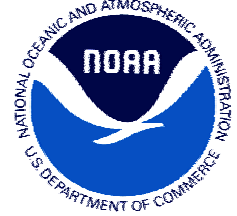




## GENERAL INFORMATION ABOUT MARINE MAMMALS AND COMMERCIAL FISHERIES



### LIST OF FISHERIES



Section 118 of the MMPA requires that NMFS publish, at least annually, a List of Fisheries (LOF) that places all U.S. commercial fisheries into one of three categories based on the level of incidental serious injury and mortality of marine mammals that occur in each fishery. The categorization of a fishery in the LOF determines whether participants in that fishery are required to comply with certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan requirements.

The fishery classification criteria consist of a two-tiered, stock-specific approach, which first addresses the total impacts of all fisheries on each marine mammal stock and then addresses the impacts of individual fisheries on each stock. This approach is based on consideration of the rate, in numbers of animals per year, of incidental mortalities and serious injuries of marine mammals due to commercial fishing operations relative to the Potential Biological Removal (PBR) level for each marine mammal stock. The PBR level is defined as 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 population, as defined by the MMPA.

More information regarding the Marine Mammal Authorization Program can be found at:  
[http://www.nmfs.noaa.gov/pr/PR2/Fisheries\\_Interactions/MMAP.htm](http://www.nmfs.noaa.gov/pr/PR2/Fisheries_Interactions/MMAP.htm)

The 2004 List of Fisheries and the  
2005 Proposed List of Fisheries can be found at:  
[http://www.nmfs.noaa.gov/pr/PR2/Fisheries\\_Interactions/list\\_of\\_fisheries.html](http://www.nmfs.noaa.gov/pr/PR2/Fisheries_Interactions/list_of_fisheries.html)

### REPORTING OF MARINE MAMMAL INJURIES AND MORTALITIES

All commercial fishermen, regardless of the category of fishery they participate in, are required to report to NMFS all incidental injuries or mortalities of marine mammals caused during the course of fishing activities within 48 hours of returning to port. A report form has been included in this package.

For additional marine mammal reporting forms, call NMFS at (727) 824-5312, or complete the form online at: [http://www.nmfs.noaa.gov/pr/PR2/Fisheries\\_Interactions/mmap\\_rpt\\_form.pdf](http://www.nmfs.noaa.gov/pr/PR2/Fisheries_Interactions/mmap_rpt_form.pdf), print it and fax it to (301) 713-0376.

## **TAKE REDUCTION PLANS FOR ATLANTIC OCEAN FISHERIES**

Take reduction teams are formed and convened with the purpose of developing take reduction plans to assist in the recovery or to prevent the depletion of strategic stocks that interact with Category I and II fisheries. A strategic stock is one which:

- Is listed as endangered or threatened under the ESA,
- Is declining and likely to be listed as threatened under the ESA,
- Is listed as depleted under the MMPA, or
- Has direct human-caused mortality exceeding the stock's PBR level.

The immediate short-term goal of take reduction plans is to reduce, within six months of their implementation, the incidental serious injury or mortality of marine mammals from commercial fishing to levels less than PBR. The long-term goal is to reduce, within five years of their implementation, the incidental serious injury and mortality of marine mammals from commercial fishing operations to insignificant levels approaching a zero serious injury and mortality rate, taking into account the economics of the fishery, the availability of existing technology, and existing state or regional fishery management plans.

Take reduction teams are appointed by NMFS and consist of a balance of representatives from the fishing industry, fishery management councils, state and federal resource management agencies, the scientific community, and conservation organizations.

### **Atlantic Large Whale Take Reduction Plan (ALWTRP)**

NMFS recently published a Draft Environmental Impact Statement (DEIS) analyzing the impacts associated with proposed modifications to the ALWTRP. The alternatives evaluated in the DEIS



are intended to reduce the risk of serious injury and mortality of large whales in commercial fishing gear along the North Atlantic Ocean, U.S. east coast.

NMFS will also publish a proposed rule that will describe specifics on how any ALWTRP modifications would be implemented. The DEIS and proposed rule will solicit public comments during a comment period. More information about the DEIS and proposed rule can be found at:

<http://www.nero.noaa.gov/nero/hotnews/whales/>. The following is a summary of measures you are currently required to abide by in order to reduce the bycatch of large whales in the Southeast Region (North Carolina through Florida).

### **If you use gillnet gear in the mid-Atlantic or Southeast:**

- Your gear type is currently regulated under the ALWTRP. We urge you to obtain the regulations in their entirety to ensure you are in compliance with these requirements. These can be downloaded from <http://www.nero.noaa.gov/nero/hotnews/whales/>.

- If you are planning to purchase new line for your groundline, we encourage you to purchase *neutrally buoyant* or *sinking* line, rather than floating line, to reduce the likelihood of a whale encountering your gear.
- If you are required under the ALWTRP to use a weak link on your buoys and/or net panels, you must use one of the configurations identified in the regulations. You can obtain a guide to weak links and gear marking by calling the Southeast Regional Office at: (727) 824-5312.

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**If you use trap/pot gear to target species including, but not limited to, conch/whelk, hagfish, red crab, scup, black sea bass, tautog, or Jonah crab in the Atlantic:**

- NMFS is considering regulations for these trap/pot fisheries. We encourage you to review the alternatives presented in the DEIS regarding this gear type. For further information, contact the Southeast Region ALWTRP Coordinator, Barb Zoodsma, at (904) 321-2806, or Juan Levesque at (727) 824-5312.
- We also encourage you to call the Southeast Regional Offices fishery liaison, Parks Lewis, at (252) 729-1910, to discuss gear modifications in your fishery or if you are interested in participating in any cooperative research.

**Bottlenose Dolphin Take Reduction Plan (BDTRP)**

NMFS published a proposed rule on November 10, 2004, in the *Federal Register*, to implement the BDTRP and amend the mid-Atlantic Large Mesh Gillnet Rule. This rule combines two proposed actions under one rulemaking process to protect the Western North Atlantic coastal bottlenose dolphins and sea turtles from being incidentally taken in commercial fisheries. NMFS evaluated the Bottlenose Dolphin Take Reduction Team's consensus recommendations and public comments in developing this proposed rule.



The rule proposes both regulatory and non-regulatory components to reduce the potential for interactions between commercial fisheries and coastal bottlenose dolphins and sea turtles. The proposed regulatory requirements include: seasonally-adjusted closures in state waters; gear marking; gear proximity (fishermen must stay within a fixed distance of their nets); prohibitions on night-time fishing; and gear length and mesh size restrictions. The proposed rule was advertised in the *Federal Register*, and the comment period closed on February 8, 2005. NMFS is currently analyzing all comments received and will issue a final rule later this year. For more information, contact Stacey Carlson at (727) 824-5312.

**Harbor Porpoise Take Reduction Plan (HPTRP)**

The take reduction plan for the Gulf of Maine/Bay of Fundy harbor porpoise stock remains in effect for waters off Maine through and including North Carolina. For more information, contact the Northeast Region Protected Resources Division at (978) 281-9328, or visit the HPTRP web page at [www.nero.noaa.gov/porptrp](http://www.nero.noaa.gov/porptrp). You may also wish to contact the industry liaison for your area (see above under ALWTRP) with specific questions on gear requirements.

## **Pelagic Longline Take Reduction Plan (PLTRP)**

NMFS is preparing to convene a Pelagic Longline Take Reduction Team (PLTRT) in the summer of 2005 to address interactions between pilot whales and the pelagic longline fishery. The pelagic longline fishery targets tunas, swordfish, and sharks, and operates from Canada to the Caribbean and in the Gulf of Mexico. The PLTRP will focus on reducing takes of pilot whales, observed to interact with the pelagic longline fishery occur primarily in the mid-Atlantic region. For more information about this team, please contact Laura Engleby or Vicki Cornish at (727) 824-5312.



### How can you avoid interacting with marine mammals?

- If fishing from a boat, DO NOT chum when marine mammals are nearby.
- Avoid fishing in an area where marine mammals are actively feeding, as they may mistake bait for food.
- If marine mammals continue to grab bait, try hauling your gear and moving.
- Avoid discarding fish wastes in the presence of marine mammals, as this may attract marine mammals to your vessel.
- DO NOT dispose of fishing gear in the water. Even small amounts can be harmful to marine mammals if entangled or ingested. Throwing plastic into the ocean is illegal.

### What should you do if you see a stranded marine mammal?

If you see a stranded marine mammal, please note its location and species type (if known), and provide this information to NMFS by calling the NMFS Stranding Hotline at (305) 862-2850.

You can also call the numbers below if you are in the following states:



*Courtesy: Texas Marine Mammal Stranding Network*

North Carolina:	(800) 682-2632
South Carolina:	(800) 922-5431
Louisiana:	(225) 765-2821
Georgia:	(800) 241-4113
Alabama:	(251) 380-3072
Mississippi:	(800) 294-5551
Texas:	(800) 962-6625
Florida:	(888) 404-3922
U.S. Virgin Islands:	(340) 775-6762