
Pacific Seabird Group



DEDICATED TO THE STUDY AND CONSERVATION OF PACIFIC SEABIRDS AND THEIR ENVIRONMENT

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April 2, 1998

Jamie Rappaport Clark, Director
U.S. Fish & Wildlife Service
634 Arlington Square
Washington DC 20240

Re: Seabird Bycatch in Salmon Gillnet Fisheries

Dear Ms. Clark:

On behalf of the Pacific Seabird Group (PSG), we are writing to request that Washington State, the U.S. Treaty Tribes and the Provincial and Federal Governments of Canada make seabird bycatch reduction a priority in the management of salmon gillnet fisheries in the shared waters of British Columbia and Washington State. PSG is an international organization that was founded in 1972 to promote knowledge, study and conservation of Pacific seabirds. PSG draws its members from the entire Pacific Basin, including Canada, United States, Japan, Russia, Australia, New Zealand, China, and Mexico. Among PSG's members are biologists who have research interests in Pacific seabirds, government officials who manage seabird populations and refuges, and individuals with interests in marine conservation. PSG is especially active with regard to seabird-fishery interactions.

Specifically we request that: 1) these fisheries be monitored through on-board observer programs to determine the rate and magnitude of seabird bycatch by species; 2) measures be taken to develop tools to minimize this bycatch; and 3) seabird bycatch reduction tools and strategies be incorporated into management of these fisheries.

This request is centered on the concept that the waters of British Columbia and Washington (Puget Sound, the Strait of Georgia, Johnstone Strait, the Vancouver Island coast, and Queen Charlotte Strait) comprise an integrated ecosystem. Despite differences in environmental protection laws and related policies among the parties sharing resource management authority in this ecosystem, responsible and effective marine resource management requires a cooperative effort. At present, Washington State has taken the lead in reducing seabird bycatch in salmon gillnet fisheries by imposing specific regulations on the non-treaty gillnet fleet. However, without a concerted approach by all parties, it is unlikely that meaningful seabird conservation can be achieved.

Fishery Interactions

For years there has been strong anecdotal evidence that seabirds are drowned in salmon gillnets in the shared waters of British Columbia and Washington State. The listing of the marbled murrelet as threatened under the U.S. Endangered Species Act in 1992 created strong incentives for the U.S. Fish and Wildlife Service and Washington Department of Fish and Wildlife to explore the extent to which marbled murrelets and other seabirds are at risk from gillnet fishing activities. The listing also galvanized strong pressure from the conservation community. Collectively, these forces led to the development of extensive on-vessel observer programs during the 1993 and 1994 fishing seasons to document the extent to which seabirds and marine mammals are incidentally captured in salmon drift-gillnet fisheries in the U.S. waters of Puget Sound.

Data from 1994, the most extensive data set available, indicate that on average, one seabird was caught every other time a gillnet was set in the sockeye fishery. In the U.S. non-treaty fleet alone, the total take of seabirds was estimated to average over 3,500 per season (confidence interval: 1,200 to 6,000 birds) in 1994. All of the seabirds were alcids. Most were common murrelets, followed by rhinoceros auklets. No marbled murrelets were taken. We estimate that the total take of seabirds from gillnet bycatch in these shared waters to be 6,000 to 30,000 seabirds per year in the sockeye fishery alone, based on extrapolations of observer data collected in the non-treaty Washington fishery. For perspective, only 5,000 to 10,000 common murrelets breed on Washington colonies, and 8,600 breed on British Columbia colonies. Therefore, the impact of chronic murrelet bycatch could be a highly significant factor affecting size of local breeding populations — and perhaps is adversely affecting breeding populations elsewhere to the extent that birds breeding elsewhere are being caught in nets in this region.

Results of a multi-year research program by the University of Washington, in cooperation with the industry and related management

agencies, identified specific seabird bycatch reduction tools. These include avoiding sunrise fishing, using nets with visual barriers and avoiding fishery openings when fish are scarce and birds are abundant. The Washington Fish and Wildlife Commission adopted regulations based on these recommendations, the first time anywhere in the world that a coastal gillnet fishery was managed to reduce seabird bycatch without closing the fishery. However, these regulations apply only to the non-tribal fleet or about 20 percent of the total gillnet effort in the British Columbia - Washington shared waters. With only a small fraction of the fleet implementing seabird bycatch measures, the chances of conserving seabird populations in this ecosystem is poor at best.

Conservation Concern

Our concern for the conservation of seabirds stems from several factors:

- They are long-lived species with limited reproductive capability and, as such, are vulnerable to population declines even at low rates of annual mortality (less than 5% of the breeding population) from any source;
- Their annual reproductive success is greatly affected by el Niño/Southern oscillation and other climate events; and
- Several seabird populations are classified as at risk of extinction or are listed as threatened or endangered or species of concern at the federal or provincial/state levels in Canada and the U.S.

In addition, common murres are the species most commonly entangled in gillnet fisheries throughout the Pacific Northwest and Alaska and are the bird species most frequently damaged by oil spills.

Several seabird populations breeding in coastal Washington-British Columbia waters have declined, making these species ever more vulnerable to mortality agents such as bycatch. Marbled murrelet populations have declined dramatically and are listed as threatened by the Province of British Columbia and by the federal government of the U.S. While marbled murrelet by-catch in Puget Sound fisheries is rare, murrelets can be the dominant seabird bycatch species in British Columbia (Carter and Sealy 1984).¹ Marbled murrelets, common murres, western grebes, Brandt's

¹ Carter, H.R. and S.G. Sealy. 1984. Marbled murrelet mortality due to gill-net fishing in Barkley Sound, British Columbia. Pp. 212-220 in D.N. Nettleship, G.A. Sanger, and P.F. Singer (eds). Marine birds: their feeding ecology and commercial fisheries relationships. Special Publication. Canadian Wildlife Service, Ottawa.

cormorants and horned puffins are listed as species most at risk from extinction in British Columbia, and are among the species most likely to drown in gillnets (see Carter et al. 1995).² Common murrelets are a species of special concern in Washington State; their populations have declined dramatically since the late 1970's and it is the species most frequently entangled in nets. All of these species are highly migratory and move throughout the shared waters of British Columbia and Washington with no regard for political boundaries. Only a uniform ecosystem-based approach to conservation by the governing parties within the entire ecosystem will conserve seabirds.

Conservation Law

Laws governing conservation vary among the parties. In the U.S., it is technically illegal to kill seabirds incidental to fishing and seabird bycatch is a misdemeanor offense under the Migratory Bird Treaty Act. Although Canada is bound by the USA-Canada Migratory Bird Treaty, fishery regulations stemming from it do not exist. It is our understanding that the U.S. treaty tribes do not consider themselves bound by this treaty. The Endangered Species Act in the U.S. calls for specific limits to the bycatch of marbled murrelets and is adhered to by both tribal and non-tribal parties. Although the marbled murrelet is listed as threatened in British Columbia, there are no rules governing its protection in commercial fisheries, nor are there laws governing the protection of species listed at either the provincial or federal level in commercial fisheries. However, in Canada, the Auditor General's Act calls for the development of sustainable fisheries and the development of a sustainable fisheries strategy. The strategy calls for, among other things, ecosystem based management and the development of a code of conduct for responsible fishing operations. In short, there are common legal elements that provide the foundation for working toward a comprehensive strategy of sustainable fisheries, ecosystem management and seabird conservation.

Conclusion

We strongly encourage you to regard the shared waters of British Columbia and Washington as an ecosystem and to manage it cooperatively for optimal and mutual benefit. We ask that you:

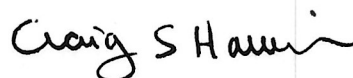
- Make seabird bycatch reduction a priority in fisheries management within the ecosystem and work collectively to

² Carter, H.R., M.L.C. McAllister, and M.E. "Pete" Isleib. 1995. Mortality of Marbled Murrelets in gill nets in North America. Pp. 271-283 in Ecology and conservation of the Marbled Murrelet (C.J. Ralph, G.L. Hunt, Jr., M.G. Raphael and J.F. Piatt, eds.). Gen. Tech. Rep. Albany, CA, U.S. Dept. Agriculture.

achieve it;

- Consider the risk posed by gillnet fishing to seabird populations that occupy this ecosystem, quantify the risk and develop strategies and techniques to minimize it;
- Incorporate a collective approach to seabird bycatch management in the sockeye fishery into the Fraser River sockeye management process under the Pacific Salmon Commission; and
- Commission a panel to develop a comprehensive strategy including a consensus list of specific guidelines and procedures to be implemented.

Sincerely,



Craig S. Harrison

cc: Ian Todd, Pacific Salmon Commission
Billy Frank, Northwest Indian Fisheries Commission
David Anderson, Minister Fisheries and Oceans
Christine Stewart, Minister of the Environment
Cathy McGregor, British Columbia Minister of Environment
Governor Gary Locke, State of Washington
Dr. Bernard Shanks, Washington Department of Fish and Wildlife