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## NEW ENGLAND FISHERY MANAGEMENT COUNCIL

### ICCAT Report

#### I. STATUS

Meetings: The Advisory Committee to the U.S. Section to ICCAT met September 17-18 and October 15-16, 2009 in both open and closed sessions to begin formulating U.S. positions for the annual full Commission meeting to be held in Brazil this November. Despite these normally assigned annual tasks, discussions at both meetings were largely dominated by the proposal by Monaco to list the Atlantic bluefin tuna under Appendix 1 of the Convention on International Trade in Endangered Species (CITES). The open session included an update on the CITES process, as well as updates on SCRS assessments for Atlantic albacore, Atlantic swordfish, Porbeagle sharks, sailfish, tropical tunas, and seabirds. The closed session included updates on bilateral and intersessional meetings, and discussions of possible options in forming the U.S. positions to the above listed species. There was also an extended, very spirited discussion of our best positions on reopening negotiations on Atlantic bluefin tuna at the November ICCAT meeting (halfway through the two-year specifications package), our position on bluefin tuna management measures, and our position on the Monaco proposal.

New England Council Interest: Of the 30 species managed by ICCAT, both swordfish and bluefin tuna have supported important fisheries in New England (up to \$32M ex-vessel for the latter, plus a substantial recreational component), while yellowfin tuna has supported a much smaller but locally significant fishery. Management of these species within U.S. waters is governed by the Atlantic Tunas Convention Act of 1975 et.seq. (ATCA) and administered by the HMS Division of NOAA Fisheries. Section 971b of the ATCA requires the establishment of an Advisory Committee that will include representation by the New England, Mid-Atlantic, South Atlantic, Caribbean, and Gulf Fishery Management Councils. This representation is similar to the legally mandated consultative role the Council has taken in several recent habitat issues, and allows New England a direct voice in the management of these important species.

#### II. COUNCIL ACTION

Approval of Council positions on ICCAT managed fisheries of importance to New England for presentation to the Director of International Affairs (NOAA Fisheries). Approval of a Council position on the Monaco proposal to list Atlantic bluefin tuna under CITES Appendix 1.

#### III. INFORMATION

ICCAT: Since its inception in 1969, ICCAT has been successful in managing several “tuna and tuna-like” species, less successful with a few others, and spectacularly unsuccessful with both the Eastern Atlantic/Mediterranean and Western Atlantic stocks of bluefin tuna. International concerns prompted the FAO in 2005 to propose an independent review under international law as stated in the 1982 U.N. Convention on the Law of the Sea (UNCLOS). The resulting *Report of the Independent Review*, released in September 2008, praised the basic structure of ICCAT and the quality of its scientific work, but it also described bluefin tuna management as “an international disgrace” that resulted from “lack of compliance by many of its CPCs” (member nations). The report went on to recommend many changes to reverse this deplorable situation.

Western Atlantic bluefin tuna (WBFT): In 1998, ICCAT began a rebuilding program to return WBFT to MSY in twenty years through TAC adjustments. Over the past several years the TAC has been at 2100 mt, of which the U.S. share is 57.48%. For 2009 the TAC was reduced to 1900 mt, and for 2010 to 1800 mt. The last assessment was in 2008, the next will be in 2010. The fishery is considered overfished with overfishing occurring, though at 1800 mt it is likely that overfishing will end in the 2011-2012 timeframe. The actual 2008 U.S. catch = 334.2 mt, or 24% of the U.S. portion of the TAC, or  $< \frac{1}{2}$  of our quota for the fifth straight year. As of Sep 30, the 2009 U.S. reported catch = 311.3 mt, or 26% of the U.S. portion of the TAC. Final 2009 numbers are expected to be substantially higher due to a much improved fall fishery in New England. The 2008 assessment numbers are:

$$\begin{aligned}B/B_{msy} &= 0.14 \\B_{2007}/B_{1975} &= 0.25 \\F/F_{msy} &= 1.27\end{aligned}$$

The SCRS stated last year that “evidence is accumulating which indicates that both the productivity of western Atlantic bluefin and western Atlantic bluefin fisheries are linked to the eastern Atlantic and Mediterranean stock...the Committee is even more concerned about the status of the western stock than it was a year ago.” It is recommended that the NEFMC not support any further reduction in TAC for the WBFT.

Eastern Atlantic bluefin tuna (EBFT): Catch reporting in the EBFT fisheries is very poor, especially in the Mediterranean, but total catch can be fairly well estimated by international sales. Overcapacity is out of control, with the number of large purse seiners in the fishery having doubled just since 2004. The SCRS recommended last year that the TAC be set at 8,500 mt ( $F_{0.1}$ ) or at the most 15,000 mt ( $F_{max}$ ), or as near zero as possible. In spite of this, ICCAT set the 2009 TAC at 27,500 mt, and the 2010 TAC at 25,500 mt, with no credible compliance measures. Actual catches continue to be substantially above the TAC's, which are already about three times the SCRS advice. The SCRS now estimates that the EBFT population has declined by 15% per year since 2000 and faces imminent collapse. The numbers are:

$$\begin{aligned}B/B_{msy} &= 0.2 \text{ (est)} \\F/F_{msy} &> 3.0 \text{ (!!!)}\end{aligned}$$

Although the U.S. doesn't fish for EBFT, the continuing debacle affects us since at least part, and perhaps a substantial part, of our fishery appears to be supported by cross-ocean movement of EBFT, though the extent of this effect is not yet clear. At the November 2007 ICCAT meeting the U.S. proposed the suspension of the EBFT fishery until meaningful controls could be put in place but was rebuffed. This year Monaco made a formal proposal for listing Atlantic bluefin tuna under Appendix 1 of CITES when the 175 nations who are signatories to the Convention meet in Dakar next March. The U.S. declined from endorsing the proposal, but has stated its strong support in statements by both NOAA and USFWS. The U.S. has also stated that bluefin tuna management is properly the duty of ICCAT and has held out the possibility of changing or mitigating our position, depending upon the results of the November ICCAT meeting in Brazil.

The U.S. has not stated what specific actions from ICCAT would be acceptable, but certain elements are clear, especially in light of the 2007 U.S. proposal for a moratorium on the Mediterranean fishery. Those elements would include:

1. Setting a TAC within the advice of the SCRS.
2. Time/area closures in the Mediterranean during the spawning months of May, June, and July.

There are many other proposals on the table, but these two are essential, the first to stabilize the fishery and the second as the only way to ensure compliance. It is recommended the the NEFMC strongly support these two.

Eastern bluefin tuna management by ICCAT has failed to control mortality, and any solution must concentrate upon that simple fact. As long as we manage the eastern and western stocks separately, the huge disparity in mortalities (F/Fmsy) between the two stocks (see above) will not allow recovery in the Western Atlantic, no matter what we do. In order to begin to recover the Atlantic bluefin tuna it will be necessary to achieve  $F/F_{msy} \leq 1.0$  wherever the fish is found. That level will be reached in the western stock withing the next year or two. It cannot be reached in the eastern stock under any current plan. It is recommended that the NEFMC take this position.

It is recommended that the NEFMC adopt a position on a CITES listing for Atlantic bluefin tuna.

#### North Atlantic swordfish (NSWO):

In 2000, ICCAT began a successful 10-year rebuilding plan for NSWO. The stock is now fully rebuilt, not overfished, with overfishing not occurring. The SCRS has estimated MSY at 13,730 mt, and to promote continued sustainability at Bmsy recommends a TAC of no more than 13,700 mt (50%) or 13,000 mt (75%). The TAC for NSWO was 14,000 mt, though actual catch was lower due to the inability of the U.S. fleet to harvest its full quota. The SCRS has expressed concern with continuing harvest of small fish. The last NSWO assessment was done this year, and the next will be in 2012.

B/Bmsy = 1.048  
F/Fmsy = 0.764  
2007 U.S. quota = 3907 mt  
2007 U.S. landings = 2666 mt

The U.S. has been under pressure to allow reallocation of quota to other countries because of our inability to land around a third of our current quota. The following positions are recommended to the NEFMC:

1. Support adoption of TACs for NSWO that are consistent with scientific advice at the 75% (or 50%) level.
2. Support retention of the current U.S. quota for NSWO, stress the importance of U.S. sacrifices in the rapid stock recovery and that penalizing the U.S. fisherman while the fleet is recovering is not acceptable.
3. Support the adoption of a 125 cm minimum size rule for NSWO with no exceptions.

