

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain
22-26 July 2019

PROPOSAL IATTC-94 K-1B

SUBMITTED BY THE UNITED STATES

RESOLUTION TO MITIGATE IMPACTS ON SEA TURTLES

EXPLANATORY MEMORANDUM

The United States has presented a proposal to strengthen measures to mitigate impacts of IATTC fisheries on sea turtles in 2017 and 2018. This version, presented in 2019, accommodates concerns expressed by other members on those previous proposals, including aligning measures with the WCPFC Conservation and Management Measure adopted in 2018. It also includes more specific language to aid in implementation. Overall, the proposal includes general recommendations across gear types, specific measures for purse seine and longline vessels (many already in existence in C-04-05 and C-07-03), more detailed reporting requirements, and regular reviews of the resolution.

RESOLUTION C-19-XX

RESOLUTION TO MITIGATE IMPACTS ON SEA TURTLES

The Inter-American Tropical Tuna Commission (IATTC) gathered in Bilbao, Spain, on the occasion of its 94rd Meeting:

Considering the adverse effects of fishing for tuna and tuna-like species on the populations of sea turtles in the Eastern Pacific Ocean (EPO);

Recognizing the need for CPCs fishing for species covered by the Convention to take all reasonable steps to prevent interactions with sea turtles;

Deeply concerned about the status of all sea turtle populations in the EPO, including the marked decline in the number of nesting female Eastern Pacific leatherback turtles (*Dermochelys coriacea*) in the EPO, and that the Eastern Pacific sub-population is considered-classified by the International Union for the Conservation of Nature ~~to be as~~ Critically Endangered;

Considering that sea turtle catch is incidental (herein “bycatch”) and according to the United Nations Food and Agriculture Organization (FAO) Code of Conduct, States should minimize the catch of non-target species;

Guided by recent work that has led to advancements in best practices and technologies to avoid interactions and/or to reduce mortality of sea turtles interacting with fishing gear, including:

- the 2009 FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations (~~2009~~ Guidelines)—and their recommended implementation by regional fisheries bodies and management organizations,
- FAO Common Oceans workshops (2016) on the Joint Analysis of Sea Turtle Mitigation Effectiveness, which identified the need to address sea turtle bycatch in longline fisheries, and
- international scientific studies on the use of circle hooks and whole finfish bait that

demonstrate statistically significant reductions in the rates of both bycatch and mortality of sea turtles incidentally caught in longline gear;

Recognizing that the IATTC has a Memorandum of Understanding with the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC), which can contribute to collaboration in furtherance of the reduction of sea turtle bycatch and the implementation of this measure;

Acknowledging that nearly every IATTC Member has undertaken circle hook trials in their longline fisheries in the last decade;

Recalling the discussions at the 7th, 8th, and 9th Bycatch Working Group and resulting recommendations;

Noting that increasing observer coverage and quality of data on longline vessels would allow for more refined and targeted measures to address sea turtle bycatch; and

Affirming that additional measures should be undertaken to reduce sea turtle bycatch and mortality in IATTC fisheries;

Has agreed as follows:

1. IATTC Members and Cooperating Non-Members (“CPCs”) shall:
 - a. Require owners/operators/vessel crew on vessels targeting species covered by the Convention to promptly release ~~unharmed~~, in a manner that causes the least harm to the extent practicable, all sea turtles, without compromising the safety of any persons.
 - b. Ensure that vessel operators and/or at least one crew member on board ~~Train crews~~ of vessels targeting species covered by the Convention in fisheries that have reported sea turtle interactions, and particularly those without observers, are trained in techniques for handling and release of sea turtles to improve survival after release.
 - c. Strive to implement or enhance observer programs, including with electronic monitoring once standards are adopted by the Commission, for fisheries under the purview of the Commission that may have sea turtle bycatch, taking into consideration economic and practical feasibility.
 - d. Continue to participate in and promote research to identify techniques to further reduce sea turtle bycatch in all gear types used in the EPO.
 - e. Investigate the use of temporary fishing closures adjacent to nesting beaches or known foraging hotspots to reduce ~~impacts of fishing~~ interactions with sea turtles.
2. CPCs with purse-seine vessels fishing for species covered by the IATTC in the Convention Area shall:
 - a. Require owners/operators of purse seine vessels to carry on board, and employ when appropriate, safe-handling tools for the release of sea turtles (e.g. dip nets).
 - ~~b. Prohibit owners/operators/vessel crew of purse seine vessels from setting a purse seine net on a school of tuna associated with sea turtle if sighted prior to the commencement of the set.~~
 - e.b. Require, in the event a sea turtle is sighted in a purse seine net, that owners/operators/vessel crew of purse seine vessels take all reasonable steps, as appropriate, to ensure its safe release by following handling and release guidelines in the Appendix-1, and consistent with the “Best practices for sea turtle handling and release” of the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations (2009)“Best practices for sea turtle handling and release.”¹

¹ FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations (2009)
<http://www.fao.org/docrep/012/i0725e/i0725e.pdf>

~~d.c.~~ Require owners/operators/vessel crew of purse seine vessels to promptly release unharmed, to the extent practicable, all sea turtles observed entangled in fish-aggregating devices (FADs).

~~e.d.~~ Record, ~~through observer programs and other means,~~ all observed interactions involving sea turtles during purse seine fishing operations and report such information ~~specified in~~ accordance with paragraph 4.a.ii.

3. CPCs with longline vessels fishing for species covered by the IATTC in the Convention Area shall:

- a. Require owners/operators of longline vessels to carry on board, and employ when appropriate, safe-handling tools for the safe release of sea turtles (e.g. de-hookers, line cutters, and dip nets).
- b. Require that owners/operators/vessel crew of longline vessels take all reasonable steps, as appropriate, to ensure the safe release of any incidentally-caught sea turtles by following handling and release guidelines in the Appendix 1, and consistent with the FAO "Best practices for sea turtle handling and release."
- c. Record, ~~through observer programs and other means,~~ all observed interactions involving sea turtles during longline fishing operations and report such information ~~specified in~~ accordance with paragraph 4.a.ii.
- d. Require owners/operators of longline vessels fishing in a shallow-set manner² to employ at least one of the following mitigation measures:
 - i. Use only large circle hooks³,
 - ii. Use only whole finfish for bait, OR
 - iii. Another mitigation measure to reduce sea turtle bycatch that has been approved by the Commission. A proposal for such a measure must shall be submitted to the Bycatch Working Group at its meeting in the year prior to desired implementation, for review and potential recommendation to the Scientific Advisory Committee (SAC) and approval of the Commission.

4. Monitoring and Evaluation

- a. CPCs must shall report to the Director annually, by June 30 (beginning in 2022), the information in this paragraph in a standardized format, ~~unless it is already submitted in accordance with other requirements, such as observer programs.~~ The IATTC staff shall develop the standardized format for this report and submit it to the 2020 Scientific Advisory Committee Meeting for review and Commission adoption. circulate it for CPC approval no later than six months after the adoption of this resolution, the information identified here:
 - i. Any changes to ~~l~~aws, regulations, and other ~~measures-instruments~~ in place to implement the FAO *Guidelines to Reduce Sea Turtle Mortality in Fishing Operations* (20095) and this Resolution.
 - ii. For observed sea turtle interactions, the following minimum data fields:
 - a. ~~The date,~~
 - b. location (latitude, longitude);

² For purposes of this Resolution, shallow-set manner, ~~including surface longlines,~~ means the majority of hooks fish at depths shallower than 100 meters~~whereby vessels employ <15 hooks per basket (between floats) or gear is deployed such that the deepest point of the main longline between any two baskets or floats, i.e. the deepest point in the sag of the main line, is set at a depth less than 100 meters below the sea surface.~~

³ Large circle hooks are defined as a hook with the point turned perpendicularly back to the shank to form a generally circular or oval shape, ~~with a minimum of 4.4 centimeters internal width (16/0), and the point of the hook not offset more than 10 degrees.~~ Beginning in 2023, large circle hooks will be defined as a hook with the point turned perpendicularly back to the shank to form a generally circular or oval shape, with a minimum of 4.4 cm internal width (16/0), and the point of the hook not offset more than 10 degrees.

- c. fishing gear type;
- d. species identification;
- e. size (curved or straight carapace length);
- f. capture and release condition (e.g., live/dead);

as well as the following details, if available:

- a. anatomical hooking location, if applicable (e.g., flipper, mouth/jaw, swallowed, entangled);
- b. amount of gear left on the animal, if applicable (e.g., estimated length of line);
- c. any associated photographs.

~~ii.iii.~~ ~~A declaration of t~~The mitigation measure(s) ~~employed by a CPC's that~~ longline vessels fishing in a shallow-set manner (as defined in footnote 2) were required to employ for the previous year, pursuant to paragraph 3.d.

b. All standardized CPC reports described under paragraph 4.a shall be made available through a controlled- access portal on the IATTC website for review by other CPCs, and consistent with Resolution C-15-07 on data confidentiality.

~~b.c.~~ The Bycatch Working Group shall prioritize the identification and assessment of new scientific information regarding sea turtle bycatch mitigation and recommend, if needed, additional measures to the Commission that would strengthen this resolution. Related, by 2021, the Bycatch Working Group and SAC shall analyze scientific information regarding different circle hooks sizes and their effectiveness at mitigating sea turtle bycatch (decreasing catch and increasing post-release survival) and provide a recommendation to the Commission for a minimum hook size as well as a schedule for implementing this recommended minimum hook size through a revision to this resolution.

~~e.d.~~ Based on these CPC reports, the Commission staff shall report to the Bycatch Working Group ~~and the Committee for the Review of Implementation of Measures Adopted by the Commission (Implementation Review Committee)~~ every three years (beginning in 2024) on the extent of implementation, the level of bycatch reduction that has been achieved since adoption⁴, and related recommendations for improvement including amendments to this resolution measure. ~~The Bycatch Working Group and SAC shall consider these 3-year reviews and make recommendations to the Commission for improvements of the resolution.~~

~~i.~~ ~~The Implementation Review Committee shall consider these 3-year reviews and make recommendations to the Commission for strengthening compliance with the resolution.~~

5. Considering the particular situation of coastal developing countries, the special fund established in Resolution C-14-03 should be strengthened through the allocation of funds, from voluntary contributions of CPCs and inclusion of specific budget lines, to facilitate the implementation of this Resolution, including for training fishermen on safe handling and release, providing related equipment, or supporting trials for new mitigation techniques.
6. This Resolution shall enter into force on 1 January 2021, except for the second sentence of paragraph 4.a, which shall take place prior. It will ~~and~~ replace Resolution C-07-03 (Resolution to Mitigate the Impact of Tuna Fishing Vessels on Sea Turtles), as well as paragraph 4, except ~~part~~ paragraph 4.d.ii, of Resolution C-04-05 (Rev. 2) (Consolidated Resolution on Bycatch).

⁴ Bycatch reduction will be measured by observed numbers of interactions per hooks fished.

APPENDIX 4

Safe Handling and Release Guidelines for Sea Turtles

1. PURSE SEINE SAFE HANDLING AND RELEASE
 - a. Whenever a sea turtle is sighted in the net, all reasonable efforts should be made to rescue the turtle before it becomes entangled in the net, ~~including, if necessary, the deployment of a speedboat.~~
 - b. If a turtle is entangled ~~in the net during net roll, the net shall be hauled over the turntable to a height of about 2 meters, the main boom shall be moved to starboard or to port (depending on the vessel's direction) and the net shall be rolled back, so that the crew can release the turtle from the netting as soon as possible, and return it to the sea over the starboard or port side if it is active.~~ Net roll ~~should stop as soon as the turtle comes out of the water and~~ should not start again until the turtle has been disentangled and released.
 - c. If, in spite of the measures taken under paragraphs a and b of this section, a sea turtle is accidentally brought on board the vessel and is alive and active, or dead, ~~the vessel's engine shall be disengaged and~~ the sea turtle shall be released ~~over the stern of the boat~~ as quickly as practicable.
 - d. If a turtle is brought aboard the vessel and is comatose or inactive, resuscitation **must shall** be attempted (paragraph 3).
2. LONGLINE SAFE HANDLING AND RELEASE
 - a. When practicable, and when operator or crew on board are trained, comatose sea turtles **must shall** be brought on board immediately.
 - b. If a sea turtle is too large or hooked in such a manner as to preclude safe boarding without causing further damage/injury to the turtle, line clippers **must shall** be used to clip the line and remove as much line as possible prior to releasing the turtle.
 - c. If a sea turtle is observed to be hooked or entangled by longline gear during hauling operations, the vessel operator **must shall** immediately cease hauling operations until the turtle has been removed from the longline gear or brought on board the vessel.
 - d. **If hooked externally or hook is fully visible, #hooks must shall** be removed from sea turtles as quickly and carefully as possible. If a hook cannot be removed from a turtle **(e.g., ingested or in roof of mouth),** the line **shall must** be cut as close to the hook as possible.
 - e. Live turtles **must shall** be returned to the sea after handling:
 - i. By putting the vessel engine in neutral gear so that the propeller is disengaged and the vessel is stopped, and releasing the turtle away from deployed gear; and
 - ii. Observing that the turtle is safely away from the vessel before engaging the propeller and continuing operations.
 - f. If the sea turtle brought aboard the vessel is comatose or inactive, resuscitation **shall must** be attempted (paragraph 3).
3. RESUSCITATION FOR A TURTLE ON BOARD
 - a. When handling a sea turtle, attempts should be made to hold the animal by the shell, avoiding the head and neck region, and flippers.
 - b. Strive to remove and/or disentangle any foreign items from the sea turtle, such as any plastic items, netting, or embedded hooks, etc.
 - ~~a.c.~~ Placing the turtle on its bottom shell (plastron) so that the turtle is right side up and elevating its hindquarters at least 6 inches (15-2 cm) for a period of 4 up to 24 hours. The amount of the elevation depends on the size of the turtle; greater elevations are needed for larger

turtles. Periodically, rock the turtle gently left to right and right to left by holding the outer edge of the shell (carapace) and lifting one side about 3 inches (7.62 cm) then alternate to the other side. Gently touch the eye and pinch the tail (reflex test) periodically to see if there is a response.

~~b~~.d. Sea turtles being resuscitated **must shall** be shaded and kept damp or moist but under no circumstance be placed into a container holding water. A water-soaked towel placed over the head, carapace, and flippers is the most effective method in keeping a turtle moist.

~~e~~.e. Sea turtles that revive and become active **must shall** be released over the stern of the boat only when fishing gear is not in use, when the engine gears are in neutral position, and in areas where they are unlikely to be recaptured or injured by vessels.

~~f~~.f. Sea turtles that fail to respond to the reflex test or fail to move within 4 hours (up to 24, if possible) **must shall** be returned to the water in the same manner as that for actively moving turtles.