



President Obama's call in his 2012 State of the Union address for a new spirit of bipartisanship brought to mind a recent [Washington Post article](#) on current federal efforts to preserve U.S. fisheries. In what qualifies as a rare "good news" story involving federal environmental policy, that article reports that the Obama Administration is poised to impose catch limits for 528 different fish species federal regulatory agencies are charged with managing in U.S.-controlled waters under existing law. Even more surprising is the fact that—to date, at least—this groundbreaking regulatory initiative has proceeded with precious little publicity or political controversy.

This extraordinary process is being carried out under the federal Magnuson-Stevens Act, enacted by Congress in the 1970's and quietly reauthorized five years ago. Little noticed in the recent reauthorization legislation was a provision—supported by a bipartisan coalition of legislators, environmental organizations, scientists and some fishing groups—requiring federal regulators to establish annual catch limits for each U.S. fishery. This new mandate, in turn, was prompted by the well-chronicled overfishing of many fish species that have caused numerous commercial and recreational fish populations to plummet. According to Joshua Reichert of the Pew Environmental Group, this new provision of the Magnuson-Stevens Act "is probably the most important conservation statute ever enacted into America's fisheries law."

The federal process to set broad catch limits was initiated by the George W. Bush Administration, and has continued apace under the Obama Administration. One of the key features that distinguishes this process (and which may account for its relative lack of political controversy) is that development of the fisheries catch limits has been a "bottoms-up" process: those limits have been established by decentralized, regional management councils representing a diverse set of local interests.

Nevertheless, ultimate responsibility to ratify and enforce the newly-established catch limits rests with federal officials at the National Oceanic and Atmospheric Administration and

elsewhere. And those officials have indicated they plan to have annual catch limits in place for all 528 targeted fish species by the end of 2012.

Unsurprisingly, the transition of national catch limits from aspiration to reality threatens the fragile, bipartisan political support that has previously characterized the regulatory process. Some commercial and recreational fishing interests are belatedly arguing that the regulatory process lacks adequate scientific data to support the impending fishing restrictions. And some of their congressional supporters—ranging from conservative Republicans to progressive Democrats such as Massachusetts Senator John Kerry—are urging Congressional intervention to block or loosen the new catch limits.



Islands within Gulf of the Farallones
National Marine Sanctuary

International fishing interests are especially nervous about the Obama Administration's pending action on the fisheries front: the U.S. catch limits would be the first such restrictions anywhere on the planet. But other countries including the European Union nations have expressed interest in following America's lead.

The \$64,000 question, of course, is whether the proposed U.S. fisheries catch limits will be formally adopted and enforced or if, like most other federal environmental programs, they will sink into the morass of partisan D.C. politics and special interest lobbying. Stated differently, will the proposed Magnuson-Stevens Act-based fishing restrictions serve as a model of the bipartisan, science-based environmental policy President Obama advocated in this week's State of the Union address? Or will it founder in the political gridlock of Washington like so many other recent environmental policy initiatives?