2006 REPORT ON U.S. FISHERIES BYCATCH REDUCTION STANDARDS AND MEASURES RELEVANT TO SECTION 202(h) OF THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

Section 202(h)(l) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) states that "The Secretary of State, in cooperation with the Secretary, shall seek to secure an international agreement to establish standards and measures for bycatch reduction that are comparable to the standards and measures applicable to United States fishermen for such purposes in any fishery regulated pursuant to this Act for which the Secretary, in consultation with the Secretary of State, determines that such an international agreement is necessary and appropriate." Similar provisions are contained in both the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA).

Section 202(h)(3) of the Magnuson-Stevens Act requires that the Secretary of Commerce, in consultation with the Secretary of State, submit annually to the Senate Committee on Commerce, Science and Transportation and the House Committee on Natural Resources a report describing actions pursuant to Section 202(h) of the Act.

In its 2000 Annual Report to Congress on International Bycatch Reduction Agreements, the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) concluded, with Department of State concurrence, that seeking international agreements with foreign nations conducting pelagic longline fishing operations for Atlantic and Pacific highly migratory species was necessary to protect endangered and threatened sea turtles. An international strategy, referred to as the Course of Action to Promote International Agreements that Address the Need to Reduce Sea Turtle Bycatch in Foreign Longline Fisheries, was subsequently developed to address this issue and detailed in the 2001 Report to Congress on International Bycatch Reduction Agreements.

In January 2002, NMFS convened an International Bycatch Reduction Task Force to develop a Plan of Action to implement the sea turtle bycatch strategy. This Task Force was made up of NMFS and Department of State personnel. Although the initial focus of this group was to further discussions and ultimately to reduce sea turtle bycatch in longline fisheries internationally, the issues of incidental catch of seabirds in longline fisheries and the conservation and management of sharks were quickly added to the work of the Task Force. More information on the Course of Action to Promote International Agreements that Address the Need to Reduce Sea Turtle Bycatch in Foreign Longline Fisheries and the activities of the International Bycatch Reduction Task Force is available from NMFS.

In this report, NMFS identifies relevant bycatch standards and measures adopted in 2006 under fishery management plans addressing fish stocks also harvested by foreign fishermen. A description of these bycatch standards and measures by region, an update on initiatives identified in previous reports (where relevant), and NMFS' conclusions on the necessity and appropriateness of seeking international agreements establishing comparable standards and measures follow. This report also provides an update on the status and work of the International Bycatch Reduction Task Force.

I. NORTHEAST REGION

The Final Rule to Implement Framework 43 to the Northeast Multispecies Fishery Management Plan (FMP) (71 FR 46871, August 15, 2006) is designed to address bycatch of haddock by New England groundfish vessels fishing for Atlantic herring. Under the Final Rule, vessels with a Category 1 Atlantic herring fishing permit (generally larger, herring-specific vessels) may possess incidentally caught haddock until they reach a specified cap. Once the Category 1 cap is reached, all herring vessels in the fishery are limited to 2,000 pounds of herring per trip if any of the herring was caught within a defined area. In addition, Atlantic herring processors and dealers that sort herring catches as part of their operations are required to cull and report all haddock.

The Final Rule to Implement Framework 18 to the Atlantic Sea Scallop FMP (71 FR 33211, June 8, 2006) establishes a seasonal closure of the Elephant Trunk Access Area to reduce potential interactions between the scallop fishery and sea turtles and to reduce finfish and scallop bycatch mortality.

During 2006, the United States and Canada discussed bilateral strategies for reducing bycatch in the transboundary herring and scallop fisheries detailed above during meetings of the U.S.-Canada Transboundary Guidance Committee and the U.S.-Canada Steering Committee.

II. SOUTHEAST REGION

Although final rules were adopted in 2006 implementing new measures to reduce bycatch by U.S. vessels fishing for shrimp and reef fish in the Gulf of Mexico, these fish stocks are not harvested by foreign fishermen.

III. ATLANTIC HIGHLY MIGRATORY SPECIES

The Final Rule to Implement the Consolidated Highly Migratory Species FMP (71 FR 58058, September 2, 2006) establishes a circle hook requirement for U.S. fishermen using natural bait and natural/artificial bait combinations in billfish tournaments. The final rule also establishes mandatory workshops on sea turtle handling and safe release for pelagic and bottom longline and shark gillnet vessel owners and operators.

During 2006, NMFS completed a research program to evaluate methodology to reduce sea turtle bycatch and bycatch mortality in the U.S. Atlantic pelagic longline fishery. The research was conducted using commercial vessels as research platforms in the Atlantic Ocean and Gulf of Mexico. The experiment tested fishing protocols using bait types and hook types and resulted in implementation of the measures contained in the Final Rule to Implement the Consolidated Highly Migratory Species FMP. In 2006, the United States actively sought bilateral and international bycatch reduction agreements focusing on the use of appropriate circle hook and bait technology by pelagic longline vessels and safe handling and release of sea turtles in fisheries of highly migratory species.

IV. NORTHWEST REGION

The Final Rule to Implement Revisions to the 2006 Commercial and Recreational Measures for West Coast Groundfish (71 FR 8489, February 17, 2006) is intended to reduce and minimize the incidental catch and discard of overfished and depleted stocks. This fishery's trawl bycatch model was updated with bycatch and discard rates based on West Coast Groundfish Observer Program data from September 2004 through April 2005. The Pacific Fishery Management Council recommended adjustments to cumulative limits in limited-entry trawl fisheries for certain target species coastwide, such as sablefish, thornyheads, Dover sole, other flatfish, and arrowtooth flounder, based on projections from the trawl bycatch model. These adjustments for 2006 are projected to keep harvest within optimum yields. NMFS concurred with this recommendation and adjusted cumulative limits for these species during March through December 2006.

The Final Rule to Implement Amendment 18 to the Pacific Coast Groundfish FMP (71 FR 66122, November 13, 2006) requires vessels that participate in the open access groundfish fisheries to carry observers if directed by NMFS; and authorizes the use of depth-based closed areas as a routine management measure for minimizing the incidental harvest of any protected or prohibited non-groundfish species and discouraging target fishing while allowing small incidental catches to be landed.

V. SOUTHWEST REGION

No new measures specifically to reduce bycatch were implemented in 2006.

VI. PACIFIC ISLANDS REGION

In March 2006 (71 FR 14416, March 22, 2006), NMFS closed the Hawaii-based shallow-set swordfish longline fishery after it reached the interaction limit for loggerhead sea turtles. Federal regulations limit the fishery to 2,021 sets annually, beginning January of each year, and also specify that the fishery must be closed for the remainder of the year if the longline fleet reaches a threshold of allowable interactions of 16 leatherback or 17 loggerhead turtles. As of March 13, 2006, under a 100 percent observer coverage program for this fishery, NMFS observers had recorded 17 loggerhead interactions, triggering the closure. NMFS continues to conduct research to evaluate the efficacy of sea turtle protection measures on reducing sea turtle bycatch in the Hawaii-based pelagic longline fishery.

During 2006, NMFS conducted research to determine the survival rate of turtles by-caught in pelagic longline fisheries by monitoring post-release movements of turtles with satellite tag technology. Additionally, NMFS conducted behavioral and physiological research and experimented with various longline gear and bait adaptations to evaluate practices that may reduce the unintentional catch of sea turtles in pelagic longline fisheries.

NMFS also supported institutional capacity building, including support to the Forum Fisheries Agency in their continuing efforts to provide observer training services for members from the western and central Pacific region. NMFS also sponsored workshops and clinics to export

advances in pelagic longline gear technology aimed at reducing sea turtle bycatch to institutions in Japan, Philippines, Vietnam, Indonesia, Korea, Mexico, Costa Rica, Peru, Brazil, Columbia, Chile, and Spain. NMFS disseminated sea turtle identification and safe handling guidelines, turtle handling tools, and provided training on safe handling of unintentionally hooked sea turtles to officials in Ecuador, Guatemala, Costa Rica, Brazil, Korea, Thailand, and Japan.

VII. ALASKA REGION

The Final Rule to implement Amendment 69 to the FMP for Groundfish of the Gulf of Alaska (71 FR 12626, March 13, 2006) revises components of "other species" management. The final rule also raises the maximum retainable amount of "other species" in the directed arrowtooth flounder fishery from 0 percent to 20 percent, which will reduce the amount of "other species" that are discarded in the arrowtooth flounder fishery.

The final rule to implement Amendment 79 (71 FR 17362, April 6, 2006) to the FMP for Groundfish of the Bering Sea and Aleutian Islands establishes a groundfish retention standard (GRS) program for non-American Fisheries Act trawl catcher/processors that are 125 ft (38.1 m) length overall. The program is effective beginning January 20, 2008, for each vessel on an annual basis. The percent of groundfish retained will be calculated as a specified ratio of the weight of retained groundfish to total catch. Vessel owners or operators will be required to meet a GRS of 65 percent in 2008, 75 percent in 2009, 80 percent in 2010, and 85 percent in 2011 and following years. To monitor and enforce the GRS program, each vessel owner or operator will be required to use NMFS-approved scales to determine the weight of total catch, carry two observers or modify fishing practices so that each haul is available for sampling, and provide an observer sampling station where samples may be collected and processed from a single location. In addition, individual hauls may not be mixed.

A final rule was published on April 20, 2006 (71 FR 20346), amending regulations that require catcher vessels, catcher/processors, motherships, and shoreside and stationary floating processors carrying the observer communications system (OCS) to install hardware upgrades to meet current technology standards necessary to support OCS software. The OCS consists of industry-provided hardware and NMFS-supplied software that allows observers to provide fishery-dependent data to fishery managers. Timely electronic communication of catch reports submitted to NMFS by industry and observers is crucial to the effective in-season monitoring of groundfish catch and bycatch quotas.

VIII. MARINE MAMMAL PROTECTION ACT (MMPA) ACTIVITIES

<u>MMPA List of Fisheries:</u> NMFS finalized the 2006 List of Fisheries (LOF) on August 22, 2006 (71 FR 48802) and proposed the 2007 LOF on December 4, 2006 (71 FR 70339). Final LOFs reflect new information on interactions between commercial fisheries and marine mammals. The LOF places all commercial fisheries into one of three categories based on the level of incidental serious injury and mortality of marine mammals that occur in each fishery.

<u>Bottlenose Dolphin Take Reduction Plan:</u> In April 2006, NMFS finalized a plan (71 FR 24776) to reduce bottlenose dolphin serious injury and mortality incidental to nine commercial fisheries

along the U.S. East Coast. The plan includes both regulatory and non-regulatory measures to reduce dolphin bycatch. Regulatory measures include prohibiting fishing at night in certain areas during specific times and requiring that fishermen tend their gear. Non-regulatory measures include increased enforcement and monitoring efforts, outreach to fishermen, and research.

Pelagic Longline Take Reduction Team: In June 2005, NMFS convened a team of stakeholders to address the incidental mortality and serious injury of long-finned pilot whales, short-finned pilot whales, and Risso's dolphins in the mid-Atlantic region of the Atlantic pelagic longline fishery. Under section 118 of the MMPA, the team was charged with developing a take reduction plan to reduce bycatch of pilot whales and Risso's dolphins in the Atlantic pelagic longline fishery to a level approaching a zero mortality and serious injury rate within 5 years of implementation of the plan. The team submitted consensus draft recommendations to NMFS in June 2006. Recommended measures to reduce bycatch include a 20-nautical-mile limit on mainline length in the Mid-Atlantic Bight; designation of a special research area off Cape Hatteras, North Carolina, with observer and other special requirements; development and use of equipment and methods for careful handling and release of entangled or hooked marine mammals; distribution of an updated informational placard on careful handling and release of marine mammals; and development of mandatory certification workshops on marine mammal bycatch for owners and operators of pelagic longline vessels.

Atlantic Trawl Gear Take Reduction Team (ATGTRT): In October 2006, NMFS convened a team of stakeholders to address the incidental mortality and serious injury of long-finned pilot whales, short-finned pilot whales, common dolphins, and white-sided dolphins in the Northeast bottom trawl, Northeast mid-water trawl (including pair trawl), mid-Atlantic mid-water trawl (including pair trawl), and mid-Atlantic bottom trawl fisheries. Under section 118 of the MMPA, the ATGTRT is charged with developing a take reduction plan to reduce bycatch of pilot whales, common dolphins, and white-sided dolphins in Atlantic trawl fisheries to a level approaching a zero mortality and serious injury rate within 5 years of implementation of the plan.

IX. OTHER ACTIVITIES—INTERNATIONAL BYCATCH REDUCTION

Larger Turtle Excluder Device Openings: Public Law 101-162 mandates that shrimp exported to the United States be harvested in a manner that is comparable to the sea turtle regulations of the United States. The law requires foreign governments whose shrimp trawl fleets adversely impact sea turtles to adopt programs requiring the use of turtle excluder devices (TED) if they want to export shrimp to the United States. Beginning in 2003, U.S. shrimp fishermen were required to use larger openings in their TEDs. The larger openings allow leatherback sea turtles, as well as large sexually mature loggerhead and green turtles, to escape the shrimp nets. Due to the changes in U.S. requirements, large TED openings were required by August 31, 2004, for those nations exporting wild-harvested shrimp to the United States. NMFS and the Department of State made 14 visits to these nations to inform them about the new TED opening requirements. During 2006, NMFS and the Department of State inspected 11 countries.

International Bycatch Reduction Task Force: In January 2002, NMFS convened an International Bycatch Reduction Task Force made up of NMFS and Department of State representatives. The

Task Force subsequently developed a Plan of Action to: (1) implement the strategy to promote international agreements that reduce sea turtle bycatch in foreign longline fisheries, and (2) promote the implementation of the Food and Agriculture Organization (FAO) International Plan of Action (IPOA) for Reducing Incidental Catch of Seabirds in Longline Fisheries and the FAO IPOA for the Conservation and Management of Sharks.

The Task Force Plan of Action outlines steps to be taken in implementing the U.S. strategy for international bycatch reduction. These tasks are broken up into four categories: (1) international sea turtle workshops, technology transfer, and gear experiments; (2) international seabird workshops, technology transfer, and gear experiments; (3) international communications relating to sea turtles, sharks, and seabirds; and (4) other task force activities. NMFS activities during 2006 relating to these categories include the following:

1) *International Sea Turtle Workshops, Technology Transfer, and Gear Experiments:* Since 1999, NMFS has conducted and supported research to develop measures to reduce the incidental take, mortality, and serious injury of sea turtles in pelagic longline fisheries. Efforts have focused on fishing gear modifications and changes to fishing practices to reduce sea turtle interactions and mortality. Experiments conducted in the eastern and northwestern Atlantic Ocean demonstrated that the use of 18/0 and larger circle hooks in combination with certain bait significantly reduces loggerhead and leatherback interactions with longline gear. In addition, 16/0 and 18/0 circle hooks lessen the severity of associated injuries. Activities relating to sea turtle bycatch reduction in longline fisheries continued to be influenced by these studies in 2006. NMFS remains committed to working cooperatively with other nations (including through establishment of international agreements) to share these results and to advance the adoption of technology and fishing practices that will reduce global sea turtle longline interactions. A selection of 2006 activities relating to workshops, technology transfer, and gear research are included below.

- *International Sea Turtle Workshops and Meetings:* During 2006, NMFS continued to engage in discussions and organized working sessions on sea turtle longline interactions at numerous international fishery and conservation forums and at fisheries bilateral meetings with longlining nations, including the 26th Annual Symposium on Sea Turtle Conservation and Biology (April 2006, Greece); the NAFO Annual Meeting (September 2006, Dartmouth, Nova Scotia); the 3rd Conference of Parties for the Inter-American Convention for the Protection and Conservation of Sea Turtles (September 2006, San Jose, Costa Rica); the Annual Trilateral Committee Meeting (May 2006, San Diego, California); the U.S.–Brazil Common Agenda Meeting (December 2006, Brasilia, Brazil); the U.S.–Canada Fisheries Bilateral (July 2006, Washington, D.C.); other fisheries bilateral meetings; and a November 2006 meeting in Juan Dolio, Dominican Republic, to discuss environmental projects funded under the Central American–Dominican Republic Free Trade Agreement.

- *Technology Transfer and Outreach:* NMFS staff in the Southeast, Pacific Islands, and Southwest Fisheries Science Centers are working with numerous longlining nations to provide information on results of gear experiments that have been conducted with the U.S. fleet; disseminate educational and outreach materials that have been translated into multiple languages; conduct training workshops on safe handling and release practices;

provide technical guidance and circle hooks for the development of research programs; and coordinate on longline gear experiments. The Pacific Islands Fisheries Science Center, in cooperation with the Inter-American Tropical Tuna Commission (IATTC), held the First Technical Workshop of the Regional Sea Turtle Program of the Eastern Pacific, June 12–17, 2006 in Puntarenas, Costa Rica. The workshop focused on standardization and improvement in data collection and regional database development with participants from Central and South America, Spain, and Japan.

- During 2006, NMFS partnered with the Department of State's Bureau of Oceans, Environment and Science (OES) to develop and support scientific, technological, and environmental initiatives in member countries of the Central America–Dominican Republic Free Trade Agreement (CAFTA-DR). Specifically, NMFS will use funds to expand the capacity of the CAFTA countries to reduce bycatch of sea turtles in longline and trawl fisheries, improve fisheries management and enforcement, and reduce threats from invasive species. These research and management activities build upon past and ongoing cooperative activities and frameworks in the region, including existing regional programs to promote sustainable fisheries management and reduce marine turtle bycatch, as well as partnerships with the World Wildlife Fund and the IATTC.

- *Gear Experiments:* During 2006, NMFS continued to assist in the planning and/or execution of international and domestic workshops focusing on technology transfer and outreach relating to reduction of sea turtle bycatch in longline fisheries. These workshops focused on transfer of circle hook and bait technology to Latin American, Asian, and other countries that have longline fleets that interact with sea turtles. In April 2005, NMFS convened the first Technical Assistance Workshop on Sea Turtle Bycatch Reduction Experiments. The purpose of this workshop was to provide technical assistance in the design of research programs for the development and testing of turtle bycatch reducing technology appropriate to the longline fisheries of participating nations. Australia, Indonesia, Malaysia, Mexico, and the Philippine Islands sent national delegations to the meeting, and individuals from Italy, New Caledonia, Papua New Guinea, Spain, the Solomon Islands, and Vietnam participated. In 2006, NMFS provided technical guidance for new research programs that evolved out of the 2005 workshop. In 2006, NMFS continued collaborative circle hook and bait research with a number of additional countries, including Chile, Peru, and Ecuador. In February and March 2006, the Southeast Fisheries Science Center, in cooperation with the IATTC and the Pacific Islands Fisheries Science Center, worked with longline fishermen in Peru and Ecuador to test a new circle hook design modification that effectively increases the width of the hook by using a wire appendage on the back side of the eye. If effective, this would allow smaller circle hooks in the mahi-mahi fishery, which has shown a significant loss of catch with the standard circle hooks tested to date. NMFS is also continuing to engage with Japan on Japanese-style tuna hook experiments. NMFS continues to monitor sea turtle interactions in domestic longline fisheries and to conduct research in this area. In 2006 a cooperative research project investigating bycatch in coastal longline fisheries in the Gulf of Mexico and Atlantic was completed. The project involved using hook timers and time-depth recorders to investigate temporal and spatial relationships between target and bycatch species and further testing of circle hooks and baiting techniques. When

analyses are completed, these findings should have application to international longline bycatch issues.

2) *International Seabird Workshops/Technology Transfer/Gear Experiments:* A number of Task Force members also participate as members of an Interagency Seabird Working Group, which works to increase coordination and collaboration between government agencies involved in the implementation of the U.S. National Plan of Action for Seabirds. During 2006, the Working Group provided input and guidance to a number of international workshops, gear experiments, and activities to promote technology transfer relating to reduction of seabird bycatch. These efforts are summarized below.

- International Seabird Workshops and Meetings: During 2006, Task Force members participated in a number of workshops and meetings, including: the 2nd Meeting of the Advisory Committee to the Agreement for the Conservation of Albatrosses and Petrels in Brasilia, Brazil (June 2006); presentation on the FAO's implementation of the IPOA-Seabirds at the North American Ornithological Congress in Veracruz, Mexico (October 2006); Co-convening the ad-hoc Working Group on the Incidental Mortality Associated with Fishing at the meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), Hobart, Australia (Octobert/November 2006); and the 2nd Meeting of the Parties of the Agreement for the Conservation of Albatrosses and Petrels in Christchurch, New Zealand (November 2006)

- Technology Transfer and Outreach: The United States continues to share findings from seabird mitigation research conducted in the United States in international arenas as well as support the development of effective resolutions and mitigation measures, in arenas such as FAO's Committee on Fisheries (COFI), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Western and Central Pacific Fisheries Commission, International Scientific Committee, CCAMLR, and IATTC. Integrated weight groundlines and paired streamer lines (used and tested with demersal longline gear in Alaska to avoid seabirds) continue to be tested and used in Russian longline fisheries and elsewhere. A technical assistance program in the Hawaii pelagic longline fleet continues for vessel conversions to side-setting (used with pelagic longline gear to minimize seabird interactions).

- Research and Gear Experiments: NMFS and the U.S. Fish and Wildlife Service continue to collaborate with university Sea Grant programs, the longline industry, and non-governmental organizations to develop and evaluate the effectiveness of seabird mitigation devices. Continued efforts have included gear studies and sea trials on streamer lines, side-setting, integrated weight groundlines, and trawl mitigation devices. Research results have been presented at domestic and international scientific meetings and integrated into U.S. efforts to seek international bycatch reduction agreements. Through the Commission for Environmental Cooperation, the United States collaborates with Canada and Mexico on numerous projects involving marine species of conservation concern. A North American Conservation Action Plan for the Pink-footed Shearwater was developed and research projects implementing this plan continued in 2006.

3) *International Communications Relating to Sea Turtles, Sharks, and Seabirds:* Task Force members participated in a number of activities designed to communicate U.S. concern regarding bycatch of sea turtles, sharks, and seabirds. As noted above, many of these international communications and other activities focused on further dissemination of information relating to gear/bait modifications to reduce sea turtle bycatch in longline fisheries and measures to reduce the bycatch of seabirds in longline fisheries. Recent activities included the following:

- Over the past year, the United States has continued to use international organizations, regional and subregional fishery management organizations and arrangements, and bilateral relationships to highlight international problems of sea turtle bycatch and incidental catch of seabirds and sharks in longline fisheries. We have continued to impress upon foreign governments the importance of this issue to the United States and have stressed the need for their active engagement and concrete action (including bilateral and international agreements) as part of an effective strategy for the conservation and management of these species. In this regard, the Administration's efforts to address this pressing problem continue to focus on the following key areas:

    a) Obtaining additional data on the level of sea turtle interaction with longline fisheries, including distribution by time, depth and area.
    b) Continuing research into new fishing gear and techniques to reduce sea turtle bycatch, including gear modifications, alternative baits, and alternative fishing strategies.
    c) Identifying interim measures at the international level to reduce sea turtle bycatch, while efforts continue to further identify, refine, and implement possible solutions through numbers 1 and 2, above.
    d) Providing technical assistance and outreach to foreign nations to document sea turtle interactions in longline fisheries, conduct gear modification experiments and implement measures to reduce sea turtle bycatch, and implement safe-handling practices to reduce sea turtle injury and mortality.
    e) Promoting full international implementation of the Guidelines adopted by the 2004 FAO Technical Consultation on Sea Turtle Conservation and Fisheries and supported by COFI.

4) *Other Task Force Activities*: In addition to tasks specifically associated with the Task Force Action Plan, members of the Task Force participated in the following activities:

- *Inter-American Sea Turtle Convention:* The United States was a driving force behind negotiation of the Inter-American Convention for the Protection and Conservation of Sea Turtles in the Western Hemisphere. The Convention, which entered into force in May 2001, establishes a comprehensive framework for international protection of sea turtles and their habitats, including specific provisions relating to the interaction of sea turtles in commercial fisheries. Before 2006, there were two Conferences of the Parties (COP1—August 2002/August 2003, and COP2—November 2004). During these meetings, Parties to the Convention agreed to procedural rules and bylaws; developed guidelines for international cooperation and an ongoing work program for the Secretariat pro tempore; constituted the Consultative Committee; finalized the format for the annual report form;

continued discussions on the structure of the Scientific Committee; passed the Convention's first resolution (a largely advisory resolution on conservation of the leatherback sea turtle); and concluded its first Memorandum of Understanding between the Convention and the regional South American fisheries development organization OLDEPESCA.

All 11 Parties to the Convention sent delegates to COP3, which was held September 2006 in Mazatlan, Mexico. The major issues discussed at COP3 included the rules of procedure for the Scientific Committee, establishing and funding a permanent Secretariat, revising the annual report format, and convening a meeting in 2007 to resolve important issues (e.g., establishing and funding a permanent Secretariat). Two resolutions passed at COP3—convening a regional meeting to discuss declines in hawksbill nesting at Yucatan, Mexico, and encouraging Parties to implement bycatch mitigation techniques outlined in the FAO guidelines to reduce sea turtle fisheries bycatch. The United States is continuing to take a lead role, and is working with the other Parties to establish the framework, including a permanent Secretariat, for the Parties to carry out their Convention obligations.

- *Indian Ocean Sea Turtle Memorandum of Understanding:* The Memorandum of Understanding (MOU) on the Conservation and Management of Marine Turtles of the Indian Ocean and Southeast Asia, and its associated Conservation and Management Plan (CMP), provide a comprehensive framework for the conservation and protection of sea turtles and their habitats in the Indo-Pacific region. Though non-binding, the MOU and CMP contain strong, forward-looking provisions that, if effectively implemented, will advance conservation of endangered sea turtle populations and promote their recovery. To date, 24 countries have signed the MOU. The 3rd meeting of the Signatory States was held in March 2005 in Bangkok. Member States requested the Indian Ocean–South-East Asia (IOSEA) Advisory Committee to assess the impacts of the December 2004 tsunami on sea turtles and their habitats, with a special emphasis on leatherbacks. The IOSEA also decided to launch a regionwide Year of the Turtle initiative in 2006 to draw attention to the dramatic declines in turtle populations. The 4th meeting of the Signatories was held in March 2006 in Oman, the first Middle Eastern country to host a meeting. This meeting focused largely on outreach, specifically launching the 2006 Year of the Turtle initiative. The advisory committee presented a draft report on the 2004 tsunami impacts on leatherback turtles, and the United States agreed to provide additional information on threats to leatherbacks as they migrate through the high seas before the report is finalized. Here again, the United States continues to work to establish through the MOU and CMP a strong and effective sea turtle conservation regime.

- *IATTC Consolidated Resolution on Bycatch:* At its 74th annual meeting, June 26–30, 2006, in Busan, Korea, the IATTC extended the Consolidated Resolution on Bycatch (C-04-05) through January 1, 2008. This resolution requires full retention of juvenile tunas and non-target species of fish, and provides for a review of compliance on the full retention measure (by flag state or entity) to take place in the Permanent Working Group on Compliance in 2007. The U.S. proposal to strengthen sea turtle mitigation measures was deferred until next year. A standalone resolution or amendments to the Consolidated Resolution on Bycatch to further elaborate sea turtle interaction requirements was

discussed but not adopted due to resistance from the European Union and Korea. The European Union called for the Bycatch Working Group to meet in early 2007 and for the issue of sea turtles to be on the agenda.

- *2006 ICCAT Annual Meeting:* During the 2006 ICCAT annual meeting, no additional measures were taken regarding species taken as bycatch. However, the Commission decided to conduct its first-ever assessment on the impact of ICCAT fisheries on seabird populations in the Convention area, an important step to improving fisheries management to protect these species. In addition, the Standing Committee for Research and Statistics formed a new working group whose focus will be ecosystem effects of fishing, mainly looking at impacts on sea turtles, sea birds, and sharks. Scheduled assessments for shortfin mako and blue sharks were delayed until 2008 with a Standing Committee data preparatory meeting scheduled for 2007. These assessments will be critical as ICCAT moves forward in its management of sharks.

- *2006 NAFO Annual Meeting:* During the 2006 NAFO Annual Meeting, the Organization adopted a U.S.-proposed resolution calling for implementation of the *Guidelines to Reduce Sea Turtle Mortality in Fishing Operations* adopted by the 2004 FAO Technical Consultation on Sea Turtle Conservation and Fisheries and supported by COFI. In addition, the resolution calls on NAFO Contracting Parties to enhance implementation of existing sea turtle mitigation measures; collect and provide to the NAFO Secretariat information on sea turtle interactions in the NAFO Convention Area; and collaborate with each other and with subregional, regional, and global organizations to share data on sea turtle interactions and develop and apply compatible bycatch reduction measures. Beginning in 2007, all NAFO Contracting Parties should provide to the NAFO Secretariat detailed sea turtle–fishery interaction data (including observer data) in NAFO fisheries. The NAFO Secretariat will compile the data resulting from implementation of this resolution and NAFO will develop further strategies for consideration at the 2008 Annual Meeting. Resulting data will also be shared with the FAO.

CONCLUSION

During 2006, the United States continued its efforts to secure international measures to reduce bycatch that are comparable to the standards and measures applicable to United States fishermen. Given the ongoing negative impacts of bycatch internationally, the United States will continue these efforts seeking to secure international measures designed both to minimize bycatch and minimize the mortality resulting from unavoidable bycatch.

Section 610 of the newly reauthorized Magnuson-Stevens Act contains substantial new obligations to address international issues in living marine resource stewardship, including actions to address bycatch of protected species. The implementation of these measures is an extremely high priority for NMFS, NOAA, and the Department of Commerce. This implementation, as well as the relationship between the new Magnuson-Stevens Act requirements and those contained in the MMPA and ESA, are currently under consideration.