



# The Mail Buoy



A publication of the Association for Professional Observers

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## NOTE FROM THE APO:

### Calling On Observers for the Victoria IFOC!!!

*APO Staff*

Isn't it about time for you to stand up tall where your words can be heard loud and clear by the folks who help make the rules that may guide your career? Experienced or new, "prior" or "green," lifer or transient - observers, *now* is the time to gather your thoughts and to organize your arguments. The International Fisheries Observer Conference (IFOC) is the one and only medium at present where the average Joe and Jane observer can express his or her opinions to such a broad and diverse international fisheries management crowd.

The 5<sup>th</sup> biennial IFOC<sup>1</sup> will take place in Victoria, BC, Canada May 15-18, 2007. The mission of the IFOC is to "...share and develop best practices within fishery monitoring programs and promote their implementation globally, and establish dialog between those responsible for monitoring fisheries and those who rely upon the data they collect". While the Observer conference attracts people from all over the world: fishery managers, data end-users, observer providers, industry reps., environmental organizations, as well numerous independent consultancies such as scientific supply companies - observers must remain an integral part of this process.

For those of you who will have the opportunity to attend the conference, you are in for an absolute treat. The city has a very European feel, with a great deal of historic structures and fabulous museums. Many visitors to Victoria glide in on the frequent high-speed ferries from Seattle, Washington which may be a great starting or ending point for some conference attendees. But Seattle can also be quite pricey and Victoria can break the bank... especially with the conference fees alone breaching \$650 Canadian [Approximately \$590 US] if you don't catch the early bird deal.

Monetarily, attending such a meeting can be quite difficult for the average Joe and Jane observer... especially for international observers. Nevertheless, over the years, many observers have participated in the conference. Some have actually paid their own way whereas others have been sponsored by management agencies (i.e. NOAA Fisheries) or by the observer provider companies. According to the proceedings of the last three Conferences, Seawatch, Inc. and Javitech Inc. (both Canadian companies) have sent observer representatives to all of the last three conferences. Saltwater Inc. (North Pacific, USA) and Atlantic Inspection Services (AIS, East Coast, USA) have sent the most US observers over the years. The APO wishes to commend all agencies and contractors who have supported observers to attend past observer conferences and hope that this generosity will continue and be heightened (as the costs have), on all levels, for the forthcoming IFOC.

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<sup>1</sup> See [www.fisheriesobserverconference.com](http://www.fisheriesobserverconference.com)

Mark Wormington, Dave Wagenheim, and Colleen Duifhuis (all veteran US North Pacific observers) have each attended past IFOCs. Mark paid for his own way to the 2004 IFOC in Sydney, Australia. Mark said that he went to the IFOC partly because he has a strong passion for “a truly sustainable approach to resource policy”. Mark chose to cover all of his own costs because he wanted to present a poster on his views about resource management issues, which he knew would be controversial.

Dave had helped create an observer social networking website<sup>2</sup> and submitted an abstract in order to receive a grant from NOAA Fisheries to present his ideas at the 2004 IFOC in Sydney, Australia. His goal at the conference was to introduce ObserverNet to a wider audience as a way to increase communication, and the audience was very receptive to his ideas. Dave said that he enjoyed the conference and was hopeful that “...people from smaller countries or less established programs took away a great deal.”

As an example of a contractor funding an observer, Colleen was sponsored by her employer Saltwater, Inc. to attend the 2002 IFOC in New Orleans. Visiting the office one day, Colleen was asked by Saltwater Inc. if she was interested in being sponsored to go to the conference. Colleen, of course, took the offer. Once there, she met some interesting people involved in fishery monitoring and made some good connections; she even considered working as an observer for one of the programs she had learned about. While Colleen subsequently decided against a move, she enjoyed meeting such a diverse group of people and learning about their experiences and expressed how great it was to see Alaska program personnel she had only known professionally in a more social and relaxed atmosphere. Nearly four years later, Colleen is still very positive about what she took from the conference and said, “I encourage anyone to go if they are interested in observing and fishery monitoring issues. It was fun and I learned a lot.”

The IFOC is a great forum for those who are interested in observer programs around the world. You can learn about new trends in data collection and fishery management; make connections for jobs outside your area; put faces to some of those names; and maybe even run into some old friends. Observers... find your way to Victoria– contact agencies, employers, environmental organizations, or pay your own way if you have to. It is an experience you will never forget.

### **OBSERVER OF THE QUARTER:**

***\*\*\*Do you know an observer who you'd like to see profiled in our next issue? Someone who has done something extraordinary; or, has helped advance or improve observer data collection; or, even someone who has worked as an observer for quite a long time? Nominate them for “Observer of the Quarter,” and help us profile them!***

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<sup>2</sup> [www.observernet.org](http://www.observernet.org)

## Observer Data Really Can Make a Difference!!! Just ask Danny Aab

*Keith Davis; observer/APO Board; North Pacific*

Many observers often contemplate the various uses of their data as they gather this valuable biological and fisheries management information. Sometimes, with little feedback regarding the outcomes of our data, it can become quite difficult to put the various ways that our data is being utilized in to perspective- its greater destiny can be quite obscure to us.

To exemplify some important uses of observer data, I'd like to profile Mr. Daniel Aab for the "Observer of the Quarter." Danny, started working as a Fisheries Observer for the Pacific Islands Regional Office (PIRO) in July of 2004, and, since then, has worked on 20 vessels logging over 400 sea days. While there are countless observers whose hard work and dedication credit the Observer profession, I wish to highlight Danny simply because he has had several rare opportunities to collect some quite unique data, such as:

1. The first (for the program) "quality" photo record of a rarely encountered *Bramidae* species, Pacific Fanfish;
2. Biological Information on an unusually large (281 cm.<sup>3</sup>) Blue Marlin (*Makaira mazara*)<sup>4</sup>;
3. Tag retrieval information from a Short Finned Mako Shark (*Isurus oxyrinchus*) which had originally been tagged off the coast of California more than four years ago; and,
4. Two successful marine mammal biopsies from a "strategically" managed cetacean, the False Killer Whale (*Psuedorca crassidens*).

The photo of the Pacific Fanfish is great for Danny's bragging rights as it is posted in several cubicles around the office and you may even spot it nestled among the PIRO observer training photos: a fortunate researcher would most assuredly be pleased to



stumble across such a valuable depiction of a species that they may never actually get to inspect for themselves in hand. The huge Blue Marlin also made a great photo opportunity for Danny (as he is seen here, riding it like a horse). Furthermore, biological information from atypical data, such as these, can help set and broaden the size, age, and distribution ranges of a stock; hence, perhaps becoming quite useful for properly assessing the health of the stock... which may in turn guide the evolution of the population's management policy.

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<sup>3</sup> Many thanks to the Pacific Islands Regional Office observer program staff for their enormous help with compiling these specific details.

<sup>4</sup> Although 280 cm is atypical, 321 cm. is the largest recorded blue marlin in the program's history.

When Danny retrieved the tagged Mako Shark, he stepped a bit beyond the call of duty. Of course observers in the PIRO observer program are asked to record tag information for opportunistically encountered tagged species- and, any observer who had recorded the basic tag information, filled out the appropriate tag form with associated location and environmental data, and then released the shark back into the water, would have been doing his or her job perfectly fine<sup>5</sup>.

Nevertheless, Danny fortunately asked the crew to find space in their hold for the entire carcass... often not an easy task to negotiate with a crew who desire to fill up their hold with highly-priced product (makos being pretty low on that list). Wittingly, Danny informed the crew that a reward may be in order- although he realistically had no idea if the reward would be a hat or a monetary one. Fortunately, the crew bit and the shark was brought back to Honolulu<sup>6</sup>.

The first thing Danny did when he hit the dock was to call the PIRO office to find out what he should do with the shark. He was then directed to contact the La Jolla, California NMFS tagging office, where the tag had originated. The excited scientist on the La Jolla end, Dave Holtz, asked Danny to collect a very important biopsy of the shark's vertebrae. The vessel was scheduled to off-load early the next morning- Danny was there, on his day off, to collect that biopsy. After the La Jolla lab had received Danny's collected specimen, they sent him the following "thank you" message on January 5<sup>th</sup> 2005... along with several tagging project hats to disburse to the vessel's crew:

*Happy New Year Danny,*

*Thank you for returning the mako shark tag and vertebrae. That shark was tagged July 11, 2000 off San Diego, CA. The mako traveled very near Hawaii, a net distance of 2,014 nmi in 1,594 days. The vertebrae are very important to our age and growth studies here at the Center. It had been tagged with tetracycline which leaves a mark in the vertebrae. From that mark, we can estimate the age and growth over the time at liberty. **This particular recapture represents our longest time at liberty and potentially will give us our most important result to date.***

*Many thanks.*

*Dave*

By the time Danny had retrieved the Mako tag, he had also already collected one of his two False Killer Whale samples. False Killer Whales (*Psuedorca crassidens*), in recent years, have just about stolen the spotlight away from the Loggerhead and Leatherback sea turtles, as one of the most highly managed incidentally-caught species in US Pacific Islands' waters. Scientists from the NMFS Southwest Region had determined that several species of small cetaceans found around the Hawaiian Islands are genetically distinct

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<sup>5</sup><http://iaspifsc.noaa.gov/lds/lods.html>

<sup>6</sup> Thanks to the crew who helped retrieve the tagged shark.

from populations in other areas of the Pacific Ocean. Hawaiian Island False Killer Whales follow this trend and have henceforth been classified as a “strategic stock”, as defined by the Marine Mammal Protection Act<sup>7</sup>. Consequently, NOAA Fisheries has thereafter been tasked with developing ways to minimize the bycatch of this cetacean in the Hawaiian Pelagic longline fishery.

Meanwhile, the PIRO observer program had sought and obtained permission to collect skin biopsies of incidentally caught marine mammals, used to confirm their identification: collection is performed on an opportunistic basis. Nevertheless, these samples have also proven to be quite useful to marine mammal scientists from the Southwest Region and from the Pacific Islands Region. To date, PIRO observers have successfully collected seven biopsies from *Psuedorca crassidens*. Of these, Danny has collected two. When Danny recently told me that he had “harpooned” his second whale, I just had to write an article about him.

In my seven years of observing, I can’t even touch the astounding data collection feats Mr. Aab has accomplished in his two-year observing career. And although sometimes, while working in shin-deep factory water because the sump pump’s on the fritz, or while frozen still to the deck, tallying for hours on end, face to face with a typical February Bering Sea freezing-spray gale, I may wonder if the data is really worth the misery we observers occasionally have to put up with. It’s times like those when I attempt to recall tales such as Danny’s, just to help maintain my will and my wits. And, although experiences such as these may be rare, they do genuinely exhibit tangible examples of how observer data is being utilized and do express the incredible imprint observers have made and continue to make upon successful fisheries science and fisheries management policy. Sometimes, it’s just nice to have a glimpse of that “big picture,” where we observers help lay the foundation.

\*\*\* *For more information regarding how observer data is used, please visit the APO website (click on Observer Data): <http://www.apo-observers.org>*

## INTERNATIONAL SPECTRUM:

### [Responsible Fisheries Management: A Win-Win Situation](#)

*Brad Justin; Observer/ APO Board; North pacific*

Few people can deny that many of our world's fisheries are in trouble, but few people can agree on what fisheries science to believe and with which fisheries management techniques and policies to adopt. Regardless of which is "right" and which is “wrong,” we must do something to stop the destruction of our fisheries. If we opt on the conservative, responsible side of management, swallowing the fact that there will always

<sup>7</sup> <http://www.nmfs.noaa.gov/pr/laws/mmpa>

be some degree of uncertainty in science, and if we can live with quotas that don't push our fisheries to the maximum and beyond, our fisheries will prosper.

Some fisheries scientists believe that our world's fisheries have greatly deteriorated in large part due to the effects of un-regulated or ill-regulated fishing activities. One controversial study, *Rapid Worldwide Depletion of Predatory Fish Communities*<sup>8</sup> which confronted this very concern, gained particular worldwide critical attention when it was published in the Journal *Nature* on May 15, 2003<sup>9</sup>.

Coauthored by Boris Worm and Ransom Myers, of Dalhousie University in Nova Scotia, this report concluded that since the onslaught of worldwide industrial fishing in the 1950's, much of our oceans' predatory fish species have declined by 90%. Based on 10 years of research, Worm and Myers found that the largest population declines occurred during the first 10-15 years of harvest in any given fishery, often transpiring before management agencies had time to implement regulations.

The implications of these results are huge for fishing industries. First, if indeed 90% of large predatory fish have been depleted, then many fisheries are in dire need of attention; as keystone species, the collapse of predatory fish could have ripple effects across entire ecosystems, likely causing devastation to other economically important species. On the other hand, Worm and Myers concluded that their research results also exhibited the greater opportunity for re-growth of a fishery than previously believed: by reducing the catch amounts of certain species, troubled populations and ecosystems would have time to rebuild, and essentially future generations could catch more and earn more. Doesn't this sound like a win-win situation for conservationists, managers, and fishers alike? Actually – it's not that simple- many folks had trouble accepting Worm and Myers' results and debates have ensued.

In June of 2003, Myers, attempting to further explain the results of his research to policy makers, testified at a hearing of the U.S. Senate's Committee on Commerce, Science, and Transportation. Meyer's elaborated that while the results of the study may have been shocking to some, they "were not surprising to marine ecologists and fisheries biologists who are familiar with overexploited marine ecosystems."<sup>10</sup>

"The conclusions of our analysis would not be so shocking if it were not for the problem of shifting baselines. This is the problem whereby our conception of what is natural in marine ecosystems reflects only the recent state of the system, in which many species are at historically low levels of abundance. Thus we lose sight of the true magnitude of many declines."

Myers had hoped that the results of the study and subsequent hearings would prompt policy makers to act more responsibly and to reform such policy as the Magnuson-Stevens Fishery Conservation and Management Act (MSA) for the better. While the

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<sup>8</sup> Myers, R.A. & Worm, B. *Nature* **423**, 280-283 (2003).

<sup>9</sup> [http://as01.ucis.dal.ca/ramweb/papers-total/nature01610\\_r.pdf](http://as01.ucis.dal.ca/ramweb/papers-total/nature01610_r.pdf)

<sup>10</sup> [http://commerce.senate.gov/hearings/testimony.cfm?id=808&wit\\_id=2212](http://commerce.senate.gov/hearings/testimony.cfm?id=808&wit_id=2212)

MSA is currently being reauthorized, a look at legislative efforts, in recent years, reveals varying proposals for reforming the Act that may largely create additional loopholes for fishers and exhibit non-aggressive measures toward restoring fisheries. Bill S2066 was one such proposal.

In a September 2004 hearing, Lee Crockett, Executive Director of the Marine Fish Conservation Network, expressed his reluctance of going forward with proposals to amend the MSA with Bill S2066.<sup>11</sup> Among other things, Crockett stated that Bill s2066 would allow for stocks to be rebuilt much more slowly than the mandates of the 1996 Sustainable Fisheries Act's 10-year rebuilding plan. Bill S2066 would allow depleted fish stocks to be fished at a whopping 80% of the Maximum Sustainable Yield (MSY)<sup>12</sup>. With such high mortality rates permitted, it would take much longer to rebuild fisheries than within the 10-year time frame. Crockett detailed that such management practices would be in direct conflict of the recommendations by the U.S. Commission on Ocean Policy- recommendations which were distilled through a two and a half year public deliberative process, involving every coastal region in the US and resulting in the document, "An Ocean Blueprint for the 21st Century."<sup>13</sup>

In direct rebuttal to the Worm and Myers study, in April 2005, *Nature* published a collaborative paper by John R. Sibert, of the Pelagic Fisheries Research Program, and John Hampton, of the South Pacific Commission (SPC), titled "Decline of Pacific Tunas Exaggerated?"<sup>14</sup> This paper criticized the CPUE (catch per unit effort)<sup>15</sup> data that Worm and Myers utilized in their research. They argued that the CPUE data did not reflect accurate estimates of historical fish abundance and that Worm and Myers' claim of 90% declines in predatory species- including tunas- was exaggerated. Sibert stated that the research was based on flawed methods and that the results are misleading and imply "unrealistic rebuilding benchmarks." For this reason, Sibert opposes the quota reductions recommended by Worm and Myers to rebuild fisheries, which in some cases were as much as 50%. Mr. Richard Ruais, of the East Coast Tuna Association, also strongly criticized Worm and Myers report as "exaggerating the extent of the decline of ocean predators." Ruais raised the grave concern that to reduce catch quotas (as Myers and Worm suggested) would result in incredible losses of fishing jobs.<sup>16</sup>

Alternatively, Lee Crockett has stated that the US Fisheries Management Councils ignore "scientific evidence showing that groundfish stocks are severely overfished and not rebuilding,"<sup>17</sup> and criticizes that councils (such as the New England Council) base their "management decisions on economic and political considerations." Many, such as Crockett, have blamed the demise of the Atlantic cod fishery on the conflicted Fisheries Management Council system.

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<sup>11</sup> [http://commerce.senate.gov/hearings/testimony.cfm?id=1306&wit\\_id=3549](http://commerce.senate.gov/hearings/testimony.cfm?id=1306&wit_id=3549)

<sup>12</sup> MSY is the maximum catch that can be removed from a stock over an indefinite period.

<sup>13</sup> <http://www.oceancommission.gov>

<sup>14</sup> Hampton, J., Sibert, J.R., Kleiber, P., Maunder, M.N. & Shelton, J. H. *Nature* **434**, E1, E2 (2005).  
[http://www.soest.hawaii.edu/PFRP/large\\_pelagics/HamptonEtal2005.pdf](http://www.soest.hawaii.edu/PFRP/large_pelagics/HamptonEtal2005.pdf)

<sup>15</sup> CPUE is the amount of biomass caught per unit of fishing effort.

<sup>16</sup> [http://commerce.senate.gov/hearings/testimony.cfm?id=808&wit\\_id=2214](http://commerce.senate.gov/hearings/testimony.cfm?id=808&wit_id=2214)

<sup>17</sup> [http://www.motherjones.com/news/feature/2006/03/the\\_catch.html](http://www.motherjones.com/news/feature/2006/03/the_catch.html)

In the March/April 2006 edition of *Mother Jones*, titled “The Catch,” Michael Robbins questions the validity of the US regional Fisheries Management Council system, “whose makeup and methods seem intrinsically to favor industry interests over conservation,” being “that most of the non-governmental voting members of the councils are insiders, direct participants in the fisheries they’re regulating.” Robbins explains that, “of the North Pacific’s [Fishery Management Council] seven members [appointed by the Secretary of Commerce] six are from the commercial sector,” and, of all eight US regional councils, only “one is from an environmental group.” What is the ideology in tasking a group of folks to conserve a resource that they have a direct financial interest in exploiting? There are really no substantial direct checks and measures of the councils. This can create conflicts of interest – perceived or real.

For example, Robbins displays a “flagrant” Council business partnership between Jim Cook and Sean Martin. At one time, Cook had actually chaired the Western Pacific Fisheries Management Council, in Honolulu, Hawaii, where Martin is currently a member. Their company, Pacific Ocean Producers (POP), has been fined for several violations, including illegally fishing in protected waters. This relationship was originally detailed by Paul Koberstein in a 2003 *Cascade Times* (Portland, Oregon) article, titled, “Plundering the Pacific.”<sup>18</sup> Koberstein stated that “[Martin and Cook] help make the rules, and they profit from the rules. And on occasion, [they] have been prosecuted for breaking those very rules.”

While fining companies and individuals, such as that of Martin and Cook, can be helpful, it is more difficult to hold the actual Council members accountable. Andrew Rosenberg<sup>19</sup>, a former Deputy Assistant Administrator for NOAA Fisheries and the Keynote speaker at the 2004 International Fisheries Observer Conference (IFOC), says “If a council doesn’t do what it is supposed to, there isn’t much you can do about it. You can’t sue a council.” And, according to Robbins’ account of a March 2005 NOAA conference concerning conservation and allocation decisions, “[NOAA Fisheries] Administrator [Admiral] Lautenbacher denied the conflict-of-interest problem.”

So, what hope do we have?

In regard to reducing quotas, Robbins has reported that the North Pacific Council is the only U.S. council that has a built-in system, which automatically increases quotas during times of abundance, and decreases quotas at times when fish are less abundant. Ransom Myers also praises the North Pacific Fisheries Management Council for its dynamic quota system, saying that if management techniques such as these were used by other fisheries management councils, the world’s fisheries would be in much better shape. He writes in a July 2005 paper *U.S. Ocean Fish Recovery: Staying the Course* “Overfishing must be quickly prohibited...it need surprise no one that this sensible approach [used by

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<sup>18</sup> <http://www.times.org/archives/2003/pacific1.htm>

<sup>19</sup> Andrew Rosenberg was also on the US Commission on Ocean Policy, which drafted the document “An Ocean Blueprint for the 21<sup>st</sup> Century,” and is now currently a professor at New Hampshire University.

the North Pacific] generally maintains robust exploited populations, high levels of fishing activity, and big money."<sup>20</sup>

Additionally, in recent legislation, on June 19th, 2006, bill S2012 has passed by unanimous consent. This bill strengthens fisheries protections and emphasizes the role of science in determining catch limits. It also includes a ten-year deadline for rebuilding depleted species and outlines mechanisms to enforce catch limits to stop overfishing.<sup>21</sup> In this sense, Bill S2012 is more in line with recommendations of the US Commission on Ocean Policy's than Bill S2066.

However, another Bill is currently on the table in the US House of Representatives, proposed by Richard Pombo (R-CA) who is Chair of the House Resources Committee. This Bill aims to roll back many current conservation measures. The American Fisheries Management and Marine Life Enhancement Act (H.R. 5018) allows for broad exceptions to the ten-year rebuilding requirement, permits overfishing of healthy fish stocks, ignores recommendations by the U.S. Commission on Ocean Policy to improve accountability and enforcement on catch limits, lacks protections for deep sea corals, and waives certain NEPA protections<sup>22</sup>. This bill is likely to be voted on by late September, 2006.

When considering the fate of our world's fisheries, how does one decide which side to stand on? Are Worm and Myers' results really that exaggerated? Is it possible that the tug-of-war among scientists and industry reflects exaggerations on both sides? No doubt that folks on all sides lean toward the corner they are most politically and economically aligned with. This can make it difficult to sift through all of the rhetoric and to find the actual truth. In the endless search for the truth, one guiding principle is to support those policies which best promote the long-term sustainability of our fisheries, and the communities that depend upon them.

Richard Ruais's concerns, in regard to the immediate loss of fishing jobs, is quite understandable when one considers how a community's investments, careers, families, and mortgages are directly affected by regulatory decisions. Obviously, the difficult changes that may be required to move towards better fisheries management may involve some initial sacrifices, and the economic hardships that communities endure must be addressed and eased during the transition. These are all economic costs, relatively easy to quantify, and hard not to notice the impact upon your wallet. But, just as real are the environmental costs associated with poor management, which can eventually come back around to economically devastate communities... as we have seen with the Atlantic cod fishery.

In promoting responsible, ecosystem-based, fisheries management, the greater diversity of fisheries and larger harvests to be eventually reaped down the road would pay back great dividends. Alas, in the midst of limited resources, there is a tendency to see a

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<sup>20</sup> [http://www.fmap.ca/ramweb/papers-total/Safina\\_etal\\_2005.pdf](http://www.fmap.ca/ramweb/papers-total/Safina_etal_2005.pdf)

<sup>21</sup> [http://commerce.senate.gov/public/index.cfm?FuseAction=PressReleases.Detail&PressRelease\\_id=248626&Month=6&Year=2006](http://commerce.senate.gov/public/index.cfm?FuseAction=PressReleases.Detail&PressRelease_id=248626&Month=6&Year=2006)

<sup>22</sup> [http://www.oceanlegacy.org/pdfs/problems\\_w\\_5018.pdf](http://www.oceanlegacy.org/pdfs/problems_w_5018.pdf)

continually shrinking pie and want to "go in and get your piece" before somebody else takes it.

As a Peace Corps volunteer in Belize I worked with a group who were in the process of writing a management plan for a protected area of rainforest. One day I tagged along with them to go fishing. We waded through waist-high water with a 100 foot net and collected several hundred pounds of fish in one hour. Upon asking them nonchalantly, "so, is it permitted to obtain fish this way?" Antonio's response belied his sense of guilt as a leader in resource management: "If we don't do it, Brad, somebody else will." If I could go back in time, I might say to Antonio, "If we don't do it, somebody else might. But, if we make the right decision, somebody else might follow our example."

In Andrew Rosenberg's keynote speech, "The Future of Fisheries Observer Programs,"<sup>23</sup> at the 2004 IFOC, he explained how "management must look towards observer programs as an early warning system" for declining fisheries and that "observer programs will continue to be called upon to fill the gaps and 'prove' the need for management actions." Rosenberg further explained that fisheries management is changing very rapidly and that "observer programs are a critical tool for their [management's] success and should be used to help lead the change rather than adapting to it." As observers, we *can* make small, but heedful, efforts toward encouraging others to set positive examples of responsible management, and eventually possibly we may have the opportunity to take on leadership roles where we can promote positive changes to how our fisheries are managed.



## The Fisheries Conservation Battle in the South Sea

*Ebol Rojas; CCAMLR Scientific Observer; Uruguay*

Starting in the mid 1980's, the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), in cooperation with all of the member countries, began to place Scientific Observers aboard vessels participating in the bottom longline fisheries, targeting Antarctic and Patagonian toothfish (*Dissostichus mawsoni* & *D. eleginoides*). Management efforts initially began to operate in the proximities of the Cormorán Rocks, South Georgia Island, and Kerguelen Island. In recent years, CCAMLR has expanded its scope to other zones, such as within the proximities of Ross' Island, in the Ross Sea<sup>24</sup>.

Fishing activities close to sub-Antarctic islands have shown to greatly affect the colonies of petrels and other seabirds residing there and foraging about in the surrounding waters. Consequently, large quantities of seabirds (among other species of interest, including

<sup>23</sup> <http://www.ozaccomm.com.au/fob04/4FOC%20Proceedings.pdf>

<sup>24</sup> **Rojas, Ebol.** 2005. *Informe del Observador Científico a bordo del B/P de registro Uruguayo "Paloma V". Diciembre, 2004 – Marzo, 2005. Pesca exploratoria de Dissostichus mawsoni, CCRVMA Sub Area Estadística 88.1 Mar de Ross.* DINARA., Montevideo

marine mammals) die each year when attracted to baited hooks and are incidentally caught due to these fishing activities.

Between the years of 1989 to 1991, CCAMLR encouraged the member nations that operate longline fishing activities in its Conventional Areas of management, to adopt mitigation measures for the incidental capture of seabird, particularly the albatross species. Henceforth, Scientific Observers began to document the incidental takes and mortalities of captured seabirds in the CCAMLR convention areas.

In 1994, a Scientific Committee determined that many seabirds were now in greater danger outside the CCAMLR convention areas, where mitigation measures for incidentally caught seabirds were yet to be implemented. Consequently, CCAMLR implemented conservation measures requiring that all longline fishing gear be set at night and prohibiting the disposal of offal during setting operations. CCAMLR also then required the presence of international Scientific Observers aboard all longline fishing vessels within all their waters.



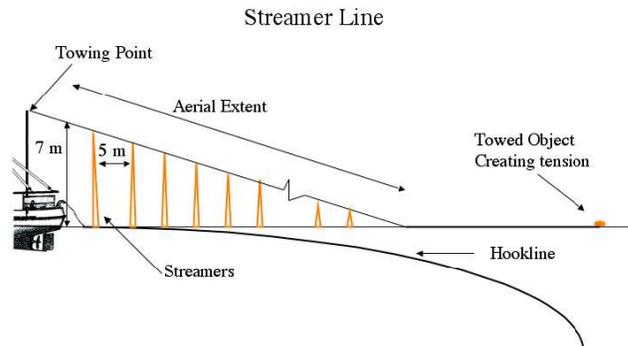
Nevertheless, there is a huge ongoing problem to fulfill implementation of conservation measures due to vessels which are not controlled under the CCAMLR authority and continue to be involved in un-regulated, illegal fishing activities. CCAMLR refers to these vessels as, Illegal Not Declared and not Regulated (INDR) vessels. These vessels have been determined to deplete large un-controlled quantities of various Species of Interest, especially seabirds.

The ultimate strength of the conservation measures depends on the keen surveillance of normal fishing execution by onboard Scientific Observers. It is fundamental in the handling of this fishery that observers are well trained and are placed onboard all participating fishing vessels

Upon initial boarding, observers must pay special attention to the design of the *palangre* (the longline gear set up) and record the vessel construction variations by drawing a detailed diagram of the fishing equipment and configuration (auto longline vs. “Spanish” manual longline systems), with specific terminology, materials, and dimensions.

Observations of the setting of the line are made from a position on the ship that provides an unobstructed view of the entrance of the line into the water (generally close to the stern, adjacent to the point where the line leaves the ship), so that seabird abundance and their interaction with the fishing operations can be properly recorded. The observer will then report upon and evaluate the techniques that the vessel uses while setting the gear, for example: gauging the factors that may impact bait loss, logging if birds are diving on and foraging upon baited hooks, recording the speed of the ship, the type of bait used, the

condition (frozen, half frozen, etc) of the bait, and the presence and position (distribution, distances, etc) of weights on the set line. We also randomly test the sinking speed of the line, utilizing Time-Depth Recorders (TDR). The sink rate can not be less than 0.3 m/s for Spanish-style longlining or less than 0.2 m/s in the case of ballast integrated longline systems<sup>25</sup>. If a bird-scaring line (streamer line) is used, this will be thoroughly described, with a detailed diagram specifying its dimensions.



During hauling, observers will find a place to stand where they can witness the line leaving the water and be able to obtain biological information without interfering with the gear retrieval. It is very important for observers to stay on the deck for the entire hauling operation, since it is possible that fishermen may try to discard secondary captures of seabirds secretly. Since the bait is

what attracts the seabirds, observers need to be sure to witness that offal is being properly discarded to avoid attracting the birds to the hauling gear. Sometimes, sections of main “mother” line break free during hauling and are left with many baited fishhooks floating at the surface, which may also increase the possibility of birds becoming hooked. However, all or almost all the birds captured while the gear is being retrieved will still be alive, while those that had been captured during the setting will not survive.

The incidental capture of birds and species of interest are all properly identified and registered by utilizing the CCAMLR publication *Fish the Sea- Not the Sky*<sup>26</sup>, the *Identification of Seabirds of the Southern Ocean*<sup>27</sup> guide, and with other materials distributed to observers by CCAMLR.

For each seabird incidental capture, detailed data are collected regarding the bird’s capture condition in order to properly assess its health and the cause of the mortality (if it is retrieved dead). For birds marked with tint, the observer will register the color of the tint, the number, and the position of the observation. Biological samples are collected from dead seabirds and tag information is recorded for tagged animals. External physical body fractures, internal organ damage, and petroleum presence within open wounds are all identified. The corporal relative temperature of all captured dead birds is determined to gauge whether they are icy or lukewarm- to make inference as to if the bird was killed during setting or hauling operations<sup>28</sup>. All retrieved dead birds, with their attached data, are retained on board and frozen whole. If one can not retain the entire carcass of the bird, the head and a paw should at least be retained.

<sup>25</sup> [http://www.ccamlr.org/pu/e/e\\_pubs/cm/05-06/toc.htm](http://www.ccamlr.org/pu/e/e_pubs/cm/05-06/toc.htm)

<sup>26</sup> [http://www.ccamlr.org/pu/e/e\\_pubs/ftsnts.pdf](http://www.ccamlr.org/pu/e/e_pubs/ftsnts.pdf)

<sup>27</sup> **Onley, D.; Bartle, S.** 1999. *Identification of Seabirds of the Southern Ocean: A guide for scientific observers aboard fishing vessels*. Te Papa Press- Wellington and CCAMLR.

<sup>28</sup> [http://www.ccamlr.org/pu/e/e\\_pubs/om/toc.htm](http://www.ccamlr.org/pu/e/e_pubs/om/toc.htm)

The main objective of the observations of the seabirds is to register the composition of the capture and its relationship with the fishing effort. Hence, observers record the following gear characteristics: hook type, capture percentage near the weights, bait type, and if incidental takes just hook the fishhook or actually ingest the fishhook (i.e., the location of the hook). The number of hooked birds retrieved will be compared with the ones observed to be hooked during setting operations to determine the percentage of captured birds that may have been predated upon or unhooked during soak periods.

To disseminate information directed to reduce the incidental capture of seabirds and to inform fishermen in general, the CCAMLR published the book *Fish the Sea, Not the Sky*. This book enumerates the technical tendencies that can help minimize the incidental capture of seabirds, like: fishing at night, deploying bird-scaring lines, sub-aquatic line setting, etc. As a norm, Scientific Observers are asked to check to see if a copy of this book is present on each vessel they board, and will hence leave a copy if there had not been one present.

In 1995, the work group for the incidental captures of seabirds determined that the data gathered by the CCAMLR Scientific Observers were of great importance for the exact determination of the incidental mortality. From observer data, the following conservation problems were determined to persist: nocturnal longline setting can actually increase the incidental takes of petrels (*Procellaria sp.*) and some seabird species are more in danger at certain times of the year, when their feeding areas coincide with fishing areas (e.g., black-browed albatross *Diomedea melanophrys* and wandering albatross *D. exulans* in March and April). The work group further explained that the vessels which continue to fish illegally in the areas of the Convention are still a serious threat to South Ocean seabirds.

In recent years, it has been determined that: to delay the opening of the fishing season during certain months would considerably reduced seabird captures, and the nocturnal set line, and the correct use of “scarecrow” or streamer lines can nearly eliminate all seabird mortality. It was also detailed, however, that the vessels, which do not deploy bird-scaring lines, and which continue to set longline, by day, during the twilight, or in nights with abundant moon light, persist capturing a great number of seabirds.

The fishing of illegal longliners, not declared and not regulated (INDR), continues to constitute a huge conservation and management dilemma in the South Ocean. The capture of fish upon longliners and the incidental capture of birds have been well-documented by CCAMLR observers over the past two decades. And, based upon this science, it has been considered that vessels who follow the outlined seabird mitigation measures, account for the incidental capture of 16,600 to 26,900 marine birds annually.



For vessels which have minimally (or absently) completed these conservation measures, they account for the incidental capture of 66,000 to 107,000 birds<sup>29</sup>. That is approximately a four-fold increase in seabird incidental takes for vessels that do not utilize the CCAMLR conservation measures, and this is why INDR vessels are such a large concern. This illegal fishing has applied great pressure to a very committed delicate situation, especially for such populations of affected birds like the large Wandering albatross (*D. exulans*) and the Gray-Headed albatross (*Diomedea chrysostoma*), both classified as threatened “at the world level.”<sup>30</sup>

## USA NATIONAL NEWS:

### [NOP Update: IFOC Funds, CCAMLR Reg., and Bycatch Report](#)

*Teresa Turk; US National Observer Program (NOP) and IFOC Steering Committee*

#### USA Fisheries Observer Scholarships:

The NMFS National Observer Program (NOP) is providing funding for up to **8 United States Fisheries Observers** to attend the 2007 International Fisheries Observer Conference (IFOC) from May 15-18, 2007, in Victoria, British Columbia, Canada.



Observers interested in receiving a travel subsidy to attend the conference should submit an abstract for a presentation or poster to their home-based regional observer program. The call for abstracts and conference themes for 2007 can be found at <http://www.fisheriesobserverconference.com>. Please be sure to focus on a topic that has been identified as one of the conference themes, indicate the intended panel, and follow all the guidelines posted on the website. The regional observer program will then review all submitted observer abstracts and select two candidates (a primary, and a secondary) to be considered for funding. Observer abstracts are due to the regional observer program offices by **October 13, 2006**.

The primary candidate selected by the region will receive \$1,250 in funding from the conference chair to attend the conference. The secondary candidate will be included in a pool of other secondary candidates from each region, and may be selected to receive \$1,250 in funding as an “at-large” observer.

Observer candidates selected for funding will be contacted via email by December 1, 2006, for further instructions on how the funds will be transferred. Please note that conference registration fees will be deducted from the \$1,250 funding for the observer.

<sup>29</sup> **Karl-Hermann Kock**. 2000. *Hacia una mejor comprensión del concepto de ordenación en la CCRVMA*.

<sup>30</sup> IUCN classification is Vulnerable: <http://www.iucnredlist.org>

In addition, selected observers will be expected to attend the entire conference and be available to assist the conference chair and steering committee members if requested.

### **CCAMLR/Antarctic Observer Program:**

The NOP assisted with drafting new observer regulations for CCAMLR ([www.ccamlr.org](http://www.ccamlr.org)) and the Southern Ocean. These rules were released in the Federal Register on July 13, 2006, beginning at page 39642. The proposed rules mirror existing U.S. Federal and Regional observer program regulations with one exception: the rules requiring a U.S. Coast Guard safety decal have been relaxed due to the prohibitive costs of having U.S.C.G. personnel travel to perform a safety inspection. A completed observer safety checklist will be accepted in the place of a safety decal.

Access the full text of proposed regulations through the Federal Register website: [www.gpoaccess.gov/fr/index.html](http://www.gpoaccess.gov/fr/index.html); or, contact Teresa Turk ([Teresa.Turk@noaa.gov](mailto:Teresa.Turk@noaa.gov)) for further details.

### **National Bycatch Report:**

The NMFS has initiated development of a National Bycatch Report, which will provide a comprehensive summary of regional bycatch estimates as well as national aggregate estimates of bycatch in United States commercial fisheries. **The primary data source for the national bycatch report is from information collected by observers. Without the hard work and dedication of fisheries observers, a report such as this one would not be possible.**

Coordinated by the NOP, the National Bycatch Report is a collaborative, nation-wide effort that involves NMFS fisheries biologists and protected resources experts from NMFS National and Regional Offices and Regional Science Centers. The first edition of the report will discuss the impacts and amounts of bycatch for fish, marine mammals, sea turtles and sea birds in select U.S. marine fisheries where data and estimation procedures are available to support the development of bycatch estimates. Subsequent editions will expand upon the number of fisheries included. The National Bycatch Report will serve as a strategic document to guide future bycatch data collection and monitoring and will provide valuable input for setting management goals. Contact Samantha Brooke ([Samantha.brooke@noaa.gov](mailto:Samantha.brooke@noaa.gov)) for further details.

## **USA REGIONAL UPDATES:**

*\*\*\*Since most of the APO Staff's experience comes from the North Pacific, this section can be quite North Pacific weighted. We greatly depend on volunteered updates from your program. Please, submit stories and commentaries from any observer program.*

### **The North Pacific (USA):**

## NMFS Employee, Todd Loomis, Switches to Industry

*Keith Davis; observer/APO Board; North Pacific*

As of September, 2006, Todd Loomis, previous Field Operations Program Manager of the NOAA Fisheries Observer Program in Alaska, has made a leap over to Cascade Fishing Inc.: the company that manages the Seattle based F/V Seafisher. I had a chance to meet up with Todd in Anchorage to gain a little perspective into his transition.

Todd stated that he had been looking to change his profession for several months, and that the opportunity to work for Cascade sort of came up by chance. He is quite optimistic about his role on the industry sides of things. Todd will act as liaison between the Fishing Industry (specifically Cascade Fishing Inc.), NMFS, and the Council in the North Pacific. He mentioned that one of Cascade's reasons for hiring him was to help guide the implications and resulting regulations of Amendment #80<sup>31</sup>, a North Pacific Management Council action which aims to create bycatch quota cooperatives for Non-AFA catcher/processor vessels. Additionally, he said that he will represent Cascade's interest at the Observer Advisory Committee (OAC) meetings, at fishery forums, and during collaborations and cooperative research projects between NMFS and Industry... essentially "putting industry packages together for presentation to NMFS." Todd also stated that industry has much "accumulated knowledge," and that he aims at "bringing the two worlds [of Industry and Agency] together."

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## North Pacific Fishery Management Council (NPFMC) Heads to Dutch

*APO Staff*

Dutch Harbor, Alaska, the largest fishing port in the United States, will host the forthcoming North Pacific Fishery Management Council meeting from **October 2nd-10<sup>th</sup>, 2006**. The Council and the Scientific and Statistical Committee (SSC) will meet at the Grand Aleutian Hotel and the Advisory Panel (AP) will meet up at the Unisea Central Building. The APO would like to encourage all observers passing through Dutch Harbor to attend, since all meetings will be open to the **Public** (besides the executive sessions).

Review the draft meeting agenda on their website (<http://www.fakr.noaa.gov/npfmc>), and, if you can gather up a little courage, please feel free to present a comment to the Council, the SSC, or the AP- but, be sure to visit the sign-up sheet at the registration table first before the session has begun. Council meetings can be a great way to witness and interact with the people who help create observer program policy in the North Pacific.

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<sup>31</sup> [http://www.fakr.noaa.gov/npfmc/current\\_issues/bycatch/bycatch.htm](http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/bycatch.htm)

## "The Galley Is Closed!"

In search of a pot of gold that will never be retrieved,  
Amongst the humdrum lives of tuna fishermen, that will never be exceeded.  
Work, eat, sleep, eat; Work, eat, sleep, eat; Work, eat, sleep, eat;  
Need I repeat?

Microwave chefs whose meals are something to worship,  
"As long as it's done in three minutes, and it doesn't stink up the ship."  
Keen senses, the wise Lord has while in his slumber,  
For, the crinkle of a wrapper, the clank of a spoon, the whiff of a toasted bagel, will wake  
this crazy loon.

The servants are indentured by the will of their boss.  
For, if free will were brought on board, it has long since been lost.  
Their master has even tried to lure me into his mighty grasps,  
But my mind is at ease... for I am but a mere visitor, whose future aboard will soon come  
to be past.

Much of my free time is not spent amongst this feudal society's presence.  
I'm in the Woods, the Canyons, the Mountains, and the Rivers... the Oceans of fine  
literature's essence.

I've even attempted to help raise them out of their sorrows and pessimisms,  
But they seem quite content to wallow among their hardships on this floating prison.  
The Nigerians aboard *Amistad* at least fought for their survival, and  
Noah's animals, aboard his arch, were at least symbols of hope... in the bible.

These slaves please their master, not knowing if they will ever get paid.  
I wanted to show them the way to "Life, Liberty, and... ", but then I realized...  
Some men just can't be saved!

By Keith Davis

## APO BOARD UPDATES:

### New Board Members

**Paul Wilkins; APO Board:** Paul has been Groundfish observing in the North Pacific for eight years now, has had experience working with the Alaska Marine Mammal Program, has worked with the State of Alaska (ADF&G) fisheries monitoring program, and will now soon be deployed as a North Pacific Shellfish Observer. Paul paid his own way to the 2004 IFOC in Sydney, Australia and hopes to attend the forthcoming IFOC in Victoria, Canada. Recently, Paul has expressed a desire to assist with Coordinating APO activities and hopes to contribute greatly: to start off Paul will be helping to edit the Mail Buoy.

**Brad Justin; APO Board:** Brad started working as a North Pacific Groundfish Observer in Alaska just about a year ago. And, although his initial goals were simple- “stay safe and collect quality biological data” he has added a new goal to his list as of late: to work toward improving ocean resource management by facilitating dialogue among observers and other stakeholders. Essentially, Brad wishes to help raise awareness regarding the state of worldwide fisheries while attempting to heighten his own wisdom.

## IMPORTANT CONTACTS AND WEBSITES:

APO General E-mail	<a href="mailto:apo_obs@hotmail.com">apo_obs@hotmail.com</a>
APO website	<a href="http://www.apo-observers.org">www.apo-observers.org</a>
ObserverNet Forums	<a href="http://www.observernet.org">www.observernet.org</a>
Keith Davis (APO Board/MB Editor)	<a href="mailto:lblegend@yahoo.com">lblegend@yahoo.com</a> (928) 537-7523
Liz Mitchell (APO Board/MB Editor)	<a href="mailto:emitch@efn.org">emitch@efn.org</a> (541) 344-5503
Mark Wormington (APO Board/Research)	<a href="mailto:siberio@hotmail.com">siberio@hotmail.com</a>
Paul Wilkins (APO Board/MB Editor)	<a href="mailto:pbwilkins@mac.com">pbwilkins@mac.com</a> (907) 229-6882
David Wagenheim (APO Board/ObserverNet.org)	<a href="mailto:davewagenheim@hotmail.com">davewagenheim@hotmail.com</a>
Brad Justin (APO Board)	<a href="mailto:bjustin@cheerful.com">bjustin@cheerful.com</a>
Kim Dietrich (APO Treasurer)	<a href="mailto:dietrichk@qwest.net">dietrichk@qwest.net</a> (907) 257-2770
NP Observer Advisory Committee	<a href="mailto:tmayhew@seafarers.org">tmayhew@seafarers.org</a>
Tracey Mayhew (SIU Union Representative)	<a href="http://www.st.nmfs.gov/st4/nop">www.st.nmfs.gov/st4/nop</a>
National Observer Program	<a href="http://www.amsea.org">www.amsea.org</a>
AMSEA (Marine Safety Instruction)	<a href="http://www.usajobs.gov">www.usajobs.gov</a>
NOAA jobs	<a href="http://www.fisheriesobserverconference.com">www.fisheriesobserverconference.com</a>
International Observer Conferences	

*\*\*\* Submissions for the next Mail Buoy are due by November 15, 2006.*