

 Submitted Electronically via eRulemaking Portal

This is a Comment on the **Fish and Wildlife Service (FWS) Proposed Rule: Endangered and Threatened Wildlife and Plants: Designation of Critical Habitat for the Northwest Atlantic Ocean Distinct Population Segment of the Loggerhead Sea Turtle**

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### Comment

Peer Review of: Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Northwest Atlantic Ocean Distinct Population Segment of the Loggerhead Sea Turtle (*Caretta caretta*) I have reviewed all materials provided to me regarding the above listing proposal. Overall, I was highly impressed with the quality and comprehensiveness of the proposal. The designations reflect a systematic, well-reasoned approach to the very large task of evaluating the importance of loggerhead nesting habitat throughout the southeastern United States. I am highly familiar with the type of nesting data that were the primary focus of the habitat assessments because I coordinate Florida's Statewide Nesting Beach Survey Program for the Fish and Wildlife Conservation Commission. Our monitoring program contributed raw nesting data for over 200 beaches. Nest density data were appropriately chosen as the primary basis for evaluating the importance of the habitats.

The use of a quartile ranking system within genetic subunits was an innovative and useful approach for evaluating the data, and we (FWC) have subsequently adopted this method for our work within the state of Florida. I believe this approach is also being used for other Southeast Regional initiatives involving sea turtle nesting data. I fully support the decision to rank nest densities within states in order to achieve wide spatial coverage. This may be an important safeguard in the effort to combat negative effects of climate change. The argument for including buffer zones adjacent to high-density beaches is consistent with the biology of the species, and reflected careful study of the data available regarding site fidelity. The Physical or Biological Features (PBF's) and Primary Constituent Elements (PCE's) on which the assessments were based were appropriate for the species being considered.

The references used to develop the proposal were the best available scientific information and incl

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### Attachments (1)



Meylan CV for usfws 2013

23 May 2013

Peer Review of: Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Northwest Atlantic Ocean Distinct Population Segment of the Loggerhead Sea Turtle (*Caretta caretta*)

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The Physical or Biological Features (PBF's) and Primary Constituent Elements (PCE's) on which the assessments were based were appropriate for the species being considered.

The references used to develop the proposal were the best available scientific information and included the primary literature. There are some new data available on site fidelity of loggerheads based on satellite telemetry and genetics that were not referenced in the proposal. However, I believe this information has not yet appeared in publications. The new information would not have changed the outcome of the habitat assessment.

**Additional Data:** A recent paper by B. Shamblin et al. (2012) provides additional data regarding the genetic affinities of loggerheads nesting in the northeast part of Florida. In the listing proposal, these beaches are lumped with the Peninsular Florida Recovery Unit because the Recovery plan used the Florida/Georgia border as the boundary. The new genetic data consider these loggerheads nesting in the extreme northeast area of Florida to be part of the Northern Recovery Unit. It would be appropriate to consult this new information and reassess the habitat listing accordingly.

The justification for excluding military areas and areas with existing HCP's from evaluation as critical habitat seemed flawed. Critical habitat is critical habitat, regardless of administrative control. It is important for the recovery of the species to recognize all critical habitats, even if these areas might thereafter receive somewhat different treatment under the law. Without the

identification of critical habitat, all areas with exemptions would receive equal consideration in their respective management plans for endangered and threatened species. Habitat Conservation Plans are designed to mitigate impacts of ongoing activities and they do not necessarily promote recovery.

I did not see the source identified of the data regarding nesting in the Everglades National Park.

#### Literature Cited

Shamblin, B. M., Bolten, A. B., Bjorndal, K. A., Dutton, P. H., Nielsen, J. T., Abreu-Grobois, F. A., Reich, K. J., Witherington, B. E., Bagley, D. A., Ehrhart, L. M., Tucker, A. D., Addison, D. S., Arenas, A., Johnson, C. Carthy, R. R., Lamont, M. M., Dodd, M. G., Gaines, M. S., LaCasella, E., and Nairn, C. J. 2012. Expanded mitochondrial control region sequences increase resolution of stock structure among North Atlantic loggerhead turtle rookeries. *Marine Ecology Progress Series* 469:145-160.