

Fall Newsletter 2013

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A NOTE FROM THE PRESIDENT Sea Change



Wild Oceans President Ken Hinman

surface, to be sure, but deep-down one that was 40 years in the making. Since 1973, we've co-evolved with the nation in moving toward a broader, forward-looking, ecosystems approach to conserving fish and their environment. Indeed, we've played a very prominent role in guiding this evolution.

Years ago I described our special niche in the ocean community by saying we have the head of an environmentalist and the heart of a fisherman. And today, more than ever, preserving the future of fishing means changing the way we think and the way we fish. As you'll see in

It was my pleasure t h i s year to oversee NCMC's transition to *Wild Oceans* - a big change on the "The Year in Review" on page 4, we did both in 2013.

Fishing is our oldest and our most intimate connection to the sea. When we fish – whether to feed ourselves, to feed others, or for recreation - we join the ocean world as an interdependent part of it, which is what we are, by nature. Whether we do so with a humble respect for nature, or not, will determine the future of the ocean and all its creatures and, not least of all, its ability to sustain us.

We are grateful that our supporters have always been those who recognize the need for an organization whose mission is to conserve ocean fish; that chooses issues near and dear to fishermen and fishing, then always does what's best for the resource; and that is singularly situated to ally itself with both anglers and environmentalists in our shared cause.

Your loyal support for what we do has always been our greatest measure of success. Thank you!

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 conservationminded fishermen and profishing 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.

4 Royal Street, SE www.wildoceans.org

Ocean View

Best fishing practices

"Best management practices" for ocean fisheries should be based on agreed-upon goals, such as a local supply of seafood, recreation and eco-tourism, and community-based employment. But although these primary goals may be social and economic, supporting it all with abundant fishery resources and a healthy marine environment must always be the bottom line.

And while each region's specific goals and needs may be unique, best fishing practices - for example, avoiding bycatch of non-target species, live release of incidentally-caught or undersize fish, and cost-effective monitoring and enforcement - are universal.

Take our bluewater fisheries. The billfishes, swordfish and tunas, along with dolphin, wahoo and other pelagics, support valuable fisheries in many coastal regions. But studies suggest that populations of big ocean fish, including bluefin and bigeye tuna, the marlins and many oceanic sharks, may have declined as much as 90 percent over the last 50 years. Efforts to restore them have been hindered in large part due to the indiscriminate nature of the fishing gears and methods used to target some of these fish commercially: pelagic longlines on the east coast; drift entanglement nets on the west coast.

"Fishing is a human right for the many, not the few.." — Danish fisherman Kurt Christensen

Now, some argue that it is how many fish you catch, not how you catch them, that's important to sustaining fish populations. But there's a half-century of evidence to the contrary. Our collective experience with non-selective, industrial-scale fishing gears is this: excessive bycatch and waste of unwanted, prohibited and protected species; an inability to effectively control fishing mortality for any single species, target or non-target; destructive impacts on marine life and the ability of fishermen and coastal fishing communities to prosper; and, disproportionate management and regulatory costs imposed on taxpayers and regional economies.

Best fishing practices for conserving and managing big ocean fish require transitioning fisheries away from the largescale use of ecologically-harmful fishing gears to more selective, sustainable methods that provide an economicallyfeasible, low-bycatch alternative. Fortunately, those alternatives exist.

It is revealing of the unmanageable nature of longlining and drift netting that the most effective regulations implemented are time-area closures that take the gear out of the water where and when it is doing the most harm. And it's not surprising that sustainable alternatives – such as swordfish buoy-gear and tuna green-sticks – were developed by commercial fishermen in areas where destructive gears have been prohibited.

Best fishing practices everywhere should promote small-scale, high-yield, locally-supplied fisheries, commercial as well as recreational, using the latest know-how in sustainable fishing. A progressive shift away from wasteful and ultimately unmanageable methods of fishing, like longlines and drift nets, to safer, environmentally-friendly alternatives is the future of fishing.

-Ken Hinman, President

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

Officers and Staff:

Tim Choate, Chairman Rick Weber, Vice Chairman Ken Hinman, President Pam Lyons Gromen, Executive Director Laureen Megan, Office Manager Theresa Labriola, West Coast Fisheries Project Director

> Contact Us: Wild Oceans 4 Royal Street, SE Leesburg, VA 20175 office: 703.777.0037 fax: 703.777.1107 web: www.wildoceans.org

Board of Directors:

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TAKE MARLIN OFF THE MENU: CAMPAIGN UPDATE BCA Closer to Complete Ban on U.S. Mainland Billfish Sales

When the Billfish Conservation Act (BCA) was signed into US law nearly a year conservationists ago, worldwide cheered that the globe's largest market for imported marlin, sailfish, and spearfish would soon be closed.

Although the challenge of getting a bill passed through the legislative process was won, there is still work to be done to make sure the BCA will be properly enacted. In September, *Wild*

Oceans and the International Game Fish Association (IGFA) met with NOAA Fisheries senior staff to discuss progress on implementing the new law and learned that a complete ban on the sale of billfish in the mainland United States is nearing reality.

The BCA, signed into law by President Obama on October 5, 2012, prohibits the sale of all marlin, sailfish, and spearfish in the continental US, effectively eliminating an estimated 30,000 billfish being imported each year from foreign countries. In April of this year, NOAA Fisheries announced an Advanced Notice of Proposed Rulemaking (ANPR) seeking comment on implementing and enforcing the Act. Of particular concern is whether or not billfish harvested in Hawaii and nearby US territories under an exemption for traditional Pacific island fisheries may be shipped to the mainland.

When *Wild Oceans* and IGFA, through their joint Take Marlin Off the Menu campaign, facilitated the creation of the Act in 2011, the intent was to completely close the mainland to importation and sale of all billfish, thus ending a sizeable foreign market, while still allowing the traditional local consumption of billfish in the Hawaiian Islands. After the BCA was signed into law, both groups immediately began working with legal and trade experts to emphasize the law's intent to NOAA Fisheries as the BCA entered the rulemaking process. During the ANPR comment period, *Wild Oceans* and IGFA submitted detailed comments that highlighted the following key items:

- The BCA was intended as a mechanism to conserve imperiled billfish and not to replace foreign origin billfish in the mainland US with fish caught under the domestic exemption
- Allowing billfish harvested in Hawaii to be shipped and sold to the mainland US, where imports are prohibited, would violate international trade law
- Sale of Hawaii-caught billfish in the US mainland would necessitate

a new and complex layer of monitoring and enforcement and facilitate a black market for illegal imports.

Take Marlin Off the Menu

During their meeting with NOAA Fisheries staff, Wild Oceans President Ken Hinman and IGFA Conservation Director Jason Schratwieser were told that, since it was signed into law last fall, NOAA Fisheries has been interpreting the BCA as a complete prohibition on possession and sale of billfish covered by the Act in the continental United States and will continue to do so until it issues a Final Rule. To underscore this policy, NOAA has issued an enforcement order that existing billfish product on the mainland be destroyed or donated to charity.

NOAA Fisheries staff said they intend to issue a proposed rule by the end of this year or early 2014. IGFA and *Wild Oceans* will continue to work with the agency to ensure that the conservation goals of the BCA are maintained throughout the rulemaking process and the strictest interpretation of the law is implemented. \Box

VICTORIES FOR THE FUTURE OF FISHING The year in review

In 2013, we celebrated our 40th anniversary with even more victories for the future of fishing.

No Marlin on Mainland Menus

Following enactment of the Billfish Conservation Act in late '12, the National Marine Fisheries Service started the year working on rules to implement the BCA's historic ban on all sales of marlin, sailfish and spearfish in the continental United States. NMFS put out a request for public input on how best to enforce the law's limited exemption for "traditional fisheries and markets" in Hawaii and neighboring island territories. The legislative record leaves little doubt exempted fish are for local sale and consumption only. Indeed, NMFS is interpreting the BCA as a complete prohibition on possession and sale of billfish on the U.S. mainland and will continue to do so until the agency issues a Final Rule. (see p. 3)

Little Fish Get Big Help on West Coast

The Fishery Ecosystem Plan (FEP) adopted by the Pacific Council in April

put a pair of initiatives into play to protect the small prey fish that are fed upon by numerous predators higher up in the food chain, like salmon, sharks, seabirds and whales. One prohibits new fisheries for a list of unmanaged prey fish, and another develops indicators of ecosystem health, with the first up being a Forage Status Indicator. In addition, the FEP will provide ecosystem-based guidance for future council decisions under the council's Fishery Management Plans, including sardine, mackerel and other Coastal Pelagic Species.

Bunker Restoration Begins

States from Maine to Florida spent the year enforcing new conservation measures that will leave an additional 40-50,000 metric tons of menhaden in the water to grow the depressed population and increase prey for Atlantic predators. Although public support for the measures was overwhelming, the substantial cut in catch – the first ever imposed on the centuries-old menhaden industry – was contentious, to say the least. Now it's the calm *after* the storm that concerns. A new stock assessment is underway, as well as a serious attempt to make good on the Atlantic States Marine Fisheries Commission's long-standing promise to develop a population target calculated to fulfill menhaden's ecological role. The assessment will be peer reviewed and presented to the ASMFC in early 2015, along with the work on ecological reference points. Management goals and regulations will likely be re-set based on the results.

New West Coast Staff

Theresa Labriola joined *Wild Oceans* as our West Coast Fisheries Project Director, an important addition to our efforts to advance big fish and little fish conservation at the Pacific Council. Based in Portland, Oregon, Theresa also works with the fishing community to build a broad coalition of support, and is helping improve the way we use our web site and social media (Facebook, Twitter, Instagram and LinkedIn) to "share" our vision of the future of fishing. (see p. 10)

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FOR A LIMITED TIME! It's a Fish-Eat-Fish World T-shirt

In honor of our 40th year working for the future of fish and fishing, Wild Oceans has created a special "It's a Fish-Eat-Fish World" t-shirt that celebrates the importance of conserving prey species as we work to bring back iconic big fish like the swordfish.

For any new membership, membership renewal or donation of \$40 or more, Wild Oceans will send you one of these fabulous pocket-style t-shirts. Hurry! We only have a limited supply! Visit www.WildOceans.org/ donate or call 703-777-0037 to learn more.



Dear Friend,

When you head to the ocean, in pursuit of your favorite fish, you know that Wild Oceans is working to preserve these fishing opportunities for the future. For forty years, we have been passionate protectors of fish and our oceans. This year, we've made great strides leading the fight to conserve the big fish you love to catch and protect the forage fish and critical habitat that these big fish depend on.

As we plan for next year, your end-of-the-year gift of \$40, \$100, or \$1,000 can make all the difference to everyone here working



to shape national fisheries policies and keep conservation the number one objective. As a special thank you and in celebration of our 40th anniversary, if you make a gift of \$40 or more, we will send you a Wild Oceans "It's a Fish-Eat-Fish World" t-shirt commemorating our collective efforts to bring back iconic big fish like the swordfish by conserving their prey.

We are so grateful to you for supporting our committed team. Your support has helped make Wild Oceans an internationally recognized leader in ocean conservation and the protection of billfish. Last year, we succeeded in passing the Billfish Conservation Act, prohibiting the importation and sale of an estimated 30,000 marlin, sailfish and spearfish into the United States every year.

In 2014, with your help, we will lead the charge of our members, fishermen, and our ocean conservation colleagues in pursuit of a Final Rule that prohibits the possession and sale of billfish in the U.S. mainland. By working together to take marlin off the menu, we will boost billfish recovery efforts underway at home and abroad.

Wild Oceans counts on your support – now more than ever. Your end-of-the-year gift is extremely important because it provides resources that make an immediate impact. And you can count on our lean and mean organization to put your dollars to work. For every dollar we receive, 85% goes directly into our conservation programs.

We are committed to fighting for what you want: great fishing, great habitat, great resource. Your generosity makes it possible!

Thank you and best wishes for the New Year!

Ken Hinman, President

Yes, I want to help Wild Oceans with my special year-end gift!
YR2013
Enclosed is my tax-deductible gift in the amount of \$
I have made a donation of \$40 or more. Please send me a Wild Oceans "It's a Fish-Eat-Fish World" T-shirt! T-shirt Size: Small Medium Large X-Large XX-Large NAME
ADDRESS
CITY STATE ZIP Please make checks payable to: Wild Oceans, 4 Royal Street SE, Leesburg, VA 20175 (To use a credit card, visit our web site at WildOceans.org/donate or call 703-777-0037)



Coloring sheet for our young fish lovers. You are the future of fishing!

Promoting Alternatives to Drift Nets and Longlines

The Pacific Council is encouraged by research into the use of selective, sustainable fishing methods alternative to ecologicallyan harmful fishing gears, namely drift entanglement nets and pelagic longlines, to protect non-target species such as billfish, sharks, sea turtles and marine birds. In March the council was "very encouraged" by reports on a pilot program using swordfish buoy-gear, "an economically feasible, low-bycatch type of gear for swordfish fishing off the west coast." The council urged NMFS to make this research a priority during the coming year and report back again in spring 2014.

In August, NMFS finally issued a draft amendment to its federal plan for Atlantic Highly Migratory Species, proposing new measures to reduce bycatch of severely overfished bluefin tuna in the pelagic longline fishery. At the top of the list are two new closed a five-month (Decemberareas: April) closure off the North Carolina coast, where pre-spawning bluefin congregate during the winter; and an area of the northern Gulf of Mexico for two months (April-May) during breeding season. A cap would be placed on the total number of bluefin the longline fishery can take in a single year, with individual bycatch quotas (IBQs) allotted to permitted vessels. A vessel stops longlining when its cap is reached. The entire fleet stops fishing when the overall quota is filled. The cap-and-close approach provides a strong incentive for longliners to switch to buoy-gear for swordfish and green-stick gear for tuna.

<u>River Herrings Get First Federal</u> <u>Protections</u>

NMFS turned down a petition to put river herring and shad, a critical but severely depressed component of the Atlantic coast's forage base, under the protections of the Endangered Species Act, instead leaving it to the New England and Mid-Atlantic Councils. While dams and other environmental impediments to spawning are a major culprit in the disappearance of the alosines - American shad, hickory shad, blueback herring and alewife from many coastal river systems, fishing mortality on the remnant stocks is mainly due to "bycatch" in the industrial trawl fisheries for sea herring and mackerel offshore. Individual states along the eastern seaboard have tightly restricted and in a number of cases completely closed their fisheries because the numbers of these river-born fish are so depleted. In June, the Mid-Atlantic Council took unprecedented action by placing the first-ever limits on catch in offshore waters. A few months later, the council voted to put together an interagency working group to bring together all the players, state and federal, to address river herring conservation everywhere these river-born, sea-faring fish roam (see story on p. 8). Also in '13, the council began work on an ecosystem plan and held a Forage Fish Workshop whose results are already being applied to management of Atlantic mackerel, squid and butterfish.

Setting Stronger National Standards for Protecting Food Webs

This year the conservation community began organizing and preparing for the upcoming reauthorization of the Magnuson Fishery Conservation and Management Act, our overarching federal fisheries law. High on the agenda is our goal of adding a new National Standard to prevent "ecosystem overfishing" and requiring that forage fish be maintained at higher levels of abundance. Congress is already holding regional hearings on possible changes to the Act and the lawmakers may begin drafting legislation as soon as next year.



ESSENTIAL MONITORING MEASURES DISAPPROVED

NMFS delays councils' plans to address river herring & shad bycatch



Marine The National Fisheries Service (NMFS) rejected key components of the New England and Mid-Atlantic fishery councils' plans to improve catch monitoring and reduce bycatch in the industrial trawl fisheries that target Atlantic herring and mackerel but incidentally take millions of shad and river herring each year.

Above: A box of bait (Atlantic sea herring) purchased in the mid-Atlantic is found to contain a large number of river herring that were taken as bycatch. Photo courtesy of Capt. John McMurray

Once a federal fishery management council develops management measures for a fishery, those measures must

be reviewed by NMFS for consistency with the law, chiefly the Magnuson-Stevens Fishery Conservation and Management Act.

Disapproved measures in Amendment 5 to the Atlantic Herring plan (New England Council) and Amendment 14 to the Atlantic Mackerel, Squid and Butterfish Plan (Mid-Atlantic Council) include requiring 100% at-sea observer coverage for the largest vessels, penalizing vessels that do not bring fish aboard for observer sampling ("slippage"), and requiring dealers to sort and weigh landings. All these measures are essential to an effective river herring/shad bycatch cap, which both councils approved earlier this year.

Fishermen and conservationists who worked with the councils for years developing the actions were stunned by NMFS decisions, which were announced in June and November for Amendment 5 and Amendment 14, respectively. NMFS staff had actively participated in both plans throughout the development process, and many questioned why the agency was not more proactive about resolving their concerns.

Both the New England and Mid-Atlantic councils remain committed to their plans and are actively working with NMFS on solutions. A proposal for a joint New England/Mid-Atlantic 100% observer coverage amendment is expected in early 2014. The Mid-Atlantic Council is also moving ahead with a separate action that will resolve NMFS' concerns with imposing consequences for slippage events.

MID-ATLANTIC COUNCIL ALTERS COURSE Federal management plan for river herring & shad off the table

At the October Mid-Atlantic Fishery Management Council meeting in Philadelphia, the National Marine Fisheries Service cast the deciding vote against a motion to explore bringing imperiled river herring and shad under federal management. The action that was voted down, known as Amendment 15 to the Atlantic Mackerel, Squid and Butterfish Plan, was initiated by the Mid-Atlantic Council in June of 2012 to manage these incidentally-caught fish by the same conservation and management standards as federally-managed fish.

As adults, river herring and shad spend most of their lives in federal waters (between 3-200 miles from shore), where no management measures exist. State waters management is coordinated by the Atlantic States Marine Fisheries Commission (ASMFC).

Over 37,000 stakeholders wrote to the Mid-Atlantic Council prior to its meeting, expressing strong support that Amendment 15 continue. However, in place of Amendment 15, the Council majority decided it would be more efficient to establish an interagency working group composed of regional, state and federal management partners to address mortality and population status throughout the species' range.

Wild Oceans Executive Director Pam Lyons Gromen, testified against the Council's alternate plan. "There's no teeth to this kind of proposal. Ultimately, the working group recommendations would have to feed back into fishery management plans. If you are looking for efficiency and streamlining, this doesn't get you there," she said.

Since 2009, *Wild Oceans* has worked to bring attention to the plight of the Atlantic's river-spawning herrings. It is our position that saving these critical forage fish requires expanding the traditional boundaries of fishery management to encompass the fishes' full range and life cycles. We will closely follow the progress of the new working group and will work to ensure that it fulfills the promise of comprehensive management that has been communicated to stakeholders. The Mid-Atlantic Council committed to revisit in 3 years whether or not to formally bring river herring and shad under federal management depending on the working group's effectiveness.

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CURRENTS Staff travel log

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

On August 29th, West Coast Fisheries Project Director Theresa Labriola attended a meeting of the Pacific Fishery Management Council adhoc Ecosystem Work Group in **Portland**, **Oregon**. The Work Group discussed the next steps in protecting unmanaged forage fish including the development of a list of currently unmanaged, unfished forage fish.

President Ken Hinman attended the Atlantic Menhaden Biological/ Ecological Reference Point (BERP) Work Group meeting on September 16th in Hanover, Maryland. The group of scientists and ecologists is looking at using the nutritional needs of striped bass and other key predators as an indicator of the health of the menhaden The challenge is to population. determine reference points for menhaden abundance that will maintain striped bass et al at their target population levels.

In September, Theresa traveled to Boise, Idaho for the Pacific Fishery Management Council meeting. On September 16th the Council considered options for protecting un-managed forage species. Theresa testified before the Council, which agreed to protect a comprehensive list of species and to look at options for amending fishery management plans to put these species off limits. On September 17th, the Council agreed to plan a forage indicator workshop that will help them move forward on this initiative. The workshop is scheduled to take place in spring 2014.

Ken and IGFA conservation director Jason Schratwieser met with top fisheries staff at NOAA headquarters in Silver Spring, Maryland September 26^{th} on to discuss implementation of the Billfish Conservation Act. They were told that, since it was signed into law last fall, the agency has been interpreting the BCA as a complete prohibition on possession and sale of billfish in the continental



United States and will continue to do so until it issues a Final Rule next year.

The Wild Oceans Board of Directors held its Annual Meeting in Islamorada, Florida on the weekend of September 27-29th, hosted by chair Tim Choate and board member Mary Barley. The Directors reviewed 2012-13 accomplishments with staff - Ken, Pam and Theresa were in attendance noting a high level of success under numerous programs (see page 4). The board also discussed the organization's ongoing re-branding efforts, including outreach through the web site and social media, promotional efforts using the new name and logo, and development of a 3-year fundraising plan.

On October 2nd, Theresa met with about 100 members of the Oceanside Senior Anglers in Oceanside, California. The Anglers have always promoted conservation and have adopted a policy reinforcing their commitment to conserving fishing resources in order to maintain and improve the quality of our sport fishing activities.

Executive Director Pam Lyons Gromen traveled to the Mid-Atlantic Council meeting in **Philadelphia**, **Pennsylvania** that was held October 7-10. Despite 37,000 public comments urging the Council to move forward with a federal waters management plan for imperiled river herring and shad, the Council altered its course, choosing to create a multi-jurisdictional working group instead of a management plan. (see story on page 8).

Ken traveled to St. Simons Island, Georgia for the Annual Meeting of the Atlantic States Marine Fisheries On October 28th the Commission. Management Menhaden Board assembled to hear an update on progress toward a new and improved stock assessment, which will be completed for peer review by December 2014 and presented to the board in February 2015. The following day, Ken attended a meeting of the Striped Bass Management Board. The board voted to begin consideration of measures to reduce fishing pressure at its next meeting, after hearing from its scientific advisors that the number of adult stripers has declined dramatically in recent years and that the breeding population is projected to cross the overfished threshold in the near future.

Simple ways to stay connected, between newsletters

All the news that's fit to print isn't just in our newsletter, it's online too. In the past couple of months, we've made it easier for you to keep in touch and stay involved in ocean conservation, in-between newsletters.

Connecting with us online is a great way to let your friends know that you support Wild Oceans, to share important action items and to promote the Wild Oceans mission.

Are you on Facebook and Twitter?

You can "Like" Wild Oceans on <u>Facebook</u> or "Follow Us" on <u>Twitter</u> @ WildOceansOrg. We'll share interesting news stories about big fish, as well as nitty-gritty stories about ocean policy and links to interesting videos and photography.

Our favorite Wild Oceans pictures will be posted on <u>Instagram</u> at WildOceansOrg.

If you want to connect with us professionally, check out Wild Oceans on LinkedIn.

And of course we'll keep our website, <u>www.wildoceans.org</u>, updated with blog posts, editorials and action items, too. See you online!



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Your mailing label includes your membership renewal date.

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