Scoping for modifications to the Atlantic Large Whale Take Reduction Plan: Phase 2

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Background

ALWTRP & Right Whale Population Decline



North Atlantic Right Whale Population in Decline Since 2010



Unusual Mortality Event: 2017 - present

~368 TOTAL WHALES IN 2019

<100

POTENTIAL MOTHERS

52

KNOWN MORTALITIES AND SERIOUS INJURIES

40

COW/CALF PAIRS SINCE WINTER OF 2016/2017

5

SERIOUS INJURIES AVOIDED VIA DISENTANGLEMENT

MORTALITIES

33 Known mortalities (9 US, 24 CN)
9 entanglements (4 US, 5 CN)
11 vessel strikes (3 US, 8 CN)
13 cause undetermined (2 US, 11 CN)

REPRODUCTIVE FAILURE

1 perinatal mortality

SERIOUS INJURIES

18 Known Seriously Injured (11 US, 4 CN)

- 14 entanglements (9 US, 5 CN)
- 2 vessel strikes (2 US)
- 2 cause undetermined (2 US)



Right whale mortality and serious injury in U.S. exceeds PBR



Atlantic Large Whale Take Reduction Plan

Required by MMPA if incidental mortality and serious injury in U.S. commercial fisheries exceeds Potential Biological Removal (PBR)

- Develop and recommend measures to reduce mortality and serious injury
- \circ Consensus-based
- NMFS ultimately is responsible for taking action

Atlantic Large Whale Take Reduction Team

- Right, humpback, and fin whales
- 60 member team including 23 fishermen
 - Southeast Members: Clay George (GA DNR), Tom Pitchford (FL FWCC), Bob Martore (SC DNR), Barbie Byrd (NC DENR), Charlie Phillips (SAFMC, BSB), Scott Buff (NC BSB), Charlie Locke (NC gillnet), William McClellan (UNCW), Raymond King (FL Blue Crab)







Completed Phase 1 in August 2021: Reduced risk in Northeast lobster and Jonah crab trap/pot

Currently in Phase 2: Reduce remaining risk coastwide



Phase 1 Summary

Rulemaking to reduce risk in Northeast lobster and Jonah crab trap/pot





Phase 1 of ALWTRP Rulemaking

Reducing Spatial Overlap of Right Whales and Gear

• Three new areas and all areas now open to ropeless with permits

Reducing the Number of Buoy Lines

• Trawling up

Reducing the Number of Buoy Lines

 Reducing risk of severe injury with weak inserts and weak line so that whales may be able to break free if entangled

Improving Information on Entanglements

- More marks per line
- New state or area specific colors
- Unique marks in federal waters



Phase 2

Scoping for possible measures for NMFS to consider that will further reduce entanglement risk



Phase 2: Overview

Need to reduce remaining risk coastwide

- Moving towards a risk reduction target that accounts for estimated mortality ~ 80%
- Currently re-assessing the target with new information and new PBR (0.7)

ALWTRT meetings began in spring of 2021

- Baseline distribution and risk
- Generated initial ideas (does not imply broad consensus for future team recommendations for rulemaking)





Phase 2 Modifications to the ALWTRP



Additional ways to provide input/public comment

1. Written comment:

- Comments must be submitted by October 21, 2021.
- Written comments can be submitted at any time to nmfs.gar.alwtrt2021@noaa.gov

2. Speak to someone during Call-In days

- Friday, October 1, 2021, Noon to 6 p.m.
- Monday, October 4, 2021, 8 a.m. to 3 p.m.
- Tuesday, October 12, 2021, 10 a.m. to 4 p.m.

3. Attend Additional Public Scoping Meetings

Date	Gear Type	States
Sept 9 (Thurs)	Trap/Pot	Delaware, Maryland, Virginia and Northern North Carolina
Sept 14 (Tues)	Trap/Pot	Rhode Island, Connecticut, New York, and New Jersey
Sept 21 (Tues)	Trap/Pot	Maine, New Hampshire, Massachusetts, and Rhode Island
Sept 23 (Thurs)	Gillnets	Rhode Island, Connecticut, New York, and New Jersey
Oct 5 (Tues)	Gillnets & Trap/Pot	Southern North Carolina, South Carolina, Georgia, and Florida
Oct 12 (Tues)	Gillnets	Maryland, Delaware, Virginia, and Northern North Carolina
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*Recordings of previous meetings will be available by using the registration link.

Analysis of co-occurrence

- Decision Support Tool (NEFSC)
- Monthly co-occurrence = whale density x gear density
 - **Right whale density:** predicted based on sightings and environmental data
 - Gear density: buoy lines and nets (including net height)





Reduce overlap between right whales and gillnet gear



- Reduce soak times
- Restrict overnight soaks
- Minimum/maximum number of nets on a string
- Evaluate the use of tie-downs
- Hybrid ropeless gillnet
 - E.g. one end ropeless, other end weak rope



Southeast GILLNET (FL to Cape Hatteras, NC) Co-occurrence



Total CoOccurrence Score, Log-Scaled - Default

Whale Habitat Score, Log-Scaled



Reduce overlap between right whales and trap/pot gear



Change minimum traps/trawl

- Increase minimum traps/trawl (not in SE calving area)
- SE: Singles only with weaker gear

Trap caps

- Fish pots, blue crab, whelk
- Any fisheries with no cap

Mirror final rule from Phase I to other trap/pot fisheries

- Minimum trawl length
- 1,700 lb line
- Restricted Areas
- Weak Inserts
- Gear Marking



Southeast TRAP POT (FL to Cape Hatteras, NC) Co-occurrence

Total CoOccurrence Score, Log-Scaled - Default



Whale Habitat Score, Log-Scaled



Phase 2: Scoping Topics for Restricted Area Risk Reduction



Re-evaluate existing restricted areas:

- Allow ropeless testing
- Include SE Black Sea Bass fishery management closures in the Plan
 - Consideration of opening closures to ropeless fishing



Phase 2: Scoping Topics for Restricted Area Risk Reduction

What is being considered for other areas:

- Rolling restricted areas or delayed fishing season up the coast in Mid-Atlantic with whale density
- Southern New England restricted area
- Dynamic management



Phase 2: Scoping Topics for Gear Marking



- Change mark length
- Modify gear marking to show greater resolution between:
 - Different states
 - State and Federal Waters
 - U.S. vs Canada
 - Gear type



Phase 2: Scoping Topics for Gear Strength



- Require maximum 1,700 lb breaking strength rope or regular inserts in buoy line (40-60 ft)
- Expand gear modifications such as weak inserts in gillnets to year round in the mid-Atlantic
- Weaker weak inserts with a smaller anchor in gillnet panels



Phase 2: Scoping Topics Involving Fishing Effort Management

- Cap latent effort in gillnet fisheries
- Consider limited entry for open access fisheries, e.g. skate fishery
- Consider challenges determining effort and managing unmanaged fisheries (eg. striped mullet, blue catfish caught in gillnets)
- Cap number of traps
- Reduce soak times
- Implement minimum/maximum number of nets on a string
- Develop triggers for documented take in critical habitation or restricted areas





Input needed: How to reduce right whale entanglement risk

- Input on the possible measures presented today
- Additional measures NMFS should consider to reduce right whale entanglement
 - Gear or effort reduction
 - Restricted areas
 - Reducing gear strength or lethality
 - Improving gear marking
 - \circ Ropeless fishing areas
- Information on whale distribution, ecology, and behavior
- Information on how you fish:
 - How long does it take you to modify your gear (i.e. add panels, add weak rope)
 - If you fish in an area that requires weak links, do you use them outside of the required period or do you re-rig your gear?
 - $\circ~$ When do you maintain your gear?



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Questions