



# MARINE MAMMAL COMMISSION

7 May 2018

Alabama Trustee Implementation Group  
c/o U.S. Fish and Wildlife Service  
P.O. Box 49567  
Atlanta, Georgia 30345

Dear Trustee Implementation Group Members:

The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the Alabama Trustee Implementation Group's (AL TIG) Draft Restoration Plan II and Environmental Assessment: Restoration of Wetlands, Coastal, and Nearshore Habitats; Habitat Projects on Federally Managed Lands; Nutrient Reduction; Sea Turtles; Marine Mammals; Birds; and Oysters (draft RPII/EA; 83 Fed. Reg. 14623). The draft RPII/EA summarizes the AL TIG's evaluation of a suite of restoration alternatives for restoring natural resource injuries resulting from the Deepwater Horizon (DWH) oil spill.

The AL TIG evaluated a number of alternatives for restoring injured marine mammals and has proposed to advance three projects:

- Enhancing capacity for the Alabama Marine Mammal Stranding Network (ALMMSN);
- Assessment of Alabama Estuarine Bottlenose Dolphin Populations and Health;
- Alabama Estuarine Bottlenose Dolphin Protection: Enhancement and Education.

The proposed projects were selected based on a screening process that evaluated marine mammal projects submitted via the Trustee portal and other sources against the restoration goals identified for marine mammals in the Deepwater Horizon's Natural Resource Damage Assessment Trustees' Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement (DWH NRDA Trustees 2016). The selected projects reflect the priority projects submitted by the Commission in April 2013 and May 2017 to the Trustees via the NRDA portal for consideration for marine mammal restoration. As such, the Commission fully supports the restoration projects identified for marine mammals.

Enhancing capacity within the Dauphin Island Sea Lab to expand the ALMMSN would support response and recovery of bottlenose dolphins and other marine mammals that may have been affected by the DWH oil spill. It would provide for the ongoing collection of biological information and samples to determine demographics, diet, disease, contaminant load, and causes of stranding, including documentation of cases of human interactions. Enhanced capacity for the ALMMSN would ensure that data collected from stranded animals is entered in a timely manner into GulfMAP, a regional marine mammal health database hosted by the National Oceanic and Atmospheric Administration (NOAA). This would ensure consistency in reporting of stranding data across the Gulf of Mexico and help identify and minimize impacts of natural and human-caused threats. Timeliness of data integration will also allow real time assessment of potential impacts of restoration activities, thus facilitating adaptive management. Increased capacity within the ALMMSN

for response to live strandings, made possible through restoration funding, would facilitate rehabilitation, recovery, and release<sup>1</sup>, of dolphins and other marine mammals back into the wild, with follow-up monitoring, in coordination with NOAA and local rehabilitation facilities. The Commission supports the AL TIG's proposal to enhance the capacity of the ALMMSN as a priority for restoring bottlenose dolphins and other marine mammals injured by the DWH oil spill.

Assessing bottlenose dolphin populations and their health through mark-recapture, photo-identification, observations, and remote biopsy sampling would provide information on distribution, seasonal movements, habitat use, behavior, body condition, and health of individuals. Tracking this information over the proposed time frame of the current restoration plan (four years) and into the next planning period would provide metrics to assess recovery from oil spill-related injuries and also enable the Trustees to evaluate the effectiveness of restoration efforts. Integrating genetics and photo-identification data with similar studies of other Gulf of Mexico bottlenose dolphin populations (e.g., through the Gulf of Mexico Dolphin Identification System, or GoMDIS) would provide a basis for tracking movements of individual animals beyond project study sites and for detecting range shifts in response to environmental changes. The AL TIG has proposed to fund population and health assessment studies out of the state's Monitoring and Adaptive Management (MAM) allocation. The goal of MAM, as stated in the RPII/EA, is to support restoration activities by tracking and evaluating progress toward restoration goals, determining the need for corrective actions, addressing key uncertainties, developing data and other information to inform and enhance future restoration, and ensuring compliance with regulations. The Commission believes the activities identified under this project are appropriate for funding under the MAM allocation.

Enhancement of enforcement efforts and the development of public education programs would be instrumental in addressing harm caused by feeding and harassment of bottlenose dolphins. Harmful interactions between people and dolphins have been documented throughout the Gulf of Mexico, including in Alabama coastal waters (Vail et al. 2016). Such interactions can be damaging to the dolphins by altering their natural behavior, and can put both humans and dolphins at risk of illness, injury, and death. The AL TIG has indicated that the Alabama Department of Conservation and Natural Resources (ADCNR) would lead proposed efforts to develop enhancement and education programs, including contracting with external consultants to design and carry out surveys of fishermen and other ocean user groups to understand the factors associated with human-dolphin interactions in the Gulf and to identify measures that can effectively minimize or mitigate those interactions. The Commission agrees that such surveys would be useful in the development of effective and targeted public education programs if they are well-designed and build on results obtained from previous studies of human attitudes toward the harassment of wild dolphins (e.g., Duda et al. 2013). The draft RPII/EA states that the ADCNR would lead efforts to develop training programs for enforcement agents, conduct surveys, and develop outreach materials, in coordination with NOAA. Close coordination between ADCNR and the biologists at the Dauphin Island Sea Lab and the ALMMSN would ensure that such programs are targeted appropriately to address human activities in Alabama waters that present the greatest risk to bottlenose dolphins.

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<sup>1</sup> If deemed appropriate after expert evaluation.

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We appreciate this opportunity to provide comments, and hope they are helpful as the AL TIG moves forward with implementation of DWH restoration efforts.

Sincerely,



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Executive Director

### References

- Duda, M.D., T. Bepler, and S.C. Horstman. 2013. Attitudes toward illegal feeding and harassment of wild dolphins in Panama City. *Human Dimensions of Wildlife* 18:236-238.
- DWH NRDA Trustees. 2016. Deepwater Horizon oil spill: Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement.
- Vail, C.S. 2016. An overview of increasing incidents of bottlenose dolphin harassment in the Gulf of Mexico and possible solutions. *Frontiers in Marine Science* 3:110.