

Steller sea lion mitigation alternatives

Introductory Materials

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Brief Statement of Proposal

This proposal aims to move toward a lasting solution that will protect healthy ocean ecosystems, including sustainable fisheries and vibrant communities, and ensure that groundfish fisheries in Bering Sea/Aleutian Islands are not likely to cause jeopardy to endangered Steller sea lions or cause jeopardy to their designated critical habitat. The most effective way to do this is to address the maintain current necessary management measures, which are the minimum necessary to protect sea lions, while taking proactive steps to address low natality throughout the population, understand how to consider the needs of top predators in the TAC-setting process, and take steps to protect other important areas.

Overview

Existing fishery management measures as established in previous biological opinions must be maintained.

Objectives of Proposal

This proposal seeks to address continuing declines in portions of the Western Population of Steller sea lions and the population's overall failure to recover. The Reasonable and Prudent Alternative implemented pursuant to the 2010 Biological Opinion (BiOp) represents the very minimum steps necessary to ensure that the groundfish fisheries in the Aleutian Islands are not likely to cause jeopardy to endangered Steller sea lions or adverse modification of their critical habitat. These protections and the 2010 BiOp have been upheld in court and continue NMFS's long-standing determination that fisheries may compete with sea lions for prey. They should not be undermined.

Overall, however, the population is not achieving recovery goals, and there are signs of low natality throughout the population's range. Taking only these minimum steps does not allow the Council or agency the freedom to address the problem holistically—to consider alternative management schemes and appropriate consideration of ecosystem concerns. To that end, this proposal begins with the necessary steps—the existing protections—and adds to them a suite of changes that will allow the Council and agency to better understand the implications of removing fish from the ecosystem and, perhaps, reform management decisions.

To be clear, therefore, the RPA, as implemented through the Interim Final Rule must stay in effect in its entirety. In addition, we propose:

- Revise the Harvest Management Strategy (e.g., optimum yield, harvest control rules, tier system) for important prey species (pollock, Atka mackerel, and Pacific cod) so that it explicitly incorporates the needs of Steller sea lions, birds, and other apex predators, and in particular, the needs of ESA listed species to meet their recovery goals.

- Develop a mechanism to adjust the federal catch of important prey species as state water catches increase, with the goal of ensuring overall adequate prey resources in for Steller sea lions.
- Improve the fish biomass surveys for important prey species to provide information on a finer spatial and temporal scale so as to provide better information about Steller sea lion prey in critical habitat and in winter.
- Increase protections for important habitat, like canyons, and important places like the Pribilof Islands.

The following actions are described by Rookery Cluster Area (RCA).

- **RCAs 1-5:** Retain management measures as described in 2010 Biological Opinion.
- **Aleutian Islands Pollock:** Continue to prohibit directed fishing for pollock in the Aleutian Islands.
- **RCAs 6:** Increase protection measures for important Bering Sea haulout areas and recovering rookeries in the Pribilof Islands. At Dalnoi Point, reduce significantly the proportion of the catches of Pollock and Pacific cod taken within 20 nm and the proportion taken in winter.
- **RCA 7:** No fishery management changes at this time.
- **RCAs 8-9:** Reduce significantly the proportion of the catches of Pollock and Pacific cod taken inside critical habitat and the proportion taken in winter. In addition, significantly increase the extent of critical habitat areas closed to all directed fisheries for both species.
- **RCA 10:** No fishery management changes at this time.

Impacts of Proposal

As explained above, each of these actions will have the effect of providing better information and better management tools to recover the WDPS of Steller sea lion.

Supporting Data and Documentation

These actions are clearly justified by the 2010 Biological Opinion, the judicial opinion upholding that BiOp, the earlier draft BiOp finalized in May 2010, and the most recent Steller sea lion survey data.

Alternative Solutions

The Council and NMFS should continue their leadership and commitment to ecosystem-based management by moving forward with these proposals. Ultimately, the alternative is to continue to have fisheries management choices limited by Endangered Species Act strictures.

Justification for Council Action

As explained above, the endangered western population of Steller sea lions is not meeting recovery criteria and continues to decline in portions of its range. The Council and NMFS have the opportunity to look forward to develop tools and protections that will enhance fisheries management going forward and, hopefully, allow the freedom to manage without continuing old arguments about Steller sea lions. This proposal provides some tools to move in that direction.