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HARBOR SEAL (*Phoca vitulina concolor*): Western North Atlantic Stock

STOCK DEFINITION AND GEOGRAPHIC RANGE

The harbor seal is found in all nearshore waters of the North Atlantic and North Pacific Oceans and adjoining seas above about 30ºN (Burns 2009). In the western North Atlantic, they are distributed from the eastern Canadian Arctic and Greenland south to southern New England and New York, and occasionally to the Carolinas (Mansfield 1967; Boulva and McLaren 1979; Katona *et al.* 1993; Gilbert and Guldager 1998; Baird 2001). Stanley *et al.* (1996) examined worldwide patterns in harbor seal mitochondrial DNA, which indicate that western and eastern North Atlantic harbor seal populations are highly differentiated. Further, they suggested that harbor seal females are only regionally philopatric, thus population or management units are on the scale of a few hundred kilometers. Although the stock structure of the western North Atlantic population is unknown, it is thought that harbor seals found along the eastern U.S. and Canadian coasts represent one population (Temte *et al.* 1991). In U.S. waters, breeding and pupping normally occur in waters north of the New Hampshire/Maine border, although breeding occurred as far south as Cape Cod in the early part of the twentieth century (Temte *et al.* 1991; Katona *et al.* 1993).

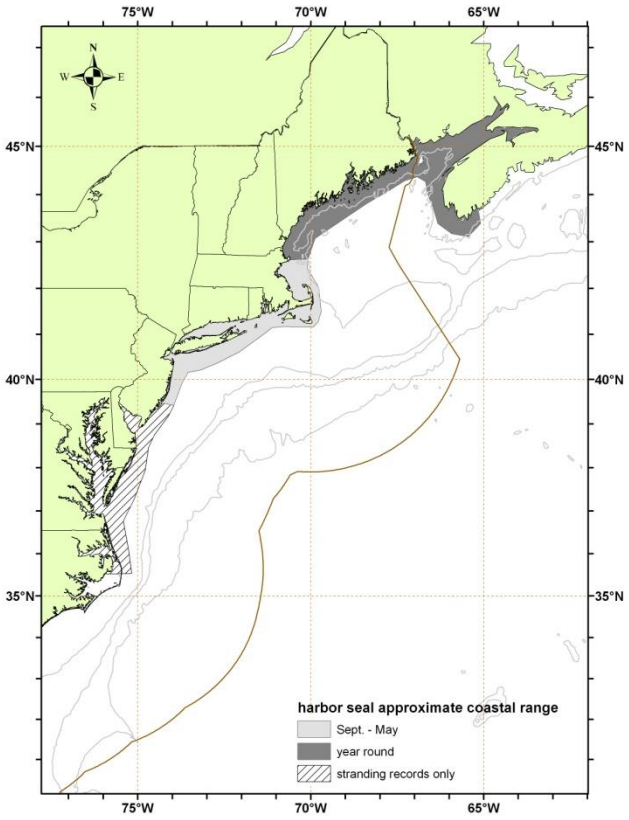

Figure 1. *Approximate coastal range of harbor seals. Isobaths are the 100-m, 1000-m, and 4000-m depth contours.*

Harbor seals are year-round inhabitants of the coastal waters of eastern Canada and Maine (Katona et al. 1993), and occur seasonally along the southern New England to New Jersey coasts from September through late May (Schneider and Payne 1983; Barlas 1999; Schroeder 2000; deHart 2002). Scattered sightings and strandings have been recorded as far south as Florida (NMFS unpublished data). A general southward movement from the Bay of Fundy to southern New England waters occurs in autumn and early winter (Rosenfeld *et al.* 1988; Whitman and Payne 1990; Barlas 1999; Jacobs and Terhune 2000). A northward movement from southern New England to Maine and eastern Canada occurs prior to the pupping season, which takes place from mid-May through June along the Maine Coast (Richardson 1976; Wilson 1978; Whitman and Payne 1990; Kenney 1994; deHart 2002). While earlier research identified no pupping areas in southern New England (Payne and Schneider 1984; Barlas 1999), more recent information suggests that some pupping is occurring at high-use haulout sites off Manomet, Massachusetts (B. Rubenstein, New England Aquarium, pers. comm.). The overall geographic range throughout coastal New England has not changed significantly during the last century (Payne and Selzer 1989).

Prior to the spring 2001 live-capture and radio-tagging of adult harbor seals, it was believed that the majority of seals moving into southern New England and mid-Atlantic waters were subadults and juveniles (Whitman and Payne 1990; Katona *et al.* 1993). The 2001 study established that adult animals also made this migration. Seventy-five percent (9/12) of the seals tagged in March in Chatham Harbor were detected at least once during the May/June 2001 abundance survey along the Maine coast (Gilbert *et al.* 2005; Waring *et al.* 2006).

POPULATION SIZE

Since passage of the MMPA in 1972, the observed count of seals along the New England coast has been increasing. Coast-wide aerial surveys along the Maine coast were conducted in May/June 1981, 1986, 1993, 1997, and 2001 during pupping (Gilbert and Stein 1981; Gilbert and Wynne 1983, 1984; Kenney 1994; Gilbert and Guldager 1998; Gilbert *et al.* 2005). However, estimates older than eight years are deemed unreliable (Wade and Angliss 1997), and should not be used for PBR determinations. Therefore, there is no current abundance estimate for harbor seals. The 2001 survey, conducted in May/June, included replicate surveys and radio tagged seals to obtain a correction factor for animals not hauled out. The corrected estimate (pups in parenthesis) for 2001 was 99,340 (23,722). The 2001 observed count of 38,014 is 28.7% greater than the 1997 count. Increased abundance of seals in the Northeast region has also been documented during aerial and boat surveys of overwintering haul-out sites from the Maine/New Hampshire border to eastern Long Island and New Jersey (Payne and Selzer 1989; Rough 1995; Barlas 1999; Schroeder 2000; deHart 2002).

Canadian scientists counted 3,500 harbor seals during an August 1992 aerial survey in the Bay of Fundy (Stobo and Fowler 1994), but noted that the survey was not designed to obtain a population estimate. The Sable Island population was the largest in eastern Canada in the late 1980s, however recently the number has drastically declined (Baird 2001). Similarly, pup production declined on Sable Island from 600 in 1989 to around a dozen pups or fewer by 2002 (Baird 2001; Bowen *et al.* 2003). A decline in the number of juveniles and adults did not occur immediately, but a decline was observed in these age classes as a result of the reduced number of pups recruiting into the older age classes (Bowen et al. 2003). Possible reasons for this decline may be increased use of the island by gray seals and increased predation by sharks (Stobo and Lucas 2000; Bowen *et al.* 2003). Helicopter surveys have also been flown to count hauled-out animals along the coast and around small islands in parts of the Gulf of St. Lawrence and the St. Lawrence estuary. In the estuary, surveys were flown in June 1995, 1996, and 1997, and in August 1994, 1995, 1996, and 1997; different portions of the Gulf were surveyed in June 1996 and 2001 (Robillard *et al.* 2005). Changes in counts over time in sectors that were flown under similar conditions were examined at nine sites that were surveyed in June and in August. Although all slopes were positive, only one was significant, indicating numbers are likely stable or increasing slowly. Overall, the June surveys resulted in an average of 469 (SD=60, N=3) hauled-out animals, which is lower than the average count of 621 (SD=41, N=3) hauled-out animals flown under similar conditions in August. Aerial surveys in the Gulf of St. Lawrence resulted in counts of 467 animals in 1996 and 423 animals in 2001 for a different area (Robillard et al. 2005).

Minimum Population Estimate

Present data are insufficient to calculate a minimum population estimate for this stock.

Current Population Trend

There are insufficient data to determine the population trends for this stock.

CURRENT AND MAXIMUM NET PRODUCTIVITY RATES

A reliable estimate of the maximum net productivity rate is currently unavailable for this population. Based on uncorrected haul-out counts over the 1981 to 2001 survey period, the harbor seal population was growing at approximately 6.6% (Gilbert et al. 2005). However, a population grows at the maximum growth rate (R_{max}) only when it is at a very low level; thus the 6.6% growth rate is not considered to be a reliable estimate of R_{max}. For purposes of this assessment, the maximum net productivity rate was assumed to be 0.12. This value is based on theoretical modeling showing that pinniped populations may not grow at rates much greater than 12% given the constraints of their reproductive life history (Barlow *et al.* 1995).

POTENTIAL BIOLOGICAL REMOVAL

Potential Biological Removal (PBR) is the product of minimum population size, one-half the maximum productivity rate (½ of 12%), and a "recovery" factor (MMPA Sec. 3. 16 U.S.C. 1362; Wade and Angliss 1997). The recovery factor (F_R) for this stock is 0.5, the value for stocks of unknown status. PBR for the western North Atlantic stock of harbor seals is undetermined.

ANNUAL HUMAN-CAUSED MORTALITY

For the period 2005-2009 the total human caused mortality and serious injury to harbor seals is estimated to be

385 per year. The average was derived from two components: 1)377 (CV=0.13; Table 2) from the2005-2009 observed fishery; and 2) 8 from average 2005-2009 non-fishery-related, human interaction stranding mortalities (NMFS unpublished data).

Researchers and fishery observers have documented incidental mortality in several fisheries, particularly within the Gulf of Maine (see below). An unknown level of mortality also occurred in the mariculture industry (i.e., salmon farming), and by deliberate shooting (NMFS unpublished data). Between 2005 and 2009, there are 7 records of harbors seals and 3 of unidentified seals with evidence of gunshot wounds in the Northeast Regional Office Marine Mammal Stranding Network database.

Fishery Information

Detailed fishery information is given in Appendix III.

U.S.

Northeast Sink Gillnet:

Annual estimates of harbor seal bycatch in the Northeast sink gillnet fishery reflect seasonal distribution of the species and of fishing effort. The fishery has been observed in the Gulf of Maine and in southern New England (Williams 1999; NMFS unpublished data). There were 581 harbor seal mortalities observed in the Northeast sink gillnet fishery between 1990 and 2009, excluding three animals taken in the 1994 pinger experiment (NMFS unpublished data). Williams (1999) aged 261 harbor seals caught in this fishery from 1991 to 1997, and 93% were juveniles (i.e.. less than four years old). Estimated annual mortalities (CV in parentheses) from this fishery were 332 (0.33) in 1998, 1,446 (0.34) in 1999, 917 (0.43) in 2000, 1,471 (0.38) in 2001, 787 (0.32) in 2002, 542 (0.28) in 2003, 792 (0.34) in 2004, 719 (0.20) in 2005, 87 (0.58) in 2006, 92 in 2007, 243 (0.41) in 2008, and 516 (0.28) in 2009 (Table 2). The stratification design used is the same as that for harbor porpoise (Bravington and Bisack 1996). There were 2, 9, 14, 8, 14, 6, and 8 unidentified seals observed during 2003-2009, respectively. Since 1997, unidentified seals have not been prorated to a species. This is consistent with the treatment of other unidentified mammals that do not get prorated to a specific species. Average annual estimated fishery-related mortality and serious injury to this stock attributable to this fishery during 2005-2009 was 332 harbor seals (CV=0.14; Table 2).

Mid-Atlantic Gillnet

No harbor seals were taken in observed trips during 1993-1997, or 1999-2003. Two harbor seals were observed taken in 1998, 1 in 2004, 2 in 2005, 1 in 2006, 0 in 2007, 2 in 2008, and 2 in 2009. Using the observed takes, the estimated annual mortality (CV in parentheses) attributed to this fishery was 0 in 1995-1997 and 1999-2003, 11 in 1998 (0.77), 15 (0.86) in 2004, 63 (0.67) in 2005, 26 (0.98) in 2006, 0 in 2007, 88 (0.74) in 2008, and 47 (0.68) in 2009. Average annual estimated fishery-related mortality attributable to this fishery during 2005-2009 was 45 (CV =0.39) harbor seals (Table 2).

Northeast Bottom Trawl

Seven harbor seal mortalities were observed between 2001 and 2007, 1 in 2002, 1 in 2005, 3 in 2007, 0 in 2008, and 1 in 2009. (Table 2). The estimated annual fishery-related mortality and serious injury attributable to this fishery has not been generated.

Gulf of Maine Atlantic Herring Purse Seine Fishery

The Gulf of Maine Atlantic Herring Purse Seine Fishery is a Category III fishery. This fishery was not observed until 2003. No mortalities have been observed, but 11 harbor seals were captured and released alive in 2004 and 4 in 2005. In addition, 5 seals of unknown species were captured and released alive in 2004, 2 in 2005, 1 in 2007, 1 in 2008 and none in 2009. This fishery was not observed in 2006.

CANADA

Currently, scant data are available on bycatch in Atlantic Canada fisheries due to a lack of observer programs (Baird 2001). An unknown number of harbor seals have been taken in Newfoundland, Labrador, Gulf of St. Lawrence and Bay of Fundy groundfish gillnets, Atlantic Canada and Greenland salmon gillnets, Atlantic Canada cod traps, and in Bay of Fundy herring weirs (Read 1994; Cairns *et al.* 2000). Furthermore, some of these mortalities (e.g., seals trapped in herring weirs) are the result of direct shooting.

Table 2. Summary of the incidental mortality of harbor seals (*Phoca vitulina concolor*) by commercial fishery including the years sampled (Years), the number of vessels active within the fishery (Vessels), the type of data used (Data Type), the annual observer coverage (Observer Coverage), the mortalities recorded by on-board observers (Observed Mortality), the estimated annual mortality (Estimated Mortality), the estimated CV of the annual mortality (Estimated CVs) and the mean annual mortality (CV in parentheses).

Fishery	Years	Data Type [a]	Observer Coverage [b]	Observed Mortality	Estimated Mortality	Estimated CVs	Mean Annual Mortality
Northeast Sink Gillnet [c]	05-09	Obs. Data, Weighout, Logbooks	.07, .04, .07, .05, .04	70, 3, 6, 9, 21	719, 87, 93, 243, 516	.20, .58, .49, .41, .28	332(0.14)
Mid-Atlantic Gillnet	05-09	Obs. Data, Weighout	.03, .04, .06, .03, .03	2, 1, 0, 2, 2	63, 26, 0, 88, 47	.67, .98, 0, .74, .68	45 (0.39)
Northeast Bottom Trawl	05-09	Obs. Data, Weighout	.12, .06, .05, .08, .09	1, 0, 3, 0, 1	unk [d], 0, unk [d], 0, unk [d]	unk [d], 0, unk [d], 0, unk [d]	unk [d]
Northeast Mid-water Trawl - Including Pair Trawl	05-09	Obs. Data Weighout Trip Logbook	.199, .031, .08, .199, .42	0, 0, 0, 0, 1	0, 0, 0, 0, 1,3	0, 0, 0, 0, .81	0.3 (0.81)
TOTAL							377 (0.13)

[a] Observer data (Obs. Data) are used to measure bycatch rates, and the data are collected within the Northeast Fisheries Observer Program. NEFSC collects landings data (Weighout), and total landings are used as a measure of total effort for the sink gillnet fishery. Mandatory logbook (Logbook) data are used to determine the spatial distribution of fishing effort in the Northeast sink gillnet fishery.

[b] The observer coverages for the Northeast sink gillnet fishery and the mid-Atlantic gillnet fisheries are ratios based on tons of fish landed and coverages for the northeast bottom trawl are ratios based on trips.

[c] Since 1998, takes from pingered and non-pingered nets within a marine mammal time/area closure that required pingers, and takes from pingered and non-pingered nets not within a marine mammal time/area closure were pooled. The pooled bycatch rate was weighted by the total number of samples taken from the stratum and used to estimate the mortality. In 2005 - 2009, respectively, 3, 3, 2, 0 and 8 takes were observed in nets with pingers. In 2005 – 2009, respectively, 67, 0, 4, 9 and 13 takes were observed in nets without pingers.

[d] Analysis of bycatch mortality attributed to the Northeast bottom trawl fishery for the years 2005-2009 has not been generated.

Other Mortality

Canada: Aquaculture operations in eastern Canada are licensed to shoot nuisance seals, but the number of seals killed is unknown (Jacobs and Terhune 2000; Baird 2001). Small numbers of harbor seals are taken in subsistence hunting in northern Canada, and Canada also issues personal hunting licenses which allow the holder to take six seals annually (DFO 2008).

U.S.: Historically, harbor seals were bounty-hunted in New England waters, which may have caused a severe decline of this stock in U.S. waters (Katona et al. 1993; Lelli *et al*., 2009). Bounty-hunting ended in the mid-1960s.

Other sources of harbor seal mortality include human interactions, storms, abandonment by the mother, disease, and predation (Katona *et al.* 1993; NMFS unpublished data; Jacobs and Terhune 2000). Mortalities caused by human interactions include boat strikes, fishing gear interactions, oil spill/exposure, harassment, and shooting.

Small numbers of harbor seals strand each year throughout their migratory range. Stranding data provide insight into some of these sources of mortality. From 2005 to 2009, 1,477 harbor seal stranding mortalities were reported between Maine and Florida (Table 3; NMFS unpublished data). Fifty-nine (4%) of the seals stranded during this five-year period showed signs of human interaction (14 in 2005, 8 in 2006, 21 in 2007, 10 in 2008, and 6 in 2009), with 18 having some sign of fishery interaction (0 in 2005, 8 in 2006, 5 in 2007, 5 in 2008, and 0 in 2009). Seven

harbor seals during this period were reported as having been shot. An Unusual Mortality Event (UME) was declared for harbor seals in northern Gulf of Maine waters in 2003 and continued into 2004. No consistent cause of death could be determined. The UME was declared over in spring 2005 (MMC 2006). NMFS declared another UME in the Gulf of Maine in autumn 2006 based on infectious disease.

Stobo and Lucas (2000) have documented shark predation as an important source of natural mortality at Sable Island, Nova Scotia. They suggest that shark-inflicted mortality in pups, as a proportion of total production, was less than 10% in 1980-1993, approximately 25% in 1994-1995, and increased to 45% in 1996. Also, shark predation on adults was selective towards mature females. The decline in the Sable Island population appears to result from a combination of shark-inflicted mortality on both pups and adult females and inter-specific competition with the much more abundant gray seal for food resources (Stobo and Lucas 2000; Bowen *et al.* 2003).

Table 3. Harbor seal (*Phoca vitulina concolor*) stranding mortalities along the U.S. Atlantic coast (2005-2009) with subtotals of animals recorded as pups in parentheses[a].

State	2005	2006[b]	2007[b]	2008	2009	Total
ME	121(94)	371 (220)	106 (80)	178 (152)	76 (64)	852
NH	31 (25)	28 (19)	6 (5)	3 (2)	15 (12)	83
MA	101(45)	94 (35)	51 (17)	50 (4)	74 (36)	370
RI	3	6 (3)	8 (1)	6 (4)	5 (2)	28
CT	2 (1)	1 (1)	3	0	0	6
NY	22 (2)	11	11 (7)	5 (1)	14 (1)	63
NJ	1 (1)	7	6	7	11 (2)	32
DE	3 (1)	2	0	0	0	5
MD	2	0	0	0	2	4
VA	3	2	0	1	3	9
NC	8 (3)	4	0	6 (2)	6 (5)	24
FL	0	1	0	0	0	1
Total	297	527	191	256	206	1477
Unspecified seals (all states)	59	46	34	51	34	224

a. Some of the data reported in this table differ from that reported in previous years. We have reviewed the records and made an effort to standardize reporting. Records of live releases and rehabbed animals have been eliminated. Mortalities include animals found dead and animals that were euthanized, died during handling, or died in the transfer to, or upon arrival at, rehab facilities.

b. Unusual Mortality Event (UME) declared for harbor seals in northern Gulf of Maine waters during 2006-2007.

STATUS OF STOCK

The status of the western North Atlantic harbor seal stock, relative to OSP, in the U.S. Atlantic EEZ is unknown. The species is not listed as threatened or endangered under the Endangered Species Act. Total fishery-related mortality and serious injury for this stock is believed to be low relative to the population size in U.S. waters but cannot be considered to be approaching zero mortality and serious injury rate. Although PBR cannot be determined for this stock, the level of human-caused mortality and serious injury in the U.S. Atlantic EEZ is believed to be low relative to the total stock size; therefore, this is not a strategic stock.

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