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**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

Mr. Lloyd F. Lowry  
Chair, Alaska Scientific Review Group  
University of Alaska Fairbanks  
73-4388 Paiaha Street  
Kailua Kona, HI 96740

Dear Mr. Lowry:

Thank you for your letter to Dr. Douglas DeMaster and Dr. James Balsiger regarding recommendations from the winter 2012 meeting of the Alaska Scientific Review Group (SRG). I am pleased to hear that presentations and other efforts of the staff of the National Marine Fisheries Service (NMFS) facilitated review of Alaska marine mammal stock assessment reports.

The SRG makes a number of valuable comments and recommendations to guide NMFS science, which I address below. The SRG also provided many comments specific to the Guidelines for Assessing Marine Mammal Stocks III (GAMMS III) Workshop as an attachment to your recommendation letter. These comments will be addressed when NMFS addresses other comments on the GAMMS III workshop.

#### Alternatives to PBR

The SRG recommends that where necessary (e.g., when the potential biological removal (PBR) cannot be calculated due to no minimum population estimate or outdated abundance data and it is known that interactions with fisheries occur), alternative methods to the PBR process should be allowed for evaluating status of stocks. NMFS shares your concern about the need for robust and up-to-date abundance estimates for marine mammal stocks in Alaska and elsewhere. Abundance surveys and many other activities are limited by funding availability, and the level of funding for marine mammal assessment is consistent with congressional budget constraints. NMFS agrees that it would be valuable to identify additional approaches to assessing stock status in regions where funding to provide for regular surveys has not been available. As suggested at the GAMMS III workshop, such approaches could include trend monitoring at index sites. NMFS will make efforts to consider how supplementary sets of information could be used to evaluate marine mammal-fishery interactions in the context of stock assessments. If the SRG has specific recommendations about which stocks could be effectively assessed using trend monitoring or other approaches, we encourage the SRG to make this recommendation specifically to NMFS. The SRG should understand that NMFS' ability to conduct trend monitoring or collect other types of information may be limited in this budget environment, just as our ability to conduct new population abundance estimates has been limited.

#### Alternatives to Observer Programs for Determining Serious Injury and Mortality

The SRG recommends that methods other than observer programs should be used for determining where, when, and approximately how many marine mammals are being seriously injured or killed in fisheries. NMFS currently uses multiple sources of data to evaluate fishery-



related marine mammal serious injury and mortality. The MMPA directs that SARs include estimates of fishery-related bycatch; observer data serve as the primary quantifiable and most accurate assessment of such serious injury and mortality, and are the basis for many fishery bycatch estimates. Additional data sources such as opportunistic records provide supplementary information for the SARs and are included in minimum counts of serious injury and mortality, but are not extrapolated for bycatch estimation purposes.

Section 118 of the MMPA mandates that NMFS establish a program to monitor commercial fishing operations to obtain statistically reliable estimates of incidental marine mammal serious injury and mortality. To do so, the MMPA authorizes NMFS to observe Category I and II commercial fisheries. NMFS therefore conducts this monitoring to the extent it can based on national priorities and available resources. Minimum estimates of mortality and serious injury can be gleaned from stranding reports, entanglement reports, and required fisher self-reports. These reports provide supplemental bycatch information that may also be included in SARs to provide some indication of the level of interaction between a given fishery and stocks. As additional agency resources become available, NMFS will consider all available methods to characterize fishery-related marine mammal serious injury and mortality, keeping in mind the MMPA requirement to obtain statistically reliable estimates of fishery mortality and serious injury. NMFS welcomes specific recommendations from the SRG about alternatives for estimating serious injury and mortality incidental to commercial fisheries.

#### Bycatch Mitigation

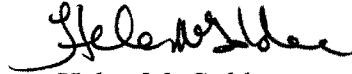
The SRG recommends that if there are known interactions between marine mammals and fisheries resulting in serious injury or mortality, mitigation should be conducted whenever possible, whether or not known strategic stocks are being taken and take reduction teams can be required. NMFS agrees that marine mammal bycatch in fisheries is undesirable, and where resources are available, mitigation approaches be developed and implemented. An example of this is the workshops held every summer since 2006 with gillnet fishermen throughout Alaska on humpback whale entanglement avoidance and recommended disentanglement methods. NMFS would like to work cooperatively with industry and other partners to develop and test bycatch mitigation measures. NMFS fully supports the testing and implementation of such measures provided they are consistent with the MMPA and other applicable laws (e.g., the Endangered Species Act) and are shown to be effective and appropriate for those fisheries. If the SRG has recommendations regarding mitigation measures for specific marine mammal-fishery interactions, NMFS would again welcome input from the SRG.

#### Funding Travel to SRG Meetings

The SRG recommends that NMFS continue to fully support travel to the annual meetings of the SRG. As stated by John Bengtson and Robyn Angliss at recent SRG meetings, the AFSC is committed to ensuring that the Alaska SRG has the expertise needed to review the marine mammal stock assessment reports for Alaska. However, as the National Marine Mammal Lab's budget is reduced consistent with congressional budget constraints, the SRG may need to investigate options for reducing costs of travel, including holding the meeting either immediately before or after other scientific meetings, and asking some SRG members to participate by telephone or by video conference.

I appreciate your continued service and the contributions of the members of the Alaska SRG in providing advice and support to NMFS in accordance with the MMPA. Your efforts have improved the marine mammal stock assessment program and reports, and I anticipate that discussions in your future meetings will be fruitful.

Sincerely,

A handwritten signature in black ink, appearing to read "Helen M. Golde". The signature is fluid and cursive, with a long horizontal stroke at the end.

Helen M. Golde  
Acting Director  
Office of Protected Resources