MARINE FISHERIES SECTION
AMERICAN FISHERIES SOCIETY

*Volume 18, Number 1* *Spring 2000*

## Section Officers

**President**
**Steve Berkeley**
Hatfield Marine Science Center
Oregon State University
Newport, OR 97365
Phone: 541-867-0135
FAX: 541-867-0138
Steve.Berkeley@hmsc.orst.edu

**Past-President**
**Max Stocker**
Fisheries & Oceans Canada
Pacific Biological Station
Nanaimo, B.C. V9R 5K6 Canada
Phone: 250-756-7200
FAX: 250-756-7209
StockerM@dfo-mpo.gc.ca

**President-Elect**
**Anne Richards**
University of Maryland
Chesapeake Biological Laboratory
P.O. Box 38
Solomons, MD 20688
Phone: 410-326-7211
Fax: 410-326-7378
richards@cbl.umces.edu

**Secretary/Treasurer**
**Anne-Marie Eklund**
NMFS-SEFSC
75 Virginia Beach Drive
Miami, FL 33149
Phone: 305-361-4271
FAX: 305-361-4478
anne.marie.eklund@noaa.gov

***THIS ISSUE***

President's Comments ..... 1
Treasurer's Report ..... 2
Mid-Year Report ..... 3
Steller sea lions ..... 4
Net Ban ..... 6
Shark Finning ..... 8
Get out the vote! ..... 10

# *President's Comments*

This is the year that we elect new section officers. As you can see, the ballots are enclosed with this newsletter, and I urge everyone to cast his/her vote. My term as president will expire at the upcoming annual AFS meeting at which time Anne Richards will take over as section president. The winner of this year's election will serve two years as president-elect and succeed Anne as section president in 2002. The new secretary-treasurer will take over from Anne Marie Eklund at this year's business meeting. Many thanks to Anne Marie, who has served two consecutive terms as secretary-treasurer.

For the majority of you who were not at the MFS business meeting in Charlotte, it was a very lively meeting. Most of the liveliness was the result of my proposed AFS resolution calling for an independent review of the International Commission for the Conservation of Atlantic Tunas (ICCAT). As you may remember from the last newsletter, most species under ICCAT's jurisdiction are seriously overfished and the resolution called for an independent performance review to develop recommendations on how to improve ICCAT's effectiveness. The range of comments ran the full gamut from strongly opposed to strongly in favor of this resolution. The majority generally agreed with the intent of the resolution and the discussion quickly focused on the best way of achieving our objective of improved management of these fishes. Some of the discussion was very pragmatic – to whom should this resolution be sent: US ICCAT Commissioners, North American ICCAT Commissioners, or the ICCAT Secretariat? Or, is a resolution really the best approach? This led to a suggestion that a committee be formed to develop and evaluate a suite of alternative actions that would move this issue forward. Another motion was made that a committee be formed to gather information on the performance of ICCAT. Several section members suggested that a symposium on this topic would be a more appropriate first step for the section.

From this suite of alternatives and motions, I decided that the most productive course of action with the greatest support would be to organize a symposium for this year's annual meeting, so this is what I have done. The symposium's title is: Managing highly migratory species in the Atlantic: A critical review of ICCAT's performance. We have ¾ of a day planned for this symposium, and have invited a wide array of speakers from federal and state government, NMFS, academia, the fishing industry, and environmental groups who will address a variety of topics from the science to the politics of ICCAT. I invite all of you to attend this symposium, the outcome of which should help the section move this issue forward.

Another motion approved by the section was to request

*(continued on page 2)*

MFS representation on the three US advisory panels (APs) that deal with Atlantic highly migratory species: the Highly Migratory Species AP, the Billfish AP, and the ICCAT Advisory Committee. I provided a list of names of section members who were qualified and willing to serve on these committees. I am pleased to announce that I recently received a 2-year appointment as MFS representative to the Highly Migratory Species AP. The committee met in February to review time-area closures for the pelagic longline fishery that were recently published as a proposed rule in the Federal Register. Following that meeting, I provided written comments on the proposed rule on behalf of the section.

On another front, the MFS has been very busy developing position statements on marine fishes at risk of extinction, an effort spearheaded by Jack Musick. Four position statements have been drafted and appear on both the AFS website and in the March, 2000 issue of *Fisheries*. These papers represent a significant effort on the part of all the co-authors and reviewers and especially the principal authors of each statement (Jack Musick: Criteria to define the risk of extinction and management of sharks and rays; Felicia Coleman, Long-lived reef fishes; Steve Parker, Pacific rockfishes). This has been one of the most ambitious projects undertaken by the section, and I believe one of the most important. Thanks to everyone who helped with this effort.

As you may recall, I previously suggested that the newsletter serve as a vehicle for discussing current marine fishery research and management issues. To that end, I selected three current and controversial issues and have asked individuals who are particularly familiar with these topics to write short articles for this newsletter. Russ Nelson (Director of the Florida Marine Fisheries Commission, and also a candidate for section president) has written an article discussing the impact of the Florida net ban. Tim Ragen (fishery biologist with NMFS Alaska Region Protected Resources Division) has contributed an article on the endangered Stellar sea lion and the management of the walleye pollock fishery in Alaska. Our third contributor, Bob Endresson, is founder of the Hawaii Fishermen's Foundation and currently serves as fisheries coordinator with the Western Pacific Fisheries Coalition, a marine conservation group headquartered in Hawaii. Bob is an outspoken critic of the Western Pacific Fishery Management Council's stance on shark finning, and his article provides us with his thoughts on this issue.

Finally, start making your plans to attend the AFS annual meeting in St. Louis, and don't forget that the MFS will again be awarding up to 4 student travel grants of $500 apiece to attend this meeting. To apply, you must be an AFS student member and be presenting either a talk or poster on a marine fisheries topic. Applications should include a cover letter, a 2-page (max) CV, and the title and abstract of your talk or poster. Send applications to me by June 1, 2000. Decisions will be made by the MFS Excom.

*-Steve Berkeley*

## Marine Fisheries Section Mid-Year Treasurer's Report
## 17 August 1999 - 13 January 2000

| | |
|---|---|
| Balance of 17 August, 1999 | $16,622.19 |
| Receipts | |
| Members' Dues | 1,847.00 |
| Sales: Beverton Notes | 891.00 |
| Total Receipts/Credits | $2,738.00 |
| Disbursements | |
| Newsletter: 1 issue | 619.43 |
| Meeting expenses for section Pres-elect | 985.20 |
| International Fisheries Section Contribution to support World Fisheries Congress | 500.00 |
| Student Travel Award | 500.00 |
| Total Disbursements | $2,604.63 |
| Balance on 17 January 2000 | $16,755.56 |

*Many thanks to Anne-Marie for years of service as Secretary/Treasurer*

# AFS Marine Fisheries Section Meeting
# Charlotte, North Carolina
# August 30, 1999

*MFS President Steve Berkeley, MFS Past President Max Stocker, Secreatary/Treasurer Anne-Marie Eklund, President-Elect Anne Richards*

Officers present:
Steve Berkeley, President
Anne Richards, President-elect

With approximately 40 members in attendance, Steve Berkeley called the meeting to order at 19:15. The following items were discussed:

(1) **AFS Governing Board meeting and retreat**. Steve Berkeley provided a summary of the Governing Board meeting. A major issue was the projected budget deficits for AFS for this year and 2000 (118k and 33k, respectively). AFS is projected to be operating in the black starting in 2001. TAFS currently has a major backlog and AFS is seeking funds for extra pages to clear the backlog.

**Motion**: MFS donate $1000 to TAFS towards backlog reduction. Seconded. Passed with all except one in favor. The objection of the 'nay' voter was that MFSshould not give away its seed money that could be used for publishing MFS-sponsored symposia.

(2) **MFS Annual Report**. Steve Berkeley summarized the annual report submitted to AFS President Robert Carline on August 2, 1999 (attached). Discussion of items related to the report included:

(a) Poor response to the newly-established MFS student scholarship for travel to AFS. Consensus was that we need to advertise more broadly and that the number of applications undoubtedly will increase next year.

(b) The list serve could be very useful but more of the membership needs to sign up.

(c) Steve Berkeley is in the process of obtaining bids for development of an MFS web page. It was noted that the AFS Computer User Section has offered to help AFS sections set up their web pages.

(d) Jack Musick summarized his draft AFS Policy Statement on management of sharks and their relatives, which resulted in the following motion.

**Motion**: That the draft position statement be accepted in principal and submitted to AFS for posting on the AFS web page for membership comments. Seconded. Passed unanimously.

(3) **1999-2000 Program of Work**. The primary issue discussed was a draft AFS resolution recommending an independent review of ICCAT (drafted by Steve Berkeley). It was made clear during discussion that the intent is not a review of the science, but of how scientific advice has been implemented (or failed to be implemented) in management. The issue of what approach (e.g. request ICAAT to review itself vs. AFS or MFS conduct a review; present a resolution or review directly to ICAAT vs. have the North American delegates deliver it) would be most effective was extensively discussed. It was also suggested that MFS send an assessment scientist to ICAAT meetings.

**Motion**: That an MFS committee be established to review ICAAT performance with respect to implementation of scientific advice and develop a draft statement by next year. Seconded.

**Substitute motion**: That an MFS committee develop a menu of alternative courses of action that MFS could take to move this issue forward; this would be presented to MFS members. Seconded. Passed, aye 10, nay 8.

**Motion**: That an MFS committee be formed to gather information on the performance of ICAAT. Seconded. Passed unanimously.

**Motion**: Russ Nelson moved that the MFS request representation on the three advisory panels concerned with highly migratory species: The Highly Migratory Species Advisory Panel, The Billfish Advisory Panel, and the ICCAT Advisory Committee. Passed: Unanimously.

(4) **Nominating Committee**. Max Stocker will chair this year; John Hoenig offered to be a member.

(5) **Adjournment**. The meeting adjourned at approximately 21:30.

# Effects of Groundfish Fisheries on Steller Sea Lions

**Tim Ragen**
**National Marine Fisheries Service**

## Introduction

The National Marine Fisheries Service (NMFS) is the lead agency responsible for the recovery of Steller sea lion populations. At the same time, NMFS is also responsible for achieving sustainable fisheries at optimal yield. These responsibilities can conflict with each other, and therefore pose a significant challenge to NMFS's management and science.

During the past two to three decades, the abundance of Steller sea lions has declined by 80% or more throughout much of its range. The decline was first noted in the late 1970s and early 1980s. Counts dropped most severely in the late 1980s (as much as 12 to 15 percent annually), but continued to fall during the 1990s at about 4 to 5 percent annually. The decline was first noted in the eastern Aleutian Islands, and then spread westward and eastward to include the population from Prince William Sound to Attu Island. The available information suggests that sea lion numbers also declined in Russian waters, but perhaps not for the same reasons.

In 1990, the entire Steller sea lion population was listed as threatened under the Endangered Species Act of 1973. In 1997, the species was divided into two management stocks (east and west of the 140°W longitude) and the western stock was relisted as endangered. In Alaskan waters, the decline has been confined to the western stock. The population trend is positive for the eastern stock, which appears to be recovering from earlier periods of depletion.

## Causes of the decline and several misconceptions

Two misconceptions have been perpetuated about the decline of the western stock of Steller sea lions. The first is that we don't understand the cause of the decline. In fact, scientists have identified a number of contributing factors. These factors include commercial harvesting of sea lions in the 1960s and early 1970s (i.e., 45,000 pups were killed in the western Gulf of Alaska and eastern Aleutian Islands regions), incidental killing of sea lions in groundfish fisheries (in some years, thousands of animals were killed by drowning in trawl nets), and harvesting of sea lions for subsistence use by Alaska Natives. In addition, an unknown but potentially large number of animals was killed for sport, for use as bait in crab fisheries, or simply for the purpose of removing a competitor of earlier fisheries. These factors must have contributed to the decline of Steller sea lions. Other factors also may have contributed, including disease and pollution, predation by killer whales, competition with fisheries for prey, and natural changes in the environmental carrying capacity. The more accurate statement, then, is that we are not currently able to provide a *full* explanation for the decline.

The second misleading notion about the Steller sea lion decline is what might be called the fallacy of a single cause. Objectivity aside, the debate about the decline of Steller sea lions nearly always returns to the same question: Is the decline due to changes in climate *or* to fisheries? If it is one, then it cannot be the other - or so the arguments go. But the desire for a black or white answer belies the complex nature of interactions between climate, these ecosystems, and associated human activities, including fisheries.

## Environmental versus anthropogenic effects

Both environmental and anthropogenic factors have been implicated in the decline of Steller sea lions. The relative roles of environmental and anthropogenic factors are a matter of crucial importance in the management of both the sea lions and the fisheries. When Congress established the Marine Mammal Protection Act in 1972, it found that

"*. . . certain species and population stocks of marine mammals are, or may be, in danger of extinction or depletion as a result of man's activities. . .*"

and that marine mammals

"*. . . should be protected and encouraged to develop to the greatest extent feasible commensurate with sound policies of resource management and that the primary objective of their management should be to maintain the health and stability of the marine ecosystem.*"

One year later, Congress established the ESA. Again, Congress found that

"*. . . various species of fish, wildlife, and plants in the United States have been rendered extinct as a consequence of economic growth and development untempered by adequate concern and conservation; other species of fish, wildlife, and plants have been so depleted that they are in danger of or threatened with extinction. . . .*"

Congress therefore declared one of the major purposes of the ESA to be to

"*. . . provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved. . . .*"

Importantly, these laws require that we 1) distinguish between natural ecosystems and those altered by human activities, and 2) conserve and maintain the health and stability of these natural ecosystems. Again, the mandates of these laws provide daunting challenges, with respect to both our scientific and our management efforts.

**ESA section 7 consultation**

The ongoing debate about the Steller sea lion decline illustrates the difficulty of meeting those challenges. Section 7 of the ESA requires every Federal agency

"*. . . to insure that any action it authorizes, funds, or carries out . . . is not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of critical habitat.*"

To identify such risks, Federal agencies are required to consult with the Fish and Wildlife Service or the National Marine Fisheries Service, depending on the listed species potentially affected by the proposed agency action. The consultation is summarized in the form of a biological opinion, which is issued by the Secretary of Interior or Commerce, respectively. The opinion provides a detailed assessment of how the agency action affects listed species or critical habitat. The opinion must form a conclusion as to whether or not the action either jeopardizes the continued existence of any listed species or destroys or adversely modifies critical habitat of such species. The conclusion is based on a description of the proposed agency action, the status of listed species potentially affected by the action, and an analysis of potential effects of the action in the context of all other factors affecting the listed species.

**Assessing fishery effects**

The groundfish fisheries in Alaskan waters constitute an action requiring section 7 consultation. These fisheries may adversely affect a number of listed species, including the western stock of Steller sea lions. Such effects may be beneficial or detrimental, direct or indirect. Direct effects, such as incidental catch or kills in fishing gear, are more easily assessed. While large numbers of sea lions have been killed in fishing gear in past years, changes in fishing techniques have reduced the numbers killed to levels that are negligible with respect to sea lion population status.

Indirect effects are more difficult to evaluate. For example, fisheries competition for sea lion prey may have serious consequences for sea lions, but may be difficult to prove conclusively. Past assessments have focused on three main questions. First, are sea lions nutritionally stressed? Second, do fisheries and sea lions use the same prey resources (i.e., at the same location during the same time period, at the same depth, and of the same prey size)? And third, do the fisheries reduce the availability of prey by concentrated harvesting that results in localized depletions? Questions pertaining to competition are most relevant to fisheries effects on target species.

Questions related to ecosystem effects are even less direct and more difficult to evaluate. Do the groundfish fisheries alter the essential nature (e.g., composition, structure, or processes) of the Bering Sea and Gulf of Alaska ecosystems in such a manner as to jeopardize the continued existence of sea lions, or adversely modify their critical habitat? Such questions can be best addressed (or addressed with confidence) based on a detailed understanding of ecosystem structure and function, and a detailed understanding of the interactions between the fisheries and ecosystems. At present, we lack such detailed understanding of these ecosystems. As a result, our ability to identify and *(cont'd p.7)*

# After the Net Ban: Fisheries and Stocks in Florida

**Russell Nelson**
**Florida Fish and Wildlife Conservation Commission**

## Introduction

In 1994 the voters of Florida approved by a 72% majority a constitutional amendment that dramatically affected the use of certain net gears in the state. Provisions of the amendment prohibited the use of any gill, trammel, or other entangling type nets, within state waters and limited the size of legal seines and trawls to a maximum of 500 square feet of mesh area within one mile of shore on the Atlantic coast and three miles on the Gulf. These regulations became effective on July 1, 1995. In anticipation of the displacement of participants in the inshore net fisheries, Florida provided for a $22 million gear buyback and re-training program that was implemented during the following year.

The inshore mullet and shrimp fisheries were anticipated to be most impacted by these net limitations, although significant effects were also expected to occur in the bait (primarily sardines and small carangids) fisheries and for a variety of inshore and nearshore finfish. Also, in the year following the amendment vote, in hopes of assuring that some of the reductions in net harvest and bycatch mortality would accrue to stock rebuilding, fisheries managers established more restrictive bag and size limits for recreational anglers on pompano, flounder, sheepshead, African pompano, and permit

Although formal stock assessments have yet to be completed for the full range of species effected, it is possible to offer a preliminary look at some of the short term effects of these regulatory changes on the demographics of the fisheries and resource stocks.

## Commercial Fisheries Participation and Landings

Florida requires a Saltwater Products License (SPL) for commercial harvest and sale, and for the most important fisheries, a Restricted Species Endorsement (RS) is also necessary. The later is a simple effort limitation attempt that requires that harvesters meet minimum income requirements from commercial fishing in order to participate. In the 1994/95 fiscal year preceding the net ban a total of 19,754 SPLs were issued and 9,497 (48%) of these had a RS. By the fourth year following implementation of the netting limitations (1998/99) SPL sales had fallen to 14,890 and only 64% (9,528) of these held the RS. Reductions in total sales likely reflect the migration of commercial fishers out of the fishery. Many net fishers simply shifted effort into stone crab and blue crab trap fisheries; for both of these fisheries effort limitation plans are currently being developed.

In the six years preceding the limitations, commercial ex-vessel landings in Florida ranged from a high of $220 million (1989) to a low of $172 million (1991). Landings in the calendar year immediately before the regulations took effect (1994) were $216 million, and in the first full year after (1996) landings were $230 million. Ex-vessel value dipped to $197 million in 1997, and was $213 million in 1998. The catastrophic losses in commercial ex-vessel value which some had predicted did not materialize across the board, although certainly a large number of individual net fishers were affected. The recovery of the Tortugas pink shrimp fishery in the late 1990s helped ameliorate the loss of mullet and other finfish landings. A Florida Supreme Court decision on how legally to interpret the 500 square foot limitation on trawls resulted in allowing inshore shrimping gear only marginally reduced in size from traditional trawls. Subsequent innovation by net builders in Florida produced legal shrimp trawls that worked more efficiently and effectively. The expected shift of shrimp harvest from small-scale inshore harvesters to larger offshore boats has not seemed to have materialized.

Mullet had been the primary target of Florida's state waters net fishery. In the year preceding the ban landings under a preliminary management plan had been 11.4 million pounds. Annual landings in the years following implementation of the regulations have been 4.5 million, 6.9 million, and 8.5 million pounds. The use of cast nets and of small (200' x 2.5') legal seines in combination with cast nets has replaced the 600 yard gill nets previously used.

Spanish mackerel landings on the Atlantic coast did not reach the allowed quota in the first year following the ban, but

have risen to that level in subsequent years. Gill nets can still legally be deployed in federal waters for mackerel, and many inshore netters converted their 4.5" mesh gill nets to braille-less cast nets that could legally be used to cast and entangle mackerel in sizes similar to what had previously been taken in gill nets. By 1998, commercial pompano landings had risen to levels taken prior to the net ban. Hook-and-line fishing for pompano had been a popular commercial enterprise in the 1960s and early 1970s and the use of this gear has seen resurgence. However, it is likely that a significant amount of the commercial pompano landings results from the use of illegal net gear, and this situation is the subject of intense scrutiny by managers.

**Stock Responses**

Initial anecdotal information in the first years following the net ban indicated increase angler success and increased encounter rates for species such as ladyfish, jacks, pompano, and spotted sea trout. These early responses were likely the result of the elimination of the much more efficient net gear that had previously been able to intercept these species and out compete anglers. The best quantitative information available with which to assess the impacts of the net limitations comes from ongoing research on mullet.

Dr. Behzad Mamoudi of the Florida Marine Research Institute completed the last assessment on mullet in 1998. The results of that work revealed trends in increasing numbers of trips with reduced median catch-per-trip, associated with the switch to less efficient gear. Fishing mortality (F) had decreased from the pre-regulation level of 1.13 to 0.55. Transitional spawning potential ratios (SPR) had been at levels below 15% in the early 1990s; and managers had established a 35% goal as a target for mullet. In recent years SPR has increased to approximately 30% and trends indicate the 35% goal may be reached by 2000 or 2001. Age distributions within the catch have revealed an increase in older age groups following the net restrictions. Of particular interest are the observed changes in the data taken in our fisheries independent sampling program. The catch-per-minute-searched for adult mullet has increased from 1.04 in the year [prior to the ban (1994): (1995) 3.61; (1996) 5.10; and (1997) 8.44. An updated assessment on mullet status will be completed this summer.

**Conclusions**

In 1994, Florida voters initiated a bold experiment in fisheries management. A preliminary look at the impact of this decision indicates that the impact on the commercial industry in Florida has been somewhat less dramatic than some predicted. Shifts among fisheries and in the use of new gear types have tended to ameliorate potential economic losses. Shifts among fisheries have exacerbated problems associated with excess effort, and managers have been forced to respond by initiating effort reduction and entry limitation programs. Fish stocks appear to be responding with some increases, as one would expect from significant reductions in mortality.

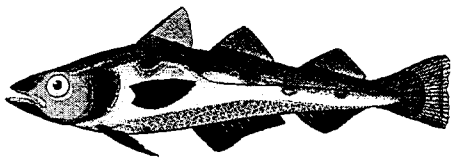
---

(*Steller sea lion continued from page 5*)

characterize such potential effects is limited. The situation is akin to a scientific study with limited statistical power to detect an experimental effect, if such an effect occurs.

**Managing with incomplete information**

How should we manage in the meantime? The Endangered Species Act and court interpretations of the Act provide guidance. First, the Act recognizes that complete information may not be available. Therefore, the Act requires that the consultation be based on the best available scientific and commercial data. Second, where potentially serious uncertainty remains about the potential effects, the agencies must either resolve the uncertainties, or give the benefit of doubt to the listed species, i.e., follow the precautionary principle.



This guidance applies to immediate cases, but the best long-term strategy must include increased study of ecosystems and their component biological communities, physical environments, and processes. An important challenge to NMFS and other agencies with similar responsibilities is to determine if their long-term strategies include the necessary ecosystem level research to provide the information for more ecosystem-based management in the future. Are we preparing ourselves for dealing with these issues in the future?

# A Critique of the Western pacific Fishery Management Council Position on Shark Finning

**Bob Endreson**
**Western Pacific Fisheries Coalition**

In the past year, much has been said and written regarding the continued practice of shark finning. For some it was a result of the waste issue that this practice perpetuates, while for others it was one of cruelty, yet foremost it was a combination of many things including the fact that there is little data and much concern.

Currently there is no sound science regarding sharks in the Pacific. There are preliminary studies examining the biological aspects of sharks, but no definitive information is available at this time. That being the case, the Magnuson Act calls for the Council to take a precautionary approach to shark management.

Blue shark, which is the primary catch of the Hawaii longline fishery in the Pacific, reproduces faster than most sharks but it doesn't make them rabbits as one scientist called them. However, as resilient as blue sharks may be when it comes to reproducing more than other sharks, there is no study that says they are immune from overfishing.

Shark mortality in the Hawaii based longline fishery alone has grown 22 times since 1992. Beginning in 1995, the Western Pacific Regional Fishery Management Council (Council) begin examining the shark fin industry and at their March 1995 meeting, the SSC called for more information about shark fin processing. In March of 1996 the first of several letters were sent to the Council from NMFS indicating that the agency felt the practice of shark finning was wasteful and felt the Council should prohibit the practice.

The debate continued within the SSC, Plan Teams and the Council from 1996 to the present with no consensus being reached. Letters to the Council asking that the practice be stopped continued from both NMFS and NGOs, yet the Honolulu Lab felt that there was no sign that the blue shark populations were in danger even though no biological assessment had been done.

Foreign vessels continued to fin massive amount of sharks with transhipments upwards of 11-18 tons of shark fins making their way through Hawaii each month. This was done using domestic longline vessels meeting foreign vessels outside of the EEZ and then, under bond, bringing their fins for transhipment into Honolulu. Just the Korean Vessels alone are estimated to have transhipped 132 tons of shark fins through Honolulu in 1998.

The NMFS commissioned a study called the "Socioeconomic importance of sharks in the U.S. Flag Areas of the Pacific." The report on the socioeconomic importance of sharks was presented to the Council by Mike McCoy and prepared by Mr. McCoy and Dr.Hajimme Isihara, Gillett, Preston and Associates. Originally this study was supposed to address the Socio-Cultural importance of sharks, however, somewhere along the line it shifted focus to economics.

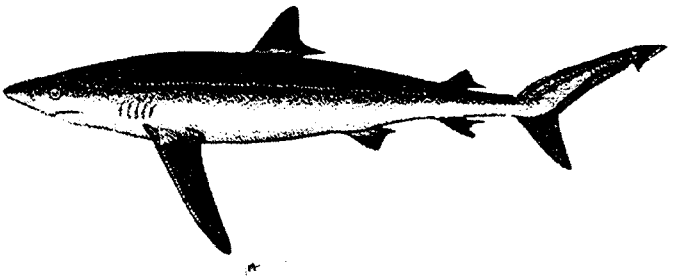
According to the author of the report, fishermen who fin sharks were reluctant to talk to him about their activities as a result of the controversy surrounding it. Many of them have never filed state catch reports and a ongoing investigation has determined that many have violated state of Hawaii law.

Although the report had to rely on old data, assumptions, guesswork and innuendo, it might provide some information germane to the shark finning debate. Unfortunately all this report does is draw a box around the worldwide distribution of the problem with no concrete evidence pointing one way or another. The report assumes that fishermen in Hawaii receive the benefit of $1.5 million per year from the sales of shark fins, however, Mr.McCoy does state in the report that if there is a prohibition on shark finning there would be NO adverse impacts to the longline fleet.

Concerned that the Council was not taking a precautionary approach, the Hawaii State Legislature introduced HB 1706 in 1999 which would have created a state landing law that would have prevented the practice of shark finning. Those supporting the Bill included The Department of Commerce/ National Marine Fisheries Service (NMFS), the United Nations Food and Agricultural Organization (FAO), International organizations, environmentalists, who thought the practice was cruel, fishermen who thought the practice was wasteful and millions of rational human beings from around the world and from every walk of life who simply thought the practice was barbaric including the State of Hawaii and the Governor.

Those opposed to the bill included the Council who offered no scientific rationale or credible objections to the proposed ban.. The Council claimed they had a "study" under way that by the Chairman of the Council's own testimony to the legislature would address the problem of finning. The Chairman and the Council's opposition was also in sharp

contrast to the National Policy of the Department of Commerce relating to shark finning as well as in violation of sec 16U.S.C.1854(101-627 (3)(D)(iii) of the Magnuson Act) to minimize waste.



NMFS studies have shown that although the Council claims that 99% of the sharks finned here are dead at the time of finning, 86% of the sharks are alive when brought to the boat and can easily be released alive. So here is a Council that is mandated to "reduce waste" but yet they encourage finning which wastes 95-98% of the shark. They claim that if they don't fin the sharks then they increase by-catch and are in violation of the law. However, if they prohibit finning, then longliners will release the sharks alive like they did in 1992 according to NMFS studies and now you would have prevented not only waste but reduced by-catch mortality.

Having failed to get the State to take action as a result of falling one vote short, the Western pacific Fisheries Coalition filed a petition with the Secretary of Commerce to pre-empt the Council. This action is currently pending and can be reviewed at http://www.westpacfisheries.net/actionalert/ It should also be noted that the US Congress has introduced legislation to ban the practice of shark finning in all U.S. waters on January 27, 2000 and the Hawaii State Legislature will debate the issue again in 2000.

---

**PUBLICATION** **The Toronto Star**
**DATE** **Wednesday March 29, 2000**
**BYLINE** **Jane Kay**

**Diners urged to save dwindling fish**

MONTEREY, Calif. - It is a hot item on restaurant menus, but the Patagonian toothfish, best known to consumers as Chilean sea bass, is quickly disappearing from southern ocean waters off the United States, along with orange roughy, redfish, Atlantic swordfish, Georges Bank cod and other fading stars.

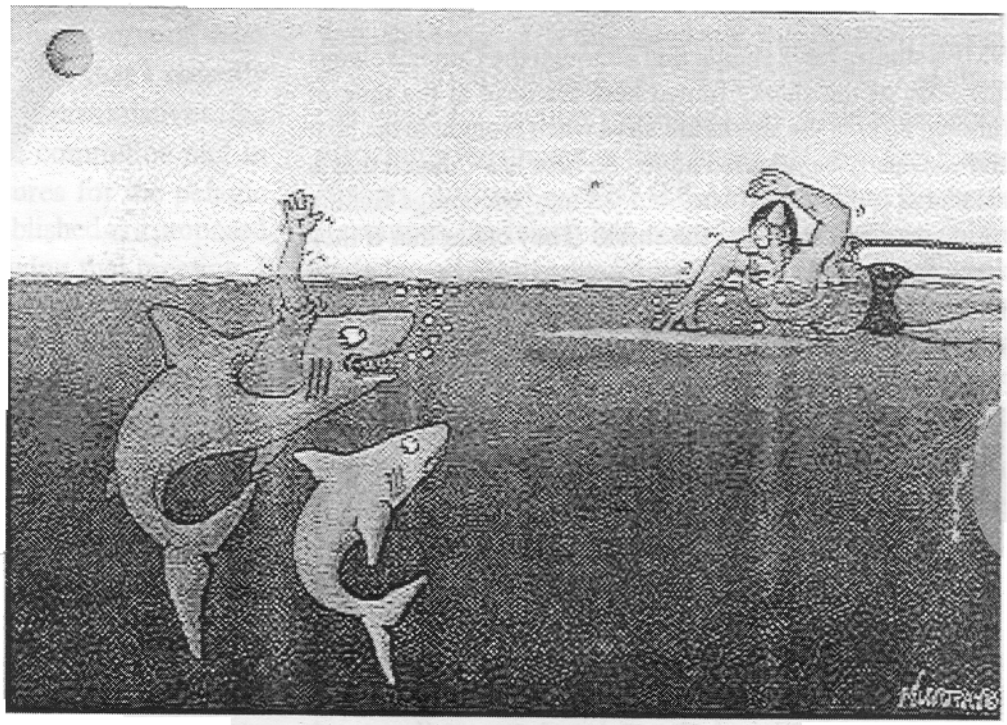
To alert eaters about what is really hot and what is barely surviving in the ocean, the Monterey Bay Aquarium has issued Seafood Watch: A Guide for Consumers. Based on the size of the fish populations and how well they are managed, the aquarium is providing three lists: best choices, proceed with caution, and avoid. The goal, says aquarium executive director Julie Packard, is to use market pressure to conserve ocean species and healthy diets. Through the guidebook, the aquarium warns restaurant-goers and cooks away from those fish whose populations have been dwindling.

Seafood is to be avoided if numbers are depleted or the fishing method also kills turtles or incidentally takes tons of other fish, called the by-catch. Lobster, bluefin tuna, ling cod, rockfish, monkfish, shark, trawl- caught spot prawns and farmed salmon, among others, are on that list.
Farmed salmon and shrimp also are to be avoided because they sometimes create waste, disease and, in the case of salmon, occasionally escape into a wild population.

Best choices are albacore tuna, squid, Dungeness crab, California and Alaska wild salmon and Alaska halibut. The eat-up list also includes farmed oysters, clams, rainbow trout, catfish and striped bass. The proceed with caution list includes English sole, snow crab and bay scallops.

# DON'T FORGET TO VOTE!

**MFS BALLOT ENCLOSED**



'SEE SON....THIS IS WHY I SAVE THESE BITS.'


***Marine Fisheries Section Newsletter***
***Jane DiCosimo, Editor***
*North Pacific Fishery Management Council*
*605 West 4th Avenue, Suite 306*
*Anchorage Alaska 99501-2252*
*Phone: 907-271-2809*
*FAX: 907-271-2817*
*Jane.DiCosimo@noaa.gov*



Non-profit Org.
US Postage
Paid
Permit No. 1075
Anchorage AK


A
S
F