

Proposal to Enhance the Conservation and Management of Bigeye Tuna Through the Establishment of a Minimum Size and Related Measures

A new proposal for consideration by Panel 1

(Submitted by the United States)

In its reports to the Commission over the last many years, the SCRS has expressed concern about the effects on the stocks of increasing catches of juvenile bigeye and yellowfin tuna. In 2018, the SCRS presented its Decision Support Tool (DST), which clearly demonstrated the impacts on bigeye and yellowfin tuna Maximum Sustainable Yield (MSY) of catches by various gear types.

Recognizing the impacts on the stocks and fisheries that high catches of juvenile fish have had on bigeye and yellowfin tunas, the United States and others have stressed over the years that any comprehensive tropical tuna measure must include appropriate controls on these catches. This is particularly true in the case of a substantial increase in the bigeye tuna Total allowable Catch (TAC) as is currently being contemplated. A number of approaches to control these catches have been explored by Panel 1, including expanding the FAD closure period and/or decreasing the limit on the number of active FADs per vessel, but they have failed to gain widespread support, despite the critical nature of this issue for many CPCs.

The United States is eager to find a way forward on a comprehensive measure in Panel 1, and we remain flexible on how to meet our needs within the various proposals under consideration. In that spirit, we are proposing that ICCAT reconsider a commonly used and proven fishery management approach based on establishing a minimum size and related measures to help address the issue of juvenile fish catch.

The first conservation and management measures ever adopted by ICCAT for bigeye and yellowfin tunas were minimum size limits. With the rise of FAD fishing in the late 1990s and early 2000s, significant increases in the harvest of bigeye and yellowfin tunas below the ICCAT minimum size were seen. The CPCs participating in the growing FAD fisheries successfully argued to repeal the minimum size limits. Since that time, the catch of significant amounts of very small bigeye and yellowfin tuna have continued to increase.

The impacts on the stocks from the substantial move in selectivity toward very small bigeye and yellowfin tunas is real, and the fleets that rely on the catch of larger fish are suffering disproportionate impacts. We believe, therefore, ICCAT should reinstate a minimum size for bigeye tuna applicable to all gears – except purse seine and baitboat and consider establishing a minimum size for yellowfin tuna after the next assessment. For bigeye tuna, the absolute minimum size we are suggesting is 56 cm. We have suggested a minimum size expressed in length rather than weight as this is how data are reported to ICCAT. 56 cm is close to ICCAT's previous minimum size for bigeye tuna (and yellowfin tuna) of 3.2 kg and, if well implemented, would provide additional and needed protections for the stock. To limit the impact on juvenile bigeye tuna by purse seine and baitboat fleets, catches of this species below the minimum size would be allowed but would be limited to a specific percentage by weight of the total TAC for the fishery. To calculate that percentage, the United States used recent fleet-specific landings and length composition data from the [2021 Bigeye Tuna Stock Assessment Meeting](#).

To support effective implementation of the small fish limit, those CPCs that operate purse seine and baitboat fisheries and have assigned catch limits for bigeye tuna would be required to establish, as a percentage of their overall catch limit, a sub-quota for juvenile bigeye tuna within their domestic tropical tuna fishery. The level of a CPC-established sub-quota would be determined by the CPC in light of their catch history of juvenile bigeye tuna and other particulars of their fishery, including taking into consideration the requirements of [Recommendation by ICCAT on Mediterranean swordfish \[Rec. 17-01\]](#) prohibiting discards, but we have calculated that the CPC-established sub-quota should not exceed 25% of the CPC's overall catch limit. To calculate this percentage, we used the same data used to calculate the overall small fish percentage for the TAC. Effective monitoring of the implementation of this sub-quota by CPCs would be essential to ensure the total amount of undersized bigeye tuna caught in their fisheries did not exceed the level established by ICCAT. In case a CPC exhausts its small fish sub-quota prior to the end of the fishing year, it would need to implement measures to avoid catches of bigeye tuna under the minimum size for the remainder of the year. Further, any overharvest of a CPC's small fish sub-quota would be subject to payback

while any underharvest would not be eligible for carry forward. For CPCs without individual catch limits but who operate purse seine or baitboat fisheries, the percentage limitation on the catch of bigeye tuna under the minimum size would be applied to the overall quota allocation of that category and, if exceeded, Panel 1 would determine the reason why and recommend catch limits be established for one or more CPCs.

This small fish sub-quota concept is familiar to those, including the United States, fishing for western Atlantic bluefin tuna. A limitation on the catch of juveniles in that fishery has been in place and effectively implemented by affected western harvesters for many years.

We look forward to hearing CPC views on this idea, which we hope will help the Panel find a way forward on the small fish issue so that appropriate language can be included in a new conservation and management measure for tropical tunas.

Proposed language:

- A. An absolute minimum size for Atlantic bigeye tuna of 56 cm straight fork length, is established.
- B. By derogation to paragraph A, the harvest of bigeye tuna below the minimum size in purse seine and baitboat fisheries shall be allowed but limited to no more than [10]% by weight of the TAC specified in paragraph [X above], for a total annual tonnage of no more than [X (based on agreed TAC and percentage)] t. To ensure effective implementation of the limit, CPCs that operate purse seine and baitboat fisheries and that have an individual catch limit for bigeye tuna shall take domestic action to establish and monitor the implementation of a small fish sub-quota applicable to those fisheries ensures that the total amount of bigeye tuna below the minimum size caught in those fisheries does not exceed [25]% by weight of the CPC's initial bigeye tuna catch limit, as specified in the allocation table contained in paragraph [X] below. CPCs that consume their full small fish sub-quota before the end of a fishing year shall implement measures to avoid catches of bigeye tuna under the minimum size by their purse seine and/or baitboat fleet for the remainder of that year.
- C. For CPCs that operate purse seine and/or baitboat fisheries that do not have an individual catch limit of bigeye tuna per paragraph [X below], the harvest of bigeye tuna below the minimum size shall be limited to no more than [10]% by weight of the overall allocation made to [fleet category D][the small harvester category]. Panel 1 shall review the implementation of this limitation annually. If the small fish sub-quota for that category is exceeded, Panel 1 shall determine the reason why and recommend catch limits be established for one or more CPCs.
- D. CPCs subject to paragraph B above shall report the level of their small fish sub-quota established for their purse seine and/or baitboat fisheries in their Annual Report to the Commission and provide information on the implementation of that sub-quota in their compliance tables, in accordance with the *Recommendation by ICCAT to Clarify the Application of Compliance Recommendation and for Developing the Compliance Annex* (Rec. 11-11). Any overharvest by a CPC of its small fish sub-quota in one year must be subtracted from the sub-quota established by that CPC for the next year or the year after that. CPCs may not carry forward into future years any underharvest of their small fish sub-quota.
- E. The SCRS shall review the minimum size established in paragraph A and the total annual small fish catch allowance as implemented via sub-quotas established in paragraphs B and C in 2024 or as soon as feasible thereafter and advise the Commission on (1) the expected impact these measures will have on the status, including MSY, and productivity of the bigeye tuna stock and (2) any adjustments to the provisions that might further enhance the protection of juvenile bigeye tuna. Further, SCRS shall conduct a similar analysis with respect to yellowfin tuna during or after the next assessment and advise the Commission on relevant matters.
- F. The Commission shall review and, where appropriate, revise these small fish provisions at its 2024 meeting, or as soon as possible thereafter, on the basis of the SCRS advice provided pursuant to paragraph E above.