



MARINE MAMMAL COMMISSION

16 August 2013

Jon Kurland
Assistant Regional Administrator for Protected Resources
Alaska Region National Marine Fisheries Service
709 West 9th Street, Room 420A
Juneau, AK 99801

ATTN: Ellen Sebastian. Docket No. NOAA-NMFS-2012-0236

Dear Mr. Kurland:

The Marine Mammal Commission (MMC), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the National Marine Fisheries Service's (NMFS) 90-day finding on a petition to list Iliamna Lake seals (a putative distinct population segment of harbor seals) as a threatened or endangered species under the Endangered Species Act (78 Fed. Reg. 29098).

RECOMMENDATION

The Marine Mammal Commission concurs with National Marine Fisheries Service's 90-day finding and recommends that the National Marine Fisheries Service proceed with a status review of Iliamna Lake seals.

RATIONALE

The MMC reviewed the petition to list Iliamna Lake seals as a threatened or endangered species and NMFS's 90-day finding that the petition presents substantial information indicating that a listing may be warranted. The MMC shares NMFS's concerns about the numerous factual errors, incomplete and misquoted references, and unsupported conclusions within the petition. Although there is considerable uncertainty about the status of this population and about the degree of movements of individuals between Iliamna Lake and Bristol Bay, if the seals in Lake Iliamna are sufficiently distinct from the seal population in Bristol Bay to qualify as a distinct population segment, the threats that these seals face may be sufficient to merit listing. Therefore, the MMC concurs with NMFS's positive 90-day finding that listing may be warranted and recommends that NMFS proceed with a status review of Iliamna Lake seals.

The MMC has a specific responsibility under section 202(a)(6) of the Marine Mammal Protection Act to provide recommendations concerning the listing of marine mammals as endangered or threatened under the Endangered Species Act. In furtherance of this duty, the Commission recommended in a recent letter to NMFS dated 19 June 2013 (enclosed) that they adopt a practice of consulting informally with the MMC before issuing 90-day findings on listing petitions concerning marine mammals. Although the Commission concurs with NMFS's finding in this instance, the MMC continues to believe that such consultations would be useful.

Please contact me if you have any questions regarding these comments.

Mr. John Kurland
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Sincerely,

A handwritten signature in blue ink that reads "Rebecca J. Lent". The signature is written in a cursive style with a large initial 'R' and a distinct 'L'.

Rebecca J. Lent, Ph.D.
Executive Director

Enclosure