

## **Executive Director's Report**

### Farewell to Two Brethren

This will be the last meeting for two stalwarts of the Council family who are heading on to other horizons. Mark Pedersen is leaving Washington Department of Fisheries to work in the salmon aquaculture field and Dale Evans is retiring from NMFS shortly after the first of the year. Both have survived long hours of toil at Council and committee meetings, acquitting themselves with excellence. I hope they will stay in touch and I bid them a fond farewell as they leave the Council fold.

### Council Chairmen's Meeting

Speaking of toilsome meetings, the next meeting of the Regional Council Chairmen and Vice Chairmen will be hosted by the Western Pacific Council on the Big Island during the week of January 20, right after our Council meeting in Portland. Tentative discussion topics for the meeting are listed in B-1(a). Among the high priority items for consideration by the Chairmen and discussion with NMFS will be the budget for 1992 and methodologies for apportioning it among the eight councils. Other topics include limited entry, funding for Councils and management information, and the transfer of NMFS to another department of the administration. I imagine marine mammals may come up also. Are there other topics or concerns that should be raised at the meeting?

### January Council Meeting

I'll have a better idea of the topics that will be on the January Council meeting agenda after we progress through this meeting's agenda. However, I wanted to note that the meeting in Portland, Oregon on January 13-17 will be our first out-of-state meeting and it will also be our 100th plenary session. The meeting will be held at the Hilton Hotel in downtown Portland.

### A Note from Our Administrative Officer

Judy requests that members of the AP, SSC, and Council submit their travel claims for 1991 as soon as possible so we can start closing out the books. We would also like to encourage the practice of submitting travel claims within 30 days of the travel so we know the status of our funds. Some travelers have submitted a full year's worth of claims at the last minute which can amount to several thousand dollars.

### Terms of Reference for the Plan Teams

Item B-1(b) is a thoughtful discussion by the plan teams of their terms of reference and role in the Council process, especially in relation to smaller, issue-oriented analytical teams that may be established to respond to particular amendment proposals such as for bycatch. I placed this in the notebooks here so Council members would have an opportunity to review it in preparation for consideration under agenda item D-3.

### Lowell Wakefield Symposium

Alaska Sea Grant has requested Council assistance of \$2,500 to help them produce and publish the proceedings for a symposium they are sponsoring on the management of exploited fish populations as indicated in item B-1(c). The Lowell Wakefield Symposium series is an outstanding forum for the exchange of ideas and I would like Council concurrence to support them again this year if funds are available at the end of the year.

### Industry Bycatch Workshop

Item B-1(d) is a notice of an industry bycatch workshop planned for February 4-6, 1992 in Newport, Oregon.

### Habitat Policy

Item B-1(e) is a letter from the Pacific Council supporting a national habitat policy generated at the National Symposium on Coastal Fish Habitat Conservation. We have been asked to support the policy as the other Councils do. Before the end of the week we should set aside time to develop our recommendations on this issue.

**TENTATIVE DISCUSSION TOPICS FOR CHAIRMEN'S/NMFS SESSION**

**BUDGET RELATED:**

1. **NOAA Policy Position on Competitiveness of Council Grants**

DOC/NOAA has indicated that Council grants have been granted only a temporary waiver from competition in awarding these grants. If the waiver is removed, then theoretically some university (or other entity) could be awarded the grant to administer all Council functions (staff support, compensating members, preparing all Council documents, etc). NOAA grants would likely be the entity that selected the group to administer the grants and potentially the group could change annually or every few years. This needs to be discussed by DOC/NOAA officials who set this policy.

2. **1992 Budgets**

The Conference Committee markup on the 1992 budget for the eight Councils was \$9.2 million. This is about \$0.8 million more than NMFS used in setting the levels for the 1992 budgets. Availability of additional funds needs to be discussed.

3. **Workload Analysis**

Although some Councils have taken a position on this, several Councils have not officially expressed a position. The Executive Directors suggested further discussion by Council Chairmen and NOAA/NMFS.

4. **Alternate Methods of Funding Councils**

NOAA has selected grants administered through cooperative agreements as the method of funding Councils. Under DOC this process is unduly prolonged and complicated, and is administered as though the Councils were competing for grants, even though Congress appropriates funding directly for Council use. Other avenues for funding the Council should be discussed including contracts as an alternative to cooperative agreements or direct funding (requiring an allocation formula and likely Congressional action).

**STATUS REPORTS:**

1. **Gulf/South Atlantic Trawl Bycatch Studies**

Under the 1990 Magnuson Act Amendments, NMFS was charged with developing and carrying out a three-year study on shrimp trawl bycatch. This information will be critical to the Councils for developing bycatch amendments to the Shrimp FMPs. We need a discussion by NMFS on what information will be collected and the timeframe for completion of the report to Congress.

2. Limited Entry

It would be useful to hear discussion by the Councils on their efforts in establishing limited access systems.

3. Atlantic Migratory Species

In order for east coast Councils to plan their activities status reports on NMFS plans and schedules to amend or revise FMPs for billfish and swordfish should be given. Schedule for development of an Atlantic tuna FMP should also be discussed.

**OTHER ISSUES:**

1. "Oceanic" Shark Species

The Magnuson Act Amendments gave NMFS authority to manage Atlantic "oceanic" sharks but not all sharks. NMFS should define which species it will manage.

2. SAFE Reports

The 602 Guidelines require preparation of an annual SAFE report by NMFS with Council participation. The degree of Council involvement in this process should be discussed.

**TENTATIVE DISCUSSION TOPICS FOR CHAIRMEN'S SESSION**

1. Funding for Councils and Management Information

It would seem to be a useful exercise for the Chairmen to jointly discuss coordination of individual member efforts to get additional Congressional funding for support of both the Councils and NMFS programs for providing management information to the Councils. The provisions of federal laws related to lobbying should be discussed.

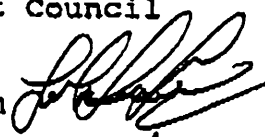
2. Transfer of NMFS to Another Department

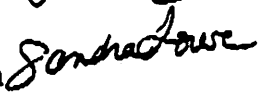
The DOC has generally provided no support to NMFS in the budget process, and has in fact generally submitted budgets for NMFS on the order of a 40 percent reduction from current levels. Administration of grants and cooperative agreements, which not only support the Councils but also the research carried out by states and universities which provides management information to the Councils, has become inordinately complex and burdensome under DOC. In addition, NOAA as the parent agency for NMFS, has in recent years frequently assessed the NMFS budget for NOAA overruns. Both the Councils and NMFS would be better off if NMFS were transferred to another department such as DOI or DOA.

AGENDA B-1(b)  
DECEMBER 1991

November 22, 1991

MEMORANDUM FOR: Clarence Pautzka  
Executive Director  
North Pacific Fishery Management Council

FROM: Loh-Lee Low  
Chair, BSAI Groundfish Plan Team 

Sandra Lowe  
Chair, GOA Groundfish Plan Team 

SUBJECT: Proposed Terms of Reference for Groundfish  
Plan Teams

On behalf of the Plan Teams for the Bering Sea/Aleutians and Gulf of Alaska Groundfish FMP, we are pleased to transmit to you the attached majority view of the Plan Team members regarding their terms of reference. The Teams believe that the two groundfish plan teams should remain as presently structured.

The intent of the draft is to organize the Teams and define their functions more clearly. You will note that we have formed internal workgroups according to subject matter to better serve the Council. Four such workgroups have been proposed (see attachment). They are workgroups for (a) Administrative management issues, (b) Limited access/Allocation issues, (c) Bycatch issues, and (d) Stock assessments issues.

Team members volunteer themselves or are assigned to such workgroups based on technical expertise. The idea is to have the assigned members think and work year-round on their topic so they can be more current and useful to the Council when analytical teams are formed. With work groups, the Teams will also be in a better position to work on amendments and review them when appropriate.

The Plan Teams hope you will support our suggestions.

Attachments: Terms of Reference  
Plan Team Workgroups

cc: Team members  
Team Coordinators

Alaska Groundfish Plan Teams  
Tentative Plan Team Workgroups  
Members and Lead Persons (underlined)

1. Administrative Management Issues  
Berg, Ginter, Low, Bracken, Halverson, Wright, Williams,  
and others to be named
2. Limited Access/Allocation Issues  
Ginter, Baldwin, Hastie, and others to be named
3. Bycatch Issues  
Baldwin, Merrick, Wright, Williams, Berg, Ackerley, and others  
to be named
4. Stock Assessment Issues  
Thompson (BSAI), Lowe (GOA), Fujioka, Bracken, Lai, Merrick,  
Low, Collie, and others to be named

PROPOSED FINAL DRAFT  
11/14/91

**PLAN TEAMS FOR THE GROUND FISH FISHERIES  
OF THE BERING SEA/ALEUTIAN ISLANDS AND GULF OF ALASKA**

**TERMS OF REFERENCE**

- 1) Establishment.** The North Pacific Fishery Management Council (Council) shall establish Plan Teams for the groundfish fisheries of the Bering Sea/Aleutian Islands (BS/AI) and Gulf of Alaska (GOA). The Plan Teams will provide the Council with advice in the areas of regulatory management, natural and social science, mathematics, and statistics as they relate to the groundfish fisheries of the BS/AI and GOA.
- 2) Membership.** Plan Team members will be appointed from government agencies and academic institutions having expertise relating to the groundfish fisheries of the BS/AI and GOA. Normally, each Plan Team will include at least one member from the Council staff, the regional office of the National Marine Fisheries Service (NMFS), NMFS' Alaska Fisheries Science Center, the Alaska Department of Fish and Game, the Washington Department of Fisheries, the International Pacific Halibut Commission, the University of Alaska, and the University of Washington. With the consent of the sponsoring agency or institution, nominations may be made by the Council, the Scientific and Statistical Committee (SSC), the Advisory Panel (AP), or the Plan Teams themselves. All nominations will be subject to approval by the SSC, with the Council retaining final appointment authority. Appointments should reflect the Plan Teams' responsibility to provide advice in the areas of regulatory management, natural and social science, mathematics, and statistics.
- 3) Organization.** Each Plan Team will be directed by a chairperson, and may divide some of its responsibilities among work groups organized according to subject matter. A work group may include members from more than one Plan Team. Each work group will be directed by a work group leader.
  - a) Rules of order.** In general, rules of order will be informal. Plan Team decisions will be reached by consensus whenever possible. If a decision is required and consensus cannot be reached, the opinion of the majority will prevail. In representing either Plan Team publicly, spokespersons will take care to relate Plan Team opinions accurately, noting points of concern where consensus cannot be reached.
  - b) Meetings.** Plan Team meetings will be held prior to the Council's September, December, and April meetings. The Plan Team chairpersons may call other meetings as necessary. The two Plan Teams may meet either separately or jointly. A draft agenda will be prepared in advance of each meeting by the Council staff in consultation with the respective chairperson or chairpersons, and may be revised by the Plan Team(s) during the meeting. Each agenda will include an opportunity for comments from the general public. Minutes of each meeting will be prepared by the Council staff, distributed to Plan Team members, and revised as necessary at or before the subsequent Plan Team meeting.

c) **Selection of officers.** Officers (Plan Team chairpersons and work group leaders) will be selected at the meeting preceding the September Council meeting or as vacancies arise. The Plan Team chairpersons will be selected for two-year terms. Work group leaders will be selected for one-year terms. There will be no limit on the number of consecutive terms that officers may serve.

4) **Functions.** The Plan Teams' primary function is to provide the Council with the best available scientific information, including scientifically based recommendations regarding appropriate measures for the conservation and management of the BS/AI and GOA groundfish fisheries.

a) **SAFE report.** The Plan Teams compile SAFE reports for the BS/AI and GOA groundfish fisheries on an annual basis. The SAFE reports provide the Council with a summary of the most recent biological condition of the groundfish stocks and the social and economic condition of the fishing and processing industries. The SAFE reports summarize the best available scientific information concerning the past, present, and possible future condition of the groundfish stocks and fisheries. This includes recommendation of acceptable biological catch and, where appropriate, total allowable catch levels. All recommendations must be designed to prevent overfishing while achieving optimum yield (National Standard 1). All recommendations must also be scientifically based (National Standard 2), drawing upon the Plan Teams' expertise in the areas of regulatory management, natural and social science, mathematics, and statistics. Finally, uncertainty must be taken into account wherever possible (National Standard 6).

b) **Plan amendments.** The Plan Teams also play an integral role in the development and evaluation of amendments to the BS/AI and GOA groundfish fishery management plans.

i) The Plan Teams evaluate all amendment proposals and forward their recommendations to the Plan Amendment Advisory Group, on which the Plan Team chairpersons serve.

ii) In addition, the Plan Teams may develop their own amendment proposals.

iii) Once an amendment proposal has been accepted for consideration by the Council, an analytical team is assembled by the responsible agencies. Every analytical team should include at least one member from one or both Plan Teams, drawn from the appropriate working group(s) whenever possible.

iv) Once an amendment analysis has been completed, it is reviewed by the Plan Teams, which select a preferred alternative or determine that they have no preferences. The Plan Teams' recommendation of preferred alternative is then forwarded to the SSC, AP, and Council.





Alaska Sea Grant College Program  
School of Fisheries and Ocean Sciences  
138 Irving II  
Fairbanks, Alaska 99775-5040  
(907) 474-7086 FAX (907) 474-6285

November 5, 1991

Dr. Clarence Pautzke  
Executive Director  
North Pacific Fishery Management Council  
P.O. Box 103136  
Anchorage, AK 99510

Dear Clarence:

As you know, planning is underway for next year's Lowell Wakefield Symposium, *Management Strategies for Exploited Fish Populations*. Enclosed is a copy of the recent announcement. Although abstracts aren't due until December 15, they have already begun to arrive.

As in the past, we will entertain requests from foreign scientists and resource managers who require travel assistance to participate in the symposium, and we will publish a book of abstracts in advance of the symposium and a comprehensive proceedings volume after the symposium.

The program planning committee members feel that this topic is so important and timely, they have requested that unlike papers published from previous symposia in this series, these papers be refereed before publication. This adds another dimension to the committee's chores which it has gladly accepted.

This is a request for \$2,500 from the North Pacific Fishery Management Council to assist in the production and publication of the symposium proceedings.

I hope this request will be favorably considered by the Council. If you have any questions or wish additional information, please let me know. Thank you.

Yours truly,

Brenda R. Baxter  
Coordinator

933,100

NOV 20

November 8, 1991

To: NMFS Regional Directors, Fishery Management Council Directors,  
and Marine Fisheries Commission Directors

From: <sup>Bob</sup> Bob Schoning, Convenor/Chair National Industry Bycatch Workshop

Subj: Solicitation of Potential Participants

The enclosed material provides background on our forthcoming bycatch workshop. The speakers are suggestions and not cast in stone. We want it to be truly a national fishing industry effort. We recognize there is a great diversity of bycatch problems throughout the country. All fisheries have them to a degree. In some respects bycatch could be the single most pressing and important problem facing the national fishing industry. We are anxious to have the industry take the lead in developing a rational national policy on bycatch and suggest approaches to solutions. We recognize recreational fishermen, conservationists, environmentalists, and the general public have involvement and interest in the industry bycatch problems as well as in some of their own associated ones. However, we believe it will be in the best interests of all concerned if industry gets its act reasonably together before working with the other groups on a continuing basis to address common concerns.

As a starting point we want to be sure all appropriate segments of the industry are invited to participate to ensure all problems are surfaced and to get the broadest possible industry input so it really will be a nationally-based approach. Consequently, we are asking each of you to contact appropriate industry leaders in your respective areas, alert them to the proposed workshop, and ask any interested ones to contact me regarding a desired level of participation at their earliest convenience. The enclosed steering committee roster is small to facilitate planning. Let me know of significant omissions. I will appreciate being kept informed of your associated actions and suggestions. I would welcome coordination in name selection among you directors as convenient. This must be a team effort and we want the best team possible. Please help us form it. Incidentally, Lee Alverson has talked with Bill Fox about the workshop and Bill is very supportive of the concept and effort. Contact me at 622 NW Survista, Corvallis, OR 97330, (503) 753-2700, FAX (503) 737-3590. Thanks for your help in advance.

**STEERING COMMITTEE  
NATIONAL BYCATCH MEETING**

	<u>Name and Address</u>	<u>Phone</u>	<u>Fax</u>
1.	Mr. William A. Adler Executive Director Massachusetts Lobstermen's Association, Inc. 8 Otis Place - Box 600 Scituate, Massachusetts 02066-0006	(617)545-6984	(617)545-7837
2.	Dr. Dayton L. Alverson President Natural Resources Consultants, Inc. 4055 21st Avenue West Seattle, Washington 98199	(206)285-3480	(206)283-8263
3.	Mr. Robert D. Alverson Manager Fishing Vessel Owners' Association Room 232, West Wall Building Seattle, Washington 98119	(206)284-4720	(206)283-3341
4.	Mr. Al Burch Executive Director Alaska Druggers Association P. O. Box 991 Kodiak, Alaska 99615	(907)486-3910	(907)486-6292
5.	Mr. Jim D. Cook President Pacific Ocean Producers 965-B North Nimitz Highway Honolulu, Hawaii 96817	(808) 537-2905	(808) 536-3225
6.	Capt. R. Barry Fisher President Midwater Trawlers Cooperative 1626 North Coast Highway Newport, Oregon 97365	(503)265-9317	(503)265-4557
7.	Mr. Jan Harper President B & H Seafood 90 W. Brazos P. O. Box 1151 Freeport, Texas 77541	(409)233-0494	(409)233-3609
8.	Mr. L. John Iani Executive Director Pacific Seafood Processors Association Suite 201 4019 21st Avenue West Seattle, Washington 98199	(206)281-1667	(206)283-2387

9. Mr. Herbert A. Larkins (206)285-5139 (206)285-1341  
 Executive Director  
 American Factory Trawler Association  
 Suite 400  
 4039 21st Avenue West  
 Seattle, Washington 98199
10. Mr. Peter Leipzig (707)442-3789 (707)442-9166  
 General Manager  
 Fishermen's Marketing Association  
 Suite B  
 320 2nd Street  
 Eureka, California 95501
11. Mr. Richard Lofstad, Jr. (516)668-3473 (516)668-1225  
 Manager  
 Inlet Seafood  
 Eastlake Drive  
 P. O. Box 2148  
 Montauk, New York 11954
12. Mr. Chris Nelson (205)949-7411 (205)949-6478  
 Head of Research and Development  
 Bon Secour Fisheries, Inc.  
 17449 County Road 49 South  
 P. O. Box 60  
 Bon Secour, Alabama 36511
13. Mr. John Royal (213)833-1391 (213)832-9739  
 Executive Secretary-Treasurer  
 Fishermen's Union, Local 33  
 Suite 105  
 150 West Seventh Street  
 San Pedro, California 90731
14. Mr. Jerry Sansom (407)725-5212 (407)727-3579  
 Executive Director  
 Organized Fishermen of Florida  
 P. O. Box 740  
 Melbourne, Florida 32901  
 Please phone before sending a fax
15. Mr. Robert W. Schoning (503)753-2700 (503)737-3590  
 622 NW Survista  
 Corvallis, Oregon 97330
16. Mr. Walter J. Shaffer (803)881-6206 (803)881-8891  
 Executive Director  
 South Carolina Shrimpers Association  
 966 McCants Drive  
 Mt. Pleasant, South Carolina 29464
17. Mr. Robert Smith (401)364-6610 (401)364-8956  
 Member  
 Point Judith Fishermen's Cooperative Association, Inc.  
 46 Woodcock Trail  
 Charlestown, Rhode Island 02813  
 Message fax; phone before using

18. Mr. Nils Stolpa (215)345-4790 (215)345-4863  
Executive Director  
New Jersey Commercial Fishermen's Association  
3840 Terwood Drive  
Doyleston, Pennsylvania 18901
19. Mr. Konrad Uri (206)285-0309 (206)281-7507  
K Fisheries, Inc.  
4200 23rd Avenue  
P. O. Box 99216  
Seattle, Washington 98199

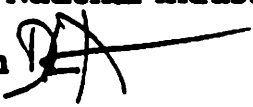
Updated November 1, 1991



NATURAL RESOURCES CONSULTANTS, INC.

4055 21ST AVENUE WEST  
SEATTLE, WASHINGTON 98199, U.S.A.  
TELEPHONE: (206) 285-3480  
TELEFAX: (206) 283-8263

**MEMORANDUM**

**DATE:** October 31, 1991  
**TO:** Steering Committee: National Industry Bycatch Workshop  
**FROM:** Dr. Dayton L. Alverson   
**SUBJECT:** Steering Committee Meeting, Seattle, Washington,  
October 20, 1991

The second meeting of the Steering Committee was held in Seattle, Washington, at Fish Expo from 10:30 a.m. to 1:00 p.m. Participants included Steering Committee and Sea Grant personnel. Major topics of discussion included workshop budget, workshop title, general chairman, meeting location and dates, transportation, invited speakers, opening and closing agendas, industry commentary; session chairmen and speakers, Steering Committee responsibilities, participation, terminology, and other. I have tried to address each of these issues below.

Workshop Budget

It was noted that current donations of funds included:

\$5,000	Oregon Sea Grant
\$5,000	Oregon State Board of Higher Education
\$4,000	The Highliners Association
\$1,000	The Fisheries Management Foundation
\$ 500	Nor-Eastern Trawl Systems
\$ 500	American Factory Trawlers Association
\$ 500	Pacific Seafood Processors Association
\$ 300	Midwater Trawlers Cooperative
\$ 250	Oregon Trawl Commission
\$2,000	Alaska Sea Grant
\$ 500	National Fisheries Institute

Total committed funds now stand at slightly over \$19,550. Monies are being deposited in The Highliners Association--National Industry Bycatch Fund. Expenditures will be billed against this budget and accounted against this fund. Bob Jacobson, Oregon Sea Grant, noted that the Oregon Sea Grant could provide an additional \$2,000 for local organization, expenses, etc. We are also encouraging Steering Committee members to approach local supporting industries for contributions of \$300 to \$500. Please see attached letter. We hope to ultimately develop a budget of \$35,000 to \$40,000. Major expenses will include organizational costs, transportation for participants in need of travel assistance, and meeting support costs (coffee, etc.). Any help you can get, \$100 or more, will be gratefully received.

#### Workshop Title

The Steering Committee selected the meeting title - National Industry Bycatch Workshop.

#### Workshop Convener/Chairman

Mr. Robert W. Schoning  
622 NW Survista  
Corvallis, Oregon 97330

Phone: (503) 753-2700  
Fax: (503) 737-3590

#### Workshop Meeting Location and Dates

Location: Newport, Oregon (Hatfield Marine Science Center)  
Dates: February 4, 5, and 6, 1992

#### Transportation

Flight routing should be through Portland, Oregon. Bob Schoning, working with local Newport support staff (Bob Jacobson, Barry Fisher, et al.), will organize transportation from airport to Newport. Flight schedules should be coordinated with transportation schedules to Newport.

### Invited Opening Speaker

We have not settled on an opening speaker, but the speaker will be suggested by East Coast and Gulf Steering Committee members. Senator John Breaux is a possibility.

### Opening and Closing Industry Commentary

The opening and closing industry commentaries will be given by Barry Fisher and Jan Harper, respectively.

### Session Chairmen and Invited Speakers

In order to expedite the workshop, we have selected local Chairmen/Rapporteurs who will be responsible for introducing the topics as well as theme speakers. However, we need spokesmen to cover regional problem areas and industry contributions to solving bycatch problems, Agenda Item III-C (1-8). Suggestions from all Steering Committee members are invited.

### Steering Committee Responsibilities

1. Identify to Bob Schoning individuals from fishery organizations, Sea Grant, NMFS, or universities who should be invited to the conference. All invitations will come from Bob Schoning.
2. Identify to Bob Schoning regional industry spokesmen to summarize with regional problems and industry efforts.
3. Identify regional support individuals who may present technical papers or help in discussions of agenda items.
4. Assist in helping to secure conference funds from industry support groups.
5. Disseminate information on the workshop, goals, objectives, etc. after the initial press release is distributed.
6. Work with Convener/Chairman to sort out problems.
7. Examine the working document on terminology and respond to D.L. Alverson.
8. We need your input as soon as possible.



### Participation

Meeting participation is limited by written invitation from the Convener/Chairman in order to maintain the workshop at a functional size. We do not see any major problems with participation from legitimate industry organizations. We suggest attendance limits should consider regional participation, gear type participation, number of participants from any one organization, and willingness to work in workshop sessions. A reasonable Sea Grant, NMFS, university participation is urged. All participants will have equal status. However, only industry members will be involved in the molding of the National Industry Bycatch Program. All participants should be alerted that the workshop operational mode is to encourage a commitment to positive problem resolution and industry cohesiveness in solving bycatch problems and not to espouse intergear confrontations and/or to promote the special interest of any industry sector vis a vis another. This workshop is intended to initiate a continuing forum and establish a communication network among individuals and organizations who wish to help resolve bycatch problems. All suggested participant names should be in Bob Schonings' hands by January 1, 1992.

### Terminology

All Steering Committee members are encouraged to review the background document on terms for conference usage and report their opinions to the Workshop Technical Advisor, Dr. Alverson.

### Other

Please see attached revised outline, letter to potential contributors, and news release.

**INDUSTRY BYCATCH WORKSHOP**

**Newport, Oregon  
February 4, 5, 6, 1992**

**I. Introduction**

- A. Keynote Address (Speaker to be Identified by East Coast/Gulf Steering Committee Member)**
- B. Background Comments from Highliners President (Konrad Uri, Highliners)**
- C. Opening Industry Commentary (Barry Fisher, MTC/Highliners)**
- D. Comments from Convener Chairman/ Bob Schoning, O.S.U.**

**II. Overviews (Convener/Chairman Bob Schoning)**

- A. Bycatch: A National and International Resource Management Perspective (Mark Freeberg, NRC)**
- B. Bycatch: An International Legal Perspective (Bill Burke, U.W.)**
- C. Theme Paper – Has Fish Bycatch Generated Overfishing for Non-target Fish Species and/or Threatened or Endangered Other Sea Life (Michael Sissenwine, NMFS)**
- D. Discussion – Audience**

**III. Regional Problems and Current Industry Efforts (Session Chairman/  
Rapporteur Bert Larkins, AFTA)**

**A. Regional Reviews of Industry Problems and Efforts**

- 1. Northeast**
- 2. Mid-Atlantic**
- 3. Southeast Atlantic**
- 4. Gulf of Mexico**
- 5. Southwest Pacific**
- 6. Hawaii and Island Communities**
- 7. Pacific Northwest**
- 8. Alaska**

**B. Summary of National Industry Efforts (Jerry Sansom, Florida)**

**IV. Management Options and Possibilities (Session Chairman/Rapporteur  
Steve Hughes, NRC)**

**A. Theme Paper: Looking for Solutions (Steve Hughes, NRC)**

- 1. Eliminate all or part of target fishery causing bycatch,  
(using zero bycatch approach to established caps).**
- 2. Reduce bycatch rates and/or bycatch mortality.**
  - a) Time, area, depth, operational patterns**

- b) Gear technology
- c) Improved handling of fish and lower discard mortality
- d) Changing operational modes to reduce bycatch and bycatch mortality

3. Educate fishermen and the public regarding dealing with the bycatch issue.

4. Use incentives and disincentives measures

5. Establish species ITQ system and authorize any fishery to purchase bycatch quota

6. Eliminate bycatch quotas/limitations except for achieving biological goals

7. Develop uses for non-marketable species

B. Theme Paper, Potential of Gear Technology ( Bob Francis, FRI/U.W.)

C. Theme Paper, Net Modification Possibilities ( Gary Loverich, NET)

D. Panel Discussion (Industry/Sea Grant/NMFS members to be selected from Steering Committee suggestions)

V. Bycatch Goals and Objectives (Session Chairman/Rapporteur Ed Miles, U.W.)

A. Theme Paper: The Need to Identify and Clarify National Management Objectives (Ed Miles, U.W.)

## **VI. Workshops**

### **A. Workshop I – (What should our national bycatch goals be?)**

#### **1. Policy, issues, and questions**

**a) Establishing a common terminology and factual basis for discussion of bycatch.**

**b) Does discard of a species that is not overfished, threatened, or endangered and not reasonably marketable constitute a biological or economic problem and/or is it damaging to the ecosystem?**

**c) Should national management bycatch goals be based on stated biological and socioeconomic objectives?**

**d) Can we achieve or establish holistic rather than piecemeal bycatch management systems?**

**e) Are industry, government, and conservationist goals in conflict?**

#### **2. Potential goals**

**a) Minimize bycatch of threatened and/or endangered species (marine mammals, reptiles, birds, etc.)**

**b) Minimize bycatch of non-target species, particularly those of value to other sectors of the fishing industry.**

**c) Minimize catch of undersized target species.**

d) Eliminate or minimize regulations which contribute to bycatch problems

**B. Workshop II – Establishment of Agreed-upon Standardized Nomenclature**

**1. A workshop proposal regarding:**

a) Agreed-upon national terminology for bycatch.

b) Standardized methods of defining bycatch levels and implications.

1) Target catch (weight/number) versus bycatch (weight/number)

2) Target catch (value) versus bycatch (value)

3) Social implications of bycatch

4) Aesthetic implications of bycatch

5) Level of mortality impressed on bycatch species

**C. Workshop III – Solutions from Industry.**

**VII. Summary of Workshop Results**

**VIII. Possible Government/Industry Programs (William Fox, NMFS/Lee Alverson, NRC)**

**A. Theme Paper: A Government Perspective on Bycatch (William Fox, NMFS)**

**B. Issues for Theme Paper Consideration**

1. Clarify and establish national bycatch goals and priorities in terms of biological and/or socioeconomic objectives.
2. Establish agreed-upon method of indexing degree of bycatch problems.
3. Identify government research and information needs and how industry might assist
  - a) Establish scientific/technical information needs
  - b) Identify economic information needs
  - c) Initiate SK funded gear or other studies designed to reduce bycatch problems and maintain industry viability
  - d) Identify most effective data retrieval methods
4. Explain the NMFS bycatch program

**C. Theme Paper: An Industry Perspective on Bycatch (Lee Alverson, NRC)**

**D. Issues for Possible Theme Paper Consideration**

1. Conduct national industry education program
2. Assist government in data collection
3. Identify potential time/area, gear, or other solutions

4. Assist in funding to work and/or supplement Sea Grant and SK projects directed toward solutions

5. Establish national industry bycatch committee to work with congressional and other government groups, environmental and conservation groups to seek solutions

**E. Plenary Discussion**

**IX. Meeting Summary (Jan Harper)**

**X. Establish Policy Meeting Statement, Program, and Long-Term Working Arrangement for Industry National Bycatch Response Capability (Steering Committee)**



**DRAFT**

November \_\_\_\_\_, 1991

Dear:

Bycatch has rapidly become a major problem confronting fishery activities throughout the U.S. and the world. We are at times faced with the necessity of finding a better means of conducting our fisheries in order to minimize impacts on non-target fish, birds, marine mammals, etc., and in another instance to reduce biological waste. Although some of the problems identified constitute legitimate concerns, others do not. Further, the bycatch issue has set one sector of the industry against the other. If we do not join as an industry to take responsible actions to address the legitimate problems and defuse irresponsible claims, our whole industry will suffer.

Thus, a national steering committee of representatives of commercial fisheries organizations is planning a workshop for U.S. industry fishery groups to be held in Newport, Oregon, February 4-6, 1992. A copy of the tentative workshop agenda is provided for your review. The Pacific Northwest/Alaska industry has already collected approximately \$19,950 to assist in the organization and conduct of the workshop. Workshop funds will be used to help industry members attend (travel costs for small organizations), develop documentation and papers, and meet administration and food costs (coffee, rolls, juice). We need your help as an affiliated industry in the way of a cash contribution. The workshop goals are to (1) raise the industry's level of awareness of the potential implications of this problem, (2) examine what the industry might do to

address legitimate problems, (3) seek to have the government establish a set of national guidelines for bycatch management, (4) establish a national political response capacity, and (5) encourage a positive relationship between industry, government, and conservation groups.

Contributions should be made to The Highliners Association National Industry Bycatch Fund and mailed or delivered to Natural Resources Consultants, Inc., 4055 21st Avenue West, Seattle, Washington, 98199.

For further information, please feel free to contact D. L. Alverson in Seattle at (206) 285-3480. Please let me know if you can assist us.

Sincerely,

**THIS IS A SAMPLE LETTER THAT YOU SHOULD USE TO PREPARE REQUESTS OF POTENTIAL CONTRIBUTORS, USING YOUR OWN STATIONERY.**

## **NEWS RELEASE**

**Commercial fishermen and fish processing organizations from the coastal states around the U.S. are planning a national bycatch workshop to be held in Newport, Oregon, February 4-6, 1992. The meeting has been called to inform the commercial fishing community and fishing organizations of the growing national and international concern and associated problems over the incidental take of non-target fish, marine mammals, and birds in fishing gear. Workshop members will examine the national character and scope of bycatch problems, develop possible solutions, and attempt to organize a national fishing industry response team to work with government and conservation groups in seeking solutions.**

**Invited participants will include representatives of fishing industry organizations throughout the U.S. and scientists and other professionals from the National Marine Fisheries Service, Sea Grant, and universities. The major goal of the workshop will be to foster a positive industry program directed toward identifying legitimate bycatch problems, to identify possible solutions, and to urge the establishment of national guidelines and supporting programs to deal with bycatch issues.**

**Information regarding the workshop can be obtained from Bob Schoning, (503) 753-2700 and/or Natural Resources Consultants, Inc., Dayton L. Alverson, (206) 285-3480.**

**-End-**

**PACIFIC FISHERY MANAGEMENT COUNCIL**

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2000 SW First Avenue  
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Phone: Commercial (503) 326-6352  
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*EXECUTIVE DIRECTOR*  
*Lawrence D. Six*

*CHAIRMAN*

*d A. Schwarz*

August 6, 1991

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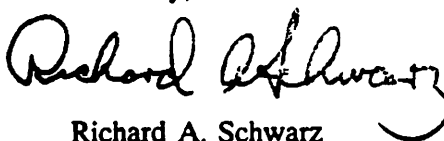
Mr. Axel B. Carlson Jr., Chairman  
Mid-Atlantic Fishery Management Council  
Room 2115 Federal Building  
300 South New Street  
Dover, DE 19901-6790

Dear Mr. Carlson:

In response to your suggestion of June 7, 1991, the Pacific Fishery Management Council (Pacific Council) has adopted a habitat resolution which supports the habitat management motion of the Mid-Atlantic Council. We agree that the united support of all council's will help establish a strong national program to address the continuing loss and degradation of fishery habitat.

The Pacific Council's resolution primarily reflects the recommendations of the recent National Symposium on Coastal Fish Habitat Conservation. However, we have included some additional emphasis and minor changes to address the perspectives of our region and fisheries. Thank you for suggesting this supportive action.

Sincerely,



Richard A. Schwarz  
Chairman

JCC:mmp

Enclosures

cc: Regional Fishery Management Councils  
Dr. William Fox  
Pacific States Marine Fisheries Commission  
Fishermen Involved in Saving Habitat  
National Coalition for Marine Conservation

## COUNCIL FISHERY HABITAT RESOLUTION

The Pacific Fishery Management Council (Pacific Council) is deeply concerned with the status of fishery habitat management and its impact on the ecological, social and economic condition of West Coast ocean fisheries. For many important fishery stocks, restoration of habitat stands out as the prime factor necessary to assure resource recovery to productive levels. As stated at the recent National Symposium on Coastal Fish Habitat Conservation, "Without good habitat management, managing fisheries to maximize social and economic benefits to the nation is not only more difficult and expensive, but ultimately doomed to failure."

Because insufficient habitat authority within fishery management entities is a major impediment, the Pacific Council believes it is important to join with other regional councils and concerned citizen groups in urging support for legislative and administrative changes in approaching fishery habitat management.

**THEREFORE, BE IT RESOLVED** that the Pacific Council declares its support for the following national habitat management recommendations and goals as found in the recommendations contained in the Executive Summary of "Stemming the Tide," the National Symposium on Coastal Fish Habitat Conservation held in Baltimore, Maryland in March 1991:

1. Adopt and implement a clear national habitat conservation policy;
2. Broaden and strengthen existing environmental statutes to address the whole range of human activities that threaten wetlands and other key habitats;
3. Give fishery managers increased authority and adequate means to protect the habitat of fisheries under management;
4. Increase funding for habitat conservation and research programs;
5. Amend fishery laws to feature tougher habitat conservation provisions;
6. Streamline the federal bureaucracy and improve coordination among federal and state government agencies;
7. Place greater emphasis on enhancing public awareness of habitat issues; and
8. Other recommendations of the Symposium.

**BE IT FURTHER RESOLVED** that the Pacific Council also supports the recommendations of the April 1991 National Fish and Wildlife Foundation report pertaining to funding and program development for habitat conservation and restoration:

1. Increase the National Marine Fisheries Service (NMFS) staff responsible for screening and analyzing proposed development plans and projects that may adversely affect fish and shellfish habitat; and
2. Separate and elevate the Habitat Conservation Program to place it on an equal status with the Protected Species Program Office within NMFS.

**AND BE IT RESOLVED** that the Pacific Council supports the two goals of the National Wetlands Policy Forum (see attached resolution of the National Coalition for Marine Conservation):

1. To achieve no overall net loss of the nation's remaining wetlands; and
2. To increase the quality and quantity of the nation's wetlands resource base.

#### Implementing Habitat Recommendations of the National Symposium

The Executive Summary of the National Symposium on Coastal Fish Habitat Conservation (attached) contains specific details to implement each recommendation resulting from the symposium. The Council endorses these specific details with the exception of those for implementing Recommendation 5. Federal projects and federally-approved projects should be required to be consistent with objectives of the Magnuson Fishery Conservation and Management Act (MFCMA). However, these requirements should be incorporated in the organic legislation which directs the federal construction agencies and those with direct habitat management responsibility, rather than making habitat conservation a National Standard in the MFCMA. Expanding, to all fisheries, the MFCMA requirement for regional councils to comment on anadromous fishery issues does not increase regional council habitat authority and may dilute the effectiveness of regional council comments.

The Council wishes to especially emphasize Part C of Recommendation 2 which deals with the impacts of water project management and allocation. The Pacific Council has attached its own specific recommendations to Congress for improving habitat restoration, maintenance and enhancement which reflect this concern. No other factors have more negative impact on salmon stocks under the Pacific Council jurisdiction than water allocation and project management. This is especially true for the highly important and historically productive salmon stocks in the Columbia and California river basins.

Most of the habitat management recommendations are aimed at implementation through NMFS (Department of Commerce). The Council urges broadening of the recommended actions to include The Department of Interior and other appropriate federal agencies.

The Pacific Council notes that Recommendation 6 might better be stated as ". . . streamline the federal bureaucracy to improve coordination . . ." Pacific Council support for this recommendation should not be construed as support for the creation of a "superagency."

Finally, with regard to Recommendation 7, the Pacific Council wishes to note the work of the Pacific States Marine Fisheries Commission and its support of habitat education through Fishermen Involved in Saving Habitat as an example of the kind of efforts possible to effectively educate the public.

PFMC  
07/10/91

**STEMMING THE TIDE**  
**CONSERVATION OF COASTAL FISH HABITAT**  
**IN THE UNITED STATES**

Summary of a National Symposium  
on Coastal Fish Habitat Conservation,  
Baltimore, Maryland  
March 7-9, 1991

Compiled by  
Carl Safina, PhD

Ken Hinman,  
Project Director

## **Acknowledgments:**

The Symposium on Coastal Fish Habitat Conservation was sponsored by the National Coalition for Marine Conservation, National Marine Fisheries Service, U.S. Fish and Wildlife Service, Sport Fishing Institute and Chesapeake Bay Foundation. The Jessie B. Cox Charitable Trust provided financial support for the preparation and publication of this report. Additional support was provided by the New York Sport Fishing Federation.

Carl Safina is Director of Marine Conservation for the National Audubon Society. Ken Hinman is Executive Director of the National Coalition for Marine Conservation. James Chambers, William Goldsborough, Mercedes Lee, Gilbert Radonski and Lee Weddig provided comments on a previous draft.

## **Note:**

The recommendations contained in the Executive Summary and throughout this document are a compilation of recommendations made during the Symposium. Specific recommendations cited do not necessarily represent the exact position of the sponsoring organizations or Symposium participants.

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## PROLOGUE

*In the sea nothing lives to itself...each living thing is linked with all that surrounds it.* - Rachel Carson

The Soviet Union built 30 major dams on rivers flowing into the great estuaries of its south, the Black, Caspian, Azov and Aral Seas. These dams hold back between 30% and 97% of the flow of freshwater into these estuaries. Most of the retained water is used to irrigate cotton and rice in semi-arid and arid areas.

The dams have destroyed fish migration routes, spawning and nursery grounds, and wiped out 90-98% of the valuable species of commercial fish in all the major rivers and estuaries of southern U.S.S.R. All attempts to restore the fisheries have failed. Within just twenty years, the Caspian Sea went from being one of the most productive seas in the world to a virtual biological desert.

With their river inflows diverted, these estuaries dried up, salt dust rose from the river beds and, as if bent on revenge, destroyed the crops for miles around. Economic losses amount to about \$6.5 billion annually. Poisons that would have been washed downriver accumulate in soils and contaminate drinking wells. Infant mortality in these areas is nearly 5 times the Soviet average, a staggering 10% of all babies born.

For these and other reasons, the Soviet Union has come to symbolize the epitome of shortsighted planning, blindness in a misguided search for progress, and disastrous mistakes that can only be rectified by an overhaul of the entire system.

Dr. Michael Rozengurt, the Soviet scientist who studied the ecological, economic and social chaos caused by the U.S.S.R.'s water management policies, has since emigrated to the United States and become a U.S. citizen. Fresh from the disasters of the Soviet Union, he settled in California and commenced studies of San Francisco Bay. One can hardly imagine Dr. Rozengurt's astonishment at the condition of the coastal environment he found in his new homeland. San Francisco Bay and its estuarine system, Dr. Rozengurt warns us, "shows similar signs of deterioration whose scale is only slightly less ominous than that in the northwestern Black and Azov Seas."

## EXECUTIVE SUMMARY

Fish habitat is anywhere that fish are found, and it's disappearing everywhere fish are found. The coastal habitat of marine fish - from deep ocean dwellers to anadromous species that swim far upstream to spawn - extends from hundreds of miles inland to the continental shelf. Key habitat types include coastal rivers, bays, wetlands, mangrove forests, seagrass meadows and coral reefs. Different species require these different habitats at different stages of their lives. But all species of marine fish depend on properly functioning habitat, of a quantity and quality that will sustain their growth, reproduction and survival.

The common perception that coastal habitats, such as wetlands, are wastelands, awaiting conversion to a higher social and economic use, is patently false. They *already are* fulfilling a higher use, free of charge. Coastal wetlands, for instance, maintain nearshore water quality, control shoreline erosion, and provide economic opportunities and enhanced quality of life to commercial and recreational fishermen, hunters, boaters, outdoors enthusiasts and consumers of seafood and other fish products; that is, virtually every man, woman and child in the United States. Over 75% of the U.S. fish catch is made up of species that are dependent on tidal wetlands. The annual economic value of fish dependent upon estuarine habitats is about \$14 billion, according to the National Marine Fisheries Service (NMFS).

Without good habitat management, managing fisheries to maximize social and economic benefits to the nation is not only more difficult and more expensive, but ultimately doomed to failure. In the mid 1980s, NMFS estimated that ongoing wetland losses alone were costing the U.S. fishing industry \$208 million a year. Extensive losses of coastal habitats have occurred most acutely in the southeastern U.S., where commercial fish and shellfish landings have declined a staggering 42% since 1982. It's the same story in every area of the coast. Populations of virtually all estuarine-dependent fish species consumed by people are now the lowest that they have ever been.

The Symposium on Coastal Fish Habitat Conservation, held March 7-9, 1991 in Baltimore, Maryland, examined the rising tide of habitat loss. The inescapable conclusion -- the increasing loss of fish habitat, to pollution, unwise development and other human activities, is the single largest long-term threat to the future viability of the marine fisheries of the United States.

Habitat loss is occurring in spite of an impressive array of regulatory, management and fiscal policies intended to conserve fisheries and their habitat. Unquestionably, when it comes to protecting coastal fish habitat, the nation is not doing enough, and it's not doing it right. Managing fisheries without adequate protection of the habitat that supports fish populations is futile. Consequently, there is an urgent need to:

- (1) Adopt and implement a clear national habitat conservation policy;
- (2) Broaden and strengthen existing environmental statutes to address the whole range of human activities that threaten wetlands and other key habitats;
- (3) Give fishery managers increased authority and adequate means to protect the habitat of fisheries under management;
- (4) Increase funding for habitat conservation and research programs;
- (5) Amend fishery laws to feature tougher habitat conservation provisions;
- (6) Streamline the federal bureaucracy and improve coordination among federal and state government agencies; and
- (7) Place greater emphasis on enhancing public awareness of habitat issues.

### The Rising Tide of Habitat Loss

Major threats to fish habitat are as follows:

- Generally, coastal habitat is disappearing in direct proportion to human population density. Growth in coastal areas averages four times the national rate. Over the next several decades, 54% of the U.S. population will live within 50 miles of the coast. The heaviest human development is occurring and will continue to occur in coastal areas where the estuarine dependency of fishes is greatest.
- By the mid 1970s, over half our salt marshes and mangroves, some of the most productive lands anywhere, had been destroyed. California has already lost over 90% of its coastal wetlands. Louisiana has the highest rate of wetland loss in the nation, over 25,000 acres, or 40 square miles, annually. The U.S. Army Corps of Engineers estimates that, at present rates of loss, the Gulf of Mexico shoreline will retreat inland by as much as 33 miles in some areas in the next 50 years. With continued regional wetland loss and degradation, precipitous declines in the Gulf's fisheries may be anticipated.
- Chemical pollutants (pesticides, herbicides, PCBs, oil, trace metals, etc.) are becoming so ubiquitous in coastal waters that they must be considered along with other limiting factors to fish abundance, such as temperature, salinity and oxygen levels. Toxic substances affect spawning behavior, survival of juvenile fish, and the incidence of tumors and deformities. Contaminants also threaten human health. The ten coastal areas at highest risk from pesticide contamination are Albemarle Sound (NC), Chesapeake Bay, Laguna Madre (CA), Pamlico Sound (NC), Winyah Bay, Delaware Bay, Cape Fear River (NC), the Hudson-Raritan estuary (NY/NJ), St. John's River (FL) and Puget Sound (WA), in that order.

- Nutrient pollution affects virtually every estuary subject to moderate human activity. In Chesapeake Bay nutrients from sewage treatment plant effluent, agricultural runoff and atmospheric deposition drastically altered the estuary between 1950 and 1980, causing massive increases in algae growth and water turbidity which led to the loss of 90% of the native bay grasses. An additional 3 million people projected for this area in the next 30 years promises to exacerbate this problem.

- Since the late 1960s, more than 100 dams have eliminated 80-100% of the migration and spawning areas of several important species of fish - salmon, shad, striped bass and others - in the San Francisco Bay ecosystem. Human activities have eliminated Atlantic salmon from most of their U.S. spawning streams and continue to hinder restoration efforts. Dams block many hundreds of miles of historic anadromous fish spawning rivers in the Chesapeake Bay system, including 350 mainstem miles of the Atlantic coast's largest river, the Susquehanna.

- Estuarine nursery areas are dying of thirst due to excessive freshwater diversions from incoming rivers. Freshwater inflow controls the biological productivity of estuaries. Diversion of more than about 30% of normal freshwater flows into estuaries results in increased salinity, decreased nutrients, increased pollutant exposure due to reduced flushing, destruction of migration routes and spawning areas for fishes, and contamination of freshwater sources for human use. Water diversions and dams have devastated California's salmon-supporting habitats. Spawning has been completely eliminated from some Pacific coast rivers; only a fraction is left of the great salmon and steelhead runs of the Columbia River basin. The Snake River run of coho salmon has apparently become extinct.

- The annual dumping of billions of pounds of trash into the oceans was considered merely an aesthetic problem until the mid 1970s. But by the early 1980s, it was recognized that thousands of marine animals, including endangered mammals and sea turtles, seabirds and fishes, were becoming entangled and killed in manmade items.

### Stemming the Tide - A Summary of Recommendations

(1) Implement a clear national policy on habitat conservation. The Administration and Congress must exert the leadership necessary to make protection of our remaining wetlands and other critical fishery habitat a higher national priority. Habitat conservation must be elevated to the highest level within each department and agency, including the Environmental Protection Agency, the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service and particularly the National Marine Fisheries Service within the National Oceanic and Atmospheric Administration (NOAA). Congress must stand solidly behind agencies charged with stewardship for living resources so that they may effectively carry out the habitat protection laws Congress has enacted, by giving them the political and fiscal support they need to do their jobs. The President's avowed Policy

of No Net Loss of Wetlands must be implemented from the top down by incorporating it into the programs of all federal agencies with habitat responsibility. The concept of no-net-loss should be only the short-term goal of national policy; the long-term objective must be a net gain of wetlands to restore what has already been lost.

(2) Strengthen the Clean Water Act and other environmental statutes. Congress should enact a stronger Clean Water Act by making no-net-loss of wetlands an expressed goal of the statute, closing loopholes in the wetlands permitting system, and expanding it to include activities not presently covered by the Act. Maximum funding for full implementation should be provided.

(a) Only about 20% of the activities affecting wetlands are covered by the Section 404 dredge and fill permit provision of the Act. Permit requirements cover only the discharge of dredged or fill material. Chemical contamination, flooding, removal of vegetation, construction of pilings, or excavation do not require a permit. Nor does shutting off the flow of freshwater vital to wetland maintenance. In addition, the Corps of Engineers has issued 26 nationwide General Permits and numerous regional ones allowing wetlands alterations with limited public scrutiny.

The 404 program should be extended to cover all activities that could degrade high value wetlands, including agriculture and silvaculture. The definition of a wetland in the Wetlands Delineation Manual must be based on biology, not politics. The Act should require states to develop wetland protection plans. It must better control the flow of point and non-point sources of toxic and other pollutants into fish habitat. General permits must be re-examined and in some cases eliminated. The Act should be amended to clearly state that no-net-loss is a short-term goal and net restoration is the long-term goal, as explicitly recommended by the National Wetlands Policy Forum.

(b) Full implementation and enforcement of the erosion control and wetland management provisions of the 1990 Farm Act are needed to protect, restore and enhance aquatic habitats. Because agricultural activities are responsible for degrading water quality and wetlands throughout the U.S., wetland protection provisions of the Clean Water Act and the Farm Act should be consistent.

(c) Water project management and water allocation policy must be altered in a way that protects and improves freshwater flows to fishery-supporting habitats. Freshwater inflows should be secured at or restored to levels approximating their normal (natural) flows in order to maintain the production values of estuaries. Federal subsidies for water diversions which adversely affect fisheries productivity must be eliminated.

(3) Create high level habitat program leadership in NMFS/NOAA, with increased regulatory authority. Habitat conservation should be elevated in stature to provide effective program leadership, by establishing within the National Marine Fisheries Service an Office of Habitat Conservation. Its Director must have full authority over the conduct of the agency's National Habitat Conservation Program, including both research and management components throughout the agency's field structure. Moreover, NOAA should create a Habitat Program Director, reporting to the NOAA Administrator, to provide policy direction and coordinate NOAA's many habitat-related programs. Other NOAA elements dealing in habitat-related areas should directly support the NMFS Habitat Program's involvement in federal and state decision-making processes. Whether by administrative or legislative action, NMFS should be given regulatory authority over projects that could severely damage fishery-supporting habitat. The agency should be authorized to require that all federal actions be consistent with the objectives of approved fishery resource management plans.

(4) Increase funding for federal habitat programs. Protection of habitat is the cheapest investment the nation can make to sustain productive fisheries. But funding for protecting fishery-supporting habitat is chronically insufficient and unstable. NMFS is the only federal agency whose habitat-related funding has not increased over the past decade. In terms of buying power, its funds have actually been cut in half, while the need for NMFS' involvement has grown dramatically with increased coastal habitat degradation. Under-staffed and under-funded, NMFS is unable to fulfill its essential habitat conservation and stewardship mission. Roughly 10,000 development projects are proposed each year, potentially affecting well over 400,000 acres of important habitat. NMFS biologists must review an average of 400 projects each, making it impossible for the agency to adequately protect the public interest in habitats. Research, including the critical areas of wetland functions and contaminant effects, is similarly inadequately funded and staffed. Congress should give immediate consideration to appropriating the resources recommended by the National Fish and Wildlife Foundation and published in its "FY 1992 Wildlife and Fisheries Assessment, National Marine Fisheries Service" (April 1991). Congress should also explore developing a self-perpetuating trust fund, outside of the appropriations process, for NMFS habitat programs.

(5) Add tougher habitat provisions to fishery laws. Federal projects and federally-approved projects should be required to be consistent with objectives of the Magnuson Fishery Conservation and Management Act. The Magnuson Act should be amended to include habitat conservation as one of the National Standards for guiding the management of marine fisheries. The Secretary of Commerce should consider knowledge and experience in habitat issues when appointing individuals to serve on the Regional Fishery Management Councils. The 1990 amendment to the Act expanding Council authority over the habitat of anadromous species should be extended to all fisheries.

(6) Streamline bureaucracy and improve coordination. Thirty-seven federal agencies, in 9 executive level departments, have some authority over activities affecting marine fisheries and habitat. Presently, habitat and environmental concerns are merely one component within many separate agencies with varying missions and are often subordinated to other interests. Federal environmental protection responsibilities should be consolidated, not fragmented, in order to reduce duplicative and conflicting actions. Accountability for habitat protection should be clearly established. Stronger coordination among states and the federal government is essential.

(7) Put greater emphasis on public education. Education may be the most important single consideration in halting the loss of coastal fish habitat. An informed public will lend political support to efforts to strengthen habitat protection. Information on the vital contribution of fisheries and aquatic habitat to economic stability and the quality of life should be a key element of all conservation programs and should be made much more available to the public. In addition, members of Congress need to be educated to the fact that the contribution of fisheries to the national economy is synonymous with wetland, estuary and other habitat protection.

(8) Other recommendations.

(a) A vigorous national marine sanctuary program is needed to protect critical habitat areas, such as reefs, in order to increase the reproductive output of species they support. High value habitats should be legislatively withdrawn from development. Incentives should be used to encourage development away from fragile, irreplaceable natural areas. Federal subsidies for projects that destroy or degrade wetlands must be eliminated.

(b) Wetland restoration is a new art, and proponents have yet to demonstrate that most biological life-support functions of a natural system can actually be restored. Therefore, it is inappropriate to give the development community the impression that project losses can in fact be compensated by attempted restoration or rehabilitation. Until successful restoration of fishery habitats can be demonstrated scientifically, it should not be relied upon by regulators as a certain tradeoff methodology. Rather, it must be considered as an experimental approach until proven for routine application. "Sequenced" mitigation - avoid, minimize and finally compensate for unavoidable impacts - is essential.

(c) Aquaculture has some potential both to reduce pressure on wild fish populations and to supply food for humans. However, plans for aquaculture expansion must recognize the potential for conflict resulting from its requirements for space and water, and potential problems with disease, genetics and pollution may conflict with conservation of natural habitat and wild fisheries.



(d) Research is necessary to evaluate the long-term impacts of all types of water pollutants on marine fish, with extra emphasis on sublethal effects on growth, behavior and reproduction.

(e) A coalition of diverse groups is required to educate the public and highlight the profound importance of habitat problems to all Americans. Commercial and recreational fishermen, the fishing industry, tourist and business interests, environmentalists and others must join forces and work together to support and enhance public and private habitat conservation programs.

PACIFIC FISHERY MANAGEMENT COUNCIL  
RECOMMENDATIONS TO CONGRESS FOR IMPROVING  
FISHERY HABITAT RESTORATION, MAINTENANCE AND ENHANCEMENT

1. ***Establish a policy of no net loss of aquatic habitat resulting from federal activities.*** It is in the best interest of our nation to develop vigorous and prosperous fisheries. Habitat supporting aquatic resources is of national significance to commercial, recreational and Indian tribal fisheries and related industries. The nation's fishery habitat should be enhanced, and habitat losses resulting from federal activities should be fully compensated.
2. ***Encourage full implementation of the mitigation measures in the Water Resources Development Act and other mitigation and restoration acts and programs.*** Existing legislation and programs provide for mitigation of negative impacts to fishery resources, and compensation of losses due to past federal activities. However, the lack of firm commitment on the part of the construction agencies often leads to inaction and missed opportunities. For instance, the Water Resources Development Act of 1986 authorizes the Secretary of the Army to ". . . mitigate damages to fish and wildlife resulting from any water resources project under his jurisdiction, whether completed, under construction, or to be constructed. . . ." Despite this directive from Congress, we know of no instances when the Secretary of the Army has taken advantage of this opportunity.
3. ***Require the actions of the federal construction agencies, principally the Corps of Engineers and Bureau of Reclamation, to be consistent with the Magnuson Fishery Conservation and Management Act (MFCMA) fishery management plans and Pacific Salmon Treaty.***
4. ***Repeal the benefits provided to new hydropower projects by the Public Utility Regulatory Policies Act (PURPA).*** PURPA encourages development of new hydroelectric projects by requiring utilities to buy power produced at private hydropower facilities at extremely high cost, regardless of the need for power or cost of alternative sources of replacement power. Approximately 200 proposed non-federal projects are being actively pursued in the Pacific Northwest alone. These projects represent a significant threat to anadromous fish resources by blocking or delaying migration, or by direct negative impacts on spawning or rearing habitat. The Federal Energy Regulatory Commission has recommended to Congress that PURPA benefits continue to be granted to new hydropower projects. Repeal of PURPA benefits (with no grandfather clause for presently unlicensed or unconstructed projects) would be a major step toward protection and restoration of anadromous fish runs.
5. ***Direct the appropriate departments to develop periodic reports to Congress that provide a national scorecard for determining what is happening to our aquatic habitats in rivers, lakes, marshes, estuaries and coastal zone areas.*** The reports should be developed independently but submitted concurrently. To assure compatibility, Congress should appoint a short-term "blue ribbon" panel from the environmental community to develop the standards, criteria and list of issues each department must address in its report.
6. ***Direct the Secretaries of Interior and Commerce to conduct a survey of opportunities to restore adversely impacted habitat with a joint summary to Congress by December 1992.*** The survey should be conducted in close coordination with the states, tribes, regional councils, commissions and the federal water development and land management agencies. It should

provide an implementation schedule for restoration measures deemed feasible based on biological and engineering criteria and should estimate costs. Priority consideration should be given to implementing actions that would be lost if delayed, actions that meet fish and wildlife agency priority objectives, and opportunities which provide the greatest restoration benefits in comparison to cost. Restoration projects should be funded in future years with the objective of achieving the majority of the restoration potential by year 2000.

7. *Amend the MFCMA to reflect that past and present habitat degradation, among other factors, has adversely affected the status of some fish stocks.* A clear recognition of the impact of habitat degradation provides the need and direction for habitat concern by the regional councils and clarifies the basis for regional council comments on federal projects.

PFMC  
7/31/89



## NATIONAL COALITION FOR MARINE CONSERVATION

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### A RESOLUTION TO PROTECT AMERICA'S WETLANDS

May - "American Wetlands Month" - 1991

WHEREAS, wetlands, the vegetated aquatic ecosystems that include such areas as estuaries, marshes, bogs, and swamps, are widely recognized as some of the most productive natural areas on earth; and

WHEREAS, wetlands provide critical habitat for fish and shellfish, waterfowl and other wildlife; and

WHEREAS, man benefits directly and indirectly from abundant fish and wildlife populations, and also uses wetlands for recreation, erosion control and water quality control; and

WHEREAS, we've only just begun to understand and appreciate the irreplaceable ecological value of wetlands; and

WHEREAS, wetlands have long been misunderstood and abused, allowing these productive areas to be drained, filled, channeled and polluted; and

WHEREAS, we have already destroyed more than half the 200 million acres of wetlands our forefathers found when they settled the lower 48 states; and

WHEREAS, this historical loss has greatly diminished the quantity and quality of the benefits wetlands provide, and continued loss and degradation of wetlands threatens sharp declines in fisheries and wildlife populations in the future, with severe social and economic losses to the nation;

THEREFORE, BE IT RESOLVED, that the National Coalition For Marine Conservation declares May 1991 to be American Wetlands Month.

FURTHER, we resolve to support the two goals of the National Wetlands Policy Forum, namely: 1) to achieve no overall net loss of the nation's remaining wetlands; and 2) to increase the quality and quantity of the nation's wetlands resource base.

The National Coalition for Marine Conservation is proud to join with other national environmental groups, federal and state governments, and others as a co-sponsor of American Wetlands Month. With this resolution, we profess our commitment to wetlands protection. By declaring May 1991 a month to celebrate America's irreplaceable wetlands, we draw attention to the value of wetlands, as

wetlands, as habitat for a wide variety of fish and wildlife and the foundation of our coastal fisheries, and urge others to join with us in working to not only stop wetland loss, but actually increase this valuable natural resource.

### National Goals for Wetlands Protection in 1991

President Bush's stated policy of "no net loss of wetlands" was first articulated by the National Wetlands Policy Forum. But what is often overlooked is that "no net loss" is only the short-term goal set by the Forum; a net increase in the nation's wetlands base is our ultimate objective. Either goal, however, will be impossible to achieve unless we increase regulatory and legislative authority to preserve productive wetlands, and this authority is exercised as part of a clear national wetlands protection policy.

How do we do this? The NCMC\* is urging the President to give a clear directive to all appropriate federal agencies that their first priority is to preserve our remaining wetlands. In addition, the National Marine Fisheries Service and U.S. Fish and Wildlife Service, which now only comment on projects impacting wetlands, should be granted the authority to veto projects they determine could severely damage wetlands and other critical fishery habitats.

Congress must strengthen the Clean Water Act when it renews that law this year. The Act's Sec. 404 program, the only federal statute regulating wetlands use, covers only 20% of activities affecting wetlands. It should be broadened to cover all activities that degrade wetlands, including agriculture and silvaculture, which have caused an estimated 80% of wetland losses. The granting of broad permits, e.g., allowing wetlands up to 10 acres to be filled with limited public scrutiny, should be eliminated, because their cumulative effect on wetlands amounts to "death by a thousand cuts." The law must be amended to better control the flow of point and non-point sources of toxic and other pollutants into wetlands. Finally, states should be required to develop wetlands protection plans under the Clean Water Act.

We need new federal legislation, modeled after several state initiatives, to withdraw high value wetlands from development, and provide incentives to encourage development away from fragile natural areas. Federal subsidies of any kind for projects that destroy or degrade wetlands should be eliminated.

\*These specific goals are the NCMC's, and may or may not be endorsed by other co-sponsors of "American Wetlands Month."

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**What You Can Do.** In addition to supporting these and other efforts by national organizations to strengthen wetlands protection programs, you can: ~ Learn more about wetlands and encourage your government officials and representatives to recognize the special qualities and values of wetlands. ~ Contact your state and federal wetlands protection agencies to find out what laws, programs and projects protect wetlands in your area. ~ Organize people in your community to help protect wetlands. ~ Ask your local newspaper and radio/TV stations to do stories on wetlands protection. For more information, call the WETLANDS HOTLINE 1-800-832-7828.