

**False Killer Whale Take Reduction Team Meeting  
Via Teleconference: January 5, 2018**

**KEY OUTCOMES MEMORANDUM**

**I. OVERVIEW**

The National Marine Fisheries Service (NMFS) held a False Killer Whale Take Reduction Team (FKWTRT) meeting via teleconference on January 5, 2018. The primary purpose of the teleconference was to provide a briefing and respond to associated clarifying questions on an observed false killer whale interaction that occurred on October 28, 2017, inside the EEZ.

Additional materials provided to the Team for the teleconference include the expedited injury determination protocol that was developed for the False Killer Whale Take Reduction Plan and a description of the October false killer whale interaction and subsequent injury determination.

**II. PARTICIPANTS**

Ten of 19 Team members (or their alternates) participated in the teleconference. Participants included the following: Robin Baird, Hannah Bernard, Brendan Cummings, Ann Garrett, Dennis Heinemann, Michael Jasny, John LaGrange, Susan Pultz (alternate for Ann Garrett), Andy Read, Ryan Steen and Sharon Young. Team members Paul Dalzell, Roger Dang, Clint Funderburg, Eric Gilman, Asuka Ishizaki, Kristy Long, Paul Nachtigall and Victoria O'Connell were not able to participate.

Kevin Brindock and Jean Higgins with the NMFS Pacific Islands Regional Office (PIRO) Protected Resources Division, Jamie Marchetti with the PIRO Observer Program, and Erin Oleson and Amanda Bradford with the NMFS Pacific Islands Fisheries Science Center also participated. Scott McCreary with CONCUR and Bennett Brooks with the Consensus Building Institute served as neutral facilitators.

**III. MEETING MATERIALS**

As noted above, an agenda and other materials were provided to the Team prior to the meeting to support the discussion.

**IV. KEY OUTCOMES**

Below is a summary of the main topics and issues discussed. This summary is not intended to be a meeting transcript. Rather, it provides an overview of the main topics covered, the primary points and options raised in the discussions, and next steps.

**A. Welcome, Introductions and Updates**

The teleconference began with a review of the agenda and a recap of the core meeting purpose

by K. Brindock. S. McCreary and B. Brooks outlined the meeting protocols.

### **B. Discussion: False Killer Whale Interaction and Serious Injury Determination**

K. Brindock provided a concise overview of the October 28, 2017, false killer whale interaction, highlighting pertinent details of the interaction (handling methods, nature of injury, gear, etc.).

A. Bradford provided details on the injury determination. Key elements of the briefing included the following:

- The false killer whale was entangled in branchline; it is unknown whether the animal was also hooked. The line was wrapped around the animal at the base of the tail with abrasions observed at the base of the tail.
- After the animal was first detected on the line, the crew held the line without creating tension while the observer began preparing to collect data. As the crew applied tension to the line and began pulling the animal closer to the boat, the animal began to struggle and the line broke within 1 minute of pressure being applied to the line. The animal was not observed after the line broke.
- Gear involved in the interaction included: 2.0 mm diameter monofilament branchline, 15/0 offset round circle hook 4.5 mm diameter, 45 g weight, and 1.5 mm diameter wire leader (0.6 m length).
- The branchline was not measured following the interaction, and it is unknown how much branchline remained attached to the animal.
- The captain was on deck when the interaction occurred, but was not directing the crew or instructing handling methods to use during the interaction.
- The observer did not see any other marine mammals in the immediate vicinity. There was marine mammal depredation observed on the set following the interaction; no observations of bait loss or damage was reported on the set.
- The injury was determined by NMFS to be serious based on the application of one of two possible criteria: (1) S6 - gear attached to free-swimming animal with potential to become a constricting wrap on the animal, be ingested, accumulate drag, or become snagged on something in the environment, or (2) S8a – gear wrapped and constricting on any part or is likely to become constricting as the animal moves or grows.
- The video taken by the observer was important in making the injury determination as it showed a closed wrap of line around the animal, suggesting the line got hooked or tangled back on itself after wrapping around the animal. The wrap was possibly constricting at some point during the interaction, given the visible abrasions around the base of the tail, but the closed wrapping below the point where the line broke indicates there would not have been a loose end to potentially unwind.
- Consistent with the expedited determination protocol the expedited serious injury determination was completed within the 25-business-day time interval.

A written detailed report of the interaction and serious injury determination was provided to the Team and can be found in Attachment 1.

Based on the briefing of the interaction and injury determination, the Team posed a number of clarifying questions regarding the interaction. Below is a synopsis of key themes discussed.

- ***Gear remaining attached to the animal.***

One Team member questioned the conclusion of the injury determination since there was no observation of the animal after the line broke and it is unknown how much branchline remained attached to the animal. The team member also commented that the circle hook and branchline can loop back on itself and the animal could have been released with a loose wrapping branchline. Another team member asked about the clarity of the video used to determine extent of line entanglement.

A. Bradford explained that the video shows that the line was looped back on itself. This closed loop of line was below the point where the branchline broke, indicating that it would have remained after the line broke to either pose a threat to the animal (S6) or, if it was constricting as suggested by the abrasions, remain a constricting wrap (S8a).

- ***Collection of data on gear involved in interactions.***

One Team member queried whether it is common practice for observers not to measure the branchline following an interaction. The team member also asked whether collection of gear is part of the protocol for observers following an interaction. Additionally, the team member inquired whether any data is collected on the age of the gear or whether the crew is asked for information on age of gear. Another team member commented that the issue concerning the age of gear has been a continual problem.

J. Marchetti clarified that observers are instructed to measure gear, including branchlines, following an interaction. He also explained that collection of gear is part of the protocol, but there is no data collected concerning the age of the gear. One Team member noted that the age of the gear is not something that the crew would necessarily know; there is a rolling replacement of gear and the crew will not necessarily know the age of a specific piece of gear or even be able to provide a ballpark estimate.

- ***Video and photo data release to Team.***

One Team member, recalling an option suggested in past FKWTRT meetings to provide observer videos to the Team, inquired whether the captain was asked for permission to release the video to the FKWTRT.

K. Brindock informed the Team that the captain was not asked for permission to release the video to the Team. Also in keeping with a team request, NMFS is moving forward with the redaction of observer videos and will be providing them to the TRT in preparation of the April in-person meeting.

- ***Injury determination and uncertainty in interactions.***

One Team member commented that when there is uncertainty with an interaction a decision is made against the fishery and in this interaction there could have only been 1.5 ft of line remaining attached to the animal.

A. Bradford clarified that the video of this interaction shows that there was more than 1.5 ft of line entangled around the animal and that there was a closed loop of line wrapped

around the animal. If the closed loop of line had not been visible, a determination of Cannot Be Determined (CBD) would have been given as it has been with other interactions in which there was similar uncertainty.

- ***Planned 2018 FKWTRT Meeting.***

There was a brief discussion of the upcoming 2018 FKWTRT meeting. K. Brindock recapped the purpose and objectives of the April 2018 meeting and invited Team members to recommend any additional topics for the meeting. The Team was also advised that S. McCreary and B. Brooks will be reaching out to the Team to gather insights relative to meeting logistics including the location for the meeting.

## **V. NEXT STEPS**

Based on the Team deliberations, the following next steps were identified:

- S. McCreary and B. Brooks will be contacting Team members in the coming weeks concerning the April meeting and the location for the meeting.
- K. Brindock will be distributing Key Outcomes Memo summarizing the key points of the teleconference to the Team.

Questions or comments regarding this meeting summary should be directed to S. McCreary, B. Brooks, or K. Brindock. Scott and Bennett can be reached at 510-649-8008 and 212-678-0078, respectively; Kevin at 808-725-5146.