September 3, 2010

Jim Balsiger
Regional Administrator
Alaska Region, NMFS
Attn: Ellen Sebastian
P.O. Box 21668
Juneau, AK 99802

Dear Dr. Balsiger,

On behalf of World Wildlife Fund (WWF), I wish to submit this letter as public comment to the National Marine Fisheries Service (NMFS) on the Draft Steller sea lion (SSL) Biological Opinion (BiOp) and draft Environmental Assessment/Regulatory Impact Review (EA/RIR) of potential mitigation alternatives. WWF has reviewed the Draft SSL BiOp and EA/RIR and based on our analysis we support the proposed revisions to the existing Steller sea lion protection measures in areas 541, 542 and 543 in the western Aleutian Islands.

WWF also strongly recommends that NMFS consider additional protection measures for important Bering Sea haulout areas in the Pribilof Islands. Such measures are especially needed where increased fishing effort may occur as a consequence of the recommended closure of Aleutian Island Pacific cod fisheries in the BiOp Reasonable and Prudent Alternative (RPA).

While we appreciate NMFS' past efforts to protect endangered Steller sea lions and their habitat, these efforts have been long and drawn out. There is no longer time to delay in taking management actions and putting in place additional protective measures. Indeed, the failure to act now could lead to irreversible losses of this top predator in the western Aleutians, with implications for broader impacts on bio-diversity and ecosystem processes. NMFS must closely examine all opportunities where gains could be made in protecting Steller sea lion critical habitat. Specifically, WWF endorses the proposal by the St. George Traditional Council to extend the critical habitat protection measures for the Dalnoi Point haulout that prohibit trawling for Pollock and Pacific cod within 3 nautical miles (nm) out to 20 nm. By this action, NMFS can address a weakness in the existing protection measures and also mitigate likely negative impacts of the proposed RPA on the declining Pribilof Islands Steller sea lion population.

WWF supports the revised protection measures for the western Aleutian Islands; however, those measures must be combined with increased protection in the Pribilof Islands. Without additional protection for Pribilof Islands' critical habitat, measures designed to help the declining western Aleutian sub-population could adversely impact the species' critical habitat and prey field in the Pribilof Islands.

The lack of protection for the Pribilof Islands haulouts has been a concern of WWF and colleagues in the Pribilof Islands for nearly a decade. NMFS and the North Pacific Fishery Management Council (NPFMC) failed to recognize the extensive use of St. George Island haulouts by significant numbers of Steller sea

lions when the agency adopted the current protection measures in 2003[1] and have yet to address this situation despite repeated requests from the St. George community. Additionally, local researchers from the St. George Traditional Council have been conducting surveys since 2003 to substantiate local knowledge that Steller sea lions are using haulouts on St. George in numbers that require a greater level of protection than that which is currently provided. Using time-lapse and remote video photography the researched has consistently recorded counts of over 400 Steller sea lions at Dalnoi Point on St. George Island from January through April of every year, and at lower numbers during the other months.

Counts of 50 to 100 Steller sea lions are also regularly observed at Kitasilox and Tolstoi haulouts on northeast St. George during the fall and winter, making these areas as some of Alaska's largest sea lion haulouts.[2] Steller sea lions observed at these sites are not only from the Pribilof Islands, but come from areas throughout the entire Steller sea lion range. Local observations of branded Steller sea lions from Southeast Alaska, the Gulf of Alaska, the Aleutian Islands, and even Russia demonstrate the regional and global significance of these sites for Steller sea lions. The consistent presence of these animals on St. George Island underscores the need to provide adequate protection in the Pribilof Islands and to implement regular monitoring programs to evaluate the success of these measures, especially given the potential under the proposed RPA that fishing effort will increase in the Pribilof region.

Although WWF judges the actions proposed in the RPA to be appropriate in many aspects, we feel that the RPA still does not adequately consider the potential impact of redistribution of fishing effort to the Eastern Bering Sea and the shelf-break canyon near St. George Island. The additional management changes proposed by the St. George Traditional Council are necessary because the area currently closed to trawling (0-3 nm) around the Dalnoi Point haulout is a small portion of the critical habitat (0-20 nm) for this area. This small size of the current protected area around Dalnoi Point may have already caused localized depletion of prey resources that are important to Steller sea lions during the winter. The 2003 Supplement to the 2001 BiOp[3]documented that pollock catch in St. George Island critical habitat (0-20 nm) increased by an order of magnitude between 1999 and 2002, from 0.39% to 2.07% of the Eastern Bering Sea pollock fishery total (Table III-9C, p. 107). Pollock catch in 2002 within the 0-10 nm zone of St. George Island critical habitat amounted to 0.2% of the Eastern Bering Sea pollock total catch. NMFS summarized the existing protection measures by stating on page 56 of the 2001 BiOp Supplement that "[i]nside 10 nm conservation measures are very conservative except for catch off St. George Island" where catch rates in Steller sea lion critical habitat were higher than in other protected areas.

The EA/RIR analysis of the proposed action alternatives indicates that there could be a shift in effort by the Amendment 80 fishery from Atka mackerel and Pacific cod in the Aleutian Islands to Bering Sea Pacific cod, rock sole, and yellowfin sole (page 10-35). The analysis also states that catcher vessels (page 10-43) and catcher/processors (page 10-47) could offset Pacific cod losses by increasing activity in the Bering Sea. It is likely that additional fishing effort for Pacific cod and possibly rock or flathead sole could

[1] 67 Fed. Reg. 56692, 56703 (Sept. 4, 2002).
[2] Sease, J.L. and York, A.E. 2003. Seasonal distribution of Steller's sea lions at rookeries and haulout sites in Alaska. Marine Mammal Science 19:745-763.
[3] NMFS. 2003. Supplement to the 2001 Endangered Species Act, Section 7 Consultation, Biological Opinion and Incidental Take Statement on the authorization of the Bering Sea/Aleutian Islands and Gulf of Alaska Groundfish Fishery Management Plan Amendments 61 and 70. NMFS Alaska Region, Protected Resources Division, Juneau, AK.

occur in Steller sea lion critical habitat off of St. George Island, further impacting the local prey field. Figure 10-5 of the Draft EA/RIR shows that the area southwest of St. George Island is a primary target area for Pacific cod in the Eastern Bering Sea and primary fishing areas for rock and flathead sole exist nearby. Scat samples collected in June of 2009 at the Dalnoi Point haulout indicated that Walleye pollock was the primary prey species, with a frequency of occurrence (FO) of 77.8%, followed by sculpins (70.4% FO), and rock sole (55.6% FO). Other important prey (FO > 14%) included Pacific cod and skates.[4] The fork length of walleye pollock estimated from regressions of the bone measurements ranged from 41.6 cm to 73.7 cm, indicating that most pollock consumed by Steller sea lions at Dalnoi Point were of the size generally taken by the trawl fishery. The high occurrence of commercially fished species in the diet of Steller sea lions at Dalnoi Point indicates a high likelihood for competition with commercial fisheries near this important winter haulout and the potential for local depletion of the prey field.

Competition with commercial fisheries in proximity to the Pribilof Steller sea lion haulout sites could have a negative impact on the Pribilof Island breeding population. Steller sea lion pups usually remain within 500 kilometers of their natal site during their first year and lactating female Steller sea lions often move with their pups from the natal rookery to winter haulout sites near more productive foraging grounds[5]. Given the geographical isolation of the Pribilof Archipelago, the winter haulout sites on St. Paul and St. George Islands are very likely to be important for the Pribilof breeding population at Walrus Island and for young of the year during winter. The St. George Traditional Council has documented pre-molt Steller sea lion pups on St. George as early September and has recorded consistent wintertime observations of female sea lions nursing their young at Dalnoi Point and other St. George haulout areas. These female Steller sea lions likely gave birth on Walrus Island.

The Steller sea lion population in the Pribilof Islands has declined to extremely low levels and the sole remaining breeding rookery at Walrus Island is currently in danger of extinction. Over the last 50 years, pup production on Walrus Island has declined by over 90%, from 2,866 pups born in 1960 to approximately 334 in 1982, 50 in 1991, 39 in 2001, and only 29 in 2005[6]. The 25 percent rate of decline observed from 2001 to 2005 is comparable to that observed in the Western Aleutian Islands in recent years. The declining trend at Walrus Island is also in stark contrast to the stable or increasing population trends for other Steller sea lion rookery areas classified within the Bering Sea Rookery Cluster Area (RCA) number 6 in the Draft BiOp analysis. Given the geographic isolation of the Pribilof Islands and the difference in population status, WWF recommends the Walrus Island rookery not be combined with the eastern Aleutian rookeries in this analysis, and recommends the Pribilof population be considered as a separate area. The Recovery Plan for the Steller Sea Lion states that "Because all parts of the range are currently occupied, it would be wise to maintain those populations as viable entities"[6].

The BiOp finds that Steller sea lions in the western Aleutian Islands sub-population continue to be in jeopardy and their critical habitat continues to undergo adverse modification. Because NMFS is not in compliance with the Endangered Species Act (ESA), you must take action to redress this issue. However,

[4] R.R. Ream. 2010. National Marine Mammal Laboratory. Unpublished Memorandum.
[5] Raum-Suryan, K.L., K.W. Pitcher, D.G. Calkins, J.L. Sease, and T.R. Loughlin. 2002. Dispersal, Rookery Fidelity and Metapopulation Structure of Steller Sea Lions (Eumetopias jubatus) in an Increasing and a Decreasing Population in Alaska. Marine Mammal Science. 18:746-764.
[6] NMFS. 2008. Recovery Plan for the Steller Sea Lion (Eumetopias jubatus). Revision. NMFS, Silver Spring, Maryland, 325 pp.

WWF does not believe that increasing the prey field for the western Aleutian Island Steller sea lions should cause the extirpation of another Steller sea lion breeding area. WWF believes that the omission of increased protection for the Dalnoi Point haulout was a serious oversight in the proposed RPA that should be addressed.

Adding protections for Dalnoi Point to the RPA is warranted because 1) it is one of the largest haulout sites in the Western Distinct Population Segment; 2) it is likely a winter haulout site for females and pups from the precipitously declining Walrus Island rookery; and 3) because there is a high likelihood for increased competition for prey resources with commercial fishing within the 20 nm critical habitat zone as a result of the proposed suite of protection measures.

We hope that you will consider these management measures and add protection for the Pribilof Islands Steller sea lion habitat and foraging areas.

Sincerely,

Heather V. Brandon

Heather Brandon
Senior Program Officer, Fisheries
Arctic Field Program, World Wildlife Fund
419 Sixth St, #317
Juneau, Alaska 99801