

NATIONAL COALITION
FOR MARINE CONSERVATION
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A NEW YEAR'S RESOLUTION

THE PROMISE OF THE MAGNUSON ACT WILL BE TESTED THIS YEAR

We've entered a pivotal year for marine conservation and the future of salt water fishing. In the history of US fisheries management under the Magnuson Fishery Conservation and Management Act, 1996 will be remembered as the year that we as a nation finally got serious about putting an end to overfishing. But what happens this year - 1998 - will reveal just how serious we really are.

Think of the landmark changes in the Sustainable Fisheries Act (the '96 amendments to the Magnuson Act) as a new year's resolution, whereby we've sworn to quit some of our worst habits, ones that have constantly gotten us into trouble in the past. Moreover, we've told everyone about our resolution, signed on the dotted line, and the whole country's watching with great expectations.

Now, deadlines set by the new law are near at hand. The most important of these deadlines comes in October, when the Regional Fishery Management Councils, which write most of the nation's fishery management plans (FMPs), are required to deliver amended FMPs to the National Marine Fisheries Service (NMFS). By that time, FMPs must be re-written with new provisions to rebuild overfished stocks as quickly as possible, minimize bykill in all fisheries, and identify threats to essential fish habitat, including destructive fishing gear.

Last fall, declaring his agency's determination to fulfill the law's strict new mandates to eliminate overfishing and bycatch, Dr. Gary Matlock, head of the NMFS Office of Sustainable Fisheries, affirmed that these are "both VERY big deals." Congress, he said, made clear its displeasure with the state of our fisheries and fully expects fishery managers to turn things around. NMFS, he says, intends to do just that.

But as refreshing as such assurances are, our experience with the politics of fisheries management forewarns us that the resolve of all concerned will be severely tested in the year ahead. We've already heard some grumbling, from people who, for a variety of reasons, fear the changes coming. The *status quo* wasn't built in a day, and it has a lot of vested interests. It's going to take not only strong leadership from our friends in Congress, at NMFS and in the Councils, but also the constant vigilance of the public to steel our collective nerves and make sure this resolution doesn't dissolve, as most new year's resolutions do, with time and temptation.



A List of Things to Do in '98

On September 30th, NMFS released its first Report to Congress on the Status of US Fisheries. The report - now required annually under the Magnuson Act - lists fish classified as "overfished" or "approaching an overfished condition." It serves notice to the Councils (and to NMFS in the case of Atlantic highly migratory species) that a rebuilding plan must be developed within a year for each species on the list.

It is, alas, a long list. A total of 86 species are considered overfished, while 10 others are likely candidates to make the list within two years if downward trends continue. NMFS points out, moreover, that when existing FMP definitions of overfishing are revised to conform with the higher standards in the new law, "it is possible that many species that are now classified as 'not overfished'...will ultimately be reassessed as 'overfished'."

Setting goals is easy. The hard part is getting there and, for this reason, setting a strict timetable means everything.

As it is, neither the length of the list nor any of the species on it are a surprise. (see *The NCMC Marine Index*, p. 12) In one sense, it simply confirms what we already knew - that about one-third of the fish stocks whose status is known aren't faring too well. Among these are such staples as cod, bluefish, summer flounder, bluefin tuna, red snapper, swordfish, blue marlin, spotted seatrout, red drum, and a horde of sharks. But more than merely a status report, it is actually a checklist of things to be done this year, because it triggers action, in the form of restoration programs, and starts the clock ticking. Recovery plans must be drafted and submitted by October 1st, 1998.

What the Act requires each plan to do is pretty straightforward. Each FMP must contain conservation measures that are reasonably expected to restore an overfished species to "a level consistent with producing the maximum sustainable yield" within a specified time period. The recovery period must be "as short as possible" and "not

exceed 10 years," unless the biology of the fish, other environmental conditions, or a binding international agreement dictate otherwise.

Since maximum sustainable yield, or MSY, is a widely accepted benchmark for assessing the optimum productivity of a fish stock, there should be little quarreling about MSY as a rebuilding goal. Indeed, setting goals is easy. The hard part is getting there and, for this reason, establishing a strict timetable means everything. It's the only way to hold fishery managers accountable. And that's where we expect the battles will be waged.

The language of the law seems clear. Rebuilding to MSY is to occur as soon as possible. Ten years is in no way an acceptable target date, instead it's the absolute longest we should wait to restore a fishery to a healthy level. The sole purpose of adding a qualifier regarding the biology of the fish (international agreements don't figure into the equation for most species) is to account for those fish which couldn't recover in less than 10 years even if all fishing were to cease. In those cases, a longer time period is permissible, but it is still to be as short as possible.

Allowing exceptions is always risky, because it opens the door to abuse. We can expect some fishing interests to view it as a blanket excuse for all long-lived or severely depleted fish to be allowed a protracted rebuilding period. It is not. On the contrary, it very well could be that for some of the most overfished species, shutting down the fishery, at least temporarily, is the most sensible thing to do. In fact, the law may, in these cases, actually demand that we do it.

Of course, the only reason not to shut down every overfished fishery until it recovers - as was done with striped bass - is to accommodate the interests of present-day fishermen, whether it be in food production or recreation. But our biggest concern must be that, if we start bending the rules, lowering our sights, compromising and accommodating too much, we'll quickly end up right back where we were. Think about it. To grant that a stock's dire condition somehow excuses it from draconian conservation measures, because of the immediate impact on certain fishing interests, would be a return to business as usual, wherein short-term social and economic considerations rule over long-term biological ones. We've been down that road many times, and it leads to poor fishing, fewer jobs, etc., etc. The reason Congress re-wrote the Magnuson Act the way it did is that the health of the resource must take precedence, *especially* in cases of overfished stocks.

As Little Bycatch as Possible

Some fish - marlin and red snapper, for instance - have been overfished simply as an indirect consequence, or bycatch, of fishing for other species. Bycatch is a serious conservation problem caused by non-selective fishing gear used in numerous fisheries, from nearshore trawls to deepwater longlines. The Magnuson Act's mandate

regarding bycatch is as explicit as the one to stop overfishing, and the excuses for not adhering to it just as predictable.

The Act requires all FMPs to assess the level of bycatch in each fishery and include measures to minimize bycatch "to the extent practicable." The law gives priority to measures that will avoid bycatch and then, only if it is unavoidable, minimize associated mortality. In most fisheries, years of talk have produced very little action. Now fishery managers have to do what the operators of indiscriminate gear have been resisting all along. The resistors will not give up, they'll just get more creative.

During the bycatch debate in Congress, we got a preview of what to expect from some commercial fishing interests. They will challenge the definition of "bycatch," claiming that theirs are multi-species fisheries, that indiscriminate fishing is actually fishing for multiple targets. They will promote changes in regulations that would allow bycatch to be landed instead of discarded, reducing waste but not mortality. They will argue that modest reductions in bycatch are all that are "practicable."

Minimizing bycatch to the extent practicable means as little bycatch as possible. There is a very good reason the Act gives first priority to bycatch avoidance. Congress wants to clean up indiscriminate fishing practices with a high level of bykill. In such fisheries, avoiding capture is the only way to protect the fish from certain destruction. Changing the way fishermen fish certain types of gear, or even eliminating that gear in favor of more selective alternatives, is the best way to minimize bycatch.

Critical Decisions Coming

On November 5th, two of the chief sponsors of the Sustainable Fisheries Act, Sen. Ted Stevens and Rep. Don Young, joined with 7 of their colleagues to scold NMFS for going too far in its proposed rule to implement new provisions to protect essential fish habitat. It was a stern reminder of the power of special interests to undermine implementation of the Act's strongest conservation measures. Two months later, another letter began circulating on Capitol Hill, this one looking for Senators to join and accuse NMFS of being too strict and inflexible in its proposed interpretation of rules to end overfishing. As of this writing, the final National Guidelines being developed by NMFS (see "Heart and Soul," *Marine Bulletin* No. 79) were not out but were expected soon.

The Marine Fish Conservation Network, including the National Coalition for Marine Conservation and a number of other conservation and fishing groups, has been working with NMFS since passage of the Act to bolster the agency's guidelines on overfishing, bycatch and habitat. It is up to those who helped change the law to ensure that the new rules capture the intent of the law. In addition, numerous groups are working with the Councils in each region to hold their feet to the fire.

As the year progresses, critical decisions will be made – by NMFS, by the Councils, by members of Congress – that will determine whether we as a nation have truly resolved to change our habits and restore America’s fisheries for this and the next generation of fishermen, or whether we don’t have what it takes after all and return to our old habits. It’s in all of our interests to make sure that doesn’t happen. (see *The NCMC Ocean View*, p. 13)



U.S. SWORDFISH CONSERVATION FALLS SHORT

American Fishermen Can Do Much Better

The broadbill swordfish, called “the gladiator” because of a sword-like bill that it wields like a weapon, is losing the fight against overfishing, according to US and international fishery management authorities. In fact, the swordfish may be the fastest declining fish population in the Atlantic Ocean. If present trends continue, says the National Marine Fisheries Service, the popular food fish and once treasured quarry of big game anglers will be commercially extinct within ten years.

American fishermen, who catch nearly a third of the swordfish taken in the North Atlantic, claim they are doing more than their fair share to conserve swordfish and lay the blame for the broadbill’s continued demise on the fishermen of other countries. But while acknowledging that swordfish recovery must be an international effort, the National Coalition for Marine Conservation points out that the US is not doing nearly enough to end overfishing in our own waters.

An international management program in effect since 1991 has not even slowed the sharp decline in the North Atlantic swordfish population. Meanwhile, weak US regulations have allowed American fishermen to increase their fishing effort while killing and discarding tens of thousands of protected juvenile fish every year.

“The US can and must do more to conserve swordfish while working to strengthen conservation throughout the North Atlantic,” says NCMC president Ken Hinman.

We’re Killing More Fish, Not Less

Despite increasingly bleak scientific reports in 1994 and 1996 showing the North Atlantic stock in a precipitous and unchecked decline, US fishermen are taking about the same amount of swordfish now as they were five years ago, when the first international restrictions on swordfishing were implemented, according to government statistics.

Although the US has stayed within its landings quota, the declining average size of fish caught and rising discards of small fish have kept fishing mortality high. Longline fishermen, who take 98 percent of the US swordfish catch, caught 4,125 metric tons (whole weight) in 1992 and 4,046 tons in 1996 (figures don’t count catches from the south Atlantic). In terms of number of fish caught, the longline catch actually increased, from 90,722 fish in 1992 to 102,565 fish in 1995 (estimates aren’t available yet for 1996).

Longline Landings & Discards (metric tons)

Year	Landings	Dead Discards	Total
1992	3,741	363	4,125
1993	3,635	409	4,044
1994	3,252	709	3,961
1995	3,926	526	4,452
1996	3,457	589	4,046

Source: US National Report 1997

These catch totals include swordfish discarded dead, mostly fish under the minimum size limit set by the International Commission for the Conservation of Atlantic Tunas (ICCAT) to help rebuild the shrinking adult breeding population. Dead discards have increased dramatically in recent years, from 363 metric tons in 1992 to 589 tons in 1996 (with a high of 709 tons in 1994). Longline fishing gear is not species- or size-selective and fishermen can’t avoid hooking juvenile swordfish. In fact, nearly 2 of every 3 fish caught in the US fishery are sexually immature and have never had a chance to reproduce even once.

In addition, effort in the longline fishery is at an all-time high, according to government records. Ten years ago, at the peak of swordfish landings, US longliners fished 6.5 million hooks. In 1995 (the last year for which these statistics are available), they fished 11.1 million hooks, or an increase of 70 percent.

Longline Fishing Effort

Year	No. Boats	Number of Hooks
1987	296	6,556,416
1988	387	7,009,508
1989	455	7,941,675
1990	416	7,500,450
1991	342	7,744,997
1992	337	9,075,451
1993	432	9,724,645
1994	498	10,323,542
1995	480	11,120,474

Source: NMFS 1996

The US Can Speed the Recovery Process

When the US Congress passed the Sustainable Fisheries Act in 1996, it required fishery managers to prepare recovery plans for all overfished species, including Atlantic swordfish, with measures to minimize bycatch of non-target fish in all fisheries, by October of 1998. NMFS, which has jurisdiction over swordfish and other "highly migratory species" in the Atlantic, is currently reviewing options for rebuilding the swordfish fishery.

The US swordfish quota is set by ICCAT and NMFS cannot lower that number (new international quotas could be set in 1999). However, the agency can substantially reduce fishing mortality and help keep US fishermen within their allowable catch by eliminating the bykill of small fish. By implementing measures to eliminate the bycatch and discard of juvenile swordfish, the US would be in compliance with ICCAT recommendations and the bycatch mandates of the Magnuson Act, reduce mortality of swordfish by up to 18 percent, and speed the recovery process.

The NCMC is urging NMFS to include the following measures in the fishery management plan for swordfish: 1) prohibit longlining in known swordfish nursery areas in order to minimize capture of undersize fish; 2) limit longlines to a maximum length of 10 miles and a maximum soak time of 6 hours to increase the survival of incidentally-caught swordfish and other species; and 3) count any dead discards of swordfish against the annual US quota.

PROGRESS ON GEORGES BANK

But Gulf of Maine Cod Still Declining

The New England Council's Multispecies Fishery Management Plan has successfully halted overfishing of cod, haddock and yellowtail flounder on Georges Bank and in southern New England. But although these stocks of groundfish are showing welcome signs of improvement, they are still severely depressed and current restrictions on fishing will not rebuild them, according to new information. Cod stocks in the Gulf of Maine, on the other hand, are still declining, a situation worsened by a shift of fishing effort from offshore into the gulf.

The fishing grounds off New England were once - and could be again - among the most plentiful on earth. European fishermen were crossing the Atlantic to trawl for cod here more than a century before the Pilgrims arrived in Massachusetts. But under intensive fishing by modern foreign and American fishing fleets from the 1960s through the '80s, groundfish stocks plummeted and have yet to recover. The New England Council has been struggling to reverse this situation for the better part of the last decade. And although the council is making progress, we still have a long way to go.

How far was made evident by a National Research Council (NRC) review of the science on which the condition of groundfish stocks is being assessed. At the request of beleaguered northeast fishermen fearful of losing their livelihoods, Congress asked the NRC to double check the numbers and the arithmetic. The panel of scientists did and confirmed not only the dire status of the resources, but warned of "irrevocable population decline" if fishery managers were to back off the rebuilding efforts now underway.

In December, the NCMC joined with conservation groups working in the region and co-signed a letter urging fishery authorities to stay the course. "The beginning signs of recovery of groundfish stocks on Georges Bank and in Southern New England attest to the robust character of the region's extraordinarily productive marine ecosystem," the alliance wrote. "This rebuilding needs to be allowed to continue and provides hope that with further protection, Gulf of Maine cod can also recover from their seriously depressed state."

Despite stiff opposition from some sectors, the New England Council voted in January to impose additional restrictions on fishing in the Gulf of Maine, including closure of a large portion of the fishing grounds. If implemented, these and other new measures in tandem with those already in place hopefully will lead the region's fisheries back to their rightful place among the world's most productive.

STARVING IN FAT CITY?

Striped Bass Showing Signs of Stress

The Atlantic striped bass has been carrying a hefty burden of late, as the poster fish for conservation, a once endangered fishery whose return to form has proven that, yes, fishery management can work. But the striper may be about to take on a new and most unwelcome role, as symbol of what can happen when we manage fish in isolation from what's going on around them in the waters they inhabit.

The signs of trouble in Chesapeake Bay, the eastern striper's main spawning area, are inconclusive but disturbing nonetheless. Fishermen are finding sores on adult fish (over 16 inches) at a rate above what they would

normally see and, according to scientists, not attributable to the recent outbreak of *pfiesteria*. Adult stripers are voracious predators, yet many are grossly underweight, indications of malnutrition. The stress of too many fish with not enough to eat may be making them susceptible to parasitic diseases.

If the evidence of a problem is circumstantial, the explanations are mere conjecture at this point. Adult stripers are swimming in the bay in numbers not seen since the 1960s. Habitat conditions are poorer than in the steeper's heyday. Key prey species, such as menhaden and anchovy, aren't there in nearly the numbers needed to feed a resurgent population of predators. That population is still growing. The 1996 year-class of stripers, bigger than ever, will join the adult population next year.

As Bill Goldsborough, a biologist with the Chesapeake Bay Foundation, points out, we've been managing striped bass very conservatively in order to achieve the record numbers of fish we see today. Meanwhile, we've been aggressively fishing other species in the bay, including the fish stripers prey on. We can't have it both ways.

According to NCMC president Ken Hinman, a member of a national Ecosystems Advisory Panel looking at how ecosystem principles are applied to fisheries management, "We don't know right now whether or not the bay's ecosystem is out of kilter, but we should take this as further reason to begin integrating our management policies for predator and prey species. We can't continue to fish species like menhaden extremely hard, harvesting a large portion of every year class, while we rebuild or try to maintain high populations of fish that depend on them."

CONFLICTED COUNCILS

A dispute over the appointment of a Florida commercial fishing association representative to the South Atlantic Fishery Management Council has rekindled the debate over conflicts of interest on the councils and revealed how ineffectual the new conflict rules in the Magnuson Act are.

Ever since the regional councils were set up with private citizens as members, concerns have been raised about the propriety of fishermen voting on decisions that affect their own pocketbook because of the temptation to look out for their own interests. But what of members whose job it is to look out for the interests of other fishermen? Paid representatives, according to the conflict rules, are exempt. In fact, the only fishermen who must disqualify themselves from voting are those who would benefit in ways that other fishermen in the same fishery would not.

As it is, the potential for mischief abounds. The American Oceans Campaign recently reviewed council membership and found that of the 70 citizens serving on the eight councils, 37 are affiliated with the commercial fishing industry. Another 19 describe themselves as recreational fishermen. Of the remaining, 6 are academics, 2 are conservationists, and 6 are listed as "other."

NOTES FROM UNDERWATER

NCMC CALLS FOR STUDY OF OCEAN RESERVES

The NCMC took the first step toward dealing with longline bycatch at the international level. US officials, despite their constant entreaties to work for Atlantic-wide solutions, chose not to come along.

We urged the US delegation to go to last November's ICCAT meeting seeking support for the establishment of ocean reserves to conserve highly migratory fish on the high seas. We asked the US Commissioners to introduce a resolution directing ICCAT's scientific committee to *study* the feasibility of restoring overfished populations of billfish and tunas by designating protected zones where the use of non-selective fishing gear, such as longlines and drift nets, would be restricted. We supplied a draft resolution, which was taken by members of the delegation to the meeting in Madrid, Spain.

Traditional management is not working for overfished swordfish, marlins and tunas - on either the domestic or international level - because these fish are captured and killed in large numbers as an incidental catch, particularly in the pelagic longline fisheries. Current restrictions on landings result in a high rate of dead discards, with minimal conservation benefit. Atlantic swordfish, white marlin or blue marlin cannot be restored to their former abundance without management measures that strictly curtail where, when and how longline gear is used and minimize its lethal impact on the most vulnerable species or age groups.

NMFS, with the support of NCMC, is right now considering new domestic regulations to protect swordfish and marlin through time/area closures in known nursery and spawning grounds, or other identified "hot spots" where these fish are most vulnerable to capture by longline. We believe it is vital that the US pursue complementary action at the international level, and a study by international scientists is the way to begin.

Unfortunately, US Commissioners did not push the resolution, chiefly because of opposition from commercial longline interests within our own delegation. Ironically, these same interests are the ones most vigorously advocating the need to pursue conservation in the international arena. As the NCMC continues to promote constructive solutions at *both* the domestic and international levels, we hope to accomplish more than just exposing ICCAT as a convenient place to hide from our obligations.



ENDING THE SENSELESS SLAUGHTER AT SEA

The NCMC and our partners in the Ocean Wildlife Campaign, teaming up with the American Sportfishing Association, held press conferences in Washington, Hollywood and London on January 12th to release dramatic video footage of the indiscriminate slaughter of marine life at sea. We called for immediate changes in fishing practices to achieve a significant reduction in bykill - ultimately, a 75% reduction by the year 2005.

"Bykill is not an inevitable consequence of fishing," said Campaign director David Wilmot. "Indiscriminate fishing gear, destructive practices, and managerial neglect are causing the unplanned capture, killing, and waste of fish and other marine wildlife at staggering levels." The Campaign pointed out that tunas, sharks, swordfish and marlins are particularly hard hit by non-selective gears such as drift gill nets and drift longlines. The NCMC provided information on longlining, including the summary of our report, "Ocean Roulette," for the Campaign's press kit.

The Campaign received good coverage by television and print media. Newspapers from New York to Alaska ran articles on bycatch and the noteworthy alliance of environmental and fishing groups (IGFA also joined the Washington event and swordfish harpooners participated in California). The National Marine Fisheries Service was compelled to issue its own news release confirming its plans to minimize bycatch. *The New York Times* editorialized on January 20th about the "Senseless Killing in the Seas," writing in part: "(Longline) hooks kill many juvenile fish that are essential to the recovery of any species, as well as fish that now receive some legal protection, like marlin, giant bluefin tuna and sharks. In 1991 the United Nations placed a moratorium on huge drift nets. Tough restrictions on longlines would be the next logical step. Even the fishing industry cannot much longer ignore the obvious."

ICCAT INCHES FORWARD ON MARLIN; IGNORES TROUBLED TUNA

After years of ignoring overfishing and declining blue and white marlin populations, the International Commission for the Conservation of Atlantic Tunas (ICCAT) has adopted binding conservation measures requiring countries to reduce marlin landings by at least 25

percent by the end of 1999. But ICCAT took no action at their annual meeting in Madrid to stop the plummet in the bigeye tuna population.

"We are pleased that ICCAT finally took action to reduce marlin mortality," said Ocean Wildlife Campaign Director David Wilmot who served on the US delegation. "However, the measures adopted by the Commission don't go far enough, fast enough to stop overfishing or prevent further declines of marlin."

Blue and white marlin are killed in large numbers incidentally - as bycatch - in longline fisheries for tuna and swordfish. According to ICCAT's scientific committee, white and blue marlin populations are severely depleted. In order to halt the declines and stabilize populations of these beleaguered billfishes, landings would need to be reduced by as much as 60 percent rather than the 25 percent measure adopted, since fishing vessels are not expected to alter their fishing practices to avoid catching billfish and half of all billfish caught on longlines are dead on retrieval.

In the United States, this action will mean recreational anglers will reduce their landings by at least 25 percent. But the largest source of mortality in the US fishery remains longline bycatch, and the Ocean Wildlife Campaign will be working in 1998 to minimize this bycatch mortality, as required by the Sustainable Fisheries Act of 1996.

"Clearly, the US proposal to prohibit retention of all marlin caught by commercial longliners - which was supported by the conservation community and the US recreational and commercial industries - would have left a lot more marlin in the Atlantic," Wilmot noted. "But at least the Commission moved - albeit incrementally - in the right direction. They refused to take any meaningful steps to protect another fish in trouble - the bigeye tuna."

A 1997 assessment of the bigeye population confirmed that bigeye tuna has officially joined the ranks of the overexploited. But ICCAT ignored advice from its scientific committee to significantly reduce bigeye catches, and failed to establish catch limits, country quotas, or a rebuilding plan for bigeye tuna. ICCAT elected instead to require vessel registration and evaluate possible limits in the future on the number of large commercial vessels (greater than 80 gross weight tons) fishing for bigeye. The Commission also passed a non-binding resolution calling on a single fishing entity, Chinese Taipei, to reduce their catches of bigeye tuna by approximately 35 percent.

"Failing to protect the bigeye is just the latest example of ICCAT member nations' refusal to embrace the concept of responsible fishing and their continued endorsement of fishing practices and policies that jeopardize the health of Atlantic tunas and billfishes. This mismanagement is bad for the fish and bad for the fishermen," Wilmot concluded.

OCEAN ROULETTE

New NCMC Report Available

The National Coalition for Marine Conservation has completed a brand new report, entitled *Ocean Roulette: Conserving Swordfish, Sharks and Other Threatened Pelagic Fish in Longline-Infested Waters*. The conclusion reached in this report is that drift, or pelagic, longlines are incompatible with effective management and our national goal of sustainable fisheries and that the use of longlines must be severely curtailed.

This conclusion is by no means a rush to judgment. Quite the opposite. It is the end product of over two decades of experience in the conservation of large pelagic fish - the tunas, billfishes and sharks - which are both the intended targets and accidental casualties of longline fishing. The non-selectivity of longlining has been at the root of many, if not most, of our pelagic fisheries management problems throughout this period and remains so today.

Two years ago, the NCMC undertook a study of longline management, with a challenge grant from the National Fish & Wildlife Foundation and matching funds from the Curtis & Edith Munson Foundation and the Mostyn Foundation, with additional support from the Pew Charitable Trusts. Our objective was to review and evaluate options for resolving longline-related problems, in particular the so-called "bycatch" and subsequent discard of unwanted or prohibited fish that has proven to be an unremitting consequence of fishing with longlines.

At The Crossroads

We've been working to conserve large pelagic fish of the Atlantic since the organization's inception 25 years ago. Throughout this period, we've worked assiduously to address a variety of serious conservation problems caused by longlining. From the time US fishery authorities began developing management programs to prevent overfishing of swordfish, marlins and sharks (circa 1977), finding ways to deal with longline bycatch has been a principal goal and a persistent dilemma. The urgent need to reduce longline bycatch and its associated mortality has been recognized by US and international management authorities for all these years, yet little or no progress has been made - despite repeated assurances from the longline fishing industry that these problems were solvable.

In fact, the problem has worsened due to the deteriorating status of the resources and changes in the fisheries themselves. As pelagic fish populations have declined across the board, the longline industry has evolved into a mixed-target fishery, not only taking advantage of the non-selective nature of the gear, but actually relying on it to remain profitable. They are the profits of doom for the ocean's giant fishes.

With this report, we've arrived at a crossroads. One path remains a dead end, blocked by the unwillingness or

inability of longline fishermen and fishery managers to effectively curtail longlining's adverse impact on the ocean environment. The other path, more challenging and therefore less taken, meets the problem head on - and demands that tough decisions be made now. This is the path we've chosen.

"Ocean Roulette" examines the longline fisheries, the present condition of large pelagic fish stocks, existing management bodies, the effectiveness of current regulations, and critiques options for controlling longline bykill. The report concludes with recommendations for both immediate and long-term action. For a copy of the report, send \$5.00 for shipping handling to: NCMC, Department O, 3 West Market Street, Leesburg, VA 20176.

NCMC SUBMITS PLAN FOR ATLANTIC HMS

The National Coalition for Marine Conservation, as a leader in efforts to conserve swordfish, coastal and pelagic sharks, tunas and billfish, submitted extensive comments to the National Marine Fisheries Service on January 9th, recommending ways to amend fishery management plans for highly migratory species to comply with new requirements to rebuild overfished fisheries and minimize bycatch. Our statement is reprinted below.

Twenty-six Atlantic Highly Migratory Species were listed by NMFS in September 1997 as "overfished." These are: bluefin tuna, swordfish, white marlin, blue marlin, and 22 species of large coastal sharks. According to the Magnuson Fishery Conservation and Management Act, as amended in October 1996, NMFS is required to prepare a fishery management plan (FMP), FMP amendment or proposed regulations by October 1998 for each listed species. The new management programs must set a timeline for ending overfishing and rebuilding the fishery to a population level *at least* capable of producing its maximum sustainable yield.

Highly migratory species are NOT exempt from the Magnuson Act's rebuilding and bycatch requirements.

NCMC was very pleased to hear Dr. Gary Matlock, Chief of the Office of Sustainable Fisheries, affirm at the October HMS Advisory Panel meeting that Congress meant the rebuilding plan requirements to apply to all fish stocks, including highly migratory species. Moreover, he declared that NMFS intends to include measures to rebuild overfished stocks, in as short a time as possible as required by the Magnuson Act, in both the Atlantic Billfish FMP and the new consolidated Highly Migratory Species (tunas,

swordfish and sharks) FMP. He stated unequivocally that highly migratory species are not exempt from this requirement. In setting rebuilding schedules, he affirmed, the only qualifier is the time period, which is to be less than ten years unless the biology of the fish, environmental conditions or an international agreement dictate otherwise.

Rebuild Overfished Fisheries

In developing rebuilding plans for swordfish, bluefin tuna, the marlins and large coastal sharks, NCMC recommends a three-stage process. NMFS should:

1. Establish MSY as the minimum rebuilding goal for each species, and specify in the FMPs the population level and/or fishing mortality rate capable of producing MSY on a continuing basis. Recognizing that specifying MSY is an inexact science and that fish populations may fluctuate from year to year due to fishery-independent (e.g., environmental) factors, NMFS should employ the precautionary approach and establish risk-averse reference points and thresholds in every aspect of its overfishing criteria.

In addition, National Standard #1 establishes the optimum yield (OY) from each fishery as the principal goal of conservation and management. As amended, the definition of OY requires that MSY be *reduced* by relevant social, economic or ecological factors, as well as to provide for rebuilding. In the case of all Atlantic highly migratory species, this means taking into consideration the critical role these apex predators play in providing structure and stability to marine food webs, and ensuring the population abundance and size/age distribution within the population needed to maintain healthy ecosystems.

2. Set a specific time schedule for rebuilding each stock to MSY. The time period should be as short as possible, not more than ten years, unless rebuilding is constrained by the biology of the fish or the dictates of an international agreement.

In the case of a stock that, for biological reasons, is projected to take more than 10 years to restore to MSY, even if the fishery were closed, we believe Congress intended that closing a fishery to hasten a recovery, at least temporarily, be considered as an option. In most cases, stocks which cannot recover in less than 10 years are, by definition, our most seriously depleted resources. Rather than use this condition as an excuse to settle for a prolonged and open-ended rebuilding schedule (15 years? 20? Longer?), such situations demand the strongest possible response.

In the case of swordfish and bluefin tuna, for which total allowable catches have been set by international agreement, the US cannot lower the quotas. However, the US can and should develop its own, more aggressive rebuilding goals under the Magnuson Act and use these objectives to guide US policy at the

International Commission for the Conservation of Atlantic Tunas (ICCAT) in seeking complementary action by other nations fishing the same stocks as American fishermen.

3. Establish specific mortality reduction goals as part of the rebuilding plans. Using rebuilding trajectories to achieve MSY within the specified time frame, the plans should set maximum levels of fishing mortality, either as total fishing mortality or fishing mortality rate. For all overfished HMS stocks, as well as for those approaching that condition (e.g., yellowfin tuna), reductions from present levels of mortality are required; in some cases, substantial reductions.

In every fishery - bluefin and the other tunas, the marlins, swordfish and the sharks - regardless of whether the US is currently party to an international agreement which establishes quotas for US fishermen, fishing mortality must be reduced from present levels. In all cases, substantial reductions in mortality can be achieved by minimizing bycatch or, more accurately, bykill. We offer specific recommendations for bycatch reduction in the next section.

Minimize Bycatch

The Magnuson Act requires that all fishery management plans contain measures to "minimize bycatch and, to the extent bycatch cannot be avoided, minimize the mortality of such bycatch." Once again, we were pleased to hear Dr. Matlock at the HMS AP meeting emphasize that eliminating bycatch mortality is not only an extremely important new feature of the law, but a priority in the management of highly migratory species.

The fisheries for highly migratory species, in particular the drift or pelagic longline fisheries, are plagued with bycatch problems, resulting in substantial dead discards and, most importantly, excessive mortality levels that undermine conservation and management objectives.

- In the U.S. swordfish longline fishery, nearly two out of three fish caught are juveniles. The adult breeding population is shrinking at an alarming rate. The average fish landed in 1995 weighed just 90 pounds, an immature fish two years shy of its first chance to reproduce. A minimum size limit intended to protect enough young fish to eventually rebuild the adult population merely results in 30-40% of the swordfish catch being discarded, with most of those fish - an estimated 40,000 in 1996 - dead or dying when returned to the water. It is doubtful overfishing can be halted without eliminating this excessive mortality on juvenile fish, yet total dead discards have steadily increased, from 363 metric tons in 1993 to 589 mt in 1996.
- Commercial fishing for severely overfished Atlantic blue and white marlin has been illegal in the US since 1989, under the Atlantic Billfish FMP. Yet the

commercial longline bycatch remains today, as it was then, the largest source of mortality in the domestic fishery. From 1993-1996, three times as many marlin were killed and discarded by US longliners as were landed by other fishermen, according to NMFS records. Since 1990, dead discards have consistently averaged approximately 260 metric tons a year. In 1996, bycatch mortality was at an all-time high since enactment of the billfish plan, at 337 mt. Clearly, no progress has been made in reducing longline bycatch of billfish.

- Many more sharks are killed accidentally as unwanted bycatch than as target species. In 1993, the longline fishery discarded nine of every 10 sharks caught (104,460 sharks caught, 12,032 kept, according to logbooks). Of these, 31% were reported dead when returned to the water. That same year, longliners fishing for swordfish in the northwest Atlantic caught over 50,000 blue sharks, twice their catch of swordfish. All were thrown overboard; nearly half were dead.

Catch limits on sharks, either large coastal or pelagic, will always be exceeded as long as they are captured in large numbers by non-selective longlining. Release mortality for some of the most depleted species is equal to or higher than the overall rate of 31%. In 1994, according to logbook reports, 29% of sandbar sharks, 42% of dusky sharks and 60% of blacktips were dead when released from longlines.

- In 1995, 1,349 giant Atlantic bluefin tuna (142 mt) were discarded as longline bycatch, an amount equal to 10% (by weight) of the total allowable catch in the tightly restricted U.S. fishery. The total discards are unpredictable and fluctuate from year to year, but make it virtually impossible for the US to keep total fishing mortality within the recommended ICCAT limits.

Because bycatch mortality contributes to overfishing and impedes recovery of all highly migratory species, bycatch reduction must be an integral part of any rebuilding plan. Substantial reductions in mortality can be achieved through measures to minimize bycatch, while remaining consistent and in compliance with ICCAT quota recommendations, which are intended as maximum allowable levels of fishing mortality.

Bycatch avoidance should be the top priority, complemented by changes in fishing practices to enhance the survival of unavoidable bycatch. We support the following specific actions for inclusion in the FMPs.

- I. Prohibit drift longlining and drift gillnetting in known spawning and nursery areas and other "hot spots" in order to minimize capture of undersize swordfish, protected marlin, breeding bluefin tuna and sharks. Using logbook data on fishing patterns and catches, combined with time and spatial analyses performed by NMFS, time and area

closures should be constructed with the objective of decreasing bycatch by 75% overall.

- II. Limit longlines to a maximum length of 10 miles and a maximum soak time of 6 hours to increase the survival of incidentally caught species.
- III. Count dead discards against quotas. Quotas are set as maximum allowable levels of mortality. Discards are unintended mortality that undermines quota-based management. Counting dead discards from all fisheries against quotas will help keep mortality at desired levels while providing incentives for fishermen to minimize bycatch.
- IV. Reduce fishing effort in the longline fisheries. Since 1987, longline fishing effort as measured in numbers of hooks fished has increased 70%, even as populations of highly migratory species have declined and regulations have been imposed to limit fishing pressure. NMFS should implement a graduated phase-down of the number of vessels and amount of gear during the rebuilding period.

Prevent Overfishing

Rebuilding overfished stocks should be the priority in 1998. Nevertheless, measures to prevent overfishing of other species, such as yellowfin tuna and pelagic sharks, are equally important to ensure that these fisheries do not suffer further declines. The FMP should require implementation of data collection (all commercial and recreational fisheries), effort and stock analyses necessary to support timely management decisions, with emphasis on meeting information needs that can be most quickly translated into precautionary action.

Data Collection, Monitoring and Enforcement

We support improved monitoring and gathering of catch and effort statistics in all HMS fisheries, both recreational and commercial. We also support expanded observer coverage in the longline fisheries, both to verify logbook reports and monitor the effectiveness of time and area closures in reducing bycatch. We recommend implementing an automated, satellite-based vessel monitoring system (VMS), such as required by the Western Pacific Fishery Management Council in its Large Pelagics FMP, to achieve effective enforcement of area closures.

Essential Fish Habitat/Ecosystem Management

The HMS FMP, in adopting a more holistic approach to conserving highly migratory species, should account for and address inter-relationships among these apex predators and key prey species. Fishing that reduces the abundance of either affects the others in measurable ways. These effects must be understood and accounted for in management decisions.



TURNING THE TIDE

NCMC News & Activities

MEMBER SURVEY RESULTS

When we surveyed NCMC members last year to help shape our future work as we celebrate our 25th year conserving marine fish, fifteen percent of you responded. The information you gave us is invaluable; about who our members are, what issues you care about most, and how you think we could do a better job. The great majority identified themselves as recreational anglers, although many of these added descriptions such as wildlife enthusiast, environmentalist, boater and industry member. Our members also include fishery managers, divers, public educators, journalists and former commercial fishermen.

Supporters express concern for the future of ocean fishing and the desire for information, but also cite what they like about the NCMC. Two themes emerged. NCMC is "an advocate for the fish," not just fishermen. Second, our programs are "solid and sensible," "professional, goal-oriented," "scientifically-based," "efficient" and "effective." You like that we "hit the big issues," "take sound long-term positions," and are "consistent and persistent" in working toward our goals. The three NCMC programs you told us should receive highest priority are, in order: 1) large pelagics (tunas, billfish and sharks); 2) habitat conservation; and 3) bycatch/ destructive fishing gear.

Besides advising us to "keep up the good work" and "don't let up," responders emphasize the need to work with other groups, communicate with the press, get the word out to fishermen and fishing clubs, and do more to advertise our accomplishments. Finally, we are urged to find ways to add more political clout to our proven strengths, which are scientific evidence, constructive recommendations, knowing the system and how it works.

NCMC JOINS STEWARDSHIP COUNCIL

The NCMC has registered as a supporter of the Marine Stewardship Council (MSC), an innovative approach to achieving sustainable fisheries through consumer action. In 1996, the World Wildlife Fund and Unilever formed a partnership to create economic incentives for sustainable fisheries. The MSC will harness market forces and consumer power through voluntary, independent certification of fisheries and labeling of fish products as responsible, environmentally appropriate, socially

beneficial and economically viable. As an official supporter, the NCMC will participate in the development of the MSC.

NCMC ADVISES ON ECOSYSTEMS, HMS

NCMC President Ken Hinman traveled to Seattle, WA December 15-16 as a member of the Ecosystem Principles Advisory Panel. The focus of the panel's work at this point is establishing principles and goals and identifying the ways in which these principles can be applied in fishery management activities, including research. Mechanisms for applying an ecosystem approach will be most useful and beneficial if they can be incorporated into the current management structure, rather than requiring a fundamental re-structuring of our management system.

Hinman also participated in the October 16-17 meeting of the new Highly Migratory Species Advisory Panel established by NMFS to help prepare a consolidated fisheries management plan for tuna, swordfish and sharks. Hinman, serving on the panel as designee for Carl Safina of the National Audubon Society, emphasized the need for recovery plans and bycatch reduction (see "NCMC Submits Plan for Atlantic HMS," p. 7).

NCMC BOARD WELCOMES MARY BARLEY

Mary Barley of Orlando, Florida was recently elected to the Board of Directors of the NCMC. Mary is a leading force behind The Everglades Foundation, working tirelessly to restore the Everglades and Florida Bay. "We are honored that Mary has joined NCMC," says Chairman Chris Weld. "We will benefit tremendously from her enthusiasm and commitment to conservation."

BENEFIT FOR BILLFISH

Spots are still available for the NCMC's 3rd Annual Benefit Billfish Tournament, April 18-20, 1998. This all-release tournament will again be hosted by Tim Choate and Artmarina at the Fins'n Feathers resort on the Pacific coast of Guatemala. Target species are sailfish, blue and black marlin, and roosterfish if anglers choose to fish inshore. Anglers may compete for prizes as teams and/or individuals. April is prime sailfish season, and over the last three years Artmarina has averaged 25 sailfish raised per day per boat during this month! For more info or registration details, call Christine at (703) 777-0037.

FISHERIES BUDGET NETS A FEW MORE FINS

New management plans must feature rebuilding plans for all of 86 overfished stocks, minimize bycatch in all fisheries, and identify essential fish habitat for each. For this, Congress gave NMFS another \$7.75 million for its fishery management activities (the Regional Councils got

an extra \$1.7 million). This is an increase of 40% over what was available in fiscal year 1996, which only underscores how measly the budget was to begin with, not how robust it is now.

KH AND SWS

In October, Ken Hinman joined Salt Water Sportsman magazine as Fisheries Management Editor. Ken is writing a bimonthly conservation column, entitled "Fisheries Front." His most recent contribution (April) is a modest proposal for reforming the fisheries budget process, based on achieving stability in funding for core programs, flexibility in the setting of spending priorities, and accountability for achieving agreed upon results.

EVERY DOGFISH WANTS ITS DAY

The NCMC backed the Mid-Atlantic Council's efforts to put together a fishery management plan for spiny dogfish. On November 21st we urged the Council to proceed with precautionary catch limits, based on a new assessment due in January, featuring measures that will protect mature females from mounting fishing pressure. We urged the council to act quickly and give priority to developing the appropriate conservation and management measures for submission to NMFS early in 1998.

On January 14th, NMFS scientists confirmed that dogfish are overfished and in need of new management measures. Management cannot come too soon for these highly vulnerable fish. Like other sharks, they are subject to population collapses under rapidly intensifying fishing pressure and demand cautious management policies. These should include, as did the Atlantic shark FMP implemented in 1993, data collection/reporting requirements and a prohibition on the practice of "finning," as well as total allowable catch limits.

**1997 RESULTS,
NEW TAGGING AWARD ADDED**

NCMC congratulates the winners of our 1997 blue marlin tagging trophies. Capt. Dave Noling won the Captains Trophy by tagging and releasing 157 blue marlin last year, while Sam Jennings took the Anglers Trophy with 42 blues. NCMC sponsors the trophies, part of the AFTCO Tag/Flag Tournament for billfish and tuna, to encourage tag and release fishing for all species. In 1998, NCMC will begin awarding a trophy to the angler who tags and releases the most Pacific bluefin tuna. For information or to participate, call Ben Secrest at (714) 660-8757.

MARINE EDUCATORS SPOTLIGHT BIG FISH

Current, the magazine of the National Marine Educators Association, is publishing a special issue on giant ocean fish - sharks, tunas, billfish and swordfish. Ken Hinman contributes a feature article on bycatch problems in the pelagic fisheries, entitled "Lines In the Water."

A HEARTFELT THANKS!

The NCMC thanks all our members and supporters who gave generously in 1997. The following individuals, corporations and foundations merit a special mention for their generosity.

Grants

Curtis & Edith Munson Foundation. Conserving large pelagics.

Mostyn Foundation. Conserving large pelagics.

Norcross Wildlife Foundation. Purchase of a new computer system.

Pew Charitable Trusts. Ocean Wildlife Campaign.

Surdna Foundation. Organization development and communications.

Gifts

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| AFTCO Mfg. Co. | Fernando Aguilar |
| William D. Akin | Michael Aman |
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THE NCMC

MARINE INDEX

The List. The National Marine Fisheries Service's so-called "list of overfished species," released September 30th, makes clear how much work we have to do to restore America's fisheries. But more than that, it triggers a new requirement that the regional councils come up with measures to end overfishing and begin rebuilding 86 depleted stocks by October or the feds will step in. NMFS is writing National Guidelines to alert managers to what is expected. We expected to see the final guidelines by now, but they've been embargoed due to controversy over three provisions: 1) whether or not a fishery which, for biological reasons, cannot be rebuilt in 10 years even if shut down, must therefore be shut down in order to achieve rebuilding in "as short a time as possible;" 2) whether or not overfishing of a single stock in a multi-species fishery is permissible; and 3) whether or not overfishing can occur for one year without triggering designation as an overfished fishery. In each case, representatives of the fishing industry, some council members and Congressmen are seeking exceptions to what they perceive as too rigid interpretations. But granting exceptions is dangerous. To permit any stock of fish to be overfished, under any circumstances; to allow overfishing thresholds to be exceeded, even temporarily; to permit recovery plans for our most severely overfished populations to be uncircumscribed by time limits, risks a return to business as usual.

NEW ENGLAND



The crash of NE groundfish, more than anything else, led to mandatory rebuilding triggers. 12 of the region's stocks are on "the list." Some show signs of improvement, but others may be added to the next list. Either way, there's going to be a lot of down time for New England's fishermen for years to come.

GULF OF MEXICO



Much of the pressure to back off recovery deadlines comes from the gulf, where red snapper can't be rebuilt in 20 years, even by closing the directed fishery and reducing shrimp bycatch by 3/4. To reduce bycatch that much, the shrimp fleet would have to quit fishing. In Jan. the gulf council voted to keep catch limits *status quo*, defying NMFS to intervene.

SOUTH ATLANTIC



14 species are overfished, but the status of a whopping 65 is unknown. In fact, we're in the dark on 61% of the nation's fish stocks. Some, like dolphin-fish in the southeast, are coming under increasing fishing pressure, warning that the urgent focus on restoration can't come at the expense of prevention.

NORTH PACIFIC



The only council with no fish on the list. But the region's prosperous fisheries are plagued with formidable bycatch and discard problems as well as gross overcapacity.

ATLANTIC HMS



Bluefin and swordfish limits are set internationally for these wide-ranging fish. The mandate to avoid bycatch will likely be the focus of rebuilding efforts here, as well as with marlins and sharks. If longline bykill were substantially curtailed - and it can be - they'd all be on a faster track to recovery.

PACIFIC



Here, as elsewhere, new regulations will move effort into other fisheries. If managers aren't able to respond fast enough, observers fear provoking a pattern of "serial depletion," as a new fire starts for every one we put out.

MID-ATLANTIC



The comeback of summer flounder is shaping up as an all too rare success story. More typical is mounting pressure to make bigger withdrawals before the fishery gets out of the red. Keeping rebuilding on track may be just as hard as getting started in the first place.

THE NCMC OCEAN VIEW

STAYING THE COURSE

"For a long time, I didn't mind losing because I felt I would ultimately win." - retiring Senator Dale Bumpers

Over the past 25 years, the National Coalition for Marine Conservation hasn't just been there for nearly every significant improvement to the Magnuson Act, we've been a major player, initiating change and building the alliances of fishermen and conservationists that made it happen.

We cut our teeth as an organization working for passage of the original Fishery Conservation and Management Act in 1976. From the beginning, though some saw nothing more than an allocation of fish from foreigners to Americans, we committed to creating a durable and enduring institution to conserve fish. In subsequent reauthorizations, we were instrumental in requiring a better balance of interests among regional council members, adding the first habitat provisions, and bringing tunas under US authority.

The most recent amendments to the Magnuson Act, the result of a four-year campaign that began in 1992 with formation of the Marine Fish Conservation Network, are both the most sweeping changes of all and a reiteration of the law's original intent. The failure to stop overfishing in too many major fisheries, and the paralysis that often set in when corrective action was called for, forced Congress to re-evaluate the effectiveness of the Act and re-write it in a way that makes overfishing illegal.

The landmark changes wrought by the 1996 amendments have renewed our faith in the system and reinvigorated our commitment to conserving ocean fish. Yet we know better than anyone, based on long experience, that the light at the end of the tunnel can be turned off if no one's guarding the switch.

That's why we're devoting so much effort this year to Magnuson Act implementation. We are working overtime with other Network members to get the strongest possible national guidelines for preparing new management plans. Management of the highly migratory species fisheries, a chief focus of ours since 1973, suffer from many of the defects the new law aims to repair. Moreover, they are the only plans being developed solely by NMFS, that agency that will ultimately judge the councils on what they've done.

It's a scary thought, but people are already talking about the next reauthorization in 1999. While it's premature to assess the impact of the latest changes or to recommend additional ones, it underscores the importance of the job at hand. We remain optimistic we'll win. By "we" we mean all of us, and by "winning," we mean securing sustainable fisheries and a system that will keep them that way.

Ken Hinman, Editor

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Founded in 1973

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- ◆ 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.

THE NCMC MARINE BULLETIN

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THE NCMC

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THE NCMC OCEAN VIEW

APPROACHING THE MILLENNIUM

All that is not true change will disappear in the future society.
— George Sand

On June 1st, I was elected a co-chair of the Marine Fish Conservation Network, the alliance for fisheries reform NCMC helped create in 1992. The Network eventually grew to 100 organizations and four years later achieved its goal – adding the first-ever rebuilding, anti-bycatch and essential habitat requirements to the Magnuson Act. Last year we revived the old Network with a new mission and a new structure.

As it became evident that these landmark changes in fisheries management meant an end to business as usual, the opponents of change got up to their usual tricks. Pressure by obstructionists exerted on members of Congress, the Administration (NMFS) and the Regional Councils jeopardized implementation of the Magnuson Act's most important new provisions.

The Network set about bolstering the NMFS Guidelines, an interpretation of the Act's National Standards by the agency that reviews all FMPs for compliance with the law. We fought end-arounds in Congress, where a number of "riders" were tagged onto funding bills to prevent enforcement of the strict new rules. The Network helped coordinate grass roots action in the councils, where uncertainty about new requirements, the short time given in which to meet them, and resistance from some commercial interests threatened to produce weak plans.

Indeed, regional groups have a bigger role in the Network than ever before. Whereas the last reauthorization (1992-96) was about raising the national standard for fish conservation, the rubber meets the road in the regions, where problems and their solutions are unique. Implementation demands a strong synergy between national and regional advocates, and the new Network reflects that.

The dust won't settle until later next year, after NMFS completes its 90-day review of new plans due in October and the plans go into effect. Then we'll have a better idea of how much things really have changed. And then...we must prepare for the next reauthorization, in 2000.

As we did before, the Network will develop an agenda that a broad-based coalition can get behind. What will be the key issues as we enter the next century? We can predict debates on privatization (ITQs), ecosystems management, buy-outs, and marine protected areas. But we also know we must defend the changes we made in 1996 from those who'd like to repeal them. Or plug up holes in the law that we didn't foresee. Either way, we'll be there.

Ken Hinman, President

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GOAL!

NCMC CALLS FOR BYCATCH REDUCTION PLAN WITH REAL TARGETS AND TIMETABLES

The National Coalition for Marine Conservation (NCMC) earlier this year published the results of a 2-year study of drift longlines. After examining the excessive "bykill" of unwanted or prohibited fish and exploring ways to minimize the heavy toll it takes on pelagic fisheries, we concluded that severely overfished populations of swordfish, marlins and sharks can be restored to sustainable levels *only* if governments strictly curtail fishing with longlines.

Because reducing longline bykill is essential to the recovery of these fish, we think bycatch plans should, like the rebuilding plans required under the Magnuson Act, include targets and timetables to hold fishermen and fishery managers accountable for achieving an acceptable decrease in bycatch within a specified time. This approach, along with our recommendations on how to limit the use of longlines, is gaining wide support.

The 108-page NCMC report, OCEAN ROULETTE: Conserving Swordfish, Sharks and Other Threatened Pelagic Fish in Longline-Infested Waters, represents the first-ever attempt to address the serious problems caused by indiscriminate longlining in a comprehensive manner. Our work has been influential, not only in the policy recommendations coming out of the environmental and recreational communities over the last two years, but also the kinds of measures being considered by the National Marine Fisheries Service and its advisory panels as the agency revamps its management plans for all Atlantic large pelagics.

In order to comply with 1996 amendments to the Magnuson Fishery Conservation and Management Act (which NCMC helped secure), the new plan must contain measures to "minimize bycatch and its associated mortality to the extent practicable." A draft of the plan must be completed by September 30th, after which NMFS will send its proposed changes out for public comment. After hearing and considering the public's reaction, the agency expects to finalize and implement the new rules next spring, hopefully in time to begin reducing bycatch during the 1999 fishing season.

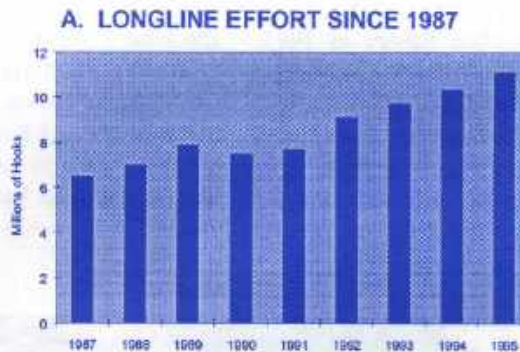
Lines Out

Longlining is the thread - and the threat - which binds together the future of all the large pelagic fisheries, both recreational and commercial. Drift longlines consist of extraordinarily long floated mainlines - often stretching over 30 miles - from which thousands of baited hooks are suspended in the deep ocean, "searching" for fish. They are commonly used to catch large, highly valuable swordfish and tunas for the elite, upscale seafood market, much of it overseas. But longliners have only minimal control over what they actually capture. Consequently, their catch includes an enormous quantity of non-target fish, including marlins, sharks and juvenile swordfish that are the accidental casualties of the indiscriminate hooks.

In OCEAN ROULETTE, we liken fishing with longlines to laying an underwater minefield. This is not hyperbole. Any fish or other animal large enough to take the hook is a potential victim. The rising catch and discard of billfish and juvenile swordfish in the U.S. longline fisheries, in violation of domestic and international regulations to protect these fish adopted in 1989 and 1990 respectively (see Figures B and C, page 4), is irrefutable evidence of the inability of longlines, or longline fishermen, to discriminate between what they want to catch and what they don't want or should avoid. The steadily multiplying number of hooks set by U.S. swordfish fishermen since the swordfish began its decline in the mid-1980s (see Fig. A below) is stark testimony to the increasingly opportunistic - i.e., catch as catch can - nature of today's longline fishery.

Because management measures in place in the U.S. (as well as on the high seas) only control what longline fishermen can *land*, not what they kill, and do not limit the amount of gear or effort, recovery efforts for overfished swordfish, white and blue marlin, deep water sharks and the larger tunas are ineffective. Measures that strictly limit *where*, *when* and *how* longlines are fished are the only measures capable of immediate and lasting conservation benefits to the ocean's beleaguered large pelagic fisheries.

To mitigate the damage caused by longlines, NCMC proposes designating no-longlining zones to avoid bycatch in critical areas, such as nursery and breeding grounds, and shortening lines and "soak" times to improve survival of accidentally-hooked species. In addition, we've proposed counting bykill against landings quotas as an incentive for cleaner fishing. Each of these measures is high on the list of alternatives being proposed to NMFS to minimize longline bykill of swordfish, billfish and bluefin tuna.



Despite nearly unanimous support for such measures from other commercial (non-longline) and sport fishermen, environmentalists, members of Congress and the public, NMFS is indecisive about restricting the use of longlines. Not because they have any better ideas on how to solve the bycatch problem, which has plagued the offshore fisheries for decades. They don't.

Swordfish, Bykill Top Conservation Agenda

The plight of swordfish, and particularly the unrestrained and wasteful killing of juvenile broadbill, is today one of the most publicized of all fish conservation issues. Swordfish are being removed from menus all over the country and consumers are refusing to order it, until a bona fide recovery plan is in place. The role of indiscriminate longlining in the demise of swordfish is well understood. And no-longlining zones are the most talked about way to protect swordfish in order to rebuild the rapidly plummeting spawning population.

NCMC was first to propose that NMFS close swordfish nursery areas off South Carolina and Florida (east and Gulf coasts) over 2½ years ago. In fact, it was our work on this issue that spawned the unprecedented attention to the swordfish fishery in 1997, following NMFS release of its infamous "Draft Amendment One" to the swordfish plan. An April 1996 NCMC recommendation to NMFS formed the basis for Amendment One's emphasis on the rising bykill of immature fish. This in turn mobilized broad opposition to longlining and the Amendment itself - the only management measure proposed by NMFS was to limit entry in the fishery to the current fleet of active longliners - and drew recreational and environmental groups to the swordfish issue as never before.

NCMC recommendations on area closures, supplemented by limits on gear and counting bycatch mortality against quotas, became the centerpiece of swordfish recovery and bycatch reduction proposals put forward by the increasingly influential Ocean Wildlife Campaign (of which NCMC is a founding member) and the surprisingly successful consumer-targeted campaign to "Give Swordfish A Break," spearheaded by the Natural Resources Defense Council and SeaWeb, an educational project of the Pew Charitable

Trusts, which also funds the OWC. These recommendations have been embraced by members of Congress, too, including Sens. Ernest Hollings (SC) and John Kerry (MA), ranking Democrats on the Commerce Committee (which oversees fisheries), and Rep. Frank Pallone (NJ), ranking Democrat on the House fisheries subcommittee.

Since the beginning of our longline study, we have presented our findings at numerous meetings with government officials and in written testimony; published them in magazines and newspaper articles for a wide variety of publications; presented the results at fisheries conferences; provided information on request to state and federal officials and lawmakers; and worked with other conservation and fishing organizations to develop a unified message. OCEAN ROULETTE is even being translated into Spanish by fishing advocates in Mexico confronted with similar longline problems.

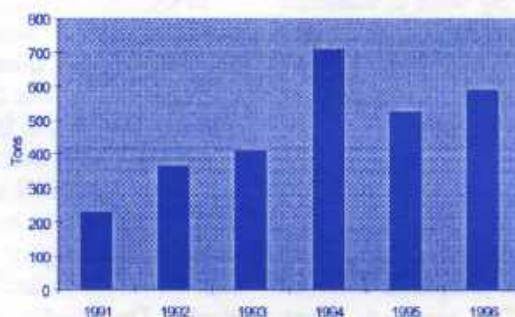
Targets and Timetables A Must

If no one has done more to raise longline bykill to the top of the national fisheries agenda in 1998, we know better than anyone that we've been here before, at the brink of action, and that those who don't want to resolve the problem - the longliners and their allies in government - will continue to seek ways to avoid a meaningful remedy. Already, representatives of the longline industry are doing what's worked for them before -- arguing that we need more research, let's not move too fast, ya-da ya-da ya-da. And there are those in NMFS, new to the long battle over longline bykill, who may see more studies as reasonable, not to mention a way to avoid making the tough decisions.

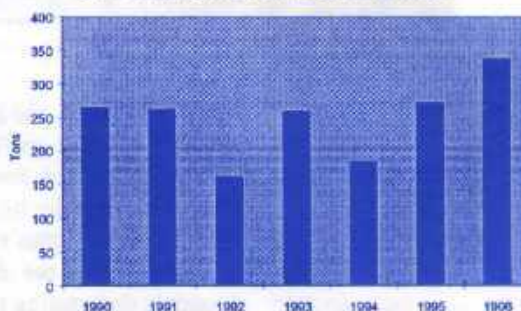
That's why we produced OCEAN ROULETTE, to put the longline issue in perspective as one that's been "the bane of large pelagic fisheries management for over two decades." That's why we examined all the options that have been suggested throughout this period, noting the lack of initiative on the part of NMFS

and the industry both, before making our recommendations. That's why we describe area closures and gear restrictions as *interim* solutions, knowing full well that, if only token steps are taken to deal with longline bycatch and serious problems persist, there is no recourse but for NCMC (or any fishing or conservation group honestly committed to

B. SWORDFISH BYKILL SINCE 1990



C. BILLFISH BYKILL SINCE 1989



conserving these fish) to support a moratorium on fishing with longlines. That's not a threat. It's just where we must go if the only other choice we are given is to perpetuate the problems of overfishing, bycatch and waste.

Finally, the stubborn aversion to managing the longline fisheries in this country is why NCMC has proposed what we call a Comprehensive Bycatch Reduction Plan. To make sure that there can be no more excuses to further delay action. To ensure that NMFS will move aggressively to reduce bycatch to an acceptable level, instead of taking a first step and going no further.

For the same reason that specific goals and timetables are required to rebuild overfished fisheries, similar incentives are needed to hold fishery managers accountable for minimizing bycatch.

We've submitted a plan modeled after those now required for rebuilding overfished fisheries. For the same reason that goals and rebuilding schedules are needed to compel fishery managers to restore depleted fisheries, our bycatch plan would feature specific targets and timetables to hold fishery managers accountable for making measurable progress toward minimizing bycatch, as the law demands.

NMFS, in a pre-draft FMP released in August, adopted our plan in concept and framework. But essential components, such as targets, are missing. Without them, there is no way to evaluate the effectiveness of closures and changes in fishing practices and the need for future action.

Essential Ingredients

Because there are no distinct longline fisheries for swordfish, billfish, tunas and sharks, but rather an opportunistic, multispecies fishery, we need to take a holistic approach to resolving longline bycatch problems. In other words, each option, e.g., area closures for juvenile swordfish, should be viewed as one component of a comprehensive plan, incorporating a suite of management measures designed to conserve all large pelagic species whose recovery to maximum sustainable yield is threatened by uncontrolled and excessive bykill.

When assessing the potential of closing "high concentration" areas to longlining to protect non-target or undersize fish, for instance, the assessment should also factor in the additional benefits that might be achieved through changes in fishing practices in open areas, such as limited "soak times," that could increase survivability of released/ discarded fish.

In addition, the plan should monitor progress toward the bycatch reduction goal, with management measures adapted each year to stay on course. Such an adaptive approach would also provide a strong incentive for fishermen to avoid bycatch and the imposition of stricter measures in the future.

The NCMC has recommended to NMFS that the following essential components be included in a comprehensive U.S. bycatch reduction plan for Atlantic Highly Migratory Species (including Billfish):

□ SET A BYCATCH REDUCTION GOAL AND TIMETABLE

Bycatch measures should be developed with a specific reduction goal in mind and a projected time period for achieving it. Within this framework, management measures should be considered and implemented based on their contribution to overall bycatch reduction and adjusted annually as necessary to achieve the established goal. *We recommend a goal of reducing bycatch mortality from recent levels (defined as the average bycatch over the five year period 1992-96) by at least 75% within 5 years.*

□ MAKE BYCATCH AVOIDANCE THE TOP PRIORITY

To avoid unwanted encounters with non-target or protected species or age groups, *NCMC recommends the prohibition of longlining in known spawning and nursery areas and other "hot spots" or high concentration areas where the bycatch of protected or overfished species is highest or most detrimental to the recovery of the resource.*

□ CLOSELY MONITOR AND ENFORCE CLOSURES

In order to enforce compliance with the closures, as well as monitor their effectiveness, *we recommend that all longline vessels be equipped with vessel monitoring systems (VMS).*

□ TREAT AREA CLOSURES AS AN EXPERIMENT IN ADAPTIVE MANAGEMENT

A comprehensive monitoring program should be developed to monitor and assess the effectiveness of the closures and to adapt them as necessary to achieve overall bycatch reduction goals.

□ RESTRICT FISHING IN OPEN AREAS TO ENHANCE SURVIVAL OF BYCATCH

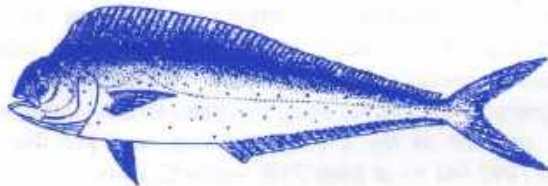
Area closures to avoid bycatch should be supplemented with gear restrictions to increase survivability of unavoidable bycatch. *NCMC recommends limiting longlines to a length of 10 miles (approximately half the current average length) and decreasing to a maximum of six hours the amount of time that longline hooks are in the water in order to enhance the survival of fish and other animals caught incidentally or that must be released according to regulation.*

□ COUNT BYKILL AGAINST CATCH QUOTAS

We recommend counting dead releases/discards against all U.S. quotas for swordfish, bluefin tuna, and large coastal and pelagic sharks, to keep total mortality within recommended catch levels and to provide an incentive for more selective fishing.

□ SEEK INTERNATIONAL ACTION

NCMC urges the U.S. delegation to ICCAT to seek multilateral action to minimize bykill on an Atlantic-wide basis. ICCAT should begin by studying the feasibility of high seas protected zones where the use of non-selective fishing gear, such as longlines and drift nets, would be prohibited during rebuilding periods for swordfish, tuna and the marlins.



COUNCIL MOVES FORWARD ON DOLPHIN FMP

Workshop Recommends Precautionary Approach

The South Atlantic Fishery Management Council, pending approval of its request to NMFS to prepare a Fishery Management Plan for Dolphin and Wahoo, is scheduled to draft measures to conserve dolphin at its December meeting. The council recently reviewed a report from a dolphin/wahoo workshop where experts advocated pro-active measures to protect dolphin populations from increasing fishing pressure and to maintain the traditional recreational and commercial fisheries in their present prosperous condition.

Beginning over two years ago, the National Coalition for Marine Conservation saw an opportunity to preserve a healthy dolphin fishery in the southeast and Caribbean, and we are dedicated to seeing that happen. We helped get the issue onto the South Atlantic Council's agenda in 1996. We asked the council to formally request updated catch and effort information from the National Marine Fisheries Service's southeast region office to document rapid growth in the fishery, especially the longline fisheries, and the need for a management program. The information subsequently supplied by NMFS prompted the council to begin preparations for a new dolphin/wahoo FMP. NCMC staff actively participated in the three-day workshop held last May in Charleston, SC, which resulted in a recommendation to the council for precautionary management.

Live Fast, Die Young

Dolphin (also known as dorado and mahi mahi) are extremely fast growing fish with a very high natural mortality rate. Males and females reach maturity at 4-7 months old. But whereas other pelagic fish, such as marlin, use fast juvenile growth in order to survive to a relatively safe and prolonged adulthood, dolphin expire at an early age. Very few fish live to see their second birthday.

Even so, scientists and other experts from the U.S., Caribbean islands and Bermuda who participated in the South Atlantic Council's dolphin workshop agreed that biology takes care of the fish only to a point and that overfishing is possible and even likely if current trends in fishing pressure continue. "The consensus was that dolphin may be harder to overfish than some other species, but we've had a lot of practice and we're pretty good at it," says NCMC president Ken Hinman, who attended the workshop. "We agreed that a precautionary approach to managing dolphin fisheries is needed to hold the fisheries at the *status quo*, which most everyone is pretty happy with."

The NCMC is advocating minimum size and/or bag limits for the recreational fishery; trip limits for commercial hook-and-line vessels; and establishing allowable gear in the directed fishery. We recommend excluding the use of pelagic longlines, which, because of the non-selective nature of the gear and the length of time the hooks are in the water, result in levels of fishing mortality that cannot be regulated by possession or landings limits. The objective of these measures is to maintain catches among historic participants at recent levels while preventing the expansion of new fisheries with the potential to overfish.

THE OCEANS ACT

Is It Action, Or Just Acting?

Legislation working its way through the 105th Congress would set up a blue ribbon panel to recommend a new national oceans policy for the United States. It's likely to pass during 1998, the International Year of the Ocean. The House has already approved a bill.

The Oceans Act (the House and Senate bills differ slightly) would assemble a 15-member commission to study ocean uses and federal programs for 18 months and then recommend a comprehensive policy for conserving fisheries and other marine resources in a sustainable manner, a policy that would presumably govern the activities of all federal agencies. It would also create a new interagency council, composed of high-level officials from the Commerce, Navy, State, Transportation and Interior Departments, plus independent agencies such as the Office of Management and Budget and Council on Environmental Quality.

Is it worth our support? It's certainly an easy way for politicians to get points from the ocean community. It's mom and apple pie for literally hundreds of organizations that have endorsed it, including nearly every environmental group and major commercial fisheries association in the country. Which could also be a warning that the new commission's charge is so broad and all-inclusive as to be all things to all people and nothing of real import.

Indeed, the shelves of Washington, D.C. sag under the weight of reports commissioned with good intentions and filled with good recommendations that go unheeded, collecting dust. Will this one be any different? Or will it

simply re-state existing fisheries policies - most of which are pretty solid, although they're soft on implementation - and create another level of bureaucracy to oversee them, when the money is more badly needed elsewhere?

The Oceans Act can serve one essential purpose - to elevate the importance of ocean conservation within the federal government. The overriding purpose of the Act should be to enhance coordination among federal agencies behind *existing* marine conservation goals and objectives, as laid out in the mission statement of NOAA and the 1996 amendments to the Magnuson Act, especially those designed to prevent overfishing and protect essential fish habitat. It is unlikely such a diverse group of interests as that proposed to serve on the new commission, many non-resource oriented, would improve upon these objectives, which are, incidentally, currently under attack by members of Congress and the Administration.



DEJÀ VU

Finning Ban, Other Preventive Measures Needed to Protect Pacific Sharks

Does this sound familiar? Demand for sharks is rising rapidly, fueled by the insatiable Asian market for fins. Most sharks are taken as longline bycatch in the tuna and swordfish fisheries, and killing them just for their fins is legal. There are no limits on shark catches. Although it's well known that shark populations cannot withstand prolonged, high catch rates, managers are awaiting more conclusive evidence of overfishing. No, it's not 1988 in the Atlantic. It's 1998 in the Pacific.

The Western Pacific Fishery Management Council reports that shark landings by the Hawaii-based longline fleet rose from 200,000 pounds in 1991 to 4.5 million pounds in 1996. That's an exponential increase of 22 times in five years, reminiscent of skyrocketing shark landings off the east coast in the late '80s. Virtually all the sharks (99%) are taken for the value of their fins alone, although a small portion of the meat is landed and sold to markets on the mainland. Likewise, it was the lucrative fin market that drove the Atlantic shark fisheries from boom to bust.

The main difference between what's going on now in Hawaii and what occurred on the U.S. east coast a decade ago is that a fishery management plan covering sharks does exist, whereas government officials had to start from scratch

in the Atlantic, including the collection of catch and effort data. The Pacific Pelagics FMP requires logbooks reporting both catches and discards, and even defines overfishing for mako, thresher, blue and other oceanic sharks. However, it contains no restrictions on catches or landings.

Outlaw Finning

Sharks, mainly blue sharks, are caught as bycatch in the Hawaiian tuna and swordfish longline fisheries. Although there is no evidence yet of overfishing, the council is asking NMFS to provide it with information on Pacific blue sharks to judge their susceptibility. The NCMC believes preventive measures should be enacted now. At a 1996 NCMC-sponsored conference on Pacific pelagic fisheries, "Getting Ahead of the Curve," noted Australian shark expert Dr. John Stevens said: "While blue sharks are among the most widespread, fecund and faster growing elasmobranchs, the general life history characteristics of this group limit their ability to withstand heavy fishing pressure."

NCMC is urging the Western Pacific Council to take action to help prevent overfishing of sharks, which is certain to occur if demand increases in the absence of any constraints on fishing. We are asking the council to outlaw the finning of sharks (cutting off the fins and discarding the carcass at sea) and to impose precautionary quotas, at conservative levels, until better information on the status of Pacific sharks is available. In addition, we support the council in its work to improve regional efforts at data collection and management throughout the western Pacific.

CONSERVING BOTH PREDATORS AND PREY

Atantic menhaden are a valuable member of the ocean fish community. Not just because they are netted by the hundreds of millions for such commercial uses as hog and chicken feed, cooking oils and other industrial products. But because the list of fish that feed on menhaden reads like a who's who of recovering or overfished species: striped bass, cod, sharks, bluefish and swordfish.

Fishery managers from Florida to Virginia are raising concerns about the effect that fishing down menhaden stocks may have on predator species. Supplies of the multitudinous prey fish may be shrinking. Catches have dropped by 14 percent over the last five years, 8 percent since 1996. Fewer fish are migrating from their mid-Atlantic spawning grounds to southern waters, where they are a staple food fish for king mackerel, depressing Florida kingfish populations, according to that state's Marine Fisheries Commission. The resurgent population of striped bass in Chesapeake Bay, not finding enough to eat, is showing signs of malnutrition and other stress disorders.

Similar predator-prey concerns are arising in other fisheries. High harvests of squid and herring are prompting worries about how this might impact the effectiveness of

recovery efforts for overfished pelagic species such as swordfish, bluefin tuna and white marlin.

Little Boxes

We tend to try and conserve each species alone, just as we fish for them. We perform stock assessments on a species-by-species basis and set catch limits within the same little boxes. This narrow approach doesn't account for inter-actions among predators and prey; the effect of fishing for one species on others; or fishing operations that kill a wide range indiscriminately.

For years, most of the public's attention went to the so-called "charismatic mega fauna," the great whales and dolphins. That's changing. More recently, the ocean's giant fishes have pushed their way into the public mind. But the little fishes are just as important - to the marine ecosystem in general as well as to the survival of larger predators - and they need our attention, too.

Billfish and tuna feed on "forage" species such as squid, mackerel and herring. There is rapidly increasing exploitation of these so-called "underutilized species," a term that is anathema to ecologists and environmentalists alike and is anyway an uncomfortable reminder that fully- and over-utilized are the rule rather than the exception.

There are already signs that the increasing harvest of squid and other forage species is having an adverse effect on the animals that feed on them. Sport and commercial fishermen from Maine to Virginia report seeing fewer and smaller schools of baitfish where once they were abundant. The stomach contents of fish caught by anglers and stranded seals and porpoise indicate changes in diet to non-traditional species and, in some cases, starvation, both signs that these animals are having trouble finding food.

Integrating Objectives

Managers not only need to maintain forage species at sustainable levels, but also at levels that will sustain the recovery of predator species to their historic abundance. Unfortunately, there is no way to address these and other concerns in the current management process. Although there are management plans for squid, mackerel and

herring, along with plans for most of the large pelagic species that feed on them, none of these plans set allowable catches or desirable population levels with an understanding or consideration of how they impact the others.

The main reason ecosystem relationships are not being adequately considered is a lack of direction as to what information is required and how it should be used in the real world of managing fisheries. Obviously, we could use a

better understanding of how ecosystems function. Research in this area will require new money and more time. Notwithstanding, there are a number of things we can set about doing now.

More than anything else, we are talking about changing a way of thinking about management, or an approach to making decisions that is different from, but nevertheless grows out of, our current approach. When we talk about managing the impact of fishing activities in such a way as to preserve ecosystem integrity, what it boils down to is

coordinating the objectives and management measures of fishery management plans for related species.

The NCMC recommends that fishery managers:

- ◆ amend all fishery management plans to identify important species interactions;
- ◆ establish an overfishing threshold (either population level or fishing mortality rate) which takes into account those interactions. Given that there will be uncertainty about cause and effect, managers should apply the precautionary approach to setting allowable catch levels; and,
- ◆ where management objectives are in conflict, the authors (responsible agencies) of the plans in question should work out an ecologically-based process for harmonizing those objectives.

NMFS GUIDELINES

*Agency Sets Tough Standard Overall,
But Leaves A Few Loopholes*

It took the National Marine Fisheries Service until May of this year to finalize its National Standards Guidelines, the agency's read on the Magnuson Act amendments of 1996.

WHAT IS ECOSYSTEM OVERFISHING?

The Magnuson Act requires that effects of fishing on the ecosystem be considered in conservation and management measures. Optimum Yields (or catch levels) from each fishery should not only provide food and recreation, but must "take into account the protection of marine ecosystems." OY is prescribed as "the maximum sustainable yield from each fishery, as reduced by any relevant economic, social or ecological factor." Fishery managers generally don't take predator-prey and other inter-relationships into account because they don't know how.

Take menhaden and striped bass, for instance. Right now, separate management boards, responding to different and distinct constituencies, set the goals and write the rules for each fishery. If there aren't enough menhaden to sustain the current striper population, one board might say the answer is to cut back on menhaden catches, while the other might suggest we take the pressure off the prey by catching more of the predators. Neither approach is inherently right or wrong. But both must be considered in the same ecosystem context, each as it relates to the other, in order to predict better the consequences of our actions.

The year-long delay occurred mainly because of debate over three key issues: 1) whether or not overfishing can occur for one year without triggering designation as an overfished fishery; 2) whether or not a fishery which, for biological reasons, cannot be rebuilt in 10 years even if shut down, a) must be shut down in order to achieve rebuilding in "as short a time as possible," or b) if a protracted rebuilding period is permitted, how long do managers have? and 3) whether or not overfishing of a single stock in a multi-species fishery is permissible.

In each case, some fishing interests, council members and members of Congress sought to influence NMFS to provide the most "flexibility" possible in order to ease the burden on fishermen. Meanwhile the NCMC and other members of the Marine Fish Conservation Network warned about the dangers of creating loopholes. To permit any stock of fish to be overfished, under any circumstances; to allow overfishing thresholds to be exceeded, even temporarily; to permit recovery plans for our most severely overfished populations to be uncircumscribed by time limits, we argued, risks a return to the bad old days.

A Mixed Bag

The final guidelines are a mixed bag, although they do for the most part reflect the letter, if not always (in our opinion) the spirit, of the Act. Where the statute's language is unequivocal, NMFS lays down the law. Where it leaves room for interpretation, NMFS is prone to leave loopholes.

On the plus side, NMFS ruled that the biologically determined maximum sustainable yield for each fishery, defined by both maximum fishing mortality rates and minimum stock size thresholds, is an absolute limit that cannot be exceeded. Fish populations must be kept at a level capable of producing MSY "on a continuing basis," "uninterrupted" by temporary periods of overfishing.

If a fishery can be restored to MSY within 10 years, it must be. For stocks that can't recover in 10 years, even if all fishing were eliminated, the guidelines impose a maximum time limit which the law did not provide. The maximum rebuilding period is the amount of time it would take absent any fishing plus "one mean generation time." Unfortunately, generation time is not precisely defined: whether it's the age at which 50% of the fish are sexually mature, as some scientists hold, or the time it takes a population to replace itself under a prescribed level of fishing mortality. The difference can be substantial.

The guidelines say that achieving the "optimum yield" for each fishery applies to mixed fisheries as a whole, not necessarily individual stocks. What this means is that, in a multispecies fishery such as trawling for groundfish, a council could allow overfishing of a single stock, such as haddock, or forego rebuilding that stock, if optimum yield is achieved for the fishery overall. NMFS does, however, apply some constraints. A council must show that it can't resolve the problem through, say, changes in fishing gear,

and still produce similar net benefits, and it can't fish any stock into endangered species status. Some comfort, that.

The guideline's overfishing requirements for mixed stock fisheries are the object of a lawsuit filed by six environmental organizations. So is the NMFS take on bycatch. NMFS allows councils to weigh the mandate to minimize bycatch against impacts on the affected fishing industry in a cost-benefit analysis, which environmentalists say will reduce the likelihood of strong action. (The courts have already put the litigation on hold until after NMFS actually approves or disapproves a fishery management plan based on its interpretation.)

In the end, where the guidelines are weak or leave loopholes, it is incumbent upon conservationists to work at the regional council levels, where plans are developed. The first order of business is to make sure the plans are as strong as possible going in. Then, where NMFS has left itself some flexibility, push the agency to be as conservative as possible.

REPORT SCORES STATES FOR POOR SHARK CONSERVATION

The National Coalition for Marine Conservation is a partner in the Ocean Wildlife Campaign, with the National Audubon Society, Natural Resources Defense Council, Wildlife Conservation Society and World Wildlife Fund. The Campaign pools the policy, education and grassroots resources of these 5 organizations to conserve the ocean's giant fishes - sharks, billfishes and tunas. Funding is provided by the Pew Charitable Trusts. NCMC also receives funds for this work from the Curtis & Edith Munson Foundation and Mostyn Foundation.



A failure to enact state regulations by Atlantic Coast and Gulf Coast states is seriously undermining federal efforts to protect severely threatened sharks, according to a new report. The report, entitled "Sharks on the Line," was authored by Dr. Merry Camhi of the National Audubon

Society and released by the Ocean Wildlife Campaign, and has already caused some states to re-evaluate their commitment to shark conservation.

It is no secret that shark populations in the Atlantic and Gulf of Mexico are decreasing at alarming rates - some by as much as 85% over the last two decades. In June, the National Marine Fisheries Service convened a meeting to address new concerns raised by the latest shark population data from leading experts. It showed that even the dramatic declines demonstrated to date might underestimate the precarious state of shark populations along the Atlantic and Gulf coasts.

Five years ago, NMFS responded to the drastic decline in shark populations by instituting a fishery management plan to stop overfishing of sharks in federal waters of the Atlantic and Gulf. Unfortunately, as noted in "Sharks on the Line," sharks don't recognize human political boundaries. They move in and out of federally controlled waters during their seasonal migrations, and are increasingly falling prey to overfishing in state waters where the federal rules don't apply.

In addition to excessive fishing, many sharks in state, federal and international waters are taken as bycatch - large coastal sharks are caught indiscriminately on longlines and in gill nets of fisheries targeting other species. A growing market for shark fin soup, which has led to an increase in finning, also threatens them. For most species in the Atlantic, shark finning is banned under federal law, but is difficult to monitor without enforcement by individual states. Finning is not prohibited in U.S. Pacific waters (see "Déjà Vu," p. 7), or in most other oceans throughout the world.

Finally, sharks are fundamentally dependent on coastal estuaries and bays - areas that are not under federal jurisdiction - for bearing their young and for nursery grounds. Because sharks take several years to reach maturity and produce only a few offspring, monitoring of fishing in these areas is critical to their survival.

"Sharks on the Line" rates each Atlantic and Gulf Coast state based on their shark fisheries and implementation of rules consistent with the federal closures, bag limits, protected species and ban on finning. Florida, with the largest and most active commercial shark fishery of any east coast state, received the highest rating. New Jersey and Louisiana are at the other end of the spectrum, with large

shark fisheries but no state management whatsoever. Louisiana, for example, allowed landing of 600,000 pounds of large coastal sharks last year after the federal government closed the fishery. In response to the Audubon/Ocean Wildlife Campaign report, officials from both Louisiana and New Jersey announced they would begin development of shark conservation measures in state waters.

MAN BITES DOGFISH

'Cape Shark' Joins List of Overfished Species

Whether you call them spiny dogfish or prefer the more dignified sobriquet cape shark, the facts remain the same. These are not good days for dogfish. Scientists at the NMFS northeast fishery center earlier this year reported that the small sharks are overfished and need protection. On April 3rd, NMFS notified the Mid-Atlantic and New England Councils that spiny dogfish have been added to the list of overfished species. This is the first new addition since NMFS submitted a list of 86 overfished species to Congress last September.

The Councils have until next April to prepare and submit an FMP to stop overfishing and rebuild the stock in as short a period as possible. In fact, the Mid-Atlantic Council had already begun work last fall, at the urging of conservationists and anticipating the new NMFS stock assessment's conclusion.

Like most other sharks, dogfish are long-lived, breed at an advanced age (12 years) and produce just a handful of young every other year. Like other sharks, they are subject to population collapses under rapidly

intensifying fishing pressure. Commercial landings increased six-fold since 1988, and as a result, not enough young dogfish are surviving to replace the rapidly disappearing adult population. NMFS scientists recommend cutting fishing pressure by about half.

SOCIETY CALLS FOR PROTECTED STATUS FOR DUSKY SHARK

The American Elasmobranch Society (AES), comprised of scientists, conservationists and students involved in the study of sharks and related species, is asking the National Marine Fisheries Service to list the dusky shark as a protected species under the Fishery Management Plan for Atlantic Sharks. The AES, which regularly makes recommendations to NMFS regarding management of sharks, passed the resolution at its annual meeting July 17-21. NCMC staff member and AES member Christine Wilkins, who attended the meeting in Toronto, reports that the dusky population, once abundant off the Atlantic coast, has declined by about 80% since the 1970s. If approved by NMFS, the dusky would join 5 other species (sand tiger, bigeye sand tiger, great white, basking and whale) as off limits to any commercial or sport fishing.

MANGROVE TARPON

Jack Cleveland's personal memoir of 40 years fishing for tarpon in Florida's Everglades. All proceeds benefit the NCMC's fish habitat protection activities.

\$10 paperback, \$16 hardback (plus \$2 shipping and handling). Make check payable to NCMC, 3 West Market Street, Leesburg, VA 20176.

THE HUNT

What's Been Lost

Editor's Prologue: We tend to speak of fish and fisheries in the abstract, even if we don't think of them that way. We rely heavily on numbers, using weights and sizes and rates and percentages to describe what's going on. The words we use - stock, harvest, quota, sustainable, etc. - are at once familiar and distancing, as if the fish and the fishermen exist only in the reports and assessments that become the substance, if not the sum, of what we know.

Nowhere does this abstraction conceal the whole truth more than when we speak of fish and fisheries that have disappeared. Memories fade with the passing years, not because those who experienced the loss firsthand remember any less vividly. Time is a thief that leaves behind little but memories. And, hopefully, lessons. Those who come later, who missed it, need those memories, too, so they know what's been lost and what could be again.

In the following story, NCMC director Jack Cleveland remembers.

July 4, 1960. At 6:30 a.m., the old planks of the narrow dock, built into the low bluff on the east side of Shinnecock Canal, were wet and slippery from the heavy dew. There was a slight haze in the clear sky, foretelling another hot day without a breath stirring -- promise of a perfect day for swordfishing.

Captains of the six or eight charter boats were warming up their engines. Mates were mopping the dew off docks. Anglers were ready to go aboard. There was anticipation in the air. Shortly, the graceful blue hull of the MAKO eased out of her slip, crept by the other boats, and nosed out into the canal. The 20-minute trip across Shinnecock Bay and through the inlet seemed much longer, and the hour-long trip to the fishing grounds felt like an eternity to the eager crew. Could yesterday be repeated? A 307-pound broadbill had been the prize of that day.

By 10 o'clock a coppery glare was reflecting off the glassy sea. The classic Maine hull of the MAKO cruised through the deep, clear, green water at about 7 or 8 knots. The single 671 engine throbbed reassuringly. A big rig with a 10/0 Penn Senator filled with 80# dacron line and a matching Harnell rod with high roller guides stood in the left rod holder of the Rockaway fighting chair. Swinging from the rod tip was a

200# braided cable leader with a single 11/0 Sobeys hook attached to the end. A fresh, foot-long squid neatly sewed onto the hook and leader rested nearby in a bucket of salt water.

The outriggers were up; the footrest on the chair was adjusted to fit Edie, who was to go first. Six pairs of eyes scanned the ocean surface for the telltale fin. The hunt was on. In the distance could be seen a harpoon boat with its tall mast and long pulpit, a rival in the hunt.

"There, one o'clock, a hundred yards, just clipping," came the cry from the mate. A slight adjustment of course, speed reduced, the fin clipped again. Maneuver to get the light angled properly -- a big blue shark. On with the hunt.

After a couple of hours of cruising and several more sharks sighted, something very different appeared. Two curved fins, one in front of the other nearly six feet apart, floated motionless in the water 75 yards away. This was the quarry!

The boat was slowed to little more than steerageway. Edie slipped into the chair. The rod was moved into the gimbal and the Nova Scotia harness attached. Overboard went the squid and the mate pulled line off the reel until the bait was 100 feet astern and wallowing in the wake. Another 100 feet of line was stripped off, making a 50-foot loop of slack line in the water so there would be nothing the wary fish could feel if he struck.

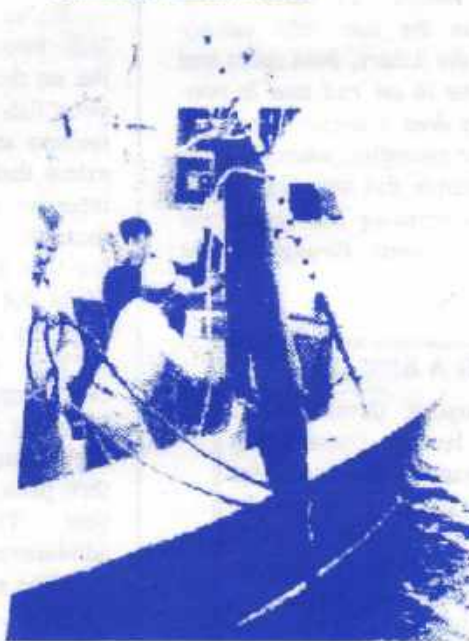
Skillfully, Bob Higgins, the skipper, maneuvered the

squid up alongside the great swordfish sunning on the mirror-like surface. With the bait now starting to pass the huge eye of the fish perhaps 15 feet away, Bob threw the engine out of gear. The bait settled slowly. Suddenly the massive tail churned the water and the fins sank from view. Every nerve aboard the MAKO was on edge.

The mate, holding the line gently between thumb and forefinger, quickly cried out "He hit it" and released the line. It jerked sharply in the water as the fish struck the squid several times with his awesome bill. Having seized the bait, the fish moved away, slowly gathering speed. The long loop in the water

straightened out. The drag on the reel was thrown into gear. The captain gunned the motor. Edie braced herself, leaning back so the full force of the wild rush fell on her legs through the harness. He was on!

FADING MEMORIES



Typically, there were no jumps. Instead, long, powerful rushes and later, wild thrashing on the surface. Deep sounding was not a problem and sharks did not threaten. The battle became one of endurance under a strong, hazy sun. Because swordfish were often foul-hooked and their mouths were soft, heavy drags were not employed. So only gradually, over nearly two hours, did Edie gain back the 300 yards of line the fish had stripped off. Finally, he was within 50 feet of the boat and clearly visible. Now the tense time, as so many could be lost at the boat.

In this case, however, the fish was exhausted and turning on his side, showing his white belly in stark contrast to the deep bluish bronze of the upper sides and back. Very quickly the mate could grasp the swivel, and since the hook was not visible, he pulled the magnificent creature alongside. There was no struggle, and a tail rope secured him.

The sun continued to beat down relentlessly on the jubilant scene. With the fish in the cockpit, all gazed in awe and amazement. Over 11 feet in length with a 4-foot bill, broad shouldered and deep bellied, he was to weigh 342 pounds at the dock.

Author's Epilogue: Such was the wonderful broadbill swordfish rod and reel fishing off Long Island and along the southern New England coast. Pioneered by such men as Zane Grey in the waters near Catalina Island off southern California, in the late 1930s Kip Farrington and his wife Chrissie, plus a few others, began the fishing off Montauk Point.

After World War II, sport fishing was renewed in those waters and swordfishing lasted another 25 years. The advent of the longline boats in the late '60s quickly decimated the stock and by 1975 the fishery, both sport and commercial harpooning, had come to an end and is non-existent today. Only occasionally does a longliner or drift netter venture into these waters for swordfish; when they do, their catch will be just a few juvenile fish weighing 30-70 pounds. Commercial longline overfishing has ruined the fishery for all. This tragedy extends throughout the northwest Atlantic.

GIVE SWORDFISH A BREAK

"Until the restaurant boycott developed in response to the urging of leading conservation organizations, there was no manifest public interest in the problem. Consequently neither Congress nor the Administration intervened, and NMFS bureaucrats did what bureaucrats do best: they sat on their hands. Accordingly, far from killing the industry, if the boycott is successful, it will prevent the industry from killing itself."

Chris Weld, NCMC Chairman, July 14, 1998

NOTES FROM UNDERWATER

TALKING SWORDFISH BLUES

It was one of those weird moments when it seems as if everything has changed, and yet everything remains the same. At a national ocean conference in June, President Clinton announced new action to protect north Atlantic swordfish. The news, as it turns out, was not what he said he would do but, as NCMC director Bill Akin put it, that the president talked about "swordfish" at all.

The fact that President Clinton felt it necessary to announce to the White House-sponsored Year of the Ocean Conference what he is doing to save swordfish is testimony to the success we've had in elevating the plight of swordfish to a national issue. It is not yet, however, a national priority.

What the president proposed - a ban on the importation of fish under the international size limit - is little more than a symbolic gesture. Aware that swordfish conservation is a volatile issue, he looked for and found the one thing he could do that was guaranteed not to upset anyone - neither commercial fishermen nor environmentalists boycotting swordfish. Such a perfunctory response is unlikely to result in meaningful action, and it didn't.

We've advocated import controls in support of U.S. swordfish management objectives since 1990. But on the list of what needs to be done to conserve swordfish, it's near the bottom; it's more about fairness and compliance than conservation. To the extent that closing the U.S. market diminishes the incentive for other countries to land illegal smalls, those fish would be thrown back dead, as happens in our own fishery, where the size limit is obeyed. It might not save any fish and could actually increase mortality (see "Marine Index," p. 15).

The Administration would do better by establishing an aggressive U.S. rebuilding plan, including action to minimize longline bykill, for all highly migratory species including swordfish, and then pursuing complementary action at ICCAT next year. That is the real test of how serious this administration is about helping swordfish.

"The example NMFS sets with highly migratory species," says Sen. Ernest Hollings (D-SC), "will indicate the extent to which the United States and the federal government are committed to (creating sustainable fisheries)."



TURNING THE TIDE

NCMC News & Activities

NCMC HELPS WRITE ECOSYSTEMS REPORT

Fishing and the way we manage fisheries effects entire ecosystems. Likewise, ecosystem changes effect fisheries. But our current management system rarely takes the big picture into account. As a result, we risk irreversible changes in the health and productivity of entire marine ecosystems. That's the conclusion of a panel of experts assembled by the National Marine Fisheries Service and charged with recommending how to integrate ecosystem principles into fishery management practices, in a report to Congress this fall. We fail to take into account the full biological and geographical environment that fisheries occur in, the relationships between species within the ecosystem, and the indirect effects of fishing on non-target species and habitats.

The panel's primary recommendation is that each fishery management council develop a Fisheries Ecosystem Plan for the major ecosystems under its jurisdiction. These new plans would provide council members with a clearer understanding of the ecosystem in which managed fisheries are conducted so that decisions can be made on an informed basis. Existing fishery management plans would be amended to comply with the relevant ecosystem plan, by setting catch levels conservatively to reduce risks, consider how harvesting one species might impact predator or prey species, minimize the direct and indirect impacts of bycatch, and avoid fishing practices that harm fish habitat.

The panel points out that it is proposing a complement to existing fishery management practices, not a substitute, and that many of its recommendations can be put into practice right away. "Our report makes it clear that success will depend, in part, on full implementation of measures adopted as a result of recent amendments to the Magnuson Act," says NCMC president Ken Hinman, a member of the ecosystems advisory panel. "It reinforces the critical importance of efforts underway to protect essential fish habitat, eliminate bycatch and prevent overfishing, all of which will help maintain healthy and stable ecosystems and fisheries."

CONSERVATION NETWORK SCORES VICTORY

Throughout the late spring and summer, some members of Congress sought to weaken implementation of the Sustainable Fisheries Act by attaching language to bills to fund the federal government for the next fiscal year. Rep. Sonny Callahan (AL) introduced one such "rider" to a Commerce Department appropriations bill that would have extended the territorial waters of Alabama, Mississippi and

FISH WIN AT NCMC TOURNAMENT

El Nino didn't affect the fishing on the Pacific coast of Guatemala in April, and anglers participating in the NCMC's Third Annual Benefit Billfish Tournament enjoyed 3 action-packed days of fishing. The all-release tournament in Iztapa, Guatemala, was hosted by NCMC board member Tim Choate of ArtMarina, Inc. Proceeds from the tournament benefit the NCMC's conservation programs, including those to protect billfish.

Teams competed for donated prizes, with points awarded for fish released. Anglers targeted Pacific sailfish and blue and black marlin. Sailfish were abundant during the tournament, and marlin were also present in good numbers. Several anglers were successful in hooking sails on fly tackle.

First Place Team went to 3 anglers aboard the *Pelagian*: Jerry Gemeinhardt, Dr. Seth Brown, and Julio Mansylla. The *Pelagian* raised 56 sails and 4 marlin over the three days, and caught and released 27 sails (2 on a fly) and 3 marlin. Team members were awarded "First Place Team" jackets with a custom-designed NCMC tournament logo on the back. Second Place Team went to Bruce Schaefer, Ed McNamara and Dr. Victor Mastaglio aboard the *Piragua*. That team raised 50 sails and one marlin and released 27 sails. Framed Bill Boyce photos were awarded to the *Piragua* anglers. Third place went to the *Gypsy* team who raised 29 sails and 3 marlin, and released 15 sails (2 on a fly). *Gypsy* anglers Joe Merjeski and Bob Brennan and Lee Schilling were awarded signed prints and embroidered polo shirts from artist Steve Goione.

Prizes were also awarded to the top 3 anglers. Julio Mansylla took First Place Angler and won a framed original watercolor from marine wildlife artist Paul McPhee. Jerry Gemeinhardt came in a close second and Third Place Angler went to Bob Brennan.

4TH ANNUAL BENEFIT TOURNAMENT. Plans are underway for the 1999 tournament, April 24-26, and participation is open to individuals or teams of 3 on a first-come, first-serve basis. For further information, including available boats and prices, and to receive a registration package, call Christine Wilkins at (703) 777-0037.

Louisiana from 3 miles to 9 miles off the coastline. The intent was to nullify a new federal requirement that shrimpers in the Gulf of Mexico, most of whom trawl between 2 and 8 miles from shore, use bycatch reduction devices (BRDs) to conserve overfished red snapper. These gulf states have no BRD requirements. The effect would have been much broader than that, setting a dangerous precedent for other coastal states wanting to escape unpopular federal fisheries mandates.

Fortunately, the Marine Fish Conservation Network was successful in defeating the Callahan amendment, claiming its first big victory in Congress since reforming to ensure implementation of the Act it helped pass two years ago. Despite backing from key legislators, including House Resources Committee chair Don Young and Appropriations Committee chair Bob Livingston, the amendment was soundly defeated. It was a collaborative effort of the Network membership who marshaled Congressional opposition, says NCMC president Ken Hinman, Network co-chair. "By killing this rider, the fishing and conservation communities beat back a serious threat to efforts to restore our coastal fisheries, not just in the Gulf but on all coasts."

NCMC JOINS SUPPORT FOR SCALLOP REBUILDING

The NCMC joined with other conservation groups in supporting the New England Council in its bid to restore the Atlantic sea scallop which, according to a June scientific report, "have been continuously overfished for more than 20 years." In an August letter to the Council, the groups noted that scallops are at only 17% of the optimum level and urged large cuts in catches to rebuild the fishery, as required by the Sustainable Fisheries Act. The cutbacks "will result in severe short-term economic distress for the scallop fishing industry in the northeast," the groups acknowledged, but "(t)here is a bright light at the end of the tunnel. (A return to) stable and predictable scallop catches will support a healthy...industry and many reliable, good-paying jobs." The council, despite heavy pressure to maintain the *status quo*, subsequently approved a plan designed to rebuild the fishery in 10 years.

NCMC CONGRESSIONAL REPORT CARD

With few new fisheries-related bills before the 105th Congress, the third election-year edition of the NCMC's Marine Fisheries Congressional Report Card (published in the Sept/Oct issue of *Sport Fishing* magazine) focuses on, among other things, how lawmakers helped or hindered implementation of the Sustainable Fisheries Act enacted the previous session. As opponents of the bill's tough new standards for overfishing, bycatch and habitat sought support from the Hill to weaken enforcement of the law, we looked at who stood tall when the proverbial bullets began to fly, and who looked for cover. Copies are available to NCMC members who call or write and request them.

LINES IN THE WATER

Ken Hinman contributed an article, "Lines in the Water: The Imperative to Reduce Bykill in the Drift Longline Fisheries for Tuna and Swordfish," for a special

issue of *Current* magazine, the journal of the National Marine Educators Association. The special issue on Ocean Giants was distributed to participants at the National Ocean Conference in Monterey in June, courtesy of the Curtis & Edith Munson Foundation.

NEW DATA COLLECTION PROGRAM

In the October issue of *Salt Water Sportsman*, Ken Hinman's *Fisheries Front* column highlights the Atlantic Coastal Cooperative Statistics Program, a new effort to unify all existing state and federal data collection programs into a single coast-wide system. "Even though so many marine fisheries and the stocks they target migrate up and down the coastline, the various states in many cases are not gathering the same catch and effort information to the same degree and in like manner," he writes. "If, because of this, the resulting assessments are not accurate or are outdated, managers end up either burdening fishermen with unneeded or the wrong kind of regulations or failing outright in their attempts to prevent overfishing or rebuild declining stocks. Either way, fishermen lose."

NCMC ADDRESSES ECOLOGY CONFERENCE

Ken Hinman was an invited speaker at the June annual conference of the American Society of Limnology and Oceanography and the Ecological Society of America in St. Louis. He participated in a panel on Fisheries Ecology and presented a paper on "Ecosystem Principles, Overfishing and Bycatch in Marine Fisheries."

BAND REEL BIG FISH HELPS REAL BIG FISH -- AND NCMC

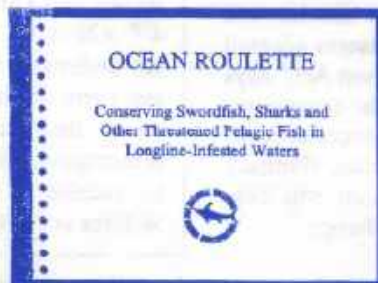
The upcoming CD by the west coast music group Reel Big Fish, set for October release, will tell the band's fans about the NCMC. Printed in the CD package will be our logo and the message: "Reel Big Fish supports the efforts of the National Coalition for Marine Conservation, the leaders in conserving REAL big fish like sharks, billfish and tuna. To find out more..."

OCEAN ROULETTE

Conserving Swordfish, Sharks and Other Threatened Pelagic Fish in Longline-Infested Waters

This major new report (108 pages) by the NCMC is the first comprehensive attempt to solve the serious problems caused by indiscriminate longlining. The result of a 2-year study of drift longlines,

exploring ways to minimize the "bykill" of unwanted or prohibited fish, the NCMC's conclusions and recommendations have informed and influenced the positions advocated by a wide range of fishing and environmental campaigns. To obtain a copy, send \$5.00 for shipping and handling to: NCMC, Dept. O, 3 West Market Street, Leesburg, VA 20176.



THE NCMC

MARINE INDEX

Unconventional Wisdom. One novel way of dealing with bycatch is to pretend it isn't a problem. In the early '90s, amid the well-publicized debate over the use of high seas drift nets, the so-called "walls of death" that entangled huge numbers of non-target fish, marine mammals and seabirds while fishing for tuna and squid, a spokesman for Japanese fishing interests defended drift nets and other indiscriminate fishing gear as less environmentally destructive than more selective methods of fishing. "Many fishery scientists," he pointed out, "believe that fishing that removes a full cross-section of marine life in a fishing area is ecologically better than a method that removes a few selected species." Like the ocean itself, this argument might seem okay on the surface, but looking deeper, we find something as fundamentally wrong with this line of thinking as with the fishing practices it excuses. 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), the goal is the same: we must be able to control fishing mortality. Even those ecologists who believe it is more responsible to utilize a greater variety of species advise that removals must be conservative, "at rates that are sufficiently below (maximum sustainable yield) as to provide a margin of safety" for individual species (P.A. Larkin 1979). By the very nature of fishing with non-selective gear - and we've heard a variation of the above argument from representatives of the drift longline and factory trawler industries - mortality is indiscriminate and therefore uncontrollable.

DRIFT NETS



Drift nets were banned, right? Nope. Nets under 1.5 miles are allowed, even in the U.S., where netters target swordfish on both coasts. The northeast drift net fishery was shut down early this summer, after fishermen snared 293 marine mammals and 34 sea turtles in just 109 hauls. It's a fact that bycatch rates like this equal or exceed (per mile of net) the outlawed large-scale versions, so why the U.S. permits them at all is a mystery.

STRIPED BASS



Doing nothing is usually not an acceptable management option. That's because we're not used to dealing with robust fisheries like striped bass, where we have that luxury. When state officials met this year to consider changes in what some consider an outmoded interstate plan originally devised for rapid rebuilding, they couldn't agree on how to make the transition. So they decided the safe thing to do was to stick with the *status quo* for another 2 years and not risk messing with a good thing.

BLUEFIN STOCKS



News of bluefin tagged by American anglers later turning up in the east Atlantic means we are likely dealing with one stock, not two. Or does it? It shows mixing east-west, something we already knew, but the real question remains - are there separate and distinct breeding populations? If so, we may still be on the verge of a spawning stock collapse, as the western stock assessment suggests, while migrants from the east prop up the fishery, giving us a false sense of security.

COMPLIANCE



Spain is reportedly dropping large numbers of undersize swordfish into European markets in violation of international rules. But the Spanish scofflaws may be inadvertently doing swordfish a favor. If they didn't land the undersize fish, most of which are dead on the line, they'd be tossed back. Meanwhile, the fleet would fish longer, continuing to catch and discard juvenile fish on their way to filling their allowance with bigger fish. Ironically, the result of compliance with the size limit without changes in fishing practices, or counting discards against quotas, could be higher mortality overall, while doing little to protect juveniles.

NCMC: 25 YEARS CONSERVING OCEAN FISH

In 1990, we adopted the slogan – and the goal – “Fish Conservation: An Environmental Priority for the ‘90s.” We’re happy to say that today, in 1998, conserving ocean fish is a national priority. And we’re proud to say the National Coalition for Marine Conservation played a big part in bringing this change about.

- In 1991, we organized a national conference – Stemming the Tide of Coastal Fish Habitat Loss – that helped expand fisheries management to include habitat protection, while introducing many environmentalists to fisheries issues.
- In 1992, we co-founded the Marine Fish Conservation Network, an alliance that grew to 100 fishing and conservation groups around the country, working together to reform the nation’s fishery management system.
- In 1993, we hosted a workshop that brought together for the first time outdoor writers, environmentalists and marine educators to discuss strategies for building a broader public constituency for marine fish.
- In 1994, we joined in an unprecedented alliance of major national conservation groups to restore populations of tunas, billfish and sharks. The Ocean Wildlife Campaign today includes the NCMC, National Audubon Society, World Wildlife Fund, Natural Resources Defense Council and Wildlife Conservation Society and is the leading voice in conserving the ocean’s giant fish.
- In 1996, we organized an international symposium on conserving highly migratory fish of the Pacific Ocean. That event moved Pacific issues higher on the agendas of government institutions and conservation organizations that had theretofore paid scant attention to “the other ocean.”

Besides creating a new paradigm, these events brought real changes that will mean more fish in the water. The recommendations of our habitat conference led to creation of a new Office of Habitat Protection at NMFS in 1992. The Marine Fish Conservation Network successfully amended federal law in 1996 with the strongest conservation provisions ever. Last year, the Ocean Wildlife Campaign persuaded the government to stop overfishing of large coastal sharks. Most recently, our study of drift longlines has changed the debate on bycatch to talk about real solutions. The momentum is going our way and the pressure is on to make significant and lasting changes.

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