

North Pacific Fishery Management Council

Eric A. Olson, Chairman
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April 9, 2009

Robert D. Mecum
Acting Administrator, Alaska Region
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668

Dear Mr. Mecum:

During its April 2009 meeting, the North Pacific Fishery Management Council received a report from staff indicating that the draft Biological Opinion on the effects of the *status quo* Alaskan groundfish fisheries on Steller sea lions (SSL) is still scheduled to be released in August 2009. Part of the staff report on the BiOp schedule included reference to a letter received by the Council from the Marine Conservation Alliance (MCA) that recommended incorporation of new information on Steller sea lions into the draft BiOp, prior to its release. Based on public comment, and its concurrence with the issues raised in the MCA letter, the Council is hereby requesting that NMFS incorporate this new information into the draft BiOp before its release. Further, the Council would like your response as to the implications for the BiOp schedule if the agency indeed does incorporate this new information into the BiOp. Specifically, the information we recommend be included is as follows:

1. 2009 SSL Pup Surveys – Surveys of SSL pups are scheduled to be conducted this year. The last work was done in 2005-2007, and this year's surveys will provide important new information on pup production. These surveys will provide data necessary to assess production/natality and overall population trends which in turn should be a central part of the revised BiOp analysis and any subsequent determinations.
2. 2009 SSL Non-pup Surveys - The overall population of the SSL western distinct population segment (WDPS) has increased approximately 14% over the 2000-2008 period. This is the timeframe for the existing BiOp when many of the mitigation measures we have today were put into place. However, there has been considerable variability within subregions, and suggestions of movement back and forth between the WDPS and the eastern segment. Data from this year's surveys can contribute substantially to a well-informed BiOp, especially to the extent the studies examine the potential movement of SSLs between and within subregions. There are also questions regarding the potential migration of animals into the eastern Gulf of Alaska counts last year, and whether those additional 1,000 animals were of WDPS origin or had migrated from Southeast Alaska. Therefore, it is important to evaluate both the movement of the WDPS between the central, western, and eastern areas of the Gulf of Alaska, as well as movement of the EDPS between the eastern Gulf and Southeast Alaska. Given that animals from the WDPS have been observed moving eastward into Southeast Alaska in the past, and with a finding of EDPS animals moving into the WDPS, this could raise questions regarding not only the status of the eastern Gulf of Alaska population, but the larger question of the treatment of the WDPS and the EDPS as separate population units.

3. Reproductive Rates – The question of overall reproductive success (natality) as a factor affecting population trajectory and recovery remains very much in debate. In developing the SSL Recovery Plan, NOAA relied primarily on one study (Holmes, et al 2007) which was based on work in the central Gulf of Alaska. Follow-up studies by Maniscalco and others have recently been released (Alaska Sea Life Center Technical Report ASLC-0901), and their results significantly contradict the results of the 2007 Holmes et al study.

We believe strongly that it is critical to include this new information in the BiOp as it has the potential to significantly affect the findings within that BiOp. The natality information in particular, from Holmes et al, appeared to underpin the chronic nutritional stress findings in the Steller sea lion recovery plan. The new natality information that we are requesting be included in the BiOp could potentially affect those original views relative to nutritional stress and related fisheries interactions.

The Council recognizes that incorporation of this information could potentially delay release of the draft BiOp, and we request that you provide us with your best indication of how the BiOp schedule might be affected. On behalf the Council, thank you for your serious consideration of this request.

Sincerely,



Eric A. Olson
Chairman

CC: Dr. James Balsiger
Dr. Douglas DeMaster
Ms. Kaja Brix