

**ALWTRP Scoping Meeting  
East Machias, Maine  
July 11, 2011**

**NMFS Staff:** Dave Gouveia, Kate Swails, Allison Rosner, John Higgins

**Number in attendance (not counting NMFS staff): 30**

**Including:**

- Andrew Varisco, Senator Olympia Snowe's Office
- Norm Olsen, Commissioner of Maine's Department of Marine Resources
- Sarah Cotnoir, Maine Department of Marine Resources, Take Reduction Team State Representative
- Patrice McCarron, Maine Lobstermen's Association, Take Reduction Team Industry Representative

**Exemption Line**

Commenters asked Agency if groundline and the exemption line were up for discussion. The Agency stated that it was possible to put it on the table for discussion but reminded participants that the current exemption line was proposed by Maine DMR and that these issues would be difficult to pursue at the TRT level.

**Gear Marking**

Commenters had general support of gear marking and recognized that it is necessary for proving entanglements not occurring in their areas. Support was given for more regional gear marking. Discussion included having one color versus multiple colored markings, recognizing that there may be too many specific areas in order to use a single color. One commenter recommended marking at 30- 40 fathoms instead of 10 as this would be easier. One participant asked if the Agency would want marking within the exemption area as well.

**Fine-scale approach**

Commenters supported finescale approaches versus broad management measures.

**Credit for measures already providing conservation benefit**

Two commenters discussed the use of stiff rope in their areas due to tides. If this measure proves to have a conservation benefit for whales, they would like it to be considered for credit towards conservation.

**Vertical line reduction vs. other viable options for reducing risk**

Commenter suggested reducing breaking strength or line diameter for upper portion of vertical line. Would fishermen receive partial credit for gear modifications instead of vertical line

reduction? The Agency stated that reducing any amount of line in the water column would result in credit.

Commenter suggested reducing amount of slack in a given vertical line, but cautioned it would be determined based on tidal fluctuations in an area.

Several commenters noted being uncomfortable making proposals with no given target of risk reduction.

#### **Commissioner of DMR statement**

Stated 60 days not long enough for industry to define a target so Agency or TRT should. Suggested Agency hold TRT meeting prior to the end of the 60 day comment period ending to determine a target of risk reduction. Written statement was provided.

#### **Senator Snowe's Office statement given by Andrew Varisco**

Expressed support for fishermen engaging in the process early. Critiqued Agency for not having effectiveness monitoring and evaluation plan in place for groundline rule before pursuing vertical line risk reduction. Acknowledged the need for conservation of large whales while preserving ME lobster industry. Support for discrete management versus broad-based measures. Written statement was provided. The Agency elaborated that there is a monitoring plan currently in development.

#### **Other Questions**

*What is Agency doing about Canada & Canadian gear? Does Agency even know if any entanglements are in US gear?* Canada affords protection to right whales under the Canadian Species at Risk Act (SARA). SARA is analogous to the United States' ESA. Under SARA, Canada has developed and implemented conservation measures to protect right whales from interactions with commercial shipping vessels. They have identified areas to be avoided for large vessels; areas of slower ship speed; and changed vessel traffic schemes in high risk areas where right whales frequent during certain times of the year. Regarding commercial fishing interactions with right whales, Canada is currently developing an action plan to address this issue. They have identified many of the same gear types as entanglement risks to right whales and other large whale species. They have also, in collaboration with Canadian NGOs, developed a disentanglement network. The US and Canada have been working in together to address right whale related issues. Although Canada may not be in the same place as the US with regard to dealing with entanglement issues, they are working in that direction as provided in the SARA mandates. The Agency does its best to delineate between US and Canadian gear

*What's the population trend for right whales?* Currently the right whale population growth is trending upwards. However, entanglement rates are also increasing which may negate any

population growth estimates and keep us from reaching our goals set out by the ESA & MMPA to full recovery and zero mortality rate goal.

*Will humpbacks be delisted?* Right now, the stocks are undergoing a status review that will determine if the humpback population has increased enough to warrant downlisting or delisting. That decision will hopefully be made this summer, but we will not have an answer until the status review is complete.

*Will vertical line management incorporate areas currently in exemption zones?* No. Management will focus on areas managed under the ALWTRP, and exempted areas are not.

*Will groundline rule be reevaluated based on co-occurrence model?* The goal of the groundline rule was to reduce risk from this component of the gear and the broad based implementation achieved the greatest risk reduction and increases our potential to meet legal mandates under MMPA and ESA. The premise of the vertical line strategy is to focus conservation efforts to those areas where high abundance of vertical lines overlaps with a high abundance of known sightings of right and humpback whales. Given that there is no broad based gear modification currently available for vertical lines, and the desire of the states and industry to be more strategic in the vertical line rulemaking, we are prioritizing areas for management. Focusing on high co-occurrence areas does not imply that other areas pose no risk of entanglement and therefore are not appropriate for management under the ALWTRP.

*What was the baseline of information used for the model (number of years of data collected for sightings and gear distribution, what species, etc.)?* The model currently has whale sightings data from 1978-2010 and gear characterization data from 2008. Gear characterization data from 2009 and 2010 will be entered into the model in the coming months.