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SECRETARIA GENERAL DELMAR

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RECURSOS PESQUEROS Y
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NON OFICIAL TRANSLATION

The fisheries of Spain in the Regional Organization of Management of Fisheries in the Pacific South (SPFRMO) during the season 2009/2010

PRELIMINARY ASSESSMENT OF THE RISK OF CAUSE SERIOUS DAMAGE TO THE VULNERABLE MARINE ECOSYSTEMS AND PROTOCOL OF ACTION

Spain

This is a fishery initiated by Spain in this area in 2008, because before this date, the activity of the Spanish fleet in the South Pacific Ocean waters was performed principally with bottom trawl gears

1.-VESSELS PARTICIPANTS:

Name: ARNELA
Previous name: N/A
Registry number: LU-3 3-02
Radio Code International: ECAP
Port Basis: 24500 VIGO (Spain)
Vessel type: gillnet
Place of construction: Burela (Spain)
Date of construction: 2003
Length (m): 46,45
Large (m): 9,20
Deep (m): 3,90
Gross Tonnage: 651
Vessel owner: VAREPI S.L.
Owner address: Tinglado General Empaque oficina 17.Puerto Pesquero. 36202 Vigo (Spain)
Master Name: José Antonio García Novo
Type of art of fishing: gillnets
Type and number of the boat communication equipment: (INMARSATA, B and C)
Number of crew: 35-36
Engine Power: 1650 HP
Fishing Hold Number: 2
Total Hold Capacity (m3): 440 m^3

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Name: MAR DE MARIA
Previous Name: N/A
Registry Number: GC-1 5-02
International Radio Code: ECAJ
Port Basis: 82100 LA PALMAS (Spain)
Vessel Type: gillnet
Place of construction: Vigo (Spain)
Date of construction: 2003
Length (m): 43
Large (m): 9
Deep (m): 4,10
Gross Tonnage: 607
Vessel Owner: ROBROSIO S.L.
Owner Address: Tinglado. General de Empaque. 17. Puerto Pesquero. 36202 Vigo (Spain)
Master Name: Marcos Manuel Pérez Castro
Type of art of fishing: gillnets
Type and number of the boat communication equipment (INMARSATA, B and C):
Crew Number: 32-33
Engine Power: 1650 HP
Fishing Hold Number: 2
Total Hold Capacity (m3): 460 m^3

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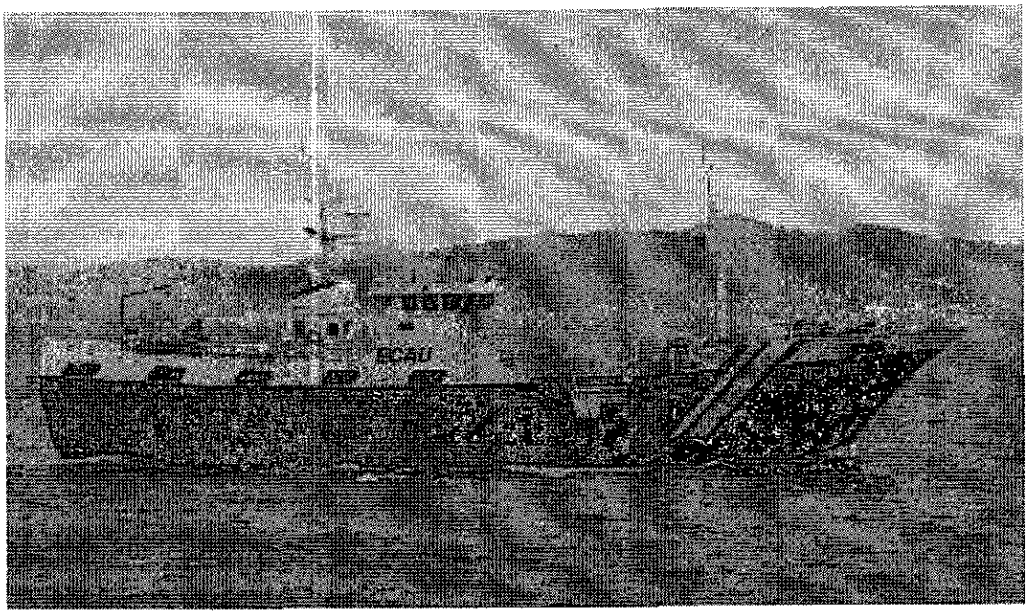
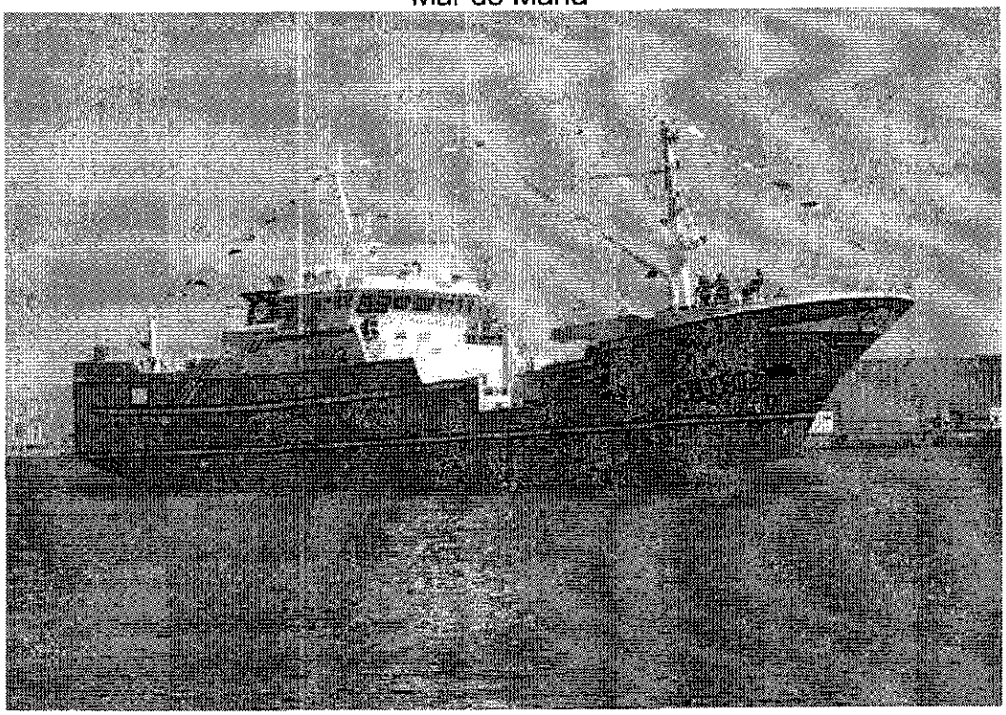
PHOTOGRAPHS



Mar de María



Arnela

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2.-INFORMATION OF THE FISHERY

Target species:

Vulgaris name	Scientific name	FAO code
Alfonsino	*Beryx SPP*	ALF
Brazilian codling	*Salilota australis*	SAO
Goat	*Sebastes Marinus*	REG
Royal Crab	*Paralithodes SPP*	KCS
Cardinal (Thomas)	*Epigonus Telescopus*	EPI
CAT	*Dalatias licha*	SCK
Wild boar	*Red Red*	RPG
Hake Southern	*Merlucius australis*	HKN
Mere	*Polyprion Americanus*	WRF
Arrears	*Arrears Moor*	RIB
Pailona	*Centroscymnus coelolepis*	CYO
Pompano Red	*Beryx Decadactylus*	BXD
Pompano Red - males	*Beryx Splendens*	BYS
Branch African	*Schedophilus velaini*	SEY
Branch Antarctic	*Hyperoglyphe Antarctica*	
Pampano the Pacific	*Psenopsis anomala*	BUP
Quelvacho Black	*Centrophorus squasmosus*	GUQ
Monkfish	*Lophius piscatorus*	MON
Pink	*Gerypterus blacoides*	COUS
Rufus	*Hyperoglyphe Antarctica*	BWA
Sapata	*Squalidae*	DGX
Tollo birdie	*Deania calcea*	DCA
Tollo	*Mustelus Lunulatus*	MUU
Wahoo –Bib	*Acanthocybium solandri*	WAH

-Fishing method:

Deep gill nets with weight to avoid its drift.

Depths vary in a range of 400 to 2.000 metres deep.

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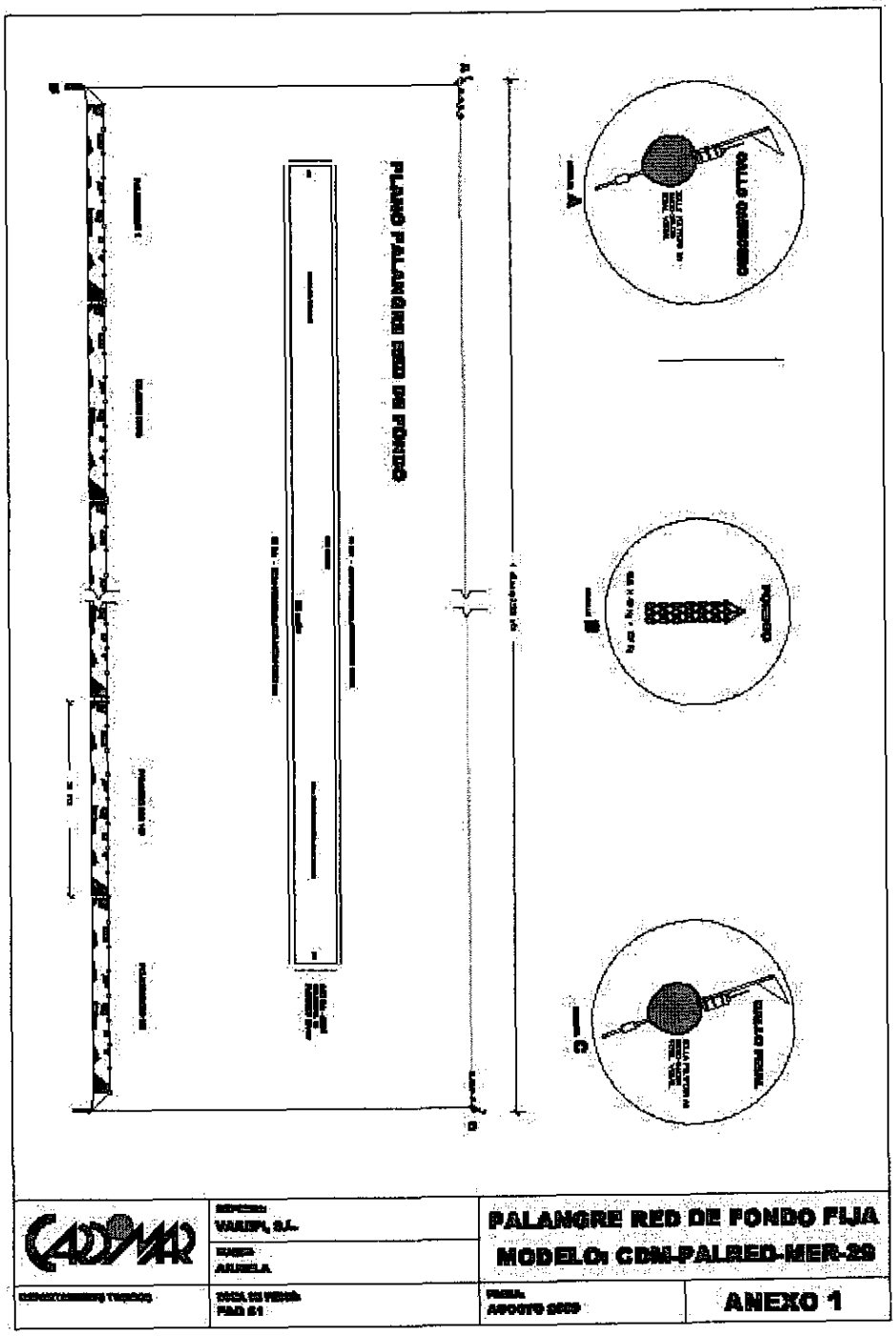
-Description of fishing gear



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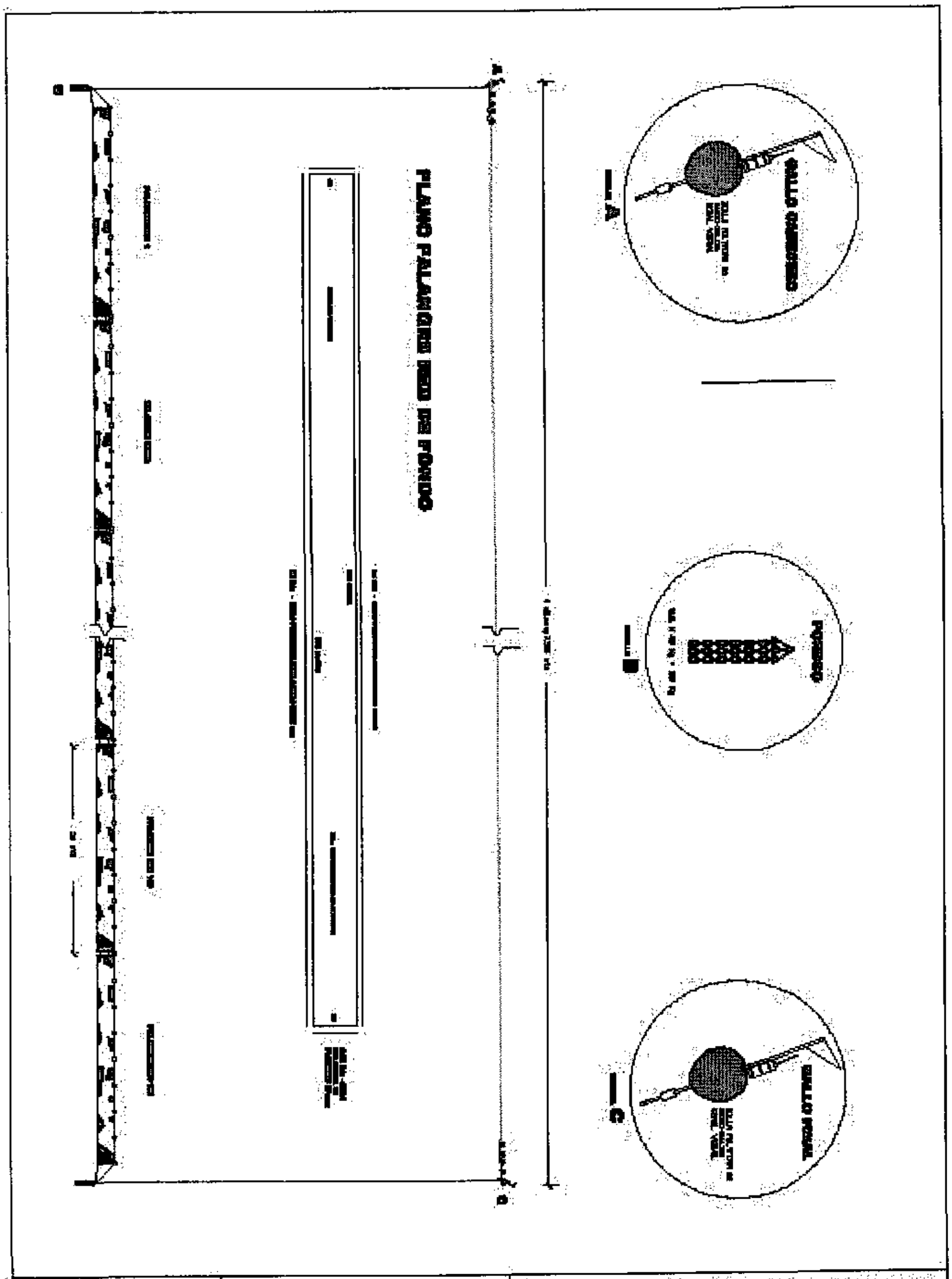

CADDMAR

PALANGRE RED DE FONDO FIJA

MODELO: CDM-PALRED-MER-29

ANEXO 1

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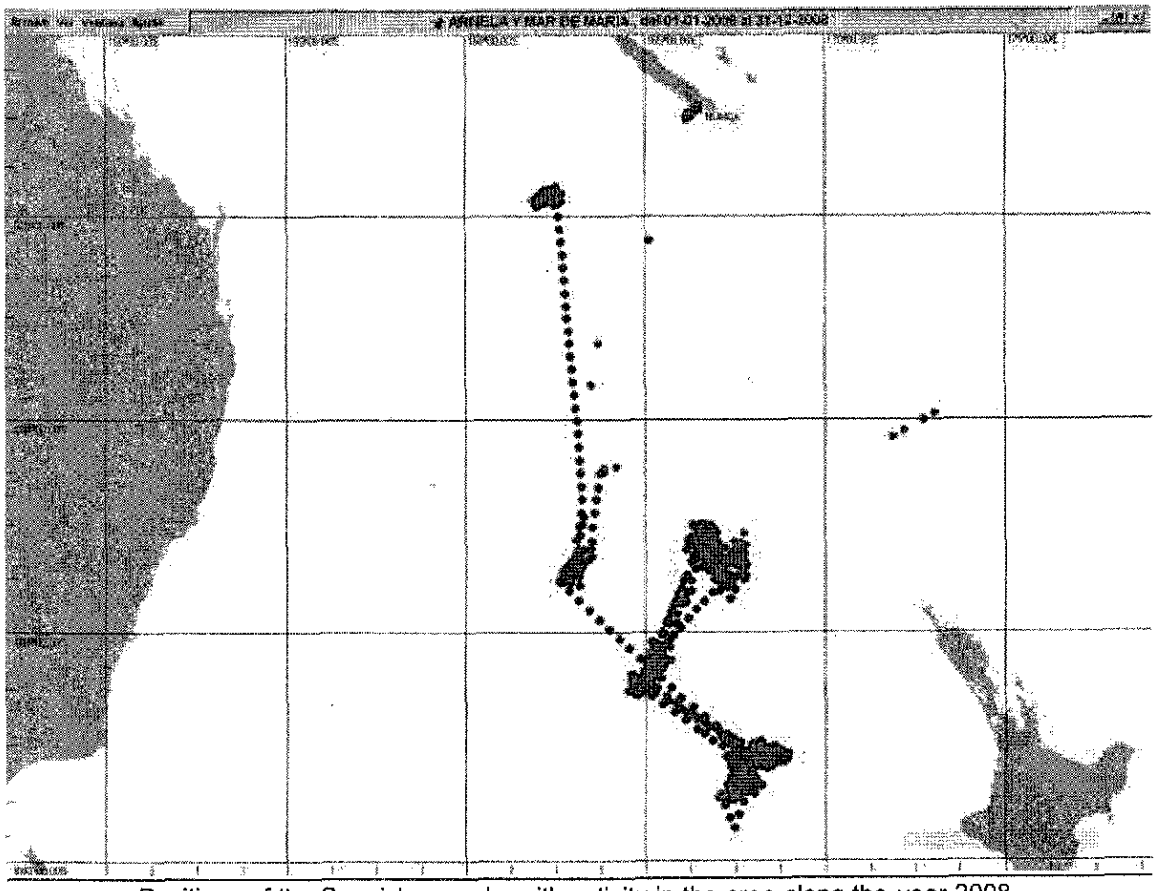
-Area which will be to develop the fishery

FAO 81 area, in areas know as Lord Howe, Challenger Plateau, West Norfolk and Three Kings Ridge, with previous bottom fishing activity, as are described in the New Zeeland "Assessment" (chapter 3.3. figure 10).



Positions of the Spanish vessels, with activity in the area along the year 2008.

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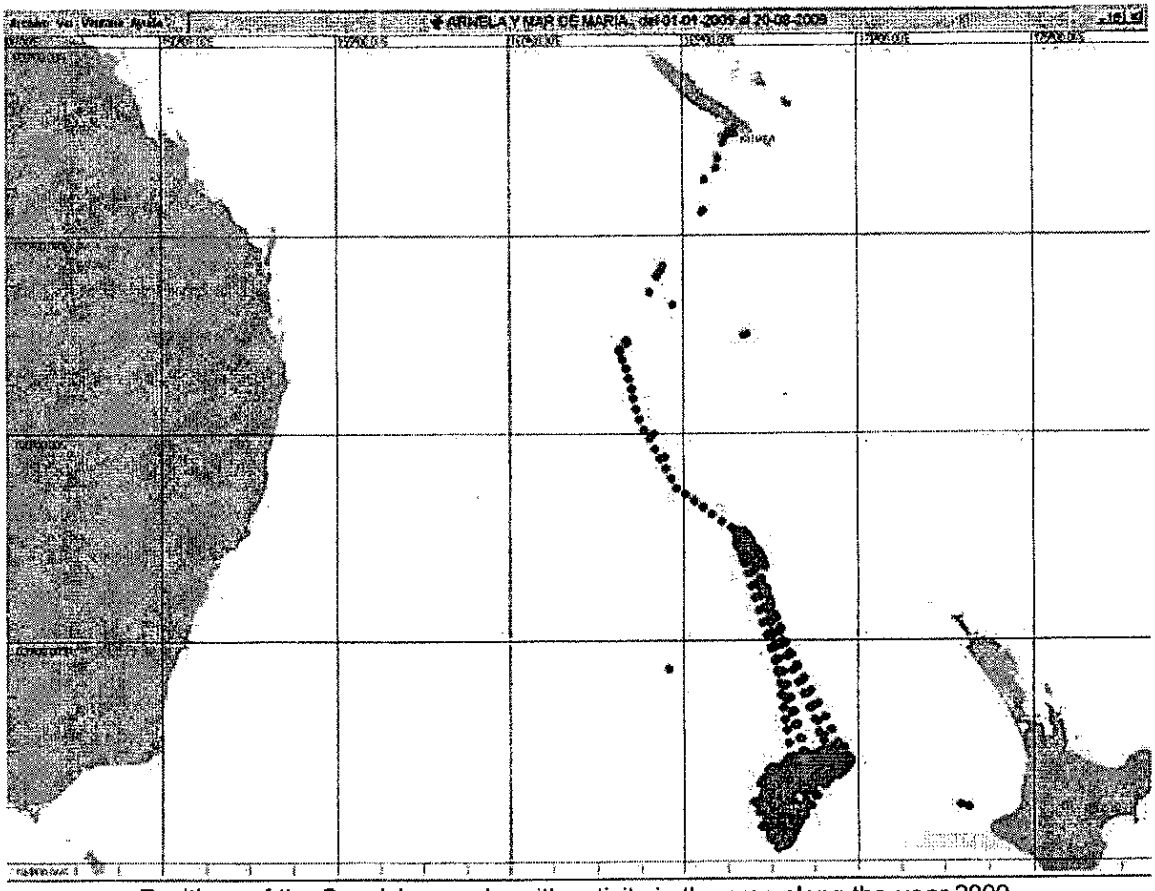

Positions of the Spanish vessels, with activity in the area along the year 2009.

3.-Probability of I cordially impart on vulnerable marine ecosystems:

To evaluate the impact caused by fishing gear you it is necessary the previous knowledge about the composition and abundance of species in the impacted habitat, in order to determinate its vulnerability and the possibility of a significant impact damage. As long as, there is not another evidence to considerer that the benthos captures are in proportion to the effort made.

The arts used for fishing are: the drift-net with weights in order to avoid its drift. The probability of impact, with that type of gear, taking into account the experience in similar fisheries in Spanish waters and the European Community waters, is considered very low and the impact of the gear does not seem to be significant.

The arts used are often regarded as less destructive than the arts like trawl to this type of habitats.

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4 VME Encounter Protocol

A protocol has been established of Action for the masters of vessels in case of encounter with a VME. This Protocol is the same than the established by the other RFMO where the Spanish fleets operate: NAFO and NEAFC.

This Protocol is:

(a) They have to evaluate the quantity of VME indicator species. Coral and sponge.

(b) Masters of vessels, if the amount of VME indicators exceeds the limits under indicated by haul, have to:

- Communicate the incident to the General Secretariat of the Sea
- ? To stop fishing and separate at least 5 nautical miles from the end point of the launch in the less likely direction lead to meeting additional. The captain will use his best view based on all sources available information

It is considered an encounter with vulnerable marine ecosystems (VME) when the occurrence of indicators VME exceeds the below reported limits:

-Are considered indicators of vulnerable marine ecosystems (VME)

- -Live corals (coral species) identified as antipatharios, gorgonians, cerianthidos, lophelias, and (sea pens)

- -Live sponges

-Limits should be by top of 100 kilograms of live coral by fishing lance or above 1,000 kg of alive sponge by fishing lance.

5 Measures adopted by Spanish Fisheries Administration

SCIENTIFIC EVALUATION:

All vessels lead during 100 % of its period of fishing have on board a scientific observer in order to collect data on encounters with VME indicators, and also data on fisheries resources, for his later study by the Spanish Oceanography Institute. Even when the Spanish fleet in these areas is limited to 2 ships, what is not allowing a comprehensive study in the visited areas, this study will always represent a contribution to the general knowledge of the area.

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At the end of each fishing trip the Observer makes a report on the activity developed by the vessel during this period

CONTROL MEASURES

Spain, as a flag State of these vessels, undertakes to verify and enforce all the conservation measures whish are adopted under this Organization.

1. **SATELLITE MONITORING SYSTEM (VMS)**

Boats are equipped with (VMS), satellite monitoring system as provided by the Spanish and the European Community Regulations , within and outside SPFRMO waters captains shall check before the port output the proper functioning of the same.

The Spanish Satellite Monitoring System is managed by the Centre of bcated in Madrid, the CSP, dependent on the General Secretariat of the Sea, which is monitoring and controlling the Spain vessels activity, If by SPFRMO it will ve establish a satellite tracking centralized, the CSP applied systems is conform to international procedures applied by Regional Organisations of Fishing like NAFO, NEAFC or ICCAT.

2. **COMMUNICATIONS**

? The ship owner company shall communicate, preferably via e-mail, or fax in the case of inability to use e-mail, to the Directorate of Fishery Resources and Aquaculture of the General Secretariat of the Sea (Spain) the following information:

? The date when the fishing activity begin and end, and the zone where it occur. Also the exit and entries in port, at least 72 hours in advance.

? The Master of the vessel shall transmit in the fist five days of each month a monthly declaration of catches of all species retained on board, from the activity developed over the last month, specifying the zone and the scientific name of the species captured.

? a week in advance, the date and place that will occur transhipments or direct landings in third countries.

3. **LANDINGS and TRANSHIPMENTS**

? In of 48 hours before the transhipments or direct landings in third countries, the ship owner company shall send the following data:

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? transhipments: it shall be recorded date and place of them or geographical coordinates (according to be in port or at sea), indicating the quantities in tonnes per species and presentation, name and flag of the vessel where the catches have been transhipped , as well as port of destination of such amounts.

? landings: direct in third countries: it shall be entered the quantities landed in tonnes per species and presentation, as well as place and country of disembarkation.

? The ship owners and captains of ships, must fulfil the obligations contained in article 17.2. Regulation (EEC) No 2847/93 by that establishing a system applicable to the common fisheries policy control It regards a:

? Comply a daily logbook in which the masters shall entered catches as it is established in the EU and Spanish regulations.

? To present a land declaration of catches as it is established in the EU and Spanish regulations.

4. <u>Mitigation Measures</u>:

In the development of the fisheries of the 2009 season, taking into account the study of previous years, there are not specific actions of the mitigation, because they have not been found areas that may be classified as vulnerable marine ecosystems, and impact of the gear seems to be not significant. There is not record of sensitive bethnic species in the catch, particularly vulnerable or habitat-forming species such as sponges, sea-fans or corals during the previous fisheries. Also, the positive buoyancy of the gear would make less aggressive the effect of scan/haymaking on the bottom which could act negatively on the sessile benthos, even it is not recover in the form of capture.

The probability of impact with this kind of gear, taking into account the results of previous seasons, is considered very low. During the last two fishing seasons has not recovered any indicator unit of VME.

Therefore, it is considered that this type of fishing seems to have a very low impact in these communities and the effect of scan/haymaking without capture, although it is difficult to assess, could be almost zero.

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There are not records of any marine mammals, seabirds or reptiles caught in the previous fisheries.

DESCRICION THE IMPACT

Given the low historical activity in the area (only worked by two vessels), the Spanish Government does not have adequate information currently to lead to out a own description about the expected impacts on vulnerable marine ecosystems

However, we can estimate the fishing areas where to reduce the effect of this fishery on vulnerable marine ecosystems in pursuance with the UNGA Resolution 61/105 using information provided by New Zealand on its impact assessment for 2008 and 2009.

Given that, as the areas where are fishing the Spanish vessels are the same, we provide that the expected impact is medium - low on the marine ground.

The extent of the impact on the seabed is limited to the fishing area because the gears are fixed gears, and lower to the referred by New Zealand because they do the evaluation for trawlers.

The duration of the impact on the seabed is small, because they are fixed gears, probably there will be no impact because they are intensively worked areas.

We do not expect to have **effect cumulative**.

The full importance of the impact total on vulnerable marine ecosystems is expected to be very low.

And also, the vessels are only permitted to work in the areas defined as appropriate to drag and to trawl in the report of New Zealand.

In reference to lost gears and the ghost fishing , we have not information the Spanish observers, However, we can refer to a paper of Pawson M.G. published in Fisheries Research vol. 64 (2003), page 101-105, which deal with catching capacity of lost fishing gears. In this paper the author concludes that " In most cases where nets were set on open ground in water <100m deep, their relative catching efficiency felt to below 20% within 1-4 weeks of being "lost", and their catching capacity reached zero within 3 months after deployment":

So we expect that lost gears must have some impact in the targeted and by-catch species but this impact will be decreasing with the time.

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