

# Russian River Estuary Management Project

## Marine Mammal Protection Act Incidental Harassment Authorization

### Report of Activities and Monitoring Results – January 1 to December 31, 2022

Prepared for  
Office of Protected Resources and  
Southwest Regional Administrator  
National Marine Fisheries Service



**Sonoma  
Water**

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## EXECUTIVE SUMMARY

The purpose of this report of activities and monitoring results is to comply with the provisions of the Marine Mammal Protection Act (MMPA) and Regulations Governing Taking of Marine Mammals Incidental to Russian River Estuary Management Activities (50 CFR Part 217, Subpart A) under Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1371(a)(5)(A)) to take small numbers of marine mammals incidental to the Sonoma County Water Agency's (Sonoma Water) Russian River Estuary Water Level Management Activities (April 20, 2022, NMFS LOA).

Sonoma Water applied in 2009 to the National Marine Fisheries Service (NMFS) Office of Protected Resources for an IHA under the Marine Mammal Protection Act (MMPA) for activities associated with water level management activities in the Russian River estuary. NMFS issued an original IHA to Sonoma Water on March 30, 2010, and in each subsequent year until a Letter of Authorization (LOA) was issued on April 21, 2017, and most recently on April 20, 2022. This report provides the results of all monitoring of baseline conditions and water level management activities for the 2022 calendar year, and additional summary information for all related activities.

The estuary may close throughout the year as a result of a barrier beach forming across the mouth of the Russian River. Closures result in the formation of a lagoon behind the barrier beach and, as water surface levels rise in the estuary, flooding may occur. Sonoma Water's artificial breaching activities are conducted in accordance with the approach recommended in the Heckel (1994) study. The purpose of artificially breaching the barrier beach is to alleviate potential flooding of low-lying properties along the estuary. Sonoma Water and the U.S. Army Corps of Engineers (Corps) consulted with NMFS under Section 7 of the Endangered Species Act (ESA) regarding the potential effects of their operations and maintenance activities, including Sonoma Water's estuary management program, on federally-listed steelhead (*Oncorhynchus mykiss*), Coho Salmon (*O. kisutch*), and Chinook Salmon (*O. tshawytscha*). As a result of this consultation, NMFS issued the Russian River Biological Opinion (NMFS 2008) finding that artificially elevated inflows to the Russian River estuary during the low flow season (May through October) and historic artificial breaching practices have significant adverse effects on the Russian River's estuarine rearing habitat for steelhead. The historic method of artificial sandbar breaching, which is done in response to rising water levels behind the barrier beach, adversely affects the estuary's water quality and freshwater depths.

The Biological Opinion (NMFS 2008) concludes that the combination of high inflows and breaching practices impact rearing habitat because they interfere with natural processes that cause a freshwater lagoon to form behind the barrier beach. Fresh or brackish water lagoons at the mouths of many streams in central and southern California often provide depths and water quality that are highly favorable to the survival of rearing salmon and steelhead.

The Biological Opinion's Reasonable and Prudent Alternative (RPA) 2 (NMFS 2008) requires Sonoma Water to collaborate with NMFS and to modify estuary water level management in order to reduce marine influence (high salinity and tidal inflow) and promote a higher water surface elevation in the estuary (formation of a fresh or brackish lagoon) for purposes of enhancing the quality of rearing habitat for juvenile (age-0+ and -1+) steelhead from May 15 to October 15 (the lagoon management period). A program of potential, incremental steps are prescribed to accomplish this, including adaptive management of a lagoon outlet channel on the barrier beach.

Harbor seals (*Phoca vitulina richardsi*) regularly haul out at the mouth of the Russian River (Jenner haul-out). California sea lions (*Zalophus californianus*) and northern elephant seals (*Mirounga angustirostris*) are occasionally observed at the haul-out. There are also several known resting areas in the river at logs and rock piles. Sonoma Water applied for an LOA under the MMPA for activities associated with Russian River estuary management activities, which occur in the vicinity of these haul-outs, including:

- excavation and maintenance of a lagoon outlet channel that would facilitate management of a summer lagoon to improve rearing habitat for listed steelhead as required by the Russian River Biological Opinion (NMFS 2008);
- artificially breaching the barrier beach to minimize the potential for flooding of low-lying properties along the estuary;
- biological and geophysical monitoring activities associated with the management actions described above; and
- geophysical surveys conducted at the barrier beach.

Pinniped monitoring was performed in accordance with the requirements of the NMFS LOA issued April 20, 2022, and the Russian River Estuary Management Activities Pinniped Monitoring Plan (SCWA and Stewards 2021).

Baseline monitoring was performed to gather additional information about the population of harbor seals utilizing the Jenner haul-out including population trends, patterns in seasonal abundance and the influence of barrier beach condition on harbor seal abundance. Pinniped monitoring was also conducted in relation to Sonoma Water's water level management events (lagoon outlet channel implementation and artificial breaching). Estuary management monitoring occurred during the Sonoma Water's monthly topographic surveys of the barrier beach and biological and physical monitoring of the estuary. The purpose of estuary management monitoring is to record any pinniped disturbances during the above activities.

A barrier beach was formed eleven times during 2022, three of these closure events resulted in construction of a pilot channel to artificially breach the sand bar. The Russian River mouth was closed to the ocean for a total of 78 days (or 21%) in 2022.

Sonoma Water's biological and physical monitoring activities of the estuary are included in the NMFS LOA. Sonoma Water surveys the sandbar (or barrier beach) monthly to collect a topographic map of the beach, as required by the Russian River Biological Opinion. A monitor is present during these surveys to record any disturbances of the Jenner haul-out during the survey. Additionally, Sonoma Water field staff conducting biological and physical monitoring in the estuary recorded any pinnipeds they encountered hauled out and any disturbance to pinnipeds associated with their activities.

The Russian River estuary management and monitoring activities in 2022 resulted in incidental harassment (Level B harassment) of 720 harbor seals, well under the total allowed by the NMFS LOA. The number of incidental harassment occurrences in 2022 was lower than the average number per year from 2010 -2020 (1,234 occurrences).

## **INTRODUCTION**

The purpose of this report of activities and monitoring results is to comply with the provisions of the Marine Mammal Protection Act (MMPA) and Regulations Governing Taking of Marine Mammals Incidental to Russian River Estuary Management Activities (50 CFR Part 217, Subpart A) under Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1371(a)(5)(A)) to take small numbers of marine mammals incidental to the Sonoma County Water Agency's (Sonoma Water) Russian River Estuary Water Level Management Activities (April 20, 2022, NMFS LOA)

Sonoma Water applied in 2009 to the National Marine Fisheries Service (NMFS) Office of Protected Resources for an IHA under the Marine Mammal Protection Act (MMPA) for activities associated with water level management activities in the Russian River estuary. NMFS issued an original IHA to Sonoma Water on March 30, 2010, and in each subsequent year until a Letter of Authorization (LOA) was issued on April 21, 2017, and again on April 20, 2022. This report provides the results of all baseline monitoring, water level management and associated activities for the 2022 calendar year, and additional summary information for all related activities.

## **BACKGROUND**

The Russian River estuary is located about 97 kilometers (km; 60 miles) northwest of San Francisco in Jenner, Sonoma County, California (Figure 1). The Russian River watershed encompasses 3,847 square kilometers (km) (1,485 square miles) in Sonoma, Mendocino, and Lake Counties. The estuary extends from the mouth of the Russian River upstream approximately 10 to 11 km (6 to 7 miles) between Austin Creek and the community of Duncans Mills (Heckel 1994).

The estuary may close throughout the year as a result of a barrier beach forming across the mouth of the Russian River. The mouth is located at Goat Rock State Beach (California Department of Parks and Recreation). Closures result in formation of a lagoon behind the barrier beach and, as water surface levels rise in the estuary, flooding may occur. Natural breaching events occur when estuary water surface levels exceed the capability of the barrier beach to impound water, causing localized erosion of the barrier beach and creation of a tidal channel that reconnects the Russian River to the Pacific Ocean.

The barrier beach has also been artificially breached for decades; first by local citizens, then the County of Sonoma Public Works Department, and, since 1995, by Sonoma Water. Sonoma Water's artificial breaching activities are conducted in accordance with the Russian River Estuary Management Plan recommended in the Heckel (1994) study. The purpose of artificially breaching the barrier beach is to alleviate potential flooding of low-lying properties along the estuary.







## Biological Opinion and the Estuary

Sonoma Water and the U.S. Army Corps of Engineers (Corps) consulted with the NMFS under Section 7 of the Endangered Species Act (ESA) regarding the potential effects of their operations and maintenance activities, including Sonoma Water's Estuary Management Program, on federally-listed steelhead (*Oncorhynchus mykiss*), Coho Salmon (*O. kisutch*), and Chinook Salmon (*O. tshawytscha*). As a result of this consultation, NMFS issued the Russian River Biological Opinion (NMFS 2008) finding that artificially elevated inflows to the Russian River estuary during the low flow season (May through October) and historical artificial breaching practices have significant adverse effects on the Russian River's estuarine rearing habitat primarily for steelhead. The historical method of artificial sandbar breaching, which is done in response to rising water levels behind the barrier beach, adversely affects the Estuary's water quality and freshwater depths.

The historical artificial breaching practices create a tidal marine environment with shallow freshwater depths and high salinity. Salinity stratification contributes to low dissolved oxygen at the bottom in some areas. The Biological Opinion (NMFS 2008) concluded that the combination of high inflows and breaching practices impacted rearing habitat by interfering with natural processes that form a freshwater lagoon behind the barrier beach. Fresh or brackish water lagoons at the mouths of many streams in central and southern California often provide depths and water quality that are highly favorable to the survival of rearing salmon and steelhead.

The Biological Opinion's Reasonable and Prudent Alternative (RPA) 2 (NMFS 2008) requires Sonoma Water to collaborate with NMFS to modify estuary water level management to reduce marine influence on the estuary (tidal inflow and high salinity) and to promote a higher water surface elevation in the estuary to form a fresh or brackish lagoon to enhance rearing habitat for juvenile (age-0+ and -1+) steelhead from May 15 to October 15 (the lagoon management period). The Biological Opinion outlines a program of potential, incremental steps to accomplish this, including adaptive management of a lagoon outlet channel on the barrier beach.

Harbor seals (*Phoca vitulina richardsi*) regularly haul out at the mouth of the Russian River (Jenner haul-out) (Figure 1). California sea lions (*Zalophus californianus*) and northern elephant seals (*Mirounga angustirostris*) are occasionally observed at the haul-out. There are also several known resting sites in the river at logs and rock piles in the estuary (Figure 1). Sonoma Water applied for an LOA under the MMPA for activities associated with Russian River estuary management activities, including:

- excavation and maintenance of a lagoon outlet channel that would facilitate management of a summer lagoon to improve rearing habitat for listed steelhead as required by the Russian River Biological Opinion (NMFS 2008);
- artificially breaching the barrier beach to minimize the potential for flooding of low-lying properties along the estuary;
- biological and geophysical monitoring activities associated with the management actions described above; and
- geophysical surveys conducted at the barrier beach.

The purpose of the Russian River Estuary Management Project Pinniped Monitoring Plan (SCWA and Stewards 2021) is to detect the response of pinnipeds to estuary management activities at the Russian River estuary. To achieve this goal, we continue to collect data on annual abundance of harbor seals at the Jenner haul-out to monitor trends in population size and annual pup production. Observations of



seal behavior is recorded and reported to monitor any impacts resulting from estuary management and monitoring activities.

## **METHODS**

Monitoring was performed in accordance with the requirements of NMFS LOA issued April 20, 2022, and the Russian River Estuary Management Project Pinniped Monitoring Plan (SCWA and Stewards 2021).

Sonoma Water biologists and Stewards of the Coast and Redwoods (Stewards) volunteers and staff monitored pinnipeds at the Jenner haul-out. The Stewards and Sonoma Water provide annual training for all volunteers; the most recent trainings occurred on April 21, 2022, and February 24, 2023. Sonoma Water biologists participating in the monitoring program were also trained. The training agenda covered:

- the Marine Mammal Protection Act;
- LOA monitoring requirements;
- the Russian River Estuary Management Activities Pinniped Monitoring Plan and monitoring methods therein, including completion of data sheets;
- field identification of pinnipeds of the California coast, including harbor seals, California sea lions, Steller sea lions, northern elephant seals, northern fur seals and Guadalupe fur seals;
- field identification of neonates (pups less than 1 week old);
- care and use of field equipment (e.g. cameras, spotting scopes, binoculars); and
- field visits to the haul-out monitoring location.

Baseline monitoring of the Jenner haul-out was shared by Sonoma Water biologists and trained Stewards volunteers. Monitoring of water level management activities at the Jenner haul-out was also shared, but Sonoma Water biologists monitored artificial breaching activities on the day of the event. Pre- and post-breach monitoring was shared by the organizations depending on the availability of volunteers and Sonoma Water staff. Sonoma Water biologists also monitored pinnipeds during monthly topographic surveys of the beach, and biological and physical monitoring of the estuary.

### **Baseline**

Baseline monitoring was performed to gather information about the population of harbor seals utilizing the Jenner haul-out including population trends, patterns in seasonal abundance and the influence of barrier beach condition on harbor seal abundance. Baseline counts were scheduled each month with an effort to avoid monitoring during period of high tide. Weather conditions were recorded at the beginning of each survey. These included temperature, visibility, ocean conditions (Beaufort scale) and wind speed. Tide levels and estuary water surface elevations were correlated to each monitoring day.

### **Jenner Haul-out Use**

Pinnipeds at the Jenner haul-out were surveyed multiple times each month. Surveys were conducted between 0800 and 1600. All pinnipeds hauled out on the beach were counted every 30 minutes from the overlook on the bluff along Highway 1 adjacent to the haul-out using binoculars or a high-powered spotting scope. Depending on time of year and how the sandbar is formed, harbor seals may haul out in multiple groups. At each 30-minute count, the observer would indicate where groups of seals are hauled out on the sandbar (e.g. Site A, Site B mapped on datasheet) and provide a total count for each group.

## Pupping Season

Adults and pups were counted separately through June, after which it became difficult to differentiate between age classes. All neonates (less than one week old) were also recorded and were identified using one or more of the following characteristics: less than 15 kg, thin for their body length, an umbilicus or natal pelage present, wrinkled skin, awkward or “jerky” movement. If any potentially abandoned pup was observed during monitoring, Sonoma Water would contact the NMFS stranding response network (Marine Mammal Center in Sausalito, CA) immediately and report the incident to NMFS’ Southwest Regional Office and NMFS Headquarters within 48 hours. Monitors were instructed not to approach or move the pup. Monitors used the following potential indications that a pup may be abandoned: no observed contacts with adult seals, no movement of the pup, and the pup’s attempts to nurse were rebuffed.

## Disturbance of Seals

In addition to the count data, disturbances of seals on the haul-out were recorded. Disturbances were recorded on a three-point scale adopted by NMFS that represents an increasing seal response to the disturbance (Table 1). The time, source, and duration of the disturbance, as well as an estimated distance between the source and seals, were recorded.

**Table 1. Levels of pinniped response to disturbance used for Russian River Estuary Management Project pinniped monitoring. For permitting purposes a “take” or Level B harassment would include only movement or flush responses.**

Level	Type of response	Definition
1	Alert	Seal head orientation or brief movement in response to disturbance, which may include turning head towards the disturbance, craning head and neck while holding the body rigid in a u-shaped position, changing from a lying to a sitting position, or brief movement of less than twice the animal’s body length.
2	Movement	Movements in response to the source of disturbance, ranging from short withdrawals at least twice the animal’s body length to longer retreats over the beach, or if already moving a change of direction of greater than 90 degrees.
3	Flush	All retreats (flushes) to the water.

## Water Level Management Activities

Water level management activities were conducted three times in 2022, with the monitoring methods following a deliberate pattern. To begin, a one-day, pre-event survey was made within one to three days prior to all water level management events. On the day of the management event, pinniped monitoring began at least one hour prior to the crew and equipment accessing the beach work area and continued during the duration of the event until at least one hour after the crew and equipment left the beach. Sonoma Water monitors participated in the onsite tailgate safety meeting to discuss the location(s) of pinnipeds at the Jenner haul-out that day and methods of avoiding and minimizing disturbances to the seals as outlined in NMFS LOA. Monitoring continued the day following each water level management event to document the number of seals utilizing the haul-outs. Methods followed the count and disturbance monitoring protocols described in the “Baseline” section above.

## **Biological and Physical Monitoring**

The NMFS LOA also provides incidental take for Level B harassment of pinnipeds that may result from monitoring of biological resources and physical processes in the estuary. Sonoma Water field staff record the presence of pinnipeds hauled out in the estuary in the vicinity of their activities and record any resulting disturbances. The Russian River Biological Opinion also requires monthly topographic surveys of the sandbar at the mouth of the Russian River. A Sonoma Water biologist was present during topographic surveys to provide guidance to the survey crews on minimizing disturbance of the haul-out and to observe pinniped response to the survey work in the vicinity of the Jenner haul-out. Provided that no neonates or nursing pups were on the haul-out, the survey crew approached the haul-out slowly on foot and allowed for the seals to gradually vacate the beach before the survey proceeded. A pinniped monitor was present for all these surveys and carefully documented the seals' response and total number of animals disturbed. During barrier beach closures extra surveys to measure the lowest beach crest elevation may also be conducted to aid in planning of breaching activities. Pinniped monitoring occurs during these surveys as well.

## **RESULTS**

The NMFS LOA (April 20, 2022) requires the following information be provided in this report:

- (a) the number of seals taken, by species and age class (if possible)
- (b) behavior prior to and during water level management events
- (c) start and end time of activity
- (d) estimated distances between source and seals when disturbance occurs
- (e) weather conditions (e.g., temperature, wind, etc.)
- (f) haul-out reoccupation time of any seals based on post activity monitoring
- (g) tide levels and estuary water surface elevation
- (h) seal census from baseline monitoring

Estuary water surface elevations are recorded at the Jenner gauge (operated by Sonoma Water), located at the State Parks visitor center in the town of Jenner. Appendix A includes the estuary water surface elevations associated with pinniped monitoring in 2022, including baseline, water level management events and estuary management investigations.

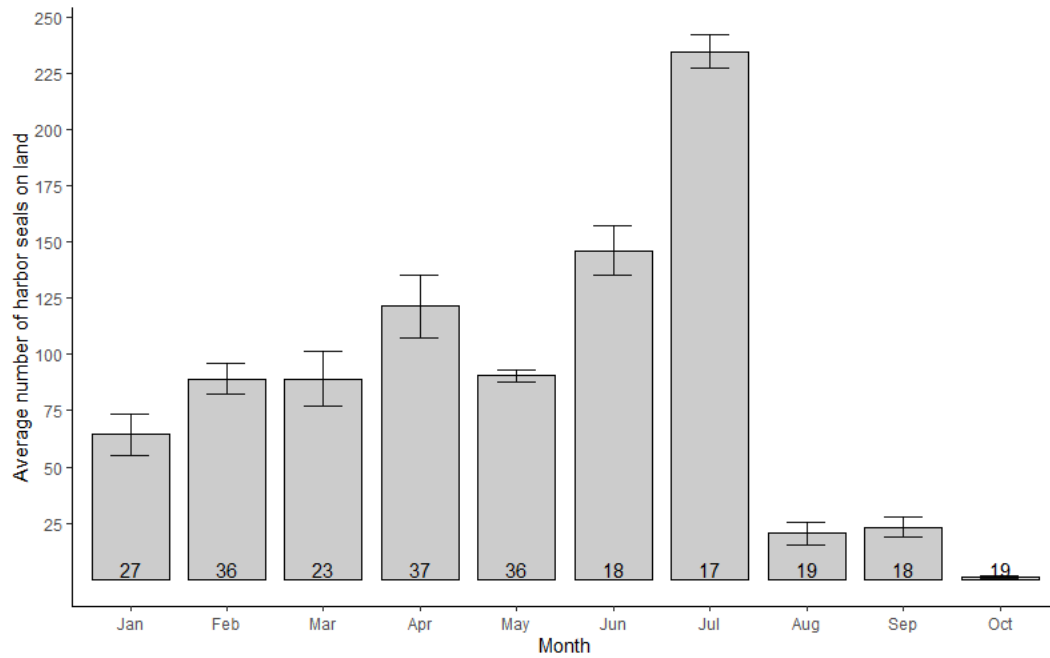
### **Baseline**

In 2022 a total of 28 baseline, 12 beach topographic, three pre-breaching, three breaching, and three post-breaching surveys were conducted (Appendix A). One baseline survey also functioned as one of the post-breaching surveys and another also functioned as one of the pre-breaching surveys.

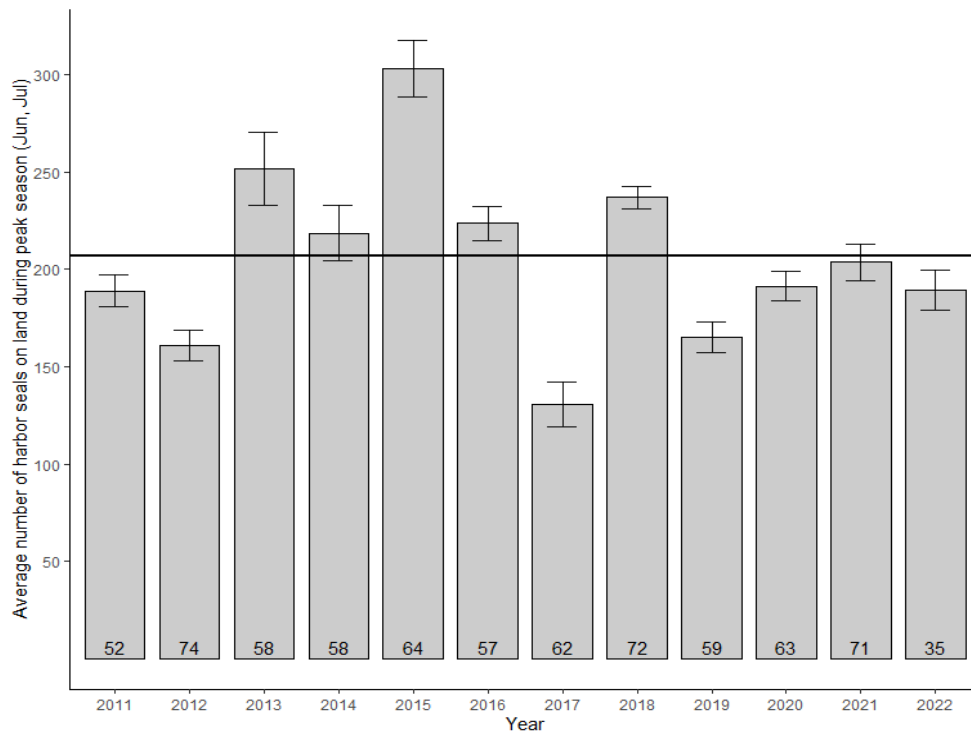
### **Jenner Haul-out Use**

Peak seal abundance, as measured by the single greatest count of harbor seals at the Jenner haul-out, was on July 20 (287 seals). Using the average number of seals hauled out by month, seal abundance at Jenner was greatest in July and lowest in October (Figure 2). Baseline surveys were not conducted after October, however even when including observations during monthly topographic surveys during November and December, average seal abundance was still lowest in October. Using counts during June and July to represent the typical time of peak seal abundance on land, the average number of seals in 2022 during this period was similar to previous years, and slightly below the overall average for the previous eleven years (Figure 3). Like previous years there were fewer seals present during closed

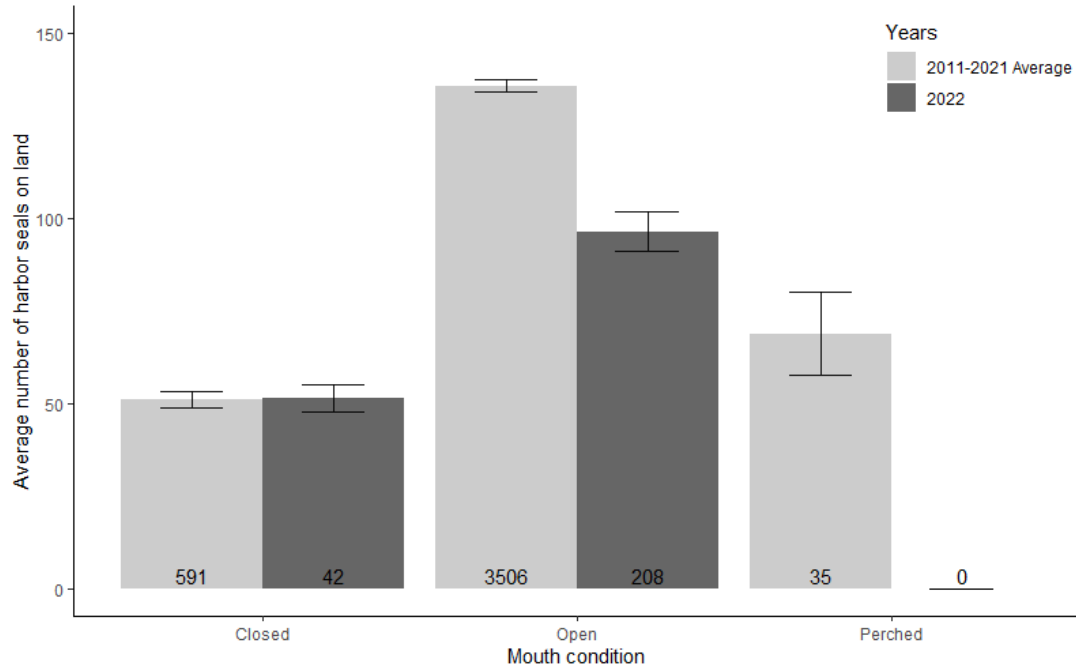
mouth conditions compared to open conditions, there were no baseline surveys with perched conditions during 2022. (Figure 4).



**Figure 2.** The average number of harbor seals hauled out at the Jenner haul-out (Russian River mouth at Goat Rock State Beach) as counted during 2022 baseline surveys by month. Error bars represent  $\pm 1$  standard error and sample size for calculating the mean ( $n$ ) is shown in the bottom of each bar.



**Figure 3.** Average number of harbor seals hauled out during baseline surveys in June and July at the Jenner haul-out (Russian River mouth at Goat Rock State Beach) by year. The eleven-year (2011-2021) average of abundance during this period (207 seals) is represented by the horizontal line. Error bars represent  $\pm 1$  s.e. and sample size to calculate the mean ( $n$ ) is shown in the bottom of each bar.

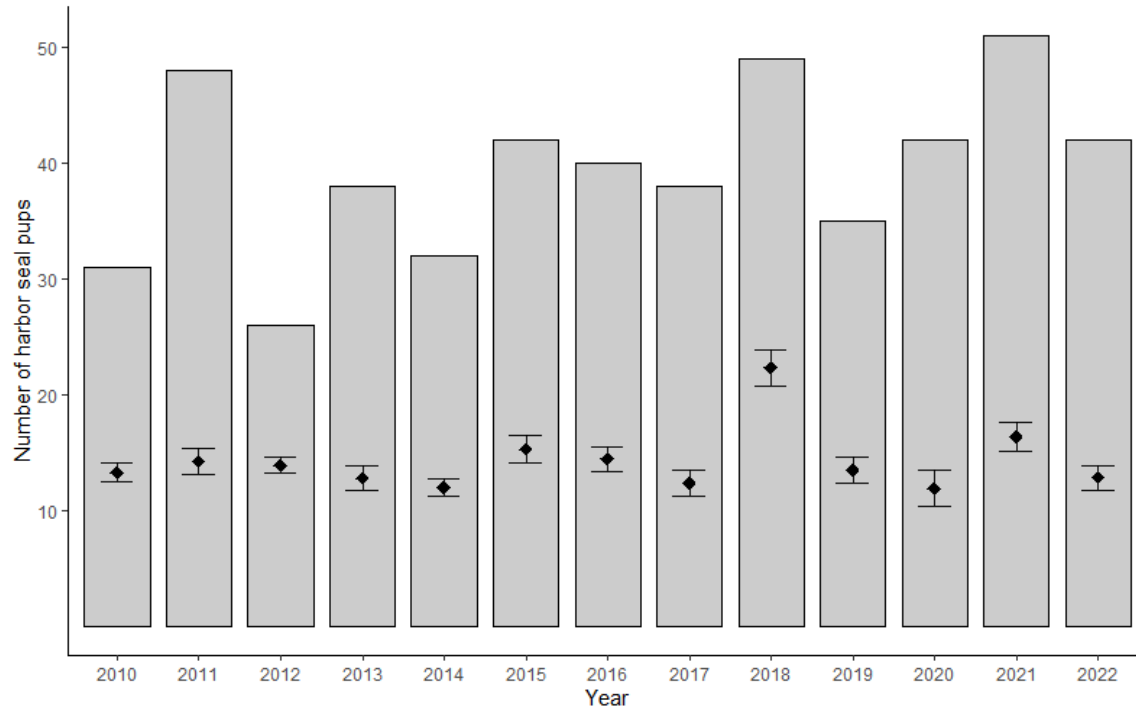


**Figure 4. Comparison of the average number of harbor seals hauled out during baseline surveys in 2022 and the eleven-year average (2011-2021) at the Jenner haul-out (Russian River mouth at Goat Rock State Beach) by river mouth condition. Error bars represent  $\pm 1$  s.e. and sample size to calculate the mean (n) is shown in the bottom of each bar.**

### Pupping Season

In 2022 the first harbor seal pup was observed on March 16, with the latest observation of pups occurring on June 23 (the last neonate was observed on May 19). Once pups were weaned it became difficult to distinguish pups from sub-adult seals, as a result we did not attempt to classify pups during surveys beginning in July. The number of pups observed at the Jenner haul-out was slightly lower than last year with an average of 13 pups observed (when pups were present, April - June) and a single highest maximum count of 42 pups for the season (Figure 5).



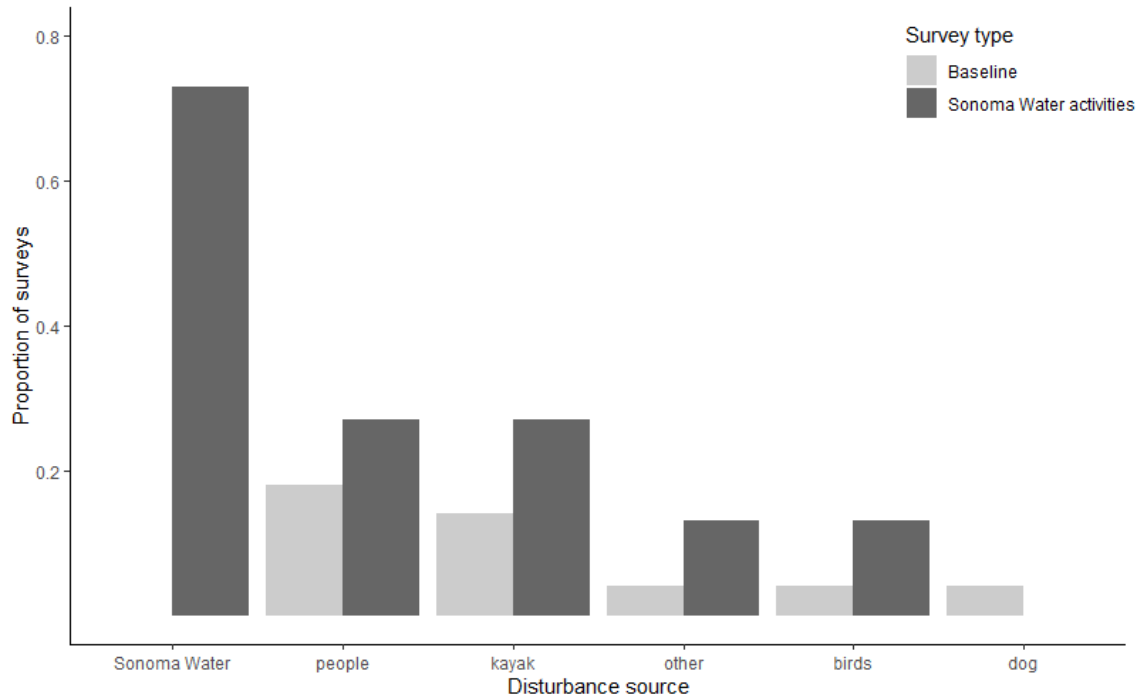


**Figure 5. Number of harbor seal pups observed during all surveys at the Jenner haul-out (Russian River mouth at Goat Rock State Beach) by year. Bar height indicates the maximum single day pup count, diamond indicates the average count of pups when pups were present from April-June each year with  $\pm 1$  s.e.**

### Disturbance of Seals

An effort was made to compare the level of disturbance between baseline surveys and surveys when Sonoma Water personnel are working in the vicinity of the Jenner haul-out. In 2022 there were eight disturbance sources recorded: birds, dog, fireworks, kayak, people, unknown, and Sonoma Water. Seals were considered to be disturbed if they moved on or flushed from the haul-out (Table 1).

Harbor seals were most frequently disturbed by people on foot (18% of surveys), with slightly more instances occurring during Sonoma Water activities, proportionally (27% of surveys) (Figure 6). Sonoma Water personnel disturbed seals on 73% of days with Sonoma Water activity on the beach (Figure 6). People in kayaks were the next most frequent source of disturbance (14% of baseline surveys) (Figure 6).



**Figure 6. The proportion of surveys where harbor seals were disturbed (moved or flushed) at the Jenner haul-out, by disturbance source (sources of fireworks and unknown were combined into the category “other”). Data includes all baseline surveys (n=28) and Sonoma Water activity surveys (i.e., breaching and topographic surveys) (n=15).**

### Water Level Management Activities

A barrier beach formed eleven times during 2022 (Table 2). During three closure events a pilot channel was constructed to reduce the water level in the estuary and in the other events the barrier beach self-breached. The Russian River mouth was closed to the ocean for a total of 78 days (or 21%) in 2022, with 35% of these occurring during the lagoon management period.

On March 3 Sonoma Water constructed a pilot channel just north of the jetty structure at Goat Rock State Beach beginning at 10:52 and lasting until 13:00. Prior to the arrival of the excavation crew there were 8 harbor seals hauled out north of the jetty structure. Crews walking in advance of the excavator flushed the seals hauled out into the estuary at 10:43, when they were at a distance of approximately 15 feet. A few seals were observed hauled out at the new channel opening by 13:30. During the post-breach survey the following day a maximum count of 189 harbor seals was recorded at the Jenner haul-out.

On March 21 Sonoma Water constructed a pilot channel north of the jetty structure at Goat Rock State Beach beginning at 10:43. The pilot channel was completed at 11:55, and all equipment and crew were off the beach at 12:22. Prior to the arrival of the excavation crew there were 32 harbor seals hauled out north of the jetty structure. Crews walking in advance of the excavator flushed the seals into the estuary at 10:39. Seals on the beach were slow to respond to the presence of the crew and excavator and did not flush until they were within 20 feet. By 13:00 there were 12 harbor seals hauled out near the new channel opening. During the post-breach survey the following day a maximum count of 297 harbor seals was recorded at the Jenner haul-out.

On November 15 Sonoma Water constructed a pilot channel north of the jetty structure at Goat Rock State Beach beginning at 9:51. The pilot channel was completed at 11:13, and all equipment and crew were off the beach at 11:27. There were no harbor seals hauled out on the beach prior to the excavation activities. Three seals were hauled out on the beach at 11:30. During the post-breach survey the following day a maximum count of 105 harbor seals was recorded at the Jenner haul-out.

**Table 2. Summary of river mouth closures in 2022 at the Russian River mouth (Goat Rock State Beach). Peak water level during the event was measured at the gauge located at the Sonoma Coast State Park Visitor’s Center in Jenner, CA.**

Date mouth closed	Peak height (ft NGVD)	Date mouth opened	Management Activity
February 18	4.7	February 18	none
February 27	6.9	March 3	artificial breach
March 6	5.3	March 8	none
March 14	7.3	March 21	artificial breach
March 28	8.0	April 7	none
April 10	4.6	April 14	none
April 22	6.8	April 23	none
May 6	7.0	May 12	none
October 21	8.3	November 15	artificial breach
November 25	5.9	December 4	none
December 26	8.9	December 27	none

### **Biological and Physical Monitoring**

The NMFS LOA (2021) provides incidental take for Level B harassment of pinnipeds that may result from monitoring of biological resources and physical processes in the Russian River estuary. The number of incidental takes in 2022 was calculated based on the number of animals that responded to activities by either moving on their haul-out or flushing from their haul-out (Table 1). Alerts were also recorded by monitors but are not included in the number of incidental takes reported. Most often at haul-out sites within the estuary (excluding the Jenner haul-out on Goat Rock State Beach, Figure 1) harbor seals either had no reaction or raised their heads in alert as a boat passed.

The Russian River Biological Opinion requires monthly topographic surveys of the barrier beach at the mouth of the Russian River. A Sonoma Water biologist was present during topographic surveys to monitor the seal response to the survey crew. Between 4% and 100% of seals were flushed from their haul-out during the monthly mapping activities (Table 3).

**Table 3. Number of pinnipeds disturbed as a result of Russian River Estuary Management Project beach management and monitoring activities for 2022, resulting in incidental take by harassment. Disturbances reported are pinnipeds moving on or flushing from their haul-out; number of disturbed seals that flushed from their haul-out is denoted by (#).**

Date	Event Type	Estimated Disturbance			
		Species	Age Class	Number	Max % total seals flushed <sup>a</sup>
1/25/2022	Monthly beach topo survey	harbor seal	adult	69(69)	70%
2/23/2022	Monthly beach topo survey	harbor seal	adult	80(80)	100%
3/3/2022	Artificial breaching	harbor seal	adult	8(8)	100%
3/21/2022	Artificial breaching	harbor seal	adult	26(26)	100%
			pup	3(3)	100%
3/23/2022	Monthly beach topo survey	harbor seal	adult	15(15)	10%
5/31/2022	Monthly beach topo survey	harbor seal	adult	49(49)	45%
			pup	1(1)	50%
6/23/2022	Monthly beach topo survey	harbor seal	adult	48(13)	4%
7/21/2022	Monthly beach topo survey	harbor seal	adult	308(293)	100%
8/25/2022	Monthly beach topo survey	harbor seal	adult	45(39)	100%
11/17/2022	Monthly beach topo survey	harbor seal	adult	48(48)	100%
12/22/2022	Monthly beach topo survey	harbor seal	adult	20(20)	100%
<b>2022 total</b>		<b>harbor seal</b>	<b>adult</b>	<b>716(660)</b>	
			<b>pup</b>	<b>4(4)</b>	

<sup>a</sup> Due to the fact that multiple disturbance episodes are represented by the total number of seals disturbed for a given day, the number reported for the percent of seals on the haul-out that were flushed is the maximum value recorded for that day.

## **CONCLUSIONS**

The water level management activities and biological and physical monitoring activities conducted by Sonoma Water resulted in incidental harassment (Level B harassment) of 720 harbor seals in 2022, well under the total allowed by NMFS LOA.

The purpose of the Russian River Estuary Management Project Pinniped Monitoring Plan (SCWA and Stewards 2021) is to detect the response of pinnipeds to estuary management activities at the Russian River estuary. The continued collection of data on annual abundance of harbor seals allows us to monitor trends in population size and annual pup production. In addition, observations of the Jenner haul-out are used to report any impacts resulting from estuary management and monitoring activities.

Similar to most previous years, harbor seals were most abundant on the Jenner haul-out in July during their annual molt (SCWA 2012, 2013, 2014, 2016, 2021, 2022). Seasonal variation in the abundance of harbor seals at their haul-out locations is commonly observed throughout their range (Allen et al. 1989, Stewart and Yochem 1994, Gemmer 2002). The variation in their abundance can mostly be explained by changes in their biological and physiological requirements throughout the year. Peak seal abundance occurring in July during their molting season is likely a result of seals spending more time on land to help facilitate the molting process. This annual peak is typically followed by a decline in seal abundance, which is likely a result of individual seals decreasing the amount of time on the haul-out post-molt to spend more time foraging and coincides with the time that young seals may temporarily disperse from their natal haul-out (Stewart and Yochem 1994, Thompson et al. 1994, Small et al. 2005).

While the overall abundance during the peak summer months did not vary greatly from 2021, we did see a decrease (by about 50 seals) in the average abundance during the months of June and August between the two years (SCWA 2022). Given that pup production was very similar between 2021 and 2022, those monthly declines could be due to seals choosing other locations to haul out or spending less time hauling out overall. The proportion of surveys where seals were disturbed had declined in 2022 compared to 2021 (SCWA 2022).

Harbor seals will use the beach when there is an open channel or when a barrier beach has formed, however, the number of seals at Jenner was influenced by river mouth condition with seals most abundant during open mouth conditions. The patterns we observed in 2022 were very similar to what we observed in 2021 and earlier years (SCWA 2022).

Harbor seals responded to breaching activities in 2022 in the same manner that they have responded to water level management activities in previous years (SCWA 2022). Seals initially alert to the noise of the excavator approaching on the beach or the presence of staff walking in advance of the equipment. As staff and equipment continue to approach seals flush into the estuary. Unlike most observations from previous years the seals present on the haul-out when Sonoma Water crews approached during breaching events did not flush into the estuary until crews were less than 30 feet away.

## **ACKNOWLEDGEMENTS**

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**Appendix A. Summary of pinniped monitoring activities at the Jenner haul-out (Goat Rock State Beach, Sonoma County) conducted by Sonoma Water and Stewards of the Coast and Redwoods from January to December 2022 for the Russian River Estuary Management Project, including summary of pinniped abundance and estuary water surface elevation.**

date	activity	mouth condition	estuary water level	HASE adult			HASE pups			HASE neonate			n	CASL present	NES present
				max	mean	s.e.	max	mean	s.e.	max	mean	s.e.			
2022-01-06	Baseline	Open	1.81	117	107.1	5.61	0	0.0	0.00	0	0.0	0.00	9		
2022-01-12	Baseline	Open	2.66	126	50.0	16.73	0	0.0	0.00	0	0.0	0.00	9		
2022-01-19	Baseline	Open	1.94	110	36.6	13.02	0	0.0	0.00	0	0.0	0.00	9		
2022-01-25	Monthly beach topo survey	Open	4.79	98	40.8	7.48	0	0.0	0.00	0	0.0	0.00	11		
2022-02-02	Baseline	Open	1.56	112	59.8	12.09	0	0.0	0.00	0	0.0	0.00	9		
2022-02-10	Baseline	Open	3.28	123	109.7	3.14	0	0.0	0.00	0	0.0	0.00	9	Y	
2022-02-15	Baseline	Open	1.56	157	70.0	18.36	0	0.0	0.00	0	0.0	0.00	9		
2022-02-22	Baseline	Open	2.50	128	116.9	3.60	0	0.0	0.00	0	0.0	0.00	9		
2022-02-23	Monthly beach topo survey	Open	2.46	82	46.1	8.90	0	0.0	0.00	0	0.0	0.00	11		
2022-03-02	Baseline/Pre-Breaching	Closed	6.21	41	17.0	5.62	0	0.0	0.00	0	0.0	0.00	9		
2022-03-03	Breaching	Closed	6.55	22	7.7	2.46	0	0	0	0	0	0	12		
2022-03-04	Post-Breaching	Open	3.17	189	176.6	2.77	0	0	0	0	0	0	9		
2022-03-16	Monthly beach topo survey	Perched	4.66	51	33.2	7.25	0	0.0	0.00	1	0.4	0.24	5		
2022-03-17	Baseline	Closed	5.33	65	52.4	4.10	0	0.0	0.00	0	0.0	0.00	9		
2022-03-18	Pre-Breaching	Closed	5.90	34	24.1	1.74	1	0.1	0.11	1	0.4	0.18	9		
2022-03-21	Breaching	Closed	6.67	29	15.5	3.80	3	1.4	0.41	0	0.0	0.00	11		
2022-03-22	Baseline/Post-Breaching	Open	1.44	171	150.1	2.51	3	1.2	0.26	0	0.0	0.00	18		
2022-03-23	Monthly beach topo survey	Open	1.41	140	123.7	3.88	2	2.0	0.00	0	0.0	0.00	7		
2022-04-05	Baseline	Closed	7.47	72	59.4	2.51	3	1.6	0.31	4	3.9	0.10	10		
2022-04-14	Baseline	Closed	4.08	16	11.7	1.13	9	6.0	0.71	0	0.0	0.00	9		
2022-04-21	Baseline	Open	2.41	182	163.6	4.70	28	23.6	1.02	10	7.7	0.55	9		
2022-04-27	Baseline	Open	2.26	199	184.1	3.58	42	30.4	2.07	0	0.0	0.00	9		
2022-05-05	Baseline	Open	2.42	113	86.1	7.25	26	17.2	2.06	1	1.0	0.00	9		
2022-05-11	Baseline	Closed	6.41	84	66.8	3.81	19	13.0	1.19	1	1.0	0.00	9		

Appendix A continued

date	activity	mouth condition	estuary water level	HASE adult			HASE pups			HASE neonate			n	CASL present	NES present
				max	mean	s.e.	max	mean	s.e.	max	mean	s.e.			
2022-05-19	Baseline	Open	1.22	102	81.1	4.21	17	11.9	1.17	1	1.0	0.00	9		
2022-05-25	Baseline	Open	1.03	89	81.6	2.04	6	4.7	0.24	0	0.0	0.00	9		
2022-05-31	Monthly beach topo survey	Open	1.14	121	109.3	2.80	3	2.4	0.26	0	0.0	0.00	8		
2022-06-07	Baseline	Open	1.77	116	101.8	3.13	2	1.8	0.17	0	0.0	0.00	9		
2022-06-21	Baseline	Open	1.40	200	177.7	4.64	19	12.0	1.22	0	0.0	0.00	9		
2022-06-23	Monthly beach topo survey	Open	1.60	262	215.5	15.83	1	1.0	0.00	0	0.0	0.00	8		
2022-07-05	Baseline	Open	1.24	228	192.1	8.68	31	24.1	1.18	0	0.0	0.00	9		
2022-07-20	Baseline	Open	1.10	268	234.3	7.38	41	21.5	2.79	0	0.0	0.00	8		
2022-07-21	Monthly beach topo survey	Open	1.06	284	170.4	39.41	0	0.0	0.00	0	0.0	0.00	8		
2022-08-09	Baseline	Open	1.53	60	32.0	8.32	0	0.0	0.00	0	0.0	0.00	9		
2022-08-24	Baseline	Open	1.46	21	7.4	2.97	17	8.3	3.17	0	0.0	0.00	9		
2022-08-25	Monthly beach topo survey	Open	1.39	49	19.6	9.31	0	0.0	0.00	0	0.0	0.00	7		
2022-09-07	Baseline	Open	1.58	18	5.8	2.58	0	0.0	0.00	0	0.0	0.00	9		
2022-09-20	Baseline	Open	1.65	46	34.6	1.80	9	6.9	0.67	0	0.0	0.00	9		
2022-09-29	Monthly beach topo survey	Open	1.35	48	12.3	6.72	0	0.0	0.00	0	0.0	0.00	9	Y	
2022-10-05	Baseline	Open	1.27	12	1.8	1.32	0	0.0	0.00	0	0.0	0.00	9		
2022-10-13	Baseline	Open	1.39	0	0.0	0.00	0	0.0	0.00	0	0.0	0.00	10		
2022-10-27	Monthly beach topo survey	Closed	3.78	35	4.4	4.38	0	0.0	0.00	0	0.0	0.00	8		
2022-11-14	Pre-Breaching	Closed	8.07	35	31.4	1.07	0	0.0	0.00	0	0.0	0.00	9		
2022-11-15	Breaching	Closed	6.71	3	0.3	0.33	0	0.0	0.00	0	0.0	0.00	9		
2022-11-16	Post-Breaching	Open	1.11	105	92.2	2.60	0	0.0	0.00	0	0.0	0.00	9		
2022-11-17	Monthly beach topo survey	Open	1.12	72	35.1	11.29	0	0.0	0.00	0	0.0	0.00	7		
2022-12-22	Monthly beach topo survey	Open	1.72	95	34.6	13.99	0	0.0	0.00	0	0.0	0.00	7		