

Jay Ginter Farewell

Dave Fluharty on behalf of students and colleagues at the University of Washington

When Jay announced his retirement as Chief of the Regulatory Operations Branch from his 30-year career with NOAA Fisheries/NMFS in 2008, the North Pacific Fishery Management Council gave him a standing ovation. Not many career fishcrats receive such high regard but Jay was in a class by himself. Farther south, buttons were bursting off the chests of his former faculty advisors at the University of Washington and erstwhile colleagues over the last 30 or so years. Jay's accomplishments in fisheries management were the epitome of what the former Institute for Marine Studies [later School of Marine Affairs and now School of Marine and Environmental Affairs] essayed to encourage in students when founded in 1974. Ominously, the unstated yet most compelling reason for Jay's retirement was his struggle with Stage IV mantle cell lymphoma, a non-Hodgkin B cell lymphoma that ultimately brought Jay down.

Now, in April 2011, we circle our fishing boats and pause our other careers to honor Jay's memory as a colleague and true friend. This small essay seeks to track Jay's career and his contributions to fishery management in the United States and internationally. Jay was a very capable detail guy so there is no way to document all of his accomplishments in that dimension. This essay seeks to give an impression of the contributions Jay made through his long and distinguished career and to reflect on what is his legitimate legacy.

Jay was always at the forefront of the fisheries issues of the day but in a way that did not draw attention to his person. His attention was to the issue at hand and how to resolve it in a clever, fair and long-term sustainable manner. I am privileged to be one, among many colleagues, stakeholders, process participants, questioning researchers, resource managers, who benefitted greatly from Jay's knowledge, persistence, equanimity, optimism and general good cheer as we all fought to improve fisheries management. Jay was a trusted advisor when I was first appointed to the North Pacific Fishery Management Council and he remained so through my full nine-year membership in that august body 1994-2003.

Jay showed up at the University of Washington in the mid 1970s to pursue an interdisciplinary Masters degree in this newly emerging field of marine affairs. Jay had already distinguished himself in a stint at New York Sea Grant where he produced a book, "Marine fisheries conservation in New York State: policy and practice of marine fisheries management." In addition, Jay had made a compilation of fisheries legislation in New York published by NYSG. Further, Jan and J.L. McHugh produced another book called "Fisheries" again published by NYSG. Google Scholar search of Jay's work prior to the internet reveals that he was a project manager at NYST engaged in a wide variety of projects.

What prompted Jay to enroll in the University of Washington is probably hidden away in application archives. Many of us remember Jay as a serious student with a tremendous “joie de vivre” and an amazing attention to detail. Jay’s enrollment in the UW coincided with the passage and implementation of the Fisheries Conservation and Management Act – very heady days for fishcrats. Our director at the UW, Donald McKernan, and many of our faculty and faculty affiliates, e.g., Ed Miles, William Burke, Donald Bevan were leaders in the implementation of fisheries policy in the United States. A critical question arose in US fisheries policy around how best to Americanize the fisheries, i.e., through aggressive promotion or through license limitations? McKernan found funding to support a national conference on this topic and Jay was selected to work with Dr. Bruce Rettig from OSU on how to develop an edited proceedings volume from this conference. Limited Entry as a Fishery Management Tool, published by the University of Washington Press in 1978 is a classic in the field of what we are now calling catch-share management of fisheries. Southwest Pacific Regional Office of the NMFS to continue his interest in and contribute to the development of US fisheries policies. [It was there that he met Jane a recent Master’s in economics. Jane can best relate how academic and career interests in fisheries management blossomed into a marriage, family and many productive years in Alaska]. But it did!

It is in Alaska where Jay’s sustained professional engagement produced significant progress in fisheries management. Jay was never an overt advocate of programs he might personally have endorsed but through his thoughtful explanations, neutral examination of consequences of one policy or another he was able to engage all parties in thinking about what was the appropriate long term policy. In this regard, Jay is perhaps best known and respected for his roles in the development of the halibut/sablefish IFQ program and the Community Development Quota system in Alaska. No, Jay did not invent the concepts -- others did that. Jay made them work. His constant availability to all parties in these issues [and more I do not mention] ensured that participants understood the regulatory consequences of what they were thinking to do.

The Executive Director of the NPFMC, Chris Oliver said this when marking Jay’s passing at the start of the March 2011 NPFMC meeting, “So many of the projects, so many things that we have on the books—our fishery management plans and different regulations—have Jay’s fingerprints on them. But probably the biggest one and I know it was his baby, was the halibut and sablefish IFQ program. It’s one that I worked on with Jay for the first 3 or 4 years I was here. And that program is not just nationally, but world-wide recognized as one of the model fishery management programs in existence, and a lot of that was built by Jay. I know that he was extremely proud of that particular program I don’t have to tell you how important Jay was to all the people with whom we work.”

Another of Jay’s “big babies” was the remarkable and innovative Community Development Quota (CDQ) program devised and implemented in Alaska to ensure that

coastal communities in the Bering Sea region shared in the development of fisheries there. This is where “fingerprints” are the only way to track Jay’s contributions to the program development. Jay’s most obvious fingerprints are hidden in the details but exposed in his expert role in reporting the CDQ program in national and international forums. Jay’s 1995 paper in the prominent peer review journal Ocean and Coastal Management revealed the details of this Alaska program to an international audience. It is widely cited.

Jay’s national and international renown was expanding although he would not admit or acknowledge it. Needless to say, there are very few NMFS administrative employees who take the responsibility to explain in international peer journals about innovations in fisheries management occurring in Alaska.

Of course, Jay did not stop with his work on Limited Entry and CDQs. Instead he carefully tracked the common property institutions and their development in the Alaskan Groundfish fisheries as seen in his often cited paper with Dan Holland in Marine Policy (2001) entitled, “ Common property fisheries in Alaska” which shows how progress can be made to the benefit of fisheries management, individuals and communities. Even CDQs were not the rock bottom of Jay’s concerns. As part of his job he was critical in defining and ensuring subsistence rights of Alaska natives in light of federal and state management conflicts.

At the national level, the development of what Congress now calls Limited Access Production Privileges [in the 2006 reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act] is a direct but much delayed outgrowth of Jay’s earlier work on limited entry. Under the Obama administration, NOAA Administrator is calling for a national program to develop catch share programs. Similarly, the success of the CDQ communities raises a number of important issues with respect to how fishery dependent communities are treated in US fishery management. The success of the CDQ programs spurs thinking on how to implement community protections in ways to emulate the success although the model may not work outside Alaska.

Sadly, Jay is prematurely gone and others must step up to fill his shoes to continue his legacy. Chris Oliver says it well in his comments at the start of the March 2011 NPFMC meeting: “In addition to everything Jay did for our process, one of the things that, I know I speak for everyone else in this room who has worked with Jay, was not just his professional competence and his professional excellence, but as a person he was one of the calmest, kindest, sweetest gentlemen that I ever met, in fact, that I’ve ever known; he never lost his temper never a foul word, he was a quintessential gentleman and that’s probably what I will remember Jay for the most.” Jim Balsiger, Alaska Region NMFS Administrator echoes those sentiments, “It was a privilege and an honor to know Jay. Jay was a gentleman; I never heard him raise his voice; I never heard him get upset at anyone. He was a fixture at the regional office; he was there early in the morning; he was there late at night; he was there many weekends, especially prior to Council meetings. I don’t think

the general public quite understands some of the long hours that get put in developing [management measures and the tedious process of developing regulations and Jay was a part of that. He was always there. “ More than that, Jay was always ready.

Thus, as Jay passes the torch to another generation of University of Washington graduates and all of us, I would call attention to his career and to the opportunity to be inspired by one of our own whose persistence, intellect, commitment to detail and ability to relate civilly to diverse interests and issues has made an enormous difference in Alaska, to the nation and to international deliberations.