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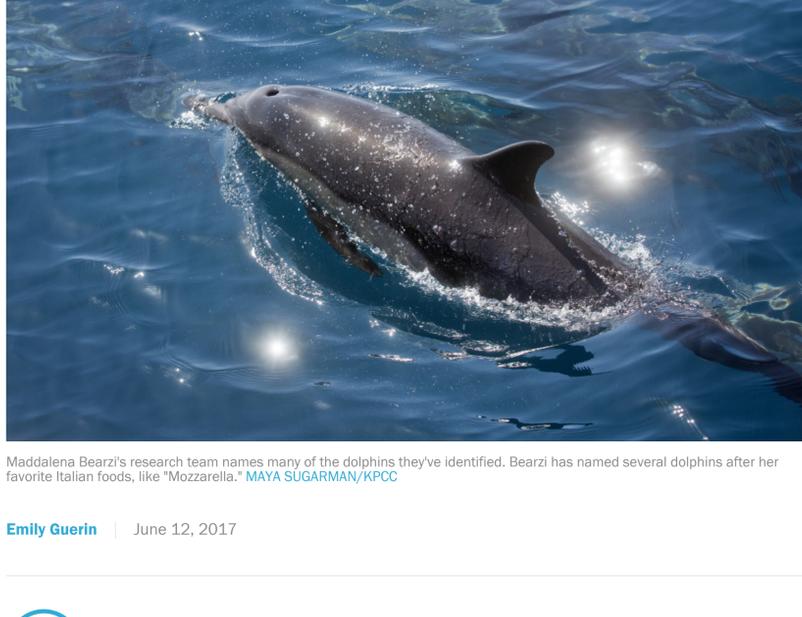
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ENVIRONMENT & SCIENCE

Trump administration overturns rule limiting by-catch of whales, sea turtles and dolphins

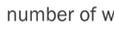


Maddalena Bearzi's research team names many of the dolphins they've identified. Bearzi has named several dolphins after her favorite Italian foods, like "Mozzarella." MAYA SUGARMAN/KPCC

Emily Guerin | June 12, 2017

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The Trump administration decided Monday to [withdraw](#) an Obama-era rule limiting the number of whales, sea turtles and dolphins inadvertently caught in nets used by sword fishermen.

At first glance, the decision by the National Oceanic and Atmospheric Administration appears to be part of a pattern by administration officials of overturning or delaying rules that are deemed too burdensome on industry. Federal officials say they moved to scrap the rule based in part on how costly the new rule would have been to fishermen. But [they also say](#) it was redundant and not backed by science.

The rule, which was still in the process of being developed, would have set firm limits on the number of sea turtles, whales and dolphins that could be accidentally snared in drift nets. If more than two to four animals became entangled, the entire West Coast sword fishery would be shut down for up to two years.

Part of the problem is the method fishermen use to catch swordfish: long, mesh nets that hang in the water from floats. In the early 1990s, up to 500 dolphins a year were getting tangled in the nets, according to NOAA. Thirty-three beaked whales, so-called because of their long, narrow snouts, got stuck between 1990 and 1996.

In response, [California banned drift gillnets](#) in state waters in 1990. Six years later, NOAA convened the [Take Reduction Team](#), a group of scientists, academics, environmentalists and fishermen to try to solve the problem in federal waters.

The team decided fishermen should use "pingers," baton-like devices that hang from the nets and emit a high-frequency noise only detectable by marine mammals, not fish.

The results were dramatic: after 1996, [no beaked whales got stuck](#). In 2015, less than 50 dolphins were entangled. The numbers declined for other species, too.

But the [Pacific Fishery Management Council](#), which is a similar stakeholder group to the Take Reduction Team and makes fishery management recommendations to NOAA, wanted to go further. The group, which is also made up of a mix of fisherman, scientists, government officials and academics, voted to put into place strict limits on bycatch and recommended NOAA create a new regulation, which the agency began working on in the final months of the Obama administration.

"We should not be killing any" marine mammals, said Geoff Shester, a senior scientist at the advocacy group Oceana, which is not part of the council but supported the proposed rule. He said he was "furious" when he found out NOAA had decided to abandon the rule, especially because it had been crafted with industry support.

"We don't usually see politics from a high level affect fisheries," he said. "The fact that this rule was something that came out of the Pacific Fishery Management Council, and was denied, that's highly unusual."

But NOAA officials say their decision had nothing to do with politics. Jim Carretta, a research fishery biologist for NOAA in La Jolla, said he was happy to see the rule pulled because he thought the limits that the council set on by-catch were arbitrary.

"They didn't seem to be informed by the theoretical underpinnings of how marine mammal populations increase and recover," he said.

He also said the rule was unnecessary, given the progress the Take Reduction Team has had at reducing by-catch.

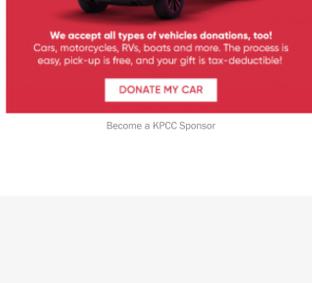
Finally, he thought the consequence for inadvertently catching just two to four whales, dolphins or sea turtles – the closure of the fishery – was too severe.

"Nobody likes by-catch. No one ever wants to see a dead dolphin. But one always has to put it in the context of the population as a whole," Carretta said.

In other words, he said if the number of dolphins inadvertently snared isn't enough to threaten the population as a whole, and allowing fishing will keep fishermen employed, it's OK.

David Haworth, a sword fisherman from San Diego, agrees. "It upset me they were going to shut down fisheries over one or two marine mammals," he said. "If we were harming an endangered species, we should not fish, we should shut down." But the rule, he said, went way beyond that.

Currently, there are just 16 boats that go out each year to catch sword fish – down from over 200 in the 1980s. Haworth says the fish just aren't there any more – they've moved up the coast into areas where sword fishing is even more restricted than it is off the coast of Southern California.



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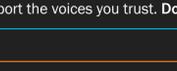
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