



*The Virginia Aquarium and Marine Science Center Foundation
717 General Booth Boulevard, Virginia Beach, VA 23451*

VIA EMAIL SUBMISSION

September 12, 2011

**Mary Colligan
National Marine Fisheries Services
55 Great Republic Drive
Gloucester, MA 01930**

ATTN: ALWTRP Scoping

RE: Comments following ALWTRP Scoping meeting in Virginia Beach, VA on July 27, 2011

Dear Ms. Colligan,

I and a few of my colleagues had the opportunity to attend the NOAA Fisheries ALWTRP Scoping meeting in Virginia Beach, VA on July 28, 2011. Despite the low attendance, we feel that the scoping meeting was well structured and important to encourage early involvement of industry representatives in the planning. It may be a good idea to look at how fishers in the Hampton Roads area are notified of meetings and publications, and evaluate if this process needs to be revised. An early dialogue with industry representatives is key to minimizing post-policy enactment conflicts.

The co-occurrence GIS model is a powerful tool to identify hotspots for vertical line entanglement risks. However, we think caution should be used when relying solely on the model to identify management effort target areas. It makes sense that the model should be used in regions where there is consistent and reliable data. The co-occurrence model is less useful in regions with data gaps. When spatial calculations are made, any area with 0 cell values due to data gaps creates a co-occurrence cell of 0. This is particularly true in the Mid-Atlantic region where whale sightings data that meet the “sightings per unit effort” (SPUE) standard is under represented.

The model maps of the Mid-Atlantic area indicate that the region has relatively active near shore pot and gill-net fisheries; however there is almost no co-occurrence of vertical lines and whales. Studies based on satellite telemetry, limited sighting data, habitat analyses, and statistical modeling have shown that whales inhabit the waters around the Chesapeake extending out at least 40 nautical miles from the Chesapeake Bay Bridge Tunnel. The limited available regional data is not sufficient to predict specific temporal and spatial habitat usage, but presence of whales in the Chesapeake Bay area is assumed and well documented. Stranding and entanglement records, and commercial whale watching, provide direct evidence of whale presence in coastal waters off Virginia and northeastern North Carolina.

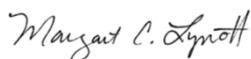
It is therefore impossible to assume there is no risk of co-occurrence, as the model often does for areas of the Mid-Atlantic. In the absence of available SPUE whale data, the model cannot accurately represent the known presence of whales. Based on the density of vertical line occurrence, and assuming whale presence, the commercial fishing activities in ocean areas adjacent to the Chesapeake Bay and northeastern North Carolina certainly present a threat of entanglement.

NOAA Fisheries needs to advocate for the collection of whale density data to fill the gaps, especially in the mid-Atlantic, if the co-occurrence model is to be useful for management in the region. Until then, the agency should potentially look to other methods for assessing the risk to whales from vertical lines and support careful monitoring of the ongoing interactions between whales and fishing gear in the region.

Sincerely,



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