



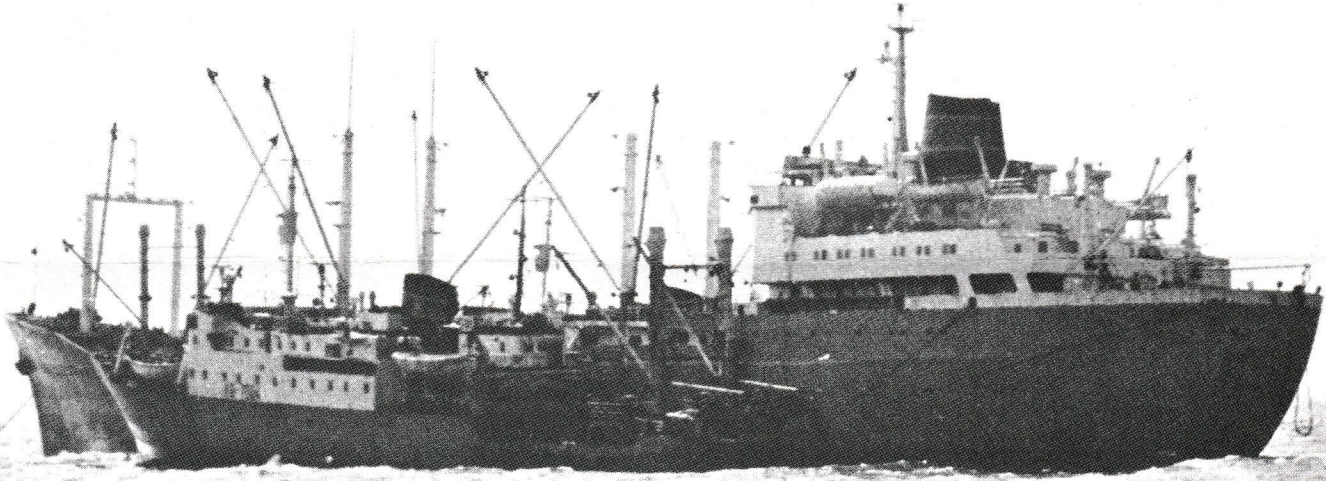
UNIVERSITY OF NORTH CAROLINA

# SEA GRANT COLLEGE NEWSLETTER

OCTOBER, 1976

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## The 200-mile limit: What does it mean to North Carolina?



Things might have turned out differently for Macon Meekins if Congress had been able to turn back the clock last winter when it passed the Fishery Management and Conservation Act of 1976—the 200-mile limit, or extended jurisdiction.

But, Meekins and other North Carolina fishermen who once made a living from river herring

(alewives) have given up. In 1969, the river herring catch was 20 million pounds. But by 1975, it had dwindled to 5.8 million pounds. Foreign vessels working off North Carolina had overfished the river herring and depleted spawning stocks.

To Meekins and his fellow river herring fishermen, the loss amounts to roughly \$300,000 a year at today's prices and figuring on an average sustained catch of 12 million pounds a year.

Similar situations around the country led Congress to adopt the 200-mile limit which is designed

(See "Less foreign," page two)

# Less foreign fishing means more fish for

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to put the brakes on foreign fishing, conserve stocks and make them available to U.S. fishermen.

Meekins, now 51, works a long haul rig for croaker, spot, trout, bluefish and rock fish. "If it weren't for the trout, then I wouldn't be making as much money. I'm making as good a living as I was then, but we've been having warm winters. Them cold winters we don't make as much money."

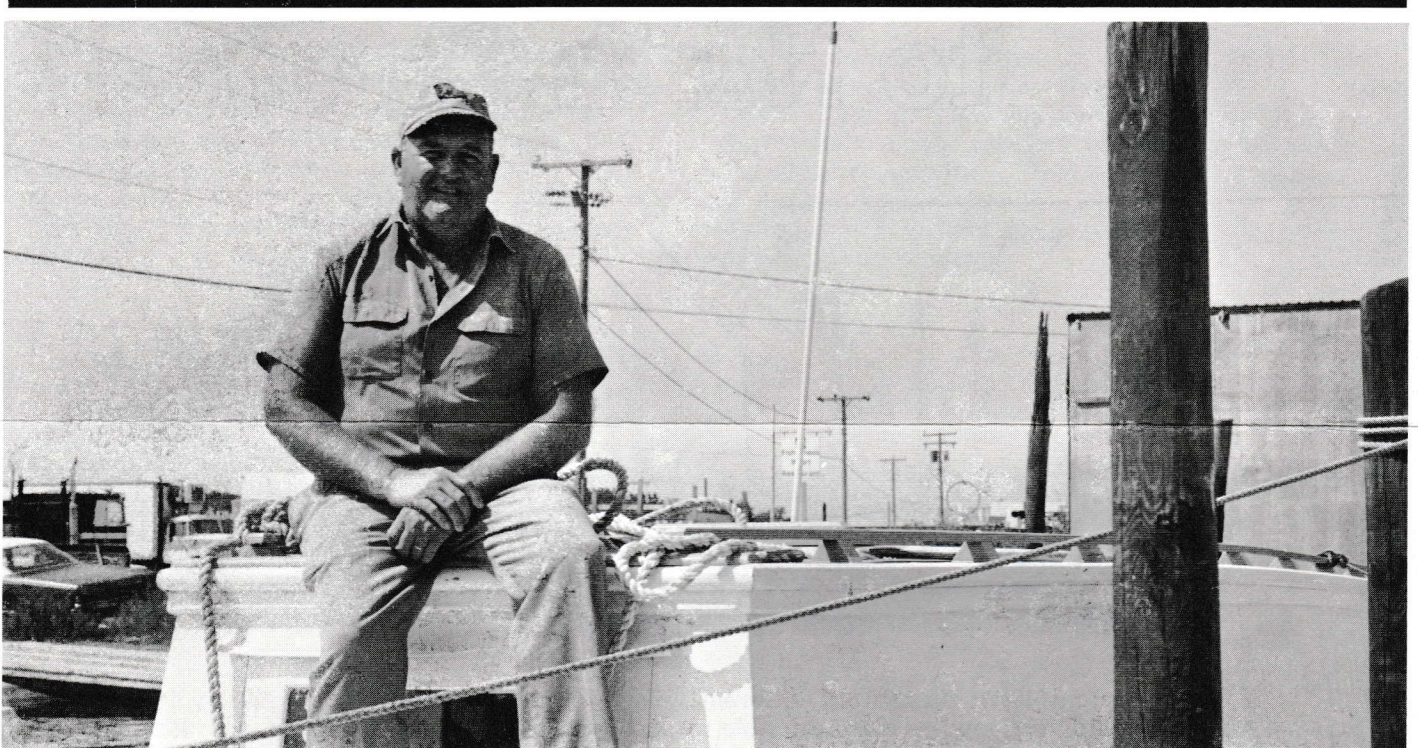
In the days when river herring were "a big thing," says Meekins, "we didn't have trawl boats, no scallops. If we didn't have it now, we'd be in bad shape." As the state's fishing industry has grown, there have been increasing numbers of large trawlers fishing from South Carolina up to New England.

Those fishermen know what foreign fishing is all about, too. Gus Saunders of Wanchese saw foreign vessels "all the time" off New England "in

school after school, this summer there were 80 or 90 fleets."

The foreign fishing is "just far superior to us for catching fish," according to Kenny Daniels of Wanchese. Larger 200- to 300-foot foreign boats, as compared with 100-foot or smaller American trawlers, are able to weather rougher seas, Daniels says. And, they have more sophisticated equipment. "We'd get 10 or 12,000 pounds a tow, they'd get 50 or 60,000 pounds. We're getting rid of our smaller boats and getting bigger ones."

It's these North Carolina fishermen, the ones who move farther offshore and north, who are likely to be affected by the new legislation first. After March 1, 1977, when the Act goes into effect, there should be fewer of the big, efficient foreign vessels and their accompanying factory ships in U.S. waters. And soon, there should be more fish available for American fishermen.



Macon Meekins, Wanchese—It seems as though in the last 10 years our herring industry has been decreasing. . . The boys in Albemarle Sound don't catch them there

either. A lot of them's had to go out of the business. One fellow just tied his rig up and got him another job. It's just a thing of the past, herring fishing is.

# N.C. fishermen

Last year, an average of more than 500 foreign fishing vessels and support ships was sighted each month operating within 200 miles of the U.S. coast. On the East coast, the greatest fishing pressure has been off New England. But up to 200 vessels were sighted here off Oregon Inlet during the late 1960s and up until about 1972 when the river herring began to decline.

There have been concerns that foreign vessels would put more pressure on southeastern fisheries as those to the north were depleted. Then too, North Carolina wholesalers and fishermen looking ahead to a growing population expect the day will come when Americans, too, will have to learn to eat species such as squid which Spanish vessels now take off North Carolina's coast by the ton.

This year, foreign fishing off North Carolina is picking up. Spanish trawlers are taking squid and incidental butterfish. Japanese longliners are getting tuna and incidental swordfish and marlin. And, there is some activity in the remaining river herring, in lobsters, scup, sea bass, mackerel and others.

In general, though, "the situation over the past three or four years has improved," says Ed McCoy, head of North Carolina's Division of Marine Fisheries and one of the state's representatives on the South Atlantic Regional Council which will administer extended jurisdiction for this area. "We've been able to reduce generally the foreign take" through bilateral agreements with various nations and improved enforcement methods. But, McCoy says, the 200-mile limit is needed to give the U.S. complete control of all species in our waters. For North Carolina, that will mean a better chance for river herring to recover and an opportunity to limit foreign fishing here.

"The reaction is that there won't be any more foreign fishing. This isn't the case. We hope in the long term we can develop plans that will benefit the total fishery," McCoy says. The difference is that American fishermen will get first crack at a catch and only the predicted excess (where there is one) will be allotted to foreigners.

Extended jurisdiction is viewed in many states as the first step on the road to recovery for the fishing industry. For Macon Meekins and other river herring fishermen, that may be so for North Carolina as well. But also, the bill gives the state a chance to call a halt to things before they reach the critical point as they have elsewhere.



Gus Saunders, Wanchese—Foreign vessels off New England were in school after school. This summer there were 80 or 90 fleets.



Kenny Daniels, Wanchese—Our fish are being caught up and we're having to go to something else. I think we'll have to go to the things they're (foreign vessels) catching.

# The fishery management and conservation act:

—establishes as of March 1, 1977, a 200-mile conservation zone which begins where states' three mile territorial waters end. Foreign fishing vessels will be required to obtain permits to enter the zone.

—covers 1) all fish within the zone, 2) all anadromous species (except highly migratory species such as tuna) throughout the migratory range of each species beyond the conservation zone, and 3) all Continental Shelf fishery resources beyond the conservation zone.

—authorizes some preliminary plans to be drawn up by federal agencies before March, 1977. Preliminary fisheries management plans affecting North Carolina include, among other species, billfish, pelagic sharks, river herring, shad, striped bass, spots, croakers, bluefish, scup, sea bass and wahoos. These preliminary plans are expected to form the basis of final management plans.

—sets up eight regional councils. North Carolina's representatives on the South Atlantic Regional Council (13 voting members from N.C., S.C., Ga., Fla.) are Ed McCoy, Division of Marine Fisheries; Bruce Lentz, N.C. Department of Administration; Norm Angel, N.C. Fishermen's Association.

—calls on the councils to submit and maintain management plans consistent with national standards for every fishery in the council's geographic area. Final approval of the plans is made by the Secretary of Commerce. If a council is unable to come up with an approved plan, the secretary can draw up his own, somewhat limited, plan.

—says fishery management plans must include: an assessment of both maximum sustainable yield (based on biological factors) and optimum sustainable yield (based on social, economic, ecological and biological factors) for each fishery; the actual proportion of optimum yield that can't be harvested by U.S. fishermen and can be made available to foreign fleets; consideration of recreational interests in a fishery; and the nature and extent of Indian treaty rights relative to a fishery.

—gives the councils discretionary power: a fish-



ery plan may 1) require permits and payments of fees for domestic fishermen, 2) designate areas where no domestic fishing can take place, or where only certain gear or types of vessels will be allowed; 3) establish a limited entry system to achieve optimum yield provided consideration is given to such things as historical fishing practices, the economics of the fishery, and the cultural and sociological ramifications of a limited entry system.

—sets national standards for the plans requiring that: management measures prevent overfishing; they be based on the best scientific information available; an individual stock be managed throughout its range as much as possible. Conservation and management measures are not allowed to discriminate between residents of different states. In addition, if an allocation plan becomes necessary, it is to be applied equally to all fishermen and not designed to give special privileges to any one individual or corporation.

—requires the councils to hold public hearings on the management plans.

—authorizes the Secretary of Commerce to issue permits to foreign vessels seeking to enter the 200-mile conservation zone. Comments on the applications are to be submitted by the appropriate regional council. Any citizen may submit to the council his or her comments about permit applications and the council *must consider* those comments in formulating its own comments for the Secretary.

—authorizes and funds the Coast Guard and the National Marine Fisheries Service (NMFS) to enforce the permit system within the 200-mile zone. Existing bilateral agreements are currently enforced by the Coast Guard and NMFS. Surveillance flights and boarding are expected to continue to be the major enforcement for the time being.

## “A real bag of worms for the next couple of years. . .”

Almost to a man fishermen, processors, officials agree that something like extended jurisdiction is needed. But, as Norm Angel, one of the state's representatives on the South Atlantic Regional Council, puts it, “It's going to be a real bag of worms for the next couple of years.”

The Act states that in the past “International fishery agreements have not been effective in preventing or terminating the overfishing of these valuable fishery resources. . .”

Fishermen tell of foreign violations they've seen. Kenny Daniels of Wanchese remembers a Spanish vessel in Norfolk which was carrying 2 to 3,000 pounds of illegal lobsters. Says Daniels, “A boat could come in, load up and be gone before anyone knew they had 'em.”

Will the 200-mile bill be any different from previous treaties? Mike Street of the Division of Marine Fisheries reports that most interested nations are negotiating permits under the new legislation. If a nation violates the Act, the Secretaries of Commerce and State are authorized to bar U.S. sales of the nation's fishery imports.

As for the actual police work required to enforce the Act, Ken Harris at the National Marine Fisheries Service, one of the two enforcing agencies, says “Enforcement works a little better all the time . . . We've got quite a ways to go and we're getting there.” Since 1967, 80 foreign vessels have been seized and fines of over \$10.7 million have been collected.

Of course, one of the crucial points in enforcing the Act is having something to enforce. Some observers are concerned that Optimum Sustainable Yield—with its biological, social, economic, and ecological considerations—will be a slippery thing to pin down. Jim Sykes, of the National Marine Fisheries Service which is to provide some of the technical backup for regional councils, says the capability is there to answer biological questions.

“We are standing by as biologists to do the research,” he says. But “a lot of the data are not there.” Some species are well understood, but others are not and no one is quite sure how information on age, growth, migration and so on will be collected.

Brian Rothchild, who heads up the national office of extended jurisdiction, says he expects uni-



Harry Fulcher, Atlantic—Oh my God, there's no comparison. They've got enormous vessels. . . Overall, all over the country, I think (the 200-mile limit) will be a big help. Always, with something like this you're going to have some areas that are more affected than others.

versities and federal and state laboratories will be advising the regional councils on specific stocks. And, at any rate, he adds, his office will provide what assistance the councils need. The councils will “not be left hanging on assessment.”

And that leads to the larger question of who's minding the store. Some officials fear federal officials will take over, others wonder if the councils don't have just enough rope to hang themselves.

(See “A step,” page six)

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## A step down the road

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Still others are concerned about the Secretary of Commerce's role in having final approval of management plans. "It's almost a veto power," says Ed McCoy, a member of the South Atlantic Regional Council. "That is one of the things we don't like."

Rothchild says the role of the national office is to get the Act off the ground and then let the councils draw up plans and hold hearings. The councils have, he says, "a lot of leeway in that management."

Another unknown is exactly what species will be left for individual state management. Says McCoy "We don't know what species will come under the Act." Depending on the interpretation of the law, McCoy says certain species, such as shrimp and menhaden, could ultimately be included in extended jurisdiction. Those species which should definitely not come under the Act, McCoy says, include oysters, bay scallops and other species centered primarily within the state's three mile jurisdiction.

Apart from limiting foreign vessels and their catches, how is extended jurisdiction likely to affect North Carolina fishermen?

It's really too early to say. Questions have been raised about the effect of possible increased quantities of fish in the marketplace and about the effect of controls imposed by regional councils on domestic fishing (some fishermen are arguing for mesh size limits). But that's farther down the road.

The South Atlantic Regional Council will start down that road at its first meeting in October.

We've tried here to scratch the surface of extended jurisdiction, to give readers a general overview. We'll all be hearing more about the 200-mile limit in coming months.

At Sea Grant, we would like to do what we can to keep people informed. So, if you have questions about the 200-mile limit, drop us a line at UNC Sea Grant, Box 5001, Raleigh, N. C. 27607.

## Sea Grant's role

So what's Sea Grant doing to help?

Sea Grant programs around the country have been called upon by the Commerce Department's National Oceanic and Atmospheric Administration to examine:

- 1) socio-economic questions related to the 200-mile bill;
- 2) legal problems of jurisdiction in the individual states' territorial (3-mile) seas;
- 3) communications which involve the fishing community;
- 4) educational activities in fisheries management for extended jurisdiction.

Here at home, UNC Sea Grant is trying to develop socio-economic research capabilities to mesh with advisory activities. Then too, advisory agents and seafood specialists will continue to work with fishermen and seafood dealers on new, improved equipment and products.

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