



Northeast Region Marine Mammal Authorization Program (MMA) Fact Sheet



Q: What is the Marine Mammal Authorization Program (MMA)?

A: The MMA is a fishermen's registration program. Its purpose is to provide an exemption for commercial fishermen from the Marine Mammal Protection Act's prohibition on the taking of marine mammals. The MMA is also used to provide information to you regarding specific federal marine mammal regulations that may apply to your fisheries.

Q: Why do I have to be registered?

A: Commercial fishermen in Category I and Category II fisheries *must be* registered in the MMA. If they are not registered and they incidentally "take" a non-endangered/threatened marine mammal while fishing, they can be prosecuted for that take under the federal Marine Mammal Protection Act (MMPA).

Q: What does it mean to "take" a marine mammal?

A: The MMPA defines "take" as to harass, hunt, capture, or kill or attempt to harass, hunt, capture or kill any marine mammal. Even accidental take is prohibited, except for certain exemptions, like the one for commercial fisheries under the MMA.

Q: What are Category I and Category II fisheries?

A: The NOAA Fisheries Service is required to categorize every state and federal commercial fishery, based on the likelihood of causing serious injury or mortality to a marine mammal:

- *Category I* fisheries have **frequent** incidental mortality and serious injury of marine mammals;
- *Category II* fisheries have **occasional** incidental mortality and serious injury of marine mammals.

There is also a third category: *Category III* fisheries have **little or no** chance of, or are not known to cause, incidental mortality and serious injury of marine mammals.

Q: How does NOAA Fisheries Service categorize each fishery?

A: NOAA Fisheries Service considers all the available information on marine mammal interactions with each fishery, mostly from observer data but also from other sources, such as stranding data. NMFS also considers the population status of the marine mammal species or stock that may be affected. For example, a small number of fishery takes of a very abundant stock may translate to a Category III fishery; the same number of takes of an endangered species may result in a Category I.



Q: *Where are categorizations of fisheries published?*



A: NOAA Fisheries Service must publish a List of Fisheries (LOF) each year with an updated categorization of each commercial fishery. The LOF includes a full description of the categorization process and any changes from the previous year. NMFS requests and responds to public comments on the LOF before finalizing each year's list.

For further information regarding the 2008 LOF please visit NOAA Fisheries Service website: www.nmfs.noaa.gov/pr/interactions/lof/.

Q: *What Category is my fishery in?*

A: The back of the Authorization Certificate has a summary of the Category I and II fisheries in the Atlantic, Gulf of Mexico, and Caribbean listed in the 2008 LOF. The 2008 LOF, with all categories of fisheries in all areas of the U.S., is available at the website listed above.

Q: *Why did I get automatically registered, if I only participate in a Category III fishery?*

A: NOAA Fisheries Service uses information from existing state and federal licensing or permitting systems to automatically register Category I and II fishermen. However, at times, the information in the permitting systems does not match well with the way fisheries are defined in the LOF. When we are unable to determine with confidence that a commercial fisherman only participates in a Category III fishery, we automatically register the fisherman. This ensures that we do not accidentally miss fishermen who, even occasionally, fish in a Category I or II fishery and are required to be registered.

Q: *Do I have any responsibilities as a Category III fishery participant?*

A: If you only participate in a Category III fishery, you do not have to be registered in the MMAP. However, you are still required, as all fishermen are required, to report the incidental take of a marine mammal that results in a serious injury or mortality to NOAA Fisheries Service within 48 hours of the end of the fishing trip.

Q: *How do I get copies of the Mortality/Injury reporting form?*

A: You may obtain additional copies of the Mortality/Injury reporting forms by contacting the Protected Resources Division of NOAA Fisheries Service's Northeast Regional office at (978)281-9300 x 6512, or by downloading the reporting form at the following web address: www.nmfs.noaa.gov/pr/pdfs/interactions/mmap_reporting_form.pdf.

Q: *Where do I send my completed Mortality/Injury reporting form?*

A: Mail form to:
 NOAA's National Marine Fisheries Service
 Office of Protected Resources (F/PR2)
 1315 East-West Highway
 Silver Spring, MD 20910-3326

Or fax the form to: (301) 427-2522



Q: What consequences will I face if I report that I have incidentally injured or killed a non-endangered/threatened marine mammal?

A: As long as you are registered in the program there are no consequences for reporting an injured or dead non-endangered/threatened marine mammal. All fishermen, regardless of the category of fishery they participate in or whether an observer is on board, are required to report incidental takes of marine mammals. The information you provide is extremely important, as it helps NOAA Fisheries Service & fishery representatives collect the most accurate, unbiased, and relevant information to develop appropriate management strategies that reduce take levels and at the same time, have the least impact on fishing practices.



Q: What action, if any, do I have to take regarding the MMAP?

A: If you are the holder of a valid state or federal permit for a fishery that falls under one or more of the Category I or II fisheries, you are automatically registered in the MMAP. **However, you must download your Authorization Certificate at www.nero.noaa.gov/prot_res/mmap/ or contact the Protected Resources Division of NOAA Fisheries Service's Northeast Regional Office at (978)281-9300 ext.6512 to have a Certificate mailed to you.**

While fishing in a Category I or II fishery, you must comply with the terms and conditions of the Authorization Certificate. These conditions include:

- Keeping the certificate, or a copy, on board the vessel. This certificate, in combination with a valid state or federal fishing permit, will serve as your authorization under the MMPA to incidentally take marine mammals during commercial fishing operations. In the case of non-vessel fisheries, the certificate, or a copy, must be in the possession of the person in charge of the operation.
- Reporting all injuries and mortalities of marine mammals within 48 hours of returning from the trip during which the takes occurred using the enclosed Mortality/Injury reporting form.
- Taking an observer aboard your vessel, if requested by NMFS or our designate. See ***Northeast Fisheries Observer Coverage Fact Sheet*** for more information.
- Complying with any take reduction plans or emergency regulations that may apply to your specific fishery.

Q: What are take reduction plans?

A: Take Reduction Plans (TRPs) are plans developed by teams of stakeholders, including commercial fishermen, to assist in the recovery or to prevent the depletion of marine mammals that are incidentally seriously injured or killed in Category I or II fisheries. They may include regulations, and they are often accompanied by non-regulatory conservation measures. See the ***Take Reduction Plan Team Fact Sheet for Atlantic Fisheries*** for information on what take reduction plan your fishery must comply with. For more information on the TRPs, and applicable regulations please visit NOAA Fisheries Service's TRP website at www.nmfs.noaa.gov/pr/interactions/trt/ or call the NOAA Fisheries Service's Northeast Regional Office at (978) 281-9300 x 6505.