

## Moratorium Waiver Conditions Set for Alaska Marine Mammal Harvests

Two Federal agencies have spelled out the conditions under which they will waive a moratorium on the taking of 10 types of marine mammals in Alaska. The moratorium has been in effect on 9 of the 10 mammals since passage of the 1972 Marine Mammal Protection Act. Under newly published regulations, the waiving of the moratorium will take effect when the State revises its own laws and regulations to conform satisfactorily with the Act and the Federal rules. Issuing the new Federal regulations were the U.S. Fish and Wildlife Service, an agency of the Interior Department, and the National Oceanic and Atmospheric Administration, an agency of the Department of Commerce.

Changes in State laws and regulations will be subject to public review and comment before Interior and Commerce give final approval to lifting the present ban. The new Federal regulations, based on scientific evidence, restrict the numbers of animals that may be taken every year. Such taking is consistent with the 1972 Act.

Under the Act, NOAA has responsibility for management of the following affected species: Northern sea lions, harbor seals, largha seals, ringed seals, ribbon seals, Pacific bearded seals, and beluga whales. The FWS is responsible for the polar bear, sea otter, and Pacific walrus. A 1976 waiver on the walrus will be modified by this action.

In 1973, Alaska requested that the Federal moratorium on taking of these animals be waived and that management authority be returned to the State. Following lengthy public hearings on the matter, the presiding administrative law judge issued in 1977 a "recommended decision" finding the State's request to be in accordance with the provisions and policies of the Act. The judge recommended the moratorium be waived, with a limit on the numbers of animals taken annually, and that management be returned to the State.

According to evidence presented at the public hearings, population estimates for the northern sea lion are now 214,000; land-breeding harbor seal,

270,000; largha seal, 200,000-250,000; ringed seal, 1.0-1.5 million; ribbon seal, 90,000-100,000; bearded seal, 300,000-400,000; beluga whales, Cook Inlet stock, 500, and Bering/Chukchi Sea stock, 9,000; polar bear, northern stock, 1,900, and western stock, 3,800; sea otter, 100,000-140,000; and Pacific walrus, 140,000-200,000.

Under the terms of the waiver, there would be an annual taking of up to 6,648 northern sea lions; 10,511 land-breeding harbor seals; 5,700 largha seals; 20,000 ringed seals; 500 ribbon seals; 9,000 bearded seals; 10 Cook Inlet stock and 350 Bering/Chukchi Sea stock beluga whales; polar bears, 55 (northern stock), 115 (western stock); sea otters, 3,000; and Pacific walruses, 3,000.

The decision also grants Alaska the authority requested by the State to take sea lion and harbor seal pups. However, the decision requires that the State establish strict controls in connection with any pup harvest. In a letter to the Governor of Alaska, Richard A. Frank, NOAA Administrator, urged that the State proceed cautiously in determining whether, and if so how, to conduct a pup harvest.

The agencies published simultaneous regulations on the waiver in the 11 January *Federal Register*.

## Outstanding Work Cited by NOAA

Six NOAA employees and 33 NOAA units were honored at the NOAA 1978 Awards Luncheon late last year at the Bolling Air Force Officer Club in Washington, D.C.

Winfred H. Meibohm, former Acting Executive Director, NMFS, received NOAA's Program Administration and Management Award for his major role in the development of policy supporting the Fishery Conservation and Management Act of 1976, and for his performance as Acting Chief of the Marine Mammal and Endangered Species Division where he laid the foundation for the current favorable progress toward the resolution of the tuna-porpoise problem. He was also

## Vessel Seized in Alleged Harpooning of Porpoise

A Mexican fishing vessel has been seized for allegedly harpooning porpoise near Port Isabel, Tex. It was the first seizure of a foreign fishing vessel for violating the Marine Mammal Protection Act of 1972, according to NOAA.

The vessel, *Propemex A-36G*, was seized by the U.S. Coast Guard on 13 December, after a U.S. fishing vessel, the *Divine Command*, complained that persons on board the Mexican ship were harpooning porpoise. The Coast Guard found five dead porpoise

on the deck of the *Propemex A-36G* in violation of the Marine Mammal Protection Act.

The seizure came a day after the Mexican ship and a sister fishing vessel, the *Propemex A-1G*, were reported by eyewitnesses as harpooning porpoise. A search of the *Propemex A-1G* by an agent of NOAA's National Marine Fisheries Service, however, turned up no physical evidence of a violation, and subsequently the two Mexican vessels left Port Isabel harbor.

commended for his performance of regular responsibilities.

A joint award for Public Service went to Robert J. C. Burnash, NWS River Forecast Center, Sacramento, Calif., and Arthur F. Gustafson, WSFO, San Francisco, Calif., for their performance during the 1975-77 California drought. John A. Brown, Jr., National Meteorological Center, NWS, who heads the Development Division, received NOAA's Engineering and Applications Development Award.

For unusually significant contributions to scientific research and development and outstanding contributions to scientific literature, Carleton J. Howard of the Aeronomy Laboratory, Environmental Research Laboratories, was awarded NOAA's Scientific Research and Achievement Award. NOAA's Equal Employment Opportunity Award went to Howard A. Friedman, Tropical Weather Analyst at the National Hurricane Center in Miami, Fla.

A Unit Citation recognizes groups of employees who, through their individual and collective efforts have made substantive contributions to the programs or objectives for which NOAA was established. The cited groups are listed below.

Foreign Fishery Observer Task, Northwest and Alaska Fisheries Center, NMFS: In recognition of having successfully administered all aspects of a many-faceted and highly visible program during the FCMA startup period.

Southeast Inspection Office, NMFS: For the successful assumption of responsibilities for inspections of seafood for DPSC procurement.

Law Enforcement Branch, Fisheries Management Division, Northwest Region, NMFS: For dedicated efforts under trying conditions in enforcing fishery regulations in the Pacific Northwest.

National Seafood Quality and Inspection Laboratory, NMFS: For performance in an exemplary manner in carrying out the varied base program of the laboratory.

NOAA ship *Townsend Cromwell*: For superior performance during

calendar year 1977 during the five-part cruise which ranged widely from collecting live tuna specimens to providing support to survey teams working the reefs and beaches.

NMFS Operation Fish Flow, 1977: For successful accomplishments during the "fish-flush" operation which involved planning and coordinating the total effort at three Columbia River dams in the indexing of fish.

Other NOAA units cited were: Hydrographic Field Party #1, WSFO Chicago, Flight Edit Program Members, FY 1977; WSFO Cleveland; Budget and Finance Office, PMC; Horizontal Control Party G-19;

WSFO Portland; WSFO Boston; Quality Control Branch, Marine Surveys and Maps; WSO Athens; WSO Columbia; NOAA ship Surveyor; Staff of the New York (JFK), WSO; Mesometeorological Program Group of APCL; WSFO Raleigh; WSO Beckley; NOAA ship *Researcher*; WSFO New York; Special Projects Branch, Satellite and Space Support Division; Staff, WSO Bristol; WSFO Fort Worth; Ohio River Forecast Center, Cincinnati; Climate Diagnostics Project; Disaster Preparedness Staff; WSO Huntington; Central Flow Control Facility, ATCSCC; and WSFO Charleston.

## DOC Awards Gold and Silver Medals

Twenty-two NOAA employees and two NOAA ships' crews were awarded Department of Commerce gold and silver medals by Secretary of Commerce Juanita Kreps in ceremonies on 23 October. Gold medals, given for contributions of major significance to the Department, the Nation, or the world went to 11 employees; silver medals, for contributions of unusual value, including unusual courage or competence in an emergency, were given to 11 employees and to the crews of the NOAA ships *Heck* and *Rude*.

Gold medal winners were: Leonard W. Snellman, Clifton W. Green, and Earl W. Estelle, National Weather Service; Donald Barrick, Michael Evans, and Bob Weber, Environmental Research Laboratories; Norton Strommen, Sharon LeDuc, Clarence Sakamoto, Malcolm Reid, and Augustine Y. M. Yao, Environmental Data and Information Service. Kenneth Sherman, a fishery biologist and Director of the Northeast Fisheries Center's Narragansett Laboratory, received a silver medal for designing and directing a research effort to analyze the consequences of the environmental contamination resulting from the oil spill from the *Argo Merchant* in December 1976. The citation with the silver medal notes the rapid and reliable information produced by Sherman and his team on the

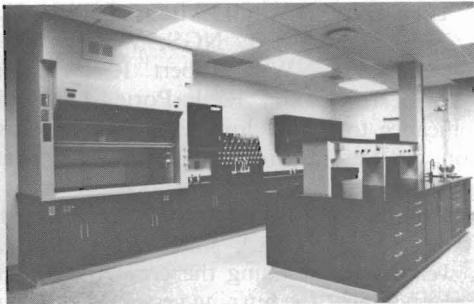
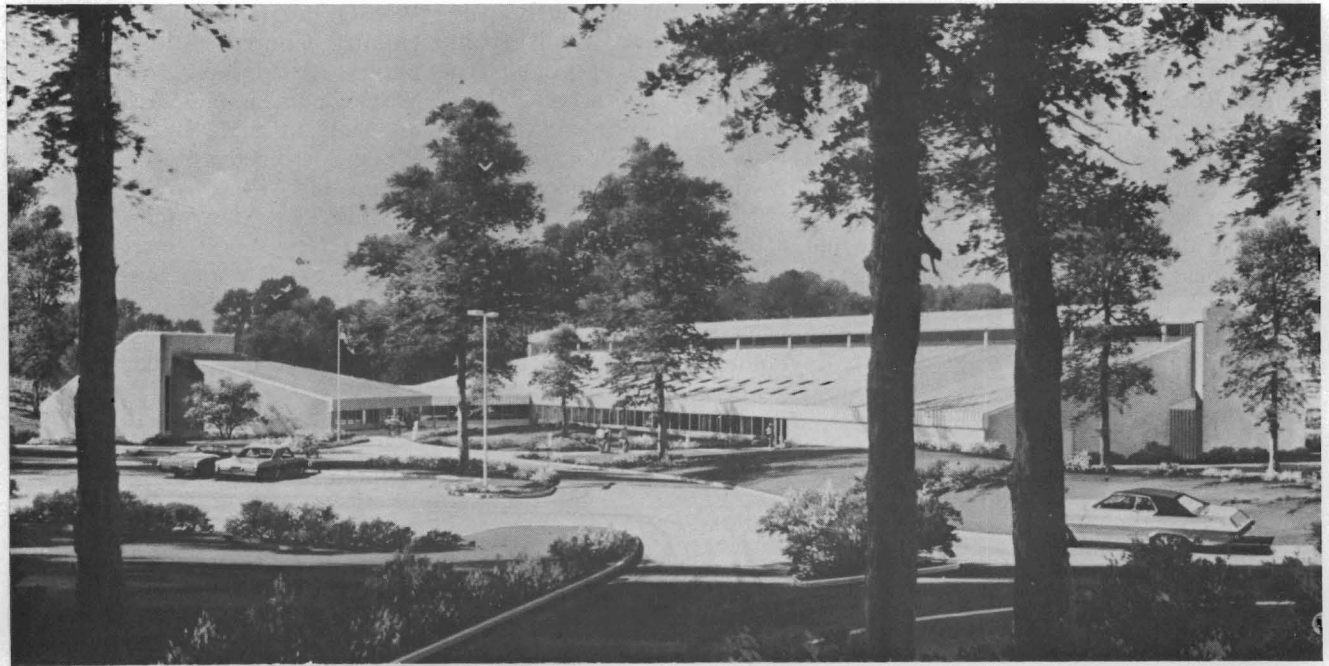
effects of the oil on zooplankton and fish eggs, the transmission of the oil through the food chain, and the impact of the oil on future fish populations.

Other silver medalists include: Joe Haskell Allen, EDIS; Harold G. Beard, NGS; Willette M. Carlton, NWS; Robert R. Freeman, ESIC; Leon R. LaPorte, EDIS; Elliott A. Macklow, PA; Ray E. Moses, NOS; Carroll I. Thurlow, NOS; and Philip Williams, Jr., NWS.

Silver medals were awarded to the NOAA ships *Heck* and *Rude* for rescuing the crew and scientists from the burning vessel, MV *Midnight Sun*, and saving the vessel from total loss. The crews actions demonstrated superior performance of duties and exceptional courage in a maritime emergency beyond the call of duty. The incident occurred 7 July 1977 in the Gulf of Mexico, 27 nautical miles from Freeport, Tex.

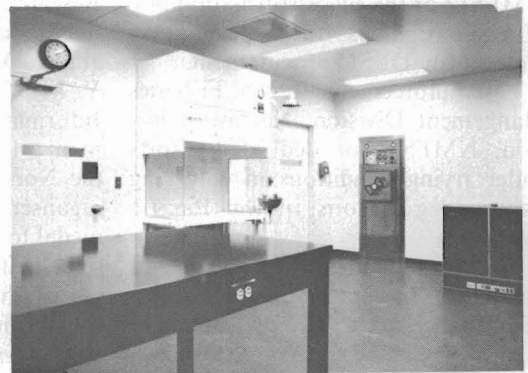
Serving on the *Heck* were: Thomas W. Ruzala, Charles E. Gross, Mark Aldridge, Horace B. Harris, Charles J. Gentilcore, Dennis S. Brickhouse, Robert T. Linton, Arnold K. Pedersen, Joseph Wiggins, and James P. Taylor.

Serving on the *Rude* were: Robert B. Smart, Samuel P. DeBow, Jr., Kenneth G. Vadnais, William N. Brooks, Johnnie B. Davis, James S. Eamons, Kenneth M. Jones, Frank Krusz, Jr., Anthony W. Styron, and Elijah J. Willis.



### *New NMFS Marine Research Facilities*

A new NMFS fisheries utilization and research facility, the Charleston Laboratory (top), was dedicated on 31 October at Charleston, S.C. The 45,000-foot<sup>2</sup> complex, part of the Southeast Fisheries Center, will deal with the rational use of fishery stocks, the quality and safety of seafood products, and aquaculture nutrition research. Located at the South Carolina Marine Resources Center, the \$3.8 million facility is leased to the Federal Government by the State. Interior views shown include general purpose chemistry laboratory (middle left), project leader offices (middle right), and microbiological research laboratory (bottom). Elsewhere, NOAA has awarded \$2.7 million to the Oregon State System of Higher Education for construction of the Newport (Oregon) Aquaculture Laboratory adjacent to the existing Oregon State University Marine Science Center on Yaquina Bay. This 28,000-foot<sup>2</sup> laboratory will provide offices laboratories, and covered and uncovered experimental areas for research and development in marine fish and mollusk genetics, hatchery techniques, nutrition, and disease prevention.



## NOAA Opposes Portsmouth, Virginia, Refinery Site

Building an oil refinery in Portsmouth, Va., poses a grave threat to the Chesapeake Bay's \$87 million shellfish industry and therefore should not be approved, the Administrator of the National Oceanic and Atmospheric Administration (NOAA) has informed the Chief of Engineers of the Corps of Engineers.

Richard A. Frank, Administrator of NOAA, in a letter to the Chief of Engineers said that an oil spill in the area could have severe adverse effects on the living marine resources, recreational uses, and the related economy of the area. Studies have shown that sediment-bound petroleum in estuarine areas can contaminate the area for more than 10 years. Said Frank, "Construction and operation of the Portsmouth refinery and terminal facilities pose a significant risk of substantial harm, including many lost jobs, to the Maryland and Virginia fishing industries, and thus, to the economies of those States. In my view, on the facts presented, these risks are not justified."

The Corps of Engineers recently announced its intention to issue a permit to the Hampton Roads Energy Company (HRECO) to build a marine terminal and operate a refinery on the Elizabeth River. The refinery is designed to refine 175,000-250,000 barrels of petroleum a day. In addition, the company would be permitted to dredge a tanker and barge approach channel and mooring areas, and to dispose of dredged material at the Craney Island Diked Disposal Area.

In the letter to the Chief of Engineers, accompanied by a 79-page report, Frank indicated that the risks of petroleum spills from the increased number of barges and tankers in the area had not been adequately considered in the decision on the refinery. Frank cited data to show that the accident rate of large tankers, of the size to be used by HRECO to transport both crude and refined products, is more than nine times greater than the overall tanker accident rate for the Hampton Roads area. Moreover,

Frank noted, the Hampton Roads accident rate for these larger tankers is more than twice that of tankers of a similar size, worldwide.

Engineering Computer Optecnomics, a consulting firm which analyzed the risks of oil spills for NOAA, projects there probably would be a product barge or tanker accident resulting in the loss of more than 5,000 barrels of petroleum in the area about every 5 years. In the letter, Frank emphasized this is a conservative estimate that does not include a major accident such as a sinking.

Of particular significance is the danger to the blue crabs found in the area. Almost the entire Chesapeake Bay population of adult female blue

crabs concentrates during the winter and spring on Thimble Shoals at the mouth of the Bay. These crabs survive the winter by burrowing into the mud, and spawn in the area the following spring. A major oil spill in this area could have significant adverse impacts on the entire Chesapeake Bay population of crabs, as well as the annual \$39 million commercial crab industry.

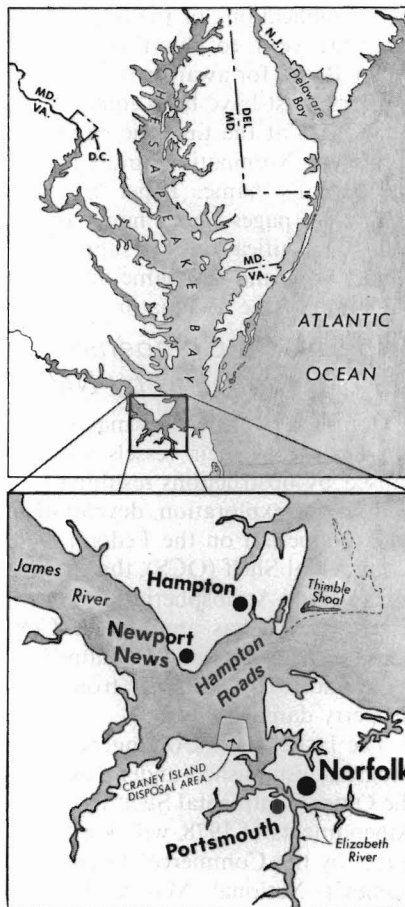
About 50 percent of the total poundage of blue crabs landed in Virginia is caught during the December-March season, and 90 percent of this total is caught in the lower Bay near the Hampton Roads area.

The area also supports an abundance of oysters, clams, and fish that have significant commercial and recreational values. The James River oyster seed beds are a particularly important habitat area, supplying at least three-quarters of the seed oysters in Virginia and a significant portion of Maryland's, as well. These beds could be impaired by an oil spill originating downstream in the Newport News area. Oysters harvested in Chesapeake Bay have an annual value of over \$48 million.

If the HRECO refinery is built, Frank said, it is estimated that the volume of petroleum moving through Thimble Shoals would increase as much as 331 percent. Petroleum movements throughout the Hampton Roads and the rest of the Chesapeake Bay and its tributaries are expected to increase by 35 percent over and above the 1975 level.

Another danger cited by Frank is the resuspension of bottom sediments that will occur during dredging operations. Approximately 1.6 million pounds of sediment would be resuspended by the initial dredging. This and maintenance dredging would add to the present problem of low dissolved oxygen levels in the Elizabeth River. Studies have shown that the existing 45-foot deep channel already experiences signs of oxygen depletion during the summer months.

An Interagency Task Force formed by the Chief of Engineers to evaluate



potential sites for refineries indicated that there were 17 sites along the Eastern Seaboard more environmentally sound than the Portsmouth location.

## Outstanding NMFS Papers Honored

Awards for the outstanding papers authored by National Marine Fisheries Service scientists and published in the *Fishery Bulletin* and the *Marine Fisheries Review* in 1976 have been presented. Selections were made by the NMFS Publications Policy Board.

James M. Coe, William F. Perrin, and James R. Zweifel received the Outstanding Publication Award for their paper "Growth and reproduction of the spotted porpoise, *Stenella attenuata*, in the offshore eastern tropical Pacific," which appeared in the April issue, 74(2), of the *Fishery Bulletin*. All three authors are with the La Jolla Laboratory, Southwest Fisheries Center, NMFS, La Jolla, Calif.

Elinor M. Ravesi, with the Gloucester Laboratory, Northeast Fisheries Center in Gloucester, Mass., received the Outstanding Publication Award for her paper, "Nitrite additives—harmful or necessary?," published in the April issue of the *Marine Fisheries Review*, 38(4). Honorable Mention Recognition was given Alonzo Pruter for his paper, "Soviet fisheries for bottomfish and herring off the Pacific and Bering Sea Coasts of the United States," published in the December issue of the *Marine Fisheries Review*, 38(12). Pruter is with the Northwest and Alaska Fisheries Center, Seattle, Wash.

Honorable Mention Recognition was also accorded the authors of two *Fishery Bulletin* papers. Receiving this award were Paul Struhsaker and James H. Uchiyama for their paper, "Age and growth of the nehu, *Stolephorus purpureus* (Pisces: Engraulidae), from the Hawaiian Islands as indicated by daily growth increments of sagittae," in the January issue, 74(1). Struhsaker is with the Pascagoula Laboratory, Southeast Fisheries Center, Pascagoula, Miss.; Uchiyama is

with the Honolulu Laboratory, Southwest Fisheries Center, Honolulu, Hawaii. James R. Chess and Edmund S. Hobson, both with the Tiburon Laboratory, Southwest Fisheries Center, Tiburon, Calif., also received Honorable Mention for their paper, "Trophic interactions among fishes and zooplankters near shore at Santa Catalina Island, California," published in the July issue, 74(3).

Developed in 1975, the NMFS publications awards program recognizes NMFS employees who have made outstanding contributions to the knowledge and understanding of the resources, processes, and organisms studied as part of the NMFS mission. *Fishery Bulletin* papers must document outstanding, original scientific work while *Marine Fisheries Review* papers must be effective and interpretive in contributing to the understanding and knowledge of NMFS mission-related studies.

Any NMFS employee may recommend publications of the appropriate calendar year to the Publications Policy Board for award consideration. Authors must have been employed by the NMFS at the time the paper was published. Nominations must include the author's name, paper title and number of pages, series name and/or volume, justifications to support the nomination, and the name and office affiliation of the nominator.

## Fishermen's Compensation Fund Established by NMFS

Commercial fishermen may be paid for damage to their vessels and gear caused by obstructions resulting from oil and gas exploration, development, and production on the Federal Outer Continental Shelf (OCS), the National Oceanic and Atmospheric Administration (NOAA) has announced. Compensation also may be obtained for economic loss resulting from such property damage.

The Fishermen's Contingency Fund program, established under Title IV of the Outer Continental Shelf Lands Act Amendments of 1978, will be administered by the Commerce Department agency's National Marine Fisheries

Service. The Fund is financed by assessing holders of OCS oil and gas leases, permits, and easements or rights of way for pipelines.

Fishermen will not be compensated from the Fund for damages if the owner of the oil and gas related item which caused the damage can be determined, if the damage occurred before 18 September, 1978, or if the fisherman did not file a claim within 60 days after the damage is discovered.

A fisherman's claim is presumed to be valid if the fisherman can establish that: 1) the vessel and gear were being used for commercial fishing and were located in an area affected by OCS activities; 2) the damage and location of the item causing damage were reported within 5 days after discovery; 3) there was no record on nautical charts or in Notices to Mariners on the date the damage occurred that the oil and gas related item causing the damage existed in the area; and 4) the oil and gas related item causing the damage was not marked properly by a surface marker or lighted buoy.

Before regulations to implement the Fishermen's Contingency Fund program were proposed, NOAA's National Marine Fisheries Service initiated a series of public workshops to obtain public comment on certain major issues involved in implementing the program.

## Trawlers Get First Sanitation Certificates

Two shrimp trawlers are the first vessels in the U.S. fishing fleet to join NOAA's Sanitary Inspected Fish Establishment Program (SIFE).

Participation in the program means that the two vessels, the *Lady Louise* and the *Brinnie Louise*, meet the sanitation requirements for official seafood processing establishments developed by the National Marine Fisheries Service, Seafood Quality and Inspection Division. The vessels, owned by Mr. and Mrs. Chris Brannon and berthed in Bayou La Batre, Ala., were awarded USDC Approved Sanitation certificates attesting to their sanitation compli-

ance and are listed in the NMFS quarterly publication, *Approved List, Sanitary Inspected Fish Establishments*.

### **Marine Chemical Waste Dumps Checked by NOAA**

A team of scientists with the National Oceanic and Atmospheric Administration (NOAA) is monitoring the dispersion and chemical effects of discharged pharmaceutical waste products in the tropical and Mid-Atlantic Ocean as part of two ocean dumping experiments.

The first demonstration took place 50 nautical miles (80 km) north of Arecibo, Puerto Rico, in late October at the 12,800 foot (4,000 m) depth within the tropical Atlantic. A second experiment began 13 November off the New Jersey coast in 8,000 feet (2,500 m) of water in the Mid-Atlantic Bight.

Until now it has not been possible to trace the dispersion of the largely invisible waste products, the first step in examining their impact upon the marine ecosystem. Scientists from the Commerce Department agency's Atlantic Oceanographic and Meteorological Laboratories in Miami combine acoustical and chemical methods for pursuing the pathways of the dumped material, both vertically and horizontally, in the water column.

Clear liquid wastes, which consist of by-products from the manufacture of drugs such as penicillin, are tracked by a pair of sounding devices towed by the NOAA research vessel *Mt. Mitchell*. The underwater detection system, similar to sonar equipment on submarines, enables scientists to detect and map the dispersion of the waste liquid as it streams from the dumping vessel. At the same time, NOAA researchers take water samples where the acoustic device indicates the highest concentration of dumped liquid.

Results of the demonstrations will show how the chemicals were spread in tropical waters exhibiting very stable conditions and at a site in the temperate zone where the temperature and density of the water vary constantly due to the passage of the Gulf Stream.

### **Droessler Will Direct NOAA University Affairs**

Richard A. Frank, Administrator of the National Oceanic and Atmospheric Administration (NOAA), has announced his intention to designate Earl G. Droessler of North Carolina State University as Director of University Affairs for NOAA. Droessler is Professor of Geosciences and Vice Provost and Dean for Research at the University. The designation, Frank said, has special significance in view of the quality of thought and research available to NOAA from the academic and research communities of the Nation.

Several weeks ago, Frank instructed all elements of NOAA to strengthen their relations with the academic and research communities to better enable the Commerce Department agency to fulfill its mandates in the best possible fashion. NOAA's support of these communities, he said, will in turn strengthen them and permit them to continue to provide outstanding service. Frank said Droessler's extensive background in research and education especially qualified him for the newly created post.

Droessler previously held positions in the Federal government at the Office of Naval Research, the Office of the Secretary of Defense, and the National Science Foundation. Additionally, he has held various academic posts including Professor of Atmospheric Sciences and Vice President for Research and Development at the State University of New York at Albany, where he served prior to joining North Carolina State University in 1971.

A graduate of Loras College and the U.S. Naval Post Graduate School, Droessler was a Fulbright Fellow in meteorology at the University of Oslo. He received an honorary Doctor of Science degree from Loras College in 1958. Droessler began his science career as a meteorological officer in the U.S. Navy during World War II, and then was with the Office of Naval Research and the Office of the Secretary of Defense. In 1958 he joined the National Science Foundation as Head

of the Section on Atmospheric Sciences.

In 1963 Droessler became a Visiting Research Fellow at the University of Sydney in Australia, and in 1966 joined the State University of New York. He is a member of a number of professional organizations, including the American Academy of Arts and Sciences, the American Geophysical Union, and the American Meteorological Society, and has chaired a variety of committees in those organizations. Also, he has served on the Boards of numerous other professional and civic organizations.

### **MARINE POLLUTION OFFICE CREATED**

Ferris Webster, Assistant Administrator for Research and Development, NOAA, has established a Marine Pollution Office to serve as focal point for all relevant activities within his area of responsibility.

Headed by R. L. Swanson, the Office reports directly to Webster and exercises line authority over the Marine Ecosystems Analysis (MESA) program, Outer Continental Shelf Assessment program, Hazardous Materials Response program (an outgrowth of the Spilled Oil Research teams), long-term effects research under the ocean dumping act, and NOAA research initiated under the 1978 ocean pollution act.

Swanson, of the NOAA Corps, has headed the New York Bight project of the MESA program for several years, bringing together a varied and diffuse group of research interests to focus on the problems of a body of water heavily impacted by the Hudson and Raritan River outflow and the huge populations of the area. Under his leadership, the citizens, municipal authorities, and governing bodies of the area have been able to focus on the problems of ocean dumping and pollution in what is perhaps the most stressed estuary in the United States.

Cooperating in this effort have been the National Marine Fisheries Service, Sea Grant, the National Ocean Survey, and many others within and outside NOAA.