

CURRENT LINE

DAR STATEWIDE PROJECT INFORMATION NEWSLETTER

VOLUME 3, NUMBER 2, August 1999

LICENSES, RULES & REGULATIONS

COMMERCIAL MARINE FISHERIES LICENSE & PERMIT FEE HIKE

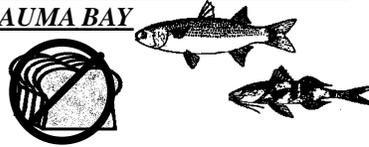


Effective September 1, 1999, the fees for all types of commercial marine fisheries licenses and permits will increase. This is the first major license fee increase since the mid-1980's when the Commercial Marine License fee increased from \$10 to the current \$25 State resident rate. License revenues generated by the fee increases are placed into DLNR's Commercial Fisheries Special Fund. The funds then become available to cover commercial fisheries expenditures such as conducting resource monitoring programs and studies to determine sustainable use of aquatic life. Last year, \$12,000 was expended from the Special Fund to purchase GPS equipment for DOCARE to enforce closed fishing areas in the main Hawaiian Islands' Bottomfish Management Plan.

New Commercial Marine Fisheries License Fee Schedule (effective 9/1/99)

<i>License/Permit Type</i>	<i>Fee Amount</i>
Commercial Marine License (Resident)	\$50.00
Commercial Marine License (Non-Resident)	\$200.00
Bait License	\$50.00
Northwestern Hawaiian Islands Taking Permit	\$50.00
Mullet Pond Operator & Closed Season Sales License	\$50.00
Kona Crab & Closed Season Sales License	\$50.00
Special Marine Animal or Product Possession and Sale License	\$50.00

FISH FEEDING PROHIBITED IN HANAUMA BAY



The Department, through the Division of Aquatic Resources, is authorized to protect, conserve, and manage the State's marine resources and the associated habitat. The State's first marine life conservation district (MLCD) was established in 1967 at Hanauma Bay, Oahu to serve as a place where the public could observe and become a part of the marine world that surrounds us. The major regulatory provision of this first MLCD was a total prohibition on the taking of any marine life.

The bay was also later designated as the State's first underwater park to highlight it's recreational and educational potential. Today, this model is the State's second most visited site, with Waikiki Beach as the number one site. The attractiveness of the bay contributed to the bay being "loved to death". Along with over-use problems was a fish feeding activity that changed the fish community and degraded water quality. While very popular with residents and tourists alike, the feedings caused a naturally balanced ecosystem to turn into something of a petting zoo.

As authorized by Section 187A-6 and Chapter 190, HRS, we are amending Chapter 13-28, HAR. The amendments would prohibit, within the MLCD, the practice of fish feeding and the possession of certain kinds of personal safety devices.

We have information that suggests that

the practice of fish feeding has significantly changed the fish community in the MLCD so much that it is no longer considered a "normal" reef ecosystem. A few fish species that can take advantage of the artificial food are dominating the inshore fish community, displacing other species. As a result, the new amendment banning fish feeding in Hanauma Bay became effective as of April 15, 1999. A prohibition of fish feeding in the MLCD is expected to return the ecosystem to a more naturally balanced and typical condition.

The prohibition on the possession of shark billys, powerheads, and carbon dioxide injectors removes the possibility of someone using these devices to purposely kill a shark and claiming personal safety. Such devices are no longer necessary in view of the procedures in place to deal with the occasional shark appearance within the Bay.

1999 TROUT SEASON CANCELLED DUE TO FIRE HAZARD



Due to continued critically dry forest conditions within portions of Waimea Canyon State Park, the Department of

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Land and Natural Resources is canceling the 1999 rainbow trout fishing season at Koke'e State Park, Kauai. The major fishing area is located in a portion of the park that has been closed by the Division of Forestry and Wildlife since early June.

"We would prefer not to have to take this action, but we feel it is necessary to protect the public," said William Devick, administrator of the Division of Aquatic Resources. "We can't open the area to fishing if it's closed for all other purposes. There has not been sufficient rainfall to reduce the extreme fire danger conditions in the area, so we have no choice but to cancel the regular trout opening. However, if conditions improve sufficiently, we may be able to open the area to trout fishing later in the year."

The trout fishing season was scheduled to begin August 7 and run for 16 consecutive days, then continue on weekends and holidays for the remainder of August and September.

It is recognized that the closure may inconvenience the public, but it is necessary for the purpose of public safety. Should a fire start within any of these areas, it would place anglers in danger. We are asking everyone for their cooperation in complying with and supporting this protective action. We hope that this announcement is made in a timely manner for anglers to make alternate plans for this coming August and September. For more information contact the DLNR Division of Aquatic Resources office on Kaua'i at (808) 274-3344.

**RESULTS OF
1999 LEGISLATIVE
SESSION**



HB1178 New seizure procedure - The Department is unable to currently handle large perishable fish catches involved in alleged fishing violations. No procedures exist for directing sale of tons of commercial fish catches and putting the money into an account for holding until adjudication. This procedure, based on a Federal regulation,

eliminates the need and costs to store evidence. As an example, the Department did not seize a catch during a recent violation due to a lack of facilities to store the evidence. This procedure would not be used for those resources that cannot be lawful sold, such as endangered species or certain fishes during the closed season or under minimum size.

HB1179 Commercial marine license -

The fee waiver for "trainees" is to be eliminated since the program is no longer in existence. Also, the Department is attempting to transfer specific statutory language on reports and reporting requirements to existing rules to tailor catch reports to obtain more precise fishing information to better manage State resources. On a related matter, the Department is asking for the option of requiring reports from only certain fishermen, since not all licensees need to report, if the catch is reported by someone else.

HB1180 Import License -

Sale of undersized lobsters and lobsters with eggs in the local market undermines the State's efforts to educate the public about the need for lobster conservation. Federal regulations allow taking of these lobsters that are unlawful under State law. The Western Pacific Regional Fishery Management Council (WESPAC) has determined that undersized lobsters and lobsters with eggs (known as berried lobsters) may be taken from the Northwestern Hawaiian Islands (NWHI) in the limited entry Federal fishery. While these lobsters were not supposed to be for sale in the State, the economic situation in Asia has reduced demand for this product and they are beginning to be sold locally. The Department cannot prevent the taking of such lobsters but feels that the sale within the State may be prohibited. The Department has spent considerable time and effort to educate the public on the importance of conserving lobster resources through a closed season, minimum

size and prohibition on taking lobsters with eggs. The presence of such lobsters in the local markets would be counter to these efforts. The Department would like to prevent the sale of such lobsters within the State to conserve this highly valued and sought after resource.

HB1181 Criminal penalties -

The purpose of the bill was to clarify and consolidate penalty provisions related to aquatic resources under subtitle 5 of title 12, Hawaii Revised Statutes.

Currently, intentional misrepresentation or a false statement made in receipts or reports required under subtitle 5 of title 12, is a violation applicable only to those receipts or reports under chapter 189. The proposed amendment to chapter 187A would clarify that this violation would apply to all of subtitle 5 of title 12.

Section 187A-13 was established to provide chapter 187A with a general penalty section for any violation of that chapter. However, the actual penalties for these violations are still provided under section 188-70. The proposed amendment to section 187A-13 would clarify penalty provisions for violations under chapter 187A.

Current wording in sections 187A-14 and 187A-15 could be interpreted to limit the Department's authority to only those activities under chapter 187A. The proposed amendments to these sections would expand the Department's authority throughout subtitle 5 of title 12.

Currently, the criminal offense of using poisons, explosives, and electrofishing devices is classified as a misdemeanor. However, the Department feels that the use of such illegal taking methods can be extremely destructive and a more severe penalty is needed to deter their use. The proposed amendments to section 188-70 would increase the classification of this offense from a misdemeanor to a class C felony.

The proposed amendments to sections 187A-13, 188-70, 189-4, and 190-5 would establish minimum and graduating fines to allow flexibility in determining the appropriate punishment based on the severity of the violation.

Penalties for various violations of chapter 189 are contained in sections 189-4, 189-13, 189-14, and 189-16. Consolidating and standardizing these sections into section 189-4 would greatly simplify enforcement of this chapter.

SB1091 Transfer to rules bill -

Existing statutory language limits fishery management options. Currently, statutes regulate specific aspects of fishery management, such as the minimum size of fish for sale and minimum mesh size for nets. The Department would prefer to transfer these and similar statutory regulations to rules. The Department already has the authority to establish rules to manage fishery resources but is limited by existing statutory language to make some much needed changes. The bill would remove the statutes to allow for these changes in the rules.

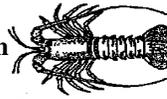
REMINDERS



Halalu (juvenile akule) Season

Halalu schools start to come inshore during July. It is **unlawful to take akule under 8-1/2 inches with net during July through October.** Any akule under 8-1/2 inches in total length is considered a halalu or juvenile akule. This regulation was established in 1968 to protect the young akule (halalu) during the peak of their recruitment into the fishery. During the rest of the year (November through June) halalu may be taken by nets with a minimum mesh size of 1-1/2 inches. Adult akule (measuring 8-1/2 inches or more in total length) may be taken all year round by nets with a minimum mesh size of 1-1/2 inches.

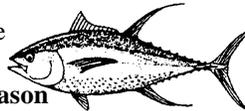
**Spiny Lobster Season
Slipper Lobster Season
& Kona Crab Season**



will be closed between **May 1st thru August 31st.** These animals spawn during this time, so let's give them a chance to breed and multiply.

Moi & Moi-li'i Season will be closed between **June 1st and August 31st.** These animals spawn during the summer months so let's give them a break to help us increase their numbers.

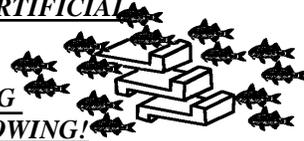
It's summer time and the **Ahi** are running! **Ahi Season**



is open all year round, however, remember that minimum size for sale is 3 pounds.

INSHORE PROJECTS

**STATE ARTIFICIAL REEFS
KEEP GROWING AND GROWING!**



Over the past year a tremendous amount of material has been added to the Waianae and Maunalua Bay Artificial Reefs including three 115-foot landing crafts, over 3,600 concrete "z" shaped fish habitats, and 1,000 tons of concrete pilings.

The Pearl Harbor Shipyard donated the landing crafts and arranged for the Navy's Mobile Diving and Salvage Unit to scuttle the vessels. Two of the three landing crafts were added to the Waianae Artificial Reef in depths of 75 and 95 feet. The third vessel was scuttled in 85 feet of water at the Maunalua Bay Artificial Reef.

The 3,600 "z" shaped fish habitats cost over half a million dollars to build, transport, load, and deploy or about \$145 each. However, due to donation of concrete and other materials, this project is essentially funded by Federal Aid monies.

Healy Tibbitts Builder, Inc., a construction company working in Pearl

Harbor donated a barge load of concrete pilings and deployed the material in the Maunalua Bay Artificial Reef at depths between 65-75 feet. The cost to load the pilings and deploy them at the Reef was estimated at \$28,000 by Healy Tibbitts Builders, Inc. Since all cost for this project was donated the \$28,000 can be used as in-kind matching and 75% of the cost or \$21,000 may be reimbursed through the U.S. Fish and Wildlife Service's Sport Fish Restoration Program.

AQUARIUM FISH INDUSTRY



Hawaii's reef fish are some of the most prized in the world as aquarium fish. Every time you see a saltwater tank in a movie or on television, at least one of those fish living in it is from Hawaii. Also, major offices, restaurants, and other businesses utilize marine aquariums as part of their "ambiance" both locally and abroad.

Most people don't realize that the collection and sale of aquarium fish contributes to the state's economy. How much does it contribute? Take a look at the following numbers taken from the Status Report on Aquarium Fish Collections for Fiscal Year 1995 (July 1, 1994 to June 30, 1995).

A total of 353 Aquarium Collecting Permits were issued statewide during FY1995, of which 167 (47%) were for commercial purposes and 186 (53%) were for non-commercial (home aquariums) purposes.

The number of marine aquarium animals collected in FY1995 was 422,823. The value of all animals collected in FY1995 was \$844,843. The following chart will give you an idea on the non-commercial, local and export sales reported:



Of the 214 different kinds of animals collected, the following table lists the top 5 species which represents 67% of all animal numbers and 60% of the total value.

FY1995 Top Species Statewide

<i>Species</i>	<i>Number Sold</i>	<i>Value (\$)</i>
1. Yellow Tang	218,830	\$351,139
2. Kole	22,136	\$30,511
3. Achilles Tang	15,856	\$68,380
4. Feather Duster Worm	12,555	\$12,966
5. Clown Tang	11,995	\$43,855
TOTALS	281,372	\$506,851
	(67%)	(60%)

These species are consistently among the top five animals collected year after year. The yellow tang (*Zebrosoma flavescens*) alone accounts for 52% of all animals sold.

A person is allowed to use small-meshed nets (except thrownets) or traps to take fish alive for aquarium purposes, with a Department issued permit. The use of small-meshed nets or traps would otherwise be **illegal without the permit**. The permit requires all persons who sell any marine life they collect to report to the Department what they collect and how much they sell on a monthly basis. Recreational permittees who collect marine life for their own aquariums or other non-commercial use are not required to submit monthly reports. It was previously determined that non-commercial collectors accounted for only about 3% of the animal numbers collected.

Before you decide to go out and get a permit to catch your own aquarium fish for whatever purpose, sit down and really think about how much time, effort, and skill it would involve.

First of all, catching them may not be as easy as you might think. If you've ever tried to catch any marine fish with nets, you have a basic understanding of how difficult it may be. It takes a LOT of skill, effort, and care to collect and handle these fragile marine species.

Once collected, you need to provide the proper aquarium environment and diet for these animals. As previously stated, these animals are fragile and VERY SENSITIVE to even the slightest changes in water quality and temperature. An aquarium is a closed system

where water exchanges for oxygen and other factors are not as easily done as it is in the ocean. In addition, a variety and the right type of food MUST be provided for these aquarium animals in order to keep them healthy.

As you can see, Hawaii's reef fish are a very valuable and yet fragile resource. Please help us to take care of this resource by taking ONLY WHAT YOU NEED and provide these animals with the best environment and diet that you can in an aquarium.

More detailed information on commercial aquarium fish collecting is provided in the Division's STATUS REPORT, AQUARIUM FISH COLLECTIONS, FISCAL YEAR 1994-95. For more information, call 587-0100.

FRESHWATER FISHING

POSSIBLE EXPANSION OF THE KOKEE TROUT FISHERY



The rainbow trout is a popular freshwater gamefish which has been introduced to streams and lakes all over the world. In Hawaii, this species has been repeatedly introduced on all the islands. Approximately 270,000 trout fingerlings were imported from California, Oregon, and Washington between 1920 and 1959 and released in various streams throughout the state. As a result, a permanent breeding population of rainbow trout can be found in some small areas of the Waimea River system, but the needs of the sport fishery cannot be met by natural reproduction. Therefore, stocking was supplemented by importing eggs from the Mount Shasta Hatchery in California. Today, trout stocking is limited to the Puu Lua Reservoir of the Kokee Public Fishing Area.

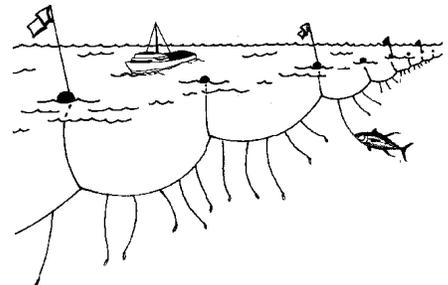
Previously, trout was stocked in several streams in the Kokee area up until 1992 when there were some concerns about trout possibly feeding on native aquatic insects like the native damselflies, some of which are threatened and endangered. Prompted by the Hawaii Trout Unlimited, preliminary studies done by Bishop Museum staff are showing that the trout are having minimal, if any, impact on the native insect species.

A total of 26 trout were caught to have their stomach samples examined. 485 identifiable food (prey) items were found. Out of the 485 items, 61% were terrestrial (living on the land and/or land vegetation) insects, 23% were introduced aquatic insects or animals, and only 16% were native aquatic insects or animals. Out of the native aquatic food items, only one Kauai mountain damselfly was found.

This is excellent news for the trout program. If the final analysis reflects the same results, this would open the opportunity to restock the streams once again and expand the trout program on Kauai, maybe even extending the fishing season to open year round. These possibilities are currently being discussed and Current Line will keep you informed of any further developments. In the mean time, just a reminder that the 1999 trout season has been cancelled due to public safety concerns from potential forest fires. See page 1 for more information.

OFFSHORE FISHERIES

LONGLINE FISHERY IN HAWAII



Hawaii's largest and most important commercial fishery is the longline fishery, formerly known as the flagline fishery. The main species targeted are tuna (bigeye, albacore, yellowfin) and swordfish. Other species landed include various billfish, mahimahi, ono, opah (moonfish), monchong and a few miscellaneous pelagics.

Longline gear

The basic gear consists of one mainline to which branch lines are attached. The mainline is deployed and retrieved off of a large spool which can hold up to 45 miles of line. Due to the depth and scope of line laid, the distance covered is less than 1/2 the total length of the main line. Usually the mainline is made of 1,200 to

1,400 lb. test monofilament line. It is suspended at 3 to 5 fathoms below the surface with floats.

The branch lines are usually 20 to 30 feet long and made of 400 to 450 lb. test monofilament. Some branch lines are made of polyester line with a short section of weighted steel leader. The lines are clipped to the mainline with a single hook attached at the end.

The bait of choice depends upon the species targeted, for tunas the fishermen use sanma and for swordfish squid (ika) is used. Other types of bait have also been used.

To deploy a 40 mile longline, it takes an average of 3 to 4 hours depending on the number of hooks set. Soak time varies from 4 to 6 hours depending on the fishermen. To retrieve the line, it usually takes two to three times as long as it does to deploy, depending on the amount of fish caught.

The following summary and table on Hawaii longline fishery data for calendar year 1998, should present an idea on the amount of effort it takes to be in the longline fishery business. These figures are taken from facts and figures based on log book data and actual catch reports filled out by the fishermen. These reports are collected and processed by the National Marine Fisheries Service in Honolulu

Hawaii Longline Fishery 1998 Summary

Number of vessels fishing: 114
 Number of trips combined: 1,140
 Number of longline sets: 12,480
 Number of hooks set: 17,327,304

Number of fish caught: 408,234
 Number of fish kept: 356,817

Number of fish released: 51, 417* (See Section on Released Fish Below)

Released fish

According to conversations with fishermen, here are some of the reasons for releasing fish. Most fish are released alive when possible:

- Low or no market value (mola mola, stingray, belt fish, walu, small tuna, small shark, and other smaller fish, etc.)
- Damaged fish (by predation from whales, shark, birds, etc. Some high valued fish such as large tuna and swordfish are kept and sold if damage is minimal)

- Short shelf life (fish caught early in trip that doesn't last long, for example, aku, smaller tuna are usually released)
- Fish too large to handle or are very dangerous, plus they take up too much ice, space, and usually bring low values (very large blue marlin and large shark - these are usually released alive)

If all fishermen do their part, it will make for a better fishery.

Average Statistics per trip for each vessel

	<i>Ave. per trip</i>	<i>Comments</i>
Distance traveled to fishing grounds	332 to 1,973 miles	refers to miles traveled before the first set
Days at sea	20 days	200 days/year at sea
Fishing days per trip	11 days	108 days fishing (per year?)
Number of hooks set per day	9,130 to 18,700 total per trip	830 to 1,700 hooks per day
Number of fish kept	420 pieces	38 pieces per day
Number of fish released or discarded	58 pieces	5 pieces per day
Total number of fish caught	478 pieces	43 pieces per day

In general, by looking at the above table, catch rates appear to be very low for the amount of effort expended. Only those who REALLY WANT TO FISH FOR A LIVING are still in the business. The life of a longliner is not easy as there are many uncertainties involved. Some factors that are critical include weather conditions, location of fish, predation, competition, and fluctuating market values. These factors plus overhead cost per trip can make the fishery a very risky venture. Only those fishermen that are dedicated and determined have been able to reap the benefits of the fishery.

On the surface, it may appear that all longliners are doing well, but based on a 1993 survey, only 63 out of 95 vessels realized a positive net return while the other 32 realized a net loss.

Economics

In 1998 Hawaii's total longline landings were a total of 360,000 pieces of fish, 28.6 million pounds, worth \$46.6 billion dollars.

A 1997 comparison of the major species landed by the Hawaii longline fleet and the U.S. total landings (Data Source: NMFS)

Species	Hawaii	Hawaii	U. S.	U. S.
	pounds landed (in millions)	value (in millions)	total pounds landed (in millions)	value (in millions)
Swordfish	6.4	\$14.0	13.6	\$33.8
Albacore	5.4	\$4.5	28.8	\$24.7
Bigeye	5.4	\$17.0	7.0	\$21.2
Yellowfin	1.6	\$6.7	22.0	\$34.2

Management

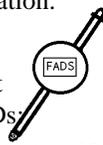
In Hawaii the longline fishery is one of the most highly regulated fisheries. Vessels must abide to closed areas, a vessel monitoring system, State and Federal regulations.

The longline fishery is managed by the Western Pacific Fisheries Regional Council with support from state and federal agencies. WPFMRC has developed the Fishery Management Plan to manage pelagic resources covered by the Magnuson Conservation and Management Act. Longline permits and FMP rules are administered by NOAA's National Marine Fisheries Service. With data collection being handled by the NMFS and DAR.

Just a reminder that it is unlawful to engage in longline fishing within state waters (boundaries are located from the shoreline to 3 miles out towards sea). It is unlawful to possess, sell, or offer for sale any marine life taken by longline fishing gear which is prohibited by or in violation of rules adopted by the Western Pacific Fishery Management Council through the National Oceanic and Atmospheric Administration.

FAD PROJECT

Here is the most recent update of missing FADs:



MISSING FADs (as of May 18, 1999):

FAD	Location	Island
F	Kailua-Kona	Hawai'i
G	Pepeekeo	Hawai'i
WK	Wailua	Kaua'i
CK	Makahuena Pt	Kaua'i
DK	Anahola	Kaua'i
MM	Mokapu Point	O'ahu

For current locations and/or more information, contact Warren Cortez at 848-2939. Also, if you know of any FADs that broke loose, see any light out or have any other comments, please give Warren a call.

FISH FACTS



Katsuwonus pelamis
(Skipjack Tuna, Aku)

SIZES

Length: commonly around 32 inches in length; but can get up to over 40 inches in length.

Weight: can reach up to 50 lbs in weight.

BREEDING

Sexual Maturity: will reach sexual maturity at about 1 year of age when it is between 16 to 18 inches in fork length.

Spawning: in Hawaii, spawning occurs between late February to September. These fish can spawn more than once during this time and produce 100,000 to 200,000 eggs per spawn.

LIFESTYLE

Distribution: World-wide in tropical and warm-temperate waters.

Habitat: primarily a schooling pelagic species of the open ocean, but also known to go to depths of 85 fathoms.

Diet: Primarily feeds on fish, molluscs, and crustaceans which are driven to the surface by the schooling fish. Flocks of noddy turns and other seabirds join in the feast which in turn help the fishermen to mark and locate the aku.

Life Span: about 4 years.

RELATED SPECIES

The aku is a member of the Mackerel and Tuna Fish Family which includes other commercially important species such as ahi (yellowfin), tombo (albacore), and bigeye. Aku are locally abundant in many areas and form the basis of valuable seasonal fisheries. In Hawaii, aku season runs from about April to September. Most of the aku landings are made during this time composed of fish in the 14 to 20 lbs. range. At one time, aku was the most valuable Hawaiian fishery in terms of landings and value. Yearly catches once ranged from 5 to 16 million pounds with a value of 1.2 to 3.6 million dollars. A large portion of this was purchased for canning by the Hawaiian Tuna Packers, while the rest was consumed fresh. The cannery shut down in 1985 when local canning was no longer profitable due to economic and social changes. The aku's rich legacy leaves us today with only about 6 aku boats left with yearly catches ranging from 2 to 4 million pounds, most of which is consumed fresh. Aku is still one of the top selling species today often determining the market price of

other tunas depending on how much is available.

The following table will give you an idea of how fast these fish grow and how old they are. Please note that these are just ball park figures and meant only to give you a general idea on the relationship of length, weight, and age.

Length, Weight and Age of Aku

Fork Length (inches)	Weight (pounds)	Age (years)
0.1	0.0	0 (hatched larvae)
12	1.1	
18	4.2	1
22	8.2	
24	10.9	
26	14.3	
28	18.4	2
30	23.2	
32	28.8	3
36	42.8	

The Department of Land and Natural Resources receives financial support under the Federal Aid in Sport Fish Restoration and other federal programs. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and the laws of the State of Hawaii, the U.S. Department of the Interior and the State of Hawaii prohibit discrimination on the basis of race, color, religion, sex, national origin, age, and disability. If you believe that you have been discriminated against in any program, activity or facility, or if you desire information, please write to: Affirmative Action Officer, Personnel Office, Department of Land and Natural Resources, 1151 Punchbowl Street, Rm. 231, Honolulu, HI 96813, or the U.S. Fish & Wildlife Service, Office for Human Resources, 1849 C Street NW, Room 3058, Washington, D. C. 20240.