

**FALSE KILLER WHALE PRE-TAKE REDUCTION TEAM
INFORMATIONAL MEETING
NOVEMBER 19-20, 2009: HONOLULU, HAWAII**

MEETING SUMMARY

BACKGROUND

The National Marine Fisheries Service (NMFS) convened a two-day informational meeting to brief interested stakeholders on the planned convening of a False Killer Whale Take Reduction Team.

The meeting, held at the Hawaiian Islands Humpback Whale National Marine Sanctuary Office, focused on three primary objectives: (1) provide background information on the Marine Mammal Protection Act's (MMPA) Take Reduction Program (Program) process and Take Reduction Team (Team) process; (2) provide an overview of key marine mammal abundance and incidental take information, including mortality and serious injury data requiring the agency to convene a TRT to reduce take of false killer whales; and (3) provide affected stakeholders an opportunity to develop a common understanding of the problem and parameters prior to the formal convening of a TRT.

As the meeting was informational only, participants were asked to not generate recommendations nor attempt to reach consensus on any false killer whale-related issues. The meeting also did not include discussion of the recent petition to list the false killer whale under the Endangered Species Act, as that matter is being handled on a separate track.

PARTICIPANTS

The meeting was formally convened by Lisa Van Atta, NMFS Pacific Islands Regional Office (PIRO) Assistant Regional Administrator for the Protected Resources Division. Key NMFS staff involved in planning and/or managing the meeting included the following: Lance Smith, PIRO; Nancy Young, PIRO; Michelle Yuen, PIRO; Kristy Long, NMFS Office of Protected Resources; Karin Forney, NMFS Southwest Fisheries Science Center; and Erin Oleson, NMFS Pacific Islands Fisheries Science Center.

Other meeting presenters included: Michael Marsik and Jamie Marchetti, PIRO; Russell Ito, NMFS Pacific Islands Science Center; Paul Dalzell, Western Pacific Regional Fisheries Management Council; and Robin Baird, Cascadia Research Collective. Scott McCreary and Bennett Brooks with CONCUR, Inc., a West Coast-based consulting firm specializing in environmental dispute resolution, facilitated the meeting.

The meeting, which was open to the public, was attended by approximately 60 people, including representatives from conservation organizations, fishing industry, research and academic

institutions, the State of Hawaii, the Western Pacific Region Fisheries Management Council, the Marine Mammal Commission (MMC), NOAA, the U.S. Coast Guard and others. A listing of attendees (based on the sign-in sheets provided at the meeting) is attached to this memorandum.

PRESENTATIONS

The meeting focused on a series of presentations intended to provide attendees with a shared foundation on both the impetus for and approach to convening a false killer whale-focused Team. The presentations centered on the following topics:

- ***Take Reduction Programs and Team.*** These briefings, presented by L. Smith, K. Long and N. Young, focused on providing attendees with background on: 1) general MMPA goals and requirements related to take reduction planning; and 2) the False Killer Whale Team process, background and impetus. The presentations included discussion of, among other things, the MMPA-driven timeline, Team composition and Plan requirements.
- ***Stock Assessment Process Overview.*** K. Forney and E. Oleson provided extensive background information on 1) MMPA requirements related to the stock assessment process, calculating Potential Biological Removal and dealing with uncertainties/assumptions; and 2) the general methods undertaken to prepare and assess abundance estimates, stock structure identification, and human-caused serious injury and mortality. The presentations underscored the peer-reviewed science underlying the various estimation methods.
- ***NMFS PIRO Observer Program.*** M. Marsik and J. Marchetti provided an overview of the PIRO Observer Program's work with the longline fishery and the nature of the interaction between the longline fishery and cetaceans. The presentation included basic statistics on the number and nature of takes, as well as video of false killer whales actively depredating on hooked swordfish as the longline gear was being hauled by a fishing vessel.
- ***Hawaii Fisheries Overview.*** R. Ito and P. Dalzell provided overviews of the Hawaii longline and shortline fisheries, respectively. Both presentations summarized recent trends in the fisheries including fishing location and techniques, target species, landings and effort. P. Dalzell's presentation also emphasized the distinctions between the offshore handline, kaka line and shortline fisheries and some of the confidentiality issues inherent in characterizing a fishery with very few participants.
- ***False Killer Whale Biology.*** R. Baird provided a detailed overview of false killer whale biology. The presentation covered topics ranging from false killer whale life cycle, diving depths and movement patterns around the Hawaiian Islands to feeding habits, communication patterns and social groupings.
- ***False Killer Whale Abundance, Mortality and Serious Injury.*** K. Forney and E. Oleson provided succinct summaries of estimates of false killer whale stock structure and

abundance, serious injury and mortality. The presentations focused on the Hawaii Pelagic, Hawaii Insular and Palmyra stocks, and included breakdowns of the takes by both the deep-set and shallow-set longline fisheries. It also included a discussion of takes of false killer whales by U.S. fisheries on the high seas.

Digital copies of all presentations are available by contacting TRT Coordinator Nancy Young at 808-944-2282 or via email at Nancy.Young@noaa.gov.

DISCUSSION SUMMARY

The details covered in each presentation are available in the meeting materials, but below is a quick summary of some of the most critical points.

- Current take levels of false killer whales require NMFS to convene a Team focused on the deep-set longline fishery and the Hawaii Pelagic stock of false killer whales. The Agency may also broaden the scope to fold in other stocks and fisheries, as appropriate.
- The Team is required to provide consensus recommendations within six months of establishment. This fast-track timeline requires the Team to move quickly and work collaboratively.
- NMFS is committed to convening a balanced team of users and non-users, including robust participation by fishermen to foster their input, tap their considerable expertise and generate buy-in. Final Team selection is made by the NMFS Assistant Administrator for Fisheries.
- The Team is required to use existing data from the most recent Stock Assessment Report (SAR) and other more recent information to guide the deliberations and recommendations to reduce false killer whale takes and achieve the MMPA goals. Team members can also use the process to recommend research and other actions intended to improve data for future assessments.
- Recent anecdotal evidence suggests that false killer whale depredation activity may be on the rise, a trend that (if accurate) is likely to increase the risk of takes. It also suggests that fishermen may have an economic incentive to minimize interactions with false killer whales.
- Information on the shortline fishery is limited and the data that are collected are difficult to access due to confidentiality constraints.

Each presentation generated a series of questions and comments by meeting attendees, as well as follow-on responses by the presenters. The bulk of participants' comments centered on clarifying questions. There were, however, a handful of themes that emerged based on the discussions. The list below captures some of the main topics discussed; this listing is not intended to be comprehensive.

- Importance of maintaining the Team's focus on the most pressing issue – interactions between deep-set longline fishery and Hawaii pelagic stock of the false killer whale – yet framing the scope broadly enough to fold in other stock and fisheries as beneficial.
- Need for greater and sustained fishermen participation – both to ensure the Team's deliberations are informed by fishermen's practical experience and know-how and foster

smoother and wider implementation of any eventual recommendations. Commentors also emphasized the importance of in-person and truly collaborative deliberations, including time for informal discussions.

- Importance of including research recommendations in any draft Take Reduction Plan developed by the Team. Also interest in identifying near-term research activities (e.g., use of weak hooks) that might inform and support the Team's planned 2010 deliberations.
- Interest in using the Take Reduction process to identify recommendations intended to generate improved data sets to support decision making, including abundance and take estimates in the future.
- Significant interest in better understanding and increasing the precision of abundance estimates, particularly given the rarity of false killer whale sightings at sea. Suggestions included using observed takes to inform population estimates or developing an abundance estimate using mark-recapture photographic studies.
- Importance of better understanding and prorating unidentified takes that are currently listed only as "blackfish" (i.e., false killer whales or short-finned pilot whales) and not counted as takes of false killer whales.
- Interest in generating better data on shortline fisheries – from the extent and techniques of the fishery, to target species, depredation, takes and management regimes.
- Importance of better understanding false killer whale biology – from the use of echolocation and group structure to seasonality, movement and dive patterns – as a way to identify and mitigate interactions.
- Need to ensure American Samoa fisheries and fishery managers are aware of the Take Reduction process and given an opportunity to track and participate, as appropriate.

NEXT STEPS

Given the informational nature of the briefing, the meeting generated only a handful of next steps. These included the following:

- Make available a list of meeting attendees;
- Make available, as possible, digital copies of presentations;
- Contact American Samoa fishery representatives to inform them of and solicit their interest in the Take Reduction Team process;
- Put forward candidate Team member names for consideration and formal nomination by the NMFS Assistant Administrator for Fisheries; and,
- Consider opportunities to launch near-term research to inform the Team's subsequent deliberations.

Questions or comments regarding this summary can be directed to Nancy Young with PIRO (808-944-2282), or Scott McCreary (510-649-8008) and Bennett Brooks (212-678-0078) with CONCUR.

**False Killer Whale Pre-Take Reduction Team
Informational Meeting
Honolulu, Hawaii, November 19-20, 2009**

*****List of Attendees*****
(Based on participant sign-in sheets)

Liz Alter, NRDC	Kim Maison, NMFS PIRO PRD
Whit Au, HIMB	Jamie Marchetti, NMFS PIRO Observer Program
Adam Bailey, NMFS PIRO SFD	Michael Marsik, NMFS PIRO Observer Program
Robin Baird, Cascadia Research	Marti McCracken, NMFS PIFSC
Scott Barrows, HLA	Scott McCreary, CONCUR, Inc.
Hannah Bernard, Hawaii Wildlife Fund	Naomi McIntosh, NOAA HIHWNMS
Steve Beverly, SPC	Jen Metz, NMFS PIRO PRD
Keith Bigelow, NMFS PIFSC	Aliza Milette
Bennett Brooks, CONCUR, Inc.	Paul Nachtigall, UH
Vicki Cornish, Ocean Conservancy	David, Nichols, HI DLNR
Emily Crigler, NMFS PIRO NEPA/IFD	Erin Oleson, NMFS PIFSC
Brendan Cummings, CBD	Aude Pacini, HIMB
Paul Dalzell, WESPAC	John Peschan, NMFS PIRO Observer Program
Kelly Finn, WPRFMC	Andy Read, Duke University
Karin Forney, NMFS SWFSC	Michael Richlen, HIMB
Dawn Golden, NMFS	Sarah Rider, NAVFAC Pacific
Krista Graham, NMFS PIRO PRD	Eric Roberts, USCG
John Hall, HLA	Lance Smith, NMFS PIRO PRD
David Henkin, EarthJustice	Ryan Steen, HLA - Stoel Rives
Marie Hill, NMFS PIFSC	Meagan Sundberg, NMFS PIFSC
Mio Hoshino	Take Tomson, NOAA OLE
Russell Ito, NMFS PIFSC	Fred Tucher, NOAA GC
Laura Kloepper, HIMB	Lisa Van Atta, NMFS PIRO PRD
John LaGrange, HLA	Nick Wagner, NMFS PIRO Observer Program
David Laist, MMC	Jeff Walters, NMFS PIRO PRD
Marc Lammers, UH/HIMB	Jeremy Wilson, NMFS PIRO Observer Program
Jayne LeFors, NMFS PIRO PRD	Sheyna Wisdom, URS
Kristy Long, NMFS OPR	Nancy Young, NMFS PIRO PRD
Dan Luers, NMFS PIRO Observer Program	Michelle Yuen, NMFS PIRO PRD
Kris Lynch, MMC	