

**MARINE MAMMAL COMMISSION**  
4340 EAST-WEST HIGHWAY, ROOM 905  
BETHESDA, MD 20814

31 March 2003

William T. Hogarth, Ph.D.  
Assistant Administrator for Fisheries  
National Marine Fisheries Service  
1315 East-West Highway, Room 14564  
Silver Spring, MD 20910

Dear Dr. Hogarth:

Over the past few decades harbor seal numbers in some areas of Alaska have declined substantially. A reliable understanding of their stock structure is needed to provide an effective management framework for responding to these declines. Since the mid-1990s, scientists from the National Marine Fisheries Service and its research partners have rigorously investigated their stock structure. Results indicate that, in Alaska, harbor seals appear to comprise 12 or more stocks. These results (1) provide a more accurate description of harbor seal stock structure, (2) provide a stronger basis for establishment of biologically appropriate management units, (3) increase our ability to interpret and understand population counts, trends in abundance, and stock status, and (4) facilitate the development and implementation of appropriate management measures for harbor seals. We recognize that revision of stock structure for harbor seals may require considerable adjustments in management, but such adjustments appear to be necessary to achieve the conservation purpose of the Marine Mammal Protection Act while minimizing impacts on related human activities.

In December 2000 the Alaska Regional Scientific Review Group recommended to the Service that it redefine harbor seal stocks and stock boundaries in Alaska in a manner consistent with this new information. This issue was also discussed at the Marine Mammal Commission's November 2001 annual meeting in Anchorage, where Service representatives indicated that, in cooperation with the Alaska Native Harbor Seal Commission, they would be proceeding with redefinition of harbor seal stock structure. In December 2001 the Marine Mammal Commission wrote to the Service to concur with that decision.

On 26 August 2002 the Service published in the *Federal Register* a notice that outlined a process for redefining harbor seal stock structure and requested comments. The process includes three steps: "(1) to inform all constituents about the results and availability of the genetics data; (2) to solicit additional input and discuss relevant information such as harbor seal abundance, distribution, and movement, as well as traditional and local knowledge; and (3) to make recommendations to NMFS regarding the use of all appropriate information in revising harbor seal stock structure in Alaska." On 25 September 2002 the Marine Mammal Commission responded to

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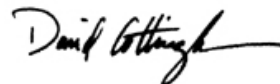
that notice recommending that the Service, with the Alaska Native Harbor Seal Commission, move forward expeditiously to (1) redefine stock structure in accordance with the new scientific information, (2) review the status of the newly defined stocks, and (3) develop and implement suitable recovery and conservation measures.

It has been almost seven months since the Service published its notice on harbor seal stock structure, and it appears that the first two steps in the process have been accomplished. Scientists from the Service have presented the genetic information in public meetings and published results in the peer-reviewed scientific literature indicating that previous stock designations were not biologically correct. They have also presented more recent results, indicating at least 12 stocks, to the Alaska Regional Scientific Review Group for their review. All this information is available to the public on request, and the public has been suitably notified. The Service's *Federal Register* notice provided the public an opportunity to comment on the process and provide additional information pertinent to stock structure. Presumably the Service received comments in response to its request. We do not know the substance of those comments or whether they have bearing on the genetic information or the need to better define harbor seal stock structure. We also do not know if the Service and the Alaska Native Harbor Seal Commission have held discussions or made recommendations regarding the use of the existing information to redefine stock structure.

For those reasons, the Marine Mammal Commission requests that the Service update it and other interested parties on current efforts to identify stock structure of harbor seals in Alaska. In particular, we request (1) a summary of comments received in response to the *Federal Register* notice, (2) a summary of discussions between the Service and the Alaska Native Harbor Seal Commission, and (3) a description of plans, including a projected schedule, for completing the final step in this process. Completion of the stock identification process during 2003 is important so that stock assessments can be completed for each new stock during 2004. Such a schedule seems warranted in view of the substantial declines of harbor seals in some regions in Alaska and the lack of management efforts to address them.

If we can be of any assistance to the Service in facilitating this process, or if you wish to discuss any of the above information, please don't hesitate to contact me.

Sincerely,



David Cottingham  
Executive Director

cc: Dr. Brendan Kelly, Alaska Scientific Review Group  
Ms. Monica Riedel, Alaska Native Harbor Seal Commission