



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way NE
Seattle, Washington 98115

January 26, 2011

Dear Co-manager:

The purpose of this letter is to apprise you of emerging issues stemming from our ongoing analysis of the relationship between Chinook salmon abundance and the well-being of the Southern Resident killer whales. As you know, Southern Resident killer whales are listed as endangered under both the U.S. Endangered Species Act (ESA) and Canada's Species at Risk Act (SARA). New scientific information and analyses about the Southern Resident population and the extent of their reliance on salmon – particularly large Chinook salmon – have potentially serious implications for any and all activities that affect the abundance of Chinook salmon.

Such activities include a geographically broad range of fisheries that affect the abundance of Chinook prey within the whales' range. Despite an increasing body of scientific information about these whales and their reliance on Chinook salmon, many uncertainties remain. In this letter, I will explain our current thinking about how to approach these issues and seek the support and participation of your government, agency, tribe or organization in a process to obtain independent scientific review of the information relevant to the question of how fisheries may affect the Southern Resident killer whales.

The questions surrounding the effects of fishing on the Southern Residents are immediately before us because the National Marine Fisheries Service (NMFS) currently is evaluating a proposed Resource Management Plan jointly developed and submitted by the Washington Department of Fish and Wildlife and the Puget Sound treaty tribes. This plan would govern Chinook salmon fisheries in Puget Sound. To approve the plan, NMFS must first determine that it meets the criteria relating to listed salmon as set forth in regulations (50 CFR Part 223) promulgated under section 4(d) of the ESA. We must also determine that our approval will not jeopardize any listed species or result in the adverse modification or destruction of designated critical habitat of any listed species, including the endangered killer whales.

Pursuant to section 7 of the ESA, NMFS considered the effect of salmon fisheries on the endangered whales in 2008 in connection with approval by the United States of new salmon fishing regimes under the Pacific Salmon Treaty. In that consultation, we determined that the new regimes negotiated and recommended by the Pacific Salmon Commission did not jeopardize listed Southern Resident killer whales or adversely modify their critical habitat. We reached that conclusion after considering the reduction in Chinook salmon available to the whales from fishing in relation to the estimated prey requirements of the Southern Resident population. Our analysis used the best scientific information available at that time, as required by the ESA, while also noting that new science and information would continue to emerge that would help inform future consultations.



In our evaluation of the proposed Puget Sound Resource Management Plan's effects on Southern Resident killer whales, and in the broader context of recovery plan implementation, NMFS has replicated the 2008 Pacific Salmon Treaty analysis but incorporated new scientific information. Our conclusions, which are preliminary at this point, strongly suggest that the amount of Chinook available to the whales in comparison to their metabolic requirements is less than what we estimated in the 2008 consultation, particularly during those summer months when the whales spend considerable time foraging in the Salish Sea. This change results from several factors, including but not limited to revised estimates of the metabolic requirements of the whales, their selective preference for larger Chinook salmon, and inclusion of a broader range of years to represent expected variations in the abundance of Chinook salmon available to the whales.

Although NMFS has not yet made any final conclusions regarding the significance or use of this new information, it potentially has serious implications for fishing and other activities that affect the abundance of Chinook salmon available to the killer whales. We want our analyses to be conducted in as transparent and scientifically rigorous manner as possible and believe this can best be accomplished in a process that engages scientists with a broad range of scientific specialties.

Accordingly, we are proposing to co-sponsor a scientific process designed to identify and summarize the status of the available science pertinent to the effects of fishing on Southern Resident killer whales and means by which key uncertainties and data gaps may be reduced. This scientific process supports the implementation of the Southern Resident killer whale recovery plan, and it will inform salmon fisheries management decisions beginning with the 2013 fishing season. The basic question NMFS must answer is whether Chinook salmon fisheries that affect the abundance of prey available to the killer whales are significantly and negatively affecting the well-being of the Southern Resident population and, if so, how those negative effects might be reduced. At the conclusion of the scientific workshop process, NMFS and others will be better able to determine what recovery actions are appropriate and, more specifically, whether and under what conditions additional constraints on salmon fishing may be necessary.

As currently envisioned, the process will involve a series of scientific workshops where the latest scientific information and analyses regarding the relationship between the abundance of Chinook salmon and the Southern Resident killer whales will be considered by a panel of impartial scientists. The workshops will focus on how fishing affects the abundance of Chinook salmon available to the killer whales. The science panel and invited participants will include scientists with expertise in salmon fisheries management and modeling as well as experts in the ecology of killer whales and predator-prey dynamics.

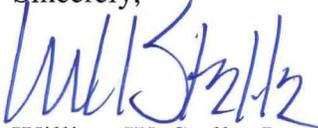
Canada shares our interest in the conservation and recovery of these same killer whales. Because Canadian and U.S. fisheries both affect the availability of Chinook salmon to the whales, it makes sense that our two countries share the available science and coordinate our respective responses to this problem to the extent possible. Although the details have not yet been worked out, Canada's Department of Fisheries and Oceans has agreed to join us in this process. We expect also to seek the participation of members of the Pacific Salmon Commission's Chinook

Technical Committee in order to tap their expertise in assessing the effects of fishing on the abundance of Chinook salmon.

As we continue to work out the details of this process, we will be seeking opportunities to meet and discuss all of this with you and other interested parties in the next few weeks. We also will make broadly available the preliminary analysis we have performed to date.

Thank you in advance for your cooperation and assistance in this important undertaking.

Sincerely,

A handwritten signature in blue ink, appearing to read "Will Stelle, Jr.", written in a cursive style.

William W. Stelle, Jr.
Regional Administrator

Enclosures:

- Workshop process description (summary form)
- Preliminary analysis
- Web-site links to both