WESTERN PACIFIC REGIONAL FISHERY MANAGEMENT COUNCIL

Report of the
Sixth Meeting of the Protected Species Advisory Committee
December 17, 2018
9 a.m. to 11 a.m.
Council Office & by Teleconference

1. Welcome and Introductions

Jim Lynch, Chair, welcomed members of the Protected Species Advisory Committee (PSAC) and others participating on the phone and in-person. PSAC Members in attendance were Sam Kahng, and Clay Tam. Members participating via teleconference were George Balazs, Milani Chaloupka, Melanie Hutchinson, and Erin Oleson. David Hyrenbach and Lyn McNutt were excused. Other meeting participants included T. Todd Jones (in-person), Jarad Makaiau (in-person), John Gourley (in-person), Joshua Lee (in-person), Ann Garrett (in-person), Ed Watamura (in-person), Yonat Swimmer (teleconference), and Tom Swenarton (teleconference).

2. Approval of Agenda

The agenda was approved without any changes.

3. Status of the Fifth Protected Species Advisory Committee Meeting Recommendations

Asuka Ishizaki, Council staff, reviewed the status of recommendations from the fifth meeting held April 20-21, 2018. Many of the recommendations will be covered in more detail at the next regular PSAC meeting scheduled for April 2019.

4. Managing Loggerhead and Leatherback Sea Turtle Interactions in the Hawaii-based Shallow-set Longline Fishery

Ishizaki provided an overview of the status and management of loggerhead and leatherback sea turtle interactions in the Hawaii-based shallow-set longline fishery. At its 173rd meeting in June 2018, the Council recommended amending the Pelagic Fishery Ecosystem Plan to establish annual interaction limits and individual trip interaction limits for loggerhead and leatherback turtles in the Hawaii shallow-set longline fishery. These hard cap limit recommendations were based on the most recent Biological Evaluation that reinitiated the Endangered Species Act (ESA) consultation; the new draft Biological Opinion (BiOp) was originally expected in October 2018.

The draft BiOp has been delayed and was not made available at the 174rd Council meeting in October 2018, but PIRO presented the Approach to the Analysis. NOAA's General Counsel also provided a briefing to the Council regarding the implications of the Ninth Circuit decision on the Council action. The Council is considering additional mitigation measures for the Western Pacific leatherback turtles before the draft BiOp is complete to inform development of any Reasonable and Prudent Measures (RPMs) or Reasonable and Prudent Alternatives (RPAs) depending on the determination of jeopardy-status. The new draft BiOp is expected to be completed by January 31, 2019.

The Hawaii shallow-set longline fishery has 100% observer coverage. Leatherback interactions in this fishery have been relatively stable since 2004, but significantly reduced compared to pre-2004 levels. Since 2004, the fishery has operated under leatherback and loggerhead interaction limits that when reached, the fishery is closed for the remainder of the calendar year. Population projections of these turtle stocks using nesting beach data trends show a leatherback decline of 5% over the long-term, though recent data do suggest some rebound capacity potentially due to conservation programs put in place in the early 2000s at leatherback nesting beaches.

At its 175th meeting, the Council will consider additional mitigation measures for loggerhead and leatherback turtle stocks under consideration. There was a spike in loggerhead turtle interactions in the fishery over a month-long period in the most recent season that showed deficiencies in the hard cap system with respect to early detection of potential overages in annual interaction limits. The impacts of past hard cap closures (e.g. 2006 and 2011) seemed to mostly depend on when the year that the closure took place, early or late in the year. There is a need to provide fishery managers and participants with necessary tools to respond to and mitigate fluctuations in sea turtles interactions so as to ensure a continued supply of fresh swordfish to U.S. markets.

Options considered at the 173rd Council meeting and for input by the PSAC included: specifying individual trip limits, vessel limits, in-season temporary closures (i.e., breaking up the fishing year and associated hard cap limit into relative quarters), real-time spatial management measures, research to minimize trailing gear to reduce post-hooking mortality rates, and time-area closures.

PSAC discussion included clarifying questions on the mitigation options presented. One PSAC member asked a question about the relationship between individual vessel limits and potential captain effects. Ishizaki responded that the only way to require a vessel to stay out of the fishery would be to assign an interaction limit to the physical vessel rather than the captain, but captains may remain in the fishery by operating a different vessel with an unused limit.

PSAC members also asked whether fishermen had a preferred alternative, and Ishizaki responded that prior to the Council's June action, there was general support for individual trip or vessel limits, with some fishermen preferring for competitive reasons. Ishizaki noted that fishermen recognized that it would be helpful to have individual consequences to ensure the fleet can continue to operate instead of a small number of trips or vessels disproportionately contributing to the fleet-wide hard cap. The Hawaii Longline Association submitted comments for the 175th Council meeting noting that they would like to see the draft BiOp before lending full support of a preferred option.

PSAC members agreed that research for minimizing trailing gear to reduce post-hooking mortality rates in the Hawaii shallow-set longline fishery is a priority, noting that development of additional tools and techniques to reduce the prevalence of trailing gear in the Hawaii shallow-set longline fishery would be warranted. It was noted that a line cutting tool being developed for use in the deep-set fishery to cut wire leaders may be adapted for use in the shallow-set fishery to provide a safe tool to cut line when leatherbacks cannot be brought close to the vessel, especially considering that shallow-set vessels may operate in rough sea conditions. One member expressed concern that research may take time and would be dependent on funding, so it was not clear what

the mitigation benefit would be. Ishizaki clarified that the mitigation goal is to reduce trailing gear further, and that the research would be the necessary next step.

Additionally, the PSAC generally supported the specification of individual trip limits. Some members supported implementing a combination of all mitigation measures discussed with the exception of time-area closures, recognizing that time-area closures may not be effective due to the variation in the environments that aggregate the turtles. Members generally agreed that measures other than the individual trip limits and post-hooking mortality research would warrant further evaluation and discussion, but are not recommended for immediate action at this time.

5. 2020-2024 Research Priorities

Ishizaki provided a brief overview of the 2020-2024 Research Priorities. The Council has been developing its next set of 5-year research priorities for the years 2020 to 2024. The PSAC regularly reviews these priorities and gives feedback to the Council. The document will go to the Council for review at its March 2019 meeting. Ishizaki requested that PSAC members take the next week to review the Research Priorities draft document and provide their comments at the end of that period. Ishizaki noted that the draft priorities were kept intentionally broad in the Protected Species section to allow for flexibility as issues arise and as needed over the next five years.

6. Public Comment

There were no public comments.

7. Committee Discussion and Recommendations

Regarding the Management of Leatherback Sea Turtle Interactions in the Hawaii Shallow-set Longline Fishery, the Protected Species Advisory Committee:

1. Recommends that the Council request NMFS to support research in minimizing trailing gear to further reduce post-hooking mortality rates of loggerhead and leather back turtles. Available observer data since 2004 indicate that reducing railing gear on leatherback turtles would reduce post-hooking mortality rates. Development of additional tools and techniques would be warranted to allow quick and safe removal of trailing gear for large turtles that cannot be brought on board, consistent with existing requirements to disentangle and remove the gear, or cut the line as close as possible to the hook or entanglement.

2. Support implementation of individual trip limits for leatherback turtles to help ensure that impacts to the species from the Hawaii shallow-set longline fishery remain at low levels observed since the fishery's reopening in 2004 and to mitigate potential impacts from increases in interactions that may be caused by aggregation of leatherback turtles on fishing grounds

8. Other Business and Next Meeting

There was no other business. The seventh meeting of the PSAC is scheduled for April 2019.