



2022 DEEPWATER HORIZON OCEANIC FISH RESTORATION PROJECT

Frequently Asked Questions

What is the *Deepwater Horizon* Oceanic Fish Restoration Project?

The National Oceanic and Atmospheric Administration (NOAA) and the National Fish and Wildlife Foundation (NFWF) are working in partnership with the pelagic longline fishery in the Gulf of Mexico, which targets species such as tuna and swordfish, on the *Deepwater Horizon* Oceanic Fish Restoration Project.

This project includes a temporary and voluntary repose – a six-month period during which participating vessel owners will receive financial compensation to refrain from pelagic longline fishing. Participants will be encouraged to fish for tuna and swordfish using alternative gear, which result in lower bycatch, so they can continue to fish. The project is tailored to restore resources injured by the *Deepwater Horizon* oil spill and does not affect existing management practices or regulations.

Why was this project launched?

Many species of oceanic (or pelagic) fish in the Gulf of Mexico were injured by the 2010 *Deepwater Horizon* oil spill, including tuna, billfish, and mackerel, as well as deepwater fish such as lancetfish. The goal of this project is to help restore a portion

of the pelagic fish injured by the oil spill. The project is funded from the early restoration funds provided by BP as part of the legal settlement for the spill. It was developed by federal and Gulf state natural resource trustees, including NOAA, according to the Oil Pollution Act (OPA) and with opportunities for public review and comment.

What are the benefits of the project?

Participating fishermen are helping to restore pelagic fish species injured by the spill. Their participation benefits the Gulf of Mexico in the short- and long-term and will help compensate for a portion of the injuries to fish caused by the spill. The project will reduce fish mortality. When fishermen refrain from using pelagic longline gear for a portion of the year, fewer fish are caught, allowing more fish to grow and reproduce thus supporting healthier populations of fish throughout the Gulf. A restored fishery and healthier Gulf will support robust fish stocks, benefiting vessel owners and others whose livelihoods rely on the fishery.

Vessel owners participating in the project will be financially compensated to offset revenue lost as a result of participating in the voluntary repose period. Participants have the option to continue to fish during the repose period using alternative gear

types provided by NFWF and NOAA: greenstick, buoy, and deep drop rod and reel gear. Providing participants with additional gear options is intended to provide alternative harvest opportunities and help offset economic effects of the repose.

These gear types result in lower bycatch mortality but are relatively underused in the Gulf of Mexico. Bycatch mortality occurs when non-target species are accidentally caught and die. This portion of the project will provide participants with an opportunity to study and improve their proficiency with new gear types. Participating vessel owners who take alternative gear fishing trips will be compensated in addition to the repose.

How did this project come about?

Federal and state agencies are authorized under the OPA to act as trustees on behalf of the public to assess injuries to natural resources and their services that result from an oil spill and to plan for restoration to compensate the public for those injuries. Under the OPA, natural resource trustees develop and implement plans for restoring natural resources under their trusteeship. NOAA is authorized to conduct the OPA Natural Resource Damage Assessment (NRDA) process as a federal trustee and to carry out restoration efforts to implement the project. The project was included and evaluated in the *Deepwater Horizon* Oil Spill Draft Phase IV Early Restoration Plan and Environmental Assessments, which was subject to public review and comment. In September 2015, in the Final Phase IV Early Restoration Plan and Environmental Assessments, the trustees selected this project for implementation to help restore oceanic fish injured by the spill. The project is the first of multiple projects developed by the *Deepwater Horizon* Trustees to focus on working directly with fishing communities that are helping to restore fish species injured as a result of the spill. Currently and in the coming years, the trustees are launching other projects in which fishing communities may have options to participate.

The *Deepwater Horizon* settlement with BP allocated funding for restoration projects for fish and marine invertebrates, including the *Deepwater Horizon* Oceanic Fish Restoration Project. Please visit the NOAA Gulf Spill Restoration website for more information: gulfspillrestoration.noaa.gov/restoration-areas/open-ocean.

Why did the project start so long after the oil spill?

The project was developed under the *Deepwater Horizon* early restoration framework between BP and the natural resource trustees, as part of a suite of projects for which BP agreed to provide funding before the full settlement was reached. The *Deepwater Horizon* early restoration funding approach was novel and unprecedented. It allowed projects to commence when there was an agreement between BP and the trustees, prior to finalizing the NRDA or reaching a settlement. *Deepwater Horizon* early restoration projects commenced sooner than trustees are normally able to start projects in most oil spills. Since the settlement was reached in 2016, the trustees have been actively planning additional restoration activities for fish and marine invertebrates and it is expected that project planning and implementation will continue over the duration of the 15-year settlement payout period and beyond.

What impacts did the spill have on pelagic fish?

In addition to killing fish outright, the oil spill also had detrimental effects to those fish that survived the initial spill and cleanup. At various depths of Gulf of Mexico waters, scientists found negative impacts to fish, including cardiac (heart) toxicity and other developmental deformities such as a curved spine, reduced growth rates, impaired immune function, reduced swimming performance, and inhibited reproduction. The *Deepwater Horizon* Oceanic Fish Restoration Project reduces fish mortality to allow fish to grow and reproduce, helping support healthier populations of fish throughout the Gulf.

Project Overview

When did the project start?

To help restore the injured species, in 2016 NOAA and NFWF began working directly with regional fishing vessel owners to get their feedback before implementing this temporary restoration project that launched as a four-month pilot in 2017 and began its first full six-month season in 2018.

Were previous project years successful?

Yes, the project has been successful in achieving reduced bycatch compared to pelagic longline gear. (See more information in the subsequent question and answer.)

To realize restoration benefits, the project relies on the participation of fishermen in both parts of the project – the repose and testing alternative gear.

For the 2017 project year, seven vessel owners from Louisiana participated in a four-month pelagic longline repose and fished using greenstick gear for a collective total of 280 sea-days.

In 2018 through 2021, the repose took place from January 1 through June 30. In the 2018 project year, seven vessel owners from Louisiana and three vessel owners from Florida participated in the repose. In the 2019 project year, eight vessel owners from Louisiana and two vessel owners from Florida participated in the repose. In the 2020 project year, repose participants included seven vessel owners from Louisiana and five from Florida. In the 2021 project year, seven vessel owners from Louisiana and four vessel owners from Florida participated. Participants used greenstick, buoy, and deep drop rod and reel gear for almost 500 sea-days in 2018, more than 500 sea-days in 2019, and more than 650 sea-days in both 2020 and 2021.

What project enhancements have been made since the project began?

The project has regularly sought out, listened to, and benefited from the expertise of pelagic longline vessel owners. Discussions with vessel owners have shaped adjustments and enhancements to the project, which have resulted in a clear restoration benefit for oceanic fish in the Gulf.

Since the pilot, NFWF and NOAA have expanded the types of alternative gear for use in the project; established two separate regional auctions to allow for broader geographic participation; adjusted the payment schedule to better meet the needs of vessel owners; gave participants the option to renew their participation for the next year without reapplying, giving vessel owners greater continuity in using alternative gear from year to year; and provided additional training and resources to participants and converted in-person training to virtual training during the pandemic to safeguard participants.

Has data shown that the project is meeting restoration goals?

Yes. Data collected by NOAA from the 2017-2019 project years shows that the project is on track to meet restoration goals to reduce fish mortality and help restore more than 60 species of pelagic fish in the Gulf. Project results of note include:

- In total, participating vessel owners allowed approximately 23,000 individual pelagic fish (about one million pounds), including 10,600 individual tuna and swordfish, to remain in the water to grow, reproduce, and support future generations of fish.
 - Although alternative gear was found to have lower catch rates than pelagic longline gear, almost 90% of all fish discarded from alternative gear were released alive.
 - Fishermen are using and testing gear types while helping NOAA and NFWF better understand how the gear works in the fishery. According to one participant: "I am very invested in helping make alternative gear more effective for future generations of fishermen."
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Participants that used buoy gear were also able to apply for and receive an Exempted Fishing Permit to allow for power retrieval and deployment and the retention of tuna on buoy gear. This exemption allowed for data collection using this gear to target tuna and large swordfish at deeper depths during the day.

Do all vessel owners in the Gulf of Mexico have to participate in the project?

No. Participation in the repose is voluntary and limited – only a portion of the overall Gulf of Mexico pelagic longline fishing fleet will be selected to participate in any given year. Limiting participation will help to minimize potential financial impacts to area dealers and the shoreside economy, and it will help ensure that the Gulf's pelagic longline fishery continues to generate high-quality products for both domestic and international markets.

Is the project permanent? How long will it run?

No, it's not permanent. The project, which began in 2017, is temporary, voluntary, and tailored to restore a portion of the fish species that were injured by the 2010 *Deepwater Horizon* oil spill. **NOAA and NFWF anticipate that the 2022 repose will likely be the project's last year, although a final decision has not yet been reached. That decision will consider the level of participation needed to meet restoration goals.**

Project Details

What are the key requirements to participate in the project?

- By agreeing to participate in the project, participants will refrain from all pelagic longline fishing during the repose period from January 1 through June 30, 2022.
- Participants will be required to remove their pelagic longline gear and are subject to vessel inspections to ensure no pelagic longline trips are taken during the repose.
- Participants must keep their Vessel Monitoring System units on at all times during the repose.

- Participants are subject to all existing regulations under the National Marine Fisheries Service Highly Migratory Species Management Division, U.S. Coast Guard, and applicable federal and state regulations and laws.
- Those who elect to participate in the alternative gear portion of the project must take observers on board during alternative gear trips when requested.
- Selected applicants will be provided with a one-year contract for participation in the 2022 project year. Should the project continue into 2023, interested participants will have the option to renew their contract annually pending NFWF review of compliance, performance, and eligibility.

If vessel owners choose to participate, can they still fish during the pelagic longline repose?

Yes, they can fish but not with pelagic longline gear. Participants may still fish using other gear types, including greenstick, buoy, deep drop rod and reel, bottom longline, or any other gear associated with other active permits. In fact, during the pelagic longline repose period, participating vessels will be encouraged to use greenstick, buoy, and deep drop rod and reel gear to harvest tuna and swordfish.

Are there new fishing regulations for the pelagic longline fishery in the Gulf of Mexico because of this project?

No. The project is voluntary, temporary, and is tailored to restore a portion of fish affected by the *Deepwater Horizon* oil spill. The project does not change existing management practices or regulations. As a voluntary project, no new regulations are being issued by NOAA or any other government agency.

Please visit www.nfwf.org/programs/deepwater-horizon-oceanic-fish-restoration-project for more information.