North Pacific Fishery Management Council
Steller Sea Lion Mitigation Committee
July 28-29, 2003 Meeting

Minutes

The Steller Sea Lion Mitigation Committee (SSLMC) convened at the NMFS Alaska Fisheries Science Center in Seattle July 28-29, 2003. The principal purpose for this meeting was to accept and review proposals from industry for changes in SSL protection regulations in the GOA. Chairman Larry Cotter reviewed the agenda and set the "ground rules" for working through proposals and accepting public input. Cotter invited the public to freely participate in committee discussions, although committee members would always be recognized first.

Members attending this meeting were: Chairman Larry Cotter and members Dave Benson, Jerry Bongen, Shane Capron, Doug DeMaster, Steve Drage, John Gauvin, Sue Hills, Terry Leitzell, Chuck McCallum, Bob Small, and Beth Stewart. Bill Wilson attended as NPFMC staff. Chairman Cotter again noted the lack of environmental organization representation on this committee; many individuals have been contacted and all have declined to participate. Cotter stated that the Committee membership would stand as it is, unless the Council determines otherwise.

Miscellaneous Committee Business and Reports

Cotter suggested a concept for how the committee might rate proposals. Proposed measures could be ranked (maybe a 0-10 scale) by the degree to which they help communities and reduce economic costs to fishermen, and similarly proposals could be ranked by the degree to which the measures impact Steller sea lions. (The western stock of Steller sea lion is the population addressed by the SSL Mitigation Committee and will be referred to as wSSL in these minutes.) NMFS Office of Protected Resources will review the proposals in light of potential adverse impacts on wSSLs, and NMFS also will look at the proposals to determine if they are workable and practical – and enforceable.

The Committee discussed the National Research Council Committee's recommendation for an adaptive management experiment involving large open and closed areas around rookeries designed to examine how fisheries impact wSSLs. Doug DeMaster noted that such an experiment would require a long and uninterrupted time series of data, but that government funding cannot be assured in future years. Given the complexities of conducting such an experiment, some on the Committee questioned whether to continue to explore this idea. DeMaster remarked that ongoing NMFS fishery "experiments" (Atka mackerel, P. cod, and pollock) partly get at the issues in the NRC recommendations. Discussion continued on some of the issues associated with conducting a large-scale experiment, including statistical power, size of the experimental units, and experimental design.

Cotter appointed a sub-committee to review and develop recommendations for experimental design. The sub-committee will be chaired by Doug DeMaster; other committee members include Sue Hills, Jack Taggart, Bob Small, Julie Bonney, and John Gauvin.

Cotter added to the agenda a discussion of fishery catches in the Pribilof Islands area; this was discussed later in the meeting. The June 24-26 meeting minutes were reviewed, some corrections noted, and approved. Final minutes will be sent out to all on the SSLMC and will be posted on the Council's web site.

Jon Pollard gave a report on how the programmatic supplemental EIS will serve as the guiding policy for managing groundfish fisheries in the Alaskan EEZ. Specifically, Pollard noted that the Council still has not selected their preferred alternative for managing these fisheries, but that the policy chosen, when placed in the Record of Decision (ROD), will guide the management of these fisheries for the coming years. Pollard provided

to the Committee a June 9, 2003 memo from Lauren Smoker that discusses the timeline for completion of the psEIS.

Killer Whales

Doug DeMaster presented an overview of the killer whale population in the North Pacific. The Committee wanted information on killer whale populations since predation on wSSLs by these whales has been implicated as a mechanism for part of their decline. Killer whale surveys are conducted by the National Marine Mammal Laboratory in the Aleutian Islands area, as well as the central and western GOA, and the North Pacific Universities Marine Mammal Research Consortium conducts photo identification and behavioral studies, including using "sighting cards" to maximize the number of observers throughout the GOA and BSAI. In addition, the Alaska Sea Life Center is conducting behavioral studies on killer whales locally around Chiswell Island.

Currently killer whales are divided into five stocks: eastern North Pacific northern resident, eastern North Pacific southern resident, eastern North Pacific transient, eastern North Pacific offshore, and Hawaii. More genetic stock identification work is needed to better differentiate the killer whale stock structure in the North Pacific. Transient killer whales in the ENP have only been observed preying on marine mammals, while residents in the ENP have only been observed eating fish. Abundance of the northern resident stock of killer whales was observed to increase throughout the 1990s, while the stock of southern resident killer whale has been declining since 1995. No trend data are available for ENP transient killer whales. Combined, there may be as many as 1500 – 3000 killer whales in these five stocks. The abundance of the marine mammal-eating transient stock in Alaskan waters is likely to be between 75 and 150 animals (based on DART survey data and mark-recapture studies). Unfortunately the diet of ENP transient killer whales is unknown. DeMaster noted that researchers need a better way to sample killer whale tissues to determine their feeding habits (from fatty acid composition data).

Regulatory Time Line

Shane Capron provided to the Committee a possible time line for moving the Committee's proposals forward through the regulatory process so that the measures could be implemented in early 2005. If the Committee's recommended proposal package is finalized in August 2003, the package would be reviewed and approved by the Council at its October meeting and then would go to NMFS for review and back to the Committee for a final decision. NMFS and Council staff would conduct an analysis and prepare an Environmental Assessment. (If NMFS determines that a proposed measure would be significant enough to warrant an EIS, the above time line could not be met.) The amendment package would go to the Council in February 2004 for initial review, then to public review, and back to the Council for final review and approval at their April 2004 meeting. NMFS then would prepare notices and write the regulations for implementation in January 2005.

Steller Sea Lion Recovery Team Update

Bob Small presented an overview of where the wSSL Recovery Team is in the process of re-writing the SSL Recovery Plan for the western and eastern stocks. The SSLRT has prepared a list of threats to the recovery of wSSLs, has reviewed the genetic stock structure of the SSL populations in the North Pacific, and is in the process of ranking the threats as to degree of importance in adversely affecting wSSLs and inhibiting their recovery. The Team also is developing criteria that might be used to developing recommendations for listing under the ESA. The draft revised Recovery Plan will be made available for public comment and ultimately goes to NMFS for approval (or rejection) and implementation. Recently, the Recovery Team has reviewed extensively the various hypotheses that nutritional stress may affect wSSL recovery. This may be one of several factors that have affected wSSLs. An extensive review of nutritional stress was presented in the BiOp Supplement (p. 42-47), and the Recovery Team reviewed recent research results at their May 2003 meeting

(minutes of this meeting are on the NMFS web site). At this time, the Recovery Team has some data that support nutritional stress and other data that are not consistent with this hypothesis.

Pollock Harvests near Pribilof Islands

The SSLMC received information on the groundfish fishery harvests near the Pribilof Islands in 2002. These data are available in the BiOp Supplement and an additional data sort was provided to the Committee in a memo from Sea State. One concern discussed was the increase in the level of pollock trawl harvest close to the Pribilof Islands when comparing 1999 to 2002. The Committee discussed the data, and noted that in 2002 most groundfish harvest occurred in a zone offshore from Dalnoi Point from 10 to 20 nmi. The BiOp Supplement reported pollock catch in mt around the Pribilof Islands in 1999: 0-3 nmi (0), 3-10 nmi (0), and 10-20 nmi (3,736); and in 2002 the catch in these zones was: 0-3 nmi (0), 3-10 nmi (2,346), and 10-20 (27,893). The Sea State data were reported as pollock harvest near the Pribilof Islands offshore all rookeries and haulouts, by sector; with all sectors combined, catch in mt was for 1999: 0-10 nmi (160) and 10-20 nmi (3,190); and catch in 2002 was: 0-10 nmi (2,063) and 10-20 nmi (32,357). [Numerical inconsistencies are partly due to the different reporting areas included in the BiOp and Sea State data presentations.] The Committee discussed the benefits of including Dalnoi Point in future wSSL trend surveys; the cost of flying this far north would be high, and an alternative might be to train local observers to make on-ground counts on a seasonal basis. DeMaster agreed to discuss the feasibility of this with NMML staff.

GOA Pollock Stock Assessments

Capron requested updated information on GOA pollock stock abundance; these data would be helpful in judging proposals before this Committee. New data are needed to better characterize the prey fields for wSSL in the Gulf, particularly given the declining trend and low status relative to the unfished condition in this stock in recent years. New data available for the 2003 GOA pollock stock assessment include hydroacoustic surveys in the Shumagins and Shelikof Strait last winter, new GOA trawl survey data, and the new Gulf-wide hydroacoustic surveys conducted this summer. Anne Hollowed reported to the Committee that these data sets are still in the process of analysis. The winter Shelikof/Shumagins survey data will likely be available for use by the Committee in late August; the other data will not likely be ready for review until the Plan Team assembles the SAFE in November. A new program that places acoustic data loggers on board some commercial fishing vessels in the GOA fleet may provide helpful data for future stock assessments. Hollowed noted that the data gathering vessels participating in this program need to be "calibrated" by NMFS before these data can be integrated into future stock assessments.

Proposal Review

The Committee then reviewed each proposal submitted for consideration. The proposals were numbered and are very briefly summarized below:

1. Remove the 2-week stand down in the GOA pollock fishery between the A/B and C/D seasons. Allow unharvested TAC to roll over into the next quarter. Fishermen find the stand down to be inefficient and may result in pollock TAC unharvested. (The Aleutians East Borough will submit a similar proposal, but with a request for only two seasons, not four. This will be proposal #12.)
2. Allow trawl fishing for pollock to 10 nmi at Marmot Island. Data presented with this proposal showed pollock in the diets of wSSLs at Marmot Island were ranked approximately 4th in frequency of occurrence in winter. Some members of the Committee added Chernabura and Atkins Islands with the same proposed openings (AEB proposal). Proposers were asked to consider trade-off closures to balance the increased catch of prey important to SSL in the proposed areas to be opened.
3. Use a different P. cod apportionment scheme. The proposal provided two options: A/B/C seasons with 60/20/20 apportionments, and A/B seasons with an 80/20 apportionment. The current scheme results in some unintended allocation issues.

4. Fast track allocation of P. cod TAC by gear type and by sector. The Committee noted this proposal addresses another allocation issue, and that this proposal may be difficult to analyze given the amount of data needed and the time available to do an appropriate analysis. The Committee discussed how the Gulf Rationalization process will likely address this issue, and suggested that the Council move forward expeditiously with Gulf Rationalization to remedy many of these issues adversely impacting the GOA groundfish fisheries. The Committee noted that to address this proposal, additional data are needed: directed and non-directed catch, in the Federal and in the State fisheries, by area, gear, sector, year, and vessel size.
5. Allow trawl fishing for pollock at Puale Bay to 3 nmi Jan 20 to June 10 and to 10 nmi from June 10 to Nov 1. Closures at Puale Bay have shifted the fleet further offshore, with some safety and allocation issues resulting from this closure. Proposers should consider trade-off closures to balance the proposed opening of these areas. The Committee noted that wSSL trend counts will be important data for judging this and some of the other proposals.
6. Allow trawl fishing for pollock near Chiniak to 3 nmi and P. cod through Nov 1. The Committee added Castle Rock with the same proposed openings (AEB proposal). (Industry would still honor the experimental Chiniak Gully closure which would be part of the NMFS fishery removal/SSL study should funding be restored to this project.) Potential gear conflicts will need to be addressed in this proposal.
7. Revise how P. cod bycatch rates are calculated. The proposal outlines a method using actual catch rates in the fishery in determining the MRA for P. cod in the non-P. cod directed fisheries in the GOA. The main issue is fishing for P. cod in non-P. cod directed fisheries to attain the MRB percentage, which thus places more harvest pressure on the P. cod stock and potentially reduces P. cod TAC for directed P. cod fisheries.
8. Reduce the P. cod pot and jig fishery closures to 3 nmi at Kak and Sutwik Islands. Compensatory restrictions are proposed around Chirikof Island and Kilokak Rocks. Capron noted that the Kilokak Rocks haulout is not considered critical habitat for wSSLs nor is it on the NMFS list of 19 additional haulouts of concern, and a closure there might not be a viable balancing closure for the proposed opening. The Committee also discussed how catch by small vessels in such areas would be tracked and catch limits enforced; VMS or electronic logbooks were discussed as potential solutions. The Committee noted also that finding haulouts or rookeries to propose for additional restrictions (to balance the relaxed restrictions proposed here) is difficult in the Chignik area. The Committee suggested that this proposal have three alternatives: (a) as proposed with Kak and Sutwik areas opened and with reciprocating closures elsewhere, (b) as proposed and with catch limits, and (c) as proposed, with catch limits, with mandatory electronic logbooks for participating vessels. The Kilokak Rocks closure could be a suboption to one or more of these options.
9. NMFS has suggested that the underharvested pollock TAC rollover process as currently practiced does not always accomplish the intended goals (to provide the opportunity to harvest pollock TAC not taken in an earlier season, and to ensure seasonal harvest is in proportion to the estimated pollock biomass distribution). NMFS proposes changing how the rollover process is conducted. The issue is complicated and readers are referred to the NMFS proposal for more details.
10. NMFS submitted this proposal, which is similar to the industry-submitted proposal #4 (both address the P. cod TAC split between the A and B seasons). NMFS has noted that the intent of the SSL protection measures is to harvest P. cod seasonally at a rate of 60/40 in the A/B seasons in the Gulf. However, in practice NMFS cannot effectively manage the fishery to attain these levels, and as a consequence harvest percentages are closer to 75/25. NMFS suggests a remedy would be to change the regulations to provide NMFS the flexibility to more closely manage the directed fishery during the A season to maintain the intended 60% harvest in the A season. The Committee noted that, should the Committee support this proposal, perhaps this remedy could be considered a countermeasure for one of the other proposed regulatory changes.
11. This proposal suggested several measures to relieve some problems in the P. cod fishery including concerns over “topping off” with P. cod in non-P. cod directed fisheries, the level of MRA for P. cod in other fisheries, apportionment of TAC between the A and B seasons, and P. cod bycatch discarding. The Committee noted that some of these issues are similar to some of the other proposals already submitted and

perhaps could be dealt with there. The Committee also noted that data needed for other proposals also would be required to judge the measures suggested in this proposal.

12. This will be a proposal from AEB on a proposed new pollock A/B seasonal apportionment in Area 610.

The Committee discussed how these proposals would be evaluated. Some kind of ranking criteria should be used, perhaps a subjective weighing of the proposals' merits based on how the Gulf fisheries would be improved and at the same time how wSSLs would be affected. Proposers were asked to make any appropriate revisions in their proposals, and re-submit them to the Council offices prior to the next meeting. The Committee will convene in Seattle at the AFSC on August 27 and 28 (and the 29th if necessary) to review and comment on the revised proposals. The Committee also will assemble an amendment package comprised of the selected proposal alternatives that will be presented to the Council at their October meeting.

Next Meeting

The next meeting of the SSLMC, then, is August 27-29 at the Alaska Fisheries Science Center, Seattle, in the Traynor Seminar Room #2076, Building 4. The Agenda for this meeting will be:

1. Review and rank proposals and assemble a recommended amendment package for Council review and approval, and
2. Receive a report from the SSLMC's Subcommittee on Adaptive Experimental Management.

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