



MARINE MAMMAL COMMISSION

1 October 2012

Alecia Van Atta
Chief, Protected Resources Division
National Marine Fisheries Service
Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, HI, 96814

Attn: Hawaiian insular false killer whale proposed listing

Dear Ms. Van Atta:

The Marine Mammal Commission has reviewed the 18 September 2012 notice (77 Fed. Reg. 57554) extending the comment period for the proposed rule to list the Hawaiian insular false killer whale population as endangered. The extension is provided to allow consideration of new information for this population. On 15 February 2011 the Commission recommended that the Service proceed with the proposed listing action.

The new information identified in the *Federal Register* notice includes results of new photo-identification, satellite tagging, and genetics studies pertaining to the Hawaii insular false killer whale population. This new information adds further support to the listing proposal and provides a solid foundation for moving ahead. It is consistent with the findings that the insular false killer whale population is a discrete population in relation to the remainder of the false killer whale population, its loss would leave a significant gap in the false killer whale's range, and it is clearly at an elevated risk of extinction because of its small population size and interactions with human activities. Therefore, as in its 15 February 2011 letter, the Marine Mammal Commission continues to recommend that the National Marine Fisheries Service proceed with the listing of the Hawaii insular false killer whale distinct population segment as endangered under the Endangered Species Act.

Please contact me if you or your staff has questions regarding the Commission's recommendation.

Sincerely,

A handwritten signature in blue ink that reads "Timothy J. Ragen".

Timothy J. Ragen, PhD
Executive Director