

103^D CONGRESS
1ST SESSION

S. 1756

To encourage the optimum utilization of fisheries resources, to reduce waste in commercial fish harvesting and processing, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20 (legislative day, NOVEMBER 2), 1993

Mr. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To encourage the optimum utilization of fisheries resources, to reduce waste in commercial fish harvesting and processing, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Commercial Fisheries
5 Waste Reduction Act of 1993”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that:

8 (1) Current commercial fisheries practices in
9 the United States and world wide contribute to a
10 significant waste of edible food resources which are

1 harvested, but discarded without processing for
2 human consumption or other uses.

3 (2) Fish currently harvested but discarded
4 without processing include in some fisheries large
5 numbers of juvenile fish which would have signifi-
6 cantly greater value both as an economic asset to the
7 fishery and to the maintenance of the species if they
8 were allowed to reach maturity before harvesting.

9 (3) Fish currently harvested but discarded
10 without processing include in some commercial fish-
11 eries significant numbers of adult fish or fish parts
12 which could be processed for human consumption,
13 but which are required to be discarded for various
14 fisheries management purposes, or which are consid-
15 ered unsuitable for a particular market of immediate
16 interest to the fishing vessel operator.

17 (4) Fish currently harvested but discarded
18 without processing include significant numbers of
19 fish of species for which there is presently no viable
20 market, but which, if they remained unharvested,
21 could form the basis for future fisheries as new mar-
22 kets and processing techniques are developed.

23 (5) There is cause for concern that current lev-
24 els of mortalities among non-target fish species may
25 have adverse environmental consequences.

1 (6) High discard levels, if concentrated geo-
2 graphically, may cause damage to the productivity of
3 the resources using the ocean bottom and near-bot-
4 tom areas.

5 (7) The current level of scientific knowledge is
6 insufficient to determine if adverse impacts may re-
7 sult from the removal of nutrients presently re-
8 turned to the ocean through the discard of non-tar-
9 get fish species and of unutilized portions of tar-
10 geted species.

11 (8) It is in the national interest both environ-
12 mentally and economically to minimize mortalities
13 among non-target species taken incidentally to the
14 various directed fisheries.

15 (9) It is in the national interest to encourage
16 the utilization where practicable of all parts of fish
17 harvested in directed fisheries for the species.

18 **SEC. 3. AMENDMENTS TO MAGNUSON ACT.**

19 The Fisheries Conservation and Management Act (16
20 U.S.C. 1801 et. seq.) is amended—

21 (1) in subsection 1801(b)(4) by inserting “in a
22 non-wasteful manner and” after “maintain,”;

23 (2) in subsection 1801(b)(6) by inserting “in a
24 non-wasteful manner” after “such development”;

1 (3) in subsection 1802(21)(B) by inserting “,
2 including efforts to limit mortality in non-target spe-
3 cies for the purposes of resource conservation and
4 food production” after “ecological factor”;

5 (4) in section 1802 by adding at the end the
6 following new paragraph:

7 “(33) The term ‘non-target species’ means fish
8 caught incidentally to fishing for a particular species
9 or group of species and which may or may not be
10 retained aboard the fishing vessel for subsequent
11 processing and/or sale.”;

12 (5) in section 1851(a)(1) by adding “and en-
13 courage the minimization of mortalities among non-
14 target species” after “prevent overfishing”;

15 (6) in section 1851(a)(5) by striking the word
16 “promote” and inserting in its place the word “con-
17 sider”;

18 (7) in section 1851(a) by adding at the end the
19 following new paragraph:

20 “(8) Conservation and management measures
21 shall encourage the non-wasteful taking of fishery
22 resources, including the reduction of discards of fish
23 and fish parts, and the minimization of mortalities
24 among non-target species.”;

1 (8) in section 1853(a) by redesignating para-
2 graph (4) as paragraph (6) and renumbering the
3 subsequent paragraphs accordingly; and by inserting
4 the following new paragraphs:

5 “(4) assess and specify—

6 “(A) to the maximum extent practicable an
7 estimate by numbers of fish or weight thereof
8 of the extent of anticipated mortalities among
9 non-target species taken incidentally to the fish-
10 ery or fisheries for which the plan is prepared,
11 and

12 “(B) to the maximum extent practicable,
13 an estimate by numbers of fish or weight there-
14 of of anticipated discard levels of fish and fish
15 parts taken pursuant to the fishery, but not uti-
16 lized;

17 “(5) contain a description of measures intended
18 to reduce mortalities among non-target species taken
19 incidentally to the fishery or fisheries for which the
20 plan is prepared, and to encourage the use of target
21 species in a manner which minimizes the discard of
22 fish and fish parts;”; and

23 (9) in section 1853 by adding at the end the
24 following new subsection:

1 “(g) REQUIRED AMENDMENT OF MANAGEMENT
2 PLANS.—Each council shall—

3 “(1) within one year from the date of enact-
4 ment of this subsection, submit to the Secretary
5 such amendments for each management plan under
6 its jurisdiction as are needed to comply with sub-
7 sections (a)(4) and (5) of this section; and

8 “(2) thereafter submit annually to the Sec-
9 retary a report identifying any changes to the esti-
10 mates and descriptions required in subsection (a) (4)
11 and (5) and in paragraph (1) of this subsection, and
12 providing an explanation of the cause or causes of
13 such changes.”.

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