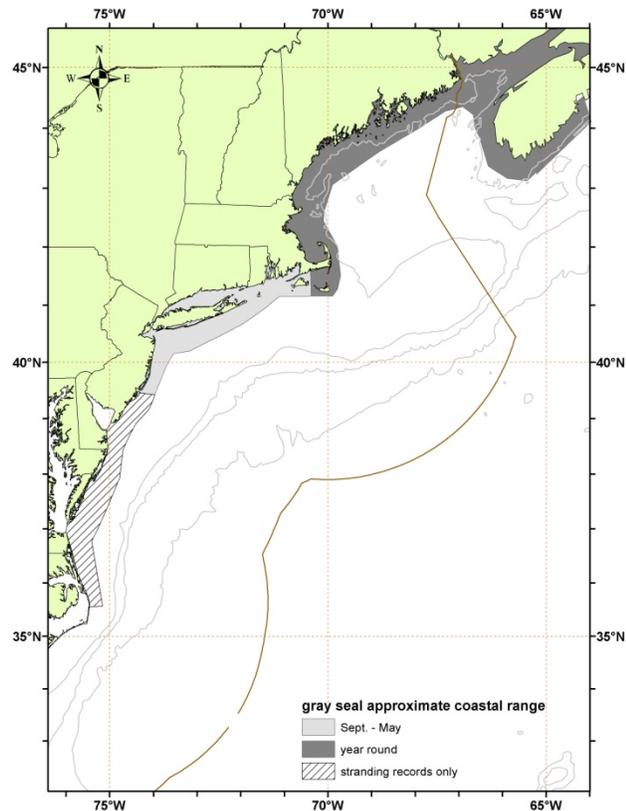


## GRAY SEAL (*Halichoerus grypus atlantica*): Western North Atlantic Stock

### STOCK DEFINITION AND GEOGRAPHIC RANGE

The gray seal (*Halichoerus grypus atlantica*) is found on both sides of the North Atlantic, with three major populations: eastern Canada, northwestern Europe and the Baltic Sea (Katona *et al.* 1993). The western North Atlantic stock is equivalent to the eastern Canada population, and ranges from New Jersey to Labrador (Davies 1957; Mansfield 1966; Katona *et al.* 1993; Lesage and Hammill 2001). This stock is separated by geography, differences in the breeding season, and mitochondrial and nuclear DNA variation from the northeastern Atlantic stocks (Bonner 1981; Boskovic *et al.* 1996; Lesage and Hammill 2001; Klimova *et al.* 2014). There are three breeding aggregations in eastern Canada: Sable Island, Gulf of St. Lawrence, and along the coast of Nova Scotia (Lavigne and Hammill 1993). Outside the breeding period, there is overlap in the distribution of animals from the three colonies (Lavigne and Hammill 1993; Harvey *et al.* 2008; Breed *et al.* 2006, 2009) and they are considered a single population based on genetic similarity (Boskovic *et al.* 1996; Wood *et al.* 2011). In the mid-1980s, small numbers of animals and pupping were observed on several isolated islands along the Maine coast and in Nantucket-Vineyard Sound, Massachusetts (Katona *et al.* 1993; Rough 1995; Gilbert *et al.* 2005). In December 2001, NMFS initiated aerial surveys to monitor gray seal pup production on Muskeget Island and adjacent sites in Nantucket Sound, and Green and Seal Islands off the coast of Maine (Wood *et al.* 2007). Tissue samples collected from Canadian and US populations were examined for genetic variation using microsatellite loci (Wood *et al.* 2011). All individuals were identified as belonging to one population, confirming that recolonization by Canadian gray seals is the source of the U.S. population.



**Figure 1.** Approximate coastal range of gray seals. Isobaths are the 100-m, 1000-m, and 4000-m depth contours.

### POPULATION SIZE

Current estimates of the total western Atlantic gray seal population are not available; although estimates of portions of the stock are available for select time periods. The Canadian gray seal stock assessment (DFO 2014) reports gray seal pup production in 2014 for the three Canadian aggregations (Gulf of St. Lawrence, Sable Island, and Nova Scotia) as 93,000 (95%CI=48,000-137,000) animals; these are projected using population models to total population levels of 505,000 (95%CI=329,000-682,000) animals.

In U.S. waters, gray seals primarily pup at four established colonies: Muskeget and Monomoy islands in Massachusetts, and Green and Seal islands in Maine. Since 2010 pupping has also been observed at Noman's Island in Massachusetts and Wooden Ball and Matinicus Rock in Maine. Although white-coated pups have stranded on eastern Long Island beaches, no pupping colonies have been detected in that region. Gray seals have been observed using the historic pupping site on Muskeget Island in Massachusetts since 1988. Pupping has taken place on Seal and Green Islands in Maine since at least the mid-1990s. Aerial survey data from these sites indicate that pup

production is increasing (Table 2), although aerial survey quality and coverage has varied significantly among surveys. A minimum of 2,620 pups (Muskeget= 2,095, Green= 59, Seal= 466) were born in the U.S. in 2008 (Wood LaFond 2009). Table 2 summarizes single-day pup counts from three of the U.S. pupping colonies from 2001/2002 to 2007/2008 pupping periods.

There are several published counts of gray seals in the Northeast U.S. outside of the pupping season. In April–May 1994 a maximum count of 2,010 was obtained for Muskeget Island and Monomoy Island combined (Rough 1995). Maine coast-wide surveys conducted during summer estimated 597 and 1,731 gray seals in 1993 and 2001, respectively (Gilbert *et al.* 2005). In March 1999 a maximum count of 5,611 was obtained in the region south of Maine (between Isles of Shoals, Maine and Woods Hole, Massachusetts) (Barlas 1999).

Table 1. Summary of recent abundance estimates for the western North Atlantic gray seal ( <i>Halichoerus grypus atlantica</i> ) by year, and area covered during each abundance survey, resulting total abundance estimate and 95% confidence interval.			
Month/Year	Area	N <sub>best</sub> <sup>a</sup>	CI
2012 <sup>b</sup>	Gulf of St Lawrence + Nova Scotia Eastern Shore + Sable Island	331,000	95% CI 263,000-458,000
2014 <sup>c</sup>	Gulf of St Lawrence + Nova Scotia Eastern Shore + Sable Island	505,000	95%CI=329,000-682,000

<sup>a</sup>These are model based estimates derived from pup surveys.  
<sup>b</sup> DFO 2013  
<sup>c</sup> DFO 2014

Table 2. Single day pup counts from three of the U.S. pupping colonies during 2001-2008 from aerial surveys. As single day pup counts, these counts do not represent the entire number of pups born in a pupping season.			
Pupping Season	Muskeget Island	Seal Island	Green Island
2001-2	883	No data	34
2002-3	509	147	No data
2003-4	824	150	26
2004-5	992	365	33
2005-6	868	239	43
2006-7	1704	364	57
2007-8	2095	466	59

### Minimum Population Estimate

Based on modeling, the total Canadian gray seal population was estimated to be 505,000 (95% CI = 329,000-682,000; DFO 2014). Present data are insufficient to calculate the minimum population estimate for U.S. waters.

### Current Population Trend

Gray seal abundance is likely increasing in the U.S. Atlantic Exclusive Economic Zone (EEZ), but the rate of increase is unknown. An increasing trend in abundance in U.S. waters is supported by analysis of trends in gray seal strandings and bycatch records from the Northeastern U.S. (Johnston *et al.* 2015).

The population in eastern Canada was greatly reduced by hunting and bounty programs, and in the 1950s the gray seal was considered rare (Lesage and Hammill 2001). The Sable Island, Nova Scotia, population was less affected and has been increasing for several decades. Pup production on Sable Island increased exponentially at a rate of 12.8% per year between the 1970s and 1997 (Stobo and Zwanenburg 1990; Mohn and Bowen 1996; Bowen *et al.* 2003; Trzcinski *et al.* 2005; Bowen *et al.* 2007; DFO 2011). Recent population modeling indicates that the combined population increased at an annual rate of 5.2% between 2007 and 2010, and since then has continued to grow at a rate of 4.5% per year (DFO 2011, 2014). The non-Sable Island population increased from approximately 25,000 in the mid-1980s to a peak of 112,000 in 2014 (Thomas *et al.* 2011; DFO 2014). Modeling estimates of pup production increased from approximately 6,000 in 1985 to 21,500 in 2014 (Thomas *et al.* 2011; DFO 2014). Approximately 75% of the western North Atlantic population is from the Sable Island stock. In the early 1990s

pupping was established on Hay Island, off the Cape Breton coast (Lesage and Hammill 2001; Hammill *et al.* 2007, Hamill and Stenson 2010).

### **CURRENT AND MAXIMUM NET PRODUCTIVITY RATES**

Current and maximum net productivity rates are unknown for this stock. Recent studies estimated the current annual rate of increase at 4.5% for the combined breeding aggregations in Canada (DFO 2014), continuing a decline in the rate of increase (Trzcinski *et al.* 2005; Bowen *et al.* 2007; Thomas *et al.* 2011; DFO 2014). For purposes of this assessment, the maximum net productivity rate was assumed to be 0.12. This value is based on theoretical modeling showing that pinniped populations may not grow at rates much greater than 12% given the constraints of their reproductive life history (Barlow *et al.* 1995).

### **POTENTIAL BIOLOGICAL REMOVAL**

Potential Biological Removal (PBR) is the product of minimum population size, one-half the maximum productivity rate, and a recovery factor (MMPA Sec. 3. 16 U.S.C. 1362; Wade and Angliss 1997). The minimum population size is unknown. The maximum productivity rate is 0.12, the default value for pinnipeds. The recovery factor ( $F_R$ ) for this stock is 1.0, the value for stocks of unknown status, but which are known to be increasing. PBR for the portion of the western North Atlantic gray seal stock in U.S. waters is unknown.

### **ANNUAL HUMAN-CAUSED MORTALITY AND SERIOUS INJURY**

For the period 2010–2014, the average annual estimated human caused mortality and serious injury to gray seals was 4,937 per year. The average was derived from six components: 1) 1,162 (CV=0.10) (Table 3) from the 2010–2014 U.S. observed fishery; 2) 7.8 from average 2010–2014 non-fishery related, human interaction stranding mortalities; 136 from average 2010–2014 kill in the Canadian hunt; 4) 82 from DFO scientific collections (DFO 2011); 5) 3,549 removals of nuisance animals in Canada (DFO 2014); and 6) 0.4 from U.S. research mortalities. . Analysis of bycatch rates from fisheries observer program records likely underestimates lethal (Lyle and Willcox 2008), and greatly under-represents sub-lethal, fishery interactions.

### **Fishery Information**

Detailed fishery information is given in Appendix III.

### **U.S.**

#### **Northeast Sink Gillnet**

Gray seal bycatch in the northeast sink gillnet fishery were usually observed in the first half of the year in waters to the east and south of Cape Cod, Massachusetts in 12-inch gillnets fishing for skates and monkfish (Orphanides 2013; Hatch and Orphanides 2014, 2015, 2016). There were 7, 9, 1, 8, and 8 unidentified seals observed during 2010–2014, respectively. Since 1997 unidentified seals have not been prorated to a species. This is consistent with the treatment of other unidentified mammals that do not get prorated to a specific species. See Table 3 for bycatch estimates and observed mortality and serious injury for the current 5-year period, and Appendix V for historical bycatch information.

#### **Mid-Atlantic Gillnet**

Gray seal interactions were first observed in this fishery in 2010, since then, when they are observed, it is usually in waters off New Jersey in gillnets that have mesh sizes  $\geq 7$  in (Orphanides 2013; Hatch and Orphanides 2014, 2015, 2016). See Table 3 for bycatch estimates and observed mortality and serious injury for the current 5-year period, and Appendix V for historical bycatch information.

#### **Northeast Mid-Water Trawl**

One gray seal mortality was observed in 2012 and one in 2013 in this fishery. An expanded bycatch estimate has not been generated. Until this bycatch estimate can be developed, the average annual fishery-related mortality and serious injury for 2010–2014 is calculated as 0.4 animals (2 animals /5 years). See Table 3 for bycatch estimates and observed mortality and serious injury for the current 5-year period, and Appendix V for historical bycatch information.

#### **Mid-Atlantic Mid-Water Trawl**

One gray seal mortality was observed in 2010 in this fishery. An expanded bycatch estimate has not been

generated. Until this bycatch estimate can be developed, the average annual fishery-related mortality and serious injury for 2010–2014 is calculated as 0.2 animals (1 animal /5 years). See Table 3 for bycatch estimates and observed mortality and serious injury for the current 5-year period, and Appendix V for historical bycatch information.

### Gulf of Maine Atlantic Herring Purse Seine Fishery

The Gulf of Maine Atlantic Herring Purse Seine Fishery is a Category III fishery. This fishery was not observed until 2003, and was not observed in 2006. No mortalities have been observed, but during this time period 4 gray seals were captured and released alive in 2010, 34 in 2011, 33 in 2012, 1 in 2013, and 2 in 2014. In addition, during this time period 8 seals of unknown species were captured and released alive in 2011. See Table 3 for bycatch estimates and observed mortality and serious injury for the current 5-year period, and Appendix V for historical bycatch information.

### Northeast Bottom Trawl

Vessels in the North Atlantic bottom trawl fishery, a Category III fishery under MMPA, were observed in order to meet fishery management, rather than marine mammal management needs. No mortalities were observed prior to 2005, when four mortalities were attributed to this fishery. See Table 2 for bycatch estimates and observed mortality and serious injury for the current 5-year period, and Appendix V for historical bycatch information.

### Mid-Atlantic Bottom Trawl

Three gray seal mortalities were observed in this fishery in 2011, 1 in 2012, 2 in 2013, and 1 in 2014 (Table 2). See Table 3 for bycatch estimates and observed mortality and serious injury for the current 5-year period, and Appendix V for historical bycatch information.

### CANADA

Historically, an unknown number of gray seals have been taken in Newfoundland and Labrador, Gulf of St. Lawrence, and Bay of Fundy groundfish gillnets; Atlantic Canada and Greenland salmon gillnets; Atlantic Canada cod traps, and Bay of Fundy herring weirs (Read 1994).

Table 3. Summary of the incidental serious injury and mortality of gray seal ( <i>Halichoerus grypus atlantica</i> ) by commercial fishery including the years sampled, the type of data used, the annual observer coverage, the serious injuries and mortalities recorded by on-board observers, the estimated annual mortality, the estimated CV of the annual mortality and the mean annual combined mortality (CV in parentheses).										
Fishery	Years	Data Type <sup>a</sup>	Observer Coverage <sup>b</sup>	Observed Serious Injury <sup>c</sup>	Observed Mortality	Estimated Serious Injury	Estimated Mortality	Estimated Combined Mortality	Estimated CVs	Mean Annual Combined Mortality
Northeast Sink Gillnet <sup>c</sup>	10–14	Obs. Data, Weighout, Trip Logbook	.17, .19, .15, .11, .18	0, 0, 0, 0, 0	107, 222, 91, 69, 159	0, 0, 0, 0, 0	1155, 1491, 542, 1,127, 917	1155, 1491, 542, 1,127, 917	.28, .22, .19, .20, .14	1046 (0.10)
Mid-Atlantic Gillnet	10–14	Obs. Data, Trip Logbook, Allocated Dealer Data	.04, .02, .02, .03, .05	0, 0, 0, 0, 0	9, 2, 1, 0, 1	0, 0, 0, 0, 0	267, 19, 14, 0, 22	267, 19, 14, 0, 22	.75, .60, .98, 0, 1.09	64 (0.63)
Northeast Bottom Trawl <sup>d</sup>	10–14	Obs. Data, Trip Logbook	.16, .26, .17, .15, .17	0, 0, 0, 0, 0	9, 19, 8, 5, 4	0, 0, 0, 0, 0	30, 58, 37, 20, 19	30, 58, 37, 20, 19	.34, .25, .49, .37, .45	33 (0.17)
Mid-Atlantic Bottom Trawl	10–14	Obs. Data, Trip Logbook	.06, .08, .05, .06, .08	0, 0, 0, 0, 0	0, 3, 1, 2, 1	0, 0, 0, 0, 0	0, 25, 30, 29, 7	0, 25, 30, 29, 7	0, .57, 1.1, .67, .96	18 (0.5)

Northeast Mid- water Trawl - Including Pair Trawl	10– 14	Obs. Data, Trip Logbook	.53, .41, .45, .37, .42	0, 0, 0, 0, 0	0, 0, 1, 1, 0	0, 0, 0, 0, 0	0, 0, na, na, 0	0, 0, na, na, 0	0, 0, na, na, 0	0.4 (na) <sup>d</sup>
Mid- Atlantic Mid- water Trawl - Including Pair Trawl	10– 14	Obs. Data, Trip Logbook	.25, .41, .21, .07, .05	0, 0, 0, 0, 0	1, 0, 0, 0, 0	0, 0, 0, 0, 0	na, 0, 0, 0, 0	na, 0, 0, 0, 0	na, 0, 0, 0, 0	0.2 (na)
TOTAL										1,162 (0.10)
a. Observer data (Obs. Data) are used to measure bycatch rates, and the data are collected within the Northeast Fisheries Observer Program. The Northeast Fisheries Observer Program collects landings data (Weighout), and total landings are used as a measure of total effort for the sink gillnet fishery. Mandatory logbook (Logbook) data are used to determine the spatial distribution of fishing effort in the Northeast multispecies sink gillnet fishery.										
b. The observer coverages for the northeast sink gillnet fishery and the mid-Atlantic gillnet fisheries are ratios based on tons of fish landed. North Atlantic bottom trawl mid-Atlantic bottom trawl, and mid-Atlantic mid-water trawl fishery coverages are ratios based on trips. Total observer coverage reported for bottom trawl gear and gillnet gear in the years 2010–2014 includes traditional fisheries observers in addition to fishery monitors through the Northeast Fisheries Observer Program (NEFOP).										
c. Since 1998, takes from pingered and non-pingered nets within a marine mammal time/area closure that required pingers, and takes from pingered and non-pingered nets not within a marine mammal time/area closure were pooled. The pooled bycatch rate was weighted by the total number of samples taken from the stratum and used to estimate the mortality. In 2010–2014, respectively, 17, 125, 54, 38, and 85 takes were observed in nets with pingers. In 2010–2014, respectively, 39, 90, 97, 10, 31, and 74 takes were observed in nets without pingers.										
<sup>d</sup> Fishery related bycatch rates for years 2010–2014 were estimated using an annual stratified ratio-estimator. These estimates replace the 2008-2011 annual estimates reported in the 2013 stock assessment report that were generated using a different method (Lyssikatos <i>et al.</i> 2015).										
e. Serious injuries were evaluated for the 2010–2014 period using new guidelines (Waring <i>et al.</i> 2014, 2015; Wenzel <i>et al.</i> 2015, 2016)										

## Other Mortality

### U.S

Gray seals, like harbor seals, were hunted for bounty in New England waters until the late 1960s (Katona *et al.* 1993; Lelli *et al.* 2009). This hunt may have severely depleted this stock in U.S. waters (Rough 1995; Lelli *et al.* 2009). Other sources of mortality include human interactions, storms, abandonment by the mother, disease, and shark predation. Mortalities caused by human interactions include research mortalities, boat strikes, fishing gear interactions, power plant entrainment, oil spill/exposure, harassment, and shooting. Seals entangled in netting have been reported at several major haul-out sites in the Gulf of Maine.

From 2010 to 2014, 521 gray seal stranding mortalities were recorded, extending from Maine to North Carolina (Table 4; NOAA National Marine Mammal Health and Stranding Response Database, accessed 08 October 2015). Most stranding mortalities were in Massachusetts, which is the center of gray seal abundance in U.S. waters. Sixty-one (12%) of the total stranding mortalities showed signs of human interaction (12 in 2010, 20 in 2011, 4 in 2012, and 17 in 2013, and 8 in 2014), 22 of which had some indication of fishery interaction (4 in 2010, 5 in 2011, 2 in 2012, 9 in 2013 and 2 in 2014). Ten gray seals are recorded in the stranding database during the 2010 to 2014 period as having been shot—1 in Maine and 2 in Massachusetts in 2010, 6 in Massachusetts in 2011, and none in 2012 – 2014.

## Canada

Between 2010-2014, the average annual human caused mortality and serious injury to gray seals in Canadian waters from commercial harvest was 136 per year (DFO 2014; <http://www.dfo-mpo.gc.ca/fm-gp/seal-phoque/statistics-eng.htm> accessed 3/25/2016), though more is permitted (up to 60,000 seals/year, see <http://www.dfo-mpo.gc.ca/decisions/fm-2015-gp/atl-001-eng.htm>). This included: 58 in 2010, 215 in 2011, 218 in 2012, 106 in 2013, and 82 in 2014. In addition, between 2009 and 2013 (the most recent time series for nuisance removals), an average of 3,549 nuisance animals per year were killed. This included 5,218 in 2009, 1,853 in 2010, 1,722 in 2011, 5,428 in 2012, and 3,525 in 2013 (DFO 2014). Lastly, DFO took 320 animals in 2011 and 90 animals in 2012 for scientific collections (DFO 2014).

State	2010	2011	2012	2013	2014	Total
ME	8 (4)	4 (2)	10 (2)	9 (4)	3 (1)	34
NH	0	8 (1)	1 (1)	1 (0)	3 (2)	13
MA	43 (5)	89 (14)	38 (21)	82 (8)	62 (6)	314
RI	8 (3)	14 (2)	13 (5)	11 (2)	8 (1)	54
CT	0	2 (0)	0	0	0	2
NY	10 (7)	22 (6)	5 (3)	18 (5)	7 (4)	62
NJ	4 (1)	10 (0)	4 (0)	7 (2)	7 (6)	32
DE	0	0	0	0	3 (3)	3
MD	1 (0)	4 (2)	0	0	1 (0)	6
VA	1 (0)	1 (0)	0	0	0	2
NC	1 (0)	2 (2)	0	0	2 (2)	5
Total	76 (20)	156 (29)	71 (32)	128 (21)	96 (25)	527
Unspecified seals (all states)	22	63	28	25	38	176

## STATUS OF STOCK

Gray seals are not listed as threatened or endangered under the Endangered Species Act, and the western North Atlantic stock is not considered strategic under the Marine Mammal Protection Act. The level of human-caused mortality and serious injury in the U.S. Atlantic EEZ is low relative to the total stock size. The status of the gray seal population relative to OSP in U.S. Atlantic EEZ waters is unknown, but the stock's abundance appears to be increasing in Canadian and U.S. waters. The total U.S. fishery-related mortality and serious injury for this stock is low relative to the stock size in Canadian and U.S. waters and can be considered insignificant and approaching zero mortality and serious injury rate.

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