

*Science, Service, Stewardship*



# ESA Section 7 Consultation, Smalltooth Sawfish, and the South Atlantic Shrimp Fishery

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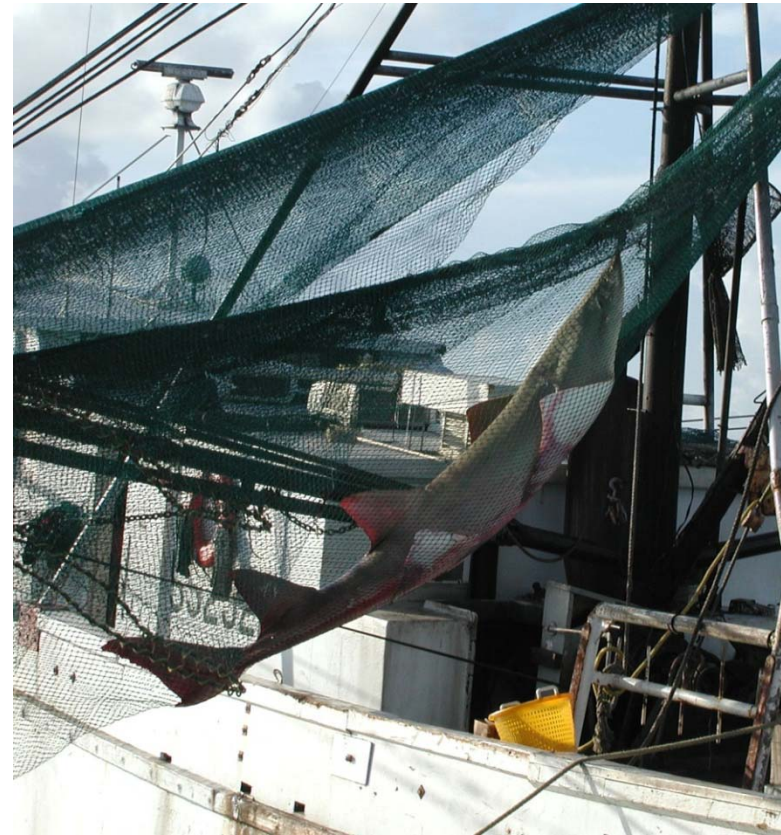
**NOAA  
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SERVICE**

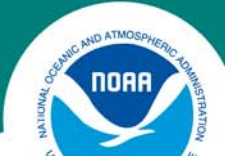
March 2, 2010



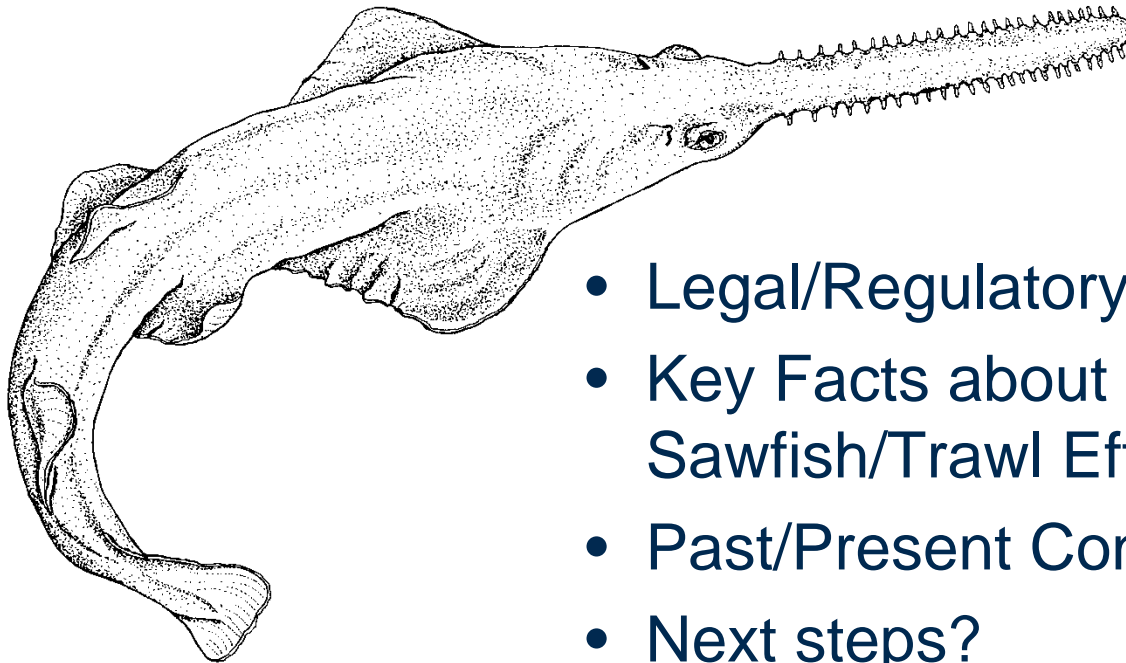
## Presentation Objective

- To facilitate meaningful discussion about:
  - Effects of the shrimp fishery on smalltooth sawfish
  - Potential measures that could be taken to minimize the shrimp fishery's effects on smalltooth sawfish
- To provide you with some fundamental facts to inform your decision on how you wish to proceed





## Presentation Overview



- Legal/Regulatory Framework
- Key Facts about Smalltooth Sawfish/Trawl Effects
- Past/Present Consultation History
- Next steps?



## ESA Section 7 Requirements and Fisheries

- **Section 7(a)(1) Affirmative Conservation Mandate:** All Federal agencies shall use their authorities to carry out their programs for the conservation of endangered & threatened species.
- **Section 7(a)(2) Duty to Avoid Jeopardy:** Each federal agency must ensure that any action authorized, funded, or carried out by them is not likely to jeopardize the continued existence of any T/E species.
- Section 7(b)(3): At the conclusion of the **formal consultation, process**, a written statement (i.e., **Biological Opinion**) detailing how the action will affect T/E species must be issued



## Effects/Jeopardy Analysis



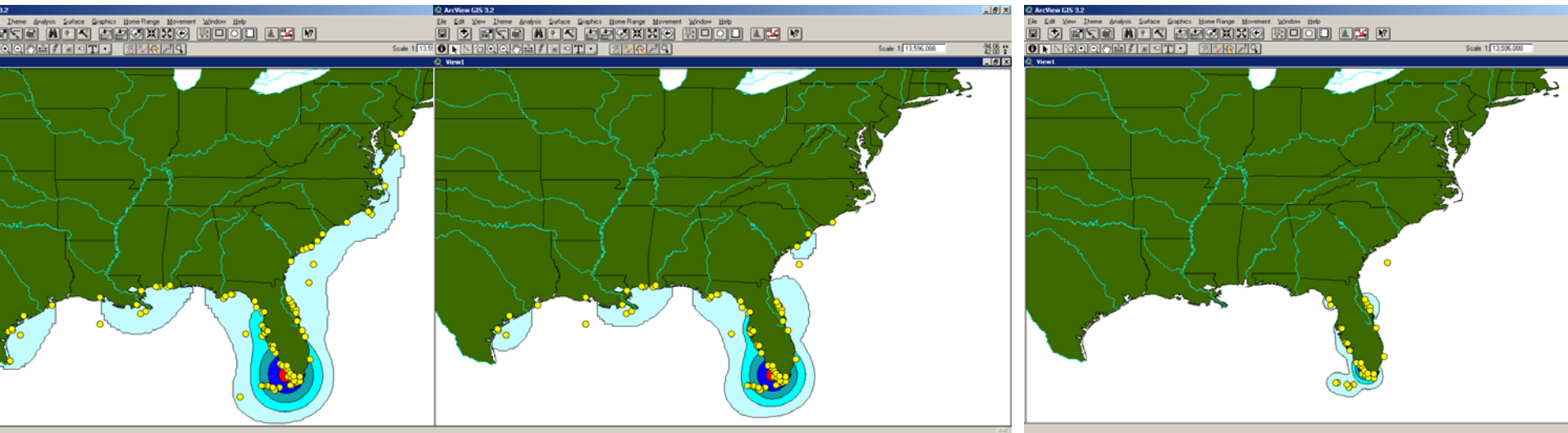
- An action that would be expected, directly or indirectly, to reduce ***appreciably*** the likelihood of ***survival and recovery*** of a listed species in the wild **by reducing the reproduction, numbers or distribution** of that species  
= "Jeopardize the continued existence of"
  - Adds the effects of a federal action *on top* of the effects of other human activities and natural phenomena on the species' status and trend in a particular action area and the species' global status and trend.





## Key Sawfish Facts:

- Listed as endangered 4/2003
- Primary reason for decline = bycatch in fisheries
- Secondary= habitat loss and degradation





## Recovery Plan:

- Completed in January 2009
- Recovery strategy objectives=
  1. Minimize human interactions and associated injury and mortality
  2. Protect and restore smalltooth sawfish habitats.
  3. Ensure smalltooth sawfish abundance increases substantially and the species reoccupies areas from which it has been previously extirpated

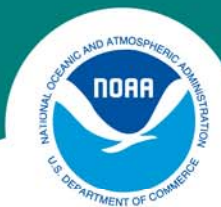


## Key Sawfish Facts: Habitat Requirements & Limiting Factors

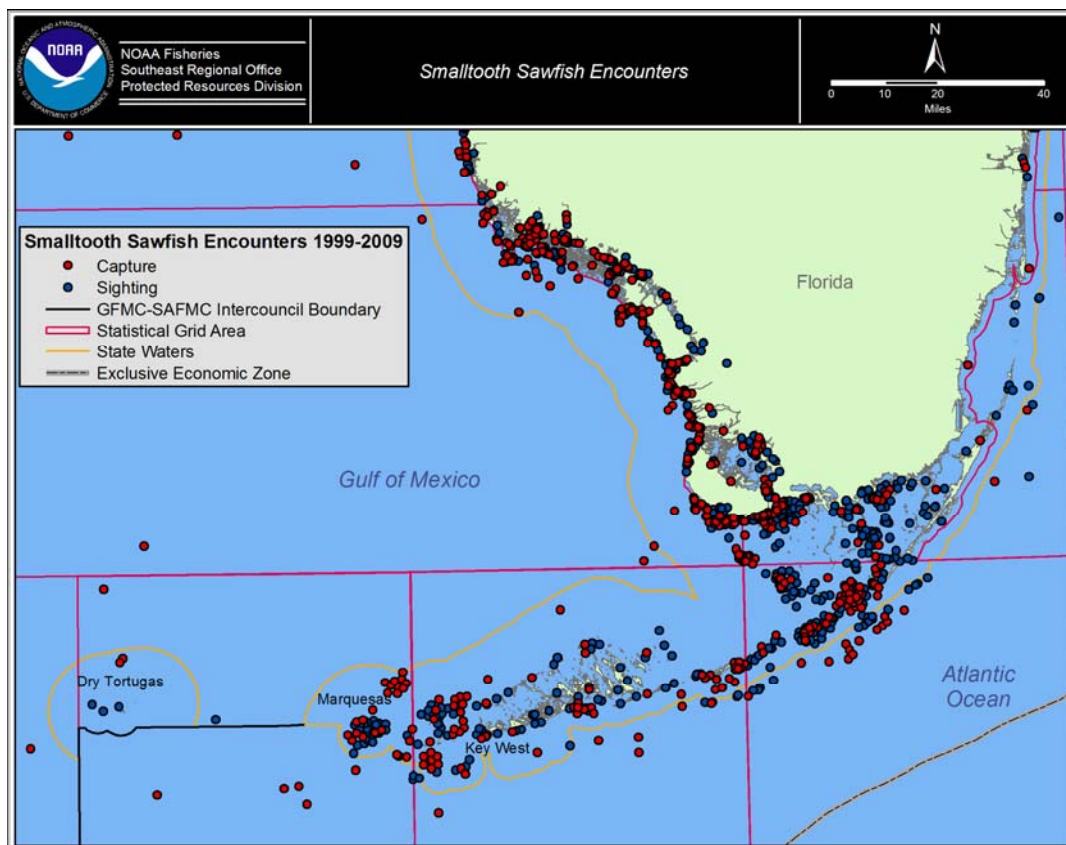
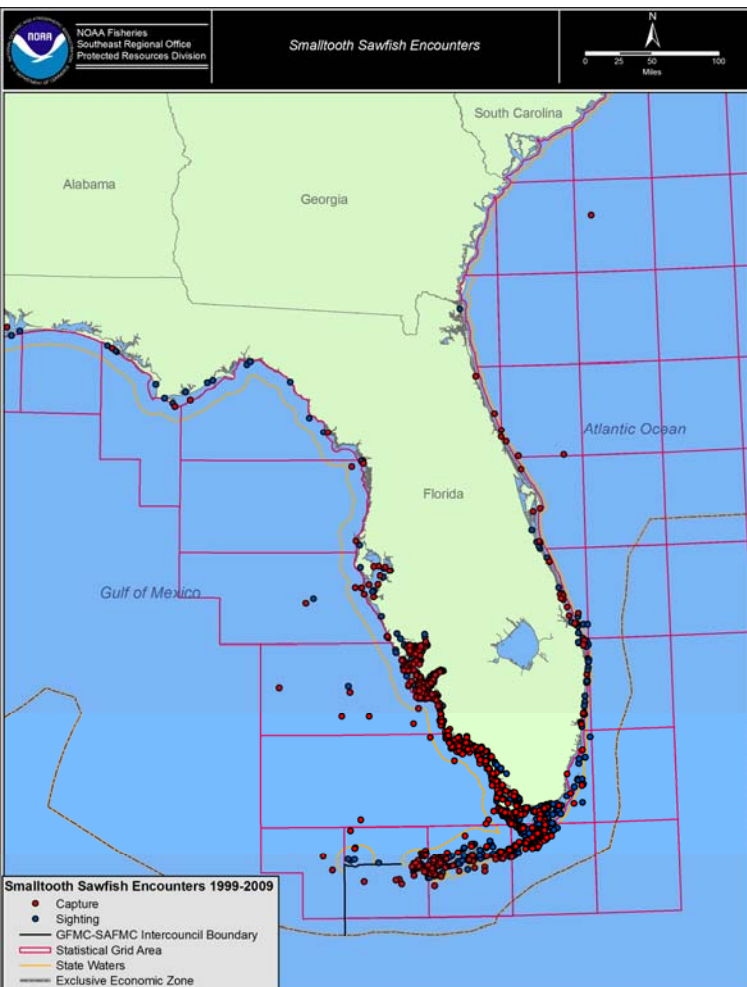
- Juveniles remain in shallow coastal waters; adults can be found in same habitat, but also offshore at depths up to at least 122 meters
- Life history limiting factor for recovery: slow growing, late maturing, few young born







## Key Sawfish Facts: Distribution & Abundance





## Key Sawfish Trawl Effects

- Shrimp trawl fisheries associated with high mortality
- Recovery plan identifies the severity of the threat of injury from trawl entanglement as high
- Data from Australia's Northern Prawn Fishery indicate sawfish are commonly taken in shrimp trawls



## Other Actions Adversely Affecting Sawfish in the EEZ

Federal Fisheries	Estimated 3-Year Incidental Take
HMS Shark longlines/vertical lines	51 (1 lethal, rest nonlethal)
Snapper-Grouper vertical lines	8 ()nonlethal
Coastal Pelagic gillnets	2 (nonlethal)
Stone Crab trap lines	1 (nonlethal)
Spiny Lobster trap lines	2(nonlethal)

Biological opinions available online at:

<http://sero.nmfs.noaa.gov/pr/Section7FisheryBiologicalOpinions.htm>



## 2005 South Atlantic Shrimp Biological opinion

- Analyzed newly listed sawfish only
- Anticipated one lethal capture annually, based on opportunistic self-reported captures
- Concluded fishery not likely to jeopardize ...
- Included an incidental take statement with reasonable and prudent measures and implementing terms and conditions to minimize post-release mortality and monitor take



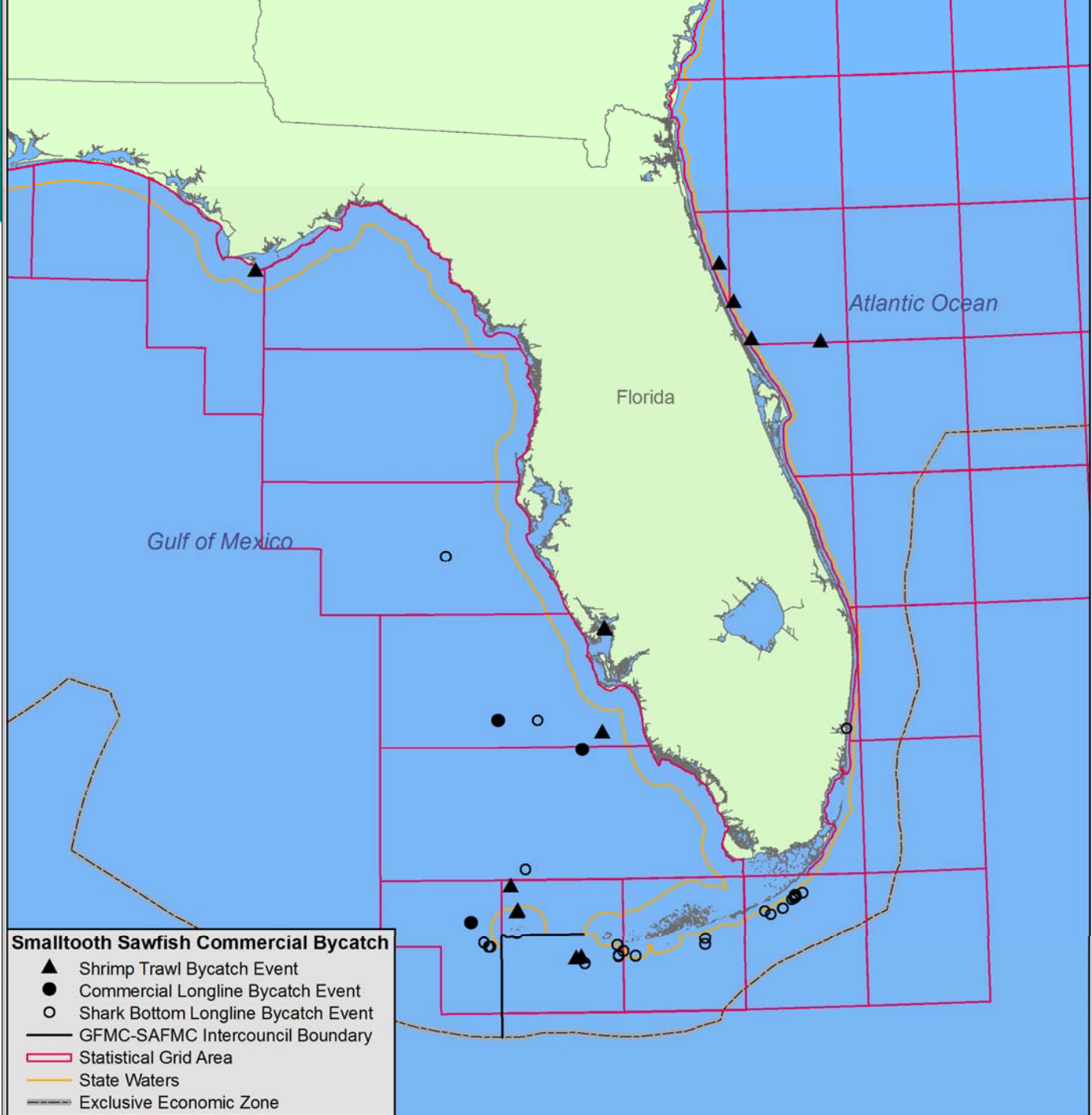
## Reinitiation of Formal Consultation on the Shrimp Fishery

- SERO, Sustainable Fisheries Division formally requested reinitiation of section 7 consultation on May 9, 2009, to address exceeding authorized take
- Formal Consultation Timeline:
  - 135 days, *once all necessary information received*, including description of proposed action
- New opinion must be based on the best available scientific and commercial information; Err on the side of conservation for the species





Map  
excludes  
two recently  
observed  
trawl takes  
in the Gulf



**Smalltooth Sawfish Commercial Bycatch**

▲

 Shrimp Trawl Bycatch Event

●

 Commercial Longline Bycatch Event

○

 Shark Bottom Longline Bycatch Event

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 GFMF-SAFMF Intercouncil Boundary

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 Statistical Grid Area

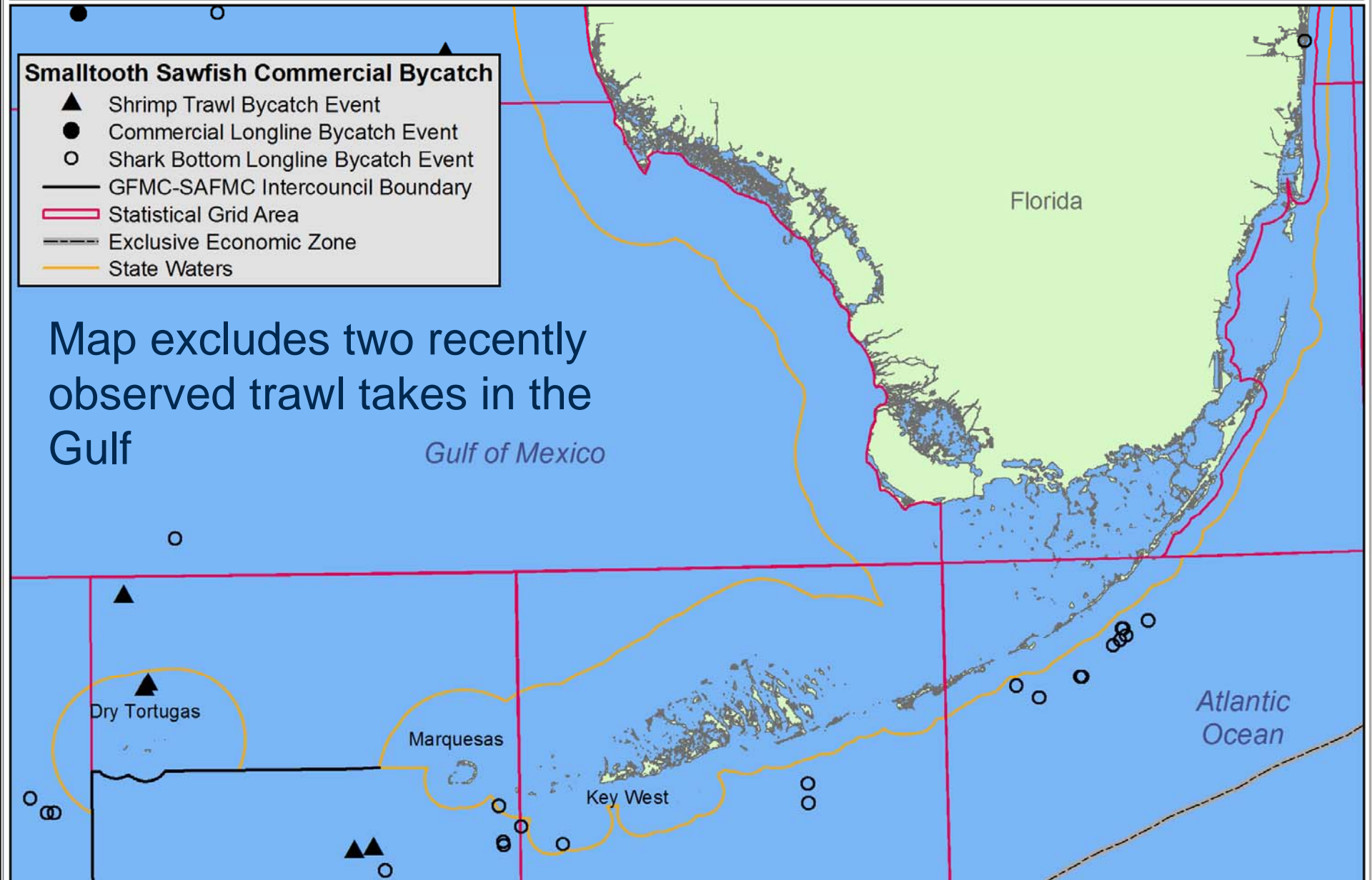
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 Exclusive Economic Zone

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 State Waters

Map excludes two recently observed trawl takes in the Gulf





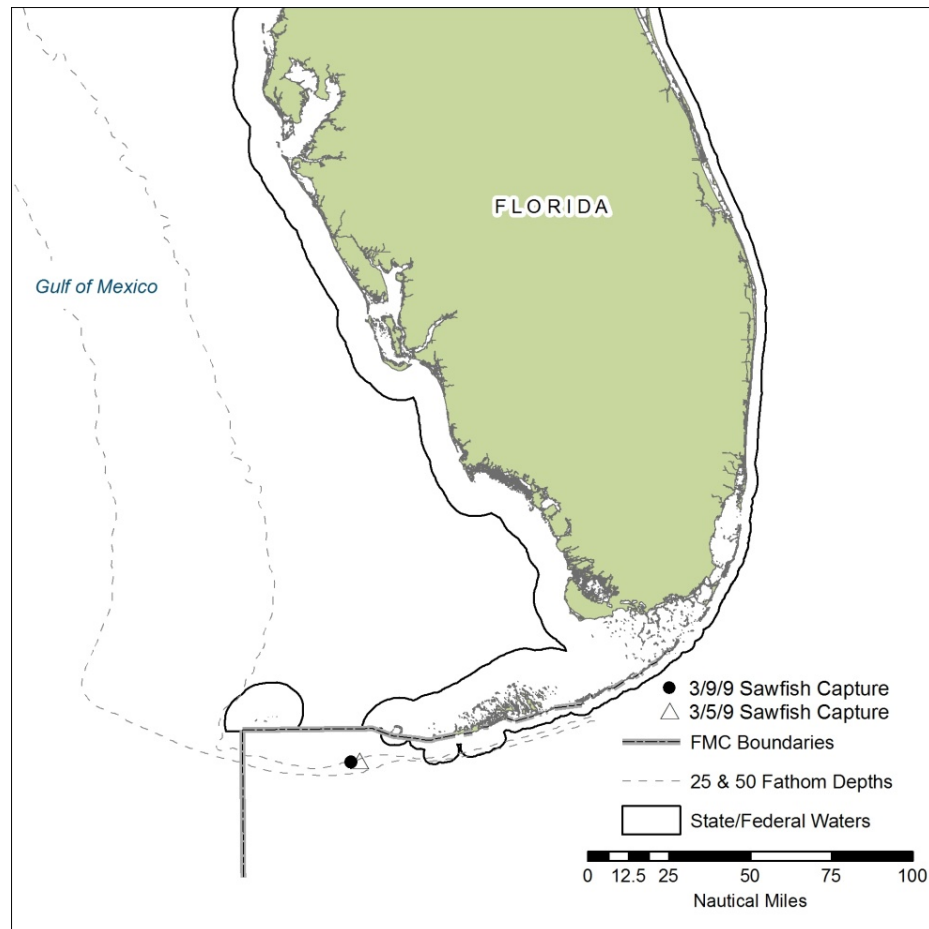


## 2008 Sawfish Captures in the South Atlantic Shrimp Fishery





## 2009 Captures in the South Atlantic











## Next Steps and Questions for YOU

- How much fishing effort occurs near where smalltooth sawfish interactions in the South Atlantic have occurred?
- What actions can be taken to avoid and minimize mortality of smalltooth sawfish captures?