



THE NCMC

MARINE BULLETIN

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NEW DIRECTIONS IN MARINE CONSERVATION

Changes and chances. In Washington, we have a new President and a new Congress, the 101st. George Bush, as an avid outdoorsman who declared himself an environmentalist during his run for the White House, holds forth the promise of an administration more understanding of and more attentive to the issues and federal programs important to ocean fishermen. Beginning in 1989, President Bush and the loyal opposition on the Hill have the opportunity, and the mandate, to forge a bipartisan conservation agenda for the nation as it heads into the 1990s.

National leadership and cooperation are crucial. The ocean and the coastal zone are still endangered, perhaps as never before; by the endless destruction of wetlands, pollution from countless sources, and rapid growth and development along the coast. The national commitment to clean water and natural resource conservation embodied in the landmark environmental legislation of the early 1970s - enacted under Republican presidents and a Democrat-controlled Congress - must be revisited and reaffirmed.

But if the problems we face today seem much as they were twenty years ago, it's a very different world. The focus is not so much on passing new legislation, but on enforcing existing laws, and where necessary, strengthening them to fill the cracks or, in some cases, the gaping holes. The budget deficits amassed in recent years also make it clear we can't solve these problems simply by spending even more money we don't have. New and innovative approaches to managing ocean resources will be needed.

The beginnings and ends of historical epochs are difficult to pinpoint, but in many ways, we are entering the post-modern era of ocean management. This period will be characterized by new guiding principles: the promotion and development of conservative over exploitative uses of the ocean; the full integration of habitat conservation into the fisheries management process; the idea that resource users must pay for the privilege; and a conservation ethic advanced and practiced by individuals and government alike. This isn't illusory; we are moving in this direction, carried by the force of events and experience.

It's by now obvious that the more intensively we exploit ocean fisheries, the more it costs the public for research, regulation, and enforcement. To ease this burden, we can expect the concepts of user fees, economic rent, and limited entry to each receive serious debate in the years to come. On the other hand, management is so expensive because we are forever "putting out fires," reacting to each crisis as it unfolds. The more sensible and, in the long run, far less costly alternative (in both economic and social terms) is to adopt, as national policy, a more cautious approach to resource use, one which anticipates overfishing and habitat degradation and manages to prevent them.

The National Marine Fisheries Service, for instance, must abandon its traditional role as advocate for the fishing industry and become the full-time advocate for the resource. Actually, NMFS is already restructuring its programs in a way which could pull it further in this direction. The agency now refers to itself as "NOAA Fisheries," to denote its place in the Ocean Administration's new broad-based, ecosystem-oriented (vs. species-oriented) approach to managing marine resources. Hopefully, it will focus NMFS activities more on understanding natural and man-caused impacts on resource abundance, and less on promoting resource exploitation.

The Councils, too, will expand their involvement with fish habitat, as required by new provisions of the Magnuson Fishery Conservation and Management Act. They will also be devoting less time to developing plans for the major fisheries, most of which are now in place, and more to reviewing the successes and failures of existing plans and amending them accordingly. Finally, the Magnuson Act itself is up for reauthorization in 1989, and among the changes in the law being considered is the inclusion of tuna. This would ultimately lead to managing all fisheries occurring off our shores in accordance with U.S. conservation and management objectives, with no exceptions.

A LOOK BACK AT 1988

The past calendar year produced a number of milestones in marine conservation, among these the Atlantic Billfish Plan, a national ban on ocean dumping, the first world conference on billfish in nearly two decades, adoption of a national policy for recreational fisheries, and an international treaty to reduce plastic pollution. Following are capsule reviews of these and other issues the NCMC actively pursued in 1988:

End of Ocean Dumping Draws Near

The fight to halt ocean dumping of sewage sludge and industrial wastes was waged by recreational and commercial fishing interests working together. An alliance of northeastern groundfish and lobster fishermen called the Coalition to Cease Ocean Dumping, under the leadership of NCMC director Les Smith, kept the issue in the headlines throughout the year while lobbying Congress to close the federal dump site near valuable offshore fishing grounds. The New England and Mid-Atlantic Fishery Management Councils cited the adverse effects of at-sea disposal of harmful materials and called on Congress to pass legislation to end dumping. During the summer, the ocean did a fair piece of lobbying itself, inundating a number of Atlantic beaches with sewage and hospital waste. By year's end, Congress finally got the message, and pending legislation to outlaw ocean dumping was passed, and signed by President Reagan. The Ocean Dumping Ban Act of 1988 sets a cut-off date of December 31, 1991, and imposes an ascending scale of fees and penalties to ensure the deadline is met.

Atlantic Billfish Become Protected Species

Every conservation-minded fisherman was a winner when the Atlantic billfish plan was approved by the Secretary of Commerce last September. The product of years of work by the Regional Councils, the National Marine Fisheries Service, the NCMC and other fisheries conservation groups, and countless individuals, the plan marks an historic precedent for the use of marine resources by making conservation, not exploitation, the primary goal of billfish management. The prohibition on sale of marlin and sailfish, coupled with minimum size limits for anglers and emphasis on live-release, will benefit billfishermen directly, by reducing billfish mortality and

making more fish available for the predominantly release-oriented recreational fishery. And it will benefit all anglers in the long run, by acknowledging the overriding value of a fish species as a recreational resource, maintained in abundance.

Driftnets Put on Notice

Destructive fishing practices - wasteful by-catch, ghostfishing by lost nets, damage to sensitive habitat, and pre-emption of fishing grounds by super-efficient gear - received increased exposure during 1988. The use of driftnets came under particular scrutiny, since their use encompasses practically the whole range of harmful impacts on marine resources and other resource users. Two Fishery Management Councils took a firm stand against the use of drift nets, proposing a ban on their use to catch mackerel and other coastal migratory pelagic fish in the South Atlantic and Gulf of Mexico. The Councils also proposed prohibiting purse seines and run-around gillnets in the king mackerel fishery. The NCMC encouraged and endorsed both recommendations, which are pending approval by NMFS.

Striped Bass Vigilance Continues

According to a December status report prepared by the federal/state Emergency Striped Bass Study Group, striper populations are still at very low levels throughout most of their Atlantic range. Restrictions on striped bass fishing remained tight in 1988, and will get even tighter in 1989. Congress renewed the Atlantic Striped Bass Conservation Act, which compels states to comply with coastwide conservation measures, and appropriates money for studies of the species' decline and progress toward recovery. Soon after, the Atlantic States Marine Fisheries Commission amended the interstate plan to raise minimum size limits even further, based on new information that striped bass may attain spawning age up to two years later than previously thought.

Billfish Conference Sets Agenda for Global Conservation

Presentations and discussions at the International Billfish Symposium organized by the NCMC dramatically revealed a recipe for disaster for billfish - swordfish, marlin, sailfish and spearfish. Fishing pressure on billfish stocks is increasing substantially in every area of the globe, but only minimal information exists with which to accurately measure either the extent of billfish harvests or the extent of their impact on stock abundance. The findings and recommendations produced by the Symposium underscored the compelling need for greater international cooperation in fisheries data collection and conservation, and the critical need for a better understanding of billfish through enhanced scientific research. The NCMC will publish the complete proceedings in 1989.

Fishermen Unite to Save Habitat

Declaring that the nation's fisheries "are in dire jeopardy without prompt attention to water quality and wetlands protection," the major commercial and recreational fisheries organizations in the U.S. formed an ad hoc coalition dedicated to lobbying President Bush and Congress to develop and implement a national program to conserve vital fish habitats. The NCMC is a member of the new coalition, F.I.S.H., short for "Fishermen Involved in Saving Habitat." The unprecedented alliance of commercial and recreational fishing interests emphasizes the gravity with which fishermen of all stripes view the threat of habitat destruction and environmental pollution to the future productivity of fish stocks.

Reefs Get Protection From Trawling

When NMFS rejected the South Atlantic Council's request for emergency action to prohibit the use of bottom trawls to net reef fish, the Council quickly prepared an amendment to the Fishery Management Plan regulating the snapper-grouper fishery. The prohibition received strong support from fishery conservation groups and at public hearings from North Carolina to Florida. The heavy trawls, when dragged over the live bottom inhabited by reef fish, damage their habitat and also catch undersized vermillion snapper. NMFS approved the amended plan on December 28, outlawing the use of bottom trawls in the fishery beginning in 1989.

For Sharks, Another Year of Living Dangerously

The NCMC pressed for action on management measures to protect pelagic shark populations from overfishing. Greatly increased fishing pressure on sharks in both the commercial and recreational fisheries is cause for alarm because of the shark's well-documented vulnerability to quick depletion. In contrast to most marine fish, sharks grow slowly, reach sexual maturity later in life, and give birth to only a few offspring each year. By the time the first signs of overfishing are evident, the stocks may already be sliding irreversibly toward collapse. To prepare a management strategy to prevent this, the NCMC has advocated increased fisheries data collection, public education on shark conservation and tagging, and the development of a framework management plan. The Mid-Atlantic Council, which has been carefully studying the need for shark management on behalf of all five Atlantic Councils, ended the year with a formal request that NMFS begin a data collection program. The Council is convinced that a fishery management plan for sharks is necessary, but asserts the information with which to develop conservation measures is currently inadequate.

New Policies for Recreational Fishing

Both the U.S. Fish and Wildlife Service and the National Marine Fisheries Service adopted new policy statements on recreational fisheries, each recognizing the value of recreational fishing to the nation as a unique social and economic resource, and declaring the overriding need for improved conservation to preserve the natural resources sport fishing depends on. The National Recreational Fishing Policy formally adopted at a FWS-sponsored conference in June was endorsed by representatives of the dozens of fishing and conservation groups and government agencies concerned with fisheries. NMFS, which had re-opened its 1981 policy on marine recreational fisheries to public review beginning in 1987, approved updated policy guidelines which put increased emphasis on parity between recreational and commercial fisheries programs implemented by the agency, management based on long-term conservation, and habitat protection.

Bluefin Still Singing the Blues

Based on the most recent assessments of Atlantic bluefin tuna, which indicate a continued decline in the already depressed bluefin populations, the NCMC called upon the U.S. delegation to the International Commission for the Conservation of Atlantic Tunas (ICCAT) to seek a substantial reduction in the allowable catch starting in 1989. The present ICCAT conservation agreement, which limits the catch to 2,660 metric tons a year, is simply not working. The number of large fish is still shrinking, while the younger age groups remain a fraction of what they were. The strong year class hoped for to spark rebuilding has not appeared. In sum, if present fishing levels continue there will be no recovery of bluefin tuna.

The 1988 session of ICCAT, however, produced only a debate over whether or not there are signs of slight improvement in recruitment (the number of young fish entering the adult stock) over the last couple of years. With the majority of member countries apparently looking for reasons to be optimistic, while overlooking the obvious conclusion that ICCAT just isn't doing enough, the 23-nation Commission voted to continue the present fishing limits another year. For fishermen reaping profits selling the high-priced bluefin, including those in the expanding U.S. tuna fisheries who take bluefin as a by-catch, this was good news. For the future of bluefin, it was more bad news, and underscores the urgency for including tuna management under the U.S. Magnuson Act, to bolster the soft international regime with firmer action at home.

Tuna Management

The inaugural edition of the NCMC's Ocean View featured a position paper arguing in favor of extending U.S. fisheries jurisdiction to include tunas, excluded from the purview of the Magnuson Fishery Conservation and Management Act since its enactment in 1976. This policy has hampered U.S. efforts to manage other large pelagic fisheries, especially swordfish, and is sure to inhibit future efforts to conserve sharks. At present, the Regional Councils have no authority to control the rapidly growing tuna longline fisheries in U.S. waters. The NCMC supplied information to the Councils, other fishery organizations, and key Congressmen in preparation for a major campaign to repeal the tuna exemption during the next session of Congress.

TED Protections Delayed, But Inevitable

A compromise made to secure reauthorization of the Endangered Species Act resulted in further delay for implementation of the 1987 law requiring shrimp trawlers to install Turtle Excluder Devices. TEDs allow endangered sea turtles to escape shrimp nets, where approximately 12,000 turtles are trapped and drowned each year. The TED regulations are now slated to go into effect for offshore trawling in May of 1989, inshore in 1990. Though a variety of approved TEDs are readily available to shrimpers at low cost, and some are voluntarily using the devices, the industry leadership still opposes the requirement. The NCMC continued its strong support for the TED rule as vital to rational fisheries management, citing the fact that TEDs are proven to reduce the massive and wasteful by-catch of finfish by an estimated 50-70%, and can be adapted to reduce it even more.

Fisheries Budget Survives Yet Another Attack

Fisheries programs have always been on the low end of the Reagan Administration's list of priorities, and once again Congress was asked to make deep cuts - by 43% - in the National Marine Fisheries Service's 1989 budget. And once again Congress refused. Nevertheless, NMFS spending has remained at essentially the same level (\$162 million a year) since 1981. Accounting for inflation, that actually translates into a sizable reduction in funding. Meanwhile, the agency's responsibilities in research, data collection, law enforcement, fisheries management and habitat conservation have grown. As a result, NMFS remains unable to adequately fulfill its duties as steward of the nation's fishery resources.

Plastic Pollution

The world's fishing fleets are estimated to leave 100,000 tons of synthetic fishing gear at sea every year. Merchant ships add an estimated

230 million plastic containers. This and marine debris from other sources is known to kill or harm significant numbers of marine animals. In 1988, the U.S. joined 28 other nations in signing Annex V of MARPOL, the international treaty on pollution from ocean-going vessels, which took effect December 31. This landmark treaty prohibits vessels of signatory nations from disposing of persistent plastic materials at sea, and requires each nation to prepare domestic regulations to comply with this objective.

Stateside, an Interagency Task Force on Marine Debris brought together 12 federal agencies to address the problem of plastic pollution, which is generated from land-based sources as well as at-sea. The Task Force devised a plan to coordinate the U.S. response to the marine debris crisis, recommending national leadership through action and example, public education programs, emphasis on enforcement of current and pending anti-debris laws, research into pollution sources and their impact on fish and wildlife, and joint public-private beach clean-up efforts.

Gulf Redfish Need a Rest

The fishery for red drum in federal waters of the Gulf of Mexico was closed all of 1988, and will remain closed indefinitely, to give the spawning population that lives offshore time to rebuild to a level where fishing can be safely resumed. Massive netting of adult redfish during the mid-1980s and excessive catches of immature fish inhabiting coastal waters have been a one-two punch depleting redfish in the Gulf. As the protected adult population shrinks due to natural mortality, too few younger fish are surviving the fishing pressure inshore to replenish the spawning stock. Conservationists are now pressing each Gulf Coast state to limit fishing to increase the escapement of maturing redfish.

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CONGRESS WARNS: "COASTAL WATERS IN JEOPARDY"

Mounting pollution, disappearing habitat and a decline in fisheries productivity are endangering the nation's coastal environment, according to a new report, "Coastal Waters in Jeopardy," prepared by the House Committee on Merchant Marine and Fisheries. The product of two years of Congressional hearings on coastal degradation, the report concludes that "our coastal waters in many areas are in poor shape and risk further decline unless current trends are reversed." Turning this situation around should be "one of our highest national priorities," the Committee declares.

The Committee's investigation found coastal waters to be under assault from many directions. By next year, more than 120 million people, or half the country's population, will be living within 50 miles of the coastline. As development and pollution overwhelm the coast, the quality of the marine environment is steadily declining. Despite the Clean Water Act, the Coastal Zone Management Act and other laws and programs, both federal and state, we continue to lose irreplaceable wetlands; toxic and conventional pollutants are still routinely discharged into coastal waters; and runoff from city streets and farms contaminates fisheries habitat with heavy metals and excessive nutrients.

"As we pollute our coastal waters and destroy coastal habitat," the report warns, "we undercut the foundation for our commercial and recreational fisheries." The ability of the coast to support productive fisheries is significantly diminished by contamination and habitat destruction. The quality of our coastal waters, suggests the Committee, should be measured by their productivity, instead of the physical and chemical parameters traditionally used to set water quality standards. "Ecosystem health and strong, abundant fish and shellfish populations should be the measures of success."

The principal agencies with responsibility for coastal pollution, the Environmental Protection Agency and the National Oceanic and Atmospheric Administration, are admonished to give higher priority to protecting coastal resources, and to better coordinate their respective activities. The EPA, says the report, must strengthen its anti-pollution efforts for estuarine and nearshore waters, and NOAA must demonstrate a more active commitment to resource conservation. Strong, unequivocal leadership is

Inside: Managers Ready Bluefish Plan...Pacific Groups Start Gillnet Rescue Project....New Shoreline Protections Needed....Tuna Industry Alleges Council/MRF Conspiracy....Conference Reviews TEDs.....NEFMC Talks Limited Entry.....Fisheries Subcommittee Announces '89 Agenda.

needed at both EPA and NOAA; leaders who will emphasize the importance of coastal protection and assign the staff and resources needed to do the job. The Committee recommends programs which consider the quality of entire marine ecosystems, and cites EPA's National Estuary Program and NOAA's Coastal Ocean Program as steps in the right direction.

The most pressing need to reverse current trends in coastal pollution, according to the House report, is money - for research, monitoring and regulation. Federal spending for this purpose has dropped sharply over the past decade. The report advises Congress and the Administration to provide more funds, while acknowledging that, due to strapped budgets, the federal government cannot foot the bill alone. The Committee urges the development of other innovative funding mechanisms, such as a fee system for all waste dischargers.

Other recommendations include improved land-use planning under the state/federal Coastal Zone Management Program; stronger efforts to control non-point source pollution and the pre-treatment of municipal sewage; more vigorous enforcement of clean water standards and environmental regulations; and a reduction in the amount of waste produced by society. The National Coalition for Marine Conservation, in its long-standing commitment to environmental protection, will study the Committee's recommendations and support more aggressive legislative and policy initiatives where they will do the most good.

A PLAN TO CONSERVE BLUEFISH

State and federal officials will soon be taking a joint bluefish management plan on the road for public hearings. The Atlantic States Marine Fisheries Commission and the Mid-Atlantic Fishery Management Council are working out details of the plan, which will feature limits on recreational and commercial fishing. Among the measures being considered are a 10 fish per day bag limit for anglers, and a ban on netting bluefish if and when the projected commercial catch exceeds 20 percent of the maximum allowed under the plan.

Bluefish rank as the number one salt water gamefish in the United States. The annual catch on the east coast may be as high as 140 million pounds, the majority taken by rod and reel fishermen. While most other species are in decline, the number of bluefish seems to be at an historic high. So why a bluefish plan? As one party boat operator explains, "Without bluefish we'd all be out of business." It is precisely the abundance of bluefish that makes management essential. In the absence of other staple fisheries, such as striped bass, the recreational fishery has grown more and more dependent on bluefish, and landings are steadily increasing. The commercial fisheries, too, are expanding. Conservationists believe bluefish populations are probably fully-exploited, and that further increases in catch, particularly by large scale netting operations, could trigger a decline. Managers are acting now to prevent that from happening and ensure that bluefish will be plentiful for many years to come.

GILLNET WATCH

A new program developed and initiated by the NCMC-Pacific Region enables the public to help rescue whales, porpoise and sea lions entangled in gillnets off the California coast, and to document the impact of gillnets on marine mammals. The Gillnet Watch Program is a coordinated effort of volunteers of the NCMC-PR, the Vessel Assist Association of

America (VAAA) and the Whale Rescue Unit (WRU). When a fisherman or boater spots an animal entangled in a net, the location is reported to the VAAA which relays the message to the WRU, a group sanctioned by the National Marine Fisheries Service to supervise release efforts. For more information on Gillnet Watch, contact NCMC-PR, 10665 Sorrento Valley Road, Suite 230, San Diego, CA 92121 (619)452-2272.

PROTECT FRAGILE COASTAL BARRIERS

The NCMC has joined with sixty other conservation groups in signing a letter to key members of Congress urging them to expand the Coastal Barrier Resources System (CBRS) to protect hundreds of miles of fragile coastal areas from harmful development. The CBRS discourages unwise and costly development in environmentally sensitive areas of the coast by denying federal construction subsidies and flood insurance. In addition to preserving valuable wildlife habitat, fish resources and recreation opportunities, the system saves taxpayers millions of dollars that are wasted promoting ill-placed development on the coastline and then providing federal relief when the developed areas are damaged by hurricanes and other storms, flooding and erosion.

Coastal barriers are the front line of defense for low-lying coastal areas against the ravages of the sea, and they are among the most fragile and dynamic environments on earth. The Coastal Barrier Resources Act of 1982 designated 666 miles of barriers on the Atlantic and Gulf Coasts for protection. Recognizing that this was just the beginning, Congress instructed the Department of the Interior to study additional areas, including the Great Lakes and Pacific Coast, for possible addition to the system. The Interior recommendations, originally due by 1985, were finally released in December 1988. Congress will consider legislative action this year to bring new lands into the system.

Interior has suggested broadening the definition of coastal barriers so that other areas of shoreline qualify for protection. To traditional barrier islands and beaches, the expanded definition adds mangrove swamps, coral reefs and wooded mudflats. This qualifies critical habitats in the Florida Keys and U.S. territories in the Caribbean. However, the recommended additions fall far short of including all eligible lands. A 1985 Interior inventory identified 2500 miles of coastal barriers for inclusion. The 1989 version reduces that to only 423 miles, leaving the Great Lakes and the west coast out altogether.

House Fisheries Subcommittee chairman Gerry Studds (MA) has named coastal barrier protection as a top priority for his Committee (see story this issue), and legislation is expected to be introduced soon. The NCMC and other conservationists are asking Congress to pass a strong bill that goes beyond the Interior Department's limited expansion, includes eligible shorelines on the Great Lakes, and authorizes immediate inventorying of coastal barriers on the Pacific for future designation.

TUNA INDUSTRY INTRODUCES A RED HERRING INTO MAGNUSON ACT DEBATE

The tuna fishing industry has filed a complaint with NOAA General Counsel alleging that certain Regional Fishery Management Councils are illegally using federal funds to lobby Congress to change the tuna provisions of the Magnuson Fishery Conservation and Management Act. In a December 30, 1988 letter from their Washington-based attorneys, the American Tunaboat Association (ATA) and the United States Tuna Foundation

(USTF), which represent the far seas tuna fleets and their canneries, also charged that marine recreational fishermen are "orchestrating (the) lobbying campaign through and by means of various councils."

These are serious charges, but they shouldn't be taken seriously. The tuna industry, finding support for their position waning in all quarters, is evidently trying to avert attention from the real issue, namely the purpose and effectiveness of the U.S. tuna exemption.

The notion of a conspiracy involving the Councils and recreational fishermen - the NCMC is implicated in the letter, as is the Sport Fishing Institute - is pure paranoia. The "evidence" that leads them to this "inescapable conclusion," according to the industry's complaint, is the fact that recent Council efforts to develop a position on the tuna exemption have "occurred at the same time" as the efforts of the NCMC and others to change the law. Actually, the reason for this confluence of activity on the tuna issue is no mystery. Congress is slated to review and reauthorize the Magnuson Act during the current session, and the tuna question will be featured prominently in the debate. All those with an interest in the outcome of that debate, including the tuna industry, have spent the last year preparing for it.

The industry groups argue that recreational fishermen are "using their greater membership on the various councils" to influence the positions and activities of those Councils on the tuna issue. But one need look no further than the make-up of the New England Council, one of the most outspoken critics of our present tuna policy, to realize how spurious this allegation is. Commercial fishermen dominate that Council as they do no other, with the possible exception of the North Pacific; of its 21 members, only one is a recreational fisherman. On the other hand, it is well known that the tuna industry has exerted great pressure on the two Councils which oppose extending management jurisdiction to tunas - the Pacific and Caribbean - the regions, not incidentally, where the tuna industry docks its fleet and/or operates canneries.

By far the most serious allegation made by the ATA and USTF is that the Councils are violating federal law by entering the tuna debate. The industry contends that the Councils have no legitimate interest in the tuna issue and are illegally lobbying Congress. They have requested an investigation into the expenditure of Council funds relative to tuna management and the Magnuson Act.

It is obvious that excluding tuna from Magnuson Act jurisdiction all these years has also isolated the far seas tuna industry from the realities of fisheries management here at home. The five Atlantic Region Councils and the Western Pacific Council have for over a decade struggled in vain to manage swordfish and billfish without impacting tuna longlining, which takes a substantial by-catch of marlin and broadbill. Since 1977 the Councils have had draft management plans turned down repeatedly for no other reason than that they would interfere with the "rights" of foreign and domestic fishermen to catch tuna in U.S. waters with longlines.

The Councils have a clear interest in extending their jurisdiction to include tuna in order to effectively conserve other pelagic fish for which they are responsible under the law. To suggest, as the tuna industry does, that the Councils should be forbidden from taking a stand on tuna management because they do not now have jurisdiction over tuna presents a cruel paradox. To imply that the Councils have become a tool for special interests on the tuna issue is not only disingenuous, but insulting.

In preparing for the Magnuson Act reauthorization, the Councils have reviewed the issues relative to making necessary changes in the Act, of which including tuna is but one. In fact, the eight Council Chairmen were requested by Congress, as was the National Marine Fisheries Service, to prepare to testify on recommended changes to the Act before Congress in 1989. Therefore, portions of Council meetings have been devoted to discussion of the tuna issue, and research and information gathering have been carried out. But this has been to explore the Council position and develop a basis for that position, not as part of a lobbying effort.

Finally, the small amount of money spent by the Councils to study changes in tuna management pales when compared to the millions the tuna exemption has forced them to spend on the nearly impossible task of managing around tuna. Or the millions the west coast tuna industry has spent since 1975, first to exclude tuna from the Act and then lobbying to keep tuna out ever since. It is the tuna industry's intransigence, solely to protect their own parochial interests, that is directly responsible for making U.S. fisheries management so much more costly than it should be. And yet they have the temerity to criticize the Councils for seeking ways to improve the difficult conditions they must work under.

NEW TRAWLING STUDIES

Turtle Excluder Devices reduce the catch of shrimp by an average of eight percent, but these losses will be minimized as shrimpers gain experience using TEDs, said experts at a February Workshop on Sea Turtle Conservation and Biology in Jekyll Island, Georgia. Shrimpers say TEDs cut into their landings and cost them money, and for that reason are protesting new federal and state laws requiring them. The NCMC supports the TED requirements, which take effect this year, to save endangered sea turtles and to reduce the intolerable by-catch of finfish in shrimp trawls.

Six types of TEDs are approved by the National Marine Fisheries Service, and each is being tested aboard private shrimp boats operating on the Atlantic and Gulf Coasts. All the devices, which fit into the throat of the shrimp net, are proving nearly 100 percent effective in excluding turtles, but they effect shrimp catch in varying degrees. Researchers believe that with increased experience using TEDs, and with minor modifications in the devices based on that experience, the problems of reduced shrimp catch and the by-catch of unwanted species will be resolved.

LIMITED ENTRY: A MANAGEMENT DOG WHOSE DAY IS COMING

Time was when the words "limited entry" were taboo; the idea of fixing the number of participants in a fishery (and thereby excluding others) was radical, un-American. Fishermen (outside of the Pacific Northwest and the Great Lakes) only whispered about limited entry, if they talked about it at all; even though many fisheries are overcrowded with fishermen using high-tech gear, and the stocks depleted to the point where hardly anyone can make a decent living without depleting them further.

Well, now the whispering is over. Commercial fishermen are beginning to speak openly about how managers might use limited entry as a means of controlling fishing pressure to benefit the resource and the fishing industry. At a January meeting of the New England Fishery Management Council, historically a hotbed of fiercely independent fishermen skeptical of any regulation, members agreed to examine various effort control schemes. Scallop fishermen, asked to suggest management options, proposed limits on the number of licenses and days vessels may be at sea.

Limited entry may not be the answer for every commercial fishery, but it merits consideration wherever open access policies have failed. The benefits are several, besides making fishing more economically efficient. Fishermen would be paying rent, through entry fees, on the public resources they consume. They would have an incentive to conserve stocks for the future, by assuring that those who endure the short-term sacrifice of conservation will reap the rewards later on. Some thorny philosophical, constitutional and practical issues would have to be resolved if limited entry schemes are to be workable and fair. But the fact that the issue is finally coming out of the closet is a major breakthrough.

OCEAN ISSUES TOP PANEL'S 1989 AGENDA

Congressman Gerry Studds, beginning a second term as chairman of the House Subcommittee on Fisheries and Wildlife Conservation and the Environment, announced that his committee's principal focus in 1989 will be to put "the protection of our coasts and coastal resources back at the top of the national agenda." Studds listed as specific objectives the enactment of comprehensive legislation to reduce pollution and degradation of the coastal environment; a review of the Magnuson Fishery Conservation and Management Act's effectiveness in meeting its conservation goals; expansion of the Coastal Barrier Resources System; and measures to halt wetlands loss. His panel will also be considering the controversial proposal to establish a federal saltwater fishing license.

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Note: The "Marine Bulletin" is edited by Ken Hinman and published by the National Coalition for Marine Conservation, a non-profit, privately-supported organization dedicated to better fishing through conservation and environmental protection.

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BLUEFIN ON THE BRINK

When the present international conservation regime for the threatened Atlantic bluefin tuna was implemented in 1982, the intent was a fishing moratorium, allowing only a small catch in order to monitor progress in the recovery. But by 1983 the politics of greed had made a sham of that intent, upping the annual quota for the northwest Atlantic from 800 to 2,660 metric tons (5.8 million pounds) in order to satisfy American, Canadian and Japanese tuna fishermen. As a consequence, the beleaguered bluefin is as bad off today as it was seven years ago, teetering on the brink of collapse. The International Commission for the Conservation of Atlantic Tuna's much-vaunted recovery program has been reduced to little more than fishing with fingers crossed.

In 1987 the National Coalition for Marine Conservation (NCMC) determined that the ICCAT limits - the quota plus a ban on directed fishing for bluefin in the Gulf of Mexico spawning area - were not enough to halt the decline, much less rebuild the stocks. The NCMC called for a substantial reduction in the annual quota, combined with close monitoring of all longlining in the Gulf to minimize the giant bluefin by-catch. These warnings were ignored. But the need for a reduced quota was confirmed by the status report presented to the U.S. tuna commissioners and their advisors prior to the 1988 ICCAT session. That report clearly showed the bluefin population would not increase under the present regulations. At ICCAT, however, opponents of conservation ignored the obvious and zeroed in on uncertainties in the data base, and in the tuna commission, as one observer put it, uncertainty always means no action. The present quota was extended for another year.

Uncertainty should breed caution, not carelessness. The NCMC is now gravely concerned that allowing fishing to continue at current levels risks not just a delay in the recovery, but a collapse in the spawning population. If ICCAT is truly serious about rebuilding the depleted stocks of Atlantic bluefin tuna, a real moratorium on directed fishing in the northwest Atlantic is the only viable course. The present "scientific monitoring quota" is permitting a few fishermen to profit from the demise of a great fish, when fishery-independent methods of stock monitoring exist. We cannot be satisfied with a conservation program that is "likely to stop the decline of the stock and allow increases over a 30-year

Inside: '88 Tagging Award Winner.....EPA's New Wetlands Policy....
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period." The NCMC is urging the U.S. government to send its delegation to ICCAT this November demanding a bluefin moratorium. If that doesn't happen, the next step may be filing under the Endangered Species Act.

FLORIDA MEMBER EARNS NCMC TAGGING HONORS

Captain Brad Simonds of Islamorada, Florida is the winner of this year's Captain's Trophy sponsored by the National Coalition for Marine Conservation. The award is given each year to the fishing captain who makes an outstanding contribution to the understanding of blue marlin through his or her participation in the Cooperative Game Fish Tagging Program. Capt. Simonds tagged and released 56 blue marlin in 1988. The information gathered from tagging and tag recoveries is vital to the efforts of the NCMC, the National Marine Fisheries Service, the Regional Councils, and others to conserve the species. The trophy will be presented in Miami by Coalition board member Tim Choate.

Beginning with the 1989 fishing season, the NCMC Trophy will be awarded as part of the Aftco Tag/Flag Tournament, a new effort aimed at increasing participation in tag and release fishing. This unique "tournament" is actually a year-long competition involving anglers and captains fishing for nine species of fish in the Atlantic. The individuals who tag and release the greatest number of each species will be awarded trophies sponsored by national conservation organizations (NCMC, IGFA, SFI, et al.) and their achievement will be honored in all the major salt water fishing magazines. The NCMC will sponsor both the Captain's Trophy and the Angler's Trophy for blue marlin. Other species included in the tagging program are albacore, bluefin tuna, yellowfin tuna, bigeye tuna, white marlin, sailfish, amberjack and cobia. For more information, contact: Ben Secrest, Aftco, 17351 Murphy Avenue, Irvine, CA 92714 - (714) 660-8757.

'JUST SAY NO' TO WETLANDS LOSS

There may be a few unrehabilitated souls left who think wetlands are just swamps and mosquito nests, but not many. The fact is, dating from the seminal work of Georgia ecologist Eugene Odum in the 1960s and the Teal's 1969 book "Life and Death of the Salt Marsh," the popular understanding and appreciation of the value of wetlands - as critical habitat for fish and wildlife, flood control, water quality, food production and recreation - has evolved to the point where the need to protect them is almost universally recognized and supported.

Yet we continue to destroy thousands of acres of precious coastal wetlands each year. By doing so, we knowingly jeopardize the future productivity of our marine fisheries. If the connection between what we know and what we do is so precariously weak, clearly something is missing.

A New National Policy

The Bush Administration recently took a big step toward bridging that gap. The federal Environmental Protection Agency (EPA) has adopted a policy of "no overall net loss" of wetlands. This will become the guiding principle for the agency, which vows to take the lead in making wetlands protection a national priority. Much of the credit for the new policy goes to William Reilly, the new EPA administrator and former head of the private Conservation Foundation, which sponsored last November's National Wetlands Policy Forum. A consensus of state and federal officials, environmentalists, and members of the business community recommended a "no net loss" policy and suggested ways to meet that goal.

The EPA has responded directly to the Forum's recommendations by establishing a national program to coordinate wetlands preservation and restoration efforts at the federal, state and local levels. The present system of protections is not working, the Forum concluded, because there is no coherent national framework. Decisions effecting wetlands are typically made on a case-by-case basis, by a number of different agencies, according to several different statutes. The new program is designed to fill in the cracks in the present wetlands management system.

There is, however, a potentially dangerous flaw in the EPA's wetlands policy, and it's to be found in the policy goal itself. What does "no overall net loss," as a national objective, actually mean? The operative word is "net." Future development which results in wetland losses may be approved if the losses are offset, or mitigated, by the restoration of a comparable amount of damaged acreage elsewhere, or the creation of new wetlands, or a combination of the two. Such mitigation projects then become the correlative of developmental projects; losses are permitted because they will be replaced. The U.S. Army Corps of Engineers, as one might imagine, is particularly enamored of mitigation, since it keeps them twice as busy - promoting the dredging, filling and draining of wetlands while creating new wetlands to replace what they've destroyed.

Given the deplorable amount of fish and wildlife habitat already lost, habitat restoration is important. But restored or new wetlands can never be a substitute for natural ecosystems. If a quixotic faith in restoration comes to pervade wetlands management, easing the conscience of those responsible for permitting wetlands destruction, the best we can hope for is maintaining a desirable quantity of wetlands, but with a net loss in quality.

Accept No Substitutes

The available scientific evidence indicates we cannot create an artificial wetland which performs all of the diverse and complex biological functions of natural systems. The New England Environmental Network last fall published a study of the effectiveness of wetlands creation as a mitigation tool. Author Nancy Kirz, President of the Connecticut Association of Conservation and Inland Wetlands Commissions, says that promoting the idea that man can create wetlands challenges and undermines the very basis of our wetlands laws, which is that they are irreplaceable resources which must be protected.

Reviewing the "credible" literature, including studies of wetlands creation projects in California, Missouri and Florida, Kirz concludes that "the more we learn about this complex subject, the more we realize how little we know." She finds that the only function that can be replicated with complete certitude is flood control/water retention. Whether the man-made wetland performs any of the complex web of other biological functions in a manner similar to or as well as a natural system we do not know, in part because we don't fully understand how they work. In other words, creating an artificial wetland that resembles a natural system, supports certain aquatic plants, and attracts certain species of wildlife is not a sufficient test of its replacement value.

Under the best of policies, wetlands will continue to be lost in situations "where no alternatives exist and impacts are unavoidable," Kirz admits, and thus restoration or replacement of lost wetlands has its place. But before we embrace a mitigation policy which relies on replacing lost wetlands, we must first be able to answer the following basic questions:

What are all the functions of the wetland to be destroyed? How important is each function? Do we need to replace each function? Can we? Should we require that the man-made wetland be functioning before we allow destruction of the original one? Can we create wetlands that will be stable and fulfill functional roles over the long term without additional artificial manipulation? How much will it cost, and who will pay? Until we can answer these questions satisfactorily, we are better off embracing a national policy which gives sole priority to preserving natural wetlands.

BAN FISH TRAPS

The Gulf of Mexico Fishery Management Council is recommending a ban on wire mesh fish traps in federal waters of the Gulf from Florida to Texas. The action is part of a proposed amendment to the Reef Fish Fishery Management Plan. The Council is worried about the growth in fish trap use; over 32,000 permits have been issued since 1984, though the actual number of traps in use is thought to be much higher. Traps are a major factor in the decline in reef fish populations, according to the Gulf Council. The South Atlantic Council, which regulates reef fish on the east coast of Florida and along the south Atlantic coast, is being urged to take similar action to effect a total ban on fish traps in U.S. waters.

The proliferation of fish traps is due to the minimal labor required to work them. They are typically left to "fish" for several days, on coral reefs and other high-profile live bottom areas where nets cannot be used. Studies show that the widespread use of traps to catch snapper, grouper and a wide variety of tropical species leads to overfishing of reef communities. The devices are indiscriminate as to what species they trap, and are known to kill large numbers of juvenile fish. Florida prohibited traps in state waters in 1980, but their continued use in federal waters has made enforcement difficult.

LICENSE EXCHANGE

Our discussion of the proposed national fishing license (MARINE BULLETIN No. 39) generated a fair amount of mail from readers. One letter in particular, from a member in Pennsylvania, reflects the concerns of many recreational fishermen regarding a license, and is reprinted below. The NCMC's response follows.

More Money Is Not Enough

"Dear NCMC - I am writing in reaction to your recent article regarding a national fishing license. A member of the NCMC, I am a marine recreational fisheries advocate who is relatively well informed concerning fisheries matters. I have served in a few advisory roles, including as a member of the NMFS Northeast Regional Marine Recreational Fisheries Steering Committee since its inception. I also served as a co-chairman of New Jersey's Wallop-Breaux Reauthorization Committee, an ad hoc group to foster the 1988 re-enactment of this important legislation.

"In my viewpoint, you hit the mark in stating that fishermen must be convinced that revenues will enhance the government's fisheries management and conservation abilities, not merely perpetuate the status quo. Many of us are not convinced! My opposition to federal saltwater licensing centers on the following:

"First, the invalid assumption that additional monies spent on management will enhance marine recreational fishing. The recreational

fisherman's principal interest in fisheries conservation and management is the expectation that these activities will result in more fish and/or bigger fish. It is clear to me that many fisheries managers recognize that low abundance of stocks is a result of excessively high levels of fishing. Yet the checks and balances of our current management processes are such that this sorry state of affairs has not been avoided. Within the framework of current fisheries management, such matters as the elimination of commercial fisheries overcapitalization, the expansion of alternative means of providing fish products (i.e., aquaculture), and the broader adaptation of catch-and-release within recreational fisheries, cannot be addressed by merely pumping more money into the process.

"Even with substantially expanded fisheries management, we will not see government implementing commercial harvesting restrictions or recreational catch or size limits without considerable input from fishermen. The need for conservation must first be perceived by both commercial and recreational fishermen. Hopefully, this recognition would trigger the establishment of necessary regulatory/legislative vehicles and the use of fishing/harvesting techniques which will foster conservation and stock restoration. A greater public recognition of the depressed levels of our fisheries stocks and an enhanced sense of conservation in the harvesting of fisheries resources are required. Neither can be easily addressed or quickly effected. Additional monies and expanded fisheries management activities will not result in more or bigger fish. A stronger call for conservation will.

"Secondly, the credibility of the federal government in using licensing revenues to supplement fisheries management. There are three issues worthy of note here: 1) Parity is apparently not a government licensing concern. I would question why NMFS would expect recreational fishermen to contribute one-half of licensing/ad valorem fees even though the recreational/commercial catch ratio is 30/70. 2) Using licensing fees to supplant vice supplement NMFS budgetary losses appears to be an attempt to circumvent the budgetary process with no commitment to enhance fisheries management. 3) Promises to use all licensing revenues for marine fisheries management just don't wash. The OMB (federal Office of Management and Budget) track record in repeatedly maneuvering to divert Wallop-Breaux monies for non-fisheries uses is a very visible break-of-faith with recreational fishermen. It is continuing!

"In lieu of licensing, marine recreational fishermen need increased pressure on fisheries management agencies for conservation. We need the expanded participation of marine fisheries advocates, including the National Coalition for Marine Conservation, in the development of tougher, more enforceable Fishery Management Plans and NMFS regulations. We need to send a much stronger message, that marine recreational fishermen will not tolerate continuation of the excessively high fishing levels which have resulted in the severely depressed stock abundance which we now face. Our inability to effectively confront overfishing and the government's lack of credibility with recreational fishermen are sufficient grounds to dismiss licensing without further consideration. More money pumped into fisheries management will resolve neither. Sincerely, George Trotman."

Licensing Must Produce Tangible Benefits

"Dear Mr. Trotman - Thank you for your very thoughtful letter on the proposed federal ocean fishing license. I agree with you that there are issues beyond funding, which strike at the heart of the federal government's policies regarding the conservation of fish, which are of

paramount importance, and which cannot and will not be resolved by additional revenues, no matter where they come from. No one is buying the dubious notion that simply increasing spending will enhance marine conservation. If the Administration's proposal is rooted in this kind of thinking - and there is some evidence it is - it will surely fail.

"I think we made it clear that revenues from a license must supplement not supplant current funding, and that it must be dedicated to programs designed to enhance fisheries management. An advisory board of recreational interests, for example, such as some coastal states have established with their licensing programs, could monitor and counsel the expenditure of license revenues. We have told James Brennan, head of NOAA Fisheries, that the intolerable situation with Wallop-Breaux allocations being coveted by OMB strains the trust of fishermen in such dedicated funds. The law must make it clear that such attempts to impound or divert dedicated monies will not even be considered, much less tolerated.

"We have not dismissed licensing from further consideration, however. Indeed, we have long supported state initiatives. We agree with the premise that resource users, commercial and recreational, have an obligation to contribute directly to the stewardship of those resources, in a fair and equitable way. We believe identifying the numbers of fishermen, what they catch, how much, etc., will improve the status of recreational fishermen in management and policy decisions. And additional funds are needed, for research and enforcement in particular. But we have established strict criteria for the type of federal licensing program that would be acceptable, for many of the reasons you outline in your letter. The status quo must be changed, and licensing should only be seriously considered to the extent we can be confident it will help things change.

"One final thought. The commercial industry is just as skeptical of licensing as much of the recreational community. But it is imperative that commercial fishermen, who consume more resources and place much more costly demands on management and enforcement, no longer have a free ride, and begin paying economic rent for the use of common property resources for profit. The political reality may be that this won't happen without some kind of license for recreational fishermen. I assure you that the NCMC will not support a proposal which does not promise tangible benefits for fisheries conservation. Sincerely, Ken Hinman, Executive Director."

SHARK EMERGENCY

The burgeoning export market for shark fins, and the growing use of gill and encircling nets to catch sharks, have convinced federal fishery managers that immediate measures are needed to protect shark populations from being quickly decimated. Because sharks are slow growing, late maturing and produce only a few offspring each year, they are extremely vulnerable to heavy fishing pressure. The Mid-Atlantic Fishery Management Council, lead body in developing a management plan for Atlantic sharks, believes the health of shark populations and the future of the commercial and recreational fisheries are in immediate peril and cannot wait for the normally slow plan process to run its course.

What is happening in the shark fishery calls to mind the slaughter of endangered white rhinos in Africa, where poachers kill the beasts and cut off their horns with chainsaws, often leaving the carcass for carrion. In a similar way, sharks are being mutilated and killed for their fins, which are highly prized as a delicacy and cure-all in the Orient. Dockside prices for the dorsal and pectoral fins range from \$10 to \$12 a pound. Shark

landings in Florida alone rose from 692,000 pounds in 1982 to 4.4 million pounds in 1987. But many of the "finned" sharks are not reported in the landings, although they surely die. Unable to swim properly and therefore unable to feed, the finless sharks starve to death.

Fishermen fin the sharks at sea instead of landing the whole fish because the parts take up so little room aboard their vessels and are much more valuable, pound for pound, than shark meat. The Mid-Atlantic Council says a single boat can land 750 pounds of fins from one trip; that's roughly 200 mutilated sharks. To put a stop to this outrageous practice and the threat it poses to many species of shark, the Council in April passed a motion asking the Secretary of Commerce to enact emergency measures requiring that all sharks be landed whole and un mutilated and outlawing the landing of shark parts. The Council is also requesting a cap on shark landings at 1986 levels and a one fish per day limit for anglers.

A year ago the NCMC proposed a three-point plan for shark conservation: programs to educate the public about shark conservation and tagging; increased data collection on the recreational and commercial fisheries; and a management strategy which features close monitoring of the fishery and a conservative level of fishing pressure. Conservationists and fishing publications are doing an excellent job of publicizing the threat to sharks. In January the Mid-Atlantic Council submitted a request to the National Marine Fisheries Service to collect data on the shark fishery. The NCMC supports the Council's request for emergency action, and is asking Commerce Secretary Mosbacher to approve and implement the conservation measures as soon as possible.

OIL AND WATER

They said it would never happen. But in the "highly unlikely" event that it ever did, we were assured, they were prepared to deal with it. Well, it did happen, and they weren't ready. So anxious to convince Congress and the public that oil exploration in Alaska was no threat to that state's pristine environment, the Exxon Corporation evidently convinced itself, too. When the supertanker Exxon Valdez ran aground and spilled ten million gallons of crude oil into Prince William Sound, wreaking havoc on the environment and the (herring and salmon) fishing-based economy, Exxon's reaction was slow and ineffectual. The Coast Guard and Environmental Protection Agency stood and watched too long.

As long as we transport oil at sea there will be the risk of spills. And maybe only so much can be done to contain a spill of this magnitude. But that doesn't alter the fact that Exxon was plainly lax in enforcing established navigational safety rules; that its oil spill contingency plan was woefully inadequate; and that both the oil company and federal officials seemed totally confused as to how to handle the clean-up.

The Exxon Valdez ran aground on a well-marked reef, in fine weather, in a ten-mile wide shipping channel. The largest oil spill in U.S. history happened within sight of Alaska's pipeline terminal at Valdez, yet the necessary clean-up equipment was unaccountably unavailable and the response time inexplicably slow. There can be no excuses. The damage has been done. The government must now act to reduce the chance of it happening again. There must be stricter policing of tanker operations to ensure that navigational safety procedures are adhered to. Oil spill contingency plans must be more than just documents filed to satisfy federal regulations. And oil shippers, not taxpayers or consumers, must be held fully liable for damages as a deterrent to unsafe practices and complacency in the future.

When Congress extended U.S. fisheries jurisdiction from 12 to 200 miles offshore in 1976, there were basically two schools of thought on what the new law should do for American fishermen. First, as the full title of the Magnuson Fishery Conservation and Management Act suggests, the purpose was to create a vehicle for conserving and managing fishery resources found in U.S. coastal waters. Secondly, it was to promote the development of the domestic fishing industry where offshore fisheries were underutilized or not being utilized by American fishermen. For obvious reasons, many fishermen focused on the latter goal, and more specifically, on removing the foreign fishing fleets responsible for overfishing from U.S. waters.

That second goal has been met. Foreign fishing activity is negligible, as American fishermen are, to use the jargon, fully utilizing fisheries in the U.S. zone. (Joint ventures, however, are keeping foreign fleets in the picture.) In fact, we've done such a good job of developing domestic fisheries that, for some species, the singular achievement of the Magnuson Act has been to replace foreign overfishing with domestic overfishing.

That fisheries development has prospered more than has fisheries conservation is confirmed by a report released in March by the Department of Commerce entitled "State of the Fisheries." The report, prepared with input from the Regional Fishery Management Councils and the National Marine Fisheries Service, describes the status of fish stocks by region. Each fishery cited is presently under federal management to conserve, or in most cases, rebuild the stocks.

Traditional Northeast Fisheries at Record Lows

The most severe stock problems in the northeastern U.S. are with groundfish and flounders, which declined (in biomass) by 65% during the first ten years of the Magnuson Act (1977-87). The three principal and traditional species supporting New England fisheries - cod, haddock and yellowtail flounder - have declined by 53%, 76% and 85% respectively. Fishing effort and mortality are at or near record high levels, while abundance and recruitment are at record lows. The lobster fishery is also in decline, characterized by "heavy fishing, very high fishing mortality, declining catch per unit of effort and gradual declines in abundance." Some species are faring better, though. Atlantic mackerel stocks have been rebuilt from severely depressed pre-1977 levels, primarily due to low fishing effort. A similar situation exists with butterfish. Squid, too, are underutilized. Surf clam, quahog and sea scallop populations have rebounded under Council management, notes the report, and should be able to sustain present harvest levels without stock damage well into the 1990s.

Southeast Fisheries Under Guard

In the southeast, including the Gulf of Mexico and Caribbean, the list of overfishing victims is a long one: mackerel, red drum, reef fish, snapper and grouper, spiny lobster and swordfish. These stocks, relatively abundant when the Magnuson Act took effect, must now be rebuilt. Swordfish declined substantially since 1977 due to overexploitation by U.S. and foreign fishermen. The older fish are disappearing, while the number of juveniles recruiting into the population is uncertain. Blue and white marlin are believed to be fully exploited. Despite the recent prohibition on the sale of billfish, incidental mortality in the longline fisheries is still cause for concern. Sailfish are only moderately exploited.

The Gulf migratory stocks of king and Spanish mackerel are overfished and the object of strict fishing limits. Fishing for the Atlantic migratory groups, though not in as bad a shape as in the Gulf, has been curtailed recently to prevent further decline. The Gulf red drum fishery was closed last year to avoid a collapse in the spawning population. Overfishing has resulted in reduced numbers of adult redfish and poor recruitment. Some of the major species of fish in the snapper-grouper complex, including red snapper, yellowtail snapper, black sea bass and nine species of grouper, suffer from overfishing. Red snapper in the Gulf is considered severely overexploited by directed and by-catch fisheries. Shrimp, the most valuable commercial fishery in the southeast, is believed to be fished at or above the maximum sustainable level. Abundance of shrimp is principally dependent on environmental conditions. The biggest danger for shrimp remains pollution and loss of estuarine and wetlands habitat. Overcrowding in the fishery is a major problem, too.

Limited Entry, Joint Ventures Mark Pacific Fisheries

Too many boats and too few fish is the biggest problem facing the groundfish fishery on the Pacific Coast, though the condition of the resource is believed to be good. Limited entry to control fishing effort is the coming thing, as it is in the Alaskan fisheries. Joint ventures, where U.S. fishermen make the catch for delivery to foreign processing vessels, are a growing phenomenon in the Pacific; 80% of whiting, the number one groundfish species, is taken by joint ventures. California and Oregon salmon stocks are in generally good shape, but continued dry weather could further reduce river water supplies and inhibit reproduction and migration to the ocean. Washington coastal stocks of salmon are mediocre to poor, and Columbia River salmon are variable.

THE OPPONENTS OF TUNA MANAGEMENT

Two groups of fishermen are lobbying against the inclusion of tuna under U.S. management authority, an issue now being debated in Congress as that body considers amendments to the Magnuson Act. They are the distant water purse seine fleet based on the Pacific coast and the Atlantic tuna industry which fishes primarily in U.S. coastal waters. Add to these the processors and dealers who handle their catch. Both argue that their opposition to U.S. management is based solely on the highly migratory habits of tuna and the effectiveness of international vs. domestic management. If you believe that, we've got some oceanfront property in Kansas we'd like to sell you.

Representatives of the U.S. tuna fleet fishing in the Pacific, who were instrumental in obtaining the tuna exemption in the first place and who have fought to preserve it ever since, oppose bringing tuna under the Magnuson Act for one reason only - to perpetuate the fiction that the tuna resources of the world belong to everyone, no matter where they are located. The coastal nations off whose shores the fleet fishes do not share that belief; in fact, of all the world's coastal states, only the U.S. and the Bahamas refuse to recognize extended jurisdiction over tunas. Nonetheless, the tuna exemption gives American tuna fishermen the formidable protection of the U.S. government, which threatens countries interfering with tuna fishing activities with economic sanctions. While this may or may not benefit the U.S. tuna industry, it has been costly in terms of our relations with other nations, particularly in the Pacific.

Commercial tuna fishermen on the east coast were once among the most vigorous advocates of repealing the tuna exemption; many of them even

allied with the NCMC during the last campaign. But they've since changed their tune, if not their motives. Before, they were mainly interested in regulating tuna fishing in the U.S. zone in order to eliminate competition from the Japanese tuna fleet. Today, the Japanese are virtually gone, while the American longline fleet and its harvest of yellowfin and bigeye tuna has grown dramatically. The last thing the east coast tuna industry wants now is to give the Regional Councils and NMFS the ability to regulate their catch of tuna, or their substantial by-catch of billfish.

The U.S. position on tuna management is a facade, without substance and propped up by special interests. The State Department and National Marine Fisheries Service no longer defend it with any zeal, but out of habit and allegiance to the status quo. But it is the law, and the burden is on those who would change it. The strength of those who wish to bring consistency and reason to U.S. policy on highly migratory species lies in numbers. Congress must be made aware that the vast majority of their knowledgable constituents want U.S. management extended to all fish species, with no exemptions for special interests. Let your Congressman know where you stand, and that you'll be watching to see where he or she chooses to stand on tuna during the Magnuson Act reauthorization this year.

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NEW SWORDFISH STOCK ASSESSMENT: YOU ADD IT UP IT BRINGS YOU DOWN

The Atlantic swordfish is severely overfished, says a specially-convened panel of scientists. That's not news; the National Coalition for Marine Conservation has been saying that for years, while calling for federal regulations to halt overfishing. What is news, though, is that virtually the entire U.S. scientific and management communities are now in agreement about the devastation a decade of uncontrolled commercial fishing has inflicted on the population of swordfish in the North Atlantic.

Managers are now faced with an "emergency situation," according to William Fox, chairman of the Swordfish Stock Assessment Review Panel, which presented its findings at an April 27 meeting of the South Atlantic Fishery Management Council in Tampa, Florida. The Panel, composed of swordfish experts from the National Marine Fisheries Service (NMFS), the Regional Councils, the State of Florida and academia, reviewed the most recent stock report prepared by the NMFS Southeast Fisheries Center, assessed the condition of the stock, and recommended measures to rebuild it.

The Panel's assessment was sobering and its recommendations severe. Fishing pressure has been excessive on all age groups, particularly for such a slow-growing, long-lived fish. The number of spawning age swordfish has declined steadily since 1979. The spawning stock is currently only 40 percent of what it was in 1978. If the spawning population is reduced any further, the stock could suffer recruitment failure (when the adult stock no longer reproduces enough young to sustain itself) and collapse. Because this assessment is based on 1987 data, the Panel actually considers it "overly optimistic," pointing out that heavy fishing pressure was maintained throughout 1988 and into 1989, depleting the stock even more. The Panel recommended a management goal of rebuilding the spawning stock to a safe level within five years. To do that would require a 78% reduction in catch throughout the Northwest Atlantic fishery.

Although the news was grim, it was somehow anticlimactic. Most accepted the report as confirmation of what they already knew or suspected; those who'd denied the problem for so long were silent. But there was anger and frustration, too, that things were allowed to get so bad. The five Atlantic Councils responsible for swordfish have been working on a management scheme since 1980, and declared the fishery overfished in 1985. They've struggled to control fishing pressure ever since, but to no avail.

**Inside: Saving More of the Shore.....The Case Against Drift Nets..
.....EPA Gets Poor Marks on Ocean Dumping.....By-Catch Problem Still
Plagues Billfish Conservation.....Magnuson Act Amendments.**

The Councils' options have been greatly restricted by the U.S. tuna exemption, which limits the regulation of longlining. But a major obstacle to management of any kind has been sharp disagreement among scientists over the severity of overfishing. Government scientists, in particular, saw positive signs in each swordfish assessment, and measures to reverse the more obvious downward trends in the fishery were put on hold. Ultimately, swordfish management degenerated into an acrimonious stalemate.

To break this stalemate, the five Councils requested a new assessment by NMFS to be reviewed by a broad-based panel of scientists whose conclusions would be credible to all concerned. We now have that report, and it clearly shows the sorry condition of the swordfish fishery and what must be done to save it. The prevailing mood is one of burying past differences and forgetting who is or is not to blame for the current situation. A resource is in serious trouble, and doing something immediately to stop overfishing and get on the road to recovery is the only thing that matters.

At a June meeting the Councils adopted the management objective of returning the spawning stock to the 1978 level in five years by cutting the harvest 78%. For the U.S. fishery, this means a total allowable catch of 2.42 million pounds a year, as compared with a catch of 11 million pounds in 1987. Since American fishermen land just one-half the total Northwest Atlantic catch, other nations fishing on the stock, most notably Spain, will be asked to make similar cuts at this fall's session of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

All agree cooperation at ICCAT is necessary to meet the recovery goal. But some would have the Councils withhold action until after the Commission meets this November, and make cuts in the U.S. catch contingent upon comparable cuts by other nations. The NCMC, on the contrary, has urged the Councils to proceed immediately with amending the swordfish plan to substantially reduce the American catch, regardless of what ICCAT does. The U.S. must take a leadership role to obtain international cooperation in swordfish conservation. That will require 1) presenting the findings of U.S. scientists in the strongest possible way, and 2) demonstrating our unequivocal support for these findings by acting upon them at once. Representatives of the Councils will meet with the U.S. Commissioners to ICCAT in July to discuss strategy.

COASTAL PROTECTION THAT SAVES MONEY, TOO

In June the NCMC joined other members of the Coast Alliance in co-sponsoring a conservation workshop in Beaufort, North Carolina to promote expansion of the federal Coastal Barrier Resources System (CBRS). The CBRS discourages development in fragile and dynamic coastal areas by denying federal flood insurance and withholding subsidies for roads, bridges, and sewer and water lines in designated areas. Under the law, developers, not the taxpayer, must bear the full cost and risk of building and re-building in erosion- and flood-prone areas. (In 1980, federal subsidies averaged about \$50,000 per developed acre!) Discouraging unwise and unsafe development along the coast also preserves vital fish and wildlife habitat and accessible beaches.

This unique combination of environmental protection and deficit reduction works. Since the CBRS was established in 1982, only 14 major developments have occurred in the 186 units (1.2 million acres) originally included in the system. If anything, the fact that removing federal incentives has not stopped all development in designated areas demonstrates

how strong the pressure to develop the coast is, and argues for expanding the system to include all qualified shoreline. The Department of the Interior has recommended adding another 790,000 acres of coastal lands to the system. The Coast Alliance supports these additions, but recommends including up to 5 million additional acres, much of it on the Great Lakes and Pacific Coast, which Interior had previously classified as eligible. Legislation to expand the system will be introduced in Congress in July.

RANDOM HARVEST

Alaskan Senator Ted Stevens has called the drift net "a devastating curtain of death." An unparalleled blend of ruthless efficiency and indiscriminate killing sets drift nets apart from other commercial fishing gear. "Drift netting is one of the most destructive and wasteful methods of fishing ever devised," says Ken Hinman of the National Coalition for Marine Conservation. "It's a form of fishing," adds Wilfred Carter of the Atlantic Salmon Federation, "which should not be permitted for any species."

A drift net - also known as a drift gillnet or entanglement net - is a wall of netting suspended vertically below the surface of the water, floating freely with the current. The nets, or strings of nets, may stretch from 1 to 20 miles, and fish passively, ensnaring fish as they swim into the net. The nylon monofilament mesh is virtually invisible to the animals that encounter it. Fish too big to pass through the mesh snag their gills and are unable to move forward or wriggle out backward. Fish that aren't gilled collide with the wall of net and become entangled as they struggle to continue on their way.

Drift nets are used to capture a variety of fish, primarily those pelagic species which swim alone or in loose configurations (as opposed to schools). In the Pacific, where they are more widely used, they catch squid, salmon, billfish, herring, swordfish, tuna and shark. In the Atlantic, they are used to catch mackerel off the east coast of Florida and billfish off Venezuela, and to intercept migrating salmon. Fishermen are experimenting with drift nets in several other fisheries, e.g., Atlantic sharks. What makes drift nets attractive to commercial fishermen is that they are made of inexpensive, lightweight but durable plastic fiber, and are capable of catching large numbers of fish with a minimum of effort. One small boat and crew can carry, set and tend several miles of net. In the world's largest and most notorious drift net fishery, the North Pacific squid and salmon fisheries operated by Japan, Taiwan and Korea, 1,500 vessels drift 20,500 miles of net each night of the fishing season.

A Long List of Abuses

Drift nets are a nightmare for other fishermen, fishery managers, fish stocks, and marine life in general. To state the case against drift nets is to recite a litany of abuses of the ocean and its living resources:

¶ **Overfishing and Waste.** The number of target fish killed and lost before or during retrieval of the nets is sometimes equal to and may even exceed the catch landed. This has been documented in salmon, mackerel and tuna fisheries around the world. This "fall-out" or "non-catch mortality" contributes to the depletion of fish stocks without benefit to either fishermen or society.

¶ **Excessive By-Catch.** Because they are non-selective, drift nets routinely catch and kill an astonishing number of non-target fish and wildlife. Tens of thousands of marine mammals, including porpoise, seals,

turtles and whales, and hundreds of thousands of seabirds die in drift nets every year. A study in the South Atlantic mackerel fishery - one of the few attempts to quantify the fish by-catch - revealed that on average one-third of the fish caught are non-target species, unwanted and discarded.

¶ **Ghost Fishing.** When drift nets are abandoned, discarded or lost, they continue to indiscriminately and wastefully kill marine life for an indefinite period of time. The persistent materials of which modern nets are made are non-biodegradable, and cease fishing only when they sink to the bottom under the weight of their "ghost" catch.

¶ **Unfair Allocation.** The use of highly efficient drift nets discriminates against the users of less efficient, but more conservative gear. In the king mackerel fishery more than half the annual allocation is caught by drift netters, who make up only 2% of the licensed fishermen. In Norway, netters claim 60-80% of the returning salmon.

¶ **Poor Quality Catch.** A high percentage of the drift net catch is net-marked or otherwise damaged. These fish are sometimes unmarketable, or at least fetch lower prices in the market and diminish the quality of fish available to the public.

¶ **Hazard to Navigation.** The lengthy nets, stretching for miles through the water, are a navigational hazard, becoming entangled in the propellers of other vessels. Crewmen have been seriously injured and even killed attempting to clear the nets from fouled propellers.

For these reasons, the practice of drift netting is under attack wherever the gear is currently used. Fishermen and environmentalists worldwide are working to end the use of drift nets. The trend among coastal nations is definitely moving in that direction. Norway recently banned all drift netting to protect its salmon stocks from overfishing. Canada now prohibits high seas drift netting on its west coast, and conservationists in that country are lobbying to extend the ban to inshore fisheries as well. Australia has outlawed nets over 1.5 miles long in its territorial waters. In the South Pacific, a group of island nations have banded together to stop the use of drift nets to catch albacore tuna, and to close their ports and markets to drift net-caught fish.

U.S. Position is Schizophrenic

In 1987, the United States Congress passed legislation to rescue American-origin salmon and pelagic birds in the North Pacific from high seas drift netting. Under the Drift Net Impact Monitoring, Assessment and Control Act, the U.S. is negotiating with Japan (and will presumably follow up with Taiwan and Korea) to convince the Japanese to comply with U.S. conservation efforts. So far, agreement has been reached on placing observers aboard some of the vessels; however, the Act calls for negotiating more controls, including restricted areas and limits on the size and number of nets.

Unfortunately, the United States has been less aggressive in regulating drift netting by its own fishermen. Even Japan and Taiwan ban the gear in their own coastal waters. But on June 16, the National Marine Fisheries Service for the second time rejected a recommendation by two Fishery Management Councils (the Gulf and South Atlantic) to outlaw drift nets in the southeast king mackerel fishery. NMFS reasons that because the Atlantic migratory group of mackerels, which the netters target, is not overfished, the nets are no more problematic than other fishing methods.

The numerous other reasons for prohibiting this gear - waste, by-catch, dislocation of fishermen, ghostfishing by lost gear, etc. - were ignored. The NMFS position demonstrates that the agency still does not comprehend the drift net issue.

The NCMC strongly endorsed the ban on drift nets in the mackerel fishery, in hopes that it would set precedent and lead to a ban on the use of drift nets in all U.S. fisheries. Drift netting for sharks occurs off southern California, where sea lions and otters are regular victims, as are gray whales migrating along the west coast. There are reports that boats in New England are again gearing up to set drift nets to catch swordfish. We will continue to make the case against drift nets until they are permanently removed from all U.S. coastal waters.

EPA CRITICIZED FOR OVERSIGHT OF OCEAN DUMPING

The U.S. Environmental Protection Agency (EPA) is doing a poor job of monitoring and managing the disposal of sewage sludge at the 106 Mile Deepwater Dumpsite, according to an internal review conducted by the EPA's Inspector General for Auditing. The review was prompted by growing public concern about the effects of ocean dumping, and widespread criticism of EPA's performance by ocean scientists and environmentalists.

Northeast fishermen say crabs and lobsters caught on fishing grounds near the dumpsite are infected with burnspot disease, and that lobster catches have dropped by 70 percent since 1987, when EPA closed the highly degraded 12 Mile Site off New York and moved all offshore dumping to the 106 Mile Site east of Atlantic City. In 1988 Congress passed the Ocean Dumping Ban Act, setting a December 1991 target date for closing the site, the only active offshore dumping ground for sewage sludge. Under the Act, EPA is responsible for managing the dump site and for monitoring, along with the National Oceanic and Atmospheric Administration, the impact of the sludge on ocean life and public health during the phase-out.

The Inspector General's report cites numerous oceanographic experts who contend that EPA "is not adequately determining the impact that dumping 23,000 wet tons of sewage sludge per day is having on the marine environment." The adequacy of the agency's monitoring methods are questioned; much of what EPA is measuring as regards dilution and dispersion of dumped materials is duplicative and unnecessary, the experts say, while the question of how much sludge is reaching the seafloor and where, and the long-term, cumulative effects of dumping, go unaddressed.

In addition, the report criticizes EPA's management of dumping at the site. The environment agency, for instance, has not acted quickly enough to reduce dumping rates to prevent toxicity levels from exceeding federal standards. It has not developed contingency plans for emergencies, such as curtailing dumping when ocean currents draw the sludge toward offshore fishing canyons. And the agency has not coordinated with the rest of the scientific community, to make the best use of limited research funds and to share and build on already existing information.

The original deadline for ending at-sea disposal of sewage sludge was 1981. That date came and went, but dumping continued. The EPA was unable to convince the federal district court hearing a challenge by the City of New York that the city's sludge was "unreasonably degrading" the offshore environment. The agency chose not to appeal the court's decision. At the time, EPA was criticized for not being committed to enforcing the deadline. This recent intra-agency review indicates EPA may still not be taking its

job seriously. In the event of a court challenge to the new 1991 deadline, the agency must be prepared to testify to the impact of ocean dumping at the deepwater site. The Inspector General has supplied EPA administrators with a list of recommendations to improve their monitoring and management, and they would do well to act on them. If they don't, they could possibly face lawsuits from the environmental community for failure to carry out their responsibilities under the Ocean Dumping Act.

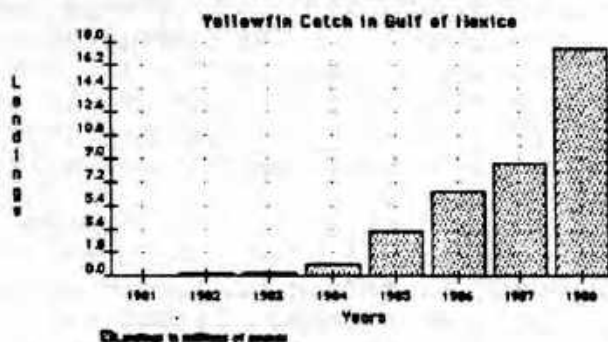
U.S. LONGLINERS KILL THOUSANDS OF MARLIN AND SAILFISH

Thousands of billfish are being killed by American tuna fishermen in the Gulf of Mexico, in spite of the new U.S. law prohibiting the commercial capture and sale of marlin and sailfish. The National Coalition for Marine Conservation is calling on Congress and the Administration to take action to end the commercial slaughter of billfish by American fishermen.

The 1988 Atlantic Billfish Fishery Management Plan restricts fishing for blue and white marlin, sailfish and spearfish to rod and reel, and outlaws the sale of these magnificent game fish. Nevertheless, fishermen using non-selective longline gear to catch tuna continue to hook extremely high numbers of billfish. Although now required to release every billfish, about one half of the fish are dead when brought to the boat.

The Billfish Plan gave a major boost to marlin and sailfish conservation by closing the growing U.S. market for billfish before it got out of hand. Commercial fishermen no longer have an incentive to keep their billfish by-catch, and so many longline-caught fish which would otherwise die are being released alive. But that's not enough. On average, for each billfish that survives being hooked by a longline, another fish dies (i.e., a 50% survival rate). The number of billfish that are dying is staggeringly high.

The precise number of billfish caught in the U.S. longline fisheries is unknown. However, using data compiled by the South Atlantic Council and included in the documentation for the Billfish Plan, the NCMC estimates that as many as 12,000 billfish a year may be killed in the yellowfin tuna fishery in the Gulf of Mexico (see chart). The National Marine Fisheries Service gives a much more conservative estimate, but doesn't dispute that the number of billfish killed is in the thousands. Moreover, these estimates are based on fishing effort and observer reports through 1987. Since the Gulf yellowfin tuna catch has continued to rise dramatically, the billfish by-catch could be increasing at the same rate.



The chief obstacle to accurately measuring the by-catch, and to protecting billfish from longlining, is existing U.S. law which exempts tuna fishing from management. Tuna longlining is virtually unregulated and the industry is not required to report its catch or by-catch. For budgetary reasons, NMFS has not had observers aboard tuna boats since 1987.

The NCMC is proposing a Five Point Plan aimed at reducing the longline by-catch of billfish:

1. Congress should amend Section 102 of the Magnuson Fishery Conservation and Management Act to extend U.S. fisheries authority to

include fishing for tuna, for the purposes of data collection and management.

2. NMFS should obtain an accurate assessment of the commercial by-catch, by requiring U.S. longline vessels to report all fish hooked, and by placing observers on an adequate number of boats to insure against under-reporting and provide a statistically valid sample of by-catch in the fishery.

3. NMFS should work with the tuna industry, under the agency's Conservation Engineering Program, to make longlining more selective, through changes in the gear and/or the way it is employed.

4. The Regional Councils should explore ways to amend the billfish Plan to reduce the by-catch, such as closing certain ocean areas at certain times to longlining activity. In addition, private, recreationally-oriented research foundations should conduct studies into the feeding habits and migrations of billfish, and the depths and water temperatures they inhabit, to assist managers in devising ways to minimize longline interactions with billfish.

5. The Bush Administration should complement U.S. conservation efforts by pursuing global cooperation in reducing by-catch through the International Commission for the Conservation of Atlantic Tunas, the Inter-American Tropical Tuna Commission and other international fishery agreements.

CONGRESS SHOULD RENEW MAGNUSON ACT,
REAFFIRM EMPHASIS ON CONSERVATION

The Magnuson Fishery Conservation and Management Act, the national law governing marine fisheries, is up for reauthorization this year. Congress is reviewing the effectiveness of the Act and the level of funding necessary to implement it. The National Coalition for Marine Conservation is participating in this review, and has been invited to testify before Congress.

The most glaring deficiency in fisheries management under the Act has been and continues to be the consistent failure of managers to prevent overfishing and maintain fish populations in abundance. Management is still reactive rather than pro-active. Exploitation gives way to conservation only grudgingly. Uncertainty about the condition of a stock nearly always translates into no action instead of caution. Congress, we believe, should use this opportunity not only to renew the Magnuson Act, but to re-affirm the Act's emphasis on long-term conservation of marine resources over short-term production. Congress must also assure that sufficient funding is available, on a continuing basis, for research, management and enforcement to support conservation. Federal expenditures to manage fisheries have been static for nearly a decade.

The NCMC is also recommending specific amendments to the law which would broaden the scope of the Magnuson Act and enhance the nation's ability to manage marine resources:

Habitat. Fish habitat degradation and pollution is a significant and increasing threat to the abundance of marine fish populations and the productivity of U.S. fisheries. Fishery managers must consider the preservation of habitat as an integral part of their efforts to conserve fish stocks. Regulating fishing pressure alone is not enough. Likewise,

addressing habitat issues without involving fishery managers overlooks a critical part of the equation. The NCMC supports changes to the Act which will strengthen the ability of the Regional Councils to influence decisions affecting habitat and expand the National Marine Fisheries Service's ability and obligation to provide the level of scientific information required to meet the habitat needs of fisheries under management.

Limited Entry/User Fees. Limited entry or controlled access is a viable method of controlling effort in overcrowded, overcapitalized fisheries and reducing pressure on stressed resources. The Fishery Management Councils are looking at limited entry as an option in an increasing number of commercial fisheries. Current law, however, inhibits this option by restricting fees imposed on fishermen to the cost of administering permits or licenses. The Councils need a source of funding to implement limited entry systems and the related costs of observers and data collection. We support amending the Act to allow the Councils to include appropriate user fees in Fishery Management Plans for this purpose.

Highly Migratory Species. The present exemption for tuna not only leaves tuna fishing entirely unregulated but inhibits the management of other pelagic fisheries (see billfish story this issue). We recommend eliminating the tuna exemption from the law.

* * * * *

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CONGRESS CONSIDERS TUNA AMENDMENT

The Tuna Management Act of 1989, introduced in July by Senator William Roth of Delaware, would amend the Magnuson Fishery Conservation and Management Act to include tuna under United States fisheries jurisdiction. If approved by Congress, S. 1531 (or a companion bill soon to be filed in the House) would extend federal management authority to all species of marine fish found within the US 200-mile zone, without exception.

A majority of American fishermen, conservationists and fishery managers have long sought to repeal the Magnuson Act's lone exemption for tuna, because it leaves coastal tuna stocks virtually unprotected and interferes with efforts to manage other pelagic fish. During this year's Congressional reauthorization of the Magnuson Act, closing the tuna loophole has been targeted by the National Coalition for Marine Conservation (NCMC) as the most important change Congress can make to improve management of the nation's fisheries. By amending Section 102 of the Act - the tuna exemption - Congress would enable the Councils to solve the problems of conserving billfish and swordfish and empower them to establish some badly needed controls over foreign and domestic tuna fishing in US waters.

NCMC Testifies at Tuna Hearings

On July 20th, Congress held hearings in Washington on the benefits and disadvantages of including tuna under the authority of the Magnuson Act. NCMC executive director Ken Hinman was invited to testify as an expert witness before the House Subcommittee on Fisheries and Wildlife Conservation and the Environment. The NCMC submitted written testimony in support of tuna inclusion to both the Fisheries Subcommittee and the Senate Commerce Committee. [Copies of the NCMC statement are available on request.]

"Our tuna policy has been a failure, as anyone involved in the management of pelagic fish under the Magnuson Act can attest," Hinman told the subcommittee chaired by Rep. Gerry Studds (MA). "The Fishery Management Councils' ability to conserve billfish and swordfish has continually come into fatal conflict with their inability to regulate tuna longlining, even minimally, resulting in overfishing and, in the case of Atlantic swordfish, severe stock depletion." He referred the subcommittee to the most recent swordfish stock assessment, and to an Inter-Council

Inside: 4 New Bills Tackle Ocean Pollution...The Drift Net Menace in Our Own Backyard...Preventive Medicine for Bluefish...Commerce Secretary Gives in to Outlaw Shrimpers, Cancels FED Rule.....Study Looks at Billfish Survival...Oceanographer Knauss Heads NOAA.

Position Paper which asserts that "the barriers to management presented by (the tuna exemption) must be recognized as the major contributing factor" in the swordfish decline.

As long as tuna fishing is immune to regulation, warned Hinman, billfish and sharks, a regular and very substantial by-catch on tuna longlines, may be headed for the same fate as swordfish. The NCMC estimates that as many as 12,000 marlin and sailfish die in the US yellowfin tuna fishery in the Gulf of Mexico each year. "The 1988 Atlantic Billfish Plan seeks to protect these fish from commercial overfishing," Hinman pointed out. "But the conservation impact of the new law will be modest at best if billfish/longline interactions are not reduced. Thousands of billfish will continue to die."

The specter of increased drift netting in US waters [see "Drift Nets Multiply in US Waters" this issue] also adds urgency to the need to manage tuna. Drift nets are used successfully to catch albacore and skipjack tuna in the South Pacific, and, as might be expected, they are killing all kinds of other fish, porpoise, fur seals and whales, too. If American fishermen, who are already experimenting with the long nets to catch mackerel, swordfish and shark, were to begin using drift nets to catch tuna, the US would be powerless to stop them unless the Magnuson Act is amended.

International Management, Yes, But It's Not Enough

Under aggressive questioning from subcommittee chairman Studds, who has supported tuna inclusion in the past, witnesses for the Administration admitted that present law prevents the Councils from doing any more to limit the by-catch of non-tuna species. Nevertheless, in chorus with representatives of the commercial tuna industry, they still insisted that international management is the only way to manage tuna. They even tried to paint a happy face on the sad history of bluefin management under the International Commission for the Conservation of Atlantic Tunas, or ICCAT.

"Our hands-off policy on tuna fishing leaves responsibility for conserving tuna stocks solely in the hands of international organizations, such as ICCAT," the NCMC countered at the House hearing. "The bluefin experience speaks poorly for ICCAT's ability to manage tuna. The timid measures adopted by the Commission in 1982 are simply not working. The current quota set by ICCAT is much too high to affect a recovery, and the stock still teeters on the brink of collapse. Yet ICCAT is content to maintain the status quo indefinitely. Merely keeping a fish off the Endangered Species List is not a measure of successful management."

The NCMC has consistently supported international cooperation to study and manage highly migratory species such as tuna and billfish, and has led the way on more than a few global initiatives. But we don't view domestic and international management as mutually exclusive, as an either/or proposition, but rather as two essential parts of a whole. As Hinman told the subcommittee, "What we as a nation need to do is become more aggressive in the conservation of pelagic fish, both under the Magnuson Act and in the international arena. Right now we are doing neither."

US Tuna Policy Makes Enemies at Home and Abroad

The unyielding support of the Administration (specifically the State Department) for the tuna exemption is solely for the benefit of the distant water tuna fleet, without regard for the interests of our coastal fishermen. "When the State Department says that tunas cannot be managed

except by international agreement, what they really mean is that no nation can exclude American tuna boats from their coastal waters," says NCMC president Chris Weld. "That's really what's driving our whole tuna policy - open access. In order to give a pretense of legality to US fishermen who violate the sovereign waters of other nations to catch tuna, we have declared open season on tuna in our own 200-mile zone. As insurance, we threaten other nations with import restrictions if they don't accommodate our fishermen. As a result, the US is widely viewed as a bully and a blackmailer."

The damage that US tuna policy has done to US foreign relations was dramatically described at the tuna hearings by Admiral Ronald J. Hays, USN (Ret.), the former Commander in Chief of US Pacific Forces (CINCPAC). Admiral Hays testified before the Senate Commerce Committee on his experiences as CINCPAC from 1985-88, and how the pursuit of open access for our tuna fleet jeopardizes US security interests in the region. "In the South Pacific, the vast reservoir of good will that had existed since World War II was falling victim to U.S. tuna policy in the mid-eighties," the Admiral reported. "The negative opinion was not specifically limited to the US fishing industry, but to the USA in general, and came from island nations and major allies, alike. The disdain held for the US tuna policy became a major distractor of national security interests in the Pacific."

The Majority Must Not Be Silent

The only ones who stand to gain from keeping tuna fishing off limits to management under the Magnuson Act are fishermen who oppose regulation of any kind. But in order to divert attention away from their selfish motives, the tuna industry pretends to support international management, even though they fight every conservation measure proposed at ICCAT. Or they portray the tuna issue as merely a user-group conflict between commercial and recreational fishermen; as if sport fishermen have something to gain by a change in the law, and commercial fishermen have something to lose.

"Nothing could be further from the truth," the NCMC's Hinman told Congress. "This issue is not one of special interests, but of adopting sound management policies to preserve fishery resources, for all fishermen, commercial and recreational. Both groups of fishermen stand to gain from improved management. Both stand to lose significantly if our tuna, swordfish and billfish fisheries remain poorly managed."

That's why support for amending the Magnuson Act to include tuna is broad and deep, and includes a majority of fishermen, managers, and members of the scientific community, as well as major environmental groups such as the National Wildlife Federation. "The tuna industry is relying on its political muscle and big bucks to block management," says Chris Weld. "Our strength, on the other hand, is in numbers. But we've got to make those numbers count!"

Closing the tuna loophole in the Magnuson Act may be the most important fishery issue to come before Congress since passage of the Act itself. And there is a good chance of doing it this year, but only if Congress hears from the public. Every conservation-minded fisherman should write to his or her Congressmen. Now is the time to make it happen; the chance may not come again for years, and by then, our offshore fisheries could be destroyed. Don't let this opportunity to improve fishery management pass without making your voice heard. The special insert in this issue, "Write the Wrong," will explain how you can help.

NCMC SUPPORTS ANTI-POLLUTION BILLS

In the wake of this spring's sobering report, "Coastal Waters in Jeopardy" [MARINE BULLETIN No. 41], in which Congress warned that current trends in marine pollution are pushing the nation toward a crisis situation, leaders on the Hill have offered a comprehensive legislative package aimed at cleaning up polluted coastal waters. Separate bills filed by Senators George Mitchell (ME), Frank Lautenberg (NJ), and John Kerry (MA) and Rep. Gerry Studds (MA) were introduced simultaneously in June in a show of unity and commitment to restoring the quality of the marine environment. The NCMC and other member organizations of Fishermen Involved in Saving Habitat (FISH), a coalition of fishing interest groups working together to protect fish habitat, are supporting the ambitious initiatives.

The bills provide differing approaches to improving coastal water quality, but agree on what is needed: broader research and monitoring programs; stronger water quality standards for marine waters; expanded programs to protect threatened bays and estuaries; innovative strategies for addressing chronic point and non-point source pollution; increased efforts to control toxics entering coastal waters; and improved oil spill prevention and clean-up. The four bills are the Marine Protection Act (S. 1178), the Coastal Zone Improvement Act (S. 1189), the Comprehensive Ocean Assessment and Strategy Act, or COAST (S. 1179), and the Coastal Defense Initiative (H.R. 2647). The sponsors of each have vowed to work together to develop the best program for responding to mounting coastal pollution problems.

DRIFT NETS MULTIPLY IN US WATERS

While environmentalists, members of Congress and the nation's editorial page writers express outrage over the wanton destruction of ocean life by the Asian drift net fleets working the Pacific high seas, the drift entanglement net menace is spreading in the Atlantic right off our own shores. Incredibly, federal fishery officials are unfazed, even as the US considers sanctions against the Taiwanese and Koreans for drift net abuses thousands of miles away.

"In 1988 there were seven drift net boats operating out of the New England area," says Les Smith, president of the Atlantic Sportfishing Association (ASA) and NCMC board member from Massachusetts. "In 1989 there are at least 14 that I have knowledge of, and there are reports every day that boats are gearing up to set drift gillnets to catch swordfish. By these reports there may be 50 (boats) soon."

Swordfish stocks are severely overfished and the commercial catch will soon be greatly restricted under an amended fishery management plan. Before that happens, fishermen on Georges Bank are drifting the indiscriminate gill nets, from one to three miles long and 75 to 100 feet deep, to sweep up what few swordfish are left in coastal waters. They are reported to have illegally killed large numbers of porpoise in the nets, as well as under-size bluefin tuna, a protected species under international agreement.

On August 4 the NCMC asked the Fishery Management Councils responsible for swordfish to include a prohibition on drift nets in the amended swordfish plan. Until the plan is amended, we have requested emergency action to immediately freeze the size of the drift net fleet and place observers on all vessels active in the fishery. Recalling the unsuccessful NMFS attempt to put observers aboard three drift net boats in 1984-85, in



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WRITE! THE WRONG

We need your help! As you read this, Congress is reviewing the Magnuson Fishery Conservation and Management Act. The Magnuson Act established the Regional Fishery Management Councils and gave them the authority to regulate fishing inside the 200-mile limit.

All except tuna fishing, that is. As a result of a political compromise, tunas were excluded from US authority. Because of this exclusion, every attempt by the Councils to bring the longline overkill of tunas, swordfish, marlins, sailfish, sharks, dolphin and wahoo under control has been rejected by every Administration since 1977 as interference with the rights of foreign and domestic tuna fishermen.

Swordfish and bluefin tuna are already severely overfished. The same thing is about to happen to blue and white marlins. Scientists tell us that some species of shark may be in trouble. All the tuna resources off our coasts are almost totally unprotected.

When the NCMC testified before Congress in July, our remarks were well received by key Senators and Representatives. But they told us that before they could act, they had to know there was a constituency in favor of amending the Magnuson Act. They told us that well-funded lobbyists representing the tuna fishing industry are fighting our efforts to change the law because they want to keep fishing without restraint. The industry is telling Congress that there's nothing wrong with the resources and that no regulation is necessary.

To convince Congress to extend US management to all fishing with no exception for "special interests," we need the active support of every conservation-minded fisherman. We need letters to Congress, and lots of them.

(over)

Please write to your Senators and Representative today to urge them to support amendment of the Magnuson Act to include tuna. We have a good chance of closing the tuna loophole this year, but only if Congress hears from you and your fishing companions.

Letters to members of the House of Representatives should be addressed to The Honorable _____, US House of Representatives, Washington, DC 20515 and should begin "Dear Rep. _____." Letters to Senators should be addressed to The Honorable _____, US Senate, Washington, DC 20510 and should begin "Dear Senator _____."

Letters on fishing issues are rarer and therefore make more of an impact than letters on subjects of wider national concern such as health, welfare, taxes and defense. So it's important that you make your position very clear and urge your Congressmen to support it.

The letter to each of your Senators should say that Senator Roth has filed a bill (S.1531) entitled "The Tuna Management Act of 1989" to amend the Magnuson Act to extend US fishery jurisdiction to tunas within our Extended Economic Zone, and ask them to endorse and support Senator Roth's proposed amendment. Send a copy of your letter to Ernest F. Hollings, Chairman, Commerce Committee, US Senate, Washington, DC 20510.

The letter to your Representative should point out that amendments to the Magnuson Act will be approved by the House Fisheries Subcommittee this fall, that concerned fishermen and conservationists have asked the committee to amend the Act to include tunas under US fishery jurisdiction, and that you are writing to ask for your Representative's support for this amendment. Send a copy of your letter to Gerry Studds, Chairman, Fisheries Subcommittee, US House of Representatives, Washington, DC 20515.

WRITE TODAY! YOU CAN MAKE A DIFFERENCE!



part due to non-cooperation from boat captains, the NCMC demanded that the nets of boats not carrying observers be sealed against usage.

Because Council recommendations to ban drift nets in the king mackerel fishery off Florida's east coast have been repeatedly rejected by the National Marine Fisheries Service, the NCMC, the ASA and others are also working to bring this problem to the attention of key Congressmen. In the event that controls on drift netting are not forthcoming under the Magnuson Act, we are asking Congress to consider legislation to prohibit drift netting in all waters of the US Exclusive Economic Zone. The Drift Net Act of 1987 regulates only foreign drift netting in US territorial waters and interceptions of US salmon.

COUNCILS FLOAT A BLUEFISH PLAN

Plans for a federal/state bluefish management scheme are moving forward. Public hearings were held throughout the summer on proposed regulations to conserve bluefish populations on the east coast and to protect traditional uses of the resource. The Bluefish Fishery Management Plan was developed by the Mid-Atlantic Fishery Management Council in conjunction with the interstate Atlantic States Marine Fisheries Commission, and with the support of the New England and South Atlantic Councils.

Bluefish, a mainstay of the recreational fisheries on the Atlantic seaboard, are considered "fully-utilized," meaning that increased fishing pressure will cause overfishing and a decline in numbers. The biggest threat to bluefish, according to managers, would likely come from an expanding commercial fishery, although the much larger sport catch should be capped, too. The proposed bluefish plan would set a possession limit of 10 fish per angler, and limit commercial fishermen to no more than 20% of the total catch (recreational plus commercial) each year.

During the public hearings, some charter and party boat captains objected to the recommended 10 fish bag limit. Various alternative limits were suggested, ranging from a more liberal allowance for anglers to limits only on fish above a certain minimum size. This issue will be decided as the Councils review public comment. In any case, recreational fishermen should not lose sight of the fact that a daily limit of 10 fish per person is a small price to pay for conservation, particularly when the plan features insurance that the commercial catch cannot expand to push out anglers or deplete the resource. Bluefish have been the predominant species (by weight) caught by anglers the last 10 years. In 1987, the recreational catch totaled about 110 million pounds, double what it was in 1960. Commercial landings rose five-fold from 2.7 million pounds to 14.8 million pounds in that same time period. With the potential for even more rapid growth in the commercial sector, with the use of highly efficient net gear, it is critical to get the proposed bluefish conservation plan signed into law as quickly as possible.

A NATION OF LAWS, NOT SHRIMPERS

When on May 1st, shrimpers from North Carolina to Texas were required by federal law to use turtle excluder devices, or TEDs, in order to protect endangered sea turtles, shrimpers complained that the gear made them an endangered species instead. In the Gulf coast states of Texas and Louisiana they rebelled, openly refusing to insert the TEDs in their nets, threatening violence against federal enforcement agents, and finally blockading harbors in protest. The intimidation worked. On July 24,

Secretary of Commerce Robert Mosbacher, whose department is charged with protecting five species of turtles under the Endangered Species Act, suspended the TED regulation, eventually substituting an innocuous limit on trawl tow times. Mosbacher's action leaves the turtles at the mercy of the shrimpers, and set a potentially disastrous legal precedent.

The problem with TEDs, say shrimpers, is that they reduce their catch of shrimp; that shrimping doesn't kill that many sea turtles; and that they'll be damned if they're going to lose money to save a few turtles, anyway. The problem with shrimpers, according to federal officials and conservationists, is that they won't give the TED a chance. Instead, they are being whipped into an outlaw frenzy by a few demagogic leaders who choose to ignore the facts. Those facts are that more than 11,000 sea turtles drown in shrimp trawls every year, including the extremely endangered Kemp's ridley; TEDs are about 97% effective in releasing turtles from shrimp nets; and numerous studies have demonstrated that, with practice, the devices are not difficult or dangerous to use and will not significantly reduce the shrimpers' catch over the length of the fishing season.

Secretary Mosbacher knows this as well as anyone. After all, one of his agency's, the National Marine Fisheries Service, conducted the studies, approved the TEDs and recommended the regulations. Nonetheless, political pressure from Gulf coast Congressmen and the shrimpers' hostile defiance of the law has carried the day. When a federal judge, reacting to a lawsuit filed by the National Wildlife Federation, told Mosbacher he couldn't just cancel the TED requirement but had to replace it with an alternate way to protect turtles from shrimping, the Secretary ordered all shrimp boats to retrieve their nets after 90 minutes in the water, the estimated length of time a netted turtle can survive before it drowns.

The limits on trawl tow times are a poor substitute. First of all, they are virtually unenforceable, and many of the same shrimpers who refused to pull TEDs have vowed not to lift their nets until they're full, either. Secondly, even if all shrimpers comply with the measure, it will only reduce turtle deaths by a small margin. NMFS scientists estimate that at best, the 90-minute limit on trawling might cut turtle mortality from 11,000 deaths to 8,500 deaths a year. Given the precarious status of the Kemp's ridley and the other endangered and threatened turtles, that's totally unacceptable under the mandate of the Endangered Species Act.

Secretary Mosbacher's decision not to enforce the Act in this case endangers not only turtles but the law itself. The message being sent out all across the country is that there can be exceptions to the Act, provided the objections to it are violent enough. This could carry over into fisheries law as well. By rewarding outlaw shrimpers with a reprieve from TEDs, the Secretary is telling fishermen of all kinds that not only is it okay to defy federal regulation of their activities, but the more violent their protest the more likely it is to succeed. It was precisely to prevent fostering this kind of thinking among fishermen that the NCMC two years ago worked to remove the leader of Concerned Shrimpers of America from the Gulf of Mexico Fishery Management Council because he was inciting his peers to disobey TED regulations pending at the time.

The hardball tactics of the Gulf shrimpers have sparked equally strong, albeit non-violent, reactions from environmentalists. The National Audubon Society and eight other groups are promoting a nationwide boycott of shrimp until the TED requirement is reinstated. "Until shrimpers stop catching sea turtles," says Audubon, "let's tell them to not bother

catching shrimp either." (It should be noted that not all shrimpers took part in or sympathize with the violent protests by shrimpers in Texas and Louisiana. Compliance with the TED regs was pretty good in South Carolina, Georgia and Florida, where there were few complaints. Some shrimpers continue to use TEDs voluntarily.) Florida's Marine Fisheries Commission responded to federal inaction by passing an emergency rule effective August 9 requiring the use of TEDs in state waters because of the prevalence of turtles there year-round.

The Commerce Department solicited public comment on the new trawl limitations until August 21. The NCMC submitted a strong statement condemning the Secretary's action and urging him to reinstate the TED requirement for all offshore shrimpers. "Our members and the public at large support the use of TEDs as a sound resource management tool, one which protects endangered turtles and reduces the intolerably high by-catch of commercially and recreationally valuable finfish, while still allowing shrimpers to operate in their traditional fashion," the NCMC wrote. "The bottom line is that shrimpers are exploiting a public resource - which is a privilege - and therefore must accept the TEDs as a cost of doing business."

SURVIVAL OF RELEASED BILLFISH

The principal conservation benefit of the Atlantic Billfish Plan rests on the release of marlin and sailfish captured by commercial longliners, who are prohibited from keeping any billfish, and the release of small fish caught by anglers with rod and reel. To help answer the question of how many fish actually survive the stress of being hooked and released - on which there is very limited information - the South Atlantic Fishery Management Council commissioned a study by the Mote Marine Laboratory headquartered in Sarasota, Florida. Mote's findings, published in "Billfish Mortality and Survivability," were recently released. The report is disappointing, however, because it provides little useful information about the mortality and survival of released billfish, only what further studies are necessary.

The tracking of fish set loose by anglers was done in Puerto Rico and the Virgin Islands, because "the high marlin catch rates in that area make the ultrasonic tagging/tracking study practical and cost-efficient." But the fishing techniques widely used in this area - high-speed lures prevent the fish being hooked deep in the gills or gut, aggressive angling/boat-handling brings fish to the boat quickly while they are still fresh and active; most fish are released without being touched by cutting the leader - give a definite positive bias to the survival rate. The investigators admit that they've produced only a best-case scenario, and that the survival rate under more typical conditions remains unknown. Similar tracking studies should be conducted in other areas of high billfishing activity to draw any generally applicable conclusions.

Observers were put on-board longline vessels in the Caribbean to examine the condition of the commercial billfish by-catch. The obvious weakness in this part of the study was that the vessels selected were targeting swordfish and thus soaked their lines at night. Relatively few billfish were caught, but that was to be expected since billfish are daytime feeders. The billfish by-catch is significantly higher for vessels targeting yellowfin or bigeye tuna. Therefore, observers need to be placed on board tuna longliners in the Gulf of Mexico where the majority of billfish are caught. Data on the number of billfish surviving in the tuna fishery would be far more meaningful in the context of the billfish plan.

NOAA GETS A NEW BOSS

John Knauss has been appointed to succeed William Evans as Administrator of the National Oceanic and Atmospheric Administration (NOAA). Dr Knauss, a former dean of the University of Rhode Island's Graduate School of Oceanography, is an internationally known oceanographer. He has been involved in the development of national ocean policy for over 25 years. Upon Knauss' appointment, NCMC chairman John Green commented: "His vast experience will bring to the NOAA post an ability to meet the challenges presented by the changes in our ocean environment and the growing pressures on our marine resources. We look forward to working with him."

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STRIPED BASS NUMBERS ARE UP -- OR ARE THEY?

What appeared to be good news for striped bass traveled quickly along the east coast this summer, as results of the annual spawning survey in Chesapeake Bay were released. This year's "young-of-the-year" index, Maryland's annual count of fingerlings in selected tributaries where striped bass spawn every spring, indicated the excellent spawning season east coast fishermen and managers have been waiting for may have finally come. At once, the various state fishery agencies involved in the coast-wide conservation program prepared to ease restrictions on their commercial and recreational fishermen, while Maryland announced plans to end its five-year moratorium on fishing the Chesapeake spawning grounds.

Unfortunately, they're jumping the gun. There is good reason to suspect the 1989 spawning index is seriously flawed, and if it is, relaxing conservation measures now will be a tragic mistake. Until legitimate questions about the reliability of this year's survey are answered, the National Coalition for Marine Conservation (NCMC) is urging managers not to ease fishing restrictions for at least another year. If they do, they risk erasing the progress made to date and sending the striper recovery, for which so many fishermen have sacrificed for so long, back to square one.

The annual survey conducted by Maryland biologists since 1954 is the standard by which the health of the beleaguered Atlantic striped bass fishery is measured, and so enjoys the power to influence coast-wide conservation efforts. Since the early 1970s, production in the Chesapeake, where historically the bulk of the coastal migratory stripers originate, has been dismal. The only moderately successful spawning year occurred in 1982. Protecting the 1982 year class as it grows to reproductive maturity, using an ascending scale of minimum size limits, has been the key feature of the interstate conservation plan adopted by the Atlantic States Marine Fisheries Commission (ASMFC). By all accounts, it's working; a healthy number of fish from the '82 year class is entering the spawning population.

But if patience is paying off, it's also been wearing thin. Commercial fishermen are champing at the bit to re-open the fishery, and conservationists have long worried that managers, under pressure from commercial interests, would abandon all caution at the first sign of

Inside: Tuna Bill Clears First Hurdle.....A New Way of Thinking About Groundfish Management.....Finfish By-catch Next Target for Trawl Devices.....NCMC Pushes for Lower Bluefin Quotas....Congress Seeks to Ban Drift Nets, Almost.....New Swordfish Regs Prepared.

improvement on the Chesapeake spawning grounds. That's exactly what's happening. Maryland's spawning index for 1989, supposedly the second highest in the 35-year history of the survey, has filled managers with an optimism about the status of the fishery that is extremely premature and quite probably mistaken. A look at how this year's figures came about reveals why.

The formula for determining spawning success in the bay is surprisingly simple. Between July and September, 132 test hauls are done at 22 separate locations throughout the estuary and the number of young fish tallied up. The total is then divided by 22, and that's the index. But this year, something curious happened. More than half of the total number of fish were netted at a single site on just one of four rivers surveyed (the Choptank). This statistical anomaly skews the index sharply upward, making what may be just an average spawning year appear to be an extraordinary one.

Given this uncertainty, it would be foolish to assume this year's index accurately reflects the overall health of the bay's spawning population. And given all that's been invested in the recovery effort, it would be downright irresponsible for managers to take it as a cue to retreat from the present conservation program. Yet that's what the Atlantic coast states are poised to do. If the states cannot be convinced to proceed with caution - at least until the results of the 1990 survey are in - and the interstate conservation effort begins to unravel, Congress may be asked to step into the breach. In the meantime, Congress should direct the federal Emergency Striped Bass Research Study team to review the 1989 spawning survey and recommend an appropriate response.

CONGRESSIONAL FISHERIES PANEL VOTES FOR TUNA MANAGEMENT

The efforts of the NCMC and others to improve the conservation of tuna and other offshore species cleared a critical hurdle on October 5th, when members of the House Merchant Marine and Fisheries Committee voted overwhelmingly to extend regulation of fishing under the United States 200-mile law to include the tuna harvest. This landmark amendment to the Magnuson Fishery Conservation and Management Act, introduced by Rep. Patricia Saiki of Hawaii, would reverse the longstanding US policy of exempting tuna from domestic management plans and enable managers to protect tuna, swordfish, billfish, shark and other pelagic species from continued overfishing. The tuna amendment - part of HR 2061, the Fishery Conservation Amendments of 1989 - must next gain approval from the full House and Senate before it becomes law.

"The committee vote puts us one step closer to our goal of bringing tuna under the Act," remarked NCMC president Chris Weld. "The message that the fate of our stressed offshore fisheries hangs in the balance is finally being heard on Capitol Hill, because fishermen and conservationists are making themselves heard in numbers unprecedented for a fisheries issue. But we're going to keep a full court press on," he advised, "because the tuna lobby will now be working harder than ever to hold on to its status as the only unregulated fishery in US waters."

In the 1980s, tuna fishing off the US coast has increased at an astounding pace, and so has its by-catch of other species, yet managers have no real authority to control either. The Magnuson Act has treated tuna as if they weren't fish ever since Congress claimed jurisdiction over all other marine fish in 1976. The continued exclusion of tuna, a product of heavy political pressure from the US tuna industry, has led to

widespread overfishing and in several cases stock depletion. It not only prevents managers from conserving tuna stocks, it also blocks attempts to manage other pelagic fish which are taken as a by-catch on longline gear set for tuna. The commercial tuna lobby wants it to stay that way, even if it means risking the future productivity of our domestic tuna fisheries.

Rep. Gerry Studds, who chairs the House Subcommittee on Fisheries and was an original author of the Magnuson Act, spoke strongly in favor of the tuna amendment during the October 5th vote. "I did not support the exclusion of tuna in the Seventies," he declared, "and I have opposed consistently the inconsistency of that position." Even so, just two weeks earlier his subcommittee had approved a compromise measure designed to help conserve by-catch species without altering the US position that tuna should only be managed internationally. This amendment, co-authored by Studds and Rep. Don Young, the ranking minority member from Alaska, declared Congress' intent that the tuna exemption must not be used to restrict lawful efforts to manage species taken as a by-catch, even if such measures indirectly affect tuna fishermen.

The NCMC viewed the compromise as unsatisfactory, however. Without extending jurisdiction to tuna, we could expect continued meddling in the fishery management process on behalf of foreign and domestic tuna interests. Moreover, it would do absolutely nothing to conserve tuna stocks for the long-term benefit of American fishermen, or to foster better relations with nations whose waters are regularly raided by US tuna fleets. Consequently, a flood of letters and phone calls, insisting on repeal of the tuna exemption, preceded the vote on Magnuson Act amendments by the full committee. This laid the groundwork for Rep. Saiki, who did a super job of lobbying her colleagues on behalf of the tuna amendment.

The public outpouring of support for tuna management has so far offset the intense lobbying effort by the tuna industry, but it must continue. "All those who believe tuna should receive concern for conservation and management purposes," Saiki urged, "should become active and explain their reasons to their Congressmen." If you haven't written your Congressmen yet, please do it today! The vote of your Representative or Senator could be the one that makes the difference.

REQUIRED READING

The NCMC has long advocated stepped up research into fishing gear design, often referred to as conservation engineering, in order to rid the seas of indiscriminate fishing gear in favor of more selective, resource-friendly alternatives. So we were pleased, although surprised, to see this view endorsed in the pages of National Fisherman, the bible of the commercial fishing industry.

"The otter trawl is a largely nonselective vacuum cleaner," writes Spencer Appollonio in the November issue of NF. "As currently built and used, it takes everything with almost negligible discrimination." The otter trawl is the dominant commercial gear in the multi-species fisheries of the northwest Atlantic, where groundfish stocks are in serious trouble. The efforts of the United States and Canada, each using widely disparate management philosophies, have failed to conserve cod, haddock, redfish and other species. Obviously, concludes Appollonio, "something is missing." The one factor common to the decline of all these species, he suggests, is the otter trawl, and the solution may be to replace the trawl with "truly selective gear" and thus enable managers to control fishing effort for each species, selecting from a broad range of regulatory options.

Appollonio is no newcomer to fisheries issues. He's a veteran fisheries administrator whose resume includes a stint as commissioner of Maine's Department of Marine Resources and deputy director of the Fisheries Ecology Division at the NMFS Northeast Fisheries Center in Woods Hole. His guest opinion in NF, therefore, will command attention as much for who's saying it as for what he says. It's a welcome blast of fresh air for the suffocatingly stagnant groundfish management process in particular, and for fisheries management in general.

The otter trawl is a wide, funnel-shaped net dragged over the ocean bottom and held open by boards attached to the tow lines on each side. Set against the current, they press outward and keep the mouth of the net wide open. The otter trawl is used to catch bottom-dwelling fish off the northeast coast. Despite regulation of mesh sizes, it is largely indiscriminate as to species and size of fish it takes. The result is that limits on the catch of one species, or restrictions on the size of another, are virtually impossible to implement. Under-sized fish, fish that put the boat over a quota, and unwanted by-catches are discarded at sea.

In searching for a more species-selective alternative to the "vacuum cleaner technology" of the otter trawl, Appollonio says we should look to fish behavior in designing "gear that attracts fish that are legal and marketable and at the same time repels juveniles, breeding females and unwanted fish." Unfortunately, he notes, the government's gear research program and behavioral studies have been given the lowest priority or been abandoned altogether.

Finally, Appollonio decries the current, single-minded emphasis of fisheries research on stock assessments, which "simply document the condition of the stocks." That's not enough, he says. "If managers are to manage communities of many species, as they must in mixed-species fisheries, then they have to understand how the systems work." That means ecosystems research and management, a concept recently adopted by NOAA Fisheries but still in its infancy.

If we follow Appollonio's thinking a step further, we might suggest a system of ecosystem management in the northeast which would promote the conservative removal of a wide range of species, but not the intensive harvest of any one. This would give managers the ability to closely monitor and control fishing effort for each species, according to its unique needs, to assure abundance, while also preserving a stable predator-prey balance of species within the ocean ecosystem.

MOST SHRIMPERS NOW USING TEDS, SAYS NMFS

The National Marine Fisheries Service, charged with implementing federal regulations to protect sea turtles from shrimp trawling, reports "excellent compliance" regarding the installation and use of turtle excluder devices in the first weeks following re-implementation of the postponed TED rule on September 8th. Random boardings by Coast Guard officers in the western Gulf of Mexico, where resistance from shrimpers has been strong (to put it mildly), show compliance in Texas is "good," but still remains "poor" off Louisiana.

Throughout the on again/off again struggle to convince shrimpers to equip their trawls with TEDs, the National Coalition for Marine Conservation has consistently stressed that excluder devices are needed to save the billions of finfish routinely trapped and killed in trawling for shrimp, too. According to the federal Shrimp Fishery Management Plan,

shrimpers on average net and discard nine pounds of juvenile finfish per pound of shrimp caught and sold. Yet that same plan contains no measures aimed at reducing that unspeakable waste. Instead, all of the conservation effort aimed at the shrimp harvest, the most indiscriminate of all fisheries, has come under the Endangered Species Act, to protect threatened sea turtles which drown in the nets by the thousands.

Turtle excluders can reduce the fish by-catch by as much as half. If modified with fish excluder panels, the devices can make the by-catch minimal. The NCMC will ask the Fishery Management Councils and the Interstate Marine Fisheries Commissions to work with the shrimp industry and the conservation community to include measures requiring devices to reduce the trawl by-catch of fish in state and federal shrimp management programs. The by-catch issue is a resource management problem, not merely an endangered species problem, and it should be dealt with as such by the managers with that responsibility. So far, that isn't happening.

TOUGHER ACTION NEEDED TO HALT BLUEFIN DECLINE

The NCMC continues to press for stronger medicine for the ailing Atlantic bluefin tuna. Present restrictions on the fishery, initiated in 1983 by the International Commission for the Conservation of Atlantic Tunas (ICCAT), have failed to produce a turn-around in the fishery. The trends which originally alarmed conservationists and scientists are virtually unchanged: the spawning stock continues to shrink, while mortality on the younger generations of bluefin prevents rebuilding. In short, the bluefin remains in a very precarious state.

At last year's ICCAT session, the tuna commission once again turned a blind eye to these concerns and extended the current regime - a northwest Atlantic quota of 2,660 metric tons shared by the US, Canada and Japan and no directed fishing in the Gulf of Mexico spawning grounds - through 1989. As ICCAT prepares to review the situation at this November's meeting, conservationists are urging the commissioners to adopt the tough measures they should have adopted long ago.

The NCMC's Frank Carlton, once an ICCAT commissioner and now an advisor to the US delegation, made the case for a substantially reduced quota at a pre-ICCAT meeting in Washington in October. Carlton reminded the delegation that in 1982 the ICCAT Standing Committee on Research and Statistics - the commission's international panel of scientific advisors - recommended reducing the catch to as close to zero as possible, with only a small catch for stock assessment purposes. "The quota was increased to its present high level for economic, not scientific, reasons," says Carlton, "and that's since proven to be a disaster for bluefin. Recognizing that, it's time for ICCAT to follow its original intent when the current conservation program was adopted."

PROPOSED DRIFT NET BILL WINKS AT US NETTERS

Drift nets have figured prominently in the Congressional discussions on amending the Magnuson Fishery Conservation and Management Act. Legislation proposed in both the House and the Senate would prohibit the use of "large scale" drift nets - 1.5 miles or longer - in US waters, by either foreign or American fishermen. Other provisions call on the Administration to negotiate for a global ban on high seas drift netting.

The NCMC, which was among the first to bring the coastal drift net problem to the attention of government officials ten years ago, supports

this initiative, but with an important reservation. In a letter to key Congressmen, the NCMC stated: Allowing drift nets under 1.5 miles long "would permit most of the drift netting for thresher sharks, swordfish, king mackerel and other species that is going on in US waters right now to continue, and allow new drift net fisheries to begin for other species. We believe that the prohibition should cover all drift netting...period. Drift netting is an unacceptable form of fishing, and permitting any amount of drift netting is unacceptable."

Excluding the nets used in US coastal waters makes the Congressional action largely a symbolic one. First of all, it would do little to resolve the problems created by American drift nets, which the Regional Fishery Management Councils would like to ban. Secondly, it would send such a muddled signal on the issue as to make this country's negotiating position on high seas drift nets untenable. "I'd hate to be the US representative at the negotiating table demanding that the Asian nations stop drift netting," observes NCMC director Ken Hinman, "when they point out that we allow our own fishermen to drift net. Arguing that because our nets are shorter, they're okay, just isn't going to wash." The NCMC position is that any effective drift net law must be based on a clear definition of what drift netting is, and then outlaw any method of fishing that fits that definition, regardless of how long the nets are.

COUNCILS, FISHERMEN DUEL OVER SWORDFISH PLAN

At a September meeting of the South Atlantic Fishery Management Council, plans were drawn up for Amendment #1 to the federal swordfish management plan. Swordfish populations are severely overfished; the spawning stock numbers little more than a third of what it was in the late 70s. If the number of spawning age broadbills is reduced much further, say government experts, a population collapse is likely.

The Council's plan is to limit the catch of swordfish to a level where the spawning stock will recover to 1978 strength within five years. To accomplish that, the US quota will be cut to 2.47 million pounds, 78% less than the 11 million pounds American fishermen caught in 1987. Because there are over 700 boats holding permits to harvest swordfish, nearly half of which are targeting tuna, the Council is recommending the quota be taken as a by-catch only, eliminating all directed fishing, in order to reduce the likelihood the quota will be taken quickly and/or exceeded. Once the quota is reached, a ban on longlining at night will take effect, and importing swordfish will be against the law. Drift netting will be prohibited at any time, as will harpooning. Rod and reel fishermen will be allowed a total of 110 fish weighing at least 150 lbs., but are forbidden to sell them.

Painful Cuts Necessary to Avert a Collapse

The drastic measures being proposed to save swordfish populations from being wiped out have yet to go to public hearings. But the councils (the South Atlantic Council has the lead on swordfish management, with advice from the other four Atlantic region councils) are already hearing from stunned and irate commercial fishermen who say the plan isn't fair. Frankly, the fishermen are caught between a rock and a hard place, and they know it. If they don't cut back significantly, biologists tell them, the swordfish fishery is doomed. If they do, reply the fishermen, they will go out of business anyway. Either way they lose. But for managers, the choice is simpler, either a temporary sacrifice to rebuild the stocks, or a stock collapse that ties everyone to the dock for a long, long time.

Anger over the failure of management is justified. Our fishery management system is supposed to prevent having to make these kinds of choices, but obviously it didn't, and it's not the first time. The fairness issue is a legitimate one, too. Measures to rebuild the swordfish fishery must 1) take into account how and why it was overfished, and 2) work toward developing a sustainable fishery for the future, one which will assure the long-term conservation of the resource after the stocks are rebuilt.

Greed, Bad Science and the Tuna Connection

First, the fishermen themselves, whose motto should be "Stop me before I kill again," must shoulder a hefty share of the blame. For years they knew as well as or better than anyone that swordfish were in decline, but chose to keep turning up the fishing pressure anyway. Evidently what mattered most to the industry was not a healthy resource, but a healthy profit margin. So instead of encouraging managers to implement a proactive plan to protect the fishery for the long-term, they actively discouraged any regulation whatsoever.

In their defense, commercial fishermen argue that the scientists from the National Marine Fisheries Service (NMFS) were, until very recently, telling them that the stocks were in fine shape. That's true, but NMFS was tragically wrong. Indeed, the agency's string of rosy assessments conflicted so radically with those of other scientists, and was so clearly at odds with the obvious trends in the fishery, that anyone who put their faith in them, particularly fishermen, did so primarily because that's what they preferred to believe. The 1989 NMFS stock assessment, a complete revelation compared with its predecessors, finally confirmed the dire state of swordfish and led to the emergency action the councils are now proposing. Nonetheless, the question as to how our best government scientists could have been so wrong for so long demands an answer.

Even more harmful than the running dispute over the status of the stocks, though, was the Administration overruling the councils on measures that might have stemmed the swordfish decline. For example, the councils first proposed a system of seasonal closures in 1985, meant to reduce the mortality of younger fish so more would grow to spawning age and produce more swordfish. But twice the Secretary of Commerce turned the plan down, claiming it would "adversely affect both the foreign and domestic tuna fishery." (Under present US tuna policy, tuna longliners are immune from Council management measures, no matter that they catch a substantial number of swordfish.) The result was no regulation at all.

The planned cutbacks in the swordfish fishery will put even greater pressure on intensively harvested tuna resources, as more longliners turn to yellowfin and bigeye. This underscores the urgent need for Congress to amend the Magnuson Act to include tuna this year (see related story this issue). There is also some question as to whether the newly proposed swordfish plan, which sets limits on the by-catch of tuna vessels and, like the aforementioned seasonal closures, will restrict longlining for tuna at night, can be reconciled with the Administration's hands-off policy toward tuna. To complicate matters, some are trying to apply the tuna philosophy to swordfish. The New England Council, for instance, is advancing the position that the US should not act unilaterally, but rather work for restrictions through the International Commission for the Conservation of Atlantic Tunas, since about half the northwest Atlantic swordfish catch is taken by other nations. (New England is also the only council on record opposing a ban on drift nets, all of which are operating in their region.)

The New England Council's argument is specious. International cooperation is necessary, and it should and will be pursued, but that doesn't change the reality of how slow ICCAT works or relieve the US of its obligation to act to conserve swordfish, particularly on known spawning grounds in the Florida Straits and the Caribbean, where the US is the dominant harvester. To rely on ICCAT to take the lead on swordfish conservation is naive. The US must take the lead, with action not words.

A Fishery for the Future

The NCMC supports the South Atlantic Council's plan, including the reduced quota and the outlawing of drift nets. However, since we believe the plan should lay the foundation for the future of the fishery, we are recommending that it provide a quota for the directed harpoon fishery, along with that allotted for rod-and-reel. The plan should reflect the fishery before the advent of indiscriminate longlining, when a healthy commercial fishery was sustained by harpoons and the recreational fishery was small but thriving. Whether the resource should ever again be subjected to directed longlining is something the councils will have to determine as the stocks recover.

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No. 46

NMFS UNVEILS EMERGENCY PLAN TO PROTECT SHARKS

Mounting fishing pressure is putting shark populations in the Atlantic at great risk. Sharks, slow growing fish that reproduce in comparatively small numbers, can't endure intensive fishing for very long. Government biologists believe some species of pelagic sharks are already being overfished, and fear the number of sharks in coastal waters could plummet unless steps are taken to limit fishing effort soon.

The Fishery Management Councils responsible for conserving sharks under the Magnuson Fishery Conservation and Management Act decided the situation was too precarious to allow fishing to go uncontrolled while they work through the time-consuming process of preparing a federal management plan. So under special provisions of the Magnuson Act, they asked the Secretary of Commerce to impose emergency measures. On October 20th, the National Marine Fisheries Service (NMFS) released the interim management strategy it has developed to protect 38 species of shark from overfishing until the Councils can complete a permanent plan.

The "Draft Secretarial Shark Fishery Management Plan for the Atlantic Ocean," which NMFS hopes to implement by next summer, puts a cap on landings in the directed commercial shark fishery, limits rod and reel fishermen to one shark a day, and outlaws the "finning" of sharks at sea. It also requires a commercial permit to sell shark meat and/or fins, mandatory reporting of commercial landings and sales, and submission of daily catch totals by shark tournaments.

Sharks are uniquely susceptible to overfishing, as evidenced by the fact that every organized, intensive commercial shark fishery has collapsed after only a few productive years. Catches along the Atlantic and Gulf Coasts have been growing by leaps and bounds during the 1980s, due to rising demand for shark meat and, more recently, their fins. The cruel and wasteful practice of finning - cutting off the fins at sea and discarding the mutilated fish - has outraged the public and added substantially to pressure on the stocks. The only reason some species of shark haven't already been decimated, experts surmise, is because the Atlantic fishery tapped into a large virgin stock. There is no question, though, that if fishing remains unchecked, a collapse in the fishery is inevitable.

Inside: Interstate Commission Eases Restrictions on Fishing for Striped Bass.....Bluefin and Swordfish Get No Relief at ICCAT..... Progress Report on Magnuson Act.....NMFS Plans Action on RecFish Policy.....Council Gives Final Approval to Swordfish Plan.

Crisis Draws A Quick Response, But...

The National Coalition for Marine Conservation (NCMC) commends NMFS for acting quickly to attack the finning problem and halt any further rise in commercial landings. Without at least these measures, effective as soon as possible, the demise of the Atlantic shark fisheries will be swift and certain. In comments submitted to NMFS in November, however, the NCMC stated that more conservative measures will be needed to lessen the risk of lasting damage to the shark resource.

The NMFS plan is only a stopgap measure, requested by and prepared in consultation with the Regional Councils. As a conservation program, it doesn't go far enough. The depth of concern expressed by NMFS about the impending threat to sharks is not mirrored in the actions proposed. "(Sharks) have been overfished for over 10 years, and...we are fearful of a stock collapse," the agency declared in announcing the new measures. But instead of setting lower catch limits for all shark fishing, commercial landings are capped at recent levels. The plan relies too heavily on the anti-finning measures and anticipated cutbacks in the by-catch of sharks in other fisheries to reduce overall mortality.

Still, the NCMC strongly supports the proposed ban on finning sharks at sea. Under the new regulations, vessels will be required to land one carcass for every four fins on board. The chief supplier of fins, which are exported to the Orient for about \$20 a pound (compared to \$1.50 for shark meat), is the pelagic longline fishery, where the incidental catch of sharks is high. Keeping and selling only the fins is gravy to the longline fleet. If, however, fishermen are required to land all of the shark or nothing at all, they will likely cut it loose, since they will not want to waste space in the hold on shark meat worth considerably less than tuna or swordfish. Therefore, the anti-finning measure should reduce shark kills substantially. On the other hand, the longline by-catch mortality is still a problem, since many released sharks will die anyway. The NCMC urged NMFS (and the Councils) to consider ways to reduce the incidental catch of sharks, on longlines and other gear.

...Catch Levels Remain Too High

The proposed daily bag limit for recreational anglers and the prohibition against non-commercial fishermen selling their catch are justified. The NCMC endorses all efforts to promote catch and release fishing for sharks, and encourages tournaments to assist NMFS in collecting catch and effort statistics. The regulations proposed for commercial fishing, however, are less supportable. The plan proposes to confine the directed commercial harvest to 5,800 metric tons, the amount caught in 1988. Notwithstanding a built-in procedure for modifying this quota after the first year, it maintains an unsafe level of fishing pressure. The Councils, in their June 3rd request to the Secretary for emergency action, recommended capping the directed harvest at the 1986 level, or 1,210 MT. The NCMC concurs. It is incongruous to declare that the stocks are being overfished - that they in fact have been overfished for the past ten years - and then to maintain the status quo in the commercial fishery. It is also inconsistent with the plan's objective of reducing the total recreational catch by 37 percent via a bag limit.

By permitting the commercial catch to continue at recent levels, the plan looks to anticipated, yet very uncertain, reductions in the non-directed commercial fisheries to bring the total harvest of sharks down to a safe level. The by-catch of sharks in other fisheries is thought to

exceed the combined catch in the commercial and recreational shark fisheries. The ban on finning will certainly cut into this mortality. But lowering the by-catch in the huge longline and shrimp trawl fisheries depends on the enactment of strict swordfish regulations, which are still on the drawing board, and widespread use of trawling efficiency devices, or TEDs. Even then, there will still be hundreds of tuna longliners regularly hooking sharks, and thousands of juvenile sharks that won't escape the shrimp nets.

Uncertainty Demands Caution

As both NMFS and the Councils acknowledge, they don't know enough about the shark fisheries or the status of the stocks to manage with a lot of confidence at this point. Adjustments in the allowable catch will be necessary as we learn more. The NCMC's concern is that the typically slow reaction by managers to newly available information and emerging trends in the fisheries could be disastrous in the case of sharks. To prevent such a disaster, management should be very cautious from the outset. If it's determined that the stocks can safely sustain a higher quota, then adjust it upwards later.

The Secretarial plan is not the final word on shark management, and it's not meant to be. Some of the changes requested by the NCMC and others during the public comment period may be incorporated into the plan. If not, the Councils, who knew when they asked for help that it might be less than what they would want, will have the opportunity to make the plan more conservative. But for now, NMFS has replaced certain destruction for the shark population in general, or certainly several species of shark, with uncertain conservation - and we'll take it.

ATLANTIC STATES RELAX STRIPED BASS REGULATIONS

Acting on signs that striped bass finally had a good spawning season in the Chesapeake Bay this year, the Atlantic States Marine Fisheries Commission (ASMFC) has revised its interstate management plan to ease restrictions on commercial and recreational fishing the length of the eastern seaboard. The new regulations include size limits of 28 inches in coastal waters and 18 inches inland; a one-fish-a-day limit for anglers; and restricted fishing seasons to limit the commercial catch in each state to 20 percent of what it was in the 1970s, when the striper decline began. States may prepare alternative plans for achieving the same level of conservation, but they must meet with the approval of the ASMFC.

The ASMFC considers Amendment #4 to the Interstate Striped Bass Management Plan to be a "safe" and "conservative" re-opening of the striped bass fisheries. Not everyone agrees. The reason for relaxing catch restrictions - the most significant of these being an end to the moratorium on fishing in Chesapeake Bay - was the 1989 survey of spawning success in the Chesapeake, where most Atlantic striped bass are produced. The spawning index was unusually high, chiefly because of an extraordinary number of fingerlings found at one survey site. For this reason, some biologists are skeptical about how accurately the survey reflects bay-wide spawning, and many conservationists, including the NCMC, called on managers to stick with existing restrictions until the 1990 survey (see "Striped Bass Numbers Are Up -- Or Are They?" Marine Bulletin No. 45). Congress, whose concern for the recovery of striped bass has produced a federal emergency study of the decline and a law requiring all east coast states to conform to ASMFC recommendations, will hold an oversight hearing on progress in the striper recovery on January 29th.

ICCAT BALKS

At the November 1989 session of the International Commission for the Conservation of Atlantic Tunas (ICCAT), reports of declining fish stocks fell on deaf ears. Two species of fish under ICCAT jurisdiction, the bluefin tuna and the broadbill swordfish, are severely overfished; the bluefin remains in that condition despite a seven-year conservation program, while dwindling swordfish stocks have yet to receive any help. Both situations were brought to the attention of the 22 nation commission, by the United States delegation and ICCAT's own scientific advisers, but to no avail.

The Standing Committee on Research and Statistics (SCRS), comprised of scientists from all the member nations, met first to review status reports on tunas and billfish. The SCRS reported that the western Atlantic stock of bluefin is not improving, and that at the present level of fishing (2,660 metric tons) the spawning population (giants age 10 and above) will continue to shrink. Though the steady decline in numbers of younger fish, the future spawners, seems to have been halted, the SCRS pointed out that catches of small fish are increasing. The panel concluded, in typically understated fashion, that under the present fishing regime the long-term recovery of bluefin will be inhibited.

The US delegation expressed grave concern about bluefin and made a pitch for more conservation, noting that the current program, in place since 1982, has not produced the expected results. The Japanese, as usual, read the latest data more optimistically, and they were joined by Canada in opposing any further reduction in the quota shared by those two countries and the US. All three nations, however, did agree to an interim meeting to discuss the situation. Carmen Blondin, head of the US delegation, suggested to the commission that if the trends in the fishery don't improve by next year's meeting, the present quota should be cut in half.

The US also tried to convince the commission to initiate an international conservation program for swordfish, and again was supported by the report of the SCRS. The scientists noted increased catches of small fish and a declining spawning stock, and concluded that the present level of fishing could not be safely maintained. They called for action to at least prevent any further increase in fishing mortality. The US lobbied for a cautious 10-20 percent reduction in the catch, and, when that was rejected, a cap on the fishery; but others disagreed, especially Spain, which along with the US is a major harvester of swordfish in the western Atlantic. The Spanish delegates seized on uncertainties in the stock analysis to justify no action this year.

Despite the efforts of the US, bolstered by clear scientific evidence that the bluefin recovery program isn't working and that swordfish are overfished, ICCAT chose not to act. It is yet another example of the triumph of politics and economics over conservation, and underscores the folly of relying exclusively on international action to conserve tuna, swordfish or any other oceanic species.

CONGRESS BREAKS EARLY, LEAVING MAGNUSON ACT UNAMENDED

The first session of the 101st Congress ended November 22nd with a number of issues unresolved, among them proposed amendments to the Magnuson Fishery Conservation and Management Act. The Act, up for re-renewal in 1989, was the subject of numerous hearings around the country and in Washington,

and several bills were introduced to improve or otherwise alter the law governing ocean fishing within the US 200-mile zone. But when the House and Senate convened for the year, changes to the Act were still being debated. Meanwhile, US fishery authority and funding was renewed in the 1989 federal appropriations bill.

Conservation. Testimony at a series of field hearings held last spring and summer by the House Fisheries and Wildlife Subcommittee touched on a wide range of interests, many parochial, but the one concern raised again and again was that the nation's conservation and management law is still coming up short on conservation. In response, the Subcommittee approved an amendment revising the language of the National Standards (which set guidelines for the contents of fishery management plans) to assure that precedence is given to conserving fish over achieving optimum yields from the fisheries. But this language was deleted by the full Merchant Marine and Fisheries Committee when it approved a package of amendments on October 5th (H.R. 2061, "Fishery Conservation Amendments of 1989"), primarily because Congress is reluctant to tamper with the National Standards. Nevertheless, the hearing record will show that it is the intent of Congress that conservation be the Act's principal goal.

Tuna Management. When the House Fisheries Committee voted to include tuna under the Act as part of H.R. 2061, the spotlight shifted to the Senate Commerce Committee, which is preparing its own set of amendments to recommend to the upper chamber. Congress is under a lot of pressure to reverse the Act's failed tuna policy, which leaves tuna fishing in US waters unregulated and inhibits efforts to conserve other pelagic fish caught by tuna fishermen. At the same time, the tuna industry is pulling out all the stops in lobbying to keep its special status as the only unregulated fishery in the US 200-mile zone. Senator Roth's (DE) Tuna Management Act (S.1561), which, like the tuna provisions of the House bill, would extend management authority to tunas, was introduced in July and is gathering co-sponsors. The Commerce Committee, however, has delayed action while exploring a possible compromise.

Drift Nets. H.R. 2061 contains a provision making it illegal for American fishermen to engage in large-scale drift net fishing, and directs the Secretary of State to pursue an international ban on drift netting on the high seas. A similar amendment has been proposed in the Senate. "Large scale" is defined as nets a mile and a half or more in length. This would mean the ban would not affect American drift netters, whose nets are mostly about a mile in length. The NCMC is urging Congress to outlaw drift entanglement nets of any length (see "Proposed Drift Net Bill Winks at US Netters," Marine Bulletin No. 45). The administration is already pursuing agreements to prohibit high seas drift netting. US Ambassador Thomas Pickering is reportedly preparing a United Nations resolution calling for a complete moratorium on high seas drift netting by 1992.

Council Membership. Generally speaking, membership on the eight Regional Councils is approaching what Congress had in mind - a fair balance of interests representative of the commercial and recreational fishing constituencies of each region. Commercial fishing interests, unhappy with the make-up of several Councils, now want to change the rules to favor appointment of more industry representatives. Under present law, members must be knowledgeable and experienced regarding either conservation and management, or the commercial or recreational fish harvest. One amendment in H.R. 2061 would stipulate that such knowledge and experience should come by virtue of being a professional fisherman. This would effectively exclude recreational fishermen, other than charter captains or those

otherwise employed in the fishing industry. A second amendment directs the Secretary of Commerce to ensure a fair representation of the active participants, not in each region's fisheries as the law reads now, but in the region's commercial fisheries.

The NCMC vehemently opposes these changes, because they would 1) ensure that all fishermen on the Councils have an economic stake in the fisheries being managed, increasing the likelihood of conflict of interest, and 2) it is discriminatory to single out one group of fishermen, in this case commercial, for priority in making appointments. The NCMC has also opposed any kind of quota system (e.g., 50/50 recreational/commercial), believing that the sole aim of the appointment process should be to appoint qualified individuals who can take an objective view, putting the conservation of the resource first, not the interests of any user group.

Fish Habitat. In 1986 Congress gave the Councils authority to comment on projects impacting habitat of fish under their jurisdiction, and required federal agencies to respond in writing within 45 days. Under H.R. 2061, this authority is strengthened regarding habitat of anadromous species, such as striped bass and salmon. For instance, if the Pacific Council determined that a proposed dam or logging project could destroy salmon habitat and submitted these concerns to the federal agency(s) involved in overseeing the project, the law would require a detailed response describing the measures being considered for mitigating the damage to habitat. The NCMC would like to see this requirement expanded to cover all fisheries.

AN "ACTION PLAN" FOR RECREATIONAL FISHERIES

On November 14 the National Marine Fisheries Service released a draft "Marine Recreational Fisheries Action Plan," spelling out how the agency will implement the National Recreational Fisheries Policy adopted last year by federal and state agencies and the fishing community. It is designed to make NMFS recreational fisheries programs consistent throughout the nation, and to assure that each region's program is coordinated with the needs of anglers in that part of the country.

The Action Plan contains five major goals: 1) the maintenance of healthy fish resources to support recreational fishing, 2) the protection of habitat vital to recreationally-important species, 3) improved collection, analysis and dissemination of information to enhance conservation and management, 4) a closer, working relationship with the recreational fishing industry, and 5) long-term planning and budgeting to implement specific programs, with involvement of the recreational fishing community.

Of these five objectives, NMFS says it will put its major effort into the conservation of fisheries and their habitat. "Only with the resource on a sound footing can the recreational program be fully successful," according to NMFS. This emphasis on conservation as the most important ingredient of any program to benefit marine fisheries was strongly supported by representatives of the recreational fishing community who participated in the review of how existing NMFS programs which spawned the new Action Plan.

Among the specific actions planned by NMFS are: a review of stock assessment work on key recreational species and regular status reports made available to the public "in layman's terms"; implementation of a national angling ethics program, stressing catch and release fishing and compliance



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On August 1, 1988, 150 representatives from 12 countries - a literal "who's who" of billfish cognoscenti - gathered in Kona, Hawaii for an international summit on worldwide efforts to conserve billfishes: marlin, swordfish, sailfish and spearfish. The next five days were devoted to exploring new and innovative strategies for the study and conservation of these magnificent and uniquely valuable fish. The results of that historic conference are now available in a book that no billfisherman or ocean conservationist can afford to be without.

The National Coalition for Marine Conservation is proud to announce publication of Planning the Future of Billfishes, Part 1 - "Fishery and Stock Synopses, Data Needs and Management," edited by Richard H. Stroud. This handsome, hardcover volume (361 pages) contains the most complete, up-to-date information on the biology and habits of the billfishes, the recreational and commercial fisheries in the Atlantic, Pacific and Indian Oceans, the latest assessments of the health of the stocks throughout their trans-oceanic range, and an indepth discussion of efforts to conserve billfishes, emphasizing the need for stronger national and international management programs.

Part 2, "Contributed Papers," a complete collection of 30 scientific papers submitted to and presented at the Symposium, is scheduled for publication in Spring 1990. Together, they will be the most comprehensive source of information on billfish science and management ever compiled. The volumes can be ordered separately, or together.

* * * * *

See Reverse for Contents and Ordering Information

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- Reports on the Status of Billfish Stocks
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Part 1: Hardcover, 361 Pages, Illustrated with Tables, Graphs, Maps and Figures. 31 Contributing Authors. Includes transcripts of all panel discussions. ISSN 0161-522X. Library of Congress Catalog No. 76-22389.

*A video of symposium highlights is also available from the Hawaiian Int'l Billfish Assn. For information, write: HIBA, P.O. Box 30547, Honolulu, HI 96820 USA

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with fishery laws; establishment of a national steering committee to identify information and data needs and recommend steps for obtaining that information; development of a socio-economic research plan in each region; and better communications with the marine recreational fishing constituency on all aspects of NMFS programs which affect them. The success of the Action Plan will depend on the commitment of NMFS to its stated goals, and on the support and involvement of recreational fishermen all around the country. For a copy of the Action Plan, write to: Richard B. Stone, Fishery Management Specialist, NMFS, 1335 East-West Highway, Silver Spring, MD 20910.

FINAL PUSH IS ON FOR SWORDFISH CONSERVATION

The NCMC has almost a proprietary interest in the fate of the broadbill swordfish. It is, after all, the organization's symbol; chosen because it is both a renowned game fish and a valuable food fish. But the swordfish has also become symbolic of so many of the difficulties we face in trying to manage pelagic fisheries. For that reason alone, overcoming the obstacles to effective conservation of swordfish continues to be a high priority.

As with all wide-ranging ocean species, there is a mix of national and international interest in swordfish. There are jurisdictional problems created by the fact that swordfish are mainly caught on longlines which are also used to catch unregulated species of tuna. There is conflict between the Magnuson Act's goal of long-term conservation for the benefit of all users, present and future, and the commercial fisherman's goal of exploitation now to maximize profits. And there are ongoing disputes over differing interpretations of the available scientific information on the health of the stocks. Each of these elements has at one time or another blocked conservation of swordfish. Some are still being used to argue against taking action.

Except there is no longer any doubt, at least among managers and scientists in this country, about the status of swordfish in the western Atlantic. This year's NMFS stock assessment report made it undeniably clear that the species is severely over-exploited. The panel assembled to review that report, chaired by the new head of NMFS, William Fox, also made it clear that an immediate and drastic reduction in the number of swordfish caught is crucial to avoid a disastrous collapse in the fishery.

The South Atlantic Council, lead council on the swordfish plan, accepted the NMFS assessment and the panel's recommendation in September when it drafted plan amendment #1. That amendment calls for a 78 percent reduction in overall catch; a by-catch only fishery, where longliners are limited to 6 fish per trip; and no drift netting. On December 2nd, the Council gave final approval to Amendment #1 and will take it to public hearings in January. The NCMC will testify in favor of the plan.

The arguments against the US taking this action are two: that swordfish can only be effectively managed by international agreement (the position taken by the New England Council, incidentally); and that such Draconian measures will cause severe economic hardship to the American swordfish industry. As for the first, it was amply demonstrated at the most recent ICCAT meeting that the prospects for international action on swordfish in the foreseeable future are very slim (see "ICCAT Balks," this issue). If the US were to wait for an ocean-wide conservation program, it would mean doing nothing for an indefinite period of time, something government scientists have told us we cannot afford to do. Secondly, while

it is true that the swordfish plan will cause hardship for swordfishermen, hard times are coming no matter what managers choose to do. The sacrifice US fishermen are being asked to make in the interest of conservation is a lot less than what they stand to lose if nothing is done, and the fishery collapses completely within a year or two.

The choice is clear. We should not manage our fisheries the way we manage the federal budget deficit, passing the problem on to our children. It would be wrong to go on catching more fish today, if it means possibly denying the next generation of fishermen a chance to catch any fish at all. All conservation-minded fishermen should support Amendment #1 to the Atlantic Swordfish Plan, and it should be approved and implemented by Washington as quickly as possible.

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A Bi-monthly Summary of Coalition News & Activities

January 1989

¶ NCMC President Chris Weld attended The Billfish Foundation's November 4 board meeting in Ft. Lauderdale. At that meeting, the TBF trustees agreed to contribute funding to the ICCAT Enhanced Billfish Research Program for 5 years.

¶ Vice President for Environmental Affairs Bethlyn McCloskey attended a Conference on Environmental Quality in the Gulf of Mexico November 16-18 in Galveston, Texas.

¶ Bob White, President of the American Fisheries Society, re-appointed Executive Director Ken Hinman to the AFS Federal Fisheries Responsibilities Committee for 1989. The committee, chaired by former NMFS chief Bill Gordon, is lobbying the Administration and Congress to reorganize fisheries authority at the federal level to save money and improve efficiency.

¶ In a November 17 letter to the Regional Fishery Management Councils, the NCMC recommended substantial reductions in fishing for Atlantic swordfish. The NCMC also urged NOAA Fisheries Administrator James Brennan to extend his agency's full support to Council efforts to halt overfishing.

¶ The NCMC has added a new tagging award in support of the NMFS national gamefish tagging program. Beginning in 1989, a trophy will be given to the angler who tags and releases the largest number of blue marlin. Our award for the boat captain tagging the most blue marlin in a calendar year was initiated in 1986.

¶ Vice Chairman Frank Carlton is working with representatives of Atlantic and Pacific fisheries organizations to set up a world conference to review specific scientific requirements for billfish and tuna management. The technical conference is the result of recommendations made at the 1988 International Billfish Symposium to coordinate global conservation efforts.

¶ The next Marine Recreational Fisheries Symposium has been tentatively scheduled for the spring of 1990, with fisheries habitat conservation the subject.

¶ Ken Hinman's "Conservation Comments" column in the November issue of Marlin magazine, entitled "Fishermen: The Sea's Political Constituency," urged anglers to rally together under the banner "conservation means better fishing" by actively supporting local and national organizations.

A Bi-monthly Summary of Coalition News & Activities

March 1989

¶ Coalition president Chris Weld was selected to succeed Frank Carlton as chairman of the Marine Recreational Fisheries Symposium at a January 26 meeting of the MRFS Steering Committee in Washington. The meeting was held to plan the 1990 symposium on habitat conservation.

¶ A portion of the proceeds from the 1988 Invitational Masters Angling Tournament was donated to the NCMC in January to further our conservation efforts in 1989. The Coalition appreciates the support of this prestigious organization.

¶ The NCMC has asked the South Atlantic Council to check reports of an international longline fleet catching large numbers of spawning-size swordfish near the Puerto Rican Trench. If confirmed, this new activity would strengthen demands for controls within the U.S. zone to protect depleted swordfish stocks.

¶ Vice chairman Frank Carlton, a U.S. salmon commissioner, attended a meeting of the North American Commission to the North Atlantic Salmon Conservation Organization held in Hilton Head, South Carolina on February 14-16.

¶ "U.S. Tuna Policy: Time for a Change," by executive director Ken Hinman, is featured in the March issue of SALT WATER SPORTSMAN.

¶ Vice president for environmental affairs Bethlyn McCloskey represented the Coalition at a March 1-2 meeting sponsored by the Coast Alliance and other conservation groups in Washington. The meeting was devoted to addressing coastal protection issues under the new Administration and Congress.

¶ James McHugh, NCMC board member from Virginia, is the new chairman of the Mid-Atlantic Fishery Management Council, the lead council for conservation of shark and bluefish.

¶ After hearing reliable reports of billfish illegally caught and sold in Puerto Rico and elsewhere, the NCMC petitioned NOAA Fisheries to file an urgent request for action by the federal Office of Management and Budget. OMB has yet to approve a requirement that dealers selling billfish document where the fish were caught and landed, and until they do, the new ban on selling Atlantic billfish cannot be enforced in the marketplace.

A Bi-monthly Summary
of Coalition News & Activities

May 1, 1989

~ The NCMC is co-hosting a coastal protection workshop, organized by the Coast Alliance, on Friday, June 9 at the Duke U. Marine Lab in Beaufort, NC. Proposed additions to the Coastal Barrier Resources System, soon to be considered by Congress, will be discussed. Call Melissa Sagun of the Alliance for information (202-265-5518).

~ Jack Cleveland has announced publication of the 2nd edition of his book The Albatross Fleet, a history of charter boat fishing off Cape Hatteras, NC. Mr. Cleveland, an advisor to the Coalition who spends his summers writing and fishing in Hatteras, will again donate the book's proceeds to support NCMC conservation programs.

~ Executive director Ken Hinman represented the NCMC at the March 10-12 meeting of United Sport Fishermen in Cozumel, hosted by the Mexican Billfish Foundation. Topics discussed by the fisheries alliance were the national fisheries budget, regional council appts., Magnuson Act amendments, the federal license, and ICCAT billfish research.

~ The Curtis and Edith Munson Foundation has awarded the NCMC a grant in support of its 1989 Large Pelagics Conservation Program.

~ NCMC board member Les Smith has organized and will serve as executive director of the new Atlantic Sportfishing Association (Box 245, Natick, MA 01760). The NCMC will work closely with the ASA on such issues as gillnetting, ocean dumping, and striped bass, tuna and shark conservation.

~ Vice chairman Frank Carlton, who as NCMC president led the campaign for passage of the Magnuson Act in 1975, has been appointed to serve on a national ad hoc committee studying amendments to the Act.

~ Ken Hinman attended the S. Atl. Fishery Man't Council meetings on billfish and swordfish meetings in Tampa, FL on April 27. Hinman is chairman of the SAFMC's billfish advisory panel. The council discussed possible amendments to the Billfish Management Plan, and heard the latest status report on swordfish.

~ Savannah member Charles Williams has donated a FAX machine to the Coalition's main office. The FAX # is 1-912-233-2909.

A Bi-monthly Summary of Coalition News & Activities

August 1, 1989

~ The NCMC has asked the NEW ENGLAND FISHERY MANAGEMENT COUNCIL to supply information on the developing commercial net fishery for sand lances. The Coalition is concerned about the use of fine mesh nets in areas inhabited by juvenile cod, flounder and haddock.

~ President CHRIS WELD, who represents the NCMC on the COAST ALLIANCE board of directors, attended the CA's May 31 board meeting in Washington. Executive director KEN HINMAN, also present at the board's invitation, made a presentation on the 1990 Symposium on Fish Habitat Conservation, which was well received.

~ The NCMC submitted position statements to the SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL on proposed amendments to the Atlantic Billfish Plan (5/22) and Swordfish Plan (6/2). We emphasized the need to follow-up on recommended research into assessing and reducing the longline by-catch of billfish, and endorsed the Swordfish Review Panel's recommendation of substantial cuts in the swordfish harvest.

~ The NCMC joined with the NATIONAL WILDLIFE FEDERATION and eight other environmental groups in submitting joint testimony to Congress on June 1 in support of S.804, A Bill to Conserve Wetland Ecosystems. This legislation will help create a stable source of funding for the acquisition and protection of wetlands for fish and wildlife habitat.

~ The NCMC co-sponsored a coastal barriers workshop on June 9 in Beaufort, NC. On June 22, the Coalition joined with other co-sponsoring groups in sending a letter to REP. WALTER JONES (NC), chairman of the House Merchant Marine and Fisheries Committee, urging him to include all eligible coastal areas in the federal system to protect coastal barrier islands and beaches.

~ Vice chairman FRANK CARLTON, a U.S. salmon commissioner, attended the NASCO meetings June 12-17. All conservation agreements affecting North American salmon were extended. Carlton called for the development of a system to further insulate management from politics, noted that interception of U.S.-origin fish was still unacceptably high, and expressed concern about the impact of ranched salmon on wild stocks.

~ Members of the Steering Committee for the Symposium on Fish Habitat Conservation (including CHRIS WELD and KEN HINMAN) met in Washington, DC on July 19, selected Baltimore as the site for the October 1990 conference, finalized the program, and nominated speakers.

~ KEN HINMAN presented testimony for the NCMC before the House Fisheries Subcommittee on July 20 on improving management of highly migratory species by repealing the Magnuson Act's tuna exemption, enhancing US participation in int'l fisheries agreements, and improving coordination between domestic and int'l efforts to conserve tuna, billfish and swordfish.

~ The NCMC and the ATLANTIC SPORTFISHING ASSN. have agreed to join forces on five major conservation issues: controlling gillnets in the New England groundfish fishery, protecting sharks, tuna management under the Magnuson Act, striped bass research and restoration, and ocean dumping.

A Bi-monthly Summary of Coalition News & Activities

December 1989

~ **Special Magnuson Act Update:** A large portion of the NCMC's activities during the past year were devoted to amending the Magnuson Fishery Conservation and Management Act to improve US fisheries management. The NCMC supported amendments to give stronger emphasis to conservation and habitat protection and to ban drift nets, and opposed a biased proposal to mandate commercial (but not recreational) representation on the Regional Councils.

Our primary objective is an amendment to extend management authority to include fishing for tunas in US waters, which also impacts the conservation of all other pelagic species. Considerable staff time was devoted to research, the compilation and dissemination of information, preparation of Congressional testimony and position statements, coordination with other interested fishing and conservation groups, monitoring developments in Congress, getting news coverage in national, regional and local publications, and spearheading a grassroots letter-writing campaign. Officers and board members contributed substantial amounts of their time and energy to this effort, and hundreds of Coalition members responded enthusiastically by personally getting the message to their Congressmen.

On October 5, the House Merchant Marine and Fisheries Committee approved legislation (HR 2061) which includes a tuna amendment to the Magnuson Act. The NCMC had testified at the Fisheries Committee's hearings on tuna management in July and presented the committee with the arguments in support of inclusion. The House convened before a floor vote was scheduled. In the Senate, more sponsors signed on to the Roth bill (S.1561), but the Commerce Committee was still debating a package of amendments when Congress recessed for the year. Action will resume in January.

Our goal of enhancing management of ocean fishing must still be fought for and won during the next session of Congress. Nonetheless, 1989 was a year of significant progress. In particular, the commitment and volunteer spirit exhibited by NCMC members was very encouraging, and played a key role in bringing us this far. If we can maintain this level of involvement throughout the coming campaign, the 1990s could be the decade when the potential of the Magnuson Act is finally realized.

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~ On October 5-6, NCMC President CHRIS WELD and Vice Chairman FRANK CARLTON met with other members of the ICCAT Advisory Committee in Washington to develop the current US position on Atlantic-wide programs to conserve tuna, swordfish and billfish for the tuna commission's November 1989 session. The NCMC recommended a substantially reduced quota for bluefin tuna and the adoption of strict limits on the catch of swordfish.

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~ The NCMC asked Senate Commerce Committee chairman ERNEST HOLLINGS (SC), to support extending the proposed Congressional ban on drift netting in US waters to all nets, including the smaller nets used by American fishermen (1.5 miles or less in length), instead of just large-scale nets, as has been proposed.

~ The JESSIE B. COX CHARITABLE TRUST has awarded the NCMC with a grant to help with the expansion of the organization's conservation programs.

~ The United Sport Fishermen held a meeting in Washington October 6-7. Executive Director KEN HINMAN represented the NCMC during the discussions, on such issues as amendments to the Magnuson Act, striped bass conservation, and drift nets. JOHN KNAUSS and WILLIAM FOX, the newly appointed heads of NOAA and NMFS respectively, joined the group to introduce their plans for marine fish and habitat management.

~ The NCMC supported the Mid-Atlantic Council/Atlantic States Marine Fisheries Commission management plan for bluefish, endorsing the suggested 10 fish recreational bag limit but requesting that the commercial fishery be limited to no more than 15% of the total catch, instead of the proposed 20%, to prevent further commercial expansion which could lead to overfishing the still abundant bluefish populations.

~ Part One of the Proceedings of the International Billfish Symposium has been published by the NCMC and is available at a cost of \$30 plus shipping (\$1.50 US/Canada; \$3.00 overseas). This 361-page hardcover volume contains all the papers on trends in the fisheries, status of the stocks, data needs and management of marlin, swordfish, sailfish and other pelagics presented at the historic August 1988 conference in Kona. Part Two will be published in Spring 1990.

~ A panel on billfish research has been added to the program of the 41st Tuna Conference, sponsored by the Inter-American Tropical Tuna Commission and the National Marine Fisheries Service, slated for May 21-24, 1990. The organizers of the conference, whose theme this year is "Pelagic Community Relations: Predators, Symbionts, and Exploitation," say the addition of billfish as a topic at this international meeting of scientists is a direct result of recommendations made at the NCMC's Billfish Symposium last year.

~ The 6th annual BOSTON SPORTFISHING BOAT SHOW, held October 26-29, benefited the NCMC. Staff joined with the Atlantic Sportfishing Assn. in manning a booth at the show to pass out information, sign up new members, and discuss marine conservation with visitors.

~ FRANK CARLTON met with the Minister of Fisheries for the United Kingdom on November 9 to talk about problems with drift nets in the north Atlantic salmon fishery.

~ The NCMC commented in support of the draft Secretarial shark management plan to curb overfishing and outlaw shark finning. The Nov. 27 statement, however, criticized the plan's allowable catch level for the commercial fishery, and recommended a more conservative quota, as proposed for the recreational fishery (a 1 fish daily bag limit).

~ KEN HINMAN attended a joint South Atlantic and Gulf of Mexico Fishery Management Council meeting on December 1-2 in Charleston, SC. Management options for redfish, snapper/grouper, swordfish, mackerel and shark were reviewed and approved.