

Atlantic Scientific Review Group

2 June 2014

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Ms. Eileen Sobeck
Assistant Administrator for NOAA Fisheries

Dear Ms. Sobeck:

We are writing to inform you about a number of issues raised at our annual meeting in Woods Hole in early February, and ask for your help in rectifying some of the problems. While the ASRG in general appreciates the data collection, analysis and reporting effort that the NOAA stock assessment process represents, the group does have some substantive concerns.

The specific issues we would like to raise are:

1. A general frustration with the assessment of marine mammal stocks, including *inter alia* the inconsistency of data collected, affecting the ability to estimate abundance and trends therein;
2. The lateness of submission of some Stock Assessment Reports to the ASRG for review;
3. Implementation of the Terms of Reference for the SRGs;
4. Need for increased research emphasis on North Atlantic right whales given their recent absence from 'traditional' habitats;
5. The importance of the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

1. With respect to the assessment of marine mammal stocks, the recently updated SRG Terms of Reference state in the Purpose and Scope that, per section 117(d)(1) of the MMPA, the SRGs shall advise the Secretary on *inter alia*:
 - (A) Population estimates and the population status and trends of marine mammal stocks;
 - (B) Uncertainties and research needed regarding stock separation, abundance, or trends, and factors affecting the distribution, size, or productivity of the stock;

Yet in undertaking review of 2014 Draft SAR's the following two phrases recur in multiple reports: '...insufficient data to reliably determine current population trends' and, specifically for some northern species, 'This is the estimate derived from the Canadian Trans-North Atlantic Sighting Survey (TNASS) in July-August 2007 and is considered best because, while it did not cover any U.S. waters, the survey covered more of the [*a number of species*] range than the other surveys reported here.'

The ASRG questions the generic reasons for these shortcomings, and we seek systemic change in the process that leads to the manner in which data are generated and analyzed for these reports. The ASRG believes there needs to be changes in the way that shipboard and aerial surveys are planned and analyzed, to enable significant inter-annual comparisons to be made to: a) estimate population numbers for at least most of the more common species; and b) detect trends therein. Currently there is too much variability in terms of areas covered in any one year to accrue a dataset that is comparable enough to achieve either. Perhaps there should be a three-year repeating element to such a plan, but it seems that budget unpredictability is used to justify a lack of scientific planning. We would like to request that the agency provide an analysis of how this can be achieved given available resources. The ASRG stands ready to assist in this endeavor, i.e., to review the plan we have requested.

The data collected during the recent AMAPPS cruises, for example, would seem to be a useful place to begin such an analysis, particularly with the stated goal of that program to be ‘marine mammal abundance estimates from AMAPPS shipboard and aerial surveys to estimate abundance of as many species as possible’. Our hope is that the analysis we have proposed can be used to achieve these goals utilizing recently collected and future data to enable stock status and trends to be understood. We offer these suggestions with the best of intentions to help strengthen the process and planning.

2. Regarding the late submission of some SARs, the ASRG was extremely disappointed to be notified only days before our meeting that seven SARs from the Southeast Fisheries Science Center were not ready for our review. Reasons cited for them not being ready included lagging timelines of data analyses and, thus, difficulties with calculating abundance estimates. The statutory language is clear on this issue that the NMFS is responsible for preparing the SARs and the SRG is responsible for reviewing them. As a purely volunteer group, the SRG members allocate time in their schedules to reviewing the SARs in the weeks leading up to the meeting and time after the meeting for the preparation of responses and letters. In the not too distant past, we moved the timing of the ASRG annual meeting to provide the time requested by NMFS to prepare the SARs, accounting for data analyses, holidays, etc. So, we would like to state strongly that this is not acceptable, and perhaps the workload of those responsible needs to be reviewed and time reallocated so as to minimize the chance that this will happen again. We agreed to alter our own schedules to review those delayed SARs that include: 1. ESA listed species, and 2. Species involved in the Deep Water Horizon investigation because we felt it was important for these animals to receive our immediate attention.

3. We commend the NMFS for the completion of the SRG Terms of Reference (TOR), and we anticipate their implementation within 3 months. In addition to implementing them as part of our SOP, we will provide a plan for membership rotation for consideration at our 2015 meeting. We strongly emphasize the need and importance of institutional memory on the ASRG, e.g., for providing consistent guidance on research programs and SARs.

4. Given the almost complete absence of North Atlantic right whales from some of their ‘traditional’ habitat areas, e.g., Bay of Fundy, last year, we would like to stress the need

for monitoring right whale population and distribution as an imperative. With the apparent changes in distribution, we believe there needs to be an emphasis on alternative and emerging techniques, e.g., passive acoustic monitoring (PAM), ocean gliders, and new, less invasive long term, satellite-linked tags for long term tracking of individual whales. Such tags would give us not only long term movements of individuals but also additional information on cue rates, i.e., individual vocal rates that are critical for robust PAM implementation.

5. The John H. Prescott Marine Mammal Rescue Assistance Grant Program is an invaluable source of support for marine mammal stock assessments, particularly those for which identification of fisheries by-catch relies on analysis of stranding data, and where Unusual Mortality Events occur. It is very important to remember, however, that the Prescott program has always been a supplement for stranding response and is not intended to be the primary source of support for such work. We note with great concern that large stretches of the Atlantic coast now lack adequate stranding response, including: CT, RI, Dukes county MA and parts of ME, central NC, SC and GA. Similarly, large sections of the northern Gulf of Mexico are inadequately covered. Recent Unusual Mortality Events in the Gulf and along the Atlantic seaboard, involving responses to hundreds of marine mammal carcasses, have drained stranding response program resources. We are further discouraged to see that the Agency requested a significant reduction for the Prescott funding in the President's FY2015 budget. We encourage the Agency to fund this very important program at levels that will fully support the necessary level of stranding response.

As ever, we are ready to assist the Agency in reviewing its science, including plans for future research.

Sincerely,

A handwritten signature in black ink, reading "Douglas P. Nowacek". The signature is written in a cursive, flowing style.

Douglas P. Nowacek

Chair, Atlantic Scientific Review Group

cc:

Dr. Rebecca J. Lent, Executive Director, Marine Mammal Commission

Dr. Teri K. Rowles, Director, Marine Mammal Health and Stranding Program

Dr. Roy E. Crabtree, Regional Administrator, Southeast Region, NOAA Fisheries

Dr. John Bullard, Regional Administrator, Northeast Region, NOAA Fisheries

Dr. Bill Karp, Director, Northeast Fisheries Science Center, NOAA Fisheries

Dr. Bonnie Ponwith, Director, Southeast Fisheries Science Center, NOAA Fisheries