



The NCMC

MARINE BULLETIN

No. 121

Spring 2008

Inside this issue:

Ocean View- Commentary by NCMC President Ken Hinman	2
Forage First! Regional Work	6
Pacific Council Okays Longline Application for Public Review	6
Bordallo Takes Action to Strengthen U.S. Shark Finning Ban	7
NCMC Holds 35 th Annual Meeting	8

Plus:

- NCMC Celebrates its 35th Anniversary!
- Write your U.S. Representative in Support of Shark Conservation

THE LIONS, TIGERS AND WOLVES OF THE SEA

NCMC President Ken Hinman delivered the following speech to the Consultative Group on Biological Diversity at the Annual Meeting of the Marine Working Group held in Baltimore, Maryland on March 6, 2008.

The move to an ecosystem-based approach to managing marine fisheries begins with a change in the way we think.

The sharks, tuna and billfish are the lions, tigers and wolves of the sea. We don't often think of them that way, but we should. What we so blandly label the "large pelagics" or "highly migratory species" are wild creatures as magnificent and fascinating as any animal on earth.

- The giant bluefin tuna, weighing 800 pounds, chases into schools of bluefish or herring with bursts of speed up to 60 miles an hour.
- The blue marlin, the legendary adversary of Hemingway's *Old Man and the Sea*. Santiago wondered if the great fish leapt out of the water just to show him how big he was - "He is 2 feet longer than the skiff," the old man said.
- The swordfish - *Xiphias gladius*, "the gladiator" - uses its spear-like snout to hunt prey as well as for protection from its few natural predators. One of these is the mako shark, one of the only fish big enough and fast enough to run down and take on a big broadbill.
- Sharks, who've been roaming the seas for over 400 million years, are super-evolved pack hunters worthy of our respect; and not the kind born of fear.

"If we see ourselves as part of the natural system," wrote Pat Wray, an elk hunter advocating for the return of timber wolves to Yellowstone, "a predator lucky enough to sit at the top of the food chain, then we are far more willing to accept the presence of other predators without thinking of them as competitors, but as creatures with equally important places in the system."¹

The big ocean fish, like lions, tigers and wolves on land, sit at the top of the food chain. They are what we call keystone predators. They help maintain a healthy balance in marine ecosystems by contributing to stability, structure and predictability. Ironically, the top predators are in ways *more* vulnerable than their prey, since they are generally longer-lived and thus slower to adapt to changes in their environment, or to fill niches left by the disappearance of other predators.² When predators disappear, the effects cascade down throughout the food web.

THE TRUE COST OF ECOSYSTEM OVERFISHING

Unfortunately, with a few exceptions, the sharks, tuna and billfish are among the most threatened animals in the sea. The numbers of bluefin tuna, white marlin, striped marlin and numerous species of large coastal sharks are barely one-tenth what they were just decades ago. And by removing so many of these predators, we are weakening an entire tier at the top of the food chain, with unpredictable but

¹ Pat Wray, "Timber Wolves: A Hunter's Perspective," *Sporting Classics*, Sept/Oct 2006

² Larkin, P.A. Predator-Prey Relations in Fishes: An Overview of the Theory. Predator-Prey Systems in Fisheries Management. Sport Fishing Institute. 1979.

(Continued on page 3)



HIDDEN SUBSIDIES

The first commandment of ocean fishing—National Standard #1 of the Magnuson-Stevens Act—says that we shall conserve and manage our fisheries to produce the “optimum yield,” defined as “the greatest overall benefit to the nation.” The word “overall” is key and inevitably the object of much conflict.

There are competing benefits, often between the recreational and commercial fishing industries, and sometimes within those industries. Because of the hard-to-quantify social benefits attached to each, it isn’t as simple as comparing dollar values. In addition, the benefits of achieving certain yields from fishing must also, according to law, be weighed against the value of “protecting marine ecosystems,” an even more difficult balance that requires comparing apples and oranges.

The considerable expense of managing fisheries—administration, regulation, research, data collection, monitoring and enforcement—is not a cost of doing business for the fishing industry. It is, rather, the nation’s investment in fisheries and the economic and social benefits (jobs, seafood, recreation, etc.) they produce.

Yet these expenses are not accounted for in the cost-benefit analyses that are part of the optimum yield equation. Given the unrelenting demand for bigger budgets to support increasingly complex regulations, expanded scientific studies, and sophisticated, real-time at-sea monitoring, perhaps it is time we factor them in.

MORE TROUBLE THAN THEY’RE WORTH?

A new study by the University of British Columbia estimates that the world’s governments subsidize ocean fisheries at \$30-34 billion a year, with at least \$20 billion of that contributing to overcapacity and overfishing. That, the study says, equals a quarter of the landed value of the global fish catch. Add to that the resulting costs of controlling overfishing and rebuilding overfished stocks, and the value shrinks even more.

The United States has gotten away from direct subsidies to the fishing industry (although low-interest loans still exist, as do “good” subsidies related to safety and health). In 2007, Congress passed resolutions calling on the U.S. to seek an international ban on government subsidies that are supporting overfishing. Negotiations are underway at the World Trade Organization, and the U.S. is among a group of nations pushing for an agreement to eliminate harmful subsidies.

We applaud the nation’s leadership on this issue. Such an agreement would, as the environmental group Oceana points out, lessen incentives to fish beyond sustainable levels, reduce overfishing and other destructive fishing practices (most notably the highly-subsidized bottom trawl fleets), and create a fairer playing field for U.S. fishermen who fish shared stocks and/or compete in the same markets.

But we submit that when management costs are so high as to cut deeply into a fisheries economic benefits, it amounts to a form of subsidy. Achieving the greatest overall benefit to the nation requires that we assess and consider these hidden costs when deciding what fishing is optimum. We might find that some fisheries or methods of fishing are more trouble than their worth.

Ken Hinman, *President*

NATIONAL COALITION FOR MARINE CONSERVATION

Founded in 1973

The NCMC is a 501(c)(3) non-profit organization dedicated to the following 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 coastal habitat and water quality.

OFFICERS AND STAFF

Christopher Weld, Chairman
 John Heyer, Vice Chairman
 Ken Hinman, President
 Mary Barley, Treasurer
 Pam Lyons Gromen, Executive Director
 Christine Snovell, Director of Communications and Development
 Laureen Megan, Office Manager

BOARD OF DIRECTORS

William Akin (*Montauk, NY*) ◆ Stanley Arkin (*New York, NY*) ◆ Mary Barley (*Islamorada, FL*) ◆ Bill Boyce (*Saugus, CA*)
 Tim Choate (*Coral Gables, FL*) ◆ William Cox, Jr. (*Nantucket, MA*) ◆ John Heyer (*Sedona, AZ*) ◆ Sandra Kaupe (*Palm Beach, FL*)
 Sabrina Kleinknecht (*Monterey, CA*) ◆ Skip Walton (*Sarasota, FL*) ◆ Rick Weber (*Cape May, NJ*) ◆ Christopher Weld (*Essex, MA*)



For information or comment, contact:

The NCMC
Marine Bulletin

Pam Lyons Gromen, Editor
 4 Royal Street, SE
 Leesburg, VA 20175
 (703) 777-0037 / (703) 777-1107

THE LIONS, TIGERS AND WOLVES OF THE SEA (Continued from page 1)

certainly unhappy ecological consequences.

The plight of bluefin tuna, sharks and other large pelagics has gotten considerable attention in recent years. But lost in the headlines is the real take-home message. A message summed up in this statement from the NMFS Science for Ecosystem-Based Management Initiative: "The costs of mismanaging a community might be far greater than the cost of mismanaging a fishery. Although overfished stocks have been known to recover, revival of communities that have changed states can be excruciatingly slow or even impossible."³

That is the true, and much more serious, cost of "ecosystem overfishing."

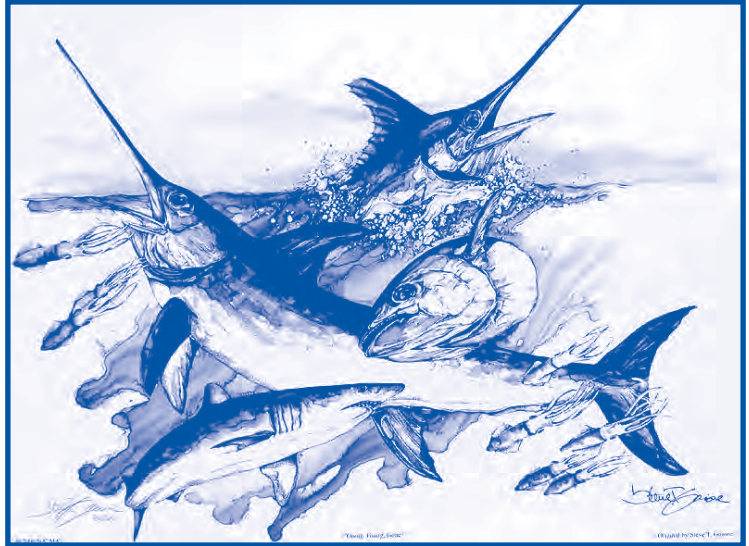
There is always a great deal of uncertainty when counting wide-ranging species, more so when they live underwater, especially as their populations shrink and they become even more elusive. And the ecosystem effects of overfishing – even serial depletion of an entire eco-stratum like the large pelagics – will always be unpredictable and, at least until it's too late, unknown. Uncertainty is reason for caution. In current practice, however, it is more often an excuse for inaction.

As Pat Wray wrote, again talking about timber wolves: "We want to understand the way everything fits together and we want it to be empirical, exact, certain. We want data. But the accumulation of dependable scientific data is often nearly impossible, at least in wild country where wolves are meant to roam. Our dependence on data blinds us to the truths that should be intuitively obvious. We are all dependent upon our ecosystems. An ecosystem, like a piece of machinery or a team, works best when it is complete, when it has all its parts."

In wild oceans, where sharks, tuna and billfish are meant to roam, we cannot know everything about how these predators shape and, yes, give life to the ecosystems they sit atop of. But some things are intuitively obvious.

And sometimes we don't know what we've lost until we get it back. When wolves were re-introduced into Yellowstone in the mid-1990s, we expected they would reduce the size of the elk herds. What we didn't appreciate was that they would so drastically re-invigorate the park's ecology. As reported by Lisa Pickoff-White: "(The wolves) altered the movement of the herds, forcing the animals to continuously seek safer regions of the park to graze. With the redistribution and lower population of elk, vegetation has begun to flourish in certain areas, which in turn allows other wildlife populations to swell. Willow and cottonwoods stabilized streams, increasing the amount of trout. Beavers that feed on willow and aspen are thriving; there are now 10 dams where there was only one in 1996. Grizzlies, coyotes, magpies, and ravens feast on the elk carcasses left by the wolves."⁴

By overfishing the ocean's top predators, we put at risk



"Going, Going, Gone?" by Steve T. Goione
(Full color poster available at www.savethefish.org)

much more than the social and economic benefits we accrue from healthy and sustainable fisheries; the fresh seafood, the recreation, and the future of coastal communities that depend on fishing.

By trying to maximize the catch of these fish – the epitaph for maximum sustainable yield was written decades ago, but it won't die; it still guides our fishery management policies – we take everything to the limit and usually beyond, damaging food webs we may not be able to repair. Re-introducing a population of wolves is one thing. But large, migratory fish?

And in the case of the sharks, bluefin tuna and other large pelagics, we do it all – sadly – not to feed the hungry but to supply exotic markets. Most sharks die to make shark-fin soup. Most bluefin tuna die for the wealthy patrons of elite sushi bars.

And we do it so we can fish for tuna and swordfish on the cheap and easy, using indiscriminate gear like longlines – 30-plus miles of floating mainline fishing thousands of hooks; an underwater minefield that opportunistically captures a wide range of marketable and unmarketable species. Because longline fisheries take indiscriminately from the top of the food chain, increased fishing rates for any one species means the *total* amount of predation in the system is being reduced.

ECOSYSTEM PRINCIPLES FOR CONSERVING BIG FISH

There are three basic principles for an ecologically-based approach to managing large pelagic fish. First, we must fish them much more conservatively. This means dispensing with the goal of Maximum Sustainable Yield and replacing it with the concept of Ecologically Sustainable Yield. The population that supports MSY is typically only 40-50 percent of an unfished population and overfishing thresholds, the point at which rebuilding efforts kick in, are set at half that. From an ecological standpoint, the

(Continued on page 4)

3 Zabel et al, Ecologically Sustainable Yield, American Scientist, March/April 2003

4 Lisa Pickoff-White, "Hunting Patterns of Wolves Change Yellowstone Ecology," October 21, 2005, www.nationalacademies.org

THE LIONS, TIGERS AND WOLVES OF THE SEA (Continued from page 3)

target population should be significantly higher, safely higher. The MSY level should become the overfishing threshold. We need to revise our national and international rebuilding goals accordingly.

Second, we have to modify or phase out fishing gear types that have significant adverse effects on other ecosystem components. Because the predominant gear in the pelagic fisheries is the longline, and because this gear routinely kills an enormous amount of bycatch – juveniles of the target fishery, marlins, sharks, seabirds and even marine mammals – it must be tightly regulated as to where, when and how it is used. The success of fisheries management quite simply depends on our ability to regulate the number of animals we kill, whether our aim is protecting a single species from over-exploitation or preserving the ocean's biodiversity – and it should be both.

Third, we must preserve the habitat of large ocean fish – such as the vast expanses of *sargassum* that serve as nursery grounds for literally hundreds of species of ocean-going migrants – and protect predator-prey relationships. Just think about giant bluefin tuna, which must keep swimming in order to breathe, and the enormous amount of energy that takes for a fish so big. They wander the high seas, for the most part a watery desert, yet must obtain enough food to keep going and keep growing. The abundance and location of prey determines the migratory routes and feeding activities of large pelagics. If their prey of choice isn't there, in the numbers they require, these patterns change. They arrive on their spawning grounds depleted. Reproduction and survival of the species are at stake.

CURRENT THREATS AND NEEDED ACTIONS

These are general principles. I'll conclude by talking about some specific threats, and what I think we can and should do about them:



The western Atlantic bluefin tuna's breeding population is in serious danger of falling below critical mass, defined

biologically as numbers so minuscule the stock cannot replenish itself. Stock failure in northern Europe was recently documented by the Census for Marine Life. Rampant overfishing of the eastern stock, particularly on its spawning grounds in the Mediterranean, has pulled back the veil, so to speak – fewer and fewer migrants cross over to our side to prop up our fisheries – and exposed the remnant western stock as too small to support a viable fishery. Since 2004, the U.S. bluefin tuna fishery has literally collapsed; catches are only 10 percent of what they were over the previous 20 years. Meanwhile, we allow longlining for yellowfin tuna and swordfish to continue in the Gulf of Mexico, where the last breeding bluefin go to spawn each year. At the top of my list is a time-area closure in the Gulf – the one place we can be assured of giving full protection to the western spawning population. In the Gulf, in the spring, every fish we kill is a rare

western breeder. We're killing hundreds each year, as longline bycatch. That's out of a total population of about 10,000. Closing the gulf to longlining where and when the bluefin spawn – a time and area identified by the research of Dr. Barbara Block⁵ – would do more than anything else to protect what's left of the western bluefin spawning stock and preserve a U.S. fishery for the future.



We've long known that commercial fisheries for sharks are unsustainable and now, the demise of these once-abundant

predators mocks are futile attempts to manage the unmanageable. Most large coastal and pelagic sharks mature late in a long life and produce not millions of eggs but just a fin-full of live "pups." Fished down to low levels, as many species have been, they are now the object of "management" plans with projected recovery periods that stagger the mind: 70 years for sandbars, and 100-400 years for duskies! Yet fishery managers bend over backwards to keep these fisheries alive. At what cost?

The notion of doing stock assessments, holding meetings, and forever adjusting fishing regulations – all to keep a relative few fishermen in business – for the next 100 years or so, as we have for the past 20, is, quite frankly, insane. So is asking the public to pay for it. The definition of insanity is to keep doing the same thing over and over again and expecting a different result. Sharks can handle only the most limited fishing. Commercial shark fisheries are simply not sustainable, and that fact isn't going to change during the next century. Let's call the whole thing off.



The white marlin, reduced to about 12 percent of its numbers in the 1960s, has been flirting with listing under the

Endangered Species Act since 2002. It's so far escaped that ignoble designation – the most recent assessment gave the first sign of a turnaround – but now we've learned that its nearly identical genetic cousin in the Pacific – the striped marlin – heretofore "status unknown" – is just as bad off. Without, however, the benefit of any conservation measures in place to reverse the decline.

Outside the U.S., billfish are caught as bycatch in swordfish and tuna longline fisheries. Because of the commercial value of marlin, foreign fishermen often land and sell billfish for commercial markets. It will surprise many to learn that the U.S., despite its home-grown conservation ethic (anglers release virtually all billfish alive; sale of Atlantic billfish is illegal; so is sale of striped marlin caught off the west coast), is a major importer of billfish caught by foreign fishermen. Over 2 million pounds are imported each year – fish that

⁵ Block et al, "Electronic Tagging and Population Structure of Atlantic Bluefin Tuna," *Nature*, April 28, 2005

come mainly from the Pacific (legal) but also from the Atlantic (illegal). An open and flourishing U.S. market for foreign-caught billfish places additional pressure on unregulated Pacific stocks, while creating a black market for Atlantic-origin fish.

The biggest contribution the U.S. can make to conserving Pacific billfish at this time is to close our markets to all marlin and sailfish, regardless of origin, while making it a priority to seek stronger international conservation agreements in the Pacific.



The Atlantic swordfish is a success story. Because of international conservation measures implemented in the

1990s, we've seen a historic rebound from decades of overfishing. Because of areas in the U.S. closed to longlining in 2000, we've seen a resurgence of swordfish (along with sailfish and other species) off the southeast coast. But for a variety of reasons, U.S. longline fishermen have been unable to fill their allotted quota. They are coveting a return to the closed areas, which would jeopardize the enormous conservation gains, including protection of the swordfish nursery grounds which helped fuel the recovery.

These marine protected areas – comprising an area the size of South Carolina, Georgia and Florida directly off the coast of these three states – are of proven value and effectiveness. Longline bycatch of billfish, sharks, dolphin and juvenile swordfish has been reduced by 50 – 75 percent. It is critical that we keep these no-longlining zones in place unless and until research demonstrates that changes in fishing gear – circle hooks, shorter sets and soak times – achieve the same level of conservation.



Finally, sharks, tuna and billfish feed on forage species such as squid, mackerel, herring, sardine and

menhaden. Increasing pressure on forage fish directly affects predator abundance, behavior and reproductive success, as they compete for a food source that becomes more and more limited.

Forage fish are often reduced into fishmeal and fish oil for agriculture and aquaculture and, to a lesser extent, used as bait in other fisheries. The aquaculture industry is the largest consumer of fishmeal and fish oil, using more than half of the global supply, and this demand is projected to more than double in the next decade. While aquaculture is promoted as a solution to reduce pressure on wild fish stocks, the most highly-prized aquaculture species are carnivorous finfish that require significant amounts of fish-based feed. More than three pounds of wild-caught forage fish are needed to raise a single pound of salmon. Forage needed to rear a pound of tuna is estimated at 20 pounds.

Fishery managers must develop new, more conservative

standards that put “forage first” by:

1. Amending forage fish plans to make preserving an adequate supply of prey for predators the primary plan goal;
2. Allocating forage fish to meet predator needs first, before allocating fish to fisheries; and, as an interim measure,
3. Placing a moratorium on any increase in harvest of forage fish or development of new fisheries.

A CHANGE IN THE WAY WE THINK

As the last speaker in this conference, I want to leave you with a few thoughts:

Ten years after the EPAP Report to Congress, which laid out a blueprint for implementing “Ecosystem-Based Fishery Management,” fishery managers are still protesting that they don’t know what it is, or that it’s too complex, too difficult.

My response is to quote the old Chinese saying that nature is not composed of things, but of relations. Likewise, an ecosystem is not made up of species, but of the relationships among them. Ecosystem-based management, simply put, takes those relationships into account.

As the EPAP noted, “(EBFM) does not require that we understand all things about all components of the ecosystem... the approach need not be endlessly complicated.”

I return to what Pat Wray said about those who would wait for absolute science, while ignoring truths that are “intuitively obvious.” And I must add, that when a hunter from Wyoming and a Zen philosopher from the 1950s make precisely the same point, there might be something to it. Alan Watts points out that the study of nature began with the rigorous identification and classification of species, and proceeded linearly from there, until we discovered that nature can’t be wisely controlled the way we study it - piecemeal.⁶

“Nature is through and through relational,” he wrote, “and interference at one point has interminable and unforeseeable effects. The analytic study of these interrelations produces an ever-growing accumulation of extremely complicated information, so vast and so complex as to be unwieldy for many practical purposes, especially when quick decisions are needed.”

The predictable outcome, scientifically, would be total self-strangulation, said Watts. “That it has done so only in some degree is because the scientist actually understands interrelations by other means than analysis and step-by-step thinking. *In practice he relies heavily upon intuition.*”

A wise person once noted that “(s)cience cannot teach us what we need most to know about nature, that is, how to value it.”⁷ That, to me, is the most important thing, what’s needed most to protect ocean life, from the biggest fish to the smallest. A change in the way we think. A sea-change.

⁶ Alan Watts, *Nature, Man and Woman*, Vintage Books, New York 1958

⁷ Holmes Rolston III

FORAGE FIRST! REGIONAL WORK

NEW ENGLAND - ATLANTIC HERRING

Amendment 4 to the Atlantic Herring Fishery Management Plan is off to a solid start. The scoping document, which is used to gather information from the public to develop management alternatives for the amendment, was approved by the New England Fishery Management Council on April 17th at their meeting in Providence, RI and is out for comment until June 30th. The document outlines the amendment objectives, which now feature “[considering] the health of the herring resource and the important role of herring as a forage fish and a predator fish throughout its range.” NCMC Executive Director Pam Gromen provided written comments arguing for the inclusion of such an objective and attended the Providence meeting to testify in support of including the objective in the final draft.

MID-ATLANTIC - ATLANTIC MENHADEN, RIVER HERRING, MACKEREL, SQUID AND BUTTERFISH

The Mid-Atlantic Forage Fish Workshop, held on March 13th and cosponsored by the Marine Fish Conservation Network and NCMC, brought together a diverse group of recreational fishermen, environmentalists and fishery management professionals to discuss a strategy for protecting the Mid-Atlantic’s forage base, both inshore and offshore. Workshop participants were treated to eight presentations covering a wide array of forage species from menhaden and river herring to squid and mackerel. NCMC President Ken Hinman served as the workshop moderator and Pam Gromen presented an assessment of federal forage fish management, with an emphasis on future recommendations.

GULF OF MEXICO - GULF MENHADEN

On March 27th, the Texas Parks and Wildlife Commission capped the reduction industry’s catch of Gulf menhaden in state waters at 31.5 million pounds, the average catch over the last five years. Spurred by plans to develop offshore aquaculture in the Gulf, which could significantly increase demand for menhaden as fish feed, the Commission’s actions mark the first time catch limits have been imposed on the reduction fishery in Texas waters. In a co-signed letter, the Gulf Restoration Network, Marine Fish Conservation Network, National Coalition for Marine Conservation, Recreational Fishing Alliance, International Game Fish Association, Greenpeace and a number of Texas-based fishing businesses asked Texas to do more than cap its own fishery, which represents only a small fraction of the current Gulf-wide harvest, by also: 1) Advocating for formal action through the Gulf States Marine Fisheries Commission to regulate catches to take into account the needs of the ecosystem; 2) Requiring that all menhaden boats carry observers to monitor catches; and 3) Implementing regulations, including closed areas, to reduce the significant bycatch of sharks and other species.

PACIFIC COAST - PACIFIC SARDINE

NCMC continues to monitor the Marine Stewardship Council (MSC) certification of the Gulf of California, Mexico sardine fishery - the first reduction fishery to be considered for the MSC sustainability label. NCMC has been joined by 10 other nationally-recognized fishing and conservation groups in calling on the MSC to strengthen the criteria for evaluating the Gulf of California sardine fishery and other reduction fisheries, arguing that the bar needs to be raised to protect their unique and critical ecological role as forage in the ecosystem. Visit www.savethefish.org to learn more. □

PACIFIC COUNCIL OKAYS LONGLINE APPLICATION FOR PUBLIC REVIEW

On March 10th the Pacific Fishery Management Council gave the go-ahead to an exempted fishing permit (EFP) application by a commercial fisherman who wants to longline for swordfish and tuna. Pelagic longlining is currently prohibited in U.S. waters off California, Oregon and Washington under the council’s West Coast Highly Migratory Species Fishery Management Plan. Five conservation groups, including the National Coalition for Marine Conservation (NCMC), attended the meeting in Sacramento, CA to testify against the permit. Three council members voted against it, including the state directors from California and Oregon and a representative of the recreational fishing community.

The final decision on the EFP rests with the National Marine Fisheries Service (NMFS). A 2007 application, approved by NMFS, was withdrawn last December after the California Coastal Commission, which has authority to review permits for consistency with its coastal management program, rejected it for the second time in a year. The proposal is highly controversial because of its intent to show the economic viability of a full-scale longline fishery as an “environmentally friendly” alternative to the tightly-restricted drift gill net fishery. At least 71 vessels have expressed an interest in longlining.

“Contrary to what is suggested in the proposal, longlining for swordfish and tuna is anything but environmentally safe and selective,” NCMC president Ken Hinman told the council, “and it is difficult and costly to manage. Bycatch in a west coast longline fishery would include a long list of species for which international scientific bodies have recommended reducing or at least not increasing fishing mortality: bigeye tuna, yellowfin tuna, albacore, bluefin and striped marlin. It would also include highly vulnerable shark species and endangered sea turtles.”

The longlining proposal will now go out for public comment, after which the council will decide whether or not to forward it to NMFS. □

BORDALLO TAKES ACTION TO STRENGTHEN U.S. SHARK FINNING BAN

On March 17th, shark conservation efforts in the United States suffered a major setback when the U.S. 9th Circuit Court of Appeals ruled in favor of a vessel engaged in transshipping shark fins from foreign vessels engaged in shark finning.

The American vessel was stopped about 250 miles off the coast of Guatemala in 2002. Approximately 65,000 pounds of shark fins worth over \$600,000 were seized. Judges ruled in favor of the vessel because the ship was not an actual fishing vessel. According to the Shark Finning Prohibition Act of 2000, it is illegal for a "fishing vessel" to possess shark fins without the rest of the carcass.

This unintended loophole in the Shark Finning Prohibition Act prompted Madeleine Z. Bordallo (D-GU), Chairwoman of the Subcommittee on Fisheries, Wildlife and Oceans, to introduce legislation to strengthen the U.S. shark finning ban and encourage other countries to follow suit with comparable regulatory programs or face the possibility of U.S. sanctions. Rep. Bordallo's bill, the Shark Conservation Act of 2008 (H.R. 5741), was presented to the House on April 9th, and the first Subcommittee hearing was held on April 16th.

NCMC applauds Rep. Bordallo for her swift response to the Court of Appeals ruling and strongly supports the Shark Conservation Act of 2008. However, as an active member of the Highly Migratory Species (HMS) Advisory Panel to the National Marine Fisheries Service (NMFS), we frequently hear about the challenges officials face in enforcing the shark finning ban. Current law permits a fisherman to "dress" a shark at sea, or in other words, remove its fins for more efficient storage onboard. Once fins are removed from a shark, it is nearly impossible to match fins to carcasses. The only way to effectively enforce the shark finning ban is to require fishermen to keep the fins attached to the shark until they arrive back to port. The current draft of the Shark Conservation Act lacks this critical provision, but there is still time to persuade House members to include this requirement in a bill amendment before it moves to the floor for a vote.

NCMC is asking its members to contact their Representative in Congress and ask him/her to support the bill, with an amendment to require that sharks be landed with their fins attached. You can find your Representative and his/her contact information by entering your zip code on the United States House of Representatives web site (www.house.gov/). To assist our members, we have provided the following letter, which can be completed and mailed or used as a model for an original letter of your own. □



SUPPORT THE SHARK CONSERVATION ACT OF 2008

Dear Representative _____,

For over 400 years, sharks have been top predators in the ocean food chain, playing a critical role in population control and species diversity. But today, sharks are disappearing at an alarming rate. Shark populations around the world - including many shark species in the waters of the United States - have declined by 80% or more since the 1970s.

Driven by the lucrative shark-fin soup market, the greatest threat facing sharks is a cruel and wasteful practice called finning which involves cutting off the shark's fins and discarding the mutilated carcass at sea. In 2000 Congress passed the Shark Finning Prohibition Act, setting the stage for international conservation efforts by giving sharks a safe haven from finning in all U.S. waters. However, an unanticipated loophole allows U.S. flagged vessels to skirt these important conservation measures by purchasing fins on the high seas from fishermen engaged in finning. The fins are then brought back to the United States and sold for steep profits.

The Shark Conservation Act of 2008 (H.R. 5741) closes this loophole. In addition, the Act will promote international shark conservation efforts by allowing sanctions to be imposed on nations that have not implemented shark fishing regulations consistent with those placed on U.S. fishermen.

I hope I can count on your support for H.R. 5741. Also, to ensure that the finning prohibition can be properly enforced, I strongly urge you to introduce or support an amendment to the bill that will require all sharks to be landed with their fins attached. Current law permits fishermen to detach the fins at sea, posing a significant challenge to enforcement authorities.

Thank you. I look forward to hearing from you about this important issue.

Sincerely,

Address _____

City _____

State _____ Zip Code _____

E-mail _____



NCMC HOLDS 35TH ANNUAL MEETING

The National Coalition for Marine Conservation (NCMC) celebrated its 35th Anniversary at its Annual Meeting on February 13th, 2008. The meeting was held at the University of Miami's Rosenstiel School of Marine and Atmospheric Sciences. We hosted a reception for members of the Board of Directors and guests the evening before at the Coral Reef Yacht Club in Miami.

"In 2008, we remain 'lean and mean'; that is, we get things done with a small but efficient professional staff and an active Board," says Chairman Chris Weld, an original founder of NCMC in 1973, describing the organization's vision and its strengths. Wherever possible, he notes, we align with other fishing and environmental organizations to take best advantage of our own and the conservation community's capacity to affect change. We have a strong record of achievement, which is attributable, Weld says, to strategic planning that identifies emerging problems and needs and, most importantly, how NCMC can best contribute.

The Board reviewed conservation programs that will be a key NCMC focus in the coming years. Our forage fish conservation work now includes regional activities in New England, the Mid-Atlantic and the Pacific Coast, plus ensuring that the emerging offshore aquaculture industry doesn't threaten our wild ocean fisheries. Ongoing "big fish" priorities, such as maintaining longline closed areas on both coasts and restoration of bluefin tuna and sharks, are


joined by a new *Give Billfish a Break* campaign to take marlin and sailfish off the menu in the United States. Our partners in this new venture are The Billfish Foundation and IGFA, whose Conservation Director, Jason Schratweiser, gave a presentation on the extent of U.S. imports of Pacific billfish.

NCMC Officers re-elected for 2008 are: Chris Weld, Chair; John Heyer, Vice Chair; Ken Hinman, President; and Mary Barley, Treasurer. Bill Boyce, of Saugus, California, participated in his first meeting as the newest member of the Board. Bill is an angler, a marine biologist, and a noted underwater photographer and journalist.

Last but by no means least, NCMC is pleased to announce that the Board promoted Pam Lyons Gromen to serve as Executive Director. Pam joined NCMC in 2005 as Fisheries Project Director, spearheading our groundbreaking *Forage First!* program. She's traveled the country introducing NCMC to fishermen and conservationists, taken over as editor of the Marine Bulletin, and is our point-person in a number of alliances, where she often takes a leadership role.

President Ken Hinman sums up and looks ahead: "NCMC is now stronger than ever, because of Pam, working alongside Christine Snovell and the rest of our dedicated staff; a re-committed board; and the loyal support we get from our members and numerous foundations. We look forward, together, to continued success in protecting the future of ocean fishing." □

Your mailing label now includes your membership renewal date.



www.savethefish.org
Leesburg, VA 20175
4 Royal Street, S.E.

