishermen and processors. See appendix A for an article from National Fisherman Magazine outlining the plan.

The Bering Sea/Aleutian Island crab rationalization program, outlined above, has been controversial in Alaska and throughout the country because of potential negative impacts on fishermen and small-scale processing companies—these potential impacts will be explored later in this paper. However, derby-style fishing strategies are dangerous for participants and are inefficient from conservation and market standpoints. Innovative and equitable solutions must be developed to eliminate derby fishing and overcapitalization in the fishing industry.

#### IV. LEGAL MANDATES SURROUNDING INDIVIDUAL FISHING QUOTA AND PROCESSOR QUOTA

The Fishery Conservation and Management Act of 1976 (renamed the Magnuson-Stevens Fishery Conservation and Management Act in 1996) was established to regulate fishing in Federal waters from 3 – 200 nautical miles offshore (NOAA, NMFS Regional Councils). The Act’s primary goals were to conserve fish stocks, reduce foreign fishing, advance the domestic fleet, and link the fishing community more directly with the management process (NOAA, NMFS Regional Councils).

Authority for implementation of the MSFCMA lies with the Department of Commerce, which delegates much of the responsibility to the National Oceanic and Atmospheric Administration (NOAA) and in turn to the National Marine Fisheries Service (NMFS). The act established eight regional fishery management councils to prepare management plans for fish stocks in their respective geographic regions (NOAA, NMFS Law). Through a participatory process, fishery management plans are developed and submitted to the Secretary of Commerce for formal review. The National Marine Fisheries Service then implements all approved plans (NOAA, NMFS Law).

The MSFCMA authorizes limited access fisheries management schemes including IFQ programs. However, concerns about the socioeconomic and biological impacts of IFQs made Congress prohibit any new IFQ programs from being approved or implemented under the MSFCMA for a period of four years after the 1996 reauthorization—known as the Sustainable Fisheries Act (Public Law 94-265, 1996). The moratorium effectively prevented new IFQ managed fisheries until October 1, 2000, and repealed any IFQ program that was developed after January 4, 1995 (Public Law 94-265, 1996). In December of 2000, the moratorium on new IFQ programs was extended for another two years until October 1, 2002.

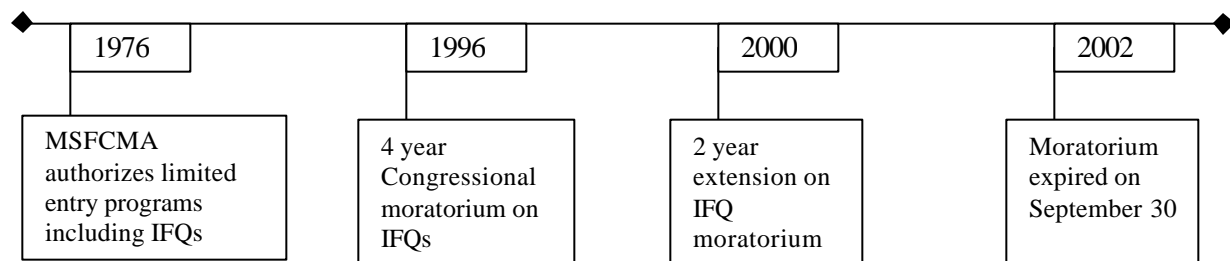


Figure 1: Timeline – Authorization of IFQs in MSFCMA

The MSFCMA does not currently include language to address PQ, so two-pie management schemes cannot currently be implemented under this Act.

As previously described, IFQs are under the strict authority of the MSFCMA. However, it is important to recognize how various amendments and auxiliary legislation are relevant to IFQs and PQ. I will briefly outline a few of these laws and amendments.

The Merchant Marine Act of 1936 and components of its reauthorizations have encouraged overcapitalization in fish harvesting and processing sectors. By offering low interest loans and tax subsidies, the Capital Construction Fund (CCF) and the Fisheries Obligation Guarantee (FOG) program have subsidized overcapitalization in the fishing fleet and processing sector and contributed to the need for fisheries rationalization programs (NOAA, CCF; Matulich and Sever, 1999). Transferable quotas programs are a way to correct for the overcapitalization that the CCF and FOG programs encouraged.

Additionally, the 1984 MSFCMA reauthorization, referred to as the “fish and chips” policy, included provisions to encourage joint ventures between foreign processing firms and U.S. based firms (Matulich and Sever, 1999). The 1984 provisions restrict foreign fishing (of surplus TAC) to only those firms participating in joint processing ventures with U.S. companies (Matulich and Sever, 1999). These joint ventures or “partnerships” become relevant in determining which companies would be eligible during initial PQ allocation.

The Bering Sea/Aleutian Island crab rationalization program, which is currently awaiting Congressional authorization, limits eligibility of PQ to U.S. firms or partnerships. However, the term “partnership” is not specifically defined in the fishery management plan. Under business definitions, partnership is defined as any type of unincorporated business organization in which multiple individuals manage the business and are equally liable for its debts (InvestorWords). While ownership requirements for eligibility for IFQs is strictly defined, these requirements are not defined for allocation of PQ. The 1984 amendments that encourage joint ventures make it incredibly difficult to track ownership of seafood processing firms, and could allow for allocation of PQ to firms that are more than 50% foreign owned. Since one of the four main goals of the MSFCMA was to reduce foreign fishing in domestic waters, there is concern about the profit from fishery resources (which is owned by every U.S. citizen) going to foreign-owned companies.

The American Fisheries Act of 1998 changed ownership rules for vessels operating in U.S. territorial waters. It charged the Maritime Administration under the U.S. Department of Transportation to amend section 12102 (c) of Title 46 to require vessels participating in fishery operations in U.S. territorial waters to be at least 75% American owned (AFA, 1998). Previous ownership requirements were set at 50%. Despite these strict requirements, 28 vessels have applied for ownership exemptions because of a conflict with some other existing law, treaty, or regulation between the U.S. and their home countries (NPFMC, February 2002). The six vessels that have been ruled on to date have been allowed to continue fishing in domestic waters without 75% American ownership because of existing treaties and laws (AFA,

1998). The Treaty of Friendship, Navigation, and Commerce between the United States and several other countries (Japan, the Republic of Korea, and Denmark) have all been successfully used to exempt companies from the U.S. ownership requirement (MarAd). This precedent, of exempting companies from American ownership requirements, presents further difficulties in determining eligibility for allocation of IFQ and PQ. While fishery management plans can stipulate eligibility requirements such as U.S. corporation or partnership, previous experience shows that ownership is difficult to track and negotiable, as in the above examples.

Specific provisions in the current MSFCMA complicate the legality of implementing PQ schemes. The MSFCMA designates ten national standards, which guide Councils in creating fishery management plans. Councils must abide by all ten standards, so these standards establish the framework for fisheries management in the U.S. exclusive economic zone (Macinko and Bromley, 2002).

Two of these national standards are relevant to the discussion of PQ. Standard five states that, “Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose,” (Public Law 94-265, 1996). Proponents of PQ point out that it is a method of redistributing wealth and compensating for excess capital, but they do not address any conservation benefits associated with PQ allocations. This leaves question as to whether it PQ is legal under national standard 5 of the MSFCMA.

The other national standard relevant to PQ is number four which states that, “If it becomes necessary to allocate or assign fishing privileges among various United States Fishermen, such allocation shall be carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges,” (Public Law 94-265, 1996).

While this language, under the current MSFCMA, does not apply to PQ because PQ is not an allocation of fishing privileges, the standard would become relevant if the definition of fishing privileges were changed to include processing activities. The proposed two-pie plan for crab rationalization controls how much a firm can own by capping ownership at 30%. However, there are no established use caps (except for the *Opilio* species on which use caps are set at 60%) so firms can lease an unlimited amount of quota on an annual basis (Fluharty, 2003). While this is not an allocation of excessive shares, it could allow a firm to acquire excessive shares through annual leases.

None of the aforementioned laws specifically address PQ. While IFQs are extensively covered in the MSFCMA, the Act contains no language regarding processor quota. Without language to guide councils in using PQ in their fishery management plans, a PQ system cannot be implemented under the MSFCMA at this time. To implement two-pie plans, councils need Congressional authorization, but, as will be explained in the next section, they do not necessarily need authorization in the form of a MSFCMA amendment.

## V. SOCIOPOLITICAL CONTEXT

Despite ambiguity and lack of specific language concerning PQ in the MSFCMA, on June 10th, 2002, the North Pacific Fishery Management Council (NPFMC) voted unanimously to implement a two-pie system to manage the Bering Sea/Aleutian Island crab fishery (NPFMC, June 2002). The proposed management plan (which was outlined in chapter III) allocates both harvester and processor quota.

The American Fisheries Act of 1998 charged the NPFMC to devise a fishery management plan for the Bering Sea/Aleutian Island crab fisheries. Under this mandate, the council developed the Bering Sea/Aleutian Island crab rationalization plan. Because of its PQ components, the plan is outside of MSFCMA authority and requires Congressional authorization before the NPFMC can act on it (Fluharty, 2003). This authorization could be in the form of an MSFCMA amendment or through separate legislation authorizing the NPFMC to utilize processor quota shares. The 108<sup>th</sup> Congress has not passed budget provisions to allow Congressional action on crab rationalization. Without these appropriations Congress is unable to take up the PQ issue. If Congress passes appropriations to allow work on crab rationalization and if the council is granted authority to go forward with a two-pie plan, the crab rationalization plan will be submitted to the Secretary of Commerce for final approval. The Northwest regional office of NMFS is currently preparing an environmental impact statement (EIS) for the crab rationalization plan under National Environmental Protection Act rules. The EIS will pave the way for council action should they receive Congressional authorization to implement the two-pie plan (Fluharty, 2003).

Outside of negotiations for the Bering Sea/Aleutian Island crab rationalization plan which do not in themselves require a MSFCMA amendment, industry groups with the support of sympathetic members of Congress pressured the 107<sup>th</sup> Congress to add language authorizing PQ in the MSFCMA. Since the MSFCMA was due for reauthorization, having last been reauthorized in 1996, the summer of 2002 was an opportune time to include this language. Additionally, since the IFQ moratorium was set to expire on September 30, 2002, seafood processors became increasingly concerned that councils would begin managing more fisheries with IFQs, leaving the processing sector stranded with excess capital due to lengthened fishing seasons. While the processing industry campaigned to get PQ language in MSFCMA reauthorization, fishermen and other concerned groups lobbied to prevent this wording. Adding to the mix, the NPFMC was working hard to ensure that their crab rationalization was approved, and while as a group they weren't lobbying for a MSFCMA amendment, such an amendment would have allowed them to move forward with their plan.

As demands mounted from every direction, the 107<sup>th</sup> Congress was pressured to take action on the issue of authorizing the creation and allocation of PQ in domestic fisheries management. On July 10,

2002, House Fisheries Conservation, Wildlife, and Oceans Subcommittee Chairman Wayne Gilchrest (R-MD) introduced a bill (HR 4749) in the House Resources Committee to reauthorize the MSFCMA. By changing the definition of an IFQ, it allowed for allocation of PQ. The bill defined an individual quota as “a grant of permission to harvest **or process** a quantity of fish in a fishery during each fishing season for which permission is granted equal to a stated percentage of the total allowable catch for the fishery,” (emphasis added) (HR 4749.IH, 2002). Further, the bill allowed councils to allocate this quota to “fishing vessel owners, fishermen, crew members, fishing communities, other persons specified by the council, and United States **fish processors**,” (HR 4749.IH, 2002).

Representative George Miller (D-CA) offered an amendment to strike the processor quota language from the bill. His amendment passed, but a later amendment from Jay Inslee (D-WA) made an exception for the NPFMC, allowing them to utilize processor quota shares (HR Markup, 2002).

The bill that was eventually reported from the House Resources Committee defined an individual quota as “a grant of permission to harvest a quantity of fish in a fishery or to process such fish which are under the jurisdiction of the North Pacific Management Council,” and further allowed fishery quota (either IFQ or PQ) to be held by “fishing vessel owners, fishermen, crew members, fishing communities, other persons as specified by the Council, and United States fish processors under the jurisdiction of the North Pacific Management Council,” (HR 4749.RH, 2002). Essentially, this language would allow the NPFMC to implement two-pie quota systems in any of the fisheries under its jurisdiction, but would continue to make PQ illegal in the rest of the country. As amended, HR 4749 was passed in the House Resources Committee but was never introduced in the full House of Representatives. The 107<sup>th</sup> Congress adjourned on November 20, 2002 with neither the House nor the Senate taking conclusive action on MSFCMA reauthorization (S.Con.Res. 160 ES, 2002).

Without final Congressional action on MSFCMA reauthorization, fishery management councils cannot utilize PQ in management plans. Congress’s decision on Alaska’s crab rationalization program will be a good indicator for future trends on this issue. However, until the MSFCMA explicitly addresses PQ, controversy will surround this issue. Additionally, with the expiration of the IFQ moratorium on September 30, 2002, councils are permitted to allocate IFQs in accordance with the rules specified in the MSFCMA. The 108<sup>th</sup> Congress, which convened on January 7, 2003, has responsibility for reauthorizing the MSFCMA and clarifying the issue of PQ; however, the issue has not yet been placed on the floor calendar.

## VI. HUMAN ECOLOGY: INTERACTIONS OF STAKEHOLDERS, POLICIES, AND SCIENCE

A discussion of key players in the processor quota debate is critical to this analysis. While the political context and direct legal mandates have already been discussed, this section will focus on the interaction of stakeholders, interest groups, and the scientific community in the evolution of the anti-processor quota campaign.

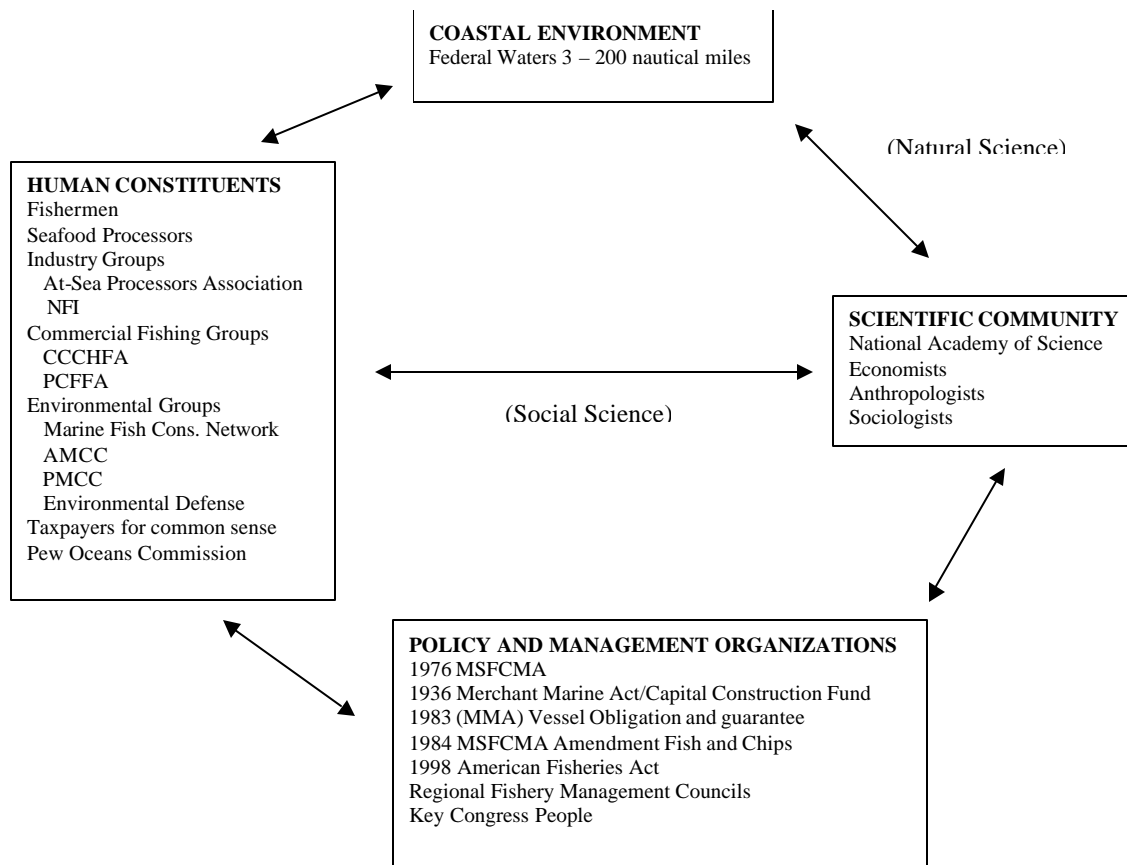


Figure 2: Human Ecology Diagram adapted from Orbach, 1995

Various stakeholders and interest groups are involved in the processor quota debate. On a fundamental level the issue immediately pits fishermen against processors. Fishermen and fishing industry groups are steadfast in their opposition to two-pie management schemes that allocate PQ (Baker, 2003). Fishermen do not want the competitive market to be limited by having to sell their product to the limited number of buyers holding PQ. As a rule, processors are proponents of PQ and have used a variety of strategies to make this tool available to fishery management councils. The exception to this rule is



small processors who feel they will be out-competed by the large processing firms who will gain the most quota during initial allocation of PQ.

The list below, although not exhaustive, represents a diverse set of stakeholders and the diverse set of the views on PQ.

Table 1: Human constituents and where they stand on PQ implementation

| <b>HUMAN CONSTITUENT</b>                          | <b>POSITION ON PQ</b>         |
|---|-------------------------------|
| Fishermen   | No                            |
| Seafood Processors                                | Yes (except small processors) |
| <b>Industry Groups</b>                            |                               |
| At-Sea Processors Association                     | Yes                           |
| National Fisheries Institute                      | Yes                           |
| <b>Commercial Fishing Groups</b>                  |                               |
| Cape Cod Commercial Hook Fishermen's Association  | No                            |
| Pacific Coast Federation of Fishing Organizations | No                            |
| Northwest Atlantic Marine Alliance                | No                            |
| <b>Environmental Groups</b>                       |                               |
| Marine Fish Conservation Network                  | No                            |
| Pacific Marine Conservation Council               | No                            |
| Alaska Marine Conservation Council                | No                            |
| Environmental Defense                             | No comment                    |
| Taxpayers for Common Sense                        | Depends                       |
| Pew Ocean Commission                              | No                            |
| National Academy of Science                       | Proceed with caution          |
| <b>Key Congress People</b>                        |                               |
| Rep. Delahunt (D-MA)                              | No                            |
| Rep. Miller (D-CA)                                | No                            |
| Sen. Kennedy (D-MA)                               | No                            |
| Sen. Kerry (D-MA)                                 | No                            |
| Sen. Snowe (R-ME)                                 | No                            |
| Rep. Young (R-AK)                                 | Yes                           |
| Rep. Gilchrest (R-MD)                             | Yes                           |
| Rep. Inslee (D-WA)                                | Yes                           |
| Sen. Murray (D-WA)                                | Yes                           |
| Sen. Stevens (R-AK)                               | Yes                           |

The discussion that follows explores the positions and motivations of a few of the key stakeholders on the issues of IFQ and PQ.

The At-Sea Processors Association, a trade organization representing U.S. flag catcher/processor vessels participating in Bering Sea ground fisheries, pushed for a lift of the IFQ moratorium and is a strong proponent of PQ (APA, 2002). Conversely, the National Fisheries Institute (NFI), a leading trade association for the seafood industry and a strong lobbying power in Washington D.C., states that it “can only support an end to the moratorium on IFQ programs if the MSFCMA is amended to require that the award of IFQ shares results in the harvesting and primary processing sectors each receiving 50% of the total economic value of the shares being awarded,” (NFI, 2002). The NFI is a strong PQ proponent and wants to ensure that no new IFQ programs are implemented until processors are authorized to receive PQ under the MSFCMA.

Fishing groups, including the Cape Cod Commercial Hook Fishermen’s Association (CCCHFA) and the Pacific Coast Federation of Fishermen’s Association (PCFFA), vehemently oppose PQ. Responding to member concerns, these groups have pushed for strong national standards for IFQs and have advocated against PQ allocation. The CCCHFA and PCFFA along with more than 40 other commercial fishing and conservation groups submitted a letter to National Fisherman magazine in August 2002 asking for national IFQ standards and calling for a ban on processor quota (Letter to Editor, 2002).

Environmental groups including the Marine Fish Conservation Network, a coalition of over 150 groups concerned with marine resource conservation, are opponents of IFQs and would like to see the moratorium reinstated until national standards are put in place to address socioeconomic and biological concerns. The Network, and conservation groups such as the Alaska Marine Conservation Council, are strong opponents of PQ in any form. Environmental Defense is a notable exception to this trend. This group has been a vocal proponent of IFQ fisheries, it is not pushing for national standards, aside from what is currently in the MSFCMA, and it has not made a public statement regarding PQ (Environmental Defense, 2002).

Another constituent group who testified to Congress on this issue is the Taxpayers for Common Sense. Where IFQs have been implemented in the past, fishermen were initially allocated quota share based on historical processing levels at no cost to them. This group sees IFQ and PQ allocation as a government handout of taxpayer money. If quota is allocated to harvesters or processors, this group would like to see an auction, where individuals bid for the privilege of harvesting and processing the public resource, rather than an allocation based on historical participation which offers no compensation to the owners of the resource—the U.S. public (Taxpayers for Common Sense, 2002).

Of significance in the scientific community is the National Academy of Science which, under mandate from Congress, published a book in 1999 with recommendations for a National Policy on IFQs.

On processor quota, the Academy states that “the committee found no compelling reason to recommend the inclusion or exclusion of processors from eligibility to receive initial quota shares,” and further stated that the “committee was not convinced, however, that the solution to the perceived problems lies in the allocation of either harvesting or processing quota to processors,” (NAS, 1999). The National Academy of Science points out the additional complexity involved in allocating processor quota shares, especially in fisheries that have on-shore and at-sea processing facilities with firms participating in both the harvesting and processing sectors (NAS, 1999).

The Pew Oceans Commission—an independent group analyzing marine resource policies in hopes of improving them—is another significant stakeholder in this debate. This group submitted a letter to Congress on October 1, 2002 urging them act before adjournment to put national IFQ standards in place (Pew, 2002). They were concerned that the moratorium would expire without new standards being put into the Act, which is precisely what happened. According to Pat White, a Pew Oceans Commissioner, the group has also publicly stated their opposition to PQ (White, 2002).

The final stakeholders I will mention are individual members of Congress who have been involved in the PQ debate. Proponents of PQ include Congressmen from Alaska (Senator Stevens and Representative Young). These individuals have substantial political clout and are strong supporters of the processing industry. On the opposing side are Congress people from New England, Representative Delahunt (D-MA) in particular, who took a strong stand against PQ and took steps to block PQ language from MSFCMA reauthorization.

The preceding discussion has outlined the positions of various stakeholders and interest groups in the PQ debate. Following is a more in-depth analysis of one of these stakeholders—the Cape Cod Commercial Hook Fishermen’s Association. This group was a key player in the PQ controversy, and initiated a significant advocacy campaign to block an amendment to the MSFCMA which would have authorized processor quota shares.

**VII. THE CAPE COD COMMERCIAL HOOK FISHERMEN’S ASSOCIATION ORGANIZATIONAL STRUCTURE AND CAPACITY**

The CCCHFA was founded as a 501(C)(3) non-profit organization in 1993, with a mission to “protect a resource, a tradition, and a way of life,” (CCCHFA, 2002). Recognizing that strict fishing regulations and modern development pressure, such as coastal tourism, were encroaching on the traditional fishing culture, a group of fishermen mobilized to ensure preservation of their industry. By promoting clean fishing gear such as hook-and-line and weir techniques, they reasoned that they could meet conservation goals and preserve the traditional fishing culture.

The variety of fishing gears represented in membership has expanded since the organization’s inception. While it began strictly with hook-and-line fishermen, today members also include charter captains, gill-netters, trappers, and a variety of other gear types. The common thread among members is that they all want to see the resource and the fishing culture preserved (CCCHFA, 2002). Currently, the group has over 1,400 members including commercial fishermen and concerned citizens. Approximately 25% are fishermen and 75% are concerned community members. The membership composition of CCCHFA illustrates how important fishing and the fishing culture is to Cape Cod communities.

CCCHFA has a flat hierarchal organizational structure with individual staff members responsible to the Executive Director who is then responsible to the Board of Directors (Lakey et al., 1995).

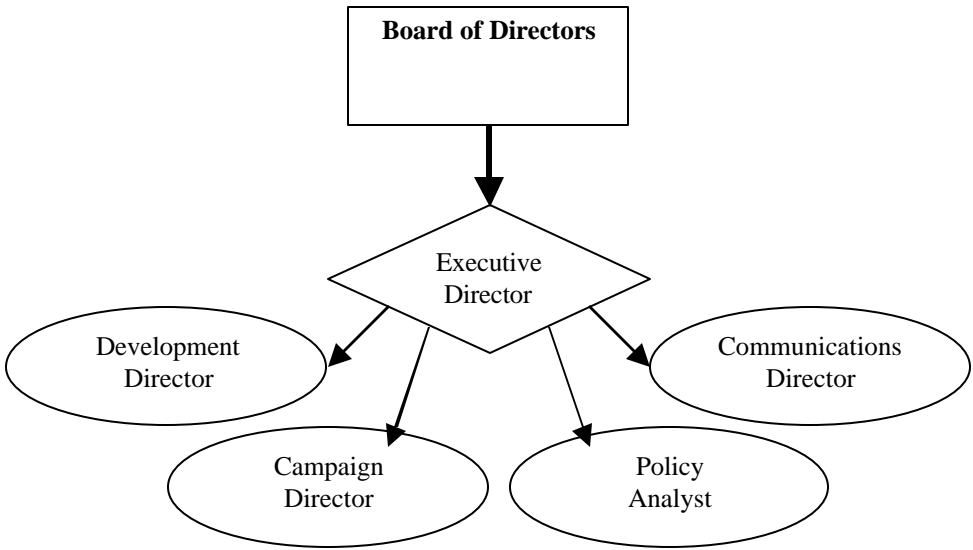


Figure 3: CCCHFA Organizational Structure adapted from Lakey et al., 1995

The CCCHFA Board sets broad organizational goals, but the Executive Director is responsible for managing staff and programs on a day-to-day basis. While a traditional hierarchal structure is often

considered cumbersome—since decisions are made through a pyramid structure—the staff at CCCHFA are extremely self-directed and autonomous in their daily work. The small staff (six full-time staff) and casual atmosphere at the CCCHFA helps foster creativity and communication. “The structure is very flexible and allows new ideas and initiatives,” says Peter Baker, CCCHFA’s Campaign Director (Baker, 2003).

Major programmatic decisions are ultimately made by the Board of Directors, but staff members have considerable input in the process. The staff provides regular progress reports to the Board at quarterly meetings and they also interact with Board members at impromptu meetings, which are occasionally called to deal with pressing issues. Board members regularly visit the CCCHFA office, staying abreast of issues and enthused about programs.

Staff positions are designated by responsibilities rather than by program areas. For example, one of CCCHFA’s program areas is the Fisheries Reform Campaign. The program focuses on improving fisheries policy to protect undersea habitat, reduce bycatch, and promote sustainable fishing communities. All staff members have different responsibilities under this program area, designated by their job title. John Pappalardo, the Policy Analyst, is an appointed member of the New England Fishery Management Council, so he helps set policies that accomplish the goals of the Fisheries Reform Campaign. Melissa Weidman, the Communications Director, raises public awareness and generates media attention around the initiative. The Development Director carries out fundraising for the campaign, and the Campaign Director develops overall strategies to accomplish the program’s goals.

While most CCCHFA positions are designated by responsibilities rather than by program area, an exception is the recently created (December 2002) Program Coordinator position which primarily focuses on CCCHFA’s cod tagging program. The “responsibility” approach necessitates substantial coordination and communication between staff members to ensure that all program aspects are being attended to, but it makes task delineation clear. Weekly staff meetings further delineate responsibilities and encourage exchange of ideas.

With expanded programs, increasing membership, and growing credibility, the organization’s staff has more than doubled in the last three years, from three to seven. Current staff positions at the CCCHFA include: Executive Director, Policy Analyst, Communications Director, Campaign Director, Development Director, Cod Tagging Program Coordinator, and a half-time Financial Director.

Staff increases have created the capacity for improved performance. Melissa Weidman, Communications Director at CCCHFA, speaks to this in relation to her position: “Because it [the CCCHFA] has evolved to the point where it has the resources to have an ordained Communications Director position, there is a central conduit doorway through which press inquiries can come. Before I was here it was very informal. When press called, they talked to whoever happened to answer the phone.

But now when they call with a specific question about an issue, I know what fishermen are available to talk on those issues, I know which staff has expertise on the issue. It's more centralized. My position gives me the ability to prioritize my time so that I can respond appropriately to press inquiries," (Weidman, 2003)

The year the Communications Director position was created (1999), CCCHFA had 50 press hits—meaning that the organization's name was mentioned or a staff member was quoted in 50 newspaper articles. In 2002, just three years later, the organization had 250 press hits. This illustrates the growing credibility of CCCHFA, in part due to expanding staff and programs (Weidman, 2003).

As a tax-exempt organization, the CCCHFA faces certain constraints in some of its activities. The U.S. Internal Revenue Code limits the amount of time or money that a tax-exempt organization, under section 501 (C)(3), can spend on advocacy work. Since the CCCHFA's annual "exempt purpose expenditures" are under \$500,000 per year, it can spend up to 20% of its "exempt purpose expenditures" attempting to influence legislation (U.S. Code sec. 501). If the organization exceeds this 20% maximum, it can lose its tax-exempt status. The Internal Revenue Code offers a strict definition of an "attempt to influence legislation" but recognizes exceptions, which create leeway for advocacy work. As defined by the Code an attempt to influence legislation is "an attempt to affect the opinions of the general public or any segment thereof...through communication with any member or employee of a legislative body or with any government official or employee who may participate in the formulation of the legislation," (U.S. Code sec. 4911).

While this definition is strict, the code exempts actions such as providing advice in response to written request, or communication with a legislative body or its members about something which might affect the existence of the organization (its powers, duties, contributions, etc.) (U.S. Code sec. 4911).

The Code defines legislation as action "limited to the introduction, amendment, enactment, defeat or repeal of Acts, bills, and resolutions," (U.S. Code sec. 4911). Non-profit literature interprets this to mean that a 501(C)(3) organization cannot urge people to vote for (or against) specific pieces of legislation, but it can inform members and the public about the issues included in the legislation (Lahey et al., 1995). This subtlety means that CCCHFA cannot spend more than 20% of its time asking members of Congress to vote for or against a specific bill, such as HR 4749, but it can go to individual members of Congress and educate them about parts of the bill they are concerned about.

Regardless of one's interpretation of the U.S. Internal Revenue Code, maintaining tax-exempt status is vital to CCCHFA's mission and this status requires the organization to keep track of exactly how much time and resources are spent talking to members of Congress about legislative bills. Peter Baker explains CCCHFA's position: "Rarely does our work at the National level have to do with specific

legislation. Rather, our role is to educate legislators about general issues, like IFQs, that impact fishermen. Thus, we do not really lobby, we engage in education efforts,” (Baker, 2003).

When asked about how CCCHFA’s tax-exempt status affected the PQ campaign, Executive Director Paul Parker says, “It was certainly a consideration because there are lobbying limits, but ultimately we do an awful lot of work and only a very small amount of that work is actually lobbying,” (Parker, 2003).

The expertise and specialization of staff at the CCCHFA are conducive to advocacy work. While the PQ campaign was primarily directed by the newly hired Campaign Director, it was heavily supported by other staff members including the Communications Director who coordinated efforts to educate members of the public and press, and a summer intern who worked nearly full-time on the campaign.

Prior to creating the Campaign Director position (December 2001), campaign work was spread out between various staff members including the Executive Director, Policy Analyst, and Outreach Coordinator, but no one was specifically designated to lead advocacy efforts (Parker, 2003). Despite the lack of specialization, the organization’s main focus was on campaign work and they had successfully campaigned at local, state, regional, and federal levels (Parker, 2003). Still, having a designated Campaign Director with extensive experience, proved to be an asset to the PQ campaign.

## VIII. THE ANTI-PROCESSOR QUOTA CAMPAIGN

Advocacy strategy is the broad plan, or long-range design, for attaining a goal while advocacy tools are the specific actions taken to attain a goal (Berry, 1977). Strategies take into account the organization's goals, motives, capacity, and constraints as well as the legal framework and political context of the issue (Berry, 1977). The CCCHFA used a number of strategies and tools to block processor quota language from being included in MSFCMA reauthorization.

### Campaign Motives

The CCCHFA's PQ campaign grew out of a larger initiative focused on promoting national standards for IFQs and maintaining conservation measures in MSFCMA reauthorization. During an April 2002 strategic planning workshop, the Board of Directors identified PQ as critical programmatic issue (Parker, 2003). "The Board saw PQ as a big concern for our long-term future and viability. They wanted us to be vigilant on it," says CCCHFA's Executive Director (Parker, 2003).

Peter Baker states, "Many of our members, as they began talking about IFQs and looking at the proposals out there to implement them, realized that PQ may be the biggest threat in the long-run. They saw that as fishermen are busy bickering about how much quota they'll get, the processors are trying to steal the whole show behind the scenes," (Baker, 2003).

Since conservation organizations had not taken up this issue in full-force, CCCHFA decided to fill the niche. They concentrated their efforts on PQ, leaving other organizations to pursue national standards for IFQs. "It allowed us to have a leading voice and have a big impact on that smaller policy area. It also allowed our other allies to spend their full-time on IFQs while paying less mind to PQ," says CCCHFA's Campaign Director (Baker, 2003).

### Organizational Goals, Capacity and Constraints

"We are a campaign organization, a grassroots organization that creates change by conducting organized campaigns. We are constantly campaigning on different fronts to protect the interests of our members and to educate the community. That's the function of the organization; that's the reason we exist," says Executive Director Paul Parker (Parker, 2003).

Having recently hired a dedicated Campaign Director, and having access to intern help, the CCCHFA was in an excellent position to embark on a national level PQ campaign during the summer of 2002. The New England Fisheries Management Council (NEFMC) had not proposed PQ as a management tool, but the NPFMC was in the final stages of integrating this tool into the Bering Sea/Aleutian Island crab fishery. Although Alaskan fisheries are geographically remote from New England, industry groups from the Northwest were persuading Congress to change Federal fisheries policy to accommodate their two-pie strategy, making the PQ issue relevant to fishermen throughout the



country. Additionally, as Paul Parker states, “I think that it is widely understood that a lot of fishery management tools that are used in Alaska and the Pacific Northwest are a pre-cursor to our future,” (Parker, 2003).

With its mission to protect family fishermen, CCCHFA’s organizational goals were consistent with the aims of the PQ campaign. By opposing PQ, the organization intended to protect independent fishermen whose livelihoods depend on a competitive fish-buying market. The CCCHFA Board and its members saw PQ as a long-term threat and encouraged a fight against it. Individual personalities and core values of CCCHFA’s staff also influenced their involvement in this campaign. Staff members felt compelled to fight against the kind of corporate domination that destroyed the Midwest family farmer (Baker, 2003). The personal convictions of CCCHFA’s Executive Director, Board members, and its membership provided strength to the campaign.

Although Cape Cod fishermen were under more immediate threats to their livelihoods—a court order had just been handed down that would severely restrict New England ground fishing—they felt that PQ must be prevented from being authorized under the MSFCMA. They saw it as a threat that could not be ignored.

Opposition to PQ is based on the following arguments (AMCC, 2002):

- It would concentrate wealth into the hands a few large seafood companies through Government allocation of market share, and make it difficult for new entrepreneurs to enter the industry. Since initial allocation is based on historical processing levels, the largest companies would be awarded the greatest amount of quota and new entrants would be at a competitive disadvantage since they would have to buy quota from quota holders who had been awarded it, free of charge, by the government.
- Since fishermen would be required to sell their catch to a limited number of buyers, PQ would eliminate healthy competition between processors, competition which helps guarantee that harvesters are given a fair price for their product.
- PQ is beyond the scope of the MSFCMA, which is designed to conserve fish stocks, not manage the seafood industry. Fishery management councils do not have the experience or technical expertise to manage the downstream impacts of PQ, so they would become overburdened under this management system.
- Since the processing sector in the Pacific northwest is predominantly foreign owned, there is concern about the profit from this public resource going to foreign companies.

#### Legal Framework and Political Context

The unanimous vote by the NPFMC in favor of a two-pie system to manage Bering Sea/Aleutian Island crab species spurred anti-PQ advocacy efforts in Alaska. While this vote helped stimulate action

on the part of the CCCHFA, the decision had little direct impact on CCCHFA and its members. The greater threat, perceived by CCCHFA, was an amendment to MSFCMA which would authorize creation and allocation of PQ throughout the country.

Two serendipitous events made such an amendment very probable. One was that the MSFCMA was up for reauthorization, having last been reauthorized almost six years before. The second was that the moratorium on IFQs was set to expire in the fall of 2002. If Councils were free to implement IFQ programs, the processing industry wanted to ensure that they were authorized to receive PQ under the MSFCMA. The processing industry was supported by several influential members of Congress, so it was likely that a MSFCMA reauthorization bill would include language authorizing PQ.

The Senate was not expected to act on MSFCMA reauthorization in the 107<sup>th</sup> Congress, so the CCCHFA concentrated its advocacy efforts on the U.S. House of Representatives. Congressman Wayne Gilchrest (R-MD) was scheduled to introduce a MSFCMA reauthorization bill in the House Resources Committee during the summer of 2002. As previously discussed, the bill (HR 4749) included language which authorized PQ. See appendix B for AMCC's press release. Since Representative Gilchrest was the House Fisheries Conservation, Wildlife, and Oceans Subcommittee Chairman he possessed significant political clout in bills introduced to the Resources Committee. The CCCHFA was posed to block PQ language in Gilchrest's bill.

### Campaign Strategies and Tools

The CCCHFA used the following strategies in its PQ campaign: 1) Mobilize and empower constituents, 2) build coalitions with fellow NGOs, 3) generate media attention, 4) target centers of decision-making, 5) activate sympathetic partisans, and 6) frame the issue as nationally important. Specific tools employed to help attain the goals of these advocacy strategies included, contacting the press, communicating with public officials, developing informational materials, and networking with allies.

#### *Mobilize and Empower Constituents*

As a grassroots membership organization, CCCHFA had easy access to fishermen and concerned citizens and were able to motivate and empower them to act on this issue. During May and June of 2002, the organization conducted 225 Congressional visits and took 17 commercial fishermen to Washington, D.C. to educate Congress about PQ. The CCCHFA campaign director says, "I know of no other fishing organization that mustered such an effort last year," (Baker, 2003)

The organization trained its members on how to interact with Congress, informed them of relevant issues, and updated them on breaking news related to PQ. The CCCHFA urged its members to write letters to the editor and provided information and training to assist interested individuals.

Additionally, the organization mobilized its constituents to write and call their representatives about their concerns.

#### *Build Coalitions with Fellow NGOs*

The principle means by which movements occur in our society are through advocacy networks and coalitions (Advocacy Institute, 1990). Since its inception the CCCHFA had developed strong working relationships with other fishing organizations around the country. These networks added credibility to the anti-PQ campaign and illustrated the broad concerns that existed about PQ from coast to coast. Coalitions with fellow NGOs, although highly informal, demonstrated solidarity in opposition to PQ; and information sharing between groups was essential to accomplish campaign goals.

The CCCHFA's main ally in this campaign was the Alaska Marine Conservation Council (AMCC), which has a parallel mission of marine conservation and protecting family fishermen in Alaska. The two organizations coordinated trips to Washington, D.C. for lobbying visits, jointly funded advocacy materials, and generally worked cooperatively to accomplish campaign goals. Collaborations with AMCC also helped the CCCHFA generate press coverage on the west coast, which might not have been possible if they had been working alone (Weidman, 2003).

The other critical ally in CCCHFA's campaign was the Marine Fish Conservation Network, which is a coalition of over 150 fishing groups concerned with marine resource conservation. The CCCHFA and AMCC are both members of this group. Since the Network is based in Washington, D.C., its headquarters served as an effectual office for CCCHFA's Congressional work (Baker, 2003).

#### *Generate Media Attention*

The third strategy employed by CCCHFA was to generate media attention around PQ. Media focuses public concern and allows legislators to assess public sentiment (Advocacy Institute, 1990). The PQ issue was featured in 43 newspaper articles around the country (Weidman, 2003). Editorials supporting CCCHFA's position appeared in the Boston Globe, Boston Herald, and in National Fisherman Magazine. See appendices C and D for examples. Additionally, CCCHFA organized opinion editorials and letters to the editor that were placed in small, medium, and large papers throughout New England, and in many regional papers including the Seattle Post-Intelligencer, the Seattle Times, The Oregonian, and the Congressional Quarterly (appendices E and F) (Baker, 2003). A key avenue for press coverage was the fishing industry press and National Fisherman Magazine, Commercial Fisheries News, and Fishermen's Voice all featured articles opposing PQ. The CCCHFA spearheaded an anti-PQ letter run in the August issue of National Fisherman Magazine. The editorial was signed by 45 fishing groups from 11 states. See appendix G for the National Fisherman editorial.

Successful media coverage was in part due to CCCHFA's comprehensive press database, which includes newspaper names and points of contact information. This database is continuously being supplemented and serves as a valuable resource for maintaining press contact (Weidman, 2003).

Radio news programs were used effectively throughout Cape Cod to educate the public about PQ (Baker, 2003). Additionally, Rachel Gotbaum of Boston's National Public Radio station produced a program focused on IFQ and PQ, which aired on July 9, 2002. The radio broadcast can be accessed on WBUR's web site at: <<http://publicbroadcasting.net/wbur/news/content/370133.html>>. See appendix H for a summary.

While television broadcasts on PQ were limited, the CCCHFA together with its main ally, AMCC, produced a short advocacy video on the issue. Production costs were covered by the Alaska Conservation Foundation, CCCHFA, and AMCC. The audience for the video was Congressional members and their staff. A three and a half minute version was distributed in CD ROM format to all 535 members of Congress together with an informational packet including position papers and recent newspaper coverage on the issue. In September 2002, the video was featured at a press conference and Congressional briefing in Washington, D.C. A longer version of the video (approximately 7 minutes) aimed at the general public, was produced and used in limited public education efforts. The short video can be accessed through CCCHFA's website at: <<http://www.ccchfa.org>>. See appendix I for the video's script and appendix J for the production budget.

#### *Target Centers of Decision-making and Activate Sympathetic Partisans*

The CCCHFA targeted Representative Gilchrest, the chairman of the House Fisheries Conservation, Wildlife, and Oceans Subcommittee, as a center of decision-making on the PQ issue. By using local political connections and activating sympathetic partisans, the organization illuminated widespread opposition to PQ. The CCCHFA's most supportive ally in Congress was Representative William Delahunt (D-MA). He initiated a "Dear Colleague" letter addressed to Representative Gilchrest urging him to amend HR 4749 and remove PQ language from the bill. The CCCHFA expended considerable effort to persuade people to sign the letter and succeeded in recruiting 44 House Representatives to sign on. See a copy of the letter in appendix K.

The organization used the theory of concentric circles of influence in activating members of Congress. They began with Congressional delegates from Massachusetts' 10<sup>th</sup> District; next they worked to gain the support of the greater Massachusetts delegation; and then they went to Representatives from New England (Baker 2003). Boards of Selectmen and Commissions from throughout the Cape Cod region were targeted for informational presentations during their regularly scheduled meetings.

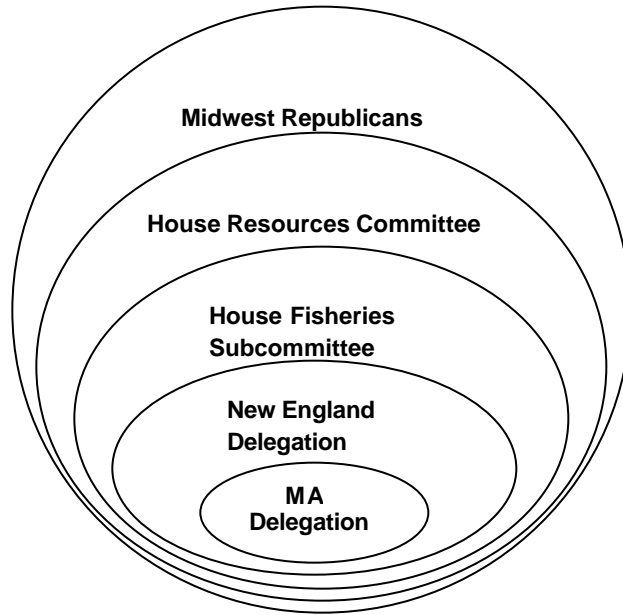


Figure 4: Concentric Circles of Influence

Five groups, representing 40, elected officials submitted letters to Massachusetts Congressmen and the Secretary of Commerce urging them to block PQ authorization in MSFCMA. See appendices L and M for examples. All of these members can be considered sympathetic partisans because many of their constituents are small-boat fishermen who are opposed to PQ.

The last group that CCCHFA targeted was rural Republicans. Though an unlikely candidate for support, these members were sympathetic to the issue when it was pitched as limiting free markets and because CCCHFA linked the issue to the decimation of the family farmer.

*Frame the Issue as Nationally Important*

The final strategy employed by the CCCHFA was framing the PQ issue so that it was relevant to the entire nation. The critical task was to broaden the core base of supporters by using themes to engage the emotion of those who were not ready supporters of the initiative (Advocacy Institute, 1990). The CCCHFA didn't want this issue to be perceived as "just another fisheries issue". They wanted to show it as a threat to independent small businesses (fishermen) and as a limit to the free market. The simple message in all press contact, and all advocacy materials was, "Don't let what happened to the family farmer happen to the family fishermen." By framing the issue as big business trying to take over the rights of independent fishermen, CCCHFA linked its opponents to negative values of corporate oppression. This was an effective message at a time (during the summer of 2002) when Americans were watching Enron and WorldCom executives being pulled off of Wall Street in handcuffs for corporate accounting scandals. When asked what strategies the CCCHFA used to address their opponents' views Peter Baker said, "We let the weight of their own arguments crush them. They wanted to talk about

economic models, cost recovery, and stranded capital. We talked about ideals: the free market, a fair days pay for a hard days work, supporting our traditional working people, big corporations versus family businesses. This showed a clear distinction—hired lawyers and paid economists from Universities versus hard working blue-collar fishermen and concerned coastal residents. We knew we couldn't out-spend them or out-suit them, but we could make their argument look too big and imposing when contrasted against our cadre of real people," (Baker, 2003).

## **IX. DISCUSSION AND CONCLUSIONS**

Processor quota was effectively blocked from MSFCMA reauthorization in the 107<sup>th</sup> Congress. Representative Gilchrest's MSFCMA reauthorization bill (HR 4749) would have changed the definition of an IFQ to allow fishery management councils to create and allocate PQ. This language was cut from the bill so councils would not be able to use PQ; however, an exception was made for the NPFMC, which would have authorized them to allocate PQ. While the bill that was passed by the House Resources Subcommittee was not considered perfect by the CCCHFA, it represented a small victory because it would not have allowed the New England Fishery Management Council to implement two-pie management schemes, effectively protecting CCCHFA's members.

While implementation of two-pie plans has been successfully blocked, the MSFCMA has not yet been reauthorized. HR 4749 did not go beyond the House Resources Subcommittee in the 107<sup>th</sup> Congress, and the MSFCMA has not been taken up to date by the 108<sup>th</sup> Congress. The Senate is expected to act upon MSFCMA reauthorization during the 108<sup>th</sup> Congress, but the issue has not yet been placed on the floor calendar. Additionally, Congress has not provided budget provisions to permit action on the Bering Sea/Aleutian Island crab rationalization plan, so the NPFMC cannot move forward with this plan.

Determining whether CCCHFA's advocacy campaign was responsible for blocking PQ would require further empirical studies, but the organization feels that its campaign had some level of responsibility for preventing PQ language in HR 4749. The CCCHFA's Executive Director and Campaign Coordinator consider the PQ campaign a huge success. They recognize that the campaign is far from over, but point out that PQ has not been permitted to be implemented anywhere in the United States to date. The CCCHFA made progress toward the goals of its advocacy campaign, but until there is conclusive action on MSFCMA reauthorization the PQ issue will remain a major concern and will require continued advocacy efforts.

Preventing PQ language in HR 4749 was a major campaign victory, but it should not overshadow other achievements such as the development of effective advocacy tools and materials. These powerful tools will be important for future efforts. Key tools and materials include:

- A hard-hitting anti-PQ video which can be used to educate Congress and the general public,
- Numerous position papers illuminating the problems with PQ,
- Over 40 newspaper articles which show the significance of the issue,
- A National Public Radio broadcast focused on IFQ and PQ,
- A trained cadre of well-informed constituents who can educate Congress about PQ.

Through its presence in WashingtonD.C., the CCCHFA established itself as a credible grassroots organization. By observing common courtesies, knowing the issues, and representing its constituents'

values the organization gained a reputation as a dependable source of information. Members of Congress and members of the media now solicit the group for information on a wide-range of fisheries issues.



## **X. RECOMMENDATIONS**

As a non-profit organization with limited resources, the CCCHFA is at a competitive disadvantage to industry groups who are able to maintain constant pressure on Congress through Political Action Committee (PAC) contributions. To combat this, CCCHFA must be more agile than its opponents, substituting core values, and grassroots fervor over campaign contributions (Advocacy Institute). By taking an integrated approach, which combines networking, media contact, constituent mobilization, and partisan activation, the CCCHFA can continue to win small victories that can be built upon to accomplish future campaign goals.

Grassroots advocacy is a long-term process and it would be unrealistic to think that this limited campaign could completely solve the issue of PQ. “Rarely does an issue rise to the top of the nation’s agenda, only to be satisfactorily addressed with a single vote in a single session of Congress,” (Advocacy Institute, 1990). Rather, successful advocacy requires a long-term commitment with flexible goals and strategies which allow an organization to take advantage of the changing sociopolitical climate. Because the CCCHFA works on a number of different issues that effect its members, it is limited in the amount of resources it can expend on PQ. Intensity cannot be maintained around PQ when more immediate threats face CCCHFA’s members. The organization expended enormous effort during the summer 2002 when PQ was on the national agenda. However, as the issue takes a back burner in Congress, it also takes a back burner on the list of CCCHFA’s priorities.

Limited by its budget and constrained by its 501 (C)(3) status, the CCCHFA must take full advantage of its past achievements to further goals of the PQ campaign. Of critical importance is timing. To be efficient and effective, the organization must constantly track the issue and be ready to put the previously developed tools into motion when the issue is raised again. To avoid getting bogged down from continuously tracking the issue, the CCCHFA must utilize its network of allies. The Marine Fish Conservation Network, based in Washington, D.C., expends significant effort tracking fisheries legislation in Congress. The CCCHFA must maintain its positive, reciprocal relationship with this organization to take advantage of the information the organization generates.

Because decisions made about the crab rationalization plan will set precedents for future trends on PQ, the plan’s status must be continuously tracked. As an Alaska based organization with connections to the NPFMC, the AMCC will be critical in tracking the crab plan, and CCCHFA must take advantage of its relationship with this organization.

The partnership between CCCHFA and AMCC has been extremely beneficial and will be critical in future efforts. However, the two organizations must maintain their separate identities. While both organizations want to prevent implementation of PQ, they each have slightly different priorities in the

campaign. The AMCC faces immediate threats from PQ because of the NPFMC's proposed crab rationalization plan. PQ is more of a long-term threat to CCCHFA members. To accurately represent members' concerns, the two organizations may need to take divergent strategies in future campaign efforts.

When Congress next prepares to reauthorize the MSFCMA, the CCCHFA must have its advocacy materials ready to launch. A media campaign focused around CCCHFA's anti-PQ video could be a cost effective way to influence Congress and garner public support. With limited resources, the previously produced video could be fed to a satellite, providing television stations around the country with access to key information about PQ. The video's satellite coordinates could be distributed to stations in coastal areas to generate important media coverage. See appendix N for costs.

The final recommendation for future campaign work is for CCCHFA to begin nurturing its political allies to recommend language to ban PQ in the MSFCMA. Unfortunately, blocking PQ language in MSFCMA reauthorization does not prevent councils from developing two-pie plans. Blocking PQ language maintains status quo since the MSFCMA, in its current form, does not authorize PQ. While this strategy is satisfactory for the short-term, it may not prevent allocation of PQ in the long-term since councils can circumvent the MSFCMA and pressure Congress to enact separate legislation allowing two-pie plans. This is precisely what is occurring with the NPFMC's crab rationalization plan under current MSFCMA language. If the MSFCMA included specific language that banned councils from implementing PQ, it would be difficult for them to convince Congress to create legislation to circumvent the Act. Through consultations with its members and its Board of Directors, the CCCHFA must decide if it wants to fully engage in this campaign. Other pressing issues facing CCCHFA's members might prevent the organization from launching an extensive campaign to ban processor quota, but to prevent councils from implementing two-pie plans in the future, this language must be included in the MSFCMA.

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# Appendix A

## NORTH PACIFIC CRAB

Fishermen, processors assess fallout from 'two-pie' rationalization plan

Who's going to come out on top? That's the question perplexing the players in Alaska's crab fisheries as the North Pacific Fishery Management Council and industry members mull the fine points of comprehensive rationalization, a plan aiming to curb over-capitalization in the Bering Sea crab fleet.

Though the plan includes multiple components, among them an individual fishing quota program for harvesters, most concerns are over the prescription of individual processor shares, which would guarantee that 90 percent of the Bering Sea crab resources would be delivered to participating processors.

The processors — some of whom have witnessed severe shifts in the market share among buyers in Alaska's 7-year-old halibut and blackcod IFQ system — have successfully argued that their exclusion from the new licensing regime would leave them short of resources and hanging by the strings of their capital investments.

The fishermen, on the other hand, have been biting their nails over the possibility that guaranteeing processors the majority of the harvest could, in effect, kill com-

petitive price bids for their crab. Moreover, they worry that the new system hinders the possibilities of new players entering the opilio and king crab fisheries with different — and perhaps more lucrative — marketing angles.

One of the stickiest issues for both sides consists of changes to congressional policy that could allow binding arbitration for ex-vessel price negotiations between harvesters and processors. Price setting under the new two-pie system would be decided by a third party after analyzing the economic status of the two sectors.

"Both sectors intend for prices to be negotiated rather than arbitrated," says Mark Fina, senior economist with the North Pacific Fishery Management Council, in Anchorage. "Binding arbitration is intended to provide a mechanism for determining reasonable contract terms only when negotiations break down."

Therein lies the problem: Both sides of the industry are no strangers to failed ex-vessel price negotiations — and the lengthy strikes that often follow. (Fishermen sat on the beach in protest of low dock prices in 1999 and 2001.) With that in mind, a key ingredient in the design of the arbitration system is that ex-vessel prices will be established well in advance of the respective fishing seasons. Another consideration is to provide the means to resolve multiple price disputes among processors and fishermen.

"Options currently on the table would accomplish this either through harvesters

arbitrating collectively or through a process that would adjudicate several separate cases simultaneously," Fina says. "Other options would extend the benefits of the binding arbitration process to harvesters that did not participate in the process, to reduce the necessity for several separate proceedings."

What remains to be seen is how the comprehensive rationalization plan will affect market dynamics. Though economic stability has become the catch-phrase for proponents of the new management plan, some processors are betting that eliminating the race for fish will net the industry more dollars for the resource.

"You take time out of the equation," says one anonymous processor, "and it will allow for the most efficient marketing of the product." The processor adds that lengthening harvest periods will diminish the quest for throughput, which has been a priority in the past, and let companies devote more time to niche marketing in the United States and abroad.

Which wouldn't hurt the Bering Sea industry in terms of competition. Of late, the influx of snow crab imported from Canada has been rising, which has left domestic markets with plenty of volume despite lagging Bering Sea harvests. U.S. snow crab

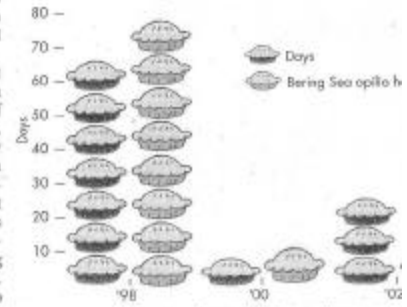
imports from Canada have tripled from 24.2 million pounds to last year's 81.4 million pounds.

Whether increasing opilio through niche marketing will increase ex-vessel prices also will be seen. Last year's season was out a strike when processors of per pound.

On the other side of the tin fishermen hope to enjoy longer vest seasons under the IFQ opilio fleet, which has averaged in the past decade, has been fill harvest quotas that have a near-record harvest of 2.5 million pounds in 1998 to 30 million pounds in 2001. The Bristol Bay red king crab season has lasted no more than since 1996," Fina says, adding opilio season has lasted less than in the past three years.



Recipe for rationalization



Source: NMFS, Alaska Department of

## Appendix B



### Alaska Marine Conservation Council

Box 101145, Anchorage Alaska 99510  
(907) 277-5357 • (fax) 277-5975  
amcc@akmarine.org • www.akmarine.org

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FOR IMMEDIATE RELEASE

Wednesday June 26, 2002

Contact: Karen Wood DiBari or Ben Enticknap, (907) 277-5357

#### **Wayne Gilchrest (R-MD) Has It Wrong: Many Alaskans Oppose Processor Quota**

(Anchorage, AK). Members of Congress today took up controversial amendments to the nation's premier fisheries legislation, the Magnuson-Stevens Act. The House Resources Committee introduced amendments that would roll back conservation standards that Congress established in 1996, when the legislation was last amended.

The Committee debate became especially contentious when Wayne Gilchrest (R-MD) introduced a package of amendments that authorize processor quota shares, a program that would require fishermen to sell their catch to only those processing companies holding quotas.

"Alaska fishermen want processor quota programs," claimed Gilchrest. But this does not represent the more than 600 Alaskans who signed a petition opposing processor quota, the variety of city governments, tribal councils, and fishermen's associations that passed resolutions opposing processor quota, and the many processors themselves who oppose it. Independent fishermen and coastal residents know what processor quota really means—it means government allocation of market share to a few corporations.

"Processor quota will concentrate wealth in the seafood industry at the expense of independent fishermen" said Dorothy Childers, executive director of Alaska Marine Conservation Council, a community-based organization whose members include fishermen, marine scientists, processors, and coastal residents. "Processor quota will do to family fishermen what agribusiness has done to the family farmer," Childers said.

The House Resources Committee meeting ended today in the middle of the debate over processor quota share. They will reconvene on July 10 to take up the issue of processor quota share and other amendments aimed at rolling back national standards in the Magnuson-Stevens Act designed to prohibit overfishing, rebuild overfished stocks, minimize bycatch and prevent damage to marine habitats by destructive fishing gears.

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*People throughout Alaska working to protect the health and diversity of our marine ecosystem*

## A new fight over fish

The turmoil in court over protection of New England fisheries has generated new interest in a better regulatory system, transferable quotas for each vessel. But Alaska processors are demanding special favors that could make quotas unworkable. New England members of Congress must head them off at the pass.

Alaska vessels taking halibut and sablefish have worked under just such a quota system for some years. It is efficient, and could be adapted to New England. Owners may fish when they want, where they want, for as long as they want (all of which New England vessels seeking the major species may not do), until they catch their quotas. They may trade quotas among themselves.

Congress has forbidden the establishment of transferable quotas elsewhere. The prohibition expires Sept. 30. A subcommittee of the House Resources Committee has approved a reauthorization of federal fisheries law without the prohibition, but the issue remains controversial in the full committee.

Alaska processors, supported by the chairman of the Resources Committee, Rep. Don Young (R-Alaska), are pushing a novel de-

mand for quotas also, with firms free to trade the right to buy fish. (Alaska fishermen are strongly opposed; New England processors have not jumped into the fight). This would establish a processor cartel and, as Peter Baker of the Cape Cod Commercial Hook Fishing Association put it, would "turn fishermen into sharecroppers" by denying them the chance to sell to firms that don't hold buyer quotas.

In Alaska, many ports have only one buyer. In New England, distances are short, several ports have auctions and competition among buyers is often brisk.

Sen. John F. Kerry is in a key position as chairman of the oceans and fisheries subcommittee of the Senate Commerce Committee. He has pledged to work for "common sense on the question of [transferable quotas] so the deck isn't stacked in favor of big foreign processors over Massachusetts fishermen." If Alaska processors deserve help, it ought to be done directly and not at the expense of fishermen. If Kerry's colleagues want to stack the deck in favor of processors, Kerry must make clear to them that won't fly — or should we say sail? — in New England.

BOSTON HERALD MONDAY, MAY 27, 2002



## Appendix D

# National Fisherman

AUGUST 2002 • VOL. 31, NO. 4  
THE LIFE AND BUSINESS OF PROFESSIONAL FISHING

## EDITOR'S LOG

### Two pies in the sky

Congress should reject any effort to create processor shares in the Bering Sea-Aleutian Island crab fishery — or anywhere else.

Individual fishing quotas are controversial, but we find constituencies for them among fishermen, conservationists, and the National Marine Fisheries Service, which represents the public in addition to regulating fisheries.

There are no such constituencies for individual processing quotas — which would require deliveries of specified amounts of fish to particular processors, effectively making sharecroppers out of fishermen — other than a sector of companies that would rather insulate themselves from change than rise to its challenge.

Mind you I am not someone who is predisposed to embrace individual fishing quotas. But I am confronted by reality: Once you limit entry to a fishery, most of the philosophical arguments against IFQs, which revolve around access, are moot.

Practical objections to IFQs wither in the harsh regime of the total allowable catch. TACs make derbies out of fisheries and compel fishermen to take chances — with the weather, with the resource and with their own exhausted bodies — they otherwise would not take. There's no place for selective harvesting in the race to fish. Moreover, fish are landed in pulses, markets clog and prices drop.

IFQs aren't the answer for every fishery, but clearly they slow the pace of fishing, reduce bycatch, even the flow of product to the market and improve prices, outcomes which redound to the benefit of fishing communities, consumers and the resource.

Unfortunately, favorable ex-vessel prices and a year-round supply of fresh product are problematic for companies processing so-called BSAI crab, many of whose facilities are designed to handle onslaughts during brief openings.

A handful of companies dominates the processing sector. Like the fleet, they are overcapitalized, and staying open through an extended season to process an amount of crab they otherwise could handle in a



Jerry Fraser, Editor in Chief

week or two isn't very efficient.

But capitalism is always rendering something or other inefficient. Industries — and this one will be no exception, because consumers value crabs very much — continually reshape themselves according to the vision of entrepreneurs, and the result most often is called progress.

The fact is, IFQs will substantially alter the seascape for processors in the North Pacific, and with or without processor shares it is a virtual certainty that there will be fewer crab processors in the future than there are today.

Meanwhile we should be wary of seeking a permanent fix for a transitional problem. Creating a "two-pie" system by allocating the same crabs to processors and harvesters alike would deny fishermen the benefits of a free and open market and could very well result in the creation of a crab trust that would consign harvesters to the role of tenant farmers.

Two pies are an illusion. There would be one pie, served on a silver platter to processors by once-independent fishermen.

# The Boston Globe

Editorial—June 26, 2002

## TACKLING FISH

**T**HE 1976 Magnuson-Stevens Fishery Conservation Act is working to rebuild fish stocks and protect fish habitats. Members of the House Resources Committee should take great care to keep these advances intact as they begin work today on the reauthorization of the nation's sustainable fisheries legislation.

Ill-advised amendments have been floating about that would loosen the definition of "overfished" and shift the blame for destructive fishing practices onto environmental factors. Environmentalists and commercial fishermen are just beginning to reach compromises on the protection of fish stocks; now is no time for such mischief.

In 1996, with the passage of the Sustainable Fisheries Act, Congress took positive steps to prohibit overfishing, rebuild overfished stocks, protect fish habitats from destructive fishing practices, and minimize bycatch — the inadvertent catching and discarding of non-targeted species. Fishery managers ranging from small regional councils to the National Marine Fisheries Service are finally responding to public and legal pressures to rebuild overfished stocks.

If House members can't advance those gains, they would serve the public best by keeping their hands entirely off Magnuson-Stevens.

Wayne Gilchrist, a Maryland Republican

who is chairman of the House Fisheries subcommittee, is not helping matters with his bill to reauthorize the Magnuson Act through 2007. An early incarnation set some sensible deadlines for bycatch reporting. A later version would weaken the requirement for reporting and minimizing bycatch.

Gilchrist would also lift the current ban on individual fishing quotas, an arrangement that allocates portions of the total harvest of a stock among commercial fishermen. He takes a responsible step by acknowledging the need for standards to promote conservation, advance economic viability of fishing communities, and protect smaller vessels. But he takes a giant step backward by extending the quota system to fish processors. To ensure a competitive market and fair prices, fishermen must be free to shop their products to the widest range of processors. Gilchrist's processor quotas risk transforming the ocean into one big company store.

There is no need to rush through major revisions of the Magnuson Act and risk harming vital fisheries, habitats, and fishing communities. Both the National Commission on Ocean Policy and the Pew Oceans Commission are gathering and analyzing information that should provide much insight into the sustainability of US fisheries. Congress should reject any major changes to Magnuson until members can incorporate these findings into their ocean policy deliberations.

The Boston Globe 6-26-02 p. A14



## Appendix G

# National Fisherman

AUGUST 2002 • VOL. 83, NO. 4

THE LIFE AND BUSINESS OF PROFESSIONAL FISHING

## MAIL BUOY

### Quota shares for processors could destroy free enterprise

New England fishermen have just weathered a major storm with the recent reversal of Judge Kessler's ruling. But rough seas lie ahead for many of our nation's fishermen in the form of Individual Fishing Quotas. IFQs are designed to privatize our public resource through the use of ownership shares of wild fish. These shares, which allocate certain amounts of fish to individuals or big business, could then be bought or sold as commodities.

We are extremely concerned about the potential impact of IFQs on our traditional fishing communities. We are resigned to the political reality that the current federal

moratorium on the use of these policies will likely be lifted, and some form of IFQs will be in place by the end of this year. However, we are adamant that there must be National Standards put in place that will protect the public's access, and result in clear, positive alignment with the Magnuson-Stevens Act.

Primary among these standards must be a ban on the allocation of quota shares to seafood processors. Processor shares would slam shut the doors of the fish market, making it impossible for entrepreneurs to get into the fish buying business. It would force fishermen to sell their catch only to whoever has the resources to buy the most processor shares. Free enterprise as we know it in the fish business would be over, a victim of price fixing.

Congress is duty-bound to uphold our right to pursue the American dream of hard work on the ocean in order to support our families and coastal communities. IFQs may rationalize fisheries, but they will only provide conservation benefit if designed to do so. Conservation does not require that fisheries' benefits for the many should be given for the higher profit of a few.

Signed,

ALASKA: Alaska Custom Seafoods, Alaska Longline Fishermen's Association, Alaska Marine Conservation Council, Carroll Corporation, C.R.A.B. Group, Fish Factory, Kachemak Fish Packers, North Pacific Fisheries Association, Tygh and M Seafoods, Uralaska Native Fishermen's Association; GEORGIA: Georgia Shrimp Association; LOUISIANA: Gulf Restoration Network; MAINE: Gulf of Maine Fishermen's Alliance, IFISH, Maine Lobstermen's Association, Scarborough Fisheries Alliance; MARYLAND: Commercial Angler's Association, Maryland Watermen's Association; MASSACHUSETTS: Bedford Seafood Coalition, Boston Harbor Cooperative, Cape Cod Chamber of Commerce, Cape Cod Commission, Cape Cod Commercial Hook Fishermen's Association, Chatham Gillnetter's Association, General Category Tuna Association, Dan'l Webster Heath and Retrie, Gloucester Fishermen's Association, Gloucester Fishermen's Wives Association, Marshfield Commercial Fishermen's Association, Massachusetts Commercial Fishermen's Association, Massachusetts Gillnetter's Association, Massachusetts Lobstermen's Association, Massachusetts Planning Office of Urban Affairs, Nantucket Fish Co. Inc., NE Fish Exchange, Plymouth Lobstermen's Association, PROFISH, Salt Water Sportmen Magazine, South Shore Lobster Fishermen's Association; NEW YORK: Montauk Inlet Seafood Inc., N.Y.; NORTH CAROLINA: Southeastern North Carolina Watermen's Association; OREGON: Pacific Marine Conservation Council; OREGON/CALIFORNIA: Pacific Coast Federation of Fishermen's Association; VIRGINIA: Association of Independent Watermen, Hampton Roads Watermen's Association.

# Appendix H

WBUR: Fight Over Fishing Rights (2002-07-09)

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## Fight Over Fishing Rights

Rachel Gotbaum

Listen

BOSTON, MA (2002-07-09)



Cod fisherman unload cod at the Chatham pier on Cape Cod.  
MORE PHOTOS

Legislation that could overhaul the nation's fishing industry is expected to be taken up again in Congress today. The Magnansun-Stevens Fishery Conservation and Management Act is the overriding law that dictates how fishing in federal waters is managed.

As part of the reauthorization process, lawmakers are considering a proposal that would give fishermen and other players in the industry a permanent share of the fish harvest. If passed, the law would fundamentally change the way the industry works and essentially privatize the fish stocks. As WBUR's Rachel Gotbaum reports, there is a battle among fishermen in New England over who should have the right to get a piece of the industry pie.

Related Links:  
[U.S. House of Representatives - committee on Resources](#)  
[Cape Cod Commercial Hook Fishermen's Association](#)  
[Conservation Law Foundation](#)

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# Appendix I

## 7 MINUTE PROCESSOR QUOTA VIDEO SCRIPT

### VOICES

#### Part I

##### Voice

“This is what Processor Quota is. It’s proposed legislation that would allow a few companies the exclusive right to buy up all of America’s fish.”

##### Voice

“What is a Processing Quota? Whatever you harvest you have to sell to a few select buyers.”

##### Voice

“Essentially it creates monopolies and eliminates free enterprise as we know it in the seafood industry, in violation of federal law.”

#### Part II

##### Voice

“Everyone knows that the Family Farmer has been crushed by corporate agribusiness”

##### Voice

“And I think fishing is going the same way.”

##### Voice

“Now they are coming in taking over the business of fishermen like me and forcing us off the water.”

#### Part III

##### Voice

“What does processor quota have to do with managing fish? I don’t think it has anything to do with managing fish, I think it has to do with managing profit.”

##### Voice

“Processors have been trying to get the upper hand, and right now, they have it.”

##### Voice

“I don’t know, it just seems like the rich are getting richer and the small guys are getting a smaller piece of the pie.”

#### Part IV

##### Voice

“Processor quota is a handout worth millions of dollars and the worst part about it is that the money goes into the pockets of some of the richest companies in the world.”

##### Voice

“They don’t have my family or my community’s interest at heart. All they are concerned with is the bottom line, and I’m going to fall through the cracks, guaranteed.”

#### Part V

##### Voice

“How can you make these companies accountable?”

##### Voice

“It never ceases to amaze me how they can get away with this, and shamelessly. It’s shameful what they are doing.”

### VISUALS

Introduction: Menacing factory trawler, eerie music, newspaper clippings bashing PQ coming down into a pile. Large on-board processing vessel going through water. Billowing American flag with words stamped on top. Processor Quota: Destroying America’s Free Markets

Sweeping aerial view of abandoned midwest farms. Sound: Empty sounding blowing wind. Farm scene turns into aerial ocean scene, small-boat cutting through water. Sound: Wind with seagulls.

Words typed in: Multinational corporations want the Federal Government to give them the exclusive rights to buy American fish. Flash wording: Processor Quota.

Fisherman at harbor.

Fisherman in boat with oil skins on.

Fisherman at harbor.

Words typed in: Processor Quota will turn family fishermen into sharecroppers

Stock market figures, credit cards, chicken and fish sales.

Company names shooting in, filling up the screen (Nippon Suisan, Nichiro Corporation, Marubeni Inc. American Seafoods, Unilever, Cargill, Suiza Foods Co., Unisea, ConAgra, Tyson, Archer Daniels, Midland, etc.)

Words: CRIMINAL FINES

Tyson Foods Inc. \$3,750,000

Archer Daniels Midland \$100,000,000

ConAgra Inc. \$4,400,000

**Part VI**

Voice

“Corporate business practices dictate to harvest the resource in the most economically efficient way for the corporation.”

Voice

“There’s no thought about the communities that depend upon the resource. There’s no thought given to what this is going to mean other than, basically it’s going to make a few companies very rich.”

Voice

“A corporation is a balance sheet. Catching the last fish is simply yet another challenge. Sell off the fleet, close down the plants, and go into chicken burgers.”

**Part VII**

Voice

“The people in Congress who think that Alaska fishermen support this thing have never spoken to an Alaska fishermen because I’ve spoken to hundreds of them and have yet to meet one that thinks it’s a good idea.”

**Part VIII**

Voice

“Why do we give an American resource to multinational foreign corporations?”

Voice

“We should not be giving America’s fish to foreigners”

Voice

“I believe in trade, I believe in international trade, but what’s going on here is just greed.”

**Part IX**

Voice

“As a fishermen, I depend on being able to sell my fish to whoever I want to, whoever will give me the best price.”

Voice

“You harvest your fish and there is one guy standing there and he’s naming his price, and it’s the only way you can go, it’s crazy. It’s crazy, it’s totally absurd, it sounds like you’re working for the company store.”

Voice

“We are all going to be sharecroppers, farming the ocean for some big corporate conglomerate.”

**Part VI**

Voice

“Good government does not allow corporate interests to take over public resources.”

Voice

“I think it’s the worst thing I’ve ever heard of, and I don’t know how in the world Congress could ever even think of passing something like that.”

Alyeska crab processing line.

Pollack processing line.

Outside of a big processing facility with smoke billowing out.  
Gorton’s Seafood plant next door to a beef/ veal processing plant.

Words: The Bering Sea crab rationalization program gives 90% of the quota to only 12 corporations.  
Five of these are foreign owned.  
Close up shot of crabs in a pile.  
Fisherwoman on dock.

Peaceful Alaskan fishing vessel heading out of the harbor.  
Shot of globe up close and slowly panning out with white wording on top.

“Of the world’s 100 largest economic entities 1 are corporations and 49 are countries.  
The world’s top 200 corporations account for a quarter of economic activity on the globe, while employing less than 1 of its workforce.”

Fishermen unloading Cod fish off of a small boat. Cod being dumped down a shoot.

Words on black: Processor quota forces fishermen to sell their catch to the limited number of buyers holding quota share.

Fisherman’s face at pier.

Filletted fish going up a conveyer belt with workers.

Newspaper clippings coming down onto black screen.

Ex: Bering Sea crab quota plan meets opposition.

Crab warriors flock to DC over Quota plan

Fish processor speaking at dock.

Fisherman in oil skins on boat.

Voice

“Processor Quota is a violation of the Sherman Anti-trust act. And that is the backbone of American Capitalism.”

Voice

“It’s the wrong way to go, we need to stand up for America’s family fishermen and we need to ban Processor Quota. The sooner we do it the better.”

Voice

“I’m definitely against it.”

Voice

“It’s time to ban Processor Quota.”

Voice

I think they’re the wrong way to go, they are the wrong way to go. They’re going totally around the fisherman and giving it to someone else.”

Voice

“Processor quota needs to be banned. We need a law to protect us from something like this.”

Processors sorting fish.  
Fisherman at dock.

Hand-line fishermen releasing Cod.

Fishermen loading fish into bucket.

Fisherman on dock

Fisherman’s face.

Old photograph with three men holding giant cod fish.  
Words on top: “It’s no fish ye’re buying it’s men’s lives.  
Sir Walter Scott, 1816”

For Information Contact  
Cape Cod Commercial Hook Fishermen’s Association  
[www.ccchfa.org](http://www.ccchfa.org) (508) 945-2432  
Alaska Marine Conservation Council [www.akmarine.org](http://www.akmarine.org)  
(907) 277-5357 – END



## Appendix J

### PQ Video Budget

| <b>Production</b> | <b>Cost</b>        | <b>Description</b>   |
|-------------------|--------------------|--|
| Salary            | \$1,800.00         | CCCCHFA staff (80 hours - 1,200), AMCC staff (40 hours - 6,000)                                    |
| Mooncusser Films  | \$4,300.00         | Footage Acquisition (300), Editing (2,200), Stock Footage (600), Graphics (200), Interviews (1000) |
| Alaska            | \$1,200.00         | Stock Footage (500), Travel (700)  |
| CD production     | \$2,500.00         | Duplication 1000 labeled CDs (500), Design and Artwork (600), Printing (1,200), Cases (200)        |
| <b>Other</b>      |                    |  |
| Rent              | \$1,000.00         | Existing office space  |
| Equipment         | \$2,000.00         | Computer, copy machine lease, etc.   |
| Postage:          | \$600.00           | Mailing to media outlets, shipping of supplies, etc.   |
| Telephone:        | \$100.00           | Including calls and faxes to fishermen and seafood processors, TV stations, etc.                   |
| Supplies          | \$500.00           | shrink wrap/seals for 1000 CDs   |
| <b>TOTAL</b>      | <b>\$14,000.00</b> |  |

# Appendix K

## Congress of the United States

Washington, DC 20515

June 24, 2002

The Honorable Wayne Gilchrest, Chairman  
Resources Subcommittee on Fisheries Conservation, Wildlife and Oceans  
H-188 Ford House Office Building  
Washington, DC 20515

Dear Chairman Gilchrest:

Thank you for your continuing leadership on the re-authorization of the Magnuson-Stevens Fishery Conservation and Management Act. As we prepare to usher in a new era of fisheries management, we would like to take this opportunity to share our serious concerns regarding any legislation that authorizes Individual Fishing Quotas (IFQ).

As you know, IFQ programs provide for exclusive allocations of fishing quotas to individuals in particular fisheries. Because of concerns with the impact of these programs on both fishermen and the marine environment, Congress placed a four-year moratorium -- later extended for two additional years -- to allow time to develop national standards. With the expiration of the current moratorium on September 30, it is critical that Congress implement guidelines to protect the small-boat, family fishermen who are the mainstays of our coastal communities. Without these standards, small inshore fleets will be at a competitive disadvantage to larger, better-financed, corporate-owned vessels.

Therefore, we urge the committee to support only IFQ provisions that will:

- Protect fishermen and fishing communities from excessive consolidation of quota shares by limiting transferability, preventing absentee or large corporate ownership and requiring caps on quota shares;
- Maintain a voice for fisheries permit holders by allowing them to design their own management system through a double referendum and super majority which requires a minimum of 60 percent for approval;
- Reject quota shares for processors;
- Maintain fishing as a public resource by excluding explicit or implicit property rights awards to quota holders and creating fair initial allocations;
- Prohibit foreign ownership; and
- Promote environmental stewardship through clear and demonstrable conservation incentives and by prohibiting IFQs for over fished stocks and for multi-gear, multi-species fisheries.

With the moratorium deadline fast approaching and in the absence of consensus on national standards, we urge you to implement measures to protect small-boat fishermen. If we stand aside and allow unregulated IFQs, we invite an era of corporate domination of our fisheries, and may put at risk a way of life in many coastal

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communities. We are at a critical juncture and seek your assistance while there is still time.

Again, we commend our efforts on conservation and management of our nation's fisheries and look forward to working together towards a sustainable fishery.

Sincerely,

  
William D. Delahunt

  
George Miller

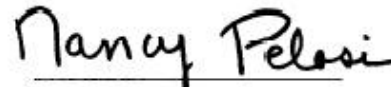
  
John E. Sununu

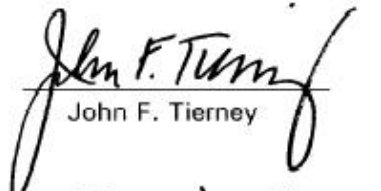
  
Neil Abercrombie

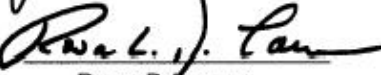
  
Donna M. Christensen

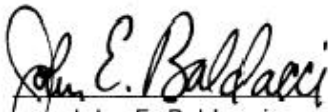
  
W. Todd Akin


  
Charles Bass

  
Nancy Pelosi

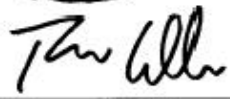
  
John F. Tierney

  
Rosa DeLauro

  
John E. Baldacci


  
Robert R. Simmons CT/2

  
Michael M. Honda

  
Thomas H. Allen

  
Sam Far

  
Bernard Sanders

  
John W. Olver

  
Benjamin A. Gilman

  
Grace F. Napolitano

  
Jack Kingston

  
Bobby L. Rush

  
Martin T. Meehan

  
Corrine Brown

  
Michael Capuano

  
Cynthia McKinney


  
Lois Capps

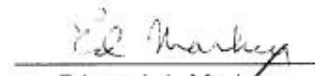
  
James R. Langevin

  
Stephen F. Lynch

  
Lynn C. Woolsey

  
Gary A. Condit

  
Tony P. Hall

  
Edward J. Markey

## Appendix L

### CCC Urges Quota Policy Changes to Protect Traditional Fishing

The Cape Cod Commission recently submitted the following letter to U.S. Senators Edward Kennedy and John Kerry, U.S. Representative William Delahunt, and all of Cape Cod's state legislators:

As Congress contemplates the reauthorization of the Magnuson-Stevens Act, the livelihood of thousands of small-boat, family fishermen is in jeopardy. We are writing to seek your help in ensuring the future of these fishermen and of the communities that depend on them. We recognize that fishery policy is being developed in response to the collapse of several economically and ecologically important stocks, and that effort-reduction programs are likely to cause additional hardships to those who participate in the fishery. There need to be assurances, however, that the traditional participants who have for so long supported an industry, an economy, and a way of life for our coastal communities are protected from undue hardship and unfair conditions that favor large, corporate seafood fishers and processors.

Our coastal communities are deeply concerned about the inequities inherent in the proposed system of management by Individual Fishing Quotas (IFQs). These allocations and associated Processor Quotas grant shareholders exclusive rights to harvest fish and process seafood from America's common seas. The current moratorium on IFQs expires on September 30, 2002, and it is critical that Congress promulgates guidelines and directives that will protect the remaining family fishermen who once constituted the mainstay of our fragile coastal communities. National standards must be in place to ensure that small inshore fishermen are not put at a competitive disadvantage to larger, better-financed, corporate-owned vessels, and that these same fishermen do not find their prices compromised by regulatory obligations to sell to specific seafood processors.

We urge you to endorse the following provisions for any IFQ-managed fisheries:

- prohibit allocation of quota shares to processors;
- protect fishermen and fishing communities from excessive consolidation of quota shares by limiting transferability, preventing absentee or large corporate ownership, and requiring caps on quota shares;
- maintain a voice for fisheries permit holders by allowing them to design and propose their own management systems;
- protect the public's interest in fishery resources by excluding explicit or implicit property rights awards to quota holders and by creating fair initial allocations;
- prohibit foreign ownership; and
- promote environmental stewardship through clear and demonstrable conservation incentives and by prohibiting IFQs for overfished stocks and for multi-gear, multi-species fisheries.

The continued viability of our small-boat fishermen contributes immeasurably to the character of our coastal communities, the success of our local economies, and the availability of fresh local seafood for tourists and residents alike. If IFQs are implemented without the important safeguards listed above, we risk an era of corporate domination of our fisheries, to the detriment of the traditional way of life that remains the hallmark of Cape Cod. The Cape Cod Commission understands that fisheries management is at a critical juncture, and we ask for your assistance to ensure that future management decisions are conducted in a fair and equitable manner, with due regard for the social, cultural, and economic importance of family fishermen. If we can be of any further assistance or if you require additional information, please do not hesitate to contact the Commission's Executive Director, Margo Fenn.

Sincerely,  
Robert D. Deane, Chair, Cape Cod Commission



## Appendix M

# TOWN HALL ACTION

CHATHAM

HARWICH

## Selectmen Lend Town's Voice Against Fish Processor Quotas

CHATHAM —The board of selectmen is lending its voice in opposition to unregulated individual fishing quotas, or IFQs, specifically those that apply to fish processors. Last Tuesday, **Stephanie Hunt**, an intern with the Cape Cod Commercial Hook Fishermen's Association, asked the board to send a letter to U.S. Commerce Secretary Donald Evans and members of the Massachusetts legislative delegation, expressing its concern. "We see it as big business trying to come over and take over small business interests," Hunt told the board. The Congressional moratorium on fishing quotas is about to expire, and though many fishermen oppose quota systems, the hook fishermen's association has shifted its focus from fighting IFQs to working to ensure that they are well regulated. The association also opposes processor quotas, in any form. By allocating shares of the fish stocks and allowing fishermen to sell those quotas, opponents fear that huge fishing conglomerates will purchase up the permits, forcing small-time fishermen out of the industry. "We don't want fishermen to go the way of the family farmer," Hunt said. The board agreed to send the letter to a larger group of lawmakers—possibly the entire membership. If a system of quotas is adopted for fishermen, **Selectman Ronald Bergstrom** said the town should explore the possibility of purchasing up a certain number of quotas to protect local fishermen. "If the town couldn't do it, maybe a public-private entity could be established that would be a conduit," **Selectman**

**Thomas Bernardo** added.

As part of its plan to improve communication with the other town committees, selectmen Chairman **Bernardo** has assigned members of his board to serve as liaisons with individual committees. **Bernardo** will be the liaison for the comprehensive wastewater management plan citizens advisory committee and the community preservation committee; **Selectman Bergstrom** will be the liaison for the long range planning committee and the planning board; **Selectman Douglas Ann Bohman** will be the board's link to the board of health and the appeals board; **Selectman Harvey Huettner** will be the liaison to the land bank and open space committee and the conservation commission, and **Selectman David Whitcomb** will be the liaison to the affordable housing committee and the HBDC. **Bergstrom** said he believes the liaisons should "not try to take an active role in the work of these committees," but should mostly communicate information back to the board of selectmen. If such a system had been in place years ago, **Bohman** said, "we might have avoided some of the pitfalls we went crashing into."

Selectmen approved two liquor licenses last week. Though the application by **Marley's Restaurant** for an annual all-alcoholic restaurant license was approved with little discussion, there was more debate over the second application, from **Blue Coral Seaside Cuisine and Spirits**. That restaurant, on the downtown

Continued on Page 25

## Highway Director Hits The Road For Richmond

HARWICH — The town's director of the division of highways and maintenance, **Joseph Letteri**, tendered his resignation late Tuesday afternoon, effective Sept. 6. **Letteri**, who has been on the job for two years, has received high marks for moving projects forward and getting the work of the town done. He told **Town Administrator Wayne Melville** on Tuesday he will be leaving the position to return to Virginia. **Melville** said **Letteri** will be taking the assistant director of public works position in the city of Richmond. **Melville** said he would be placing the advertisement for a new director on Wednesday.

There was good news Monday night for residents concerned with the health of Long Pond. **Town Administrator Wayne Melville** told selectmen he was informed on Monday the Town of Brewster has received a \$200,000 grant to fund allium treatment to the pond in an effort to balance the phosphorous content that has led to algae blooms and fish kills. A study conducted by the Cape Cod Commission and a private environmental firm concluded the allium application would be the best means of improving the health of the pond, but a previous grant application to the state Department of Environmental Management had been unsuccessful in obtaining the funds.

The town is still wrestling with the Cape Cod Commission over control of the escrow funds to be held for various purposes (including monies for installation of signalization at the

Route 28 and Sisson Road intersection) for the **Tedeschi's Realty Trust** proposal for a Shaw's Supermarket. **Town Administrator Wayne Melville** presented selectmen with a memorandum from commission project staff planner **Greg Smith** pointing out the commission is planning to take control of even more funds, including a \$3,000 account for examination of critical nitrogen loading in surrounding wetlands. The commission is due to act on the development of regional impact permitting for the project on Thursday. **Melville** told selectmen they could send another letter stating the board's position that it should control the account; staff could show up at the hearing and present the town's position or they could call commission staff and let them know the depth of the board's conviction in this matter. **Selectman Donald Howell** said there is another avenue, to have the planning board hold the project up in the site planning process until the matter is resolved. Selectmen agreed to contact **Cape Cod Commission Executive Director Margo Fenn** and invite her in to discuss its position on this matter.

The environmental consulting firm hired to assist the town in identifying the cause of fecal coliform contamination in Allen Harbor has set a date for a public meeting to review conditions, discuss why shellfish beds are closed and obtain input from citizens on these problems. The firm, **Stearns**

Continued on Page 29

## Appendix N

### Media Strategy Budget

#### Media

Beta tapes        \$900.00  
Satellite feed   \$1,200.00  
Notification     \$1,500.00

40 tapes formatted for television stations  
includes two 15-minute feeds at 1:30pm EST and 4:30pm EST  
includes two station notification advisories sent out day- before and day-of story