

**Wild
Oceans**
For the future of fishing

Summer Newsletter 2013

The Horizon

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STRIPER ALERT

Once bitten, twice shy

When you almost lose something once, you want to hold on a little tighter the next time. So the generation of fishermen who saw their fish - yes, *their* fish; that's how passionate anglers are about striped bass - and their fishery almost disappear in the 1980s, who had to give up fishing for years in order to save it, may be forgiven their white-knuckle grip.

Fishing is generally pretty good along the east coast, but anglers have been reporting declining catches for 7 or 8 years now and many are worried about the future. Coming on the heels of a seemingly endless

resurgence of stripers, the result of perhaps the greatest fish comeback story ever, a perceptual let-down might be expected. But that's not what this is about. Researchers who study striped bass confirm that indeed the decline is real.

According to stock assessment scientists at the Atlantic States Marine Fisheries Commission, which is responsible for conserving striped bass and other near-shore migratory fish, both the total population and its spawning component - fish aged 8 years and older - have declined by 37% since 2004. They predict the drop-

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Karen Roeder/Wild Oceans

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.



Intent and the law

The Billfish Conservation Act, which prohibits sale of marlin, sailfish and spearfish, will provide enduring conservation benefits for these vulnerable species, if properly implemented and enforced. This spring, the National Marine Fisheries Service asked the public to comment on the law's exemption for "traditional fisheries," specifically what restrictions to put on the transportation and sale of fish landed in Hawaii and neighboring U.S. islands.

The wording is ambiguous on this point, but the intent is clear. The report that accompanied the bill to a floor vote in the House of Representatives on September 10, 2012 says: "The prohibition [on sale] would not apply to the State of Hawaii and Pacific Insular Areas [Guam, Samoa, et al] as long as the billfish were only sold in Hawaii or a Pacific Insular Area." Statements on the floor by the chair of the Natural Resources Committee, which wrote the exemption, and the bill's original House sponsor pronounced the bill's intent to

"eliminate the sale [of billfish] in the continental U.S."

The BCA exempts "traditional fisheries and markets" to allow for a way of life and a cultural tradition – the local sale and consumption of billfish – to continue, but only in a manner that advances conservation. The Act aims to end importation of foreign-caught fish – as many as 30,000 a year – into mainland markets. If billfish caught in Hawaii were allowed to replace imports on the mainland, the Act's conservation benefits would be undermined.

.....
"Law is nothing unless
close behind it stands a
warm, living public opinion."

— Wendell Phillips

Moreover, international law accepts that a country may protect its own conservation interests from harm caused by imports, but only as long as it does not discriminate between domestic and imported products. Sale of Hawaii-caught billfish on the mainland would likely violate trade rules.

Finally, with a strict prohibition on

sales of any billfish on the continental U.S., enforcing the BCA will be simple and straightforward. The difficulties we've had enforcing the existing ban on Atlantic billfish (while Pacific billfish were legal) will disappear.

Wild Oceans made these arguments in writing, with a petition and at meetings with NMFS officials. Seventy-one fishing and conservation non-profits joined us in co-signing a letter in support of strict implementation of the Act. Many national groups wrote their own letters. In fact, NMFS received only one comment, from Hawaii, asking that sales to the mainland be permitted.

The American public - first through east and west coast management plans that set a goal of protecting billfish from commerce, then through unanimous, bipartisan support for the Billfish Conservation Act, and now through its comments to NMFS on implementing the Act - has consistently and overwhelmingly declared its intent with regard to the future of marlin, sailfish and spearfish in this country. And now it's the law.

-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

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Rick Weber, Vice Chairman
Ken Hinman, President
Pam Lyons Gromen, Executive Director
Laureen Megan, Office Manager
Theresa Labriola, West Coast Outreach Coordinator

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Rick Weber (Cape May, NJ)
Christopher Weld (Essex, MA)

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

Gear for life

Fishing for swordfish with pelagic or surface longlines has a long history of irresolvable bycatch problems, exceedingly high management costs, and a destructive impact on marine life. Fortunately, there is an alternative.

Take a picture of this...

A big blue marlin, feeding on the edge of the continental shelf, sights a squid dropping through the water column. What's actually a squid-baited hook – just one of a thousand or more like it, hanging from a 30-plus mile mainline set by a commercial longliner plying the blue waters of the Atlantic Ocean – is meant for a swordfish. But the hungry marlin doesn't know that. Neither does the bluefin tuna, the hammerhead shark, the loggerhead turtle, and innumerable other ocean creatures, many prohibited or endangered species, that make up the unwanted "bycatch" of longlining. The marlin swallows the squid. She runs, she dives, but she's caught. And she won't be cut loose for

up to 10 or 12 hours, when the vessel's crew hauls back the long, long line. By then it's too late, the fish is dead. Chalk it up as collateral damage, part of the cost of doing business with longlines.

Now imagine...

The same commercial fishermen quit longlining for a new way of catching swordfish. They set a very short mainline with one or two branch lines descending, attached to a buoy. There may be a dozen such "buoy-gears" set, with no more than 2 hooks per buoy. The fishermen actively tend the gear so they can retrieve it as soon as the buoy signals that the bait's been taken. Over 90% of what they catch is swordfish. If a juvenile sword or a non-target species is hooked, it can be released soon after, alive. But blue marlin, turtles, bluefin tuna and other vulnerable species are rarely if ever caught.

The gear is called swordfish buoy-gear, and it was developed by commercial

fishermen on the east coast of Florida after longlines were banned there over a decade ago. It's now being tried all around the U.S. coast and overseas. It's part of a shift away from so-called modern, quote-unquote "efficient" methods of fishing, like longlines and drift nets, which are wasteful and ultimately unmanageable.

The future belongs to safer, more selective, more sustainable fishing methods that are not only friendly to the environment, but friendlier to fishermen and fishing communities, too. Actively fished gears like buoy gear provide fresher, higher quality swordfish, too. You want efficiency? Catch rates with buoy-gear come in at 300+ swordfish per 1,000 hooks versus only 8 swords per 1,000 on longlines! Fishermen want to fish, consumers want local, fresh seafood caught in an environmentally-responsible way. Sounds like a win-win for everyone. **Imagine!**



© Bill Boyce

UPDATE

ESA listing for river herring "not warranted at this time"

On August 7th, NOAA Fisheries announced its decision not to list either alewife or blueback herring (commonly known as river herring) as threatened under the Endangered Species Act (ESA).

Natural Resources Defense Council (NRDC) filed the ESA petition two years ago, presenting substantial scientific information that initiated a thorough review of the species' status. However, data gaps steered the reviewers to coastwide status reviews instead of evaluating distinct population segments for extinction risk, as the NRDC petition intended.

"When you lump all the Atlantic's stocks together, intuitively, the runs that are faring well will mask those that are not," said Wild Oceans Executive Director Pam Lyons Gromen. The analyses compiled for the review clearly indicate that the mid-Atlantic stock complex of blueback herring is in trouble and declining significantly. However, NOAA's review team concludes that the mid-Atlantic blueback stock "is not so significant that its hypothetical loss would render the species endangered," so the stock will not be afforded ESA protection.

"Even though mid-Atlantic blueback may not pan out as significant in the coastwide population models, they are indeed significant to the fishermen and predators in the region that depend on them," added Gromen.

While NOAA did conclude that ESA listings were "unwarranted at this time," the agency commits to revisiting the status of river herrings again in 3 to 5 years due to their historically low abundance. This time frame would allow for the completion of ongoing research, collection of additional population trend data, and a quantitative assessment of the effectiveness of recent fishery council actions to reduce river herring bycatch in federal fisheries for Atlantic herring and mackerel - a significant threat according to the ESA review team.

In addition, NOAA announced plans to coordinate with Atlantic States Marine Fisheries Commission to develop a long-term conservation plan for river herrings throughout their range. A technical working group will be formed to spearhead the plan, and public input is encouraged. ■

FIRST-EVER OFFSHORE CATCH LIMITS

Mid-Atlantic council caps river herring and shad bycatch



blueback herring image by Duane Raver courtesy of USFWS


On June 12th the Mid-Atlantic Fishery Management Council placed the first-ever limits on the catch of river herring and shad in offshore waters, capping the amount that can be taken in a year by trawl netters fishing for mackerel. 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. The council's action puts a total catch cap of 236 metric tons on all alosine species: American shad, hickory shad, blueback herring and alewife.


River herring and shad are a critical but depressed component of the Atlantic coast's forage base; that is, prey that support populations of predatory fish, shorebirds and marine mammals. While dams and other environmental impediments to spawning are a major culprit in the disappearance of shad and river herring from many coastal river systems, fishing mortality on the remnant stocks is mainly due to "bycatch" in the trawl fisheries for sea herring and mackerel offshore. Amendment 14 to the federal council's Mackerel, Squid and Butterfish Fishery Management Plan features new measures to monitor and assess the catch of river herring and shad in these fisheries. Federal managers will now close the commercial fishery for mackerel if and when the cap is reached, a strong incentive for the fleet to avoid these vulnerable species so they can keep fishing.


"The council's action is a badly-needed complement to the extraordinary measures the states are taking to restore river herring and shad and a good first step in getting at-sea mortality under control," said Wild Oceans executive director Pam Lyons Gromen, who also serves as an advisor to the Atlantic States Marine Fisheries Commission on its river herring and shad management efforts. "We owe it to the fishermen, businesses and local communities that once thrived, economically and culturally, on healthy river-runs, as well as to the health of the coastal ecosystem they are such an important part of." ■


Staff travel log

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


 On May 1st, West Coast Outreach Coordinator Theresa Labriola joined the San Diego Anglers at their monthly club meeting in **San Diego, California** and gave a presentation about Wild Oceans' Protect the Prey Base program.


 President Ken Hinman attended the ASMFC's Menhaden Management Board meeting on May 22nd in **Alexandria, Virginia** and testified on the implementation of new catch limits adopted last year. He reminded the Board of its stated intent to use these interim limits to increase menhaden abundance and availability as forage and, ultimately, establish an abundance level that will maintain menhaden's ecological role long into the future. Noting that a 2014 stock review will be re-assessing the current health of the menhaden population, he stressed that "for the most important fish in the sea, what's most important is where we are in relation to the target population we've set as our goal and what more we need to do to get there."


 Ken went to **Eatontown, New Jersey** and testified between the Mid-Atlantic Fishery Management Council's Mackerel, Squid and Butterfish Committee on June 11th and the full council on June 12th in support of the first-ever limits on the catch of river herring and shad in offshore waters, specifically a cap on the amount that can be taken in a year by trawl netters fishing for mackerel. The council voted to place a total catch cap of 236 metric tons on all depleted "alosomes", which include river-born American shad, hickory shad, blueback herring and alewife.


 Ken's thoughts about the future of the ocean and its ability to sustain us traveled across the Internet on June 13th when he served as a guest panelist on the Spring of Sustainability's

Ocean Panel, a one-hour discussion of ocean conservation issues broadcast live on the world wide web. He shared the Wild Oceans philosophy and emphasized that, with many clear dangers to the future of fishing, there are also opportunities to change that future. But it means changing how we think, how we fish, and how we work together to protect fish, fishing and the wild world we share.

 On June 14th, Theresa participated in the Ecosystem Advisory Subpanel Meeting in **Portland, Oregon** where they discussed the Pacific Council's list of allowable fisheries and formed recommendations to amend the list in order to prevent new fisheries from developing for species that are unmanaged.

 On June 20th, Theresa testified before the Pacific Fishery Management Council in **Garden Grove, California** asking the Council to outline a process for development of a forage indicator.

 A crew from Howard Films traveled to **Leesburg, Virginia** on August 8th to interview Wild Oceans president Ken Hinman for "Running the Coast," a new film about striped bass, following its migration from Chesapeake Bay to Maine and telling the story of the fish and the anglers who love them and will do anything it takes to save them. (www.howardfilms.com)

 Executive Director Pam Lyons Gromen traveled to the Mid-Atlantic Council meeting in **Wilmington, Delaware** that was held August 13-15. As an Advisory Panel member, Pam joined the Ecosystems and Ocean Planning Committee in developing a broad range of alternatives to protect deep sea corals off the Atlantic Coast. The Council plans to solicit public comment on the alternatives later this year. (see sidebar this page) ■



Plan to protect deep-sea corals in mid-Atlantic moves forward

From early July to mid-August, over 60,000 visitors tuned in for live web casts of deep water images captured by a robotic submarine deployed from NOAA's ship, the Okeanos Explorer. During the 36-day expedition, scientists discovered diverse communities of life in previously unexplored canyons off the U.S. Atlantic coast. Deep-sea corals, which provide habitat for numerous invertebrates and fishes, were documented in stunning high-definition video. (See video highlights at oceanexplorer.noaa.gov)

Fittingly, on August 14th as the sub made its way through the depths on the final leg of the voyage, the Mid-Atlantic Council approved a range of alternatives for protecting fragile and complex coral habitats within the mid-Atlantic canyons. Wild Oceans Executive Director Pam Lyons Gromen and other advisors to the Council's Ecosystem and Ocean Planning Committee contributed recommendations that resulted in a broad suite of options for public review.

"Within the range of options, there are some excellent measures for conserving corals, but also other measures that will leave fragile coral communities vulnerable to destructive bottom trawling. Public comment will be of utmost importance as the Council moves ahead," said Gromen.

We expect the public comment document to be released soon. Stay tuned to WildOceans.org to learn how you can help. ■

Above: A red brittle star occupies a white octocoral.
Credit: NOAA Ocean Explorer

off will continue, primarily because spawning success in Chesapeake Bay, where most of the coastal stock originates, has been below average, based on annual young-of-the-year surveys. That means even smaller year classes will join the spawning stock, and the fishery, in the future.

Yet a majority of managers at the ASMFC don't see a problem. They point out that the stock size in the most recent assessment was still above the overfished threshold, which is equivalent to the 1995 population level, the metaphorical threshold the fishery crossed when it was declared "fully recovered" that year. In other words, striped bass aren't "overfished." That may be, but the recovery is steadily slipping away and, for a lot of concerned fishermen, that's reason enough for caution. But there are other reasons for concern, too.

Preserving More than a Symbol

In 1980 we sponsored a symposium in Boston to bring national attention to the sharp decline in striped bass numbers that had begun six years earlier – déjà vu, anyone? - a decline that was then being attributed to overfishing, environmental degradation or both. We recall the late Senator John Chafee of Rhode Island opening the event with these memorable words: "Americans have 'symbols' which they rally around and which signify some part of the quality of life we all seek. The striped bass is a symbol."

Following more than a decade of "rallying" – more meetings, plans, sacrifice by fishermen, new laws, more sacrifice in the form of a complete moratorium – the striper came roaring back, proof that even fisheries driven to the brink can rebound and once again support thriving fisheries. (Check out Dick Russell's excellent book, *Striper Wars*, for the complete story.) But with the recovery, with coastal waters filling with striped bass

in numbers not seen in many years, a new threat emerged. The striped bass now risked going from the poster fish for successful conservation to a symbol of what goes wrong when we fail to take care of a fish's environment.

It was in the late 1990s that *Wild Oceans* and a few other angling groups joined a new battle, to restore the striper's prey base, chiefly Atlantic menhaden, which had been fished down and was nearing historic lows just as demand was increasing from a number of rebuilding predator populations. Anglers in Chesapeake Bay, which historically has produced three-quarters or more of the coastal striped bass population, reported signs of malnutrition, under-weight rockfish afflicted with a chronic wasting disease known as mycobacteriosis.

.....
"Americans have 'symbols' which they rally around and which signify some part of the quality of life we all seek. The striped bass is a symbol."

— the late Senator John Chafee of Rhode Island

Another rally ensued, this one around menhaden and other depleted forage species like river herring, and it continues to this day.

It's likely no coincidence that, according to ASMFC scientists, fishing areas experiencing the most troubling striper declines in recent years, such as Maine and Cape Cod, are areas that depend most on contributions from the Chesapeake stock. Menhaden used to make up 70% of the diet of spawning-age stripers, but lately it's down to only 8%. Seventy-percent of adult bass in the Bay have myco, which can be fatal. The latest stock assessment says natural mortality continues to climb among Chesapeake bass, "which could likely be the result of the mycobacteriosis," although it's uncertain how long it takes the disease to kill after infection.

A Precautionary Approach

Following a protracted campaign, we've successfully reduced menhaden catches by 20 percent beginning this year. The first-ever cap on river herring and shad bycatch in coastal fisheries was recently approved (see story on p. 4). Conserving species like sea herring, mackerel and squid for their value as forage is becoming a priority for regional fishery management councils. The Atlantic coast prey base should be able to better support striped bass and numerous other predators in the future.

But right now, many anglers are rightly focused on striped bass fishing mortality, and whether it's too high, especially on the shrinking spawning population. Although at least 75% of sport-caught fish are released alive, most legal keepers are breeding age adults, prompting calls for fishery managers to lower fishing mortality. Capt. John McMurray of New York, writing recently at www.reel-time.com, suggests a number of options: reducing the daily creel limit from 2 to 1 fish; raising the minimum size above the current 28"; or leaving catch limits as they are but shortening the fishing season.

The Atlantic States Marine Fisheries Commission, which will soon review a new striped bass stock assessment, should listen to the fishermen and take a precautionary approach to managing this valuable fishery. At a 1997 congressional hearing on fisheries management, former Congressman Jim Saxton of New Jersey rudely reminded federal officials who were crowing about the striped bass recovery that striped bass management was not a success, but rather a successful reversal of past failures. Fishery managers on the east coast owe it to the fishermen who gave up so much the first time to see that they never have to go through that again. ■

Forage fish play a leading role in Pacific council's plans

This summer, the Pacific Fishery Management Council (Council) began implementing their newly adopted Fishery Ecosystem Plan (Plan). The purpose of the Plan is to enhance the Council's species-specific management programs with more ecosystem science and broader ecosystem considerations about the California Current Ecosystem.

Forage fish are playing a leading role in the Fishery Ecosystem Plan. Specifically, the Council began fleshing out Ecosystem Initiative 1 and is considering whether and how to protect important forage species that are not yet being fished. These species, which include sand lance and various kinds of smelts, are fished extensively elsewhere in the world and used as feed for livestock and farmed fish. The increased global demand for aquaculture leaves unmanaged forage species vulnerable to new exploitative fisheries starting up with no catch limits and no protection of any kind. Putting management in place before fishing begins makes sense.

To this end, the Council also finalized their 2013 Research and Data Needs specific to the Fishery Ecosystem Plan, and identified the development of a forage indicator as a high priority. Indicators help us to determine whether our ocean is healthy or in decline and to make decisions that fortify our ocean fisheries. Developing a forage indicator goes hand in hand with the Council's goal of prohibiting new forage fisheries until it can evaluate how removing prey would affect existing fisheries, fishing communities, and the broader ecosystem.

The good news is the Council's mandate to develop a forage indicator coincides with the National Oceanographic and Atmospheric Association's (NOAA) work on the Integrated Ecosystem

Assessment (IEA). This IEA supports ecosystem-based management by developing and providing tools, such as a forage indicator, to help transfer scientific knowledge to management.

The IEA tools are already informing the Council's decision making. Recently, the Northwest Fisheries Science Center began developing and integrating ocean ecosystem indicators into its analysis of salmon marine survival in the Northern California Current. And the Center is developing an index that describes food web interactions between juvenile salmon and their fish predators, specifically the interaction among zooplankton production, forage fish abundance, juvenile salmon survival, and hake predation.

At the same time, NOAA is working with the regional Science Centers to develop new, innovative methods to better assess ecosystem components, such as forage abundance. For example, at the June 2013 Council meeting, Dr. Russ Vetter of the Southwest Fisheries Science Center presented the Council with a more accurate method for measuring forage abundance by combining acoustic backscatter with trawl surveys. The Science Center can take this method one step further and use acoustic trawl surveys to ask and answer specific questions about the impact of forage availability on predators.

Now, it is time for the Council to start leading the discussion about the forage indicator and to give NOAA guidance about what ecological interactions they want addressed. It makes sense for the Council to give NOAA guidance, so the IEA tools are tailored for the Council's decision making process and so that science leads and informs the discussion of healthy fishery management. ■

Strategic plan offers promising future for mid-Atlantic fisheries

Following a review of supportive public comments at its August meeting in Wilmington, Delaware, the Mid-Atlantic Fishery Management Council unanimously approved a strategic plan that will guide council activities over the next 5 years. Developed from extensive stakeholder outreach and feedback, the plan reflects the clear desire of fishermen and the conservation-minded public to see fisheries managed in a manner that prioritizes protection of the ocean and fishery resources for future generations.

Ecosystem-based management is an important theme within the plan. Workshops will be held to explore and develop management approaches that minimize adverse ecosystem impacts. The first workshop on the topic of forage fish, attended by Wild Oceans president Ken Hinman, was held this past April. Because they interact with so many predators that depend on them for food, forage fish conservation is the logical starting point in the evolution from single-species to ecosystem-based management.

"Throughout the plan, we are pleased to see a move to a more holistic management framework that can better address ecosystem considerations," said Wild Oceans Executive Director Pam Lyons Gromen who served on the Council's working group that helped construct the plan's contents.

Council efforts will now turn to the creation of an implementation plan, which is expected to be completed by the end of this year. The implementation plan will link annual Council priorities to the strategic plan to ensure that the plan's goals are fulfilled. ■



New rules to protect bluefin tuna

On August 21st, NOAA Fisheries released Draft Amendment 7 to the Atlantic Highly Migratory Species Fishery Management Plan, proposing measures to reduce bycatch and dead discards of severely overfished Atlantic bluefin tuna.

Among the measures being proposed are closing a portion of the northern Gulf of Mexico to pelagic longlining during the height of bluefin spawning season and putting an overall cap on the number of bluefin the longline fleet can kill before the fishery is closed.

The public is being given until October 23rd to comment on Draft Amendment 7, in writing and at public hearings. Wild Oceans will be submitting detailed written comments. For more information and to help support the strongest possible conservation for bluefin, go to wildoceans.org/action-center.

YOU ASKED FOR IT, YOU GOT IT!

WildOceans.org
New Action Center!

Wild Oceans members are passionate protectors of the future of fishing. You asked us for a more user-friendly system for submitting comments on important policies and actions that could impact that future. We are pleased to announce that we have upgraded our action center based on your feedback. Visit our new action center by clicking on "Act Now" at wildoceans.org, and while you are there, take action to protect bluefin tuna!

Your mailing label includes your membership renewal date.



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

