

False Killer Whale Take Reduction Process

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Take Reduction Plans

Based on Stock Assessment Reports:

- Take Reduction Plans are designed to assist in the recovery or prevent depletion of “strategic” stocks killed or seriously injured incidental to Category I or II fisheries
 - HI pelagic stock, false killer whales
 - HI-based deep-set and shallow-set longline fisheries
- NMFS may also develop Plans for non-strategic stocks killed or seriously injured incidental to Category I fisheries
 - HI Insular and Palmyra Atoll stocks, false killer whales
 - HI-based deep-set longline fishery

Best Available Information:

- TRP goals can change (e.g., if stock status changes)

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Goals of a Take Reduction Plan

- Short-term goal

To reduce, within 6 months of implementation, the incidental mortality or serious injury of strategic marine mammal stocks taken during commercial fishing to below a stock's potential biological removal level (PBR).

- Long-term goal

To reduce, within 5 years of implementation, mortality or serious injury to insignificant levels approaching a zero mortality and serious injury rate, taking into account economics, availability of existing technology, and existing state or regional FMPs.

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Approach to the Take Reduction Process

Objective: *Develop consensus recommendations to reduce mortality and serious injury levels of false killer whales to below PBR levels*

- In-person meetings
 - Briefings, discussions, brain-storming, identifying information needs, developing consensus recommendations
- Potential for full-Team conference calls
 - Briefings and updates
- Work Teams to address specific issues between meetings
 - Meet via teleconference and/or email
- Analyses by NMFS Science Center staff between meetings, as appropriate, to support discussions

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Membership of the False Killer Whale TRT

- ❑ Nineteen appointed members, including representatives from the fishing industry, academic and research institutions, conservation organizations, State of Hawaii, MMC, WPFMC, and NMFS
- ❑ Individuals bring specific expertise to the table
 - False killer whale biology and/or conservation
 - Acoustics
 - Fishing gear & techniques
 - Marine mammal-fishery interactions
 - Fishery management

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Roles – Team Members

- ❑ Prepare for and attend meetings; actively engage in discussions;
- ❑ Participate on Work Teams, as appropriate;
- ❑ Provide information on the fisheries and/or marine mammal stocks included in the scope of the TRT;
- ❑ Assist in the development of creative solutions to address marine mammal bycatch;
- ❑ Assist in the development of formal recommendations to NMFS to reduce marine mammal bycatch;
- ❑ Communicate with constituents; and
- ❑ Assist in evaluating a Plan's effectiveness.

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Roles – NMFS Staff

- Managers (PIRO, Headquarters)
 - Involvement at multiple levels;
 - Meeting logistics;
 - Attend all TRT meetings;
 - Coordinate with advisory resources (e.g., General Counsel, Law Enforcement, US Coast Guard);
 - Draft proposed and final rules and accompanying environmental analysis;
 - Implement TRP, including education and outreach as appropriate; and
 - Evaluate and monitor TRP.

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Roles – NMFS Staff

- Scientists (PIFSC, SWFSC)
 - Provide updated marine mammal abundance and mortality estimates;
 - Attend TRT meetings;
 - Provide analyses to support TRT deliberations at and between meetings; and
 - Provides input during development of TRT recommendations.

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Roles – Facilitation Team

- ❑ Strategic planning support to NMFS staff;
- ❑ Works with NMFS to organize TRT meetings;
- ❑ Facilitates TRT meetings, providing real-time synthesis;
- ❑ Serves as non-partisan, objective neutral that fosters an environment effective for negotiation;
- ❑ Prepares and distributes key outcome summaries following each TRT meeting; and
- ❑ Drafts TRP to ensure TRP is neutral and reflects TRT's deliberations.

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Contents of a Plan

- ❑ MMPA required elements:
 - Review of information from a final stock assessment and any substantial new information;
 - Mortality/serious injury estimates for each stock by fishery;
 - Regulatory or voluntary measures for reducing serious injury and mortality; and
 - Dates for achieving Plan goals.
- ❑ Other elements:
 - Elements necessary to monitor the plan; and
 - Recommendations for further research or data collection.

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Take Reduction Planning Timeline

MMPA Requirement	Deadline
Establish TRT	30-days after final SAR indicates a stock is "strategic" and the current LOF indicates a Category I or II fishery seriously injures or kills that stock
TRT develops a draft TRP and submits to NMFS	6-months after TRT is established
NMFS considers draft TRP to develop proposed rule and implementing regulations	60-days after TRT submits draft TRP to NMFS
NMFS holds public comment period on proposed rule and implementing regulations	Up to 90-days after publication
NMFS publishes final rule and implementing regulations in the <i>Federal Register</i>	Up to 60-days after close of public comment period

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False Killer Whale TRT Timeline

- January 19, 2010: TRT established via FR notice
- February 17-19, 2010: TRT convened for first meeting
- March – June 2010: Three additional meetings and potential teleconferences
 - Work Teams to address specific issues
 - Full Team updates
- June 2010 – July 2010: Team works to review and confirm draft TRP
- July 19, 2010: TRT submits draft TRP to NMFS

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False Killer Whale TRT Timeline

- NMFS initiates rulemaking process
 - NMFS develops proposed rule and associated analyses (e.g., Environmental Assessment, ESA consultation, Regulatory Flexibility Analysis, etc.), considering draft TRP
 - NMFS issues proposed rule in the *Federal Register*, requests public comments
 - TRT may meet during public comment period
 - NMFS issues final rule and associated analyses, taking into account public comments
 - Final TRP becomes effective ~30 days later

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False Killer Whale TRT Timeline

After a Final TRP becomes effective:

- A TRT “...*shall meet every 6 months, or at such other intervals...to monitor the implementation of the final take reduction plan until such time...that the objectives of the plan have been met.*” MMPA sec. 118(f)(7)(E)
- If necessary, NMFS re-convenes the TRT to develop amendments for further reducing FKW mortalities and serious injuries
- NMFS holds teleconferences and sends emails to provide updates and briefings on progress and status of stocks

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