WESTERN PACIFIC REGIONAL FISHERY MANAGEMENT COUNCIL

**Pelagics Plan Team Meeting**

**1-3th May 2001**

**Meeting Room**
**Western Pacific Regional Fishery**
**Management Council**
**1164 Bishop St.**
**Honolulu, Hawaii**

## 1. Introductions

The meeting began at 9.00 am.

## 2. 2000 Annual report modules and associated issues

### A. American Samoa

#### *1. Status of Fishery*

Chris Evans reported on the American Samoa fishery and reported on recent meetings held in Pago Pago concerning fisheries management in the territory. The data sources for the American Samoa module included creel survey expansions, longline fishery logbooks, cannery landing receipts and receipts from stores, hotels and restaurants from fish purchases. There was discussion of the reasons for disparities between the creel survey and logbook estimates of catch. The creel survey is the best estimate because it accounts for under-reporting by logbooks. The one drawback with the creel interviews is that they miss large longliners that land directly to the Pago Pago canneries. The next issue raised was that the creel-based estimate should perhaps not be called creel, since it is a best estimate of data from the survey plus large vessel logbooks.

The increase in the number of large vessels operating in the longline fishery was noted. It was thought in future that this module should report both small and large vessel data separately, given the different operational characteristics. There was also some form of mothership operation where one of the larger fishing vessels was towing small alia catamarans out to sea and acting as a support and receiving vessel. There was discussion about developing a limited entry program for the American Samoa longline fishery. Neighboring (Western) Samoa had already developed such a program. A control date of July 15th had already been published in the Federal Register.

There were also discussions on an observer program and the feasibility of deploying observers on the small catamaran vessels. While this may not be practicable, it was thought prudent to deploy observers on the large (>50ft) vessels, given the issues surrounding protected species interactions and their effects on the Hawaii longline fishery.

*2. Area recommendations*

- **The Plan Team recommended that NMFS expedites the 50 nm closed area for pelagic fishing vessels > 50ft around the islands of American Samoa due to the increase in the number of large longline boats currently operating in the fishery and likely continued expansion of large longline vessels based in the territory.**

- **The Plan Team encouraged the development of a limited entry program for the American Samoa longline fishery as an additional precautionary management measure.**

- **The Plan Team recommended that an investigation of the spatial and temporal dynamics of longline fishing around American Samoa using existing historical data sets.**

- **The Plan Team recommended the investigation of the practicalities of an observer program for the American Samoa longline fishery based on costs, vessel suitability and expected benefits.**

- **The Plan Team recommended that more shore-side data collection be conducted on albacore, such as sampling gonad and collecting size frequencies.**

- **The Plan Team recommended that more collaborative research and management initiatives be developed between the American Samoa DMWR and the Western Samoa Fisheries Division, given that the combined landings from both longline fisheries produce 15-20% of the albacore caught in the southern Pacific Ocean, and may be representative of the stock as a whole.**

- **The Plan Team recommended that a survey of the longline gear used by American Samoan fishermen be made as soon as possible, given the ban by the recent NMFS Biological Opinion on the use of shallow set longline gear in the northern Pacific by fisheries under Council jurisdiction.**

- **The Plan Team recommended that protected species workshops be conducted for American Samoa longline fishermen comparable to those held in Hawaii.**

- **The Plan Team noted with approval the suggested schedule for developing a Pelagics FMP amendment implementing a limited entry program for the American Samoa longline fishery.**

**B. Guam**

*1. Status of Fishery*

**Guam**

**Status of Fishery**

Jay Gutierrez presented the Guam Module. The Guam DAWR staff have been reprocessing and editing their offshore creel survey data for the past three years that will assist in meeting new SFA reporting requirements for fishing sectors and bycatch with the assistance of WPacFIN. The reprocessing and editing have been completed and those data are presented in this years report. For a second year, Guam divided fishing parameters into charter and non-charter sectors. This is significant because charters account for a high percentage of certain species although they make up only approximately 20% of the trolling trips. Also, for the first time in any pelagic plan team meeting, Guam was able to report bycatch and divide the parameters into charter and non-charter sections.

Landings of all pelagics amounted to approximately 617,000 pounds (-4%), of which about 63% were sold for a revenue of $641,000. Tuna landings amounted to approximately 356,000 pounds (+34) with the sold portion of $249,000. Other PPMUS landings amounted to 244,000 pounds (-27) with the sold portion of $375,000. The overall landings have declined from a peak since 1996. Landings in 2000 did not follow the 1998 and 1999 trends towards targeting other PPMUS principally mahimahi. Non-charters accounted for approximately 57,000 pounds (-9%) of the total marlin catch while charters accounted for approximately 30,000 pounds (+55%). The increase in charter marlin catch is due to an increase in targeting this species and charter trip length.

Non-charters accounted for approximately 67,000 (-51%) of the total mahimahi catch while charters accounted for approximately 19,000 (-20%). Prior to 1988, non-charters accounted for over 90% of the catch. Beginning in 1988, this percentage decreased due to an increase in charter boat activity. Non-charters accounted for approximately 58,000 pounds (-13%) of the total wahoo catch while charters accounted for approximately 12,000 pounds (+24%). In 1996, charter landings for wahoo reached a high accounting for 35% of the total catch and has steadily decreased from then. Non-charters accounted for approximately 238,529 pounds (+125%) of the total skipjack catch while charters accounted for approximately 29,000 pounds (+108%). Non-charter accounted for approximately 73,000 (-40%) of the total yellowfin catch while charters accounted for 3,700 (-8%). Charter activity has not had an affect on the landings of skipjack and yellowfin tuna over the years.

Compared with 1999, charter trolling trips decreased 4%, non-charter trips decreased 8%, charter trolling hours remained stable, non-charter trolling hours decreased 4%, charter trolling effort decreased 5%, and non-charter trolling effort increased 7%. The adjusted price for tuna and other PPMUS decreased to $1.41 and $1.82. The estimated number of trolling boats that participated in the troll fishing in 2000 decreased by approximately 7%.

Estimated bycatch was approximately 6029 pounds or 1% of the total pelagic catch (616,617 pounds). The species caught as bycatch were the whitetip reef shark, the skipjack tuna, and the blue marlin. The percent bycatch of these species were 100% (whitetip reef shark), .05% (skipjack tuna), and 10% (blue marlin), respectively. Bycatch for non-charters is 48% of the total bycatch (2,885 pounds) while the bycatch for charters is 52% (3,141 pounds). Bycatch species for non-charters consist of the whitetip reef shark and skipjack tuna while the bycatch species for charters consist only of blue marlin. The actual bycatch was approximately 400 pounds with 4 blue marlin, 4 skipjack tunas, and 1 whitetip reef shark caught. All species were released alive except 1 skipjack tuna.

#### *2. Area recommendations*

- **The Plan Team endorsed the recommendation of the development of software to improve the reporting of bycatch.**

### C. Hawaii

#### *1. Status of the Fishery*

Sam Pooley and Walter Ikehara reviewed the performance of Hawaii's pelagic fisheries landings during 2000. Landings were down in 2000 as a result of the effects on the longline fishery due to litigation over turtles. Revenues increased in 2000, however, reflecting the improvement of the economy in 2000. Despite the ban on swordfish fishing since August 2000, the landings of swordfish last year were the same as in 1999. Swordfish landings are highly seasonal with most occurring in the first two quarters, so that the effect of the prohibition is expected to be seen FY2001. Landings of bigeye tuna, the other mainstay of the fishery were similarly unchanged. Marlin landings continued to decline with striped marlins and blue marlins at lows not see since the 1980s.

Imports of pelagics amounted to about 1 million lbs worth some $2.75 million. It was thought that a large volume of these imports was CO-treated or 'tail-pipe' tuna for poke manufacture. Hawaii exported 600,000 lbs of tuna worth $2 million to Canada, Japan and US mainland.

The effects of the 2 week closure in late March 2001 had been limited but had led to a doubling of the price of ahi in the two weeks that the longliners were idle. Albacore was very cheap and plentiful after the reopening of the longline fishery.

There was no completed aku-boat data available for 2000 but this may be lower than 1999 due to continuing attrition of the remnant aku fleet. Data currently available on aku vessel trips suggested a level of activity half of that in 1999 with only 3 vessels active in 2000. There was a big jump in mahimahi troll and handline catch, with the highest handline CPUE on record. Ono troll catch rate dropped slightly between 1999 and 2000 and remained steady in the handline fishery, while blue marlin CPUEs in both fisheries hit all time lows. Yellowfin troll CPUE had also not exceeded the 20 year average for the last decade. Discussion on the troll data noted that the CPUEs reflected successful catches and did not included trips where there was no catch.

There was some discussion concerning the offshore handline fishery and the continuing problem of species mis-identification, with the reported dominance in the catch of yellowfin, rather than bigeye. Some of the problem was due to fishermen or their wives completing the catch forms from auction receipts and noting down "ahi" which was interpreted by HDAR as yellowfin.

### *2. Area recommendations*

- **HDAR should continue to improve the collection of Hawaii fisheries data so that the data provide useful data on fishing effort.**

*This recommendation was repeated from last year, and although progress was being made on this issue, it was felt desirable to continue with this recommendation until the State had made its changes to the way fishing catch data was reported.*

- **The Plan team recommends that HDAR develop identification sheets to assist fishermen in separating juvenile bigeye and yellow fin tunas. These i.d. sheets could be part of a fishermen's handbook which included other fish identification guides information on State of Hawaii fishery regulations, and instructions on catch data forms.**

- **The Plan team recommended that the Council seek an opinion on the legality of the "private" FAD moorings from the US Corps of Engineers and the USCG. Further, the Council should seek the advice of NOAA General Counsel on whether FADs can be categorized as a "fishing gear".**

- **The Plan team recommends that separation of offshore and inshore handline fishery data be generated for years prior to 1997 to establish a longer time series for the offshore fishery.**

*The Plan team heard that there had been marked progress on the following recommendations from the previous year:*

***The plan Team recommends that resources be provided to WPacFIN for processing 1999 auction data to assess how well dealer data can be used to replace the fish sales portion of the fishery catch reports.***

***NMFS should supply log book data to the State of Hawaii for uses as a substitute for state longline catch reports in the interest of reducing duplication of effort in reporting by fishermen.***

*The Plan Team also noted that the following recommendation had become redundant following the agreement between the State of Hawaii and NMFS Office of Science and Technology to collaborate on a the MRFSS survey:*

***Council should seek funding to conduct the RFDTF proposed survey of Hawaii's small scale fisheries.***

**D. Northern Mariana Islands**

*1. Status of Fishery*

Trolling is the only fishing method utilized in the pelagic fishery. The pelagic fishing fleet, other than charter boats, consists primarily of vessels less than 24 ft in length which usually have a limited 20-mile travel radius from Saipan. In 2000, 93 fishermen sold pelagic fish in Saipan and a total of 1970 trips produced a grand total of 145,000 lb of fish, similar to the 2000 volume of pelagic landings. Twenty- seven vessels were registered with the Boating Safety Office as charter vessels for 1999. Charter vessels generally retain their catches, selling half or more to local markets. No logbook system is currently in effect.

All data reported for 2000 were from sales receipts, however, a creel intercept survey similar to those in American Samoa and Guam was implemented in 2000 in the Northern Mariana Islands on Saipan and Tinian.

*2. Area recommendations*

- **The plan Team endorsed continued assistance from WPacFIN to NMI's Division of Fish and Wildlife in improving the offshore creel survey.**

**E. International module/OFP overview**

*1. Status of the fishery*

Keith Bigelow presented an overview of the international module which included region-wide catches by large purse seine and longline fleets from North America and Asia. Skipjack contribute two thirds of the WCPO catch of the four main tuna species. Available indicators

(purse seine, pole-and-line) show variable catch rates over time in the fishery. A new analysis of purse seine CPUE for Japanese vessels has shown a declining trend in standardized CPUE for unassociated school sets since the 1980s but an increasing trend for log and FAD-associated sets. Ongoing oceanography studies suggest a positive impact of El Niño conditions on skipjack recruitment, particularly when followed rapidly by La Niña conditions, as occurred in 1998. Overall estimates of fishing mortality-at-age were still considerably smaller than the corresponding estimates of natural mortality-at-age.

Yellowfin tuna catch for the WCPO has increased since the 1980s, when the purse-seine fishery began its significant expansion in the WCPO. Catch rates for purse-seine fleets continue to be variable and without a clear trend in the available time series of data. However, catch rates for some fleets since about 1997 may have benefited from the increased use of drifting FADs. This fishing innovation is rapidly becoming the preferred technique for most fleets. Catch rates for longline fleets continue to remain near their historical lows. Tag-based assessments from the early 1990s found regional exploitation levels of yellowfin tuna to be low to moderate at catch levels at that time slightly below those in recent years. The updated results of a MULTIFAN–CL analysis for yellowfin tuna continue to be consistent with the tag-based assessment. Assuming that major changes in yellowfin stock productivity have not occurred, it is likely that the WCPO yellowfin tuna stock can sustain the current catch level.

Although the catch of bigeye for the Pacific Ocean accounts for a relatively small portion (8%) of the total tuna catch, its economic value is substantial (approximately US$1 billion annually). The environmental effects on availability and productivity have been investigated through fisheries oceanographic studies. As with yellowfin, El Niño events may increase bigeye catchability in the west by raising the lower limit of its swimming habitat. At the same time, recruitment could be higher in the east due to the warmer and more suitable environment for spawning and larval survival. Collaborative research involving several institutions has been undertaken in order to better assess the status of the bigeye stock. The work has involved the application of an integrated statistical model (MULTIFAN–CL) to Pacific-wide bigeye data for the first time. The results raise a concern of possible overfishing and decline in adult biomass, particularly in combination with the record purse-seine catch in the WCPO in 1999 and continuing high catches in the EPO.

Albacore caught in the South Pacific constitute a single stock. Longline, primarily catching adults, accounts for the majority of albacore catches (89%) in the South Pacific with trolling catching the remainder (11%). Biological data on albacore are regularly collected via observer and port sampling programmes in the region. Length frequency data from port sampling is a critical input to the length-based age-structured stock assessment model (MULTIFAN–CL). This model has been extended to cover the period 1961–1998, to incorporate tag recovery information, and include the Samoan longline fishery. Results from this model are strongly influenced by a small number of tags recovered (135 recoveries) and hence are highly uncertain. Results, however, suggest a decline in biomass from 1961 to 1989/90 (about 50%) followed by an increase which continues to 1998. A new attempt to incorporate environmental factors (with

appropriate time lags) in modelling biomass suggests a possible link between recruitment and ENSO events.

*2. Region-wide recommendations*

- **The Council should support an analysis of trends in mahimahi and ono landings and catch rates, and other incidental catches (i.e. opah, pomfret, rainbow-runner etc), throughout the western Pacific region, including data from EEZ and distant water fisheries**

*It was noted that there may be some progress on this recommendation in 2001 through a project submission to the Univ. of Hawaii's Pelagic Fisheries Research Program*

- **Because he longline fishing is expanding in terms of ports of landings the Council should authorize NMFS to use VMS information to monitor logbook compliance. The Plan Team believes this information to be vitally important for other fishery monitoring and assessment purposes. At a minimum VMS data on noon positions should be provided to allow some approximate validation of logbook reported positions**

- **The Plan team recommends that the Council should be included in the review of any reports drafted jointly by NMFS and USFWS on annual takes of seabirds, as specified in the recently published National Plan of Action for Seabirds.**

**3. Pelagic Research**

Some discussion prior to the presentations touched on concerns over the continuing concern for blue marlin stocks in the Pacific, and the need for a thorough stock assessment which accounted for all fisheries impacts. There was also expressions of concern over the results generated by MULTIFAN stock assessments which implied that declines in abundance of yellowfin and bigeye tuna in the WPR were primarily driven by environmental effects on recruitment. It was suggested that this may be counter-intuitive given the build up of fishing effort, particularly the increase in fishing mortality on juvenile big eye.

**1. Tuna tagging**
**2. Tuna modeling**

David Itano and Shiham Adam of the University of Hawaii's Pelagic Fisheries Research Program presented in tandem the results of a tuna tagging project conducted in Hawaii. One of the principal aims of the project was to assess the impacts of the offshore handline fishery for bigeye and yellowfin tunas on nearshore catches of these species. This has been a source of tension

between the offshore handline fishery and troll and handline fishermen operating nearshore, with the latter asserting that catches by the offshore fishery depleted recruitment to the nearshore fisheries. The tagging program and subsequent analysis demonstrated very clearly that the offshore handline fishery at the Cross Seamount/NOAA weather buoys did not influence recruitment to the nearshore pelagic fisheries. However, the fish exploited by the offshore handliners did recruit primarily to the longline fishery, although this would have little influence on overall longline tuna catches.

- **The Plan Team commended the PFRP Hawaii Tuna Tagging Project team of Dave Itano, John Sibert, Shiham Adam and Kim Holland for the quality of their work, and noted in particular Dr Adam's analysis in solving long-standing uncertainty concerning interactions in the Hawaii pelagic fisheries.**

### 3. ECOSIM

Chris Boggs made a brief summary of his collaborative ECOSIM research and its usefulness for investigating different scenarios in exploiting HMS stocks in the Pacific. Of particular recent interest have been simulations involving sharks and sea turtles. ECOSIM modeling of the Eastern Tropical Pacific ((ETP) by IATTC scientists had included turtles, and runs of the (ETP) model that reduced fishing effort by any sector resulted in negative effects on turtles since their primary predators, sharks, became more abundant in the simulation as fishing declined. Last January Boggs and his colleagues put turtles into their ECOSIM model for the central North Pacific (CNP). Using more conservative estimates of turtle natural mortality (including shark predation) and fishing mortality than were used in the (ETP) model the CNP model showed less impact of reduced shark fishing on sea turtles, but no simulated fishery reductions resulted in sea turtle population recovery unless nesting beach mortality was also reduced.

### 4. Offshore handline fishery conflicts Kona-based seamount/weather-buoy fishery and Hilo-based fishery

Paul Dalzell presented a review of issues concerning handline fisheries based at Kona and Hilo on the Big Island and Council recommendations arising from the 108$^{th}$ Council meeting. Dalzell noted that the urgency had gone out of the part of this issue concerned with the offshore handline fishery at the Cross Seamount/NOAA weather buoys. The offshore handline fishermen were concerned that a prolonged closure of the Hawaii longline fishery would lead to some longliners attempting to fish with handlines, short horizontal longlines or vertical longlines at the Cross Seamount. As the eventual closure did not exceed two weeks this urgency of this issue had dissipated.

However, the participants in the Cross Seamount/NOAA weather buoys offshore handline fishery ultimately wanted a limited entry fishery and were concerned about data records held by HDAR which would be integral in deciding who would be allowed to stay in this fishery. The main concern was that the HDAR records were incomplete. Further, there was also concern that a

control date established for this purpose in July 2 1992 was out of date and would exclude fishermen who had participated in the fishery form its inceptions as crew and who had gone on to purchase their own vessels after the control date. Dalzell noted that HDAR Data Manager Reggie Kokubun had followed up on the data issue with some of the offshore handline fishermen and established that HDAR was indeed processing all the catch data received from the handline fishery. Dalzell also noted that the Council had selected a new control date of February 15th 2001, and this was now in review with the NOAA lawyers.

The Plan Team discussed the definitions of longline gear which did not cover short (< 1nm) horizontal longlines and vertical longlines. Al Katekaru from the NMFS PIAO explained that the definition of a longline being > 1 nm was adopted so as not to penalize Big Island ika-shibi fishermen who set short horizontal longlines from their vessels to augment handline catches. The consensus of the Plan team was that operating several small horizontal longlines would likely not be a viable way to fish and the Council should only be concerned if someone did indeed make this a viable fishing method.

Dalzell also explained to the Plan Team that there were concerns about fishermen in the Hilo tuna handline fishery deploying their own FADs, and their subsequent behavior in trying to ensure that other fishermen did not fish around these "private FADs". These FADs were deployed in State and Federal waters and may breach maritime regulations concerning anchorages and navigation, as well as creating problems associated with the fishery resources. These include the concentration of fish at FADs and not in free swimming schools, excessive catches flooding the market and price depression and safety at sea due to large catches taken offshore in small boats.

Cmdr Mike Tosatto commented on the USCG perspective on this issue. The USCG was checking out the threats of violence to fishermen operating around the "private" FADs since these moorings were set in federal waters and could be used by any who wished to do so. The other issues for the USCG concerned the legality of these moorings and the hazard they presented to navigation.. The Plan Team also noted that reporting of catches from these FADs without the corollary that they were taken from a FAD could bias any CPUE data for troll fishing. There was discussion of FADs and if they could be designated fishing gear. This included reference to the Eastern Pacific where purse seine fishing around untethered FADs was constrained by the IATTC. Cmdr Tosatto also noted that an untethered FAD had been set in the US EEZ surrounding Howland and Baker Islands by a foreign purse seiner which had set on the FAD after it had floated out of the EEZ. Had the purse seiner in effect stolen US fish?

**5. Recreational fisheries**

1. **Progress on MRFSS**
2. **Progress Meta-data project**

Paul Dalzell and Walter Ikehara updated the Plan Team on recreational fishing data initiatives in Hawaii. The NMFS Marine Recreational Fisheries Statistical Survey (MRFSS) has returned to Hawaii after a 20 year hiatus. The survey in Hawaii will be conducted under a cooperative agreement between the Hawaii Division of Aquatic Resources and NMFS Office of Science and Technology. The phone surveys to collect fishing effort are already underway. Intercept creel surveys to generate catch data will begin in July. In 2001 only Oahu will be surveyed due to some delays in getting the work implemented but hopefully this will be a shakedown year in preparation for an expanded survey in 2002 onwards.

Dalzell also noted the commencement of a PFRP project jointly administered between the Council and NMFS to generate a meta-database of recreational fishery data from previous surveys in the state and to compile data generated by fishing clubs and tournaments.

**6.Turtle management**

**1. Effects of EIS and BO on longline ands small boat fisheries**

Charles Karnella, Director of the NMFS PIAO reviewed the sequence of events leading up to the publication of the BO on 29th March 2001 and the publication of the Environmental Impact Statement (EIS) on 30th March 2001. NMFS will implement the management measures stemming from the BO in an emergency regulation, which will also include measures stemming from another BO concerning potential interactions between the Hawaii longline fishery and the Short-tail albatross. Karnella noted that the Council would need to amend its Pelagic FMP to be consistent with the turtle BO or the Secretary of Commerce could do this through a secretarial amendment. The Council had already amended its FMP in 2001 to be consistent with the Short-tail BO.

The Plan team discussed at length the implications of the measures in the emergency regulation, noting that the BOs had been published so that there was little room for changing the likely outcome of the management measures. There may be some latitude in the operating rules for the fishery although the BO had clearly delineated no swordfish fishing.. There were also comments that the BO document was difficult to interpret, for example it contained no page numbering and the number of RPAs mentioned did not match those listed in the text. Then Plan Team expressed confusion over the take levels that would reinitiate consultation and stated that these should be expressed more clearly and not with 95% confidence limits.

The Plan Team also discussed if there would be any limits on swordfish landings since these fish are an occasional catch of tuna directed longlining. There was also discussion about eco-labeling of Hawaii's longline caught fish comparable to the dolphin-friendly campaign in the 1980s, and this was thought by the Plan team to be an industry responsibility. NMFS scientists on the Plan Team volunteered that they would abstain on issues pertaining to the BO.

- **The Plan Team recommended that the Council proceed to implement the terms and conditions of the BO and consult with experts to ensure that the RPAs in the BO are followed. The Plan Team noted that these measures need to be implemented for all longline fisheries in the Pacific and not just those in Hawaii.**
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**2. Turtle research priorities**

***1. mitigation***
***2. life histories***

Chris Boggs reviewed the mitigation research planned by the Honolulu Laboratory under a Section 10 process of the Endangered Species Act. This would be a 3 year fishing experiment using between 25-33% of the existing swordfish vessels in the Hawaii longline fishery. The key to the success of this experiment was not the volume of sets but the number of turtles encountered. The experiment would also likely use a lower statistical significance level than commonly applied in experimental investigations.

The objective of the research was to test measures which would either deter turtles from taking bait from hooks, prevent them from getting hooked and/or tangled, or conceal the gear from turtles. The application for the section 10 permit included return of dead turtles for necropsy, since there was some limited evidence that sick turtles may be more at risk than healthy turtles. Some deeply hooked would be brought to port for veterinary examination and possible intervention for hook removal, or observation to see if the animal sheds the hook.

***3. Economic impacts of management measures***

Sam Pooley reviewed the economic impacts of the longline closure, which was limited to only two weeks in March. Pooley noted that even this short period was sufficient to more than double the retail price of ahi in Hawaii. Albacore was, however, plentiful during this period and there was an increase in the use of CO-tuna being used to make *poke*. Pooley noted that fishermen are in general not risk takers and that constraints on fishing, such as time/area closures, can be construed as costs to the fishermen.

**7. Shark management**

**1. Shark finning regulations**

Al Katekaru reviewed the new federal law which amended the Magnuson Act and landing of fins only without shark carcass was now illegal. Further, the new law directed NMFS to have regulations approved by the end of June. The regulations under consideration would apply to all US fishing vessels, regardless where they were fishing and were forbidden to land fins without a carcass. Foreign vessels would be allowed to have fins on board without carcasses when visiting US ports or crossing US EEZ waters, but could not land them at US ports. Transhipment of fins

from foreign vessels to US receiving vessels for landing in US ports was also forbidden. Non-fishing vessels could land fins as cargo imported from abroad into the US.

Katekaru explained the rebuttable presumption that fins on board a vessel should represent 5% of the weight of shark carcasses on the same vessels. This placed the onus on fishermen to prove to NMFS and the USCG that fins matched the volume of shark carcasses when the carcasses have been processed into fillets or frozen logs. The new law also included international initiatives to seek similar regulations by foreign governments, an annual report to Congress, and research to find ways to make more use of sharks other than just finning.

### 2. Amendment 9

Paul Dalzell reviewed the progress of Amendment 9 to the Pelagics FMP, which had been submitted to NMFS in mid-2000 but subsequently, state and federal finning bans had meant that the document required editing and re-submission. Amendment 9 originally included the establishment of an annual harvest guideline for the number of blue sharks taken in the Hawaii longline fishery and a trip limit for non-blue sharks in the same fishery. Amendment 9 also defined bottom longline gear and prohibit its use for Pelagic Management Unit Species in the US EEZ around Hawaii. The advent of the finning bans, particularly the federal ban in late 2000 meant that the blue shark harvest guideline was redundant and not consistent with NMFS policy, since it was based on retention for finning. Dalzell stated that he and PIAO staff were re-drafting the document for later submission to NMFS.

## 8. Seabird management

### 1. Council/FWS management measures

Paul Dalzell explained that the Council had originally drafted a framework measure to the Pelagics FMP which would implement a series of mitigation measures for use by Hawaii longline vessels fishing above 25 deg N. This necessarily had to be changed due to a Section 7 consultation between NMFS and USFWS on interactions between endangered short-tail albatrosses (STALs) and the Hawaii longline fishery. The BO resulting from these consultations required mandatory use of various mitigation measures, depending on targeting for tuna or swordfish, whereas the Council document required fishermen to select two out of six possible measures. The BO also lowered the boundary for mitigation use from 25 deg N to 23 deg N.

All vessels were now required to use thawed blue dyed bait and strategic offal discards when fishing above 23 deg N. Vessels targeting swordfish were also required to fish and haul at night while those targeting tuna must employ a line shooter with baited hooks. The use of towed deterrents such as *tori* lines is optional. The Council had modified its framework measure document accordingly and had resubmitted it to NMFS for approval. In the interim, NMFS was preparing an emergency rule which would implement the terms and conditions of both the STAL and turtle BOs.

**2. Update on trends in NWHI albatross populations**

Beth Flint from the US Fish & Wildlife Service (USFWS) reported on the populations of albatrosses in the NW Hawaiian islands. The principal species found there were the Laysan Albatross (LAAL) and Black-footed Albatross (BFAL), which formed the worlds two largest nesting populations of these species. A few STALs have also been sighted in the NWHI in recent years with one bird making repeat visits over the past 12 years. USFWS are trying to establish a colony of breeding STALs on Midway using decoys and recorded STAL calls to entice birds to nest there.

Flint discussed the trends in the BFAL and LAAL nesting data based on counts of birds during the breeding season in the NWHI. the number of LAAL nesting pairs had dropped markedly from 1997 onwards accompanied by a parallel drop in reproductive success, i.e. the successful rearing of a chick. Reproductive success, normally 60-70%, had dropped as low as 8% as French Frigate Shoals. Flint noted that clearly something was affecting the LAALs decision to nest and breed and probably did not reflect wholesale mortality of the nesting population. Overall the numbers nesting had declined from about 600,000 pairs to 400,000 pairs.

The trend for BFAL was more stable with a small (9%) recent decline in nesting pairs in the NWHI. However, BFALs were a less abundant, with about 60-65,000 nesting pairs, mostly of which were found in the NWHI. Mortality rates of around 10-12,000 per year, which may occur from fishery interactions would create significant problems for the BFAL population.

Flint reviewed recent studies on STALs, which numbered about 1,300 birds, but which was growing at about 7% per year. Reproductive success is currently around 65-70%. There were concerns about potentially low genetic diversity of this remnant of what was a population in excess of 5 million birds.

Other research on albatrosses included banding of birds at French Frigate Shoals, and funding to improve and extend the bird banding database to LAAL as well BFALs. This database was originally put together for the 1998 Council workshop on BFAL population biology. Work was almost completed on breeding periodicity. Studies were also ongoing on the plastics that albatrosses inadvertently consume and in some cases lead to mortality of BFAL and LAAL chicks.

Flint mentioned that there were also plans to fix up to 10 satellite tags on STALs on Torishima Island. USFWS had no plans to fix satellite tags on the STALs on Midway.

**3. National Plan of Action for Seabirds**

**4. International Fisheries Forum**

Kathy Cousins informed the meeting that NMFS National Plan of Action on Seabirds had been published and reviewed what information needs were required from the Councils and NMFS. This Council was well ahead of the curve for fisheries in Hawaii but would need to look at potential interactions in other FMP fisheries in the three territories.

Cousins also reviewed the recent International Fisheries Forum for Solving the Incidental Capture of Seabirds in Longline Fisheries held last year in New Zealand. This had been a success and allowed fishers to exchange ideas on mitigation methods. Kitty Simonds had offered to host the second meeting which would be organized in 2002 and would likely include both seabird and turtle interactions.

**9. USFWS Refuges at Kingman Reef and Palmyra**

Paul Dalzell informed the Plan Team that USFWS had established wild life refuges at Palmyra and Kingman Reef. The refuge boundaries extend seawards to 12 nm and preclude commercial fishing within the boundary perimeter. This would eliminate any handline fishing for deep slope fish and trolling for near shore pelagics such as mahi and wahoo at Palmyra but still leave some potential at Kingman Reef.

**10. Re-categorization of HLL fishery under MMPA**

Cindy Knapman and Paul Dalzell explained the background to a recent proposed rule published by NMFS which included changing the categorization of the Hawaii longline fishery under the Marine Mammal Protection Act. The change would be from a level III to level II fishery, which would mean that it could now be classed as a fishery that occasionally interacted with marine mammals with the potential to cause serious injury. This was based primarily on the "diversity of interactions"which amounted to six or seven types of whale and dolphin out of a total of 20 cetacean species in the range of the longline fishery. Dalzell also explained how a putative Potential Biological Removal (PBR) for a stock of false killer whales was computed and how this could be re-calculated to give a more favorable result.

Dalzell showed the range of interactions of demersal fisheries in Alaska which were remaining as category III fisheries, despite having documented mortalities of marine mammals some of which were species listed under the ESA. A vigorous letter complaining about the arbitrary treatment of the Hawaii longline fishery had been sent to NMFS a/Administrator Bill Hogarth and copied to the Secretary of Commerce. Senator Inouye's office had also been taken an interest in this matter.

**The Plan Team recommended that the NMFS Office of Protected Resources seriously reconsider the questionable scientific and technical basis for the elevation of the Hawaii longline fishery from category III to category II under the Marine Mammal Protection Act. Furthermore, the team recommend that the scientific and technical considerations should encompass recent management changes requiring deep fishing, which may have greatly reduced expected patterns of interaction with marine mammals.**

## 11. Pacific Council's HMS FMP

Paul Dalzell and Kevin Kelly briefed the meeting on the development of an FMP for HMS being drafted by the Pacific Council. This would have impacts on the WP Council due to NMFS desire for uniform policy between Councils. There was evidence of this perspective in the recent Marine Mammal Protection Act proposed rule published by NMFS (see above) where there was the suggestion of treating US longline fishing in the Pacific as a uniform fishery. They also noted that there were strong recreational fishery interests in the Pacific Council opposed to longline fishing with in the US EEZ off the West Coast, which had been suggested as a potential alternative for domestic drift gillnet fishermen. The development of a Pacific Council FMP would also have international implications for initiatives for MHLC if there were differences in policy and perspectives between the two Councils.

## 12. Northern Marianas

### 1. Shark gillnet fishery

Ray Roberto described a new fishery in the NMI, which had been targeting sharks. The company, Kosa Fisheries International (KFI), was owned by a Saipan resident and was set up through a commercial loan from the Commonwealth Development Authority. KFI was granted a one year exploratory permit with conditions set by the Division of Fish & Wildlife. Three trips fishing for sharks had been conducted using a large mesh (16") 3000 ft gillnet deployed from two 60 ft vessels and which had caught grey and white-tip reef sharks. The sharks were processed for export of frozen "logs" to Korea. Fishing for sharks had not been very successful and the company had switched instead to bottomfish fishing.

The Plan Team was concerned that the gear used for catching sharks was illegal under the Council's Pelagics FMP. The PT asked the Council to request a clarification on the status of this gillnet type from NOAA general Counsel. Mike Tosatto reported that the USCG had boarded the two KFI vessels but had found no reason to bring any charges against the company.

## 13. FADs and purse seine fisheries

This topic was not discussed further as it had already been covered by Keith Bigelow in the International Module

## 14. Meetings

### 1. Expert consultations for turtle research
### 2. International meeting on turtles and mitigation

Paul Dalzell noted that the Council wished to convene an expert consultation on turtle research with participation by Asian and Latin American researchers. The objective of the meeting was to ascertain what data was available on turtle/fishery interactions, and which kinds of research was ongoing and planned by US and other agencies and institutions. These would likely be similar to the recent Turtle Working Group meetings convened by the PFRP since September 2000.

Dalzell referred to the international meeting on turtles and mitigation which was referred to earlier by Kathy Cousins under section 2.4. This would be a forum for fishers and scientists to exchange ideas on mitigation of interactions with turtles and seabirds with longliners and other fisheries.

The meeting ended at 12.48 pm on May 3rd.