



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

December 27, 2007

Ms. Beth Mathews  
Chair, Alaska Scientific Review Group  
School of Arts and Sciences  
University of Alaska Southeast  
11120 Glacier Highway  
Juneau, Alaska 99801-8671

Dear Ms. Mathews:

Thank you for your letter on behalf of the Alaska Scientific Review Group (SRG) in which you convey its concerns regarding the high cost of the NMFS Alaska Region's Marine Mammal Observer Program (AMMOP) and resultant prolonged acquisition of statistically valid marine mammal serious injuries and mortalities incidental to Alaska commercial fisheries. The SRG suggests that NMFS investigate and implement feasible, cost effective methods to obtain information on and mitigate incidental serious injuries and mortalities.

The Marine Mammal Protection Act (MMPA) is very specific in its requirements for information on serious injury and mortality incidental to commercial fisheries that must be included in annual Stock Assessment Reports (SAR). The SARs must include an annual estimation of serious injury and mortality for each fishery, including seasonal and area differences; a determination of a serious injury and mortality rate based on an appropriate unit of fishing effort; and an analysis of whether that level is insignificant and the rate is approaching the zero mortality rate goal. This information must also be used annually to categorize each fishery in the annual List of Fisheries as mandated by the MMPA, based on fractions of PBR of each stock seriously injured or killed. NMFS relies on observer programs throughout the country to provide the level of detail required by these specific directives. The AMMOP, as it is implemented, provides the Alaska Region with this detailed information for each fishery it observes.

Unfortunately, as the SRG points out, the AMMOP is also very expensive, which causes the slow fulfillment of these needs. The AKR acknowledges the need to determine how to fulfill the statutory mandates in a more timely and cost effective manner. The SRG suggests that the agency consider implementation of alternate approaches such as carcass surveys to determine hot spots in order to focus observer efforts. The SRG also suggests that mitigation efforts could be implemented in lieu of quantifying actual serious injury and mortality. We will consider these suggestions together with other ideas on how to resolve our need to fulfill MMPA requirements.

The SRG also recommends that NMFS ask Congress to include language allowing for a more flexible approach to meeting the zero mortality rate goal. NMFS will consider this. However, in the meantime the current statute remains specific in its requirements, and we will continue to



work to meet them. We will also continue discussions about this issue with the expectation of resolving it in a way that allows us to improve our management of the marine mammal stocks in Alaska and fulfill our statutory obligations

We appreciate the Alaska SRG's continued input and support of the agency's efforts and your proactive help in resolving the dilemmas we face.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Balsiger". The signature is fluid and cursive, with a long horizontal flourish extending to the right. To the right of the signature, the initials "for J/B" are written in a smaller, simpler hand.

Dr. James W. Balsiger  
Administrator, Alaska Region