

of evidence in support of a particular hypothesis is not necessarily evidence that the hypothesis is false if a rigorous, powerful investigation has not been conducted.

Response: Specific investigations have not been carried out to determine whether municipal, commercial, and industrial activities have had a quantifiable adverse impact on the bowhead whale population. However, a review of the available information indicated that the observed population decline could be explained solely by subsistence harvest levels. Further, a review of available information on Cook Inlet beluga whales and their habitat did not provide any indication that activities other than the harvest were resulting in population-level effects.

Comment 12: The SAR for eastern North Pacific northern resident killer whale states that a population increases at the maximum growth rate only when the population is at extremely low levels; thus, the estimate of 2.92 percent is not a reliable estimate of Rmax. While this statement may be generally true, or at least is consistent with density-dependence theory, it is not necessarily always the case, particularly for K-selected species in fluctuating environments (e.g., where life history or vital rates are limited by biological rather than ecological factors). In these cases, growth rates could approximate Rmax at intermediate population levels.

Response: NMFS agrees that population growth rates could approximate Rmax at intermediate population levels. However, the generalized logistic model is the best available scientific information in this case. Under the logistic model, Rmax occurs only when population levels are low.

Comment 13: The AT1 group of transient killer whales is a discrete unit and should be a stock separate from the North Pacific transient killer whale stock.

Response: This comment was subsequently attached to a petition submitted to NMFS pursuant to section 115 of the MMPA requesting that the AT1 group of killer whales be recognized as a separate stock and designated as depleted. NMFS is currently evaluating the petition and will respond as required by the MMPA. If stock structure of transient killer whales in Alaska is modified as a result of this evaluation, NMFS will modify the SARs accordingly.

Comment 14: The range of observer coverage is not provided in Table 22 of the Gulf of Alaska harbor porpoise SAR. Although there is almost no observer coverage for gillnet fisheries that take

harbor porpoise, the level of coverage should be provided.

Response: The SARs for harbor porpoise were not updated in 2002. These SARs will be updated in 2003 and information on the range of observer coverage will be provided at that time.

Comment 15: It is not clear how estimated mortality rates were calculated from observed mortality rates in the SARs for Dall's porpoise. For example, observed mortality in 1990 was 6, and at the 74 percent coverage, the estimated mortality should have been 8.

Response: The estimated mortality rates cannot be calculated directly by multiplying the observer coverage by the observed mortality for the Bering Sea/Aleutian Islands groundfish trawl fishery. The overall estimated mortality rates, which are provided in the SAR, were calculated by multiplying the observer coverage in each fishery management zone by the observed mortality rates in each zone and summing the estimated mortality levels per zone. The level of observer coverage reflected in the table is the average over all the zones. Thus, if the observer coverage in one area is very high, the estimated mortality level will be only slightly higher than the observed mortality level, as was the case in 1990.

Comment 16: The population size and minimum population abundance estimates for the central North Pacific humpback whale are both based on data from 1991–1993 and are, therefore, out of date.

Response: In 2002, NMFS convened a small workshop to begin the development of a new estimate for a portion of this stock, and preliminary information will be available to include in the draft SAR for 2003. Because the estimate based on the 1991–1993 information is the best available for this stock, it will be retained until a new estimate is available.

Comment 17: The SAR for the North Pacific right whale states that there are no known habitat issues for this stock and also indicates that the NMFS has been petitioned to designate critical habitat for this species. These two statements seem inconsistent. More importantly, a concern leading to the petition seems to have been ignored. The only recent observations of right whales have occurred in an area where much commercial fishing occurs. If whales are disturbed by fishing activities, their use of potentially important habitat may be precluded by the presence of fishing vessels and fishing operations that generate extensive noise.

Response: There is not necessarily an inconsistency simply because the SAR states no habitat concerns concurrently with NMFS receiving a petition to designate critical habitat. Although petitioners expressed a concern that commercial fishing vessels may disturb whales by generating excessive noise, preliminary results of studies conducted on North Atlantic right whales indicate the whales have not changed their distribution or behavior in response to vessel noise. It is premature to list vessel disturbance as a “concern” in the SAR until the impacts of vessel noise on behavior or distribution is better understood.

Atlantic Regional SARs

Comment 18: The section of the Western North Atlantic right whale SAR related to net productivity rates states that no population growth rate can be used because the population is in decline.

Response: NMFS changed the PBR of this stock of right whales to 0.0 in the 2000 revision of the SARs. At that time, it was estimated that the stock was not likely to recover to its Optimum Sustainable Population levels if there was any recurring human-caused mortality. Because the population remains small and critically endangered, NMFS continues to hold that position. Therefore, whether or not there is a value that could be reported for the maximum net productivity rate, NMFS maintains that the PBR for the stock is 0.0 and that this estimate is consistent with the definition of PBR.

Comment 19: The population estimate for the Western North Atlantic stock of blue whales is at least 15 years old, therefore, cannot be assumed to be a reliable, current estimate.

Response: NMFS agrees, and a blue whale PBR has not been calculated in the final report.

Comment 20: SARs should not be limited to records of mortality and serious injury that occur only in the U.S. Exclusive Economic Zone (EEZ). Similar to other species reports, all human caused mortality of Western North Atlantic blue whales should be included in the report.

Response: NMFS does not have mortality data on Western North Atlantic blue whales outside U.S. waters and is not aware of incidents of human-caused deaths or serious injury on this population.

Comment 21: The “Fishery Interaction” section of the SAR for common dolphins (Western North Atlantic stock) describes a pelagic longline fishery, but the level of take is not provided in the text or in Table 2.