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## **Documentation of Waiver to Park Regulations Glacier Bay National Park and Preserve**

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**3. Project Title:**

Development and implementation of a monitoring protocol for Kittlitz's murrelets.

**4. Project Description:**

The Kittlitz's murrelet (KIMU) is a rare seabird endemic to Alaska and eastern Russia, with the highest densities in the northern Gulf of Alaska. Though they occur in a variety of open water habitats, KIMU are often associated with areas near tidewater glaciers. Kittlitz's murrelets were selected as one of 12 core vital signs being monitored by the National Park Service's (NPS) Southeast Alaska Inventory and Monitoring Network (SEAN), based on population declines, status as a candidate for protection under the U.S. Endangered Species Act, and their association with drivers of ecosystem change, such as glacial dynamics, climate change, and human activity. Long-term monitoring of KIMU will inform decisions related to species protection, park management, ecosystem health, and climate change response. The purpose of this project is to complete and test a formal protocol guiding a long-term monitoring program, and begin implementation.

SEAN researchers implemented a pilot program for monitoring KIMU in Glacier Bay in 2009. Sampling and data analysis methods were refined through 2011 to ensure a statistically robust and logistically practical program. Boat-based line transect surveys are completed each July when murrelet aggregations are highest. A distance-sampling technique is employed, in which the vessel travels along pre-selected transects oriented perpendicular to the shoreline, and two observers record distance and bearing to all murrelets on the water. Sampling transects are selected using a random, yet spatially balanced method yielding trend in KIMU abundance over time. In 2013 the program is fully transitioned from protocol development to implementation.

**\*\*\*\*\* Please note that this Waiver accompanies Scientific Research and Collecting Permit# GLBA-2013-SCI-0002 \*\*\*\*\***

The annual target survey period is July 1-15, coinciding with the time of highest KIMU density in Glacier Bay. Due to various scheduling demands and vessel availability, the 2013 survey is scheduled for July 5-16. The transect sampling design specifies “permanent” (every year, independent of random draws) transects in the seasonally non-motorized waters of Hugh Miller Inlet; limited motorized access to these waters is expressly provided for within the Research Permit. Johns Hopkins Inlet (JHI) similarly contains two “permanent” transects. Normally these transects are occupied when JHI “opens” to motorized access starting June 1 each year, but occasionally the motorized closure is extended in order to provide necessary protection from disturbance to pupping harbor seals in years when the pupping season is protracted. 2013 is one of those years, and motorized vessels are prohibited from entering JHI until July 16. Moreover, the 2013 transect sampling design randomly “drew” transect(s) in the seasonally non-motorized waters of Rendu Inlet. The purpose of this Waiver is to provide - as minimally necessary to achieve the survey objectives - for motorized access for Johns Hopkins and Rendu Inlets, and to allow the survey vessel to approach harbor seals hauled out on ice in JHI within ¼ mile (but no closer than 100 yds.).

#### **5. Exemptions from federal or state statutes, regulations, or Natural Resource Management Guidelines (NPS 77) requested and rationale for exemptions.**

In order to accomplish the project objectives using the prescribed protocol methodology, project personnel require exemptions from park regulation in 2013. After careful review of the proposal and in consultation with the project leader and the park pinniped biologist re. the minimum exceptions necessary and mitigating their potential impacts on park resources and values, the following exemptions to park regulations are granted:

**36 CFR 13.1178(e), as extended by the Superintendent [36 CFR 1350(a)] - Non-motorized waters in Johns Hopkins Inlet:** The project vessel (subject to the conditions of this Waiver and the parent Research Permit – see below) is authorized motorized entry into Johns Hopkins Inlet south of Jaw Pt. for the minimum period necessary to achieve survey objectives on a single day during the valid period of this Waiver. General motorized vessel travel throughout the Johns Hopkins Inlet protected area for any purpose other than that specified to accomplish the project objectives is prohibited. In order to assist the park in responding to potential visitor inquiries, the vessel operator or project leader will notify the Visitor Information Station immediately prior to entry, and again upon departure from the area.

**36 CFR 13.1178(f) - Minimum approach distance to harbor seals hauled out on ice in Johns Hopkins Inlet:** As necessary to achieve survey objectives, the project vessel (subject to conditions of this Waiver and the parent Research Permit – see below) is authorized to approach within ¼ mile harbor seals hauled out on ice in Johns Hopkins Inlet. Nevertheless, as specified in the NOAA Marine Mammal Viewing Guidelines and Regulations (<http://alaskafisheries.noaa.gov/protectedresources/mmv/guide.htm>), the vessel will endeavor to remain at least 100 yards from harbor seals and avoid any disturbance to seals. The project vessel will maintain a speed of less than ten knots while in the Johns Hopkins Inlet protected area.

