

B-6 - U.S. Fish and Wildlife Service Report

Sea Otter - Summary of Comments and Recommendations on the Proposed Rule

In the February 11, 2004, proposed rule, we requested all interested parties submit factual reports, information, and comments that might contribute to development of a final determination. A 120-day public comment period closed on June 10, 2004. We contacted appropriate Federal agencies, State agencies, county and city governments, Alaska Native Tribes and tribal organizations, scientific organizations, affected landowners and other interested parties requesting comments. The Secretary personally announced this action and issued a press release on February 5, 2004 notifying the public of the proposed listing and comment period. Newspaper articles appeared in the Anchorage Daily News and Los Angeles Times on February 6, 2004, that also notified the public about the proposed listing and comment period. We requested 5 peer reviewers to comment the proposed rule in compliance with our policy, published in the Federal Register on July 1, 1994 (59 FR 34270). We held public meetings at 6 locations in Alaska: Cold Bay (May 3, 2004), King Cove (May 4, 2004), Anchorage (May 13, 2004), Kodiak (May 19, 2004), Sand Point (May 24, 2004), and Unalaska (May 27, 2004).

We received requests for public hearings in Kodiak, Unalaska, Sand Point, and Dillingham, Alaska, and held one public hearing in Kodiak, Alaska on May 19, 2004, immediately following a public meeting. We published an announcement of the public hearing in the Federal Register on May 5, 2004 (69 FR 25055), the Anchorage Daily News on May 9, 2004, and the Kodiak Daily Mirror on May 14, 17-19, 2004. The public hearing was attended by 18 individuals in person, and 5 more by teleconference.

In accordance with Secretarial Order 3225 regarding the Act and subsistence uses in Alaska, we engaged in government-to-government consultation with Alaska Native tribes. Since 1997, we have signed cooperative agreements annually with the Alaska Sea Otter and Steller Sea Lion Commission (TASSC), to fund the activities of this tribally-authorized Alaska Native Organization. We attended TASSC board meetings during the preparation of the proposed rule and public comment period, regularly briefing their board of commissioners and staff on relevant issues. In addition to working closely with TASSC, we sent copies of the Proposed Rule to 52 Alaska Native Tribal Councils specifically requesting their comments on this listing action.

During the public comment period, we received a total of 6,769 comments, most by email (6,728) and the rest by letter (27), facsimile (4), and public hearing testimony (10). We received comments from Alaska Native Tribes and tribal organizations, federal commissions, state agencies, local governments, commercial fishing organizations, conservation organizations, and private citizens. Seventeen opposed the listing and 6,740 supported it. The remaining 12 stated neither opposition to, or support for, the listing but voiced concerns about the possible effects of listing. The vast majority of comments were the result of an organized e-mail campaign that produced 6,696 identical comments in support of the listing. Several comments were received after the public comment period closed.

We are currently reviewing and evaluating the information received during the comment period as we prepare a final rule. We anticipate completion of a final rule by February of 2005

Short-tailed Albatross Recovery

The Short-tailed Albatross Recovery Team met in Japan in May to develop recovery criteria and a list of prioritized recovery tasks. One of the most urgent recovery actions is, not surprisingly, to re-establish a breeding population of short-tails on one of their former nesting islands that is not an active volcano. The Fish and Wildlife Service received an add of \$710,000 for short-tailed albatross recovery in the FY04 appropriation and we recently entered into a cooperative agreement with the National Fish and Wildlife Foundation that will enable us to spend those dollars over multiple years. The Department of Commerce also received an add in FY04 of about \$800,000 for albatross recovery and we expect to receive those funds from DOC this fiscal year.

Washington Sea Grant Report on Seabird Distribution on Alaskan Longline Fishing Grounds

Washington Sea Grant recently released a report by Ed Melvin et al. summarizing 2002 data on the distribution of seabirds on Alaskan longline fishing grounds. This report was part of a recent Council mailing. Although limited temporally to the summer months, this study suggests that albatrosses, fulmars and shearwaters are rare in the inside waters of Prince William Sound and southeast Alaska during this time period. This study will also look at 2003 and 2004 data as well as other bird distribution data sets and is part of our commitment to evaluate the risk to albatrosses and other seabirds from small boat longline fisheries in protected waters.