

AGENDA ITEM H-9
December, 1979

MEMORANDUM

DATE: December 7, 1979

TO: Council Members, Scientific & Statistical Committee and
Advisory Panel

FROM: Jim H. Branson

SUBJECT: The State/Federal Management of Inter-Jurisdictional
Fisheries . . . Proposed Meetings

ACTION REQUIRED

*Approval for the Chairman and Executive Director to attend a
planning meeting (San Diego) on January 7th and a national
meeting (Virginia) on January 29, 30 and 31 to discuss
State/Federal fisheries management programs.*

BACKGROUND

We have been invited to participate in a conference of state fish and wildlife directors from the coastal and Great Lake States and officials from NOAA, NMFS and the Councils to be held in Virginia on January 29, 30, and 31, 1980. It will focus on state and federal roles, responsibilities and interactions in fisheries management and research. A West coast planning meeting has been scheduled in San Diego on January 7th and the Chairman and I have been invited to attend. Almost no advance material accompanies the requests except a speech by Terry Leitzell on "Where do we go from here" which is attached.

We should receive a discussion paper in advance of the January 7th meeting in California and at that time intend to evaluate it to consider the priorities of State/Federal fisheries management support for activities related to 1) the FCMA, 2) Coastal Zone Management Act, 3) habitat protection, 4) fisheries research and 5) cooperative data management.

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AGENDA ITEM H-9 DEC 1979
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 UNITED STATES DEPARTMENT OF COMMERCE
 National Oceanic and Atmospheric Administration

National Marine Fisheries Service
 P.O. Box 1668
 Juneau, Alaska

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DEC 3 1979

November 30, 1979

Mr. Jim Branson, Executive Director
 North Pacific Fishery Management Council
 P.O. Box 3136 DT
 Anchorage, Alaska 99510

Dear Jim:

As we have discussed earlier by telephone, Terry Leitzell has asked us to arrange for a meeting with State Directors of Oregon, Washington, California, Idaho, and Alaska, the Chairman and Executive Directors of the Pacific and North Pacific Fishery Management Councils, and the Executive Director of the Pacific Marine Fisheries Commission, preparatory to the National Conference of State Fish and Wildlife Directors to be held in Alexandria, Virginia, on January 29-31, 1980. The purpose of this preparatory meeting is to review a discussion paper on the options for future NMFS State/Federal activities and associated budgetary decisions. The discussion paper will be mailed to you and you should receive it about January 1. This will be the basis at the National Conference for focusing on State and Federal roles and responsibilities and interactions with respect to coordination of fisheries-related activities.

Consequently, we have arranged for such a meeting to be held in the Mission Room of The Bahia in San Diego on January 7 from 7:30 to 10:00 p.m. The Bahia is located at 998 West Mission Bay Drive in San Diego, telephone - 714-488-0551. Someone from our Headquarters Office in Washington, D.C., will be present to lead the discussion. Since most of the participants will be gathering at The Bahia in San Diego for the Pacific Fishery Management Council Meeting scheduled for January 8-9, we thought this arrangement would minimize time and travel costs, even though it requires those of us from Alaska to travel somewhat farther. Please make your own reservations at The Bahia.

We will look forward to seeing you (or your designee if you can't come) at this meeting. Since other members of the Pacific Council may arrive in time for the meeting on the night of the 7th, they would be welcome if they care to attend.

Sincerely,

Harry L. Rietze
 Director, Alaska Region





AGENDA H-9
DEC. 1979

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 National Marine Fisheries Service
 Washington, D.C. 20235

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Mr. Jim H. Branson
 Executive Director
 North Pacific Fishery
 Management Council
 P.O. Box 3136 DT
 Anchorage, Alaska 99510

Dear Mr. Branson:

It is my pleasure to invite you to attend a Conference of State Fish and Wildlife Directors from the coastal and Great Lakes States, and officials from the National Oceanic and Atmospheric Administration/National Marine Fisheries Service (NOAA/NMFS), which is scheduled to be held at the Olde Colony Motor Lodge and Conference Center in Alexandria, Virginia, on January 29-31, 1980. The Conference will focus on State and Federal roles and responsibilities and interactions with respect to coordination of fisheries-related activities. If you are able to do so without disrupting Council business, I would appreciate your not scheduling Council meetings which would conflict with this Conference.

We are currently working with a Planning Committee of State Directors from each coastal region and the Great Lakes States, established under the auspices of the International Association of Fish and Wildlife Agencies, to develop an appropriate agenda. The proposed agenda allocates a substantial portion of the Conference to separate regional discussion sessions of State, Council, and NMFS representatives. The principal task of the regional sessions will be to identify areas of emphasis and associated priorities for NMFS' State/Federal activities. A copy of the preliminary agenda, and more detailed information about the Conference, will be sent to you in the near future.

In October, I had two occasions to address State constituencies, i.e., at the 38th Annual Meeting of the Atlantic States Marine Fisheries Commission, and at the Conference on State and Interstate Fishery Jurisdiction and Management. My remarks to both groups were much the same. Enclosed is a copy of the speech I presented at the Jurisdiction Conference.

In summary, I used both opportunities to appeal to the States and Fishery Management Councils for advice regarding the future of the State/Federal Fisheries Management Program (SFFMP). I indicated that we presently are reevaluating the program, and that it might continue to support management planning for interjurisdictional fisheries resources in State waters in situations meeting specific criteria. In addition, I indicated that we are considering the alternatives of SFFMP support for activities which are related to (1) FCMA, (2) CZMA, (3) habitat protection, (4) fisheries research, and (5) cooperative data management. I concluded by stressing that we have insufficient resources to



achieve immediate success in all of these areas simultaneously. Therefore, we must jointly identify areas of emphasis and associated priorities needing immediate attention. I noted that NMFS was ready to play a coordinating role for moving ahead, and that the State Fish and Wildlife Directors Conference could serve as an important forum for decision making.

To obtain constructive results from the Conference, we must be adequately prepared to discuss State/Federal emphasis and priorities. Therefore, we are developing a discussion paper on the options for future NMFS State/Federal activities, and a plan for advance consultations on this subject with State Directors, Chairmen and Executive Directors of the Regional Fishery Management Councils, and the Executive Directors of the Interstate Fisheries Commissions preparatory to the January Conference. Our regional offices will be contacting you to set up these advance consultations.

Please mark the Conference dates on your calendar. I look forward to seeing you.

Sincerely yours,



Terry L. Leitzell
Assistant Administrator
for Fisheries

STATE/FEDERAL MANAGEMENT OF INTERJURISDICTIONAL FISHERIES

-- WHERE DO WE GO FROM HERE?

BY

TERRY L. LEITZELL

ASSISTANT ADMINISTRATOR FOR FISHERIES

NATIONAL MARINE FISHERIES SERVICE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

CONFERENCE ON STATE AND INTERSTATE

FISHERIES JURISDICTION & MANAGEMENT

RALEIGH, NORTH CAROLINA

OCTOBER 30, 1979.

GOOD EVENING. SECRETARY JONES, DISTINGUISHED COLLEAGUES, LADIES AND GENTLEMEN . . . I AM DELIGHTED TO BE HERE THIS EVENING. I NOTE WITH PLEASURE THAT ONE OF THE OBJECTIVES OF THIS CONFERENCE IS TO EXAMINE PROBLEMS AT STATE AND INTER-STATE LEVELS ENCOUNTERED SINCE THE IMPLEMENTATION OF THE FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976. INASMUCH AS THE NATIONAL MARINE FISHERIES SERVICE IS THE LEAD FEDERAL AGENCY FOR THAT ACT AND HAS MANDATED RESPONSIBILITIES UNDER IT, I AM MOST INTERESTED IN THE DISCUSSIONS AND CONCLUSIONS OF THIS CONFERENCE.

THIS CONFERENCE IS MOST TIMELY WITH REGARD TO SOME ON-GOING ACTIVITIES WITHIN NMFS. AS A MATTER OF FACT, IN LIGHT OF NOAA'S RESPONSIBILITIES UNDER FCMA AND THE COASTAL ZONE MANAGEMENT ACT, WE CURRENTLY ARE REEVALUATING OUR STATE/FEDERAL FISHERIES MANAGEMENT PROGRAM, WHICH PROVIDES THE PRIMARY NOAA FOCUS FOR ASSISTING STATE MANAGEMENT OF INTER-JURISDICTIONAL STOCKS IN THE TERRITORIAL SEA. THEREFORE, I WOULD LIKE TO BRIEFLY DESCRIBE THE EVOLUTION OF THE PROGRAM, ITS ACCOMPLISHMENTS, THE IMPACT OF THE FCMA ON THE PROGRAM, OUR CURRENT THINKING AS TO AREAS THE PROGRAM MIGHT MOVE INTO, AND CONCLUDE WITH A FEW QUESTIONS AND COMMENTS FOR YOUR THOUGHT AS WE JOINTLY CONSIDER NEW DIRECTIONS FOR THE PROGRAM.

WHAT HAS BEEN DONE ?

IN 1971, IN RESPONSE TO THE STRATTON COMMISSION'S CALL FOR STATE/FEDERAL MANAGEMENT OF SHARED FISHERIES RESOURCES BASED ON NATIONAL OBJECTIVES AND SOUND SCIENTIFIC DATA, NOAA INSTITUTED THE STATE/FEDERAL FISHERIES MANAGEMENT PROGRAM UNDER THE GENERAL AUTHORITY OF THE FISH AND WILDLIFE ACT OF 1956. THE GOAL OF THIS PROGRAM HAS BEEN TO PRODUCE RATIONAL MANAGEMENT OF INTERJURISDICTIONAL FISHERIES RESOURCES, HARVESTED PREDOMINANTLY OR EXCLUSIVELY IN TERRITORIAL WATERS. WE DO THIS THROUGH THE DEVELOPMENT AND IMPLEMENTATION OF COMPREHENSIVE FISHERIES MANAGEMENT PLANS DESIGNED TO

OPTIMIZE SOCIAL, RECREATIONAL, AND ECONOMIC BENEFITS ON A SUSTAINABLE BASIS. THE PRINCIPAL OBJECTIVES FOR ATTAINING THIS GOAL HAVE BEEN: (1) TO DEVELOP AND MAINTAIN AN INSTITUTIONAL STRUCTURE THAT FACILITATES COOPERATIVE STATE/FEDERAL MANAGEMENT PLANNING AND ACTION, WITH ADVICE FROM RESOURCE USERS; (2) TO DESIGN AND IMPLEMENT APPROPRIATE PROGRAM POLICIES AND PLANNING GUIDELINES THAT PROVIDE FOR SHARED DECISIONMAKING AND POSITIVE, TIMELY MANAGEMENT ACTION, AND (3) TO DEVELOP AND PROMOTE APPROPRIATE STATE LEGISLATION THAT PROVIDES THE NECESSARY REGULATORY AUTHORITY TO MANAGE FISHERIES EFFECTIVELY.

SINCE THE INCEPTION OF THE STATE/FEDERAL PROGRAM, APPROXIMATELY \$5 MILLION IN FEDERAL CONTRACT MONIES HAVE BEEN SPENT IN SUPPORT OF DEVELOPMENT AND IMPLEMENTATION OF INTERJURISDICTIONAL FISHERY MANAGEMENT PLANS FOR AMERICAN LOBSTER, NORTHERN SHRIMP (GULF OF MAINE), STRIPED BASS, SUMMER FLOUNDER (FLUKE), ATLANTIC AND GULF OF MEXICO MENHADEN, SOUTH ATLANTIC SHRIMP, GULF OF MEXICO SHRIMP, SOUTHERN CALIFORNIA COASTAL SPECIES, SPOTTED SEA TROUT/RED DRUM, SURF CLAM, DUNGENESS CRAB, AND PACIFIC SALMON. THUS FAR, STATE/FEDERAL MANAGEMENT PLANNING ESSENTIALLY HAS BEEN COMPLETED FOR AMERICAN LOBSTER, SURF CLAM, NORTHERN SHRIMP, SOUTH ATLANTIC SHRIMP, GULF MENHADEN, GULF SHRIMP, DUNGENESS CRAB, AND PACIFIC SALMON. HOWEVER, ONLY A FEW OF THESE PLANS HAVE BEEN IMPLEMENTED TO ANY MAJOR EXTENT BY THE

STATES. THE SURF CLAM PLAN WAS CONVERTED BY THE MID-ATLANTIC FISHERY MANAGEMENT COUNCIL INTO AN FMP UNDER THE AUTHORITY OF THE FCMA, WHILE WORK ON THE AMERICAN LOBSTER AND PACIFIC SALMON HAS BEEN MADE AVAILABLE TO THE NEW ENGLAND AND PACIFIC FISHERY MANAGEMENT COUNCILS, RESPECTIVELY, FOR INCLUSION IN THEIR PLAN DEVELOPMENT PROGRAMS FOR EVENTUAL IMPLEMENTATION UNDER THE FCMA. A NUMBER OF STATE REGULATORY CHANGES ALSO HAVE BEEN MADE REGARDING AMERICAN LOBSTER. THE NORTHERN SHRIMP PLAN WAS IMPLEMENTED UNDER AMENDMENT 1 OF THE ATLANTIC STATES MARINE FISHERIES COMMISSION. THE SHRIMP DATA COLLECTION SYSTEM RECOMMENDED BY THE SOUTH ATLANTIC SHRIMP PLAN HAS BEEN IMPLEMENTED BY THE CONCERNED STATES.

ONE IMPEDIMENT TO PLAN IMPLEMENTATION HAS BEEN THAT MANY STATE FISHERIES AGENCIES LACK THE REGULATORY AUTHORITY NEEDED TO MANAGE MARINE FISHERIES RESOURCES IN THEIR JURISDICTIONS. INSTEAD, MANY STATES HAVE CHOSEN TO MANAGE FISHERIES THROUGH THE LEGISLATIVE PROCESS. THEREFORE, PLANS BASED UPON THE BEST AVAILABLE SCIENTIFIC EVIDENCE, AND SUPPORTED BY THE STATE FISHERIES AGENCIES, STILL MAY BE THWARTED BY THE LEGISLATIVE PROCESS WHICH CAN BE EXTREMELY SLOW. IN AN ATTEMPT TO IMPROVE THIS SITUATION, THE NATIONAL MARINE FISHERIES SERVICE CONTRACTED WITH THE COUNCIL OF STATE GOVERNMENTS SEVERAL YEARS AGO TO DEVELOP MODEL STATE FISHERIES LEGISLATION FOR CONSIDERATION BY THE STATES WHICH,

IF ADOPTED, WOULD GIVE GREATER REGULATORY AUTHORITY TO STATE FISHERIES AGENCIES. OF THOSE STATES CONTINUING TO DEPEND LARGELY UPON THE LEGISLATIVE PROCESS TO MANAGE FISHERIES, ONLY NEW JERSEY AND RHODE ISLAND HAVE MADE SIGNIFICANT PROGRESS TOWARD ADOPTING THE MODEL LEGISLATION. WHERE NEEDED AND HELPFUL, I WILL SUPPORT EFFORTS AT THE STATE LEVEL TO TRANSFER FISHERIES MANAGEMENT AUTHORITY, TO THE MAXIMUM EXTENT POSSIBLE, FROM A LEGISLATIVE PROCESS TO A MANAGEMENT PROCESS CARRIED OUT BY THE EXECUTIVE BRANCH OF STATE GOVERNMENT AS RECOMMENDED BY THE COUNCIL OF STATE GOVERNMENTS IN ITS REPORT, "TO STEM THE TIDE."

WHILE ONLY SOME MANAGEMENT PLANS ACTUALLY HAVE BEEN IMPLEMENTED, THE STATE/FEDERAL PROGRAM HAS ASSISTED AND ENHANCED INTERSTATE FISHERIES COOPERATION, COORDINATION, AND PLANNING. THE STATE/FEDERAL PROGRAM PIONEERED A COOPERATIVE APPROACH TO MARINE FISHERIES MANAGEMENT, OF WHICH MUCH HAS BEEN INCORPORATED IN THE FCMA. FOR EXAMPLE, THE CONCEPT OF REGIONAL FISHERY MANAGEMENT COUNCILS WAS DERIVED FROM WHAT ARE NOW CALLED THE MARINE FISHERIES BOARDS OF THE STATE/FEDERAL PROGRAM. THE FCMA ALSO ADOPTED THE STATE/FEDERAL PROGRAM PRINCIPLE THAT MANAGEMENT BE CONDUCTED ACCORDING TO PLANS BASED UPON THE BEST SCIENTIFIC INFORMATION AND USER INPUT. MOREOVER, THE STATE/FEDERAL PROGRAM ACCUSTOMED STATE AND FEDERAL FISHERIES ADMINISTRATORS TO WORKING MORE CLOSELY WITH EACH OTHER IN DEVELOPING MANAGEMENT PLANS FOR SHARED

RESOURCES. WITHOUT QUESTION THE GROUNDWORK LAID BY THE STATE/FEDERAL PROGRAM FACILITATED THE EARLY IMPLEMENTATION AND PROGRESS OF THE FCMA.

WHERE ARE WE NOW?

THE U.S. CONGRESS SPECIFIED SEVERAL NATIONAL POLICIES FOR MANAGEMENT OF U.S. MARINE FISHERIES RESOURCES, INCLUDING INTERJURISDICTIONAL STOCKS, IN ITS ENACTMENT OF THE FCMA. ONE SUCH POLICY IS TO PROMOTE THE MANAGEMENT OF MARINE FISH STOCKS THROUGHOUT THEIR RANGE WHERE PRACTICABLE. MANY SPECIES COVERED BY THE ACT OCCUR, AT SOME TIME IN THEIR LIVES, IN THE TERRITORIAL SEA OR INLAND WATERS. FURTHER, MANY ARE ESTUARINE DEPENDENT. APPROXIMATELY 67 PERCENT OF THE TOTAL U.S. COMMERCIAL LANDINGS, AND ABOUT 70-80 PERCENT OF THE DOMESTIC MARINE RECREATIONAL HARVEST, ARE TAKEN FROM THE TERRITORIAL SEA AND INLAND WATERS. THE ACT NEITHER EXTENDS NOR DIMINISHES STATE MANAGEMENT AUTHORITY WITHIN THE TERRITORIAL SEA EXCEPT UNDER VERY SPECIAL CONDITIONS. IT DOES NOT ALLOW FEDERAL INTRUSION INTO INLAND WATERS WHERE SO MANY INTERJURISDICTIONAL STOCKS AND FISHERIES OCCUR. CLEARLY, ACHIEVEMENT OF THE NATIONAL POLICY, WHICH REFERS TO THE MANAGEMENT OF FISHERIES STOCKS THROUGHOUT THEIR RANGE, DEPENDS ON CLOSE STATE/FEDERAL COOPERATION.

THE FCMA ASSIGNED MANAGEMENT PLANNING RESPONSIBILITY TO EIGHT REGIONAL FISHERY MANAGEMENT COUNCILS. AS I PREVIOUSLY

POINTED OUT, IN A FEW CASES THESE COUNCILS HAVE ACCEPTED AND ADOPTED, WITH SOME MODIFICATION, PLANS INITIATED AND DEVELOPED UNDER THE STATE/FEDERAL PROGRAM. MOREOVER, SOME REGIONAL COUNCILS HAVE IDENTIFIED AND/OR INITIATED MANAGEMENT PLANNING FOR FISHERIES RESOURCES WHICH MAY BE HARVESTED PREDOMINANTLY IN THE TERRITORIAL SEA, E.G., SUMMER FLOUNDER (FLUKE), BLUEFISH, PACIFIC SALMON, GULF OF MEXICO MENHADEN, AND DUNGENESS CRAB. IN FACT, AT LEAST ON THE WEST COAST, IT APPEARS THAT THE PACIFIC AND NORTH PACIFIC COUNCILS MAY PROVIDE AN APPROPRIATE PLANNING VEHICLE FOR MANAGING NEARLY ALL OF THE INTERJURISDICTIONAL FISHERIES RESOURCES IN THAT AREA.

THE FCMA, HOWEVER, DOES NOT PROVIDE SPECIFICALLY FOR THE MANAGEMENT OF INTERJURISDICTIONAL FISHERIES RESOURCES HARVESTED PREDOMINANTLY OR EXCLUSIVELY IN TERRITORIAL WATERS. ALTHOUGH THE ACT PROVIDES A USEFUL MECHANISM FOR MANAGEMENT PLANNING, IT STILL RELIES ON STATE/FEDERAL CO-OPERATION FOR THE IMPLEMENTATION, MONITORING, EVALUATION, AND REVISION OF MANAGEMENT PLANS. WE RECOGNIZE THAT THESE TASKS, WHEN COMBINED WITH FCMA MANDATED REQUIREMENTS FOR STATE PARTICIPATION ON THE COUNCILS, AMOUNT TO A SIGNIFICANT ADDITIONAL WORK LOAD ON EACH OF THE COASTAL STATES. THE PROBLEM OF SATISFYING MANAGEMENT DEMANDS IS EVEN GREATER WHEN ONE CONSIDERS THAT MOST, IF NOT ALL, OF THE FCMA ACTIVITIES HAVE BEEN IMPOSED UPON EXISTING MANDATES AND

RESPONSIBILITIES VESTED WITH THE STATE AGENCIES BY THEIR RESPECTIVE STATE LEGISLATURES. IN ADDITION TO A STATE'S RESPONSIBILITY FOR MANAGEMENT OF SPECIES CONFINED TO THAT STATE, THE STATES ALSO SHARE MANAGEMENT RESPONSIBILITY FOR INTERJURISDICTIONAL SPECIES WHICH LIE BEYOND THE EXCLUSIVE AUTHORITY OF THE FCMA. THUS, WE RECOGNIZE THAT MANY STATE AGENCIES AND RESOURCES NOW PROBABLY ARE STRETCHED BEYOND REASONABLE LIMITS. THIS IS ONE OF THE ISSUES WE NEED TO ADDRESS IMMEDIATELY, AND TOGETHER.

WHERE ARE WE GOING?

THE LAST THREE YEARS UNQUESTIONABLY HAVE BEEN THE MOST PRODUCTIVE, CONTROVERSIAL, AND FRANTIC YEARS IN THE HISTORY OF FISHERIES MANAGEMENT AND CONSERVATION ACTIVITIES IN THE UNITED STATES. THE IMPLEMENTATION OF THE FCMA, THE INCREASED AWARENESS OF THE NEED FOR PROTECTION OF MARINE RESOURCE HABITATS, THE IMPLEMENTATION OF THE CZMA, THE RAPID GROWTH OF U.S. DOMESTIC HARVESTING CAPACITY, THE EXCITING ADVANCES IN RESEARCH TOWARD MULTISPECIES AND ECOSYSTEM MANAGEMENT, AND THE INCREASING PRESSURE OF COMPETING USES FOR OCEAN SPACE HAVE ALL COMBINED TO MAKE OUR JOBS MUCH MORE COMPLEX AND DIFFICULT. IN ADDITION, PRESSURES TO REDUCE BOTH PERSONNEL AND BUDGETS IN STATE AND FEDERAL GOVERNMENTS HAVE COMPOUNDED THE DIFFICULTIES OF OUR WORK. I BELIEVE WE MUST IMMEDIATELY REEXAMINE TOGETHER THE ENTIRE RANGE OF

RELATIONSHIPS BETWEEN THE STATES AND THE FEDERAL GOVERNMENT WITH REGARD TO FISHERIES MANAGEMENT RELATED ACTIVITIES. WE MUST DETERMINE WHETHER OR NOT THERE IS A NEED FOR REORIENTING OUR RESPECTIVE PROGRAMS TO ENSURE THAT STATE AND FEDERAL EFFORTS ARE BEING TARGETED TOWARD AREAS OF HIGHEST PRIORITY TO BOTH OF US. WE CANNOT CONTINUE ON OUR PRESENT PATH IF WE ARE TO HAVE ANY HOPE OF ENHANCING OUR COOPERATIVE RELATIONSHIP INTO ONE THAT MORE EFFECTIVELY ADDRESSES ALL OF THE PROBLEMS WHICH WE FACE. LET ME PROVIDE A FEW PERSONAL VIEWS FOR YOUR CONSIDERATION AS WE ATTEMPT TO BEGIN THIS ESSENTIAL DIALOGUE.

WITH REGARD TO MANAGEMENT PLANNING ACTIVITIES FOR INTERJURISDICTIONAL STOCKS IN TERRITORIAL WATERS, MY CURRENT THINKING IS THAT NOAA SHOULD SUPPORT SUCH EFFORTS ONLY WHEN:

- (1) SUCH STOCKS CAN BE IDENTIFIED CLEARLY AS BEING IN NEED OF MANAGEMENT BECAUSE OF CONSERVATION NEEDS AND/OR SOCIAL OR ECONOMIC PROBLEMS;
- (2) THEY ARE OF CONSIDERABLE VALUE AND IMPORTANCE TO BOTH THE STATES AND THE NATION;
- (3) THE REGIONAL COUNCILS DO NOT INTEND TO PREPARE MANAGEMENT PLANS; AND
- (4) A REASONABLE EXPECTATION EXISTS OF ACHIEVING PLAN IMPLEMENTATION.

LET ME ALSO SUGGEST FIVE OTHER AREAS THAT WE SHOULD EXAMINE FOR POSSIBLE EMPHASIS WITHIN THE PROGRAM.

1. FCMA

THE FCMA HAS GIVEN EXTENSIVE NEW RESPONSIBILITIES TO BOTH THE FEDERAL GOVERNMENT AND THE STATES, WORKING WITH AND THROUGH THE REGIONAL FISHERY MANAGEMENT COUNCILS. REGIONAL COUNCILS HAVE IDENTIFIED SERIOUS GAPS IN THE AVAILABILITY OF CATCH, EFFORT, ECONOMIC, SOCIAL AND BIOLOGICAL DATA REQUIRED FOR EFFECTIVE MANAGEMENT AND CONSERVATION OF OUR MARINE FISHERIES RESOURCES. IN MANY INSTANCES, THE STATES, THROUGH THEIR EXISTING DATA MANAGEMENT SYSTEMS, ARE IN THE BEST POSITION TO HELP FILL THOSE GAPS. IN ADDITION, PROPER ENFORCEMENT AND MONITORING OF FMP'S ARE A MAJOR FACTOR IN THEIR SUCCESSFUL IMPLEMENTATION. MUCH OF THIS TASK LOGICALLY SHOULD BE TAKEN ON-BY THE STATES, YET SOME STATES MAY BE UNABLE TO TAKE ON GREATER ENFORCEMENT AND MONITORING RESPONSIBILITIES WITHOUT ADDITIONAL FUNDS. SOME FEDERAL ASSISTANCE CURRENTLY IS AVAILABLE FOR STATE PARTICIPATION ON COUNCIL ACTIVITIES, BUT I AM SURE THAT MOST, IF NOT ALL, STATES FEEL THAT THE ASSISTANCE IS INADEQUATE. UNLESS WE HAVE CLOSE COOPERATION AMONG THE STATES, THE COUNCILS, AND THE FEDERAL GOVERNMENT, THE FCMA WILL NOT ACHIEVE ITS POTENTIAL AS AN EFFECTIVE MANAGEMENT AND CONSERVATION SYSTEM.

2. HABITAT PROTECTION

INCREASING DEVELOPMENT OF COASTAL AREAS, AND THE EXPANSION OF OUTER CONTINENTAL SHELF DEVELOPMENT ACTIVITIES INTO NEW AREAS, MANY WITH HIGH FISH PRODUCTION, REQUIRE MORE EMPHASIS ON HABITAT PROTECTION. STATE INVOLVEMENT IN THESE ACTIVITIES IS ESSENTIAL BECAUSE OF THE VITAL IMPORTANCE OF WETLAND AND ESTUARINE AREAS TO MANY OF OUR FISHERIES AND BECAUSE OF STATE ACTIONS TO LEASE OFFSHORE PETROLEUM AREAS WITHIN THEIR OWN WATERS. FEDERAL LEGISLATIVE AUTHORITY FOR PROTECTION OF LIVING RESOURCES IN THESE SITUATIONS EXISTS IN THE FISH AND WILDLIFE COORDINATION ACT, IN THE CZMA, AND AMONG OTHER STATUTES, BUT MUST BE WELL COORDINATED WITH STATE ACTIONS TO BE FULLY EFFECTIVE. MOREOVER, SUCH COORDINATION MUST BE ACCOMPLISHED ON A TIMELY BASIS TO BE RESPONSIVE TO RESOURCE NEEDS AND CRISES.

3. COASTAL ZONE MANAGEMENT

THE IMPLEMENTATION OF STATE COASTAL ZONE MANAGEMENT PLANS SIGNIFICANTLY AFFECTS ACTIVITIES SUCH AS HABITAT PROTECTION AND THE DEVELOPMENT OF ON-SHORE FISHERIES SUPPORT FACILITIES, AND PROVIDES A SUPERB OPPORTUNITY FOR GUIDING COASTAL DEVELOPMENT IN A MANNER CONSISTENT WITH THE NEEDS OF LIVING MARINE RESOURCES AND THE FISHING COMMUNITY. HOWEVER, THE COORDINATION, BOTH WITHIN INDIVIDUAL STATE GOVERNMENTS AND BETWEEN THE STATES AND FEDERAL GOVERNMENT, HAS NOT CON-

SISTENTLY ACHIEVED THE RESULTS WHICH I BELIEVE ARE POSSIBLE THROUGH EFFECTIVE IMPLEMENTATION OF THE CZMA.

4. FISHERIES RESEARCH

THE SUCCESS OF MANY OF THE COORDINATION ACTIVITIES MENTIONED IN THE THREE PARAGRAPHS ABOVE WILL DEPEND HEAVILY ON ADEQUATE RESEARCH BY BOTH THE STATE AND FEDERAL GOVERNMENTS IN UNDERSTANDING THE ECONOMICS OF VARIOUS FISHERIES; THE DEPENDENCE OF SPECIES OR STOCKS OF FISH ON PARTICULAR AREAS FOR SPAWNING OR EARLY GROWTH; AND, OF COURSE, THE ENTIRE RANGE OF BIOLOGICAL FACTORS NECESSARY FOR EFFECTIVE MANAGEMENT.

5. COOPERATIVE DATA COLLECTION AND MANAGEMENT

FOR A NUMBER OF YEARS, NMFS AND THE COASTAL STATES HAVE SHARED VARIOUS RESPONSIBILITIES IN THE COLLECTION AND MANAGEMENT OF FISHERIES DATA. THE DEGREE OF SHARING HAS DEPENDED ON THE RELATIVE NEEDS OF, AND THE EXTENT OF INVESTMENT BY, THE STATES AND THE FEDERAL GOVERNMENT IN A GIVEN AREA. THE FCMA HAS INCREASED DRAMATICALLY THE NEED FOR SUCH COOPERATIVE STATE-NMFS REGIONAL INFORMATION SYSTEMS. NMFS AND THE STATES NOW ARE EMBARKING ON A PROGRAM OF REASSESSING THEIR NEEDS FOR FISHERIES DATA, AND ARE DEVELOPING REGIONAL DATA COLLECTION AND MANAGEMENT SYSTEMS THAT WILL ANSWER THOSE NEEDS. HOWEVER, THE STATES AND NMFS REQUIRE DEDICATED

PROGRAMMATIC SUPPORT AND SIGNIFICANT FINANCIAL INVESTMENT IF THEY ARE GOING TO BE SUCCESSFUL IN DEVELOPING SUCH COOPERATIVE INFORMATION SYSTEMS.

I WISH THAT I COULD TELL YOU THAT ADEQUATE RESOURCES IN TERMS OF BOTH PERSONNEL AND DOLLARS ARE AVAILABLE TO ACHIEVE IMMEDIATE SUCCESS IN ALL OF THESE AREAS. UNFORTUNATELY, EVEN WITH WELL COORDINATED ACTION, OUR COMBINED RESOURCES WILL NOT BE SUFFICIENT TO ADDRESS EFFECTIVELY ALL OF THESE PROBLEMS AT ONE TIME. HOWEVER, AS I SAID EARLIER, I DO NOT BELIEVE THAT WE CAN CONTINUE ALONG OUR PRESENT PATH. WE MUST JOINTLY MAKE SERIOUS DECISIONS IDENTIFYING AREAS OF EMPHASIS AND ASSOCIATED PRIORITIES FOR IMMEDIATE ATTENTION. SECURING MORE RESOURCES FROM STATE LEGISLATURES AND CONGRESS WOULD HELP SIGNIFICANTLY, BUT I BELIEVE OUR SUCCESS IN ACCOMPLISHING SUCH AUGMENTATION WILL DEPEND HEAVILY ON A STATE/FEDERAL PARTNERSHIP WITH UNQUESTIONED COMMITMENT FOR TANGIBLE RESULTS. AN EFFECTIVE PARTNERSHIP IS ESSENTIAL FOR BOTH OF US. HOWEVER, I WANT TO STATE FRANKLY THAT I CANNOT SUPPORT EXPANSION OF THE STATE/FEDERAL PROGRAM, AND PERHAPS NOT EVEN THE CURRENT LEVEL OF ACTIVITIES, UNLESS DECISIONS ARE MADE REGARDING PRIORITIES AND EMPHASIS. THOSE PRIORITIES ALMOST CERTAINLY WILL VARY FROM REGION TO REGION, BUT WE CANNOT HAVE A SUCCESSFUL PROGRAM IF THE VARIATION IS EXTENSIVE AMONG THE INDIVIDUAL COASTAL STATES OF EACH PARTICULAR REGION. SUCCESS WILL NOT

BE EASY, BUT I AM READY TO COMMIT MY EFFORTS TO TRY AND ACHIEVE IT AND HOPE THAT ALL OF YOU WILL JOIN ME IN THAT EFFORT.

NOAA AND THE NATIONAL MARINE FISHERIES SERVICE ARE READY TO PROVIDE A COORDINATING ROLE FOR MOVING FORWARD IN THIS FASHION, USING EVERY OPPORTUNITY THAT PRESENTS ITSELF OVER THE NEXT SEVERAL MONTHS, ESPECIALLY A CONFERENCE PLANNED FOR LATE JANUARY BETWEEN STATE FISH AND WILDLIFE DIRECTORS AND NOAA OFFICIALS. THE SOONER WE CAN SORT OUT OUR NEEDS AND PRIORITIES THE BETTER IT WILL BE FOR ALL OF US.

THANK YOU.