

April 14, 2017

Michael D. Tosatto, Regional Administrator
NMFS Pacific Islands Region
1845 Wasp Blvd., Bldg. 176
Honolulu, HI 96818

Dear Michael,

I am writing to provide comments in relation to the notice of intent to prepare a Programmatic Environmental Impact Statement (PEIS) for the continued authorization and management of U.S. Pacific Island deep-set tuna longline fisheries.

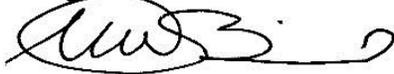
The PEIS should evaluate the use of electronic monitoring in this fishery, for example the type of video monitoring systems that have been employed in the U.S. Atlantic longline fishery, as a means to assess compliance with measures that have been put in place to reduce bycatch of protected species in this fishery. For example, the effectiveness of the false killer whale Take Reduction Plan (FKW TRP) explicitly depends on the behavior of the captain and crew to put tension on gear when a false killer whale is hooked. This should increase the likelihood of straightening a hook and having an animal released without gear attached. However, as has been reported to the false killer whale Take Reduction Team (TRT), even with observers on board the captain and crew are often not adhering to the conditions of the plan. Unless captains and crew are adhering to the conditions of the FKW TRP more frequently in the absence of onboard observers, which seems unlikely, the FKW TRP is not serving its purpose. Thus the rate of serious injury and mortality of false killer whales may be much higher than is currently estimated. Such electronic monitoring should not replace the observer program, but be supplemental to it, and it could also serve to provide information on fishing practices that may be contributing to protected species bycatch or serious injury, as well as address compliance with other protected species handling/releasing methods.

While this PEIS specifically focuses on the deep-set longline fishery, the PEIS should recognize that any management actions that influence the deep-set longline fishery by reducing effort (e.g., buy-out programs or retiring licenses that are not actively being used) have the potential for unintended consequences, both on other fishermen and on protected species. As was discussed repeatedly at the false killer whale TRT meetings, there appears to be nothing stopping currently licensed longline vessels from fishing multiple 1-mile long segments of longline gear (i.e., fishing it as shortline gear) inside the longline exclusion zone boundary around the main Hawaiian Islands. Similarly, if there is a mandated reduction in existing effort, longline fishermen could simply switch to shortline fishing inside the exclusion zone. This would

effectively bypass the restrictions of the FKW TRP, resulting in unsustainable levels of bycatch both of endangered false killer whales and other small insular populations of cetaceans around the main Hawaiian Islands¹. In addition, such shifting of effort would have the potential to influence insular populations of fish which are the target of nearshore fisheries, impacting nearshore fishermen. As such, the PEIS also needs to consider measures to prevent such unintended consequences, including federally licensing the shortline fishery, limiting the number of licenses issued, and mandating VMS systems and logbook programs on vessels fishing shortline gear.

Thanks very much for the opportunity to comment.

Best regards,

A handwritten signature in black ink, appearing to read 'RW Baird', with a decorative flourish at the end.

Robin W. Baird, Ph.D.
Research Biologist
rwbaird@cascadiaresearch.org

¹ Baird, R.W. 2016. The lives of Hawai'i's dolphins and whales: natural history and conservation. University of Hawai'i Press, Honolulu, Hawai'i.