



Animal Welfare Institute

900 Pennsylvania Avenue, SE, Washington, DC 20003 • www.awionline.org
telephone: (202) 337-2332 • facsimile: (202) 446-2131

July 15, 2012

BY ELECTRONIC MAIL

Submitted via <http://www.regulations.gov>

Mr. Tom Warren
Highly Migratory Species Management Division
Office of Sustainable Fisheries (F/SF1)
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930

Dear Mr. Warren:

RE: Amendment 7 Scoping – Management Recommendations for the U.S. Surface Longline Fishery

On behalf of the Animal Welfare Institute (AWI), please accept the following comments on the above-referenced scoping document for Amendment 7 to the Consolidated Atlantic Highly Migratory Species Fishery Management Plan (HMS FMP). We urge you to fully explore the proposed management measures included in the Amendment 7 Scoping Document that have the potential to improve the status of bluefin tuna (BFT) populations and other non-target species. Specifically, the National Marine Fisheries Service (NMFS) should promote the transition from pelagic longline (PLL) fishing in the Gulf of Mexico and prohibit PLL year-round in the U.S. waters of the Gulf of Mexico.

In the March 2012 HMS Advisory Panel (AP) meeting, the public was given the opportunity to comment on the measures that would be necessary to accomplish the objectives of the 2006 Consolidated HMS Fishery Management Plan. While NMFS included a variety of management options in its white paper, also released in March 2012, it was made clear at this AP meeting¹ by many environmental organizations as well as the Animal Welfare Institute of the urgent need for a reduction in the use of indiscriminate and wasteful fishing practices and improvements in reporting and monitoring of BFT dead discards and landings.

Modern technologies in fishing practices coupled with inadequate oversight of fishing operations needlessly drown and kill millions of ocean animals throughout the world's oceans every year. According to the Food and Agriculture Organization of the United Nations, roughly 52 percent of the world fish stocks are fully exploited and 32 percent of world fish stocks are overexploited, depleted or recovering and in urgent need of rebuilding.² Unsustainable fishing not only

¹ Nine out of the ten organizations that provided oral comments supported gear transition – only Blue Water Fisherman's Association, a pelagic longline fishing organization, did not.

² El-Hage Scialabba, Nadia. Food Availability and Natural Resource Use. Presented at FAO/OECD Expert Meeting on Greening the Economy with Agriculture (5-7 September 2011).

threatens the future survival of targeted marine species, but reverberates throughout the marine ecosystem.

One of the most destructive fishing methods is the use of longline fishing. Along the Atlantic coast and in the Gulf of Mexico, surface longlining vessels suspend hundreds of baited hooks on fishing lines that can average 30 miles in length. The PLL fishermen in the Gulf seek yellowfin tuna and swordfish, but PLL, with hundreds of hooks that can be unattended for as long as 18 hours, catch and kill approximately 80 types of non-target species each year. According to estimates by NMFS and the National Oceanic and Atmospheric Administration (NOAA) Southeast Fisheries Science Center (SEFSC), the GOM PLL fishery killed an average of 423 bluefin tuna, 137 scalloped hammerhead sharks, 186 white marlin, 286 sailfish, 323 blue marlin, and 14,308 lancetfish annually from 2007-2009.³

Gear modifications, such as the ones proposed in the scoping document for Amendment 7 to the consolidated HMS FMP, can reduce the numbers of bycatch and dead discards caused by the longlining industry. Robust evidence suggests that transitioning away from PLL will not only successfully improve target catch rates and reduce dead discards, but will do so at a limited cost to the fishermen. As an applicable example, although specific to marine turtle bycatch, in 2004, the Pacific Fishery Management Council (PFMC) prohibited the use of longlines out to 200 miles off California, Oregon, and Washington in an effort to protect non-target animals from being caught in longlines.⁴ NMFS reported in 2008 that the alternate gear and bait options reduced overall marine turtle interactions by 89 percent in the Hawaii-based longline swordfish fishery, and have also proven successful in foreign longline fisheries (e.g., Brazil, Italy, Ecuador, and Uruguay), resulting in significant reductions in sea turtle interactions and mortalities while maintaining economically viable fisheries.⁵

Additionally, selective fishing methods such as green stick gear and swordfish buoy gear have been shown to reduce by-catch and dead discards. NMFS conducted a two-year study off the coast of North Carolina between 2009 and 2010 using green stick gear; the total green stick catch was 84 percent target catch, and 100 percent of discards were released alive.⁶ Similarly, Nova conducted a cooperative research project in Florida, whereby data collected between 2007 and 2009 indicated that 91 percent of the catch was swordfish (the target catch) and approximately 93 percent of discards were released alive.⁷ As a frame of reference, Pelagic Observer Program (POP) data recorded by NMFS in the GOM from 2007-2009 indicates that 51 percent of PLL

³ Harrington, J.M., R.A. Myers, A.A. Rosenberg, Wasted Resources: Bycatch and discards in U.S. Fisheries, Prepared by MRAG Americas, Inc. July 2005. Available at http://americadelsur.oceana.org/sites/default/files/reports/PDF_Bycatch_July281.pdf

⁴ Pacific Fishery Management Council. Highly Migratory Species: Fishery Management Plan and Amendments. Available at; <http://www.pcouncil.org/highly-migratory-species/fishery-management-plan-and-amendments/>

⁵ Agenda Item H.3.c HMSMT Report, Highly Migratory Species Management Team Reporting Regarding Amendment 2 to the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species to Authorize a Shallow-set Longline Fishery Seaward of the EEZ, September 2008.

⁶ Blankenship, Randy, NMFS.

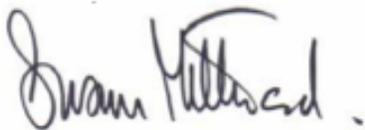
⁷ Kerstetter, David, Nova.

catch was discarded and 65 percent of these discards were dead discards.⁸ From any number of perspectives – whether ecological, resource management, or another fishing industry – it only seems reasonable for a commercial industry to not waste or kill what does not need to be wasted or killed.

Beyond the sheer number of wasted lives through by-catch and dead discards, AWI emphasizes the significance of prohibiting longline fisheries in the Gulf Coast for its potential to prevent non-fatal harm and suffering of individual animals. Fish are currently placed in the same category as other natural resources; and while there is a general understanding that natural resources must be protected to maintain ecological health and to continue our ability to use them, it is essential to remember that those metric tons of “dead discards” and “by-catch” should not simply be expendable “resources.” Fish have a nervous system that allows them to detect painful events and the capacity to respond to those events, not just physiologically but behaviorally as well, much like any other vertebrate animal. In other words, each fish has the ability to feel pain – and not simply to feel pain in the moment, but to learn to avoid it in the future.⁹

In sum, NMFS should implement measures that would encourage fishermen in the Gulf of Mexico to transition from the unsustainable and wasteful use of pelagic surface longlines to more selective fishing methods in order to protect bluefin tuna as well as a number of other non-target marine life. AWI strongly supports this option and encourages NMFS to consider this management recommendation. Thank you for providing this opportunity to comment on the Amendment 7 Scoping Document on Bluefin Tuna management.

Sincerely,



Susan Millward
Executive Director
Animal Welfare Institute

⁸ NMFS 7.0 Bycatch, Incidental Catch, and Protected Species. Available at www.nmfs.noaa.gov/sfa/hms/Safe_Report/.../CHAPTER%207.pdf

⁹ Braithwaite, V.A. Fish and welfare: do fish have the capacity for pain perception and suffering? *Animal Welfare*, Vol 13, Supplement 1, pp87-92, 2004.