



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

January 31, 2007

Denby Lloyd, Acting Commissioner  
Alaska Department of Fish and Game  
PO Box 25526  
Juneau, Alaska 99802-5526

Dear Mr. Lloyd:

This responds to your January 12, 2007, letter to Dr. James Balsiger regarding the draft Revised Steller Sea Lion Recovery Plan (draft recovery plan) and the ongoing section 7 consultation under the Endangered Species Act (ESA) for the Alaska groundfish fisheries. As you point out, NMFS has received numerous substantive comments on the draft recovery plan which will require careful consideration. The final recovery plan may have implications to fishery management, and thus it is of great interest to the public. Our intent is to take the time necessary to consider these comments as we progress toward a final recovery plan. We agree that additional public review and comment would be helpful as we complete the process, as well as in achieving our goal of recovering endangered and threatened populations of Steller sea lions.

NMFS will review and respond to comments on the draft recovery plan and provide another draft recovery plan for public review. The revised draft will be available for a 60-day public review period beginning about May 1, 2007. This will allow the public and the North Pacific Fishery Management Council's (Council's) Scientific and Statistical Committee time to review the revised plan and provide additional comments. Comments will be considered by NMFS, and we anticipate that the recovery plan will be finalized by September 2007.

Due to the requirement to consider conservation (e.g., recovery) in our adverse modification decisions, it has become more advantageous to complete the recovery plan prior to releasing another biological opinion on the groundfish fisheries. The biological opinion will integrate the recovery goals from the plan in its determinations. Based on this new schedule, any changes to the draft biological opinion we had committed to completing by June 2007, will be delayed to late 2007. As a result, any changes to the Steller sea lion protection measures recommended by the Council are not likely to be implemented until mid-2009.

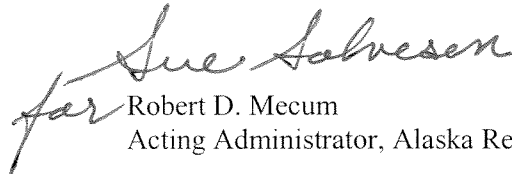
In order to ensure that any future changes to the Federal and State fisheries consider the findings of the new recovery plan and the new ESA consultation, we are requesting that the Board of Fisheries (BOF) postpone action on Proposals 182 and 183 during its February 2007 meeting. These proposals would substantially increase the harvest of Pacific cod in the State-managed fishery of the South Alaska Peninsula area which would have an adverse effect on Steller sea lion critical habitat that was not previously considered in ESA consultations. Once the recovery plan is completed, the Council, BOF, Alaska Department of Fish and Game, and NMFS should work together to develop comprehensive Steller sea lion protection measures, incorporating the latest information from the recovery plan and consultation and considering potential impacts of both Federal and State fisheries. The Steller Sea Lion Mitigation Committee is conducting a systematic review of proposed changes to the Steller sea lion protection measures. This review



should consider any proposed changes to the State-managed fisheries that may impact Steller sea lions to ensure a complete understanding of potential Federal and State fisheries impacts. The entire suite of recommended changes to the State and Federal fisheries could be part of the final biological opinion on the Alaska groundfish fisheries, to guarantee that potential cumulative effects from any proposed changes to the State-managed fisheries are addressed. We encourage the State to continue participation in the Steller Sea Lion Mitigation Committee proposal review process. Any action at this time by the BOF that may adversely affect Steller sea lions may shift NMFS resources away from completion of the recovery plan toward addressing the immediate ESA concerns of the State action and potentially affecting Federal fisheries management.

While the revised recovery plan and consultation schedule may result in a delay in any changes to the Steller sea lion protection measures for the Alaska groundfish fisheries, it is a reasonable compromise to ensure full public participation in Alaska fisheries management and marine conservation.

Sincerely,

The image shows a handwritten signature in cursive that reads "Sue Salvessen". The signature is written in dark ink and is positioned above the typed name and title.

for Robert D. Mecum  
Acting Administrator, Alaska Region

Cc: Stephanie Madsen, NPFMC  
Mel Morris, BOF