Minutes of the
Atlantic Scientific Review Group
22-23 May 2002 Meeting
Meigs Room, SWOPE Building, Woods Hole, Massachusetts

1. Introductions, organization, housekeeping

Meeting agenda is attached as Appendix I and the List of materials is shown as Appendix II. Members (Appendix III) and guests (Appendix IV) were introduced and meeting logistics discussed.

2. Review meeting agenda (Appendix I)

S. Brault, Stephanie Wood request "Pinniped Issues" be addressed May 22.

3. Review of response to our November recommendations (deferred to May 23)

J. Valade reported that the ASRG's recommendations to Florida FWS seemed effective in that it postponed the State's decision to move forward with the PBR suggestion. There is still no progress with Puerto Rico Manatee Management Plan. J. Valade will continue to work more closely with the ASRG and NMFS and finds the meetings useful and informative.

The ASRG's recommendations from the November 2001 meeting were submitted to NMFS and USFWS in December 2001 and a response from NMFS was received in April. An earlier response will be directly requested if needed for project planning. Earlier availability of the draft 2003 SAR was again requested (early October is written into the SRG guidelines).

The ASRG discussed an earlier submission of the draft SAR. The draft uses the current SAR as its template, and availability of the draft SAR is dependent upon completion of the "current" SAR (which is a function of public review), and completion of the "new" assessments. The SAR "turn around time" also if impacted by field seasons as most of the contributors are at sea. Every effort will be made to provide the draft in a more timely manner.

4. Right whale issues (Gouveia/Wang/Merrick/Clapham/Pace)

Surveys - SEFSC conducted the usual winter sighting surveys with fewer right whale sightings than last year. There were 21 calves reported and no mortalities. NEFSC conducted a shipboard survey from April 29-May 12. Biopsies were taken from 6 previously unsampled right whales along with photo-IDs. Many animals were seen in the Great South Channel (GSC) with as many as 72 animals sighted in one day. Calvin (disentangled 2 yrs. ago) was seen skim feeding and appeared healthy.

A Mid-Atlantic aerial survey (contract to UNC Wilmington (McLellan et al)) counted 8 cow/calf pairs during January - March in the Cape Fear area and possible extension of the critical habitat areato the north was discussed. The January - March surveys are expected to continue in the Mid-Atlantic for continued data collection and also for support in mitigation of ship strikes. These

Mid-Atlantic surveys are designed to locate and document the presence of right whales, not to perform an EWS function. There is no infrastructure to warn ships of the presence of right whales in the Mid-Atlantic at this time like there is in the calving grounds in the SE. Bottlenose dolphin aerial surveys (by SEFSC) are planned for that time of year and they will also report any right whale sightings.

NEFSC No right whales were observed in Cape Cod Bay during March. In April-May, many were seen in the "sliver area" of Great South Channel. A printout of all right whale sightings from January to May was handed out (WP-2).

Sightings Advisory System (SAS) and Dynamic Area Management (DAM) focused surveys and right whale distribution surveys are planned for summer/fall 2002. NEFSC assumed the SAS responsibilities and currently has 6 aerial observers. Photo-ID studies include both 35mm black and white still photos and vertical photogrammetry (Gulf of Maine) films taken from the Twin Otter. The photogrammetry technique has improved (using a new kind of film) with about 85% of the animal lengths and 50% of the girths measured from last year's survey. Pregnant and lactating females can also be measured using this technique.

S. Brault mentioned a Post Graduate study at NE Aquarium on right whale health assessments using photo-IDs cataloged during 1981-2000. That study is being done using indices of health conditions (e.g. rake scars, fat, skin conditions). Also, Lang mentioned that the USGS is using photo technique which can artificially "remove" water from a picture to look at river beds.

A humpback whale survey will be done this summer on the entire Scotian Shelf where observers will also be looking for right, blue and bottlenose whales.

Serious injury and mortality updates - To date, there have been two confirmed sightings of entangled right whales (#1412 and a yearling). #1412 was last seen May 12 in the GSC by the aerial team just before dark and the line appeared to be fraying. No success so far in attaching a satellite buoy. The entangled yearling was sighted in the North Carolina/Virginia area and was last seen trailing lines and buoys in March. A couple humpbacks have been successfully disentangled (some by fishermen). Also a few unconfirmed reports of dead humpbacks and fin whales were received.

Summary of NEFSC re-analysis of survival estimates - R. Pace provided a review of his current study. A protracted capture period (9 mos), spatially & temporally varying capture efforts, individual capture heterogeneity, local and global temporary emigration are all problematic issues for this study. He briefly reviewed other recent analyses which drew the same general conclusion of declining population rates. Pace's analysis was basically an update which includes the 1997-2000 data. He noted that 14% of animals in the database have not been sexed. It was also stated that in 2001 and 2002 animals were seen by NEA that had not been seen since the early 1990s. Further work is needed to determine if a methodological anomaly existed in the way that capture data was being collected, including factors such as "trap happy" or "resurrected animals", animal fidelity, and researchers focusing on the high use areas where animals were known to congregate.

This is the first analysis done following resumption of Great South Channel surveys in the late 1990s and it shows that, excluding animals 3 yrs. old and less, there was a dramatic decline in survival in the 1990's. The analysis clearly suggests that something changed dramatically from the 1980's to the 1990's to affect the survival estimates. One possibility may be a change in animal behavior and distribution in response to increased shipping and/or changing fishing effort. Population estimation is

very challenging given the present data set but new production models are being developed to deal with the "entire population" rather than just repeatedly captured individuals. P. Clapham will put together a working group to address some of these issues.

K. Wang questioned whether the SAR should re-phrase the term of right whale population being "about 300" and update the text so that the general public can better understand that population "trend" rather than "size" is key. She also stated that births were given little mention while deaths were described in length and this may be misleading.

Seasonal Area Management (SAM) and Dynamic Area Management (DAM) closures - The DAM ruling went into effect as of February 2002 and SAM is currently an interim final rule. The western SAM closure (near Cape Cod Bay and the Great South Channel) goes in effect as of March each year and the eastern SAM closure (east of 69.4°) goes in effect as of April. DAM closures are used as a back up to SAM closures and take into consideration those right whales seen outside of the critical habitat and SAM area.

Under DAM, a group of at least 3 right whales reported to be congregating within a 75 nm^2 area could trigger a closure and/or voluntary removal of gear from the area. The agency is also developing a rule to add gear modifications to the DAM closure ruling. To date, one DAM closure has been implemented. It took 2 weeks from the initial sighting to declare the area closed. The delay was due mostly to the Federal Register (FR) publishing process and also its coinciding with the recent Groundfish management issue. Gouveia and Menashes said the process should become more efficient as NMFS becomes more familiar with the process and a change in the language in the FR process is made. USCG enforcement and compliance was effective and some fishers were advised of the closure just before setting their gear in the area. J. Gilbert asked if delay negates or reduces effect of a DAM closure? *The ASRG recommends that NMFS find some method for making a more immediate DAM closure after a trigger takes place.*

D. Gouveia warned that there will be resistence from industry to speeding up the process because of the many factors needing consideration such as amount of gear and time needed to remove it, suitable weather for gear removal, number of vessels impacted, etc. It is clear that industry would prefer to incorporate gear modifications rather than SAM and DAM closures. K. Bisack suggested an incentive program be offered whereby fishers who modify their gear can be allowed to fish a SAM area. Questions about gear modifications followed. Mutually buoyant or sinking line are favored by most but DeAlteris mentioned that it is unclear whether sinking lines actually lay on the bottom or lay over the tops of traps, rocks etc. There is the fundamental problem of finding one type of line to fit all types of gear.

A gear workshop was recently held and little new information or technology was presented by industry and/or fishers. An additional gear advisory workshop will be held, incorporating help from NEFSC and the Regional Office. A $1.5KK grant program to the coastal states is being developed by NMFS for right whale protection studies.

NERO is also working on an EIS which includes the SAM closure and gear modification issues. Industry members want to be given an opportunity to use modified gear as the means of mitigating entanglements rather than being "over-regulated" by all the various fishing closures.

Take Reduction Plan progress - The Atlantic Large Whale Take Reduction Team (ALWTRT) needs to incorporate more participation from the Mid-Atlantic region and then split the present ALWTRT into smaller units. NMFS is searching for a proper approach venue to disperse information such as occurs with the NE and SE implementation teams.

Other Right Whale Developments - NMFS has an in-house working group focusing on ship strikes including staff from NMFS Headquarters, Southeast and Northeast Regions, and the NE and SE Fisheries Science Centers. The ASRG discussed the status of the Right Whale Recovery Plan and Merrick spoke about some legislation issues including the North Atlantic Right Whale Recovery Act which focuses on research. A grant program of about $2KK a year is administered by the Agency but requires a lot of additional paperwork. A meeting is planned for May 30-31 to provide a briefing to Legislative members of the work being done in northern right whale research

5. Humpback whale issues: anything beyond Take Reduction Plan? (Gouveia/Clapham)

The Scotian shelf population cruise this year should increase the sample size from this area to help determine if these animals are part of the Gulf of Maine stock. The Mid-Atlantic has a fairly high mortality rate with some animals from the Gulf of Maine and Newfoundland stocks. A larger sample size of ID's is needed in order to get a better idea of the stocks represented on the Scotian Shelf. The sampling effort in Newfoundland has been substantially reduced which has compromised analysis to date. P. Clapham mentioned that the Mid-Atlantic ridge may possibly have supported a stock of humpbacks. Dr. Clapham noted that Icelandic biologists have reported a large apparent increase in humpback whales in the region in recent years, though it is not clear whether this is entirely due to population growth or to growth plus immigration from other areas.

(Break for lunch)

6. Bottlenose dolphin issues:

Bottlenose Dolphin Take Reduction Plan (BDTRP) status (Wang) - The target date for the BDTRP is July 7, 2002 with a 90-day comment period. A proximity rule included in some areas is based on gear tending and requires fishers to be within ½ mi. of gear at all times. The rule is intended to limit the overall amount of active gear and soak duration while still allowing the fishers some flexibility in setting gear. J. DeAlteris mentioned the success of the TRT's "pragmatic consensus" objective which helped to drive the team toward a decision rather than leaving it in the hands of the agency. It was noted that the number of part-time and recreational fishers may be reduced as a result of the BDTRP.

Progress on stock definitions, preliminary results of winter surveys, plans for summer abundance surveys and biopsy sampling (L. Garrison) - Previous abundance estimates (animals in 0-40 m depth) have been highly variable with CV's well over 40%; the current (winter and summer) surveys were designed to address this problem. During the winter survey, the 2-team method was employed with much success and the data set collected was excellent. Abundance was very heavy around the Cape Hatteras and Cape Lookout areas with the majority of animals close to shore and in

shallower waters at a 11° to 16° C water temperature range. Twenty animals was the mean group size. South Carolina and Georgia each had abundance estimates of about 2000. The North Carolina abundance estimate of 15,500, was a large increase from previous numbers in 1995, suggesting the need to investigate previous methodology (clumps of near shore animals were possibly missed in 1995?) and/or other factors. The direct duplicate method proved to be useful in measuring sight (forward team) and re-sight (rear team) rates. The perception bias was very low and the corrected values had a larger CI. Although using 2 teams and a belly observer accounted for perception bias, it did not account for the availability bias and the use of 2 individual airplanes would be necessary to account for a complete g(0). The Group noted that if the mean group size is generally 20 animals, then the availability bias should be low. The survey methodology also accounted for the effect of environmental co-variates and sighting probability of each team. Group size and perpendicular sighting distance were dominant factors in the modeling (GAM).

The question arose of how to conduct estuary surveys and the consensus was for using photo-ID from small boats rather than using airplanes. The overall problem of accounting for offshore stocks vs. coastal stocks of bottlenose dolphins remains to be addressed.

Plans for future surveys - SEFSC summer transect surveys (WP - 3a) will be stratified the same (0-20m and 20-40m depth) from Sandy Hook, NJ to as far south as possible (Georgia/South Carolina). Two replicate surveys totaling 8000 km are planned. Target CVs will be between 20% and 35%. Biopsy collection work is planned for July-August to fill in the data gaps from last year's biopsy work. Samples from the 20-40 m depth area are particularly needed. The method planned is to use a spotter plane to direct 2 small vessels (one in each depth strata) to groups of animals (WP - 3b). A preliminary pilot study is planned to test the viability of this method. The question was asked about how one defines an "animal group" and whether offshore and inshore types are ever found together within a single group.

7. Harbor Porpoise Take Reduction Plan (HPTRP)progress (Gouveia/Palka)

There have been no recent meetings of the two teams. Some recent actions taken include: exempting Delaware Bay from the HPTRP by moving the boundary line; deciding not to list harbor porpoise as threatened and removing the species from the candidate species list; ongoing discussions about creative ways for effective enforcement (pulling gear and checking pingers) and observer coverage. Rule making to allow use of alternative pinger frequencies is planned to be completed in August/September. D. Gouveia then noted how the HPTRP is interwoven with groundfish regulations and marine mammal regulations with a lot of duplication that must be tracked. The next settlement update in June should be last for this particular law suit.

S. Young asked if there have been any illegal harbor porpoise bycatch takes. M. Rossman answered that a few takes from pingered nets were reported and it is unclear whether it was due to failed pingers, possible habituation, or other reasons. There were no observed takes during Fall 2001 and this may be due to reduced fishing effort (groundfish plan), reduced observer coverage, the HPTRP, pinger use or a combination of all.

D. Palka spoke about harbor porpoise survey platforms. The Abel-J will no longer be available and she is looking into other possible vessel platforms. The NEFSC's vessels (Albatross IV and Delaware II) are not well-suited for 2-team observing. An aerial survey on the NOAA Twin Otter will

cover the northeast offshore area and up into Newfoundland (with Canadian observer aboard) in July-August. This will provide an updated harbor porpoise abundance estimate for the 2003 SAR.

8. Manatee issues (Valade):

J. Valade reported that there has been much activity since last November. The State of Florida is in the process of implementing a management plan in order to evaluate status (and possibly down list) the manatee. A Status Review (state of FL and USFWS) was formally adopted in Oct. 2001 and a state panel will review findings and formal action should take place early in 2003. The State's criteria to list an endangered species (1999) and its benchmarks for reclassification were reviewed (WP-4). These are basically the IUCN criteria for highly endangered species. On day 2, Merrick handed out a workshop report (Seattle) addressing (in part) the use of IUCN classification criteria where NMFS biologists recommended against using the IUCN criteria. The impact of down listing manatees would be that refuge areas would be jeopardized and the problem would then be deferred to a Federal agency. A task force is addressing habitat issues such as power plants shutting down (and subsequent manatee deaths) and GIS reviews of manatee habitats are being done to evaluate potential habitat sights.

The FWS conducted a Population Ecology and Management Workshop followed by a status review of the Florida manatee. The review includes: a detailed evaluation of population status, evaluation of existing threats to the species and effectiveness of existing controls, and recommendations, if any, regarding reclassification, recovery objectives, criteria and tasks to deal with remaining threats (WP-4). A summary of the Population Ecology and Management Workshop included updated adult survival rates, updated population trends analyses, age and life history analyses, and modeling manatee population dynamics (WP-5) . FWS is considering modification of the PBR recovery factor (0.1 at present) in the manatee stock assessment and the ASRG advised against it. A revised version of the manatee stock assessment is in preparation to hopefully be reviewed by ASRG in the near future.

ASRG members questioned Florida's Section 6 agreement with FWS. Other questions raised included: 1) Is an MMPA rule needed to better control the state's water craft activities, 2) can a negligible impact determination be made, and 3) do Georgia's statutes on this issue differ from Florida statutes? Valade was unsure and will check into it.

There have been 171 deaths so far this year with 51 attributed to water craft. An unusual mortality event (possibly red tide) is occurring in Sarasota area and researchers will continue to monitor carcasses coming in. Manatee necropsies indicate that the average age of death is 7 years. Various studies and group efforts are being undertaken to reduce human interaction such as anchoring of pot lines and monofilament clean up (See Sirenia Project website).

9. Pinniped issues:

<u>2001 harbor seal survey results (Gilbert)</u> - Aerial surveys were conducted during May-June 2001 in Maine to obtain a corrected population estimate for harbor seals and an uncorrected estimate for gray seals. Harbor seals were radio tagged in Rockland, ME and Chatham, MA and were later tracked by aircraft in Maine. Photo flights (at 600 ft.) were made within 2 hrs. of low tide and photo data were collected in "bay units". Two hundred and thirty-one rolls of film (36 exp. each) were taken and all counts were done twice. The fraction of radio tagged seals located on a survey day was used as the correction factor for the day. Of the 11 seals tagged in Chatham, 8 were relocated. Of the 17 seals

tagged in Rockland, 12 were relocated. A raw count of 38,011 - 99,340 harbor seals with N_{min} 91,620 was calculated. There have been increasing raw counts since 1981 for harbor and gray seals, including pups. Most of the adult seals tagged in Cape Cod returned to Maine within 2 months after tagging. Digital and vertical photography will be reviewed as possible techniques for counting but the "overlap" problem needs to be considered. Large adjusted numbers and population movements (summer/winter) were the 2 major points of interest for this survey and new population numbers will go into the 2003 draft SAR.

Summary of winter 2002 Muskeget gray seal live capture/tagging (Stephanie Wood) - In 1957, skulls of gray seals were discovered at Muskeget Island just off Nantucket Island and pupping has been observed there since the 1960s. The animals seem to be a re-colonization from the Sable Island stock. S. Wood is studying historical bounties information and also sighting data for a population study (preliminary minimum estimate of 636 adults, 225 pups). There are also genetic studies being done to compare stock structure of this population with Sable Island,CN and other populations. During a 3-day survey in February 2002, 50 weaned gray seal pups were sampled and tagged.
G. Waring then mentioned the windmill farms being proposed for Nantucket Sound that could affect Muskeget Island pupping.

10. SAR issues/abundance estimates:

Plans for joint deepwater trawling/systematics and marine mammal survey in July 2002 on Bear Seamount and SE edge of Georges Bank (Waring) - A fish/marine mammal/seabird "piggyback research cruise" from Mid- July to early August will combine deep and mid-water trawling (SE edge 200 to 2000m isobar) along with sighting for marine mammals and sea birds. The primary marine mammal objectives will be to count sperm and beaked whales. Transect survey operations will stop where groups of sperm and beaked whales are found to trawl for prey fish and to obtain photo and biopsy samples. The transect lines will include areas around warm core rings and eddies. Inclusion of stable isotope studies where beaked and sperm whales are found was mentioned. The ASRG discussed the difficulties involved with biopsying sperm whales (e.g., blubber thickness).

Plans for future Atlantic and Gulf surveys (Merrick/Swartz) - This summer the NEFSC will conduct four weeks of aerial surveys from NY to Grand Manan for abundance estimations. The aerial survey will also try out the new "racetrack" method (circling back on sighted animals) for getting g(0) for other species besides harbor porpoise. This survey area will fit in with SEFSC survey coverage. Next year the Canadians may be funded to do Gulf of St. Lawrence surveys which will extend total survey coverage to the north. Over the next few years, NEFSC hopes to obtain new abundance estimates for harbor porpoise and other northern water marine mammal species.

SEFSC will also do aerial surveys this summer. In 2003 more shipboard surveys are planned (with Navy support) to do zooplankton/abundance surveys along the shelf break and in deeper waters. The Navy will no longer be able to support Carribean surveys. Passive hydro-acoustic studies are planned to continue concurrent with visual surveys for comparison of methods. Survey methods using 2 teams aboard the R/V Gordon Gunter are being reviewed. In 2004, more near shore and some offshore bottlenose dolphins surveys are planned. SEFSC 2004 surveys could to coincide with NEFSC offshore surveys to provide a second, whole coast survey. Future Gulf of Mexico studies are still

uncertain. There is a lot of previously collected data to review before determining what to do next. Deep water whale surveys in the Gulf of Mexico are an unfunded priority.

ASRG asked about the consistency in methods between NEFSC and SEFSC research. NEFSC has used the 2- team sighting method for quite awhile and their methodology is more advanced. Species groups in the Northeast are better defined than in the Southeast. For aerial survey work, species in the Northeast program require less circling while Southeast species require circling over most groups for a proper identification. There is a meeting being planned for all NMFS science centers to interact and share knowledge. The ASRG will encourage coordination by the SEFSC with other labs to improve their methods.

L. Garrison stated that updated Gulf of Mexico assessments will be provided in the Fall and incorporated into the SARs..

Interagency coordination of future surveys (Lang, Swartz, Merrick and others)

During 2000-01, Minerals Management Service (MMS) stopped interagency work with the SEFSC. They do not plan to fund any future studies with SEFSC, Pascagoula Laboratory but will try to coordinate at a higher level with NMFS/Navy for future Gulf of Mexico studies. L. Garrison, recently relocated from NEFSC to SEFSC, is well aware of the past problems and is working diligently to improve and update methodology and the quality of data.

Merrick and Swartz discussed agency efforts to coordinate with users of NMFS data. NMFS's primary goal in data collection is presently to do assessments as required by MMPA, ESA, NEPA and SFA; however, the Agency doe not have sufficient resources to adequately carry out these mandates. NMFS HQ will hold a series of meetings this year to discuss management needs for scientific information, stock assessment improvement plans and the need to improve general funding of national assessment needs. This fall, there will also be a workshop to discuss acoustics (J. Barlow, SWFSC) and the Agency is trying to develop a dialog with the US Navy (a meeting scheduled in June with HQ and the 4 NMFS Regions/Science Centers) to determine their assessment needs for doing ESA mandated EIS's, BAs, and small take permits and waivers under the MMPA . The Navy has entered into interagency agreements with the SWFSC and the SEFSC to provide funding for marine mammal assessment surveys in areas that are of mutual interest to the NAVY and NOAA Fisheries. These agreements are considered short term means to continue to gather information on the distribution and abundance of marine mammals that NOAA Fisheries otherwise would not be able to obtain. The long term solution is for NOAA Fisheries to obtain additional resources from Congress to carry out its mandated mission of marine mammal stock assessments and related studies to support the information needs for the fisheries management offices, and a broad range of customers the include the Navy, MMS, Corps of Engineers, commercial shipping, academics, and the public.

11. SAR issues/mortality estimates: standardization of human/fishery interaction determinations in stranding records (Clapham)

Discussions deferred until November meeting.

12. Observer coverage for FY03 - results of Atlantic/East Coast observer funding (Potter)

A court order has been issued to improve observer coverage of fish stocks in the Northeast. Staffing is the main issue, and not money. A new hiring contractor has just been awarded the bid and

will require some start-up time. At present, there are only 8 trained East Coast observers. Fifteen new observers will be trained and on line soon with another training session in August. NEFSC is working to get a sufficient group of 30 to 40 trained observers up and running. The month of May is generally quiet with most of the Gulf of Maine closed and most fishers inactive.

Coverage in the otter trawl fisheries will increase (from 1% in past). M. Rossman noted that the otter trawl fisheries are broken out into sub-fisheries with only some to be considered in terms of marine mammal bycatch.

Pelagic longline fishery observer funding remains stable. Mid-Atlantic observer coverage will continue to be supported by marine mammal and sea turtle programs, but will receive additional funding.

It was noted that small mesh fisheries in the Mid-Atlantic are difficult to monitor. If more trips are observed as "fish trips" and not as dedicated marine mammal trips, it will require modifications to data collection.

J. Valade asked about observer coverage of Florida pot fisheries? None is planned at present.

A discussion ensued concerning the calculation of effort and size of catch and also about scheduling observed sea days.

13. Status of Offshore Take Reduction Team (Menashes/Gouveia)

The Atlantic Offshore Take Reduction Team was disbanded and, after more data have been collected and analyzed, it will eventually reorganize (within a few years). Two of the three fisheries that participated in the original TRT no longer exist. The third (the pelagiclongline fishery) has undergone dramatic management changes.

In preparation for the TRT's reorganization, more observer coverage and better bycatch estimates are needed (particularly for pilot whales). Common dolphin stock structure studies (Duke project) should be finished by June. ASRG will request A. Read be present to discuss common dolphin stock structure study at the November meeting.

14. Potential combination of all Take Reduction Plans into one set of regulations (Merrick)

There are currently 3 separate TRPs for Atlantic marine mammals and an analogous plan is being developed for sea turtles. After 6-7 years experience with this process, it may be time to reconsider how the TRP's coexist. Merrick presented the ASRG with the question of whether it is reasonable to consider integration of TRPs into either one large comprehensive plan, or into a large cetacean plan and a small cetacean and sea turtle plan. S. Young questioned the possible difficulty of amending for individual species concerns if all become integrated into one plan. The idea of management plans being designed to address "gear type" rather than fishery type was then discussed. A gear-based approach would take a lot of re-structuring but may be worthwhile in the long run. D. Gouveia addressed the team structure for each marine mammal TRT. The group then discussed whether fishers and NGOs are the same in each TRT and how much is legislatively driven by ESA, MMPA, FMCA? FMCA and MMPA drives marine mammals, while turtles fall under ESA. Section 7 consultation people need to work more closely with fishery management councils. Integration of the TRPs into one omnibus Plan could force fishery and marine mammal managers to work together, would help eliminate logistical problems for fishers in gear design, and could reduce redundancy in closure rulings.

15. Plans for a Workshop to Develop a Stock Assessment Improvement Plan for Protected Species (Merrick)

The NEFSC will host a national NMFS meeting of marine turtle and mammal stock assessment scientists on 10-12 September in Woods Hole to begin development of a Stock Assessment Improvement Plan. This plan will first focus on bringing the current assessment effort up to the requirements of the MMPA, and then consider how to expand the assessment effort to meet the needs of a variety of other users.

16. List of Fisheries issues: anything?

Pot fisheries will be proposed for elevation to Category 2 and the Mid-Atlantic gillnet fishery will be proposed for elevation to Category 1. No new information is available on menhaden fisheries takes.

17. Status of budgets (Menashes/Merrick/Swartz)

The NEFSC has little new money available from the traditional Recover Protected Species (RPS) funding. Overall, the Center's marine mammal and turtle budget will be around $3.4M during FY02 (including salaries). The largest single portion will be from right whale funds.

Nationally, about $7M is available overall for right whale research. Of this, $1.5M will go to the states. These funds are ultimately to fund Section 6 agreements with the states, but at present many states do not have Section 6 agreements with NMFS (e.g., Maine, and Rhode Island). Work funded should focus on gear- related issues, disentanglement etc. An additional $1M will go to the NE Consortium to complete funding of projects begun in FY01. The remainder of about $4.5M will be split between Headquarters and the 4 Science Centers and regions for assessments, ship strikes, whale detections devices, tail loop disentanglement device study, CCS disentanglement activities, RO grants ($400K), etc. A full time right whale person in now funded in each NMFS group. P. Gerrior is the full time ship strike and Navy interaction coordinator at NERO. The right whale spending plan was done in the summer, forwarded in September and then experienced a lengthy delay in Washington, DC. Washington staffers are scheduled to meet to discuss improvement of the funding process. Next year's funding will be at the same level and will again have money for individual states to compete for. A separate fund will likely be available for individual scientists, A panel will be appointed to peer review research proposals and ASRG members may be asked to participate.

18. Finalize recommendations from this meeting

Recommendations to NMFS, HQ

(1) The ASRG is concerned that the process of implementing Dynamic Area Management (DAM) fishery closures after observation of a right whale aggregation may be too slow to provide adequate protection to the whales. For the first DAM closure implemented this spring, it took approximately two weeks from the time the whales were first seen to the time that the measure went into effect. We recognize that part of the delay was probably due to the newness of the procedure. However, there is apparently a substantial time delay built into *Federal Register* publication mechanisms. The ASRG **recommends** that all possible solutions should be creatively investigated to streamline the process and minimize the time necessary for implementation of DAM measures.

(2) Currently, the Northeast and Southeast Fisheries Science Centers employ differing methodologies for the collection of survey data necessary for generating abundance estimates needed in stock assessments, thereby complicating integration of data, particularly where stocks overlap Regional areas of responsibility. The ASRG **strongly recommends** that the various centers and regions, including those in the Pacific and Alaska, coordinate more on the development of standardized methodologies to optimize survey quality and data set compatibility. The workshop(s) currently being planned for stock assessment improvements and standardization will be a good vehicle for initiating discussion.

Recommendations to NMFS, Regions/Centers

Northeast - The ASRG **recommends** the establishment of a working group, including NMFS and external scientists (e.g., Pace, Clapham, Brault, and others), on survival modeling of right whales. The primary objective of the working group should be to explore the models presently in use for any potential biases or heterogeneities (methodological, environmental, etc.) which could explain the apparent change in mortality and survival between the 1980s and 1990s

Southeast - The ASRG **commends** the SEFSC for taking measures to improve the quality and reliability of bottlenose dolphin stock assessments, in accordance with our previous recommendations.

Both - The ASRG **expresses support** for the planned surveys of the shelf break region, which will provide critical data necessary for the reconstituted Atlantic Offshore Cetacean Take Reduction Team.

Recommendations to USFWS:

The ASRG has expressed concern in the past about departures from the established standards in terms of setting PBR or recovery criteria for the Florida manatee population. The ASRG **commends** the USFWS for its decision to use the standards established in the GAMMS report (Wade and Angliss, 1997, NOAA Tech. Memo. NMFS-OPR-12) for setting PBR for this stock. The ASRG **recommends** to USFWS that the agency should continue to push for measures to reduce total human-caused mortality of Florida manatees to below PBR and then toward the zero mortality rate goal (ZMRG), as specified in the MMPA as amended in 1994. The ASRG further **recommends** that, if Florida manatee management and recovery efforts are to proceed on the basis of four regional sub-populations, then stock assessment reports should reflect the same subdivision of management units. Finally, the ASRG **strongly recommends** that the USFWS not endorse the endangered species recovery criteria that were enacted by the state of Florida. The State de-listing criteria, using simple numeric thresholds, were based on the IUCN Red List criteria, which have been rejected by NMFS in favor of risk-based criteria which use an estimate of the probability of extinction (Angliss et al., 2002, NOAA Tech. Memo. NMFS-OPR-21). In addition, the State criteria for down-listing or de-listing an endangered species are actually an erroneous application of the IUCN Red List criteria for defining "Critically Endangered" status.

19. Venue and timing of the fall meeting

The next meeting will be held on November12-13, 2002. Minerals Management Service has offered to host the next meeting in New Orleans, LA.

20. Membership

A. Read may be resigning in the near future and William McLellan or Mark Swingle were suggested as replacements. The committee should also consider another quantitative person such as Dr. Jim Helsche, URI or Jim Nicols, USGS/BRD. Gilbert suggested that recommendations for new members can be made via email to the group. The committee agreed that it would be useful to have P. Tyack (WHOI) attend the fall meeting to discuss acoustics research.

APPENDIX I.

Atlantic Scientific Review Group
Meeting Agenda
9am-5pm - 22-23 May 2002
Meigs Room, SWOPE Building
Woods Hole, Massachusetts

1. Introductions, organization, housekeeping, re-appointment of culinary subcommittee chair
2. Review meeting agenda
3. Review of response to our November recommendations
4. Right whale issues: news on surveys, serious injury and mortality update, summary of Pace's reanalysis of survival estimates, close-to-final 2002 calf counts, SAM and DAM closures, Take Reduction Plan progress (Gouveia/Wang/Merrick/Clapham/Pace)
5. Humpback whale issues: anything beyond Take Reduction Plan? (Gouvia/Clapham)
6. Bottlenose dolphin: Take Reduction Plan status (Wang), progress on stock ID, preliminary results of winter surveys, plans for summer abundance surveys and biopsy sampling (Garrison)
7. Harbor porpoise Take Reduction Plan progress (Gouveia/Palka)
8. Manatee issues: status of stock assessment, state reclassification proposal, summary of population ecology and management workshop (Valade)
9. Pinniped issues: 2001 harbor seal survey results (Gilbert), summary of winter 2002 Muskeget gray seal live capture/tagging (Waring)
10. SAR issues/abundance estimates: plans for joint deepwater trawling/systematics and marine mammal survey in July 2002 on Bear Seamount and SE edge of Georges Bank (Waring), plans for future Atlantic and Gulf surveys (Merrick/Swartz), interagency coordination of future surveys (Lang), incorporation of past data (Lang/Garrison)
11. SAR issues/mortality estimates: standardization of human/fishery interaction determinations in stranding records (Clapham)
12. Observer coverage for FY03 and beyond (results of Atlantic/East Coast observer funding) - Potter
13. Status of Offshore Take Reduction Team (Menashes/Gouveia)
14. Potential combination of all TRP's into one set of regulations (Merrick)
15. Workshop to Develop a Stock Assessment Improvement Plan for Protected Species (Merrick)
16. List of Fisheries issues: anything?
17. Status of budgets (Menashes/Merrick/Swartz)
18. Finalize recommendations from this meeting; venue and timing of the fall meeting

APPENDIX II

List of Materials Distributed

1. Meeting Agenda

2. Right whale sightings from January to May 2002 (SAS spreadsheet)

3. a) Planned tracklines for SEFSC 2002 bottlenose dolphin summer aerial survey
   b) Preliminary plan for SEFSC bottlenose dolphin biopsy effort - summer 2002

4. Florida Manatee Update - State of Florida and U.S. Fish and Wildlife Service Status Review

5. Summary of the Manatee Population Ecology and Management Workshop

6. Florida Manatee Recovery Plan - Third Revision. U.S. Fish and Wildlife Service, Southeast Region

APPENDIX III

Atlantic Stock Review Group (ASRG) Members Present
22-23 May 2002

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APPENDIX IV

Atlantic Stock Review Group (ASRG) Meeting Participants
22-23 May 2002

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