

# Agenda Item F.2 Humpback Whale Endangered Species Act (ESA) Consultation

## Council Action:

- Provide Guidance on the Development of Management Measures to Satisfy the Terms and Conditions of the Humpback Whale ESA Consultation, as Appropriate

DRAFT-NOT FOR ADMINISTRATIVE PURPOSES

## F.2 Humpback Whale ESA Consultation - ODFW motion

I move the Council:

1. Regarding Term & Condition #1, feasibility study of additional pot gear marking regulations, including determination of whether additional gear marking would increase NMFS' ability to attribute humpback whale entanglements to specific fisheries, and identification of potential modifications to pot gear regulations that could reduce incidental take of humpback whales:

- a. Request that NMFS engage directly with state agencies, tribes, and industry to understand existing and planned measures regarding whale entanglement, which include but are not limited to those described in reports from the west coast states under this agenda item.
- b. Recommend that NMFS hold one or more workshops with fishing industry members to develop any potential new management measures related to this action.
- c. Use dedicated Council meeting agenda items to consider and provide input to NMFS on draft new management measures prior to finalization of any regulatory changes.

2. Regarding Term & Condition #2, review of the Terms of Reference for the Groundfish Endangered Species Workgroup (GESW) and priority of needs associated with incidental humpback whale bycatch in groundfish fisheries:

- a. Membership. As currently allowed under "Other representatives as determined by the Council", add a representative of the Groundfish Advisory Subpanel (GAP). The GAP chair will designate a GAP member or alternate to serve as the GAP representative on the GESW to provide the appropriate expertise based on GESW meeting topics (similar to STAR panels). This addition should occur prior to the GESW meeting scheduled for April 2021.

3. Regarding T&C 3, relating to observer coverage: encourage NMFS to consider additional data sources including logbooks and electronic monitoring (EM), and use the most cost-effective means to obtain scientifically defensible humpback whale bycatch estimates and reduce uncertainty.

4. Regarding Term & Condition 4, review and consider measures for maximizing the utility and benefit of EM with respect to gathering information from any future bycatch events of humpback whales:

a. Recommend that NMFS ensure consultation with vessel captains about any humpback whale interactions detected through EM data as soon as possible after the event occurs.

b. Recommend that NMFS consider including this topic in the industry workshop(s) proposed in 1.b

Moved by: Maggie Sommer

Second by: Marci Yaremko

Motion passed unan.

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