



B9 Protected Species Report

December 2018 Council Meeting

Action Memo

Staff: Steve MacLean
Other Presenters: Dr. Markus Horning, Science Director, Alaska SeaLife Center
Action Required: 1. Review Protected Species Report
2. Receive presentation from Dr. Horning

BACKGROUND

California Sea Lions

The Oregon Department of Fish and Wildlife received approval from NOAA Fisheries to lethally remove up to 91 California sea lions, annually, from Willamette Falls on the Willamette River. The lethal removals are an attempt by ODFW, NOAA Fisheries, Tribes, and local and watershed groups to protect and recover threatened upper Willamette River steelhead and upper Willamette River Chinook salmon whose populations have been severely reduced by dams, and habitat loss.

In June 2018, HR 2083 passed the U.S. House. The Endangered Salmon and Fisheries Predation Prevention Act would amend the Marine Mammal Protection Act (MMPA) to allow the lethal removal of up to 930 California sea lions (10% of PBR) to protect salmon at the Bonneville Dam on the Columbia River. A nearly identical bill, S. 3119 is now at the Senate Committee on Commerce, Science, and Transportation.

Addition: On November 24, the Seattle Times reported that at least six sea lions have been confirmed to have died from gunshot wounds in central Puget Sound and Kitsap County. NOAA-Fisheries law enforcement agents are investigating these crimes.

Columbia and Snake River Salmon

On October 17, 2018 the U.S. District Court for the Western District in Seattle ordered protection for salmon in the Columbia River basin from warm water temperatures in the Columbia and Snake Rivers that have been lethal to salmon and steelhead. Reservoirs behind hydropower dams on the Columbia and Snake Rivers have resulted in warmer water temperatures that are exacerbated by climate change, that has resulted in an increase in the number of days that water temperatures exceed what can be tolerated by salmon and steelhead. In 2015, 250,000 adult sockeye salmon died when the Columbia and Snake Rivers became too warm. Snake River sockeye salmon adult survival was only 4% in 2015, due to increased water temperatures.

The Court found that the EPA has failed to undertake its mandatory duty to enforce and ensure a temperature daily maximum. The Clean Water Act bans Columbia River temperatures over 68°F.

Addition: NMFS List of Fisheries

On October 23, 2018 NMFS published the proposed List of Fisheries (LOF) for 2019. The LOF is required by the MMPA and classifies fisheries based on their levels of mortality and serious injury to

marine mammals that occurs incidentally to each fishery. The classification of a fishery on the LOF determines whether participants in that fishery are subject to certain provision of the MMPA, such as registration, observer coverage, and take reduction plan requirements.

No Alaskan fisheries were proposed to be moved to different levels than they were assigned in 2018. NMFS has proposed adding several species of marine mammals known to be taken by various fisheries in Alaska. Those proposed additions include:

Fishery	Addition
Kodiak salmon setnet	Western North Pacific and Central North Pacific Humpback whale
BSAI pollock trawl	Eastern Chukchi Sea, Eastern Bering Sea, Bristol Bay beluga whale
BSAI Pacific cod longline	Eastern North Pacific AK resident killer whale, AK spotted seal
GOA Sablefish longline	Western U.S. Steller sea lion
PWS salmon set gillnet	Central North Pacific humpback whale
Kodiak salmon purse seine	Western North Pacific humpback whale
BSAI halibut longline	Eastern Pacific northern fur seal, North Pacific sperm whale
BSAI Pacific cod trawl	AK bearded seal
GOA flatfish trawl	AK harbor seal, Western U.S. Steller sea lion
GOA Pacific cod trawl	AK harbor seal
GOA Rockfish trawl	Western U.S. Steller sea lion
BSAI crab pot	Western Arctic bowhead whale

Bowhead whale subsistence hunt

On November 16, 2018, the NMFS announced availability of a final Environmental Impact Statement for issuing annual catch limits to the Alaska Eskimo Whaling Commission (AEWC) for a subsistence hunt on bowhead whales for 2019 and beyond. Under the International Convention for the Regulation of Whaling (ICRW), the International Whaling Commission has adopted management principles for setting subsistence catch limits for the Western Arctic stock of bowhead whales based on the needs of Native hunters in Alaskan Village and in Russian Villages along the Chukotka Peninsula. NMFS issues the AEWC the United States' share of the catch limit, the subsequent hunt is managed by the AEWC and NMFS cooperatively. The bowhead whale is listed as endangered but has been growing at an estimated rate of 3.7% annually since the late 1970s. The most recent abundance estimate for the Western Arctic stock is 16,820 animals, compared to estimates of 10,400 – 23,000 animals before commercial whaling. The preferred alternative would grant the AEWC and annual limit of 67 bowhead strikes, not to exceed a total of 336 whales landed over any 6-year period.

Steller sea lion and sleeper sharks

Dr. Markus Horning, Science Director at the Alaska SeaLife Center will present an update on a project to study Steller sea lion vital rates using implanted recorders/transmitters and a Pacific sleeper shark study.