

ICONIC WHALES IN TROUBLE

Agenda Item K.5.c
Supplemental Public Comment 4
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Sperm whales are truly magnificent creatures, making some of the deepest dives of all whale species. Of the estimated 971 sperm whales in the Pacific West Coast stock, the National Marine Fisheries Service estimated that 16 whales were taken by the drift gillnet fishery in 2010 alone, far exceeding the allowable take of these endangered species under the federal Endangered Species and Marine Mammal Protection Acts.

ABOUT SPERM WHALES:

- Sperm whales can dive for a duration of over an hour and reach depths of over 3,280 feet.
- They are the largest of the toothed whales, with males weighing up to 45 tons and measuring 52 feet in length.
- Sperm whales have the largest brain of any animal, it can take up about 1/3 of the whale's total body length.
- Female sperm whales only produce a calf approximately once every five years.



Sperm whales diving in unison

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End the Walls of Death

Replace devastating drift gillnets off
California with cleaner fishing gear

Examples of bycatch documented from the drift gillnet fishery include:

fin whales
leatherback sea turtles
loggerhead sea turtles
Risso's dolphins
Dall's porpoises
Pacific white-sided dolphins
Northern right whale dolphins

Pacific electric rays
short-finned pilot whales
humpback whales
minke whales
sperm whales
California sea lions

Northern elephant seals
blue sharks
salmon sharks
bigeye thresher sharks
striped marlin
albacore tuna

mola molas
white sharks
basking sharks
megamouth sharks
short-and-long-beaked
common dolphins

Oceana is the largest international advocacy group working solely to protect the world's oceans. Oceana wins policy victories for the oceans using science-based campaigns. Since 2001, we have protected over 1.2 million square miles of ocean and innumerable sea turtles, sharks, dolphins and other sea creatures. More than 550,000 supporters have already joined Oceana. Global in scope, Oceana has offices in North, South and Central America and Europe.

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WALLS OF DEATH

In the Pacific Ocean off California, mile-long driftnets are used to capture swordfish and thresher sharks. But that's not all they catch. When the nets are deployed in the evenings to soak overnight to ensnare their targeted catch, they also entangle large open ocean travelers, including whales, dolphins, seals, sea turtles, numerous shark species and many other ecologically and economically important fish. The nets inflict such devastation to marine life that they earned the name "Walls of Death."

The drift gillnet fishery tosses 20–30% of its fish catch back into the ocean dead or damaged. In the 2010–2011 season, over 27 common molas, fondly called ocean sunfish, were discarded for every swordfish caught.



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Common molas are bycatch in the drift gillnet fishery

When a sea turtle, sea lion, or whale swims into the net, they become entangled in the mesh walls, leaving them incapacitated and unable to surface for air. When the nets are pulled from the water onto the fishing boats in the morning, they contain disturbing and unacceptably high numbers of dead and dying species of marine life. This fishery's high level of indiscriminate catch of non-targeted species results in the death of over a hundred marine mammals per year; also killed and injured are endangered Pacific leatherback and loggerhead sea turtles, striped marlin, albacore tuna, blue sharks, bigeye thresher sharks, and great white sharks.



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Ensnared blue shark



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Entangled pilot whale

WHAT WE SHOULD DO NOW:

1. Phase out drift gillnets altogether.

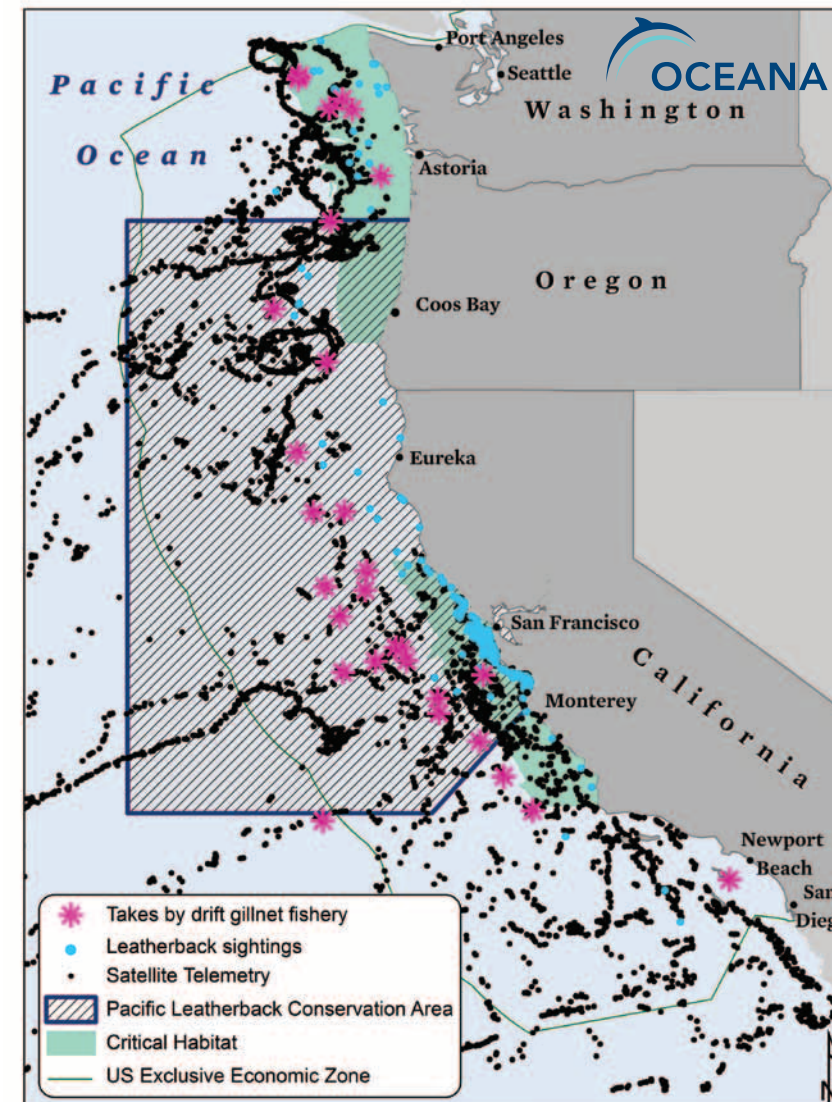
2. Replace with cleaner gears such as harpoons which have zero bycatch and consider other cleaner alternatives.

3. Until drift gillnets are phased out, require 100% observer coverage to adequately monitor and account for all bycatch and discards.

4. Until drift gillnets are phased out, institute hard bycatch caps on all marine life taken.

DRIFT GILLNETS & SEA TURTLES

The ocean waters off the coasts of California, Oregon, and Washington are a primary destination for endangered Western Pacific leatherback sea turtles which make a 6,000 mile migration from nesting beaches in Indonesia to the U.S. West Coast specifically to feed on jellyfish. Sea turtles are navigation specialists but encounter many perils on their great migration including capture in drift gillnets at their feeding grounds. With a population decline of over 85%



Data provided by NOAA Protected Resources/NOAA SWFSC

since the 1980s and continued 6% annual decline, they need protective measures to increase their chances of survival.



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In 2012, based on new scientific research and as a direct result of Oceana's petition to the federal government, the National Marine Fisheries Service (NMFS) designated 41,914 square miles of ocean waters off the shores of Washington, Oregon, and California as critical habitat for Pacific leatherback sea turtles under the Endangered Species Act. This adds additional habitat protections on top of the previously established Pacific Leatherback Conservation Area (PLCA), where drift gillnet fishing is prohibited annually from August 15 through November 15 to protect leatherback sea turtles that feed off the West Coast. The PLCA extends from shore to the high seas and from Point Sur, California to mid-Oregon.

FISHING INDUSTRY AT A CROSSROAD

Historically swordfish off California were skillfully caught with harpoons, allowing fishermen to catch swordfish one by one with virtually zero bycatch. The fishery transformed from the predominant harpoon fishery to primarily a drift gillnet fishery in the early 1980s when driftnets became legal to use and restrictions were placed on the harpoon fishery. Since then, the price of a pound of swordfish caught by harpoon has more than doubled relative to the price of gillnet caught swordfish. For example, in 2008, harpoon caught swordfish yielded \$6.26 per pound compared to \$2.80 per pound for drift gillnet caught swordfish.

With the introduction of drift gillnets, swordfish landings increased initially, but for a variety of reasons gillnet landings have waned in the last two decades. While California landings of swordfish



© OceanAerials courtesy of Wayne Davis

A harpoon vessel catches a swordfish

from drift gillnets have hovered around 500 metric tons annually over the past decade, the harpoon fishery brought in over 1,600 metric tons at its peak in 1979. Furthermore, in 2009 due to concerns regarding high levels of bycatch, the Oregon Fish and Wildlife Commission banned the use of drift gillnets in Oregon state waters, making it illegal for Oregon-based fishermen to use drift gillnet gear off the state's coast. Washington also prohibits drift gillnet gear for swordfish, leaving California as the only West Coast state still allowing this destructive fishing gear that wreaks havoc on our ocean's diverse marine life.

NEXT STEPS:

The drift gillnet fishery is really a declining industry, already phased out in many other coastal states across the west and east coast. For years NMFS has been trying to expand the drift gillnet fishery and the agency is currently looking at how to revitalize California's swordfish fishery. Instead of looking to stimulate the fishery with this destructive gear, fishery managers should focus on revitalizing the harpoon fishery and exploring other clean ways to catch swordfish.

History has shown that catching swordfish with harpoons is feasible, has virtually no bycatch, and results in a higher price per pound for catch at the dock. It is time to remove the "Walls of Death" from our California shoreline and move to cleaner fishing gears to ensure a vibrant, healthy, sustainable marine ecosystem and ocean-based economy into the future.

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