

NOAA Awards \$3 Million for Lost or Damaged Fishing Gear

United States fishermen collected more than \$3 million in compensation during the past year for lost or damaged fishing gear caused by other vessels or extreme weather conditions, according to a report by the Commerce Department's National Oceanic and Atmospheric Administration (NOAA). Terry L. Leitzell, then NOAA's assistant administrator for fisheries, said \$3.4 million had been paid to 603 claimants through 30 September under the Fishing Vessel and Gear Damage Compensation Fund.

The majority of the claims were for damage or loss caused by two instances of extreme weather and sea conditions. There were 477 claims totaling \$724,160 paid for lobster and fish traps either damaged or destroyed by Hurricane David when it passed through the Virgin Islands and Puerto Rico last August.

Another 27 claims resulted from extensive damage to king and tanner crab pots caused by an unusual southward extension of the Bering Sea ice pack during January and February 1980. These claims totaled \$1.7 million, and 24 more are pending. Forty-eight claims totaling \$497,470 were paid for fishing gear damaged by foreign and domestic vessels. These claims were evenly divided between the east and west coasts.

About the Fund

The fund, established by an amendment to the Fishermen's Protective Act in September 1978, is administered by NOAA's National Marine Fisheries Service. It is used to compensate fishermen for fishing gear that is either lost

or damaged by other vessels or extreme weather conditions. The amendment authorizes the Commerce Department to levy an annual 20 percent surcharge on the fees paid by foreign vessels for permits to fish within the 200-mile U.S. Fishery Conservation Zone. These revenues are placed in the compensation fund.

Most claims have been for the loss or damage of fixed fishing gear, generally traps or pots. Some claims of this type are not paid when the cause of the casualty cannot be established. In many cases, fishermen deploy fixed fishing gear and find it missing when they return. Since such gear casualties usually are not witnessed, their causes often cannot be ascertained. However, the program requires that the nature of a gear casualty be proven by a preponderance of the evidence. The exception to this rule is when two presumptions can be made about the casualties even though it was not witnessed.

The first presumption concerns other vessels. If eyewitness accounts or other evidence—either from the claimant, other persons, or governmental sources—establishes that vessel activity in the immediate area in which the claimant's gear was deployed was sufficient between the time the gear was placed there and the discovery of its damage or loss, then the casualty can be presumed to have been caused by the actions of another vessel and the claim may be eligible for compensation. Sometimes evidence associated with the remains of damaged gear establishes the cause of the casualty as the action of another vessel.

The second presumption involves

acts of God. Weather and sea conditions are presumed to be acts of God if they qualify under a statistical measure. They must be more severe than one standard deviation above the historical mean of conditions in the area, and during the season, of the casualty. This means that only the most severe 16.67 percent of all conditions qualify for the act of God presumption.

Claims

Every casualty claim is examined to determine if a claimant's negligence contributed to loss or damage to the gear. A comparative negligence standard is used which may result in the amount of a claim payment being either reduced or not paid at all.

All claims must include a nonreturnable filing fee of 1 percent of the lower of two estimates of replacement or repair cost and specific information and evidence about the casualty. Compensation is for the depreciated replacement cost of lost or unrepairable gear and for the repair cost of repairable gear. If the claim is approved, the recipient must pay an approval fee of 4 percent of the final award. The filing fee and the approval fee cannot exceed \$1,000.

As of 30 June 1980, all claims have to be filed within 90 days of the discovery of the casualty. Fraudulent claims are punishable by fine and/or imprisonment. Additional information about this program and how to submit a claim under it may be obtained from the Financial Services division, National Marine Fisheries Service, Washington, DC 20235 (telephone 202-634-4688).

The Ahlstrom Library Goes to NMFS Southwest Center

During a brief ceremony last summer, Margaret D. Ahlstrom, widow of the fishery biologist, Elbert Halvor Ahlstrom, unveiled a small bronze plaque officially dedicating her husband's library at the NMFS Southwest Fisheries Center at La Jolla, Calif.

Ahlstrom's library was built during a distinguished career of 40 years with the National Marine Fisheries Service and its predecessor agencies and reflected his consuming interest in ichthyology, particularly the science of larval fish biology to which he devoted his entire professional life.

The Ahlstrom library includes more than 250 books, many of them rare and valuable volumes, 10,000 reprints, and a large collection of serials. In accepting the library for the Southwest Fisheries Center, Izadore Barrett, Center Director, said that Ahlstrom's gift demonstrated his love of science and his willingness to share his broad knowledge and ideas with his colleagues and students.

DOC Gold, Silver Medals Are Awarded

Commerce Department gold and silver medal award winners named late last year include three National Marine Fisheries Service scientists: John Hunter with the Southwest Fisheries Center's La Jolla Laboratory, La Jolla, Calif. (gold medal); Roland Wigley with the Northeast Fisheries Center in Woods Hole, Mass. (silver medal); and Michael Laurs, also with the La Jolla Laboratory (silver medal).

Hunter, a fishery biologist, was awarded the gold medal for his discovery of new biological principles regarding the ecology of marine fishes. He has been a pioneer in the science of fish behavior of some types of schooling fish such as sardines, anchovy, and herring, which are of great importance in filling the world's protein needs.

Silver medalist Wigley, a fishery biologist, was cited for his contribution to the development of New England's billion dollar fishing industry and the protection of the northwest Atlantic's sensitive environment. Wigley's studies of deep-sea red crabs and northern shrimp are credited with launching and sustaining those fisheries.

Laurs, a research oceanographer, was presented the silver medal for his contributions to tuna oceanography and leadership in implementing cooperative

government-industry albacore tuna research. He is credited with combining significant scientific contributions to oceanography and tuna biology with outstanding leadership in promoting and implementing cooperative research programs with universities, state governments, and industry.

Other DOC Gold Medals were awarded to: Robert W. Knecht, director of NOAA's Office of Minerals and Energy, for his work as assistant administrator of NOAA's Office of Coastal Zone Management (1972-79); Ray H. Barnes, for outstanding work as the meteorologist-in-charge of the NWS office in Mobile, Alabama, during Hurricane Frederic; Rex J. Fleming, director of the Global Atmospheric Research Program, for outstanding leadership as director of U.S. participation during the recent 5-year Global Weather Experiment; Robert J.C. Burnash, hydrologist-in-charge of the Sacramento River Forecast Center, for outstanding contributions to the field of hydrology and data acquisition; Wallace K. Kanahale, an able bodied seaman aboard NOAA Ship *Surveyor*, for rescuing a fellow crewmember who fell overboard while the ship was tied up in San Francisco; and Robert D. Wildman, deputy director, Office of Sea Grant, for exceptional leadership and scientific management skills in support of the National Sea Grant College Program.

Other Silver medal award winners were: Phyllis A. Polland, meteorologist-in-charge of the Pensacola National Weather Service office, for outstanding work during Hurricane Frederic; Henry R. Frey for "distinguished national service to the people and Government of the United States while serving as Project Manager and Principal Investigator of the National Ocean Survey National Strategic Petroleum Reserve Support Project"; Chester C. Slama, for contributions to science and technology which have "contributed to the improved efficiency and effectiveness of the photogrammetric and geodetic operations of the National Ocean Survey"; Armor L. Lane, director of the Marine Minerals division, for outstanding performance in providing Federal

direction to the developing technology of undersea mining; Thomas M. Kaneshige, supervisory physical scientist, Office of Research and Development, for valuable and unique contributions during the recent 5-year Global Weather Experiment; Ronald D. McPherson, research meteorologist, Atmospheric Analysis branch, National Meteorological Center, for leading the development of a global analysis forecast system by using numerical methods; Ronald E. Reap, NWS research meteorologist, for developing a 12- to 36-hour probability forecast that can be transmitted in graphic form daily through AFOS, the NWS Automation of Field Operations and Services system; Denzil R. Davis, Quincy, Fla., retired supervisory meteorologist, and Jerrel E. Hughes, electronics development technician, for their combined contribution to science and technology benefiting the U.S. agricultural industry; George M. Kush, hydrologist, NWS field office in San Antonio, Tex., for outstanding management of the hydrologic services program in south Texas; Bernard Zavos, for outstanding management of the NWS' Overseas Operational Program (OOPS) in developing nations of Latin America and the Caribbean; and Raymond L. Coldren, NESS electronics technician for making weather satellite imagery available to users of pictures from space.

Four additional silver medals were awarded to a group of NOAA employees who rescued an elderly woman last Spring from the Elizabeth River near the docks of the NOAA Atlantic Marine Center, Norfolk, Va. They are: Kenneth Holden II, Rollings Hills, Calif.; Merrit N. Welter, Norfolk, Va.; Thomas G. Russel, Catonsville, Md.; and Robert H. Maness, Redford, Va. Ronnie J. Albery and Stanley L. Barnes, meteorologists, Environmental Research Laboratories, received silver medals for their outstanding work in organizing and carrying out a major research project to improve understanding of severe storms and regional weather, SESAME '79 (Severe Environmental Storms and Mesoscale Experiment).