UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Silver Spring, MD 20910

September 5, 2019

MEMORANDUM FOR: Chris Oliver
Assistant Administrator for Fisheries

Samuel D. Rauch III
Deputy Assistant Administrator for Regulatory Programs

Francisco Werner, Ph.D.
Director of Scientific Programs and Chief Science Advisor

FROM: David Detlor
Director (Acting)
Office of Science & Technology

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CC: Robin LeRoux, Annette Henry, Southwest Fisheries Science Center

SUBJECT: NMFS National Seabird Program and Change in Program Coordinator

This memorandum serves to identify the next National Seabird Program Coordinator for NMFS' National Seabird Program (NSP). With the retirement of Dr. Lisa T. Ballance (Southwest Fisheries Science Center), effective 30 August 2019, Annette Henry (Southwest Fisheries Science Center) became the new NSP Coordinator. The NSP will continue to be housed in NMFS Office of Science & Technology, and the NSP Coordinator will continue to lead the NSP from their field location. Salary support for the NSP Coordinator ($84,998) will remain with the Southwest Fisheries Science Center.

Background

In 2001, the U.S. finalized its National Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (NPOA-Seabirds), to fulfill a national responsibility to address seabird bycatch in longline fisheries, as requested in the International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA-S). The IPOA-S is a voluntary measure that calls on countries to: (1) assess the degree of seabird bycatch in their longline fisheries; (2) develop individual national plans of action to reduce seabird bycatch in longline fisheries that have a seabird bycatch problem; and (3) develop a course of future research and action to reduce seabird bycatch. The NPOA-Seabirds was a collaborative

effort between NMFS, USFWS, and the Department of State (DOS), recognizing the individual agency management authorities covering seabird interactions with longline fisheries.

The NPOA-Seabirds directed NMFS, with the assistance of the Regional Fishery Management Councils (Councils) and USFWS, to: (1) conduct detailed assessments of seabird bycatch in its longline fisheries; (2) implement measures (including data collection; prescription, research and development of mitigation measures and methods; outreach and education) to reduce seabird bycatch where problems exist; and (3) prepare an annual report on the status of seabird mortality for each longline fishery. The NPOA-Seabirds further promoted the continuation, wherever possible, of the ongoing cooperative efforts between NMFS and USFWS on seabird bycatch issues and research, and formalized the United States' commitment, through the DOS, NMFS, and USFWS, to advocate the development of National Plans of Action within relevant international fora.

The NPOA-Seabirds does not prescribe specific mitigation measures for each longline fishery. Rather, it provides a framework of actions that NMFS, USFWS, and the Councils should undertake for each longline fishery, recognizing that each has unique characteristics and that the solution to seabird bycatch issues will likely require a multi-faceted approach requiring different fishing techniques, the use of mitigating equipment, and education within the affected fisheries.

Also in 2001, Executive Order 13186 (EO 13186) Responsibilities of Federal Agencies to Protect Migratory Birds, was passed to promote the conservation of migratory bird populations. As directed by this order, NMFS and USFWS formalized a Memorandum of Understanding (MOU). The purpose of the MOU was to promote the conservation of migratory bird populations by avoiding, or where impacts are unavoidable, minimize to the extent practicable adverse impacts on migratory birds. Given NMFS' focus on marine resources and ecosystems, this MOU placed an emphasis on seabirds (but did not exclude other taxonomic groups of migratory birds). Two issues of mutual concern to both agencies were identified: 1) the interaction between fishery operations and birds, especially seabirds; and 2) the maintenance of healthy habitats and prey populations for foraging and breeding seabirds. Both agencies agreed to contribute to migratory bird conservation through seabird bycatch reduction (Section VI-A), information sharing (Section VI-B), international policy and diplomacy (Section VI-C), and habitat conservation (Section IV-D). Specific areas of collaboration and cooperation associated with these activities were identified and outlined.

NMFS' National Seabird Program

In 2001, Assistant Administrator William Hogarth established a National Seabird Coordinator (Kim Rivera, Alaska Regional Office) in order to maintain a national perspective through coordinated regional activities pertaining to EO 13186 and the NPOA-Seabirds (Attachment 1). Each science center, regional, and headquarters office was directed to (1) review EO 13186 and send comments regarding the content of the MOU to be developed with USFWS that this EO directed; (2) review the NPOA-Seabirds and begin its implementation; and (3) designate one staff contact person to work with the Coordinator on seabird issues pertaining to these two directives. Milestones associated with these directives were also drafted.

In 2009, NMFS convened a National Seabird Workshop to (1) describe NOAA Fisheries' seabird activities and important partnerships, (2) guide NOAA Fisheries' seabird management science, and (3) provide seabird-related input to NOAA's strategic planning and budgeting process. Individuals from all six NOAA Fisheries regions and a number of headquarters offices, plus invited participants from USFWS, the U.S.

Geological Survey, the North Pacific Fishery Management Council, private consulting firms, universities, and private citizens attended. Six themes emerged as focus areas for the future: (1) continuing to work on seabird bycatch issues; (2) improving connections, networks, and outreach; (3) creating a multi-agency/entity inventory of spatial/temporal coverage of existing data and data collection methods; (4) using seabirds as indicators to improve ecosystem-based approaches to management; (5) formalizing the seabird program and adding necessary infrastructure; and (6) augmenting policy approaches (Rivera et al. 2014).

The National Seabird Coordinator and regional points of contact were formalized into the NSP in a memo to Assistant Administrator Eric Schwaab and Chief Science Advisor for Fisheries Steven Murawski in 2011 (Attachment 2). That memo formalized the coordinator's primary roles and responsibilities, transferred the NSP to the Office of Science & Technology, and directed the Office of Sustainable Fisheries to continue to work with the coordinator on bycatch-related issues. An overview of recommendations arising from the 2009 National Seabird Workshop was provided; these included creation of a National Seabird Strategic Plan, and participation in the FY2013-2017 planning cycle with the intent of enhancing the NSP budget. Recommendations from the Science Board were summarized; these included emphasizing the importance of promoting seabirds as ecological indicators, maintaining the focus on seabird bycatch, and developing and implementing a National Seabird Strategic Plan.

A 2015 memorandum (Attachment 3) to Assistant Administrator Eileen Sobeck, Deputy Assistant Administrator for Regulatory Programs Samuel Rauch III, and Director Scientific Programs and Chief Science Advisor Richard Merrick established a new National Seabird Coordinator (Lisa T. Ballance, Southwest Fisheries Science Center), clarified roles and responsibilities of that position and regional NSP points of contact, and provided updates regarding the NSP. The two key focus areas of the NSP were confirmed: mitigation of seabird bycatch and promoting seabirds as ecosystem indicators.

In 2018, NSP convened a two-day meeting focused on drafting a five-year NSP strategic plan. NSP representatives from every NOAA Fisheries science center, and regional and headquarters office, as well as invited participants from NOAA's National Ocean Service, USFWS, Bureau of Ocean Energy Management, and regional fishery management councils were in attendance. Five strategic initiatives were identified by a steering committee prior to the meeting, agreed upon by NSP, and developed during the meeting: (1) monitor and estimate seabird bycatch; (2) mitigate seabird bycatch; (3) strengthen key partnerships; (4) promote seabirds in advancing ecosystem-based fisheries management; and (5) elevate awareness of and support for the NSP (Ballance et al. 2019). The strategic plan is documented in Ballance et al. (in review).

Today, the NSP is a crosscutting group of managers and scientists who work domestically and internationally to protect and conserve seabirds. NSP coordination occurs formally through quarterly calls, a website, and annual reports (produced since 2016). NSP activities are guided by statutes (NPOA-Seabirds, EO 13186, the Migratory Bird Treaty Act, Magnuson-Stevens Reauthorization Act, Endangered Species Act, National Environmental Policy Act, Oil Pollution Act), and emerging agency priorities (e.g., Ecosystem-Based Fishery Management Policy and Road Map, NMFS Climate Science Strategy, Annual Guidance Memoranda). Together, these form the basis for NSP's overarching goals. The NSP works through representation on steering committees and working groups within and external to NMFS, and through partnerships with other NOAA Line Offices, Councils, the States, and other Federal agencies. NSP is represented through points of contact in all science centers and regional and headquarters offices. As such, it is a nationally coordinated program that benefits from significant leveraging at the regional level.

Attachments

1-Establishment of NMFS National Seabird Coordinator 2001

2-Formalization of NMFS National Seabird Program 2011

3-Appointment of new NMFS National Seabird Coordinator 2015