

**IMPLEMENTATION OF THE UNITED STATES
NATIONAL PLAN OF ACTION FOR REDUCING THE INCIDENTAL CATCH OF SEABIRDS
IN LONGLINE FISHERIES (NPOA-SEABIRDS)**

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Framework for IPOA-Seabirds Implementation

In the US, many national instruments and policies have provided the authority and framework to implement the FAO's IPOA-Seabirds and the US's NPOA-Seabirds. These statutes and policies include: the Magnuson-Stevens Fishery Conservation and Management Act, the Endangered Species Act, the Migratory Bird Treaty Act, Presidential Executive Order (EO) 13186 "Responsibilities of Federal Agencies to Protect Migratory Birds," (which specifically references US implementation of the IPOA-Seabirds), national policy guidance within "Managing the Nation's Bycatch: Programs, Activities, and Recommendations for the National Marine Fisheries Service" (Bycatch Plan), and the United States Fish & Wildlife Service (USFWS) Waterbird Bycatch Policy Statement. The NPOA-Seabirds, together with these existing instruments and policies, provide guidance for NOAA Fisheries and the USFWS to work domestically and internationally to gain a better understanding of seabird bycatch and pursue ways to reduce that bycatch. Recently, NOAA Fisheries formed an International Bycatch Reduction Task Force for the purpose of addressing various bycatch issues, including seabird bycatch, with foreign governments and regional fisheries management organizations (RFMO). Additionally, the USFWS formed a Waterbird Bycatch Reduction Working Group and is developing a plan for implementing its Waterbird Bycatch Policy Statement.

Structure of NPOA-Seabirds

The NPOA-Seabirds is organized around 3 broad themes---action items, interagency cooperation, and international cooperation. Action items may include: fishery assessments, data collection, prescription of measures, research and development of mitigation measures, outreach and education, and reporting. Cooperation between resource management agencies is critical for effective and efficient NPOA-Seabirds implementation, as is international cooperation. International cooperation may include, but is not limited to, activities at bilateral fishery meetings, RFMOs, collaborative projects, and sharing and exchange of information via reports, meetings, conferences, or other forums.

Numerous activities have been undertaken to implement the NPOA-Seabirds. Some of them include:

- Appointment of a national NOAA Fisheries seabird coordinator to guide regional efforts;
- Formation of an Interagency Seabird Working Group---co-chaired by NOAA Fisheries and USFWS---that includes seabird contacts in every NOAA Fisheries region and science center, every fishery management council, every USFWS coastal region's migratory bird and endangered species program, and the US Department of State (DOS) to work on NPOA implementation through improved collaboration and coordination;
- Ongoing regional assessments of longline fisheries to determine if seabird incidental catch is a problem;
- Collaborative research programs in Alaska and Hawaii to study the effectiveness of seabird avoidance measures;
- Requirements for longline fishing vessels off Alaska and Hawaii to use specified effective seabird avoidance measures;
- Regular and periodic regional staff meetings between NOAA Fisheries and USFWS to discuss seabird/fishery issues, share and exchange information, and collaborate on management issues;

- Evaluation of the impacts of fishery actions on seabirds (assessments under the National Environmental Policy Act), where appropriate;
- Participation in a Pacific Seabird Group special session “Spatial and temporal overlap of seabirds and fisheries and related seabird bycatch issues”;
- Production and distribution of outreach and educational materials for fishermen and interested members of the public, such as a Seabird link on the new NOAA Fisheries Bycatch website <http://www.nmfs.noaa.gov/bycatch.htm>, and;
- Promotion of the implementation of the IPOA-Seabirds and the development of NPOA-Seabirds at various international fora.

Outreach, Education, and Research Activities

These activities have been undertaken by NOAA Fisheries, USFWS, and non-governmental organizations---both the longline industry and environmental groups. Some examples are:

- Workshops
 - Protected Species Workshops required for Hawaii limited-entry longline permit holders. Held annually for the past 4 years. Species identification and life history information; live bird handling, current regulations. Workbooks provided—videos, bird identification placards.
 - Alaska Port-to-Port Workshops—summer 2002. Outreach on upcoming regulatory changes. Work conducted on small vessels to evaluate performance standards for seabird avoidance gear.
 - California Longline Skipper Workshop—fall 2002. Outreach on upcoming mandatory requirements for observer coverage on California-based pelagic longline vessels. Seabird bycatch data collection will occur; albatross identification materials and seabird handling videos provided.
- Education Materials
 - Laminated albatross guides provided to fishermen and observers in Alaska, Hawaii, and West Coast of US
 - Improved seabird identification guides developed and provided for Alaska observers.
 - Seabird handling videos available for pelagic longliners off Hawaii and California. Outreach video being produced in Alaska.
- Outreach Materials
 - Website, newspaper, information bulletins, news releases, email lists, brochures, pamphlets, booths at fishing industry expos, posters and paper presentations at seabird scientific meetings.
 - Collaborative project to provide free paired streamer lines to Alaska longliners, funded by USFWS.
- Research Activities

NOAA Fisheries and USFWS have collaborated with university sea grant programs and other non-government groups, and in some instances jointly funded scientific studies by researchers on developing and/or evaluating the effectiveness of seabird mitigation devices. Efforts have included gear studies on: streamer lines, line shooters, underwater setting chutes, integrated weight groundlines, and on bait studies assessing bait dying and thawing. Research results have been presented at scientific meetings such as the Pacific Seabird Group and the Commission for the Conservation of Antarctic Living Marine Resources. Continued support for research and development of effective gear mitigation measures is important.

For three consecutive years, the USFWS Alaska Region has received US Congressional funds (\$575K each year) for a Seabird Bycatch Initiative. Funds have been used for a variety of studies relating to bycaught seabirds: short-tailed albatross tracking study, demography of frequently caught seabirds, improvements to observer-collected seabird data, production of educational outreach video for fishermen, enhanced seabird training for fisheries observers, free streamer line program, testing of a prototype integrated weight longline, and creation of a functional database of black-footed and Laysan albatross banding data and a comprehensive demographic analysis of existing data to predict survival rates and population trends.

Regional Assessments of Longline Fisheries and Reductions in Seabird Bycatch

Regional assessments of longline fisheries are ongoing and are available in Appendix II of the NPOA-Seabirds. <http://www.fakr.noaa.gov/protectedresources/seabirds/npoa/npoa.pdf>

As new information becomes available regarding seabird interactions in US longline fisheries, the assessments will be updated in the NPOA-Seabirds appendix.

Three US fishery regions (Alaska, Southwest, and Hawaii) have identified seabird bycatch problems. The Alaska and Hawaii regions have taken significant action to reduce seabird bycatch, including requirements for mandatory seabird avoidance measures. Limited observer data from the California-based (Southwest) pelagic longline fishery for swordfish and tuna (formerly the Hawaii-based fleet), demonstrates fishery-related mortalities of black-footed and Laysan albatrosses. In October 2002, the Pacific Fishery Management Council adopted the West Coast Highly Migratory Species Fishery Management Plan (FMP) which includes recommendations for seabird mitigation measures that would be required of fishermen. NOAA Fisheries action on this council recommendation will occur during review and approval of the FMP. Other US fishery regions (Northeast, Southeast, Northwest) are in the process of initiating or enhancing data collections on seabird bycatch either through onboard observer programs and/or supplemental logbook programs. A continuing challenge is adequate resources for increased or enhanced observer coverage to effectively support longline assessments.

Since late in 2000, the number of fishery interactions with albatrosses has declined dramatically in the Hawaii-based swordfish longline fishery, due primarily to management measures put in place for protection of sea turtles. With the current ban on swordfish-style fishing (deployment of longline gear at shallow depths), which has resulted in an exclusive deep-set tuna longline fishery, and the required use of seabird mitigation measures, interactions with seabirds should remain at very low levels. Reopening of the swordfish component of the Hawaii-based longline fishery will require further research to identify turtle-safe gear and techniques. Completion of such research and any subsequent modification to the fishery management regime, if appropriate, will take some time, perhaps as much as 3 to 5 years.

In the Bering Sea off Alaska, the rate of seabirds taken in 2001 was about one-half that of the 2000 rate. A preliminary view of 2002 estimates indicate even further declines. The incidental catch rate may have decreased because fishermen are becoming more diligent and skilled using seabird avoidance measures, outreach efforts may have been successful, and/or the 1999-2000 University of Washington's Washington Sea Grant Program research program's collaborative industry approach may have acted to change fishermen behavior and improve the effective deployment of seabird avoidance measures.

Implementation of EO 13186: "Responsibilities of Federal Agencies to Protect Migratory Birds"

USFWS has been actively working with NOAA Fisheries to implement EO 13186. A Memorandum of Understanding (MOU), as required by the EO, is currently being developed. Of particular note is an MOU component that will address the incidental take of migratory birds in commercial fisheries under the jurisdiction of NOAA Fisheries. As evident by the above-referenced activities, many of the MOU components are already being implemented. Also, NOAA Fisheries staff actively participated in the development of the Department of Interior (DOI)-initiated North American Waterbird Conservation Plan

(part of the North American Bird Conservation Initiative). Coordination between agencies is ongoing as the DOI's Waterbird Conservation Council develops an implementation plan for this endeavor.

International Cooperation NOAA Fisheries, in concert with DOS and USFWS, has promoted IPOA-Seabirds implementation and the development of NPOA-Seabirds (or similar instruments) through various avenues: seabird bycatch issues on the agendas of bilateral fisheries meetings and RFMOs, communicating with 23 longline nations via cables and embassy meetings, and assisting the Western Pacific Regional Fishery Management Council with organizing the 2nd International Fishers Forum.

Bilateral Fisheries Meetings and RFMOs: In 2002, the United States met bilaterally on fisheries issues, including seabird bycatch, with: People's Republic of China, European Union, Canada, Chile, Russia, and Spain. The US was one of the proposers for a seabird resolution adopted at ICCAT in 2002.

Communication with 23 Longline Nations (Entities): In 2002, the US approached 23 longlining nations (entities) and followed with meetings of embassy staff with appropriate government officials. The US urged them to implement the IPOA-Seabirds, conduct needed longline fishery assessments, and develop an NPOA-Seabirds if a seabird bycatch problem was determined to exist.

Second International Fishers Forum (IFF2): The Western Pacific Regional Fishery Management Council hosted the Second International Fishers Forum (IFF2) in Honolulu, Hawaii, November 19-22, 2002. NOAA Fisheries and USFWS provided financial support and numerous staff from NOAA Fisheries, USFWS, and DOS attended. In November 2000, New Zealand hosted the IFF1 which focused on methods to solve the incidental catch of seabirds by longline fishing gear. IFF2 built on the efforts made by the participants at IFF1, and also included discussions on sea turtle biology and behavior, and on reducing and minimizing the harmful effects of interactions between sea turtles and longline gear. The mission of the forum was to convene an international meeting of fishermen to address possible solutions to incidental bycatch of sea turtles and seabirds by longline fishing gear. This mission was successfully achieved and plans are already underway for IFF3.

BirdLife International (BLI) Seabird Bycatch Workshop: NOAA Fisheries has been invited to participate in a technical seabird bycatch workshop being proposed by BLI in 2003 in Taiwan. The proposed workshop has been endorsed by the Fisheries Administration of Taiwan and it will focus on the Asian longline fleets. NOAA Fisheries will participate and is able to contribute financial support as well.

Positive Outcomes of the NOAA Fisheries and USFWS Seabird Programs

The most positive outcome of the NPOA-Seabirds implementation process has been a heightened awareness of the occurrence of seabird bycatch in longline fisheries. This increased awareness has occurred within NOAA Fisheries, USFWS, and other federal and state agencies, regional fishery management councils, the longline industry, and the public. In general, this focus has paralleled increased awareness of seabirds as components in the marine ecosystem and the various anthropogenic (including fisheries) and non-anthropogenic impacts on the marine ecosystem.

Another positive outcome has been significant progress in increased collaborations between NOAA Fisheries fishery scientists and managers and seabird biologists and managers with the USFWS, the federal agency responsible for the management and conservation of seabird populations. Collaborations have included: data sharing and exchange, development of observer training methodologies for seabird data collection, research initiatives to evaluate effectiveness of seabird avoidance measures and studies aimed at ascertaining level of fishery impacts on seabird colonies. Implementing the NPOA-Seabirds has provided an impetus for organizing regional, national, and international efforts and initiating mechanisms to fund necessary assessments, research, and outreach.