

Pacific Offshore Cetacean Take Reduction Team Meeting July 31, 2013

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DISCLAIMER: This is intended to support deliberations of the Federally-appointed Pacific Offshore Cetacean Take Reduction Team. Documents are not considered “final” unless specifically noted as such.

Meeting Objectives

- Update the Team on sperm whale (CA/OR/WA stock) status, sightings and bycatch data and analysis
- Elicit Team input on possible *short-term* measures to reduce sperm whale mortality/serious injury in the CA drift gillnet fishery to insignificant levels approaching zero; strive for consensus, as possible
- Review and discuss next steps, including follow-on Team deliberations to develop longer-term solutions

Team Membership Updates

- Chuck Cook (The Nature Conservancy) replaced Vicki Cornish to represent environmental/conservation
- Michelle Horeczko (CDFW) replaced Dale Sweetnam as the state representative
- David Laist (Marine Mammal Commission) is a new member; Dennis Heinemann (MMC) will serve as a new alternate member
- David Haworth (commercial fisherman) will serve as Arthur Lorton's alternate to represent industry

Pacific Offshore Cetacean Take Reduction Plan

- Team convened in 1996. CA DGN fishery had historic takes of several species of beaked whales, sperm whales, pygmy sperm whales, short-finned pilot whales, and humpback whales
- Regulations effective October, 1997
 - All extenders must be ≥ 36 feet
 - Pingers must be used on all sets and meet required specifications
 - Skippers must attend workshops (when notified)

Annual drift gillnet permits issued and number of active vessels, 1980–2012

Year	Active ¹ Vessels	Permits Issued	Year	Active ¹ Vessels	Permits Issued
1980	100	*	1997	108	120
1981	118	*	1998*	98	148
1982	166	*	1999	84	136
1983	193	*	2000	78	127
1984	214	226	2001**	69	114
1985	228	229	2002	50	106
1986	204	251	2003	43	100
1987	185	218	2004	40	96
1988	154	207	2005	42	90
1989	144	189	2006	45	88
1990	134	183	2007	46	86
1991	114	165	2008	46	85
1992	119	149	2009	46	84
1993	123	117	2010	27	73
1994	138	162	2011	19	76
1995	117	185	2012	16	n.a
1996	111	167			

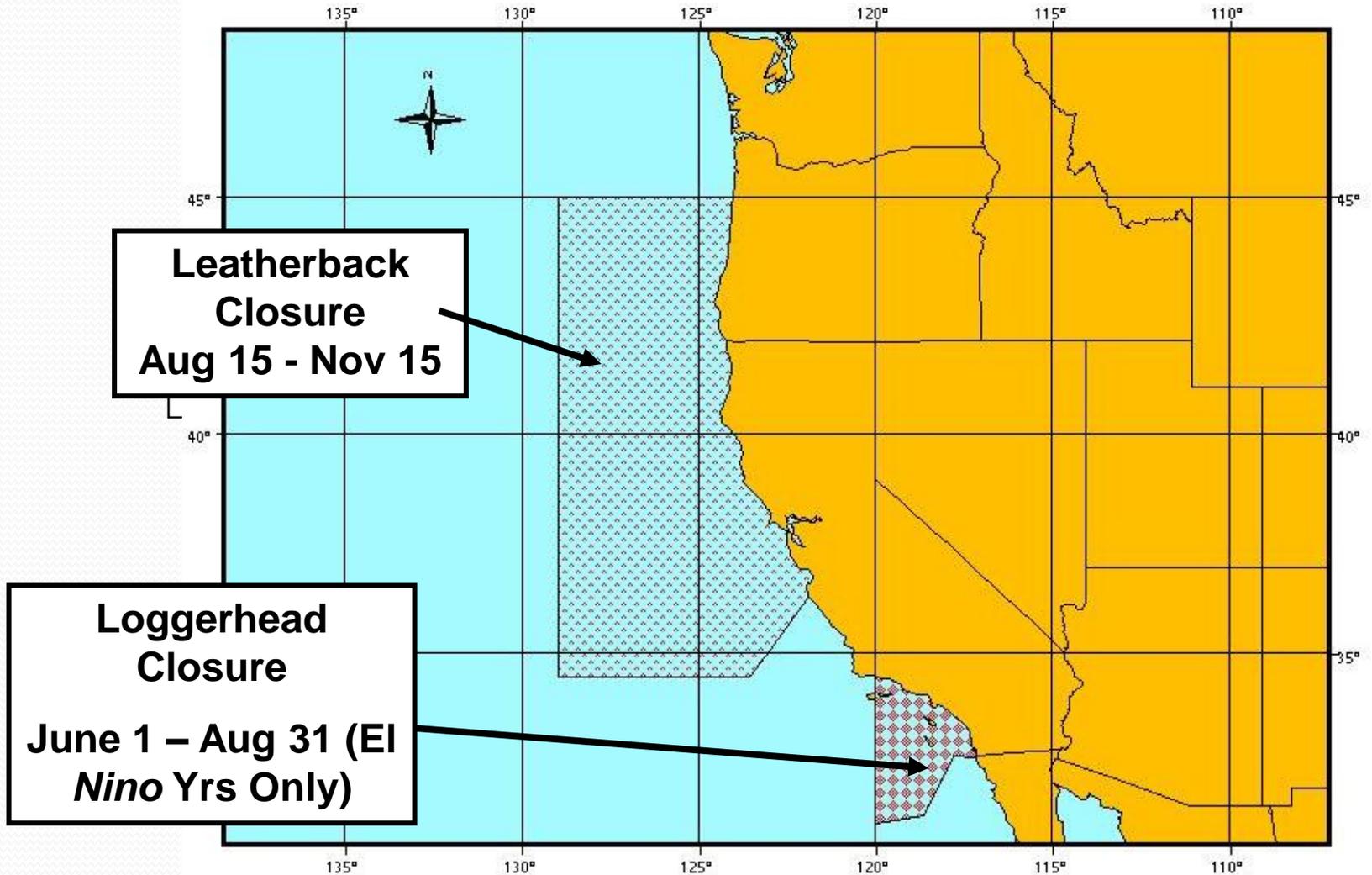
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Summary of CA thresher shark/swordfish DGN Observer Program from 2000-2012 (calendar year Jan to Dec)

Calendar Year	Estimated Total Fishing Effort (Sets)	Total Number of Observed Sets	% Observer Coverage
2000	1936	444	22.9%
2001	1665	339	20.4%
2002	1630	360	22.1%
2003	1467	298	20.3%
2004	1084	223	20.6%
2005	1075	225	20.9%
2006	1433	266	18.6%
2007	1241	204	16.4%
2008	1103	149	13.5%
2009	761	101	13.3%
2010	492	59	12.0%
2011	435	85	19.5%
2012	445	83	18.7%

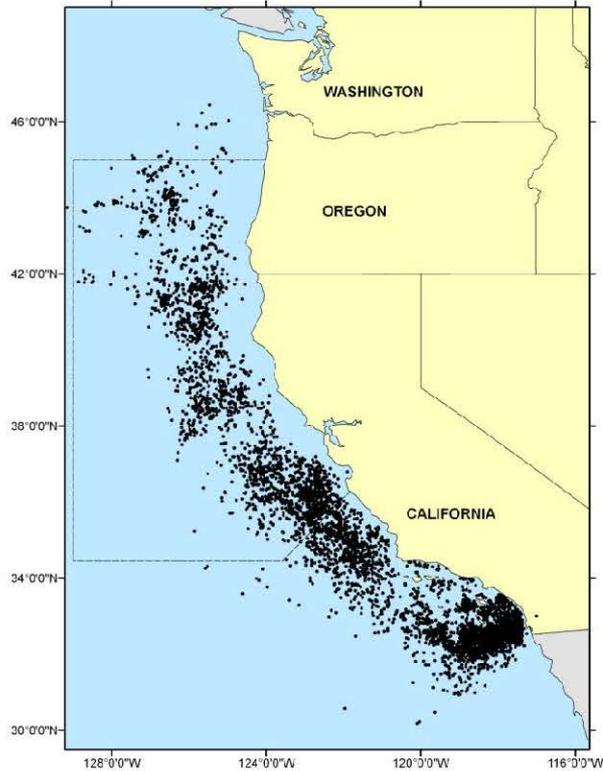
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Sea Turtle Conservation Areas

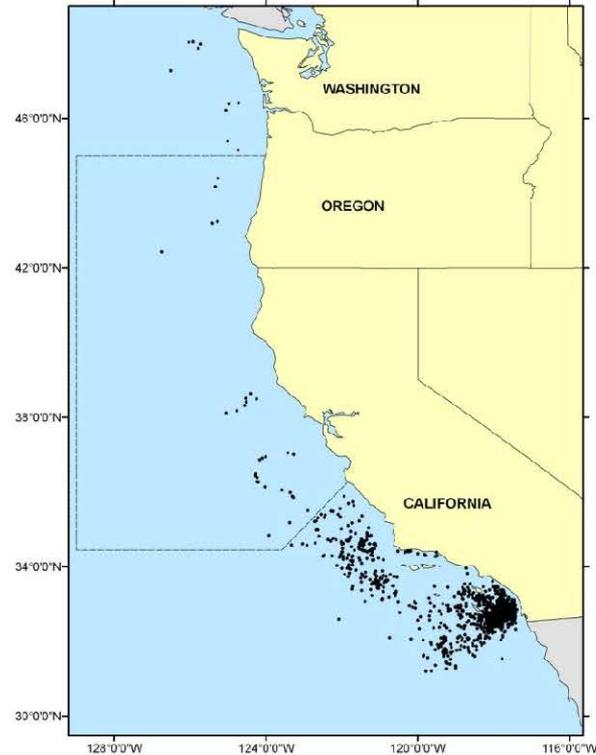


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Impact of Time/Area Closure...



DGN sets 1990-2000



DGN sets after 2001

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CA/OR/WA stock of sperm whales

- **Current population estimate = 971 whales**
 - Based on 2005 and 2008 summer/autumn ship surveys
 - Abundance variable between 1979/80 and 1991 and between 1991 and 2008
 - Trend currently unknown but “There is no reason to believe the population has declined; the most recent survey estimate likely reflects interannual variability within the study area” [2013 Stock Assessment Report]
- **Potential Biological Removal level = 1.5 whales/year**
 - PBR is the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its optimum sustainable populations

2013 Stock Assessment Report

Species (PBR)	Mean annual take (SI/M) estimates in the CA drift gillnet fishery (5 yr avg)	takes/PBR (%age)
Sperm whales (1.5)	3.2	> PBR
Northern right whale dolphin (48)	3.6	7.5 %
Pacific white-sided dolphin (193)	8.6	4.5 %
Risso's dolphin (39)	1.4	2.6 %
Short-beaked common dolphin (3,440)	47	1.4 %
California sea lions (9,200)	41	0.5 %
Pacific harbor seals – CA (1,600)	11	0.7 %
Northern elephant seals (4,382)	8	0.2 %

Source: Carretta et al. (2013)

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Long term impacts to other cetaceans in the DGN fishery (1990-Jan. 2013)

- Fin whale (PBR=16): 1 observed take in 4,033 sets reviewed
- Humpback whale (11.3): 2 observed takes in 4,033 sets reviewed (both alive and pre-TRP); 1 self-report in 2009 (serious injury)
- No beaked whales observed taken since the implementation of the POCTRP
- Cetacean bycatch nearly 50% lower in sets with ≥ 30 pingers compared to non-pingered sets (Carretta and Barlow, 2011)
- List of Fisheries – 2011 LOF (Cat. III); 2012 LOF (Cat II due to humpback whale take); proposed 2013 LOF (Cat I due to sperm whale takes)

Endangered Species Act consultation 2004, Highly Migratory Species FMP

Incidental Take Statement, Biological Opinion, 2004

<u>Marine Mammal Species</u>	<u>Estimated entanglement</u>	<u>Estimated mortality</u>
Fin whale	4 in 3 years	2 in 3 years
Humpback	4 in 3 years	0
Sperm whale	4 in 3 years	2 in 3 years

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Reinitiation of ESA Consultation

- December 2010, take of 2 sperm whales in one set likely exceeded takes authorized in 2004
- Biological opinion completed May, 2013 (no jeopardy)
- Anticipated take of sperm whales (incidental take statement (ITS))
 - Annual – up to 2
 - 5-year – up to 8 (up to 6 mortalities)
- **ITS for threatened and endangered marine mammals is valid *only* if authorized pursuant to Section 101(a)(5)(E) of the MMPA

MMMPA Sec. 101(a)(5)(E) Permit

- Requires NMFS to allow take (serious injury or mortality) of endangered/threatened marine mammals incidental to commercial fishing if:
 - A recovery plan(s) has been developed or being developed for each affected marine mammal stock;
 - A monitoring plan is established and a take reduction plan is in place or in development;
 - AND a negligible impact determination (NID) can be made

MMPA 101(a)(5)(E) permit

- Issued for up to three years
- Historically, the DGN fishery has had a 101(a)(5)(E) permit to take endangered/threatened marine mammals (fin, humpback and sperm whales) since 2000
- The most recent permit expired in Fall, 2010
- In May, 2013, NMFS proposed to issue a permit to the CA drift gillnet fishery for the take (SI/M) of fin, humpback and sperm whales (30 day public comment period)
- In July, 2013, NMFS determined that a negligible impact determination as the DGN fishery is currently configured could not be made *at this time* for sperm whales (estimated SI/M exceeded PBR; criteria could not be met)

Sperm whale – incidental SI/M for commercial fisheries (2006 – 2010)

Fishery	Year(s)	Data Type	% observer coverage	Observed mortality SI in ()	Estimated mortality	Mean annual takes
CA drift gillnet fishery	2006	Observer	18.5%	0	0	3.2
	2007		16.4%	0	0	
	2008		13.5%	0	0	
	2009		13.3%	0	0	
	2010		11.9%	1(1)	16	
Unknown fishery	2006-2010	Stranding	n/a	3	≥3	≥0.6
Total annual takes						≥3.8

Source: Stock Assessment Report: 2012 (Carretta et al. 2013)

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Challenges

- Near-term (current fishing season (2013-14))
 - Elicit Team input on possible *short-term* measures to reduce sperm whale mortality/serious injury in the CA drift gillnet fishery to insignificant levels approaching zero
 - NMFS – ensure we are meeting our regulatory requirements under MMPA, ESA, MSA and NEPA
- Long-term (next fishing season (2014-15) and beyond)
 - Develop long-term solutions to achieve ZMRG, as required under the MMPA

Questions?

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