

Protected Resources



The division provides oversight and guidance on the conservation of marine mammals, endangered species, and their habitats

Goal

The goal of the Greater Atlantic Region's Protected Resources Division is to manage, conserve and recover populations of marine mammals and Endangered Species Act (ESA)-listed marine and anadromous species in rivers, bays and estuaries, and in marine waters, from Virginia to Maine.

Primary Activities

The Protected Resources Division implements the federal Marine Mammal Protection Act (MMPA) and the ESA, respectively. The Division is composed of two Programs: the Endangered Species Program and the Marine Mammal Program.

The Endangered Species Program focuses on the protection and recovery of listed species including marine mammals, sea turtles, Atlantic salmon and shortnose sturgeon. In addition, staff work to proactively identify and learn about species that may warrant protection under the ESA and attempt to implement protective measures to prevent the need to list these species.

The Marine Mammal Program is responsible for implementation of the Atlantic Large Whale Take Reduction Plan, Harbor Porpoise Take Reduction Plan, and Atlantic Trawl Take Reduction Plan. Staff work to minimize the risk to large whales from entanglement in fishing gear and potential ship strikes.

Another significant program for the Region is coordination and oversight of the marine mammal and sea turtle stranding network that operations throughout the Region. The Northeast Region's Protected Resources Division interacts and collaborates with four divisions in Headquarters:

Permits, Conservation, & Education

Implements policies and regulations for issuance of permits and authorizations under the Marine Mammal Protection Act (MMPA)

and Endangered Species Act (ESA), and coordinates national policy to minimize harassment of marine mammals.

Marine Mammal & Turtle Conservation

The Marine Mammal Program is dedicated to protecting whales, dolphins, porpoises, seals and sea lions from harm caused by human activities. The program attempts to carry out the mandates of the Marine Mammal Protection Act of 1972: to conserve healthy populations and to rebuild (or “recover”) populations that are threatened or endangered. The scientists and policy makers in the Protected Resources Division work with state agencies, industry, environmental groups, and other organizations and individuals to protect marine mammals from any harm caused by human activities. The Marine Mammal program develops policies and regulations to implement the requirements and provisions of the MMPA.



The division works with the Atlantic States Marine Fisheries Commission to protect threatened and endangered species as defined under the Endangered Species Act, Section 6: State Partners

Endangered Species Conservation

The Endangered Species Program is dedicated to the protection and recovery of threatened or endangered marine species. The program attempts to carry out the mandates of the Endangered Species Act of 1973. The scientists and policy makers in the Protected Resources Division work with state agencies, other federal agencies, industry, environmental groups, and other organizations and individuals to prevent the extinction and promote the recovery of marine species. The Endangered Species Program develops policies and regulations to implement the provisions of the ESA with the goal of protecting and recovering endangered and threatened marine and anadromous species and their habitats.

Planning and Program Coordination

Provides guidance and support to the Region on budget, strategic planning, personnel management, information technology, and education.

Partnering and Interagency Coordination

The division cooperates and coordinates with a number of organizations including state, federal, national, and international agencies, universities, commercial fishing organizations, zoos, aquaria, and environmental and animal welfare organizations. These entities include the U.S. Army Corps of Engineers, Environmental Protection Agency, permitting organizations or agencies, Animal and Plant Health Inspection Service, Marine Mammal Commission, NOAA Fisheries Service Office of Law Enforcement, NOAA National Ocean Service, NOAA Office of General Counsel for Enforcement and Litigation, and the U.S. Fish & Wildlife Service.

The division also works with a number of private organizations and has extensive involvement with Canadian officials in regard to a number of issues involving sea turtles and whales including protection of migrating whales and reduction of ship strike and entanglement risk. The division is involved with a number of coastal states as well both directly and through the Atlantic States Marine Fisheries Commission to protect threatened and endangered species as defined under the ESA, Section 6: State Partners.

The ESA section 6 program creates a partnership between NOAA Fisheries Service and coastal states for the conservation of endangered and threatened marine species. The Northeast Region currently has five active section 6 agreements with the following states: Maine, Massachusetts, New York, New Jersey, and Maryland.

Legal Mandate

The division follows several mandates for the protection of endangered and threatened marine life, marine mammals, and their habitats and the ecosystems upon which they depend. The primary pieces of legislation are the MMPA and the ESA. The MMPA requires a determination of the number of animals that can be removed from a stock and still allow it to reach an optimal population level. The ESA is dedicated to the protection and recovery of threatened or endangered marine species. The purpose of the ESA is to provide a means to conserve the ecosystems upon

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which listed species depend. So, although single species are listed under the ESA, the efforts to recover them are focused on ecosystems.

Emerging Issues and Priorities

There is always the possibility that the number of species listed under the ESA will increase. This means that research must be conducted to determine the status of these species and the range and severity of threats they face. The protection of right whales will continue into the foreseeable future, as they are critically endangered. Their behaviors may put them at risk for entanglement and ship strikes. Due to the population decline indicated by recent studies, no removal levels are allowed for right whales.

The challenge lies in balancing the recovery of a species with the viability and financial success of marine resource users. The division will continue to work with fishermen and the shipping industry to reduce the potential for interactions with marine mammals and sea turtles. Atlantic salmon populations remain at critically low levels and division staff work closely with the USFWS and the Maine Atlantic Salmon Commission, as well as a wide range of private partners and conservation organizations, to identify and implement actions to protect salmon and their habitat.

The division has considerable involvement with issues related to aquaculture. For example, there is concern that salmon may escape from fish farms and out-compete or have a negative impact on wild salmon. Lines used by the shellfish aquaculture industry could also pose a risk of entanglement to sea turtles or marine mammals. To address these and similar issues, staff work with project proponents to modify the location, timing or other details of a project to avoid or minimize the potential for adverse effects on listed species.

Accomplishments and Successes

The division's cooperative work with the fishermen has been a success. Fishermen using their field knowledge and experience have worked with staff to find solutions to several management problems. For example, a modified scallop dredge was developed with industry input, was tested, and is now required to help

minimize the impacts this fishery has on ESA-listed sea turtles. Similarly, in the Virginia Chesapeake Bay pound net fishery, a modified leader design was developed and is now required to prevent impacts to sea turtles.

The Harbor Porpoise Take Reduction Plan (HPTRP) has also been a success. Following a highly successful cooperative research project with several fishermen to perfect an acoustic deterrent device called a pinger, was developed and implemented. Pingers are attached to gillnets to discourage the harbor porpoises from being caught in the fishing nets and are required temporally and spatially in the Gulf of Maine. In the Mid-Atlantic, gillnet fishermen are required to use gear modifications rather than pingers while fishing in certain times and areas to help prevent harbor porpoise entanglements in this region when harbor porpoises are present. NOAA Fisheries Service will be conducting a series of outreach and education meetings beginning in the fall of 2006 to discuss the current HPTRP requirements with fishermen, distribute updated outreach materials, and provide pinger certification training or a pinger refresher course to interested fishermen.

The division has also worked with industry to reduce large whale entanglements and ship strike mortality. NOAA Fisheries Service and protected resources have made a positive impact on the maintenance of the existing population through cooperative research resulting in weak breakable links in fixed gear buoy lines and reducing ship strikes by adapting ship speeds and shipping lanes. Protected Resources staff has also worked closely with industry to develop neutrally buoyant groundline (rope between pot/trap gear) and developed incentive programs for fishermen to convert their floating groundline to sinking groundline through innovative gear buyback and recycling programs.

The Protected Resources Division has worked cooperatively with the National Fish and Wildlife Foundation to implement right whale funding opportunity programs on an annual basis. The Right Whale Research Program accepts proposals for gear modification research or ideas, as well as projects relating to right whale biological needs.



In regards to ecosystem management, the division has focused on Atlantic salmon through consideration of habitat restoration and sources of prey as well as focusing on a gear based approach to managing marine mammal bycatch in commercial fisheries

The Division has developed a very strong stranding network and forged relationships with state agencies, institutions and local volunteer organizations. The Northeast Region Stranding Network is made up of 15 organizations from Maine to Virginia authorized to respond to strandings. The network plays a vital role in marine mammal research and strives to rescue, rehabilitate, and release stranded marine mammals and sea turtles. Each marine animal stranding gives scientists an opportunity to learn more about strandings, animal health, successful rehabilitation, and the animals themselves. Some marine mammal species are known only from stranded specimens. The samples and physical information collected provide valuable scientific information to help prevent future strandings.

Applicable Laws

The Protected Resources Division must comply with a number of federal laws and statutes including: ESA, MMPA, Administrative Procedure Act, Animal Welfare Act, Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Coastal Zone Management Act, Fish and Wildlife Coordination Act, Magnuson-Stevens Fishery Conservation and Management Act, National Environmental Policy Act, and the Oceans Act.

Ecosystem Management

The division considers ecosystem-based fisheries management in the context of protecting species. It is responsible for a variety of different species, ranging from anadromous fish to marine turtles and mammals, and each play a particular role in their ecosystem. As we attempt to rebuild and recover these species, it is evident that a species is dependant on the health of its ecosystem, and that focusing just on the one species in question is only part of the picture. Recently, the ecosystem management focus has been on Atlantic salmon through consideration of habitat restoration and restoration of the historic species assemblages due to their contributions to salmon recovery including serving as sources of marine derived nutrients, conditioning habitat, providing prey, and acting as a prey buffer.