

**False Killer Whale Take Reduction Team Meeting
Via Teleconference: July 11, 2018**

KEY OUTCOMES MEMORANDUM

The False Killer Whale Take Reduction Team met via webinar on Wednesday, July 11, 2018. The purpose of the call was to:

- Review recent false killer whale interactions and related serious injury determinations
- Provide information on impending Southern Exclusion Zone actions due to the recent interactions
- Provide an update on the proposed weak hook study, with particular emphasis on timing and funding
- Provide an brief status report on recent Team member discussions related to developing consensus recommendations

The following Team members participated in the call: Robin Baird, Hannah Bernard, Brendan Cummings, Roger Dang, Tory Curran, Ann Garrett, Eric Gilman, Dennis Heinemann, Asuka Ishizaki, Michael Jasny, John LaGrange, Kristy Long, Ryan Okano, Aude Pacini, Trevor Ryder, Andy Read, Ryan Steen and Sharon Young. Trevor Ryder was unable to participate in the call. Agency participants (PIRO and Science Center) included Kevin Brindock, Karin Forney, Jamie Marchetti, and Kim Mason. Scott McCreary with CONCUR, Inc., and Bennett Brooks with the Consensus Building Institute facilitated the webinar.

Below is a brief discussion summary of topics discussed and next steps.

Recent False Killer Whale Interactions/Serious Injury Determinations

Agency staff (J. Marchetti) reviewed three recent false killer whale interactions with the Hawaii deepset longline fleet on May 23, May 24 and June 3, 2018. The review included a brief overview of each interaction, describing the event, duration, animal characteristics, and crew and captain response. After describing the interactions, K. Forney summarized the injury determinations, highlighting the stepwise review process within the Agency and the Science Review Group (SRG) process. K. Forney noted that all three reviewers and the SRG agreed with serious injury determinations for all three interactions due to hooking location and/or trailing gear.

Team members' comments and questions centered on the following:

- Seeking to better understand the nature of the communication between the crew and observer related to the decision to cut the line. Agency staff noted that the captain wasn't on deck and crew members wanted to cut the line immediately due to safety concerns.

- Wanting to understand whether the interactions late on May 23 and early May 24 (same vessel) could potentially have been attributed to the same animal. Agency staff said it was not possible to discern defining characteristics from video nor were any samples taken. Agency staff did note that the observer did not see two distinct lines trailing from the animal.

There were no **Next Steps** based on the discussion.

Southern Exclusion Zone Actions

A. Garrett provided an overview of the status of the Agency's rulemaking efforts related to the impending SEZ closure due to the recent interactions. She noted that the region has prepared a draft rule package to close the SEZ, which has cleared the region and is now making its way through NOAA leadership. The rule, she said, will be effective seven (7) days after posting and notice will go out to all permit holders and be posted on-line.

Team members' comments and questions centered on the following:

- Seeking to better understand the process and time needed for the rule to clear NOAA leadership. Agency staff said it is difficult to predict an exact timeline, but the Agency will work to move the rule as fast as possible. The review sequence for the rule includes NMFS, NOAA Fisheries and Commerce.
- Wanting to understand whether any SEZ closure, once enacted, could be suspended if a Team-supported package of recommended measures that includes putting SEZ closures on hold were to be implemented quickly via regular or emergency authorities. A. Garrett said she would seek advice from Agency attorneys.

The discussion generated the following **Next Steps**:

- A. Garrett to get advice from Agency counsel on the potential for the SEZ closure to be suspended if a Team-supported package of recommended measures that included a measure to put SEZ closures on hold were to be implemented quickly via regular or emergency authorities.

Status Update on Team Deliberations

R. Steen and B. Cummings provided a brief update on their efforts to develop a set of potentially broadly supportable measures that build on the ideas developed at the April in-person Team meeting. Both Team members said the outlines of a potentially supportable package of measures are emerging, but more work to exchange drafts and conversation is needed to flesh out details and test the ideas with other Team members. A package of potential measures may be ready for Team discussion later this month or in early August.

The discussion generated the following **Next Steps**:

- Kevin: Conduct Doodle Poll for Team webinar to discuss possible consensus recommendations; target July 26-27 and July 30-August 3

Weak Hook Gear Modifications

The call focused substantially on the potential for a weak hook gear study. The discussion had two distinct parts.

Part 1: Weak hook study timing. A. Garrett initiated the discussion by updating the Team on the likely timing for a weak hook study. Based on review of recent data, the Science Center recommends that a weak hook study be conducted between April-June. She further noted that she has support within the Agency to have resources in place to go ahead and conduct the study as quickly as possible. Discussion points centered on the following:

- Concerns that the Science Center used a relatively short time period (in years) to identify the ideal study period. Team members recommended that the study period be broadened to account for ENSO periods, etc.
- Discussion as to whether it is better to be looking at the percentage of large BET or the actual numbers of BET.
- A comment that the relative prevalence of smaller-sized fish in 2015 may have been due to a recruitment pulse (resulting in a % decrease in larger BET). It was recommended that Science Center analysis of CPUE should be helpful in accounting for recruitment pulses.
- Consider using only those datasets for when the fishing shifted more to the northeast

Based on the discussion, the Team identified the following **Next Steps**:

- Flag for the Science Center the concerns raised on the call regarding the recommended study period; encourage the Science Center to consider using a longer time period to confirm the merits of April-June study period; assess the need to account for varying ocean temps

Part 2: Weak hook study parameters. A. Garrett initiated the discussion by updating the Team on the likely timing for a weak hook study. Based on review of recent data, she said, the Science Center recommends that a weak hook study be conducted between April-June. She further noted that she has support within the Agency to have resources in place to go ahead and conduct the study as quickly as possible. Discussion points centered on the following:

- A Team subcommittee is needed to work with the Science Center to develop study parameters to ensure there are clear study criteria that can be broadly supported, thus reinforcing the credibility of the study results. Subcommittee members are: Andy Read, John LaGrange, Dennis Heinemann, Asuka Ishizaki, Ryan Steen, Tory O'Connell.
- Team members discussed a range of possible metrics to gauge weak hook study success. These included ex-vessel value, catch rate, BET size, BET quality, etc. To ensure clarity in

outcomes, it is important that there is one indicator, with clearly stated success criteria, to use to gauge weak hook test results.

- Ex-vessel value by trip was seen by many as the single most important (and most straightforward and elegant) metric to use, but more discussion and input from HLA is needed on whether ex-vessel value is for just BET or all catch OR whether an entirely different metric is preferred.
- The Team discussed briefly the decision rule to “measure” of success (e.g., chosen metric difference between weak v. control hook). Team members agreed that industry needs to discuss this and provide feedback on what would be an acceptable measure of success. One Team member noted the importance of choosing a measure that is not so narrowly drawn that it undermines the practical viability of a weak hook test. Others noted the importance of choosing a measure that is acceptable to industry (given the importance of having industry buy-in and compliance should a weaker hook wind up being adopted).
- Trip location of vessels participating in a weak hook study is important to consider to ensure that areas fished are representative of the larger fleet.
- It is important that any weak hook study have a way to track fish when landed (caught on weak v. control hook)
- Two members expressed concern that a focus on ex-vessel value was troubling as it could appear to effectively assign a “monetary value” to false killer whale takes. Several Team members noted the intent of using ex-vessel value is to arrive at a metric that can ensure the buy-in and cooperation of the fleet (if a weak hook is eventually adopted), not to diminish the importance of false killer whales.

Based on the discussion, the Team identified the following **Next Steps**:

- Kevin/Facilitation Team: Follow with Keith Bigelow to determine timing for Weak Hook Study
- Subcommittee to continue discussions on study parameters
- Ryan Steen: Consult with HLA for input on metric and measure of success