



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

MAR 25 2014

Michael Scott, Ph.D.
Chair, Pacific Scientific Review Group
Inter-American Tropical Tuna Commission
c/o Scripps Institution of Oceanography
La Jolla, CA 92037

Dear Dr. Scott:

Thank you for your letter providing the minutes and recommendations from the April 2013 meeting of the Pacific Scientific Review Group (SRG). The SRG made a number of valuable comments and recommendations to help guide science in NOAA's National Marine Fisheries Service (NMFS), which are addressed in the enclosure.

I appreciate the continued service and contributions of the members of the Pacific SRG in providing advice and support to NMFS in accordance with the Marine Mammal Protection Act, and I look forward to your future recommendations to improve the science supporting the conservation of marine mammals.

Sincerely,

Eileen Sobeck

Enclosure

Responses to Recommendations of the Pacific Regional Scientific Review Group

The Scientific Review Group (SRG) recommends that NOAA's National Marine Fisheries Service (NMFS) cooperate with the State of Hawaii to collect more information about Hawaiian near-shore fisheries. NMFS' Pacific Islands Fisheries Science Center (PIFSC) is currently evaluating State of Hawaii fisheries effort data to better understand and characterize the fisheries. We expect PIFSC and the Pacific Islands Regional Office (PIRO) to use the data to describe the fisheries for the 2015 List of Fisheries and to update the SAR's fishery description appendix.

We recognize that collection of information on marine mammal interactions in fisheries around Hawaii remains challenging. For federally-managed fisheries around Hawaii, protected species (seabirds, sea turtles, and marine mammals) interaction data are collected in logbooks, or in the case of the longline fisheries, through an observer program. At this time, there is no observer program for state fisheries. The State's commercial fishing reporting forms collect information on depredation but not marine mammal interactions. As far as we know, the State is not planning to revise the data collection form in the near future.

Despite these challenges, NMFS continues to work cooperatively with the State of Hawaii and other partners to assess and address marine mammal interactions in state-managed fisheries. NMFS and the state of Hawaii are currently updating their existing Endangered Species Act (ESA) Section 6 Cooperative Agreement to include the Hawaiian insular false killer whale. Additionally, the State of Hawaii has submitted a proposal for federal funding in response to the recent Federal Funding Opportunity that intends to address priority recovery actions for the Hawaiian insular false killer whale. Additionally, NMFS' PIRO and PIFSC continue to coordinate with the State to provide education and outreach to Hawaii's fishermen about protected species, which helps improve relationships and build trust with Hawaii's sport and commercial fishing sectors.

The SRG recommends that NMFS consider excluding the area off the northwest side of the Island of Hawaii and the Alenuihaha Channel for mid-frequency sonar use, as such sonar has been implicated in mortalities in resident groups of melon-headed, Cuvier's, and Blainville's beaked whales. NMFS considers the nature, level and spatial extent of activities expected co-occur with resident populations in both the analysis and in the development of mitigation measures. As new information becomes available, NMFS will continue to evaluate the need for such a closure and will provide updates to the SRG via the SRG Liaison.

The SRG recommendation that NMFS conduct harbor porpoise assessment surveys in Washington inland waters is appreciated, given that abundance estimates for these animals are greater than eight years old. The U.S. Navy recently contracted for a survey of the all the basins of Puget Sound proper - an area that until now has never been systematically surveyed. This survey was completed, and density estimates for these areas are anticipated in the spring. The Strait of Juan de Fuca and the San Juan Islands, however, were not included in the survey.

Regarding the SRG's recommendation that new surveys be conducted for harbor seal stocks in Oregon and Washington, we recognize that the abundance estimates for these stocks are out of date. To remedy this, NMFS recently partnered with the U.S. Navy for a NMFS/Washington

Department of Fish and Wildlife collaborative survey for harbor seals in the inland waters of Washington. This work is in progress. At this point, however, funding is not available to conduct harbor seal abundance surveys in Oregon and Washington (including Washington coastal Bays).

NMFS shares the SRG's interest in extended and improved abundance estimates for some Pacific marine mammal stocks, and we agree that ship time for marine mammal surveys is needed. The agency is exploring options to increase the use of charter/contract non-NOAA vessels, as well as leveraging and expanding our research collaboration with other Federal partners to conduct multispecies and ecosystem assessment surveys in U.S. Exclusive Economic Zone (EEZ) regions and the eastern tropical Pacific (ETP). The agency is exploring a rotating schedule of cruises following regular trackline grids at a spatial resolution of 60 nautical miles (with the exception of the ETP, which would follow its current protocol). Depending on available funding and external collaboration, this would potentially allow the continental EEZs to be surveyed every 5 years, and the oceanic EEZs and ETP every 6 years. We appreciate the SRG's support of this effort.

The SRG recommends that Regional Offices and Science Centers be consulted prior to NMFS issuing permits for activities such as seismic surveys. The NMFS Permit Office consults with Regional Offices before issuing permits, sometimes for ESA consultation, sometimes for more general checking in. We acknowledge that there may have been oversights in the past; however, NMFS' Permit Office has now (within the last year) implemented a checklist to ensure that the appropriate Regional Office(s) is/are consulted prior to issuing a permit for such activities. Additionally, NMFS' permit office sometimes engages with Science Centers when specific technical expertise is needed, and their input has been critical for some actions (helping with density estimates, monitoring planning, etc.). While NMFS does not believe this is necessary in all cases, especially for routine matters, the Permit Office will add notification of Science Centers of Incidental Take Authorizations to the checklist.

The documented number of human-related injury and mortality cases for marine mammals underrepresents the true level of occurrence, presenting a management challenge. Staff at NMFS' Southwest Fisheries Science Center has begun an effort to address the SRG's recommendation that the agency develop methods to estimate the total human-related mortality of marine mammals. Correcting for the negative bias of carcass recovery (representing both natural and anthropogenic mortality) is being examined in California waters, beginning with coastal bottlenose dolphins (*Tursiops truncatus*) by directly comparing the expected number of natural deaths in the population to stranding numbers documented during the same time period. For more pelagic species, such as short-beaked common dolphin (*Delphinus delphis*), correction factor development can be informed by comparing stranding data with bycatch data. For large whale ship strike and entanglement reporting and carcass recovery, correcting for negative bias is more challenging, as few large whale carcasses make it to the shore and the majority of documented ship strike and entanglement cases along the U.S. west coast represent opportunistic at-sea sightings. The findings of this effort will be presented at the next SRG meeting.

The SRG recommends that NMFS, in collaboration with the Fish and Wildlife Service, the Marine Mammal Commission, the SRGs, and outside experts, conduct a systematic review on

defining marine mammal population structure. NMFS agrees that such a workshop is needed and has initiated planning discussions internally and with the Marine Mammal Commission. The specific questions the SRG provided in its recommendation letter will be quite helpful in designing the workshop, and the level of specificity in the recommendation is appreciated. As we know more about the workshop we will be sure to update the SRG.