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FISHERIES

Agenda Item D.6.a
Supplemental NMFS PPT1
September 2020

Update on Humpback Whale ESA Consultation

September 2020 Virtual Presentation to the
Pacific Fishery Management Council

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Overview

- Seeking Council feedback on the scope of the opinion and the potential conservation measures outlined in the NMFS Report
- NMFS Report represents the full breadth of what we are currently considering
- Goal - finalize opinion later this fall



Background

- 2012 Biological Opinion – groundfish fishery likely to adversely affect, but not likely to jeopardize humpback whales.
- NMFS reinitiated because two criteria were met:
 - (1) a change in the species listing
 - Global humpback whale population to Distinct Population Segments (DPS)
 - (2) an exceedance of the incidental take amount
 - Council’s Groundfish Endangered Species Workgroup Report– April 2019



Process Used in this Consultation

Step 1 – Endangered Species Workgroup

Step 2 - Council reviews Workgroup report

Step 3 - NMFS works on draft analysis

Step 4 - Council feedback on draft proposed action and potential conservation measures

Step 5 - NMFS finalizes the Opinion

Post Consultation Action (if necessary) - Specific regulatory proposals or operational changes to the fishery are developed through the Council process



Proposed Action

- Proposed Action - Continued operation of the Pacific Coast groundfish fishery
- Tribal and non-tribal groundfish fisheries
- Commercial and recreational groundfish fisheries
- State fisheries are not themselves part of the proposed action
- Evaluates Mexico DPS (threatened) and the Central America DPS (endangered), as well as proposed critical habitat

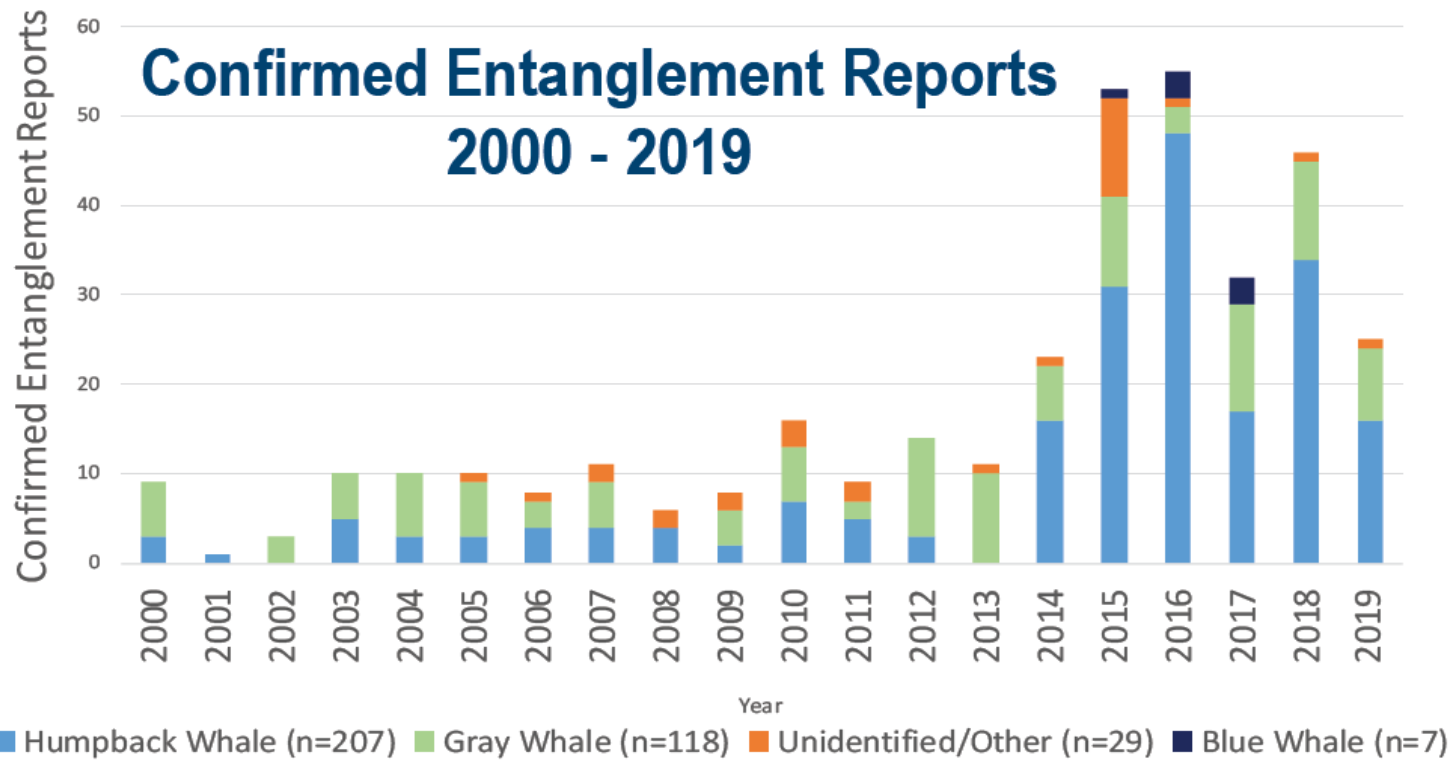


Proposed Critical Habitat

- Evaluating now to save time and decrease likelihood of future reinitiation
- Prey is the only physical and biological feature
- Pacific sardine, northern anchovy, and Pacific herring are prey species caught as bycatch
- Preliminary evaluation - fishery has limited impact on humpback whale prey availability



Entanglement Issue and Sablefish Pots



- Since 2011 – 194 confirmed humpback entanglement reports on U.S. West Coast
- 119 identified to source; 4 in sablefish pot gear

West Coast Developments

- Conservation Plans for Dungeness crab fisheries under development by all 3 States
- Measures being implemented/considered include:
 - Trap limit reductions in late season
 - Enhanced marking (buoys, lines, summer tags)
 - Time-area closures/depth restrictions
 - Dynamic risk assessment/response (CA RAMP)
 - Electronic monitoring of fishing effort
 - Minimizing surface gear/slack line
 - Opportunities for alternative gear



Latest Science

- Entanglement Science – Recent Workshop
 - Predictive whale models/monitoring tools, fishery monitoring and socio-economic analysis/tools
 - Habitat compression and entanglement risks
 - Evaluating trade-offs between risk reduction vs economic impact
 - Barriers to gear innovation
 - Updated humpback whale abundances/distribution information
 - Photo ID and scarring rates



Analytical Approach

- Projecting potential future bycatch using historical observer data/bycatch estimates
- Opportunistic reports used to ground truth anticipated impacts from estimates
 - A number of whale entanglement records cannot be identified to specific fisheries
 - Possible some entanglements with unidentified origins are from groundfish gear
 - Compared estimates to potential contribution of groundfish gear to opportunistic record

Analytical Approach – cont'd

- Entanglement risk at DPS level - Examining fishing effort distribution (observer and landings data) to determine fishery overlap with relative distributions of DPSs
- Anticipate effects: Looking at one-year and five-year time periods
 - Provides industry coverage in a high bycatch year while monitoring impacts to humpback whales over the long term



Conservation Measures

Considering adding the following conservation measures to this Opinion:

1. Enhanced marking of groundfish pot gear
 - Line marking
 - *Example* - proposed WDFW crab regulations (October 2, 2019)
 - Additional markings on buoys/surface gear
 - *Example* - CDFW Commercial Trap Gear marking regulations



Conservation Measures - cont'd

2. Have NMFS provide guidance to the Groundfish Endangered Species Workgroup on groundfish fishery bycatch issues
3. Encourage the exploration and implementation of tools to help reduce real-time geographic overlap of whales and the pot fishery
4. Promote development and testing of gear modifications



Conservation Measures - cont'd

5. Consider development of coast-wide Federal fixed gear logbook
6. Track gear configuration characteristics through logbook/observers
7. Encourage observer coverage at or above historic levels in Open Access fishery
8. Assess lost and stored pot/gear
 - Track lost gear through the logbook and minimize at-sea loss. Promote use of appropriate gearfinder technology.
 - Study and encourage minimizing the impact of storing sablefish pot/trap gear at-sea. Provide additional regulations, if needed.





Questions?

**Humpback whale - *Megaptera novaeangliae* – breaching.
(NOAA Photo Library)**



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