



MARINE MAMMAL COMMISSION

20 April 2016

Mr. William W. Stelle, Jr.
Regional Administrator
NMFS West Coast Region
7600 Sand Point Way NE, Building 1
Seattle, Washington 98115-0070

Dear Mr. Stelle:

The Marine Mammal Commission (the Commission) has reviewed the 23 March 2016 interim final rule (81 Fed. Reg. 15444) published by the National Marine Fisheries Service to enhance documentation and captain training requirements associated with the dolphin-safe label on tuna products and offers the following comments.

The Commission supports the adoption of the rule and its expansion in the scope of fisheries subject to the documentation and training requirements that must be met to qualify for the U.S. dolphin-safe label. In addition to fulfilling U.S. obligations as a member of the World Trade Organization, the expansion in coverage of these measures addresses potential concerns regarding monitoring of marine mammal interactions (both intentional and unintentional) in global tuna fisheries and for a broader range of fishing gear beyond purse seines. The enhanced measures would facilitate monitoring, and potentially mitigation, of interactions with dolphins that occur in other fisheries. As noted in Reeves et al. (2013), little is known about marine mammal bycatch in many gillnet fisheries, and enhancing reporting requirements can be expected to help address this information gap. Furthermore, given that U.S. tuna imports may not be subject to the measures in the [proposed broader rule](#) that would govern the import of fish and fish products into the United States under the Marine Mammal Protection Act, improvements to the dolphin-safe label documentation requirements will ensure that this tuna monitoring program remains as robust as the programs proposed in the broader import rulemaking.

The Commission therefore supports adoption of the interim final rule as drafted. Please contact me if you have any questions regarding the Commission's views.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca J. Lent".

Rebecca J. Lent, Ph.D.
Executive Director

References:

Reeves, R.R., K. McClellan, and T.B. Werner. 2013. Marine mammal bycatch in gillnet and other entangling net fisheries, 1990 to 2011. *Endangered Species Research*, Vol. 20: 71–97.