

the commenter suggests is not appropriate at this time. While subdivision of this fishery along ecosystem lines similar to that done for inshore fisheries may be considered in the future, the analysis to support such a division is not currently available.

NMFS will, whenever possible, define fisheries the way they are defined in federal, regional, or state fishery management programs. This will (1) help NMFS fulfill its statutory obligations by coordinating registration under the MMPA with existing fishery management programs, (2) provide a "common name" for a fishery that can be used by NMFS, fishers, and state and regional fishery managers, and (3) allow NMFS to more easily collect information on fishery statistics, such as the number of participants, target species, length of fishing season, etc.

*Comment 30:* One commenter requested that NMFS add the Western North Atlantic (WNA) pygmy sperm whale to the list of marine mammals incidentally killed or seriously injured in the pelagic longline fishery based on the report of a serious injury of a pygmy sperm whale in this fishery in 2000.

*Response:* NMFS agrees and will add the WNA pygmy sperm whale to the list of marine mammals incidentally taken in this fishery.

#### *Comments on the Gulf of Mexico Blue Crab Trap/pot Fishery*

*Comment 31:* One commenter stated that NMFS should reclassify the Gulf of Mexico blue crab trap/pot fishery at least as Category II and expressed concern that the agency did not provide adequate justification for not reclassifying the fishery.

*Response:* NMFS has decided not to reclassify this fishery in the 2003 LOF because the bottlenose dolphin stock structure in the Gulf of Mexico is not well defined at this time. Additionally, the available data on strandings with signs of crab trap/pot interaction are relatively few in number. Therefore, NMFS believes it is more appropriate to reevaluate this fishery relative to PBRs for bay, sound, and estuarine stocks of bottlenose dolphins when the Gulf of Mexico bottlenose dolphin stock structure is better understood. NMFS is currently investigating the stock structure of bottlenose dolphins in the Gulf of Mexico to better define these stocks in the future.

In the coming year, NMFS will work with the Gulf States Marine Fisheries Commission (GSMFC) and the Sea Grant program to better monitor bottlenose dolphin takes in this fishery, to educate blue crab fishermen about marine mammal interaction issues and ways to

reduce takes in the fishery, and to continue work on the derelict trap/pot removal program, believed to be an important source of marine mammal mortality and serious injury in the fishery. The NMFS Southeast Regional Office will monitor the progress in this fishery closely and reevaluate it for reclassification in the future.

*Comment 32:* Some commenters objected to future consideration of the Gulf of Mexico blue crab trap/pot fishery as Category II given the lack of solid data to support the fishery's reclassification. The commenters expressed particular concern about the lack of scientific rigor of the strandings data used in this analysis.

*Response:* See Comment/Response 31 above. NMFS has decided not to reclassify this fishery at this time and instead will work with the GSMFC and Sea Grant program to educate crabbers about ways to reduce interactions with marine mammals in this fishery.

NMFS believes that strandings data are an important source of information on marine mammal mortality and serious injury in the Gulf of Mexico blue crab trap/pot fishery and has developed a proposal to strengthen strandings programs throughout the Southeast region, including the Gulf of Mexico, to improve data quality in the coming years. NMFS' proposal includes recommendations aimed at ensuring adequate geographic coverage of strandings programs, improving accuracy of strandings data, increasing reporting frequency and response time, facilitating communication between strandings responders and individuals reporting marine mammal takes, ensuring a centralized repository, involving fishermen in gear interaction determinations, and providing guidance to enforcement agents about their role in stranding response. NMFS will reevaluate this fishery in the 2004 LOF.

#### **Summary of Changes to the LOF for 2003**

With the following exceptions, the placement and definitions of U.S. commercial fisheries are identical to those provided in the LOF for 2002. The following summarizes changes in fishery classification, fishery name, fisheries listed on the LOF, number of participants in a particular fishery, and the species and/or stocks that are incidentally killed or seriously injured in a particular fishery, that are revised in the 2003 LOF.

#### **Commercial Fisheries in the Pacific Ocean**

##### *Fishery Classification*

The "California/Oregon Thresher Shark/Swordfish Drift Gillnet Fishery ( $\geq 14$  in. mesh)" is moved from Category I to Category II.

The "AK Cook Inlet Salmon Set Gillnet Fishery" is moved from Category II to Category III.

##### *Addition of Fisheries to the LOF*

The "CA Yellowtail, Barracuda, White Seabass, and Tuna Drift Gillnet Fishery (mesh size  $> 3.5$  inches and  $< 14$  inches)" is added to the LOF as a Category II fishery.

##### *Removals of Fisheries from the LOF*

The "CA Shark/Bonito Longline/Set Line Fishery" is removed from the LOF.

##### *Fishery Name and Organizational Changes and Clarifications*

The "CA Angel Shark/Halibut and Other Species Large Mesh ( $> 3.5$  in. mesh) Set Gillnet Fishery" is renamed the "CA Angel Shark/Halibut and Other Species Set Gillnet Fishery ( $> 3.5$  in. mesh)."

The "CA Longline Fishery" is renamed the "CA Pelagic Longline Fishery."

The "CA/OR Thresher Shark/Swordfish Drift Gillnet Fishery" is renamed the "CA/OR Thresher shark/swordfish drift gillnet fishery ( $\geq 14$  in. mesh)."

##### *Number of Vessels/Persons*

The estimated number of participants in the "AK Bering Sea Aleutian Islands Groundfish Longline/Set Line Fishery" is updated to 148.

The estimated number of participants in the "AK Gulf of Alaska Groundfish Longline/Set Line Fishery" is updated to 1030.

The estimated number of participants in the "AK Bering Sea Aleutian Islands Groundfish Trawl Fishery" is updated to 157.

The estimated number of participants in the "AK Gulf of Alaska Groundfish Trawl Fishery" is updated to 145.

The estimated number of participants in the "AK Bering Sea, Gulf of Alaska Finfish Pot Fishery" is updated to 314.

The estimated number of participants in the "CA Pelagic Longline Fishery" is updated to 30.

The estimated number of participants in the "CA/OR Thresher Shark/Swordfish Drift Gillnet Fishery ( $\geq 14$  in. mesh)" is updated to 113.

The estimated number of participants in the "WA Puget Sound Region Salmon Drift Gillnet Fishery" is updated to 225.