



MARINE MAMMAL COMMISSION

24 August 2012

Jon Kurland
Assistant Regional Administrator for Protected Resources
National Marine Fisheries Service, Alaska Region
P.O. Box 21668
Juneau, AK 99802-1668

Attn: Ellen Sebastian

Dear Mr. Kurland:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the National Marine Fisheries Service's notice regarding subsistence harvests of northern fur seals on St. Paul Island, Alaska (77 Fed. Reg. 41168). The notice describes changes to harvest regulations proposed by the Pribilof Island Community of St. Paul Island and the Aleut Community of St. Paul Island-Tribal Government. The Commission provides the following recommendations and rationale.

RECOMMENDATION

The Marine Mammal Commission recommends that the National Marine Fisheries Service—

- require the Pribilof Island Community of St. Paul Island and the Aleut Community of St. Paul Island-Tribal Government to provide a rationale for the increase in the number of fur seals they wish to harvest; that rationale should be published in the *Federal Register* to give the public a meaningful opportunity to comment on whether it satisfies the requirement of the Marine Mammal Protection Act that the proposed take would not be wasteful
- describe, or require the St. Paul community to describe, how the proposed harvest would be monitored to provide accurate information on the number of takes, when and where those takes occur, the number of seals struck and lost, the number of females taken, and whether such taking is accomplished in a non-wasteful manner
- deny any change in harvesting methods that would result in increased taking of female northern fur seals
- deny the proposed use of firearms to take northern fur seals, and
- ensure that whatever dates are approved do not lead to more than a negligible increase in the risks of taking females and do not cause unnecessary disturbance of the animals on rookeries and haulouts.

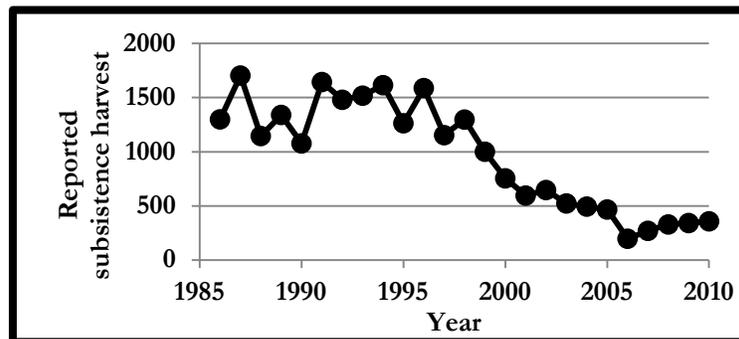
RATIONALE

The background for this issue is worth noting because it serves as a reminder that the dynamics of this population are not well understood and that the population warrants cautious management. The harvesting of northern fur seals on the Pribilof Islands began in 1786, when the islands were discovered by the Russian Gavrill Pribylov. The Russians then brought natives from the Aleutian Islands to the Pribilofs to conduct the harvest, which continued under Russian control until the United States purchased Alaska in 1867. The United States increased the harvest (on land and at sea) until the Fur Seal Treaty of 1911 brought it to a halt to protect the population that, by then, had been decimated. The harvest resumed in 1918 but was limited to juvenile males until the 1950s. By the 1950s, the population had recovered to about 1.25 to 1.5 million seals. From 1956 to 1974, while an average of about 52,000 juvenile males were killed per year, an additional 316,000 females were culled from the population. The removal of those females was supposed to reduce the population's size, thereby causing a density-dependent increase in pup production and more juvenile males for the harvest. However, it also was intended to appease the Japanese, who were complaining that fur seals were competing with their fisheries. As the cull of females tapered off, scientists and managers expected the St. Paul population to rebound and, for a few years in the early to mid 1970s, it appeared to be starting a recovery. However, the population trend then reversed itself and continued the decline that began in 1956 when the cull was initiated. With the exception of a period from the mid 1980s to the early 1990s (after the commercial harvest was stopped), the decline has continued to the present time.

The eastern stock of northern fur seals is comprised of the St. Paul Island population, the St. George Island population, and the Bogoslof Island population. The potential biological removal level for the entire eastern stock is 13,809. At present, the St. Paul Island population comprises about 70 percent of the eastern stock, which suggests that its potential biological removal level is about $13,809 * 0.7 = 9,666$ seals. However, there are good reasons to question the tolerance of the St. Paul Island population to human-related loss of seals. The primary reason is that the population already is declining at a relatively rapid rate—from 1998 to 2006 pup production declined at about 6.1 percent annually. Furthermore, the cause(s) of that decline has(have) not been determined. The eastern stock was designated as depleted in 1988.

The subsistence harvest and requested changes

The subsistence harvest on St. Paul Island is substantially less than the past commercial harvest and less than the potential biological removal level. In addition, the subsistence harvest has declined markedly over the last three decades, as illustrated in the following figure. The reported annual takes fall well below the limit of 2,000 allowed under the Service's current regulations.



Despite the fact that the reported take is well below the current allowed take, the St. Paul community has requested a number of changes to the harvest regulations. As described in the Service's *Federal Register* notice, the requested changes are—

- (1) Take by harvesting and individual hunting of up to 1,500 young of the year male fur seals annually from August 25 to December 31, of which no more than 10% may be composed of incidental take of female young of the year;
- (2) Take by harvesting and hunting with firearms of up to 1,500 sub-adult (i.e., 1–4 year-old) male fur seals annually in the following St. Paul hauling grounds: Reef, Gorbatch, Morjovi, Sea Lion Neck, Vostochni, Big Zapadni, Little Zapadni, Zapadni Reef, Tolstoi, Polovina, Lukanin, and Ketovi;
- (3) Take by firearms sub-adult males at Sea Lion Neck beginning September 1 through June 1 of each year and from October 15 through June 1 at the following hauling grounds: Reef, Gorbatch, Morjovi, Vostochni, Big Zapadni, Little Zapadni, Zapadni Reef, Tolstoi, Polovina, Lukanin, and Ketovi;
- (4) Extension of the current annual harvest period for all sub-adult males by two days (from June 23–August 8 to June 23–August 10) and an additional harvest period for sub-adult males from September 15 to October 31; and
- (5) [Allow] St. Paul residents to individually hunt young of the year fur seals with firearms no larger than .22 caliber and a minimum of .22 caliber to take subadult males.

Increased take allowance

The requested changes would increase the allowed take from 2,000 to 3,000 seals. At present, reported takes amount to a fifth or less of the current allowance. The reason for the 50 percent increase is not clear, but it must be made clear if the Service is to make a determination that the extra take is not wasteful. Therefore, the Marine Mammal Commission recommends that the National Marine Fisheries Service require the Pribilof Island Community of St. Paul Island and the Aleut Community of St. Paul Island-Tribal Government to provide a rationale for the increase in the number of fur seals they wish to harvest; that rationale should be published in the *Federal Register* to give the public a meaningful opportunity to comment on whether it satisfies the requirements of the Marine Mammal Protection Act. The Marine Mammal Commission further recommends that the National Marine Fisheries Service describe, or require the St. Paul community to describe, how the proposed harvest would be monitored to provide accurate information on the number of takes,

when and where those takes occur, the number of seals struck and lost, the number of females taken, and whether such taking is accomplished in a non-wasteful manner.

Harvesting females

The request from the Pribilof Island Community of St. Paul Island and the Aleut Community of St. Paul Island-Tribal Government would increase the number of females taken annually. Those females would include young of the year (up to 150) and females taken accidentally in the sub-adult male harvest or the proposed hunting of sub-adult males.

The Commission sees no justification for taking female northern fur seals. As noted above, the population is depleted and declining, pup production is dropping at a substantial rate, the Service has no clear remedies for these problems, and population recovery depends entirely on the female portion of the population. Furthermore, the current harvesting method has been demonstrated to be effective at separating males from females and very few females have been taken incidentally using that method. Although one might make the argument that the number of females taken incidentally under the proposed new harvesting regime would still be relatively small, the loss of those additional females would contribute to what may be an accumulation of risk factors driving the population's decline. Because the taking of females could accordingly undermine population recovery and because current harvest methods effectively separate males and females, the Marine Mammal Commission recommends that the National Marine Fisheries Service deny any change in harvesting methods that would result in increased taking of female northern fur seals.

Hunting fur seals with firearms

The Pribilof Island Community of St. Paul Island and the Aleut Community of St. Paul Island-Tribal Government have proposed to take fur seals with firearms, using firearms of no less than 0.22-caliber for young of the year or of that caliber or higher for juveniles and sub-adults. The Commission disagrees with this proposal on a number of grounds.

- Although the proposed use of firearms will make it easier to hunt seals, it clearly will increase the difficulties of recovering targeted seals. Animals that have been shot and only wounded may escape to the water before they die. Once an animal dies, the carcass may remain near shore or be carried out to sea. In either case, especially the latter, the hunter may not be able to recover it. Such taking would be wasteful if the hunter could have avoided such loss by using more efficient harvesting methods.
- The proposed use of firearms would also increase the likelihood of injuring or killing females. Distinguishing the sex of targeted seals becomes more difficult with distance and, from a distance, the hunter is more likely to shoot a female. As mentioned above, any killing of females is likely to undermine population recovery.
- The proposed use of firearms also could cause extensive, unnecessary suffering. Although a well-placed shot sometimes kills the animal instantly, there are times when shooting results in painful injuries that may or may not be life-threatening. Therefore, the taking may not be in the most humane manner possible.

- The proposed use of firearms would increase the amount of disturbance on the rookeries. Decades ago, during surveys, a firearm would be discharged over a rookery to cause territorial bulls to come to an upright position, making them easier to count. The bulls would maintain their ground while other animals often fled into the water. The resulting commotion commonly led to the injury of pups, particularly, as they could be trampled by larger animals moving toward the water. A present-day hunter standing above a rookery to shoot seals may cause similar disturbance of animals on both rookeries and haulouts. The current method of rounding up seals from a haulout area also causes some disturbance, but generally this process should cause less overall disturbance because all seals to be harvested in a day can be rounded up at one time. In contrast, a hunter may cause similar disturbance to secure only one or a few seals. In such cases, the extra disturbance would not be necessary.
- Finally, the proposed use of firearms would increase the risk of accidents. Scientists work around and sometimes within rookeries to study the seals. Hunters with firearms pose an unnecessary risk to themselves and to others who may be working on or near the rookeries or haulouts.

For all these reasons, the Marine Mammal Commission recommends that the National Marine Fisheries Service deny the proposed use of firearms to take northern fur seals.

Extending the harvest dates

The actual dates when fur seals are taken for subsistence purposes are not a direct concern. Instead, what matters is whether those dates lead to additional, unnecessary population effects. The major pattern during the course of a reproductive season is the loosening of social structure and the increased mixing of animals of different age/sex classes as the closely tied birthing and mating seasons pass. In the late spring and summer, social structure is strongly maintained on rookeries by breeding males. In the fall, much of that structure is lost and the animals are more mixed on both the rookeries and haulout grounds.

The major question that the Service must address is whether harvesting later in the reproductive season increases the risk of taking females or causes more disturbance. The risk of taking more females may be increased because of the mixing of age/sex classes. The consequences of disturbance also may be greater as animals may be less compelled to remain on the rookery or haulout area toward the end of the reproductive season. Such disturbance may not have significant effects on animals in good condition, but may have such effects on adult females that are generally in poor condition from months of nursing their pups. Increased disturbance also could lead to premature weaning if females permanently abandon their pups before they are ready for independence. Their propensity to wean their pups must increase naturally over time, but could be hastened by added disturbance.

To address the request for an extended harvesting season, the Marine Mammal Commission recommends that the National Marine Fisheries Service ensure that whatever dates are approved do not lead to more than a negligible increase in the risks of taking females and do not cause unnecessary disturbance of the animals on rookeries and haulouts.

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Please contact me if you have questions about the Commission's recommendations.

Sincerely,

A handwritten signature in blue ink that reads "Timothy J. Ragen". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Timothy J. Ragen, Ph.D.
Executive Director