



THE NCMC

MARINE BULLETIN

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No. 1

US & CANADA INK PACIFIC SALMON AGREEMENT

On January 28, representatives of the United States and Canada signed the Pacific Salmon Treaty, the culmination of 15 years of negotiations between the two countries. The agreement establishes an eight-member Pacific Salmon Commission to oversee cooperative efforts in management and research to prevent overfishing and to provide optimum production from U.S. and Canadian salmon enhancement programs.

A principle goal of the Treaty will be to ensure that both nations receive benefits from the salmon fisheries that are equal to salmon production from their home rivers, i.e., the U.S. and Canada get out of the fisheries what they put in. Research will focus on the migratory movements of stocks originating in the rivers of one nation and traveling into and through the waters of the other, and measure the extent of the interceptions by fishermen on both sides. Management plans developed under the treaty and taking effect in 1985 address such recurring issues as U.S. coho salmon caught by Canadian trollers and Canadian sockeye netted by American purse seiners. Transboundary rivers will be managed cooperatively.

Theodore M. Kronmiller, who led the U.S. negotiating team for the past two years, expressed hopes that "the new Pacific Salmon Commission will improve the fishing opportunities of both recreational and commercial salmon fishermen" of the Canadian and U.S. northwest. Mr. Kronmiller will be the keynote speaker at the 10th Marine Recreational Fisheries Symposium, which will address Pacific Salmon, in Seattle, Washington on April 26 & 27. (For information on the salmon symposium, write MRFS in care of the National Coalition for Marine Conservation.)

OMB WANTS TO WITHHOLD NEW D-J MONEY

The federal Office of Management and Budget (OMB) has deleted \$66 million in funds for the Dingell-Johnson program from the Department of the Interior's Fiscal Year 1986 budget. Sport fishermen, who pay into the D-J fund through excise taxes on angling equipment and marine fuel, are rightfully outraged at OMB's move, charging it violates both the law and the public trust.

OMB says the Sport Fishing and Boating Enhancement Fund, created by 1984 legislation expanding the D-J fund to improve recreational fishing and boating opportunities, will get only \$2 or \$3 million more in 1986. The Sport Fishing and Boating Enhancement Committee, a coalition of groups set up to promote the expansion legislation and which now oversees its implementation, estimates that a \$68 million increase should accrue to the fund under the expanded formula. This attempt to deny full funding to the program, the Committee told President Reagan in a January 7 letter, is in direct violation of the law (P.L. 98-369) he signed only last July.

OMB makes no justification for impounding the D-J money other than the implicit one that it is in line with the President's federal spending reductions. The Department of the Interior is standing solidly with the rest of the Administration (they "are going to be good soldiers", as one Interior official put it), and will not protest the decision.

The Administration's action is perplexing in view of the President's known advocacy of the user-pay concept in funding some government programs. D-J has been a model of this concept in action for over 30 years, with additional taxes paid by anglers going to support state fishing projects. So in addition to shortchanging sport fisheries programs in every state, this action would seriously undermine the public confidence in user fees, giving it good cause to view with suspicion every user fee proposal from now on as a general revenue tax; because that's where the unappropriated D-J money would go, into the general fund.

Rep. Walter Jones (NC), chairman of the House Merchant Marine and Fisheries Committee, has reportedly agreed to hold hearings on the OMB proposal this spring. The NCMC will join with other fishing and boating organizations in fighting this illegal action.

STRIPED BASS

Attempts to repeal Maryland's historic Striped Bass fishing moratorium, reported in last month's newsletter, are getting nowhere in that state's legislature. Three different bills with the common objective of reversing the fishing ban have been introduced by members of the Eastern Shore delegation on behalf of commercial watermen in their bay-side districts, but one bill is already dead and the other two are given "little chance" of passage.

The Department of Natural Resources (DNR) has built a strong biological case for its moratorium and Governor Harry Hughes is solidly behind this effort to protect Maryland's state fish. Two of the bills, therefore, attempt to get around this formidable alliance by passing fisheries management authority from the DNR into the hands of the General Assembly. One bill would have removed all authority to regulate the harvest of finfish and shellfish from the DNR. This received unfavorable committee reports in the assembly, where the Eastern Shore delegation is outnumbered, and is effectively finished. The other, still pending, would require all DNR fishing regulations to be first submitted to the appropriate house and senate committees for approval. This bill is also expected to die an early death in committee.

A third initiative calls for lifting the moratorium if the state of Virginia and the Potomac River Fisheries Commission (PRFC), a joint Maryland/ Virginia body administering shared waters of the Potomac, do not both enact moratoriums by November 1, 1985. Even if this bill passes the legislature, says one source, the governor would most likely veto it. He is not apt to back down because of inaction by Virginia or the PRFC, when he has been working so hard to pressure them into joining the moratorium.

Elsewhere on the Atlantic coast, state agencies are hustling to meet the coming test of the Atlantic Striped Bass Conservation Act, passed by Congress last fall, which requires them to implement the Atlantic States Marine Fisheries Commission's (ASMFC) 55% catch reduction plan by June or face a federally-imposed moratorium. Virginia will close additional spawning river areas to bring it further in line with the 55% cut. And in January, it joined the PRFC in halting fishing in the Potomac River and its tributaries through May 31 to protect the 1982 year class of Chesapeake Bay juveniles, the only half-way respectable spawning year in recent memory.

In Rhode Island, the Marine Fisheries Council will meet in March to vote on new regulations, which include: raising the minimum size limit from 18 to 24 inches; a two fish per day creel limit for anglers; and a closed season for netting from October 1 to October 31, a month when trap and gill netters make about half their annual catch. An outright ban remains a possibility if commercial netting interests on the Council conclude the regulations would put them out of business anyway; which is, in fact, what happened in 1983 when a 24 inch limit was first proposed for commercial fishermen. That ban, which was to last three years, was lifted by the Council six months later.

North Carolina's Marine Fisheries Commission will hold public hearings in March and April on restrictions it will vote on at its May meeting. Among the options being considered are a 16 inch minimum size limit (up from 12 inches) in Albemarle Sound; various area closures to netting; and a lower bag limit for recreational fishermen, from eight fish a day to as few as three.

Meanwhile, the ASMFC is preparing to meet, probably in May, to decide whether to up the ante by endorsing stricter fishing regulations to reverse the Striper decline. If the commission should conclude that a coastwide moratorium is needed, it would take effect a month later in June, under the new federal legislation.

JETTY BILL RE-INTRODUCED, AS CASE FOR JETTIES ERODES

North Carolina senators John East and Jesse Helms have, as expected, introduced a bill to permit the U.S. Army Corps of Engineers use of Department of the Interior lands to build jetties at Oregon Inlet. The bill, S.362, is identical to the one they offered last year but which never made it to a Senate vote, though its counterpart, sponsored by Walter Jones (NC), was approved in the House. Jones has indicated he will await action on S.362 before re-submitting his bill.

Proponents of jetty construction are enthusiastic about the chances for the East/Helms initiative, but events beyond their control continue to go against the controversial channel stabilization project. The southeast region of the Environmental Protection Agency (EPA), for example, expressed "significant concerns" about the environmental consequences and economic advisability of the Corps' plan. After reviewing the latest environmental impact statement for what is officially called the Manteo Bay Project, EPA admonished the Corps: "There should be a clear understanding of what is possible versus what is practical. Our assessment of this document revealed an inordinate emphasis on the former at the expense of the latter." Citing the exposure of the jetty site to powerful and unrelenting natural forces and given the dynamics of the adjacent barrier islands, the agency concluded that "this perilous situation will probably necessitate a cycle of ever increasingly elegant, expensive and environmentally damaging 'solutions'."

Those opposed to the jetties, cognizant of the need for safe navigation through the treacherous inlet, advocate annual dredging as a preferred alternative. The hopper dredge Mermentau has been at work each of the past two years clearing the channel for the winter fishing season, when boat traffic through the inlet is busiest. The Mermentau completed 3½ months of dredging on January 2 and, according to the Corps' figures, is getting the job done. Surveys show it achieved the authorized 14-foot depth and 400-foot width despite severe shoaling due to Hurricane Josephine which struck the coast last September.

NMFS, THE COUNCILS AND KINGFISH MANAGEMENT: AN ANALYSIS by Executive Director Ken Hinman

Who is managing the King Mackerel fishery -- the Regional Fishery Management Councils, or the National Marine Fisheries Service?

The Regional Councils were established under the Magnuson Fishery Conservation and Management Act to prepare fishery management plans (FMPs) for important fisheries in the fishery conservation zone. The National Marine Fisheries Service's (NMFS) responsibility as regards marine fisheries for which the Councils are actively developing FMPs is to provide the Councils with the necessary information and data upon which appropriate management decisions are to be made. And yet, NMFS policy and the agency's own interpretation of the Magnuson Act are shaping and ultimately determining decisions made by the Councils regarding the management of King Mackerel.

The South Atlantic and Gulf of Mexico Councils have been embroiled in a more-than-year-long debate over how much to reduce fishing pressure on the "severely overfished" Gulf stock and whether or not to impose restrictions on the use of gillnets in the Gulf fishery. This debate has been unduly influenced by NMFS. It is clear enough from these deliberations, though, that the Councils would act to limit gillnet use in some manner and perhaps set an even lower Gulf quota were it not for the intervention of NMFS, which categorically opposes gear restrictions other than minimum net mesh size.

At the root of the problem is this: NMFS is operating under an Executive Order issued by the President in 1981 requiring all federal agencies to demonstrate that the costs of any

new regulation will be outweighed by its benefits. There is nothing wrong with this attitude per se; but as is almost always the case in cost/benefit analysis, the variables are treated in purely economic terms. Little weight is given to less tangible costs and benefits (social, ecological, etc.) which are vitally important in assessing the value of recreation, resource conservation, and environmental protection.

Presumably adhering to this dictum, NMFS has, where gear limitations are concerned, in effect prioritized the National Standards, placing No. 5, which calls for FMPs to "promote efficiency in the utilization of fishery resources," ahead of other standards which emphasize "conservation and management," "optimum yield on a continuing basis," and the "best scientific information available." What this means in practice is that if a gear-type or method of fishing is determined to be an economically efficient way of harvesting the resource, and restricting it will cause short-term economic hardship to the operators of that gear, NMFS is unlikely to be persuaded to restrict or limit it in any way; never mind if it comes at the expense of the resource and other resource users.

NMFS, for its part, contends that the only problem in the King Mackerel fishery is overexploitation, and that overfishing is dealt with by setting catch limits. If these limits are scientifically sound, and as long as they are not exceeded, then that is all that need be done to conserve the resource. Further regulation within this framework is allocation, NMFS says, not conservation.

First of all, the proposed quotas may not be sound. There is good reason to believe the catch limits have been set artificially high to accommodate too many users and too much gear in an overcrowded fishery. The Gulf Council at one time recommended a 29 percent cut in the Gulf catch (to 13 million pounds) to enable the stock to recover faster, but commercial interests on the South Atlantic Council wanted another 1½ million pounds for no other reason than to ensure enough fish for commercial fishermen, including netters, fishing the Gulf stock off southeast Florida at the end of the winter/spring season.

Furthermore, the Southeast Fisheries Center concludes from its latest stock assessment that the Atlantic group of Mackerel is now coming under intense fishing pressure and may be fully-exploited very soon. This conclusion would seem to raise questions about the advisability of increasing the Atlantic catch by more than 50%, from 7.2 million pounds caught in the 1982-83 season to a quota of 11.8 million pounds. If the gillnetters decide to expand into the Atlantic fishery, it is likely it too will be depleted in short order.

The entry of the highly sophisticated roller-rig gillnets into the Gulf fishery tipped the balance from a stable to an overexploited fishery. The enormous increase in commercial landings beginning in 1975 was largely due to the introduction of this gear at that time. The decline in the fishery began shortly after.

The pressure from the roller-rigs continues to be felt wherever they are employed. Because they are permitted to take as many fish as they can in one area at one time, the nets can deplete these areas in a matter of days, leaving little in their wake. The long-flourishing migratory run of Kingfish off the Florida west coast has yet to recover since the netters entered in force in the late 1970s. The net boats converge on the schooling fish, devastating their numbers and scattering any survivors. Evidence suggests this disrupts traditional migratory patterns for an unforeseeable amount of time.

The nets are also pre-empting the resource on a local and regional basis by denying fishing opportunity to other users, namely commercial hook-and-liners and recreational fishermen in private, party and charter vessels. This de facto allocation of the resource to the user group with the most advanced technology is unfair to other, traditional users. And it is unwise as well when the other uses involve not a few thousand but hundreds of thousands of participants who contribute many millions of dollars to the nation's economy.

The efficiency of the gillnets is, plain and simple, inappropriate to the King Mackerel fishery. (This efficiency is, of course, measured only in terms of catch per unit of effort and does not account for waste due to "drop-out", net damage, spoilage, etc.) The com-

mercial demand doesn't warrant it, and the limited supply can't bear it. The hook-and-liners were able to provide enough quality fish for the seafood market when the stocks were healthy, and can certainly continue to do so now with the stocks in decline.

If we were privileged in the mid-1970s to know what we know now, reason would have dictated the exclusion of roller-rig gillnetting from the King Mackerel fishery. NMFS, no doubt, would have dictated their entry regardless -- as it inexplicably allowed purse seines in a few years back even as the decline was becoming obvious to everyone else.

If NMFS persists in its firm stand against regulating gillnet operations in the King Mackerel fishery -- in opposition to what many council members, the state of Florida and the majority of commercial and recreational fishermen think is best -- the road to compromise is cut off and the only alternative for those interested in conservation and not just exploitation is to work for the removal of the nets from federal waters altogether.

COUNCIL RE-ALIGNMENT PROPOSED

One of the major FCMA changes that will get a hearing in Congress during re-authorization of the Magnuson Act will be consolidation of the Regional Fishery Management Council system. At present eight councils regulate fishing in U.S. waters by developing fishery management plans for fisheries in their jurisdiction. Two proposals would cut the number of Councils to six: one by merging the Western Pacific and the Caribbean Councils with the Pacific and the Gulf of Mexico Councils respectively, and the other by eliminating them completely.

The idea of combining councils raises apprehension among fishermen in the Western Pacific and Caribbean areas, who feel their regional interests would suffer. Their concerns are well expressed by Peter Fithian, chairman of the Hawaiian International Billfish Association. "For the people in the Western Pacific, (it) would totally deprive them of a voice in controlling the FCZ for the areas of Hawaii, American Samoa, Guam, and the CNMI (Commonwealth of the Northern Marianas Islands)," he says. "It is unreasonable to assume that council members from the California area, most of whom have never seen the area to be controlled, can understand the unique problems (of the Western Pacific). Certainly with their own problems.. ..little of their time will be spent on areas which to them will have far less importance.... We cannot see how the millions of (square) miles in the FCZ of the Western Pacific can be left with little or no representation and even less understanding."

Disbanding the Western Pacific and Caribbean Councils in favor of local management makes more sense. Local governments, it is suggested, could pick up the Council functions and manage the fisheries in their portion of the FCZ following the guidelines set down in the Magnuson Act.

BILLFISH LEAGUE STARTS SECOND SEASON

The International Billfish League (IBL), the Florida-based organization that has established a proven format for billfish tag-and-release tournaments, has announced its second Gran Prix Series. The circuit will run from April 1985 through January 1986 and include seven tournaments in as many cities from North Carolina to the Bahamas. Another seven release events in the Bahamas and Mexico will also be conducted under IBL management this year.

The IBL's success, along with that of less publicized tournaments around the country, demonstrates that release competition can be every bit as fun as "on-the-dock" events, but without, as the IBL puts it, "the needless killing of fish to appease the egos of just a few." The NCMC supports what the IBL is doing, and strongly encourages all billfish tournaments, if they are not doing so already, to consider incorporating tag-and-release into their formats, as well as other conservation and educational programs. We will be happy to provide interested persons or tournament directors with information on release systems, such as the IBL uses.

Like a successful soap opera, the saga of the Swordfish Plan plays on without a finale. To achieve that kind of success a soap need only move from crisis to crisis. Neither lineal progress nor resemblance to reality is required. To the contrary, crises are more easily resolved if realities can be held at bay, a fact of life that seems to occur as readily to the writers of Fishery Management Plans as to the writers of soap operas.

There are two realities which the Regional Councils, with the blessings of the National Marine Fisheries Service, have become particularly adept at avoiding. One is that there can be no conservation without short term economic loss. The other is that the only way to achieve sustainable yields is to limit the amount of gear in the water. If the authors of the Swordfish Plan didn't manage to sidestep these realities altogether, it wasn't for lack of trying, and the trying is a large part of what has taken up their attention all these years. The result, or more accurately the lack of results, calls into question the value of the Councils as a management mechanism.

It also seems to vindicate the judgement of those that argued maximum sustainable yield (MSY), not optimum yield, should be the objective of fishery management. Unfortunately, some of us perceived MSY as too low a threshold that would never permit restoration of depleted stocks. Requiring that the Councils use optimum yield (OY), we thought, would give them a rationale for setting objectives higher than MSY. Instead, OY has permitted the Councils to ignore MSY and produce plans that are more cosmetic than real.

The lesson to be learned from the Swordfish Plan and a growing number of other plans seems to be that one of the original purposes of the Magnuson Act -- to allow fishermen to participate in management decisions -- was taken too far. That fishermen could look beyond their immediate self interest when there are mouths to feed and bills to pay was too much to ask. The Magnuson Act must be ammended to address this reality.

Chris Weld, President

**NATIONAL COALITION
FOR MARINE CONSERVATION**
Post Office Box 23298
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No. 2

NJ SENATOR FILES TUNA/HABITAT AMENDMENTS

Senator Frank R. Lautenberg, calling the present Tuna exclusion "illogical and inconsistent with the thrust" of the Act, has introduced a bill to amend the Magnuson Fishery Conservation and Management Act to include Tunas within the 200 mile limit. The Lautenberg bill would re-authorize the Magnuson Act for three years at current funding levels.

The freshman senator wants to extend United States exclusive management authority to all highly migratory species, including Tunas, in order to enhance the opportunities of domestic fishermen and to regulate the incidental catch of Billfish, Swordfish and Shark by foreign Tuna long liners. Thousands of Billfish die on Tuna long lines every year, thwarting U.S. efforts to conserve these valuable big game fish. His bill would also close loopholes in the U.S. observer program to achieve 100% coverage on foreign vessels fishing off our shores.

Under other proposed amendments, the regional fishery management councils would have an expanded role in fish habitat protection. "Effective fishery management requires effective habitat maintenance and management," Lautenberg declared. His legislation would require the councils to incorporate specific habitat information in their management plans, including threats to critical habitat areas and measures to protect and conserve them. The National Marine Fisheries Service would be required to provide all the necessary data and analysis, and other federal agencies whose decisions and actions impact on fish habitat would have to respond to council recommendations. However, no plan could be disapproved solely on the basis of inadequate habitat information or provisions. The NCMC conferred with the senator's staff in the drafting of the bill and supports the Tuna and habitat provisions.

In the lower chamber, the furor raised by Congressman John Breaux's proposals to re-write the Act has subsided somewhat now that the most objectionable changes have apparently been dropped. Breaux's fish and wildlife subcommittee "discussion" draft circulated in February was an obvious bid to stack the councils in favor of commercial fishing interests -- even moreso than they are now. For one thing, Breaux proposed requiring that a majority of council members come from the "commercial fishing industry". He also suggested a state's share of representation on the councils should be based on its volume of commercial landings, which would clearly discriminate against states whose marine fisheries are predominately recreational. The NCMC joined with other recreational fishing and conservation groups in denouncing this blatant attempt to rescind the Magnuson Act's mandate for an equal balance of commercial and recreational interests in the management of coastal fisheries. At press time, Breaux was reported to be leaning towards a two-year extension of the Act with no changes this year.

Also in the House, two west coast congressmen, Douglas Bosco (CA) and James Weaver (OR), plan amendments aimed principally at resolving the problems Pacific commercial fishermen, particularly salmon trollers, have with the federal system. Council membership

is the issue; the trollers have never in eight years had a representative appointed to the Pacific Council. Bosco and Weaver also plan to introduce amendments to strengthen the habitat conservation provisions of the Magnuson Act.

A DEADLY MIX FOR STRIPED BASS

As reported in last October's newsletter, new research into the impact of chemical contaminants on Striped Bass reproduction is revealing a strong link between acid rain and the decline of Striper populations in Chesapeake Bay. An interim report just released by the United States Fish and Wildlife Service summarizing 1984 field studies in the Choptank and Nanticoke Rivers concludes that even brief increases in acidity in these important spawning rivers can cause "substantial, if not complete, reduction in numbers of young striped bass."

Dr. Paul Mehrle, who heads contaminant research at the Columbia National Laboratory as part of the Emergency Striped Bass Study into causes of the species' huge drop in numbers, says contaminants interacting with high acidity levels in the waters where the fish hatch and mature proves a toxic combination for the young bass. Even in fairly well-buffered (low acidity) waters, aluminum and other inorganics in sufficient concentrations will impair swimming activity and feeding efficiency and cause mortality in immature Striped Bass. If the waters are poorly buffered, i.e., more acidic, then mortality rises significantly.

Acidity levels in the Choptank and Nanticoke Rivers have not risen permanently, Mehrle points out. Instead, the studies show "episodic" increases which are the result of acid deposition, either directly from acid rainfall or indirectly from heavy rains washing acids out of the soil and into streams and rivers. A rise in acidity for only 24 hours during spawning time, the report says, can severely reduce spawning success.

The Columbia Lab will continue to look at episodic as well as long-term trends in acid levels in spawning areas, provided funding is renewed for 1986. But what is being done to control acid rain? Outside of independent efforts to cut sulfur and nitrogen dioxide emissions by the State of New York, Canada and the Tennessee Valley Authority -- not much. The death of lakes, streams and forests has prompted no substantive action from Congress, and the Reagan Administration's official attitude is that there is insufficient scientific evidence to call for national emission controls. Few scientists, though, share that opinion. The administration's own Office of Science and Technology Policy, for instance, concluded there is no reason to wait for more evidence before taking action.

"ISSUES 1985"

The following recommendations were made at an NCMC-sponsored conference of marine recreational fisheries leaders in Hilton Head Island, South Carolina on March 4 and 5, 1985. They were subsequently presented to the NCMC Board of Directors for consideration in guiding present and future organization policy. They reflect the consensus of the leadership at the conference, and do not necessarily represent the position of the National Coalition for Marine Conservation, Inc.

Recommendations:

1. Evaluate all new commercial gear and fishing methods for its anticipated impact on the fishery and the resource before it is allowed to become an established participant in any fishery.
2. Limit the role of the Regional Fishery management councils and the National Marine Fisheries Service in the management of coastal fisheries to determining the status of the stocks and establishing appropriate harvest levels. Empower the states to manage the fisheries through allocation, gear regulation and other means as they see fit.

3. Prohibit roller-rig gill netting in the King and Spanish Mackerel fisheries.
4. Phase out the use of gill nets in the coastal and inland waters of the United States. Until this is accomplished, establish national standards requiring the tending of gill nets at all times, proper marking and identification of nets, adequate spacing between nets to allow escapement, biodegradable float attachments, and a national program for the retrieval of lost or abandoned gear.
5. Maintain or increase funding for habitat conservation and research programs conducted by the National Marine Fisheries Service/National Oceanic and Atmospheric Administration.
6. Develop a coherent national policy on wetlands and estuaries, focusing on cooperation among agencies whose activities and/or decisions affect living marine resources, with the purpose of coordinating research, identifying resources at risk and threats to the resources, exploring options and developing strategies for conserving these resources.
7. Amend the Magnuson Fishery Conservation and Management Act to address habitat conservation in the development and implementation of fishery management plans.
8. Renew the Clean Water Act and strengthen it with provisions to control non-point source pollution (run-off) and toxic waste discharge.
9. Phase out the ocean dumping of harmful sewage sludge before the end of the decade.
10. Amend the National Standards of the Magnuson Fishery Conservation and Management Act to delete reference to promoting economic efficiency as a principal goal in the use of fishery resources.
11. Make federal pre-emption of management authority for coastal migratory species in the territorial seas a last resort, when and only when a state fails to act to conserve and manage a fishery in its waters in accordance with regional management objectives.
12. Amend the Magnuson Act to require the Secretary of Commerce to approve or disapprove a fishery management plan in its entirety, thereby letting the council(s) re-write the plan, not Commerce.
13. Include Tunas within the jurisdiction of the Magnuson Act, giving regulatory authority over all highly migratory species within the U.S. 200 mile fishery conservation zone to the regional fishery management councils. The U.S. should, nevertheless, remain an active participant in the International Commission for the Conservation of Atlantic Tunas.
14. Request the National Marine Fisheries Service to consider options for consolidating all scientific research on Tunas in a single location, and consider among such options contracting all of its Tuna research to an entity outside the U.S. government.
15. Convene a world conference in the next few years to review the science and management of highly migratory species, such as Tunas, Billfish and Sharks.
16. Include highly migratory species of Sharks within the purview of ICCAT.
17. Outlaw the sale of all species of Billfish, with the exception of Swordfish, within the continental U.S. and ban the export of Billfish caught in the waters of the continental U.S. for sale abroad.
18. Convene an international Billfish symposium no later than 1987 to review and update information on the economic, social and biological factors concerning Billfish.

The Reagan Administration has responded to enraged fishermen, boaters and members of Congress by defending its controversial decision to impound sport fishing and boating enhancement funds as part of its deficit reduction plan. Senator Malcolm Wallop, co-author (with John Breaux) of the 1984 legislation expanding the Dingell-Johnson sport fish restoration program, accused the administration of "playing a shell game to hide their inability to make actual spending cuts."

The White House Office of Management and Budget (OMB), whose director David Stockman had previously offended farmers and veterans groups, added the nation's boaters and anglers to the list when it announced plans to withhold \$77 million in customs and marine fuel tax revenues from the Fiscal Year 1986 grant to states under the expanded program, known as the Wallop-Breaux Fund. Only new excise taxes on sport fishing equipment totaling \$6 million would be allocated to supplement the \$38 million earmarked under existing D-J taxes.

The impounded funds will be deposited in the Aquatic Resources Trust Fund and be made available for "future appropriations," presidential assistant Mary Jo Jacobi told NCMC director Ken Hinman. "Given the present fiscal situation and the total context of the budget which called for a freeze in spending levels, we believe this program and its beneficiaries have been very fairly treated in our 1986 budget."

"What Ms. Jacobi's saying, folks, is that we are lucky to get anything at all," says Hinman. "It is clear what the administration is up to. They are using the Wallop-Breaux money to paint a brighter face on the spending picture this year. The truth is, the deficit won't be any lower because of this action; the money is merely being left in the credit column for another year so that it appears lower. But more at issue is what this would do to the effectiveness of the entire program. D-J has been so successful largely because it is an annual funding source the states can rely on. If in the future the money becomes available only at the discretion of the OMB, it would cripple the ability of the states to maintain continuity in fishing and boating enhancement programs and to plan future projects. The administration has made a serious error, and they're going to have to admit it."

NCMC BOARD ELECTS JOHN GREEN CHAIRMAN

The NCMC Board of Directors, at the Twelfth Annual Meeting in Hilton Head Island, South Carolina on March 5, unanimously elected John Green of Beaumont, Texas to succeed Hal Lyman as Chairman of the Board. Lyman, publisher of SALT WATER SPORTSMAN magazine, served as chairman with distinction since 1980.

Green joined the NCMC Board of Directors in 1981. He is a former commissioner of the Texas Parks and Wildlife Commission. He is currently chairman of the Gulf of Mexico Fishery Management Council as well as chairman of the Recreational Fisheries Advisory Committee to the Southeast Regional Director of the National Marine Fisheries Service. The new chairman brings to the NCMC a superlative understanding of the federal fisheries management system and a powerful commitment to conserving coastal habitat.

YOU CAN IMPROVE OUR CIRCULATION

Nearly every newspaper in the land has a staff outdoors editor or fishing columnist. They are read by thousands of anglers and sportsmen daily. The NCMC wants to make certain that each of these writers receives the NCMC Marine Bulletin and our periodic news releases. You can help us get the message out to thousands of your fellow anglers by sending the NCMC the name of your local fishing or outdoors writer, the newspaper he/she works for, and the address. If we hear from all of you, the NCMC will be able to reach hundreds of newspapers from coast to coast. Please do it today. Thank you.

ANGLERS UNITE

NCMC vice chairman Frank Carlton spoke to over 100 anglers in Charleston, South Carolina on March 30 on the subject of "Marine Conservation and the Saltwater Sportsman." The occasion was a symposium to launch South Carolina Anglers, Inc., a new organization of the state's recreational fishermen dedicated to promoting sportfishing and conservation. Carlton lauded the group's goals and offered the full support of the NCMC. He emphasized the need to address marine conservation issues through political action at every level, and gave examples of what the unified efforts of angler organizations have been able to accomplish in the past decade. There is much yet to be done, he said, and only by joining together and taking an active part in the political decisions that affect fishing and fish habitat can anglers make a difference.

The NCMC has always supported angler/conservation organizations at the state and regional levels, and encourages its members to support them. Following is a list of state or regional groups the NCMC is working with. Contact the one in your area.

DELAWARE SALTWATER SPORTFISHING ASSN., P.O. Box 21, Townsend, DE 19734
FLORIDA LEAGUE OF ANGLERS, P.O. Box 1109, Sanibel, FL 33957
GULF COAST CONSERVATION ASSN., 4801 Woodway, Suite 220W, Houston, TX 77056
HAWAII FISHING COALITION, P.O. Box 743, Pearl City, HI 96782
MID-ATLANTIC SPORTFISHING COUNCIL, P.O. Box 170, Leonardtown, MD 20650
NCMC - PACIFIC REGION, 530 B Street, Suite 1335, San Diego, CA 92101
NEW YORK SPORT FISHING FEDERATION, P.O. Box 240, Oakdale, NY 11769
NORTH CAROLINA SALTWATER FISHING FEDERATION, P.O. Box 2768, High Point, NC 27261
SOUTH CAROLINA ANGLERS, P.O. Box 32337, Charleston, SC 29417
VIRGINIA FEDERATION OF ANGLERS, P.O. Box 7356, Richmond, VA 23231

THE PRICE OF OVERFISHING

The boom years in world fish harvest were 1950 to 1970. During these two decades, the global catch tripled from 21 million to 66 million metric tons. Advances in fishing technology enabled commercial fishing fleets to scour the oceans far and wide. But we paid dearly for this "progress," a price we continue to pay. Many of the principal ocean fisheries were severely depleted "to the point of collapse"; among them, Peruvian Anchovy, Alaskan King Crab, Atlantic Cod, Haddock, Pacific Salmon, Herring (northeast and northwest Atlantic stocks), Capelin, Pilchard, Halibut and Pacific Ocean Perch.

Of these eleven fisheries, only one, North Atlantic Cod, has even partly recovered, and "there is reason to doubt whether some of the others will ever recover," according to Lester R. Brown, a senior researcher for the World Watch Institute. Brown has published a study ("Maintaining World Fisheries," STATE OF THE WORLD 1985) of the prospects for ocean fisheries. Aside from concluding that "the oceanic catch...may be very close to a sustainable maximum," he cites U.N. Food and Agriculture Organization statistics for the eleven fisheries mentioned above to calculate what overfishing and mismanagement have cost the fishing industry in lost harvest. The results are startling. Comparing the 1981 catch for each species with the estimated potential catch (using conditions prevailing in the 1960s), more than 11 million tons of fish are lost to fishermen each year because of reckless fishing practices during those boom years when it was foolishly supposed that there was no limit to the amount of fish the ocean would yield.

Briefly Noted:

The STUART(FL) NEWS reports, and the Department of Natural Resources confirms, that 20,000 pounds of dead Spanish Mackerel washed ashore on a Florida beach after a gill net either broke or was cut after setting on a school too big for the net to handle....A bill pending before the New Jersey legislature would permit commercial dragnets to work within a half mile of the beach. Most weekend anglers catch flounder, fluke and other bottom fish within two miles, the present limit, and if the dragnets are allowed closer to shore, says one Jersey angler, "it will all be gone."

EDITORIAL: WHAT ARE WE WAITING FOR?

East coast populations of Bluefish are, so far as we know, in very good shape. The prudent Mid-Atlantic Fishery Management Council wants to make sure they stay that way by limiting growth in the fishery. The National Marine Fisheries Service, which in December rejected the council's Bluefish plan, says it can't. The agency's reasoning, that a management plan for Bluefish serves no immediate purpose, speaks volumes about what is wrong with fisheries management today.

The preamble to the Fishery Conservation and Management Act states very clearly: "If placed under sound management before overfishing has caused irreversible effects (emphasis added), the fisheries can be conserved and maintained so as to provide optimum yields on a continuing basis." This means developing a sound conservation and management strategy for every important marine fishery. The FCMA says nothing whatsoever about a fishery having to be in trouble first. Conservation is a preventive action, not merely a reactive one. It means making sure a stock stays abundant as well as restoring a depleted one.

Bluefish is a major fishery, probably the most important recreational fishery on the Atlantic coast. More than a million and a half anglers fish for Bluefish annually, catching over 100 million pounds and spending close to \$100 million to do so. The Mid-Atlantic Council recognizes that the stocks are very likely fully-exploited, and that a significant increase in catch, particularly from expanded commercial netting, could trigger a decline.

We agree with the Mid-Atlantic Council's interpretation of its duty to the resource and the fishermen. We shouldn't wait for overfishing to occur before taking action. If we "manage" Bluefish by waiting for a problem to develop or a crisis to react to, instead of preventing it from happening in the first place, then our past mistakes really haven't caught us a thing about managing fisheries.

Ken Hinman, Executive Director

**NATIONAL COALITION
FOR MARINE CONSERVATION**
Post Office Box 23298
Savannah, Georgia 31403

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No. 3

PLASTIC POLLUTION

The seas are being strewn with a staggering amount of plastic waste, and it is literally choking marine life to death. "Discarded or broken plastic fish nets, straps, trawls, seines and snares" are trapping and killing sea life, reports Bayard Webster in a recent article for the New York Times, while other animals die after consuming small pieces of plastic junk floating in the water, such as bottle caps, plastic bags and wrappers. The problem has reached crisis proportions, causing the deaths of millions of birds, fish, whales, seals and sea turtles every year.

The enormity of the problem and its worldwide dimensions were brought out at an international conference of 150 marine researchers in Honolulu in March. All kinds of "plastic trash" are involved. The Times cites statistics from the National Academy of Sciences that commercial fishing fleets dump more than 52 million pounds of plastic packaging at sea each year, and lose over 298 million pounds of plastic fishing gear, including monofilament nets or portions of nets. Lost or discarded nets pose probably the gravest threat to marine life. The nets are virtually invisible to marine mammals whose sonar does not warn them of the nets and who become entangled and drown. They continue to "ghost fish" indefinitely because they are not biodegradable, ensnaring fish and then sea birds as they dive to feed on the trapped fish.

The extent of the netting problem is documented in another recent article in Oceanus magazine, published by Woods Hole Oceanographic Institute. Author Robert Eisenbud offers some sobering statistics of his own. For instance, 10.8 miles of net are lost each night in the Japanese North Pacific salmon and squid driftnet fisheries. That's an estimated 1,624 miles of net left to float unattended after each fishing season and the wasteful carnage that follows is beyond comprehension. To get an idea, though, consider that the North Pacific salmon fishery conducted by the Japanese is estimated to kill 5,000 dall porpoises, between 250,000 and 750,000 sea birds, and untold numbers of non-target fish during normal fishing operations.

Proposals have been advanced to restrict the disposal of plastics at sea, either through local or national legislation. The NCMC along with other conservation groups is already pushing for controls on the use of monofilament gill nets, aimed in part at solving the problem of ghost fishing. These include mandatory tending of nets at all times, marking nets so that negligent operators can be identified and punished, and a national program for the retrieval of lost or abandoned gear to be funded by net fishermen themselves through permit fees. The most far-reaching suggestion yet has been to require that nets be composed of biodegradable materials. The monofilament nets are cheaper and less visible to the fish, but these advantages to the fisherman may be outweighed by the cost of constantly replacing the nets. In the pelagic driftnet fishery, Eisenbud points out, the nets are not very durable when fished actively and are typically replaced each season. The old nets are routinely thrown away, often at sea.

COASTAL ZONE MANAGEMENT

The NCMC has written the House Subcommittee on Oceanography in support of extending the Coastal Zone Management Act of 1972. The Reagan Administration is once again trying to eliminate funding for this important and beneficial program, and the full Merchant Marine and Fisheries Committee must approve funding for coastal zone management by mid-May for it to be included in the fiscal year 1986 federal budget.

The NCMC told members of the Subcommittee: "The Coastal Zone Management Program is an effective partnership between the federal and state governments for managing and protecting valuable coastal and marine resources for the benefit of fishermen, other resource users and the public. The multiple pressures that are increasingly exerted on the fragile coastal region -- industrial and residential development, waste disposal, water use, recreation and tourism, offshore energy exploration and development, and transportation -- require a comprehensive system for controlling and directing these activities to preserve long-term benefits from renewable coastal resources. The CZM Program fills this important need and is worthy of continued support."

UPDATE ON MANAGEMENT PLANS

Neither the King Mackerel nor the Swordfish Fishery Management Plans go far enough. In both cases, the principal shortcoming is that they don't address gear problems; gill nets in the Mackerel fishery and long lines in the Swordfish fishery. All the same, it is good news that the Councils have finally come to agreement after long months and even years of debate, and that new conservation measures, however lacking, may soon be implemented.

Kingfish:

The Gulf and South Atlantic Councils have revised and approved amendments to the King Mackerel Plan. Under the amended version, which could go into effect by September, the overall catch in the Gulf of Mexico, where stocks are severely overfished, will be cut by 22%. The commercial sector is limited to 4.522 million pounds. Anglers fishing on the Gulf stock will be restricted to a bag limit of two fish per person per trip. Fishing from charter and head boats will be limited to either two fish per person per trip for all persons aboard, or three fish per angler excluding the captain and crew.

Swordfish:

The five-council Swordfish Plan has finally been sent to Washington for administrative review. "If all goes smoothly," which it hardly ever does, the Councils hope the review will be completed by September "in time to begin fall seasonal closures if they are necessary." The Plan's closure system is intended to reduce the catch of small Swordfish (under 50 pounds) by halting fishing during months when small fish make up the largest portion of the total catch. The length of the closures in each region will be determined based on data collected for the previous fishing year.

GRAY WHALE GILL NET VICTIM

A Gray Whale washed ashore recently in San Diego, California wrapped in a gill net. The NCMC - Pacific Region says this is the 26th gill net entanglement the group has documented since 1980 and the 18th confirmed whale death due to the nets. The Gray Whale, a protected species since 1947, was probably migrating along the Pacific coastline on its way to summer feeding grounds in the Arctic Ocean.

The NCMC - PR is sponsoring legislation in the California state assembly to limit the use of drift gill nets through timed area closures. Drift nets are used offshore to harvest Thresher Sharks, but also kill Blue Sharks and Swordfish as well as marine mammals.

Florida probably has more salt water anglers, resident and tourist, than any other state. Its coastal zone is being developed as quickly as any, with an estimated 5,000 people moving to the Sunshine State every day. If a salt water fishing license can do all that is promised -- give more political muscle to anglers and their interests and pay for badly-needed fisheries management and research programs --then no state needs one more than Florida. But up to the present, many of the state's sportsmen, maybe even a majority, have been skeptical about licensing, and legislative initiatives to establish one have been rapidly beaten into the ground.

As the spring legislative session begins, there is again serious talk of a license in Florida, perhaps prompted by new licenses in Maryland and Louisiana, which brings the tally to eight of 23 coastal states now with some form of system to license marine recreational fishermen. A bill is expected to be filed shortly in the legislature, and those on the scene give it an even chance of passing this year. The proposal being studied, and the one that will likely be introduced, would initiate a license by March 1, 1986; charge an annual fee of \$7 for residents and one dollar a day for visitors; and exempt children under 16, the disabled, and possibly senior citizens.

The most legitimate concern over licensing, one shared by opponents and supporters alike, is how the money will be spent. George Barley, chairman of the state Marine Fisheries Commission (MFC), says that under the plan being studied 70 percent of the revenues would go for resource development, management and research; 15 percent for law enforcement; 10 percent for short-term scientific studies by the MFC; and 2.5 percent each for education and administration.

BID TO LIFT STRIPER MORATORIUM FALLS SHORT

A move to shorten Maryland's Striped Bass moratorium narrowly missed succeeding in the state assembly. A bill that would allow Striper fishing to resume in state waters on June 1, 1987 passed the House in late March but had not passed the Senate when it dismissed for the year on April 9. Conservationists, surprised that the bill got as far as it did, breathed a sigh of relief.

Maryland's four-year moratorium, which went into effect on January 1, 1985 asks its commercial fishermen to accept an economic sacrifice now in return for a lasting recovery in the Striped Bass fishery. Biologists believe four years is the minimum period required to allow the 1982 crop of Chesapeake Bay Stripers to recruit to the coastal spawning stock. The problem in the fishery, they say, is twofold: the juvenile survival rate is atrocious, and the adult spawning stock is depleted. A true recovery will mean not only an improvement in spawning success, as measured by the annual count of juveniles in the bay, but also a significant increase in the size of the stock of spawning age fish. This will take time. Females from the 1982 year class will not mature sexually until 1988, and how many of these will survive until then is uncertain. Last fall commercial fishermen greedily netted large numbers of the two year old bass.

Unwilling to wait, commercial interests sought to convince legislators to overturn or shorten the moratorium. The case presented by the bill's supporters was based in part on testimony from out-of-work watermen hired by the state stock assessment program who reported seeing large numbers of fish, reports not substantiated by the DNR. They also argued that with Virginia and other coastal states still permitting Striper fishing, albeit at reduced levels, Maryland shouldn't go it alone and bear all the sacrifice. They would have Maryland wait for Virginia and the Potomac River Fisheries Commission to act first. Luckily for true friends of the Striped Bass, Maryland's fisheries agency has the courage and foresight to do what is necessary. Whether other states follow their example or not, Maryland has chosen the right course.

Just how compelling a factor economics can be in keeping a fishery open was demonstrated in New York recently when the governor chose not to close the Striped Bass fishery, despite evidence suggesting bass caught in coastal waters contain dangerous levels of PCBs (polychlorinated biphenyls). Governor Mario Cuomo gave more weight to the value of commercial and recreational fishing for Striper than he did the conclusions of his state conservation and health officials.

A Department of Environmental Conservation (DEC) study completed last fall sampled Striped Bass in the New York Harbor area and found the fish consistently contained amounts of PCBs above the federal warning level of 2 parts per million. The DEC claimed a "90% probability" that bass caught in nearby Long Island waters, where nearly the entire bass fishery takes place, would also exceed the federal standard. The Commissioner of Public Health recommended that Striped Bass caught in all marine waters should not be eaten.

Fishermen whose livelihoods depend at least in part on fishing for Striper lobbied the governor to leave the fishery open. They stressed the importance of the commercial and sport fisheries and the economic loss the state would suffer if they couldn't fish. The governor's office listened and then concluded the DEC sample was inadequate to warrant closing the fishery. (The governor did order a ban on New York Harbor and the waters off western Long Island, but left open waters off the eastern shore where 90 percent of the commercial catch is taken.) The DEC admits the study relied more heavily on small fish than legal-size (24 inches or longer), but nevertheless contends it is reasonable to infer that PCB levels would be even higher in the bigger fish. The sample of marketable fish was limited because commercial fishermen, who traditionally have provided study samples to the DEC, feared the DEC was out to get them this time and refused to cooperate. Governor Cuomo has said if a new study based on a larger sample of legal-size fish can show more decisively that PCB levels in Striped Bass are unsafe, he will consider a complete closure.

CONSERVATION MAKES GOOD ECONOMIC SENSE

The stubborn resistance among many fishermen to practicing conservation can usually be boiled down to a single factor -- money. Not catching a fish that otherwise could be caught hurts them in the pocketbook, they will tell you, which as businessmen they cannot afford to do. While ceding the immediate economic loss, conservationists, on the other hand, emphasize the long-term economic benefits of maintaining strong fish populations or allowing depleted ones to rebuild. Statistics to bear this out, however, are sometimes difficult to produce, so when a dramatic example comes along, it deserves extra attention.

The National Marine Fisheries Service tagging program provides such an example. In September of last year, a 269 pound (dressed weight) Swordfish was re-captured off Georges Bank in the northwest Atlantic. The fish had been tagged and released almost five years earlier in October of 1979 off Cape Hatteras, North Carolina, when it was estimated to weigh 30 pounds. If killed, dressed and sold when first caught, the "pup" Swordfish would have had a dressed weight of no more than 23 pounds and brought the seller \$1.75/lb. or about \$40.00, according to NMFS. At the September 1984 price of \$4.00/lb., however, the same fish was worth \$1,076.00. By letting the juvenile Swordfish live and grow another five years, at an average of 50 pounds a year in dressed weight, its value increased by \$1,036.00 or 27 times!

Briefly Noted:

The latest NOAA survey on marine recreational fishing on the Atlantic and Gulf coasts reports an estimated 439 million fish caught by anglers in 1979 and 436 million in 1980. Of this total, approximately 30 percent were released alive.....Sen. Malcolm Wallop introduced a resolution (S.R.130) to enforce the automatic appropriation of revenues collected under the Wallop-Breaux program and earmarked for sportfishing and boating enhancement.

The NCMC has been carefully watching and participating in the review of the Magnuson Fishery Conservation and Management Act as it is being re-authorized in Congress this year. A vast array of proposals have been made -- some good, some bad -- ranging from tinkering with the fine points of the Act's language to major restructuring of the federal management system. The NCMC's position is that the system created by the Magnuson Act works, but not as effectively as it should. The Council set-up, which is taking the brunt of the criticism in the hearings on the Hill, is a good one, principally because it provides an invaluable communications link between the National Marine Fisheries Service (NMFS) and resource users. Yet the Councils have a poor record of managing troubled fisheries in a timely and effective fashion.

One of the more significant features of the 1976 law, from the perspective of recreational fisheries, was recognition that recreational interests merit consideration on a par with commercial interests. In practice, this means equal representation in the Councils, where conservation and management measures are developed. The reality of this mandate has fallen short of Congressional intent, but steady progress has been made beyond the dark early days of the Councils when the sportsman was looked on less as a representative of a legitimate concern than as a token guest. According to the NMFS's own statistics, the average number of commercial versus recreational representatives on the eight councils from 1977 to 1983 was 31 to 19, respectively. A low point came in 1981 when the ratio was a lopsided 32 to 16. The trend, however, has been gradually moving toward balance so that in 1984 the split was a more equitable 27 commercial to 22 recreational. This progress is the direct result of anglers and angling organizations demanding an equal voice in Council matters. A measure of the success in this area is the reactionary campaign to re-write the law to give the commercial industry a legal majority on the Councils. The NCMC has strongly opposed any change in the Council appointment process.

What the Councils have been able to accomplish in their first eight years of existence is less encouraging. Response to overfishing remains slow, and efforts to rebuild depleted stocks are rarely sufficient to the task. There are several reasons for this.

The intent of Congress in enacting the Magnuson Act was conservation, above all else. But one of the most stubborn obstacles to managing our ocean fisheries wisely is the refusal of the Councils, under great pressure from the NMFS, to accept the obvious fact that when conservation replaces exploitation as a management goal (which is what the FCMA in effect did) there must be a short-term economic sacrifice in exchange for long-term benefit. As a consequence, populations of commercially and recreationally valuable fish species continue to decline long after problems with the stocks are identified. The Councils and the NMFS, dominated as they are by exploitive minds, will not, for instance, consider limiting the use or amount of gear in an overcrowded, depleted fishery. What we often have, then, is an absurd and impossible attempt to restore a fishery while at the same time continuing to exploit it to the greatest extent possible.

Another obstacle to effective management, one that surfaces continually in the development of management plans, is getting the Councils to take action based on the best information available to them at the time. Too often, restrictions unpopular with the fishing industry or the NMFS, say a limit on netting or long line operations, will be deferred until such time as the information is considered "sufficient" to support the restrictions. Because there are always uncertainties, this becomes a tool for arguing against certain measures even if they are strongly indicated by our present knowledge. It is rare indeed for a fisheries scientist to categorically declare that the results of his studies point to a specific action to be taken. That's what managers are for. And this is precisely why the Magnuson Act asks the Councils to manage the fisheries based on the "best scientific information available," instead of the best scientific information, period.

Probably most frustrating is the inexcusable amount of time it takes to get fishery management plans into place. The above mentioned reluctance to restrict commercial operations, and the constant stalling for more data when present studies do not yield a desired conclusion, contributes significantly to the interminable delays. The bureaucratic process itself, however, is the chief culprit. Plans simply have to go through too many channels before they are approved. The biggest bottleneck, at least once a plan is out of the Council's hands, occurs in Washington. The Gulf of Mexico Reef Fish Plan, for instance, was shuffled from desk to desk in Washington for 281 days, more than nine months, under review. There is no good reason or excuse for such a delay. The NMFS, the Department of Commerce's agent in the fisheries management process, participates in every phase of plan development via its Regional Director, his staff and counsel. And yet when the plan gets to the Secretary of Commerce for final approval, the administration will act as if it is seeing the plan for the very first time.

It does not require an act of Congress to repair these faults. The law is clear in defining the primary purpose of fisheries management under the Magnuson Act as restoring and maintaining the productivity of our marine fisheries at levels where they can provide the greatest benefit to the greatest number of people on a continuing basis. But just as the system can be made to work efficiently to achieve this goal, it can be easily thwarted, as we have seen time and time again. The unavoidable judgement is that the will does not exist, or rather is not nearly strong enough, within the NMFS and the Councils at present to make the system work productively. Whether or not Congress can alter the will through amending the Magnuson Act is debatable, but some constraining action is required. A change in the manner in which the management establishment interprets the law and its obligation to carry it out could make all the difference in the world.

**NATIONAL COALITION
FOR MARINE CONSERVATION**
Post Office Box 23298
Savannah, Georgia 31403

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TUNA POLICY STILL PLAGUES BILLFISH CONSERVATION

The Atlantic Billfish Plan, dormant since 1982, is being revived by the regional councils as they are confronted with declining stocks and a rapidly growing domestic longline fishery. But the inability of the councils to regulate fishing for tunas remains a barrier to conservation.

The councils have new information showing that the stocks of billfish, specifically marlin, are worse off than was previously thought. (Sailfish seem to be in pretty good shape.) Measures to reverse the decline must come to grips with the burgeoning U.S. tuna longline fishery, which takes a "substantial" by-catch of billfish.

The five councils involved agree that the overall objective of the billfish plan should be to maintain the species as a recreational resource. The dilemma they face is how to do that without inhibiting the commercial tuna fisheries. The first concern of the councils is preventing the development of a commercial market for billfish in this country. To this end, they are considering no-sale and no-possession provisions in the plan. This would effectively stop the sale of billfish caught by U.S. fishermen, but it would not necessarily reduce the mortality of billfish. Longlines are notoriously non-selective and as long as they are used will continue to hook large numbers of marlin. Most if not all of those cut loose by the longliners are dead or dying. The same is true of foreign fleets operating within U.S. waters.

The councils can control the dispensation of the billfish by-catch, but they cannot directly reduce that by-catch without regulating tuna fishing, which they are prohibited from doing under the Magnuson Act's tuna exclusion. The National Marine Fisheries Service must be persuaded to compel domestic fishermen to make their longlines more selective and to limit the number of vessels and the amount of gear allowed in the tuna fishery. Time and area closures imposed on both domestic and foreign fleets to limit longline fishing in spawning areas such as the Gulf of Mexico are also critical. International cooperation through ICCAT seems unlikely, since most other nations view marlin as a food fish. Perhaps the best that can be hoped for is an improved exchange of data among ICCAT member nations on billfish catches in the Atlantic.

The councils should act quickly to do what is within their limited power, which is outlaw the possession and sale of marlin and sailfish by commercial tuna fishermen, and put pressure on NMFS to work closely with U.S. fishermen to limit their incidental catch of billfish. But billfish conservation remains the strongest argument for including tunas in the Magnuson Act. Until we are able to end the slaughter of billfish by tuna longliners, both foreign and domestic, we can probably do very little to halt the decline.

THE FLEET THAT NOBODY KNOWS
by Captain Frank T. Moss

The other day a well-meaning but outrageously misinformed gent braced me with the question, "Why are you sport fishermen always running down the commercials? Don't you realize that commercial fishermen are out there making a living and feeding the nation while you sportsmen are needlessly killing fish, just for fun?"

You and I know this is not true. The Magnuson Act that created our 200-mile exclusive ocean fishery zone back in 1976 also mandated that sport and commercial fishermen be given equal treatment under the law. When I replied in that vein, this gent shot back, "But commercial fishing is an industry. You sportsmen are just playing around, taking bread out of the mouths of the commercials' children."

That got my dander up. I managed to choke down the impulse to spit in his eye and went home and did some homework about the sportfishing industry. What I found out gives me ammunition to refute any son-of-a-gun who dares to say that saltwater sportfishing is not an industry.

Back in 1977, the Oregon State University Sea Grant College Program conducted an exhaustive (and quite conservative) survey of commercial sportfishing boats. To be counted in the survey, a boat had to be documented to carry passengers in the fishing trade. The survey found 4000 such boats in continental U.S. coastal waters. This does not include the flotilla of smaller, undocumented guide boats that carry charter passengers on a limited or specialty-fishing basis.

The boats surveyed were an average of 51 feet long with a capacity of 32 paying passengers. The fleet average per trip was estimated at 18, or 56% of full capacity. The overall national average season was 35 weeks and about 200 trips per year. In 1977 the average passenger fee was quoted at \$23.73. In 1977 you couldn't build a 51-foot passenger-carrying fishing boat for less than \$1,200 a foot or roughly \$60,000 for the hull and engines, not counting several thousand dollars worth of electronic navigating and fish-finding equipment.

Now we can start to put some interesting figures together. Since 1977, costs have gone up at least 70%. My own personal property taxes, which mirror inflation quite accurately, jumped 81% in this time. For convenience in prorating 1977 figures to 1985 values, let us take the lesser 70%, just to be conservative. Let us also keep the fleet size at the 1977 level of 4,000 documented boats.

We can start by estimating the afloat value of the commercially documented sportfishing fleet, the fleet that nobody knows.

<u>Fleet Value</u>	1977	1985
4000 boats x \$60,000	\$240,000,000	\$408,000,000
Per boat, 200 trips x 18 pass./trip x \$24 per passenger	\$86,400/year	\$146,880/year
For 4000 boat fleet x per/boat figures.	\$345,600,000	\$587,520,000

A fleet of commercially documented boats that earns more than a half-billion dollars a year on the first go-around of the dollar isn't an industry? I hope I meet that gent again someday soon.

A number of years ago while I was doing on-the-pier research for the National Partyboat Owners' Alliance, I got industry estimates that every dollar earned from fees paid by party and charter fishing boat patrons to their captains averages 3.2 times its original value in wages to crews, bait, dockage expenses, tackle, fuel, repairs and storage, insurance, etc. This would lift the 1985 total fleet figure to the astronomical figure of \$1,880,064,000 in addition to the on-board passenger fee figure. (We still haven't counted the tremendous amount of money spent by patrons of the offshore sport fishing fleet buying rooms, transportation, personal clothing and tackle, meals, magazine subscriptions, books, and even video tapes of salt water sporting events.)

Industry? Well I guess so, bubby.

Let's go on to the man's accusation that sport fishermen "waste" what they catch because it's not sold on the market for hungry people to buy in stores. Ask any regular fisherman why he fishes and he'll say, "To catch fish." Pin him down to the real why, and it's because, as the great Izaak Walton himself said, the angler's greatest delight is to sit down to table and eat the fish he has caught, especially with friends who have not enjoyed equal luck.

The Marine Recreational Fishery Statistics Survey, Atlantic and Gulf States (1981-1982), published April 1985, quotes for the waters described a total saltwater catch of 276,775,400 pounds of fish for the year 1981. At the present retail price of food fish, this would be between one-half and one billion dollars worth of prime eating. "Wasted" fish? Wasted only in the sense that the huge national sporting catch of food fish, eaten by those who catch them, is greater in many areas than the commercial catch, but is not counted together with the commercial catch when the country's annual score is tallied each year.

There is a definite campaign on to dilute the equality of the sport-commercial relationship in the existing law. The Alliance recently has called our attention to attempts by representatives and Senators to equate sportfishing with wastefulness in contrast with commercial fishing which is called an industry, and therefore "better" than sportfishing. Most of those who do this know better. If they don't, they certainly are guilty of not doing their homework.

But the facts of the case show that the sportfishing industry, in just the passenger-carrying boat segment, is indeed a very potent part of the country's maritime earning power. So let's use these facts about the fleet that nobody knows to put the lie to the propaganda that sportfishing, as we know it today, is "killing fish, just for fun."

[Author Frank T. Moss is a founding director of the National Coalition for Marine Conservation, Inc. His latest book, BLUEPIN, will be published in September.]

EXPERTS REVIEW SALMON PROSPECTS UNDER NEW TREATY

The recent Marine Recreational Fisheries Symposium on Pacific salmonids was the first meeting of its kind since the ratification of the U.S./Canada Pacific Salmon Treaty on March 24. The implications of the

historic agreement for U.S. fishermen permeated the presentations and discussions at the Seattle symposium. The April 26 and 27 gathering of fisheries experts was organized by the National Coalition for Marine Conservation in cooperation with the International Game Fish Association and the Sport Fishing Institute, and sponsored by the National Marine Fisheries Service and the U.S. Fish and Wildlife Service.

The new treaty, which comes less than two years after the signing of an Atlantic salmon convention, defines U.S. obligations to improve Pacific salmon management and offers an opportunity to reap increased benefits from management and enhancement efforts. Keynote speaker Ted Kronmiller, who was instrumental in bringing the U.S. and Canada together in agreement after 15 years of troubled negotiations, provided insight into the development of the treaty, including the role of recreational fisheries interests in helping make the treaty a reality. Kronmiller called the accord the most ambitious undertaking in U.S. international fishery relations.

The opening panel in the day and a half conference reviewed the salmonid resources. A common thread in the presentations was the conviction that management strategies should reflect the biological strategies of the fish. Dale Evans of the National Marine Fisheries Service cited a general trend of declining abundance in northwest salmon stocks, which he attributed to alterations in the freshwater habitat of the fish, e.g., dams and impoundments. Fishery managers must, Evans said, participate more fully in water management decision-making in order to satisfy the environmental requirements of anadromous salmon and steelhead trout.

Plans for artificial production as well should take into account the natural needs and limitations of salmonids, emphasized Ernest Brannon of the University of Washington. Discussing major enhancement efforts on spawning rivers like the Columbia and Snake Rivers, Jack Savage of the U.S. Fish and Wildlife Service pointed out that what we term enhancement is actually an attempt to compensate for the destruction of natural habitat. To succeed, these programs must be comprehensive not piecemeal, Savage advised, integrated throughout the fishes' range and performed with a long-term commitment.

Concluding panel one, Frank Haw of the Washington Department of Fisheries described the importance of coho and chinook salmon to recreational anglers in the northwest, where salmon fishing borders on an "obsession." Haw mentioned in some detail the competing commercial fisheries on the offshore salmon feeding grounds, which he characterized as a major inhibitor to the growth of the sport fishery. He also called attention to non-consumptive uses, like fish-watching, that need to be developed in order to broaden public support for state and federal enhancement programs.

This led into the second panel on managing salmonids to enhance recreational opportunities. One of the greatest challenges facing managers, according to John Coon of the Pacific Fishery Management Council, is to find the "right mix" of hatchery produced and natural stocks of salmon and to assure that they are complementary. Despite tremendous improvements in artificial production methods, Coon stressed the need to preserve wild stocks because of their diversity, stability and wider distribution as compared with hatchery-reared populations. Henry Lyman of SALT WATER SPORTSMAN magazine then shifted gears to speak of the frustration of anglers in getting their interests fairly represented in

management decisions. Most management councils, he argued, are prejudiced toward commercial uses. He recommended that anglers unite to seek changes in the laws and even go to court if necessary to promote better fishery management practices. Lee Straight, a recreational consultant from Vancouver, seconded Mr. Lyman's remarks about angler involvement, encouraging fishermen to support advocacy organizations that work within the system to keep managers accountable.

As expected, the new salmon treaty dominated the discussions of international issues in Panel Three. Mike Fraidenburg of the Washington Department of Fisheries set the stage by reviewing the ocean migrations of salmon and such issues as U.S./Canadian interceptions and high seas catches by nations of the western Pacific. The University of Washington's Robert Burgner picked up on the subject of high seas interceptions, particularly those that occur outside the jurisdiction of the bi-lateral treaty, e.g., the Japanese pelagic driftnet fisheries, and stated the further need for international cooperation in resolving these problems. Consultant Lee Alverson warned that the salmon treaty provides potential but not automatic benefits for recreational fishing in the U.S. Short-term gains from limiting interceptions and long-term rebuilding efforts should result in more fish, he said, but contentious allocation issues must still be resolved at the local level.

William Royce, chairman of Panel Three, established the link between his panel and the fourth panel on local and regional issues when he suggested that the international issues between the U.S. and Canada are the "sum of the domestic issues of the two countries." Chief among these, according to Michael Blumm of the Natural Resources Law Institute, is not only managing fish and people but also institutions, some of whose interests are in direct conflict with fishery protection. Economist James Crutchfield demonstrated how the salmonid stocks and fisheries are so intertwined that recreational and commercial management cannot be separated, and noted recent progress toward integrating the various objectives, management measures, and data needs. Finally, Peter Bergman of Northwest Marine Technology called for an ambitious restructuring of present management in the Pacific northwest, to include, among other things, comprehensive goals, a coordinated information system, regional policy groups, a dispute resolution mechanism, and a periodic independent audit of the system's effectiveness.

Peter Larkin of the University of British Columbia summarized the proceedings and made four recommendations: 1) proceed with enhancement, but learn from past experience; 2) anglers, persist in your battle for a larger share of the resource; 3) managers, err on the side of conservation so as to keep losses from imperfect management at a minimum; and 4) evaluate what we do so that we may continue to add to our understanding.

The papers presented at the symposium and all discussions will be printed as volume 10 in the MARINE RECREATIONAL FISHERIES SYMPOSIUM series, which has become a respected and influential source of information for those involved in recreational fisheries management nationwide.

EDITORIAL: BY FAIR MEANS OR FOUL

Our page one story on the Atlantic Billfish Plan is all about restricting the commercial fishery. We should point out, however, that according to the convoluted logic of the councils, any conservation measures imposed on commercial fishermen may have to be balanced by some kind of restrictions on the much larger recreational fishery.

All resource users should be prepared to bear the burden of conservation. But there is something wrong with the notion that restrictions on one group of fishermen must necessarily be bought with concessions from those who stand to benefit from those restrictions. The avowed purpose of the Billfish Plan is to maintain billfish as a valuable recreational resource. To this end, eliminating the wasteful slaughter of billfish by commercial longliners makes sense. Restricting anglers under the pretense of being "fair" is nonsense.

Regulations on recreational billfishing should be directed at waste and overkill. According to the councils' own estimates, at least two out of every three marlin and sailfish caught by recreational fishermen in the U.S. are released alive. The majority of anglers, it can be said, are mindful of conservation and practice it when it comes to billfish. There is question among biologists whether a possession limit (bag or minimum size) would even significantly reduce the recreational catch.

We are the first to admit that waste is all too common in on-the-dock billfish tournaments, although the impact on the stocks is not known. The councils, therefore, are attempting to legislate morality, not conservation. Like most such regulation, it is nearly impossible to enforce; except perhaps against tournaments.

We are on record as opposed to tournament waste and have long advocated tag-and-release events as an alternative. Nonetheless, if the councils must regulate recreational fishing across-the-board in order to reduce the waste at tournaments, they should do so without destroying the tournaments themselves, which is what many claim a bag limit would do. Until that much-awaited day when tag-and-release becomes the rule rather than the exception, a minimum size limit per species, say 50 pounds for sailfish, 60 for white marlin and 200 for blues, may be the best, and most acceptable, alternative for all concerned. If it is, anglers should embrace it so we can get on with the business of conserving billfish.

**NATIONAL COALITION
FOR MARINE CONSERVATION**
Post Office Box 23298
Savannah, Georgia 31403

Ken Hinman

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THE NCMC

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No. 6

SHORING UP THE COASTAL BARRIER SYSTEM

Barrier islands and beaches are, in many coastal areas, the mainland's only defense against the incessant battering of the sea. Low-lying wetlands and estuaries that shelter and nurture a major portion of our marine fish and shellfish depend on these natural barriers for protection. Ironically, these islands and beaches are also among the most unstable and fragile portions of the coastline. Instability is their defense, as they constantly change shape and position in reaction to the powerful forces of the sea. This makes them highly unsuitable for development, as the nation is learning the hard way. Developing these dynamic lands and subsequent efforts to stabilize them inevitably spells their destruction through continual erosion we are powerless to stop.

In 1982 a broad coalition of conservation groups, including the National Coalition for Marine Conservation, persuaded Congress to establish the Coastal Barrier Resources System. Over 600 miles of undeveloped beach on the Atlantic and Gulf shores are protected from development by forbidding federal subsidies for roads and bridges, construction loans and flood insurance. These disincentives for private developers to build in high-risk coastal areas save the American taxpayer millions of dollars annually and minimize the loss of valuable fish and wildlife habitat.

This year we have an opportunity to expand the Coastal Barrier System and extend this protection to thousands more miles of shoreline. The U.S. Department of the Interior, as required by the 1982 legislation creating the system, has released a report to Congress recommending substantial additions to the system, including extensive coastal areas on the Pacific coast, the Great Lakes, Alaska and Hawaii.

The recommendation of so many new areas for protection is largely due to Interior's broadened definition of "barriers." The Interior report classifies natural structures such as coral reefs, shoreline mangroves and wooded beaches known as cheniers as barriers because they serve the same purpose of shielding the mainland from wind and waves. Also included are associated wetlands which absorb flood waters.

Congress must act on Interior's advice before the coastal barrier network can be expanded. The NCMC has joined with the National Wildlife Federation, National Audubon, Friends of the Earth, the Sierra Club and other national groups in vigorous support of the proposals to expand the Coastal Barrier Resources System and prohibit any state or territory from being excluded from the system. "We regard preservation of coastal barriers and wetlands and other critical fish nursery and habitat areas as a vital element of marine fisheries conservation," NCMC President Chris Weld told the Interior study group. "The continued loss of habitat through the degradation of coastal barriers cannot be tolerated."

scientific tool for conservation. A renowned Florida taxidermy is even offering a custom-made replica trophy specimen that approximates the length and weight of the fish released.

For salt water fishermen who are not going to keep their catch for food or trophy, the International Game Fish Association provides the following hints on how to properly handle and release fish. Using these simple procedures, the released fish's chances for survival are good:

1. Play and release the fish as rapidly as possible. A fish played gently for too long may be too exhausted to recover.

2. Keep the fish in the water as much as possible. A fish out of water for more than three or four minutes suffers brain damage due to loss of oxygen. In addition, he is suffocating and may pound himself fatally if allowed to flop on land or boat deck.

3. Gentleness in handling is essential. Keep your fingers out of the gills. Do not squeeze small fish; lift and hold them by the lower lip. Nets are helpful provided the mesh does not become entangled in the gills.

4. Remove the hook as rapidly as possible with longnosed pliers unless the fish is deeply hooked, in which case cut the leader and leave the hook in. Small fish, especially, may die from shock from tearing out a hook. A freely bleeding fish should be kept for the pan.

5. Revive the fish if it appears stunned or unconscious after a long struggle. Hold the fish in the water upright, heading upstream. Move the fish forward and backward so that water runs through the gills. This is artificial respiration and may take a few minutes. When it revives, begins to struggle and tries to swim away, then release it.

Briefly Noted:

Amendment One to the mackerel plan is now under review in Washington and, if approved, would become effective in September. The new regulations would cut the commercial catch of king mackerel in the Gulf of Mexico by more than one-fifth and set a recreational bag limit of two fish per person per day in the Gulf. Despite the plan's deficiencies in dealing with the threat posed by continued roller-rig gill netting and its failure to anticipate problems in the Spanish mackerel fishery, the NCMC is supporting the plan and urging early implementation....The House and Senate will soon vote on bills to renew the Coastal Zone Management Act. H.R.2121 and S.959 include a provision to enhance the NOAA estuarine research program....The NCMC has requested the National Marine Fisheries Service and the International Commission for the Conservation of Atlantic Tunas to look into reports that 24 Korean longline vessels have moved into the Caribbean and are taking enormous amounts of tuna as well as billfish and other game species.

EDITORIAL: MANAGING WITH A BIAS...TOWARD THE RESOURCE

A member of the audience stood up at the recent Marine Recreational Fisheries Symposium in Seattle and posed a pivotal question. Responding to one panelist's charge that managers are copping out when they fail to react to serious fisheries problems because of "inconclusive" scientific information, he asked for a rule of thumb: "When things are uncertain, should we favor conservation of the resource or should we favor present harvest opportunities?"

BILLS TO END OCEAN DUMPING

Over eight million tons of sewage sludge are dumped at sea each year, nearly all of it at a site twelve miles off the New Jersey Coast in the New York Bight. The sludge is the solid matter that settles out of municipal sewage treatment plants and routinely contains nutrients, pathogens and toxics that are harmful to marine life.

On April 1 the Environmental Protection Agency (EPA) announced plans to close the so-called 12 Mile Site in favor of a deep water site 106 miles offshore due east of Cape May, New Jersey. On the same day two New Jersey Congressmen filed federal bills to halt dumping at the 12 Mile Site within 18 months, the length of time it is expected for EPA to complete the phase out, and require the agency to develop a program for restoring the water quality in the New York Bight, once one of the northeast's premier fishing grounds but now one of the most degraded marine environments in the country.

The Congressmen, Senator Frank Lautenberg and Rep. William Hughes, chose to reinforce the EPA decision with legislation in order to prevent any attempt to overturn it in the courts. In 1981, New York City and several New Jersey municipalities sued and a judge disallowed an Ocean Dumping Act amendment calling for a halt to all ocean disposal of harmful sewage sludge by the end of that year.

The Lautenberg and Hughes bills, S.824 and H.R.1854 respectively, would amend and re-authorize the Ocean Dumping Act, or Title I of the Marine Protection, Research and Sanctuaries Act. They contain provisions the NCMC has long supported, including vigilant monitoring of dump sites by EPA, the imposition of user fees on dumpers to pay for studies of disposal alternatives, and a phase-out (the Hughes bill only) of all dumping of harmful sludge at sea when a land-based alternative exists.

STRIPED BASS ACT FORCES STATES TO GET THEIRS TOGETHER

For the first time in the long battle to save the striped bass, Atlantic coast states are working together instead of at cross purposes, thanks to a federal law that threatened to ban striper fishing if they didn't.

The Atlantic States Marine Fisheries Commission (ASMFC) met in June to review the progress of twelve east coast states in implementing tougher regulations to restore the struggling populations of striped bass. The Atlantic Striped Bass Conservation Act, a landmark bill passed by Congress last October, required the Commission to report states delinquent as of June 30, 1985 to the Secretary of Commerce, who would then declare a federally-enforced moratorium on fishing in that state's waters.

All twelve states, the ASMFC has determined, are or will shortly be in compliance with the mandated 24 inch minimum size limit and 55% reduction in fishing effort. New Jersey and Virginia came in just under the wire, with their legislatures succumbing to the threat of federal pre-emption and finally passing the measures recommended by their respective marine agencies to conserve striped bass populations under their jurisdiction.

The ASMFC at its June meeting also approved a new amendment to its 1981 interstate management plan, effective July 1, calling on each state to implement stricter size limits to better protect the 1982 year class of Chesapeake Bay spawners, the last decent spawning year, and all succeeding

generations until the fish have the opportunity to reproduce at least once. But instead of recommending a specific minimum, e.g., 28 inches, the commissioners opted to leave it up to the individual states to determine. Since all amendments to the plan fall under the Striped Bass Act, a specific requirement would have allowed only a number of days to adopt it.

The interstate commission's current responsibility under the federal law is to monitor the enforcement of state regulations. Meanwhile, this year's survey of spawning success in Chesapeake Bay begins in July and will be completed in September. The ASMFC will meet the following month in Southampton, Long Island to consider further action.

NCMC AT WORK ON BILL TO RESTRICT GILL NETS

The NCMC is in the process of drafting national legislation to curb the abuses of gill netting in the coastal and offshore waters of the United States, and is actively seeking Congressional sponsors. Details on the bill will be in next month's MARINE BULLETIN.

CANADA BALKS ON SALMON AGREEMENT

A proposal aimed at reducing the Canadian catch of U.S.-origin salmon was blocked when Canada made its acceptance contingent upon concessions from Denmark regarding the high seas harvest of Canadian fish. By linking the two conservation measures, Canada killed U.S. hopes of reaching an accord on Canadian interception of U.S. salmon at the annual meeting of the North Atlantic Salmon Conservation Organization (NASCO) in Edinburgh, Scotland in early June.

The U.S. asked Canada to close the fishery off the maritime provinces of Newfoundland and Labrador from September to December because tag return data indicate the fall fishery catches mainly Atlantic salmon bound for their home rivers in New England. The closure would enhance U.S. restoration efforts significantly while affecting only one percent of the total Canadian catch of Atlantic salmon.

Canada, after saying it would study the proposal, showed up in Edinburgh taking the position that it would not accept the restrictions proposed by the U.S. unless Denmark, acting on behalf of Greenland, agreed to cut the quota of Canadian-origin salmon caught off western Greenland to a level acceptable to Canada. The two countries failed to agree on a quota, so the United States left NASCO emptyhanded.

"The U.S. delegation categorically rejects the attempt by Canada to link conservation agreements in the North American Commission (U.S. and Canada) to those debated in the West Greenland Commission," declared the NCMC's Frank Carlton, commissioner to NASCO. "The treaty established separate commissions explicitly to avoid this kind of linkage of unrelated issues." Nevertheless, Carlton said the delegation will continue to work with the Canadians in hopes of reaching a unilateral agreement before the start of the 1985 fall season.

RELEASING FISH TO FIGHT AGAIN ANOTHER DAY

The signs are everywhere that the catch and release of game fish is adding another, increasingly important dimension to recreational fishing in salt water. The number of release tournaments, which could be counted on the fingers of one hand not too long ago, is growing steadily nationwide. More and more anglers are recognizing the value of tagging fish as a

scientific tool for conservation. A renowned Florida taxidermy is even offering a custom-made replica trophy specimen that approximates the length and weight of the fish released.

For salt water fishermen who are not going to keep their catch for food or trophy, the International Game Fish Association provides the following hints on how to properly handle and release fish. Using these simple procedures, the released fish's chances for survival are good:

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This familiar question has never been resolved, at least not as part of a deliberate management philosophy that we are aware of. In actual practice, though, managers and decision-makers more often than not come down resoundingly on the side of "present harvest opportunities," which usually translates to maintaining as high a catch as possible for as long as possible. But we know from experience that this approach merely allows the problem to go from bad to worse until the only choice left is between conservation and total depletion. (See striped bass, bluefin tuna, king mackerel, white sea bass, swordfish, etc.)

Peter Larkin, the eminent Canadian fisheries biologist and the symposium summarizer, had the right answer. Since we will never have perfect management, i.e., we cannot know everything we want to know or even always how best to interpret what we do know, managers must be prepared to make mistakes while recognizing that it is better to do something than nothing. If we are going to err, Larkin advised, let it be on the side of conservation. The price we will pay for our mistakes, in terms of the ecological impact on the fisheries and the social and economic impact on the fishermen who catch the fish, will be far less over the long run.

This is the NCMC philosophy precisely. We believe management should be based on scientific principle, while acknowledging that science will always be laden with ambiguities. But rather than exploiting our imperfect knowledge as an excuse to maintain the status quo, even when it is obvious something is wrong, we should continue to pursue a greater understanding of the problem, meanwhile acting on what we do know to preserve healthy and abundant populations of fish, which is, after all, in the best interests of everyone.

Ken Hinman

**NATIONAL COALITION
FOR MARINE CONSERVATION**
Post Office Box 23298
Savannah, Georgia 31403

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JULY 1985

No. 7

TAMING THE GILL NET MENACE

At its March 1985 Annual Meeting, the Board of Directors of the National Coalition for Marine Conservation (NCMC) passed a resolution supporting a ban on gill netting in the coastal and inland waters of the United States. Knowing that this is a long range goal, the NCMC's directors called for the immediate adoption of interim measures to minimize the abuses of gill netting and its harmful effect on the nation's living marine resources.

National attention focused on gill netting by the NCMC and other fisheries and conservation groups has sparked growing public outrage and demands for action. The message is even being heard in the halls of Congress. The Senate Commerce Committee will hold hearings in September to look into the widespread problem of "ghost fishing" by lost or discarded nets. The gill netters, who have for years stubbornly resisted any and all attempts at regulation, are closing ranks to counter the intensifying campaign to get them to clean up their act.

At present the only restriction on the use of gill nets in most areas of the country is the size of the mesh allowed, which varies from fishery to fishery. Conservationists instead argue for regulations that address the uniquely destructive aspects of this type of gear. The Regional Fishery Management Councils, the National Marine Fisheries Service and most state authorities, however, have generally been unwilling to use the powers at their disposal to protect marine resources from netting, and sporadic attempts by conservation interests to control the nets on a case by case basis have produced mixed results. In 1982 the NCMC joined the successful battle to keep encircling gill nets from being used to catch bluefish in Chesapeake Bay. We have lobbied in the Regional Councils to limit the use of gill nets and reduce the attendant gear conflicts with party boats in the New England groundfish fishery; to prohibit drift nets in the swordfish fishery; and to end the devastation of mackerel stocks by power-rigged gill nets off the shores of Florida. On the west coast, the NCMC-Pacific Region is working hard to regulate the drift gill net fisheries off southern California that kill striped marlin, whales and much else.

The problems caused by the largely unregulated use of gill nets differ somewhat from region to region, but there are threats common to all areas and all fisheries: ghost fishing and fouling of hook-and-line gear by unattended nets; wasteful killing of target and non-target species; and the incidental entrapment of game fish, mammals, turtles, birds and other sea life. The NCMC believes now is the time for the nation to take strong action against these abuses and for Congress to enact uniform federal standards to protect the marine environment and the future of fishing from what has become a national menace.

John DANFORTH (MO), Bob PACKWOOD (OR), Barry Goldwater (AZ), Nancy Kassebaum (KS), Larry Pressler (SD), Slade GORTON (WA), Ted STEVENS (AK), Bob Kasten (WI), Paul TRIBLE (VA), Ernest HOLLINGS (SC), Russell Long (LA), Daniel INOUE (HI), Wendell Ford (KY), Donald Riegle (MI), James Exon (NE), Howell Heflin (AL). (Key votes are in capitals.)

CORPS CONTINUES TO FUDGE FACTS ON JETTIES

The NCMC has requested a federal review of the U.S. Army Corps of Engineers' most recent Environmental Impact Statement for its jetty project at Oregon Inlet, North Carolina, charging the Corps continues to inflate the benefits and downplay the costs of building the jetties.

In a July 12 letter to the Department of the Interior, which administers Cape Hatteras National Seashore and Pea Island Wildlife Refuge where the two mile-long jetties would be anchored, the NCMC urged Interior to ask the Council on Environmental Quality (CEQ) to determine whether the Corps has satisfactorily addressed all the serious questions regarding the true costs and benefits of the project, estimated to total over \$500 million for construction and maintenance. "The Corps has consistently overstated the potential benefits from jetty construction and underestimated the devastating impact on the fragile coastal environment and recreational opportunities", the NCMC wrote, "in order to enhance its argument for stabilization over the less costly alternative of intensive dredging" of the Oregon Inlet channel.

NEED TO POOL INFO ON SHARKS

The latest report from the NMFS Cooperative Shark Tagging Program cites 1,000 releases of tagged sharks so far in 1985 and the return of 42 tags during the same period. The recaptures included 10 blue sharks, four of which had made transAtlantic migrations between southern New England and Europe and Africa.

The highly migratory nature of some species of sharks, along with growing interest in sharks by sport and commercial fishermen in many countries including the United States, underscores the need to consolidate scientific information on these species as well as collect catch and effort data. Sharks have characteristically slow growth rates and low reproductive potential, and for this reason are very susceptible to overfishing. The skyrocketing catches of directed shark fisheries combined with the incidental catch in pelagic long line and drift net fisheries poses a potential management problem in the near future.

The NCMC is recommending that existing international scientific and management bodies dealing with highly migratory species, such as the International Commission for the Conservation of Atlantic Tunas and the Inter-American Tropical Tuna Commission, include sharks along with tunas and billfish within their purview for the purposes of pooling and sharing international data.

"THE ALBATROSS FLEET" - John M. Cleveland's anecdotal tale of the growth of sportfishing off North Carolina's Outer Banks and the dedicated and conservation-minded anglers who made it happen, is still available but supplies are low. The paperback edition (69 pp., amply illustrated with period photos) is just \$5; all proceeds go to support the conservation activities of the NCMC. Send your check today made payable to the NCMC and allow several weeks for delivery. Thank you.

-- Any fisherman who loses all or any part of a net, for any reason whatsoever, must report the time and place of the loss to the proper authorities at once.

The gill net legislation would establish a lost net retrieval program to be administered by the National Marine Fisheries Service in cooperation with the Coast Guard and state marine authorities. Proceeds from the sale of mandatory net markers or tags would be used to finance this program. Gill netters would be encouraged to mark their nets and to report losses through the imposition of substantial penalties for the use of unmarked or improperly marked nets, or failure to report a lost net which is later found, retrieved or involved in a gear conflict. In the latter case, the identified owner would be subject to a heavy fine and liability for any damages caused by the net.

NMFS GUTS SWORDFISH PLAN

The National Marine Fisheries Service (NMFS) has dealt the Regional Councils a severe blow by rejecting some of the most desirable features of the Atlantic Swordfish Fishery Management Plan. What the agency lightly terms a "partial disapproval" actually leaves the swordfish plan mortally wounded if alive at all.

NMFS disapproved further restrictions on foreign long lines and squid trawls that take an incidental catch of swordfish in U.S. waters. Mandatory observer requirements on certain domestic vessels, including newly introduced drift net boats, were rejected out of hand, as were reporting requirements, both an integral part of the data collecting goal of the plan. And perhaps most galling of all, NMFS approved the variable season closure system, whereby fishing is suspended at specified times in order to protect the stock of young swordfish, but will allow the Office of Management and Budget instead of the councils to set the closure dates based on cost-benefit analysis!

The three principal objectives of the swordfish plan are to reduce the catch of small fish via the closure system, establish a data collection program to keep tabs on the stocks and the effectiveness of the management measures in rebuilding them, and to limit the foreign by-catch. The plan that Washington has returned to the councils undermines each of these objectives. First of all, only the framework for the closures was left intact - the basis upon which the closures are to be determined has been shifted from biology to economics. By refusing to place observers onboard domestic swordfish boats in favor of a voluntary approach to data collection weakens the ability of the councils to obtain accurate and timely information on catch and effort. Moreover, drift gill nets were permitted in the fishery only with the understanding that observers would be aboard to monitor the by-catch. Finally, NMFS entirely dismisses the need to put a protective cap on the foreign by-catch, although the need to provide foreign fishermen with a "reasonable opportunity" to catch tuna obviously played a larger role in the decision.

SENATE PANEL HEARS TESTIMONY ON MAGNUSON ACT

On July 23 the Senate Commerce Committee held hearings on The Marine Fisheries Improvement Act (S.747), Senator Frank Lautenberg's bill to amend the Magnuson Fishery Conservation and Management Act (MFCMA). The NCMC submitted a statement in enthusiastic support of the New Jersey senator's proposed amendments, particularly those concerning the conservation of tunas and billfish and the protection of fish habitat. Because of the

August and Labor Day recesses, the committee will not approve a package of amendments until mid-September.

The odds seem fairly good that the committee will report a two-year reauthorization bill that will contain strong provisions for fish habitat conservation. Paramount among these would be requiring the Regional Fishery Management Councils to study and consider the habitat needs of all managed fish and obligating federal agencies, including the National Marine Fisheries Service (NMFS) and the Army Corps of Engineers, to cooperate fully with the councils in their efforts to identify, conserve, and enhance habitat areas critical to fisheries production. In addition to the measures recommended in S.747, the NCMC urged the committee to add language requiring that all federally-approved development projects that cause damage to fish habitat include plans for the simultaneous mitigation of those damages.

The battle to bring tunas under the jurisdiction of the MFCMA has been waged by the NCMC and others off and on since the 200-mile bill was passed in 1976. The NCMC's testimony for the Senate hearing centered on how U.S. tuna policy interferes with billfish management and conservation. The Regional Councils have been unable to prepare fishery management plans for swordfish, blue and white marlin, sailfish and all species of sharks, despite repeated efforts to do so since 1977, largely because of their inability to effectively regulate tuna fishing in the U.S. 200 mile zone. The incidental catch of billfish on foreign and domestic long lines remains one of the most serious threats to conservation efforts intended to enhance their value as a recreational resource.

As expected, the west coast tuna industry turned out in force to recite their timeworn arguments against placing highly migratory tunas under the management authority of the Regional Councils (briefly, that it would hurt their negotiations for fishing rights in the sovereign waters of other nations), and the State Department, as usual, was there to express its official sympathy. Nevertheless, it was evident that these veteran players are losing their knack for selling Congress on the righteousness of their cause. Hearing co-chairman Ted Stevens of Alaska, who made no secret of the fact that his primary and perhaps only interest in amending the MFCMA is phasing out foreign fishing in the Pacific northwest, was plainly taken aback when he heard Senator Lautenberg mention Japanese tuna vessels setting 80-mile long lines in areas where east coast commercial and recreational fishermen are competing for tunas and anglers are fishing for billfish, sharks and other pelagic species. At one point, he reproached a representative of the distant water tuna industry, advising him that something had better be done about this situation.

Whether or not Stevens or his committee will resolve it by getting rid of the tuna exemption is doubtful. Nonetheless, the pressure from this year's campaign is already having an effect elsewhere. The National Marine Fisheries Service is listening to the just concerns of its constituents - the majority of U.S. fishermen - and is reportedly giving thought to amending the PMP by extending the times and areas closed to foreign long lining in the Atlantic.

YOUR HELP IS NEEDED: Below is a list of Commerce Committee members. If one of your senators is listed, please write urging him to make sure the tuna and habitat provisions of S.747 are included in the MFCMA reauthorization bill. If one or both of your senators is not a member, write and ask them to contact Commerce Committee Chairman John Danforth expressing their support for these provisions. Thank you.

John DANFORTH (MO), Bob PACKWOOD (OR), Barry Goldwater (AZ), Nancy Kassebaum (KS), Larry Pressler (SD), Slade GORTON (WA), Ted STEVENS (AK), Bob Kasten (WI), Paul TRIBLE (VA), Ernest HOLLINGS (SC), Russell Long (LA), Daniel INOUE (HI), Wendell Ford (KY), Donald Riegle (MI), James Exon (NE), Howell Heflin (AL). (Key votes are in capitals.)

CORPS CONTINUES TO FUDGE FACTS ON JETTIES

The NCMC has requested a federal review of the U.S. Army Corps of Engineers' most recent Environmental Impact Statement for its jetty project at Oregon Inlet, North Carolina, charging the Corps continues to inflate the benefits and downplay the costs of building the jetties.

In a July 12 letter to the Department of the Interior, which administers Cape Hatteras National Seashore and Pea Island Wildlife Refuge where the two mile-long jetties would be anchored, the NCMC urged Interior to ask the Council on Environmental Quality (CEQ) to determine whether the Corps has satisfactorily addressed all the serious questions regarding the true costs and benefits of the project, estimated to total over \$500 million for construction and maintenance. "The Corps has consistently overstated the potential benefits from jetty construction and underestimated the devastating impact on the fragile coastal environment and recreational opportunities", the NCMC wrote, "in order to enhance its argument for stabilization over the less costly alternative of intensive dredging" of the Oregon Inlet channel.

NEED TO POOL INFO ON SHARKS

The latest report from the NMFS Cooperative Shark Tagging Program cites 1,000 releases of tagged sharks so far in 1985 and the return of 42 tags during the same period. The recaptures included 10 blue sharks, four of which had made transAtlantic migrations between southern New England and Europe and Africa.

The highly migratory nature of some species of sharks, along with growing interest in sharks by sport and commercial fishermen in many countries including the United States, underscores the need to consolidate scientific information on these species as well as collect catch and effort data. Sharks have characteristically slow growth rates and low reproductive potential, and for this reason are very susceptible to overfishing. The skyrocketing catches of directed shark fisheries combined with the incidental catch in pelagic long line and drift net fisheries poses a potential management problem in the near future.

The NCMC is recommending that existing international scientific and management bodies dealing with highly migratory species, such as the International Commission for the Conservation of Atlantic Tunas and the Inter-American Tropical Tuna Commission, include sharks along with tunas and billfish within their purview for the purposes of pooling and sharing international data.

"THE ALBATROSS FLEET" - John M. Cleveland's anecdotal tale of the growth of sportfishing off North Carolina's Outer Banks and the dedicated and conservation-minded anglers who made it happen, is still available but supplies are low. The paperback edition (69 pp., amply illustrated with period photos) is just \$5; all proceeds go to support the conservation activities of the NCMC. Send your check today made payable to the NCMC and allow several weeks for delivery. Thank you.

EDITORIAL: "CONSERVATION? YOU CAN'T GET THERE FROM HERE."

Members of the regional councils must feel a little like the Boston salesman who, lost on the backroads of rural Maine, stops to ask a downeaster for directions and is told: "You can't get theyuh from heeuh." Five councils pushed and pulled for years to reach agreement on a plan to rebuild the shrinking stocks of swordfish in the Atlantic, only to have the Secretary of Commerce throw away half of it and turn the rest over to the Office of Management and Budget. (See story page 3)

Putting the swordfish recovery in the hands of the bookkeepers at OMB and the striped pants at the State Department is bad enough. But what Commerce, home of the National Marine Fisheries Service, has done goes much deeper than letting economics and politics rule management decisions. By so thoroughly rejecting the multi-council swordfish plan, Commerce has seriously undermined the entire regional council system as established by the Magnuson Act (MFCMA).

With the same five councils at work again on the Atlantic billfish plan, the swordfish experience is instructive - and worrisome. The councils have already endorsed, in concept at least, a ban on the sale of marlin and sailfish and a prohibition against the use of gill or entanglement nets in areas of the FCZ where billfish inhabit. These are progressive measures that would go a long way toward protecting billfish and strengthening the recreational fishery.

The councils have a lot of important work to do, with billfish as well as with other fisheries, work that Congress intended for them to do when it enacted the MFCMA. It is clearer now than ever before that our national fisheries law must be strengthened to reaffirm the intent of Congress and allow the councils to do their job unimpeded. Otherwise, we might as well quit the charade and get rid of them altogether.

NATIONAL COALITION
FOR MARINE CONSERVATION
Post Office Box 23298
Savannah, Georgia 31403

Ken Hinman

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THE NCMC

MARINE BULLETIN

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AUGUST 1985

No. 8

MACKEREL MANAGEMENT STILL ONE STEP BEHIND

The stock of king mackerel in the Gulf of Mexico is on the verge of collapse, according to the most recent population studies, indicating that the catch limits set out in the newly amended federal management plan are way too high. Amendment One to the mackerel plan, due to become effective September 22, limits the Gulf catch to 14.2 million pounds through commercial quotas and recreational bag limits; the latest King Mackerel Stock Assessment Workshop, however, says the catch on the Gulf group should be only a tenth of that, somewhere between 1 and 2.3 million pounds, if any should be permitted at all.

The king mackerel workshop was established under the original 1983 management plan to reassess the condition of the fish each year and advise the councils accordingly. It is composed of federal and state biologists appointed by the South Atlantic and Gulf of Mexico Fishery Management Councils. The two councils, after considering the study group's report, may make changes in the plan and re-submit it to the National Marine Fisheries Service for approval or rejection.

This is the second time in the short history of the mackerel plan that new information on the condition of the stocks has revealed proposed management measures to be grossly inadequate. Even before the original plan went into effect two years ago, allowing a total annual catch of 37 million pounds in the Gulf and south Atlantic, studies confirmed the existence of two distinct migratory groups and that the one in the Gulf was severely depleted. Now that the plan has since been revised to lower the catch by more than 20 percent, we learn that this will not nearly be enough.

This is by no means a revelation. Critics of the mackerel plan, the NCMC among them, have tried desperately to convince the councils and the National Marine Fisheries Service that mild reductions in catch would not be enough to halt the decline much less allow the depressed populations to begin rebuilding. We have instead argued that to be effective, strict catch limits on recreational and commercial fishermen must be accompanied by a ban on the large power-rigged gill net boats whose huge catches triggered the decline in the late seventies yet continue to operate unrestricted in federal waters. Faced now with further proof of the critical condition of the kingfish, and early indications that a similar scenario may be unfolding for Spanish mackerel, we vigorously renew our call for the councils to bring the use of nets in the mackerel fishery under strict control, banning them if necessary, and likewise urge the NMFS to consent.

UPCOMING LEGISLATIVE ACTION

Magnuson Fishery Conservation and Management Act - The Senate Commerce Committee will report a bill in mid-September to reauthorize the nation's principal fisheries management law for two years. The NCMC is lobbying the committee to include measures to improve tuna and billfish management and fish habitat conservation.

Coastal Zone Management Act - The House of Representatives has passed a bill that would continue the federal-state partnership to protect coastal resources for five years and strengthen the national estuarine research program. A similar bill in the Senate, S.959, should come to a vote in September. The NCMC is supporting a renewal of the coastal zone program.

Ocean Dumping - A bill sponsored by two New Jersey congressmen, Hughes and Saxton, would phase out the dumping of sewage sludge 12 miles off the Jersey coast within 18 months. The NCMC supports this legislation, despite the recent EPA decision to close the site by the end of 1987. The dumpers do not need another 2 1/2 years to find an alternative, time which the degraded New York Bight area desperately needs to recover.

FEDS MAY KEEP PRESSURE ON STATES TO PROTECT BASS

In the June MARINE BULLETIN we were happy to report that twelve east coast states had finally gotten in synch on coastwide measures to cut the catch of Atlantic striped bass by more than half. The Atlantic States Marine Fisheries Commission (ASMFC), the interstate body which recommends regional management strategies to restore the long-suffering bass populations, subsequently recommended additional catch restrictions to restore the depleted populations of Chesapeake Bay stripers. Congress is now thinking about extending the Atlantic Striped Bass Conservation Act of 1984, which requires each state to adopt the ASMFC plan and its amendments or face a federally-imposed moratorium, to assure that the new regulations are enacted before the 1986 fishing season.

The interstate commission approved Amendment Three to the striped bass plan effective July 1, 1985. The new amendment calls for every state from North Carolina to Maine which has not already done so to take steps to reduce mortality on female striped bass from the 1982 year class, the last good spawning year in Chesapeake Bay, and all succeeding years to zero until 95% of these fish have the chance to lay eggs at least once. These measures are to be enforced until such time as production in the critical Chesapeake estuary returns to historical levels for three years in a row. Early reports this summer on spawning production in the Chesapeake are that 1985 was below average year, despite perfect environmental conditions such as water temperature, rainfall and salinity.

According to one member of the commission's striped bass committee, a review of the combination of closures and minimum size limits needed to achieve this indicates that for most states it would mean closing their striped fishery completely. "I don't think the commissioners realized this when they adopted Amendment Three," he says. "It is very possible that they will reconsider and modify it in some way" in order to allow some fishing to continue.

Senator John Chafee's environmental subcommittee held a hearing recently on the need to extend the federal law enforcing the ASMFC measures. According to sources close to Congress, an extension of the law

is likely, thereby ensuring that the new ASMFC recommendations will be adopted by next June 1986.

CONGRESS RENEWS CLEAN WATER ACT

The nation took another step closer to achieving its goal of making our lakes, rivers and coastal waters "fishable and swimmable" again when Congress approved legislation to reauthorize and amend the 1972 Clean Water Act shortly before the summer recess. Among the most important features of the new Clean Water Act are: federal matching funds for state-initiated programs to control non-point source pollution, such as the run-off of pesticides and industrial wastes into rivers and bays; and establishment of a National Estuary Program involving the Environmental Protection Agency, the National Oceanic and Atmospheric Administration and individual states in the clean-up and management of important national estuaries such as Chesapeake Bay, Puget Sound and Hudson Bay.

TAGGING BILLFISH IN THE BAHAMAS

A popular resort in the Bahamas is enlisting big game anglers fishing out of its marina in a cooperative Bahamian-American billfish tagging program. The Treasure Cay Beach Hotel in Abaco, first in the islands to adopt a tag-and-release format for its annual invitational billfish tournament, is funding the new conservation effort. Tags are made available to fishermen at cost at the Treasure Cay marina, where tag cards may also be turned in or mailed directly to the National Marine Fisheries Service Cooperative Gamefish Tagging Program office in nearby Miami.

"Hopefully the other resort owners in the Bahamas can see the value in conserving the billfish resources and join our efforts", says Alfred Meister, owner of Treasure Cay. The NCMC concurs, with the added hope that the Treasure Cay example will be emulated everywhere, not just in the Bahamas.

OREGON INLET JETTIES: R.I.P.?

Several more nails were driven into the coffin of the Oregon Inlet jetty project recently, hopefully putting the \$600 million dollar "coastal boondoggle" to rest forever. First, the Fiscal Year 1986 Energy and Water Development Bill, customary vehicle for so many expensive pork-barrel projects, passed Congress in July with no funding for jetty construction. Instead, it contains over \$5 million for dredging the inlet channel, an alternative that should, in the words of Silvio Conte (MA), leading Republican on the House Appropriations Committee, "prove equally effective without causing environmental and fiscal damage."

Then on August 14, the new Assistant Secretary for Fish, Wildlife and Parks, William Horn, reaffirmed the Interior Department's staunch opposition to building the two mile-long jetties on national park lands. A bill sponsored by North Carolina Senators Helms and East to gain Congressional authorization to use Interior lands for the jetties is reportedly stuck in the Senate Committee on Environment and Public Works and is likely to stay there.

Finally Jack Anderson, in his nationally syndicated column of August 26, picked up on a scathing letter from the Office of Management and Budget (OMB) to the U.S. Army Corps of Engineers lambasting the latter's assessment of the jetty impact on the coastal environment. OMB accused the engineers of using faulty study methods and drawing unsubstantiated

conclusions, in the end castigating the agency for submitting such a "defective report."

Undaunted, local jetty proponents vow to fight on. But Duke University's Orrin Pilkey, the nation's foremost expert on coastal geology and a bitter critic of the jetties, blames this unflinching support on the Corps' unreasonably high expectations for what the jetties will and will not do. "Your...continued insistence that no erosion damage will occur as a result of the jetty construction has misled state officials, local fishermen and most ordinary citizens of North Carolina," Pilkey wrote the district chief recently. "You have effectively blocked any objective dialogue with scientists and engineers outside the Corps. Such a dialogue might have allowed North Carolinians to evaluate the jetty pros and cons on an objective basis."

RECREATIONAL BILLFISH DATA

The Miami Laboratory of the National Marine Fisheries Service recently completed a summary of the 1984 recreational fishing season for billfishes in the western North Atlantic, Gulf of Mexico and Caribbean Sea. Over 77,000 hours of fishing effort were recorded at fishing tournaments and by daily dock sampling from New York to Texas and throughout the Caribbean Sea. One hundred six big game fishing tournaments were monitored for a total record effort of over 60,000 hours, while daily, non-tournament fishing activity was monitored in the Gulf of Mexico and along the northeast United States for about 17,000 hours of fishing effort. Of the major target species, 1,046 blue marlin, 1,815 white marlin, and 390 sailfish were reported caught, with almost 50% of these released alive. In many cases, the released fish were tagged in cooperation with Oceanic Pelagics Cooperative Game Fish Tagging Program. This marks the 14th year catch and effort and biological data on Atlantic billfishes have been recorded from the recreational fishery.



Coastweek 85

COASTWEEK, a national celebration of coastal resources, will be observed October 7-14, 1985. Activities are scheduled nationwide to foster public awareness of the great value of the nation's coasts and shores, the great diversity of their uses, the increasing pressure and conflicting activities and the urgent need for improved planning and management.

NO SWORDFISH CLOSURES THIS YEAR

The South Atlantic Fishery Management Council announced on August 29 that there will be no seasonal closures in the Atlantic swordfish fishery in 1985. The closures, which were to be implemented on a regional basis to limit the catch of juvenile swordfish and enable the overfished stocks to rebuild, are the centerpiece of the five-council federal management plan. Without the closures, the plan that goes into effect on September 18 will be a feeble one since most of its other conservation measures were rejected out of hand by the National Marine Fisheries Service (NMFS). The Council says the NMFS's requested revision of the closure dates does not allow enough time to implement the closures before the fall swordfish season.

GOOD NEWS FROM FLORIDA

The Florida Department of Natural Resources (DNR) surprised everybody

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access to highly migratory species in its waters.

The State Department also says that if the U.S. interferes with Japanese operations in U.S. waters, dozens of negotiations with Pacific nations to allow U.S. tuna operations in their waters would be undercut. This argument is so tired that even the people at State don't push it very hard anymore. The fact is that these negotiations have been going on for years, which only proves that in the eyes of the rest of the world there is no right to 'reasonable opportunity.' We can bargain for it, but we can't assert it unilaterally - that only leads to seizures and enormous fines.

All of this leads us to ponder a recent article in the WALL STREET JOURNAL which revealed that the Japanese Fishery Association and related groups reported lobbying expenses of \$963,518 in 1984 -- more than either the Japanese Electronics Industry, Iron and Steel Exporters or Machinery Exporters. Evidently Japanese lobbyists do their work very well.

Chris Weld, President

**NATIONAL COALITION
FOR MARINE CONSERVATION**
Post Office Box 23298
Savannah, Georgia 31403

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THE NCMC

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No. 9

NEW WAVE OF LONG LINING IN THE CARIBBEAN

The National Coalition for Marine Conservation (NCMC) learned last May that a flood of Korean long liners was moving into the Caribbean and going after tuna in a big way. By summer's end, 28 boats were reported operating in the region from Puerto Rico south to Venezuela and landing tons of tuna and other deep water fish at the port of Oranjestad, Aruba.

Our source in the area reported stacks of game fish being unloaded at the docks, including all sizes of marlin, dolphin, wahoo and sharks. One blue marlin, the source said, weighed in at 1,120 pounds minus head and tail. Local fishermen were alarmed over the impact of the new fishing pressure on game fish populations. By late July catches off Venezuela and the Netherlands Antilles (Aruba, Bonaire and Curacao) were said to have dropped off by 70%.

Billfish tournaments elsewhere in the Caribbean gave similar reports of low catches throughout the summer as the Korean long lining activity escalated. Catches of white and blue marlin were much lower than usual in the early summer tournaments in Puerto Rico, the Dominican Republic and the Virgin Islands. One measure of how worried anglers have become is the rising interest in releasing tournament-caught billfish, traditionally a popular food fish in the islands.

No one can say for sure that the long liners are to blame for the scarcity of fish, but we do know they have been extremely busy in the area, adding tremendous fishing pressure not before felt by local stocks. There is, in fact, deep concern that the impact could eventually be felt in U.S. waters. The highly migratory tunas and billfish move northward via the Caribbean Current, the Loop Current in the Gulf of Mexico, and on to the Gulf Stream in the south Atlantic. If enormous catches continue at the southern end of this migration, the number of fish available to U.S. fishermen could be effected.

The NCMC asked the National Marine Fisheries Service and the Caribbean Fishery Management Council to look into the matter to get an accurate accounting of the extent of the catches, the composition, and what impact it might be having on fish that migrate through that area toward U.S. waters. There has been no response yet from the Korean government to U.S. inquiries. Because the long lining is occurring in foreign waters, the U.S. has no jurisdiction. Korea, however, is a member of the International Commission for the Conservation of Atlantic Tunas (ICCAT), which is responsible for monitoring and managing international tuna fisheries in the Atlantic. The NCMC has requested that the issue be raised by the U.S. at the annual ICCAT meeting in Madrid, Spain in November.

The National Marine Fisheries Service (NMFS) has asked the Secretary of Commerce to invoke emergency powers and prohibit fishing for king mackerel in the Gulf of Mexico. The unprecedented request, from southeast regional director Jack Brawner, follows a report by scientists that the Gulf stock of kingfish is near collapse.

If the Secretary declares a moratorium on commercial and sport fishing on the Gulf migratory group, which ranges from the Texas coast in the summer to as far east as the Atlantic side of southern Florida in the winter months, the South Atlantic and Gulf of Mexico Fishery Management Councils will have 90 days to revise fishing regulations under their joint federal management plan. Currently the amended plan allows a commercial harvest of 4.5 million pounds and restricts anglers to two fish per person, or an estimated 9.6 million pound recreational quota. The Stock Assessment Workshop, which monitors the condition of the king mackerel populations for the Councils, recommended cutting the total allowable catch to somewhere between 1 and 2.3 million pounds.

After the release of the new stock assessment in August, the South Atlantic Council urged an emergency ban on fishing the severely depressed Gulf group of kings, a move strongly supported by conservationists. The state of Florida, in turn, proposed a temporary closure in its territorial seas contingent upon a federal closure. The Gulf Council, however, opposes closing the entire Gulf of Mexico. Members representing Gulf states west of Florida contend that catch per unit of effort is increasing in the western portion of the Gulf, and that creel studies show no change in size distribution over the last five years. This, they say, indicates that the fish in the western Gulf are in much better shape than mackerel in the eastern Gulf and therefore fishing from Alabama to Texas should continue at levels prescribed under the existing management plan.

The Councils' Stock Assessment Report, however, concludes the "evidence is weak for defining criteria to separate the Gulf Migratory Group into separate stocks", meaning that the workshop scientists see no biological reason to manage the two halves of the Gulf differently. A spokesman for the South Atlantic Council, agreeing that the evidence is not strong enough to split the Gulf fishery for management purposes, warned of the possible ramifications if the western Gulf is kept open and they turn out to be wrong about the impact of fishing there on the rest of the Gulf mackerel. The final decision rests with the Secretary of Commerce.

PIRATES OF THE SOUTH PACIFIC

The U.S. State Department talks about "delicate negotiations" for tuna fishing agreements in the western Pacific. But the islanders whose territorial waters are being invaded by American tuna boats talk about "piracy", and resentment against the United States over the rape of their most pressure natural resource is causing serious damage to our relations with the tiny island nations of the South Pacific.

This insight comes from recent articles appearing in the Australian press, brought to our attention by Elwood Harry, president of the International Game Fish Association. The head of the fisheries agency of the South Pacific Forum, which represents Micronesia, the Solomon Islands and other small but independent countries whose economies rely almost exclusively on fishing, is quoted in one downunder newspaper as complaining: "It's Wild West stuff. They (U.S. tuna fleets) take what

they want and to hell with the rights and aspirations of anyone else."

Those involved in the battle here at home to impose restrictions on foreign tuna long liners operating in U.S. waters are familiar with the State Department's argument that such regulations would jeopardize their negotiations on behalf of American fishermen seeking rights to catch tuna within the 200 mile limits of other nations. The reality is, however, that a bigger obstacle to any such deals is the arrogant behavior of our distant water fishing fleet, which is evidently chasing schools of tuna throughout the exclusive economic zones of tiny countries powerless to stop them. Ironically, the U.S. government encourages this "bullying", as one island leader calls it, by paying the fines and costs of American fishermen when their boats are detained and confiscated. Last year, after a U.S. tuna boat was captured by the government of the Solomon Islands for violating that country's waters, Washington slapped a trade embargo on all tuna products from the Solomons.

Just as our tuna fleets fishing in the eastern Pacific have strained relations with Latin American nations by ignoring their claims to tuna off their shores, the actions of American fishermen in the western Pacific are making enemies for all of us, not to mention serious diplomatic problems for the State Department to cope with. Washington was uneasy, for instance, when the country of Kiribati, which spans 33 islands in the South Pacific, recently signed a contract giving the Soviet Union fishing rights in its waters, for which the Russians were willing to pay \$2.4 million dollars. One Australian journal says diplomats there believe the deal would never have been made if not for "unhappiness over American attitudes."

THE ENDANGERED COASTAL ECOSYSTEM

The following is excerpted from keynote remarks made by NCMC executive director Ken Hinman at the southeast regional CoastWeek conference in Savannah, Georgia on October 8:

"Coast Week is observed all around the country as a national celebration of our coastal resources. It is a time for increasing our awareness and appreciation of the natural beauty of our beaches and coastal areas, and of the precious resources that support commercial and sport fishing, recreation and tourism, and a great variety and abundance of wildlife. It is, however, also a time to recognize and come to terms with the many very real threats to the future of the coast and its invaluable resources, and to renew our collective commitment and determination to protect them.

"It's been said that we are a crisis-motivated society; in other words, that we are too often content to ignore the probable consequences of our actions until they turn on us and it becomes impossible to ignore them, no matter how hard we try. This is especially true of the way we deal with environmental problems. The British author Aldous Huxley once observed that "where natural resources are concerned, we sacrifice a pretty predictable future to present greed." Well, it isn't only greed; public indifference plays a big part. The history of our use and abuse of natural resources and the natural environment is filled with examples -- and with lessons to be learned.

"There was a time, for instance, when we believed we could never catch too many fish, that the seas held an inexhaustible supply. But that was before the advent of modern fishing technology: before fishing fleets that

roam thousands of miles from their home ports and remain at sea for months at a time; before purse seines capable of encircling and capturing entire schools of fish, long lines that stretch from 25 to 70 miles through the water with thousands of baited hooks, and vast gill nets that create an impenetrable wall of netting below the surface of the water and entangle virtually every creature -- fish, whale or pelagic bird -- that encounters it. As a result, many ocean fisheries today are overfished, and some have declined to the point where it will take years of careful and costly regulation before they recover, if they ever do.

"And there was a time when we believed that we couldn't pollute the ocean, that it was so wide and so deep it could absorb any amount of whatever waste we chose to dump into it. But that was before massive fish kills, contaminated oyster beds, warnings against eating fish poisoned with PCBs and other toxic substances, and once productive fishing grounds now practically devoid of life, choked by pollution.

"Today, the ocean faces what is perhaps an even graver and more pervasive threat -- from those who believe we can have a living sea without an edge of sand; that we can have seafood without wetlands; that we can continue to overpopulate and overdevelop the coastal region indiscriminately without destroying it and suffering the consequences.

"The ocean covers three-quarters of the planet. The coastal region is, as Anne Simon described it in her book "The Thin Edge," that area of "dynamic interchange between water and earth." It is not simply where the waves touch the shore, but a broad and complex ecosystem which extends from the beaches offshore to the continental shelf, and from the coastline inland across the wetlands and estuaries and includes all of what we in the southeast know as the Low Country.

"Two words best characterize the coastal region: dynamic and productive. The most dynamic of all are the highly unstable barrier islands and beaches, in many areas the mainland's only defense against the incessant battering of the sea. By constantly moving and changing shape, they bear the brunt of the waves and onshore winds, as well as the frequent storms and occasional hurricanes. Behind the barriers, shielded from the force of the sea, are the estuaries: the bays, tidal flats and marshes which are the most productive areas on earth. Here, constant fluctuations in salinity, water temperature and tidal action create a delicately balanced ecosystem for the myriad of life forms that live there during some portion of their lives. The estuaries serve as the breeding and nursery grounds for 75% of the important commercial and recreational fish and shellfish species caught in salt water. The salt marshes also play a crucial role in the filtration of pollutants from coastal waters and the purification of ground water supplies.

"But this delicate balance and instability that makes the coastal zone so vital and so rich in life also makes it extremely vulnerable to disturbances caused by man's activities. The U.S. Department of Commerce projects that by the year 1990, nearly three out of every four Americans will live within 50 miles of the coastline, including the shores of the Great Lakes. We can see this phenomenal population growth vividly not just in the sprawling urban areas, but in the flourishing shore-based communities as well. Already grossly overdeveloped resort cities are still getting bigger and bigger. Island resort communities are springing up all along the coast, even as existing ones wrestle to gain control of the development that is spreading like wildfire across their islands. Older beach communities want desperately to grow beyond their reasonable means.

"The accelerating rise in residential, commercial and industrial development along the coast is placing tremendous pressures on the fragile coastal environment. The cumulative impact of thousands of small development projects has already destroyed millions of acres of productive coastal wetlands. We are, among other things, dredging and filling tidal marshes, destroying the protective nature of barrier islands and beaches, adding to our already sizable municipal and industrial waste disposal problems, and diverting water into and out of the estuaries at an astonishing rate.

"Unbridled development of the coastal region, and the demands that this development makes on limited coastal resources, threatens the viability of the coast to support and nurture the nation's marine fisheries and other shore-dependent wildlife, exposes our property and lives to unnecessary and costly risk, and reduces the opportunities for future generations to enjoy the coast."

BILL INTRODUCED TO EXTEND STRIPED BASS CONSERVATION

Congressman Gerry Studds (MA), the author of the Atlantic Striped Bass Conservation Act of 1984, has introduced legislation to continue federal protections for the imperiled striped bass through the end of 1988. Citing a government report released in May indicating that bass populations remain "dangerously low", Studds said: "It is obvious that restoration of the striped bass will be a long term proposition and that further protective steps may be needed in the future. This legislation is a critical part of our ongoing efforts to ensure the health of our bass stocks."

The current federal law, which enforces coastwide restrictions on the catch of striped bass recommended by the interstate Atlantic States Marine Fisheries Commission (ASMFC), is set to expire in April of next year. The Studds bill would extend for another 30 months the authority of the Secretary of Commerce to declare a moratorium on striped bass fishing in any east coast state which does not comply with ASMFC conservation guidelines, and also would continue scientific studies into the role of overfishing, habitat loss and acid rain in the striper's drastic decline in numbers.

NMFS OVERHAULS RESEARCH PROGRAMS

The National Marine Fisheries Service has announced a restructuring of its fisheries research and stock assessment programs conducted at the Southeast Fisheries Center in Miami. The Center has formed two divisions, Coastal Resources and Offshore Resources, to allow the laboratory to "concentrate more efficiently on key activities related to providing the... information needed for fisheries management," says acting director Brad Brown. The Offshore Resources Division, for example, will be responsible for large pelagics research, including work on tunas, swordfish, billfish, sharks, tournament monitoring and the tagging program. Scientists working within each division will be organized according to their species-orientation rather than their discipline; e.g., a biologist studying bluefin tuna will be able to devote himself to bluefin instead of apportioning his time among two or more species.

The reorganization should also enhance communication within the agency, between NMFS and other government agencies, the fishing industry and the public, according to Grant Beardsley, newly appointed Senior Scientist for Recreational Fisheries. Beardsley's job will be to keep the lab's programs responsive to sport fishery needs.

Gerry Studds' bill to extend the Atlantic Striped Bass Conservation Act should be passed in Congress by acclamation. A year ago that body finally stepped into the breach and imposed sorely needed order on the confused set of mostly inadequate state initiatives to protect the dwindling striper. But there is, as Studds told his colleagues, still much more to be done. By giving swift approval to this legislation, Congress can help to see that we finish the job.

East coast fishermen caught 7 million pounds of striped bass in 1984; far too many for such a stressed fishery. Restrictions now in effect are designed to reduce the catch another 55%. (Without Maryland's moratorium we wouldn't come close - one state has taken the heat off the others.) But according to federal biologists, this still won't be enough. So this summer the interstate striped bass management board recommended adding a 28-inch minimum size limit to better protect spawning fish and improve reproduction. If this and/or other measures are adopted into the interstate plan, the Studds bill would automatically compel the states to implement them or stop fishing entirely.

This might lower fishing mortality to an acceptable level, but that alone won't guarantee the stocks will recover. Other factors are involved in the decline, and that's why the provisions in Studds' bill continuing the national research effort are so critical. A disturbing number of striped bass are dying during the most vulnerable stage of their young lives. It may be that Chesapeake Bay, once the source of 90% of the stripers in the Atlantic, is no longer suited for juvenile striped bass habitat. If this is true, we'd better find out why and do something about it, because the striped bass aren't the only ones that depend on the nation's largest estuary.

Ken Hinman

**NATIONAL COALITION
FOR MARINE CONSERVATION**
Post Office Box 23298
Savannah, Georgia 31403

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U.S. TO ICCAT: KEEP BLUEFIN QUOTAS LOW

Atlantic bluefin tunas must be protected by present limits on fishing for at least another five years to complete their recovery, according to American bluefin experts, and that is the position the U.S. delegation will take to the November 13-19 meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) in La Palma, Spain.

The scientific information provided the U.S. Commissioners and their advisors at a pre-ICCAT meeting in October indicates that the decline in the spawning stock of bluefin in the western Atlantic will not cease until the juvenile fish now protected by the international regime enter the spawning population. This will take another five years at minimum, provided the catches of young tuna remain low. The United States, therefore, will propose a 3-5 year extension of the current management measures, which include minimum size restrictions and a western Atlantic quota of 2,610 metric tons (mt) divided between the U.S., Canada and Japan.

The Japanese are expected to resist an extension, as they have each year since the conservation agreement was approved by ICCAT in 1982. The U.S. Commissioners will argue that any increase in the catch levels of either juveniles or spawning age fish would slow the recovery of bluefin stocks. The U.S. will also raise with the Japanese the issue of violations of the quota limits for 1985. Observers aboard Japanese long liners fishing in the U.S. Exclusive Economic Zone (200 mile limit) reported they caught 846.1 mt. The quota allowed the Japanese under the ICCAT agreement is less than 700 tons for the entire western Atlantic.

The U.S. ICCAT delegation also discussed and considered action regarding the reports of heavy Korean long lining activity in the Caribbean (see "New Wave of Long Lining in the Caribbean," MARINE BULLETIN, September 1985). Korean statistics received in response to U.S. inquiries show catches of bigeye, yellowfin and albacore as well as some blue and white marlin in recent years, but no bluefin. The commissioners, frankly skeptical as to whether the non-selective long lines could hook nearly 2,000 tons of bigeye tunas and not a single bluefin, and aware that Korean fishing in the Caribbean has reportedly intensified this year, will express their concerns to the Koreans and challenge their data.

NCMC SEEKS TO HEAD OFF RESURGENCE IN OCEAN DUMPING

The state of Massachusetts Water Resources Authority has applied to the federal government for permission to begin dumping municipal sewage sludge off the coast of New Jersey, at the so-called 106 Mile Site. The Environmental Protection Agency (EPA), charged with managing the national dump site - one of only two offshore depositories for sewage sludge - has

indicated the Massachusetts application will probably be approved, barring outside intervention.

The request has touched off a storm of protest in the Garden State, which only recently won a battle with EPA to close the 12 Mile Site off Sandy Hook used by New York City and several north Jersey municipalities. The eight million tons of sludge currently dumped in the New York Bight each year will be taken further out to sea about 100 miles east of Atlantic City starting in 1988.

The shallow waters in and around the 12 Mile Site, once a very productive fishing area, have been severely degraded by sludge dumping. The much deeper waters (7,000-9,000 feet) at the 106 Mile Site should be better able to absorb and disperse the wastes, although continuous monitoring of the impact of the potentially toxic materials on the ocean environment will be required. The addition of the Massachusetts sludge, which is the solid residue from sewage treatment, will not significantly increase the total amount dumped there, but it does raise serious concerns, should the permit be approved, about the nation's timetable for putting an end to ocean dumping.

"At a time when we are supposed to be phasing out ocean dumping altogether, and dumpers were long ago instructed under the Ocean Dumping Act to study and implement land-based alternatives, the repercussions from a new dumping permit could prove disastrous to this goal," says NCMC executive director Ken Hinman. "The potential exists for this case to prompt other states and municipalities to look anew at the ocean alternative, or at the very least retard serious study and development of alternatives, because disposal offshore is once again a viable option."

The NCMC is supporting legislation (H.R. 3569) introduced by Congressmen Hughes and Howard that would prohibit cities other than those currently dumping at the 12 Mile Site from using the 106 Mile Site, and has urged broader Congressional action to prevent a resurgence in ocean dumping, including an immediate moratorium on all new federal permits to dump sewage sludge at sea.

ANOTHER UNPRODUCTIVE YEAR FOR CHESAPEAKE STRIPERS

The number of striped bass spawned this spring in the Chesapeake Bay was among the lowest ever, according to the Maryland Department of Natural Resources. The state agency conducted its 32nd annual count of juvenile stripers this summer and found that production in the estuary, once the source of 90% of the striped bass in the Atlantic, is still suffering from past overfishing and a severely degraded environment.

The juvenile survey of the Chesapeake spawning areas is conducted at 40 sites in the bay, where fingerlings are netted and counted to produce a "young-of-the-year" index. The 1985 index was 2.9, as compared with the historical average of 10. The highest year on record is 1970 with an index of 30.4. Spawning hit an all time low of 1.2 in 1981; this year's numbers are not much better. In fact, the index for the Upper Bay, which supplies up to a third of the bay's bass, was 0.3, equal to the dismal level there in 1981. (The survey also revealed similar declines in other fish species in the bay, such as herring, white perch, alewives, catfish and shad, indicating a general decline in the quality of the Chesapeake as fish habitat.)

A year ago Maryland imposed a moratorium on fishing for striped bass,

or rockfish, in its territorial waters. This bold action, which Virginia has not seen fit to emulate in its portion of the bay, has not yet had time to affect spawning success. "It is clear that a one-year moratorium will not cause a change in rockfish populations," said Secretary of Natural Resources Torrey C. Brown. The state will need to keep its ban in effect for another four years, he says, before a positive impact will be seen.

The twelve east coast states involved in the interstate management plan to restore striped bass to their once-abundant levels are still at varying degrees of compliance with the recommendations of the Atlantic States Marine Fisheries Commission (ASMFC), although the commissioners in June determined they had all satisfied the minimum requirements. However, because in preliminary sessions some individual state plans had been rejected, it is believed that the overall reduction in fishing effort was met largely because of Maryland's moratorium. Nonetheless, the ASMFC is now considering much stiffer measures, including an increase in the minimum size limit from 24 to 28 inches or higher.

The Atlantic Striped Bass Conservation Act of 1984, which threatened a federal ban on fishing in states that did not comply with the regional recommendations by July 1, 1985, is directly responsible for last-minute state initiatives to reduce fishing pressure in New Jersey and Virginia, where officials had been dragging their feet. The author of the federal legislation, Congressman Gerry Studds of Massachusetts, has introduced a bill to extend the coercive powers of the law to apply to all subsequent ASMFC conservation proposals. The bill has been assigned to the House Fisheries and Wildlife Subcommittee pending action. The NCMC has written the members of the subcommittee urging rapid approval of H.R. 3358. A spokesman for Rep. Studds says they are hoping it will pass this year, but the busy fall schedule in Congress may defer action. If it does, the congressman will introduce the bill first thing in January 1986.

NMFS UNVEILS NEW HABITAT PROGRAM

The National Marine Fisheries Service (NMFS) is promoting a new legislative initiative designed "to conserve, rehabilitate and enhance marine fisheries habitat." The draft bill is entitled "The Marine Fisheries Habitat Conservation, Rehabilitation and Enhancement Act" and is the agency's first concrete attempt to implement its 1983 policy recognizing the importance of habitat conservation to fisheries management.

Under the proposed legislation, each of the eight Regional Fishery Management Councils would be required to prepare an "integrated habitat management program" (IHMP) within two years. The IHMPs would identify rehabilitation and enhancement projects, habitat areas to be protected to sustain fisheries production, research, social and economic studies and public education projects for the council's area of jurisdiction. The preparation of the plans is envisioned as a cooperative effort involving the councils, government agencies, and private groups and institutions. After the plans are submitted to Congress and if funding is subsequently authorized to implement the programs, interagency working groups (one assigned to each council) will coordinate the recommended projects and activities.

The centerpiece of the proposed habitat program would be utilizing the U.S. Army Corps of Engineers in restoring and enhancing coastal habitat areas. The Corps would become, in effect, the agency's "contracting arm" for carrying out the rehabilitation projects, such as creating and improving fisheries habitat where needed.

The fisheries conservation community should welcome the NMFS initiative, but with mixed feelings. The emphasis is clearly on rehabilitation and enhancement, which is definitely needed, rather than on conservation, which is vital. Restoring lost fish habitat and improving degraded habitat should be carried out hand-in-hand with a comprehensive program for protecting productive habitat areas that have not yet been destroyed or polluted. NMFS has a ready tool for such a program in the Magnuson Fishery Conservation and Management Act, which can be amended to require the councils to identify critical fisheries habitat and coordinate government agencies in conserving these areas and mitigating damages where they occur. NMFS, unfortunately, has testified before Congress against amending the Magnuson Act to include fish habitat conservation.

Instead, NMFS has chosen to proffer a grand habitat rehabilitation program which is plainly soft on commitment to protecting productive marine and coastal environments. The kinds of projects the Corps would be asked to perform under the program, and which are specifically identified in the legislation, are marsh creation, beach restoration, artificial reefs, and seagrass plantings - all good medicine, but we need preventative treatment more than anything else. We don't share the philosophy inherent in this initiative that growth and development in the coastal zone can proceed apace without serious and irreparable losses of habitat and resultant declines in fish production, no matter how much money is spent trying to replace it.

"BLUEFIN: A MODERN SEA ADVENTURE"

The Perigree Press has announced the publication of "Bluefin," a novel of adventure and intrigue at sea written by Frank T. Moss. Capt. Moss, a lifelong salt water angler and venerable sportfishing editor and author, was a co-founder of the National Coalition for Marine Conservation in 1973. His understanding of marine science and his dedication to conserving oceanic gamefish combines with his skills as a storyteller to weave an authentic tale of a struggle for "raw seapower, money, fame, romance, and the existence of the threatened, magnificent Atlantic bluefin tuna."

"Bluefin" is being published in two editions: a regular hardcover pressing available for \$17.95, and a limited edition personally dedicated and signed by Capt. Moss. The Registered Dedicated Editions, of which only 300 were printed, sell for \$40 each. Thanks to the generosity of the author, one-half of the proceeds from the special dedicated copies of "Bluefin" will be donated as a tax-deductible contribution in the name of the recipient to the National Coalition for Marine Conservation. To order, send a check or money order to The Perigree Press, Box 639, Colonial Drive, Walpole, NH 03608.

TO BURN, OR NOT TO BURN

The U.S. Environmental Protection Agency (EPA) is considering regulations to permit the burning of toxic wastes at sea in the Atlantic and the Pacific Oceans and in the Gulf of Mexico. Although the EPA and many others think it is potentially the safest and most efficient method of disposing of hazardous substances, serious questions have been raised by others, including the agency's own scientific advisors, about the safety of ocean incineration. Is it, then, a safe solution to the problem of getting rid of the estimated 300 million tons of hazardous wastes the nation has already accumulated and is adding to each day, or is it simply a proposal to transfer the risks of waste disposal from land to sea, where they will be out of sight, out of mind?

What are the facts? On the plus side, incineration is a process whereby toxic waste products such as PCBs and dioxins are burned at extraordinarily high temperatures, destroying up to 99.9% of the harmful components. As an added precaution, it will be done out at sea, hundreds of miles from the human environment. On the other hand, transporting the waste from its origin to portside storage facilities and then by boat over miles and miles of ocean to the burn site exposes the coastal and marine environments to the risk of accidental spills and leakage. Furthermore, the long and short term health impacts of the wastes produced during the process are unknown.

The main advantage of burning at sea versus on-site, land-based incineration, is the distance from human population centers. But the cost of transporting the wastes safely out to sea will be enormous, perhaps requiring a Coast Guard escort from port to burn site. The EPA would have to provide on-board observers to monitor every vessel involved in the shipping and burning stages. And the distance from population cannot be an excuse to employ less stringent air pollution standards and less efficient technology than would be used on land.

Proponents of ocean incineration correctly point out the dangers of land-based storage of toxic wastes, such as the contamination of ground water supplies. Opponents claim that alternative disposal methods such as on-site treatment and recycling have not been thoroughly studied and, worse, neither have the hazards of ocean incineration. Indeed, it is ironic that the same Administration that demands further research on acid rain before taking action to control it is seemingly ready to proceed with burning toxic wastes at sea despite the limited number of studies performed.

If serious consideration is to be given ocean incineration as one remedy to our toxic waste disposal problems - and maybe it should - decisions to proceed must be weighed carefully and be based strictly on the prospect of reducing the risks involved, not merely in transferring them to a more remote location, or substituting other, offsetting risks. There can be no shortcuts to the handling of toxic wastes. The EPA is moving too hastily on ocean incineration. If the risks involved are not considered seriously and are not adequately addressed by EPA, ocean incineration will be vigorously opposed, and rightly so.

REPORTS OF GILL NETTED MARLIN IN PACIFIC

The National Coalition for Marine Conservation - Pacific Region (NCCM-PR) has asked the California Department of Fish and Game to look into reports of high incidental catches of striped marlin in offshore drift gill nets. The San Diego-based group has received information alleging that from 14 to 63 marlin are being taken in a single net in one night of fishing. Some reports, which have been coming from commercial gill netters afraid that illegal actions by their comrades will jeopardize their right to fish, claim as many as 200 marlin are being taken in some nets in the area around Santa Barbara Island.

The striped marlin is a game fish under California law, which requires that commercial fishermen turn over any by-catch to state authorities. The NCCM-PR, which says the Fish and Game gill net observation program has been "very limited," will seek legislation next year which would close the waters inside 75 miles from shore to the use of drift gill nets from August 15 to November 15.

EDITORIAL: ANGLING FOR DOLLARS

"Everybody's got dollar signs in their eyes," says a New York charter boat captain, describing how sport fishing for tuna off Montauk, Long Island has been transformed this summer into a commercial enterprise for hundreds of anglers aboard private and charter boats. "Their faces are drawn with the strain of crowding, competition and greed," says another fisherman with disgust.

Tuna, particularly bluefin and yellowfin, were especially plentiful off Montauk this year, and they were nearly outnumbered by the so-called "sport" fishermen out to make a fast buck. Giant bluefins were the top prize, but tunas of all sizes were being brought to dock for sale - at up to \$4.25 a pound - to buyers working the Japanese export market or supplying the growing number of stateside sushi restaurants.

Many anglers, no longer concerned with sport, quickly abandoned trolling for chumming. Waste is also a big problem. Though there is a bag limit on giant tuna, fishermen are landing as many small or "school" fish as they can - often too many - hoping to sell them at the dock. Without the lure of big money for these fish, anglers would release them to help rebuild the Atlantic stocks.

We've said it before, and we'll say it again: anyone who sells his catch is, in our opinion, a commercial fisherman. Commercial fishermen are required by law to purchase an expensive license for the privilege. So should every fisherman, no matter what he calls himself, if he wants to sell what he has caught. Every coastal state should make it illegal to sell fish without paying a permit fee of at least \$250 a year. Then those sportsmen who choose to turn pro can declare their intentions publicly, instead of getting paid under the table.

**NATIONAL COALITION
FOR MARINE CONSERVATION**
Post Office Box 23298
Savannah, Georgia 31403

Ken Hinman

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DRIFTNETS, AND THE DAMAGE DONE

The National Coalition for Marine Conservation (NCMC) vehemently objected to the 1983 decision to permit the use of drift entanglement nets to catch swordfish in the Atlantic, and is currently fighting to hold federal fisheries managers to their promise to place observers on all vessels using the nets. Most recently, the NCMC has strongly urged the Regional Fishery Management Councils to include a prohibition against deploying the nets in federal waters as an amendment to the swordfish management plan and as part of the Atlantic billfish plan they are now working on.

Drift entanglement nets were permitted in the Atlantic swordfish fishery on a limited, experimental basis, despite resistance from conservationists arguing that the non-selective fishing gear is entirely inappropriate for a fishery that is already overexploited and overcrowded with longline gear. The NCMC's concern is that the expanded use of the entangling nets will result in the harvest of juvenile swordfish the federal management plan is trying to protect, as well as the incidental catch of billfish, shark, and other large pelagic animals. The National Marine Fisheries Service (NMFS) and some Regional Council members contend there is insufficient evidence to support assertions that the entanglement nets would be destructive either to the swordfish populations or to other marine life. The NCMC disputes that position.

The basis for the NMFS point of view is the largely irrelevant fact that the driftnets have never been widely used in the Atlantic, and that therefore no conclusive information on their impact is available. But they have been used extensively in the Pacific, where their record is atrocious and evidence of the abuse of marine resources is well-documented. The large numbers of striped marlin, thresher sharks and endangered whales killed in the nets used by American fishermen to catch swordfish off California have been cited in past issues of the MARINE BULLETIN. In October, that state enacted legislation, supported by the NCMC-Pacific Region, which closes large areas of offshore waters to driftnetting.

On October 9th, the National Ocean Policy Study of the U.S. Senate Commerce Committee held hearings in Washington to investigate the pelagic driftnet fisheries in the Pacific. The focus of the hearing was on the high seas driftnet fisheries conducted by the Japanese, the Taiwanese and the South Koreans for salmon, squid and billfish. It was reported that at peak fishing season more than 20,000 miles of nets are set each day in the North Pacific. A major concern is the impact of the highly effective but indiscriminate nets on salmon that originate in U.S. rivers and which are the object of intensive restoration efforts and a new U.S./Canada fishing treaty. One witness offered the astonishing fact that, based on studies by

the University of Washington Fisheries Research Institute, over 3 million salmon are killed but lost to the nets ("non-catch mortality") annually in the Japanese operations alone. A spokesman for the U.S. State Department, declaring that his Department "feels driftnet fishing is wasteful," announced there has been some progress in bi-lateral negotiations with the Japanese and that options such as invoking the Pelly Amendment and cutting foreign allocations of U.S. fish were available to address the problem.

The effect of the Pacific driftnet fisheries on non-target species was also discussed at the hearing. The international environmental group Greenpeace presented exhaustive testimony on the extent of the damage: tens of thousands of porpoise and dolphins, seals, whales and sea lions, and hundreds of thousands of marine birds are dying in the nets every year. Figures for non-target species of fish killed in the nets are unavailable but believed to be equally as staggering.

From the Pacific experience, the evidence would seem to be overwhelming that pelagic drift entanglement nets are an extremely wasteful method of fishing, incapable of limiting what they catch to target species and therefore causing the incidental death of significant numbers of non-target fish, marine mammals and birds. Support for phasing out the use of drift entanglement nets on the high seas is growing among west coast fishing associations, conservation groups and within the U.S. government itself. The NCMC feels it would be the height of irresponsibility to allow the introduction of such devastating fishing gear into the already troubled waters of the Atlantic.

COUNCILS LOWER KING MACKEREL QUOTAS AGAIN

The Gulf of Mexico and South Atlantic Fishery Management Councils met in joint session from October 28 to November 1 to review the king mackerel situation and decide on stricter catch limitations to address the continuing decline of the stocks. Once again the Councils, bowing to pressure from fishing interests, backed away from doing the necessary in favor of the convenient.

In a clear exhibition of what is wrong with the management of our marine fisheries, the two Councils rejected the advice of biologists warning of an imminent collapse of the Gulf group of mackerel and voted for only a token reduction in overall catch. The total catch for the Gulf migratory stock was cut from the 14.2 million pounds allowed under the present management plan to 5.2 million pounds (or, a commercial quota of 1.6 million with the recreational bag limit staying at 2 fish per person per trip). What on first inspection seems like a substantial cutback is not - the average total catch for the last three years has been only 6.5 million pounds. For all intents and purposes, fishing pressure will remain virtually the same.

The state/federal Stock Assessment Group that has been studying trends in the mackerel populations had told Council members in no uncertain terms that to reverse the present steady decline in abundance, fishing effort would have to be restricted beyond present levels. As fishery scientists are wont to do, they were imprecise on what numbers the Councils should choose, but did specify a desirable range of from 1 to 2.34 million pounds. The level the Councils agreed upon is more than twice the high end of this recommendation.

The National Coalition for Marine Conservation supported a temporary moratorium on fishing the Gulf group of mackerel until there is evidence it

is rebuilding. The National Marine Fisheries Service endorsed a moratorium, and the South Atlantic Council was reportedly leaning that way as well. But the Gulf Council balked, primarily because fishermen in Louisiana and Texas are not experiencing as severe a drop in catches as fishermen in the eastern portion of the Gulf. This has led fishery managers from the two states to posit the existence of separate eastern and western stocks in the Gulf, with the latter being in much better shape.

At a mackerel workshop in Miami, Florida in late November, which the NCMC participated in, the results of the latest tagging studies were discussed. They show that, without a doubt, there is considerable migration of small and intermediate sized kingfish throughout the breadth of the Gulf. From the tag returns, it appears that it is only older fish that tend to remain year-round off the Texas and Louisiana coasts, and indeed creel studies bear this size differential out. These fish very likely moved back and forth between the western Gulf and the Florida coast as younger fish. One biologist, who believes the future recovery of the entire Gulf population could be jeopardized by misreading this situation, speculated that managers from Texas and Louisiana might be motivated by the belief that Florida has totally botched management of king mackerel, and they are determined that their fishermen aren't going to pay for the mistakes of others.

While most of the discussion has centered on the fate of the dangerously depleted stock of king mackerel in the Gulf, the Councils also took steps to reduce the harvest from the Atlantic group. All indications are that this migratory group, which has historically been subjected to much less intense fishing pressure, is now showing signs of stress as effort shifts from the Gulf to the Atlantic. The total allowable catch for the Atlantic group, which had been increased to 11.8 million pounds in the recently enacted Amendment One to the federal plan, was lowered again to 9.6 million pounds. The commercial fishery will be allowed 3.5 million pounds and recreational anglers will be held to a limit of 3 fish per person per trip.

The Councils took no action on Spanish mackerel, a fishery that primarily takes place in the territorial seas (state waters). Nevertheless, the Stock Assessment Group reported that the size of fish landed is declining sharply, as is the catch per unit of effort, despite increased commercial fishing pressure in smaller and smaller areas. The Florida Marine Fisheries Commission recently proposed regulations that will cut the commercial catch in half.

BLUEFIN STOCKS CONTINUE THEIR COMEBACK

Limitations on the catch of Atlantic bluefin tuna that have been in force the last three years were extended another year by the International Commission for the Conservation of Atlantic Tunas (ICCAT). The commissioners, representing thirteen nations including the United States, met in Mallorca, Spain on November 13-19. They heard reports from scientists that the populations of bluefin, nearly driven to the brink of extinction by unrestrained purse seining and longlining during the sixties and seventies, are making a good comeback under the present management regime.

The so-called "moratorium with limited catch" voluntarily agreed to by ICCAT members in 1982 puts the Gulf of Mexico bluefin spawning grounds off limits and restricts the catch in the western Atlantic to 2,610 metric tons. These conservation measures will be observed at least until November

of 1986 when ICCAT meets again. The U.S. delegation had requested a longer extension to sustain the present rate of recovery, but were unsuccessful in selling their cautious position to other member nations.

The Japanese accepted the extension without resistance, but an intense effort to increase the quotas next year is foreseen. American fishermen, who have been seeing more bluefin the last two years than they have in a long, long time, can also be expected to lobby for more fish. The number one issue at ICCAT in 1986, then, will be exactly how much to raise the quota without causing a slowdown in the recovery; and if indeed there is an increase, how it will be divided among the U.S., Japan and Canada. Related issues should crop up stateside. For one, who will get the increase in U.S. waters - domestic tuna fishermen, or will they have to share it with foreign fishermen? This will certainly give resurgence to the ongoing campaign to include tunas under exclusive U.S. management jurisdiction. Moreover, a higher quota would mean more longlining and more billfish killed incidentally. This would spotlight the inability of the Regional Councils to adequately control the by-catch of billfish in the management plan they are currently at work on.

STATES RIGHT TO PROTECT COASTS AT ISSUE IN DELAWARE TRIAL

The battle over a proposed coal transfer station in Delaware Bay in violation of that state's coastal protection law has gone to U.S. District Court, pitting the state of Delaware and environmental and fishing organizations against the federal government and a giant coal and transportation company. The outcome could have ramifications for the constitutionality of coastal zone planning nationwide.

The Norfolk and Southern Corporation wants to build an enormous coal transfer facility in the middle of Delaware Bay where large cranes mounted on barges would load millions of tons of coal onto superfreighters each year. A study by the state university concluded that the operation would result in 252 tons of coal dust spilled annually into the Atlantic seaboard's second largest estuary, polluting its waters and harming valuable fisheries and shellfish beds. Delaware's Coastal Zone Act, enacted in accordance with the federal Coastal Zone Management Act of 1972, prohibits heavy industry and offshore transfer operations in order to protect the recreational and fishing uses of the bay. A state supreme court confirmed the intent of the law earlier this year.

The coal company reacted by suing Delaware for restricting its right to engage in commerce. The U.S. Department of Commerce joined the suit on Norfolk Southern's side, a move that surprised Delaware officials since Commerce is the federal agency charged with protecting coastal resources and administers the Coastal Zone Management Act. To some observers, it only proved what the NCMC and others have witnessed in fisheries management for years - that is, when commercial profit and resource protection are at odds, the Department will line up with short-term business interests.

Conservationists have rallied to Delaware's aid in defending its position in court. Among the co-defendants are the Natural Resources Defense Council, the National Audubon Society, the Sierra Club and the Delaware Saltwater Sportfishing Association.

FEDERAL COURT UPHOLDS EVERGLADES BAN ON COMMERCIAL FISHING

A prohibition against commercial fishing in Everglades National Park will go into effect as planned on January 1, 1986, a U.S. Court of Appeals

ruled on November 15. The court rejected an appeal by the Organized Fishermen of Florida (OFF), a state lobby for commercial fishing interests, and upheld regulations imposed by the National Park Service to protect fishery resources in the south Florida park.

OFF took the issue to trial seeking exemption from bag limits on fish caught in the Everglades, sanctuaries for endangered species, and the impending ban on all commercial fishing in the park at the end of this year. The rules were initiated in 1979 in response to diminishing populations of fish, including redfish and speckled trout, and the need for protection from overharvesting. Lawyers for OFF claimed that the original agreement between the state of Florida and the U.S. government creating the Everglades National Park contained a promise never to prohibit commercial fishing. The court said not so; the Park Service only stated at the time (1944) it had no intention of enacting a prohibition, and the court ruled the Park Service had the right to take such action subsequently since it had sufficient cause to believe it is necessary to protect public resources within the park.

It should be noted that the Everglades Protection Association intervened in the case on behalf of the National Park Service. The Association, based in the Florida Keys, has long been an effective advocate of the wise use of natural resources and the conservation of wildlife in the Everglades.

TAG AND RELEASE GAINS GROUND IN HAWAII

The Hawaiian International Billfish Association (HIBA), which sponsors some of the world's best known billfishing events, has announced plans to award and give recognition to participants who choose to tag and release fish caught in its 1986 tournaments. Anglers who voluntarily tag and release billfish during competition, says the HIBA Board of Governors, "will be given 200 points, be presented a trophy and photographed on the pier the same as those anglers who bring in fish to be weighed." The decision is part of a welcome trend toward the promotion of releasing fish among billfish tournaments in areas such as Hawaii and Puerto Rico, where tournament-caught fish are traditionally eaten or sold.

Briefly Noted:

The son of Florida Marine Fisheries Commission member Gene Raffield was arrested in November for possessing almost 80,000 pounds of redfish over the state limit of 32 inches. The vessel involved and the fisheries facility where the illegal fish were landed are both owned by the elder Raffield. The issue of conflict of interest among commercial fishermen serving on the Commission who benefit from fishery regulations (or, the lack of them) has been a hot one. This incident threatens to bring it to a boil.....Commercial and recreational fishing associations in New York have joined together in a \$10 million suit against the General Electric Company, which they claim intentionally polluted the Hudson River with PCBs. Contamination traced to the toxic chemical has meant the closing of all New York waters to striped bass fishing except for eastern Long Island, where fish quality is currently being examined. The class-action suit seeks punitive damages against GE, damages for lost income, and to force the company to clean up the river system.....The White House announced the appointment of two new commissioners to ICCAT: Lee J. Weddig, head of the National Fisheries Institute, a lobbying arm of the commercial fish processing and import industry, and California businessman Michael Montgomery.

Anglers are fond of complaining that the fishing isn't as good as it was in "the good old days." To the casual observer, this may seem to be just a part of the pastime; afterall, fishermen are also notoriously fond of telling tales. Unfortunately, in most cases they are right: more fishermen than ever before are catching fewer and fewer fish, while the number of catchable fish is being reduced by the pollution and degradation of lakes, rivers and coastal waters.

What happens when the generation that remembers "the good old days" is gone? Will tomorrow's fishermen be measuring the quality of their fishing against an ever-diminishing standard? Aldo Leopold, the father of modern wildlife management, warned nearly 40 years ago that "Perhaps our grandsons, having never seen a wild river, will never miss the chance to set a canoe in singing waters." It is a truism that you don't know what you've got 'til its gone. It is equally true that you don't know what you're missing if you never had it to begin with.

Man is an extraordinarily adaptive creature, which has been a profound evolutionary advantage. But will our adaptability turn against us? Will we allow the fishing experience to decline to the point where surf fishermen must line up elbow-to-elbow on the shoreline near where hatchery-bred fish have been released? Or where ocean fishermen must troll gunwale-to-gunwale with other boats over an artificial reef, the only productive fishing spot around?

It is entirely conceivable that some fishermen, never having known any different, will find this kind of fishing satisfying, given the alternative of not fishing at all. But it is our responsibility - the fishermen and conservationists of today - to make sure that this never happens. The future generation of fishermen deserves better. We deserve better.

**NATIONAL COALITION
FOR MARINE CONSERVATION**
Post Office Box 23298
Savannah, Georgia 31403

Ken Hinman

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1985: THE YEAR IN REVIEW

The National Coalition for Marine Conservation (NCMC) was active on a number of fronts in 1985; ranging from the mundane, down-in-the-trenches work of trying to influence the many management decisions affecting the use of our marine fisheries, to the ongoing responsibility of alerting both the public and public officials to serious threats to the resources and the ocean environment.

Direct involvement in fisheries management means constantly pressing the case for resource conservation again and again against the deeply rooted forces of exploitation. While this can at times be a frustrating experience, it has, on the positive side, fostered within us a determination and staying power that enables the NCMC to keep its goals clearly in sight and stick to them tenaciously until significant changes come. The success story that is unfolding with the Atlantic bluefin tuna is one case in point.

An equally vital factor in affecting change is the evolution of public attitudes toward conservation. During the past year, more and more anglers joined in the rising tide of active concern and exhibited their willingness to get involved and make sacrifices in order to insure the future of salt water fishing in this country. The ranks of regional and national conservation organizations continue to swell. An ever greater number of fishermen and fishing tournaments are releasing fish they do not intend to use and joining in tagging efforts to benefit our understanding of the fish. Grass roots support for state licensing is spreading among marine anglers who realize its potential as a direct and continuous investment in recreational fisheries programs.

* * * * *

The following is a brief summary of the key issues the NCMC was active on in 1985. The summaries as a matter of course highlight the challenges that lay ahead, and therefore preview the NCMC agenda for 1986.

Striped Bass

The Atlantic Striped Bass Conservation Act, signed into law at the end of 1984, successfully stimulated uniform state-by-state action in implementing the coastwide management measures recommended by the Atlantic States Marine Fisheries Commission (ASMFC). But even before the Act's June deadline for compliance with the ASMFC interstate plan, the ASMFC was busy recommending stricter measures including larger size limits. Maryland's summer spawning survey disclosed the second worst year ever for

reproduction in Chesapeake Bay. A bill to renew the Striped Bass Act (H.R.3358), containing continued funding for research into the causes of the striper decline, stalled in Congress despite broad support. The legislation will be re-introduced in January.

Atlantic Bluefin Tuna

Conservation measures adopted in 1982 through the International Commission for the Conservation of Atlantic Tunas (ICCAT) have started the western Atlantic stocks on a slow but steady recovery. Still, the populations are less than a third of what they were in 1970. Increases in fishing pressure must come very slowly and be monitored carefully to assure the long term rebuilding of the stocks. NCMC vice chairman Frank Carlton retired as U.S. Commissioner to ICCAT and now serves on the Advisory Committee, as does NCMC president Chris Weld.

Swordfish Plan

In the conclusion of a series of editorials on the Atlantic swordfish plan featured in the MARINE BULLETIN at the end of 1984 and beginning of 1985, the NCMC's Chris Weld lamented that "the saga of the swordfish plan plays on without finale...(moving) from crisis to crisis." Though a Fishery Management Plan for swordfish was finally approved in 1985, it offers scant relief for the critically overfished stocks of broadbill. The NCMC has consistently argued that in order to draft a truly effective instrument for rebuilding and conserving swordfish, managers would have to accept short-term economic sacrifices for the commercial industry and restrict the excessive amount of gear, specifically longlines, now operating in the fishery. The managers, as evidenced by the plan, are still unwilling to do either. Instead, time and length of seasonal closures in the commercial fishery are to be determined by no less a fisheries authority than the Office of Management and Budget based on economic criteria. No further limitations were placed on foreign fishermen taking an incidental catch of swordfish in U.S. waters, and the domestic fleet of longliners, now reportedly numbering over 400 boats, is still growing.

Atlantic Billfish

The regional councils geared up for another go at forging a management plan for marlin and sailfish, but were set back by the swordfish plan debacle. The latest government studies show white and blue marlin stocks are declining under increasing pressure from longlining throughout their range. Conservation measures being considered by the councils include a ban on the sale of billfish, minimum weight limits, a prohibition against drift entanglement nets in federal waters, and a cap on the incidental catch of billfish by tuna longliners. The State Department's unswerving opposition to U.S. regulation of foreign tuna fishing and National Marine Fisheries Service reticence about restricting the use of efficient types of commercial gear such as driftnets remain major obstacles to completion and enactment of an effective management plan.

Gill Nets

The need for a comprehensive and concerted nationwide effort to control the destructive uses of gill nets was never more pronounced than in 1985. From New England to Florida, along the Gulf Coast and in southern California, the unrestricted and expanding use of gill nets by a relatively few commercial fishermen is crowding other commercial and recreational

fishermen off the water and putting a large dent in the populations of fish, marine mammals and sea birds that come into contact with them. Perhaps no single issue more clearly exemplifies the dangerous clash between the short-term exploitative mind-set and the need for forward thinking conservation and sustained yields from the nation's fisheries. The NCMC devoted considerable attention to this issue, working for net regulations in fishery management plans for affected species, encouraging and offering support for state action to limit the detrimental effects of gill netting in the bays and inshore waters, and putting together a legislative proposal for national guidelines that has brought widespread attention to the lack of and need for regulation of gill nets in federal waters.

King Mackerel

"There is good reason to believe the catch limits have been set artificially high to accommodate too many users and too much gear in an overcrowded fishery." So said NCMC director Ken Hinman last January when the regional councils proposed their first amendment to the federal plan to restore the depleted king mackerel fishery. 1985, unfortunately, was marked by the continued unwillingness of federal managers to face the reality of the mackerel situation and take hard action to reverse it. Even as biologists reported in mid-summer that the Gulf of Mexico migratory group was nearing collapse and the Atlantic stock was beginning the same downward spiral, the councils and the National Marine Fisheries Service opted for only token reductions in catch and still refused to regulate the big gill net boats. At best, the latest conservation measures may halt the precipitous decline in kingfish numbers, but will do little or nothing to set the fish back on the road to recovery.

NMFS Budget

The proposed budget for the National Marine Fisheries Service (NMFS) submitted to Congress by the President sought deep cuts in fisheries programs in virtually every area, including management, research and conservation. Commercial and recreational fishing groups were joined by conservation organizations in united opposition to the wholesale reductions, which amounted to nearly 40 percent of the entire NMFS operating budget for 1986, and lobbied to at least maintain funding for critical fisheries programs, which the NCMC, in its Senate testimony, called "an investment in the future of the nation's ocean fisheries." Congress finally approved appropriations of \$178 million for the next fiscal year, actually a very slight increase over the 1985 level. However, the recently enacted Gramm-Rudman Deficit Reduction Act will require changes in the 1986 appropriations to meet its budgetary goals. Precisely what impact this untested process will have on the approved budget remains to be seen.

Magnuson Act

1985 witnessed a number of proposals to "fix" the nation's fisheries law, the Magnuson Fishery Conservation and Management Act (MFCMA), which is in Congress for re-authorization. The first proposed changes to get a hearing came from the commercial lobby the National Fisheries Institute, via the House Fisheries Subcommittee, and were a thinly veiled attempt to re-write the Act to give the commercial fishing industry legal claim to control of the regional councils. The recreational fishing and conservation community quickly rallied to kill the proposals, bringing Congressional attention to a more balanced discussion of ways to improve

the MFCMA. Bills introduced in the House and Senate contained provisions for fisheries habitat conservation, a concept that earned widespread and bi-partisan support despite disagreement over how far to go. Senator Lautenberg of New Jersey introduced an amendment to end the tuna exclusion, providing a potent national forum for nagging problems in offshore fisheries management created by the Act's hands-off approach to tuna fishing in U.S. waters, particularly as it affects current efforts to conserve swordfish and billfish in the Atlantic.

Congress failed to approve a re-authorization bill this year because members were unable to resolve differences of opinion on foreign fishing and limited entry, among other issues, and will take up the issue in the next session. Meanwhile, the government has released a preliminary report of a special Task Force (which included NCMC chairman John Green) set up to study and suggest changes in the MFCMA, which will undoubtedly help shape the debate in 1986.

Oregon Inlet

North Carolina Senators Helms and East re-introduced federal legislation to countermand the Department of Interior's denial of the use of public park lands by the Army Corps of Engineers to construct two mile-long jetties at Oregon Inlet. In July, Interior's new Assistant Secretary for Fish and Wildlife and Parks, William Horn, reaffirmed the department's opposition to the jetties. The Senate refused to act on the jetty bill and denied any funding for jetty construction in the FY1986 appropriations, instead approving continued funding for intensive dredging of the inlet channel. In desperation, local backers of the costly jetties launched a smear campaign in the press, labeling opponents "radical extremists", "alarmists", and "elitist ecocrats", while anointing the Corps of Engineers, the only federal agency that does not think the project will seriously damage the coastal environment of the Outer Banks, the nation's "most respected authority" on the environment.

Leaders Conference

The NCMC's first annual conference of leaders from the marine recreational fishing and conservation community was an unprecedented gathering of top individuals to discuss some of the critical marine conservation issues of the day. Recommendations approved by the conference inspired action by participants on a number of issues, including gear regulation, funding for habitat and research programs, consolidation of research on oceanic pelagics, improved data acquisition on sharks, and gamefish status for billfish.

Marine Recreational Fisheries Symposium

"Marine Recreational Fisheries Development," the proceedings of the 9th Marine Recreational Fisheries Symposium (April 1984), was published by the NCMC in early 1985 as Volume 9 in the MARINE RECREATIONAL FISHERIES series. Said the BULLETIN of the American Fisheries Society: it provides "timely information that will be of interest to fisheries scientists, marine advisory agents, personnel of state tourist agencies, marine recreational businessmen, and...marine anglers." The 10th MRF Symposium, entitled "Recreational Uses, Production and Management of Anadromous Pacific Salmonids," was held in Seattle in April. The proceedings of that meeting will be published in early 1986. Planning is already underway for the 11th symposium, which will convene in Tampa, Florida in May 1986 and address multi-jurisdictional problems in marine fisheries management.

Environmental Legislation

Clean Water: Congress made substantial progress toward enacting a new and improved Clean Water Act. Both the House and Senate passed bills containing important new features, including programs for addressing the growing problem of non-point source pollution (industrial and agricultural run-off into rivers and estuaries) and the management of important estuarine environments. But the two versions differed enough in several particulars to delay passage before the 99th Congress recessed.

Ocean Dumping: The Environmental Protection Agency (EPA), under pressure from conservationists and the state of New Jersey, decided to close its sewage sludge dump site 12 miles offshore in the severely degraded New York Bight area by 1988 in favor of a site 106 miles off southern Jersey. Various pieces of legislation introduced to amend the Ocean Dumping Act sought to, among other things, set an inflexible deadline for halting dumping at the 12 Mile Site to prevent EPA from backsliding, as it has done in the past. Although one version passed the House, no action was taken by the full Congress. Meanwhile, a request from the City of Boston to dump its sludge offshore opened up the possibility of a new site off the coast of Massachusetts.

Other: The Coastal Zone Management Act was extended for another five years but without resolution of the "consistency" issue pitting state coastal zone laws against federal activities; the issue of ocean incineration came under intense scrutiny, with proponents wrestling with the as yet unanswered question: "If burning toxic wastes is so safe, why do it out at sea with all the costs and safety problems associated with transporting it there?"

Pacific Region

The NCMC-Pacific Region, based in San Diego, was instrumental in the passage of state legislation restricting the California gill net fisheries, including the establishment of areas off limits to driftnetting, a measure the group says will substantially reduce the take of thresher sharks, which have been overfished in recent years. The NCMC-PR was also responsible for drawing attention to the deadly impact of driftnets on whales migrating through state waters. A white seabass hatchery initiated and partially funded by the organization produced its first spawn of 100,000 fingerlings, which it hopes will help to restore the depleted numbers of seabass. The group continues to press for a moratorium on the species.

Salmon

Pacific: On January 28 the United States and Canada entered into a treaty to coordinate Pacific salmon management and research efforts in order to prevent overfishing and to enhance each nation's respective salmon enhancement activities. Three months later the NCMC's 10th annual Marine Recreational Fisheries Symposium addressed Pacific salmon, making it the first comprehensive look at the salmon fisheries in the northwest under the new treaty regime. The United States entered into negotiations with Japan to resolve the problem of interceptions of U.S. salmon and steelhead by the vast Japanese salmon and squid driftnet fisheries operating in the north Pacific.

Atlantic: The North Atlantic Salmon Conservation Organization (NASCO) held its second annual meeting in June. The inaugural year (1984) had offered great promise, as it brought together for the first time eight

major salmon-producing and harvesting nations for the purpose of conserving and enhancing the Atlantic salmon resource. 1985, on the other hand, was when the signatories put their cards on the table, revealing widely divergent interests and attitudes which, while preventing the adoption of much-needed regulatory measures this year, nonetheless illuminated the complex issues that NASCO must resolve for progress to be made in 1986. In December, the New England Fishery Management Council announced its decision to prepare a fishery management plan for Atlantic salmon, concentrating on the conservation and enhancement of salmon habitat in New England river systems.

Wallop-Breaux

The Office of Management and Budget (OMB) tried to pull a fast one on anglers and boaters by withholding from the Department of Interior's Fiscal Year 1986 budget money expected to be raised with new excise and user taxes on sportfishing and boating equipment. In what was a misguided attempt to cut federal spending, OMB threatened the integrity of the Sportfishing and Boating Enhancement Fund, known as Wallop-Breaux after the Congressmen who authored it, which provides a new and welcome source of funding for state programs to enhance recreational fishing and boating on a continuing basis. Supporters of Wallop-Breaux, the NCMC among them, were outraged at this illegal and unethical action and rallied support in Congress to restore the dedicated funds. The amount actually produced by the Wallop-Breaux formula in its first year, and ultimately approved by Congress, was \$122 million. Despite the happy ending, the alarming episode led to the formation of the American League of Anglers and Boaters, which will henceforth act as a watchdog to assure complete funding in future federal budgets.

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Post Office Box 23298
Savannah, Georgia 31403

