



# NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

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## Action Memo

File Number: REP 17-034

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**Agenda Date** 10/2/2017

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**Dan Hull, Chairman**  
**David Witherell, Executive Director**

**SUBJECT:**

Protected Species Report (including a Northern Fur Seal Synthesis)

**STAFF CONTACT:** Steve MacLean

**BACKGROUND:**

Steller sea lions

On August 29 2017, the United States Court of Appeals for the Ninth Circuit released a memorandum affirming that: (1) the Service violated neither the Endangered Species Act nor the Administrative Procedure Act when it concluded, in its 2014 biological opinion, that the proposed fishing regulations for the Aleutian Islands were “not likely to jeopardize the continued existence of” Steller sea lions and were not likely to “result in the destruction or adverse modification” of critical habitat; (2) the Service did not err by failing to identify a tipping point beyond which the species cannot recover; and (3) the Service’s determination of some amount of partitioning between the commercial fishing and the Steller sea lions’ foraging was supported by the record. (4) The Service did not fail to discuss “responsible opposing views” in its final environmental impact statement. As a result, the regulations enacted in 2015 remain in place.

Bowhead whale entanglements

During the spring whaling season of 2017, two bowhead whales entangled in line were landed in Utqiagvik. The report from one of the whales, 17B6 landed on May 31, 2017 indicates that the whale was entangled in ¾” diameter rope that ran through the whale’s mouth and along the body to the peduncle (area just forward of the flukes) where it was wrapped multiple times. Scarring and lesions indicate that the whale was entangled for a considerable amount of time before it was harvested. The assessment from biologists and whalers was that this whale was mortally entangled and would not have survived much longer. In 2015, a bowhead entangled in commercial crab pot gear was found floating dead near the village of Savoonga on the north shore of Saint Lawrence Island.

A paper (George et al. 2017) has recently been published that examines the frequency of injuries from line entanglements, ship strikes, and killer whales on bowhead whales in the Bering, Chukchi, and Beaufort Seas. George et al. (2017) concluded that about 12% of harvested bowheads show entanglement scars, with older, larger whales showing scars more frequently (50% of whales >17 m). They suggest that entanglement rates may be higher than previously thought, and recommended continued monitoring of scarring and injuries.

Northern fur seals

In June 2017, the Council requested a discussion paper providing a synthesis of population and vital rates information for the northern fur seal, including recent trends in abundance, an update on recent research, and conditions in the north Pacific potentially impacting winter survival of northern fur seals. Attached is the synthesis requested by the Council.