TIME AND AREA CLOSURES FOR SPAWNING GROUNDS KEY TO BIG FISH RECOVERY

Spawning Sanctuaries

by Theresa Labriola, Pacific Program Director

Protecting spawning and nursery areas is not a new idea in fishery management. In 1668, the Massachusetts General Court ordered “that no man shall henceforth kill any codfish, hake, haddock, or pollock, to be dried for sale in the month of December or January, because of their spawning time.” Seasonal and area closures that prohibit certain fishing activities in a certain area and at a certain time can provide a useful tool to rebuild predator populations, including billfish. For example, in the late 1990s, Wild Oceans forced the creation of two permanent closures of known hotspots of juvenile swordfish concentrations in the eastern Gulf of Mexico and off the southeastern coast. Setting 133,000 square miles off-limits to longlining saved thousands of juvenile swordfish, and the population expanded.

However, these stories are the exception and not the rule. Wild Oceans sees a pressing need to mainstream spawning and juvenile protections into marine resource management. Catching female fish before they can lay eggs and have offspring frustrates efforts to build and maintain healthy fish populations. Establishing sanctuaries that protect juveniles, spawning habitat and the migratory corridors to the spawning grounds can restore spawning stocks. They can also support robust population structure and protect crucial genetic and biological diversity.

Managing fisheries to reduce catch of juveniles and protect spawning aggregations will seriously test our ability to apply truly precautionary management. For example, a recent National Marine Fisheries Service (NMFS) study suggests that the fishing grounds of the Hawaii longline fishery coincides with a nursery area for juvenile striped marlin in the Western and Central North Pacific (WCNPO). The same study also demonstrates that the largest striped marlin were consistently caught between April and September, which overlaps with the expected influx of adult fish during spawning season (May-July). Even with evidence of longline fishing overlapping with juveniles and spawning adults, and although the stock has been overfished consistently since 1981, policy-makers still tend to rely on one metric, catch, to manage the stock. In the case of striped marlin, managers have only recently moved to place an annual catch limit on WCNPO striped marlin and have never considered whether or how to aid striped marlin through judicious use of juvenile and spawning sanctuaries.

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In Good Hands

We all have them. People that influence the direction of our lives and the paths we pursue. Sometimes they are family members. Sometimes they are friends. And sometimes they are complete strangers. But in many cases, the impact they have on us can be profound – life changing. Long-time Wild Oceans Board member and close friend Arthur B. “Tim” Choate has been just such a person for me. At our annual Board meeting in May, Tim stepped down as Chairman of Wild Oceans, but will continue to remain on the Board of Directors. Tim was elected Chairman in 2011 and has led the organization to many great successes over the years. I have been very fortunate to work with (and learn from) Tim on many of these successes, including during the time when I served as President of the International Game Fish Association.

An accomplished angler and dedicated conservationist, Tim has always put the protection of our natural resources above all else. The marine fish conservation organizations that he has dedicated his time and energy to are too numerous for this page. His commitment to helping us better understand and protect billfish in particular is unsurpassed within the recreational community. We look forward to continuing to benefit from Tim’s passionate dedication to our marine fish.

As much as we will miss Tim in the leadership role of Chairman, the Board of Directors has elected two outstanding individuals as Co-Chairs of Wild Oceans to succeed Tim: Stephanie Choate Oppenheimer and Peter Truslow. Stephanie was elected to the Wild Oceans Board of Directors in 2014 and splits her time between Tulsa, Oklahoma and Miami. Like her father Tim, she is also an extremely accomplished angler and passionate about marine fish conservation. Influenced by her father’s love of fishing, she continues the family’s dedication to conserving our ocean resources.

Serving as Co-Chair alongside Stephanie is Peter Truslow. Peter has been on the Wild Oceans Board since 2019. Raised on the water since birth, Peter grew up in Long Island, New York and Maine. An avid fisherman, diver, sailor and water sports enthusiast, Peter first fell in love with fishing while fishing with his grandfather, also an avid sportsman. Since graduating from Tufts University in 1986 with a degree in International Relations, Peter has held several important positions in the marine and boating industries. Peter is currently the Managing Director of Hunt Yachts and resides in St. Petersburg, Florida.

From a business operations perspective, the Board of Directors of a non-profit is critical. These men and women provide the wealth, work and wisdom necessary to help an organization function as a successful business. Committing the time and resources to actively stay involved with fisheries issues and protect our interests as conservation-minded anglers is becoming more costly and time consuming each day. I am fortunate to have an incredible and dedicated Board of Directors here at Wild Oceans. And as Wild Oceans approaches our 50th anniversary next year, I know we are in good hands.

– Rob Kramer, President

For the Future of Fishing

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

Our Goals:

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

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- Pam Lyons Gromen, Executive Director
- Theresa Labriola, Pacific Program Director

Contact Us:
Wild Oceans
P.O. Box 272122
Tampa FL 33688
office: 727.677.8127
web: wildoceans.org

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A Big Win for Stripers

by Pam Lyons Gromen
Executive Director

We are celebrating a new chapter in the management story of Atlantic striped bass, arguably the most beloved and economically important recreational fish on the East Coast. On May 4th, the Atlantic States Marine Fisheries Commission (ASMFC) Atlantic Striped Bass Management Board (Management Board) approved Amendment 7, setting in motion a new interstate management program for striped bass.

Like any good story, management of striped bass has experienced highs and lows, setbacks and comebacks. As an organization that has been around for nearly 50 years, Wild Oceans has been there for the best and worst of it. The Atlantic striped bass stock crashed in the late 1970s and early 1980s, and some feared the fish was headed for the Endangered Species List. We worked tirelessly alongside champions in the recreational community to save them, with our crowning achievement being the Striped Bass Conservation Act of 1984 (Act), which required states to implement regulations necessary to achieve the conservation measures established in the ASMFC management plan. Prior to the Act, state compliance was voluntary. By 1995, striped bass populations rebounded, the stock was declared "recovered," and the fishing was spectacular.

Fast forward to today, and we are grappling with an overfished striped bass stock, a result of years of overfishing. How did we get here after striped bass became the iconic symbol of successful fisheries management? In short, managers lost sight of their target, failing to heed signals that the stock was in trouble. Biomass declined starting in the mid-2000s. A 2018 stock assessment confirmed what anglers had been reporting for years; striped bass were once again overfished. Actions taken by the ASMFC in 2015 to halt the decline were too little, too late.

Instead of managing to maintain fishing mortality and stock biomass at target levels (where we want the stock to be), management bodies often postpone action until the stock approaches or surpasses a management threshold, a condition that they should be striving to avoid. In addition, for many ASMFC plans, when coast-wide conservation measures are adopted, a plan provision called "conservation equivalency" or "CE" enables states to sidestep these measures and implement their own set of regulations. This flexibility comes at the cost of efficacy. It is often difficult to evaluate CE proposals and how they impact coast-wide conservation goals.

Thanks to the hard work of the numerous groups and individuals, we are now charting a more certain course for striped bass recovery. Amendment 7 to the Atlantic Striped Bass Interstate Fishery Management Plan establishes a solid foundation for rebuilding the stock and for ensuring prompt and effective conservation action. Here are a few of the highlights:

- The Management Board is required to implement a rebuilding plan (not to exceed 10 years) within two years of an overfished determination. Striped bass were declared overfished in 2019 and must be rebuilt by 2029.
- Management triggers dictate how quickly the Management Board responds when the striped bass population is experiencing excessive fishing mortality, poor recruitment or declining biomass. Strong fishing mortality triggers, requiring corrective action within a year of being tripped, were maintained and a new, more sensitive recruitment trigger was added to the plan.
- Conservation equivalency can no longer be used when the stock is overfished. When the stock is not overfished, CE proposals must be designed to achieve the same level of reduction or liberalization that would have occurred in the state under the coast-wide measures, and they must include uncertainty buffers.
- Gaffing striped bass when fishing recreationally is prohibited. Striped bass caught on any unapproved method of take must be returned to the water immediately without unnecessary injury.

Amendment 7 could have easily gone the other direction, weakening management measures and allowing the stock to languish at low abundance. As we have done throughout the storied history of striped bass, conservation-minded fishermen stepped up and made our voices heard. Nearly 8,000 comments, including comments from Wild Oceans and our supporters, were submitted as the amendment developed, sending a clear message that striped bass conservation must be the priority. Well done all!
Even as researchers uncover secrets of spawning times and locations, migration routes and habitat use, which are key to successful spawning closures, fishery managers are retreating to more atomistic management measures. For example, genetic and satellite tracking studies of Atlantic bluefin tuna have demonstrated that two genetically distinct populations originate in the Gulf of Mexico and the Mediterranean Sea. They overlap on feeding grounds in the North Atlantic and subsequently return to their birth locations to spawn. In 2015, National Marine Fisheries Service (NMFS) took action to protect spawning Atlantic bluefin tuna and prohibited longline fishing in the Gulf of Mexico spawning ground during April and May, peak spawning time. Despite evidence that the restriction reduced bluefin tuna deaths in the Gulf of Mexico by 70 percent, NMFS reversed the closure in favor of a more conventional quota.

Fishing that coincides with juvenile nurseries and spawning grounds has obvious lethal effects making these areas worthy of protection. By turning a blind eye to the benefits of protecting spawning aggregations, managers are also failing to adequately consider and account for nonlethal impacts. For example, how do closures improve genetic diversity, which is important for species survival? Or, how might removals of particular size classes, genotypes, or sex affect reproductive output in the short or long term?

Conventional stock assessments and management account for the numbers of fish taken, but ignore other nonlethal impacts.

We’re not making a case for despair. Just the opposite. Relatively small investments in spatial management of spawning aggregations can potentially offer disproportionately large benefits to fisheries and biodiversity conservation. As researchers unlock the secret life of spawning fish, managers can use these facts to take concrete action to protect nursery and spawning grounds and rebuild strong predator populations. Proven solutions to exist. We have used them in the Atlantic to protect swordfish and bluefin tuna, and they can be replicated.

SPAWNING SANCTUARIES, continued from p. 1

MIDWATER TRAWLING RESUMES NEAR SHORE

Court Vacates Atlantic Herring Buffer Zone

On April 21st, NOAA Fisheries announced that the Atlantic herring buffer zone, also called the inshore midwater trawl restricted area, would no longer be enforced as a result of a District Court ruling to vacate the measure. The decision was brought about by a lawsuit filed by the Sustainable Fisheries Coalition, an industry group comprised of herring and mackerel fishing businesses. Since January 2021, midwater trawling had been prohibited 12 nautical miles from the shorelines of the New England states and even farther around Cape Cod to encompass a known river herring bycatch hotspot. (See map) Midwater trawl vessels are the largest vessels in the Atlantic herring fishery, and they often work in pairs, towing a net up to 200-feet long between two vessels. Millions of herring can be quickly removed from a relatively small area, and this can lead to localized depletion, when predators in an area are left with insufficient prey. Numerous predators, from whales and seabirds to striped bass, tuna and cod depend on Atlantic herring – the linchpin in the New England food web.

Though a long list of stakeholders provided firsthand accounts to the New England Fishery Management Council about the impacts of inshore midwater trawling on predators that they depend on for their businesses (e.g., recreational charters, commercial tuna fishing, whale watching, etc.), District Court Judge Leo T. Sorokin, in issuing his ruling, argued that anecdotal support for the buffer zone was not "an adequate substitute for scientific evidence of localized depletion and its link to MWT [midwater trawl] vessels."

Current fisheries data collection programs are not set up to detect localized depletion. Instead, the New England Council relied on analyses that investigated when and where midwater trawling overlapped with the activities of other users of the Atlantic herring resource. Citing a lack of evidence, the judge disagreed that user overlap is a reliable proxy for localized depletion. As of this writing, the Department of Justice has not announced a decision to appeal the case.

"The New England Council got it right when they overwhelmingly approved the buffer zone," said Wild Oceans Executive Director, Pam Lyons Gromen. "They acted in the best interest of the health of the herring resource and its many users, and we will urge them to prioritize a new plan to conserve herring inshore if an appeal is not filed."
In the last issue of the *Wild Oceans Horizon* (Issue 167), we announced the launch of the *Wild Oceans Kona Project*, a multi-year initiative that brings together research, fishery management and outreach to expand our knowledge of Pacific billfish spawning grounds and nursery habitat in order to better conserve them.

Billfish species are susceptible to overfishing, both targeted fishing and bycatch, and declining trends in some populations, like North Pacific striped marlin, need to be reversed to rebuild stocks.

Prioritizing the conservation of spawning and nursery habitats is often missing in fishery management plans because managers lack the information necessary to understand spawning dynamics in space and time. Billfish spawn in eddy systems where the circular water currents trap planktonic prey for their fast-growing larvae. The Kona Gyre off Hawaii’s coast, the largest eddy-generating system in the North Pacific open ocean, could play a critical role in health of billfish stocks ocean wide.

Dr. Mike Musyl, owner of Pelagic Research Group LLC, is leading our research efforts to document Pacific billfish spawning habitat. His work is set up in three phases:

**Phase 1:** Conduct a meta-analysis of existing data.

**Phase 2:** Develop oceanographic circulation models based on the meta-data to determine likely dispersal routes and connectivity of larval billfish from known spawning locations.

**Phase 3:** Investigate potential spawning habitat through field excursions.

To maximize efficiency and cost-benefit, the project is organized in sequential steps, each depending on the successful completion of the preceding phase. Results from Phase 1 will inform Phase 2, and results from Phases 1 & 2 will guide and inform Phase 3.

We are pleased to announce that Phase 1 is proceeding nicely. Over 12,000 occurrences of billfish larvae in the Pacific have been collected from the literature, dating back as far as the 1950s. While there are still more data to pull and analyze from the existing literature, we have some exciting preliminary findings to share with you:

- Large-scale surface net tow sampling by NOAA off the Kona Coast that targeted billfish eggs and larvae during 1997-2006 has collected several hundred larvae and eggs of swordfish, blue marlin and shortbill spearfish.
- Evidence of striped marlin spawning in waters adjacent to the main Hawaiian Islands remained unknown until 2005 when seven larvae were collected off the Kona Coast of Hawaii Island.
- Records of larvae less than five days old collected near Cross Seamount, approximately 150 nautical miles to the southwest of the Big Island of Hawaii, strongly suggest that spawning occurred nearby (i.e., in or near the Kona Gyre).

- The data compiled and plotted to date clearly show the significance of the coastal and offshore waters surrounding Hawaii for billfish spawning!

We are on schedule to complete the database in the next several months, which we will then use to investigate and identify patterns and trends. With Phase 1 progressing as planned, we have already begun identifying cooperating scientists to assist with modeling in Phase 2, as well as an inventory of innovative computer models under consideration.

Continue to follow our newsletter for regular updates on the *Wild Oceans Kona Project!*
Turning the Tide

Wild Oceans News and Activities

Large Marine Fish Conservation: Strategies that Rebuild and Sustain Big Fish Populations

• Wild Oceans has a long history of working collaboratively to better manage highly migratory species, including tunas and swordfish. Theresa Labriola, our Pacific Program Director, has brought our perspective to the NGO Tuna Forum, a coalition of individuals and organizations that work comprehensively on global tuna sustainability issues. She regularly contributes to the NGO Tuna Forum bycatch working group, which is outlining next steps international managers need to take to reduce bycatch in tuna fisheries. She attended a virtual NGO Tuna Forum meeting, May 3-5, where the members discussed aligned guidance on issues critical to improving sustainability, including reducing bycatch and increasing data and transparency in tuna fisheries.

• Theresa attended the Inter-American Tropical Tuna Commission (IATTC) Scientific Advisory Committee meeting (May 16-20) where scientists presented the recent stock assessments for Pacific bluefin tuna and other tunas. Models show that the Pacific bluefin spawning stock continues to increase from its historic low in 2010. She also attended the 72nd Tuna Conference (May 24-26) focusing on technological advances in large pelagic fisheries science, paying special attention to presentations on the feeding and movement ecology of North Pacific albacore, Pacific bluefin tuna and broadbill swordfish.

• The National Marine Fisheries Service (NMFS) hosted several meetings for stakeholders to discuss the future conservation and management of Pacific bluefin tuna and North Pacific albacore. At these meetings, Theresa speaks out in favor of preserving the resource first. In the case of Pacific bluefin tuna, this means resisting the temptation to increase quotas even as we see an increase in spawning stock biomass. For North Pacific albacore, we are asking the U.S. to support adoption of an international harvest control rule this year to ensure that this healthy and sustainably caught species does not experience a decline similar to other tuna stocks throughout the Pacific Ocean.

Sustainable Fishing Practices: Selective Gear that is Compatible with Ecosystem Health

• Theresa attended the IATTC Circle Hook Workshop (March 7-8) to provide a recommendation to IATTC for a minimum hook size as well as a schedule for implementing the recommended minimum hook size in longline fisheries.

• Theresa has been organizing a coalition of ocean conservation and sportfishing advocates fighting for more conservative management measures that minimize the impact of drift gillnets on the open ocean ecosystem. She has attended meetings of the Pacific Fishery Management Council Highly Migratory Species Management Team and Advisory Sub-panel (March 10-12, April 22, 29) to voice support for adopting hard cap limits in the drift gillnet fishery to protect threatened and endangered species such as leatherback sea turtles and humpback whales. While fewer than 10 boats actively fish with drift gillnets, the fleet entangled two humpback whales in the past two years, demonstrating that even a small fleet can have big consequences.

• Wild Oceans Executive Director Pam Lyons Gromen attended the February joint meeting of the Mid-Atlantic Fishery Management Council (MAFMC) and the Atlantic States Marine Fisheries Commission (ASMFC), where the management bodies finalized a document to solicit public input on options for a Recreational Harvest Control Rule. The control rule is the first project under the Recreational Reform Initiative that seeks to address challenges in the management of recreational fisheries for bluefish, scup, summer flounder, and black sea bass. Control rule options were designed to improve stability and flexibility in fisheries regulations (e.g., size and bag limits), be more responsive to stock status, and prevent overfishing in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Regrettably, the document was distributed for public comment before a scientific analysis of overfishing risk associated with each option was completed. In written comments, Pam supported the goals of the Recreational Harvest Control Rule while urging managers to postpone final action (scheduled for June) until the public is granted adequate time to evaluate the options with the risk analysis in hand.

Ecosystems: Food Webs, Habitat and Biodiversity

• In March, Wild Oceans President Rob Kramer attended an Advisory Committee Meeting of the newly established Nature Coast Aquatic Preserve (NCAP) off the west coast of Florida. The Committee is in the final stages of developing a management plan for
the NCAP and engaged with key stakeholders to get input on plan components. Rob encouraged the Committee to address the following points in the plan before it is finalized this fall:

- Acknowledge climate change as a primary management plan issue and ensure adaptive management strategies to deal with climate change impacts.
- Prioritize the collection of submerged habitat data with an emphasis on developing clearly defined thresholds that would trigger adaptive management actions.
- Recognize the opportunity to develop a strong and useful Citizen Support Organization for the NCAP for community outreach, building volunteer capacity, and creating a sense of ownership by the local residents.

• Theresa attended the April meeting of the Pacific Council and ancillary meetings of the Coastal Pelagic Species Management Team. They reviewed the latest stock assessment for the Pacific sardine northern subpopulation. Pacific sardine remain in a depleted state. As a result, the Council closed the directed commercial fishery for the 8th consecutive year. Importantly, the Council endorsed a recommendation by scientists and supported by Wild Oceans to focus effort this year on better aligning Pacific sardine science with management. Scientists will review sardine stock structure to accurately assess the two stocks and divide catches into the northern and southern subpopulations. The importance of sardine to a healthy ecosystem cannot be underestimated. While predators can switch to other prey, the change in diet is not always without consequence.

• Between February and May, Pam participated in a number of MAFMC advisory panel, committee and public webinars focused on the development of a rebuilding plan for Atlantic mackerel. Mackerel were first declared overfished in 2018, and a 2021 stock assessment found that the stock was in worse shape than anticipated. Projections in the 2018 assessment overestimated stock size by a factor of four. Because of the poor condition of the mackerel stock, new rebuilding plan alternatives follow a 10-year timeframe, the maximum allowed under the MSA. Wild Oceans took point on a group letter, recommending the Council follow the advice of its Scientific and Statistical Committee and maintain a control rule that requires a low risk of overfishing, leaving more of these forage fish in the water at the onset of the rebuilding plan. We also advocated for maintaining a river hering & shad bycatch cap that incentivizes avoidance. The Council plans to choose final rebuilding plan alternatives at its June meeting.

The Florida Forage Fish Coalition hosted the 6th Annual Forage Fish Data Workshop at the Florida Fish and Wildlife Conservation Commission’s Fish and Wildlife Research Institute (FWRI) in St. Petersburg, Florida on May 17th. As a coalition member, Wild Oceans President Rob Kramer attended the workshop, which included presentations by FWRI scientists, current Forage Fish Research Program fellow Kira Allen, and last year’s fellow Dakota Lewis, who updated participants on the progress of her research since completing the fellowship. At the workshop, coalition members addressed the fellowship program’s goals and expectations as well as proposal development for the 2022-2023 fellowships. The fellowship program has been a resounding success, funding 9 graduate students and 6 peer-reviewed publications so far.

• The ASMFC held its Spring Meeting May 2-5. Pam followed the actions of the Atlantic Menhaden, Atlantic Striped Bass and Shad & River Herring Management Boards. The big news coming out of the meeting is the approval of Amendment 7 to the Atlantic Striped Bass Interstate Fishery Management Plan, which takes important steps to strengthen conservation and rebuild the stock. (See A Big Win for Stripers, page 3) The Menhaden Management Board continued work on an addendum to adjust state allocations of the coastwide Total Allowable Catch (TAC) in response to increasing landings in New England and increasing landings under the incidental catch and small-scale fisheries provision that are not counted against the TAC. The public will have an opportunity to weigh in on allocation options later this year. Preparations are underway for a new river herring benchmark assessment with workshops beginning this summer. The Shad & River Herring Board plans to review the completed assessment at the ASMFC’s 2023 annual meeting.

Climate Change: Resilient Ecosystems and Fishing Communities

• On March 29-30 in Arlington, VA, Rob attended the fourth National Saltwater Recreational Fisheries Summit hosted by NOAA Fisheries and the ASMFC. The theme for the 2022 Summit was "Recreational Fisheries in a Time of Change." Over the course of the two-day summit, Rob provided input to NOAA Fisheries leadership on key discussion topics, including climate resilient fisheries. Summit organizers are now preparing a detailed report for distribution.

• Theresa attended the March meeting of the Pacific Council, where NMFS scientists delivered a presentation of the Annual California Current Ecosystem Status Report. She outlined ways to incorporate ecosystem science, such as highly migratory species diet studies, into management, and she helped advance an ecosystem initiative to incorporate climate variability and change data into stock assessments and decision-making.

• Pam applied and was selected for the East Coast Climate Change Scenario Planning Workshop that will take place in Washington, D.C., June 21-23. Workshop participants will develop scenarios that describe how climate change might affect fisheries in the next 20 years. The scenarios will be used to develop a suite of recommendations to assist managers in adapting and responding to potential climate change impacts.
Newly Elected Co-Chairs Excited to Lead the Wild Oceans Board of Directors

On May 7th at our annual meeting in Miami, Florida, the Wild Oceans Board of Directors unanimously elected Mrs. Stephanie Choate Oppenheimer and Mr. Peter Truslow as the organization’s new co-chairs. Arthur B. “Tim” Choate chaired the Board of Directors for over a decade, leading Wild Oceans to a number of ground-breaking victories such as The Billfish Conservation Act, which stopped an estimated 30,000 Pacific marlin from being imported into the U.S. every year. "It’s been a wonderful trip," remarked Mr. Choate as he enthusiastically passed the baton to his daughter Stephanie and long-time friend Peter.

"I have loved watching my father tackle conservation with his whole heart and will do the same for the organization and my son," said Mrs. Choate-Oppenheimer. "I couldn’t be happier to join forces with Peter Truslow and take Wild Oceans into this new chapter."

Mr. Truslow, who has known Tim and Stephanie for many years, is excited for the opportunity to help with current projects that will have a huge impact on preserving our fisheries for future generations. "I have spent my career in the marine industry, and I have always admired the focus and accomplishments of the Wild Oceans team. Our team will continue to deliver results because of our expertise in fisheries management and conservation, and our ability to efficiently bring together disparate groups in order to affect change," said Mr. Truslow.

See Wild Oceans President Rob Kramer’s Ocean View on page 2 to learn more about our talented and dedicated new co-chairs.