



# MARINE MAMMAL COMMISSION

12 January 2026

Mr. Jon Kurland, Regional Administrator  
Alaska Region, National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
Juneau, Alaska

Re: NOAA–NMFS–2025–0405

Dear Mr. Kurland:

The National Marine Fisheries Service (NMFS) issued regulations in 1976 under the authority of the Fur Seal Act to govern various activities on the Pribilof Islands (41 Fed Reg. 49488). Among other things, those regulations prohibited the “landing of any dogs at Pribilof Islands” as a measure “to prevent molestation of fur seal herds.” That regulation, now codified at 50 C.F.R. § 216.82, remains in force. NMFS is now proposing to amend that regulation to add an exception that would allow the Service’s Alaska Regional Director to authorize the landing of “certified and trained” rodent detection dogs on the Islands (90 Fed Reg. 57422). The proposed regulatory amendment is in response to the recent detection of a rat on St. Paul Island and a request from the Aleut Community of St. Paul Island and the U.S. Fish and Wildlife Service to allow the use of rodent detecting dogs.

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the proposed rule and offers the following comments and recommendations. The Commission concurs with NMFS that the introduction of invasive rodent species could have significant ecological consequences for the indigenous species that inhabit the Islands, including northern fur seals, and supports measures to detect and prevent the establishment of invasive rodent populations. This includes the use of rodent detecting dogs, provided that such use can be accomplished in a way that does not pose undue risks of disturbing or transmitting diseases to fur seals. Toward this end, the proposed rule (in section 216.82(b)(1)(i)-ix) sets forth various information and other requirements that applicants for an authorization must provide. The Commission believes that some of these requirements should be clarified and be made more specific. Our concerns are articulated below.

Paragraph 1 – Potential applicants are limited to “Pribilof Island landowners.” As explained in the Regulatory Flexibility Act analysis, “landowners on the Pribilof Islands include the Federal Government, municipal governments of St. Paul and St. George, and the [Tanadgusix] TDX Corporation and Tanaq Corporation.” It is unclear if this list is exhaustive, or whether there are other landowners who could potentially apply. This should be clarified. Securing the services of rodent detecting dogs and their handlers will be costly, practically limiting which landowners might have the capacity to do so. Nevertheless, rather than relying on land ownership to identify the potential applicant pool, it may be preferable to limit applicants to federal, state, and local governments, and Native Corporations.

Subparagraph (i) – This provision would require the applicant to provide evidence “of rodent presence on a Pribilof Island.” While on its face this is an appropriate filter, further guidance would be useful. That is, would dogs be used only after the presence of a specific rodent encounter is detected, with the goal of tracking down those rodents for elimination? Or would dogs be allowed as a prophylactic measure, to help determine or to confirm that suspected rodents are present?

Subparagraph (ii) – This provision would require applicants to present certification that the dog has been trained for rodent detection. It should further explain what types of certification would be acceptable. The Commission understands that various professional associations are in place that potentially provide such certifications. NMFS should identify which ones are acceptable. The Commission recommends that the regulations specifically require independent certification from such associations and specify that dog handlers cannot certify themselves.

Subparagraph (iii) – This provision would require applicants to certify that the dog would be under constant control by a professional dog handler or confined at all times. Since compliance with these requirements is largely up to dog handlers, the commitment to comply and provide written documentation should be required from both the applicant and the dog handler/service provider. The Commission recognizes that rodent presence and detection operations are most likely to occur in populated portions of the Islands. Nevertheless, the proposed rule does exclude activities proximate to fur seal haulouts and rookeries. Although the dog handlers may be experts in their trade, they are unlikely to be fur seal experts. For that reason, the Commission recommends that the regulations include additional restrictions when rodent detection activities are conducted near haulouts and rookeries during portions of the year when fur seals are present. For example, NMFS should require that qualified persons (e.g., tribal co-managers or fur seal biologists) accompany the dog and handler when they are operating in those locations.

Subparagraph (v) – This provision addresses immunizations and health certifications required by the State of Alaska. As the State of Alaska only requires dogs to be vaccinated against rabies (various municipalities have additional vaccination requirements such as against parvovirus), the Commission recommends NMFS require that dogs to be landed on the Pribilof Islands be vaccinated against other common diseases of dogs that can kill fur seals. Specifically, the Commission recommends that, at a minimum, NMFS require dogs to be vaccinated against canine distemper and parvovirus.

The Commission appreciates the opportunity to provide comments on the proposed regulatory changes to allow rodent detecting dogs on the Pribilof Islands. Please contact me if you have questions about the Commission’s recommendations or comments.

Sincerely,



Peter O. Thomas, Ph.D.,  
Executive Director