Agreement on the Conservation of Albatrosses and Petrels

Interim Secretariat provided by the Australian Government

First Meeting of Advisory Committee

Hobart, Australia, 20 – 22 July 2005

Agenda Item No .15
ACAP/AC1/Inf.6
United States of America

Observer Report on the 14th Special Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT), New Orleans, USA – November 15 to 21, 2004

Agenda Item No 15
ACAP/AC1/Inf.6

Observer Report on the 14th Special Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT), New Orleans, USA – November 15 to 21, 2004

Submitted by USA

Observer Report on the 14th Special Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT), New Orleans, USA – November 15 to 21, 2004

Kim Rivera (USA)

The 14th Special Meeting of ICCAT was held in New Orleans, Louisiana, USA from 15 to 21 November, 2004. ICCAT's Standing Committee on Research and Statistics (SCRS) met in Madrid, Spain from 4 to 8 October, 2004. The SCRS meeting included a meeting of its Sub-committee on By-catches.

The 14th Special Meeting of ICCAT was attended by about 350 participants, representing 32 Contracting Parties; 4 Inter-governmental Organizations; 8 non-Contracting Parties, Entities, or Fishing Entities; and 8 Non-governmental Organizations.

This observer report focuses on elements of these 2004 meetings of ICCAT, SCRS, and the Sub-committee on Bycatch that pertained to seabird incidental catch i.e. bycatch. The 2004 Commission Proceedings report and agenda is available at http://www.iccat.es/ and the SCRS and Annual Reports (by Contracting Parties) are available at http://www.iccat.es/downloads.htm

Commission Report The topic of seabird incidental catch was addressed only during agenda item 12, 'other matters'. The Chairman informed the Commission that the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) had requested ICCAT's cooperation on the issue of seabirds. It was agreed that the Chairman, in consultation with the Secretariat, would draft a reply that would be circulated to all Contracting Parties.

Note, the CCAMLR Chairman received a response letter from the ICCAT Chairman on March 16, 2005 (ICCAT Circular #324/05). The response indicated that seabirds are not listed as species subject to management in our (ICCAT) Convention, but ICCAT takes the issue of incidental by-catch very seriously, especially when it concerns rare or threatened species. It further indicated that in 2002, the Commission adopted Resolution 02-14, on Incidental Mortality of Seabirds, which urges ICCAT members to provide its Scientific Committee (SCRS) with the necessary data to assess the impact of such incidental catches made by ICCAT fisheries. The ICCAT Chair hoped that sufficient progress will be made by ICCAT members in order to provide the necessary data to the SCRS within the next two years. Resolution 02-14 is attached.

The Commission report continues that the US delegation drew attention to the fact that no other Contracting Parties were submitting information in accordance with ICCAT Resolutions on seabirds and turtles. He stressed that this issue was important, and requested parties to present all available information in writing to the Commission in 2005. The Chairman agreed to write to Contracting Parties to remind them of this obligation.

The Commission did not act on an SCRS recommendation that the Commission consider hiring a By-catch Coordinator (see below).

SCRS Report (see 15.1.8; excerpts follow)….The [SCRS] Committee recommended that the Commission consider hiring a By-catch Coordinator at the Secretariat and to encourage Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities to enhance their scientific delegations to include experts in seabird and turtle biology and population dynamics. The Committee also recommended that Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities continue to develop and conduct observer

programs for their own fleets to collect accurate data on shark and other catches on species, including discards.

By-catch Subcommittee Report (see Appendix 8 of SCRS Report, excerpts follow) By-catch is the unintentional/incidental capture of non-target species during fishing operations. Different types of fisheries have different types and levels of by-catch, depending on the gear used, the time, area and depth fished, *etc.* Article IV of the Convention states: "the Commission shall be responsible for the study of the population of tuna and tuna-like fishes (the Scombriformes with the exception of Trichiuridae and Gempylidae and the genus Scomber) and such other species of fishes exploited in tuna fishing in the Convention area as are not under investigation by another international fishery organization". This text is interpreted as a responsibility for collecting information on catches of sharks and other fishes which are coincidental to fishing effort directed toward tuna and tuna-like species.

Concern over issues raised at CITES relative to ICCAT species led to the establishment of the SCRS Sub-Committee on By-catch in 1996. The SC is led by Dr. Hideki Nakano (JPN). The SC guides research and analytical activities related to by-catch, especially of sharks with focus on blue, mako and porbeagle; it recommends methodological adaptations to the national statistical data collection systems in order to better quantify by-catch (logbook and observer programs designed to characterize total catch composition and disposition); and it coordinates data gathering and cooperation with other fishery or wildlife organizations on by-catch issues (e.g. FAO, CITES, ICES, *etc.*)

One product of the Sub-Committee is a running tabulation of the diversity of species caught by the various gear types used to target tuna and tuna-like fishes in the Atlantic and Mediterranean. While the tabulation provides no information for quantifying by-catch levels, it does provide guidance about the range of species interacting with these gears. For fish species, longline gear shows the highest documented diversity of catch, followed by gillnets and purse seine. For seabirds, longline gear again shows the highest diversity of catch (88% of counts that included seabirds), while for sea turtles and marine mammals, purse seine and gillnet have higher diversity thus far documented for the Atlantic tuna fleets.

Longline effort produces the second highest volume of catch and the catch (and effort) is the most broadly distributed (horizontally and vertically) of the gears used to target ICCAT species. Scientific observer data are being collected on a range of longline fleets and will become useful for better quantification of total catch composition and disposition as these observer programs mature. The estimated by-catch of billfish, tunas, and sharks from some longline fleets are used in assessments. Estimated by-catches of other species are also reported to ICCAT by some nations. The Committee noted that new information concerning the diversity of by-catch species by gear type has been accumulating at a slower pace than during the first years of the Sub-Committee's work. As noted, the available information does not permit estimating overall magnitude of interactions across the gear types since most of the information thus far collected does not permit this type of quantification. As scientific observer programs mature, this form of quantification should become possible.

Consideration of Resolution [Res. 02-14] on Seabirds The Committee was reminded of the language of Resolution [Res. 02-14]. It requests information from Contracting Parties and non-Contracting Parties, Entities or Fishing Entities on progress related to the implementation of NPOAs for seabirds. It also encourages the collection of all available information on interactions with seabirds and voluntarily provided to the SCRS. At the end, the Commission resolved that SCRS should present to the Commission an assessment of the impact of incidental catch of

seabirds resulting from the activities of all fleets in the Convention area, when feasible and appropriate. The Committee encouraged Contracting Parties, Entities and Fishing Entities to implement the Resolution.

The Committee was informed of cooperative efforts in Brazil, involving fishermen, fishery research institutions and organizations devoted to the conservation of sea birds, which meet in a workshop, held in April this year, to discuss and approve a draft version of the Brazilian Plan of Action for Reducing Incidental Catches of Sea Birds in longline fisheries. A significant progress was reached and it is expected that the Plan will be finalized and officially approved still this year.

The United States reported that available information on progress made on its implementation of an NPOA for seabirds was included in its Annual Report, as were available observations and estimates of by-catch of seabirds in the U.S. Atlantic pelagic longline fleet.

It was reiterated that ICCAT has not collected quantitative data on seabird by-catch, but that this information might be available from the observer programs conducted by various Contracting Parties and Cooperating non-Contracting Parties, Entities, or Fishing Entities.

The Committee (as it had in previous discussion) again noted that the implications of element 3 of Resolution [Res. 02-14] could be quite broad. The Committee was concerned that to achieve this would require expertise not yet held by SCRS. In all, this request would require significantly enhanced commitments by national scientific delegations and greater expertise available at the Secretariat. To further work along the lines recommended by the Commission, the Committee recommends that the Commission consider hiring a By-catch Coordinator at the Secretariat and to encourage Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities to enhance their scientific delegations to include experts in seabird and turtle biology and population dynamics.

Annual Reports Contracting Parties and Observers to ICCAT submit annual reports describing their ICCAT activities and implementation of ICCAT conservation and management measures. Reports from 3 Contracting Parties (Japan, USA, South Africa) and one non-Contracting Party, Entity, or Fishing Entity (Chinese Taipei) included references to seabird activities. (See excerpts below).

Japan (from 5.3 Measures to reduce incidental catch of sea turtles, seabirds and sharks)
The FAJ issued administrative guidance and conducted educational programs for fishermen to use fishing gears and other tools to reduce the incidental catch of sea turtles, seabirds and sharks.
For sea turtles, the FAJ will start a pilot program to use circle hooks to reduce the incidental catch of sea turtles by Japanese longline vessels. When Japanese longline fishing vessels are operating in the high latitudes of the Southern hemisphere where interactions between seabirds often occur, use of a device is required that deters sea birds from approaching the hooks and bait when the device is launched. In other areas, fishermen are also encouraged to use the device. In 2001, Japan established the National Plan of Action for the Conservation and Management of Sharks aimed at improving the collection of accurate data, at educational activities, as well as the full utilization of sharks. In August 2003, Japan hosted the World Tuna Longline Fisheries Conference among the Asian longline tuna fishing countries and declared to work together for the collection of data, and study tools to minimize interactions with these species.

South Africa (from 3.1 Recommendations and Resolutions Adopted by ICCAT in 2002; 5 Other activities)

[Res. 02-14]: Various bird mitigation measures have been included as permit conditions, such as: All longliners are required to deploy a tori line when setting; No bright lights are to be used when setting at night; Baits are required to be properly defrosted to ensure faster sinking rates; Bait and offal are not to dumped on the same side as hauling.

In addition, scientific observers also collect data on bird mortality rates and provide dead specimens for identification. Permit holders have also been made aware of the large impact longliners have on seabird populations. To encourage responsible fishing permit holders have been given bird posters so as to be able to identify the common species occurring in South African waters.

An on-board observer programme was launched in 1998, with the first observer placed on a local longline vessel in November. The programme is primarily aimed at: (1) verifying retained catches of target and by-catch species, and of discarded catches; (2) providing measures of large pelagic species caught, and; (3) to obtain biological samples of swordfish. Each permit holder is required, by permit conditions, to take an observer onboard on every fifth trip. Despite this permit condition, observer coverage decreased from 17.5% in 2001 to only 6.9% of 202 fishing trips in 2003.

USA (from 2.2.9, 3.4, 3.7) The US observer program currently meets two main objectives: monitoring of interactions between fishing gear and protected species (marine mammals, sea turtles, and to a lesser degree, seabirds), and monitoring of fishing effort and catch. In accordance with ICCAT recommendations, randomized observer sampling of the US large pelagic longline fleet was continued into 2003. Observer recorded over 379,354 fish (primarily swordfish, tunas, and sharks), in addition to marine mammals, turtles, and seabirds during this time period. The US submitted an update on implementation of its NPOA-Seabirds and observer data on seabird interactions in the SCRS Appendix. Some of that update follows:

Atlantic pelagic longline fishery
Observer data from 1992 through 2003 indicate that seabird bycatch is relatively low. Since 1992, a total of 116 seabird interactions have been observed, with 79 seabirds observed killed in the Atlantic pelagic longline fishery. Approximately 80 to 100 active US pelagic longline vessels currently operate in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea. Observed bycatch has ranged from 1 to 18 seabirds observed dead per year and 0 to 15 seabirds observed released alive per year from 1992 through 2003. Half of the seabirds observed have not been identified to species (n = 58). Of those seabirds identified, gulls represent the largest group (n = 29), followed by greater shearwaters (n = 19), and northern gannets (n = 8). Greater shearwaters experienced the highest mortality (100 percent), followed by gulls (76 percent), and unidentified seabirds (67 percent). Northern gannets had the lowest mortality rate (12 percent).

Preliminary estimates of expanded seabird bycatch and bycatch rates from 1995-2002, varied by year and species with no apparent pattern. The estimated number of all seabirds caught and discarded dead ranged from 0 to 468 per year, while live discards ranged from 0 to 292 per year. The annual bycatch rate of birds discarded dead ranged from 0 to 0.0486 birds per 1,000 hooks while live discards ranged from 0 to 0.0303 birds per 1,000 hooks.

The Mid-Atlantic Bight experienced the highest number of seabirds observed caught and killed (n = 42, 90 percent). The Northeast Coastal area had the second highest number observed (n = 34) but third highest bycatch mortality (47 percent) compared to the South Atlantic Bight, which had a lower number of seabirds observed caught (n = 16) but higher mortality (81 percent).

Atlantic bottom longline shark fishery
A single pelican has been observed killed from 1994 through 2003. The pelican was caught in January 1995 off the Florida Gulf Coast (between 25 18.68 N, 81 35.47 W and 25 19.11 N, 81 23.83 W) (G. Burgess, University of Florida, Commercial Shark Fishery Observer Program, pers. comm., 2001). No expanded estimates of seabird bycatch or catch rates are available for the bottom longline fishery.

No management measures are currently in place for seabird protection in either of these fisheries. Time/area closures for the pelagic longline fishery are in place in the Gulf of Mexico, along the east coast of Florida, in the Charleston Bump, in the Northeast Distant area, and in the Mid-Atlantic Bight. Such closures may positively affect seabirds. Evidence has been presented at international workshops that has indicated that, if necessary, streamer lines and line shooters are effective in reducing the bycatch of seabirds in longline fisheries.

Bycatch of seabirds in Atlantic HMS pelagic and bottom longline fisheries is relatively minimal and there does not appear to be a significant problem with seabird bycatch in these fisheries. Accordingly, no mitigation measures are proposed at this time. NMFS intends to continue to collect data on seabird bycatch through observer programs and supplemental logbooks programs and to increase the species-specific identification of seabirds observed. NMFS will reassess seabird bycatch in these fisheries as new information becomes available.

<u>Chinese Taipei</u> (from 3.5 Observer programs; and 5.3.1 By-catch, seabirds)
For purposes of better understanding the fishing activities and the by-catch issue of the longline fishery and to be in line with the international requirement for conserving marine resources, the government has lunched an experimental observer program since 2001. There were two observers assigned to carry out observation missions in the Atlantic Ocean; three trips and 264 and 280 fishing days were observed in 2002 and 2003, respectively. This year, four observers have been dispatched to the tuna longliners operating in Atlantic Ocean to collect information on fishing activities. The results are described in the previous section.

Actions by Chinese Taipei to address seabird bycatch:
1. To mitigate the incidental catch of seabirds, some vessels that caught southern bluefin tuna were equipped with "tori line" under the auspices of the Fisheries Agency. It was suggested that fishermen that catch southern bluefin tuna set the gear at night and use fully thawed bait.
2. To improve research on seabirds, Chinese Taipei has been conducting surveys about what has been done by Chinese Taipei fishermen to avoid the seabird by-catch and the mitigation effect since 1995. In 2001, six observers were appointed with one of their task being to record related by-catch statistics of seabirds.
3. To disseminate information on seabird conservation, pamphlets and leaflets were distributed to fishermen, the fishery industries and domestic conservation groups to promote the concept of seabird conservation in recently years.
4. Chinese Taipei participated in many international meetings, such as International Fisheries Forum, the 12th Meeting of CITES, which was focused on the issues of seabird conservation. In 2004, Chinese Taipei supported the "International Technical Workshop on Preventing Incidental Catch of Sea Birds" sponsored by the International Bird Life, which is to be held in Kaohsiung.

<u>Bycatch Booth at ICCAT Meeting</u> NOAA Fisheries sponsored an informational booth at the annual meeting in New Orleans. An array of bycatch avoidance outreach materials on both seabirds and sea turtles was provided.

2005 Meetings The 19th Regular Meeting of ICCAT will be held in Seville, Spain from November 14 to 20, 2005. The SCRS will meet in Madrid, Spain from October 3 to 7, 2005. The Sub-committee on By-Catches will meet on October 5 and its agenda includes 'Consideration of Resolution [02-14] on Seabirds'.

Attachment

02-14 RESOLUTION BY ICCAT
ON INCIDENTAL MORTALITY OF SEABIRDS

TAKING INTO ACCOUNT the FAO International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries;

RECOGNIZING the need to evaluate the incidental mortality of seabirds during longline fishing operations for tunas and tuna-like species;

NOTING that fisheries other than longline fisheries targeting tuna and tuna-like species may also contribute to the incidental mortality of seabirds;

FURTHER NOTING that other factors, such as swallowing marine debris, are also responsible for seabird mortality.

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RESOLVES THAT:

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should inform the Standing Committee on Research and Statistics (SCRS), if appropriate, and Commission of the status of their National Plans of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries. All are strongly urged to implement, if appropriate, the International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries if they have not already done so.

2. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should be encouraged to collect and voluntarily provide SCRS with all available information on interactions with seabirds, including incidental catches in all fisheries under the purview of ICCAT.

3. When feasible and appropriate, SCRS should present to the Commission an assessment of the impact of incidental catch of seabirds resulting from the activities of all the vessels fishing for tunas and tuna-like species, in the Convention Area.