

LONG-FINNED PILOT WHALE (*Globicephala melas*): Western North Atlantic Stock

STOCK DEFINITION AND GEOGRAPHIC RANGE

There are two species of pilot whales in the Western Atlantic — the Atlantic or long-finned pilot whale, *Globicephala melas*, and the short-finned pilot whale, *G. macrorhynchus*. The distribution of long-finned pilot whales, a northern species, overlaps with that of the short-finned pilot whales, a predominantly southern species, between 35°30'N to 38°00'N (Leatherwood *et al.* 1976). Although long-finned pilot whales are most likely the species bycaught in the waters north of Delaware Bay, many of the pilot whale takes are not identified to species and bycatch does occur in the overlap area. In this summary, therefore, long-finned pilot whales (*Globicephala melas*) and unidentified pilot whales (*Globicephala* sp.) are considered together.

Pilot whales (*Globicephala* sp.) are distributed principally along the continental shelf edge in the winter and early spring off the northeast USA coast, (CETAP 1982; Payne and Heinemann 1993; Abend and Smith 1999). In late spring, pilot whales move onto Georges Bank and into the Gulf of Maine and more northern waters, and remain in these areas through late autumn (CETAP 1982; Payne and Heinemann 1993). In general, pilot whales occupy areas of high relief or submerged banks. They are also associated with the Gulf Stream north wall and thermal fronts along the continental shelf edge (Waring *et al.* 1992; NMFS unpublished data).

The long-finned pilot whale is distributed from North Carolina to North Africa (and the Mediterranean) and north to Iceland, Greenland and the Barents Sea (Sergeant 1962; Leatherwood *et al.* 1976; Abend 1993; Buckland *et al.* 1993; Abend and Smith 1999). The stock structure of the North Atlantic population is uncertain (Anon. 1993a; Fullard *et al.* 2000). Recent morphometrics (Bloch and Lastein 1993) and genetics (Siemann 1994; Fullard *et al.* 2000) studies have provided little support for stock structure across the Atlantic (Fullard *et al.* 2000). However, Fullard *et al.* (2000) have proposed a stock structure that is correlated to sea surface temperature: 1) a cold-water population west of the Labrador/North Atlantic current and 2) a warm-water population that extends across the Atlantic in the Gulf Stream.

POPULATION SIZE

The total number of long-finned pilot whales off the eastern USA and Canadian Atlantic coast is unknown, although ten estimates from selected regions of the habitat do exist for select time periods.

Sightings were almost exclusively in the continental shelf edge and continental slope areas (Figure 1). Two estimates were derived from catch data and population models that estimated the abundance of the entire stock. Seven seasonal estimates are available from selected regions in USA waters during spring, summer and autumn 1978-82, August 1990, June-July 1991, August-September 1991, June-July 1993, July-September 1995, and July-August 1998. Because long-finned and short-finned pilot whales are difficult to identify at sea, seasonal abundance estimates were reported for *Globicephala* sp., both long-finned and short-finned pilot whales. One estimate is available from the Gulf of St. Lawrence.

Mitchell (1974) used cumulative catch data from the 1951-1961 drive fishery off Newfoundland to estimate the initial population size (ca. 50,000 animals).

Mercer (1975), used population models to estimate a population in the same region of between 43,000 and 96,000 long-finned pilot whales, with a range of 50,000-60,000 being considered the best estimate.

An abundance of 11,120 (CV=0.29) *Globicephala* sp. was estimated from an aerial survey program conducted from 1978 to 1982 on the continental shelf and shelf edge waters between Cape Hatteras, North Carolina and Nova Scotia (CETAP 1982). An abundance of 3,636 (CV=0.36) *Globicephala* sp. was estimated from a June and July 1991 shipboard line transect sighting survey conducted primarily between the 200 and 2,000 m isobaths

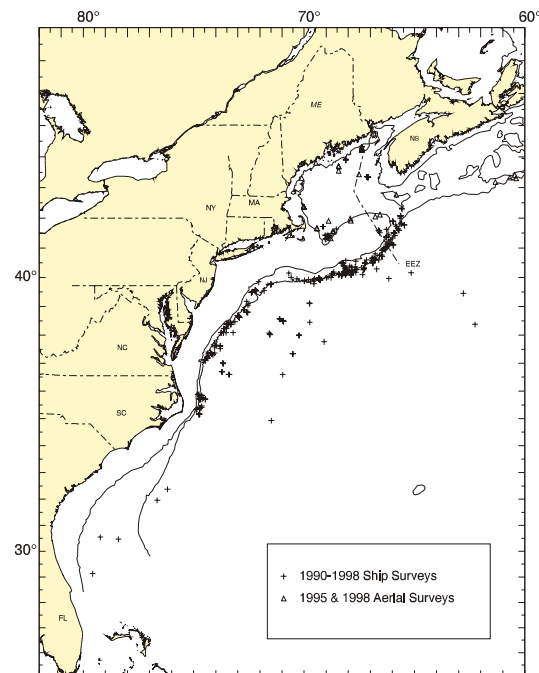


Figure 1. Distribution of pilot whale sightings from NEFSC and SEFSC shipboard and aerial surveys during the summer in 1990-1998. Isobaths are at 100 m and 1,000 m.

from Cape Hatteras to Georges Bank (Waring *et al.* 1992; Waring 1998). Abundances of 3,368 (CV=0.28) and 5,377 (CV=0.53) *Globicephala* sp. were estimated from line transect aerial surveys conducted from August to September 1991 using the Twin Otter and AT-11 aircrafts, respectively (Anon. 1991). As recommended in the GAMMS Workshop Report (Wade and Angliss 1997), estimates older than eight years are deemed unreliable, and therefore should not be used for PBR determinations. Further, due to changes in survey methodology, these data should not be used to make comparisons to more current estimates.

An abundance of 668 (CV=0.55) *Globicephala* sp. was estimated from a June and July 1993 shipboard line transect sighting survey conducted principally between the 200 and 2,000 m isobaths from the southern edge of Georges Bank, across the Northeast Channel to the southeastern edge of the Scotian Shelf (Anon. 1993b). Data were collected by two alternating teams that searched with 25x150 binoculars and were analyzed using DISTANCE (Buckland *et al.* 1993; Laake *et al.* 1993). Estimates include school-size bias, if applicable, but do not include corrections for $g(0)$, the probability of detecting a group on the track line, or for dive-time. Variability was estimated using bootstrap resampling techniques.

An abundance of 8,176 (CV=0.65) *Globicephala* sp. was estimated from a July to September 1995 sighting survey conducted by two ships and an airplane that covered waters from Virginia to the mouth of the Gulf of St. Lawrence (Table 1; Palka *et al.* in review). Total track line length was 32,600 km. The ships covered waters between the 50 and 1000 fathom depth contour lines, the northern edge of the Gulf Stream, and the northern Gulf of Maine/Bay of Fundy region. The airplane covered waters in the mid-Atlantic from the coastline to the 50 fathom depth contour line, the southern Gulf of Maine, and shelf waters off Nova Scotia from the coastline to the 1000 fathom isobath. Data collection and analysis methods used were described in Palka (1996).

Kingsley and Reeves (1998) obtained an abundance estimate of 1,600 long-finned pilot whales (CV=0.65) from a late August and early September aerial survey of cetaceans in the Gulf of St. Lawrence in 1995 and 1998 (Table 1). Based on an examination of long-finned pilot whale summer distribution patterns and information on stock structure, it was deemed appropriate to combine these estimates with NMFS 1995 summer survey data. The best 1995 abundance estimate for *Globicephala* sp. is 9,776 (CV=0.55), the sum of the estimates from the USA and Canadian surveys, where the estimate from the USA survey is 8,176 (CV=0.65) and from the Canadian 1,600 (CV=0.65).

An abundance of 9,800 (CV=0.34) *Globicephala* sp. was estimated from a line transect sighting survey conducted during July 6 to September 6, 1998 by a ship and plane that surveyed 15,900 km of track line in waters north of Maryland (38° N) (Figure 1; Palka *et al.* in review). Shipboard data were analyzed using the modified direct duplicate method (Palka 1995) that accounts for school size bias and $g(0)$, the probability of detecting a group on the track line. Aerial data were not corrected for $g(0)$.

An abundance of 4,724 (CV=0.61) *Globicephala* sp. was estimated from a shipboard line transect sighting survey conducted between 8 July and 17 August 1998 that surveyed 5,570 km of track line in waters south of Maryland (38°N) (Figure 1; Mullin in press). Abundance estimates were made using the program DISTANCE (Buckland *et al.* 1993; Laake *et al.* 1993) where school size bias and ship attraction were accounted for.

The best available abundance estimate for *Globicephala* sp. is 14,524 (CV=0.30), the sum of the estimates from the two 1998 USA Atlantic surveys, where the estimate from the northern USA Atlantic is 9,800 (CV=0.34) and from the southern USA Atlantic is 4,724 (CV=0.61). This joint estimate is considered best because together these two surveys have the most complete coverage of the species' habitat.

Table 1. Summary of abundance estimates for the western North Atlantic *Globicephala* sp. Month, year, and area covered during each abundance survey, and resulting abundance estimate (N_{best}) and coefficient of variation (CV).

Month/Year	Area	N_{best}	CV
Jul-Sep 1995	Virginia to Gulf of St. Lawrence	8,176	0.65
Aug-Sep 1995	Gulf of St. Lawrence	1,600	0.65
Jul-Sep 1995	Virginia to Gulf of St. Lawrence	9,776	0.55
Jul-Sep 1998	Maryland to Gulf of St. Lawrence	9,800	0.34
Jul-Aug 1998	Florida to Maryland	4,724	0.61
Jul-Sep 1998	Gulf of St. Lawrence to Florida (COMBINED)	14,524	0.30

Minimum Population Estimate

The minimum population estimate is the lower limit of the two-tailed 60% confidence interval of the log-normally distributed best abundance estimate. This is equivalent to the 20th percentile of the log-normal distribution as specified by Wade and Angliss (1997). The best estimate of abundance for *Globicephala* sp. is 14,524 (CV=0.30). The minimum population estimate for *Globicephala* sp. is 11,343 (CV=0.30).

Current Population Trend

There are insufficient data to determine the population trends for this species.

CURRENT AND MAXIMUM NET PRODUCTIVITY RATES

Current and maximum net productivity rates are unknown for this stock. Life history parameters that could be used to estimate net productivity include those from animals taken in the Newfoundland drive fishery: calving interval 3.3 years; lactation period about 21-22 months; gestation period 12 months; births mainly from June to November; length at birth is 177 cm; mean length at sexual maturity is 490 cm for males and 356 cm for females; age at sexual maturity is 12 years for males and 6 years for females; mean adult length is 557 cm for males and 448 cm for females; and maximum age was 40 for males and 50 for females (Sergeant 1962; Kasuya *et al.* 1988). Analysis of data recently collected from animals taken in the Faroe Islands drive fishery produced higher values for all parameters (Bloch *et al.* 1993; Desportes *et al.* 1993; Martin and Rothery 1993). These differences are likely related, at least in part, to larger sample sizes and newer analytical techniques.

For purposes of this assessment, the maximum net productivity rate was assumed to be 0.04. This value is based on theoretical modeling showing that cetacean populations may not grow at rates much greater than 4% given the constraints of their reproductive life history (Barlow *et al.* 1995).

POTENTIAL BIOLOGICAL REMOVAL

Potential Biological Removal (PBR) is the product of minimum population size, one-half the maximum productivity rate, and a "recovery" factor (MMPA Sec. 3. 16 U.S.C. 1362; Wade and Angliss 1997). The minimum population size for *Globicephala* sp. is 11,343 (CV=0.30). The maximum productivity rate is 0.04, the default value for cetaceans. The "recovery" factor, which accounts for endangered, depleted, threatened stocks, or stocks of unknown status relative to optimum sustainable population (OSP) is assumed to be 0.48 because the CV of the average mortality estimate is between 0.3 and 0.6 (Wade and Angliss 1997) and because this stock is of unknown status. PBR for the western North Atlantic *Globicephala* sp. is 108.

ANNUAL HUMAN-CAUSED MORTALITY

Total fishery-related mortality and serious injury cannot be estimated separately for the two species of pilot whales in the US Atlantic EEZ because of the uncertainty in species identification by fishery observers. The Atlantic Scientific Review Group advised adopting the risk-averse strategy of assuming that either species might have been subject to the observed fishery-related mortality and serious injury. Total annual estimated average fishery-related mortality or serious injury to this stock during 1997-2001 in the USA fisheries listed below was 215 pilot whales (CV=0.37) (Table 2).

Fishery Information

USA

Prior to 1977, there was no documentation of marine mammal bycatch in distant-water fleet (DWF) activities off the northeast coast of the USA. A fishery observer program, which has collected fishery data and information on incidental bycatch of marine mammals, was established in 1977 with the implementation of the Magnuson Fisheries Conservation and Management Act (MFCMA). DWF effort in the US Atlantic EEZ under MFCMA has been directed primarily towards Atlantic mackerel and squid. An average of 120 different foreign vessels per year (range 102-161) operated within the US Atlantic EEZ during 1977 through 1982. In 1982, there were 112 different foreign vessels; 18 (16%) were Japanese tuna longline vessels operating along the USA Atlantic coast. This was the first year that the Northeast Regional Observer Program assumed responsibility for observer coverage of the longline vessels. The number of foreign vessels operating within the US Atlantic EEZ each year between 1983 and 1991 averaged 33 and ranged from 9 to 67. The number of Japanese longline vessels included among the DWF vessels averaged 6 and ranged from 3 to 8 between 1983 and 1988. MFCMA observer coverage on DWF vessels was 25-35% during 1977-1982, increased to 58%, 86%, 95%, and 98%, respectively, during 1983-1986, and 100% observer coverage was maintained from 1987 to 1991. Foreign fishing operations for squid ceased at the end of the 1986 fishing season and, for mackerel, at the end of the 1991 fishing season.

During 1977-1991, observers in this program recorded 436 pilot whale mortalities in foreign-fishing activities (Waring *et al.* 1990; Waring 1995). A total of 391 (90%) were taken in the mackerel fishery, and 41 (9%) occurred during *Loligo* and *Illex* squid-fishing operations. This total includes 48 documented takes by USA vessels involved in joint-venture fishing operations in which USA captains transfer their catches to foreign processing vessels. Due to temporal fishing restrictions, the bycatch occurred during winter/spring (December to May) in continental shelf and continental shelf edge waters (Fairfield *et al.* 1993; Waring 1995); however, the majority of the takes occurred in late spring along the 100 m isobath. Two animals were also caught in both the hake and tuna longline fisheries (Waring *et al.* 1990).

Data on current incidental takes in USA fisheries are available from several sources. In 1986, NMFS established a mandatory self-reported fisheries information system for large pelagic fisheries. Data files are maintained at the Southeast Fisheries Science Center (SEFSC). The Northeast Fisheries Science Center (NEFSC) Fisheries Observer Observer Program was initiated in 1989, and since that year several fisheries have been covered by the program. In late 1992 and in 1993, the SEFSC provided observer coverage of pelagic longline vessels fishing off the Grand Banks (Tail of the Banks) and provides observer coverage of vessels fishing south of Cape Hatteras.

Bycatch has been observed by NMFS Sea Samplers in the pelagic drift gillnet, pelagic longline, pelagic pair trawl, bluefin tuna purse seine, North Atlantic bottom trawl, Atlantic squid, mackerel, butterfish trawl, and mid-Atlantic coastal gillnet fisheries, but no mortalities or serious injuries have been documented in the Northeast multispecies sink gillnet fishery.

Pelagic Drift Gillnet

The estimated total number of hauls in the pelagic drift gillnet fishery increased from 714 in 1989 to 1,144 in 1990; thereafter, with the introduction of quotas, effort was severely reduced. The estimated number of hauls in 1991, 1992, 1993, 1994, 1995, 1996 and 1998 were 233, 243, 232, 197, 164, 149 and 113, respectively. In 1996 and 1997, NMFS issued management regulations which prohibited the operation of this fishery in 1997. Further, in January 1999 NMFS issued a Final Rule to prohibit the use of driftnets (*i.e.*, permanent closure) in the North Atlantic swordfish fishery (50 CFR Part 630). Fifty-nine different vessels participated in this fishery at one time or another between 1989 and 1993. From 1994 to 1998, between 10 and 13 vessels participated in the fishery. Observer coverage, expressed as percent of sets observed, was 8% in 1989, 6% in 1990, 20% in 1991, 40% in 1992, 42% in 1993, 87% in 1994, 99% in 1995, 64% in 1996, no fishery in 1997, and 99% in 1998. Effort was concentrated along the southern edge of Georges Bank and off Cape Hatteras. Examination of the species composition of the catch and locations of the fishery throughout the year, suggested that the pelagic drift gillnet fishery be stratified into two strata, a southern or winter stratum, and a northern or summer stratum. Estimates of the total bycatch from 1989 to 1993 were obtained using the aggregated (pooled 1989-1993) catch rates, by stratum (Northridge 1996). Estimates of total annual bycatch for 1994 and 1995 were estimated from the sum of the observed caught and the product of the average bycatch per haul and the number of unobserved hauls as recorded in self-reported fisheries information. Variances were estimated using bootstrap re-sampling techniques. Between 1989 and 1998, 87 mortalities were observed in the large pelagic drift gillnet fishery. The annual fishery-related mortality (CV in parentheses) was 77 in 1989 (0.24), 132 in 1990 (0.24), 30 in 1991 (0.26), 33 in 1992 (0.16), 31 in 1993 (0.19), 20 in 1994 (0.06), 9.1 in 1995 (0), 11 in 1996 (.17), no fishery in 1997, and 12 in 1998 (0). Since this fishery no longer exists it has been excluded from Table 2. Pilot whales were taken along the continental shelf edge, northeast of Cape Hatteras in January and February. Takes were recorded at the continental shelf edge east of Cape Charles, Virginia, in June. Pilot whales were taken from Hydrographer Canyon along the Great South Channel to Georges Bank from July to November. Takes occurred at the Oceanographer Canyon continental shelf break and along the continental shelf northeast of Cape Hatteras in October-November.

Pelagic Pair Trawl

The pelagic pair trawl fishery operated as an experimental fishery from 1991 to 1995, with an estimated 171 hauls in 1991, 536 in 1992, 586 in 1993, 407 in 1994, and 440 in 1995. This fishery ceased operations in 1996 when NMFS rejected a petition to consider pair trawl gear as an authorized gear type in the Atlantic tunas fishery. The fishery operated in August to November in 1991, June to November in 1992, June to October in 1993, and mid-summer to November in 1994 and 1995. Fisheries Observer began in October 1992 (Gerrior *et al.* 1994), and 48 sets (9% of the total) were sampled in that season; 102 hauls (17% of the total) were sampled in 1993. In 1994 and 1995, 212 (52%) and 238 (54%), respectively, of the sets were observed. Twelve vessels have operated in this fishery. The fishery extended from 35°N to 41°N, and from 69°W to 72°W. Approximately 50% of the total effort was within a one degree square at 39°N, 72°W, around Hudson Canyon. Examination of the 1991-1993 locations and species composition of the bycatch showed little seasonal change for the six months of operation and did not warrant any seasonal or areal stratification of this fishery (Northridge 1996). Five pilot whale (*Globicephala* sp.) mortalities were reported in the self-reported fisheries information in 1993. In 1994 and 1995 observers reported 1 and 12 mortalities, respectively. The estimated fishery-related mortality to pilot whales in the USA Atlantic attributable to this fishery in 1994 was 2.0 (CV=0.49) and 22 (CV=0.33) in 1995. Since this fishery no longer exists, it has been excluded from Table 2.

During the 1994 and 1995 experimental fishing seasons, fishing gear experiments were conducted to collect data on environmental parameters, gear behavior, and gear handling practices to evaluate factors affecting catch and bycatch (Goudey 1995, 1996), but the results were inconclusive.

Pelagic Longline

Total effort, excluding the Gulf of Mexico, for the pelagic longline fishery, based on mandatory self-reported fisheries information, was 11,279 sets in 1991, 10,311 sets in 1992, 10,444 sets in 1993, 11,082 sets in 1994, 11,493 sets in 1995, 9,864 sets in 1996, 9,499 sets in 1997, 7,589 sets in 1998, 6,786 sets in 1999, and 6,582 sets in 2000 (Cramer 1994; Scott and Brown 1997; Johnson *et al.* 1999; Yeung 1999a; Yeung *et al.* 2000). In the 2001 SAR, the annual effort has been recalculated to include those sets targeting other species in conjunction with tuna/swordfish, instead of just effort that exclusively targeted tuna/swordfish as in previous reports (Johnson *et al.* 1999; Yeung 1999a). The result was an average increase in self-reported effort of roughly 10% (Yeung *et al.* 2000). The fishery has been observed from January to March off Cape Hatteras, in May and June in the entire mid-Atlantic, and in July through December in the mid-Atlantic Bight and off Nova Scotia. This fishery has been monitored with 3-6% observer coverage, in terms of sets observed, since 1992. The 1993-1997 estimated take was based on a revised analysis of the observed incidental take and self-reported incidental take and effort data, and replace previous estimates for the 1990-1993 and 1994-1995 periods (Cramer 1994; Scott and Brown 1997; Johnson *et al.* 1999). Further, Yeung (1999b) revised the 1992-1997 fishery mortality estimates in Johnson *et al.* (1999) to include seriously injured animals. The 1998 and 1999 bycatch estimates were from Yeung (1999a) and Yeung *et al.* (2000), respectively. Most of the estimated marine mammal bycatch was from US Atlantic EEZ waters between South

Carolina and Cape Cod (Johnson *et al.* 1999). Pilot whales are frequently observed to feed on hooked fish, particularly big-eye tuna (NMFS unpublished data). Between 1992 and 2000, 62 pilot whales (including 2 identified as a short-finned pilot whales) were released alive, including 32 that were considered seriously injured (of which 1 was identified as a short-finned pilot whale), and 2 mortalities were observed. January-March bycatch was concentrated on the continental shelf edge northeast of Cape Hatteras. Bycatch was recorded in this area during April-June, and takes also occurred north of Hydrographer Canyon off the continental shelf in water over 1,000 fathoms during April-June. During the July-September period, takes occurred on the continental shelf edge east of Cape Charles, Virginia, and on Block Canyon slope in over 1,000 fathoms of water. October-December bycatch occurred between the 20 and 50 fathom contour lines between Barnegat Bay and Cape Hatteras. The estimated fishery-related mortality to pilot whales in the USA Atlantic (excluding the Gulf of Mexico) attributable to this fishery was: 127 in 1992 (CV=1.00), 93 in 1999 (CV=1.00), and 24 in 2000 (CV=1.0). The estimated serious injuries were 40 (CV=0.71) in 1992, 19 (CV=1.00) in 1993, 232 (CV=0.53) in 1994, 345 (includes 37 estimated short-finned pilot whales, (CV= 0.51)) in 1995, 0 from 1996 to 1998, 288 (CV=0.74) in 1999, 109 (CV=1.0) in 2000, and 117 (CV=0.55) in 2001; average annual mortality in 1997-2001 was 117 pilot whales (CV=0.55) (Table 2). Animals released alive but judged to have been seriously injured are combined with mortalities in the category 'combined mortality'.

Bluefin Tuna Purse Seine

The tuna purse seine fishery between Cape Hatteras and Cape Cod is directed at small and medium bluefin and skipjack for the canning industry, while north of Cape Cod, purse seine vessels are directed at large medium and giant bluefin tuna. The latter fishery is entirely separate from any other Atlantic tuna purse seine fishery. Spotter aircraft are used to locate fish schools. The official start date is August 15, set by regulation. Individual vessel quotas (IVQs) and a limited access system prevent a derby fishery situation. Catch rates are high with this gear and consequently the season usually only lasts a few weeks for large mediums and giants. The 1996 regulations allocated 250 MT (5 IVQs) with a minimum of 90% giants and no more than 10% large mediums. Limited observer data are available for the bluefin tuna purse seine fishery. Out of 45 total trips made in 1996, 43 trips (95.6%) were observed. Forty-four sets were made on the 43 observed trips and all sets were observed. A total of 136 days were covered. Two interactions with pilot whales were observed in 1996. In one interaction, the net was actually pursued around one pilot whale, the rings were released and the animal escaped alive, condition unknown. This set occurred east of the Great South Channel and just north of the Cultivator Shoals region on Georges Bank. In a second interaction, 5 pilot whales were encircled in a set. The net was opened prior to pursuing to let the whales swim free, apparently uninjured. This set occurred on the Cultivator Shoals region on Georges Bank. Since 1996, this fishery has not been observed.

Southern New England/Mid-Atlantic Squid, Mackerel, Butterfish Trawl Fisheries

In 1996, mackerel, squid, and butterfish trawl fisheries were combined into one Atlantic squid, mackerel, and butterfish fishery management plan and designated as a Category II fishery. Because of spatial and temporal differences in the harvesting of *Illex* and *Loligo* squid, and Atlantic mackerel, each one of these sub-fisheries are described separately. Butterfish (*Peprilus triacanthus*) undergo a northerly inshore migration during the summer months and southerly offshore migration during the winter months and are mainly caught as incidental bycatch to the directed squid and mackerel fisheries. Fishery observers suggest that a significant amount of butterfish discarding occurs at sea. The *Illex* and *Loligo* squid fisheries are managed by moratorium permits, gear and area restrictions, quotas, and trip limits. The Atlantic mackerel and butterfish fisheries are managed by an annual quota system.

Historically, the mid-Atlantic mackerel and squid trawl fisheries were combined into the Atlantic mid-water trawl fishery in the revised proposed list of fisheries in 1995. The mackerel trawl fishery was classified as a Category II fishery since 1990 and the squid fishery was originally classified as a Category II fishery in 1990, but was reclassified as a Category III fishery in 1992. The combined fishery was then reclassified as a Category II fishery in 1995.

***Illex* Squid**

The USA domestic fishery, ranging from Southern New England to Cape Hatteras North Carolina, reflects patterns in the seasonal distribution of *Illex* squid (*Illex illecebrosus*). *Illex* are harvested offshore mainly by small mesh otter trawlers during the summer months (June-September) when they are distributed in continental shelf and slope waters. Since 1996, 45% of all pilot whale takes observed were caught incidental to *Illex* squid fishing operations; 1 in 1996, 1 in 1998, and 2 in 2000. Annual observer coverage of this fishery has varied widely and reflects only the months when the fishery is active. Between 1996 and 2001, annual observer coverage was 3.7%, 6.21%, 0.97%, 2.84%, 11.11%, and 0.00%, respectively. The estimated fishery-related mortality of pilot whales attributable to this fishery was: 45 in 1996 (CV=1.27), 0 in 1997, 85 in 1998 (CV=0.65), 0 in 1999, 34 in 2000 (CV=0.65), and unknown in 2001. The average annual mortality between 1997 and 2001 was 30 pilot whales (CV=0.50) (Table 2).

***Loligo* Squid**

The USA domestic fishery for *Loligo* squid (*Loligo pealeii*) occurs mainly in Southern New England and mid-Atlantic waters. Fishery patterns reflect *Loligo* seasonal distribution, where most effort is directed offshore near the edge of the continental shelf during the fall and winter months (October-March), and inshore during the spring and summer months (April-September). This fishery is dominated by small-mesh otter trawlers, but substantial landings are also taken by inshore pound nets and fish traps during the spring and summer months. Only one pilot whale incidental take has been observed in *Loligo* squid fishing operations since 1996. The one take was observed

in 1999 in the offshore fishery. No pilot whale takes have been observed in the inshore fishery. Between 1996 and 2001, observer coverage of the fall/winter offshore fishery was .03%, 0.50%, 0.78%, 0.86%, 1.08%, and 1.25%, respectively (Table 2). Observer coverage of the spring/summer inshore fishery was .02%, 2.10%, 0.47%, 0.51%, 0.59%, and 0.47% between 1996-2001, respectively. The estimated fishery-related mortality of pilot whales attributable to the fall/winter offshore fishery was 0 between 1996 and 1998, 49 in 1999 (CV=0.97), and 0 between 2000 and 2001. The average annual mortality between 1997 and 2001 was 10 pilot whales (CV=0.97) (Table 2). However, these estimates should be viewed with caution due to the extremely low (<1%) observer coverage.

Atlantic Mackerel

The USA domestic fishery for Atlantic mackerel (*Scomber scombrus*) occurs primarily in the Southern New England and mid-Atlantic waters between the months of January and May. This fishery is dominated by mid-water (pelagic) trawls. Observer coverage of this fishery was 0.79%, 0.00%, 1.13%, 4.9%, and 3.4% between 1997 and 2001, respectively. No incidental takes of pilot whales have been observed in the domestic mackerel fishery.

A USA joint venture (JV) fishery was conducted in the mid-Atlantic region from February to May 1998. NMFS maintained 100% observer coverage of the foreign joint venture vessels where 152 transfers from the USA vessels were observed. No incidental takes of pilot whales have been observed in the mackerel fishery. The former distant water fleet fishery has been non-existent since 1977. There is also a mackerel trawl fishery in the Gulf of Maine that generally occurs during the summer and fall months, May-December. There have been no observed incidental takes of pilot whales reported for the Gulf of Maine fishery.

Southern New England/Mid-Atlantic Mixed Groundfish Trawl Fisheries

This fishery occurs year round, ranging from Cape Cod Massachusetts to Cape Hatteras North Carolina. It represents a variety of individual sub-fisheries that include but are not limited to; monkfish, summer flounder (fluke), winter flounder, silver hake (whiting), spiny and smooth dogfish, scup, and black sea bass. Observer coverage of this fishery was 0.24%, 0.22%, 0.15%, 0.14%, 0.35%, and 0.41% between 1996-2001, respectively. There was one observed take in this fishery reported in 1999. The estimated fishery-related mortality for pilot whales attributable to this fishery was: 0 in 1996-1998, 228 in 1999, and 0 in 2000-2001. The average annual mortality between 1997 and 2001 was 46 pilot whales (CV=1.03) (Table 2). However, these estimates should be viewed with caution due to the extremely low (<1%) observer coverage.

Northeast Atlantic (Gulf of Maine/Georges Bank) Herring Fishery

Historically, the Atlantic herring resource was harvested by the distant water fleet until the fishery collapsed in the late 1970's. There has been no distant water fleet since the collapse. A domestic fleet has been harvesting the herring resource utilizing both fixed and mobile gears. Only a small percentage of the resource is currently harvested by fixed gear due to a combination of reduced availability and less use of fixed gear. The majority of the resource is currently harvested by domestic mid-water (pelagic) trawls and (single and paired) purse seines. Atlantic Herring are managed jointly by the MAFMC and ASMFC as one migratory stock complex. There has been a domestic resurgence in a directed fishery on the adult stock due to the recovery of the adult stock biomass. The current fishery occurs during the summer months when the resource is spatially distributed throughout the Gulf of Maine and Georges Bank regions. The stock continues on a southerly migration into mid-Atlantic waters during the winter months. The Atlantic herring mid-water trawl fishery is a Category II fishery and the Atlantic herring purse seine fishery is a Category III fishery. There were no domestic mid-water trawl trips observed in 1997-1998, 3 trips observed in 1999 (1 single; 2 paired), 13 trips in 2000 (12 single; 1 paired), and no trips in 2001. There were no marine mammal takes observed from the domestic mid-water trawl fishing trips during 1997-2001.

A USA joint venture (JV) mid-water (pelagic) trawl fishery was conducted on Georges Bank from August - December 2001. A Total Allowable Level of Foreign Fishing (TALFF) was also granted during the same time period. Ten vessels (3 foreign and 7 American), fishing both single and paired mid-water trawls, participated in the 2001 Atlantic herring JV fishery. Two out of the three foreign vessels also participated in the 2001 TALFF and fished with paired mid-water trawls. NMFS maintained 74% observer coverage (243 hauls) of the JV transfers and 100% observer coverage (114 hauls) of the foreign vessels granted a TALFF. Eight pilot whales were incidentally captured in a single mid-water trawl during JV fishing operations. Three pilot whales were incidentally captured in a single mid-water trawl during foreign fishing operations (TALFF) (Table 2). The total mortality attributed to the Atlantic herring mid-water trawl fishery in 2001 was 11 animals (Table 2).

Mobile Gear Restricted Areas

Mobile gear restricted areas (GRA's) were put in place for fishery management purposes in November 2000. The intent of the GRA is to reduce bycatch of scup. The GRA's are spread out in time and space along the edge of the Southern New England and mid-Atlantic continental shelf region (between 100-1000 meters). These seasonal closures are targeted at trawl gear with small mesh sizes (<4.5 inches). The Atlantic herring and Atlantic mackerel trawl fisheries are exempt from the GRA's. A temporary exemption was also granted for the *Loligo* squid fishery. For detailed information regarding GRA's refer to FR/Vol. 66, No. 41.

Mid-Atlantic Coastal Gillnet

Observer coverage of the USA Atlantic coastal gillnet fishery was initiated by the NEFSC Fisheries Observer Program in July 1993 and from July to December 1993, 20 trips were observed. During 1994 and 1995, 221 and 382 trips were observed, respectively. This fishery, which extends from North Carolina to New York, is actually a combination of small vessel fisheries that target a variety of fish species, some of which operate right off the beach. The number of vessels in this fishery is unknown, because records which are held by both state and federal agencies have not been centralized and standardized. Observer coverage, expressed as percent of tons of fish

landed, was 5%, 4%, 3%, 5%, 2%, 2%, and 2% for 1995, 1996, 1997, 1998, 1999, 2000, and 2001, respectively (Table 2).

No pilot whales were taken in observed trips during 1993-1997. One pilot whale was observed taken in 1998, 0 during 1999-2001 (Table 2). Observed effort was scattered between New York and North Carolina from 1 to 50 miles off the beach. All bycatches were documented during January to April. Using the observed takes, the estimated annual mortality (CV in parentheses) attributed to this fishery was 7 in 1998 (1.1). Average annual estimated fishery-related mortality attributable to this fishery between 1997 and 2001 was 1 pilot whale (CV=1.1)

CANADA

An unknown number of pilot whales have also been taken in Newfoundland and Labrador, and Bay of Fundy groundfish gillnets, Atlantic Canada and Greenland salmon gillnets, and Atlantic Canada cod traps (Read 1994). The Atlantic Canadian and Greenland salmon gillnet fishery is seasonal, with the peak from June to September, depending on location. During 1989, in southern and eastern Newfoundland and in Labrador, 2,196 nets 91 m long were used. There are no effort data available for the Greenland fishery; however, the fishery was terminated in 1993 under an agreement between Canada and North Atlantic Salmon Fund (Read 1994).

There were 3,121 cod traps operating in Newfoundland and Labrador during 1979, and about 7,500 in 1980 (Read 1994). This fishery was closed at the end of 1993 due to collapse of Canadian groundfish resources.

Between January 1993 and December 1994, 36 Spanish deep-water trawlers, covering 74 fishing trips (4,726 fishing days and 14,211 sets), were observed in NAFO Fishing Area 3 (off the Grand Banks) (Lens 1997). A total of 47 incidental catches were recorded, which included 1 long-finned pilot whale. The incidental mortality rate for pilot whales was 0.007/set.

In Canada, the fisheries observer program places observers on all foreign fishing vessels, on between 25% and 40% of large Canadian vessels (greater than 100 ft), and on approximately 5% of small vessels (Hooker *et al.* 1997). Fishery observer effort off the coast of Nova Scotia during 1991-1996 varied on a seasonal and annual basis, reflecting changes in fishing effort (see Figure 3, Hooker *et al.* 1997). During the 1991-1996 period, long-finned pilot whales were bycaught (number of animals in parentheses) in bottom trawl (65); midwater trawl (6); and longline (1) gear. Recorded bycatches by year were: 16 in 1991, 21 in 1992, 14 in 1993, 3 in 1994, 9 in 1995, and 6 in 1996. Pilot whale bycatches occurred in all months except January-March and September (Hooker *et al.* 1997).

Table 2. Summary of the incidental mortality of pilot whales (*Globicephala sp.*) by commercial fishery including the years sampled (Years), the number of vessels active within the fishery (Vessels), the type of data used (Data Type), the annual observer coverage (Observer Coverage), the observed mortalities and serious injuries recorded by on-board observers, the estimated annual mortality and serious injury, the combined annual estimates of mortality and serious injury (Estimated Combined Mortality), the estimated CV of the combined estimates (Estimated CVs) and the mean of the combined estimates (CV in parentheses).

Fishery	Years	Vessels ⁴	Data Type ¹	Observer Coverage ²	Observed Serious Injury	Observed Mortality	Estimated Serious Injury	Estimated Mortality	Estimated Combined Mortality	Estimated CVs	Mean Annual Mortality
SNE/mid-Atlantic <i>Illex</i> Squid Trawl	97-01	73 ⁵	Obs. Data Dealer	.062, .009, .028, .111, NA	0, 0, 0, 0, NA	0, 1, 0, 2, NA	0, 0, 0, 0, NA	0, 85, 0, 34, NA	0, 85, 0, 34, NA	0, 0.65, 0, 0.65, NA	30 (0.50)
SNE/mid-Atlantic <i>Loligo</i> Squid Trawl (offshore)	97-01	384 ⁵	Obs. Data Dealer	.005, .008, .009, .011, .012	0, 0, 0, 0, 0	0, 0, 1, 0, 0	0, 0, 0, 0, 0	0, 0, 49, 0, 0	0, 0, 49, 0, 0	0, 0, 0.97, 0, 0	10 (0.97)
SNE/ mid-Atlantic Bottom Trawl	97-01	NA	Obs. Data Dealer	.002, .001, .003, .003, .004	0, 0, 0, 0, 0	0, 0, 1 ⁶ , 0, 0	0, 0, 0, 0, 0	0, 0, 228, 0, 0	0, 0, 228, 0, 0	0, 0, 1.03, 0, 0	46 (1.03)
GOM/GB Herring Mid-Water Trawl JV and TALFF	2001	10 ⁸	Obs. Data	1.00 ⁷	0	11	0	11	11	NA	11 (NA)
Pelagic ³ Longline	97-01	245, 205, 193, tbd	Obs. Data Logbook	.03, .03, .04, .04, .04	0, 0, 4, 4, 1	0, 0, 1, 1, 1	0, 0, 288, 109, 57	0, 0, 93, 24, 29	0, 0, 381, 133, 79	0, 0, .79, .88, .48	117 (0.55)
Mid-Atlantic Coastal Gillnet	97-01	NA	Obs. Data Dealer	.03, .05, .02, .02, .02	0, 0, 0, 0, 0	0, 1, 0, 0, 0	0, 0, 0, 0, 0	0, 7, 0, 0, 0	0, 7, 0, 0, 0	0, 1.1, 0, 0, 0	1 (1.1)
TOTAL											215 (.37)

¹ Observer data (Obs. Data) are used to measure bycatch rates, and the data are collected within the Northeast Fisheries Science Center (NEFSC) Fisheries Observer Program. Mandatory logbook data were used to

measure total effort for the longline fishery. These data are collected at the Southeast Fisheries Science Center (SEFSC).

2 Observer coverage of the mid-Atlantic coastal gillnet fishery is measured in tons of fish landed. Observer coverage for the longline fishery are in terms of sets. The trawl fisheries are measured in trips.

3 1997-1998 mortality estimates were taken from Table 9a in Yeung *et al.* (2000), and excludes the Gulf of Mexico. 1999-2000 mortality estimates were taken from Table 10 in Yeung 2001.

4 Number of vessels in the fishery are based on vessels reporting effort to the pelagic longline logbook.

5 These are numbers of potential fishing vessels based on permit holders in the 2002 fishery. Many of these vessels participate in the other fisheries and therefore the reported number of vessels are not additive across the squid, mackerel and butterfish fisheries. (67FR 65937).

6 The incidental take was observed on a trip than landed silver hake as the primary species.

7 During joint venture fishing operations, nets that are transferred from the domestic vessel to the foreign vessels for processing are observed on board the foreign vessel. There may be nets fished by domestic vessels that do not get transferred to a foreign vessel for processing and therefore would not be observed.

8 During TALFF fishing operations all nets fished by the foreign vessel are observed.

Three foreign vessels and seven American vessels.

Other Mortality

Pilot whales have a propensity to mass strand throughout their range, but the role of human activity in these events is unknown. Between 2 and 120 pilot whales have stranded annually, either individually or in groups, in NMFS Northeast Region (Anon. 1993b) since 1980. From 1997 to 2001, 79 pilot whales (*Globicephala sp.*) have been reported stranded between Maine and Florida (Table 3), including 11 animals that mass stranded in 2000 along the Massachusetts coast (NMFS unpublished data), and 13 animals (in two groups of 5 and 8) along the Florida coast in 1998. Four of 6 animals from one live stranding event in Massachusetts in 2000 were rehabilitated and released. In addition, 11 pilot whales that live stranded on Nantucket were returned to the water. However, certain studies have shown that frequently, animals that are returned to the water swim away and strand someplace else (Fehring and Wells 1976; Irvine *et al.* 1979; Odell *et al.* 1980)

Short-finned pilot whales (*Globicephala macrorhynchus*) have been reported stranded as far north as Block Island, Rhode Island (2001) and long-finned pilot whales (*Globicephala melas*) as far south as South Carolina. Rarely is there a distinction made between these two species within the U.S. east coast regional stranding records.

In eastern Canada, 37 strandings of long-finned pilot whales (173 individuals) were reported on Sable Island, Nova Scotia from 1970 to 1998 (Lucas and Hooker 1997; Lucas and Hooker 2000). This included 130 animals that mass stranded in December 1976, and 2 smaller groups (<10 each) in autumn 1979 and summer 1992. Fourteen strandings were also recorded along Nova Scotia in 1991-1996 (Hooker *et al.* 1997).

Table 3. Pilot Whale (*Globicephala sp.*) strandings along the U.S. Atlantic coast 1997-2001. No distinction has been made between short-finned (*Globicephala macrorhynchus*) and long-finned pilot whale (*G. melas*).

State	1997	1998	1999	2000	2001	TOTAL S
Maine	1	1	0	0	5	7
New Hampshire	0	0	0	0	0	0
Massachusetts	3 ³	3 ³	6	13 ¹	3	28
Rhode Island	0	1	0	0	1	2
Connecticut	0	0	0	0	0	0
New York	0	0	1	1	1	3
New Jersey	1	1	1	0	0	3
Delaware	0	0	0	0	0	0
Maryland	0	0	1	0	0	1
Virginia	1	0	2	0	0	3
North Carolina	0	1	2	0	2	5
South Carolina	0	1	0	0	1	2
Georgia	0	2	0	1	0	3
Florida	2	18 ²	2	0	0	22
TOTALS	8	28	15	15	13	79

- ¹ Massachusetts mass stranding (11- animals, July 2000)
² Florida mass Stranding (5 and 8 animals in 1998)
³ Fishery Interactions: In Dec. 1998, a pilot whale stranded in Massachusetts contained a 7.25 inch mesh inside its stomach causing peritonitis/tumor abscess. In Dec. 1997, the Coast Guard boarded a vessel 70 miles east of Provincetown, Massachusetts and reported a drowned pilot whale in haul back. (No tissues collected but photos and entanglement log was filled out).

A potential human-caused source of mortality is from polychlorinated biphenyls (PCBs) and chlorinated pesticides (DDT, DDE, dieldrin, etc.), moderate levels of which have been found in pilot whale blubber (Taruski 1975; Muir *et al.* 1988; Weisbrod *et al.* 2000). Weisbrod *et al.* (2000) reported that bioaccumulation levels were more similar in whales from the same standing group than animals of the same sex or age. Also, high levels of toxic metals (mercury, lead, cadmium) and selenium were measured in pilot whales harvested in the Faroe Islands drive fishery (Nielsen *et al.* 2000). Similarly, Dam and Bloch (2000) found very high PCB levels in pilot whales in the Faroes. The population effect of the observed levels of such contaminants is unknown.

STATUS OF STOCK

The status of long-finned pilot whales relative to OSP in US Atlantic EEZ is unknown, but stock abundance may have been affected by reduction in foreign fishing, curtailment of the Newfoundland drive fishery for pilot whales in 1971, and increased abundance of herring, mackerel, and squid stocks. There are insufficient data to determine the population trends for this species. The species is not listed under the Endangered Species Act. The total fishery-related mortality and serious injury for this stock is not less than 10% of the calculated PBR and, therefore, cannot be considered to be insignificant and approaching zero mortality and serious injury rate. This is a strategic stock because the 1997-2001 estimated average annual fishery-related mortality, excluding Nova Scotia bycatches of pilot whales, *Globicephala* sp., exceeds PBR. The status has gone back and forth, because mortality has been close to PBR. In the last five editions of this stock assessment report, it has been designated as non-strategic in 1998 and 1999. However, it is not possible to determine whether mortality and serious injury have fluctuated or the estimate have fluctuated due to lack of precision in observer data.

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