ALASKA REGIONAL SCIENTIFIC REVIEW GROUP

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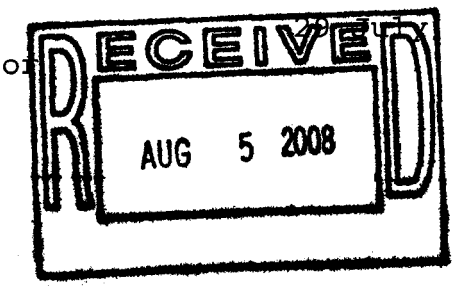

James W. Balsiger, Acting Administrator
NOAA Fisheries
1315 East-West Hwy
Silver Spring, MD 20910

Dear Dr. Balsinger:

At its 9-10 January 2008 meeting, the Alaska Regional Scientific Review Group (AKSRG) was provided copies of letters from the Central Council of the Tlingit and Haida Tribes of Alaska and the Alaska Native Harbor Seal Commission (ANHSC) indicating that they do not believe that genetic data should be used as a management tool for harbor seals in Alaska. The resolution from the Tribes asks the National Marine Fisheries Service (NMFS) to "discontinue this research and form of marine mammal classification." The main reasons for this, apparently, are that NMFS may take "measures to further define harbor seals stocks with DNA genetic identification that will be used to determine the harvestability of harbor seals stocks in Alaska" and "harbor seals in certain Southeast Alaska waters will and can be defined as threatened or endangered if DNA identification is used as a management tool."

The National Marine Fisheries Service is legally in charge of all aspects of conservation and management of harbor seals (e.g., fisheries takes, subsistence takes, permitting research, etc). The ANHSC is a co-manager with respect to subsistence taking. The AKSRG urges the NMFS and the ANHSC - as comanagers of subsistence hunting of harbor seals in Alaska - to employ the best possible scientific information in managing stocks. Identification of management units is a fundamental step in any proper wildlife management system, and designation of harbor seal stocks has importance well beyond the single issue of native harvest. Effective management must be targeted to

individual stocks identified by information obtained from studies of population genetics, phenotypic variation, animal movements, and traditional knowledge. Just as the harvests of salmon, herring, moose, bear, and many other species are based on biologically defined management stocks, harbor seal management should not be based on the crude lumping of all individuals in the species range. The methods being used to study harbor seal stocks in Alaska, including distribution, movements, and traditional knowledge, as well as genetics, are common and well-proven techniques that are regularly used in fish and wildlife management. Results of very thorough studies show that individual harbor seals do not randomly use all of the available habitat throughout the state, but rather they use limited areas.

Second, we do not see any justification for not using scientifically based stock identifications in determining the harvestability of Alaskan harbor seals. A central goal of co-management should be to ensure that harvesting of seals is done at sustainable levels. It does no good to evaluate the sustainability of harvest over a large geographic area when animals do not move freely over that entire area or when they have strong breeding site fidelity, as harbor seals do. The likely result of such a management mistake is that that seal numbers will be reduced in places where they are easy to access and hunt. In contrast, if harvest guidelines are based on appropriate stock units, localized depletion can be avoided. Again, this is the basis for the successful, sustainable, harvest management programs for many species.

Finally, we do not understand the rationale for stopping harbor seal genetics studies if they might result in certain stocks being given a protective listing under U.S. law. If a group of seals meets the appropriate definition for management unit ("population stock" under the Marine Mammal Protection Act or "distinct population segment" under the Endangered Species Act) and they meet the criteria for being listed (as "depleted" under the Marine Mammal Protection Act or as "threatened" or "endangered" under the Endangered Species Act) they should be afforded the protection mandated by those laws. That is what the laws are there for, and they provide important tools that can be used to minimize the impacts of a variety of human activities, not just subsistence hunting, on listed stocks and help to ensure that the stock can recover to and be maintained at healthy population levels.

The AKSRG is charged with providing NMFS advice on scientific issues relating to marine mammal stock assessments as required by the Marine Mammal Protection Act. We have been involved in reviewing the design and conduct of harbor seal stock studies, and conclusions from those studies, for more than a decade. While we recognize that no study of this type is ever perfect, the SRG has repeatedly stated its opinion that the best scientific information available indicates that there are a number of harbor seal stocks in Alaska, and we have repeatedly recommended that NMFS use that information to revise its existing three-stock system which clearly is wrong. To do so would be in the best interests of harbor seal conservation, not just for Alaska Natives who depend on seal harvests but also for all others who are concerned with the well-being of Alaska's seal populations. We recommend that you proceed as quickly as possible with revising the designation of harbor seal stocks in Alaska using the best available scientific data, including genetics.

Sincerely,

Beth Mathews

Beth Mathews, Chair AKSRG

cc: William Martin, Tlingit and Haida Tribes of Alaska
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