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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

THE DIRECTOR

Ms. Elizabeth A. Mathews
Chair, Alaska Scientific Review Group
University of Alaska Southeast
Natural Sciences Department
11120 Glacier Highway
Juneau, AK 99801

Dear Ms. Mathews:

Thank you for your letters transmitting recommendations to NOAA's National Marine Fisheries Service (NMFS) resulting from the February 2010 meeting of the Alaska Scientific Review Group (Group) and the Group's recommendations related to harbor seal stocks. I have addressed each of your enumerated points below.

1. Missing and aging abundance data: NMFS shares your concern about missing and outdated abundance estimates for marine mammal stocks in Alaska and elsewhere. In our most recent performance reporting at a national level, fewer than 25 percent of stocks of protected species are labeled as having adequate assessments. Abundance surveys and many other activities are limited by available funds, and the level of funding for marine mammal assessment is consistent with congressional budget constraints and the Administration's priorities for activities across the Federal Government.

Although funding has increased for marine mammal activities in Alaska, recent increases have been directed toward key species that are national priorities. For example, in the past 2 years, funding has substantially increased in for ice seals, Cook Inlet beluga whales, and Hawaiian monk seals. Although marine mammal funding in Alaska has grown more than funding for other regions, NMFS realizes that shortfalls remain.

Marine mammal assessment scientists use multispecies surveys where feasible (e.g., for various offshore cetaceans). As you know, many species or stocks (e.g., Cook Inlet beluga whales and most pinnipeds) require specific survey designs, and a survey for one species or stock would not necessarily be ideal for another species or stock. For example, such a survey may not include a sufficiently large portion of the alternate stock's range to serve as a basis for an abundance estimate of the stock. However, NMFS will continue to conduct multispecies surveys when appropriate.

2. Timely inclusion of existing abundance data in the stock assessment reports (SAR): Timely inclusion of existing data in stock assessment reports is affected in large part by two major factors. First, as noted in a document prepared by NMFS scientists and managers in 2004, the Alaska Fisheries Science Center estimated the need for eight additional Federal employees and 45 additional contract employees to maximize usefulness of existing surveys. Since this document was prepared, staffing levels at the Center have decreased due to funding limits and inflation. Therefore, it is not surprising that there are unanalyzed data in the Center that could be

used to inform decisions related to the status of affected marine mammal stocks. Second, as noted above, some of the existing data are from incomplete surveys of a stock's range and may not be appropriate for abundance estimates for the stock. The Center, however, intends to prioritize the analysis of certain assessment data, including data on harbor porpoises, over the upcoming year.

3. Inappropriate use of zeros when there are no or inadequate fisheries mortality data: In general, NMFS agrees that reporting zero incidental mortality or serious injury of marine mammals in fisheries with little or no observer coverage is inappropriate. However, the use of "zero" versus "undetermined" or "unknown" for incidental mortality or serious injury likely depends on consideration of additional factors for many fisheries; therefore, it is probably most efficient to discuss specific cases with Center staff during or between your meetings to tailor advice to the authors of each report.

4. Inadequate fishery interaction and marine mammal bycatch monitoring: NMFS agrees that alternatives to traditional observer programs are warranted in some cases, such as for those fisheries with large numbers of small boats participating in fishing operations. The Marine Mammal Protection Act (MMPA) explicitly authorizes use of such alternatives. I encourage you to continue to work with the Center and the Alaska Regional Office to identify fisheries where alternative observer programs may be warranted and to develop designs for testing the use of alternatives, such as electronic monitoring, as a data collection method.

5. Does the current system of fisheries categorization adequately characterize marine mammal bycatch? The Group has correctly noted that observer programs can provide information used to reclassify an existing Category I or II fishery as a Category III fishery, and the MMPA does not provide authority to require observers in most Category III fisheries. Although some Category III fisheries have observers aboard vessels, these observers are placed under the authority of the Endangered Species Act or Magnuson-Stevens Fishery Conservation and Management Act. NMFS has reclassified some Category III fisheries into Category II based upon indirect evidence (e.g., stranding or entanglement records) or by analogy (e.g., fishing gear and practices are sufficiently similar to other fisheries in Category I or II and marine mammals are present in the affected fishery's operations area). NMFS understands the limitations of reliance on stranding information or self-reports, recent or otherwise.

6. Trend data for marine mammal stocks is valuable for identifying stocks of concern: NMFS agrees that information on population trends would help in identifying or prioritizing marine mammal stocks or fisheries for observer programs or alternatives. We also are aware of the lack of ability to calculate trends for many species of marine mammals, particularly cetaceans and ice seals, due to limited funding for assessment surveys.

7. Formatting recommendations for SARs: Format of assessment reports has been dynamic over the years, with many of the changes a result of informal suggestions or recommendations from the three Scientific Review Groups. For example, the addition of the year of the most recent abundance estimate to summary tables was based upon discussions between Group members and NMFS staff responsible for producing the reports. I encourage you to continue discussing changes to the reports to make them more helpful within the constraints of the purpose of the

reports (i.e., that they are very brief summaries of the status of each stock of marine mammals and the major factors, particularly human-related, that may affect each stock).

8. Recommendation for a newly proposed SAR: Based upon discussions at the February meeting, Center staff agreed it is wrong to identify narwhals in Alaska as an Alaska stock. Accordingly, they are planning to show the report for narwhals as an unidentified stock.

In response to your accompanying letter, NMFS shares your interest in revising harbor seal stock structure to better fit the currently available scientific information. Although constituents other than Alaska Natives may be affected by decisions related to the conservation of harbor seals, the MMPA (sections 117 and 119) gives special consideration to Alaska Native organizations. I am pleased to report that NMFS staff and the Alaska Native Harbor Seal Commission have agreed on a proposal for stock identity of harbor seals in Alaska. The Center is preparing a timeline for revision of these stock assessment reports, which should result in a review of the new draft harbor seal stock assessments at the next annual meeting of the Group.

I appreciate your continued service and that of the other Group members in providing scientific advice and support to the Federal government in accordance with the MMPA. Your efforts have improved the stock assessment program and reports, and I look forward to your continued involvement.

Sincerely,

Eric C. Schwaab
Assistant Administrator
for Fisheries