UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

AUG 1 0 2016

Mr. Lloyd Lowry
Chair, Alaska Scientific Review Group
University of Alaska Fairbanks
73-4388 Paiaha Street
Kailua Kona, HI, 96740

Dr. Randall S. Wells
Acting Chair, Atlantic Scientific Review Group
Mote Marine Laboratory
1600 Ken Thompson Parkway
Sarasota, FL 34236

Dr. Michael Scott
Chair, Pacific Scientific Review Group
Inter-American Tropical Tuna Commission
8901 La Jolla Shores Drive
La Jolla, CA 92037

Dear Sirs:

Thank you for your letter to Eileen Sobeck, Assistant Administrator for Fisheries, transmitting recommendations from the February 2016 joint meeting of the Alaska, Atlantic, and Pacific Scientific Review Groups (SRGs). Your letter was forwarded to me because the Office of Protected Resources within NOAA Fisheries is responsible for national programs under the Marine Mammal Protection Act and leads NOAA Fisheries' coordination of the SRGs.

This was the first joint meeting of the three regional SRGs since 2008, and it was a valuable opportunity to identify common issues facing the groups and understand how they are addressed across regions. Your presentations on the SRGs' successes and challenges were particularly helpful in setting the stage for productive discussions. The SRGs have made a number of valuable comments and recommendations to help guide marine mammal science in NOAA Fisheries, which are addressed in the enclosure.

Printed on Recycled Paper

I appreciate your leadership in guiding the SRGs and the continued service and contributions by members in providing advice and support to NOAA Fisheries in accordance with the Marine Mammal Protection Act. I look forward to our continued partnership to improve the science supporting the conservation of marine mammals.

Sincerely,

Donna S. Wieting

Donna S. Wieting
Director, Office of Protected Resources

Enclosure

cc: Gary Frazer, Assistant Director for Ecological Services, U.S. Fish and Wildlife Service
Kate Wynne, Incoming Chair, Alaska SRG
Ned Cyr, Director, Office of Science and Technology, NOAA Fisheries

Responses to Joint Recommendations of the Alaska, Atlantic, and Pacific Regional Scientific Review Groups to NOAA Fisheries

(1) *The Alaska, Atlantic, and Pacific SRGs commend the efforts by the NOAA Fisheries Climate Vulnerability Project to estimate the effects of climate change on marine mammals and offer their individual and collective expertise to assist in this effort. The SRGs stress the critical value of establishing baselines from which to measure the effects of climate change and climate variability. The SRGs recommend that NOAA Fisheries and the U.S. Fish and Wildlife Service (FWS):*

a. *Collaborate on the Climate Vulnerability Project;*
b. *Establish and maintain baselines for abundance, status, vital rates (particularly reproductive rates), prey abundance, habitat-use patterns, and distributional range; and*
c. *Identify those species that may be less resilient to climate change (and therefore in need of greater protection) and those that may benefit by climate change.*

NOAA Fisheries appreciates the SRGs' interest in and support for the Climate Vulnerability Project. We have reached out to the FWS for input; however, due to other competing responsibilities, the FWS indicated its ability to engage in this specific project is limited. Nonetheless, we would welcome any input the FWS is able to provide. Additionally, we welcome the involvement of the SRGs in this important project and recently held two webinars to solicit input from the SRG members. We expect that a major outcome of this project will be an improved understanding of marine mammal species' resilience to climate change, including which species may be most vulnerable to climate change and the major factors contributing to that vulnerability. We will update the SRGs on the progress of this analysis as it moves forward.

(2) *When observer programs are too costly or logistically difficult to reliably monitor marine mammal mortality by a fishery, alternative methods should be used for determining where, when, and approximately how many marine mammals are being seriously injured or killed.*

We recognize that in many cases economic and logistical constraints limit our ability to observe fisheries and obtain reliable data for estimating marine mammal mortality and serious injury. NOAA Fisheries is working with the fishing industry to develop and implement alternative methods to obtain data, such as electronic monitoring technologies; however, the success of such methods for protected species monitoring is dependent upon a number of factors such as number of cameras, cost of auditing video, etc. We welcome input from the SRGs on other means by which we can collect marine mammal bycatch data, and where and when it would be appropriate to do so.

(3) *If there are known interactions between marine mammals and fisheries resulting in serious injury or mortality, then safe and appropriate mitigation measures should be implemented, even in the absence of abundance and mortality data, a strategic stock determination, and take reduction team formation.*

A goal of the Marine Mammal Protection Act (MMPA) is to reduce incidental mortality and serious injury of marine mammals to insignificant levels approaching a zero mortality and

serious injury rate. Fisheries that maintain these levels are not required to further reduce their bycatch rates. As such, we cannot implement mitigation requirements without determining whether interactions exceed the insignificance threshold. However, NOAA Fisheries could encourage the voluntary use of measures to reduce the rate of incidental serious injuries and mortalities, provided that the measures have been adequately tested in a given fishery and show some promise for reducing bycatch without negative impacts on the stock or the environment. We would welcome the opportunity to conduct cooperative research with the fishing industry and would welcome any SRG efforts that would facilitate such research on potential gear modifications or mitigation strategies. We would value the SRG's input on the potential gear modifications and fisheries and marine mammal stocks to prioritize such research efforts.

(4) *The SRGs recommend that NOAA Fisheries implement a multi-year allocation of ship time for marine mammal surveys and increase the priority and operational funding for those surveys. The surveys are necessary to obtain the abundance estimates required to calculate the potential biological removal level (PBR) and thus enable fisheries to meet the standards required by the MMPA. The failure to meet those requirements may place an undue burden on those fisheries and the lack of data can place marine mammal populations at risk.*

NOAA Fisheries continues to share the SRGs' interest in obtaining abundance estimates and time series for marine mammal stocks. An exercise to estimate ship time required to assess marine mammals in all geographic regions for which the U.S. is responsible under the MMPA began in 2012 and has since been revised to form a proposal for multi-year allocation of NOAA ship time on a 6-year cycle. In 2015, the agency completed a comprehensive review of protected species science (http://www.st.nmfs.noaa.gov/science-program-review/index), and a recommendation to develop and support a multi-year allocation of ship time for marine mammal surveys was made by more than one of the external review panels. As a result, this proposal will soon be published as a NOAA Technical Memorandum from NOAA Fisheries Office of Science and Technology. Related to this effort are partnerships with other Federal agencies, particularly the Bureau of Ocean Energy Management (BOEM), that have provided funding which, combined with NOAA Research Vessel time and NOAA Fisheries staff, form the basis for regular marine mammal (and other protected species) surveys in the Atlantic U.S. Exclusive Economic Zone. A similar partnership has recently formed focused on the Gulf of Mexico. The four Pacific NOAA Fisheries Science Centers held a one-day meeting with U.S. Navy, BOEM, and FWS earlier in 2016 with a goal of forming a similar partnership for a rotating series of Pacific marine mammal surveys. We appreciate the SRGs' interest in and support of these efforts.

(5) *Estimated levels of human-caused mortality and serious injury suffer from negative biases due to incomplete detection and recovery of carcasses. A correction factor for this mortality has been derived for some coastal delphinids and is being applied to address this negative bias. We recommend research on cryptic mortality be done on a regional basis to establish such correction factors and incorporate them into stock assessment reports as appropriate.*

We recognize the importance of developing correction factors where possible to account for the negative bias caused by cryptic mortality. We are having discussions with the Marine Mammal Commission about convening a workshop to address cryptic mortality. We welcome SRG involvement in developing and applying such correction factors and will keep the SRGs informed as we move forward.

(6) The 2016 stock assessment guidelines state that PBRs must be calculated and reported in the stock assessment reports (SARs) where possible, even for species that are declining and listed as endangered. Statements should be included in the summary table and text cautioning that no take can be sustainable for an endangered population that is declining.

The 2016 revision to the Guidelines for Assessing Marine Mammal Stocks instruct that in the unusual situation where a stock's population dynamics do not conform to the underlying model for calculating PBR, the PBR calculations should be qualified in the Report in the PBR section. We will work with SAR authors to ensure that qualifying language is included in both the Report and the summary table.