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Bottlenose Dolphin Take Reduction Team

A Summary of the First Meeting

Virginia Beach, Virginia

November 6 – 8, 2001

Prepared by
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Facilitators

December 6, 2001

Introduction

The first meeting of the Bottlenose Dolphin Take Reduction Team (TRT) was held at the Sheraton Oceanfront Hotel in Virginia Beach, Virginia, on November 7 and 8, 2001. The meeting was preceded by a series of presentations on November 6 and by two Bottlenose Dolphin/Fishery Interaction workshops on May 15-16 and July 11-12, 2001.

Convening the Take Reduction Team

Kathy Wang of the Southeast Regional Office of the National Marine Fisheries Service (NMFS) formally convened the TRT on November 7, 2001, thus starting the six-month time clock for the development of a Take Reduction Plan and its submittal to the NMFS. David Cottingham, Deputy Director of the Office of Protected Resources, NMFS, welcomed the TRT and thanked them for their participation and willingness to work towards a consensus plan to reduce takes of bottlenose dolphins. He committed to an open and fair process. He also indicated that the TRT process provided the various stakeholders with the best opportunity to influence the final Take Reduction Plan that would be adopted by NMFS. A letter from NMFS director Bill Hogarth was also distributed to the TRT.

Participants

TRT Members

A complete list of TRT members, affiliations and contact information is provided in Appendix I.

TRT members and alternates present at the first meeting were: David Beresoff, Tina Berger, Paul Biermann, David Cupka, Joe DeAlteris, Mike Greco, Lewis Gillingham, Charlotte Gray, Bruce Halgren, Chris Hickman, Bill Hitchcock (alternate to Jerry Schill), Phil Kline (alternate to Chris Zeman), Rick Marks, Bill McLellan, Emily Menashes, Red Munden, Bob Munson, Margaret Murphy, Jeff Oden (alternate to Rob West), Bill Outten, Tim Ragen, Andy Reed, Butch Rommel, Dave Swanner (alternate to Mike Peele), Mark Swingle, Leonard Voss, Chris Walker, Kathy Wang, Rob West, Drew Willis, David Woolman, Nina Young and Sharon Young.

TRT members who were absent and not represented by an alternate were: Mike Baker, Gordon Colvin, Martin Dunson, Douglas Guthrie, Fulton Love, Richard Luedtke, Dave Martin, Ken Moran, Peter Nixon, Carl Poppell, John Reynolds, Jerry Schill, Richard Seagraves, Larry Simns, and Barb Zoodsma.

Presenters and Facilitators

The names, affiliations and contact information for the presenters and facilitators are also provided in Appendix I.

Presenters were: Therese Conant, David Cottingham, Bill Foster, Mike Greco, Aleta Hohn, James Kirkley, Emily Menaches, Red Munden, Debi Palka, Andy Reed, Butch Rommel, Marjorie Rossman and Kathy Wang. The facilitators were: Jim Feldt and Hans Neuhauser.

Observers

Registered observers were: Sue Barco, Mike Barnette, Mike Beattie, Doug Beckmann, Elizabeth Coolidge, Tara Cox, Damon Gannon, Lewis Gillingham, Nicholas Herlns, Carrie Horton, Dan Hytrek, Jim Kirkley, David Potter, David Schefield, Ray Shield, Kim Urian and Danielle Waples.

Ground Rules

The TRT agreed to abide by the following ground rules:

- No single person owns the truth.
- No personal attacks.
- Actively listen- no side conversations.
- Start and end on time and break on time.
- Recognize the need to caucus.
- The TRT owns the meeting summaries; respond promptly to the draft and no after-the-fact elaboration.
- The TRT member or alternate should attend at least half of the sessions (and especially the final session).
- The final meeting summary will speak for the TRT. Facilitators will speak for the process. Individual members may speak for themselves. A contact list of TRT members will be provided [see Appendix I].
- Commit to using this process for 6 months and do not advocate or subvert outside the process (no end runs).
- Temporarily suspend your disbelief- work with the group, use the process, shoot for the best possible outcomes.
- Phones and beepers should be on silent during the meetings.
- We will all use the microphones.
- Place ideas on the table as soon as possible so that they can be considered by the TRT.
- A group trying to collaborate is like making mashed potatoes:
    1. Ordered steps;
    2. Clarify meanings;
    3. Heat under the pot;
    4. Lumps are okay;
    5. Once mashed, we are done.
- We all help enforce the rules.

Description of the Facilitation Process as Agreed to by the TRT

The meeting facilitators presented a proposed process for the development of the Take Reduction Plan involving the use of three subcommittees that would draft recommendations for the full TRT to consider. At the request of the TRT, the facilitators developed a revised process that the TRT agreed to. The new process includes the following:

- November 7-8: Identify topics to be addressed by the TRT, assess their benefit and difficulty and initiate discussion on the most time-sensitive topics.
- January 23-25: Full TRT continues discussion of all topics, with the time allocated to each topic based on time-sensitivity and the assessment of benefit and difficulty.
- February: Full TRT continues discussion of all topics.
- March: Full TRT continues discussion of all topics.
- April: Full TRT continues discussion of all topics. If consensus is reached on a Take Reduction Plan, the final meeting of the TRT will be deferred until the rule-making period. If consensus is not reached, the TRT will continue discussions during a second and final meeting in late April.

The facilitators were also asked to consider a change in the time devoted to public comment; instead of providing for public comment at the end of each day's sessions, schedule public comment for the beginning of each day's sessions. If this change was made, TRT members should attend the public comment session so that the meeting could start immediately after any comment. Other TRT members suggested that the public comment period remain at the end of the day because it would allow the public to comment on the day's deliberations.

Identification of Topics to be Addressed by the TRT

The TRT was asked to identify the topics that should be addressed in the Take Reduction Plan. These topics were first generated by individual members and then by small groups. The resulting topics were then sorted into categories that made sense to the TRT. The categories, listed in bold, and topics, listed under the categories, follow in no particular order:

Gear Modification and Fishing Practices

> Gear modifications, research, and funding…consider gear making to help evaluate interactions…time/area closures…identify fishing practices that contribute to takes in hot spots…identify strategies to reduce by-catch: education, gear modification, effort reduction (FMP), closed areas…gear modifications…fishery modifications: area restrictions, regulated area, season, gear type, hot spots, gear modifications, modifications to fishing practices, economic impact…assess specific causes of takes…identify and prioritize

interactions in geographic areas (management units)…develop strategies tailored to specific fisheries/interaction types

Adaptive Management

Feedback…adaptive management/flexibility…adaptive management

Observers

More detail on observed mortality…better mortality estimates (observer program)…possibility of observer coverage to south…increase observer coverage…discuss role/function of observer-expand scope beyond looking for animals in gear…monitoring plans/needs (observer)…improve observer coverage/monitoring: by-catch quantities, better use and quantification of interaction, better survey internal waters…evaluate use of observers to assure adequate and representative coverage coast-wide…description of animals taken

Goals and Objectives

Goals and objectives…zero mortality-mitigation?…reduce mortality below PBR…ZMRG…type I and II errors…where are the real problems? Prioritize…simple regulations…regulatory verses voluntary measures…summarize requirements for TRP content

Existing Fishery Management Plans

Reconcile current FMPs [Fishery Management Plans] with take estimates in future…consider effort reduction under existing FMPs…will restricted fisheries reduce impacts or simply displace effort?…look at existing management plans (dogfish, etc…)…compatibility/benefits from other take reduction plans and sea turtle conservation measures…rank and discuss interactions by fishery…review effects of past, recent, and future fishery management actions…determine cooperative efforts by state and federal agencies…assessing benefits from FMPs: effort reduction, effort shifts

Economic Impact

Economic impact…include discussion of economic impacts of proposed actions…social-economic impacts…economics

Deadlines/Time Frame

Timeline…phase-in of regulations…observe mandatory deadlines for action/implementation…implementation schedule

Funding Priorities

Funding…identify funding needs and priorities

Monitoring and Enforcement

Establish monitoring plans…enforceability…enforcement…how will progress be evaluated?…power…assure monitoring and enforcement of measures…monitoring

Education and Outreach

Public outreach and education…education…voluntary/outreach measures…education/outreach

Research Needs

Better stock assessment…research needs…evaluate how animals become entangled…need cooperative and innovative gear research on methods to reduce interactions…needed research…research to improve data…prioritize and evaluate survey effort…evaluate criteria for establishing management units…fishermen participation in spring 2002 survey…team to formally (actively) support gear research (reflective nets)…improved effort assessment…research needs: gear, population assessment/stock structure, population survey of internal waters

Data

Need to estimate and include G(o) in spring 2002 survey…data collection-validity…incorporating new info…prioritize data needs…accountability of NMFS staff for survey results…further examination of [Debi Palka's] paper on gear/take correlates…incorporation of new data…organize data for ease of use in identifying problems and solutions

Fisheries

Blue crab…crab pots…recreational fisheries…? takes in NC gillnets

List of Fisheries

Fishery categorization (list of fisheries)…revisit criteria for list of fisheries

PBR

What equals appropriate PBR for winter mixed stock area…PBR allocation…PBR allocation season/stock…correct PBRs for winter NC

fishery…address PBR reductions fishery by fishery (e.g. dogfish gillnet verses Spanish mackerel)…PBR of NC mixed winter stock: 20.5 animals?

Geography of Management Units

Appropriate geographical area for winter mixed stock…geographic scale of management

Environmental Factors

Evaluate role of environmental factors in entanglement…environment - other factors

Strandings

Evaluate stranding, train on protocol…improving information from strandings…standardize [human interaction] criteria…involve fishermen in evaluation of gear found on animals

Ghost Gear

Examine issue of "ghost gear"

Process

Distribute observer reports to team for takes…instead of [Center of Independent Experts] use: 1) Dr. Hilborn 2) [Natural Resources Consultants, Inc.], Seattle, for peer review…NMFS representatives at meetings must "speak" for agency…timing on spring 2002 survey so preliminary analysis done by March [TRT] meeting

Internal Waters

Internal waters?…internal waters?…exemptions to internal waters

<u>Assessment of Benefit, Difficulty and Urgency</u>

Working in small groups, the TRT was then asked to assess the topics in terms of: (1) the benefit of resolving them, (2) the difficulty of resolution and (3) time-sensitivity or urgency. An allocation of sticking dots was used to elicit this assessment. The responses were then used to place each topic in one of four groups:

(1) Topics that have high benefit and are relatively easy to accomplish;

(2) Topics that have high benefit but are relatively difficult to achieve;

(3) Topics that have low benefit and are relatively easy to accomplish; and

(4) Topics that have low benefit and are relatively difficult to accomplish.

High Difficulty ***Low Benefit*** **Existing Fishery Management Plans** Difficulty- 6; Benefit- 6; Urgency-1 **Monitoring and Enforcement** Difficulty- 6; Benefit- 3; Urgency-0 **Environmental Factors** Difficulty- 8; Benefit-0; Urgency-0	***High Difficulty*** ***High Benefit*** **Gear Modification and Fishing Practices** Difficulty- 8; Benefit- 13; Urgency- 8 **PBR** Difficulty- 11; Benefit- 7; Urgency: 8
Low Difficulty ***Low Benefit*** **Internal Waters** Difficulty- 2; Benefit- 6; Urgency-2 **Process** Difficulty- 0; Benefit- 2; Urgency-2 **Strandings** Difficulty- 3; Benefit- 6; Urgency-0 **Economic Impact** Difficulty- 4; Benefit- 3; Urgency-0 **Fisheries** Difficulty- 2; Benefit- 2; Urgency-0 **Deadlines/Time Frame** Difficulty- 3; Benefit- 2; Urgency-0 **Adaptive Management** Difficulty- 5; Benefit- 2; Urgency- 0 **List of Fisheries** Difficulty- 0; Benefit- 1; Urgency-0 **Geography of Management Units** Difficulty- 2; Benefit- 1; Urgency-0	***Low Difficulty*** ***High Benefit*** **Observers** Difficulty- 2; Benefit- 7; Urgency – 2 **Research Needs** Difficulty- 4; Benefit- 8; Urgency-1 **Education and Outreach** Difficulty- 0; Benefit- 7; Urgency-0 **Data** Difficulty- 5; Benefit- 7; Urgency-0

Low Difficulty ***Low Benefit, continued*** **Funding Priorities** Difficulty- 3; Benefit- 1; Urgency-0 **Goals and Objectives** Difficulty- 3; Benefit- 0; Urgency- 0 **Ghost Gear** Difficulty- 4; Benefit- 0; Urgency-0	

Process Recommendations

An ad hoc committee led by Tim Regan met to develop recommendations regarding process. Their findings were presented to the TRT:

Foundation Information. While questions and research ideas are appropriate, in principle, the TRT should accept the basic foundation information that it has regarding: stock structure, abundance, mortality, PBR and legal requirements.

Management Units. The TRT should choose between range-wide management or management unit; should internal waters be included or excluded? Should management be spatially explicit? Should it be by list of fisheries? The TRT indicated its preference for management units.

Prioritization. The TRT should identify: units of less concern, hot spots or units of more concern and then focus effort.

Research. Short-term research is needed to provide information to the TRT for its deliberations, including: effort/harvest reductions in the dogfish fishery and gear types involved in stranded animals. Long-term research is also needed: better stock assessments and observer program research.

PBR Recommendations

A second ad hoc committee led by Bruce Halgren met to develop recommendations regarding PBR. The committee developed a paper on the Bottlenose dolphin PBR allocation issue that included a description of the situation and list of questions to be addressed to the Atlantic Scientific Review Group. The recommendations are provided in Appendix II.

Points of consensus

Following discussion, the TRT agreed to the following:

- ? The reports from the process group and the PBR group were accepted;
- ? The TRT would work by management units (Northern migratory unit, Northern North Carolina unit, Southern North Carolina unit, South Carolina unit, Georgia unit, North Florida unit, Central Florida unit);
- ? Internal waters would be considered as part of each unit and exempted if data warranted;
- ? The TRT will be open to alternatives that have range-wide application;
- ? The TRT requests that maps and overlays be created to describe fisheries in each management unit by season;
- ? Fishery Management Plans should be considered, both for short-term (e.g., shift of effort and effects of that shift on takes) and for the long-term (e.g., gear research so that when the fishery recommences, the takes of dolphins will be lower).

<u>NMFS Research Recommendations</u>

TRT members requested the following research:

1. Determine effects of Fishery Management Plans for monkfish, dogfish, shad and striped bass on future landings, with input from the Mid-Atlantic Fishery Management Council, the Northeast FMC, the Atlantic States FMC and the NMFS. (Council representatives should be invited to the next TRT meeting in January, 2002.)
2. Project and explore potential effects of the above (1) on by-catches of bottlenose dolphins, under different scenarios of redistribution of effort.
3. Collate primary evidence of fisheries interactions for areas where no takes have been observed: internal waters, South Carolina, Georgia and North Florida.
4. Examine gear removed from stranded dolphins and bring examples to the next TRT meeting.
5. Collate observer logs and photographs of all observed takes and distribute to the TRT for analysis.

The TRT recognizes the sensitive nature of the images of observed takes and requests that the photographs should only be in the form of projected images (e.g., power point) or overhead transparencies; copies should not be distributed. This information is to be treated confidentially. The facilitators are charged with the task of formally requesting the observer information (logs from trips with observed bottlenose dolphin interactions) from Dr. Sissenwine of the Northeast Fishery Science Center.

The NMFS is requesting that, by December 3, individuals provide specific input on questions to be considered during the peer review. Contact Emily H. Menashes at 301-713-2322 ext. 101.

In addition, the TRT requested that a list of the members of the Atlantic Scientific Review Group and their area(s) of expertise be provided. No consensus was reached on whether to provide the TRT members with the names of the individuals on the Review Group who reviewed the NMFS documents being used for the TRT negotiations.

The TRT also requested that data and reports be sent to the TRT members as soon as possible and in advance of each meeting.

Dates for Future TRT Meetings

The dates for the second meeting of the TRT are January 23–25, 2001. Dates for future meetings will be announced.

Meeting Location Preferences

The TRT was asked to indicate their preferences for future meeting locations. In order of preference, the locations were: (1) Baltimore- 20 preference votes; (2) Wilmington- 18; (3) Norfolk/ Virginia Beach- 17; (4) New Bern/ Atlantic Beach- 6; (5) Charleston- 3; and (6) Alexandria- 1, tied with Charlotte- 1. The following cities received no preference votes: Washington DC, Raleigh, Savannah and Jacksonville.

Public Comments

Opportunities were provided for public comment at the end of each day's sessions. There were no public comments provided to the facilitators on November 6 or 7. One comment, entitled "Opening statement of concern by members of the bottlenose dolphin take reduction team," was received on November 8. A copy is provided in Appendix III.

Appendix I

TRT Members and Contact Information

Presenters and facilitators

Observers

Appendix II

Recommendations from the PBR ad hoc committee

Appendix III

"Opening statement of concern by members of the bottlenose dolphin take reduction team,"