



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Pacific Islands Regional Office
1845 Wasp Blvd., Bldg 176
Honolulu, Hawaii 96818
(808) 725-5000 • Fax (808) 725-5215

February 15, 2019

Dear Hawai'i Longline Permit Holder:

This letter is to inform you that NOAA's National Marine Fisheries Service (NMFS) is closing the Southern Exclusion Zone (SEZ) to deep-set longline fishing on February 22, 2019. The SEZ will remain closed until at least one of the following criteria in the False Killer Whale Take Reduction Plan (Plan) regulations (50 CFR 229.37(e)(5)), has been met: (1) after consideration of the False Killer Whale Take Reduction Team's recommendations and evaluation of all relevant circumstances, it is determined that reopening of the SEZ is warranted; (2) in the 2-year period following SEZ closure, there are zero observed false killer whale mortalities and serious injuries (M&SI) in the EEZ; (3) in the 2-year period following the SEZ closure, the fishery reduces its total M&SI rate by an amount equal to or greater than the rate required to reduce M&SI within the EEZ to below the pelagic stock's potential biological removal; or (4) the average estimated level of false killer whale M&SI within the EEZ for the 5 most recent years is below the pelagic stock's potential biological removal. This closure does not apply to vessels that have declared a shallow-set longline trip per 50 CFR 665.803.

On January 19, 2010, NMFS announced the establishment of the False Killer Whale Take Reduction Team (FKWTRT) in the Federal Register (70 FR 36120) to address false killer whale bycatch in the Hawaii commercial longline fisheries. The FKWTRT is comprised of representatives of the Hawaii-based longline fisheries, conservation organizations, scientific and research organizations, the State of Hawaii, the Marine Mammal Commission, the Western Pacific Regional Fishery Management Council, and NMFS. In July 2010 the FKWTRT submitted to NMFS a "Draft Plan" including recommendations for the development of a SEZ and other conservation measures to reduce mortality and serious injury of false killer whales. The final Plan and implementing regulations (77 FR 71259) require closure of the SEZ to deep-set longline fishing when the specified false killer whale bycatch limit for the year (the closure "trigger") has been reached. An SEZ closure is triggered if, after expanding the number of observed M&SI, the Hawai'i pelagic stock's potential biological removal (PBR) level (9.3 whales per year) has been exceeded. Based on 20% observer coverage in the deep-set fishery, the trigger is currently two M&SI false killer whale interactions within the EEZ around Hawaii.

NMFS observers have documented two false killer whale interactions in January 2019 in the Hawai'i longline fishery that occurred inside the EEZ. One of those interactions resulted in the mortality of a false killer whale. Following the procedures outlined in the Plan and in NMFS Policy Directives, NMFS determined that the other false killer whale resulted in a "serious injury." Accordingly, the closure trigger has been reached and NMFS must close the SEZ. NMFS is announcing the closure of the SEZ by separate Federal Register notice.

The SEZ is the portion of the U.S. Exclusive Economic Zone (EEZ) around Hawai'i bounded by 165° 00' W on the west, 154° 30' W on the east, the Papahānaumokuākea Marine National Monument and the Main Hawaiian Islands Longline Fishing Prohibited Area on the north, and the EEZ boundary on the south.

See the attached map, as well as responses to anticipated Frequently Asked Questions about the SEZ closure. Please note that the document is not a substitute for the regulations establishing the SEZ, set forth in Title 50 of the Code of Federal Register, Chapter II, Subpart C, Section 229.37. NMFS urges all commercial longline fishermen to familiarize themselves with these regulations. To review the FKWTRP and NMFS final rule, please visit our website at:
http://www.fpir.noaa.gov/PRD/prd_FKW_take_reduction_team.html

For more information about the SEZ closure or the Plan, please contact Kevin Brindock at (808) 725-5146 or kevin.brindock@noaa.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ann Garrett', with a stylized flourish at the end.

Ann Garrett
Assistant Regional Administrator
Protected Resources

Enclosures

Map of the Southern Exclusion Zone

