



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE
 1315 East-West Highway
 Silver Spring, Maryland 20910
 THE DIRECTOR

Timothy J. Ragen, Ph.D.
 Executive Director
 Marine Mammal Commission
 4340 East-West Highway
 Bethesda, MD 20814-4498

APR 08 2013

Dear Dr. Ragen:

Thank you for your letter regarding our January meeting to discuss the status of the Harbor Porpoise Take Reduction Team.

As was discussed at the meeting, some members of the Harbor Porpoise Take Reduction Team and others asserted that they lost confidence in the take reduction process as a result of NOAA's National Marine Fisheries Service's (NMFS) decision to shift the consequence closure from October/November 2012 to February/March 2013.

We acknowledge that several important questions and concerns need to be addressed. We agree that there is a need to increase transparency with respect to how and when NMFS shares new information with a take reduction team and clarify expectations. Given importance of the teams' work to the Agency's ability to fulfill its mandates under the Marine Mammal Protection Act, transparency and a shared understanding of the process is of paramount importance to me and to NMFS leadership around the country.

I have directed my staff to consider how best to address these issues, whether through a policy, operating procedures, terms of reference, or some other type of document for achieving our desired outcomes of increased transparency and shared expectations. We appreciate the three suggestions you provided in your letter for reassuring team members and increasing confidence in the take reduction process and we will take them into account as we examine our procedures. We will keep the Commission posted as this process develops and seek your input as appropriate.

NMFS is dedicated to working with the teams to ensure they are supported in every possible way. Similarly, we will strive to preserve and respect the good faith that all team members are expected to exhibit when bringing their interests to the negotiating table.

Sincerely,

Samuel D. Rauch III
 Deputy Assistant Administrator
 for Regulatory Programs,
 performing the functions and duties of the
 Assistant Administrator for Fisheries

