At What Cost?

ETHICAL, BIOLOGICAL, CULTURAL, AND SOCIAL IMPLICATIONS OF MANDATORY CATCH-AND-RELEASE FOR ALASKA'S SPORT FISHERIES

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Introduction:

Mandatory catch-and-release is the root cause and remains the core of resident outrage over recent regulations proposed by Alaska's Board of Fisheries for the first run of Kenai River king salmon. Lower Cook Inlet sport fisheries, always contentious, became explosively more so in February 2002 when Kenai River Sportfishing Association, coalescing with Kenai River Professional Guides Association, and with support from ADF&G's Division of Sport Fish, aggressively lobbied the Board of Fisheries for the regulatory imposition of mandatory catch-and-release on the first run of Kenai River king salmon. For the first time in Alaska's history, it was proposed that the traditional harvest of excess salmon stocks as table fare be replaced by the mortality of catch-and-release.

Though catch-and-release is billed by the sport fishing industry and by fisheries managers as the final word in fisheries conservation while at the same time allowing maximum angler participation, the majority of Alaskan anglers view mandatory catch-and-release as contemptible, as a gross violation of Alaska's traditions, and as an unethical waste of salmon resources.

It is the purpose of this dissertation to examine in detail the ethical, biological, and cultural implications of mandatory catch-and-release for Alaska's sport fisheries.

Definition:

The term, catch-and-release, is confusing because catch-and-release as a concept, as a management tool, and as advocated by the sport fishing industry and managers is not at all the same thing as simply catching a fish and letting it go. Essentially, catch-and-release is angling with no intent to keep a fish to eat. Releasing a fish caught while fishing with an intent to keep a fish to eat is a different animal altogether.

Releasing a fish while fishing to eat is not catch-and-release as fishery managers and the sportfishing industry define the practice. Releasing a fish caught while fishing to eat is selective harvest. Catching and then releasing a five-inch rainbow trout because it's too small is selective harvest as is catching and releasing a pink salmon while one is fishing for silvers. Catch-and-release, on the other hand, is fishing for the purpose of hooking a fish, taking pleasure in the fish's fight, and releasing it to repeat the process—while killing and injuring some of the fish in the

process. Mandatory catch-and-release or, as it is sometimes referred to, no-retention, is the regulatory imposition by state agencies of catch-and-release on an entire fishery.

The defining principle, then, between traditional sport fishing—particularly sport fishing as historically practiced by Alaskans—and catch-and-release is intent. The intent of traditional Alaskan sport fishing is to enjoy the process of getting a fish to eat. The intent of catch-and-release is to enjoy just deceiving and fighting a fish. However, while catch-and-release and fishing to eat differ radically as they're defined by the intent of the angler, both are alike in that both inescapably kill fish. It is the intent of the angler that defines the angling: catch-and-release or fishing to eat. Further, it is the intent of the angler that defines why the fish are subjected to being caught: for human food or for human fun. Catch-and-release is fishing for fun, and the ethics of catching fish just for fun are very fishy indeed.

Angling ethics in the past:

With little to no consideration of sporting ethics and aesthetics, from the nation's early years and on through the first half of the 20th century, Americans regarded wild fish and game merely as food, helping supply the young nation's need for animal protein in the days before feed lots and broiler barns. Besides individual hunting and fishing efforts, market hunting was an essential part of the social economy directed toward feeding the nation:

> "Killing game and selling it was a traditional and legitimate way of earning a living during the early days of America."[1]

Along the Eastern, Mississippi, and Pacific flyways, commercial hunting of waterfowl was an important food source:

> "At about the midway point of the nineteenth century, three factors in American social and natural history combined to set in motion the greatest wildfowl hunt the world has ever known. It lasted some seventy-five years, and it fed millions of Americans."[2]

Nor was sport fishing immune to America's voracious appetite for animal protein. Writing of trout fishing in Maine's Rangeley Lakes in 1877, *Scribner's Monthly*

[1] *The Story of American Hunting and Firearms,* by the editors of *Outdoor Life,* McGraw-Hill Book Company, New York, 1959, p. 139

[2] *American Bird Decoys,* William J. Mackey, Jr., Schiffer Publishing Ltd., 1965, p. 11

records[3] that two anglers in ten days of fishing killed 59 trout whose combined weight totaled 293 pounds. America's fish and game, whether procured commercially or for sport were regarded as food—the more the better.

As Americans, continuing the exuberant slaughter and consumption of their wild fish and game, blundered their collective way into the 20th century, it became increasingly evident that the bloodbath had limits. The decimation of the buffalo, the extinction of the passenger pigeon, the extinction of the eskimo curlew, and much more gave Americans enough pause to allow for the birth of a conservation ethic. For the first 50 years of the 20th century and under the leadership of men like Theodore Roosevelt and Gifford Pinchot, a solid concern for the preservation of America's fish and game was born. That concern matured over the decades, and became an integral part of the American social ethos.

However, even under the self-imposed strictures of a new conservation ethic—trophy hunting and fishing excepted—Americans continued to regard wild fish and game solely and strictly as food well into the 20th century. However pleasurable fishing might be, anyone who suggested to a fisherman of my father's generation that one went fishing to catch fish and let them go would have been considered peculiar. Catch-and-release is thus relatively new. Regarding fish as toys as it were, that is fishing just for the fun of it—with the fish on the negative end of all the fun—has been with us for only about 50 years, all the while struggling for a legitimate place in the American conscience that it has yet to achieve.

Initially inflicted on the angling community by fishery managers on Michigan's AuSable River in the early 1950s, mandatory catch-and-release, or, as it was originally named, "fishing for fun," was instituted to abolish the need for expensive stocking programs[4] on high quality trout streams. Since that time, catch-and-release, while enjoying limited popularity amongst specific angling subcultures, particularly fly fishermen, hasn't to this day come close to replacing the historic social emphasis on fish as food and on angling as an effort to catch fish to eat. Most of the effort to impose catch-and-release on traditional harvest fisheries continues to come from fisheries managers and the sport fishing industry. Fisheries managers, the sport fishing industry, and any who have a financial stake in fisheries are enamored of catch-and-release because it allows the maximum

[3] *Fishing in North America 1876-1910,* compiled by Frank Oppel, Castle, 1986, p. 9

[4] *History of Catch-and-Release Fishing: the* Good, *the* Bad, *and the* Ugly, by Gilbert Radonski, *Presented at the National Symposium on Catch-and-Release in Marine Recreational Fisheries, December 5-8, 1999, Virginia Beach, VA*

amount of angling effort in any given fishery. More fishermen mean more dollars spent on tackle and licenses, dollars that support the sport fishing industry and management agencies.

Additionally, catch-and-release charms fisheries managers as a means to avoid expensive and intensive in-season management, a condition necessitated in many of Alaska's heavily fished salmon runs. Rather than managing a run of anadromous fish by means of daily counts and emergency orders, catch-and-release allows managers to manage more casually, with a more hands-off, and thus a much less costly, style.

The ethical implications of mandatory catch-and-release:

Catch-and-release as a management tool was spawned on the gravel of economics, and remains swimming upstream, against the current of public acceptance, driven by economic impulses empty of ethical concerns. The Web site of the Catch & Release™ Association states the case quite bluntly and unapologetically from the perspective of the sport fishing industry:

> "The Catch & Release Association is an organization dedicated to promote the practice of Catch & Release fishing as a Sport, helping insure the future of the sport fishing industry."[5]

Fisheries managers too are infatuated with catch-and-release because it allows the maximum number of anglers on a given fishery, which means more licenses sold. Since fishery management is funded largely by license and tackle sales, more anglers translate into more funds for state bureaucrats. In 2001, Sport Fish Division of ADF&G received $2.4 million from resident license sales and $6.7 million from nonresident license sales. As catch-and-release is understood by fisheries managers and the sport fishing industry, money is the impetus that drives their advocacy of the practice.

But catch-and-release is falling on hard times as society at large, indeed internationally, increasingly contemplates the ethical questions generated by the abusive use of animals for fun in the name of sport. Author Ted Kerasote, formerly environmental editor for *Sports Afield,* observes:

> "...because we're nice to the fish, releasing them 'unharmed,' we can receive both psychic dispensation and blessing. Needless to say, if you think about

[5] http://www.thecatchandrelease.com/

> this relationship carefully, it's not a comforting one, for it is a game of dominance followed by a cathartic pardons, which, as a nonfishing friend remarked, 'is one of the hallmarks of an abusive relationship.'"[6]

A Canadian professor of ichthyology challenges:

> "The enjoyments of catching fish for sport, in large measure, consist of purposely inflicting...suffering on fish by forcing them to violently express their interest to stay alive. (...) The very real challenge to anglers, then, is to find a justification for their cruel treatment..."[7]

Pulitzer prize-winning author John McPhee, an angler who fishes to eat asserts:

> "Never say playing. You are at best torturing and at worst killing a creature you may or may not eat. Playing at one end, dying at the other -- if playing is what it is, it is sadism."[8]

Nor are fisheries managers and sport fishing industry interests insensitive to the flood of increasingly critical social commentary on fishing for fun and the attacks on one of their most lucrative sources of funding and profit. Their defensive arguments revolve around claims that fish don't feel pain and that catch-and-release—fishing for fun—allows greater numbers of anglers to stay involved with the resource. Both claims are spurious, not worthy of serious consideration. Whatever the fish feels upon being hooked, whether pain in the sense that humans understand pain or not, the fish doesn't like it, and the animal is responding to stimuli that it interprets as life-threatening. Moreover, if catch-and-release is indeed unethical as many believe it is, to claim catch-and-release keeps anglers involved with the resource is tantamount to claiming brothels keep men involved with women. The question remains: is catch-and-release ethical? Many think not.

While voluntarily releasing a fish in the process of angling for the table is a necessary and ethical part of sport fishing as it expresses intelligent, selective harvest, catch-and-release on the other hand consists of the planet's most intelligent creature intentionally hooking a fish with a brain the size of a salmon egg, taking pleasure in the fish's frantic effort at self-preservation, releasing it to do it again, while killing and injuring some and stressing all in the process. Ethically speaking, catch-and-release is the Achilles heel of the principled and historical practice and enjoyment of sport fishing. Mandatory catch-and-release, that is the regulatory imposition of a fishing-for-run ethic on a given fishery has no ethical place in fishery management, especially so in Alaska.

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[6] *Heart of Home,* Ted Kerasote, Villard, New York, 1997, p. 121

[7] *Environmental Biology of Fishes 57,* Eugene K. Balon, Kluwer Academic Publishers, 2000, p.1-8

[8] *The Founding Fish,* John McPhee, Farrar, Straus, and Gioux, New York, 2002, p. 321

A more convincing ethical argument for catch-and-release is cited by fisheries managers and the sport fishing industry in their claim that catch-and-release is a conservation tool, allowing maximum participation by the angling public in a given fishery. This argument is plausible if, but only if, economics trump ethics and money aces morality, and only if we take into account the socially selfish nature of catch-and-release, which will be addressed later in this dissertation. Thus while it is possible to say that imposing catch-and-release can slow the rate of mortality in a fishery, resulting in conservation, imposing limited access and harvest on the fishery will ethically accomplish the same. However, limited access translates into limited angler participation and thus limited dollars generated by the fishery, which brings economics into conflict with ethics. Conservation is accomplished ethically only by limiting access and harvest, not by imposing mandatory catch-and-release.

The biological implications of catch-and-release:

Catch-and-release kills fish, and since catch-and-release aggressively encourages immoderate catch rates in a fishery, net conservation gains over a harvest fishery are necessarily suspicious. The following blatant incitement to excessive catch-and-release is taken from the current Web page of a Kenai River guide listed as a member of the Kenai River Professional Guides Association:

> "The only way to catch alot of Fish is to release fish(as Alaska law states once you kill a king your done) by fishing an all day charter it gives you the most oppurtunity to catch and release until you get that monster you've been looking for. (sic)"[9]

The following quote was taken from a current Internet forum page:

> "btw, we caught and landed 87 kings in 10 days last year on the gulkana, floating in my 16 ft cataraft."[10]

Cabela's Fly Fishing 2002 catalog advertises, on page 154, a lodge on Alaska's Tsiu River where anglers "...can expect to hook-up with 25-50 each day." The message of catch-and-release is the same in the instances cited above and in thousands of others besides—fish 'til you drop, or, perhaps more accurately and if truth were told, until the fish drop.

[9] http://www.slammin.net/

[10] http://www.akflyfishers.org/forum2/cgiforum.cgi?action=showentry&thesection=default&entry=22&start=30&end=0

Catch-and-release encourages a biologically and ethically irresponsible relationship between the angler and the fish and between the angler and the ecosystem involved by promoting excessive and boorish catch rates by anglers seeking nothing more than the thrill of the fish's fight to survive. An Internet acquaintance related that he's met anglers who:

> "..use counters, like a baseball ump does for balls and strikes. Little hand-held clickers for each grab or hooked fish. Excuse me while I go throw up. There, I feel better. Heard of guide who did that with his clients, one in each hand. I believe I'd toss either the guide or the counter in the river."

Another acquaintance related that he was once berated by an indignant angler for killing a fish. The angry fellow claimed that even though he'd caught thousands of fish, he'd not killed a fish for years. My acquaintance patiently explained catch-and-release mortality to the ill-informed individual, leaving him mortified to learn he had, over the years, killed many more fish than had the man he was criticizing.

Moreover, while catch-and-release is presented as harmless, its inescapable mortality is biologically selective. An ADF&G study of caught and released king salmon in the Kenai River notes:

> "In all experiments, small males suffer the highest mortality rate (9.2% to 17.6%), while large males suffer the lowest (0% to 9.7%).[11]

In other words, catch-and-release kills small kings at twice the rate as large kings. Catch-and-release thus affects anadromous fisheries by disproportionately killing anadromous fish by size. Moreover, catch-and-release also selectively kills fish by spawning location as with easily accessed main stem as opposed to tributary spawners. Additionally, it is generally agreed that all anadromous fishes are more vulnerable to catch-and-release mortality when fished in tidal waters.

Catch-and-release selectively kills fish by age in non-anadromous fisheries. Presently, the upper Kenai River sustains a population of about 25,000 rainbow trout. In 2000, Sport Fish Division data reveal that 78,000 rainbow were caught and released in the upper river fishery, which means, statistically, that each fish was caught 3.1 times during that angling year. Sport Fish biologists use 5% as the mortality rate for caught and released rainbows in the Kenai. At a 5% rate of catch-and-release mortality, 3,900 rainbows died after being caught and released, and since each fish is statistically caught 3.1 times per year, a rainbow in the upper river is statistically dead in its seventh year of life since it will have been

[11] *Mortality and Movement Behavior of Hooked-and-Released Chinook Salmon in the Kenai River Recreational Fishery, 1989-1991,* Bendock & Alexandersdottir, p. 20

caught over 20 times. These are statistics, obviously not equally applicable to each and every resident rainbow trout in the upper river—nevertheless these statistics apply to the fishery in general, and since old fish are big fish, the upper Kenai fishery is evidencing a decline in large rainbows. It would appear the trout are having trouble living long enough to get large.

At a meeting of Alaska's Wild Rainbow/Steelhead Trout Initiative,[12] Sport Fish Division confesses that "The fish depend on us to do the right thing." It hardly seems credible that catching a fish three times a year, that five percent of the upper Kenai rainbow have only one eye, and that 85 percent of the six-year old trout present with pieces of their faces damaged or missing due to being hooked amounts to "doing the right thing" biologically or ethically—no matter how much money such a fishery garners for bureaucratic agencies or for the sport fishing industry. Biologically speaking, catch-and-release generates its own set of problems for a fishery. Sound biology is accomplished ethically only by limiting access and harvest, not by imposing mandatory catch-and-release on a fishery.

The cultural and social implications of catch-and-release:

Mandatory catch-and-release is culturally destructive and socially divisive, egregiously so in Alaska. Ken Marsh, former editor of *Alaska Magazine* explains why:

> "Few places in the civilized world retain a stronger connection to...eating well from the country than Alaska."[13]

Catch-and-release has nothing whatsoever to do with eating well from the country. Catch-and-release is instead destructive of the age-old connection of angling Alaskans with the land. Moreover, Sport Fish Division is well aware of the conflict between catch-and-release and traditional Alaskan perspectives:

> "Many local residents are concerned about catch and release fishing practices. Yupik people feel these practices are disrespectful to fish and are in conflict with their traditional ethics. These ethics teach that when animals are mistreated, the natural order becomes disrupted and people risk future food shortages. If

[12] EXECUTIVE SUMMARY:CHARTING THE FUTURE OF TROUT FISHERIES IN ALASKA: A SYMPOSIUM TO FORMULATE THE BASICS OF AN ALASKAN WILD TROUT CONSERVATION INITIATIVE. Kenai Princess Lodge, Cooper Landing, October 3-4, 2001

[13] *Alaska Magazine,* September 2002

> disrupted, the fish will move away and may never return to the river. It is important that visitors acknowledge and respect these traditions by respecting their catch and observing careful catch and release practices."[14]

In the native Alaskan tradition carried on by Alaskan anglers today, "...the Koyukon word meaning 'to use' is always understood to mean 'to kill' or 'to catch.' The two concepts are virtually inseparable."[15] To Alaskan anglers, "going fishing" still means the same—to catch, to kill, to use. Mandatory catch-and-release, on the other hand, is used as a management tool to define and promote fisheries that appeal largely to nontraditional anglers and out-of-state visitors. Such fisheries are designed primarily for the benefit of the tourist trade and the tourist-oriented sport fishing industry. But as author Patricia Goldstone wonders:

> "Whether the economic benefits resulting from tourism ultimately compensate for the cultural cannibalism...is a big open question."[16]

Most Alaskans agree that the Alaskan cultural tradition is not for sale. Most Alaskans are pleased to share that tradition with our summer visitors, but it isn't for sale at any price.

Moreover, catch-and-release, as well as being culturally destructive, is socially divisive. An Alaskan Web site's Internet poll[17] revealed that over 60 percent of some 800 respondents would no longer fish the first run of Kenai kings should the fishery be regulated mandatory catch-and-release. Any fishery that is mandated as catch-and-release, or, as fisheries managers like to euphemistically phrase it, a non-retention fishery, necessarily and selfishly excludes those fishermen who wish to eat their catch. Fishermen who, for whatever reason—ethical, biological, spiritual, cultural, etc.—want to eat their catch are selfishly divided from those who want to catch fish just for the fun of it, throwing them all back.

The most reprehensible aspect of the selfish divisiveness necessitated by mandatory catch-and-release regulation is that it need not occur. A fishery managed to produce a harvest, however limited that harvest potential may be, allows all to participate in the fishery—those wanting to fish to eat and those disposed to catch-and-release. That a fishery managed to support some degree of harvest, however limited, demands a smaller number of anglers as would a mandatory catch-and-release fishery defines why fisheries managers and the

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[14] Kuskokwim / Lower Yukon Kuskokwim Bay, Sport Fishing Update, July 22, 2002

[15] *Tracks In The Wildland,* Nelson, Mautner, Bane, Univ. Of Alaska, Fairbanks, 1982, p. 227.

[16] *Making The World Safe For Tourism,* Patricia Goldstone, Yale University Press, 2001, p. 253

[17] www.alaskaoutdoorjournal.com

sportfishing industry prefer mandatory catch-and-release—the reason is money. More anglers means more money. As author Goldstone notes, "When people come, the money comes, and in the closing years of the twentieth century one thing we can be sure of is that economics,...is what moves the big ball of human events."[18] The destruction of the Alaskan ethos and the social divisiveness caused by mandatory catch-and-release are not worth any amount of money brought in by such fisheries. Cultural integrity and social harmony are accomplished ethically only by limiting access and harvest, not by imposing mandatory catch-and-release.

Summary:

Mandatory catch-and-release is ethically indefensible, biologically pernicious, culturally destructive, and socially divisive. Money alone—the income generated by tackle and license sales and the savings of low management costs—remains the vivifying force behind fisheries managers' and the tourist-oriented sport fishing industry's advocacy of mandatory catch-and-release fisheries and regulation.[19] Moreover, at no time has the American and Alaskan angling public comprehended the unadorned nature of catch-and-release, masqueraded as it is in conservationist garb, claiming that the fish are released unharmed. Alaska's residents need to understand the malignant effects of catch-and-release, and, more importantly, to recognize that alternative solutions exist to the problems attendant to heavily used fisheries. Because the angling public is so poorly informed, indeed misinformed about catch-and-release, fisheries managers are pleased to find cozy refuge in public opinion in defense of their advocacy of catch-and-release, claiming to be giving the public what it wants. As one manager rationalizes it:

> "Ethics are a valid element of any public resource policy, providing the public (as owners of the resource) in fact make that choice. (...)

[18] Goldstone, ibid., p. 87

[19] "In the early sixties, one of the Eastern States conducted an experiment, declaring "Fish-For-Fun" sections on one heavily fished trout stream—all fish caught must be released. This attracted the attention of commercial interests; guides and fishing camp owners who saw monetary gain in recycling the same fish past numerous fishermen. The foremost of these was a former Madison Avenue commercial artist, turned Newfoundland fishing camp owner, named Lee Wulff. Knowing the ad trade, he marketed the phrase, and its variants, "A fish is too valuable to be caught only once". The sport fishing industry rallied to his banner, for they recognized two important side effects of this campaign: 1) If a fish could be "Caught and released without harm", then persons who might not wish to kill fish could now become, without shame, genteel fisherpersons, swelling the ranks of potential customers. 2) The avaricious and competitive nature of man could be sated by unlimited fishing. No more would a person have to stop at some state-mandated limit, but could go on to "100 fish days". (One fishing writer, Arnold Gingrich, encouraged the use of golf score-counters, to record the days catch.) Commercial interests, principally guiding services, fly shops, and Chambers-of-Commerce, began pressuring their State governments to set aside some of the best streams as "Catch and Release"; and then, since the fish were "being released unharmed", to keep the streams open year-round. Thus we have the "management policy" of Catch and Release. This leaves us with the question: What, or rather who, has been managed?" (*The Origins of Catch-and-Release,* Reed F. Curry, www.overmywaders.com, ©2000) Note: Mr. Curry is an internationally noted maker of fine cane fly rods and an expert on silk fly lines.

> Issues of ethics and perceived morality are appropriate for consideration in a fishery management program only to the degree that the public desires and supports."[20]

Although ethics are indeed personal, and public preference is enormously important, the public's ethics and preferences are corrupted when managers, whether willfully or unwittingly, paint a distorted picture of catch-and-release and present the public with limited choices. Have managers made the Alaskan public aware that conservation can be accomplished by limiting access to heavily used fisheries as is done on Deep Creek and on the Ninilchik and Anchor Rivers? Or by restricting methods and means? Or has the public been led to believe, in the case of high-dollar, guide intensive fisheries, that it's a choice between catch-and-release and closing the fishery? Does the average Alaskan know that five percent of upper Kenai River rainbows have only one eye? Does the Alaskan public realize that mandatory catch-and-release is destructive of the Alaskan ethos, selfishly denying as it does the traditional, non-wasteful harvest of excess stocks?

Conclusion:

Fisheries managers today are as much, sometimes more, concerned with managing anglers by means of economics-driven strategic plans as with biologically managing fish populations. In that vein, ADF&G's Sport Fish Division now declares itself as:

> "...in the business of providing different 'product lines' for different 'markets' of recreational use."[21]

But beguiling language aside: diverse opportunites, stable and predictable, economic importance, dependable fishing, core values, personal ethics, and the like, and in spite of bureaucratically-spawned social engineering efforts to increasingly exploit our fisheries, Alaska's sport fisheries must be managed in the future as they have been historically—allowing harvest of excess stocks for Alaska's tables while allowing those wishing to fish for fun to do so within that context.

[20] Sport Fish Division staff, personal e-mail
[21] Region III Public Meeting, Strategic Planning Issues, Solutions, and Vision, Fairbanks,10/27/01

No fishery—not a harvest fishery and not a catch-and-release fishery—can support unlimited angling pressure. Ethically, biologically, culturally, and socially, mandatory catch-and-release is far too costly a management option to be used in Alaska's sport fisheries. Alaska must draw the line somewhere, and Alaska must draw a line that defines and occupies the ethical high ground of traditional angling, that supports and maintains the biological integrity of our fisheries, and that respects and nurtures Alaskan culture and social diversity. Mandatory catch-and-release falls unconscionably short on every count, animated as it is by the self-serving economics of special interest groups. Mandatory catch-and-release should not be a management tool used in Alaska's sport fisheries—Board of Fisheries can do much, much better simply by limiting access and harvest and by restricting methods and means. What kind of future will we leave our children and grandchildren? Fishing that kills Alaska's fish for the fun of it? Fisheries prostituted to the highest bidders? Or will we leave those following us the tradition of non-wasteful harvest of Alaska's fish that has helped define Alaskans and sustain the Alaskan spirit for generations past? Alaska's fish are far too valuable to be caught more than once.