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NOAA: More Actions Needed to Help Western Steller Sea Lion Recover

NOAA's Fisheries Service says changes are needed to the areas where commercial fishermen may fish for groundfish off Alaska's Aleutian Islands to further promote the recovery of the western population of Steller sea lions, and to be in compliance with the Endangered Species Act.

That's the conclusion of the draft 2010 Groundfish Biological Opinion, released this week by the agency's Alaska region. The document addresses possible effects of current management practices for groundfish fisheries in the Bering Sea, Aleutian Islands and Gulf of Alaska on endangered species, including North Pacific humpback and sperm whales and the western Aleutian Island sub-population of Steller sea lions. Fishers harvest more than 4 billion pounds of fish from the area each year.

Although scientists found that current fishing practices are unlikely to impact the endangered whale populations, such is not the case with Steller sea lions. The greatest concern is in fishery management area 543 in the western Aleutians. From 2000-2008, adult numbers declined 45 percent in this sub-region. Pup production declined 43 percent, making the ratio of pups to adult females on rookeries in this sub-region the lowest in the entire western Steller sea lion population. This continued low birth rate is an indicator of lack of food to sustain the population.

A definitive cause for the population decline has not been identified, but assuring a greater food supply for Steller sea lions is an essential step, said Jim Balsiger, regional administrator for NOAA Fisheries' Alaska region. "Even though factors beyond our control affect the sea lion population, under the Endangered Species Act we are required to ensure that the actions our agency takes to allow fisheries do not jeopardize these endangered animals."

NOAA's Fisheries Service has included in the draft biological opinion a proposed approach that would modify groundfish management in the Aleutian Islands to limit competition between commercial groundfish fisheries and the sea lions. The proposed approach would avoid both jeopardizing the western population of Steller sea lions and affecting their designated critical habitat, up to 20 nautical miles from rookeries and haulouts. Because Atka mackerel and Pacific cod are the two most prominent species in the Steller sea lion diet in this region, the proposed approach calls for the closure of the Atka mackerel and Pacific cod fisheries in area 543, at the western tip of the Aleutians. Additional but less restrictive measures are also proposed in adjacent areas 541 and 542 in the central Aleutians, where sea lions continue to decline as well, albeit at a much slower rate than in area 543.

Council and Public Review

The North Pacific Fishery Management Council is holding a special meeting in Anchorage August 16-20 to review the draft biological opinion and associated analyses. NOAA Fisheries is accepting public comment through August 27 on the draft biological opinion.

The Council will have the opportunity to make recommendations on how to meet the management measures proposed by NOAA Fisheries to reduce impacts and accommodate the

needs of Steller sea lions while reducing impacts on the affected fishing industry. NOAA Fisheries will consider those recommendations when it develops the final Biological Opinion.

“NOAA’s Fisheries Service will work with the council to develop management measures for the groundfish fisheries to ensure fishing operations are consistent with the mandates of the ESA,” said Balsiger. “The ultimate goal is the recovery of the western Steller sea lion population so that the species can be removed from the list of endangered and threatened wildlife.”

Because an adequate food supply is critical for western Steller sea lions during the winter, the need to have necessary management measures in place before the start of the 2011 fishery precludes the use of the standard process of initial and final review by the Council.

NOAA Fisheries plans to use a “direct final rule” to apply necessary management measures before the start of the 2011 fishery. This method is preferable to the emergency rule process of the Magnuson-Stevens Act, as emergency rules are only effective for 180 days and would require further action to extend or make permanent. A Magnuson-Stevens emergency rule is also unnecessary in this situation, as an option for expedited rulemaking is already available. Regulations to apply the proposed management methods are already authorized under the groundfish fishery management plans. The direct final rule will require proper justification under the Administrative Procedure Act to waive notice and comment.

NOAA Fisheries intends to complete the final Biological Opinion and to implement the direct final rule measures before the start of the 2011 fishery in January.

After the final biological opinion is adopted, NOAA Fisheries will submit the science to the Center for Independent Experts (CIE) for peer review. NOAA Fisheries is also committed to cooperate and work with the Council or other groups on further scientific peer reviews as long as any resulting peer review does not require funding from NOAA Fisheries.

NOAA Fisheries is obligated to initiate consultation on an ESA listed stock any time significant new information becomes available. If a scientific peer review results in new information that NOAA Fisheries believes reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered, then NOAA Fisheries would reinstate formal consultation.

How to Comment

The draft biological opinion is available at:
<http://alaskafisheries.noaa.gov/protectedresources/stellers/esa/biop/draft/0810.htm>.

NOAA Fisheries is accepting public comment on the draft Biological Opinion until 5 p.m. ADT on August 27. Comments should be submitted to: Jim Balsiger, Regional Administrator, Alaska Region, NMFS, Attn: Ellen Sebastian. Comments may be mailed to: P.O. Box 21668, Juneau, AK 99802; sent by fax to: (907) 586-7557; emailed to: fmpbiop@noaa.gov ; or hand delivered to the Juneau Federal Building: 709 West 9th Street, Room 420A, Juneau, AK

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