

**Wild
Oceans**
For the future of fishing

Spring Newsletter 2013

The Horizon

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A NOTE FROM THE PRESIDENT

Wild at heart

In the last (and final) issue of The NCMC Marine Bulletin (No. 138), we announced that we are celebrating our 40th anniversary by going wild.

We are changing our name, from the National Coalition for Marine Conservation to **Wild Oceans**, and that's definitely big. But it's more of a rebirth than a change; a chance to re-introduce ourselves to a larger audience and meet the challenges of the future with renewed vigor.

We've always been wild at heart. We've always been about the future of fishing. And as you'll see in reading this first edition of *The Horizon* – that place in the distance where the sea meets the sky, that defines the scope of our interests and aspirations – we continue to play a major role in setting the course for conservation at sea.



Since our early days, we've recognized that fishing in wild oceans, where billfish, sharks and tunas roam, requires us to fish conservatively; to avoid indiscriminate gears that harm other species (p. 6); to preserve open-ocean habitat (p. 7); to protect the prey base that supports all life above it on the food chain (p. 4); and to be a catalyst for change in national fishery policy (pp.2-3).

In this our 40th year, we proudly celebrate everything that NCMC has accomplished while moving forward with a name and logo that better reflect who we are, what we do and why it matters. Visit our new web site (p. 8) and spread the word about **Wild Oceans**. *For the future of fishing.*

After all, that's what it's all about.

Our Mission

Wild Oceans was founded by anglers in 1973. Like the sportsmen before us who pioneered wildlife conservation on land, we are passionate protectors of fish and the wild world we share.

Our mission is to keep the oceans wild to preserve fishing opportunities for the future. To do this, we bring conservation-minded fishermen and pro-fishing environmentalists together to promote a broad, ecosystems approach to fisheries management that reflects our expanding circle of concern for all marine life and the future of fishing.

So much of what we love about the sea, about fish, about fishing, is in the wildness. But that wild world, and the future of fishing, now hangs in the balance. Everything we do, every decision we make, must be guided by a clear vision of the future we want for our oceans and of how the fishing public and responsible consumers will fit into that future.



It's vision time

We are entering a new era. Moving from decades of reactionary, over-the-shoulder management to one where conservation takes center stage. In the past, we've managed. Just. In the future, we conserve.

There's an ocean of difference. The way we see it, conservation is management with a *vision*. Without a vision of what we want the oceans, and fishing, to look like in the future, management is just rules, tools and process, all taking us – where?

Last year NOAA Fisheries announced that the end of overfishing is in sight, with annual catch limits, bound by law to prevent taking fish out of the water faster than they can reproduce, now in place in all federally-managed fisheries. As we wrote at the time, "In a marine environment where overfishing has long been the rule, reaching a point

where it's the exception is indeed a milestone." In the year since then, NOAA reported six more fish stocks restored to target levels, bringing the total rebuilt over the last decade to 32, with others coming back. Our hard work putting teeth into federal fisheries law the last two times it came up for renewal (1996 and 2006) is, we are happy to say, paying off.

.....

"If you don't know where you're going, you'll probably end up somewhere else."

—Yogi Berra

That law is the Magnuson-Stevens Fishery Conservation and Management Act (MSA), and we'd like to think it's no accident that conservation comes first in the title. Yet even today's stricter, anti-overfishing version of the MSA is defined more by where we don't want to be than by where we want to go. The most significant changes to the law over the past two decades have been aimed at stopping

overfishing and rebuilding depleted fisheries. Granted, this is the starting point for moving toward a sustainable future. But defining the good as the absence of the bad is *not* a vision for that future.

The Act still lacks a broad vision of sustainability for the oceans and so, as a result, do NOAA Fisheries and the Regional Fishery Management Councils. Fishery managers are, as we wrote in advance of the 2006 MSA reauthorization, "process-driven, following the rules and regulations, more and more of them every year, leading us further away from a management system based on common values." The next ground on revisions to the MSA, which will be getting underway during this Congress, needs to sort this out. It's vision time.

The closest thing to a vision in the Act is National Standard #1, which says we will prevent overfishing while achieving the "optimum yield" from each fishery. OY is defined as

For the Future of Fishing

Wild Oceans is a 501(c)(3) non-profit organization dedicated to keeping the oceans wild to preserve fishing opportunities for the future.

Our Goals:

- preventing overfishing and restoring depleted fish populations to healthy levels
- promoting sustainable use policies that balance commercial, recreational and ecological values
- modifying or eliminating wasteful fishing practices
- improving our understanding of fish and their role in the marine environment
- preserving fish habitat and water quality

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Ken Hinman, President
Pam Lyons Gromen, Executive Director
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providing “the greatest overall benefit to the Nation,” taking into account food production, recreation and protection of ocean ecosystems. In reality, though, the ecological consequences of fishing – “ecosystem overfishing” – are rarely considered when catch limits are set fishery-by-fishery.

We know through experience that even what is commonly referred to as “sustainable fishing,” especially of keystone predators or prey, can cause dramatic shifts in ecosystem communities. The consequences of this kind of overfishing are not just ecological, but social, economic and cultural as well.

So, how do we “visualize” the future of fishing, protecting interdependent marine *and* human ecosystems, through the Magnuson-Stevens Act? In our view, the best way is to develop regional Fishery Ecosystem Plans that apply basic ecosystem principles to all fishery management decisions. Give these comprehensive plans teeth with a new National Standard requiring that all management measures prevent ecosystem overfishing, a change that will in turn trigger new federal guidelines akin to what we did to prevent conventional overfishing.

Not everyone will agree on what the future should look like, but we need to have that conversation. Tough choices are on the horizon, and as a nation we will be challenged to preserve wild fisheries and sustain our fishing communities in the face of industrialized fishing, large-scale open ocean “farming”, pollution and loss of habitat near-shore and at sea.

There is no question that we are going to have to change the way we think and the way we fish to achieve sustainability. The changes to the MSA we are proposing will force that discussion, involving every segment of the public with a stake in the future of wild oceans. We have a vision and we'll be there -- for the future of fishing.

-Ken Hinman, President

Implementing the billfish conservation act

On April 4th, the National Marine Fisheries Service (NMFS) published an Advance Notice of Proposed Rulemaking to give the public an opportunity to submit comments regarding potential issues involving the implementation of the Billfish Conservation Act of 2012 (BCA). The BCA was enacted by Congress because, as NMFS notes, “global billfish populations have declined significantly because of overfishing primarily through retention of bycatch by non-U.S. fishing fleets.” The U.S. is the largest importer of these fish. The law prohibits the importation and sale of any billfish in the U.S. with a limited exemption for traditional island fisheries and markets in the western Pacific.

NMFS specifically requests comments on what, if any, restrictions can be imposed under the BCA on the transportation and sale of billfish caught by U.S. vessels and landed in Hawaii or the Pacific Insular Area or PIA (Guam, Samoa, Marshall Islands *et al*). The BCA’s “Hawaii exemption” is to allow for traditional Hawaiian fisheries and markets in a manner that still supports the Act’s overriding intent to conserve billfish. NMFS needs to carefully interpret the BCA to comply with both domestic and international law. Interpreting the exemption for traditional fisheries in a manner that results in inconsistent treatment of sales of U.S.-caught and foreign-caught billfish (foreign-caught fish may be landed in the PIA but only for sale locally) could undermine important conservation benefits and make the law open to legal challenge.

Because the conservation benefits of the Act are too important to lose, Wild Oceans will be submitting detailed written comments by the deadline of July 3, 2013, making the following two points:

- The clear intent of the BCA is to prohibit the sale of billfish in the U.S. because of global declines in billfish populations and the need to enhance existing U.S. efforts to conserve these fish throughout their range. In particular, the Act is aimed at ending importation of foreign-caught billfish – an estimated 30,000 a year – into markets on the U.S. mainland. If billfish caught under the Hawaii-exemption are permitted to be transported and sold in mainland markets, the conservation benefits of the Act could be severely curtailed.
- The BCA closes U.S. markets outside of HI/PIA to foreign-caught billfish. If domestic fisheries are permitted access to these same markets, then the U.S. would be viewed as giving its own fishermen a market advantage at the expense of foreign fishermen, not only diminishing the conservation rationale for the legislation but putting it in violation of international trade rules.

Go to our website, www.wildoceans.org, and click **Act Now** to voice your support for the BCA.



Theresa Labriola: West Coast Outreach Coordinator

Wild Oceans is pleased to introduce Theresa Labriola, our new West Coast Outreach Coordinator! Before moving out west, Theresa worked as a fisheries advocate in the northeast, building successful campaigns to restore our oceans by protecting forage fish like menhaden and herring. Theresa has a strong advocacy background, pursuing legal and grassroots solutions to environmental pollution and the over-exploitation of our natural resources. Theresa received her law degree from Vermont Law School. While there, she edited the Vermont Journal of Environmental Law, published several editorials on genetically modified salmon and toxics in fish. She also holds a Bachelor of Science in Education and Ecology from Cornell University. ■

Attention west coast fishing clubs and associations!

Theresa would welcome an opportunity to meet with your group to discuss *Wild Oceans'* conservation programs. For more information, contact us through our website:

www.wildoceans.org

BIG PLAN FOR LITTLE FISH

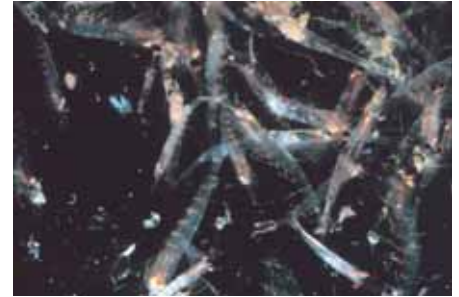
West coast ecosystem plan approved

On April 9th in Portland, Oregon, the Pacific Fishery Management Council voted to take fisheries management in a new direction – one that takes into account the overall health of the California Current Ecosystem (CCE), starting with protection of the small bait fish that are fed upon by numerous predators higher up in the food chain like salmon, sharks, seabirds and whales.

The Council adopted an ecosystem plan for the West Coast to provide guidance for future fishery management decisions. Traditional fishery plans, also called single-species plans, manage species as if they are isolated from one another. Ecosystem-based fishery management recognizes relationships between species and establishes strategies designed to safeguard these relationships. Forage fish, schooling masses of sardine, mackerel, and anchovy, are the glue that holds the ecosystem puzzle together because they interact with so many predators that depend on them for food.

“To maintain a healthy CCE, we need to monitor and measure the health of the overall west coast forage base; conserve those prey species, like sardine, squid and mackerel, that we fish for; and prevent new fisheries for un-managed species until we fully understand the impacts of fishing on the broader food web.” said *Wild Oceans* executive director Pam Lyons Gromen in her testimony before the Council.

To implement the policies contained within the ecosystem plan, the Council approved a list of initiatives, starting with restrictions on fishing for un-



Fishing for krill in federal waters off the west coast has been banned since 2006, but a number of un-managed forage fish remain vulnerable to fishing. (Image courtesy of NOAA Photo Library)

managed forage species. In 2006, the Pacific Council banned fishing for krill to protect its ecological role, but a long list of prey species remain vulnerable to fishing impacts, including Pacific saury, sandlance, smelts and lanternfish. These small, schooling fish are targeted in other parts of the world to satisfy escalating demand for fish meal and fish oil used in aquaculture and pet feeds. A special Council committee will be formed later this year to determine the best path forward.

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“We are not using an ecosystem approach unless we are considering the entire forage base and maintaining adequate forage for dependent predators.”

—Pam Lyons Gromen, *Wild Oceans* Executive Director


Council members also expressed support for a *Wild Oceans* recommendation to develop an ecosystem status indicator of overall forage fish abundance to monitor the health of the

forage base and inform management decisions. The approved ecosystem plan provides for an annual “State of the Ecosystem” report, which will highlight key ecosystem processes and components like forage fish.

“We are not using an ecosystem approach unless we are considering the entire forage base and maintaining adequate forage for dependent predators,” said Lyons Gromen. ■


Staff travel log


Our recent travels to fight for the future of fishing...

 President Ken Hinman went to the Fishing Hall of Fame & Museum in **Dania Beach, Florida** on January 25th to accept the IGFA's 2013 Conservation Award on behalf of Wild Oceans for our leading role in passing The Billfish Conservation Act of 2012. Board Chairman Tim Choate was also on hand to receive an individual award for his contribution to helping make the





Billfish Act law. "We appreciate the honor and the recognition of all the hard work that went into making The Billfish Conservation Act a reality," said Hinman (pictured above). "It was a team effort, and we happily share this award with all those who worked alongside us, especially the IGFA, for three long years."


 Theresa Labriola, Wild Oceans' new West Coast Outreach Coordinator, participated in the Pacific Council's Coastal Pelagic Species Management Team meeting in **Portland, Oregon** on January 29th to discuss ideas for the Council's ecosystem plan.


 Pam was on hand when the Mid-Atlantic Fishery Management Council convened February 12-14 in **Hampton, Virginia** to discuss important amendments to the management plan for the Atlantic mackerel, squid and butterfish trawl fisheries. Amendment 15 will afford conservation and management measures to river herring and shad while in federal waters where


they are frequently taken as bycatch in industrial-scale trawl fisheries. Amendment 16 will safeguard critical deep sea coral habitat in the Mid-Atlantic region. Pam testified in support of action to protect deep water corals during a webinar hearing held on February 5th. Both amendments are moving forward.

 On February 19th, Pam attended the ASMFC Shad & River Herring Management Board meeting in **Alexandria, Virginia** where the Board planned to discuss the anticipated decision on whether river herring would be granted threatened status under the Endangered Species Act. Though the decision was due on August 5, 2012, NOAA has not yet published its findings.


 Ken attended the ASMFC Menhaden Management Board meeting in **Alexandria, Virginia** on February 20th. It was the first ASMFC gathering since last December, when the 15-state commission voted to reduce coast-wide landings of menhaden by 20 percent to increase forage for striped bass and other marine predators. Each state must now implement the new quotas this year. The board also approved the schedule for a new stock assessment in 2014 and an independent peer review in early 2015.


 The Pacific Fishery Management Council met in **Tacoma, Washington** March 8-11 and Ken was there to testify on two important issues for Wild Oceans: The council's 5-Year Research Plan, which adds a new ecosystems section, with high priority on developing key indicators such as the health of the forage base; and phasing out drift entanglement nets while developing safer, more selective alternatives for a west coast swordfish fishery. (see Entangled, page 6)


 In mid-March, Theresa traveled to **southern California** to meet with a number of fishing clubs to discuss Wild Oceans' Protect the Prey Base program and to rally support for Pacific Council ecosystem initiatives to monitor and protect forage fish.


 The Consultative Group on Biological Diversity (54 foundations that make grants to


support environmental conservation) invited Ken to **Portland, Oregon** April 2-4 to speak at their Annual Marine Working Group Retreat. He joined a panel to discuss actions to "get ahead of the curve" on marine conservation issues in the Pacific Rim instead of merely reacting to crises.

 Pam was invited to participate in the first Mid-Atlantic Ocean Planning Workshop held April 4-5 in **Arlington, Virginia**. Strategies for collaboration and stakeholder involvement in ocean planning decisions were major topics, making for an encouraging start to this newly formed regional body.

 On April 9th in **Portland, Oregon**, Pam testified before the Pacific Fishery Management Council in support of their Fishery Ecosystem Plan for the West Coast and ecosystem initiatives to protect forage fish. (see article on page 4)

 On April 11th, the Mid-Atlantic Fishery Management Council hosted a Forage Fish Workshop in **Raleigh, North Carolina**. Ken represented Wild Oceans. At the conclusion of the day-long workshop, the council agreed to improve accounting for predation in future stock assessments for forage species; consider modifying quota-setting and risk policy with respect to squid, mackerel and butterfish; and begin developing a council forage fish policy to guide decision-making under its fishery management plans as part of a new council guidance document for its ecosystem approach to fisheries management.

 As a member of the Mid-Atlantic Council's Ecosystem and Ocean Planning Advisory Panel, Pam attended a workshop in **Baltimore, Maryland** on April 18th to provide input on alternatives to protect deep sea corals in the Mid-Atlantic region.

 On April 21st, Theresa joined Wild Oceans Board member Bill Boyce at the annual Day at the Docks festival held in **San Diego, California** to speak with festival attendees about Wild Oceans' forage fish program. ■

Entangled: swordfish, turtles & more

On March 11th, the Pacific Fishery Management Council took a pass on proposals to expand the use of drift entanglement nets off the west coast, opting instead for another year of study. *Wild Oceans* president Ken Hinman attended the federal council’s meetings in Tacoma, Washington and testified in favor of phasing-out the nets entirely and replacing them with alternative, “greener” methods of fishing. In his view, the council’s decision is a tentative step in that direction, however, there continues to be enormous pressure to go the other way.



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 “By allowing drift netting to continue off the west coast, the council is on the wrong side of history.”

—Ken Hinman,
 Wild Oceans President

The nets – actually drifting walls of netting about 50 yards deep and up to a mile long – entangle commercially valuable swordfish, their primary target, but also sea turtles and a whole lot more. In 2001, the National Marine Fisheries Service designated federal waters off Oregon and Northern California a Pacific Leatherback Conservation Area (PLCA), where drift netting is prohibited from late summer through the fall to protect critically endangered leatherback turtles that migrate to the coast seasonally to feed on jellyfish.

The fishing industry wants back in. They propose – with some support within the council and NMFS - closing the PLCA later in the year, opening it sooner, shrinking it in size or all-of-the-above. The debate in March boiled down to whether this could be done without further endangering turtles, as the industry and some members of the council’s management team claim, or whether, as *Wild Oceans* and other conservationists argued, it would increase the risk of encounters between one of the ocean’s deadliest gears and some of its most endangered animals.

The council ultimately agreed that the risks are too high to make any changes now and asked NMFS to come back in 2014 with more information on drift net/turtle interactions in and around the closed area. Meanwhile, council members were “very encouraged” by the reports they heard at the meeting on

developing “an economically feasible, low-bycatch type of gear for swordfish fishing off the west coast” and urged that this research be a priority.

For several years now, *Wild Oceans* has been promoting a transition away from drift nets and pelagic longlines – gears that fish passively and kill indiscriminately - to safer, more selective fishing methods for swordfish, tuna and other commercial species. One such method is buoy-gear, used by swordfish fishermen in Florida for over a decade, supplying a high-value product with virtually no bycatch. A pilot buoy-gear study is underway in the Gulf of Mexico, where longline bycatch of breeding bluefin is a threat to that overfished tuna’s recovery. In 2011, the Pflegler Institute of Environmental Research (PIER) began trials with swordfish buoy-gear off the California coast. In a presentation to the council in Tacoma,

a PIER researcher said the gear holds promise for providing an economically-attractive alternative to drift nets, without the bycatch.

Turtles are far from the only species caught in drift nets. Among the vulnerable and/or protected species routinely entangled are a number of species of sharks, striped marlin, bluefin tuna, several species of dolphin and whales, and even elephant seals.

“Drift nets are an anachronistic fishing gear that’s on its way out everywhere,” Hinman says. “By allowing drift netting to continue off the west coast, the council is on the wrong side of history.” The United Nations banned large-scale drift nets on the high seas twenty years ago. Since then, the U.S. has banned drift nets of any size in our east coast fisheries, including for swordfish, and we supported a ban at the International Commission for the Conservation of Atlantic Tunas. The European Union banned drift netting among its 27 member states in 2002.

In his testimony, Hinman brought to the council’s attention a Memorandum of Understanding signed last November by the U.S. and Morocco, which ended widespread drift netting for swordfish in the Mediterranean Sea in 2012. Under the MOU, we are helping that nation’s fishermen move from drift nets to buoy-gear. He read from the U.S. statement announcing the agreement: “If effective in Moroccan fisheries, this gear type potentially offers a small-scale, high-yield, locally supplied solution as an alternative to drift nets. By sharing this technology, we can support Morocco’s efforts to eradicate drift nets, an action that has many benefits for the marine environment.”

“That’s our position, clearly and unequivocally,” we told the council, “and it should be yours, too.” We will be working with members of the Pacific Council, NMFS and PIER researchers during the coming year to promote an alternative to drift nets and longlines. ■

THE SARGASSO

A sheltering sea within the Atlantic

The Sargasso Sea, two-million square miles of the tropical western North Atlantic Ocean, is named for its expansive floating gardens of sargassum, a yellow-brown algae that provides habitat for hundreds of species of marine fish, turtles, mammals and sea birds. The clockwise motion of the prevailing North Atlantic current, known as the Central Gyre, holds an estimated 4 - 11 million tons of sea weed drifting in the Sargasso.

Large quantities of *sargassum* “spin off” and settle on the continental shelf off the southern coast of the United States, gathering in large clumps called “rafts” or in bands of “weedlines” where currents converge. Fishermen know these assemblages for the myriad number of sea creatures that associate with them, including many species of fish important to both commercial and recreational fishing, among them amberjack, common dolphin, red porgy, marlin, swordfish and tunas.

“The Sargasso Sea is the cradle of life in the Atlantic Ocean, a vast nursery where millions of juveniles of countless species find protection from predators, shelter from the sun and a ready supply of food,” says Wild Oceans president Ken Hinman. “There is no area in the open ocean of the Atlantic that is more important to the survival of more species of fish and other sea life.”

For well over a decade, *Wild Oceans* has been a leader in the movement to conserve *sargassum* as essential fish habitat. We encouraged development of a federal Pelagic *Sargassum* Plan, approved in 2004, to stop commercial exploitation on the U.S. continental shelf. We then drafted a resolution to protect sargassum for



the 2005 meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT), where we secured a seat on the U.S. delegation and helped shepherd it through the 44-country body. In 2006 we testified at a Congressional hearing on the Atlantic Tunas Convention Act, recommending new language in support of moving to an ecosystem-based approach to international fisheries management at ICCAT. The bill passed later that year declares, “It is the sense of the Congress that the United States Commissioners should seek to include ecosystem considerations in fisheries management, including the conservation of fish habitat.”

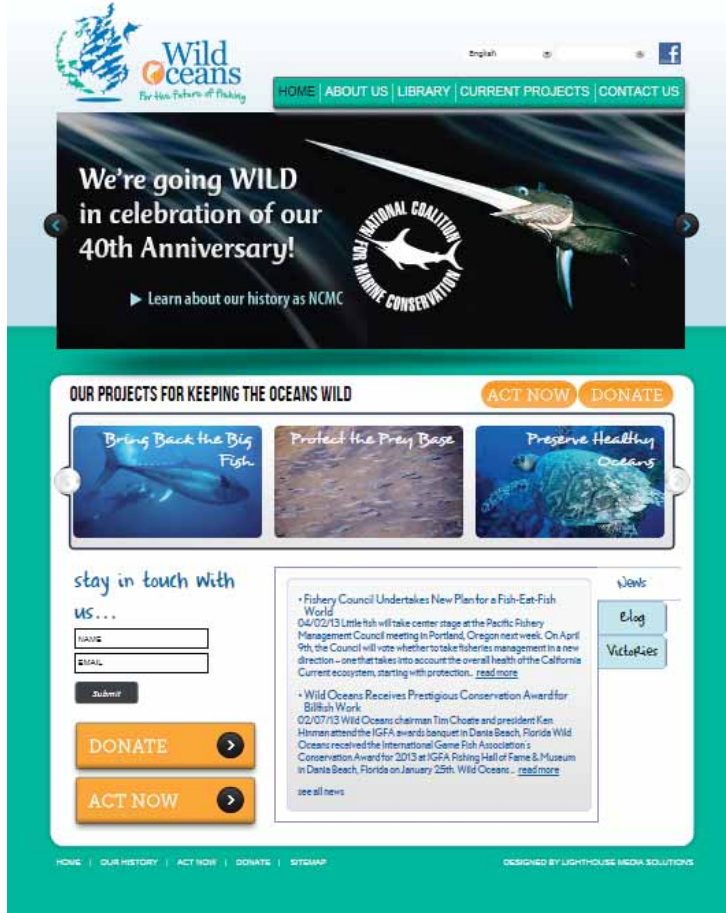
Making the Sargasso a Protected Area

We are now seeking to take the 2005 ICCAT Resolution on the Protection of Pelagic Sargassum to the next level - action. We are urging the U.S. to support a proposal at ICCAT calling on its scientists to a) examine data on the ecological value of the Sargasso Sea to tuna and tuna-like species and assess human impacts on the ecosystem in the area, and b) report back with options for protecting it. It's been seven years since ICCAT adopted the U.S.-sponsored resolution, and in the meantime, new data and data sources compiled by the Sargasso Sea Alliance,

a partnership led by the Government of Bermuda (www.sargassoalliance.org), provide a substantial amount of information to be reviewed.

In addition to the availability of new information, ICCAT's own declared move into an ecosystem-based approach to fisheries makes now the right time to undertake this task. There is no more important open-ocean habitat to the fish under the commission's jurisdiction than the Sargasso Sea. As stated in the 2005 resolution, these highly valuable fish stocks could be negatively impacted by declines in *sargassum* abundance, whether caused by pollution, shipping or commercial extraction.

As yet, no framework exists for giving protection to such a large area of the high seas. Nevertheless, ICCAT is the international body responsible for tunas, swordfish, billfish and sharks - fish that pass through the Sargasso Sea on their trans-Atlantic crossings, relying on its floating gardens for food and shelter within an otherwise relatively barren open ocean. ICCAT can and should - with U.S. leadership - lay the foundation for establishing the Sargasso as a sea of protection within the Atlantic. ■



Make sure to visit our new web site: www.wildoceans.org

where you can read our latest updates, sign up for email action alerts or renew your membership.

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Your mailing label includes your membership renewal date.



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