ALASKA REGIONAL SCIENTIFIC REVIEW GROUP

SRG members: Karl Haflinger, Lloyd Lowry, Beth Mathews, Craig Matkin, Mike Miller, Grey Pendleton, Bob Small, Kate Stafford, Robert Suydam, Dave Tallmon, and Kate Wynne

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Eileen Sobeck
Assistant Administrator for Fisheries
National Marine Fisheries Service
1315 East-West Highway, Room 14564
Silver Spring, MD 20910

transmitted by electronic mail

Dear Eileen:

The Alaska Scientific Review Group (AKSRG) held its most recent meeting in Anchorage, Alaska, on 18-19 March 2014. As usual, staff from the National Marine Fisheries Service (NMFS) Alaska Fisheries Science Center (AFSC) and Alaska Regional Office (ARO) did a very good job of organizing the meeting, preparing draft stock assessment reports (SARs), and providing information on recent and planned marine mammal research and management activities. The draft SARs were distributed to the SRG earlier than usual and that was very helpful. We also appreciated the fact that your agency was able to continue to support a full, face-to-face, meeting of the SRG.

At the start of our meeting we heard updates from NMFS staff on recent conservation and management activities for Alaskan seals, sea lions, and cetaceans. Although funding for NMFS marine mammal work continues to be seriously deficient, the SRG was pleased to hear that there are plans to analyze harbor porpoise genetics samples to improve our understanding of stocks and to continue the very successful ice seal research program in the Bering Sea. Production of the Technical Memorandum on human-caused injury and mortality by the National Marine Mammal Laboratory (NMML), in collaboration with the Alaska Department of Fish and Game, was a major achievement. We were glad to hear that NMML is working on organizing and documenting their datasets and is committed to making data products more readily available. The news was not all good, however, as we were told that the Alaska Marine Mammal Observer Program was terminated in Southeast Alaska due to lack of funding and that NMML has no operational money for several of its research programs including those for North Pacific right whales and killer whales.

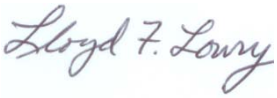
The SRG then reviewed revised drafts of SARs for 21 NMFS-managed stocks. We were especially impressed with the effort that was put into revisions for eastern and western Steller sea lion stocks. So much new information had been collected in recent years that major revisions were clearly warranted. The same will be the case when reviews and revisions of stock structure are completed for humpback whales and killer whales.

A complete description of our discussions and conclusions will be available in the minutes of the meeting. The purpose of this letter is to communicate the more substantial recommendations made by the SRG, which are listed below and further described in the attachment.

- NMFS should conduct an in-depth review of the Alaska harbor porpoise research program with the goal of improved conservation, reporting, and monitoring for this species.
- NMFS should modify its procedures for revising SARs.
- Coefficients of variation need to be calculated for humpback whale population estimates.
- Information on fishery observer coverage should be more clearly presented in SARs.
- NMFS should do a careful analysis of data collected by the Alaska Marine Mammal Observer Program in Southeast Alaska.
- NMFS should address problems with using old data on incidental takes in fisheries.
- NMFS should clarify the status of eastern Steller sea lions with regard to Optimum Sustainable Population (OSP).

Again, thanks to you and your staff for continued support of the AKSRG and its activities. As always, feel free to contact me if you have questions or if there are other ways in which we can help with assessment and conservation of Alaskan marine mammals.

Sincerely,



Lloyd F. Lowry, Chair
for the Alaska Scientific Review Group

cc: AKSRG members
Doug DeMaster, NMFS AFSC
Jim Balsiger, NMFS AKR
John Bengtson, NMFS NMML
Jon Kurland, NMFS AKR
Shannon Bettridge, NMFS HQ
Richard Merrick, NMFS HQ
Dee Allen, NMFS AFSC
Rebecca Lent, MMC

ATTACHMENT

***NMFS should conduct an in-depth review of the Alaska harbor porpoise research program with the goal of improved conservation, reporting, and monitoring for this species*.**

It is well known that harbor porpoise are at risk of becoming entangled and killed in Alaska net fisheries, as they are in all other regions where their range overlaps with such fisheries. The AKSRG has been concerned that because of inadequate observer and population assessment programs this issue has not received the attention that it deserves. We have expressed that concern numerous times at our meetings and in our recommendations, most recently in the 23 September 2013 letter we sent to the NMFS ARO and AFSC. In the letter we noted that NMFS has conducted annual multi-season vessel surveys for the southeast Alaska stock of harbor porpoise since 1991, for a total of more than 46 surveys. Vessel surveys have continued through 2014. However, abundance estimates cited in the SARs have been derived from regional aerial surveys conducted in 1997, 1998, and 1999. It appears that NMFS has concluded that vessel surveys cannot be used to calculate abundance but that aerial surveys do yield useful data on abundance and perhaps trends.

The enclosure that we received with the 14 March 2014 letter from you responded to our concerns saying: "NMML staff has completed an analysis of all available Southeast Alaska harbor porpoise survey data (1991 through 2012) and will update the 2014 SAR to include this new information. NMFS will provide the manuscript resulting from this analysis to the SRG before the 2014 meeting…." We did not receive the promised manuscript and the 2014 draft SAR did not include new abundance information.

We continue to be concerned that careful study design and data analysis are taking a back seat to data collection, and that ineffective vessel surveys are being conducted instead of aerial surveys that are proven to be effective. We once again recommend a systematic review to evaluate and revise the Alaska harbor porpoise research program.

NMFS should modify its procedures for revising SARs.

Section 117(c) of the Marine Mammal Protection Act describes requirements for review and revision of SARs. It requires the agencies to review stock assessments annually for stocks classified as strategic and those with significant new information available, and every three years for other stocks. SARs are to be revised if the review "indicates that the status of the stock has changed or can be more accurately determined."

The procedure that NMFS has followed (at least in Alaska) has been to revise the SARs for strategic stocks every year and for non-strategic stocks every three years. This means that every year NMFS staff produce 20-30 revised draft SARs all of which are reviewed by the AKSRG. The Fish and Wildlife Service, in contrast, has followed the MMPA requirements, reviewing stock assessments at one or three year intervals but revising them only when warranted.

The AKSRG recommends that NMFS modify its approach and produce revised SARs only when significant new information is available that will allow stock status to be more accurately determined. Doing so would reduce the number of SARs requiring review by the SRG each year, and would allow for more in-depth review of SARs with substantial new information. It might also reduce demands on some NMFS staff, allowing them to address other pressing needs.

Coefficients of variation need to be calculated for humpback whale population estimates. A tremendous amount of data on humpback whales in the North Pacific has been collected by the Structure of Populations, Levels of Abundance, and Status of Humpbacks (SPLASH) project. Much of that data has been analyzed and estimates of stock abundance from SPLASH data have been incorporated into all the draft humpback SARs we have reviewed since 2009. In every year's SAR, SPLASH data are used to calculate a point estimate of abundance but it is stated that "no associated CV has been calculated" and an assumed CV of 0.30 was used. It is hard to imagine why the CVs have not been calculated at some time in the past five years, and the SRG recommends that this be done in time for the next update of humpback SARs.

Information on fishery observer coverage should be more clearly presented in SARs. In the letter we sent NMFS after our 2013 meeting the SRG pointed out that when reviewing SARs it often is difficult to evaluate the reliability of the reported fisheries take data because the level of observer effort (i.e., number of monitored fisheries) is unclear relative to the number of potentially interacting fisheries. To make this clearer, we recommended that something similar to the following be inserted into each SAR: "Twenty commercial fisheries potentially interact with this stock, of which 5 have documented at least 1 take at some time in the past. Ten of the 20 have been monitored for bycatch in the last 8 years." The response we received described the locations where the kind of information we were requesting could be found (e.g., SAR appendices and the List of Fisheries) but did not respond to our concern that this information should be readily available to a person when they are reading individual SARs and trying to understand how well the data support conclusions. The AKSRG considers this an important issue—if we have difficulty assessing the completeness of observer coverage, it most certainly is a problem for other users of the SARs.

NMFS should do a careful analysis of data collected by the Alaska Marine Mammal Observer Program in Southeast Alaska. The SRG was notified that the Alaska Marine Mammal Observer Program was terminated in Southeast Alaska due to lack of funding. Prior to initiation of that program, the SRG was presented an overview that depicted a stratified sampling plan that focused early effort in Districts 6 and 8, areas with greatest anticipated harbor porpoise interactions. The SRG recommends NMFS clarify and incorporate the original sampling stratification criteria into future efforts to extrapolate results of this abbreviated observer effort across the fishery.

NMFS should address problems with old data on incidental takes in fisheries. NMFS continues to use mortality estimates generated from a 1990 observer program to calculate its current estimate of annual fishery-related mortality for several Alaska stocks, portraying a high degree of certainty while combining current and 24-yr old data. We believe decades-old data exceed the limit of reliability for generating a current mortality estimate. They are neither reliable nor necessarily conservative.

While the SRG has been told that any quantified mortality estimate can qualify as "best available data" and will be used until replaced, this approach is contrary to NMFS' decreasing confidence in aging abundance estimates, which "age out" of reliability after eight years (GAMMS II Workshop Report, 2005) and may in the future be assigned increasing uncertainty to reflect their reduced reliability (GAMMS III Workshop Report, 2011). The SRG acknowledges that monetary constraints have reduced the capacity of NMFS to monitor and estimate human-induced mortality of Alaska marine mammal stocks due to subsistence harvest and fishery interactions. Monetary constraints will likely continue, resulting in decreasing certainty in mortality estimates as they continue to age. Therefore, we encourage NMFS to acknowledge the limits of aging human-induced mortality estimates and to develop a systematic approach to

handling them in the future. Also, the SRG requests that a statement be included in appropriate SARs disclosing that the SRG does not agree with the use of such old data.

NMFS should clarify the status of eastern Steller sea lions with regard to Optimum Sustainable Population (OSP).

Stocks that are listed as endangered or threatened according to Endangered Species Act (ESA) or designated as depleted (below OSP or listed under the ESA) under MMPA provisions are automatically considered strategic and may be assigned a lower recovery factor to provide additional assurance that taking at the PBR level will not prevent recovery. The eastern Steller sea lion stock has been removed from the ESA threatened list; the threatened listing was the reason for the depleted designation. However, the draft SAR states “no determination has yet been made regarding its status relative to optimum sustainable population level” and the recovery factor continues to be set at a level of 0.75, reflecting a depleted status. The AKSRG believes that scientific evidence is conclusive that currently eastern Steller sea lions are not below OSP and should not be classified as depleted, and we recommend that they be assigned a recovery factor of 1.0 in the SAR.