

# 2024 Seabird Report to the North Pacific Fishery Management Council

April 2024

The NMFS Alaska Groundfish and Halibut Seabird Working Group (Working Group) met on December 6 and 7, 2023.

This report broadly summarizes 1) estimated 2023 seabird bycatch in Federal fisheries operating off Alaska, 2) fisheries take of Endangered Species Act (ESA) listed seabirds and the 2021 Biological Opinion, 3) USFWS update on seabird population status and trends in 2023 and an upcoming Migratory Bird Treaty Act rule to address the incidental take of seabirds in fisheries, and 4) other updates from the Working Group. This report includes contributions from NMFS (Alaska Regional Office, Alaska Fisheries Science Center) and U.S. Fish and Wildlife Service (USFWS).

## **Seabird Bycatch in Federal Fisheries off Alaska**

Please note that all bycatch values are reported as estimates and not actual numbers of seabirds. For a detailed explanation of seabird bycatch estimation procedures please refer to the most recent NMFS annual seabird bycatch report:

<https://repository.library.noaa.gov/view/noaa/32076>.

The 2023 estimated seabird bycatch for the combined groundfish and halibut fisheries (4,125 birds) was less than the 2014 through 2022 annual average of 6,014 birds, but down from the estimated seabird bycatch in 2022 (4,612 birds) (see Table 1). These estimated take numbers continue to be driven by three groups: Northern fulmars (*Fulmarus glacialis*), undifferentiated Gulls, and undifferentiated Shearwaters (see Table 1), with estimated Northern fulmar takes being substantially higher than the other two groups. This is likely due to the sheer numbers of Northern fulmars which associate fishing vessels as a potential food source. The increase in estimated seabird bycatch rate over 2021 levels can also be viewed as a return to pre-pandemic fishing effort and observer coverage. Estimated bycatch of black-footed albatross (*Diomedea nigripes*) was 96, which was lower than 2021 and 2022 at 343 and 253 birds, respectively. This continued decrease in the estimated number takes of black-footed albatross continues to follow a long term downward trend (See Figure 1). The estimated Laysan albatross (*Phoebastria immutabilis*) bycatch was higher in 2023 at 188 birds than 2021 and 2022 at 57 and 45 birds respectively, this was also lower than the 2013 through 2022 average annual estimated take of 112 birds. This increase was a break in the downward trend of Laysan albatross takes from 2018 through 2022 which had an estimated annual take of 46 Laysan albatross, but below the high of 276 which occurred in 2018.

*Table 1. Estimated takes of seabird by species in all Groundfish and Halibut fisheries in the Bering Sea, Aleutian Islands, and Gulf of Alaska, from 2014 to 2023.*

Species	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total	2013-2023 Yearly Average
Auklets	107	69	29	36	102	0	0	0	4	0	351	35
Black-footed Albatross	280	355	195	717	308	218	81	343	253	96	3,290	319
Cormorant	0	30	0	0	0	0	0	0	0	0	30	3
Gull	740	1,261	764	855	753	218	202	262	770	375	6,788	641
Kittiwake	4	12	5	22	37	18	24	13	24	21	184	16
Laysan Albatross	90	193	113	72	276	51	29	57	45	188	1,306	112
Murre	47	0	58	10	0	0	6	8	0	0	133	12
Northern Fulmar	823	3,530	5,453	4,439	3,356	2,972	2,482	1,120	2,204	1,847	31,421	2,957
Other Alcid	38	0	0	0	6	6	0	0	0	0	51	5
Puffin	0	0	10	0	0	0	0	0	0	0	10	1
Shearwaters	176	386	3,413	2,101	726	5,273	386	2,447	743	1,348	17,254	1,591
Short-tailed Albatross	11	0	0	0	0	0	11	0	0	2	25	2
Storm Petrels	0	0	0	0	177	0	0	36	48	23	284	26
Unidentified Albatross	37	0	0	0	51	19	0	0	11	0	150	15
Other	0	0	0	63	0	0	7	0	82	0	152	15
Unidentified	78	193	301	292	222	193	386	222	428	228	2,840	261
<b>Total</b>	2,431	6,028	10,342	8,608	6,015	8,969	3,616	4,509	4,612	4,128	64,269	6,014

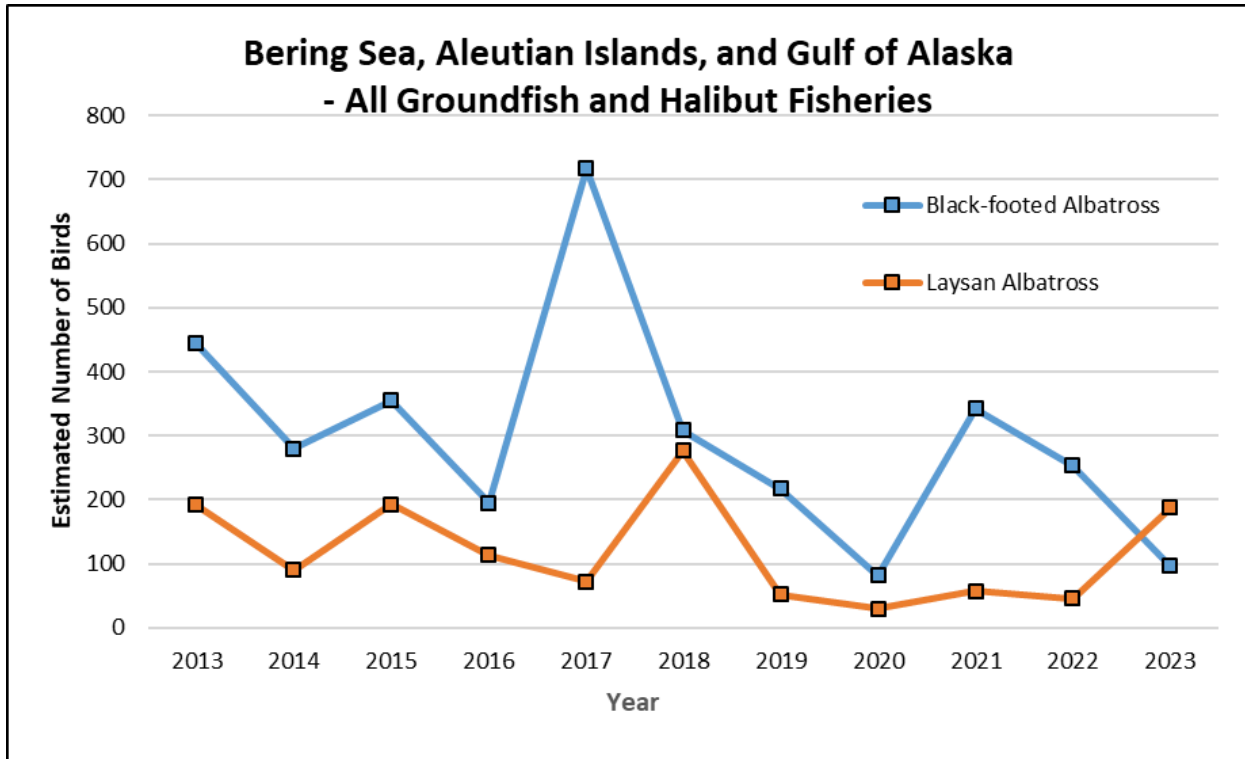


Figure 1. Estimated takes of Black-footed and Laysan albatross in all Groundfish and Halibut fisheries in the Bering Sea, Aleutian Islands, and Gulf of Alaska from 2014 to 2023.

As was noted in past updates, the sablefish IFQ fishery continued the use of pot gear in 2023. This continued shift away from hook-and-line gear may partially explain the low seabird bycatch estimates in 2023 relative to the 2014-2023 average and especially compared to the 2014 to 2019 estimated take number (See Figure 2). In 2020 the entire sablefish IFQ fishery had just one estimated take of a black-footed Albatross, while in 2023 there were only 14 estimated takes of Northern fulmars. Seabird takes by pot gear are relatively rare compared to takes by hook-and line gear and there have been no reported seabird takes due to pot gear in the sablefish IFQ fishery during this time period. If the sablefish IFQ fishery continues to increase its use of pot gear over hook-and-line gear moving forward, we expect reduced takes of seabirds in this fishery to continue.

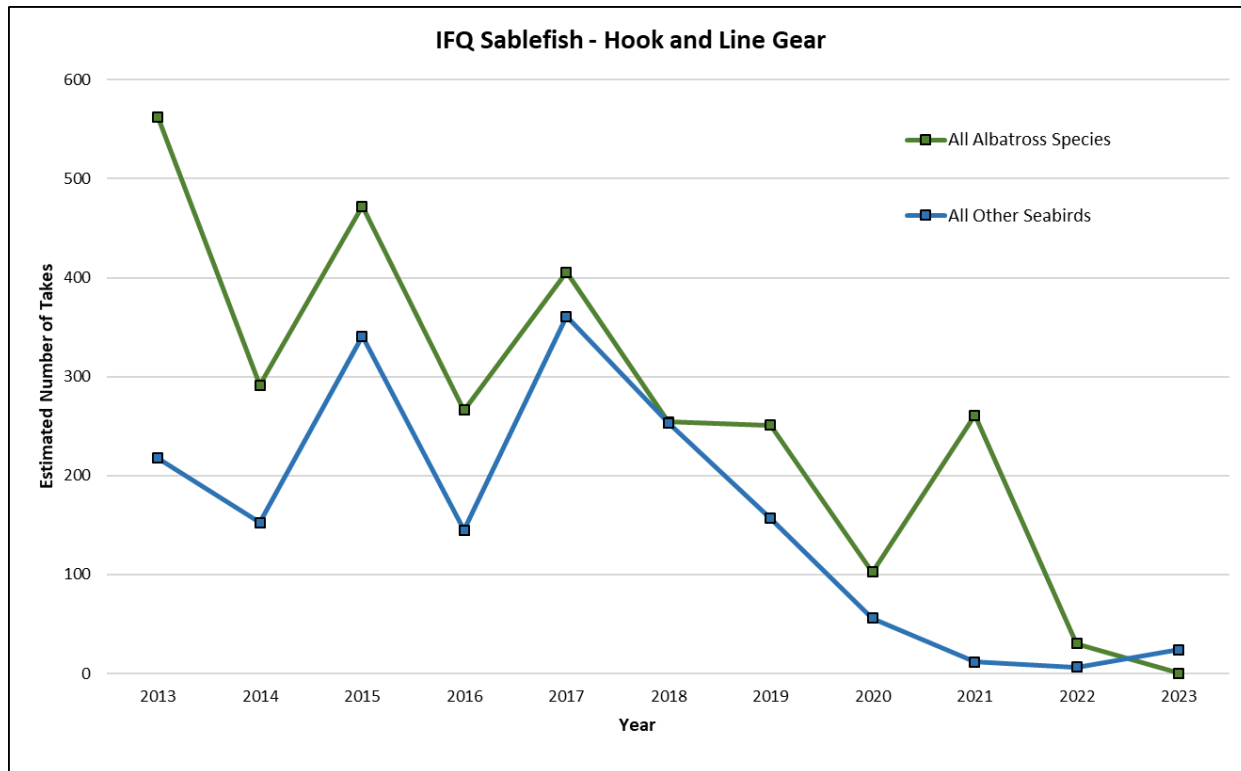


Figure 2. Estimated takes of albatross (Black-footed and Laysan) in the IFQ sablefish hook-and-line fisher from 2014 to 2023.

On December 8, 2023 there was a lethal take of an endangered short-tailed albatross (*Phoebastria albatrus*) in the Gulf of Alaska, Pacific cod (*Gadus macrocephalus*) hook-and-line fishery. The take occurred approximately 33 nautical miles southeast of Unalaska Islands, in NMFS reporting area 610 (see Figure 3). The bird was a juvenile which was banded at the Hatsunozaki colony on Torishima Island in Japan in March 2023. This is the first recorded take of a short-tailed albatross by any fisheries operating in the Bering Sea and Aleutian Islands (BSAI) or GOA Management Areas since October 16, 2020. Since 1995 this is only the second take of a short-tailed albatross south of the Aleutian Islands. The vessel used dual streamer lines as deterrents during the setting, which were in good condition.

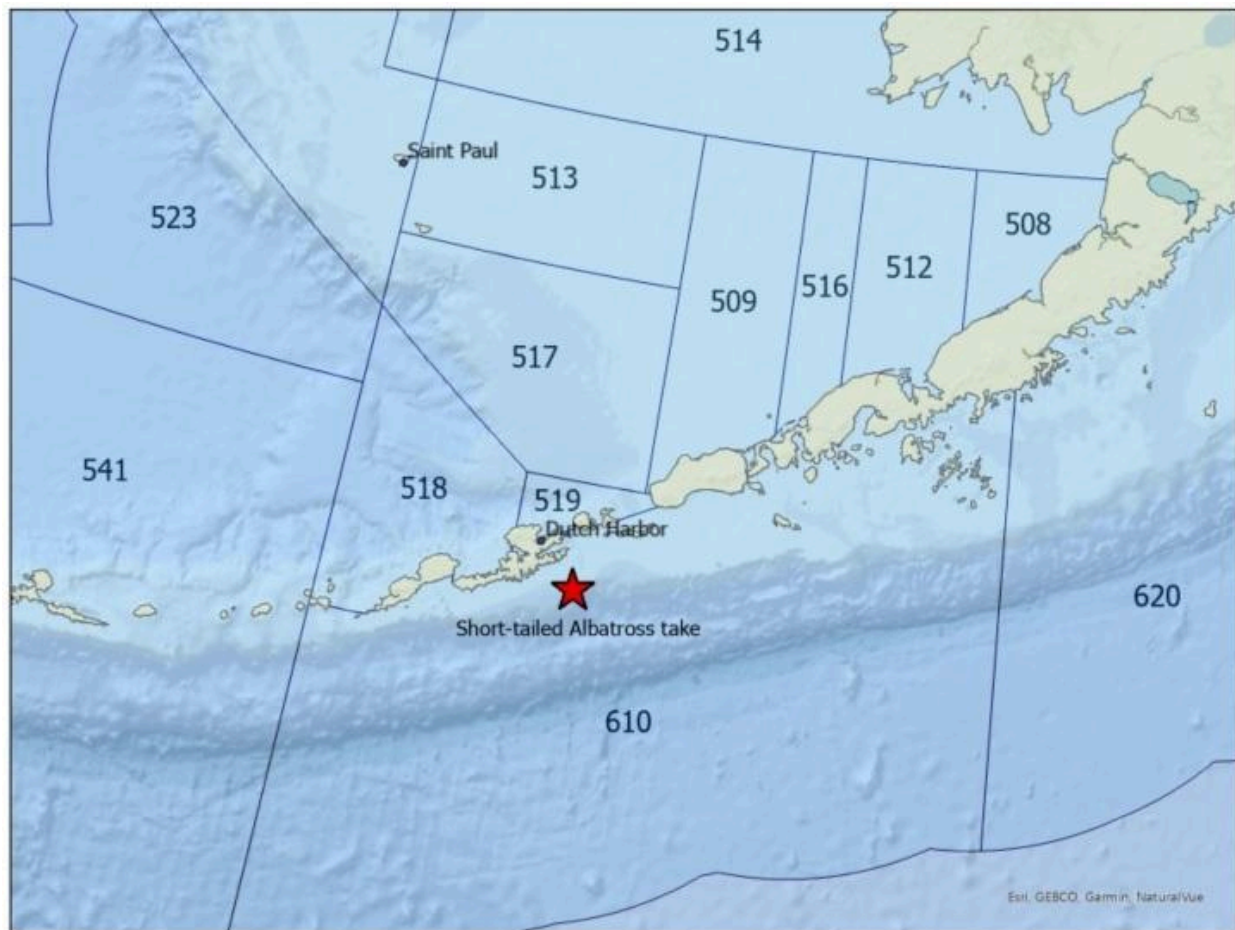


Figure 3. Approximate location of a lethal take of a short-tailed albatross on December 8, 2023 (red star).

We did not have reported takes of ESA-listed threatened spectacled eider (*Somateria fischeri*), or threatened Alaska-breeding population of Steller’s eider (*Polysticta stelleri*) in 2023.

NMFS produces a comprehensive summaries of seabird bycatch estimates for Alaska Groundfish and Halibut fisheries. Please refer to this report for a more detailed description of seabird bycatch estimates for Federal fisheries off Alaska. The 2021 bycatch report is the most recent available and can be found here:

<https://repository.library.noaa.gov/view/noaa/46629>.

### **ESA-Listed Seabirds and 2021 Biological Opinion**

ESA-listed seabirds in the Alaska Region include the endangered short-tailed albatross (*Phoebastria albatrus*), the threatened spectacled eider (*Somateria fischeri*), and the threatened

Alaska-breeding population of Steller's eider (*Polysticta stelleri*). Two other populations of Steller's eider occur in waters off Alaska but only the Alaska-breeding population is listed under the ESA.

The March 8, 2021 USFWS Biological Opinion ([2021 USFWS](#)) for Alaskan groundfish fisheries provides incidental take statements for ESA-listed seabirds:

- The reported take should not exceed six short-tailed albatrosses in a 2-year period.
- The reported take should not exceed 25 spectacled eiders in a floating 4-year period.
- The reported take should not exceed three Steller's eiders in a floating 4-year period.

These three incidental take statements for ESA-listed seabirds have not been exceeded at this time.

The prior interactions with ESA-listed eiders were due to vessel collisions, not direct gear interactions. To reduce vessel collisions, the 2021 USFWS Biological Opinion ([2021 USFWS](#)) provided the following recommendations:

- The NMFS will recommend that to the maximum extent practicable, vessels will minimize the use of external lighting at night and avoid the use of sodium lighting and other high-wattage light sources, except when necessary for vessel and crew safety.
- The NMFS will also recommend that all lights should be angled or shielded downward toward the surface of the water, except when necessary for safe vessel operation.

All injured and dead ESA-listed seabird species must be reported and carcasses retained to confirm proper species identification. In addition, the USFWS has asked NMFS to engage with fishing vessels operating in the northern Bering Sea to help document the occurrence of spectacled eider on the fishing grounds. The USFWS requests vessels voluntarily report other sightings of listed eiders using the *Threatened and Endangered Bird Species Encounter and Reporting Form* found here:

<https://www.fisheries.noaa.gov/alaska/bycatch/seabird-avoidance-gear-and-methods>.

## **U.S. Fish and Wildlife Service Update – Seabird Population Status and Trends in 2023; Migratory Bird Treaty Act Incidental Take Regulatory Process**

The U.S. Fish and Wildlife Service (USFWS) annually monitors select representative seabird species and colonies across Alaska. In 2023 seabird colonies were monitored in the Bering Sea, Aleutian Islands, Alaska Peninsula, and Gulf of Alaska. The results from monitored colony sites show reproductive success was generally average overall for several seabird species in Alaska (Figure 4). Offshore boat based surveys in the Gulf of Alaska continued to show lower abundance of murres, kittiwakes and storm-petrels in general. These results are consistent with observations in other post-heatwave years. Higher densities of murres and kittiwakes were

recorded east of Kodiak. This could suggest distributional shifts of forage fish prey for fish eating seabird.

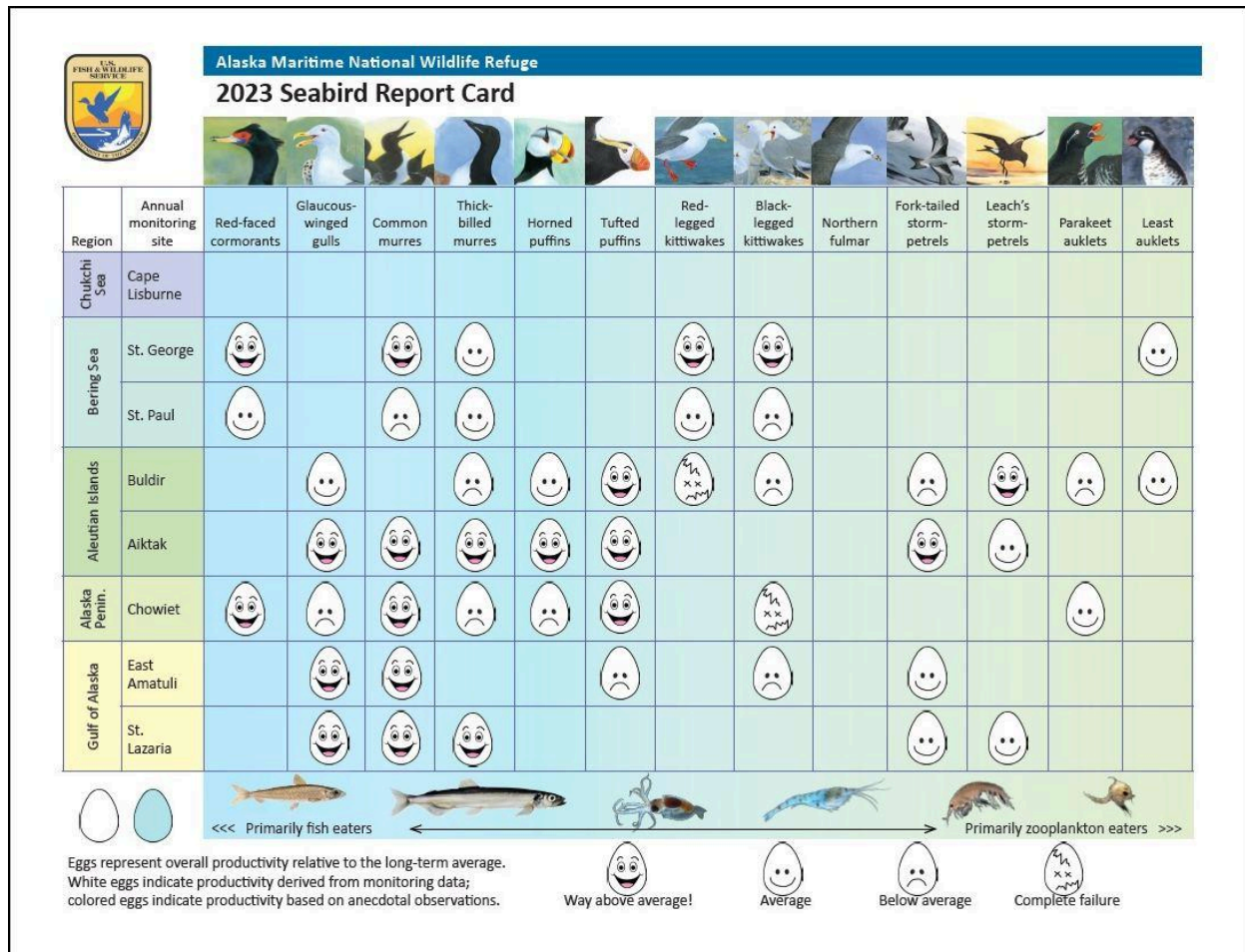


Figure 4. The 2023 Alaska Seabird Report Card summarizing seabird productivity at colony sites monitored by the U.S. Fish and Wildlife Service Alaska Maritime Refuge. "Way above average" means more than 1 standard deviation above the long term mean at that site. "Below average" means more than 1 standard deviation below the long term mean.

In 2023 seabird mortality events were reported in the Chukchi and Bering seas, and the Gulf of Alaska. The USFWS received fewer reports of seabird carcasses than in prior years. Beached murre and shearwater carcasses were documented in western Alaska and Akutan Island. Given the concern over Highly Pathogenic Avian Influenza (HPAI), a subset of carcasses was tested for HPAI. Some murre tested positive for HPAI while the shearwater carcasses were negative. The USFWS will continue to work with partners, including local community representatives, the State of Alaska, National Park Service, U.S. Geological Survey, National Oceanic and Atmospheric Administration, and the Coastal Observation and Seabird Survey Team to regionally monitor and respond to potential future seabird mortality events. Tracking these events is only possible through well-coordinated communication and dedication of partners.

The USFWS is continuing the process to prepare a proposed rule to authorize the incidental take of migratory birds under the Migratory Bird Treaty Act (MBTA). The goal of the frameworks is to improve the conservation of migratory birds and clarify the incidental take under the MBTA. The proposed rule is currently under development and will be published for public review and comments.

## **Other Updates**

### ***Alaska Fisheries Science Center Seabird Studies Planning***

During May-July 2021, a broad suite of stakeholders, partners, and collaborators participated in feedback sessions regarding a strategic plan for the Alaska Fisheries Science Center's Coordinated Seabird Studies group (CSS). We compiled feedback from 20 listening sessions and written responses, from 37 individuals, representing 22 different groups. The AFSC Science Plan and the National Seabird Program Strategic Plan were among the important reference documents used in support of this effort. This feedback supported development of a strategic plan for seabird related activities at the AFSC and was approved by AFSC leadership in December, 2021.

The goals of this plan are:

1. Monitor, assess, and respond to seabird bycatch trends.
2. Co-create and implement mitigation measures to reduce seabird bycatch.
3. Integrate and synthesize seabird data for ecosystem-based fisheries management (EBFM) efforts.
4. Contribute to, and summarize basin-wide seabird trends in support of EBFM.
5. Represent CSS initiatives and results nationally and internationally.

The challenges identified are:

1. Changes in the timing, distribution, and abundance of seabirds and their prey.
2. Changes in the timing and distribution of fishing effort.
3. Changes to fishing gear and/or fishing methods.

The full strategic plan is available at <https://doi.org/10.25923/wxtz-q514>. We thank all listening session participants for their valuable feedback and ideas for future work and foci. Staff involved in seabird-related activities at the AFSC will use the annual Activity Plan Prioritization process, continued outreach to clients and end-users, and available resources to determine specific work during each performance year.

### ***Trawl/Seabird Cable Interactions***

AFSC staff are completing several documents based on observer data collection of seabird mortalities related to trawl 3rd-wire, warp, and net entanglements that occur outside of the



species composition sampling. These seabird mortalities do not get reported in the Annual Seabird Report, which provides estimates based on observer species composition sampling. Collecting data on these additional mortalities pose some difficulties with randomized data collection, so a report summarizing just the mortalities observers have noted since 2010 is being prepared to be used in concert with the annual report.

### ***Seabird Mitigation Measure Research***

AFSC staff are coordinating with the National Seabird Program to implement a proof-of-concept trial to determine if UV-phased lighting could be a deterrent to procellariid (albatross, fulmar, and shearwater) interactions with vessels. This technology has been tested on airport runways with success. If the technology works on seabirds it could have wide application to reducing seabird mortalities and a follow-up collaborative study would be implemented.

### ***Seabird Observer Notes***

We previously reported that we are exploring the Seabird Observer Notes which address seabird/fishery interactions other than the direct mortalities reported by observers during their species composition sampling. Staff are currently using the vessel collision information component of these notes to summarize interactions by species, regions, and other factors. This work helps identify next steps in data quality control and other measures to make full use of this source of information.

### ***Outreach***

During the 2023 Working Group meeting, members noted that it had been a while since any outreach had occurred and expressed an interest in increasing outreach over the next couple of years. Various outreach options were discussed with the top suggestion being mailing out outreach materials from NOAA Fisheries and USFWS; and having Working Group members attend events where large numbers of industry members are present, such as ComFish Alaska or NPFMC Meetings. As such, NMFS will plan to disseminate draft seabird identification and vessel strike avoidance mitigation materials to vessels and will begin coordinating the development of new outreach materials for these fisheries.

Outreach materials and other information related to fisheries activities is located on the Alaska Region Seabird Avoidance Gear and Methods webpage:

<https://www.fisheries.noaa.gov/alaska/bycatch/seabird-avoidance-gear-and-methods>

Additional information on seabird bycatch in Alaska federal fisheries is available on the Alaska Region Seabird Bycatch webpage:

<https://www.fisheries.noaa.gov/alaska/bycatch/seabird-bycatch-alaska>

A limited number of streamer lines continue to be available for free to fishermen using hook-and-line gear in Federal groundfish and halibut fisheries off Alaska. Contact the Alaska Region - Sustainable Fisheries Division (907-586-7228) for more information.

Both NMFS and the USFWS are hoping to collaborate with industry stakeholders on these efforts to ensure these outreach materials are effective and useful. Staff from both agencies are ready to begin to engage with industry stakeholders to elicit input and feedback.