

APPENDIX A
Federal Register Notice

rehabilitation activities; response to live animals would be limited to euthanasia or release; no disentanglement or health assessment activities;); (3) an alternative that allows for response and rehabilitation for cetaceans only; and (4) an alternative that allows for response and rehabilitation for ESA-listed marine mammals only. The elimination of any of these activities would impede data collection regarding strandings and the health of marine mammals that is necessary for NMFS conservation and recovery efforts for many species.

In addition to the alternatives listed above, NMFS will also utilize the scoping process to identify other alternatives for consideration. It should be noted that although several of the listed alternatives would not allow for the mandated activities listed in the MMPA, under 40 CFR 1506.2(d), reasonable alternatives cannot be excluded strictly because they are inconsistent with Federal or state laws, but must still be evaluated in the EIS.

For additional information about the MMHSRP, the national stranding network, and related information, please visit our website at <http://www.nmfs.noaa.gov/pr/health/>.

Public Involvement and Scoping Meetings Agenda

Public scoping meetings will be held at the following dates, times, and locations:

1. Tuesday, January 24, 2006, 7 – 10 p.m., Santa Barbara Natural History Museum, 2559 Puesta del Sol, Santa Barbara, CA;
2. Wednesday, January 25, 2006, 2 – 5 p.m.; Bay Conservation and Development Commission, 50 California Street, Suite 2600, San Francisco, CA;
3. Friday, January 27, 2006, 3 – 6 p.m., Hawaiian Islands Humpback Whale National Marine Sanctuary O'ahu Office, 6600 Kalaniana'ole Highway, Honolulu, HI;
4. Monday, January 30, 2006, 2 – 5 p.m., NMFS Northwest Regional Office, Building 9, 7600 Sand Point Way NE, Seattle, WA;
5. Wednesday, February 1, 2006, 2 – 5 p.m., U.S. Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK;
6. Tuesday, February 7, 2006, 5 – 8 p.m., NMFS Southeast Regional Office, 263 13th Avenue, South, St. Petersburg, FL;
7. Monday, February 13, 2006, 5 – 8 p.m., New England Aquarium, Conference Center, Central Wharf, Boston, MA;
8. Friday, February 17, 2006, 2 – 5 p.m., Silver Spring Metro Center, Building 4, Science Center, 1301 East-West Highway, Silver Spring, MD.

Comments will be accepted at these meetings as well as during the scoping period, and can be mailed to NMFS by February 28, 2006 (see **FOR FURTHER INFORMATION CONTACT**).

We will consider all comments received during the comment period. All hardcopy submissions must be unbound, on paper no larger than 8 1/2 by 11 inches (216 by 279 mm), and suitable for copying and electronic scanning. We request that you include in your comments:

- (1) Your name and address;
- (2) Whether or not you would like to receive a copy of the Draft EIS (please specify electronic or paper format of the Draft EIS); and
- (3) Any background documents to support your comments as you feel necessary.

All comments and material received, including names and addresses, will become part of the administrative record and may be released to the public.

Special Accommodations

These meetings are accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Sarah Howlett or Sarah Wilkin, 301–713–2322 (voice) or 301–427–2522 (fax), at least 5 days before the scheduled meeting date.

P. Michael Payne,

Chief, Marine Mammal and Sea Turtle Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E5–7990 Filed 12–27–05; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 122005C]

Notice of Intent to Prepare an Environmental Impact Statement on Impacts of Research on Steller Sea Lions and Northern Fur Seals Throughout Their Range in the United States

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of Intent to prepare environmental impact statement.

SUMMARY: The National Marine Fisheries Service (NMFS) announces its intent to prepare an Environmental Impact Statement (EIS) to analyze the environmental impacts of administering grants and issuing permits associated

with research on endangered and threatened Steller sea lions (*Eumetopias jubatus*) and depleted northern fur seals (*Callorhinus ursinus*). Publication of this notice begins the official scoping process that will help identify alternatives and determine the scope of environmental issues to be addressed in the EIS. This notice requests public participation in the scoping process and provides information on how to participate.

The purpose of conducting research on threatened and endangered Steller sea lions is to promote the recovery of the species' populations such that the protections of the Endangered Species Act (ESA; 16 U.S.C. 1531 *et seq.*) are no longer needed. Consistent with the purpose of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1361 *et seq.*), the purpose of conducting research on northern fur seals is to contribute to the basic knowledge of marine mammal biology or ecology and to identify, evaluate, or resolve conservation problems for this depleted species.

Research on Steller sea lions and northern fur seals considered in this EIS is funded and permitted by NMFS, which are both federal actions requiring National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*) compliance. The need for these actions is to facilitate research to: (1) Prevent harm and avoid jeopardy or disadvantage to the species; (2) promote recovery; (3) identify factors limiting the population; (4) identify reasonable actions to minimize impacts of human-induced activities; (5) implement conservation and management measures; and (6) make data and results available in a timely manner for management of the species. As part of this action, NMFS is developing measures that will improve efficiency and avoid unnecessary redundancy in Steller sea lion and northern fur seal research, utilize best management practices, facilitate adaptive management, and standardize research protocols.

ADDRESSES: See **SUPPLEMENTARY INFORMATION** for specific dates, times, and locations of public scoping meetings for this issue.

FOR FURTHER INFORMATION CONTACT: Written statements and questions regarding the scoping process must be postmarked by February 13, 2006, and should be mailed to: Steve Leathery, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910–3226,

Fax: 301-427-2583 or e-mail at ssleis.comments@noaa.gov.

SUPPLEMENTARY INFORMATION: NMFS is the Federal agency responsible for management of Steller sea lions and northern fur seals under the ESA and the MMPA. NMFS currently administers grants and issues permits to various individuals and institutions to conduct research on Steller sea lions and northern fur seals in lands and waters under U.S. jurisdiction.

The grant monies administered by NMFS have been designated by Congress and allocated within NMFS annual budgets for the purpose of facilitating research on Steller sea lions and northern fur seals. The agency has determined that the act of awarding grants is a federal action requiring NEPA compliance. Similarly, issuance of permits for research activities on marine mammals is a federal action requiring NEPA compliance. These permits are issued pursuant to the provisions of the ESA, the MMPA, and NMFS regulations implementing these statutes. This EIS would satisfy the NEPA compliance requirements for awarding grants and issuing permits for research on Steller sea lions and northern fur seals.

The statutory requirements for permits to allow research on marine mammals and on threatened and endangered species are described in Section 104 of the MMPA and Section 10 of the ESA, respectively. Specifically, Section 104(c)(3)(A) of the MMPA states that NMFS may issue a permit for scientific research purposes to an applicant, which submits with its permit application information indicating that the taking is required to further a bona fide scientific purpose. The MMPA defines bona fide scientific research as scientific research on marine mammals, the results of which: (1) likely would be accepted for publication in a refereed scientific journal; (2) are likely to contribute to the basic knowledge or marine mammal biology or ecology; or (3) are likely to identify, evaluate, or resolve conservation problems. Section 104 of the MMPA specifies additional conditions and requirements for permits including requiring permit applicants to demonstrate that the permit will be consistent with the purposes of the MMPA, which are specified in Section 2 of the statute.

For marine mammals listed as threatened or endangered, the provisions of Section 10 of the ESA apply to permit issuance in addition to the provisions of the MMPA. Section 10(a)(1)(A) of the ESA states that NMFS

may issue permits for otherwise prohibited acts for scientific purposes or to enhance the propagation or survival of the affected species. Section 10(d) of the ESA further states that NMFS may grant exceptions under subsection 10(a)(1)(A) only if the agency finds that: (1) Such exceptions were applied for in good faith, (2) if granted and exercised will not operate to the disadvantage of such endangered species, and (3) will be consistent with the purposes and policies set forth in Section 2 of the Act. The purposes of the ESA, which are stated in Section 2 of the statute, are to provide a means whereby the ecosystems upon which endangered and threatened species depend may be conserved, to provide a program for the conservation of such endangered and threatened species, and to take such steps as may be appropriate to achieve the purposes of the treaties and conventions set forth in section 2(a) of the ESA.

In addition to the requirements of section 10 of the ESA, NMFS must comply with section 7 of the ESA in issuing permits. According to Section 7 of the ESA, NMFS must insure that any action it authorizes (such as by permit), funds (such as by grants), or carries out, is not likely to jeopardize the continued existence of listed species or result in destruction or adverse modification of critical habitat.

The purpose of issuing permits is to allow an exemption to the prohibitions on "takes" established under the ESA and MMPA. The ESA and the MMPA prohibit "takes" of threatened and endangered species, and of marine mammals, respectively. The ESA defines "take" as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Under the MMPA, "take" is defined as to "harass, hunt, capture, collect or kill, or attempt to harass, hunt, capture, collect or kill any marine mammal." Many research activities, including aerial and vessel-based surveys, tagging and marking procedures, attachment of scientific instruments, and collection of tissue samples require approaching or capturing animals and may result in harassment or other acts prohibited under the ESA and MMPA except where allowed by permit.

Because some of the proposed research may result in adverse effects on threatened and endangered Steller sea lions and depleted northern fur seals, NMFS has decided to prepare an EIS to evaluate the cumulative impacts of continuing to fund and permit research activities on these species. This EIS will assess the likely environmental and

socioeconomic effects of funding and permitting research under a range of alternatives and will address compliance of the alternatives with the ESA, MMPA, and other applicable laws.

This notice initiates a public scoping period that will help determine the structure of each alternative considered in the EIS. The final scope and structure of the alternatives will reflect the combined input from the public, research institutions, affected state and federal agencies, and NMFS administrative and research offices. Based on comments received on Environmental Assessments prepared in 2002 and 2005 for permitting research on Steller sea lions, the following issues that NMFS is seeking public comments on have been identified and may be incorporated into the analysis of alternatives in the EIS:

(1) *Types of research methods and protocols permitted.* For example, are there critical research needs for these species other than those identified in the Recovery or Conservation Plans? If so, what are they and how are they likely to benefit the species? Of the research, information, and monitoring needs identified in the Recovery and Conservation Plans, what are the most appropriate methods to conduct the study or obtain the information? What criteria for developing and incorporating new research techniques should be used?

(2) *Level of research effort.* For example, how much of a specific research activity (e.g., aerial survey, tagging, biopsy sampling, etc.) is enough for management and conservation needs? Can there be too much? If so, how should NMFS set limits? Are the current methods to assess and document numbers of different "takes" that occur as a result of permitted research appropriate? Should there be different standards or more restrictions placed on research conducted on certain age, sex, or life-history stages or on the geographic or temporal distribution of research effort? If so, what should those limitations be?

(3) *Coordination of research.* For example, assuming permits are issued to multiple individuals, what are the most appropriate mechanisms for ensuring research is coordinated to maximize information and reduce adverse impacts? Alternatively, should NMFS consider limiting the number of permits to increase coordination and cooperation? If so, how should this be accomplished? Should researchers operating under different permits (but studying the same or related questions such as aerial survey for population census or biopsy for population

genetics) be required to use the same or similar methods to ensure the information collected is comparable and useful for NMFS conservation of the species? If so, what methods are most appropriate (e.g., for aerial surveys; capture and restraint; tissue sampling; marking; etc.)? If not, how should NMFS compare or use the data from various permit holders in its management decisions?

(4) *Effects of research.* NMFS will be assessing possible effects of the various research methods using all appropriate available information. Anyone having relevant information they believe NMFS should consider in its analysis should provide a complete citation or reference for retrieving the information. In addition, NMFS is seeking recommendations for study designs that could detect or predict the effects of research on Steller sea lions and northern fur seals.

(5) *Qualification of researchers.* For example, to ensure the study is conducted successfully and with the minimum of adverse impacts, how much prior experience should a permit applicant, principal investigator, or anyone else operating under a permit have with the specific methods for which they seek a permit?

(6) *Criteria for allowing modifications or amendments to existing grants and permits; for denying permit amendments; and for suspending or revoking permits.* In addition to the existing statutory and regulatory criteria for permit issuance and denial, should there be restrictions on the number or type of permit modifications or amendments issued over the life of a permit? With respect to environmental impacts, under what conditions should a permit be modified, revoked or suspended by NMFS?

The exact number and structure of the alternatives that are analyzed in the EIS will be determined based on information gathered during scoping. To provide a framework for public comments, the range of potential alternatives currently includes the Proposed Action and several other action alternatives, as well as a No Action alternative. The Proposed Action alternative would result in issuance of permits to qualified individuals and institutions to conduct those research activities determined critical or essential to NMFS' conservation and recovery of Steller sea lions and northern fur seals. To minimize the cumulative impacts of research on these species, no permits would be issued for lower priority research activities until the highest priority tasks identified for species conservation and recovery were

completed or unless there was sufficient information to determine that the cumulative impacts of allowing additional takes for research would not adversely impact, disadvantage, or jeopardize the continued existence of the species. The Proposed Action could thus be viewed as a minimum take alternative, allowing the least amount of research practicable to meet NMFS' needs for recovery and conservation of the species.

In addition to the Proposed Action, NMFS will consider other alternatives for issuing permits for research on Steller sea lions and northern fur seals. One alternative to the Proposed Action is to issue all permits requested regardless of their relative potential contribution to conservation and recovery of the species, provided they meet all permit issuance criteria and would not jeopardize the continued existence of threatened or endangered species or result in significant adverse effects on depleted species. In contrast to the Proposed Action, this could be viewed as the maximum allowable take alternative.

Another alternative to the Proposed Action is the No Action alternative, which CEQ regulations require be included for consideration. The No Action alternative would only allow conduct of that research on Steller sea lions and northern fur seals already allowed under existing permits, which are valid through 2010. No new permits would be issued to replace the expiring permits, nor would existing permits be amended to allow modifications in research activities, sample sizes, or objectives.

A fourth alternative considered is the Status Quo. As with the No Action alternative, the Status Quo alternative would allow conduct of research on Steller sea lions and northern fur seals already identified under existing permits, and no permits would be amended to change research activities, sample sizes, or objectives. However, under the Status Quo Alternative, new permits would be issued to replace existing permits as they expire such that the current level of research and types of research activities would continue. Since the Status Quo would not allow issuance of permits for any research activities, objectives, or sample sizes not currently permitted, it would preclude adaptive changes in the research program that may be responsive to changes in the population status or threats to the recovery of the species.

The Status Quo and two other alternatives considered by NMFS may be eliminated from detailed study because they would not allow conduct

of research identified by NMFS as necessary for conservation of the species. The other two alternatives that may be eliminated from further study are: (1) imposing a research permit moratorium (i.e., suspending or revoking existing permits and not issuing new ones) and (2) suspending all intrusive research activities (i.e., stopping biopsy sampling, instrument attachment, and other activities that could result in physical injury). In addition to preventing collection of information about Steller sea lions and northern fur seals needed for NMFS conservation and recovery efforts for these species, a research permit moratorium would hinder NMFS ability to monitor the status of these populations, which is important in making informed management decisions. Suspending permits for intrusive research would impede collection of information on Steller sea lion and northern fur seal habitat use and population structure which is needed for NMFS' conservation and recovery efforts for these species.

The EIS will assess the direct and indirect effects of the alternative approaches to funding and permitting Steller sea lion and northern fur seal research. The EIS will assess the effects on these species as well as other components of the marine ecosystem and human environment. The EIS will assess the contribution of research activities to the cumulative effects on these resources, including effects from past, present, and reasonably foreseeable future events and activities that are external to the research activities. The EIS will also assess the potential beneficial impacts of the research as it relates to conservation of Steller sea lions and northern fur seals. Anyone having relevant information they believe NMFS should consider in its analysis should provide a description of that information along with complete citations for supporting documents.

For additional information about Steller sea lions, northern fur seals, the permit process, and related information for these species, please visit our website at: <http://www.nmfs.noaa.gov/pr/permits/eis/steller.htm>.

Scoping Meetings Agenda

Public scoping meetings will be held at the following dates, times, and locations:

1. January 18, 2006, 1 – 4 p.m., Silver Spring Metro Center, Building 4, Science Center, 1301 East-West Highway, Silver Spring, MD;
2. January 20, 2006, 4 – 7 p.m., Alaska Fisheries Science Center, 7600 Sand

Point Way NE, Building 9, Seattle, WA; and

3. January 23, 2006, 5 – 8 p.m., Hilton Anchorage, 501 West 3rd Avenue, Anchorage, AK.

Comments will be accepted at these meetings as well as during the scoping period, and can be mailed to NMFS by February 13, 2006 (see **FOR FURTHER INFORMATION CONTACT**).

NMFS will consider all comments received during the comment period. All hardcopy submissions must be unbound, on paper no larger than 8 1/2 by 11 inches (216 by 279 mm), and suitable for copying and electronic scanning. NMFS requests that you include in your comments:

- (1) Your name and address;
- (2) Whether or not you would like to receive a copy of the Draft EIS; and
- (3) Any background documents to support your comments as you feel necessary.

Special Accommodations

These meetings are accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Tammy Adams or Andrew Wright, 301–713–2289 (voice) or 301–427–2583 (fax), at least 5 days before the scheduled meeting date.

Dated: December 20, 2005.

Stephen L. Leathery,

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E5–7989 Filed 12–27–05; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 121905E]

Pacific Fishery Management Council; Public Meetings/Workshop

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Pacific Fishery Management Council (Council) will hold a public workshop to review and critique its groundfish stock assessment process in 2005.

DATES: The Groundfish Stock Assessment Process Review Workshop will commence at 8 a.m., Friday, January 13, 2006, and continue until business for the day is completed.

ADDRESSES: The Groundfish Stock Assessment Process Review Workshop meeting will be held at the Sheraton Portland Airport Hotel, Columbian A Room, 8235 NE Airport Way, Portland, OR 97220; telephone: (503) 281–2500.

Council address: Pacific Fishery Management Council, 7700 N.E. Ambassador Place, Suite 200, Portland, OR 97220–1384; telephone: (503) 820–2280.

FOR FURTHER INFORMATION CONTACT: Mr. John DeVore, Pacific Fishery Management Council; telephone: (503) 820–2280.

SUPPLEMENTARY INFORMATION: The purpose of the Groundfish Stock Assessment Process Review Workshop is for participants in the Council's 2005 stock assessment process to consider the procedures used in 2005 to assess and update groundfish stock abundance and develop recommendations for improving the process for future assessments. No management actions will be decided in this workshop. Any recommendations developed at the workshop will be submitted for consideration by the Council at its March meeting in Seattle, WA.

Although non-emergency issues not identified in the workshop agenda may come before the workshop participants for discussion, those issues may not be the subject of formal action during this workshop. Formal action at the workshop will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the workshop participants' intent to take final action to address the emergency.

Special Accommodations

This workshop is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Ms. Carolyn Porter at (503) 820–2280 at least 5 days prior to the workshop date.

Dated: December 21, 2005.

Emily Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. E5–7851 Filed 12–27–05; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 122005A]

50 CFR Part 660

Pacific Fishery Management Council; Public Meetings and Hearings

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of availability of reports; public meetings, and hearings.

SUMMARY: The Pacific Fishery Management Council (Council) has begun its annual preseason management process for the 2006 ocean salmon fisheries. This document announces the availability of Council documents as well as the dates and locations of Council meetings and public hearings comprising the Council's complete schedule of events for determining the annual proposed and final modifications to ocean salmon fishery management measures. The agendas for the March and April Council meetings will be published in subsequent **Federal Register** documents prior to the actual meetings.

DATES: Written comments on the salmon management options must be received by March 28, 2006, at 4:30 p.m. Pacific Time.

ADDRESSES: Documents will be available from and written comments should be sent to Mr. Donald Hansen, Chairman, Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 200, Portland, OR 97220–1384, telephone: 503–820–2280 (voice) or 503–820–2299 (fax). Comments can also be submitted via e-mail at PFMC.comments@noaa.gov address, or through the internet at the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments, and include the I.D. number in the subject line of the message. For specific meeting and hearing locations, see supplementary information.

Council Address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 200, Portland, OR 97220.

FOR FURTHER INFORMATION CONTACT: Mr. Chuck Tracy, telephone: 503–820–2280.

SUPPLEMENTARY INFORMATION:

Schedule for Document Completion and Availability

February 28, 2005: “Review of 2005 Ocean Salmon Fisheries” and

specified by the Department. Parties who submit argument in this proceeding are requested to submit with the argument: (1) A statement of the issue, and (2) a brief summary of the argument. Parties submitting case and/or rebuttal briefs are requested to provide the Department copies of the public version on disk. Case and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.303(f). Also, pursuant to 19 CFR 351.310, within 30 days of the date of publication of this notice, interested parties may request a public hearing on arguments to be raised in the case and rebuttal briefs. Unless the Secretary specifies otherwise, the hearing, if requested, will be held two days after the date for submission of rebuttal briefs, that is, 37 days after the date of publication of these preliminary results.

Representatives of parties to the proceeding may request disclosure of proprietary information under administrative protective order no later than 10 days after the representative's client or employer becomes a party to the proceeding, but in no event later than the date the case briefs, under 19 CFR 351.309(c)(ii), are due. The Department will publish the final results of this administrative review, including the results of its analysis of arguments made in any case or rebuttal briefs.

This administrative review is issued and published in accordance with section 751(a)(1) and 777(i)(1) of the Act.

Dated: February 8, 2006.

David M. Spooner,
Assistant Secretary for Import Administration.

[FR Doc. E6-2166 Filed 2-14-06; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 122005C]

Notice of Intent to Prepare an Environmental Impact Statement on Impacts of Research on Steller Sea Lions and Northern Fur Seals Throughout Their Range in the United States

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of intent to prepare environmental impact statement; extension of comment period.

SUMMARY: On December 28, 2005, the NMFS announced its intent to prepare an Environmental Impact Statement (EIS) to analyze the environmental impacts of administering grants and issuing permits to facilitate research on endangered and threatened Steller sea lions (*Eumetopias jubatus*) and depleted northern fur seals (*Callorhinus ursinus*). Written comments were due by February 13, 2006. NMFS has decided to allow additional time for submission of public comments on this action.

DATES: The public comment period for this action has been extended from February 13 to February 25, 2006. Written comments must be postmarked by February 25, 2006.

ADDRESSES: Written comments should be mailed to: Steve Leathery, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910-3226. Written comments may also be submitted by facsimile to 301-427-2583, or by e-mail at ssleis.comments@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Tammy Adams or Andrew Wright at 301-713-2289.

SUPPLEMENTARY INFORMATION: On December 28, 2005 (70 FR 76780) NMFS announced its intent to prepare an EIS regarding Steller sea lion and northern fur seal research. Background information concerning the EIS can be found in the December 28, 2005, **Federal Register** notice and is not repeated here. For additional information about Steller sea lions, northern fur seals, the permit process, and this EIS, please visit the project website at: <http://www.nmfs.noaa.gov/pr/permits/eis/steller.htm>.

Dated: February 9, 2006.

Stephen L. Leathery,
Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 06-1432 Filed 2-10-06; 3:29 pm]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 020806E]

Gulf of Mexico Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of a public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will convene its Socioeconomic Panel (SEP).

DATES: The meeting will convene at 9 a.m. on Thursday, March 2, 2006, and conclude no later than 12 noon on Friday, March 3, 2006.

ADDRESSES: The meeting will be held at the Quorum Hotel Tampa, 700 North Westshore Boulevard, Tampa, FL 33609.

Council address: Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

FOR FURTHER INFORMATION CONTACT: Dr. Assane Diagne, Economist, Gulf of Mexico Fishery Management Council; telephone: (813) 348-1630.

SUPPLEMENTARY INFORMATION: The Gulf of Mexico Fishery Management Council (Council) will convene its Socioeconomic Panel (SEP) to discuss total allowable catch (TAC) allocation issues. The SEP will prepare a report containing their conclusions and recommendations. This report will be presented to the Council at its meeting March 20-23, 2006 at the Radisson Admiral Semmes Hotel in Mobile, AL.

A copy of the agenda and related materials can be obtained by calling the Council office at (813) 348-1630.

Although other non-emergency issues not on the agendas may come before the SEP for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during this meeting. Actions of the SEP will be restricted to those issues specifically identified in the agendas and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Dawn Aring at the Council (see **ADDRESSES**) at least 5 working days prior to the meeting.

Dated: February 10, 2006.

Tracey L. Thompson,
Acting Director, Office of Sustainable Fisheries Service, National Marine Fisheries Service.

[FR Doc. E6-2159 Filed 2-14-06; 8:45 am]

BILLING CODE 3510-22-S

APPENDIX B
Project Mailing List
May 2006

First Name	Last Name	Organization	Address 1	City	State	Zip
		Aleutian Pribilof Island Community Development Assoc.	234 Gold Street	Juneau	AK	99801
		Bering Sea Fishermen's Association	725 Christensen Drive	Anchorage	AK	99501
		National Marine Fisheries Service - WF Thompson Memorial Library	301 Research Court	Kodiak	AK	99615
		National Marine Fisheries Service AFSC, Auke Bay Laboratory Fisheries	11305 Glacier Highway	Juneau	AK	99801
		Sierra Club - Alaska Chapter	333 W. 4th Ave., Ste. 307	Anchorage	AK	99501-2341
		The Ocean Conservancy	1725 DeSales Street NW, Suite 600	Washington	DC	20036
Kelsey	Abbott	NOAA-NMFS				
Dave	Ackley	National Marine Fisheries Service	P.O. Box 21668	Juneau	AK	99801
Tammy	Adams	National Marine Fisheries Service, Office of Protected Resources	1315 East-West Highway P.O. Box 757500 Office 235 IRVII	Silver Spring	MD	20910
Vera	Alexander	Marine Mammal Commission		Fairbanks	Alaska	99775
Matthew	Alford	University of Washington, Applied Sciences Laboratory	1013 NE 40th Street	Seattle	WA	98105-6698
Laurie	Allen	NOAA Fisheries/PR	1315 East-West Highway: SSMC III	Silver Springs	MD	20910
Bob	Alverson	Fishing Vessel Owners Association	4055 20th Avenue West	Seattle	WA	98119
Ralph	Andersen	Bristol Bay Native Association	PO Box 310	Dillingham	AK	99576
Patrick M.	Anderson	Chugachmiut	1840 South Bragaw Suite 110	Anchorage	AK	99508
Stosh	Anderson	F/V Kestrel	P.O. Box 310	Kodiak	AK	99615
Will	Anderson	Humane Society/U.S.	2122 8th Avenue #201	Seattle	WA	98109
Russel	Andrews	Alaska SeaLife Center	P.O. Box 1329	Seward	AK	99664
Harvey	Anelon	Village of Iliamna	P.O. Box 286	Iliamna	AK	99606
Robyn	Angliss	National Marine Mammal Laboratory	7600 Sand Point Way N.E. F/AKC3	Seattle	WA	98115
Bud	Antonelis	Pacific Islands Fisheries Science Center, Marine Mammal Research Program, Protected Species Division	2570 Dole Street	Honolulu	HI	96822-2396
Ellen	Athas	Council on Environmental Quality	722 Jackson Place NW	Washington	DC	20006
Shannon	Atkinson	Alaska SeaLife Center	P.O. Box 1329	Seward	AK	99664
Ben	Atoruk	Native Village of Kiana	P.O. Box 69	Kiana	AK	99749
A. Dennis	Austin	Washington Dept. of Fish & Wildlife	600 Capitol Way N.	Olympia	WA	98501-1091
Jim	Ayers	Oceana	175 S. Franklin, Ste. 418	Juneau	AK	99801

First Name	Last Name	Organization	Address 1	City	State	Zip
Bob	Bailey	Oregon Coastal Conservation & Development Commission (OCC&DC)	635 Capitol St. NE, Suite 150	Salem	OR	97301-2540
David	Bain	University of Washington				
Kris	Balliet	The Ocean Conservancy	425 G Street, Suite 400	Anchorage	AK	99501
Andrea	Balla-Holden	URS Corporation				
Greg	Balogh	U.S. Fish & Wildlife Service	1011 E. Tudor Road	Anchorage	AK	99503
Jim	Balsiger	National Marine Fisheries Service	P.O. Box 21668	Juneau	AK	99802
Greg	Bargmann	Washington Dept. of Fish & Wildlife	600 Capitol Way N.	Olympia	WA	98501
Randy	Bates	Alaska DNR OPMP - ACMP	302 Gold Street, Suite 202	Juneau	AK	99801-0030
Kimberlee	Beckmen	Alaska Department of Fish & Game	1300 College Road	Fairbanks	AK	99701-1599
Linda	Behnken	Alaska Longliner Fisherman's Association	403 Lincoln Street, Suite 237	Sitka	AK	99835
John	Bengtson	National Marine Mammal Laboratory	7600 Sand Point Way, NE BIN C15700, Bldg. 1	Seattle	WA	98115-0070
Dave	Benson	Fur Seal Committee	5303 Shilshole Ave., NW	Seattle	WA	98107-4000
Ron	Berg	National Marine Fisheries Service	P.O. Box 21668	Juneau	AK	99801
Steven	Berkeley	Hatfield Marine Science Center	Oregon State University	Newport	OR	97365
Sally	Bibb	National Marine Fisheries Service Sustainable Fisheries Division	P.O. Box 21668	Juneau	AK	99802-1668
Jerry	Bongen	Fairweather Fisheries	P.O. Box 3523	Kodiak	AK	99615
Corrie	Bosman	Center for Biological Diversity	201 Lincoln Street	Sitka	AK	99835
Corey	Bradshaw	Charles Darwin University		Darwin	Northern Territory	909
Kaja	Brix	National Marine Fisheries Service	P.O. Box 21668	Juneau	AK	99801
Ryan	Broddrick	California Department of Fish and Game	1416 Ninth St	Sacramento	CA	95814
Margaret	Brown	Cook Inlet Region, Inc.	2525 C Street, Suite 500	Anchorage	AK	99509-3330
Robin	Brown	Oregon Department of Fish and Wildlife	7118 NE Vandenberg Avenue	Corvallis	OR	97330-9446
John	Bruce	Jubilee Fisheries	1516 NW 51st Street	Seattle	WA	98107
Jason	Brune	Resource Development Council	121 West Fireweed, Suite 250	Anchorage	AK	99503
John	Bundy	Glacier Fish Company, LTD.	1200 Westlake Ave. N, Suite 900	Seattle	WA	98109
Alvin	Burch	Alaska Dragger's Association	P.O. Box 991 (or 668 Anderson Way)	Kodiak	AK	99615
Kurt	Byers	UAF Sea Grant College Program	P.O. Box 755040	Fairbanks	AK	99775-5040

First Name	Last Name	Organization	Address 1	City	State	Zip
Vernon	Byrd	U.S. Fish and Wildlife Service, Alaska Maritime Wildlife Refuge	95 Sterling Highway, Suite 1	Homer	AK	99603
John	Calambokidis	Cascadia Research Collective	Waterstreet Bldg. Suite 201	Olympia	WA	89501
Meg	Caldwell	California Coastal Commission	Stanford Law School, 559 Nathan Abbott Way, Owen House Room 6,	Stanford	CA	94305-8610
Donald	Calkins	Alaska SeaLife Center Alaska Department of Fish and Game	P.O. Box 1329	Seward	AK	99664
McKie	Campbell		P.O. Box 25526	Juneau	AK	99802
Shane	Capron	National Marine Fisheries Service	P.O. Box 21668	Juneau	AK	99801
Charlie	Challstrom	NOAA, National Ocean Services	1305 East-West Hwy, SSMC4, Rm 13632	Silver Spring	MD	20910
Mary	Charles	Native Village of White Mountain	P.O. Box 84082	White Mountain	AK	99784
Joseph M.	Chaszar	North Pacific Observer Training Ctr	7717 Regal Mountain Drive	Anchorage	AK	99504
Pat	Check	Nooksack Tribe	5017 Deming Road	Deming	WA	98244
Dorothy	Childers	Alaska Marine Conservation Council	P.O. Box 101145	Anchorage	AK	99510
Miranda	Christiansen	Gulf of Alaska Coastal Communities Coalition	P.O. Box 201236	Anchorage	AK	99520
Gary	Christofferson	Pacific States Marine Fisheries Commission	612 W. Willoughby Ave, Suite B	Juneau	AK	99801
Ronald	Clarke	Marine Conservation Alliance	P.O. Box 20676	Juneau	AK	99802
David	Clausen	National Marine Fisheries Service - Auke Bay Lab	11305 Glacier Highway	Juneau	AK	99801
Jim	Coe	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Adrian	Colewycz	National Marine Fisheries Service - Auke Bay Lab	11305 Glacier Highway	Juneau	AK	99801
Catherine	Coon	North Pacific Fishery Management Council	605 W. 4th Ave., Suite 306	Anchorage	AK	99501-2252
Larry	Cotter	Aleutian Pribilof Islands Community Development Association	234 Gold Street	Juneau	AK	99801
David	Cottingham	Marine Mammal Commission	4340 East West Highway, Suite 905	Bethesda	Maryland	20814
Keith	Criddle	Department of Economics	Utah State University	Logan	UT	84322
Craig	Cross	Aleutian Spray Fisheries	11021 1st Ave NW	Seattle	WA	98177

First Name	Last Name	Organization	Address 1	City	State	Zip
Brendan	Cummings	Center for Biological Diversity	PO Box 549	Joshua Tree	CA	92252
Christopher	Dahl	Pacific Fishery Management Council	7700 Ambassador Pl., Suite 200	Seattle	OR	97220
Paul	Dalzell	Western Pacific FMC	1164 Bishop Street, Suite 1400	Honolulu	HI	96813
Costa	Daniel	University of California, Long Marine Lab	100 Shaffer Rd	Santa Cruz	CA	95060
Steven	Davis	National Marine Fisheries Service-Alaska Region	222 W. 7th Avenue, Room 517	Anchorage	AK	99513
Randall	Davis	Texas A&M University, Department of Marine Biology	5007 Avenue U	Galveston	TX	77551
Paul	Dayton	Marine Mammal Commission	9500 Gilman Drive, 0210	La Jolla	California	92093-0210
LT. Peter	DeCola	USCG - NPRFTC	P.O. Box 10092	Kodiak	AK	99619
Anthony	DeGange	U.S. Fish & Wildlife Service	1011 E. Tudor Road, Suite 219	Anchorage	AK	99503
Robert	DeLong	National Marine Mammal Laboratory	7600 Sand Point Way, NE BIN C15700, Bldg. 1	Seattle	WA	98115-0070
Doug	DeMaster	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Jane	DiCosimo	North Pacific Fisheries Management Council	605 W. 4th Ave., Suite 306	Anchorage	AK	99501-2252
Kimberly	Dietrich	Assoc. for Professional Observers	5026 9th Avenue, NE	Seattle	WA	98105
Lisa	Dolchok	Cook Inlet Tribal Council, Inc.	3600 San Jeronimo Drive	Anchorage	AK	99508
Martin	Dorn	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Kevin	Duffy	Alaska Department of Fish and Game	P.O. Box 25526	Juneau	AK	99802
Gary	Duker	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Lori	Durall	National Marine Fisheries Service	P.O. Box 21668	Juneau	AK	99802
Matthew	Eagleton	National Marine Fisheries Service/HCD	222 W. 7th Avenue, Room 517	Anchorage	AK	99513
Tom	Enlow	The Grand Aleutian	P.O. Box 921169	Dutch Harbor	AK	99692
Ben	Enticknap	Oceana	4117 SE Division Street, PMB #309	Portland	OR	97202
Leonte	Ermeloff	Village of Nikolski	General Delivery	Nikolski	AK	99638
Michael	Etnier	University of Washington, Department of Anthropology	Box 353100	Seattle	WA	98198-3100
Larry	Evanoff	Native Village of Chanega	P.O. Box 8079	Chenega Bay	AK	99574
Diana	Evans	North Pacific Fisheries Management Council	605 W. 4th Ave., Suite 306	Anchorage	Ak	99501-2252
Brian	Fadely	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Mollie	Farrell	Lathum & Watkins	555 Eleventh Street, NW	Washington	D.C.	20004
Jennifer	Ferdinand	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115

First Name	Last Name	Organization	Address 1	City	State	Zip
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Shannon	Fitzgerald	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Dave	Fraser	High Seas Catchers' Co-op	P.O. Box 771	Port Townsend	WA	98368
Lowell	Fritz	National Marine Fisheries Service, Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	99815
Jeff	Fujioka	National Marine Fisheries Service - Auke Bay Lab	11305 Glacier Highway	Juneau	AK	99801
Fritz	Funk	Alaska Department of Fish & Game	P.O. Box 25526	Juneau	AK	99802
Sarah	Gaichas	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4, Bin C15700	Seattle	WA	98115
Nicholas	Gales	Australian Antarctic Division	Channel Highway	Kingston Tasmania 7050	AUSTRALIA	
Michael	Galginaitis	Applied Sociocultural Research	608 W 4th Ave., Suite 314	Anchorage	AK	99501
Russell	Galipeau	Channel Islands National Park	1901 Spinnaker Drive	Ventura	CA	93001
Steve	Ganey	Pew Oceans Commission	2101 Wilson Boulevard, Suite 550	Arlington	VA	22201
Jennifer	Gannett	Humane Society/U.S.				
Glen	Gardner	City of Sand Point	P.O. Box 249	Sand Point	AK	99661
John	Garner	NorQuest Seafoods, Inc.	5245 Shilshole Ave., NW	Seattle	WA	98107-4833
Chris	Gebhardt	EPA Region 10	1200 6th Avenue ECO-088	Seattle	WA	98101
Tom	Gelatt	National Marine Mammals Laboratory, National Marine Fisheries Service, NOAA	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Eric	Gilman	National Audobon Society	2718 Napuaa Place	Honolulu	HI	96822
Robert	Gilzinger	C/O Gorton's Inc.	128 Rogers Street	Gloucester	MA	1930
Jay	Ginter	National Marine Fisheries Service Sustainable Fisheries Div.	P.O. Box 21668	Juneau	AK	99802-1668
Jim	Glock	National Marine Fisheries Service - Northwest Region	525 NE Oregon Street, Suite 510	Portland	OR	97232
Raymond	Goldoff	Village of Atka	P.O. 47030	Atka	AK	99574
Jon	Goltz	State of Alaska - Department of Law	1031 West 4th Ave, Suite 200	Anchorage	AK	99501-1994
Rowan	Gould	U.S. Fish & Wildlife Service, Alaska Region	1011 East Tudor Road	Anchorage	AK	99503
Shane	Guan	NOAA-NMFS				

First Name	Last Name	Organization	Address 1	City	State	Zip
Glenn	Guffey	Peter Pan Seafoods	P.O. Box 12	King Cove	AK	99612
Randy	Hagenstein	The Nature Conservancy	715 L Street, Suite 100	Anchorage	AK	99501
Jeannie	Hagne	EPA Region 10	1200 6th Avenue ECO-088	Seattle	WA	98101
Jim	Hale	National Marine Fisheries Service	P.O. Box 21668	Juneau	AK	99802-1668
Kathy	Hansen	SEAK Fishermen's Alliance	9369 North Douglas Highway	Juneau	AK	99801
David	Hanson	Pacific States Marine Fisheries Commission	405 Durham	Lake Oswego	OR	97034
Amy	Hapeman	NOAA-NMFS				
Rob	Harcourt	Macquarie University, Graduate School of the Environment		Sydney	NSW	2109
Steven	Hare	International Pacific Halibut Commission	P.O. Box 95009	Seattle	WA	98145-2009
Brian	Harper	U.S. Army Corps of Engineers	P.O. Box 6898	Elmendorf AFB	AK	99506-6898
John	Harrington	US EPA	1200 Pennsylvania Avenue M/C 2252A	Washington	DC	20460
Jeff	Hartman	National Marine Fisheries Service Sustainable Fisheries	P.O. Box 21668	Juneau	AK	99802
Tom	Hawkins	Bristol Bay Native Corporation	111 West 16th Avenue, Suite 400	Anchorage	AK	99501
Jon	Heifetz	National Marine Fisheries Service - Auke Bay Lab	11305 Glacier Highway	Juneau	AK	99801
Eileen	Henniger	Yakutat Tlingit Tribe	P.O. Box 418	Yakutat	AK	99689
Adelheid	Herrmann	Bering Sea Fishermen's Association	725 Christensen Drive, Suite 3	Anchorage	AK	99501
Mark	Herrmann	University of Alaska - Fairbanks, Department of Economics	P.O. Box 757500	Fairbanks	AK	99775
Susan	Hills	University of Alaska - Fairbanks, School of Fisheries & Science	P.O. Box 757500	Fairbanks	AK	99775
Mark	Hindell	University of Tasmania, Antarctic Wildlife Research Unit	P.O. Box 05	Hobart	TAS	7001
Nick	Hindman	National Marine Fisheries Service Sustainable Fisheries Division	P.O. Box 21668	Juneau	AK	99802-1668
Bill	Hogarth	NOAA Fisheries	1315 East-West Highway: SSMC III	Silver Springs	MD	20910

First Name	Last Name	Organization	Address 1	City	State	Zip
Leslie	Holland-Bartels	U.S.G.S., Biological Resource Division, Alaska Science Center	4230 University Dr., Suite 201	Anchorage	AK	99508-4650
Ken	Hollingsled	NOAA-NMFS				
Anne	Hollowed	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4, Bin C15700	Seattle	WA	98115
Karin	Holser	Pribilof Islands Stewardship Program - St. Paul	P.O. Box 306	St. Paul Island	AK	99660
Sarah	Howlett	NOAA-NMFS				
Carrie	Hubard	NOAA-NMFS				
Jim	Ianelli	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Stephen	Insley	Hubbs-SeaWorld Research Institute	2595 Ingraham St.	San Diego	CA	92109
Dave	Irons	U.S. Fish & Wildlife Service	1011 E. Tudor Road	Anchorage	AK	99503
Dan	Ito	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Lianna	Jack	The Alaska Sea Otter and Stellar Sea Lion Commission	6239 B Street, Suite 204	Anchorage	AK	99518
Mark	Jen	EPA Region 10	222 W. 7th Avenue, Suite 19	Anchorage	AK	99513
Gary	Johnson	Peter Pan Seafoods, Inc.	2200 6th Avenue, Suite 1000	Seattle	WA	98121
Pete	Jones	National Marine Fisheries Service	P.O. Box 21668	Juneau	AK	99802
Allen	Joseph	AVCP, Inc.	P.O. Box 219	Bethel	AK	99559
Bob	Juettner	Aleutians East Borough	3380 "C" St., Suite 205	Anchorage	AK	99503
Archie	Kalmakoff	Ivanoff Bay Village	P.O. Box K1B	Ivanoff Bay	AK	99502
Gilbert	Kashervarof	Aleut Community of Saint George	P.O. Box 940	St. George Island	AK	99591
Gilbert G.	Kashevarof	St. George Traditional Council; St. George Co-Management Council	PO Box 940	St. George Island	AK	99591
Frank	Kelty	City of Unalaska	PO Box 610	Unalaska	AK	99685
Mitch	Kilborn	Western Alaska Fisheries, Inc.	P.O. Box 2367	Kodiak	AK	99615
Nicole	Kimball	North Pacific Fishery Management Council	605 W. 4th Ave., Suite 306	Anchorage	AK	99501-2252
Eric	Kingma	WesPac Fishery Management Council	1164 Bishop Street, Suite 1400	Honolulu	HI	96813
Alan	Kinsolving	National Marine Fisheries Service Sustainable Fisheries Division	P.O. Box 21668	Juneau	AK	99802-1668
Julie	Kitka	Alaska Federation of Natives	1577 C St., Suite 300	Anchorage	AK	99501
Jeffrey	Koenings	Washington Dept. of Fish & Wildlife	600 Capitol Way N.	Olympia	WA	98501-1091
Gary	Kompkoff	Village of Tatitlek	P.O. Box 171	Tatitlek	AK	99677
Iris	Korhonen-Penn	Earthjustice Legal Defense Fund	325 4th Street	Juneau	AK	99802

First Name	Last Name	Organization	Address 1	City	State	Zip
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Gordon	Kruse	Juneau Center for Fisheries and Ocean Sciences	11175 Glacier Highway	Juneau	AK	99801
Earl	Krygier	Alaska Department of Fish & Game - Commercial Fisheries	333 Raspberry Road	Anchorage	AK	99518
Rena J.	Kudrin	Tribal Government of St. Paul; St. Paul Co-Management Council	P.O. Box 86	St. Paul Island	AK	99660
Kathy	Kuletz	U.S. Fish & Wildlife Service	1011 E. Tudor Road	Anchorage	AK	99503
Jon	Kurland	National Marine Fisheries Service	P.O. Box 21668	Juneau	AK	99802-1668
Vincent	Kvasnikoff	Village of Nanwalek	PO Box 8026	Nanwalek	AK	99603
Andrew	Larsen	Consulate General of Japan	3601 C Street, Suite 1300	Anchorage	AK	99503
Mike	LaTourneau	EPA Region 10	1200 Sixth Avenue; Mailstop ECO-088	Seattle	WA	98101
Bruce	Leaman	International Pacific Halibut Commission	P.O. Box 95009	Seattle	WA	98145-2009
Gerald	Leape	National Environmental Trust	1200 18th Street NW, 5th Floor	Washington	D.C.	20016
Steve	Leathery	National Marine Fisheries Service, Office of Protected Resources, Permits, Conservation and Education Division, F/PR1	1315 East-West Highway, Room 13705	Silver Spring	MD	20910-3226
Claire	LeClair	Alaska Marine Conservation Council	P.O. Box 101146	Anchorage	AK	99502
Jim	Lee	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Anne	Lee	URS Corporation	2700 Gambell St., Suite 200	Anchorage	AK	99503
Terry	Leitzell	Icicle Seafoods, Inc.	4019 21st Avenue, W.	Seattle	WA	98199
Margaret	Lekanoff	Qawalangin Tribe of Unalaska	PO Box 334	Unalaska	AK	99685
Phillip	Lestenkof	Cent. Bering Sea Fishermen's Assoc.	P.O. Box 288	Saint Paul	AK	99660-0288
Aquilina	Lestenkof	Pribilof Islands Collaborative	P.O. Box 86	St. Paul Island	AK	99660
Joe	Lianos	Village of Ouzinkie	P.O. Box 130	Ouzinkie	AK	99644
Marina	Lindsey	NOAA-NMFS	P.O. Box 21668	Juneau	AK	99802
Lisa	Lindeman	NOAA General Counsel	PO Box 21109	Juneau	AK	99802
Beate	Litz	Alaska SeaLife Center	P.O. Box 1329	Seward	AK	99664
Pat	Livingston	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4, Bin C15700	Seattle	WA	98115
Denby	Lloyd	Alaska Department of Fish and Game	211 Mission Road	Kodiak	AK	99615

First Name	Last Name	Organization	Address 1	City	State	Zip
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Loh-Lee	Low	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Sandra	Lowe	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Seth	Macinko	Department of Marine Affairs	University of Rhode Island, Washburn Hall	Kingston	RI	02881
Debra	Mack	Aleut Corporation	4000 Old Seward Hwy, Suite 300	Anchorage	AK	99503
Stephanie	Madsen	North Pacific Fisheries Management Council - Pacific Seafood Processors Assn	605 W. 4th Avenue, Suite 306	Anchorage	AK	99501-2253
Max	Malavansky, Jr.	St. George Traditional Council; St. George Co-Management Council	PO Box 940	St. George Island	AK	99591
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Richard	Marasco	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4, Bin C15700	Seattle	WA	98115
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Kim	Marshall	Dept. of Commerce/NOAA/NMFS	1315 East West Highway, SSMC3	Silver Spring	MD	20910
Stacy	Marz	Center for Marine Conservation	425 G Street, Suite 400	Anchorage	AK	99501
Bruce	Mate	Oregon State University	2030 SE Marine Science Dr.	Newport	OR	97365
Craig	Matkin	Noerh Gulf Oceanic Society	60920 Mary Allen Ave.	Homer	AK	99603
Lisa	Mazzaro	Mystic Aquarium	55 Coogan Blvd.	Mystic	CT	6355
Steve	MacLean	The Nature Conservancy				
Sheela	McLean	NOAA-NMFS				
Barbara	McBride	Alaska Sablefish Inc.	P.O. Box 319	Homer	AK	99603
Trevor	McCabe	At-Sea Processors Association	431 West 7th Ave., Suite 201	Anchorage	AK	99501
Joe	McCabe	NOAA General Counsel	PO Box 21109	Juneau	AK	99802
Chuck	McCallum	Chignik Seiners	614 Irving Street	Bellingham	WA	98225
Peter	McCarthy	F/V Laura	P.O. Box 4311	Kodiak	AK	99615
Heather	McCarty	At-Sea Processors Association	319 Seward Street, #3	Juneau	AK	99801
Bob	McConnaughey	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115-6349
Greg	McGlashan	Pribilof Islands Collaborative	PO Box 940	St. George Island	AK	99591
Don	Mclsaac	Pacific Fishery Management Council	7700 NE Ambassador Pl., Ste 200	Portland	OR	97220-1384
Chris	McNeil	Sealaska Corporation	One Sealaska Plaza, Suite 400	Juneau	AK	99801

First Name	Last Name	Organization	Address 1	City	State	Zip
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Jo-Ann	Mellish	Alaska Sea Life Center/UAF	P.O. Box 1329	Seward	AK	99664
Richard	Merrick	NOAA National Marine Fisheries Service, Northwest Fisheries Science Center	166 Water Street	Woods Hole	MA	02543-1026
Gerry	Merrigan	Prowler Fisheries	P.O. Box 1364	Petersburg	AK	99833
Dennis	Metrokin	Koniag, Inc.	104 Center Avenue, Suite 205	Kodiak	AK	99615
Jeremy	Miller	The Ocean Conservancy	425 G Street, Suite 400	Anchorage	AK	99501
Mel	Moon, Jr.	Quileute Tribe	P.O. Box 187	LaPush	WA	98350
Joe	Moore	TOC	425 G Street, Suite 400	Anchorage	AK	99501
Phillip	Mundy	EVOS Trustee Council	441 W. 5th Avenue, Suite 500	Anchorage	AK	99501-2340
Peggy	Murphy	Alaska Fisheries Information Network	612 W. Willoughby Ave., Suite B	Juneau	AK	99801
Benjamin	Muse	National Marine Fisheries Service - Alaska Region	709 West 9th, Room 420	Juneau	AK	99802
Kevin	Myers	Sierra Club	1030 Wee Burn Drive	Juneau	AK	99801
Ahmad	Nassar	Latham & Watkins	555 Eleventh Street, NW	Washington	D.C.	20004
Robert J.	Nelson	Village of Port Lions	P.O. Box 69	Port Lions	AK	99550
Kris	Norosz	Icicle Seafoods, Inc.	P.O. Box 1147	Petersburg	AK	99833
Tom	Ofchus	Trustees For Alaska	1026 W. 4th Avenue, Suite 201	Anchorage	AK	99501
Karl	Ohls	North Star Group	1463 Kirby Road	McLean	VA	22101
Sebastian	O'Kley	Robertson, Monagle & Eastaugh				
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David	Osterback	Qagan Tayagungin Tribe - Sand Point Village	P.O. Box 447	Sand Point	AK	99661
Dorothy	Owen	Douglas Indian Association	P.O. Box 240541	Douglas	AK	99824
George	Owletuck	Alaska Oceans Network	308 G Street, Suite 219	Anchorage	AK	99501
Brent	Paine	United Catcher Boats	4005 20th Avenue W, Suite 110	Seattle	WA	98199-1290
David	Palmer	Latham & Watkins	555 Eleventh Street, NW	Washington	D.C.	20004

First Name	Last Name	Organization	Address 1	City	State	Zip
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Tom	Pearson	National Marine Fisheries Service	301 Research Court, Room 212	Kodiak	AK	99615
Wally	Pereyra	Profish International Inc.	400 N 34th, Suite 306	Seattle	WA	98103
Paul	Peyton	C/O BBEDC	815 E. 82nd Ave 50c 104	Anchorage	AK	99518
Dimitri	Philemonof	Aleutian / Pribilof Islands Association	201 East 3rd Avenue	Anchorage	AK	99501
Patrick	Phillip	Village of Alakanuk	P.O. Box 149	Alakanuk	AK	99554
Ken	Pitcher	Alaska Department of Fish and Game	P.O. Box 25526	Juneau	AK	99802
Joe	Plesha	Trident Seafoods Corporation	5303 Shilshole Avenue, NW	Seattle	WA	98107
Karen	Pletnikoff	Aleutian/Pribilof Islands Association	201 E 3rd Avenue	Anchorage	AK	99501
Ed	Poulsen	F/V Arctic Sea	1143 NW 45th St.	Seattle	WA	98107
Jimmie	Powell	Pew Oceans Commission	2101 Wilson Blvd, Suite 550	Arlington	VA	22201
Rich	Preston	17th U.S. Coast Guard District	P.O. Box 25517	Juneau	AK	99802
Lawrence	Prokopiou	St. George Fisherman's Association	P.O. Box 947	St. George Island	AK	99591
Lewis	Queirolo	Alaska Fisheries Science Center	440 Eagle Crest Road	Carmano Island	WA	98282
Terry	Quinn	Juneau Center, School of Fisheries and Ocean Sciences	11120 Glacier Highway	Juneau	AK	99801
Lorrie	Rea	Alaska Department of Fish and Game	P.O. Box 25526	Juneau	AK	99802-5526
Glenn	Reed	PSPA	1900 W Emerson Pl, Ste 205	Seattle	WA	98119-1649
Monica	Reidel	Indigenous Peoples Council on Marine Mammals	800 East Dimond, Suite 3-590	Anchorage	AK	99515
Stephen B.	Reilly	National Marine Fisheries Service	8604 La Jolla Shores Dr.	La Jolla	CA	92037
Rebecca	Reuter	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
John	Reynolds III	Marine Mammal Commission	1600 Ken Thompson Parkway	Sarasota	Florida	34236
Ed	Richardson	At-Sea Processors Association	4039 21st Avenue W, Suite 400	Seattle	WA	98199
Michelle	Ridgway	Oceana Alaska	119 Seward Street, Suite 9	Juneau	AK	99801-1268

First Name	Last Name	Organization	Address 1	City	State	Zip
Patricia	Rivera	Alaska Department of Fish & Game - Marine Mammal Research Unit	University of Alaska, Irving II Bldg. rm 133, 906 N Koyukuk Drive	Fairbanks	AK	99775
Kim	Rivera	National Marine Fisheries Service	P.O. Box 21668	Juneau	AK	99802-1668
Rick	Rogers	Chugach Alaska Corporation	561 E. 36th Avenue	Anchorage	AK	99503
Mark	Rorick	Sierra Club	1055 Men. Pen. Road	Juneau	AK	99801
Craig	Rose	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Naomi A.	Rose	Humane Society/U.S.	2100 L Street, NW	Washington	DC	20037
Sue	Salveson	National Marine Fisheries Service	P.O. Box 21668	Juneau	AK	99802-1668
Roswell	Schaeffer	Marine Mammal Commission - Special Advisor on Native Affairs	P.O. Box 296	Kotzebue	Alaska	99752
Rollie	Schmitten	NOAA F/HC	1315 East-West Highway: SSMC III	Silver Springs	MD	20910
Tylan	Schrock	Alaska SeaLife Center	P.O. Box 1329	Seward	AK	99664
Whit	Sheard	The Ocean Conservancy	425 G Street, Suite 400	Anchorage	AK	99501
Gilda	Shellikoff	Village of False Pass	P.O. Box 29	False Pass	AK	99583
Greg	Siekaniec	Alaska Maritime National Wildlife Refuge	95 Sterling Highway, Suite 1	Homer	AK	99603
Greg	Siekaniec	Alaska Maritime Wildlife Refuge	95 Sterling Highway, Suite 1	Homer	AK	99603
Michael	Sigler	National Marine Fisheries Service - Auke Bay Lab	11305 Glacier Highway	Juneau	AK	99801
Eric	Siy	Alaska Marine Conservation Council	P.O. Box 101145	Anchorage	AK	99501
Jennifer	Skidmore	NOAA-NMFS				
Robert	Small	Alaska Department of Fish and Game, Division of Wildlife Conservation	P.O. Box 25526	Juneau	AK	99802-5526
Scott	Smiley	Fisheries Industrial Technical Center	118 Trident Way	Kodiak	AK	99615
Thorn	Smith	North Pacific Longline Association	4209 21st Avenue W, Suite 300	Seattle	WA	98199
Lauren	Smoker	NOAA General Counsel	PO Box 21109	Juneau	AK	99802
David	Soma	Deep Sea Fishermen's Union	5215 Ballard Avenue NW	Seattle	WA	98107
Paul	Spencer	Alaska Fisheries Science Center	7600 Sand Point Way N.E., Bldg. 4	Seattle	WA	98115
Trveor	Spradlin	NOAA-NMFS				
Alan	Springer	University of Fairbanks, Institute of Marine Science	Rm 262 AHRB	Fairbanks	AK	99775
Jacob	Stepetin	Village of Akutan	P.O. Box 89	Akutan	AK	99553
Jeff	Stephan	United Fishermen's Mktg Assc	P.O. Box 2917	Kodiak	AK	99615

First Name	Last Name	Organization	Address 1	City	State	Zip
Carol	Stephens	Alaska SeaLife Center	P.O. Box 1329	Seward	AK	99664
Jack	Stern	Trustees for Alaska	1026 W. 4th Avenue, Ste. 201	Anchorage	AK	99501
Rita	Stevens	Kodiak Area Native Association	3449 East Rezanof Drive	Kodiak	AK	99615
Beth	Stewart	Aleutians East Borough	2767 John Street	Juneau	AK	99801
Brent S.	Stewart	Hubbs-SeaWorld Research Institute	2595 Ingraham St.	San Diego	CA	92109
Jay E.	Stinson	Alaska Draggers Association	P.O. Box 3845	Kodiak	AK	99615
Janice	Straley	University of Alaska Southeast	1332 Seward Ave.	Sitka	AK	99835
Diana	Stram	North Pacific Fisheries Management Council	605 W. 4th Ave., Suite 306	Anchorage	AK	99501-2252

APPENDIX C
Public Notices

**NOAA National Marine Fisheries Service
Public Scoping Meeting Announcement**

**January 23, 2006, 5-8 PM
Hilton Hotel 501 West 3rd Avenue, Anchorage, AK**

The National Marine Fisheries Service (NOAA Fisheries) and URS Corporation invite the public to an open house and scoping meeting regarding the preparation of a Steller Sea Lion and Northern Fur Seal Research Environmental Impact Statement (EIS). The EIS will analyze the environmental impacts of administering grants and issuing permits associated with research on endangered and threatened Steller sea lions and depleted northern fur seals throughout their range in U.S. waters. The scoping meeting will combine an informational open house, which will last from 5:00 pm to 8:00 pm, with a brief presentation around 6:30pm that provides an overview of the EIS purpose, objectives, and schedule. Please contact Mr. Stephen Leathery, Project Manager, at (301) 713-2289 for further information.



Anchorage Daily News

TIME SENSITIVE - DISPLAY AD PROOF

Ad Number:..... 111766

Sales Rep:..... Shawn Lyons

Phone:..... (907) 257-4250

Fax:..... (907) 257-4246

Ad Size:..... 2 col. x 4 in.

Run Date:..... 01/16/06

Deliver proof to:..... Kim Busse

Fax/email:..... Kim_Busse@URSCorp.com

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Public Notices - 381

MEETING NOTICE The King County Rural Forest Commission will meet on Wednesday, January at the Preston Community Center, 8625 310th Ave SE, Preston, from 9:30am - 12:30pm. For more information please contact Linda Vane at 206-296-8042. *(This ad last ran on 01/07/2006.)*

MEETING NOTICE The King County Agriculture Commission meeting will be held on Thursday, January 12, at the Mercerview Community Center, Mercer Island, 8236 SE 24th Street, Mercer Island WA 98040, from 4:00 -7:00pm. For more information please contact Claire Dyckman at 206 296-1926. *(This ad last ran on 01/07/2006.)*

PUBLIC NOTICE Name of Operator/ Permittee: B. Douglas Williams-King County Permitting & Right-of-Way Agent Address of Owner: 201 S. Jackson St., KSC-NR-0503, Seattle, WA 98104 is seeking coverage under the Washington Department of Ecology's NPDES General Permit for Stormwater Discharges Associated with Construction Activities. The proposed 2 acre project, known as Carnation Wastewater Treatment Facility is located at 31500 W. Entwistle, in Carnation, WA. Approximately 8.5 acres will be disturbed for construction of a wastewater treatment facility, 1.6 miles of conveyance pipeline and outfall. Stormwater will be handled on-site with biofiltration swale (200 feet in length, bed width- 3 feet, slope-0.01) and an infiltration trench (16 feet by 105 feet), sized for 1 inch/hour prior to discharging into the grass field. The conveyance 12 inch pipeline, will follow existing right-of-way and existing private roadways and covered immediately for the 1.6 miles to the Snoqualmie River. This project, when completed by the end of 2007, will allow for all of the residences of the City of Carnation to convert from septic (a number which have failed) to treated sewerage and improve public health. Any persons desiring to present their views to the Department of Ecology concerning this application may notify Ecology in writing within 30 days from the last date of publication of this notice. Comments may be submitted to: Washington Department of Ecology Water Quality Program Stormwater Unit - Construction PO Box 47696 Olympia, WA 98504-7696 *ad is from 12/29/2005 to 01/05/2006.)*

CITY OF DES MOINES WASHINGTON PUBLIC NOTICE OF LAND USE APPLICATION NOTICE HEREBY GIVEN THAT A SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT APPLICATION AND AN ENVIRONMENTAL REVIEW APPLICATION (SEPA) HAS BEEN FILED WITH THE CITY OF DES MOINES PLANNING, BUILDING AND PUBLIC WORKS DEPARTMENT.FOR THE FOLLOWING REQUESTED LAND USE DEVELOPMENT PROPOSAL APPLICATION SUBMITTED: August 30, 2005 APPLICATION COMPLETE: November 7, 2005 NOTICE OFAPPLICATION: January 1, 2006 COMMENT DUE DATE: January 31, 2006 PROPOSAL: Removal of 10' to 15' of existing Redondo Waster Water Treatment Plant Outfall Pipe and installation of 2000' of a replacement outfall pipe to relocate the outfall from -30 Mean Lower Low Water to -400 Mean Low Water. APPLICANT: Lakehaven Utility District LOCATION/ LEGAL DESCRIPTION: Adjacent the intersection of Redondo Beach Drive South and Redondo Shores Drive South:. Tax Parcel 0521046666 No Further Legal Description Available FILE NUMBER: LUA05-039 PERMITS REQUIRED: Department of Fish and Wildlife HPA approval, Army Corps of Engineers Section 10 Permit approval, Department of Ecology 401 permit approval, Department of Natural Resources Aquatic Land Lease, City of Des Moines Shoreline Substantial Development Permit, Environment Review Application (SEPA), and Grading Permit EXISTING ENVIRONMENTAL DOCUMENTATION

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Biological Evaluation The public is invited to review contents of the official file for the proposal. Written comments are also encouraged and will be accepted for consideration if filed with the Planning, Building, and Public Works Department on or before 4:30 PM January 31, 2006. Further information about the proposal may be obtained by contacting Jason Sullivan by phone at 206-87 6551 or by email at jsullivan@desmoineswa.gov during regular working hours. The Planning, Building, and Public Works Department is located at 21630 11th Avenue South, Suite D, Des Moines, Washington 98198 *(This ad is from 01/01/2006 to 01/08/2006.)*

NOAA National Marine Fisheries Service Public Scoping Meeting Announcement The National Marine Fisheries Service (NOAA Fisheries) and URS Corporation invite the public to an open house and scoping meeting regarding the preparation of a Steller Sea Lion and Northern Fur Seal Rese: Environmental Impact Statement (EIS). The EIS will analyze the environmental impacts of administering grants and issuing permits associated with research on endangered and threatened Steller sea lions and depleted northern fur seals throughout their range in U.S. waters. The scoping meeting will combine an informational open house, which will last from 4:00 pm to 7:00 pm, with a brief presentation around 5:30pm that provides an overview of the EIS purpose, objectives, and schedule. Please contact Mr. Stephen Leathery, Project Manager, at (301) 713-2289 for further information. January 20, 2006, 4-7 PM Alaska Fisheries Science Center, Building 9 7600 Sand Pt Way Seattle, WA

NOTICE: ANNOUNCEMENT OF A WASTEWATER PERMIT APPLICATION AND AVAILABILITY DRAFT PERMIT ***** PERMIT NO.: WA-003209-3 APPLICATION: Northwest Pipeline Corporation 2800 Post Oak Blvd Houston, TX 77056 SITE LOCATION: Western Washington Linear project from Sumas in Whatcom County through Skagit, Snohomish, King, Pierce, Thurston, Cowlitz Counties to Washougal in Clark County Northwest Pipeline Corporation has applied for a National Pollutant Discharge Elimination System (NPDES) permit in accordance with the provisions of Chapter 90.48 Revised Code of Washington (RCW), Chapter 173-220 Washington Administrative Code (WAC), and the Federal Clean Water Act. Following evaluation of the application and other available information, a draft permit has been developed to allow the discharge of stormwater, uncontaminated dewatering water associated with construction activities and hydrostatic test water from the Northwest Natural Gas Pipeline System construction project. A tentative determination has been made on the effluent limitations and special permit conditions that will prevent and control pollution. A final determination will not be made until all timely comments received in response to this notice have been evaluated. PUBLIC COMMENT AND INFORMATION The draft permit and fact sheet may be viewed at the Department of Ecology (Department) website http://www.ecy.wa.gov/programs/wq/permits/northwest_permits.html. The application, fact sheet, proposed permit, and other related documents are also available at the Department's Northwest Regional Office. To obtain a copy, please call Sally Perkins at (425) 649-7190, email at sper@ecy.wa.gov Interested persons are invited to submit written comments regarding the proposed permit. All comments must be submitted within 30 days after publication of this notice to be considered for the final determination. Comments should be sent to: Water Quality Permit Coordinator Department of Ecology Northwest Regional Office 3190 - 160th Avenue SE Bellevue WA 98008-5452 Email comments should be sent to tmil461@ecy.wa.gov. Any interested party may request a public hearing on the proposed permit within 30 days of the publication date of this notice. The request for a hearing shall state the interest of the party and the reasons why a hearing is necessary. The request should be sent to the above address. The Department will hold a hearing if it determines that there is significant public interest. If a hearing is to be held, public notice will be published at least 30 days in advance of the hearing date. Any party responding to this notice with comments will be mailed a copy of a hearing public notice. The Department is an equal opportunity agency. If you have a special accommodation needs, please contact Tricia Miller at (425) 649-721 or TTY (for the speech and hearing impaired) at 711 or 1-800-833-6388. *(This ad is from 12/28/2005 to 01/04/2006.)*

Public Notice Notice is hereby given that Umpqua Bank, 445 SE Main Street, Roseburg, Oregon 97470, has filed with the Federal Deposit Insurance Corporation an application to establish a limit service bank branch at 19625 62nd Ave. South, Building C, Suite 101, Kent, WA 98032 Any person wishing to comment on this application may file his or her comments in writing with the regional director of the Federal Deposit Insurance Corporation at its region office, 25 Ecker Street, Suite 2300, San Francisco, California 94105 before processing of the application has been completed. Processing will be completed no earlier than the 15th day following the last required publication on the date of receipt of the application by the FDIC, whichever is later. The period may be extended at the discretion of the regional director for good cause. The non-confidential portion of the application is available for inspection within one day following the request for such file. It may be inspected in the Corporation

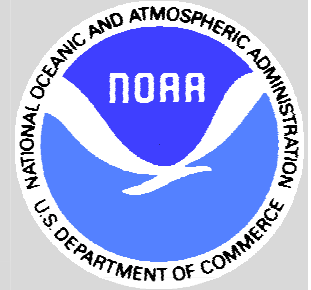
APPENDIX D
Newsletter and Comment Form

Steller Sea Lion and Northern Fur Seal Research

Environmental Impact Statement

NOAA-National Marine Fisheries Service

January 2006



This newsletter is the first in a series of newsletters regarding the Steller Sea Lion and Northern Fur Seal Research Environmental Impact Statement (EIS). It is being mailed to federal, state, and local agencies; elected and appointed officials; Alaska Native groups; other interested organizations; and individual citizens within or adjacent to the project study area to inform people about the study process and to solicit comments. This and subsequent newsletters can be found on the project website <http://www.nmfs.noaa.gov/pr/permits/eis/steller.htm>.

Scoping Notice

The National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries Service) is preparing an EIS to analyze the potential environmental impacts of administering its grant and permit programs for Steller sea lions (*Eumetopias jubatus*) and northern fur seals (*Callorhinus ursinus*). The purpose of this newsletter is to invite you to participate in the planning process and provide some background information on both the project area and the process of preparing an EIS.

The scoping process provides persons affected by the project an opportunity to express their views and concerns. The Council on Environmental Quality (CEQ) under the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) defines scoping as an "early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action" (40 CFR 1501.7). The objectives of the scoping process are to:

- identify potentially interested parties
- identify public and agency concerns regarding research
- define the range of alternatives that will be examined in the EIS
- ensure that relevant issues are identified early and drive the analyses
- establish a public record

Project Description

NOAA Fisheries Service is the federal agency responsible for the management, conservation and protection of living marine resources within the United States' (U.S.) Exclusive Economic Zone (marine water from 3-200 miles offshore).

NOAA Fisheries Service currently administers grant monies that have been designated by Congress and allocated within NOAA Fisheries Service's annual budget for the purpose of facilitating research on Steller sea lions and northern fur seals. The act of awarding grants is a federal action requiring NEPA compliance. Similarly, issuance of permits for research activities on marine mammals is a federal action requiring NEPA compliance. These permits are issued pursuant to the provisions of the Endangered Species Act (ESA; 16 U.S.C. 1531 *et seq.*), the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1361 *et seq.*), and regulations implementing these statutes. This EIS would satisfy the NEPA compliance requirements for awarding grants and issuing permits for research on Steller sea lions and northern fur seals. NOAA Fisheries Service awards grants and issues permits to qualified individuals and institutions so they can conduct research activities likely to result in collection of information needed by NOAA Fisheries Service to conserve and recover the populations of Steller sea lions and northern fur seals.

The need for this action is to facilitate research to: 1) prevent harm and avoid jeopardy or disadvantage to the species; 2) promote recovery; 3) identify factors limiting the population; 4) identify reasonable actions to minimize impacts of human-induced activities; 5) implement conservation and management measures; and 6) make data and results available in a timely manner for management of the species. As part of this action, NOAA Fisheries Service will evaluate measures that will improve efficiency and avoid unnecessary redundancy in Steller sea lion and northern fur seal research, utilize best management practices, facilitate adaptive management, and standardize research protocols.

The project area includes the entire range of Steller sea lions and northern fur seals in U.S. waters and on the high seas, which includes parts of Alaska, Washington, Oregon, and California (See Figures 1 and 2).

Why is an EIS needed?

Issuance of permits for scientific research on marine mammals is generally categorically excluded from NEPA requirements to prepare an environmental assessment (EA) or EIS (NOAA Administrative Order [NAO] 216-6). However, when the activities that would be authorized in a scientific research permit would involve a geographic area with unique characteristics, are the subject of public controversy based on potential environmental impacts, have uncertain environmental impacts or unique or unknown risks, would establish a precedent or decision in principle about future proposals, may result in cumulatively significant impacts, or may have any adverse effects upon endangered or threatened species or their habitats, the preparation of an EA or EIS is required. This EIS will assess the likely environmental and socioeconomic effects of funding and permitting research under a range of alternatives and will address compliance of the alternatives with the ESA, MMPA, and other applicable laws. An EIS serves several purposes. The process of preparing an EIS:

- identifies planning issues and concerns
- identifies the purpose and need for the proposed action
- develops and evaluates reasonable alternatives for the proposed action
- describes the affected environment
- assesses potential environmental consequences of alternatives

The Steller Sea Lion and Northern Fur Seal Research EIS will satisfy the requirements of CEQ regulations and NAO 216-6 for those federal permits allowing research or federal grants funding research that may have impacts on Steller sea lions and northern fur seals throughout their range in U.S. waters. The EIS will consist of a programmatic analysis, covering expected and projected federally granted and permitted research projects for future years, until such time that a revision of the programmatic document is deemed necessary.

Preparation of the Steller Sea Lion and Northern Fur Seal Research EIS will provide the public an opportunity to:

- understand the requirements for planning and NEPA compliance
- make recommendations on how research should be conducted

- review decision-making options for research grant funding by NMFS

Steps in the Planning Process

The EIS process, currently scheduled for completion in two years (2007), has nine basic steps:

1. Federal Notice of Intent to prepare an EIS
2. public scoping period
3. develop and analyze alternatives
4. prepare and distribute Draft EIS
5. public comment review and synthesis
6. response to comments and revisions to EIS
7. select the preferred alternative
8. prepare and distribute Final EIS
9. issue Record of Decision

The range, or scope, of public and agency issues and concerns are being identified through comments received in response to this notice and during upcoming public scoping meetings listed in this newsletter. NOAA Fisheries Service welcomes your thoughts and ideas on the grant and permit process and the development of alternatives to be addressed in the EIS process.

A range of reasonable alternatives, including an alternative considering no action, as required by NEPA, will be developed and analyzed in the EIS. The alternatives must address the requirements of NEPA as well as the legal, regulatory, and budgetary parameters that govern the research. Through scoping and subsequent discussions, the public will assist in developing the alternatives to be addressed in the EIS process.

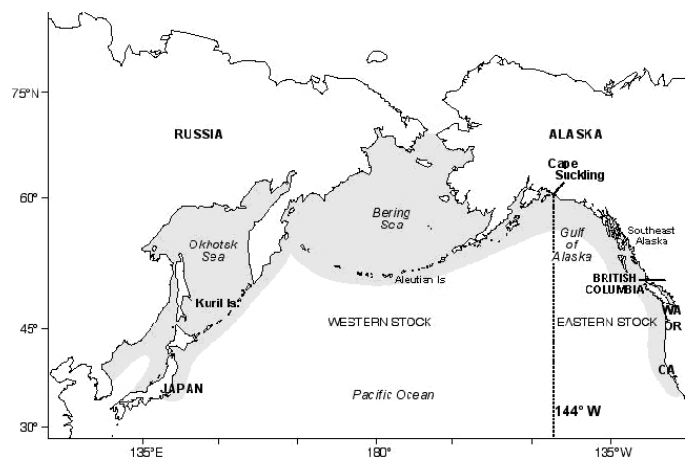


Figure 1. Steller Sea Lion Distribution

The potential impacts of the alternatives will be assessed and the results of the analyses will be documented in the Draft EIS, which the public will have an opportunity to review. Comments on the Draft EIS received from agencies and the public will be considered and incorporated, as applicable, into the Final EIS.

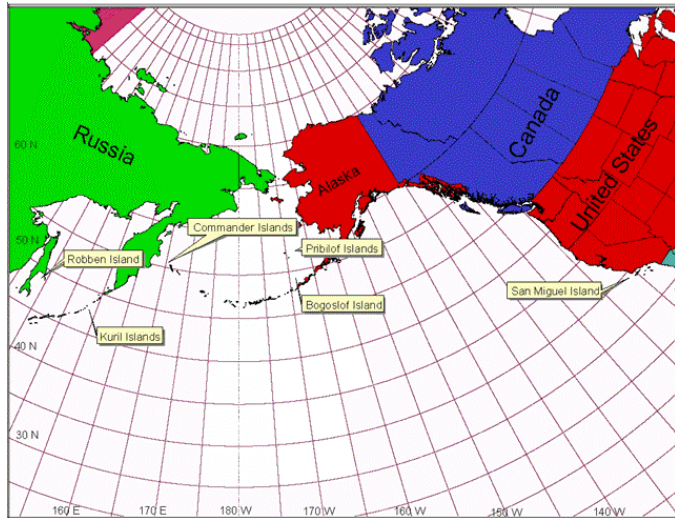


Figure 2. Northern Fur Seal Breeding Sites

What preliminary factors will be evaluated in the EIS?

The following factors were identified for evaluation in the EIS. Additional issues identified through the scoping process will be analyzed and considered in the EIS.

- Types of Research Needed
- Level and Effectiveness of Research Effort
- Coordination and Monitoring of Research
- Qualifications of Researchers
- Effects of Research on Marine Mammals
- Alternative Methods for Research

How can you participate in the project?

Public Scoping Meetings: Listening to the Public

There are several opportunities to participate in the Steller Sea Lion and Northern Fur Seal Research EIS process. Three public scoping meetings will be held to present information to the public and obtain input. The scoping meetings will combine an informational open house with a brief presentation that provides an overview of the plan purpose, objectives, and schedule. A question, answer, and comment session will take place after the formal presentation towards the end of the meeting.

The public scoping comment period will be open until February 25, 2006. Comments may be submitted by e-mail, fax, or by letter to the address provided at the end of this newsletter. Details for the public scoping meetings are provided below, and will be announced through media releases and the project web page at <http://www.nmfs.noaa.gov/pr/permits/eis/steller.htm>.

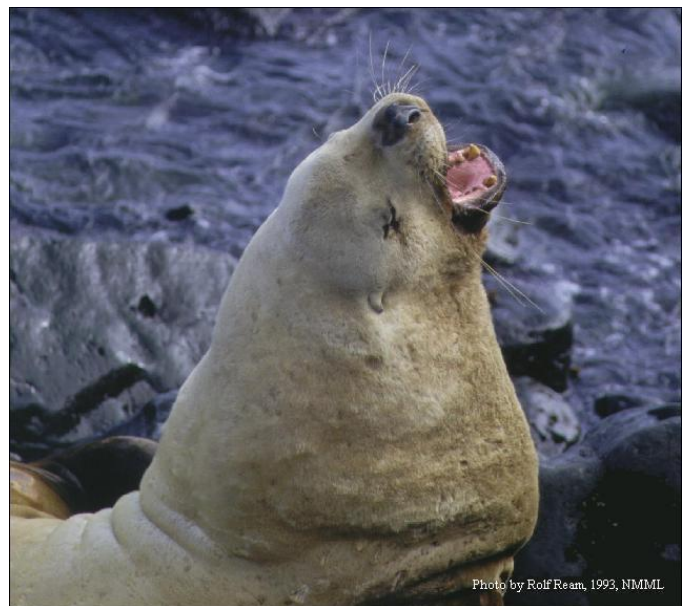
Your comments are important to us, particularly at this early stage of the process.



Northern Fur Seals

Other Avenues for Public Involvement

The preaddressed comment form accompanying this newsletter can be used to submit written comments at any time during the scoping period, until February 25, 2006. Comments received from the public during scoping will be reviewed and incorporated, as applicable, into developing the EIS.



Steller Sea Lion

Photo by Rolf Ream, 1993, NMML

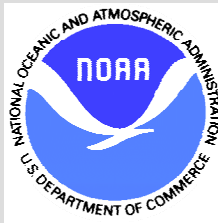
Once the Draft EIS is complete, the document will be released to the public to review for a period of 90 days. During the review period, NOAA Fisheries Service will conduct public hearings to accept comments on the Draft EIS document. Public testimony, written or faxed comments, and e-mailed comments will be accepted during this period. NOAA Fisheries Service will maintain a mailing list throughout the process. Informational materials will be distributed to those on the mailing list. A project website will be maintained and updated at

<http://www.nmfs.noaa.gov/pr/permits/eis/steller.htm> throughout the course of the project.

PUBLIC SCOPING MEETINGS		
Please Attend!		
Silver Spring, Maryland	Seattle, Washington	Anchorage, Alaska
January 18, 2006	January 20, 2006	January 23, 2006

We encourage you to take an active part in the Steller Sea Lion and Northern Fur Seal Research EIS project. The purpose of this newsletter is to keep you informed and to allow you every opportunity to voice your opinion regarding this important project. If you require more information about the project, have any questions, or are interested in being added to (or removed from) the mailing list please contact the NOAA Fisheries Service Project Manager for the EIS at the fax or email address below. Please submit your written comments regarding the scope of the EIS to Steve Leathery, Chief, Permits, Conservation and Education Division at:

Contact information:



Permits, Conservation and Education Division
Office of Protected Resources (F/PR1)
National Marine Fisheries Service
1315 East-West Highway, Room 13705,
Silver Spring, MD 20910-3226,
Fax: 301-427-2582 or e-mail at: ssleis.comments@noaa.gov.

URS Corporation
2700 Gambell Street, Suite 200
Anchorage, Alaska 99503

Stephen L. Leathery
Chief of the Permits, Conservation, and Education Division
Office of Protected Resources
NMFS 1315 East-West Highway, Room 13705
Silver Spring, MD 20910

APPENDIX E
Public Scoping Meetings, Issues Raised, Public Scoping Comments

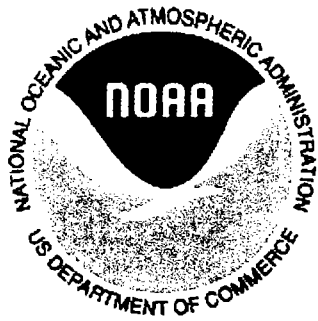
Minutes

Meeting Type: SSL/NFS Research EIS Scoping Meeting
Date: 01/18/2006
Time: 1:00 pm – 4:00 pm
Location: National Oceanic and Atmospheric Administration Building 4
Attendees: See sign-in sheet attached.

On January 18, 2006, representatives of National Marine Fisheries Service (NOAA Fisheries) and their contractor, URS, conducted a Public Scoping Meeting at NOAA Building 4 in Silver Springs, MD to provide a briefing on the Steller sea lion and northern fur seal research environmental impact statement, and to identify issues that should be addressed in the planning and permitting process. Twenty people attended the public meeting. For a full transcript of this meeting, please see the attachment.

- **Jennifer Gannett (Human Society of the United States [HSUS]) – *Formal Comment***

An environmental impact statement (EIS) should have been completed prior to issuing permits. NOAA Fisheries is limiting what will be analyzed in the EIS. NOAA Fisheries should identify and prioritize research needs in the EIS and coordinate research. The appropriate level of research (i.e., demographics, population) and the power of analysis/criteria should be developed before granting permits. The most common methodologies for marine mammal research should be used so there are minimal adverse effects on the species. Only vets should administer anesthesia to animals subjected to research. NOAA Fisheries should neither issue nor modify permits approved or disapproved by other agencies.



11

NMFS – URS
STELLER SEA LION AND NORTHERN FUR SEAL RESEARCH EIS
PROJECT SCOPING MEETING
 January 2006
SIGN-IN SHEET



PLEASE PRINT NAME AND ADDRESS	AGENCY and DISCIPLINE	PHONE NUMBER	EMAIL ADDRESS	MAKE ORAL COMMENT ?
Karl Kohls NSG 1463 Kirby Road McLean, VA 22101	North Star Group	703-442 -0355	kohls@northstargrp.com	No
John Harrington 1200 Pennsylvania Ave Wash DC 20460	EPA	202 564 7148	Harrington.Matt@epa.gov	no
Jennifer Bennett	HSUS	202 676 2526	jbennett@hsus.org	yes
Sara Orr	Latham + Watson	202 637 2364	sara_orr@lw.com	no

Silver Spring 1/18/06



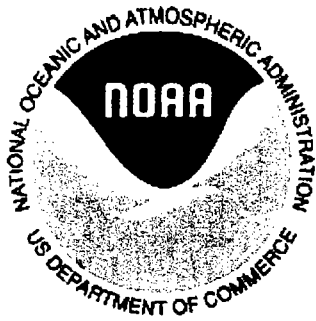
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NMFS – URS
STELLER SEA LION AND NORTHERN FUR SEAL RESEARCH EIS
PROJECT SCOPING MEETING
 January 2006
SIGN-IN SHEET



PLEASE PRINT NAME AND ADDRESS	AGENCY and DISCIPLINE	PHONE NUMBER	EMAIL ADDRESS	MAKE ORAL COMMENT ?
<p>①</p> <p>Mollie Farrell</p>	Cathram + Watkins	202 637 2153	mollie_farrell@lw.com	no
Sebastian O'Kley	Roberts, Monaghan & Eastaugh	703-527-4417	faspon@fomea-dc.com	no
PETER JONES	NOAA/AK12	907 586-7280	pete.c.jones (As) noaa.gov	no
David Palmer	Cathram + Watkins	202-637-1073	david.palmer@lw.com	No

Silver Spring 1/18/06



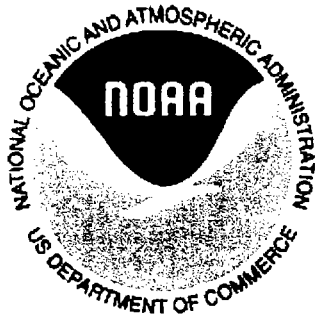
NMFS – URS
STELLER SEA LION AND NORTHERN FUR SEAL RESEARCH EIS
PROJECT SCOPING MEETING
 January 2006
SIGN-IN SHEET

(3)



PLEASE PRINT NAME AND ADDRESS	AGENCY and DISCIPLINE	PHONE NUMBER	EMAIL ADDRESS	MAKE ORAL COMMENT ?
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Silver Spring 1/18/06



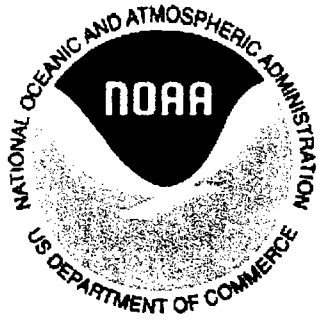
NMFS – URS
STELLER SEA LION AND NORTHERN FUR SEAL RESEARCH EIS
PROJECT SCOPING MEETING
 January 2006
SIGN-IN SHEET

4

URS

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PROJECT SCOPING MEETING
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URS

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Silver Spring 1/18/06

OFFICE OF PROTECTED RESOURCES

NOAA FISHERIES

NATIONAL MARINE FISHERIES SERVICE

+ + + + +

PUBLIC SCOPING MEETING

+ + + + +

ENVIRONMENTAL IMPACT STATEMENT ON

STELLER SEA LION AND

NORTHERN FUR SEAL RESEARCH

SILVER SPRING, MARYLAND

+ + + + +

The question-and-answer period of the public scoping meeting commenced on January 18, 2006, at 3:00 p.m., in the auditorium of the National Oceanic and Atmospheric Administration, 1301 East West Highway, Silver Spring, Maryland, Jon Isaacs, URS, presiding.

Moderator:

Jon Isaacs, URS

Presenters:

Stephen Leathery, National Marine Fisheries Service

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Tammy Adams, National Marine Fisheries Service

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1
2
3 MODERATOR ISAACS: Please give us your name for
4 the record and who you represent, and that will help our court
5 reporter.

6 MS. BENNETT: Hi. My name is Jennifer Bennett, and
7 I represent the agency, the Humane Society of the United States.

8 Thanks for providing the opportunity so that we can
9 briefly comment on the scope of the upcoming EIS. We'll be providing
10 more extensive written comments at a later date, by the end of the
11 comment period.

12 I'd like to start off by saying that the agency believes
13 that this process should have been undertaken prior to issuing permits
14 to conduct intrusive research on Steller Sea Lions.

15 Because of the large number of animals that are
16 affected, and the number of procedures to which they will be
17 subjected, and are being subjected, NMFS must evaluate a number of
18 areas to assure that the research does not harm the very animals that
19 you are required to protect.

20 We believe that answer is erred, in limiting the options
21 under analysis, and our written comments will suggest other
22 considerations.

23 The proposed action would grant permits to conduct
24 research determined to be critical to the conservation of Steller Sea
25 Lions and Fur Seals, and permit lower priority only if there is no
26 adverse impact.

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1 While on its face this appears to be a reasonable
2 alternative, this alternative is only reasonable if specific questions are
3 addressed in the EIS that were not asked in the scoping questions.
4 For example, the EIS should address how NMFS will identify which
5 questions are, indeed, the most critical. As it stands, this nebulous
6 alternative could allow permit applicants themselves to identify for
7 themselves the critical needs in the recovery of conservation plans.
8 NMFS should identify and prioritize the most critical needs prior to
9 granting the permits.

10 Applicants should have to specify how their research
11 will address the critical need and why their chosen methodology is
12 more appropriate if there are other less intrusive approaches to
13 addressing the question. This will also aid in efforts to coordinate
14 research and ensuring minimal effect.

15 In addition, the EIS should identify the level of
16 research that is appropriate and the appropriate demographic classes
17 and temporal and spatial bounds for research to address those
18 questions.

19 A power analysis for particular research questions
20 and/or methodologies should be done before granting permits for
21 invasive research and sampling.

22 NMFS cannot continue to do this on an ad hoc basis.
23 We support convening a research panel with outside experts who can
24 assist in clarifying the most appropriate research design and ensure it
25 is not marred by self interest.

26 In terms of coordination of research, permits should

1 not be issued for Alaska-wide research until and unless there is a
2 written plan indicating how multiple permittees will coordinate their
3 studies and ensure that that research will cover appropriate times,
4 area, and demographic classes, and is not duplicative.

5 The EIS should evaluate all of the most common
6 methods of providing insight into important food habits. Research and
7 methodology should be evaluated as to how effective they are in
8 providing key information with minimal adverse effects, and how they
9 can be used in combination with each other.

10 We believe that only veterinarians should administer
11 anesthesia. This will ensure that distressed animals receive
12 appropriate care and to prevent serious injury or mortality.

13 As you know, some permittees have requested half a
14 dozen or more modifications to a single permit in less than a year.
15 Changing protocol makes it difficult to standardize results. No permit
16 should be modified until and unless the permittee demonstrates that
17 the modification will not invalidate results from previous or ongoing
18 studies.

19 NMFS should neither issue nor modify permits that
20 other agencies, such as APHIS, the Animal Plant Health Inspection
21 Service, has recommended for denial.

22 MODERATOR ISAACS: About 13 seconds.

23 MS. BENNETT: Thank you.

24 Permittees who do not comply with permit conditions,
25 such as timely submission of reports, should have permits suspended.
26 If there are declines in the number of species in Alaska, the EIS

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1 should discuss the need for appropriate ecosystem research that may
2 not depend on synoptic and intrusive research directed at a single
3 species or two species. The problems are much broader than Steller
4 Sea Lions and Fur Seals, and appropriate management action cannot
5 be taken without a more holistic approach to research.

6 I appreciate the opportunity to comment and will be
7 submitting more involved written comments before the end of the
8 comment period.

9 Thank you.

10 MODERATOR ISAACS: Thank you very much.

11 Is there anybody else in the audience who would like
12 to testify at this point in time?

13 Okay, seeing none, then what we'll do right now is,
14 we will suspend the public hearing, and the process is that we will be
15 here for another hour. So, if you think about this, you are listening,
16 you want to testify, just let us know, we will reopen the public hearing
17 and take down the comments.

18 At this point in time, we'd like to maybe see if there is
19 any questions that Steve might be able to answer, or at least take note
20 of on an informal basis.

21 Do we have any questions that you might want to ask
22 of Steve, about the NEPA process or anything else that we are going
23 to be doing? Now is a good time to capture his attention.

24 MR. LEATHERY: So again, this is an informal
25 question and answer session that's not in the formal record of
26 scoping, but in other scoping meetings we've opened up an informal

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1 question and answer period just to help inform the interested public.

2 There's no bad questions, be glad to take questions
3 on permit process, or the research at hand, or anything at all.

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14 Well, I guess seeing none then what we'll do is, we'll
15 be around here, if you have informal questions, we can either go back
16 to the board and discuss something informally, and again, if someone
17 wants to testify just let us know and we'll reopen the public hearing to
18 take it down for the record.

19 But, otherwise, thank you very much for coming
20 today. Hopefully, we've given you some of the information you need
21 to participate in the scoping process, and we appreciate all your
22 attendance.

23 Okay, thank you.

24 MR. LEATHERY: Thank you.

25 (Whereupon, the above -entitled matter was
26 concluded at 3:05 p.m.)

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Minutes

Meeting Type: SSL/NFS Research EIS Scoping Meeting
Date: 01/20/2006
Time: 4:00 pm – 7:00 pm
Location: Alaska Fisheries Science Center Building 9
Attendees: See sign-in sheet

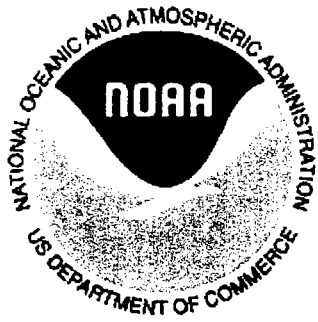
On January 20, 2006, representatives of National Marine Fisheries Service (NOAA Fisheries) and their contractor, URS, conducted a Public Scoping Meeting at the Alaska Fisheries Science Center Building 9 in Seattle, WA to provide a briefing on the Steller Sea Lion (SSL) and Northern Fur Seal (NFS) Research Environmental Impact Statement (EIS), and to identify issues that should be addressed in the EIS process. For a full transcript of this meeting, please see the attachment.

- **Will Anderson (self) – Formal Comment**

Comments were submitted in the lawsuit filed with the Humane Society of the United States.

- **Dr. David Bain (University of Washington, Marine Mammal Research) – Formal Comment**

Endangered species/potential biological removal (PBR) to allow human activities. Should expand PBR dev. to include cumulative effects. Research on Steller sea lions and northern fur seals needs to be coordinated to eliminate the duplication of effort. PBR is equivalent to the total budget of impact. There are certainly tradeoffs when doing research that is invasive. One such tradeoff may be to limit invasive research, which may affect the certainty of results but be less harmful to the species. In other words, research on a threatened population rather than the endangered population may make it more difficult to determine major factors affecting the endangered population but may help reduce the impact to that endangered population. There would be less likelihood of overstressing the threatened stock than an endangered stock if research was conducted only on the threatened stock.



NMFS – URS
STELLER SEA LION AND NORTHERN FUR SEAL RESEARCH EIS
PROJECT SCOPING MEETING
 January 2006
SIGN-IN SHEET



PLEASE PRINT NAME AND ADDRESS	AGENCY and DISCIPLINE	PHONE NUMBER	EMAIL ADDRESS	MAKE ORAL COMMENT ?
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Andrea Balla-Holden	URS Corporation	(360) 769-0444	Andrea-Balla- ^{← hyphen} Holden@ ↑ underscore urscorp.com	NO
Steven K. Davis	NOAA-Fisheries AK-Region	907-271-3523	Steven.k.davis@noaa.gov	NO
WILL ANDERSON	SELF	206 715-6414	WILL@SEATTLE@COMCAST.NET	NO

AFSC Seattle Jan. 20th

1 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION,
2 (NOAA) FISHERIES
3 OFFICE OF PROTECTED RESOURCES
4 NATIONAL MARINE FISHERIES SERVICE

5
6 *****

7
8 Environment Impact Statement
9 on Steller Sea Lion and
10 Northern Fur Seal Research

11
12 Public Scoping Meeting
13 7600 Sandpoint Way, NE, Seattle, WA
14 Friday, January 20, 2006

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16 *****
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1 Appearances:
2 .
3 Jon Isaacs
4 Steven Leathery
5 Andrew Wright
6 Rich Kleinleder
7 Stan Edo
8 Anne Lee
9 Steve Davis
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1 SEATTLE, WASHINGTON; FRIDAY, JANUARY 20, 2006

2 5:30 P.M.

3 MR. ISAACS: My name is Jon Isaacs. I'm from
4 URS in Anchorage and I'm the project manager for the
5 contractor team. I'll also be the moderator for this
6 evening's meeting particularly for the public
7 testimony period.

8 What I'd like to do is introduce our team
9 that's here tonight. We have Steve Leathery who's
10 chief with the Office of Protective Resources, the
11 Education, Conservation and Permits Division. And
12 with Steve, we have Andrew Wright who is also in the
13 back here. From the URS side of the project team, we
14 have Rich Kleinleder who is one of our marine mammal
15 wildlife specialists. We have Anne Lee who is our
16 deputy project manager. A couple other folks in the
17 audience, Stan Edo who's a NEPA coordinator with the
18 Alaska Sealife Center --

19 MR. EDO: Science Center.

20 MR. ISAACS: Science Center, excuse me.
21 There's a foreordain slip. Alaska Fisheries Science
22 Center. We have Steve Davis who's with the Alaska
23 Region and the NEPA coordinator there, who's also a
24 key member of the team.

25 So, again, welcome. We're going to do a

1 couple things in tonight's meeting. We're going to go
2 through the general NEPA process and sort of what is
3 in the scoping period, what are some of the
4 expectations of scoping. We'll have a presentation by
5 Rich on some of the status of the stocks and the
6 research in terms of the Steller sea lions and the
7 northern fur seals and then I will talk a bit about
8 the purpose and need and some of the specifics of this
9 EIS effort.

10 So this sort of summarizes what we're going
11 to be doing tonight in our agenda. The thing to point
12 out is this is really an important part of the public
13 comment period. NEPA is a very serious process on
14 public involvement and we are really looking forward
15 to inviting comment as part of the scoping period to
16 get identification of issues, concerns, topics that
17 should be addressed in the NEPA process and so we're
18 looking forward to various forms of comment, whether
19 it's here in tonight in public testimony, whether it's
20 using the e-mail site, whether it's sending in written
21 comment. We're looking for a wide range of
22 suggestions on what this NEPA document should
23 consider.

24 This is the second of three scoping meetings.
25 Our first scoping meeting was in Washington, DC on

1 Wednesday afternoon and then our third scoping meeting
2 is going to be in Anchorage on Monday evening in
3 conjunction with the marine symposium that's going to
4 be going on there.

5 As far as our scoping meeting procedures go,
6 we ask you to sign in at the registration table for a
7 couple reasons. One is to put you on our mailing list
8 and so you'll receive newsletters, you'll receive
9 updates when we send out a form asking for what format
10 you might want the draft EIS in. We'll send those
11 cards to folks. We'll also use it as our basis for
12 the record for the public comment period and if you
13 want to testify, I'll be using that to call people up
14 in the order they've signed up. Written comments, if
15 you have them with you, they can be turned in today
16 but, again, our written comment deadline will be the
17 25th of February, and I'll talk about that a little
18 bit later.

19 You might notice that we have a court
20 reporter with us today and we're going to be recording
21 transcripts of today's meeting. We're also going to
22 audio tape it so we have it for the public record and
23 we'll be using that to evaluate the scoping comments
24 and include the results in the scoping report.

25 So, with that, I'd like to turn it over to

1 Steve Leathery to talk about the NEPA process.

2 MR. LEATHERY: Hi. Thank you all for coming
3 tonight. Thanks for the introduction. I -- I'm Steve
4 Leathery and I'm in charge of the Permitting Division
5 and Protected Resources and Headquarters and we issue
6 permits nationally for endangered species and marine
7 mammals that are under the jurisdiction of the
8 National Marine Fisheries Service, and my division
9 also issues incidental take authorizations under the
10 Marine Mammal Protection Act for activities in the
11 coastal marine environment that may adversely affect
12 marine mammals.

13 The purpose of the National Environmental
14 Policy Act, you can read the text there, it's was
15 enacted to ensure that the federal government disclose
16 the activities that it's -- it's preparing to -- to do
17 that would have environmental impacts and requires a
18 consideration of a reasonable range of alternatives
19 and the -- in analysis, the impact of those
20 alternatives and then a selection of an alternative.
21 It's really a sunshine law that requires the federal
22 government to disclose the activities that it's going
23 to conduct that may affect the environment, and that's
24 both adverse effects and beneficial effects.

25 Requirements of NEPA, as I -- I mentioned,

1 are to assess the environmental impacts of proposed
2 agency actions, consider environmental consequences
3 early in the process, and to -- and to reduce, prevent
4 or minimize environmental damage and to seek out
5 public comment and involvement throughout this
6 process.

7 It does not dictate what the decision should
8 be. It -- it requires a full disclosure. It's
9 basically a Sunshine Act.

10 The federal action in this case is the
11 National Marine Fisheries Service is responsible under
12 several statutes for the management of Steller sea
13 lions and northern fur seals. It would be under the
14 Endangered Species Act and the Marine Mammal
15 Protection Act. And our administration of grants to
16 fund this research and issuing permits to regulate the
17 research is the activity under -- under consideration
18 and that's for both Steller sea lion research and
19 northern fur seal research.

20 NOAA policy is to prepare EIS for agency
21 actions that are subject to significant public
22 controversy based on the potential environmental
23 consequences, have an uncertain impact or risks to the
24 environment, establish a precedent or decision in
25 principle about future proposals, may result in

1 cumulatively significant impacts, and that may have
2 adverse effects upon endangered or threatened species
3 in their habitats.

4 In -- generically, within an environmental
5 impact statement, there's -- there's four primary
6 sections, purpose and need for the proposed action,
7 the reasonable range of -- of alternatives that meet
8 the proposed need -- the -- the purpose and need and
9 description of the effected environment and then
10 analysis of the environmental consequences of the
11 alternatives.

12 In this case, the CIS will look at the entire
13 research program for these species covering current
14 and projected granting and -- and permit activities.

15 This is the full range of factors that are in
16 a typical EIS. In -- in this case, all these will be
17 considered, but the most important that we would focus
18 on is under wildlife, the first two sub-bullets,
19 threatened and endangered species as well as marine
20 mammals, and then the last sub-bullet, the -- the
21 cumulative impacts -- the last bullet. NEPA requires
22 an cumulative impact analysis and that will be a very
23 important part of -- of this environmental impact
24 statement.

25 The next steps after the public scoping is

1 that we will review and analyze the scoping comments.
2 We plan to conduct a workshop on -- on research needs
3 and methods, and that will have some invited
4 participants and will be open to the public. After --
5 and -- and the results of that workshop will help
6 inform, along with the public scoping comments, will
7 inform the draft EIS that we'll prepare that. It will
8 identify a range of alternatives to be considered that
9 meet our purpose and need, describe the -- the
10 environment and evaluate the environmental
11 consequences of the proposed action and the
12 alternatives.

13 There will be a public comment period on
14 the -- the draft EIS and then we'll prepare a final
15 EIS. And in the final EIS, there will be a formal
16 response to comments that were raised by the public on
17 the draft EIS.

18 My staffer Tammy Adams couldn't make it on
19 this trip so at this point I'm turning it over to Rich
20 to -- to give you some more information.

21 MR. KLEINLEDER: I'm Rich Kleinleder. I work
22 with URS, so I'm going to just give a briefly overview
23 of Steller sea lion and northern fur seal, their
24 status -- management status and the type of research
25 that's been going on with these species. And, like I

1 said, it will be a brief overview so if I leave out
2 anybody's favorite factoid, you'll have to forgive me.

3 Steller sea lions were listed as -- as
4 threatened in 1990 under the Endangered Species Act
5 and there was a recovery plan initially published for
6 that species in 1993. In 1997, the -- there was two
7 stocks that were recognized. So essentially the --
8 for management purposes, there was two stocks, western
9 stock and a eastern stock divided about the 144th
10 parallel longitude. So west of the 144th is the
11 western stock and east of that, going from just east
12 of Prince William Sound down south along the Pacific
13 coast to California is the eastern stock. The western
14 stock also includes animals that are over in Russia
15 and down into Japan. This -- this action will be
16 considering just research that's going on in this U.S.

17 The western stock, the reason that they were
18 split was a major difference in -- or demonstrable
19 difference in genetics and so forth but another factor
20 was -- was that the western stock was declining and
21 the eastern stock was increasing. So it was a very
22 different population dynamic.

23 The western stock population, major decline
24 starting in the -- in the late '70s. This graph shows
25 later part of the decline -- decline -- declined in --

1 in all different sections from the Gulf of Alaska out
2 to the western Aleutians at different -- at slightly
3 different rates but throughout it's range. So it was
4 a major decline and that's -- that's why -- the reason
5 it was put on the endangered species list. In the
6 last few years, the last two surveys in 2002, 2004 has
7 shown reversal of that trend showing about a five
8 percent increase throughout -- throughout the -- in --
9 in almost all areas that have been surveyed.

10 The eastern population has been a very
11 different story starting at a lower level, but over
12 the past 20 years or so, it's been generally
13 increasing throughout it's range, except for sort of
14 central southern California where -- where the
15 population has -- has declined in some cases -- or for
16 some years but its stock, as a whole, has been -- has
17 been generally increasing.

18 The research and the recovery plan for the
19 sea lions has identified a number of potential
20 contributing factors to the population decline and has
21 identified types of research that would be important
22 for helping the -- the stock recover. Among those --
23 and these are not listed in any particular order, but
24 among those predation by killer whales, nutrition --
25 nutritional stress either brought about by combination

1 of fishing factors, ocean -- oceanographic shifts,
2 changing conditions in the -- in the ocean, parasitism
3 and disease have been looked at, and also mortality in
4 fishing in various fisheries, both U.S. fisheries and
5 foreign fisheries, including entanglement in lost
6 fishing gear.

7 So these are some of the things that the
8 research has been oriented towards trying to discover
9 the reasons for the decline.

10 Grants to do Stellar Seal Lion research in
11 the past five or six years have -- have a major
12 increase in -- in granting money related to sea lion
13 research. Some of it has been -- come through -- its
14 earmarks from congressional appropriations. Some has
15 been distributed in competitive fashion through the
16 Stellar Sea Lion Initiative. Other -- other monies
17 coming through NMFS for sea lion research has come
18 from within the -- the budget of -- of NMFS to fund
19 the research here, National Marine Mammal Laboratory.
20 Recipients are both a combination of federal and state
21 agencies as well as independent groups, especially
22 university -- university groups.

23 The permitting process is -- is a formal
24 process requiring application and justification of a
25 whole list of criteria and it goes through a

1 complicated process involving a lot of different
2 steps. I -- I won't go over all that right here but
3 there is some more information on -- on the web site,
4 NMFS web site as well as on one of the boards out
5 here. But it is a public -- they are public
6 documents. And the permitting for Steller sea lions
7 is -- applies under both the Marine Mammal Protection
8 Act permits as well as the Endangered Species Act
9 permits.

10 So these are the institutions that have
11 received permits to do work on Steller sea lions that
12 are -- they're current -- currently valid permits.

13 Type of -- the permits are very specific as
14 far as the type of activities that are allowed under
15 the given permit, and -- so for different types of
16 research functions, the permits specify a given number
17 of animals that can be affected.

18 The types of research through surveys on
19 population, essentially censusing, through use of
20 planes, marine vessels and ground surveys, scat
21 collection. Some animals are captured, temporary
22 restrained for morphometric measurements. Some
23 animals go through tissue sampling that are permitted
24 from various tissues. Body composition, a number of
25 other -- physiological measurements. Temporary and

1 permanent marking ranging from hot branding to flipper
2 tags and things of that nature. External and
3 scientific instruments -- internal scientific
4 instruments, telemetry gear, stomach intubation,
5 enemas. Removal from the wild in captivity and
6 associated studies at the Sealife Center in Steward.

7 The -- the permits, like I said, they are
8 specified for the -- a number of animals, the type of
9 procedure, the sex, age, and -- and year of the -- the
10 work and the season of the work, and it -- it varies.
11 These research programs sometimes -- some years are
12 more active than others, so this is just sort of a
13 sample of an average number of animals that may be
14 affected or that are permitted in a given year from
15 all these different research programs.

16 So, all the animals may -- in the population
17 may be disturbed through various censusing activities
18 but then a subset are -- are permitted for work doing
19 requiring capture and so forth.

20 Fur seals, there are two separate stocks
21 recognized in U.S. waters, the Easter Pacific stock
22 and the San Miguel Island stock. So the San Miguel
23 Island stock in California relatively small component
24 but the Eastern Pacific stock ranging all the way to
25 the North Pacific and into the Bering Sea. Eastern

1 Pacific stock was listed as depleted under the Marine
2 Mammal Protection Act in 1988. The San Miguel Island
3 stock is not listed as depleted. That stock has --
4 has been increasing. That's why it's not as depleted.

5 Eastern Pacific stock has undergone
6 substantial decline in -- in -- as a little -- in
7 contrast to Steller sea lions, the fur seals, they're
8 very few rookeries so most of the -- most of the
9 breeding population -- most of the breeding occurs on
10 the Pribilof Islands, St. Paul, St. George. There has
11 been a increase on Bogoslof Island, that population
12 has been increasing substantially at the same time
13 that the Pribilof Island population has been
14 decreasing.

15 Some very -- some -- some similar factors to
16 the sea lion case as far as potential causes for
17 decline, but with fur seals, there was also a
18 substantial commercial harvest back in the '60s and
19 the '50s. Same source of things incidental mortality
20 in fisheries, nutritional stress, parasitism and
21 disease, predation, and then habitat degradation. And
22 it also is a -- a hunted population so the subsistence
23 harvests as well as vessel traffic.

24 These are all compon -- or potential
25 components in -- in the decline and so they have been

1 subject of research activities.

2 And so the -- the fur seals are listed as
3 depleted on the Marine Mammal Protection Act but the
4 Endangered Species Act so permits issued for them for
5 research are just under the MMPA, and these are the
6 recipients of a -- they're current permit holders for
7 doing research on wild animals.

8 So there are other -- other permits for
9 laboratory work but from tissue samples that are --
10 are collected from subsistence harvests and other --
11 other incidental mortality.

12 And they're really very similar types of
13 research on -- on northern fur seals, different
14 methodologies, but same types of things that are going
15 on with these species but on a much smaller scale than
16 the sea lions.

17 Okay.

18 MR. ISAACS: Thanks, Bruce.

19 What I'd like to do now is finish up this
20 with information on the specific need to action before
21 us in talking about the proposed action. What is the
22 preliminary purpose and need. What are some of the
23 issues we've identified preliminarily and what sort of
24 information we're looking for feedback from the
25 public.

1 I think as Steve indicated that proposed
2 action before us is to facilitate conduct of research
3 activities related to conservation and recovery of
4 Steller sea lions and northern fur seals by awarding
5 grants and issuing permits to qualified individuals
6 and institutions.

7 And, again, there's some key words in here in
8 terms of looking at research related to conversation
9 and recovery and looking at awarding grants and
10 issuing permits to qualified -- qualified individuals
11 and institutions.

12 We put together a preliminary purpose and
13 needs statement to start with scoping and what we'll
14 be doing is we will be revisiting that purpose and
15 need statement after we get the scoping comments in.
16 But for the purpose of helping the public understand
17 the purpose and need of the proposed action, this is
18 where we're starting from.

19 The purpose is to award grants and assist in
20 funding of activities identified by Congress or NMFS
21 as important for management of protected species and
22 to issue permits to provide an exemption from Marine
23 Mammal Protection Act and Endangered Species Act
24 prohibitions on take for conduct from bona fide
25 scientific search and enhancement activities.

1 The preliminary need is to facilitate
2 research needed to identify, evaluate or resolve
3 conservation problems for the species and that
4 information from this authorized research is needed by
5 NMFS to identify natural and anthropogenic factors in
6 limiting populations of stocks, in identifying
7 reasonable actions to minimize impacts of human
8 activities and to promote recovery of those stocks.

9 So why are permits needed for research? What
10 the permits do is they allow researchers specific
11 exemptions from the prohibitions of takes as defined
12 under the Endangered Species Act and the Marine Mammal
13 Protection Act.

14 And the way they define takes, there are some
15 silimit -- some similarities and slight differences.
16 Both of them prohibit takes of threatened and
17 endangered species and the marine mammals
18 respectively. ESA defines take as to harass, harm,
19 pursue, hunt, shoot, wound, kill, trap, capture or
20 collect or attempt to engage in any such conduct,
21 whereas the Marine Mammal Protection Act defines take
22 as to harass, hunt, capture, collect or kill or
23 attempt to harass, hunt, capture or collect or kill
24 under any marine mammal. So, again, the permits that
25 are issued by NMFS provide an exception to these

1 prohibitions.

2 We've come up with some preliminary
3 environmental issues that we see need to be addressed
4 in the EIS. And, again, the purpose of scoping is we
5 are looking from the public what should be the issues
6 and the concerns that the EIS should address both in
7 terms of the alternatives considered and in terms of
8 the potential environmental consequences that we're
9 going to analyze.

10 Among the issues are what are the information
11 needs of NMFS for the conservation of the species,
12 what type of information do they need for management,
13 or do the types and the amounts of research activities
14 that should be permitted, what mitigation measures
15 should be identified and used as conditions on issuing
16 permits, and then what are the cumulative impacts of
17 research activities taken in conjunction with things
18 like subsistence, commercial fishing and natural
19 environmental factors on northern fur seals, on
20 Steller sea lions and on the environment.

21 There's a number of specific questions that
22 NMFS is asking the public to help answer and this is
23 something that's being used not only for this project
24 but for other research activities that NMFS is
25 permitting and doing NEPA compliance on.

1 The first is the types of research. Things
2 we would like to hear from people on are, are there
3 critical research needs that are not already
4 identified in the species' Recovery and Conservation
5 Plans? If so, what are those research needs and how
6 will they benefit the species?

7 What are the most appropriate methods to
8 obtain the information required by the Recovery and
9 Conservation Plans? Are there alternative methods we
10 should -- should be considering? What should be the
11 level of research effort? How much of a specific
12 activity, such as hot branding, is enough for
13 management and conservation needs? Can there be too
14 much? Should NMFS set limits in some of these
15 activities? Should there be different standards or
16 more restrictions for research on certain
17 age/sex/reproductive classes or life history stages?
18 If so, for what classes, what stages, what should
19 those limitations be?

20 Coordination of research. What are the most
21 appropriate mechanisms to ensure that research is
22 coordinated and there's not duplicative research?
23 Should NMFS limit the number of permits to increase
24 coordination? If so, how should this be accomplished?
25 Should researchers operating under different permits

1 be required to use the same or similar methods? If
2 so, what methods are the most appropriate for
3 different research categories? How should NMFS
4 compare data from different permit holders when making
5 management decisions?

6 Qualifications of researchers. How much
7 expertise and prior experience should a permit
8 applicant, principal investigator or anybody else have
9 with the specific methods for which they seek a
10 permit?

11 And what are the effects of research? NMFS
12 will be assessing the possible effects of the various
13 research methods in this EIS. Anyone who has relevant
14 information they believe NMFS should consider should
15 provide a complete reference or citation. NMFS is
16 also seeking recommendations for study designs that
17 could detect or predict the effects of research
18 activities on Steller sea lions and northern fur
19 seals.

20 So we're going to get ready for the public
21 hearing portion of this and I want to go over the
22 process for oral comments and a few other
23 administrative procedures.

24 NMFS is in the process of issuing a
25 supplemental notice of intent. The original notice of

1 intent had a public comment deadline of February 13th
2 and we've decided to extend that comment deadline to
3 February 25th so that the supplemental notice of
4 intent I think is going to be in the Federal Register
5 relatively shortly.

6 The same procedure that we're using for all
7 these scoping hearings is o people sign in at the
8 registration table. Again, that gives us a list of
9 people who have signed up and we'll call people in the
10 order that they've signed up for testimony.

11 Everyone has four minutes to offer the oral
12 comments. Typically what I do is, as you're
13 approaching your four minutes, maybe 15 seconds left,
14 I'll let you know you have about 15 seconds left and
15 ask you to please wrap up. If you go a little bit
16 over, no big deal but we'd like you to try to respect
17 the four-minute limit.

18 And we have a court reporter here so we'll be
19 recording the meeting both with a transcript and with
20 an audiotape to make sure that we have accurate and
21 complete record. We've used those for analyzing the
22 scoping comments and those will be part of the scoping
23 report which will be available on the web site for
24 public review.

25 In addition to oral comments, you could also

1 submit written comments and you're not limited to one
2 form of comment. In many cases, the best thing to do
3 with oral comments is to summarize your main points
4 and then submit more detailed written comments.

5 If you have written comments, your options
6 are, if you have them today, we'll be glad to take
7 them. You can hand them in to us. We have comment
8 sheets here at the meeting and I think we also have
9 comment sheets on the web site, if I'm not mistaken,
10 and those can be filled out and turned in. You can
11 send them in by e-mail and the e-mail address is
12 ssleis.comments@noaa.gov. Anything that's submitted
13 by e-mail, anything that's turned in in written
14 comments needs to be in by the 25th of February.

15 We also have a NOAA web page. The address is
16 up here and you can take a look at that for additional
17 information. We will be posting the scoping report to
18 that web site. We will be putting newsletters on the
19 web site. Other project information will go on it.
20 The draft EIS will be on it and will be downloaded by
21 PDF, so that will be a very good source to check and
22 keep up on the status of the project.

23 If you're interested in the copy of the EIS,
24 you can register here and you can check the avail --
25 availability on the web site and I think for people

1 who are on the mailing list, we'll also be sending a
2 card close to the period in time that the EIS is out
3 to see if you want a hard copy or you want it in a CD
4 format.

5 Probably don't think we need a five-minute
6 break. But I've got a feeling is we have maybe one
7 person who signed up to testify, is that a good guess?

8 MS. LEE: Uh-huh. Yes, we do.

9 MR. ISAACS: Okay. So let me go ahead and
10 get the -- the sign-in sheet. And what I will do,
11 even though we have one person set up to testify, I'm
12 going to ask if anybody else in the audience who would
13 like to testify, have you sign in.

14 When the testimony is finished, what we'll do
15 is temporarily suspend the public hearing and then we
16 will probably have an informal question and answer
17 period, if you have some questions for Steve and other
18 folks here.

19 We will certainly be here through the end of
20 the published notice of 7:00 o'clock so if you change
21 your mind or somebody else comes in, we'll reopen the
22 public hearing to take testimony.

23 When I ask you to testify, if I could have
24 you state your name and if you're representing an
25 organization for the record to help out the court

1 reporter.

2 So the only person signed up on the list is
3 David Bain. David, if you could come to the
4 microphone here and, again, just state your -- your
5 name for the record and you have four minutes, so
6 thank you.

7 MR. BAIN: Okay. I'm Dr. David Bain and I'm
8 not representing any organization.

9 Populations end up on the endangered species
10 list when their potential for long-term survival has
11 become impaired. NMFS has developed the concept of
12 potential biological removal to try to strike a
13 balance between allowing human activities to continue
14 and the population to recover without further
15 impairment and cumu -- or PBR was originally developed
16 to deal with fishery situations when the removals were
17 from immediate injuries or death, however, I think we
18 should expand that concept to include cumulative
19 effects.

20 And in that light, when we're looking at
21 issuing research permits, factors like the level of
22 effort will determine and what the contribution to the
23 cumulative effect is. Also, how well researchers
24 coordinate their efforts and avoid duplication of
25 effort will impact the cumulative effect.

1 When -- well, we can think of potential
2 biological removal as a total budget for all human
3 impacts on a species attempting to recover. And when
4 we're weighing the value of research projects, there
5 are a number of things we should consider.

6 One, what is the probability that the factor
7 addressed in the research influences the probability
8 that the population will recover? Given the
9 competence of the researchers, what is their
10 probability of success in determining whether that
11 factor is relevant? Even if the research is
12 successful, what is the probability that it will
13 result in the management action that will have an
14 impact on the probability that the population will
15 recover? And in making such decisions, we need to
16 consider tradeoffs of sample size versus certainty in
17 the results, invasiveness versus certainty -- or
18 versus the certainty in the results.

19 When we're weighing the costs of a research
20 project, we need to consider what the costs are, and
21 there are a couple of different ways of looking at
22 this. One is if you do your research on animals that
23 are permanently in captivity anyway, there won't be
24 any cost to the wild population. If you do the work
25 with the threatened population, that's less likely

1 that the results will be as costly as if you did the
2 work on an endangered population.

3 MR. ISAACS: About 15 seconds.

4 MR. BAIN: Okay. Two other points.

5 And we need to consider the relationship
6 between the type of research and its effect on the
7 survival and reproduction of the species. And,
8 finally, we need to consider the reproductive value of
9 the individuals influenced.

10 For example, a stranded animal or a young pup
11 is likely to die before contributing to future
12 reproduction of the population. Older individuals are
13 less likely to contribute to the future
14 reproductive -- reproductive value of the population
15 and we may find females are more important to future
16 reproduction than males are.

17 Thank you.

18 MR. ISAACS: Thank you, David.

19 Is there anyone else here who hasn't signed
20 up who would like to testify tonight?

21 Okay. Seeing and hearing none, then what
22 we'll do is we'll suspend the public hearing portion
23 of it. Again, if someone here who would like to
24 testify and you change -- testify and you change
25 your mind, please let us know and we'll open it back

1 up to take your testimony.

2 (Whereupon the Public Scoping Meeting

3 concluded at 6:05 p.m.)

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CERTIFICATE

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I, Cynthia A. Kennedy, do hereby certify
that pursuant to the Rules of Civil Procedure, the
witness named herein appeared before me at the
time and place set forth in the caption herein;
that at the said time and place, I reported in
stenotype all testimony adduced and other oral
proceedings had in the foregoing matter; and that
the foregoing transcript pages constitute a full,
true and correct record of such testimony adduced
and oral proceeding had and of the whole thereof.

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IN WITNESS WHEREOF, I have hereunto set
my hand this 3rd day of February, 2006.

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Signature Expiration Date

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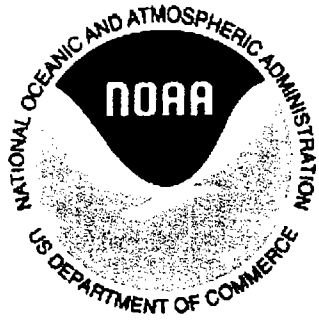
Minutes

Meeting Type: SSL/NFS Research EIS Scoping Meeting
Date: 01/23/2006
Time: 5:00 pm – 8:00 pm
Location: Anchorage, AK
Attendees: See sign-in sheet

On January 23, 2006, representatives of National Marine Fisheries Service (NOAA Fisheries) and their contractor, URS, conducted a Public Scoping Meeting at the Hilton Hotel in Anchorage, AK to provide a briefing on the Steller Sea Lion (SSL) and Northern Fur Seal (NFS) Research Environmental Impact Statement (EIS), and to identify issues that should be addressed in the planning and permitting process.

- **Larry Merculieff (Alaska Native Science Commission, Deputy Director) – *Formal Comment***

Bering Sea Forum has been instrumental. Papers calling for cooperation and coordination in Bering Sea research. Bering Sea Summit of Indigenous Peoples. The Aleuts were the first to flag ecosystem problems in the Bering Sea in 1977. The Aleuts are never given attribution for their contribution. Two websites of interest include: www.nativeknowledge.org and www.nativescience.org. Not sure about implications of doing an EIS rather than an EA, or combining SSLs and NFSs. This approach may unnecessarily delay research. He was the first to report that a third decline of NFSs would occur. An EA should be adequate for both species. Alaska Natives must be involved in the development of the document because they are the only stakeholders with a nutritional stake since they consumers of both species. Do not ignore their knowledge of the species. The state of Alaska must be partners in research efforts and provide some financial assistance. The research on SSL and NFS should be kept separate. Research questions and management should include Russia – this half of the population cannot be ignored.



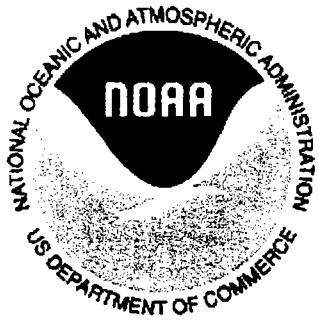
NMFS – URS
STELLER SEA LION AND NORTHERN FUR SEAL RESEARCH EIS
PROJECT SCOPING MEETING
 January 2006
SIGN-IN SHEET

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URS

ANCHORAGE 1-23

PLEASE PRINT NAME AND ADDRESS	AGENCY and DISCIPLINE	PHONE NUMBER	EMAIL ADDRESS	MAKE ORAL COMMENT ?
Denna Willaja	The AK Sea Otter & Steller Sea Lion Comm. (TASSC)	907 274-9799	dwillaja@seaotter- sealion.org	
Beate Litz	Alaska Sealife Center (ASLC)		beate_litz@alaskasealife.org	
Shannon Atkinson	ASLC		shannon-atkinson@alaskasealife.org	
Doug DeMaster	AFSC		douglas.demaster@noaa.gov	



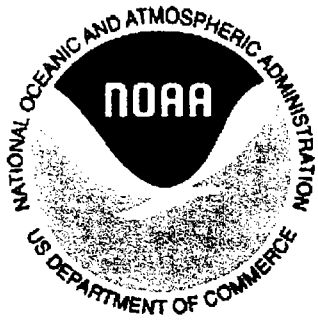
NMFS – URS
STELLER SEA LION AND NORTHERN FUR SEAL RESEARCH EIS
PROJECT SCOPING MEETING
 January 2006
SIGN-IN SHEET

(2)



ANCHORAGE 1-23

PLEASE PRINT NAME AND ADDRESS	AGENCY and DISCIPLINE	PHONE NUMBER	EMAIL ADDRESS	MAKE ORAL COMMENT
Larry Mercuriuff 429 E Sr. Anchorage, AK 99501	Alaska Native Science Commission	907-258- 2672	lmercuriuff@aknsc.org	?
Bill Wilson NPFMC 605 W. 4th Ave. Suite 306 Anchorage 99501	North Pacific Fishing Mgt. Council	907.271 .2809	bill.wilson@noaa.gov	→ yes
JO-ANN MELUSH ASLC IWA PO BOX 1329 SEWARD AK 99664	ASLC IWA Biologist			
Jamie Thornton ASLC POB 1329 Seward, AK 99664	ASLC Researcher			
Marina Lindsey NOAA Fisheries PO Box 21668 JNU 99802	NMFS	586 7213	marina.lindsey@noaa.gov	



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PROJECT SCOPING MEETING
 January 2006
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PLEASE PRINT NAME AND ADDRESS	AGENCY and DISCIPLINE	PHONE NUMBER	EMAIL ADDRESS	MAKE ORAL COMMENT
Sheela McLean	NOAA Fisheries	586 7032	sheela.mclean@noaa.gov	NO ?
Steve MacLean	The Nature Conservancy	276-2133	smaclea@tnc.org	NO
Margaret Williams	World Wildlife Fund	279- 5504	margaret.williams@ wwf-us.org	
MIKE WILLIAMS	NOAA FISHERIES	271-5006	Michael.williams@ noaa.gov	NO
TYLAN SCHROCK	ALASKA SEA LIFE CENTER	907 224.6319	tylan-schrock@alaskasealife.org	



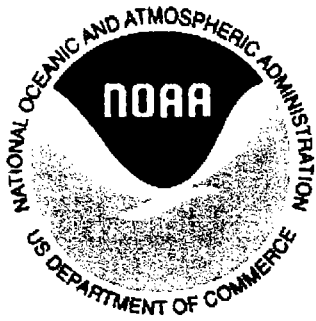
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PROJECT SCOPING MEETING
 January 2006
SIGN-IN SHEET

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ANCHORAGE 1-23

PLEASE PRINT NAME AND ADDRESS	AGENCY and DISCIPLINE	PHONE NUMBER	EMAIL ADDRESS	MAKE ORAL COMMENT ?
Don Calkins RSB Alaska SeaLife Center Seward AK	ASLC Steller Sea Lion and Northern Fur Seal Program Manager	907-224 6325	don_calkins@alaskasealife.org	
Kate Wynne Univ Alaska Fairbanks 118 Trident Way Kodiak AK 99615	UAF	907- 486-1517	kkmw@uaf.edu	
Clark Lee Merriam 710 Settlers Hdg Rd Hampton VA 23669	Coastal Society	757-722- 9300	cmerriam@coastalsociety.org	
Lowell Fritz	NMFS NMML	206-546 4246	lowell.fritz@noaa.gov	



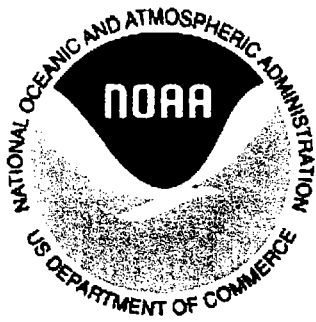
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January 2006
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ANCHORAGE 1-23

PLEASE PRINT NAME AND ADDRESS	AGENCY and DISCIPLINE	PHONE NUMBER	EMAIL ADDRESS	MAKE ORAL COMMENT ?
Lianna Jack 6239 B St Ste 204 Anchorage AK 99524	TASSL	907- 274- 9799	ljack@sealotter-sealion.org	N



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PROJECT SCOPING MEETING
January 2006
SIGN-IN SHEET



ANCHORAGE 1-23

PLEASE PRINT NAME AND ADDRESS	AGENCY and DISCIPLINE	PHONE NUMBER	EMAIL ADDRESS	MAKE ORAL COMMENT
JOHN BENGTSON 7600 SAND POINT WAY SEATTLE, WA 98115	NMFS	206, 526, 4016	JOHN.BENGTSON@NOAA.GOV	? NO

1 NOAA
2 PUBLIC SCOPING MEETING
3 Anchorage, Alaska

4 In Re:)
)
5 Environmental Impact Statement)
 on Steller Sea Lion and)
6 Northern Fur Seal Research)

)

7
8
9 TRANSCRIPT OF FORMAL TESTIMONY
10 Hilton Anchorage
 January 23, 2006
11 5:00 p.m.
12

13 APPEARANCES: MR. JON ISAACS,
 Moderator: URS
14 MR. STEVEN LEATHERY: National Marine
 Fisheries Service,
15 Silver Spring, Maryland
16 MR. ANDREW WRIGHT: National Marine
 Fisheries Service,
17 Silver Spring, Maryland
18

19 ALSO PRESENT: MS. KELLEY HARTLIEB,
 Court Reporter: Metro Court Reporting,
 Anchorage, Alaska
20

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23
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Page 2

1 (On record - 7:05 p.m.)
2 MR. ISAACS: I don't think we really need a five-
3 minute break with the number of comments we have, but let me
4 go through the comment list here and see who has signed up.
5 Now, when I call you up, if you could come up to the
6 microphone up here, it will help the court reporter out. And
7 if you could state your name for the record and who you're
8 affiliated with, and it also might help in some cases to spell
9 your name if necessary so the court reporter can take that
10 down. So it looks like first on the list is Bill Wilson.
11 Bill, you have no comments at this time?
12 MR. WILSON: No comments.
13 MR. ISAACS: Okay, Larry Merculieff.
14 MR. MERCULIEFF: Is this the reporter?
15 MR. ISAACS: Yes.
16 STATEMENT BY LARRY MERCULIEFF
17 (Speaks in Aleut) In Aleut, that means the evening
18 tastes good. My name is Larry Merculieff. I've given the
19 court reporter the testimony so she's got the spelling of my
20 name. I'm the deputy director of the Alaska Native Science
21 Commission. And I'm going to make some general comments and
22 then turn in written comments that are far more specific. But
23 by way of introduction, I was involved in Bering Sea ecosystem
24 issues for almost 30 years now and mostly as an indigenous
25 leader. I was instrumental, for example, in the formation of

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1 the International Bering Sea Forum which is composed of
2 organizations and individuals focused on conservation in the
3 Bering Sea and pursuing an international treaty. And I was
4 also instrumental in securing Call to Action papers by the
5 Departments of Interior and Commerce calling for cooperation
6 and collaboration between those two departments and focussing
7 in on research in the Bering Sea. And that was a result of a
8 meeting that we had at the White House. Then I secured
9 funding from the US State Department to mobilize a committee
10 on the Bering Sea ecosystem under the auspices of the National
11 Research Council, which was to take the best and the brightest
12 of scientists nationally to take a look at the gaps and issues
13 that need to be addressed in the Bering Sea, particular
14 dealing with Bering Sea ecosystem approaches and the problems
15 with the current science. And also I conducted the first ever
16 Bering Sea Summit of Indigenous Leaders to outline what Alaska
17 Native communities want to see in terms of research and Native
18 participation in dealing with the Bering Sea issues. And I
19 was the only indigenous representative who presented in the
20 plenary in the White House Conference on the Oceans in
21 Monterey, California in 1999. So I have some experience with
22 these issues.
23 But without equivocation, I can say that Aleuts were
24 the first ones to flag ecosystem problems in the Bering Sea in
25 numerous scientific and general policy forums, governmental

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1 forums, after Aleut people observed anomalous behavior of
2 seals, sea lions and birds, sea birds, beginning in 1977. I
3 can also say without equivocation that Aleuts were never given
4 any attribution for our observations in any scientific forum,
5 white paper or research document to this day. And that -- I'm
6 hoping that whatever research is conducted that comes out of
7 this, that attribution does take place because it hampers
8 Native people's abilities to have some credibility in these
9 scientific forums. I could say now, we pointed this out in
10 1977, that there were ecosystem problems. And we knew there
11 were problems with sea lions, we knew there were problems with
12 fur seals, we knew there were problems with sea birds, and it
13 wasn't just isolated to the Pribilof Islands. That would have
14 given us a little bit more credibility when we testify at any
15 public forum.
16 Right now I serve as the deputy director for the
17 Alaska Native Science Commission. Our primary purpose is to
18 bring together western science and traditional ways of
19 knowing, and to try to bring more participant involvement of
20 Native peoples in terms of how science is conducted. We've
21 got two websites: www.nativeknowledge.org and
22 www.nativescience.org. And we have a database on there that
23 points out all the Native resources we have through the state.
24 We are a statewide organization.
25 I've got six points. One, I'm not sure about the

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1 rationale or implications for conducting a full EIS rather
2 than an EA and combining fur seals with sea lions. I
3 understand that there are a lot of commonalities research-wise
4 between sea lions and fur seals but I think that we need to
5 examine what happens when these two are combined and we're
6 doing a full EIS. By going this route, it seems to me that it
7 may take an inordinate amount of time, in my opinion, to
8 conduct an assessment on both species before a final report is
9 out. And I maintain that this is time we do not have. I was,
10 by the way, the first one that flagged that we were going to
11 have a third decline of the fur seals and predicted that very
12 accurately based on information given to me by our people,
13 that we are going to encounter a third decline. This third
14 decline has now begun and it's going to be far more
15 precipitous than anything that's seen before, at least since
16 the 1950's. So that given this, if combining the two species
17 in an EIS will delay recommendations at research efforts, then
18 in my opinion, this is a bad idea. Likewise, when it comes to
19 eventual hearings on the draft EIS, combining these two
20 species in this draft report will make the hearings
21 cumbersome, if not just for the sheer number of people and
22 organizations that will no doubt testify on one or the other
23 species or both, and further delaying final action. We may be
24 looking out to three years before a final action report is --
25 a final EIS actually developed, or maybe five years, and

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1 that's time that we absolutely do not have.
 2 Number two, unless the agency is contemplating taking
 3 research action that requires an EIS because of potential
 4 significant impacts we are not told about, or is being
 5 contemplated that has not been discussed, an EA should be
 6 adequate for both species. It seems odd to me that it was
 7 considered adequate to do an EA for fishery management actions
 8 in the Bering Sea while an EIS would be required just for
 9 research. So it would be good to address that in some way.
 10 Number three, Alaska Natives must be involved in
 11 designing research questions as they are not like any other
 12 stakeholder. First, Alaska Natives are the only consumer of
 13 the fur seals and sea lions for subsistence. Secondly, they
 14 are the only stakeholders that have major cultural and
 15 nutritional stake in the well being of the two species. As
 16 such, they are the only stakeholders that have more than
 17 economic consequences and public interest. Given this, if the
 18 plight of sea lions and fur seals worsen, which it is likely
 19 to do particularly for fur seals, it's the Alaska Native who
 20 will not only suffer the most in the current generation, but
 21 for many generations to come.
 22 Number four, Alaska Natives must be partners in
 23 research efforts where Alaska Natives are given the financial
 24 wherewithal to deal with the collection and interpretation of
 25 traditional knowledge and wisdom about fur seals and sea

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1 lions. This has been totally and completely and sadly
 2 inadequate from what has been done particularly with sea
 3 lions, although there is now efforts to try to develop co-
 4 management measures working with the Sea Lion Commission and
 5 that's good. And we need more and more support. Let's see,
 6 now, Alaska Natives, in terms of traditional knowledge and
 7 wisdom, are unique in this regard in that they're the only
 8 stakeholders who have an intergenerational knowledge and
 9 understanding of these two species. To ignore this fact is to
 10 ignore a potentially significant source of information and
 11 understanding. And we can document where scientists have
 12 missed things that were absolutely critical to understanding
 13 what was going on. Although we cannot scientifically document
 14 it, we can anecdotally document it. And it can be
 15 corroborated by many Native peoples.
 16 Number five, research funds for fur seals and sea
 17 lions must be kept separate and distinct, with requirements
 18 for coordination, cooperation and sharing of information and
 19 data between fur seal and sea lion scientists, utilizing
 20 ecosystem approaches unless there is a strong rationale as to
 21 why the science is going to be any better when you put them
 22 together. We're concerned about the implication of bringing
 23 these two together where they're going to end up with one
 24 species getting more effort and research and the other not.
 25 And we feel that both of them are absolutely critical.

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1 Number six and final point, research questions must
 2 address the western Bering Sea ecosystem and human activities
 3 on the Russian side of the Bering Sea. Neither of these
 4 species can be managed as if they live in only one half of the
 5 ecosystem; it's absolutely insane. We are discounting an
 6 entire half of their habitat. It's a significant flaw in all
 7 prior research in my opinion. And efforts must be made
 8 immediately to accelerate research cooperation and
 9 coordination with the Russians.
 10 Thank you. I'll be glad to answer any questions.
 11 MR. ISAACS: Thank you, Larry. At this point in time,
 12 no one else has signed up on the list. Are there other folks
 13 in the audience who would like to testify tonight? Again,
 14 it's a good opportunity but you also have the opportunity to
 15 submit written comments. Anyone else at this time? Okay,
 16 seeing none, what we're going to do is we're going to close
 17 the public hearing portion of it, but we're going to certainly
 18 be here through eight o'clock. If you change your mind and
 19 you want to put something on the record, I will open up the
 20 public comment period again and we'll go ahead and take the
 21 notes.
 22 STATEMENT BY LARRY MERCULIEFF (cont.)
 23 So I guess one comment, only because I'm trying to
 24 decide, you know, whether or not we should push for trying to
 25 separate the two had have them different between seals and sea

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1 lions. But, you know, in terms of the comment about the
 2 permits showing that the research is starting to parallel each
 3 other, I think that's more a reflection of either the lack of
 4 imagination, creativity or critical thinking on the part of
 5 the scientists. Because from the Native viewpoint, there are
 6 vast differences between seals and sea lions. And you know,
 7 my people on St. Paul Island are called (Aleut word), people
 8 of the sea lion. We eat more sea lion per capita than any
 9 other Native group. I myself have been a sea lion hunter for
 10 about 40 years. And we also live on an Island where the fur
 11 seals are, the majority of the fur seals. Between St. Paul
 12 and St. George, St. Paul's got the most. And we know there
 13 are major differences between the two. So that's for the
 14 record.
 15
 16 * * * END OF FORMAL TESTIMONY * * *
 17
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 25

CERTIFICATE

1
2
3 UNITED STATES OF AMERICA)
4) s.
5 STATE OF ALASKA)
6 I, Jerri Young, Notary Public in and for the State of
7 Alaska and Reporter with Metro Court Reporting, do hereby
8 certify:

9 THAT the foregoing pages numbered 01 through 09
10 contain a full, true and correct transcript of the
11 Environmental Impact Statement on Steller Sea Lion and
12 Northern Fur Seal Research Public Scoping Meeting Formal
13 Testimony before NOAA, was taken and transcribed by Kelley
14 Hartlieb of this office.

15 THAT the Transcript has been prepared at the request
16 of National Marine Fisheries Service, Office of Protected
17 Resources, 1315 East-West Highway, Room 3525, Silver Spring,
18 Maryland.

19 DATED at Anchorage, Alaska this 27th day of January,
20 2006.

21 SIGNED AND CERTIFIED BY:

22 _____
23 Jerri Young
24 Notary Public in and for Alaska
25 My Commission Expires: 11-03-07

APPENDIX F
Agency Scoping Meeting, Issues Raised, and Agency Scoping Comments

Minutes

Meeting Type: Agency Scoping Meeting SSL/NFS Research EIS
Date: February 7, 2006
Time: 9:00am
Location: Conference Call
Attendees: Sharon Melin NMML; Tom Gellatt, NMML; Brian Fadely, NMML; Beth Stewart AEB-Juneau; Mike LeTurno, EPA Region 10; Mike Seigler, NMML; Rich Kleinleder, URS; Mike Williams, NOAA Fisheries-AK; David Cottingham, MMC; Mike Gosliner, MMC; Jeannie Drevenak, MMC; Steve Davis; Steve Leathery, NOAA Fisheries; Tammy Adams, NOAA Fisheries; Andrew Wright, NOAA Fisheries; Anne Lee, URS; Jon Isaacs, URS

On February 7, 2006, representatives of National Marine Fisheries Service (NOAA Fisheries) and their contractor, URS, conducted an Agency Scoping Meeting via teleconference to provide a briefing on the Steller Sea Lion (SSL) and Northern Fur Seal (NFS) Research Environmental Impact Statement (EIS), and to identify issues that should be addressed in the planning and permitting process.

- **Steve Leathery (National Marine Fisheries Service) – Opens**

The purpose of the call is to continue the scoping process and specifically reach out to agencies that may wish to comment or ask questions regarding the EIS. The Powerpoint presentation that I am going to review here over the phone will be posted on the project website shortly after this teleconference. NEPA requires that the EIS consider the environmental impacts of research as well as the cumulative effects. NOAA Fisheries is responsible for the management of SSLs and NFSs. The action requiring NEPA compliance is the issuance of federal grants and permits. There is no implication or judgment by NOAA Fisheries that there are adverse impacts, but NOAA Fisheries is required to address these issues.

(Review of Powerpoint presentation – See attached copy of presentation).

- **Brian Fadely (National Marine Mammal Laboratory)**

What is the role of the National Marine Mammal Laboratory (NMML) – are they considered the public or an agency? How should NMML be involved in this project?

Answer (Steve Leathery): AFSC and NMML should have another conference call to flush out their roles.

- **David Cottingham (Marine Mammal Commission)**

How much is dealing with grants and permits already issued? Are there grants and permits that are affected by this EIS?

Answer (Steve Davis) – The EIS does not have an affect on grants that are already issued. Right now, NEPA compliance is needed for all grants. This is a new requirement by NOAA Grants Management Council. NAO-216-6 states that any decision that affects ESA/MMPA species cannot be categorically excluded, so either full NEPA compliance is conducted on ALL grants or we do what is trying to be done now. In the past, the Grants Office relied on the Permit Division for NEPA compliance, but now given the Humane Society (HSUS) lawsuit, this is problematic.

Is this a retrospective EIS for grants?

Answer (Steve Leathery): It is both, in that in the EIS we must analyze historical grants as well as existing and potential future grants for both species.

- **Beth Stewart (Aleutians East Borough-Juneau)**

What is going on with the litigation?

Answer (Steve Leathery): Why don't we talk offline sometime soon and I will fill you in on the HSUS lawsuit.

- **Brian Fadely (National Marine Mammal Laboratory)**

What is going on with pending permits or modifications for SSLs?

Answer (Steve Leathery): No decision has been made yet. The Permit Division recently approved 5-year permits, and 8 applicants were given 2-year lead-time. We are also waiting to see what happens in front of the judge for the HSUS lawsuit in March. That ruling may influence whether we will be able to process permits.

- **Tom Gellatt (National Marine Mammal Laboratory)**

What is the status of northern fur seal permits?

Answer (Steve Leathery?): The decision at hand for NMFS now is whether to prepare an interim EA, wait for the EIS to be complete, or wait to hear what the judge in the HSUS lawsuit tells us we have to do. We are working to try to move forward on northern fur seal permits before the EIS is complete. Until litigation is determined, we are waiting to decide on whether to process Steller sea lion permit modifications.

- **Beth Stewart (Aleutians East Borough-Juneau)**

How big of an amendment to a permit is okay and could be processed?

Answer (Steve Leathery): Minor amendments are considered okay.

- **Beth Stewart (Aleutians East Borough-Juneau)**

Is the information you are reviewing during this call on the website?

Answer (Steve Leathery?): Yes, this Powerpoint presentation will be posted soon after this teleconference is finished.

Also, have you already met with Kate Wynn of the Sea Grant Office?

Answer (Steve Leathery?): No, but she was at the public meeting held in Anchorage on January 23, 2006 and she made comments at the meeting.

Peggy Osterback of Dutch Harbor should also be contacted.

- **Tom Gellatt (National Marine Mammal Laboratory)**

Who has been contacted regarding this project? What is the schedule for scoping?

Answer (Steve Leathery): Our project mailing list is very broad with over 300 people, including all permit holders. Three scoping meetings were held in Silver Spring, MD, Seattle, WA, and Anchorage, AK, on January 18, 20 and 23, 2006. The public scoping comment deadline is February 25, 2006. There may be a workshop in March or July this year to help inform the alternative development process. There will also be a comment period after the release of the draft EIS.

- **Sharon Melin (National Marine Mammal Laboratory)**

Is the workshop more for comments on the process?

Answer (Steve Leathery): The workshop is to bring parties together to help develop a reasonable range of alternatives. It is an attempt to be more inclusive by inviting people to participate in addition to the researchers such as conservation biologists and members of HSUS and other NGOs. This is not an exercise to reach consensus.

(Jon Isaacs): If this EIS is to be more programmatic, then we also need help from the workshop about information regarding reasonably foreseeable future actions as far as potential new research methods, techniques and programs.

- **Tom Gellatt (National Marine Mammal Laboratory)**

It will be important to involve NOAA GC in this project, especially for review of project alternatives. Is there a conflict of interest because NMML would help with this process but are also researchers seeking permits?

Answer (David Cottingham): This is an agency document.

Answer (Tammy Adams): In order to properly characterize past, current and future research, NMML must be involved.

Answer (Steve Leathery): The agency is conducting research, funding research, and permitting research. Therefore, there is an inherent conflict, which is why it is so important to do an EIS and involve the public.

Spring would be a better time to have the workshop – March or April – because of the field season.

- **Steve Davis**

Is the intent to develop strawman alternatives for the workshop to help focus the group?

Answer (Steve Leathery): Yes.

There is a challenge in predicting the future, so we need to base it on the present. Presume in the near term that research is continued, so future range should be discussed during.

- **David Cottingham (Marine Mammal Commission)**

The SSL Recovery Plan Team meeting is scheduled for March 15-17. This would be valuable information to have for the workshop.

- **Tom Gellatt (National Marine Mammal Laboratory)**

The SSL Recovery Plan is supposed to be externally reviewed before team meeting, then after March 17 the SSL Plan should be final and published.

- **David Cottingham (Marine Mammal Commission)**

The MMC does not plan to draft separate comments for this comment period. Please consider our comments submitted on the Permits EA and other recent comments regarding this topic our formal submittal for the public scoping period of this EIS.

APPENDIX G
Native Scoping Meeting, Issues Raised and Native Scoping Comments

Minutes

Meeting Type: Government-to-Government Scoping Meeting SSL/NFS Research EIS

Date: February 7, 2006

Time: 2:00 pm

Location: Teleconference

Attendees: Mike Miller, Sitka Tribe of Alaska; Nikolski-Agrafina-Per, Tribal Secretary; Woody Widmark, Sitka Tribe of Alaska; Peggy Osterback, Executive Director of Aleut MMC; Akutan-Jacob Admin; Steve Leathery, NOAA Fisheries; Tammy Adams, NOAA Fisheries; Andrew Wright, NOAA Fisheries; Anne Lee, URS; Jon Issacs, URS

On February 7, 2006, representatives of National Marine Fisheries Service (NOAA Fisheries) and their contractor, URS, conducted an Agency Scoping Meeting via teleconference to provide a briefing on the Steller Sea Lion (SSL) and Northern Fur Seal (NFS) Research Environmental Impact Statement (EIS), and to identify issues that should be addressed in the EIS process. No formal comments were made during the teleconference. However, comments and questions were raised during the informal comment period, which included subsistence, research permits, status of stocks and species biology and NFS surveys. These informal comments will be considered by NMFS during development of the EIS.

APPENDIX H
Comment Report By Issue Code

SUBMISSION INDEX REPORT
SSL and NFS Research EIS Scoping Report
March 2006

<i>Date</i>	<i>Number</i>	<i>Name</i>	<i>Format:</i>	<i>Organization:</i>
2/7/2006		, Agrafina	Public Hearing	Native Village of Nikolski
1/20/2006		Bain, David	Public Hearing	Citizen
1/18/2006		Bennett, Jennifer	Public Hearing	Humane Society of the United States
2/7/2006		Cottingham, David	Public Hearing	Marine Mammal Commission
5/3/2005		Curland, Jim	Fax	Defenders of Wildlife
2/7/2006		Davis, Steve	Public Hearing	National Marine Fisheries Service-Alaska Region
7/26/2002		De Fontaubert, Charlotte	Fax	Greenpeace
2/16/2006		Engebretson, Monica	Fax	Animal Protection Institute
2/7/2006		Fadely, Brian	Public Hearing	National Marine Mammal Laboratory
2/7/2006		Gellatt, Tom	Public Hearing	National Marine Mammal Laboratory
2/23/2006		Green, Marsha L.	Fax	Ocean Mammal Institute
1/18/2006		Harrington, John	Comment Form	U.S. Environmental Protection Agency
2/21/2006		Liss, Cathy	Fax	Animal Welfare Institute
8/12/2002		Mattlin, Robert H.	Letter	Marine Mammal Commission
2/7/2006		Melin, Sharon	Public Hearing	National Marine Mammal Laboratory
2/15/2006		Sachau, B.	Email	Citizen
3/8/2006		Snyder, Gary	Email	Citizen
2/7/2006		Stepetin, Jacob	Public Hearing	Native Village of Akutan
2/7/2006		Stewart, Beth	Public Hearing	Aleutians East Borough-Juneau
2/25/2006		Williams, Margaret	Email	World Wildlife Fund
7/29/2002		Young, Sharon B.	Fax	Humane Society of the United States
5/4/2005		Young, Sharon B.	Fax	Humane Society of the United States
5/4/2005		Young, Sharon B.	Fax	Humane Society of the United States
2/24/2006		Young, Sharon B.	Fax	Humane Society of the United States

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Alaska Native Issues

Submission No.	CommentNumber	Database Reference ID	ISSUES
	2	380	
Does anyone know what's going on with the Bogoslof northern fur seal population?			AKN
	1	379	
Where does the survey information gathered from these communities go?			AKN
	1	378	
Does the MMC do any formal outreach to the Native MMCs?			AKN
	13	192	
The EIS should contain an EJ analysis assessing the potential to disproportionately affect EJ communities.			AKN NEP
	12	191	
Please describe how NMFS involved potentially affected Environmental Justice communities into the decision making process. How were EJ communities identified and how did the agency ensure non English speaking communities were involved in the NEPA process?			AKN
	11	190	
...what role, if any, tribal governments that may be impacted would play in the development of this EIS.			AKN
	10	189	
As the proposed action potentially affects subsistence users/Tribal governments/Tribal uses, will NOAA/NMFS have potentially affected Tribal Governments as Cooperating Agencies on the EIS?			AKN

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Alternatives

Submission No.	CommentNumber	Database Reference ID	ISSUES
	30	341	
Alternative 2.3.2 in the EA is the only prudent alternative until such time as the agency completes a more thorough evaluation of the level and nature of research necessary to provide answer the important conservation questions, without unnecessarily subjecting thousands of animals to capture and "intrusive" procedures.			ALT
	29	340	
It is simply not sufficient for the agency charged with protecting this endangered species to simply adopt the assertion of the researcher applicants that they must risk the lives and health of animals and add to the already unsuitable cumulative impacts on the stock, without consideration of other alternatives.			ALT CUM
	28	339	
The EA also fails to consider all reasonable alternatives. The EA proposes only two alternatives: the no action alternative and granting all of the requested permits. This is not acceptable.			ALT
	25	264	
Of these three alternatives, we favor Alternative 3.			ALT
	2	241	
While we do not feel that all options for issuing permits were not adequately considered, we support Alternative 3 which would limit the invasive research.			ALT
	46	238	
Without some assurance that there can be adequate post-handling monitoring of effects, the most viable alternative is to suspend intrusive research for both Steller sea lions and fur seals until such a plan is in place.			ALT
	38	230	
The NMFS should also consider refining the wording of its proposed alternative such that it will not merely result in a continuation of the already unfettered approach to research that necessitated this review in the first place.			ALT

Alternatives

Submission No.	CommentNumber	33	Database Reference ID	225	ISSUES
<p>Given its a priori proposal to eliminate most of the alternatives from consideration, and the impracticality or illegality of allowing virtually unlimited intrusive research on declining stocks, the NMFS has conveniently left itself with no viable alternative other than its proposed action. This defeats the purpose of the EIS.</p>					<p>ALT NEP</p>
Submission No.	CommentNumber	32	Database Reference ID	224	ISSUES
<p>The HSUS believes that this alternative (suspension of intrusive research) should receive detailed study because, at least in the case of Steller sea lions, thousands of animals have already been branded and sampled. Analysis of this alternative helps assure that whatever research goes forward will do so only after considering what has already gone before.</p>					<p>ALT</p>
Submission No.	CommentNumber	31	Database Reference ID	223	ISSUES
<p>We question whether it is NMFS itself that believes that this research is necessary or whether the serious consideration suspension of intrusive activities as an alternative may be eliminated simply based on the self-interested assertion of researchers themselves.</p>					<p>ALT</p>
Submission No.	CommentNumber	3	Database Reference ID	182	ISSUES
<p>The EIS should describe an appropriate No Action Alternative as defined in CEQ guidance</p>					<p>ALT NEP</p>
Submission No.	CommentNumber	65	Database Reference ID	85	ISSUES
<p>One alternative empirical approach that should be reflected in the Service's NEPA analysis would be to prohibit fishing in areas large enough to ensure that fishing has no effect on prey availability and then observe sea lion population trends to determine whether they do, in fact, respond. The advantage of this more direct approach would be that it could address the hypothesis more directly, and perhaps more quickly, and pose less risk to sea lions and their recovery.</p>					<p>ALT</p>

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Take (incidental; direct)

Submission No.	CommentNumber	13	Database Reference ID	324	ISSUES
<p>Rather than seeking to reduce the incidental mortalities, the researchers are now seeking permission to increase potential lethal takes to 85 animals, with approximately 36 in the western stock (p. 103). This number is over 50% higher than the negligible level for the western stock, and higher the fisheries-related incidental mortality.</p>					TAK
Submission No.	CommentNumber	59	Database Reference ID	79	ISSUES
<p>...known human-related take would be about twice the potential biological removal level. It is not clear how such a level can be considered insignificant.</p>					PBR TAK
Submission No.	CommentNumber	35	Database Reference ID	55	ISSUES
<p>(page 41). Task 2. The application does not include branding in the list of requested take activities, and it is not clear if these animals would be branded</p>					BRD PER TAK

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Sample Sizes; Techniques; Locations

Submission No.	CommentNumber	Database Reference ID	ISSUES
28	171		
...	"should have included more than one site in declining and stable areas to avoid the confounding effects of site variability and ensure that observed differences were really a product of the 'experimental' variable."		SAM
40	60		
...	it is essential that the samples collected during the course of research should be representative of the sea lion populations from which they were taken and should be pertinent to identification of the causes of the decline or steps that can be taken to facilitate the species' recovery.		INA MET SAM
42	62		
Nevertheless,	several proposals either fail to describe where the studies would occur or provide incomplete information.		INA SAM
43	63		
It is not clear	that these studies will be adequately dispersed to assess potentially important spatial variation in the factors being assessed.		INA SAM
44	64		
The lack of information	on the area and time during which research activities would occur also makes it impossible to determine if the research is being suitably coordinated to provide the best scientific information with the least practicable adverse effects on the animals resulting from handling and disturbance.		COR SAM
45	65		
Some previous studies	of Steller sea lions have been limited to very small sample sizes of animals selected on the basis of criteria that may have reduced the difficulty of the study or avoided related risks (i.e., animals at the edge of the rookery, animals appearing to be in excellent or good condition, or animals of sufficient age or size), but selection by such criteria may introduce bias that raises questions as to whether those animals are truly representative of all the animals at a particular site or all the animals in the population.		INA SAM

Sample Sizes; Techniques; Locations

Submission No.	CommentNumber	Database Reference ID	ISSUES
	46	66	
...the applications do not describe how the animals would be selected and it is therefore not possible to determine if the sampling scheme is adequate to allow reliable interpretation of results.			PER SAM
	22	165	
...the rationale for mass flipper-tagging of young animals as a standard practice is not at all clear in this EA.			CON SAM
	32	52	
(page 31) Task 5. Permission is requested to capture more animals than will be sampled. It is not clear why some animals that are captured would not be sampled.			INA SAM
	27	170	
..."Logistical constraints resulted in sample sizes that were so small in most physiological studies that few conclusions can be drawn."			SAM
	42	353	
Telemetry is an important tool, yet is not clear if it is necessary for four different permittees to use this tool or whether there is any coordination among researchers to assure that the animals being sampled are representative for obtaining the information that is necessary.			COR SAM
	29	172	
Test subjects were selected non-randomly among healthy survivors on the rookeries, and did not include weaned juveniles or adult females without pups that may not have been on the rookeries.			SAM
	30	173	
There is a need for more focus on non-summer and year-round observation and sampling.			SAM
	15	207	
The level of research must be evaluated in a manner that illuminates stratification of sampling. That is, in what demographic classes, areas or times is sampling most appropriate for the investigation of various hypotheses?			NEP SAM
	16	208	
The EIS should evaluate how sample sizes should be determined and then it, or the NMFS permits office, must limit the number of individuals subjected to the stress of research rather than simply allowing unfettered sampling.			SAM

Sample Sizes; Techniques; Locations

Submission No.	CommentNumber	Database Reference ID	ISSUES
	22	288	
We are concerned that the large numbers that will be sampled range wide risk duplication of effort. The applicant (and any others proposing similar sampling) should provide specificity in where they will sample and the geographic and demographic parameters that will be examined.			INA SAM
	25	291	
This permit alone proposes to collect, sample and potentially brand 1,100 pups (50 per rookery) aged 5 days to 2 months; up to 120 juveniles aged 2 months through 3 years; and 60 juveniles and adults over aged 3. Considering the power analysis that was done by Dr. Horning, the number being sampled seems excessive.			SAM
	5	316	
The various applicants propose to brand more than 800 animals – they propose over 3,000. This seems excessive for the degree of precision needed based on Horning's analysis.			BRD SAM
	6	317	
The NMFS should prepare an EIS with a power analysis to determine sample sizes, and consider a range-wide research design that would assure that an excessive number of animals is not branded, and that re-sighting effort is uniform to assure precision in estimates.			NEP SAM
	26	169	
...a lack of integrated research, poor coordination of existing research projects, as well as serious limitations in experimental protocols, sample sizes, and statistical power to detect effects.			COR SAM

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Reporting requirements

Submission No.	CommentNumber	15	Database Reference ID	326	ISSUES
<p>According to the EA, less than 10 mortalities were reported each year (p. 40). Despite this, researchers are seeking an increase in the number of incidental mortalities. Either they do not need this permission, or they were not reporting mortalities that occurred under their currently permitted activities and are in violation of the ESA and their permit conditions.</p>					<p>ESA REP</p>
Submission No.	CommentNumber	27	Database Reference ID	293	ISSUES
<p>...there are apparent discrepancies in the mortalities that this applicant reports. Discrepancies of this sort call into question the accuracy of the report and thus the impacts on these ESA listed stocks.</p>					<p>EDI REP</p>
Submission No.	CommentNumber	28	Database Reference ID	220	ISSUES
<p>The EIS can also examine permittees who have a history of frequent amendments and assess whether, or how, data gathered before or after the amendments were used or accounted for in published reports.</p>					<p>NEP REP</p>

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Permits

Submission No.	CommentNumber	Database Reference ID	ISSUES
	38	58	
The list of sampling activities does not include branding. It would be useful if the applicant would clarify whether these animals would be branded prior to release.			PER
	13	140	
No permit should be modified until and unless the permittee demonstrates that the modification will not invalidate results from previous or ongoing studies.			PER
	9	136	
...permits should not be issued for Alaska-wide research until and unless there is a written plan indicating how multiple permittees will coordinate their studies and ensure that that research will cover appropriate times, area, and demographic classes, and is not duplicative.			COR DUP PER
	5	132	
Applicants should have to specify how their research will address the critical need and why their chosen methodology is more appropriate if there are other less intrusive approaches to addressing the question.			PER
	2	129	
The proposed action would grant permits to conduct research determined to be critical to the conservation of Steller Sea Lions and Fur Seals, and permit lower priority only if there is no adverse impact.			PER
	3	127	
right now the same items are being researched over and over and over and permits are granted for them each time.			PER
	6	124	
It is important that NMFS consider the interests of co-management organizations and the likelihood that they will require research permits to carry out mandated research programs under their respective co-management agreements.			PER

Permits

Submission No.	CommentNumber	Database Reference ID	ISSUES
	80	100	
It is not clear that all of the planned research is essential, and that the potential merits outweigh the cumulative or combined risks.			MET PER
	77	97	
· as appropriate, the applicants obtain the necessary permits under the Convention of International Trade in Endangered Species of Wild Fauna and Flora prior to importing or exporting tissue samples into or from the United States.			PER
	76	96	
· the Service ensure that activities to be conducted under these permits and those of other permit holders who might be carrying out research on the same species in the same areas are coordinated and, as possible, data are shared to avoid unnecessary duplication of research and disturbance of animals; and			COR PER
	75	95	
· the proposed studies have been reviewed by the permittee's Institutional Animal Care and Use Committees in accordance with § 2.31 of the Animal and Plant Health Inspection Service's regulations governing the humane handling, care, treatment, and transportation of marine mammals;			PER
	57	77	
...the number of accidental mortalities requested in the permit applications does not appear to be consistent with the finding of no significant adverse impact.			MOR PER
	46	66	
...the applications do not describe how the animals would be selected and it is therefore not possible to determine if the sampling scheme is adequate to allow reliable interpretation of results.			PER SAM
	11	31	
It is unclear whether the research activities and associated taking proposed in the applicant's Alaska SeaLife Center's 2001 Steller Sea Lion Research Plan have been included in the take table on page 4 of the application.			INA PER

Permits

Submission No.	CommentNumber	Database Reference ID	ISSUES
	39	59	
<ul style="list-style-type: none"> · what is the minimum age at which pups may be captured? · what are the weights of the transmitter devices that will be implanted in juvenile animals and the animals themselves? how does one determine the maximum size (dimensions, size) of instruments that can be implanted safely into the animals? · what precisely will be done in terms of “re-evaluating the process” (as noted on page 44 of the application) if more than three captive animals are deemed to be non-releasable within the period of one year? and · under what circumstances would animals deemed non-releasable be euthanized? 			<p>MET</p> <p>PER</p>
	8	151	
There are specific research proposals (such as the capture and long-term retention of wild animals as proposed by ASLC for surgical implantation of devices) that should not be permitted as described.			PER
	37	57	
This section again refers to injections of adrenocorticotrophic hormone to “challenge” juveniles. The purpose and utility of such tests are not clear, and the applicant should provide a rationale and research protocol for them; and			<p>INA</p> <p>MET</p> <p>PER</p>
	36	56	
If information exists that demonstrates that tooth size and wear patterns can be used to determine if an animal is weaned, the applicant should be asked to provide or reference such information. If such information is not available, then the applicant should recognize this and be prepared to handle some animals that may not yet be weaned			<p>MET</p> <p>PER</p>
	35	55	
(page 41). Task 2. The application does not include branding in the list of requested take activities, and it is not clear if these animals would be branded			<p>BRD</p> <p>PER</p> <p>TAK</p>
	34	54	
(page 36) End of first paragraph. The application states that “An emergency kit... should be readily available.” (Emphasis added). An emergency kit should be required if this activity is permitted.			PER
	33	53	
(page 33) Task 3.3. Table 1 includes an entry pertaining to adrenocorticotrophic hormone challenge. This activity is not further explained and no rationale for such a study is provided. Thus, it is not clear why it is included here, how it might contribute to recovery efforts for Steller sea lions, or why permission for this activity is being requested. Such information should be provided before authorization of this activity is considered			<p>CON</p> <p>PER</p>

Permits

Submission No.	CommentNumber	Database Reference ID	ISSUES
31	51		
...	it is not clear how the applicant determined that the total number of disturbed animals would be only 2,100, unless they are assuming that multiple captures would result in the incidental disturbance of the same animals at the same time.		INA PER
29	49		
It is not clear if the applicants are providing these as examples of activities that could conceivably be attempted using a blind or whether they are requesting permission to conduct these activities.			INA PER
27	47		
...	the applicant does not, but should, provide an estimate of the length of time that animals may be anesthetized. The applicant should also be asked to describe any potential consequences of repeatedly anesthetizing animals (i.e., on a weekly basis).		INA PER
22	42		
Clarification should be requested as to the minimum age and size of pups that will be hot-branded.			BRD INA PER
17	37		
...	attempts to take biopsies by shooting darts at these targets pose an unacceptable risk of striking an animal in the head and causing serious injury.		EFF PER
14	34		
However, it is not clear that the research design is sufficient to test this hypothesis and to characterize any differences in the use of forage fish by sea lions in the two populations.			INA MIT PER
12	32		
Further, the table makes no reference to the use of location-only satellite-linked transmitters as is indicated in the text of the application. Clarification of these points should be provided by the applicant.			INA PER
41	61		
The permit applications under review often do not provide sufficient information on their research sampling design and thus it is not always possible to determine if they will meet their stated objectives.			PER
4	270		
The applicant proposes that up to one Steller sea lion out of 12 may die as a result of the procedures. This is a fatality rate well in excess of most other researchers and should be, but is not, explained.			MOR PER

Permits

Submission No.	CommentNumber	Database Reference ID	ISSUES
	2	371	ISSUES
How big of an amendment to a permit is okay and could be processed?			PER
	1	368	ISSUES
How much is dealing with grants and permits already issued? Are there grants and permits that are affected by this EIS?			PER
	2	367	ISSUES
What is going on with pending permits or modifications for SSLs?			PER
	35	301	ISSUES
Approval for invasive studies by this applicant should be suspended until NMFS can conduct a more comprehensive evaluation of range-wide research, its contribution to specific recovery plan needs and compliance with requirements of NEPA, the ESA, MMPA and Animal Welfare Act.			ESA MMP NEP PER WEL
	30	296	ISSUES
...the applicant proposes on page 3 of the December 7, 2003 amendment request to extract teeth from 80 adult females to allow age determination, although stating in the same paragraph that "prominent agencies such as ADFG and NMML" recognized "that these methods are inaccurate for older animals." If this is the case, then why is the applicant requesting permission for this invasive activity and why would NMFS grant it?			MET PER
	19	285	ISSUES
...Page 11 of this proposal that "although not a necessary part of our research, we will hot brand our animals at the request of the permit office." This indicates that researchers do not necessarily desire to hot brand animals, but are being required to do so by the permit office. Can NMFS explain this?			BRD PER
	18	284	ISSUES
Dr. Davis states that animals may need to be re-captured up to three times to attach and remove instrumentation to replace batteries and video tape. There is no provision a risk-benefit analysis such that the increased risk of repeated capture and anesthesia in a space of a few weeks is balanced against the value of data obtained by the video camera.			MET PER
	11	277	ISSUES
Hot branding has been conducted for three decades, with varying levels of success and mortality... Thus it would appear that this sort of study is unnecessary.			BRD PER

Permits

Submission No.	CommentNumber	Database Reference ID	ISSUES
	10	276	
<p>The HSUS questions the conservation benefit of this proposal to the conservation needs of threatened eastern stock Steller sea lions. ...given the ESA and MMPA prohibition against stressful and invasive research that is not intended to address conservation and recovery goals. Thus, this permit should be denied.</p>			<p>CON PER</p>
	9	275	
<p>Though the applicant requests permission to capture and sample and/or brand 12 Steller sea lions, they have no basis other than wild guessing as to the reason for this number. When asked by NMFS (3/12/05 cover) to justify this number, Harriet Huber of NMML stated that it was determined "arbitrarily—in 2003 we had funding to instrument up to six SSL." When questioned about the need to remotely tag 3 Steller sea lions and not more or less, she responded "[it] was arbitrarily chosen." This is inappropriate.</p>			<p>MET PER</p>
	8	274	
<p>The applicant proposes to clip vibrissae instead; some thing that other research discount as reliable. While clipping is less invasive, if it cannot reliably answer the question being posed, then it should not be done. The NMFS should determine whether the desired information can be collected in a manner other than that proposed by the applicant.</p>			<p>MET PER</p>
	7	273	
<p>The applicant also states that although it will only take 20 minutes to "sample" each sea lion, they will be held for up to 3 hours "while other animals are being processed." This level of stress seems excessive and unnecessary.</p>			<p>MET PER</p>
	14	141	
<p>NMFS should neither issue nor modify permits that other agencies, such as APHIS, the Animal Plant Health Inspection Service, has recommended for denial.</p>			<p>PER</p>
	5	271	
<p>The applicant proposes that no anesthesia will be used and that "squeeze cages" will suffice to restrain animals sufficiently to achieve a readable brand. This appears to disregard humane considerations.</p>			<p>MET PER</p>
	15	142	
<p>Permittees who do not comply with permit conditions, such as timely submission of reports, should have permits suspended.</p>			<p>PER</p>
	26	265	
<p>...it is imperative that the NMFS give serious consideration to denying all or part of the two permits which appear to impose unacceptable levels of inhumane treatment or/and mortality risk.</p>			<p>PER</p>

Permits

Submission No.	CommentNumber	Database Reference ID	ISSUES
	24	263	
<p>The HSUS notes that the applicant requests 8 mortalities per year (p. 33), whereas the chart on p. 69 states that they are only requesting 5 accidental mortalities. It is not clear that these mortalities are warranted, particularly the 3 that are reserved for animals captured and held at the ASLC. This represents a 3-month death rate of 18%, which is unacceptably high for animals in a captive facility. This level is far from humane and far from negligible for the number in captivity. This portion of the permit should be denied.</p>			EDI MOR PER
	19	258	
<p>It is not entirely clear why Dr. Davis, who is receiving funding from two other permit applicants (NMFS and ASLC) cannot conduct his activities under the auspices of their permits rather than seeking separate take authorizations. Effort should be made to avoid duplicative sampling or harassment wherever possible.</p>			DUP PER
	14	253	
<p>Clearly this level of harassment and mortality does not meet the conditions specified for issuance of permits under the MMPA to assure that impacts will not have a significant impact. On that basis, all of the permits cannot be granted.</p>			MMP PER
	12	251	
<p>...discrepancies between numbers in the various permit applications and numbers in summary charts, complicates understanding the true impact of these applications.</p>			PER
	37	229	
<p>...we believe that NMFS should give serious consideration to the suspension of intrusive research until there is clearly adequate study of already marked animals and a thorough analysis of existing samples. Only after it is clear that there are deficiencies in the available data would the agency permit additional intrusive studies.</p>			PER
	36	228	
<p>If they propose to do invasive sampling or marking, they should justify why their chosen methodologies are more appropriate than other less intrusive measures or approaches to addressing the question. This specifically will also aid the NMFS in its efforts to coordinate research and assure minimal effect.</p>			COR PER
	35	227	
<p>Applicants should have to justify quite specifically how their research will address the critical need.</p>			PER
	30	222	
<p>The EIS should also examine the number of instances in which permits were granted or amended without the permittee having fulfilled requirements of previous permits for timely submission of annual and final reports and/or reports of mortalities.</p>			NEP PER

Permits

Submission No.	CommentNumber	Database Reference ID	ISSUES
	29	221	
The EIS should examine how NMFS should reconcile situations in which granting a permit or amendment would be counter to recommendations from other management agencies.			NEP PER
Submission No.	CommentNumber	Database Reference ID	ISSUES
	27	219	
No permit should be modified until and unless the permittee can clearly demonstrate in writing why the modification will not bring into question the validity of results from previous on-going studies.			PER
Submission No.	CommentNumber	Database Reference ID	ISSUES
	2	194	
NMFS has granted the multiple proposals without any apparent regard to how they fit together to illuminate key questions. Previous permit applications show little evidence of a coordinated approach to sampling. Permits have been issued for "Alaska wide" activities to multiple permittees with no plan for coordination. This sort of approach can lead to some areas being over sampled and some areas receiving no sampling, with no justification provided for the geographic structure of sampling.			COR PER
Submission No.	CommentNumber	Database Reference ID	ISSUES
	1	372	
What is the status of northern fur seal permits?			PER
Submission No.	CommentNumber	Database Reference ID	ISSUES
	6	272	
There is no apparent justification for subjecting animals to the pain stress of hot branding, tissue sampling and application of invasive instrumentation with no anesthesia.			INA PER

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Potential Biological Removal

Submission No.	CommentNumber	Database Reference ID	ISSUES
27	338		
<p>...the combined incidental lethal take that is requested by the applicants, when added to the native harvest and fisheries-related mortality is in excess of the PBR for the western Steller sea lions. This squarely refutes the earlier NMFS finding of no significant impact and, further, shows that the additive effort of this research on the stock could contribute to its decline. In this situation, an EIS is warranted and anything less is unlawful.</p>			<p>NEP PBR</p>
14	325		
<p>The cumulative research-related incidental mortality could exceed the PBR for the stock when added to other anthropogenic mortality and is clearly a significant impact. This endangered stock is already subjected to cumulative mortality that is arguably unsustainable, given its on-going decline. The request for research-related incidental mortality is well above a level that the ESA would consider "negligible."</p>			<p>CUM PBR</p>
13	252		
<p>If scientific permit-related mortalities in the Western stock reach 10 (the number that merely triggers consultation), then the entire PBR will have been exceeded by all sources. This is unacceptable.</p>			<p>PBR</p>
5	244		
<p>If more than 10 animals from the western stock were killed, then NMFS would require researchers to consult on how to reduce mortality so that it does not exceed 20 animals, which is 10% of the PBR of 208. It is not clear from the EA whether such an assessment will be time-sensitive or whether consultation can take place before the number is exceeded when it appears that a monitoring plan is not currently in place.</p>			<p>INA PBR</p>
59	79		
<p>...known human-related take would be about twice the potential biological removal level. It is not clear how such a level can be considered insignificant.</p>			<p>PBR TAK</p>
58	78		
<p>...the environmental assessment determined that this minimum number would not constitute a significant adverse impact, it did so partly on the basis of comparisons with the species' potential biological removal level, which is one standard used to characterize a species' or stock's tolerance for human-related mortality.</p>			<p>NEP PBR</p>

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National Marine Mammal Laboratory

Submission No.	CommentNumber	1	Database Reference ID	366	ISSUES
What is the role of the National Marine Mammal Laboratory (NMML) – are they considered the public or an agency? How should NMML be involved in this project?					NMM

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National Environmental Policy Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
	1	180	ISSUES
Please describe whether other agencies in tribal govts were sought out to be cooperating agencies.			NEP
	2	2	ISSUES
· The EIS be completed before any further research permits are issued.			NEP
	3	146	ISSUES
Other proposed projects entail the use of techniques or experimental procedures whose efficacy is not demonstrated in this EA.			NEP
	12	155	ISSUES
...EA analysis is not adequate to distinguish between projects that merit permitting and those that are unnecessary, duplicative, inhumane or in violation of other established permitting criteria.			NEP
	13	156	ISSUES
...analysis of the various research activities is being piecemealed, rather than considered in a single NEPA document.			COR NEP
	14	157	ISSUES
The direct, indirect and cumulative effects of all research activities should be analyzed in a single NEPA document.			CUM NEP
	17	160	ISSUES
...we have specific concerns about the proposed research program that have not been adequately address in this EA.			NEP
	19	162	ISSUES
...the proposed action does not appear to provide NMFS the flexibility to deny permits for individual projects or procedures of this type, or to suspend a permit if further review shows that action results in unnecessary or unacceptable impacts.			NEP

National Environmental Policy Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
	21	164	ISSUES
...the cursory EA discussion of the effects of flipper tagging (pp. 51, 53-54) barely acknowledges that physical wounds and infections may result, much less that there is a risk of increased predation on test subjects.			NEP
	31	174	ISSUES
The EA should have addressed these concerns and evaluated the degree to which proposed action will or will not remedy the limitations and shortcomings identified by peer reviewers of the existing research program.			NEP
	32	175	ISSUES
As a matter of NEPA process, we are quite concerned that NMFS issued the Final EA and signed the FONSI on this project without any involvement by the public.			NEP
	11	138	ISSUES
Research and methodology should be evaluated as to how effective they are in providing key information with minimal adverse effects, and how they can be used in combination with each other.			MET NEP
	36	179	ISSUES
The EA fails to demonstrate that all the projects and procedures in the proposed action are essential and will accomplish the stated research objectives, as currently designed.			NEP
	10	137	ISSUES
The EIS should evaluate all of the most common methods of providing insight into important food habits.			MET NEP
	2	181	ISSUES
The EIS should describe the potential impacts to recovery of the species from the proposed actions			EFF NEP
	3	182	ISSUES
The EIS should describe an appropriate No Action Alternative as defined in CEQ guidance			ALT NEP
	4	183	ISSUES
The EIS should describe whether modifications to permits/grants will be subject to NEPA compliance. What level of NEPA compliance will be done for permit/grant modifications?			NEP

National Environmental Policy Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
	5	184	ISSUES
Chapter 1 should discuss how the EIS will be used to fulfill NEPA compliance responsibilities for not only the grant and permit program, but also the individual permit and grant actions under the program.			NEP
	6	185	ISSUES
Why was this document not called a Programmatic EIS if in fact it is analyzing the grant and permit programs as a whole and deciding upon appropriate program direction?			NEP
	7	186	ISSUES
The EIS should assess the potential impacts to the predator & prey species potentially affected by the proposed actions for research permit & grant actions.			NEP
	8	187	ISSUES
The EIS should describe the potential mitigation measures, if any, that should be implemented as part of the proposed actions. If mitigation measures are feasible, then the EIS should stipulate whether a portion of grant funds will be used to pay for that mitigation.			MIT NEP
	9	188	ISSUES
...the EIS should discuss how information from the permit applicant or grantee will be used for further NEPA documentation. Will NMFS require permit/grant applicants to submit environmental information or prepare Environmental Assessments?			NEP
	13	192	ISSUES
The EIS should contain an EJ analysis assessing the potential to disproportionately affect EJ communities.			AKN NEP
	1	193	ISSUES
While The HSUS commends the National Marine Fisheries Service (NMFS) for undertaking the analysis necessary to prepare an Environmental Impact Statement (EIS), we must point out that this process should be undertaken prior to issuance of permits rather than after the fact, as is the case for Steller sea lion research.			NEP
	33	176	ISSUES
Accordingly, we urge NMFS to withdraw the FONSI and to issue a revised EA or EIS that takes into account the comments received on this document.			NEP

National Environmental Policy Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
	66	86	ISSUES
<p>...Service reconsider the finding of no significant impact set forth in the environmental assessment and either (1) do a better job of explaining its rationale for such a finding, (2) scale back those research projects that have the highest potential to result in sea lion mortalities and other adverse impacts such that a finding of no significant impact is more defensible, or (3) prepare an environmental impact statement on the proposed action.</p>			NEP
	3	3	ISSUES
<p>· The EIS include an evaluation of what demographic classes and in what geographic areas research is most needed and most likely to provide meaningful information that will aid in the recovery of the species.</p>			NEP
	5	5	ISSUES
<p>· The EIS evaluate the special vulnerability of pups to capture and sampling techniques.</p>			NEP
	6	6	ISSUES
<p>· The EIS evaluate the short, intermediate, and long-term impacts of capture and sampling techniques on the welfare and survival of individual animals.</p>			NEP
	7	7	ISSUES
<p>· Finally, that the humaneness of the techniques used are critically evaluated. Hot iron branding, for example, should be prohibited. Limited time, money, energy, and motivation are not excuses for using painful and harmful techniques on animals when alternatives are available or can be developed.</p>			BRD MET NEP
	2	9	ISSUES
<p>Firstly, we question why the National Environmental Policy Act was not followed prior to the issuance of the eight permits. Secondly, there should be an immediate cessation of all research subject to the permits and the EIS should be completed prior to allowing further invasive studies.</p>			NEP
	3	10	ISSUES
<p>The EIS should include a thorough evaluation of the purpose and need for the research. This evaluation should include an analysis of previous research studies on Steller sea lions and a comparison with the planned research.</p>			NEP
	5	12	ISSUES
<p>The EIS should review the feasibility of employing alternative research techniques that will produce comparable results to those presented and subject to the EIS. These alternative techniques should include those that are not invasive, painful or life-threatening. Such techniques may include scat analysis, hair sampling, body condition evaluation and non-invasive scanning imaging.</p>			MET NEP

National Environmental Policy Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
	6	20	ISSUES
There appears to be a lower standard for permitting research on Steller sea lions than on other endangered species. We urge NMFS to not allow this research to move forward until a thorough EIS is complete that addresses the above questions.			NEP
	2	16	ISSUES
The EIS must address the costs and benefits of this research to the population.			NEP
	1	15	ISSUES
First, permits for invasive research should not be issued before an EIS is prepared. Doing so violates the purpose of an EIS. The proposed research should certainly not go forward until an appropriate EIS outlining the need for this research and the possible consequences have been completed.			NEP
	16	143	ISSUES
...the EIS should discuss the need for appropriate ecosystem research that may not depend on synoptic and intrusive research directed at a single species or two species.			NEP
	62	82	ISSUES
Therefore, the cumulative effects analysis is incomplete and, in the absence of such an analysis, the conclusion of no significant adverse impact seems unfounded.			CUM NEP
	7	199	ISSUES
...the EIS should pay special attention to the particular vulnerability of pups and young animals to the impacts of intrusive procedures and branding.			BRD NEP
	5	107	ISSUES
Defenders agrees with comments submitted by the Humane Society of the United States (HSUS) that "before any further permits, extensions or amendments are granted, that NMFS should prepare an in-depth Environmental Impact Statement (EIS) similar to that being proposed for research on North Atlantic right whales (<i>Eubalaena glacialis</i>) in the Northeast.			NEP
	6	108	ISSUES
Defenders urges that the NMFS defer final action on the permits, permit extensions or permit modifications until such time as you have completed an EIS that fully evaluates the individual and cumulative impacts of the proposed research and weighs its contribution to cumulative effects on the stocks from multiple factors discussed previously. Only that research which is clearly non-duplicative and addresses compelling conservation needs should be permitted. This degree of analysis is required under both the ESA and the MMPA and is lacking at this time.			CUM ESA MMP NEP

National Environmental Policy Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
	3	121	
WWF strongly urges the NMFS to carefully consider the need for dedicated support of long-term research in the EIS process. In particular, the balance between the ability of agency and university research programs to maintain consistent research protocols and field efforts should be carefully analyzed.			MET NEP
	4	122	
WWF also recommends that the socio-economic analysis associated with this EIS process consider the conditions set forth in the 2005 Marine Stewardship Council certification of the Bering Sea and Aleutian Islands Pollock fishery.			NEP
	5	123	
Finally, WWF also strongly urges NMFS to consider the implications of the EIS review of the permitting and grant process on the development of long-term research programs by the Pribilof Island communities.			NEP
	1	128	
...the agency believes that this process should have been undertaken prior to issuing permits to conduct intrusive research on Steller Sea Lions.			NEP
	3	130	
...the EIS should address how NMFS will identify which questions are, indeed, the most critical.			NEP
	4	131	
NMFS should identify and prioritize the most critical needs prior to granting the permits.			NEP
	6	133	
...the EIS should identify the level of research that is appropriate and the appropriate demographic classes and temporal and spatial bounds for research to address those questions.			MET NEP
	7	134	
A power analysis for particular research questions and/or methodologies should be done before granting permits for invasive research and sampling.			MET NEP

National Environmental Policy Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
	58	78	
<p>...the environmental assessment determined that this minimum number would not constitute a significant adverse impact, it did so partly on the basis of comparisons with the species' potential biological removal level, which is one standard used to characterize a species' or stock's tolerance for human-related mortality.</p>			<p>NEP PBR</p>
	32	343	
<p>Clearly permitting these activities was a significant increase over the status quo and should have triggered construction of an EIS and consultation under the Endangered Species Act. Instead, NMFS ignored this obligation and now seeks to allow an even greater impact on the stocks.</p>			<p>ESA NEP</p>
	2	268	
<p>...we believe that this and all other permit applications seeking takes for invasive/intrusive activities should be held in abeyance pending a thorough EIS, a consultation under Section 7 and an analysis of the scope and demographic and geographic parameters that need to be studied, the best techniques for answering key questions and a power analysis of the numbers of animals minimally necessary for invasive/intrusive studies.</p>			<p>ESA MET NEP</p>
	26	292	
<p>As we have previously stated, we believe that this and all other permit applications seeking takes for invasive/intrusive activities should be held in abeyance pending a through EIS, a consultation under Section 7 and an analysis of the scope and demographic and geographic parameters that need to be studied, the best techniques for answering key questions and a power analysis of the numbers of animals minimally necessary for invasive/intrusive studies.</p>			<p>ESA MET NEP</p>
	35	301	
<p>Approval for invasive studies by this applicant should be suspended until NMFS can conduct a more comprehensive evaluation of range-wide research, its contribution to specific recovery plan needs and compliance with requirements of NEPA, the ESA, MMPA and Animal Welfare Act.</p>			<p>ESA MMP NEP PER WEL</p>
	36	302	
<p>The information and analysis provided by NMFS so far entirely fails to demonstrate that these permits can be issued without violating NEPA, the ESA and the MMPA.</p>			<p>ESA MMP NEP</p>
	38	304	
<p>Accordingly, the HSUS must insist that the NMFS not issue any permits, permit extensions or permit modifications involving invasive research until such time as you have completed an Environmental Impact Statement that fully evaluates the individual and cumulative impacts of the proposed research and weighs its contribution to cumulative effects on the stocks from combined mortality and serious injury resulting from fisheries-related mortality and native harvest. The quality of analysis required by NEPA and by both the ESA and the MMPA is simply lacking at this time. Furthermore, we believe that NMFS has an obligation to consult under Section 7 of the ESA on the impacts that this activity will have on the western stock of Steller sea lions, particularly with regard to the additive effects of these permits along with those of native harvest mortality and incidental fisheries-related mortality.</p>			<p>CUM ESA MMP NEP</p>

National Environmental Policy Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
	40	306	
<p>The HSUS cannot countenance the conduct of research that will not clearly contribute to the conservation of the species or is inhumane to the individual animals that are affected. Accordingly, should NMFS issue the proposed permits, The HSUS will have no choice but to consider all methods, including legal action, to ensure that NMFS adheres to the requirements of federal laws and regulations before authorizing scientific research on endangered and threatened species of marine mammals.</p>			CON NEP
	1	312	
<p>The HSUS strongly opposes issuance of these permits at this time. We find that the National Marine Fisheries Service (NMFS) has not satisfied the requirements of the National Environmental Policy Act, nor has it met its obligations under the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). Because the western stock of Steller sea lions is endangered and declining in numbers, NMFS must demonstrate that the permits are non-duplicative, unlikely to adversely affect the stock, and in service of a significant gain in conservation of the species.</p>			ESA MMP NEP
	2	313	
<p>Many of the research projects involve the use of invasive studies and physical handling of animals that subjects them to risk of severe injury and death and appear likely to disadvantage the western stock of Steller sea lions. ...the HSUS believes that the NMFS cannot issue the requested permits without violating the requirements of NEPA, the MMPA and the ESA.</p>			EFF ESA MMP NEP
	6	317	
<p>The NMFS should prepare an EIS with a power analysis to determine sample sizes, and consider a range-wide research design that would assure that an excessive number of animals is not branded, and that re-sighting effort is uniform to assure precision in estimates.</p>			NEP SAM
	8	319	
<p>...the EA states (p. 39) that “[t]here have been no recent studies dedicated to documenting and assessing the effects of research on Steller sea lions or other marine mammals at a population level, nor on the synergistic or cumulative effects of various research activities and other human-related impacts on individual marine mammals or populations.” Yet NMFS asserts that the proposed research will not likely have adverse effects. This contention appears unsupported.</p>			CUM NEP
	5	197	
<p>...NMFS, either in collaborations between the protected resources division and the endangered species division or, under the auspices of this EIS, should identify the priorities for research for these species.</p>			NEP
	31	342	
<p>No permits for invasive studies should be issued or renewed until such time as the NMFS has completed an adequate environmental review and can meet the legal requirement that they serve conservation goals for the species without an adverse impact on the stock. To that end, before any further permits, extensions, or amendments are granted, the NMFS should prepare an in-depth Environmental Impact Statement (ESI) similar to that being proposed for research on North Atlantic right whales (<i>Eubalaena glacialis</i>) in the Northeast.</p>			NEP

National Environmental Policy Act

Submission No.	CommentNumber	41	Database Reference ID	233	ISSUES
<p>We note that and environmental impact statement conducted pursuant to authorizing native subsistence hunting of fur seals found that there are "conditionally significant adverse cumulative effect[s]" from commercial fisheries and native subsistence hatvest. (NMFS 2005) Because of this, it is important that the EIS weigh potential impacts of capture and intrusive research quite carefully.</p>					<p>CUM NEP</p>
Submission No.	CommentNumber	38	Database Reference ID	349	ISSUES
<p>If NMFS has information on the number of animals from each stock that may have died as a result of proposed activities, or even similar information on mortality and morbidity from other species of sea lions that could elucidate mortality levels, it should be provided to reviewers in summary fashion so that a more thorough evaluation of potential impacts from various procedures and among the various applicants can be made.</p>					<p>MOR NEP</p>
Submission No.	CommentNumber	43	Database Reference ID	354	ISSUES
<p>Instead of providing assurance that the intrusive procedures that are proposed are necessary and proportional to the questions that need to be addressed, the NMFS has simply passed along each proposal ad hoc, with no attempt in the EA to address the necessity or scope of the research proposals or to assess cumulative effects on mortality and morbidity of individuals and any consequent range-wide or localized population level effects.</p>					<p>CUM MET NEP</p>
Submission No.	CommentNumber	45	Database Reference ID	356	ISSUES
<p>The MMPA stipulates that research cannot result in the lethal take of a depleted stock unless the research fulfills a critically important research need. [12 U.S.C. 1374 (c)(3)(B)] As we have discussed above, the NMFS has never undertaken a review of the most efficacious means of answering the critical questions nor the number of animals minimally necessary to do so. Without such a review it cannot assure that all of the incidental lethal takes that will be authorized are in service of important conservation needs.</p>					<p>MMP NEP</p>
Submission No.	CommentNumber	46	Database Reference ID	357	ISSUES
<p>The MMPA also requires NMFS to consult with the Marine Mammal Commission. Because its previous consultations with the Commission yielded critical comments (see Appendix A of EA), that questioned the need for some of the research permits and the scope of the activities, we believe that NMFS has erred in its assertion that the research is justified.</p>					<p>MMP NEP</p>
Submission No.	CommentNumber	52	Database Reference ID	363	ISSUES
<p>These sorts of experiments on lactating females and newly born pups seem risky, and both legally and ethically questionable.</p>					<p>MET NEP</p>
Submission No.	CommentNumber	2	Database Reference ID	369	ISSUES
<p>The SSL Recovery Plan Team meeting is scheduled for March 15-17. This would be valuable information to have for the workshop.</p>					<p>NEP</p>

National Environmental Policy Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
	2	373	ISSUES
Who has been contacted regarding this project? What is the schedule for scoping?			NEP
	3	374	ISSUES
It will be important to involve NOAA GC in this project, especially for review of project alternatives. Is there a conflict of interest because NMML would help with this process but are also researchers seeking permits?			NEP
	3	375	ISSUES
The MMC does not plan to draft separate comments for this comment period. Please consider our comments submitted on the Permits EA and other recent comments regarding this topic our formal submittal for the public scoping period of this EIS.			NEP
	1	376	ISSUES
Is the workshop more for comments on the process?			NEP
	27	338	ISSUES
...the combined incidental lethal take that is requested by the applicants, when added to the native harvest and fisheries-related mortality is in excess of the PBR for the western Steller sea lions. This squarely refutes the earlier NMFS finding of no significant impact and, further, shows that the additive effort of this research on the stock could contribute to its decline. In this situation, an EIS is warranted and anything less is unlawful.			NEP PBR
	22	214	ISSUES
...NMFS has stated that little is known about the effect of many procedures. These are vulnerable species, with two stocks in decline. If this more thorough evaluation finds little information on which to evaluate effects of various procedures, the EIS should state this clearly and recommend a means of remedying the situation before allowing procedures with unknown effects to proceed.			INA NEP
	1	377	ISSUES
Is the intent to develop strawman alternatives for the workshop to help focus the group?			NEP
	8	200	ISSUES
The EIS should also examine various methods of capturing animals for study and evaluate them with regard to how humane, risk averse or effective each may be.			MET NEP

National Environmental Policy Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
	9	201	
The EIS should evaluate the various methods of marking, including their utility and impact on animals, and discuss which monitoring methodologies are likely to be most effective.			MET NEP
	10	202	
The EIS should discuss each the wide variety of research methods and protocols and rank them according to their utility, invasiveness or need for specialized training in their use.			MET NEP
	11	203	
The EIS should evaluate where, when, how or whether each of these can be used individually or in which effective combinations to illuminate the various aspects of the role in the decline played by resource limitation or nutritional stress.			MET NEP
	12	204	
Within the EIS, there should be discussion the synergistic effects of using a variety of sampling procedures on individuals.			CUM NEP
	14	206	
...the EIS should evaluate the types and amounts of procedures to which individuals of various demographic classes should be subjected without elevating the risk of serious injury or death.			MET NEP
	15	207	
The level of research must be evaluated in a manner that illuminates stratification of sampling. That is, in what demographic classes, areas or times is sampling most appropriate for the investigation of various hypotheses?			NEP SAM
	17	209	
The EIS should evaluate level of research in a manner that results in identifying, where possible, indicator sites that can be sampled in lieu of permitting projects throughout the entire range of the stock.			MET NEP
	18	210	
The EIS should also examine what research has been done to date and how that research can inform the need for additional research using certain techniques.			MET NEP
	47	239	
We believe that the EIS should discuss the need for appropriate ecosystem research that may not depend on synoptic and intrusive research directed at a single species or two species.			NEP

National Environmental Policy Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
	21	213	
<p>...the EIS should examine research conducted elsewhere on various pinniped species to ascertain effects. It is also important that the EIS evaluate the appropriateness of using less vulnerable surrogate species to test hypotheses regarding the short and long-term effects of a multiplicity of procedures used on Steller sea lions and used or proposed for use on fur seals.</p>			CUM MET NEP
	42	234	
<p>NMFS should evaluate the degree to which data from fur seals killed by natives can provide information, without the need of additional invasive sampling.</p>			NEP
	23	215	
<p>It is also critical that the EIS evaluate methodologies for post-handling monitoring of effects.</p>			MON NEP
	24	216	
<p>The EIS should assess the need for the capture and temporary holding and testing of animals, and evaluate whether studies on already captive Steller sea lions or surrogate species might be substituted.</p>			MET NEP
	25	217	
<p>The degree of supervision is not specified and the degree to which they will be performing intrusive, potentially injurious procedures is not clear, simply that their "qualifications and experience must be commensurate with his/her assigned responsibilities"... It would be helpful for the EIS to evaluate standards used in other species as well as for pinniped research in other species and/or areas.</p>			CRE NEP
	28	220	
<p>The EIS can also examine permittees who have a history of frequent amendments and assess whether, or how, data gathered before or after the amendments were used or accounted for in published reports.</p>			NEP REP
	29	221	
<p>The EIS should examine how NMFS should reconcile situations in which granting a permit or amendment would be counter to recommendations from other management agencies.</p>			NEP PER
	30	222	
<p>The EIS should also examine the number of instances in which permits were granted or amended without the permittee having fulfilled requirements of previous permits for timely submission of annual and final reports and/or reports of mortalities.</p>			NEP PER

National Environmental Policy Act

Submission No.	CommentNumber	33	Database Reference ID	225	ISSUES
<p>Given its a priori proposal to eliminate most of the alternatives from consideration, and the impracticality or illegality of allowing virtually unlimited intrusive research on declining stocks, the NMFS has conveniently left itself with no viable alternative other than its proposed action. This defeats the purpose of the EIS.</p>					<p>ALT NEP</p>
Submission No.	CommentNumber	34	Database Reference ID	226	ISSUES
<p>...we believe the EIS should address how the NMFS will identify for each species which questions are indeed the most critical.</p>					<p>NEP</p>
Submission No.	CommentNumber	39	Database Reference ID	231	ISSUES
<p>If NMFS goes forward with analyzing its proposed action as it is currently written, we are concerned that we will see no improvement in the understanding of why there are declines, because it provides no assurance that there will be an analysis of research priorities and methodologies that is not self-interested.</p>					<p>NEP</p>
Submission No.	CommentNumber	40	Database Reference ID	232	ISSUES
<p>It is critical that this EIS re-examine the bases for the conclusions of these peer review panels and assess not only how individual procedures or research protocol can affect individuals and stocks, but also examine how basic flaws in research design such as those identified by the peer review panels of 1997-1999 may themselves impede understanding of research needs and impacts of research.</p>					<p>MET NEP</p>
Submission No.	CommentNumber	6	Database Reference ID	198	ISSUES
<p>Critiques and recommendation for the Steller sea lion research program were made by expert panels (NMFS 1997, NMFS 1999) that should be taken into consideration in the EIS process and allowed to inform the process of designing appropriate research programs.</p>					<p>NEP</p>
Submission No.	CommentNumber	19	Database Reference ID	211	ISSUES
<p>The EIS should consider the appropriateness of granting permits for smaller geographic areas or coordinating research of a particular type through a single permit as a means of assisting in coordination.</p>					<p>CRE NEP</p>

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Mortality

Submission No.	CommentNumber	35	Database Reference ID	178	ISSUES
<p>...some of this research will simply cause unnecessary disturbance and increase mortality on the endangered stock without contributing significantly to the conservation of Steller sea lions – a key consideration when determining whether or not to permit the proposed research activities:</p>					<p>EFF MOR</p>
Submission No.	CommentNumber	13	Database Reference ID	33	ISSUES
<p>This would be a mortality rate of almost 30 percent of the animals handled, which, if it actually occurred, would be unacceptably high.</p>					<p>MOR</p>
Submission No.	CommentNumber	26	Database Reference ID	46	ISSUES
<p>Finally, the applicant has not, but should, explain why such a high number of research-related mortalities (10) are needed on an annual basis.</p>					<p>MOR</p>
Submission No.	CommentNumber	53	Database Reference ID	73	ISSUES
<p>The lack of information on incidental mortality also could confound research results and, if not accounted for, could undermine the ability of the projects to produce information that can be expected to contribute to the recovery and conservation of the Steller sea lion.</p>					<p>INA MOR</p>
Submission No.	CommentNumber	57	Database Reference ID	77	ISSUES
<p>...the number of accidental mortalities requested in the permit applications does not appear to be consistent with the finding of no significant adverse impact.</p>					<p>MOR PER</p>
Submission No.	CommentNumber	72	Database Reference ID	92	ISSUES
<p>· surgical implantation of instruments be immediately suspended, until reauthorized by the Service, in the event that two animals die or are injured during or following the surgery and the mortality or injury can reasonably be attributed to that activity;</p>					<p>MOR</p>

Mortality

Submission No.	CommentNumber	Database Reference ID	ISSUES
	73	93	
<p>the Service, in consultation with the applicants, review the basis for the numbers of accidental mortalities requested and provide reasonable justification for the number that can occur annually before research activities must be suspended. It may be useful, as part of such review, to examine the data concerning the number of accidental mortalities authorized and the number of animals actually killed during permitted Steller sea lion research over the past five years. On a related matter, in the event that a lactating female is killed or seriously injured as a result of the activities, the female's orphaned pup should be humanely provided for (i.e., salvaged and cared for, or if salvage is not possible, euthanized);</p>			MET MOR
	2	104	
<p>Based on our review of the permits and previous comments submitted by the Marine Mammal Commission, we find that the National Marine Fisheries Service (NMFS) cannot meet its burden under the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA) to show that this research will clearly benefit the conservation of this species, that there is good coordination between the different research projects, that the effects of the research can be adequately monitored by NMFS, and that the level of incidental mortality (as a result of the research) is below an acceptable level.</p>			CON COR ESA MMP MOR
	4	106	
<p>The need to limit accidental mortality as a result of this research is critical to showing that the proposed studies will clearly have a benefit to the species. It is unclear to us from the permit descriptions if the number of deaths related to incidental mortality from research is greater in these revised permits. If it is equal to or greater than this previous number calculated by the Commission, this is still a number that seems to be at an unacceptable level, especially for the "endangered" western population.</p>			INA MOR
	8	28	
<p>Darting adult female sea lions with Telazol, as proposed, involves a high risk of mortality, either from their reaction to the drug or from drowning if they enter the water before the drug takes full effect.</p>			EFF MOR
	20	163	
<p>Even commonly practiced techniques such as tooth extraction and the attachment of flipper tags may result directly or indirectly in increased mortality due to infection, illness, reduced foraging success or increased predation.</p>			MOR
	51	362	
<p>Researchers from Texas A&M are proposing surgical implantation of tracking devices. ...that means that 70 percent of the animals are expected to die well before their life expectancy. ...this causes us some concern, particularly since the applicant projects that as many as 15 lethal takes may need to be authorized for their activities that will be implanting 80 tags in the 120 animals captured.</p>			INA MOR

Mortality

Submission No.	CommentNumber	Database Reference ID	ISSUES
	11	250	
<p>If we look at the total number of animals to be captured... This totals 2,185 Steller sea lions who will be subjected to "one of the most stressful incidents in life"! Of those animals who will be captured, applicants seek permission to have over 50 of them die as a result of their activities. This appears to be an unacceptably high level of stress and mortality for a stock that is already declining in many parts of its range.</p>			EFF MOR
	20	259	
<p>This is a mortality rate of approximately 20%. Particularly in light of these extremely high mortality rates, we do not see that the justification for this permit outweighs the potential risk to animals, as would be required by the MMPA and ESA. This permit should be denied.</p>			INA MOR
	24	263	
<p>The HSUS notes that the applicant requests 8 mortalities per year (p. 33), whereas the chart on p. 69 states that they are only requesting 5 accidental mortalities. It is not clear that these mortalities are warranted, particularly the 3 that are reserved for animals captured and held at the ASLC. This represents a 3-month death rate of 18%, which is unacceptably high for animals in a captive facility. This level is far from humane and far from negligible for the number in captivity. This portion of the permit should be denied.</p>			EDI MOR PER
	1	267	
<p>If the applicants themselves worry that 6 mortalities in a year is too many, then clearly NMFS would be justified in suspending all research, including this applicant's, if more than this number occur.</p>			MOR
	4	270	
<p>The applicant proposes that up to one Steller sea lion out of 12 may die as a result of the procedures. This is a fatality rate well in excess of most other researchers and should be, but is not, explained.</p>			MOR PER
	14	280	
<p>All in all, this proposal is requesting a mortality rate as high as 29% of the sampled animals, many of which may be female, a segment of the population that is critical to recovery of the stock. This level of mortality is shocking. It is not clear why any animal care committee would approve this or how the ESA would permit it. If this applicant has experienced mortality in his already permitted research, we see no mention made of it in the EA. If he has not experienced mortalities, it is not clear why such a high percentage of the study population is being sought.</p>			ESA INA MOR
	17	283	
<p>The application discusses the possible death of up to 65 animals "during research activities" in a five year period. It is not clear whether or how this will be determined and documented by researchers but these deaths should be counted against this permit and against a total of 10 mortalities across the western stock.</p>			INA MOR

Mortality

Submission No.	CommentNumber	38	Database Reference ID	349	ISSUES
<p>If NMFS has information on the number of animals from each stock that may have died as a result of proposed activities, or even similar information on mortality and morbidity from other species of sea lions that could elucidate mortality levels, it should be provided to reviewers in summary fashion so that a more thorough evaluation of potential impacts from various procedures and among the various applicants can be made.</p>					<p>MOR NEP</p>
Submission No.	CommentNumber	4	Database Reference ID	147	ISSUES
<p>...direct and indirect mortalities attributable to research are poorly assessed or difficult to quantify.</p>					<p>MOR</p>

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Monitoring

Submission No.	CommentNumber	Database Reference ID	ISSUES
23	215		
It is also critical that the EIS evaluate methodologies for post-handling monitoring of effects.			MON NEP
3	23		
...whether, and to what extent, attempts will be made to monitor the short- and long-term adverse effects of the research efforts;			EFF MON
52	72		
...the lack of a monitoring plan will preclude an analysis of the effects of the proposed research, both while it is in progress and after it has been completed.			INA MON
56	76		
The second factor, the development of a monitoring plan will not contribute to the reduction of significant effects that may result from the proposed research until a plan is completed and implemented. Although such a plan is needed, it is not expected to be in place for some time, and therefore will be of no use in describing incidental effects during the first years of this research.			MON
63	83		
In light of the considerable increase in research activities (including a number that would employ invasive techniques that pose risks to the sea lions involved), the potential for disturbance of animals at rookeries and haulouts, the lack of a monitoring plan to assess incidental impacts, the lack of an adequate cumulative effects analysis, and the ongoing decline of the western population of Steller sea lions, significant adverse effects resulting from the proposed and ongoing research activities cannot be ruled out.			CUM EFF MON
67	87		
· the researchers take steps to minimize disturbance of the subject animals by exercising caution when approaching animals, particularly mother-pup pairs, and halt an approach if there is evidence that the activity may be interfering with pair bonding, nursing, reproduction, feeding, or other vital functions;			MET MON
68	88		
· all branding activities be accompanied by effective programs to monitor their short- and long-term effects;			BRD MON

Monitoring

Submission No.	CommentNumber	Database Reference ID	ISSUES
	81	101	ISSUES
To ensure that such adverse effects do not occur and become a significant factor in the decline, the Service should develop a monitoring program to assess the effects of research that may affect individuals or populations.			MON
	10	153	ISSUES
...absolute need for an accompanying monitoring program to assess the effects of research on the threatened and endangered populations.			MON
	7	14	ISSUES
Animals should also be should be monitored after the research projects for long term impacts.			MON
	24	167	ISSUES
...potential for harm from such techniques may be outweighed by the benefits to be gained from the ability to identify animals across multiple years, but only if there is a long-term commitment to monitor the status of branded animals.			BRD EFF MON
	33	344	ISSUES
The FONSI also stated that there would be long-term monitoring of branded animals, yet neither the researchers themselves nor NMFS' EA discuss the extent to which this was done.			MON
	6	245	ISSUES
It is not clear whether or how a 5-year permit will be halted to allow evaluation of longer-term effects. More alarming, it is clear that such a plan to monitor lethal and sub-lethal effects in not in place at this time.			INA MON
	7	246	ISSUES
The HSUS believes that the time for developing a plan to monitor potential effects is before the research is undertaken, rather than after permits are granted and research is underway.			MON
	8	247	ISSUES
The limited discussion of the need for a monitoring plan only addresses concerns regarding synergistic effects of invasive procedures. It is not apparent that such a plan would consider the stress of the cumulative effects of being captured multiple times, and of being harassed during survey activities and scat collection in the rookeries.			CUM MON

Monitoring

Submission No.	CommentNumber	Database Reference ID	ISSUES
	15	254	
The HSUS suggests that the ADFG may wish to spend more effort trying to re-sight animals and analyze the information from re-sighting, rather than continuing to brand additional animals. If continued or additional branding is authorized, the applicant must be required to monitor post-branding effects and provide evidence of little or no effect of their various activities on rookeries.			BRD MON
	16	255	
Additionally, we feel that insufficient attention was given to consideration of post-capture myopathy. We note that although NMFS states in the EA on p. 69 that ADFG proposes 10 accidental mortalities per year, the chart on p. 9 of the applications stipulates 5 per year.			EDI MON
	17	256	
We reiterate our concern expressed above that the applicant should institute a post-capture monitoring program and assessment of condition.			MON
	22	261	
The HSUS believes that the NMFS should request post-capture monitoring of survival and re-sighting to fill apparent gaps in understanding this sort of information.			MON
	24	290	
There should be additional information provided in the application to assure adequate monitoring of animal fates.			MON
	11	154	
An adequate monitoring program should enable NMFS to suspend permits if subsequent information indicates that the research impacts are unacceptable or are exceeding the number of mortalities and injuries authorized under the permit.			MON

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Marine Mammal Protection Act

Submission No.	CommentNumber	46	Database Reference ID	357	ISSUES
<p>The MMPA also requires NMFS to consult with the Marine Mammal Commission. Because its previous consultations with the Commission yielded critical comments (see Appendix A of EA), that questioned the need for some of the research permits and the scope of the activities, we believe that NMFS has erred in its assertion that the research is justified.</p>					<p>MMP NEP</p>
Submission No.	CommentNumber	45	Database Reference ID	356	ISSUES
<p>The MMPA stipulates that research cannot result in the lethal take of a depleted stock unless the research fulfills a critically important research need. [12 U.S.C. 1374 (c)(3)(B)] As we have discussed above, the NMFS has never undertaken a review of the most efficacious means of answering the critical questions nor the number of animals minimally necessary to do so. Without such a review it cannot assure that all of the incidental lethal takes that will be authorized are in service of important conservation needs.</p>					<p>MMP NEP</p>
Submission No.	CommentNumber	2	Database Reference ID	313	ISSUES
<p>Many of the research projects involve the use of invasive studies and physical handling of animals that subjects them to risk of severe injury and death and appear likely to disadvantage the western stock of Steller sea lions. ...the HSUS believes that the NMFS cannot issue the requested permits without violating the requirements of NEPA, the MMPA and the ESA.</p>					<p>EFF ESA MMP NEP</p>
Submission No.	CommentNumber	1	Database Reference ID	312	ISSUES
<p>The HSUS strongly opposes issuance of these permits at this time. We find that the National Marine Fisheries Service (NMFS) has not satisfied the requirements of the National Environmental Policy Act, nor has it met its obligations under the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). Because the western stock of Steller sea lions is endangered and declining in numbers, NMFS must demonstrate that the permits are non-duplicative, unlikely to adversely affect the stock, and in service of a significant gain in conservation of the species.</p>					<p>ESA MMP NEP</p>
Submission No.	CommentNumber	38	Database Reference ID	304	ISSUES
<p>Accordingly, the HSUS must insist that the NMFS not issue any permits, permit extensions or permit modifications involving invasive research until such time as you have completed an Environmental Impact Statement that fully evaluates the individual and cumulative impacts of the proposed research and weighs its contribution to cumulative effects on the stocks from combined mortality and serious injury resulting from fisheries-related mortality and native harvest. The quality of analysis required by NEPA and by both the ESA and the MMPA is simply lacking at this time. Furthermore, we believe that NMFS has an obligation to consult under Section 7 of the ESA on the impacts that this activity will have on the western stock of Steller sea lions, particularly with regard to the additive effects of these permits along with those of native harvest mortality and incidental fisheries-related mortality.</p>					<p>CUM ESA MMP NEP</p>

Marine Mammal Protection Act

Submission No.	CommentNumber	36	Database Reference ID	302	ISSUES
The information and analysis provided by NMFS so far entirely fails to demonstrate that these permits can be issued without violating NEPA, the ESA and the MMPA.					ESA MMP NEP
Submission No.	CommentNumber	35	Database Reference ID	301	ISSUES
Approval for invasive studies by this applicant should be suspended until NMFS can conduct a more comprehensive evaluation of range-wide research, its contribution to specific recovery plan needs and compliance with requirements of NEPA, the ESA, MMPA and Animal Welfare Act.					ESA MMP NEP PER WEL
Submission No.	CommentNumber	14	Database Reference ID	253	ISSUES
Clearly this level of harassment and mortality does not meet the conditions specified for issuance of permits under the MMPA to assure that impacts will not have a significant impact. On that basis, all of the permits cannot be granted.					MMP PER
Submission No.	CommentNumber	4	Database Reference ID	243	ISSUES
While individual permit applications may comply with some or all of these requirements, it is not clear that these proposals in sum can comply with all of them.					MMP
Submission No.	CommentNumber	3	Database Reference ID	242	ISSUES
The MMPA requires that a number of criteria be met prior to the issuance of research permits (50 CFR 216.34). (1) The proposed activity is humane and does not present any unnecessary risks to the health and welfare of marine mammals; and (2) The proposed activity, if it involves endangered or threatened marine mammals, will be conducted consistent with the purposes and policies set forth in section 2 of the Endangered Species Act (ESA); and (3) The proposed activity, by itself or in combination with other activities, will not likely have a significant adverse impact on the species or stock.					MMP
Submission No.	CommentNumber	1	Database Reference ID	240	ISSUES
However, it is not clear that adequate coordination of these various research proposals has taken place and it is not clear that the proposals meet all of the conditions stipulated in the Marine Mammal Protection Act (MMPA or Act).					COR MMP
Submission No.	CommentNumber	6	Database Reference ID	108	ISSUES
Defenders urges that the NMFS defer final action on the permits, permit extensions or permit modifications until such time as you have completed an EIS that fully evaluates the individual and cumulative impacts of the proposed research and weighs its contribution to cumulative effects on the stocks from multiple factors discussed previously. Only that research which is clearly non-duplicative and addresses compelling conservation needs should be permitted. This degree of analysis is required under both the ESA and the MMPA and is lacking at this time.					CUM ESA MMP NEP

Marine Mammal Protection Act

Submission No.	CommentNumber	2	Database Reference ID	104	ISSUES
Based on our review of the permits and previous comments submitted by the Marine Mammal Commission, we find that the National Marine Fisheries Service (NMFS) cannot meet its burden under the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA) to show that this research will clearly benefit the conservation of this species, that there is good coordination between the different research projects, that the effects of the research can be adequately monitored by NMFS, and that the level of incidental mortality (as a result of the research) is below an acceptable level.					CON COR ESA MMP MOR

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Mitigation

Submission No.	CommentNumber	Database Reference ID	ISSUES
39	350		
			ISSUES
Further he cites that the Recovery Plan encourages the use of mitigation measures to minimize impacts and the recommendation of alternative, less intrusive techniques. While we would generally agree with this premise, the HSUS does not believe that this standard has been satisfied.			MIT
23	289		
			ISSUES
Mitigation measures were suggested in the primary research (Lewis 1987) including conducting counts at times and tidal cycles when non-pup presence is lowest, not conducting counts when rookery is small to prevent pups from drowning in pools. These are not discussed in this application's mitigation measures.			MIT
8	187		
			ISSUES
The EIS should describe the potential mitigation measures, if any, that should be implemented as part of the proposed actions. If mitigation measures are feasible, then the EIS should stipulate whether a portion of grant funds will be used to pay for that mitigation.			MIT NEP
14	34		
			ISSUES
However, it is not clear that the research design is sufficient to test this hypothesis and to characterize any differences in the use of forage fish by sea lions in the two populations.			INA MIT PER

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Methodology

Submission No.	CommentNumber	Database Reference ID	ISSUES
	1	125	ISSUES
it is clear we need a definite limit on the impact of alleged "research" on sea lions and seals since their population numbers are so limited and they are under such assault.			MET
	7	7	ISSUES
· Finally, that the humaneness of the techniques used are critically evaluated. Hot iron branding, for example, should be prohibited. Limited time, money, energy, and motivation are not excuses for using painful and harmful techniques on animals when alternatives are available or can be developed.			BRD MET NEP
	3	111	ISSUES
In summary, when evaluating the impacts of any research technique it is important to recognize the stochastic nature of any disturbances caused. I think any technique might sometimes be done with very little disturbance, but the same methods may increase mortality considerably under different conditions.			MET
	4	112	ISSUES
Drive counts of pups should be avoided. In general ground counts are disruptive to the social order of sea lions, pups often end up in the water, and these counts interrupt nursing by separating pups and their mothers.			MET
	5	113	ISSUES
Collecting data on an active rookery should be minimized and never repeated in the same place regularly.			MET
	6	114	ISSUES
It might be beneficial to sea lions to have one section of the Forrester Island complex off limits to ground based research.			MET
	7	115	ISSUES
Additionally personnel who are working on a rookery should be briefed by an experienced biologist on how to minimize the spooking of sea lions (such as staying low and moving slow, minimizing time on a rookery).			CRE MET

Methodology

Submission No.	CommentNumber	Database Reference ID	ISSUES
	8	116	
Researchers camping near rookeries can be an asset in protecting rookeries from fishing and tourism disturbance.			MET
Submission No.	CommentNumber	Database Reference ID	ISSUES
	73	93	
· the Service, in consultation with the applicants, review the basis for the numbers of accidental mortalities requested and provide reasonable justification for the number that can occur annually before research activities must be suspended. It may be useful, as part of such review, to examine the data concerning the number of accidental mortalities authorized and the number of animals actually killed during permitted Steller sea lion research over the past five years. On a related matter, in the event that a lactating female is killed or seriously injured as a result of the activities, the female's orphaned pup should be humanely provided for (i.e., salvaged and cared for, or if salvage is not possible, euthanized);			MET MOR
Submission No.	CommentNumber	Database Reference ID	ISSUES
	3	121	
WWF strongly urges the NMFS to carefully consider the need for dedicated support of long-term research in the EIS process. In particular, the balance between the ability of agency and university research programs to maintain consistent research protocols and field efforts should be carefully analyzed.			MET NEP
Submission No.	CommentNumber	Database Reference ID	ISSUES
	70	90	
· surgical implants of instruments be performed by experienced marine mammal veterinarians, and the animals be fully recovered from anesthesia and exhibiting no ill effects of the surgery prior to release;			CRE MET
Submission No.	CommentNumber	Database Reference ID	ISSUES
	6	133	
...the EIS should identify the level of research that is appropriate and the appropriate demographic classes and temporal and spatial bounds for research to address those questions.			MET NEP
Submission No.	CommentNumber	Database Reference ID	ISSUES
	7	134	
A power analysis for particular research questions and/or methodologies should be done before granting permits for invasive research and sampling.			MET NEP
Submission No.	CommentNumber	Database Reference ID	ISSUES
	8	135	
We support convening a research panel with outside experts who can assist in clarifying the most appropriate research design and ensure it is not marred by self interest.			MET
Submission No.	CommentNumber	Database Reference ID	ISSUES
	10	137	
The EIS should evaluate all of the most common methods of providing insight into important food habits.			MET NEP

Methodology

Submission No.	CommentNumber	Database Reference ID	ISSUES
	11	138	
Research and methodology should be evaluated as to how effective they are in providing key information with minimal adverse effects, and how they can be used in combination with each other.			MET NEP
	12	139	
We believe that only veterinarians should administer anesthesia.			MET
	23	166	
...the preferred technique of hot-branding large numbers of pups and young juveniles may lead to substantial mortalities (EA, p. 53), raising questions about the degree to which vital rates information gleaned from branded animals may be biased by the experiment itself.			BRD MET
	10	118	
If the aircraft is piloted well, such that there are no major changes in the engine sound, aerial photography can be done with little disturbance.			MET
	36	56	
If information exists that demonstrates that tooth size and wear patterns can be used to determine if an animal is weaned, the applicant should be asked to provide or reference such information. If such information is not available, then the applicant should recognize this and be prepared to handle some animals that may not yet be weaned			MET PER
	5	12	
The EIS should review the feasibility of employing alternative research techniques that will produce comparable results to those presented and subject to the EIS. These alternative techniques should include those that are not invasive, painful or life-threatening. Such techniques may include scat analysis, hair sampling, body condition evaluation and non-invasive scanning imaging.			MET NEP
	6	13	
If the true intent of the research is to prevent a further decline in numbers of animals, then studies should include zero mortalities and no procedure that could result in any condition that might affect the future success of the species, including stress.			MET
	4	18	
Are the invasive methodologies absolutely necessary? Starving 16 juvenile sea lions hardly seems necessary or ethical.			EFF MET

Methodology

Submission No.	CommentNumber	Database Reference ID	ISSUES
	3	17	
<p>Many of the methods are invasive and could have potential fitness costs, especially to the pups. Pups being subjected to as many as 15 different intrusive procedures each season seems excessive in and endangered/threatened population.</p>			<p>EFF MET</p>
	15	35	
<p>However, it seems questionable that samples taken from the sea lions at two sites per population will be representative of the larger populations for several reasons:</p>			<p>MET</p>
	16	36	
<p>Thus, the nature of the data collected will be unavoidably influenced by the selection of sample sites. The simple recognition that forage fish availability varies by site suggests that a more complicated sampling regime will likely be necessary to compare in a meaningful way the foraging patterns and the significance of forage fish to the two populations of sea lions.</p>			<p>MET</p>
	19	39	
<p>...not clear that the design described will be sufficient to accomplish its purpose. The design appears to involve only a single flight during each spring period when spawning may occur.</p>			<p>INA MET</p>
	80	100	
<p>It is not clear that all of the planned research is essential, and that the potential merits outweigh the cumulative or combined risks.</p>			<p>MET PER</p>
	30	50	
<p>...it would be useful to compare the criteria developed by the Alaska SeaLife Center with similar criteria being developed by the Service for releasing captive marine mammals to the wild to ensure that the Center's list of criteria is comprehensive.</p>			<p>COR MET</p>
	9	201	
<p>The EIS should evaluate the various methods of marking, including their utility and impact on animals, and discuss which monitoring methodologies are likely to be most effective.</p>			<p>MET NEP</p>
	37	57	
<p>This section again refers to injections of adrenocorticotrophic hormone to "challenge" juveniles. The purpose and utility of such tests are not clear, and the applicant should provide a rationale and research protocol for them; and</p>			<p>INA MET PER</p>

Methodology

Submission No.	CommentNumber	Database Reference ID	ISSUES
	39	59	
<ul style="list-style-type: none"> · what is the minimum age at which pups may be captured? · what are the weights of the transmitter devices that will be implanted in juvenile animals and the animals themselves? how does one determine the maximum size (dimensions, size) of instruments that can be implanted safely into the animals? · what precisely will be done in terms of "re-evaluating the process" (as noted on page 44 of the application) if more than three captive animals are deemed to be non-releasable within the period of one year? and · under what circumstances would animals deemed non-releasable be euthanized? 			MET PER
	40	60	
<p>...it is essential that the samples collected during the course of research should be representative of the sea lion populations from which they were taken and should be pertinent to identification of the causes of the decline or steps that can be taken to facilitate the species' recovery.</p>			INA MET SAM
	54	74	
<p>Also, if animals are branded for the purpose of assessing survival, and some of the animals die from branding or its complications, then the resulting estimates of survival will be biased unless the effect of branding is somehow quantified and accounted for in the final analysis of survival.</p>			MET
	64	84	
<p>The large increase in funding for this research reflects a concern about the effects of fisheries on Steller sea lions, and such effects may be difficult to describe if the research conducted lacks the investigative power to describe the mechanisms of interaction in detail.</p>			MET
	67	87	
<ul style="list-style-type: none"> · the researchers take steps to minimize disturbance of the subject animals by exercising caution when approaching animals, particularly mother-pup pairs, and halt an approach if there is evidence that the activity may be interfering with pair bonding, nursing, reproduction, feeding, or other vital functions; 			MET MON
	69	89	
<ul style="list-style-type: none"> · whenever possible, new invasive research procedures be tested on non-listed otariid species and on captive Steller sea lions before they are used on sea lions in the wild to ensure that the proposed techniques can be employed safely; 			MET
	20	40	
<p>It is also not clear why this study is not being coordinated with other aerial surveys proposed for southeastern Alaska.</p>			COR MET

Methodology

Submission No.	CommentNumber	Database Reference ID	ISSUES
	12	323	ISSUES
There should be some agreement on the goals of studies and the best methodology for answering common questions while assuring minimal impact on animals.			MET
	26	292	ISSUES
As we have previously stated, we believe that this and all other permit applications seeking takes for invasive/intrusive activities should be held in abeyance pending a through EIS, a consultation under Section 7 and an analysis of the scope and demographic and geographic parameters that need to be studied, the best techniques for answering key questions and a power analysis of the numbers of animals minimally necessary for invasive/intrusive studies.			ESA MET NEP
	28	294	ISSUES
...ASLC has requested six separate permit modifications just in the past 18 months. This it is almost impossible for reviewers to ascertain whether these modifications (many of which request additional sampling procedures) will affect the reliability of the information that is being gathered and/or whether synergistic effects of multiple sampling of both free ranging and captive animals and changes in sampling protocols for the same animals or comparable cohorts compromises the reliability or validity of the data being collected.			CRE CUM MET
	30	296	ISSUES
...the applicant proposes on page 3 of the December 7, 2003 amendment request to extract teeth from 80 adult females to allow age determination, although stating in the same paragraph that "prominent agencies such as ADFG and NMML" recognized "that these methods are inaccurate for older animals." If this is the case, then why is the applicant requesting permission for this invasive activity and why would NMFS grant it?			MET PER
	37	303	ISSUES
Some of this research appears to be unnecessarily invasive and lacking reasonable precaution to assure that animals are handled in a manner that is humane and minimizes suffering and harm.			MET
	39	305	ISSUES
The HSUS also suggests that NMFS sponsor a workshop to delineate the specific questions that need to be answered, the best means of addressing those questions and the minimum number of animals necessary for valid research results.			MET
	3	309	ISSUES
When we're weighing the costs of a research project, we need to consider what the costs are...			MET
	4	310	ISSUES
...we need to consider the relationship between the type of research and its effect on the survival and reproduction of the species.			MET

Methodology

Submission No.	CommentNumber	Database Reference ID	ISSUES
	4	196	
When species are declining, they can ill afford this sort of ad hoc approach to investigating the causes of their decline. They need well designed, minimally intrusive, research that can point to possible future management measures to remedy their dire straits.			MET
	4	315	
The EA stipulates that, since 1975 over 15,000 Steller sea lions have been hot branded (p. 127), with an additional 3,000 more proposed for branding by the current applicants. This is a procedure with significant risks, and it should only be done if there is no other less invasive alternative, and only if it is necessary to continue to brand animals beyond those already branded.			BRD MET
	9	275	
Though the applicant requests permission to capture and sample and/or brand 12 Steller sea lions, they have no basis other than wild guessing as to the reason for this number. When asked by NMFS (3/12/05 cover) to justify this number, Harriet Huber of NMML stated that it was determined "arbitrarily—in 2003 we had funding to instrument up to six SSL." When questioned about the need to remotely tag 3 Steller sea lions and not more or less, she responded "[it] was arbitrarily chosen." This is inappropriate.			MET PER
	18	329	
NMFS has not discussed whether the varying methodologies are addressing different questions or the same question. If they are addressing the same question, then less invasive procedures should be used to answer questions raised by the conservation goal. When there are conflicting methodologies offered (e.g., tagging vs. branding or scat collection vs. biopsy and removal or vibrissae) NMFS should clarify whether or how each is necessary to address conservation goals and how each fits into a larger matrix of information that will assist recovery efforts. But it has not done so.			INA MET
	24	335	
Rather than continuing to fund stressful, invasive and potentially duplicative research on an ESA listed stock that is declining in many portions of its range, the NMFS and/or Marine Mammal Commission should fund a workshop that would bring together the past, current and potential future permittees along with outside scientists familiar with research methodology and with endangered species conservation biology to determine the nature of the research most likely to result in positive conservation gains for the species, with minimal adverse risk. A workshop could assess the number of animals that should be sampled using various methods to obtain the most critical information to assist in understanding the reasons for the decline and the potential management and mitigation measures that can be pursued.			MET
	25	336	
Before invasive research is conducted on an endangered and declining stock, and in order to assure minimal adverse impacts on individuals or populations, the NMFS must clearly know: what information is necessary to answer the critical questions; how it is best obtained; how many animals are necessary for a reliable sample size; where, when and how the research should be conducted; and who is best qualified and equipped to conduct the research. This type of systematic look has never been undertaken.			MET

Methodology

Submission No.	CommentNumber	Database Reference ID	ISSUES
	40	351	ISSUES
There are a number of techniques for assessing body fat and general condition; not all of them are invasive (e.g., portable ultrasonography and photogrammetry). It is clear that the least invasive should be used when at all possible, yet most applicants choose the most invasive (e.g., biopsy sampling).			MET
	43	354	ISSUES
Instead of providing assurance that the intrusive procedures that are proposed are necessary and proportional to the questions that need to be addressed, the NMFS has simply passed along each proposal ad hoc, with no attempt in the EA to address the necessity or scope of the research proposals or to assess cumulative effects on mortality and morbidity of individuals and any consequent range-wide or localized population level effects.			CUM MET NEP
	47	358	ISSUES
...the proposed research, in this case, is likely to significantly and adversely affect endangered species and that the permit applications do not comply with requirements of the ESA (conditions (3) and (4) above). The HSUS also believes that the research does not meet standards of humane treatment.			ESA MET
	49	360	ISSUES
If sampling protocol is adequately designed for the stock, only a limited number of animals need to be anesthetized and thus mortality risk can be limited as well. Current proposals would cause needless suffering.			EFF MET
	5	311	ISSUES
...we need to consider the reproductive value of the individuals influenced.			MET
	40	232	ISSUES
It is critical that this EIS re-examine the bases for the conclusions of these peer review panels and assess not only how individual procedures or research protocol can affect individuals and stocks, but also examine how basic flaws in research design such as those identified by the peer review panels of 1997-1999 may themselves impede understanding of research needs and impacts of research.			MET NEP
	52	363	ISSUES
These sorts of experiments on lactating females and newly born pups seem risky, and both legally and ethically questionable.			MET NEP
	10	202	ISSUES
The EIS should discuss each the wide variety of research methods and protocols and rank them according to their utility, invasiveness or need for specialized training in their use.			MET NEP

Methodology

Submission No.	CommentNumber	Database Reference ID	ISSUES
	11	203	
The EIS should evaluate where, when, how or whether each of these can be used individually or in which effective combinations to illuminate the various aspects of the role in the decline played by resource limitation or nutritional stress.			MET NEP
	14	206	
...the EIS should evaluate the types and amounts of procedures to which individuals of various demographic classes should be subjected without elevating the risk of serious injury or death.			MET NEP
	17	209	
The EIS should evaluate level of research in a manner that results in identifying, where possible, indicator sites that can be sampled in lieu of permitting projects throughout the entire range of the stock.			MET NEP
	18	210	
The EIS should also examine what research has been done to date and how that research can inform the need for additional research using certain techniques.			MET NEP
	21	213	
...the EIS should examine research conducted elsewhere on various pinniped species to ascertain effects. It is also important that the EIS evaluate the appropriateness of using less vulnerable surrogate species to test hypotheses regarding the short and long-term effects of a multiplicity of procedures used on Steller sea lions and used or proposed for use on fur seals.			CUM MET NEP
	18	284	
Dr. Davis states that animals may need to be re-captured up to three times to attach and remove instrumentation to replace batteries and video tape. There is no provision a risk-benefit analysis such that the increased risk of repeated capture and anesthesia in a space of a few weeks is balanced against the value of data obtained by the video camera.			MET PER
	26	218	
We believe that only veterinarians should administer anesthesia.			MET
	13	279	
Methodology used by this researcher has some commonalities with others (e.g., scat collection, aerial surveys) but appears to have significant differences that are not likely to be replicated elsewhere that may make inter-stock comparisons difficult or impossible.			MET

Methodology

Submission No.	CommentNumber	Database Reference ID	ISSUES
	43	235	ISSUES
The NMFS must assure that appropriate high-priority hypotheses are being tested and assure that priorities are not being set by each individual researcher.			MET
	45	237	ISSUES
Sampling designs need to be reviewed to assure that research is not duplicative; that the focus of research is appropriately framed demographically, geographically and temporally; and that only the most risk averse procedures are being used.			MET
	23	262	ISSUES
We question the value of some of the information gained from live captured animals that are caged in either 12' or 20' diameter pens and subjected to constant testing with regard to making reasonable conclusions about wild animals.			MET
	2	268	ISSUES
...we believe that this and all other permit applications seeking takes for invasive/intrusive activities should be held in abeyance pending a thorough EIS, a consultation under Section 7 and an analysis of the scope and demographic and geographic parameters that need to be studied, the best techniques for answering key questions and a power analysis of the numbers of animals minimally necessary for invasive/intrusive studies.			ESA MET NEP
	5	271	ISSUES
The applicant proposes that no anesthesia will be used and that "squeeze cages" will suffice to restrain animals sufficiently to achieve a readable brand. This appears to disregard humane considerations.			MET PER
	7	273	ISSUES
The applicant also states that although it will only take 20 minutes to "sample" each sea lion, they will be held for up to 3 hours "while other animals are being processed." This level of stress seems excessive and unnecessary.			MET PER
	8	274	ISSUES
The applicant proposes to clip vibrissae instead; some thing that other research discount as reliable. While clipping is less invasive, if it cannot reliably answer the question being posed, then it should not be done. The NMFS should determine whether the desired information can be collected in a manner other than that proposed by the applicant.			MET PER
	8	200	ISSUES
The EIS should also examine various methods of capturing animals for study and evaluate them with regard to how humane, risk averse or effective each may be.			MET NEP

Methodology

Submission No.	CommentNumber	24	Database Reference ID	216	ISSUES
The EIS should assess the need for the capture and temporary holding and testing of animals, and evaluate whether studies on already captive Steller sea lions or surrogate species might be substituted.					MET NEP

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Litigation; Lawsuit

Submission No.	CommentNumber	1	Database Reference ID	370	ISSUES
What is going on with the litigation?					LIT

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Inadequate Information to Assess Effects/ Unclear Inf

Submission No.	CommentNumber	Database Reference ID	ISSUES
29	49		
It is not clear if the applicants are providing these as examples of activities that could conceivably be attempted using a blind or whether they are requesting permission to conduct these activities.			INA PER
2	22		
Based on the information provided in the applications and in the environmental assessment, the Commission is unable to adequately determine if this will be the case, and additional steps may be necessary to ensure that there will not be a significant impact.			INA
60	80		
It is not possible to determine from the permit applications how such coordination will be accomplished. In particular, we are concerned that the lack of information on the spatial and temporal distribution of the different research efforts precludes and analysis of overlap of research by different agencies and organizations, which would seem to be essential for adequate coordination.			COR INA
53	73		
The lack of information on incidental mortality also could confound research results and, if not accounted for, could undermine the ability of the projects to produce information that can be expected to contribute to the recovery and conservation of the Steller sea lion.			INA MOR
52	72		
...the lack of a monitoring plan will preclude an analysis of the effects of the proposed research, both while it is in progress and after it has been completed.			INA MON
51	71		
...the lack of information on the location and time of research activities precludes an evaluation of how proposed activities and their incidental effects may overlap or be concentrated.			DUP INA

Inadequate Information to Assess Effects/ Unclear Inf

Submission No.	CommentNumber	Database Reference ID	ISSUES
	45	65	
Some previous studies of Steller sea lions have been limited to very small sample sizes of animals selected on the basis of criteria that may have reduced the difficulty of the study or avoided related risks (i.e., animals at the edge of the rookery, animals appearing to be in excellent or good condition, or animals of sufficient age or size), but selection by such criteria may introduce bias that raises questions as to whether those animals are truly representative of all the animals at a particular site or all the animals in the population.			INA SAM
	43	63	
It is not clear that these studies will be adequately dispersed to assess potentially important spatial variation in the factors being assessed.			INA SAM
	42	62	
Nevertheless, several proposals either fail to describe where the studies would occur or provide incomplete information.			INA SAM
	40	60	
...it is essential that the samples collected during the course of research should be representative of the sea lion populations from which they were taken and should be pertinent to identification of the causes of the decline or steps that can be taken to facilitate the species' recovery.			INA MET SAM
	37	57	
This section again refers to injections of adrenocorticotrophic hormone to "challenge" juveniles. The purpose and utility of such tests are not clear, and the applicant should provide a rationale and research protocol for them; and			INA MET PER
	4	106	
The need to limit accidental mortality as a result of this research is critical to showing that the proposed studies will clearly have a benefit to the species. It is unclear to us from the permit descriptions if the number of deaths related to incidental mortality from research is greater in these revised permits. If it is equal to or greater than this previous number calculated by the Commission, this is still a number that seems to be at an unacceptable level, especially for the "endangered" western population.			INA MOR
	31	51	
...it is not clear how the applicant determined that the total number of disturbed animals would be only 2,100, unless they are assuming that multiple captures would result in the incidental disturbance of the same animals at the same time.			INA PER

Inadequate Information to Assess Effects/ Unclear Inf

Submission No.	CommentNumber	Database Reference ID	ISSUES
3	195		
There has been no explanation or rationale provided for any permittee's sampling design, let alone for coordinating the research of multiple permittees.			INA
27	47		
...the applicant does not, but should, provide an estimate of the length of time that animals may be anesthetized. The applicant should also be asked to describe any potential consequences of repeatedly anesthetizing animals (i.e., on a weekly basis).			INA PER
25	45		
...the applicant has not, but should, describe the sizes and weights of the instrument packages that will be placed on the animals.			INA
23	43		
The applicant also requests authority for the "optional" use of gas anesthesia to reduce stress on pups during branding, but does not explain the basis upon which decisions to use anesthesia will be made or why anesthesia will not be used in all cases.			INA
22	42		
Clarification should be requested as to the minimum age and size of pups that will be hot-branded.			BRD INA PER
21	41		
Without additional information on these studies, it does not seem possible to confirm that they will achieve the stated research objectives or will contribute to the conservation and recovery effort for Steller sea lions.			CON INA
19	39		
...not clear that the design described will be sufficient to accomplish its purpose. The design appears to involve only a single flight during each spring period when spawning may occur.			INA MET
14	34		
However, it is not clear that the research design is sufficient to test this hypothesis and to characterize any differences in the use of forage fish by sea lions in the two populations.			INA MIT PER
12	32		
Further, the table makes no reference to the use of location-only satellite-linked transmitters as is indicated in the text of the application. Clarification of these points should be provided by the applicant.			INA PER

Inadequate Information to Assess Effects/ Unclear Inf

Submission No.	CommentNumber	Database Reference ID	ISSUES
	11	31	
It is unclear whether the research activities and associated taking proposed in the applicant's Alaska SeaLife Center's 2001 Steller Sea Lion Research Plan have been included in the take table on page 4 of the application.			INA PER
	10	30	
The investigators describe the attachment of a number of instruments to animals, but do not provide complete information on the size and weight of the instruments. Although large animals may be unaffected by such instruments, this is not necessarily the case for smaller animals, and information on dimensions and weight should be provided as well as an assessment of possible effects.			EFF INA
	32	52	
(page 31) Task 5. Permission is requested to capture more animals than will be sampled. It is not clear why some animals that are captured would not be sampled.			INA SAM
	20	286	
There are, however, some discrepancies in information provided and the overarching goals that are attempted seem to ignore power analyses conducted by other researchers.			INA
	41	352	
Hot branding can be an important tool in satisfying the need to monitor survival across the range and in various cohorts, yet the remarkably large amount of branding that is proposed has not been justified in the EA.			BRD INA
	37	348	
Although NMFS states in the EA that mortalities occurred for at least one applicant, specific information to address this legal requirement is not evident in the EA.			INA
	34	345	
NMFS provides no assurance that all researchers reported mortalities nor does it explain why researchers would request an increase in the number of incidental mortalities if their research has had no lethal consequence.			INA
	20	331	
Although there are seven proposals to brand animals, there is little discussion in these proposals as to who will be monitoring the movements or survival of these marked animals, or how the information will be synthesized and reported such that the public and managers have the information necessary to make important decisions on management.			INA

Inadequate Information to Assess Effects/ Unclear Inf

Submission No.	CommentNumber	18	Database Reference ID	329	ISSUES
<p>NMFS has not discussed whether the varying methodologies are addressing different questions or the same question. If they are addressing the same question, then less invasive procedures should be used to answer questions raised by the conservation goal. When there are conflicting methodologies offered (e.g., tagging vs. branding or scat collection vs. biopsy and removal or vibrissae) NMFS should clarify whether or how each is necessary to address conservation goals and how each fits into a larger matrix of information that will assist recovery efforts. But it has not done so.</p>					<p>INA MET</p>
Submission No.	CommentNumber	11	Database Reference ID	322	ISSUES
<p>It is not clear from the EA whether or how NMFS proposes to synthesize the information gained by the use of various data collection measures such that it can be useful to managers. This is particularly important when conflicting methodologies that are invasive to greater or lesser degrees are presented with no discussion as to whether some or all may be justified to fill data gaps.</p>					<p>INA</p>
Submission No.	CommentNumber	34	Database Reference ID	300	ISSUES
<p>There is no accompanying chart to allow reviewers to view the morphing of the various "tasks" that are requested for modification, nor is there any discussion of why any particular modification is important or whether it has been tried elsewhere or is novel and how it may or may not compromise comparison and analysis of data obtained from animals not subjected to the protocols. Nor is there discussion of the synergistic or cumulative effect of the various sampling and tracking and device attachment.</p>					<p>CUM INA</p>
Submission No.	CommentNumber	33	Database Reference ID	299	ISSUES
<p>The applicant has not provided any justification for increases that are requested in the number of animals that they wish to sample and or brand or the increase in the duration or frequency of captive research. We question whether these continual amendments that are requested with little or no supporting information or justification would meet the tests of the Animal Welfare Act or would pass the careful scrutiny of an independent animal welfare/care committee.</p>					<p>INA WEL</p>
Submission No.	CommentNumber	31	Database Reference ID	297	ISSUES
<p>There is no discussion of the effects of the drugs on pups who are dependent on milk from a mother who has been sedated multiple times (e.g., whether drugs may be transmitted to the pup and affect its viability) or how invasive sampling may impair survival.</p>					<p>INA</p>
Submission No.	CommentNumber	29	Database Reference ID	295	ISSUES
<p>That research has been done on one species does not necessarily mean that it needs to be replicated on others, but there is no means of judging this from the information provided in the permit application(s) or the EA.</p>					<p>INA</p>
Submission No.	CommentNumber	1	Database Reference ID	103	ISSUES
<p>...we have concerns that the research is duplicative, likely to adversely affect the stocks, and it is not clear from these permits that significant gains in conservation will clearly outweigh the negative impacts to the Steller sea lion populations.</p>					<p>DUP INA</p>

Inadequate Information to Assess Effects/ Unclear Inf

Submission No.	CommentNumber	Database Reference ID	ISSUES
21	287		
The use of another anesthesia should be justified.			INA
Submission No.	CommentNumber	Database Reference ID	ISSUES
51	362		
Researchers from Texas A&M are proposing surgical implantation of tracking devices. ...that means that 70 percent of the animals are expected to die well before their life expectancy. ...this causes us some concern, particularly since the applicant projects that as many as 15 lethal takes may need to be authorized for their activities that will be implanting 80 tags in the 120 animals captured.			INA MOR
Submission No.	CommentNumber	Database Reference ID	ISSUES
17	283		
The application discusses the possible death of up to 65 animals "during research activities" in a five year period. It is not clear whether or how this will be determined and documented by researchers but these deaths should be counted against this permit and against a total of 10 mortalities across the western stock.			INA MOR
Submission No.	CommentNumber	Database Reference ID	ISSUES
16	282		
There is also no discussion of how or whether pups orphaned by the death of one of the females will be identified and either euthanized or removed for rehabilitation.			INA
Submission No.	CommentNumber	Database Reference ID	ISSUES
14	280		
All in all, this proposal is requesting a mortality rate as high as 29% of the sampled animals, many of which may be female, a segment of the population that is critical to recovery of the stock. This level of mortality is shocking. It is not clear why any animal care committee would approve this or how the ESA would permit it. If this applicant has experienced mortality in his already permitted research, we see no mention made of it in the EA. If he has not experienced mortalities, it is not clear why such a high percentage of the study population is being sought.			ESA INA MOR
Submission No.	CommentNumber	Database Reference ID	ISSUES
6	272		
There is no apparent justification for subjecting animals to the pain stress of hot branding, tissue sampling and application of invasive instrumentation with no anesthesia.			INA PER
Submission No.	CommentNumber	Database Reference ID	ISSUES
3	269		
...this permit provides minimal information and justification and, indeed the applicant has refused to answer key questions of the NMFS permit office. Thus we cannot support this permit application, which appears incomplete at best.			INA
Submission No.	CommentNumber	Database Reference ID	ISSUES
27	266		
...there is apparent duplication of sampling area; that some of the projects do not appear humane; and that the finding of negligible impacts, particularly for the Western stock, are not well founded.			DUP EFF INA

Inadequate Information to Assess Effects/ Unclear Inf

Submission No.	CommentNumber	Database Reference ID	ISSUES
	20	259	
<p>This is a mortality rate of approximately 20%. Particularly in light of these extremely high mortality rates, we do not see that the justification for this permit outweighs the potential risk to animals, as would be required by the MMPA and ESA. This permit should be denied.</p>			INA MOR
	6	245	
<p>It is not clear whether or how a 5-year permit will be halted to allow evaluation of longer-term effects. More alarming, it is clear that such a plan to monitor lethal and sub-lethal effects in not in place at this time.</p>			INA MON
	5	244	
<p>If more than 10 animals from the western stock were killed, then NMFS would require researches to consult on how to reduce mortality so that it does not exceed 20 animals, which is 10% of the PBR of 208. It is not clear from the EA whether such an assessment will be time-sensitive or whether consultation can take place before the number is exceeded when it appears that a monitoring plan is not currently in place.</p>			INA PBR
	22	214	
<p>...NMFS has stated that little is known about the effect of many procedures. These are vulnerable species, with two stocks in decline. If this more thorough evaluation finds little information on which to evaluate effects of various procedures, the EIS should state this clearly and recommend a means of remedying the situation before allowing procedures with unknown effects to proceed.</p>			INA NEP
	22	288	
<p>We are concerned that the large numbers that will be sampled range wide risk duplication of effort. The applicant (and any others proposing similar sampling) should provide specificity in where they will sample and the geographic and demographic parameters that will be examined.</p>			INA SAM

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Endangered Species Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
47	358		
<p>...the proposed research, in this case, is likely to significantly and adversely affect endangered species and that the permit applications do not comply with requirements of the ESA (conditions (3) and (4) above). The HSUS also believes that the research does not meet standards of humane treatment.</p>			<p>ESA MET</p>
44	355		
<p>As we have discussed above, it is clear that the cumulative impact of granting these permits is likely to have an adverse impact on the western stock of Steller sea lions and requires consultation under the ESA.</p>			<p>CUM ESA</p>
36	347		
<p>...if these permits are all granted, researchers will be permitted to engage in activities that may result in the deaths of eight times as many animals as might have been killed in the status quo during 2002; and will be capturing and hot branding almost twice as many. Not only is this level of impact not insignificant; it requires consultation under section 7 of the Endangered Species Act.</p>			<p>ESA</p>
32	343		
<p>Clearly permitting these activities was a significant increase over the status quo and should have triggered construction of an EIS and consultation under the Endangered Species Act. Instead, NMFS ignored this obligation and now seeks to allow an even greater impact on the stocks.</p>			<p>ESA NEP</p>
15	326		
<p>According to the EA, less than 10 mortalities were reported each year (p. 40). Despite this, researchers are seeking an increase in the number of incidental mortalities. Either they do not need this permission, or they were not reporting mortalities that occurred under their currently permitted activities and are in violation of the ESA and their permit conditions.</p>			<p>ESA REP</p>
2	313		
<p>Many of the research projects involve the use of invasive studies and physical handling of animals that subjects them to risk of severe injury and death and appear likely to disadvantage the western stock of Steller sea lions. ...the HSUS believes that the NMFS cannot issue the requested permits without violating the requirements of NEPA, the MMPA and the ESA.</p>			<p>EFF ESA MMP NEP</p>

Endangered Species Act

Submission No.	CommentNumber	Database Reference ID	ISSUES
	1	312	ISSUES
<p>The HSUS strongly opposes issuance of these permits at this time. We find that the National Marine Fisheries Service (NMFS) has not satisfied the requirements of the National Environmental Policy Act, nor has it met its obligations under the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). Because the western stock of Steller sea lions is endangered and declining in numbers, NMFS must demonstrate that the permits are non-duplicative, unlikely to adversely affect the stock, and in service of a significant gain in conservation of the species.</p>			<p>ESA MMP NEP</p>
	38	304	ISSUES
<p>Accordingly, the HSUS must insist that the NMFS not issue any permits, permit extensions or permit modifications involving invasive research until such time as you have completed an Environmental Impact Statement that fully evaluates the individual and cumulative impacts of the proposed research and weighs its contribution to cumulative effects on the stocks from combined mortality and serious injury resulting from fisheries-related mortality and native harvest. The quality of analysis required by NEPA and by both the ESA and the MMPA is simply lacking at this time. Furthermore, we believe that NMFS has an obligation to consult under Section 7 of the ESA on the impacts that this activity will have on the western stock of Steller sea lions, particularly with regard to the additive effects of these permits along with those of native harvest mortality and incidental fisheries-related mortality.</p>			<p>CUM ESA MMP NEP</p>
	36	302	ISSUES
<p>The information and analysis provided by NMFS so far entirely fails to demonstrate that these permits can be issued without violating NEPA, the ESA and the MMPA.</p>			<p>ESA MMP NEP</p>
	35	301	ISSUES
<p>Approval for invasive studies by this applicant should be suspended until NMFS can conduct a more comprehensive evaluation of range-wide research, its contribution to specific recovery plan needs and compliance with requirements of NEPA, the ESA, MMPA and Animal Welfare Act.</p>			<p>ESA MMP NEP PER WEL</p>
	26	292	ISSUES
<p>As we have previously stated, we believe that this and all other permit applications seeking takes for invasive/intrusive activities should be held in abeyance pending a through EIS, a consultation under Section 7 and an analysis of the scope and demographic and geographic parameters that need to be studied, the best techniques for answering key questions and a power analysis of the numbers of animals minimally necessary for invasive/intrusive studies.</p>			<p>ESA MET NEP</p>
	14	280	ISSUES
<p>All in all, this proposal is requesting a mortality rate as high as 29% of the sampled animals, many of which may be female, a segment of the population that is critical to recovery of the stock. This level of mortality is shocking. It is not clear why any animal care committee would approve this or how the ESA would permit it. If this applicant has experienced mortality in his already permitted research, we see no mention made of it in the EA. If he has not experienced mortalities, it is not clear why such a high percentage of the study population is being sought.</p>			<p>ESA INA MOR</p>

Endangered Species Act

Submission No.	CommentNumber	2	Database Reference ID	268	ISSUES
<p>...we believe that this and all other permit applications seeking takes for invasive/intrusive activities should be held in abeyance pending a thorough EIS, a consultation under Section 7 and an analysis of the scope and demographic and geographic parameters that need to be studied, the best techniques for answering key questions and a power analysis of the numbers of animals minimally necessary for invasive/intrusive studies.</p>					<p>ESA MET NEP</p>
Submission No.	CommentNumber	6	Database Reference ID	108	ISSUES
<p>Defenders urges that the NMFS defer final action on the permits, permit extensions or permit modifications until such time as you have completed an EIS that fully evaluates the individual and cumulative impacts of the proposed research and weighs its contribution to cumulative effects on the stocks from multiple factors discussed previously. Only that research which is clearly non-duplicative and addresses compelling conservation needs should be permitted. This degree of analysis is required under both the ESA and the MMPA and is lacking at this time.</p>					<p>CUM ESA MMP NEP</p>
Submission No.	CommentNumber	2	Database Reference ID	104	ISSUES
<p>Based on our review of the permits and previous comments submitted by the Marine Mammal Commission, we find that the National Marine Fisheries Service (NMFS) cannot meet its burden under the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA) to show that this research will clearly benefit the conservation of this species, that there is good coordination between the different research projects, that the effects of the research can be adequately monitored by NMFS, and that the level of incidental mortality (as a result of the research) is below an acceptable level.</p>					<p>CON COR ESA MMP MOR</p>

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Effects of Research

Submission No.	CommentNumber	Database Reference ID	ISSUES
	17	37	
<p>...attempts to take biopsies by shooting darts at these targets pose an unacceptable risk of striking an animal in the head and causing serious injury.</p>			<p>EFF PER</p>
	1	8	
<p>The level of cruelty of this research is disturbing, and we query the rationale to justify such studies. Extensive research on these populations has already been performed.</p>			<p>EFF</p>
	1	109	
<p>Any given research method can have a wide range of disturbance effects depending on other variables.</p>			<p>EFF</p>
	78	98	
<p>...the proposed multi-year activities could have adverse effects on both individual Steller seal lions and sea lion populations.</p>			<p>EFF</p>
	63	83	
<p>In light of the considerable increase in research activities (including a number that would employ invasive techniques that pose risks to the sea lions involved), the potential for disturbance of animals at rookeries and haulouts, the lack of a monitoring plan to assess incidental impacts, the lack of an adequate cumulative effects analysis, and the ongoing decline of the western population of Steller sea lions, significant adverse effects resulting from the proposed and ongoing research activities cannot be ruled out.</p>			<p>CUM EFF MON</p>
	55	75	
<p>...it is important to evaluate the research activities thoroughly to ensure that they do not, either by themselves or in combination with other activities, have significant adverse impacts on the subject populations or their recovery.</p>			<p>EFF</p>
	1	144	
<p>...it is essential that all direct, indirect and cumulative impacts of the research program are carefully evaluated and all projects are shown to be essential for the conservation of the species.</p>			<p>CON EFF</p>

Effects of Research

Submission No.	CommentNumber	Database Reference ID	ISSUES
	47	67	
Branding poses risks associated with capture, handling, and infliction of burn wounds that may become infected, and the disruption to rookeries. The permit applications (and the environmental assessment) do not discuss these concerns in sufficient detail and have not provided the requisite level of assurance that resighting efforts will be adequate to yield meaningful results.			BRD EFF
	2	145	
Some of the proposed research entails extensive disturbance affecting thousands of animals at multiple times of the year as well as highly intrusive procedures directly affecting thousands of animals at multiple times of the year as well as highly intrusive procedures directly affecting hundreds of individual animals every year, particularly those young animals whose survival is thought to be most at risk.			EFF
	10	30	
The investigators describe the attachment of a number of instruments to animals, but do not provide complete information on the size and weight of the instruments. Although large animals may be unaffected by such instruments, this is not necessarily the case for smaller animals, and information on dimensions and weight should be provided as well as an assessment of possible effects.			EFF INA
	8	28	
Darting adult female sea lions with Telazol, as proposed, involves a high risk of mortality, either from their reaction to the drug or from drowning if they enter the water before the drug takes full effect.			EFF MOR
	6	26	
...the Marine Mammal Commission recommends that clarification of the basis for the three-hour time frame be provided by the applicant, including the length of time that animals will be held after concluding the research procedures to ensure that they have recovered sufficiently from the effects of the anesthesia.			EFF
	3	23	
...whether, and to what extent, attempts will be made to monitor the short- and long-term adverse effects of the research efforts;			EFF MON
	3	17	
Many of the methods are invasive and could have potential fitness costs, especially to the pups. Pups being subjected to as many as 15 different intrusive procedures each season seems excessive in and endangered/threatened population.			EFF MET
	4	18	
Are the invasive methodologies absolutely necessary? Starving 16 juvenile sea lions hardly seems necessary or ethical.			EFF MET

Effects of Research

Submission No.	CommentNumber	Database Reference ID	ISSUES
	49	69	ISSUES
Research activities may pose significant risks to a study population if they cause reductions in survival or reproduction. Such effects can result directly (e.g., animals that die in the course of sampling or experimentation) or indirectly (e.g., animals that are disturbed by research activities and abandon important habitat or dependent pups).			EFF
	10	249	ISSUES
The total number of animals that would potentially be harassed/disturbed/sampled is approximately 40,400! Harassing this large a number of an endangered or threatened species should not be taken lightly and disturbance may be considerable in certain areas.			CUM EFF
	54	365	ISSUES
HSUS simply cannot countenance research of this magnitude with the potential for duplicative sampling, inhumane treatment and unproven conservation benefit.			CON DUP EFF
	49	360	ISSUES
If sampling protocol is adequately designed for the stock, only a limited number of animals need to be anesthetized and thus mortality risk can be limited as well. Current proposals would cause needless suffering.			EFF MET
	26	337	ISSUES
While the HSUS questions the appropriateness and humaneness of some of the research that is proposed, our greatest concern is that the combined effect of this research is NOT negligible.			EFF
	2	313	ISSUES
Many of the research projects involve the use of invasive studies and physical handling of animals that subjects them to risk of severe injury and death and appear likely to disadvantage the western stock of Steller sea lions. ...the HSUS believes that the NMFS cannot issue the requested permits without violating the requirements of NEPA, the MMPA and the ESA.			EFF ESA MMP NEP
	12	278	ISSUES
...NMFS needs to examine the area wide consequences of displacement of animals during close vessel approaches and while researchers enter a colony to collect scat. It would be helpful to provide reviewers with a report of at least the previous year's studies to allow a better understanding of the adverse consequences of sampling.			EFF
	2	110	ISSUES
...the weather following a minor research disturbance can amplify disturbance effects.			EFF

Effects of Research

Submission No.	CommentNumber	Database Reference ID	ISSUES
	11	250	ISSUES
<p>If we look at the total number of animals to be captured... This totals 2,185 Steller sea lions who will be subjected to "one of the most stressful incidents in life"! Of those animals who will be captured, applicants seek permission to have over 50 of them die as a result of their activities. This appears to be an unacceptably high level of stress and mortality for a stock that is already declining in many parts of its range.</p>			EFF MOR
	48	359	ISSUES
<p>...the HSUS is not convinced that all of the research meets the mandates for humane treatment of research subjects.</p>			EFF
	2	181	ISSUES
<p>The EIS should describe the potential impacts to recovery of the species from the proposed actions</p>			EFF NEP
	35	178	ISSUES
<p>...some of this research will simply cause unnecessary disturbance and increase mortality on the endangered stock without contributing significantly to the conservation of Steller sea lions – a key consideration when determining whether or not to permit the proposed research activities:</p>			EFF MOR
	25	168	ISSUES
<p>NMFS should more carefully evaluate the extent to which research procedures may increase the incidence of infection, disease and/or predation on test animals that are subjected to repeated stress and disturbance, immobilizing drugs, anesthesia, tooth extractions, biopsies, branding, attachment of instruments, or even long-term (up to 3 months) captivity and surgical implantation of experimental monitoring devices.</p>			EFF
	24	167	ISSUES
<p>...potential for harm from such techniques may be outweighed by the benefits to be gained from the ability to identify animals across multiple years, but only if there is a long-term commitment to monitor the status of branded animals.</p>			BRD EFF MON
	18	161	ISSUES
<p>Using captive animals from the endangered population as guinea pigs to test the viability of the surgical implantation technique is not an appropriate form of research, and we agree with the decision of NMFS that this portion of the ASLC project should not be considered or permitted at this time.</p>			CON EFF
	6	149	ISSUES
<p>NMFS has not demonstrated that the impacts of the proposed action will be insignificant or satisfy all permitting criteria. In fact, we are concerned that substantial direct, indirect, and cumulative effects of the proposed action in Alternative 2 may result in further jeopardy to the species.</p>			CUM EFF

Effects of Research

Submission No.	CommentNumber	27	Database Reference ID	266	ISSUES
...there is apparent duplication of sampling area; that some of the projects do not appear humane; and that the finding of negligible impacts, particularly for the Western stock, are not well founded.					DUP EFF INA

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Editorial

Submission No.	CommentNumber	Database Reference ID	ISSUES
27	293		
<p>...there are apparent discrepancies in the mortalities that this applicant reports. Discrepancies of this sort call into question the accuracy of the report and thus the impacts on these ESA listed stocks.</p>			<p>EDI REP</p>
Submission No.	CommentNumber	Database Reference ID	ISSUES
24	263		
<p>The HSUS notes that the applicant requests 8 mortalities per year (p. 33), whereas the chart on p. 69 states that they are only requesting 5 accidental mortalities. It is not clear that these mortalities are warranted, particularly the 3 that are reserved for animals captured and held at the ASLC. This represents a 3-month death rate of 18%, which is unacceptably high for animals in a captive facility. This level is far from humane and far from negligible for the number in captivity. This portion of the permit should be denied.</p>			<p>EDI MOR PER</p>
Submission No.	CommentNumber	Database Reference ID	ISSUES
16	255		
<p>Additionally, we feel that insufficient attention was given to consideration of post-capture myopathy. We note that although NMFS states in the EA on p. 69 that ADFG proposes 10 accidental mortalities per year, the chart on p. 9 of the applications stipulates 5 per year.</p>			<p>EDI MON</p>

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Duplication of Research Effort or Goals

Submission No.	CommentNumber	Database Reference ID	ISSUES
	54	365	
HSUS simply cannot countenance research of this magnitude with the potential for duplicative sampling, inhumane treatment and unproven conservation benefit.			CON DUP EFF
	35	346	
NMFS cannot continue to assert that the research has no adverse consequence nor that NMFS can properly control the levels of mortalities or assure that research is coordinated, and non-duplicative and likely to yield results that will significantly aid conservation and management.			COR DUP
	3	314	
The NMFS is proposing to issue nine permits. Many of them propose to conduct identical activities. For example, seven of the applicants seek to capture animals for sampling of tissues, hot branding and other invasive procedures, four of them indicate that their activities would be "state wide," and one additional permit would overlap in the Gulf of Alaska and Aleutians.			COR DUP
	27	266	
...there is apparent duplication of sampling area; that some of the projects do not appear humane; and that the finding of negligible impacts, particularly for the Western stock, are not well founded.			DUP EFF INA
	19	258	
It is not entirely clear why Dr. Davis, who is receiving funding from two other permit applicants (NMFS and ASLC) cannot conduct his activities under the auspices of their permits rather than seeking separate take authorizations. Effort should be made to avoid duplicative sampling or harassment wherever possible.			DUP PER
	18	257	
This proposal would utilize a crossbow to collect biopsy samples... It states that "whenever possible" this will be done in conjunction with NMFS and ADFG. This should be made mandatory to avoid duplicative sampling of animals.			DUP
	9	136	
...permits should not be issued for Alaska-wide research until and unless there is a written plan indicating how multiple permittees will coordinate their studies and ensure that that research will cover appropriate times, area, and demographic classes, and is not duplicative.			COR DUP PER

Duplication of Research Effort or Goals

Submission No.	CommentNumber	Database Reference ID	ISSUES
	1	103	
<p>...we have concerns that the research is duplicative, likely to adversely affect the stocks, and it is not clear from these permits that significant gains in conservation will clearly outweigh the negative impacts to the Steller sea lion populations.</p>			<p>DUP INA</p>
	51	71	
<p>...the lack of information on the location and time of research activities precludes an evaluation of how proposed activities and their incidental effects may overlap or be concentrated.</p>			<p>DUP INA</p>
	4	11	
<p>Any intended research project that duplicates previous efforts should be dismissed.</p>			<p>DUP</p>
	4	4	
<p>· Issued research permits are limited to specific geographic areas to reduce duplication and encourage coordination.</p>			<p>CRE DUP</p>

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Cumulative Effects

Submission No.	CommentNumber	Database Reference ID	ISSUES
	6	108	
<p>Defenders urges that the NMFS defer final action on the permits, permit extensions or permit modifications until such time as you have completed an EIS that fully evaluates the individual and cumulative impacts of the proposed research and weighs its contribution to cumulative effects on the stocks from multiple factors discussed previously. Only that research which is clearly non-duplicative and addresses compelling conservation needs should be permitted. This degree of analysis is required under both the ESA and the MMPA and is lacking at this time.</p>			<p>CUM ESA MMP NEP</p>
	1	1	
<p>API asks that NMFS consider the impacts to the population as well as the welfare of individual animals when reviewing research proposals.</p>			<p>CUM WEL</p>
	12	204	
<p>Within the EIS, there should be discussion the synergistic effects of using a variety of sampling procedures on individuals.</p>			<p>CUM NEP</p>
	16	159	
<p>The cumulative effects analysis needs to consider the effects of research stress being added to nutritional stress.</p>			<p>CUM</p>
	15	158	
<p>...the cumulative effects analysis the EA does contain is internally confused and appears to be inadequate.</p>			<p>CUM</p>
	14	157	
<p>The direct, indirect and cumulative effects of all research activities should be analyzed in a single NEPA document.</p>			<p>CUM NEP</p>
	6	149	
<p>NMFS has not demonstrated that the impacts of the proposed action will be insignificant or satisfy all permitting criteria. In fact, we are concerned that substantial direct, indirect, and cumulative effects of the proposed action in Alternative 2 may result in further jeopardy to the species.</p>			<p>CUM EFF</p>

Cumulative Effects

Submission No.	CommentNumber	Database Reference ID	ISSUES
	41	233	
<p>We note that and environmental impact statement conducted pursuant to authorizing native subsistence hunting of fur seals found that there are "conditionally significant adverse cumulative effect[s]" from commercial fisheries and native subsistence hatvest. (NMFS 2005) Because of this, it is important that the EIS weigh potential impacts of capture and intrusive research quite carefully.</p>			<p>CUM NEP</p>
	3	105	
<p>Cumulative effects of the proposed research, in combination with other factors (fisheries interactions through incidental take in gear and depletion of preferred sea lion prey, regime shifts causing changes in prey abundance, native subsistence hunting, deliberate shooting of sea lions viewed as "competitors", disease and other possible impacts) that are affecting Steller sea lion populations, especially the "endangered" western stock, could have significant adverse impacts on the population. Understanding better how these cumulative effects might affect Steller sea lion populations is particularly important for assessing the effects and benefits to a species listed under the Endangered Species Act.</p>			<p>CUM</p>
	44	236	
<p>Sampling techniques should be evaluated for their individual and cumulative or synergistic effect on individual animals and/or populations.</p>			<p>CUM</p>
	79	99	
<p>It is conceivable that the extensive research described in the existing permits, together with the additional research requested in the proposed amendments, and other research, may become a significant factor affecting the status of the species.</p>			<p>CUM</p>
	63	83	
<p>In light of the considerable increase in research activities (including a number that would employ invasive techniques that pose risks to the sea lions involved), the potential for disturbance of animals at rookeries and haulouts, the lack of a monitoring plan to assess incidental impacts, the lack of an adequate cumulative effects analysis, and the ongoing decline of the western population of Steller sea lions, significant adverse effects resulting from the proposed and ongoing research activities cannot be ruled out.</p>			<p>CUM EFF MON</p>
	62	82	
<p>Therefore, the cumulative effects analysis is incomplete and, in the absence of such an analysis, the conclusion of no significant adverse impact seems unfounded.</p>			<p>CUM NEP</p>
	61	81	
<p>...the environmental assessment includes a cumulative effects analysis that fails to consider the effects of the proposed research together with the effects of all of the other factors that are, or may be, affecting sea lions.</p>			<p>CUM</p>

Cumulative Effects

Submission No.	CommentNumber	Database Reference ID	ISSUES
	50	70	
Although such effects are not intentional, they may be of sufficient magnitude that, either by themselves or in combination with other human-related effects, they result in significant adverse effects on the study population.			CUM
	1	21	
However, we are concerned that, given the number of projects authorized and proposed, many of which are invasive in nature, they may cumulatively operate to the disadvantage of the western Steller sea lion population.			CUM
	2	126	
the commercial fishermen are taking all their food and shooting them to death the researchers hassle them to death the ships kill them the polluters like Exxon cause their death the govt agencies (air force) etc kill them the developers kill them with their building explosions sonar kills them (us navy)			CUM
	1	307	
...PBR was originally developed to deal with fishery situations when the removals were from immediate injuries or death, however, I think we should expand that concept to include cumulative effects.			CUM
	43	354	
Instead of providing assurance that the intrusive procedures that are proposed are necessary and proportional to the questions that need to be addressed, the NMFS has simply passed along each proposal ad hoc, with no attempt in the EA to address the necessity or scope of the research proposals or to assess cumulative effects on mortality and morbidity of individuals and any consequent range-wide or localized population level effects.			CUM MET NEP
	29	340	
It is simply not sufficient for the agency charged with protecting this endangered species to simply adopt the assertion of the researcher applicants that they must risk the lives and health of animals and add to the already unsuitable cumulative impacts on the stock, without consideration of other alternatives.			ALT CUM
	16	327	
The EA also fails to adequately address the cumulative impacts of the proposed permits, as required by NEPA.			CUM

Cumulative Effects

Submission No.	CommentNumber	Database Reference ID	ISSUES
	14	325	ISSUES
<p>The cumulative research-related incidental mortality could exceed the PBR for the stock when added to other anthropogenic mortality and is clearly a significant impact. This endangered stock is already subjected to cumulative mortality that is arguably unsustainable, given its on-going decline. The request for research-related incidental mortality is well above a level that the ESA would consider "negligible."</p>			<p>CUM PBR</p>
	10	321	ISSUES
<p>The current EA proposes research on an even greater scale, speculates that even more research will be proposed in the future; and yet it provides no further analysis of possible adverse effects from past research or cumulative effects from this research.</p>			<p>CUM</p>
	9	320	ISSUES
<p>Researchers note (see below) that dependent pups may be separated from their mothers and that rookeries may suffer significant and repeated short-term disruption. The EA does little to attempt to assess cumulative impacts from either of these incidental effects, nor did the previous EA from 2002.</p>			<p>CUM</p>
	21	213	ISSUES
<p>...the EIS should examine research conducted elsewhere on various pinniped species to ascertain effects. It is also important that the EIS evaluate the appropriateness of using less vulnerable surrogate species to test hypotheses regarding the short and long-term effects of a multiplicity of procedures used on Steller sea lions and used or proposed for use on fur seals.</p>			<p>CUM MET NEP</p>
	2	308	ISSUES
<p>...how well researchers coordinate their efforts and avoid duplication of effort will impact the cumulative effect.</p>			<p>CUM</p>
	44	355	ISSUES
<p>As we have discussed above, it is clear that the cumulative impact of granting these permits is likely to have an adverse impact on the western stock of Steller sea lions and requires consultation under the ESA.</p>			<p>CUM ESA</p>
	38	304	ISSUES
<p>Accordingly, the HSUS must insist that the NMFS not issue any permits, permit extensions or permit modifications involving invasive research until such time as you have completed an Environmental Impact Statement that fully evaluates the individual and cumulative impacts of the proposed research and weighs its contribution to cumulative effects on the stocks from combined mortality and serious injury resulting from fisheries-related mortality and native harvest. The quality of analysis required by NEPA and by both the ESA and the MMPA is simply lacking at this time. Furthermore, we believe that NMFS has an obligation to consult under Section 7 of the ESA on the impacts that this activity will have on the western stock of Steller sea lions, particularly with regard to the additive effects of these permits along with those of native harvest mortality and incidental fisheries-related mortality.</p>			<p>CUM ESA MMP NEP</p>

Cumulative Effects

Submission No.	CommentNumber	34	Database Reference ID	300	ISSUES
<p>There is no accompanying chart to allow reviewers to view the morphing of the various "tasks" that are requested for modification, nor is there any discussion of why any particular modification is important or whether it has been tried elsewhere or is novel and how it may or may not compromise comparison and analysis of data obtained from animals not subjected to the protocols. Nor is there discussion of the synergistic or cumulative effect of the various sampling and tracking and device attachment.</p>					CUM INA
Submission No.	CommentNumber	28	Database Reference ID	294	ISSUES
<p>...ASLC has requested six separate permit modifications just in the past 18 months. This it is almost impossible for reviewers to ascertain whether these modifications (many of which request additional sampling procedures) will affect the reliability of the information that is being gathered and/or whether synergistic effects of multiple sampling of both free ranging and captive animals and changes in sampling protocols for the same animals or comparable cohorts compromises the reliability or validity of the data being collected.</p>					CRE CUM MET
Submission No.	CommentNumber	10	Database Reference ID	249	ISSUES
<p>The total number of animals that would potentially be harassed/disturbed/sampled is approximately 40,400! Harassing this large a number of an endangered or threatened species should not be taken lightly and disturbance may be considerable in certain areas.</p>					CUM EFF
Submission No.	CommentNumber	9	Database Reference ID	248	ISSUES
<p>Cumulative impacts are not addressed.</p>					CUM
Submission No.	CommentNumber	8	Database Reference ID	247	ISSUES
<p>The limited discussion of the need for a monitoring plan only addresses concerns regarding synergistic effects of invasive procedures. It is not apparent that such a plan would consider the stress of the cumulative effects of being captured multiple times, and of being harassed during survey activities and scat collection in the rookeries.</p>					CUM MON
Submission No.	CommentNumber	8	Database Reference ID	319	ISSUES
<p>...the EA states (p. 39) that "[t]here have been no recent studies dedicated to documenting and assessing the effects of research on Steller sea lions or other marine mammals at a population level, nor on the synergistic or cumulative effects of various research activities and other human-related impacts on individual marine mammals or populations." Yet NMFS asserts that the proposed research will not likely have adverse effects. This contention appears unsupported.</p>					CUM NEP

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Credentials of Researchers Are Questioned

Submission No.	CommentNumber	Database Reference ID	ISSUES
28	294		
...	ASLC has requested six separate permit modifications just in the past 18 months. This it is almost impossible for reviewers to ascertain whether these modifications (many of which request additional sampling procedures) will affect the reliability of the information that is being gathered and/or whether synergistic effects of multiple sampling of both free ranging and captive animals and changes in sampling protocols for the same animals or comparable cohorts compromises the reliability or validity of the data being collected.		CRE CUM MET
25	217		
The degree of supervision is not specified and the degree to which they will be performing intrusive, potentially injurious procedures is not clear, simply that their "qualifications and experience must be commensurate with his/her assigned responsibilities"...			CRE NEP
It would be helpful for the EIS to evaluate standards used in other species as well as for pinniped research in other species and/or areas.			
20	212		
In any case, we believe that there should be no research conducted until and unless the NMFS has a written coordination plan indicating when, where and who specific permittees will be sampling to assure that there is no duplication of effort and that sampling is being conducted in all appropriate areas and times.			CRE
19	211		
The EIS should consider the appropriateness of granting permits for smaller geographic areas or coordinating research of a particular type through a single permit as a means of assisting in coordination.			CRE NEP
7	115		
Additionally personnel who are working on a rookery should be briefed by an experienced biologist on how to minimize the spooking of sea lions (such as staying low and moving slow, minimizing time on a rookery).			CRE MET
74	94		
inasmuch as the use of a crossbow for biopsy sampling has not been previously used on Steller sea lions, the Service be satisfied that the individual(s) carrying out the biopsy sampling are sufficiently experienced and the technique and equipment have been adequately tested prior to authorizing the activity on animals in the field;			CRE

Credentials of Researchers Are Questioned

Submission No.	CommentNumber	Database Reference ID	ISSUES
	70	90	ISSUES
· surgical implants of instruments be performed by experienced marine mammal veterinarians, and the animals be fully recovered from anesthesia and exhibiting no ill effects of the surgery prior to release;			CRE MET
	71	91	ISSUES
· an experienced marine mammal veterinarian be present in the field to carry out or to provide direct on-site supervision of all activities involving anesthesia of animals;			CRE
	28	48	ISSUES
Although the application implies that a veterinarian will be present to monitor anesthetized animals and to supervise personnel directly, it is not clear that this will be the case.			CRE
	24	44	ISSUES
Further, a curriculum vitae for the veterinarian(s) who would be involved in the research has not been, but should be, provided.			CRE
	18	38	ISSUES
In addition, the individual(s) who will be darting the animals should be thoroughly trained and experienced in using the technique prior to employing this method in the field, and animals in the water should not be darted.			CRE
	9	29	ISSUES
...only veterinarians and biologists with significant experience in darting marine mammals be authorized to conduct the activity.			CRE
	7	27	ISSUES
We also note that, although the application states that a veterinarian will be present to monitor anesthetized animals, a curriculum vitae for the veterinarian(s) who would be involved has not been, but should be, provided.			CRE
	5	25	ISSUES
...the Commission remains concerned that the cumulative effects of the proposed research, in combination with other factors that are affecting the western population of Steller sea lions, could have significant adverse impacts on the population.			CRE

Credentials of Researchers Are Questioned

Submission No.	CommentNumber	4	Database Reference ID	4	ISSUES
· Issued research permits are limited to specific geographic areas to reduce duplication and encourage coordination.					CRE DUP

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Coordination

Submission No.	CommentNumber	Database Reference ID	ISSUES
9	152		
...	we have major concerns about the efficacy of the experimental protocols, sampling regimes, and statistical power to detect effects, as well as the ability of NMFS to coordinate and synthesize the data generated by such a large research program involving many different agencies and institutions as well as hundreds of scientists.		COR
20	40		
It is also not clear why this study is not being coordinated with other aerial surveys proposed for southeastern Alaska.			COR MET
30	50		
...	it would be useful to compare the criteria developed by the Alaska SeaLife Center with similar criteria being developed by the Service for releasing captive marine mammals to the wild to ensure that the Center's list of criteria is comprehensive.		COR MET
44	64		
The lack of information on the area and time during which research activities would occur also makes it impossible to determine if the research is being suitably coordinated to provide the best scientific information with the least practicable adverse effects on the animals resulting from handling and disturbance.			COR SAM
60	80		
It is not possible to determine from the permit applications how such coordination will be accomplished. In particular, we are concerned that the lack of information on the spatial and temporal distribution of the different research efforts precludes and analysis of overlap of research by different agencies and organizations, which would seem to be essential for adequate coordination.			COR INA
76	96		
· the Service ensure that activities to be conducted under these permits and those of other permit holders who might be carrying out research on the same species in the same areas are coordinated and, as possible, data are shared to avoid unnecessary duplication of research and disturbance of animals; and			COR PER

Coordination

Submission No.	CommentNumber	Database Reference ID	ISSUES
	82	102	
...the recovery plan should be updated and the recovery team should be more effectively incorporated into research planning.			CON COR
	2	104	
Based on our review of the permits and previous comments submitted by the Marine Mammal Commission, we find that the National Marine Fisheries Service (NMFS) cannot meet its burden under the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA) to show that this research will clearly benefit the conservation of this species, that there is good coordination between the different research projects, that the effects of the research can be adequately monitored by NMFS, and that the level of incidental mortality (as a result of the research) is below an acceptable level.			CON COR ESA MMP MOR
	2	120	
As NMFS develops and considers the alternatives to be presented in the Draft EIS, it is important that attention is given to the ways in which the permit process and the associated NOAA grant programs can ensure committed long-term funding and coordination of research programs designed to collect critical life-history data for these long-lived species.			COR
	4	24	
...the extent to which the various research activities will be coordinated.			COR
	9	136	
...permits should not be issued for Alaska-wide research until and unless there is a written plan indicating how multiple permittees will coordinate their studies and ensure that that research will cover appropriate times, area, and demographic classes, and is not duplicative.			COR DUP PER
	42	353	
Telemetry is an important tool, yet is not clear if it is necessary for four different permittees to use this tool or whether there is any coordination among researchers to assure that the animals being sampled are representative for obtaining the information that is necessary.			COR SAM
	13	156	
...analysis of the various research activities is being piecemealed, rather than considered in a single NEPA document.			COR NEP
	26	169	
...a lack of integrated research, poor coordination of existing research projects, as well as serious limitations in experimental protocols, sample sizes, and statistical power to detect effects.			COR SAM

Coordination

Submission No.	CommentNumber	Database Reference ID	ISSUES
	2	194	
<p>NMFS has granted the multiple proposals without any apparent regard to how they fit together to illuminate key questions. Previous permit applications show little evidence of a coordinated approach to sampling. Permits have been issued for "Alaska wide" activities to multiple permittees with no plan for coordination. This sort of approach can lead to some areas being over sampled and some areas receiving no sampling, with no justification provided for the geographic structure of sampling.</p>			COR PER
	36	228	
<p>If they propose to do invasive sampling or marking, they should justify why their chosen methodologies are more appropriate than other less intrusive measures or approaches to addressing the question. This specifically will also aid the NMFS in its efforts to coordinate research and assure minimal effect.</p>			COR PER
	1	240	
<p>However, it is not clear that adequate coordination of these various research proposals has taken place and it is not clear that the proposals meet all of the conditions stipulated in the Marine Mammal Protection Act (MMPA or Act).</p>			COR MMP
	3	314	
<p>The NMFS is proposing to issue nine permits. Many of them propose to conduct identical activities. For example, seven of the applicants seek to capture animals for sampling of tissues, hot branding and other invasive procedures, four of them indicate that their activities would be "state wide," and one additional permit would overlap in the Gulf of Alaska and Aleutians.</p>			COR DUP
	7	318	
<p>Without coordination, there is no way to assure that there will not be an overlap of effort and an unnecessarily adverse impact on the stock.</p>			COR
	35	346	
<p>NMFS cannot continue to assert that the research has no adverse consequence nor that NMFS can properly control the levels of mortalities or assure that research is coordinated, and non-duplicative and likely to yield results that will significantly aid conservation and management.</p>			COR DUP
	1	119	
<p>A central component of [Pribilof Islands Collaborative] PIC statement, as well as the conservation and recovery plans for these species is the need for focused long-term studies that are carefully coordinated among research organizations.</p>			COR

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Conservation (of the species; conservation goals)

Submission No.	CommentNumber	Database Reference ID	ISSUES
18	161		
Using captive animals from the endangered population as guinea pigs to test the viability of the surgical implantation technique is not an appropriate form of research, and we agree with the decision of NMFS that this portion of the ASLC project should not be considered or permitted at this time.			CON EFF
21	41		
Without additional information on these studies, it does not seem possible to confirm that they will achieve the stated research objectives or will contribute to the conservation and recovery effort for Steller sea lions.			CON INA
33	53		
(page 33) Task 3.3. Table 1 includes an entry pertaining to adrenocorticotrophic hormone challenge. This activity is not further explained and no rationale for such a study is provided. Thus, it is not clear why it is included here, how it might contribute to recovery efforts for Steller sea lions, or why permission for this activity is being requested. Such information should be provided before authorization of this activity is considered			CON PER
48	68		
If such efforts are not adequate, then the studies proposed will not achieve their stated objectives, the animals involved will be exposed to unnecessary risks, and the research will not contribute to the recovery and conservation of the Steller sea lion.			CON
82	102		
...the recovery plan should be updated and the recovery team should be more effectively incorporated into research planning.			CON COR
2	104		
Based on our review of the permits and previous comments submitted by the Marine Mammal Commission, we find that the National Marine Fisheries Service (NMFS) cannot meet its burden under the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA) to show that this research will clearly benefit the conservation of this species, that there is good coordination between the different research projects, that the effects of the research can be adequately monitored by NMFS, and that the level of incidental mortality (as a result of the research) is below an acceptable level.			CON COR ESA MMP MOR

Conservation (of the species; conservation goals)

Submission No.	CommentNumber	Database Reference ID	ISSUES
	1	144	ISSUES
...it is essential that all direct, indirect and cumulative impacts of the research program are carefully evaluated and all projects are shown to be essential for the conservation of the species.			CON EFF
	5	19	ISSUES
To what extent does this research benefit the animals? Only research that ultimately benefits the population should be allowed. Research should be directed towards the recovery of the population and should be evaluated on that basis.			CON
	7	150	ISSUES
We do not think NMFS has shown that all projects and procedures in the proposed action are necessary and essential to the conservation of Steller sea lions...			CON
	54	365	ISSUES
HSUS simply cannot countenance research of this magnitude with the potential for duplicative sampling, inhumane treatment and unproven conservation benefit.			CON DUP EFF
	22	165	ISSUES
...the rationale for mass flipper-tagging of young animals as a standard practice is not at all clear in this EA.			CON SAM
	34	177	ISSUES
...we express our support for legitimate, coordinated research that is focused on gathering information that will contribute to our understanding of the causes of decline of Steller sea lions.			CON
	21	260	ISSUES
While underwater videotaping may be interesting, we do not believe it is critical to understanding the foraging issues facing Steller sea lions.			CON
	10	276	ISSUES
The HSUS questions the conservation benefit of this proposal to the conservation needs of threatened eastern stock Steller sea lions. ...given the ESA and MMPA prohibition against stressful and invasive research that is not intended to address conservation and recovery goals. Thus, this permit should be denied.			CON PER

Conservation (of the species; conservation goals)

Submission No.	CommentNumber	40	Database Reference ID	306	ISSUES
<p>The HSUS cannot countenance the conduct of research that will not clearly contribute to the conservation of the species or is inhumane to the individual animals that are affected. Accordingly, should NMFS issue the proposed permits, The HSUS will have no choice but to consider all methods, including legal action, to ensure that NMFS adheres to the requirements of federal laws and regulations before authorizing scientific research on endangered and threatened species of marine mammals.</p>					<p>CON NEP</p>
Submission No.	CommentNumber	17	Database Reference ID	328	ISSUES
<p>The EA outlines the various priorities of Congress and the recovery plan with regard to gathering information to elucidate the causes and extent of the decline in western Steller sea lions. Yet, without some guidance by the NMFS or an outside group, it is not clear that the activities proposed in these permits meet these goals individually or in total.</p>					<p>CON</p>
Submission No.	CommentNumber	19	Database Reference ID	330	ISSUES
<p>...we are also concerned that the proposed research does not appear to have been constructed in such a way as to assure that the goals of conservation are served.</p>					<p>CON</p>
Submission No.	CommentNumber	5	Database Reference ID	148	ISSUES
<p>...permitted research projects must be shown to contribute significantly to fulfillment of objectives for understanding the management actions needed to recover Steller sea lions, using techniques without significant adverse impacts to the species (EA, p. 11).</p>					<p>CON</p>

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Hot Branding

Submission No.	CommentNumber	Database Reference ID	ISSUES
11	277		
Hot branding has been conducted for three decades, with varying levels of success and mortality... Thus it would appear that this sort of study is unnecessary.			BRD PER
22	42		
Clarification should be requested as to the minimum age and size of pups that will be hot-branded.			BRD INA PER
35	55		
(page 41). Task 2. The application does not include branding in the list of requested take activities, and it is not clear if these animals would be branded			BRD PER TAK
47	67		
Branding poses risks associated with capture, handling, and infliction of burn wounds that may become infected, and the disruption to rookeries. The permit applications (and the environmental assessment) do not discuss these concerns in sufficient detail and have not provided the requisite level of assurance that resighting efforts will be adequate to yield meaningful results.			BRD EFF
68	88		
· all branding activities be accompanied by effective programs to monitor their short- and long-term effects;			BRD MON
9	117		
Branding is a valuable tool for Steller sea lion researchers, however it can be a large disturbance also. The time spent on a rookery branding, which separates parents and pups, might lead to higher pup mortality, depending on conditions.			BRD
23	166		
...the preferred technique of hot-branding large numbers of pups and young juveniles may lead to substantial mortalities (EA, p. 53), raising questions about the degree to which vital rates information gleaned from branded animals may be biased by the experiment itself.			BRD MET

Hot Branding

Submission No.	CommentNumber	Database Reference ID	ISSUES
	24	167	ISSUES
<p>...potential for harm from such techniques may be outweighed by the benefits to be gained from the ability to identify animals across multiple years, but only if there is a long-term commitment to monitor the status of branded animals.</p>			BRD EFF MON
	7	7	ISSUES
<p>· Finally, that the humaneness of the techniques used are critically evaluated. Hot iron branding, for example, should be prohibited. Limited time, money, energy, and motivation are not excuses for using painful and harmful techniques on animals when alternatives are available or can be developed.</p>			BRD MET NEP
	15	254	ISSUES
<p>The HSUS suggests that the ADFG may wish to spend more effort trying to re-sight animals and analyze the information from re-sighting, rather than continuing to brand additional animals. If continued or additional branding is authorized, the applicant must be required to monitor post-branding effects and provide evidence of little or no effect of their various activities on rookeries.</p>			BRD MON
	50	361	ISSUES
<p>If indeed little is known about the post-branding effects, this research proposal should go forward and all other permits involving branding should be halted until infection rates and morbidity and mortality can be better understood.</p>			BRD
	19	285	ISSUES
<p>...Page 11 of this proposal that "although not a necessary part of our research, we will hot brand our animals at the request of the permit office." This indicates that researchers do not necessarily desire to hot brand animals, but are being required to do so by the permit office. Can NMFS explain this?</p>			BRD PER
	4	315	ISSUES
<p>The EA stipulates that, since 1975 over 15,000 Steller sea lions have been hot branded (p. 127), with an additional 3,000 more proposed for branding by the current applicants. This is a procedure with significant risks, and it should only be done if there is no other less invasive alternative, and only if it is necessary to continue to brand animals beyond those already branded.</p>			BRD MET
	5	316	ISSUES
<p>The various applicants propose to brand more than 800 animals – they propose over 3,000. This seems excessive for the degree of precision needed based on Horning's analysis.</p>			BRD SAM
	21	332	ISSUES
<p>Additionally, neither the permittees nor the EA present results of information gained from past branding efforts to offer evidence that this practice is useful or to suggest that additional branding is necessary.</p>			BRD

Hot Branding

Submission No.	CommentNumber	Database Reference ID	ISSUES
	22	333	
No additional branding should be authorized until the NMFS has assured that this procedure is still necessary and that the conservation goals addressed by hot branding cannot be served simply by permitting field studies utilizing animals already branded.			BRD
Submission No.	CommentNumber	Database Reference ID	ISSUES
	23	334	
Considering that the NMFS has been permitting hot branding of this species for several decades, this research would seem unnecessary. If it is necessary, then NMFS should halt all other branding studies until it is completed.			BRD
Submission No.	CommentNumber	Database Reference ID	ISSUES
	41	352	
Hot branding can be an important tool in satisfying the need to monitor survival across the range and in various cohorts, yet the remarkably large amount of branding that is proposed has not been justified in the EA.			BRD INA
Submission No.	CommentNumber	Database Reference ID	ISSUES
	7	199	
...the EIS should pay special attention to the particular vulnerability of pups and young animals to the impacts of intrusive procedures and branding.			BRD NEP

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Welfare

Submission No.	CommentNumber	Database Reference ID	ISSUES
	53	364	
<p>...the Alaska Sea Life Center (ASLC) has requested continual modifications of its permit to conduct experiments on captive animals, many of them adult females. It is not clear that either the procedures or the research design have been approved by any institutional animal welfare/care committee.</p>			WEL
Submission No.	CommentNumber	Database Reference ID	ISSUES
	35	301	
<p>Approval for invasive studies by this applicant should be suspended until NMFS can conduct a more comprehensive evaluation of range-wide research, its contribution to specific recovery plan needs and compliance with requirements of NEPA, the ESA, MMPA and Animal Welfare Act.</p>			ESA MMP NEP PER WEL
Submission No.	CommentNumber	Database Reference ID	ISSUES
	33	299	
<p>The applicant has not provided any justification for increases that are requested in the number of animals that they wish to sample and or brand or the increase in the duration or frequency of captive research. We question whether these continual amendments that are requested with little or no supporting information or justification would meet the tests of the Animal Welfare Act or would pass the careful scrutiny of an independent animal welfare/care committee.</p>			INA WEL
Submission No.	CommentNumber	Database Reference ID	ISSUES
	1	1	
<p>API asks that NMFS consider the impacts to the population as well as the welfare of individual animals when reviewing research proposals.</p>			CUM WEL