

Science, Service, Stewardship



International Aspects of Marine Mammal Bycatch

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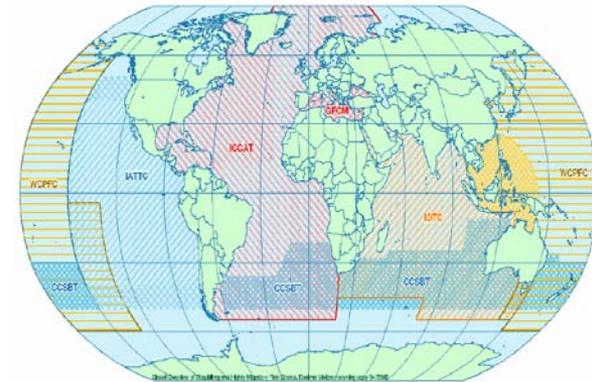
False Killer Whale TRT
15-18 June 2010

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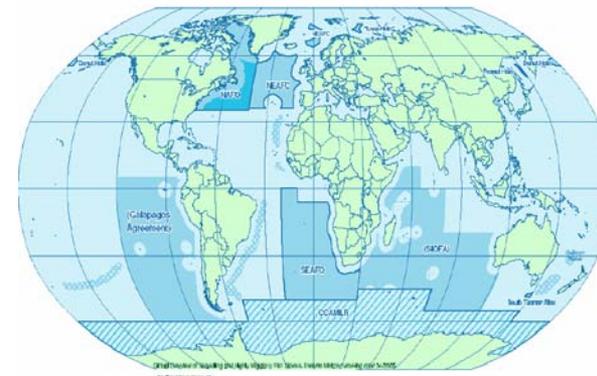


International Marine Mammal Efforts

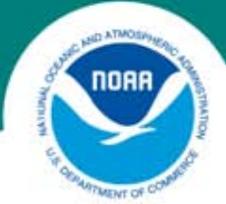
- Identification of nations for bycatch of protected species under HSDFMFA Sec. 610
- ANPR to implement fish import provisions of the MMPA
- Joint Tuna RFMO bycatch workshop
- International Marine Mammal Action Plan



Global Overview - Highly Migratory Fish Stocks (Tuna and Tuna-Like)



Global Overview - Straddling Fish Stocks



Identification of Nations for Bycatch

- MSRA amended the HSDFMPA by adding provisions for identifying nations for IUU fishing or bycatch of protected species (marine mammals, turtles, sharks)
- The U.S. engages identified nations in consultation
- The U.S. can provide capacity building assistance
- After consultation, the U.S. certifies a nation positively or negatively
- If a nation does not receive a positive certification, its fishing vessels may be denied entry into U.S. ports, and imports of certain fish products may be prohibited



HSDFMPA Section 610

Sec. 610(a) IDENTIFICATION.—The Secretary shall identify, and list in the report under section 607, a nation if—

- (1) fishing vessels of that nation are engaged, or have been engaged during the **preceding calendar year** in fishing activities or practices;
 - (A) in waters **beyond any national jurisdiction** that result in bycatch of a protected living marine resource; or
 - (B) beyond the exclusive economic zone of the United States that result in bycatch of a protected living marine resource **shared by the United States**;
- (2) the relevant **international** organization for the conservation and protection of such resources or the relevant international or regional fishery organization has failed to implement **effective measures** to end or reduce such bycatch, or the nation is not a party to, or does not maintain cooperating status with, such organization; and
- (3) the **nation has not adopted a regulatory program** governing such fishing practices designed to end or reduce such bycatch that is **comparable to that of the United States**, taking into account different conditions.



Identification of Nations for Bycatch

- Previous-year time frame is challenging
- In 2009, we did not identify any nation for bycatch
- For 2011, we are working hard to gather information, but it is still hard to find solid evidence from 2009-10

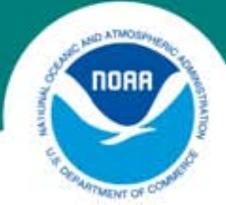




Fish Import Provisions of the MMPA Section 101(a)(2)

... The Secretary of the Treasury shall **ban the importation** of commercial **fish or products** from fish which have been caught with commercial fishing technology which results in the incidental kill or incidental serious injury of ocean mammals **in excess of United States standards**. For purposes of applying the preceding sentence, the Secretary [of Commerce]—

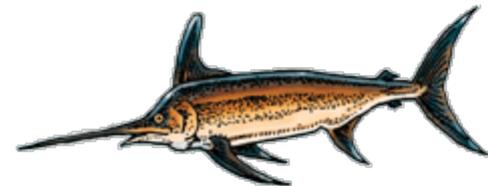
(A) shall insist on **reasonable proof** from the government of any nation from which fish or fish products will be exported to the United States **of the effects on ocean mammals** of the commercial fishing technology in use for such fish or fish products exported from such nation to the United States.



Swordfish Petition

Swordfish petition – (5 March 2008)

Two non-governmental groups, the Center for Biological Diversity and Turtle Island Restoration Network, submitted a petition requesting that the U.S. utilize the authority contained in the MMPA to ban swordfish imports from nations whose fisheries result in bycatch of marine mammals in excess of U.S. standards

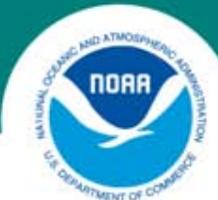




Swordfish Petition

- **Announced and extended public comment period**
— 90 days between 15 Dec 2008 – 23 March 2009
- **Contacted all nations that exported swordfish to the United States in past 5 years**
- **Received ~45,000 comments**
 - Most part of NGO comment campaigns
 - Letters from 27 swordfish exporting nations





ANPR to Implement MMPA §101(a)(2)

- **Published 30 April 2010 – comment period open until 29 June 2010**
- **Contacting all nations that exported fish to the United States in recent years (~135 nations)**

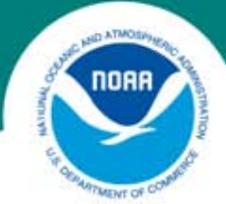
- **ANPR describes options under consideration for**
 - **“U.S. standards”**
 - **Process for evaluating nations and making import recommendations**





ANPR to Implement MMPA §101(a)(2)

- Options for “U.S. standards”
 - PBR
 - Insignificant levels approaching zero rate
 - PBR or levels comparable to those achieved by U.S.
 - Causes depletion or delayed recovery to OSP
 - Immediate, significant adverse impact on a stock
 - Jeopardizes threatened or endangered stock
 - Jeopardizes existence of any stock
 - Effective management of bycatch by RFMO or nation
 - Regulations comparable to the U.S.



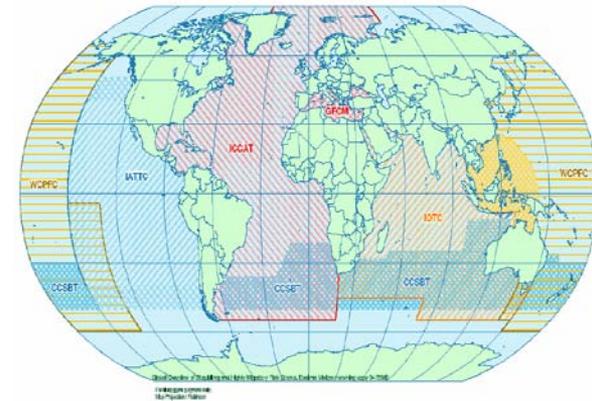
ANPR to Implement MMPA §101(a)(2)

- Proposed process
 - Contact nations to request information
 - Consult with nations that fail to provide “reasonable proof” or that exceed U.S. standards
 - Recommend import prohibitions as appropriate
- Goal
 - Objective, universal standards comparable to those applied to U.S. fishermen
 - Process consistent with both domestic TRT process and international HSDFMPA process

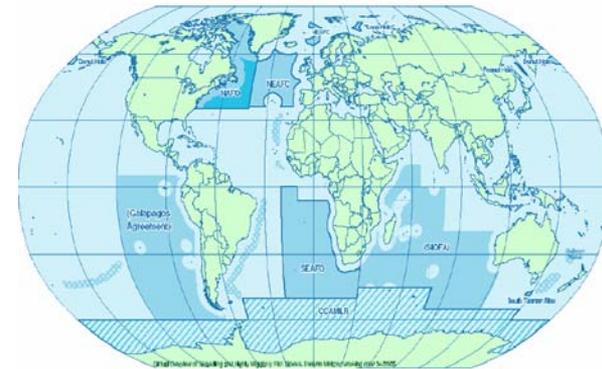


Joint Tuna RFMO Bycatch Workshop

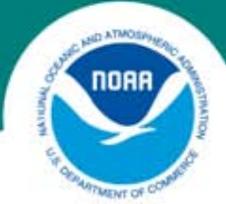
- Joint meeting of the five tuna RFMOs – CCSBT, IATTC, ICCAT, IOTC, WCPFC
- Focus on bycatch of marine mammals, sea turtles, sea birds, sharks, and non-target fishes
 - Improve the assessment of bycatch
 - Reduce and mitigate bycatch
 - Cooperate and coordinate bycatch efforts more effectively across the tuna RFMOs
 - Brisbane, Australia next week (23-25 June)
- I'll be “marine mammal lead” for U.S. delegation



Global Overview - Highly Migratory Fish Stocks (Tuna and Tuna-Like)



Global Overview - Straddling Fish Stocks



International Marine Mammal Action Plan

- NMFS has a long history of working collaboratively with other nations to address international marine mammal conservation issues
 - Negotiation and implementation of international agreements
 - Training and capacity building in developing nations
 - Cooperative research in international and foreign waters
 - Response to foreign mass-stranding events
 - Participation in international scientific committees
- NMFS is developing an action plan to guide those efforts
- Efforts to assess and address foreign bycatch of marine mammals likely high on the list





IMMAP Priorities

- Evaluated threats, feasibility of action, relevance to mandates

Highest Priority – Bycatch

High Priority – Climate Change
and Prey Depletion

Medium Priority – Marine Debris,
Vessel Strikes,
Habitat Degradation/Loss,
and Disturbance

Low Priority – Disease,
Pollution/Contaminants,
and Harmful Algal Blooms

Threat	Scope	Severity	Trend	Relevance	Feasibility	Preliminary Priorities Suggested by Working Group
Bycatch	Red	Red	Yellow	Red	Red	HIGH – lead international bycatch reduction
Climate Change	Red	Yellow	Red	Red	Yellow	HIGH – lead international research efforts
Prey Depletion	Yellow	Yellow	Yellow	Red	Red	HIGH – lead efforts to reduce overfishing worldwide
Marine Debris	Red	Yellow	Yellow	Yellow	Yellow	MEDIUM – continue to work with NOS Marine Debris Program
Vessel Strikes	Yellow	Yellow	Red	Yellow	Yellow	MEDIUM – continue to lead international efforts
Habitat Loss/Degradation	Yellow	Yellow	Red	Yellow	Yellow	MEDIUM – continue to support MPA efforts
Disturbance (e.g., Noise)	Red	Yellow	Red	Yellow	Yellow	MEDIUM – continue to research and monitor threat
Direct Removals	Yellow	Yellow	Yellow	Yellow	Yellow	MEDIUM – continue to work via IWC and CITES
Disease	Red	Yellow	Yellow	Yellow	Yellow	LOW – continue international disease surveillance efforts
Pollution/Contaminants	Red	Yellow	Yellow	Yellow	Yellow	LOW – support EPA and UNEP efforts
Harmful Algal Blooms	Yellow	Yellow	Red	Yellow	Yellow	LOW – continue research and support international efforts



IMMAP Status

- Currently requesting recommendations from each NMFS Region/Center and HQ Office for near-term actions (3-5 year)
- Recommendations from this TRT may be part of PIRO/PIFSC's list



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Thank you

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