August 6, 2013

The Honorable Daniel M. Ashe
Director
U.S. Fish and Wildlife Service
1849 C Street, NW, Room 3331
Washington, D.C. 20240-0001

Mr. Geoff Haskett, Alaska Regional Director
Marine Mammals Management Office
U.S. Fish and Wildlife Service
Alaska Regional Office
1011 East Tudor Road, MS-231
Anchorage, AK 99503

Re: Comments on “Draft Clarification of the Application of Select Terms under the Marine Mammal Protection Act with Regard to Sea Otters”

Dear Director Ashe:

On behalf of the Animal Welfare Institute, the Alaska Wildlife Alliance, the Center for Biological Diversity, Friends of the Sea Otter, the International Fund for Animal Welfare, and the Oceans Public Trust Initiative, a Project of the Earth Island Institute’s International Marine Mammal Program, we are submitting the following comments on the U.S. Fish and Wildlife Service’s (FWS) Request for Comments on Select Terms Under the Marine Mammal Protection Act (MMPA) in Regard to Sea Otters (Select Terms), posted on the Alaska Regional Office (Region 7) website on March 1, 2013.

The enclosed comments set forth the grounds upon which we believe the Select Terms can be finalized. Our organizations do not oppose legitimate use of marine mammals for authorized handicraft purposes, and we support clarifications of the terms associated with the Alaska Native exemption to the MMPA take prohibition. However, FWS needs to provide clear and binding
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assurances that it will take enforcement action to ensure Alaska Native take for handicraft purposes will not be used as a means of de facto population management in locations of sea otter/fishery interactions. FWS also must either revise the Select Terms so they constitute advisory guidelines or, if retained in the current form, conduct rulemaking and comply with NEPA and the ESA. Finally, significant changes must be made to the Select Terms to comply with the narrow scope of the handicraft exemption, and to ensure that the population growth objectives of the MMPA are advanced.

Please contact Tina Brown with Alaska Wildlife Alliance at tmbrown3@aol.com or (907) 523-5402 or Jim Curland at Friends of the Sea Otter, at jcurland@seaotters.org or (831) 726-9010 if you have any questions regarding these comments. Thank you.

Sincerely,

Jim Curland, Advocacy Program Director  
Friends of the Sea Otter

Rebecca Noblin, Alaska Director  
Center for Biological Diversity

Tina Brown, President  
Alaska Wildlife Alliance

Cathy Liss, President  
Animal Welfare Institute

Cindy Lowry, Director  
Oceans Public Trust Initiative, a project of Earth Island Institute’s International Marine Mammal Program

Margaret Cooney, Campaigns Officer  
International Fund for Animal Welfare

cc:  Michael Gosliner, Esq., Marine Mammal Commission  
Rebecca Lent, Ph.D., Marine Mammal Commission