

**ALWTRP Scoping Meeting
Cape Canaveral, FL
August 22, 2011**

NMFS Staff: Barb Zoodsma, Kate Swails, Jessica Powell
Number in attendance (not counting NMFS staff): 15

This meeting began with Ms. Zoodsma giving two overview presentations of the laws and regulations relevant to the Atlantic Large Whale Take Reduction Plan, the necessity of a proposed rule to reduce large whale takes associated with vertical lines, the co-occurrence modeled to help inform decisions related to this action, and the purpose and process behind scoping.

Ms. Zoodsma stressed that the scoping meetings were meant to engage stakeholders and acquire input early on in the process prior to the development of any formal plan or ideas.

Several commenters wanted to know the details of the large whale takes associated with vertical line, specifically requesting the type of gear (e.g. gillnet) and location of entangled whales. Has there been a whale entangled in Florida gear?

Several commenters were upset that a recent media publication mistakenly listed a right whale from the past winter as entangled in “crab pot” line. There have been multiple occasions where there were inaccurate portrayals of the Florida fisheries in the media.

Ms. Zoodsma agreed that this was problematic and offered to contact the writer, offer accurate information, and serve as a reference in the future for this writer to avoid any further mis-prints.

A couple of commenters noted that there was no need for additional gear marking in the Southeastern United States because all the gear was similar and could already be identified.

One commenter suggested that the Southeast United States co-occurrence map should be re-colored because the initial reaction of most was to consider the “black areas,” which represent no data, as high co-occurrence areas.

Commenters noted that the vertical line bar graph comparing trap pot and gillnet vertical lines was evidence that gillnet fishing should be opened in January and February. The proposed action should be to re-open the fishery.

In response, Ms. Zoodsma explained the small amount of gillnet vertical lines represented on the bar graph (in comparison to trap pot lines) showed that the regulation was successful at providing a reduction in vertical line that may entangle right whales.

One commenter stated that it was key that they maintain the ability to fish for Spanish mackerel with gillnet during December and March.

Commenter asked how close to shore right whales are seen in Florida. Commenter noted that gillnets are typically only fished in 8-9 feet of water and while fishing at this shallower depth, has never encountered a right whale personally.

Ms. Zoodsma noted that right whales along Florida's east coast are typically seen west of the Gulf current.

Commenter noted that all "blips" of right whales (where co-occurrence between right whales and vertical line was greatest along the north and central Florida coast) were north of Cape Canaveral.

Several commenters wanted co-occurrence of individual vertical line fisheries mapped. Commenter noted for example, that blue crab seldom fished offshore. Other commenters wanted to see black sea bass and gillnet fisheries modeled individually.

Commenter noted that black sea bass which fishes offshore have minimal gear and do not encounter whales.

One commenter suggested that to reduce vertical line risk to right whales and atone for serious injury and mortalities caused by ship strikes, there should be a tariff paid by all large ships when entering right whale habitat. Those tariffs should then be used to fund spotter plans to locate whales and alert the shipping and fishing community where the whales are in real time so they can work around the animals, reducing risk.

Commenter noted that regulation would not be ideal in such a poor economy because it would likely cut jobs.

Commenter suggested that the entanglement problem with vertical lines was in the Northeast, and that this area should be addressed first.

Commenter noted that the right whale calf that was killed in 2006 was actually entangled in illegal shark gillnet gear that was fished at night.

Commenter would like a black sea bass fishermen representative from the GA/FL area on the Atlantic Large Take Reduction Team because North Carolina black sea bass fishing practices are much different than Southeast fishing practices and thus should also receive representation.

One commenter noted that soak time should be a factor when comparing the Southeast and Northeast vertical line fisheries.

Commenter inquired what the minimum number of vertical lines that could be used and yet still reduce risk of entanglement to large whales.

Ms. Zoodsma noted that this was unknown.

Commenter noted that reducing serious injury and mortality to 0.7 (PBR) for right whales was unfair because takes caused by Northeast fishermen may affect Southeast fishermen.

Another commenter noted PBR should be regionalized and based on the co-occurrence model.

A gillnet fishermen commented that it would not be possible to reduce further than two endlines per net because it may become more dangerous for whales as there would be a great chance of losing the gear.

In regards to gear marking, one commenter noted that there was no need to mark gear more so than is currently required.

One commenter noted that the black sea bass fishery would be reduced to a minimum in FL and GA as a result of the Council's plan to create a limited access fishery.

Commenter noted that no further regulations would be worthwhile in the Southeast because fisheries were already at minimum effort.

Commenter was interested in the size of the boxes (via latitude and longitude degrees) in which co-occurrence was modeled.

Commenter noted that Amendment 18A regarding changes to the black sea bass fishery would further reduce vertical lines in FL.

Commenters wanted to know where and how the data was acquired for the co-occurrence model.

Ms. Swails, Ms. Zoodsma, and Ms. Powell noted the different methods including surveys, state fishery experts, landings data, logbook data, etc.

Commenter pointed out that this proposed rule was worrisome for fishermen as they are already struggling to survive under current regulations.

One commenter found it unfair that gillnet fishermen are forced to go three miles offshore especially since they pull their nets at night and haul every hour whereas shrimp trawls can pull nets closer to shore.

Ms. Zoodsma asked for feedback on gear marking since she anticipates this will likely be included in the proposed rule.

Overall, several fishermen in the room agreed that they would be willing to put more markings on their nets.

Ms. Swails also explained that final rule would include a monitoring plan to see how effective the regulation was at reducing risk to large whales.

One fishermen in the room noted that he only has to mark his gear with spray paint once a year and the color will hold.

Once commenter felt that gillnets should be exempted from any regulation because they tend their gear every hour, haul gear at night, and often carry an observer.

One commenter proposed that all participants in a new fishery that may affect large whales should be required to attend training, similar to trainings held by the Highly Migratory Species Division.