

Science, Service, Stewardship



NOAA FISHERIES SERVICE

October 26, 2010

Updates on Sea Turtle Conservation & Recovery

Workshop on Mitigating Sea Turtle Bycatch in Trawl Fisheries





Outline of the Presentation

- Current listings
- Recent and proposed rulemakings
- Current regulations
- Atlantic Strategy Process
- Questions??





Listed Sea Turtle Species

Six species of sea turtles are listed under the Endangered Species Act (ESA)

— Endangered

- Leatherbacks (*Dermochelys coriacea*)
- Kemp's ridley (*Lepidochelys kempii*)
- Hawksbill (*Eretmochelys imbricata*)

— Threatened

- Olive ridley (*Lepidochelys olivacea*)*
- Loggerhead (*Caretta caretta*)⁺
- Green (*Chelonia mydas*)[^]

*Mexican breeding population of olive ridleys are listed as endangered

+Uplisting proposed for proposed Northwest Atlantic DPS, published March 2010

[^] Florida and Mexico breeding populations of green turtles are listed as endangered



Incidental Take under the ESA

- Endangered Species Act prohibits the “take” of sea turtles
- Take = harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or to attempt to engage in any such conduct
- Incidental Take = take that results from, but is not the purpose of, an otherwise lawful activity, such as fishing



Five-year Review

USFWS and NMFS released the five-year reviews for all listed sea turtles (2007)

- Recommended no changes in current listings
- Recommended an analysis and review be undertaken to determine the application of the Distinct Population Segment policy to several species

Distinct Population Segment = a vertebrate population or group of populations that is discrete from other populations of the species and is significant in relation to the entire species



Recovery Plans

Northwest Atlantic Loggerhead Recovery Plan issued in 2008

- Designated five recovery units for the Northwest Atlantic loggerhead population
- Established recovery goals, objectives, and criteria

Kemp's Ridley Recovery Plan – Draft issued in March 2010

- Bi-National Plan developed by NMFS, USFWS, and the Secretary of Environment and Natural Resources, Mexico
- Accepted comments through July 1, 2010



Turtle Expert Working Group

2009 – Released an assessment of the Western North Atlantic loggerhead sea turtle

- Updated stock structures and definitions of life stages from last TEWG
- Annual number of nests of Western North Atlantic subpopulations had been decreasing during the past decade (through 2007)
- Assessed long-term in-water studies to identify changes in overall numbers and size distributions
- Investigated various hypotheses to explain the decrease in the nest numbers



National Research Council

- NMFS requested that the NRC advise on methods of improving assessments of sea turtle populations
- Committee reviewed existing methods, identified gaps in information, and suggested improvements for monitoring and data collection in report issued in 2010
- Findings included, among others:
 - More detailed information is needed on demographic parameters
 - Efforts should be made to monitor sea turtles away from the nesting beach
 - Expedite the permitting process



Loggerhead Listing Process

- 2007 – NMFS/USFWS petitioned to reclassify loggerheads in the Northwest Atlantic as a DPS with endangered status and designate critical habitat
- 2008 – NMFS determined the petition may be warranted and initiated a review of the status
- 2008 – Biological Review Team established
 - 9 Distinct Population Segments around the globe
 - 5 DPSs at risk of extinction
 - 2 DPSs at immediate risk
 - 2 DPSs not at immediate risk, but extinction risk likely to increase in the foreseeable future.



Proposed Loggerhead Listing Determination

- March 2010 – NMFS/USFWS proposed listing
 - Nine Distinct Population Segments, including a Northwest Atlantic Ocean DPS, that qualify as “species” for listing
 - Two proposed as threatened and seven as endangered (including NW Atlantic Ocean DPS)
- Public comment period closed in September 2010
 - Over 40,000 comments received
 - Final rule in Spring of 2011



New TED Designs Proposed

- September 2, 2010 proposed rule
 - Proposed modifications include:
 - Use of flat bar, rectangular pipe, and oval pipe as construction material
 - Increase in maximum mesh size on escape flaps
 - Inclusion of the Boone Big Boy TED (shrimp fishery)
 - Use of three large TED and Boone Wedge Cut escape opening
 - Use of the Chauvin shrimp deflector
 - New TED design for the summer flounder fishery
- Public comment period closed October 18, 2010



Endangered Species Act – Annual Determination

- ESA regulation to observe fisheries for sea turtle interactions
 - List of fisheries (including state, federal, and high seas fisheries, recreational or commercial) that are required to take observers when requested
- Several trawl fisheries included on the 2010 AD and will remain on the list until 2014¹
 - Mid-Atlantic bottom trawl
 - Atlantic shellfish bottom trawl
 - Mid-Atlantic mid-water trawl
 - Southeastern U.S. Atlantic/Gulf of Mexico shrimp trawl

¹ Fisheries may still be observed under other authorities (e.g., MSA, MMPA)



Current Conservation Measures to Protect Sea Turtles

- VA Chesapeake Bay requirement for modified pound net leaders
- Seasonally adjusted gear restrictions in the Mid-Atlantic EEZ – prohibit fishing with gillnets with mesh-size larger than 7-in stretched mesh
- Atlantic pelagic longline requirements – circle hooks, bait combinations, onboard release equipment, and specified handling and release protocols
- Federal Atlantic sea scallop dredge fishery requires a chain mat



Current Conservation Measures to Protect Sea Turtles

- Pamlico Sound, NC gillnet restrictions
- Turtle Excluder Devices required in shrimp trawl fisheries and summer flounder fisheries
- CA/OR shark/swordfish fishery prohibited from fishing with drift gillnets in in the during El Nino events
- Hawaii swordfish fishery restrictions – 100% observer coverage, cap on turtle takes, and annual fleet-wide limit on effort



Atlantic Ocean and Gulf of Mexico Sea Turtle Strategy

- An approach to address sea turtle bycatch across similar gear types
- Priority gear types include:
 - Trawls
 - Gillnets
 - Traps and Pots
 - Hook and Line (including longline)
- First gear type being addressed is trawl fisheries



Advanced Notice of Proposed Rulemaking

- Published on February 15, 2007
 - Open for 90 days of public comment
 - Received 165 comments
- Announced NMFS' plans to consider expansion of turtle excluder device (TED) requirements to new fisheries and areas



Notice of Intent to Prepare an EIS and Conduct Scoping Meetings

- May 2009 – Notice of Intent to prepare an Environmental Impact Statement for the Atlantic Trawl Rule and to conduct scoping meetings
- Scoping document outlined options related to the
 - Temporal and spatial application of the rule
 - Fisheries to include in rule (e.g., fisheries with highest bycatch, all trawl fisheries, etc)
 - Fisheries operations options - what would be required (e.g., TED use, closure, etc.)



Public Scoping for Environmental Impact Statement

- Six public scoping meetings from Maine through Georgia
- 90 day public comment period (May to August 2009)
- More than 14,500 public comments
- NMFS currently drafting EIS and draft rule
- Proposed rule likely in Spring of 2011

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