



SEP 22 2010

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

Dear Dr. Scott:

Thank you for your letter to Eric Schwaab, Assistant Administrator for Fisheries, transmitting recommendations from the November 2009 meeting of the Pacific Scientific Review Group (SRG). The SRG makes a number of valuable comments and recommendations to guide science in the National Marine Fisheries Service (NMFS). I will address them below.

Cetacean Survey in the Pacific Islands:

In our response to recommendations from your November 2008 meeting, NMFS noted that the Southwest Fisheries Science Center had scheduled cetacean surveys in the Eastern Tropical Pacific Ocean (ETP) beginning summer 2010, which would have meant a delay in surveys in the Hawaiian Exclusive Economic Zone (EEZ) until at least 2011. The survey in the ETP had to be delayed, and the *McArthur II* was available for a survey in the Hawaii EEZ in 2010. This survey is underway now after extensive planning by the Southwest and Pacific Islands Fisheries Science Centers. The scientists conducting the survey are planning to provide an update at your upcoming meeting in Hawaii. Progress reports and ship-tracking information are available on the Internet at the following address:

<http://swfsc.noaa.gov/textblock.aspx?Division=PRD&ParentMenuId=637&id=16356>

Continued Cetacean Studies Around Hawaii:

NMFS continues to support studies of false killer whales and other cetaceans around Hawaii to the extent that funding allows. Supported research activities this year include additional tags to track movements of insular false killer whales, which are expected to provide information on the extent to which this population is vulnerable to mortality or serious injury incidental to commercial fishing operations.

Whale-vessel Collisions in California:

NMFS continues work with the Channel Islands National Marine Sanctuary and other agencies and organizations to better understand and to reduce vessel collisions with large whales. NMFS Southwest Regional Office convened a workshop in May 2010, bringing together scientists and managers from Federal agencies and other institutions to improve the understanding of the risks of vessel collisions with whales along the California coast. Recommendations from the workshop included continued improvement in understanding whale distributions, ship traffic, and risks associated with whales and vessels along the U.S. west coast.



Surveys for Harbor Seals and Harbor Porpoise:

Surveys of harbor seals in Oregon and Washington were conducted in 2010 and are planned again for 2011. New abundance estimates based on these surveys will be available for inclusion in the SARs by 2013. Although harbor porpoise abundance estimates are outdated, there are no plans to conduct surveys in the immediate future due to limited resources.

Uncertainties in Key Elements in Reports:

The stock assessment reports contain discussions of the data used to estimate key variables (e.g., stock identification, abundance, and mortality/serious injury), including statements regarding uncertainties. For example, most abundance estimates include coefficients of variation, and survey track lines are often depicted on maps. NMFS staff hopes to continue discussions with the SRG at future meetings to agree upon additional descriptions of variables to characterize the uncertainties in an appropriate manner.

Stock Structure for Pacific Humpback Whales:

I agree that information from the SPLASH study should be incorporated fully into the reports for humpback whales and that the mixing of whales from different breeding areas in summer feeding areas represents a reporting challenge. NMFS is planning to convene a workshop to review our national guidelines for preparing marine mammal stock assessment reports in mid-February 2011. I anticipate that stock identification of humpback whales in the Pacific Ocean (and situations, such as bottlenose dolphins along the Atlantic and Gulf of Mexico coasts, where individuals from different populations may mix) will be among the topics of discussion at this workshop. Population stocks of marine mammals must be identified in a manner consistent with the definition of that term in the Marine Mammal Protection Act, which is "a group of marine mammals of the same species or smaller taxa in a common spatial arrangement that interbreed when mature."

Reports for humpback whales have begun to show abundance and mortality/serious injury in areas where whales from different breeding populations mix on feeding grounds. Reports for Western and Central North Pacific (CNP) stocks of these whales have noted for several years that an entanglement within the Bering Sea could not be identified to stock, and that entanglement is included in reports for both stocks of humpback whales. In addition, the draft 2010 report for the CNP stock shows abundance, Potential Biological Removal levels, and mortality/serious injury stock-wide and partitioned by three feeding areas where mixing may occur. I encourage discussion among the members of the review group and NMFS scientists and managers at your upcoming meeting to discuss whether such partitioning would also be informative in future reports for the California/Oregon/Washington stock of humpback whales.

Marking Entangled Cetaceans:

NMFS, in collaboration with partner organizations, is working to collect a wide range of data related to entangled marine mammals. For large whales, disentanglement teams try to obtain photographs and tissue samples for identification and, in some cases, attach satellite tags to entangled animals or the gear surrounding them to monitor movements after initial encounters. For small cetaceans, NMFS is working through its National Observer Program to train all observers to photograph hooked or entangled marine mammals. The collection of additional data

in these situations, however, is subject to funding constraints and the trade-offs between more information and increasing stress on hooked or entangled animals.

Spinner Dolphins in Hawaii:

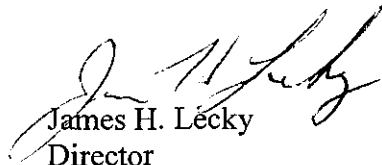
NMFS recognizes the need to address adverse effects of human recreational activities on spinner dolphins and other marine mammals. Accordingly, the Pacific Islands Regional Office is developing a Dolphin SMART program within the main Hawaiian Islands and has recently hired someone to staff this program. The Region is also preparing a draft environmental impact statement evaluating alternatives for a proposed rule to protect resting dolphins from harassment due to human activities. Among the alternatives being considered in this evaluation is an adaptive management strategy allowing adjustments to potential time/area closures to consider potential displacement of human activity to different locations or directed to different species. The Region hopes to have a draft environmental impact statement and proposed regulations ready for public review by spring of 2011.

Surveys of Hawaiian Monk Seals:

The Pacific Islands Fisheries Science Center was able to increase survey effort for Hawaiian monk seals in the main Hawaiian Islands in 2009 and 2010, which should result in an improved minimum abundance estimate. These surveys were not sufficient to produce an estimate of total abundance; therefore, such an estimate will continue to rely on a demographic model, a copy of which will be distributed in advance of the November meeting. Additional monk seal surveys were conducted at Necker and Nihoa; however, these surveys, too, will not be sufficient to produce a reliable abundance estimate. At Nihoa, NMFS is establishing a remote camera surveillance system to facilitate collection of additional population data.

I appreciate your continued contributions as members of the Pacific Scientific Review Group and anticipate that discussions in your future meetings will be fruitful.

Sincerely,


James H. Lecky
Director
Office of Protected Resources

Bcc: PR2(R); GCF; AKC-Dee Allen, Robyn Angliss; SWC-Jim Carretta, Karin Forney; PIC-
Erin Oleson, Jason Baker; NEC-Gordon Waring, Elizabeth Josephson; PR2-Eagle
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PACIFIC SCIENTIFIC REVIEW GROUP

A Regional Advisory Group to the National Marine Fisheries Service

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July 9, 2010

Dear Dr. Schwaab,

We would like to provide you with the minutes and recommendations from the most recent meeting of the Pacific Scientific Review Group held 3-5 November 2009. The SRG commends the NMFS for its long-delayed formation of a Take Reduction Team to deal with the take of false killer whales. It is critical that the TRT focus not only on the pelagic deep-set longline fishery, but on shallow-set and inshore fisheries as well. The SRG continues to note that the lack of funding and available shiptime continues to plague NMFS, such that there will be no usable abundance, mortality, and PBR estimates for many stocks. Surveys have been cut back or postponed for cetaceans and monk seals near the Hawaiian Islands, and harbor seals and harbor porpoises in Washington and Oregon waters.

Once again, the SRG compliments your NMFS staff for their excellent presentations, outstanding research, and support of the SRG.

Sincerely,


Michael Scott
Chairman, Pacific Scientific Review Group

cc: Distribution list (attached)

RESEARCH AND MANAGEMENT RECOMMENDATIONS

Pacific Scientific Review Group – 3-5 November, 2009

The SRG recommends the Pacific Islands Fisheries Science Center (PIFSC) Protected Species program continue to build its small cetacean research program. The SRG notes that a cetacean survey should be conducted in Hawaiian waters by 2010, and that planning for such a survey should be initiated soon, given the complex planning and extensive resources required for such a survey.

The SRG recommends continued studies of movements, abundance, genetics, and depredation behavior on fishing gear of false killer whales and other cetaceans around Hawaii and in the Central and Western Pacific to better understand stock structure, population trends, and potential fisheries takes. Additional tagging should be focused to determine differences in ranging patterns on windward and leeward sides of the islands and more information is needed about near-shore fisheries that may potentially take false killer whales to determine whether fishery mortality has played a role in the apparent decline in the insular population.

The SRG recommends that continued investigations be conducted on the causes of large whale ship strikes and effective ways to mitigate them.

The SRG recommends that harbor porpoise assessment surveys be conducted off Oregon and Washington and in Washington inland waters in light of the long duration since the last surveys, the Unusual Mortality Event that occurred in this region since the last surveys, and the evidence for recent ecosystem changes and shifts in distribution of harbor porpoise into Puget Sound.

The SRG recommends that a brief statement should be added to the SARs that indicates the level of certainty about the key elements (abundance estimate, stock structure, human-caused mortality) used for determining the status of the stock) together with a prioritized list of information or research needed to improve the assessment for that particular stock.

The SRG recommends that the stock structure of humpback whales be revised to reflect the mixed stock structure revealed by the SPLASH study. There are clear genetic differences among different feeding areas and among breeding areas but without a one-to-one connection among individual feeding and breeding areas. The SRG recommends that PBRs be calculated and all takes be apportioned among feeding areas and separately among breeding areas in such a way that it insures protection of each of these areas individually.

The SRG recommends that NMFS safely mark entangled cetaceans (*e.g.*, PIT tags, genetic sampling, visual tags, VHF/UHF tags, photo-identification) before they are disentangled to assist with identifying individuals, to help assess the effectiveness of

disentanglement efforts, and to provide probabilities of mortality after entanglement injuries.

There are no current abundance estimates, and thus no PBRs, for harbor seal stocks in Oregon and Washington and the SRG recommends that new surveys be conducted. If regularly monitored, these stocks could serve as good indicators of environmental change (such as from global warming or anthropogenic causes).

The SRG recognizes the need for NMFS to address conflicts between spinner dolphins and human swim-with-wild-dolphin activities off Hawaii. The SRG recommends more resources for enforcement of regulations. The SRG supports ongoing development of new more-enforceable regulations to better protect spinner dolphins and, where possible, recommend these also address the threat of harassment on other Hawaii cetaceans especially because restrictions related to spinner dolphins may result in increased targeting of other species.

The SRG recommends NMFS conduct regular surveys of Necker, Nihoa and the Main Hawaiian Islands to obtain abundance and trend information of monk seals on those islands. These populations appear to be increasing and now substantially influence the total abundance trend.

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| FORM CD-15 U.S. DEPARTMENT OF COMMERCE TRANSMIT/ROUTE SLIP | | DATE 9/10/10 | |
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| NAME | BUILDING, ROOM, OR REFERENCE NO. | TAKE ACTION BELOW | INITIALS AND DATE |
| 2108 | | | |
| Heim/Alt | PR2 | 12 | DK 9/14/10 |
| Eagle | PR2 | 2 | TE 9/14/10 |
| Cottingham | PR2 | 2 | DC 9/14 |
| GCF - FORMAN | | 2 | GF 9/14/10 |
| Golde | PR | 2 | GM 9/21/10 |
| Lecky | PR | 1 | LE 9/21/10 |
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| ACTION ITEMS | | | |
| 1. APPROVAL/SIGNATURE 2. CLEARANCE/INITIALS 3. RECOMMENDATION OR COMMENT 4. RETURN WITH MORE DETAILS 5. INVESTIGATE AND REPORT 6. NOTE AND SEE ME 7. NOTE AND RETURN 8. NOTE AND FILE | | 9. YOUR INFORMATION 10. PER OUR CONVERSATION 11. AS REQUESTED 12. NECESSARY ACTION 13. CIRCULATE AMONG STAFF 14. ANSWER DIRECTLY 15. PREPARE REPLY FOR SIGNATURE OF: _____ | |
| COMMENTS: Response to Pacific SRG recommendations – Nov 2009 meeting | | | |
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| Tom Eagle | | | |