



UNITED FISHERMEN OF ALASKA

Mailing Address: PO Box 20229, Juneau AK 99802-0229

Physical Address: 410 Calhoun Ave Ste 101, Juneau AK 99801

Phone: (907)586-2820 **Fax:** (907) 463-2545

Email: ufa@ufa-fish.org **Website:** www.ufa-fish.org

May 17th, 2013

USFWS Sea Otter Program
1011 East Tudor Road, MS-341
Anchorage, AK 99503
Via email: fw7_sea_otter_clarification@fws.gov

RE: Comments regarding USFWS draft clarification of select terms under the Marine Mammal Protection Act (MMPA) in regard to sea otters

To whom it may concern,

United Fishermen of Alaska is the largest statewide commercial fishing trade association, representing 34 commercial fishing organizations participating in fisheries throughout the state and its offshore federal waters. **UFA supports the draft clarification of select terms under the Marine Mammal Protection Act (MMPA) in regard to sea otters so long as issues regarding Alaska’s exploding sea otter population continue to be addressed as noted in the UFA resolution regarding sea otters (attached).**

UFA and many of our member groups have worked with USFWS, State of Alaska, tribal entities and affected stakeholders to address concerns regarding the exploding population of sea otters. One of the concerns raised by tribal and native stakeholders has been the USFWS interpretation of "significantly altered" with regards to sea otter hides.

The current MMPA regulations read:

"(2) is done for purposes of creating and selling authentic native articles of handicrafts and clothing: Provided, That only authentic native articles of handicrafts and clothing may be sold in interstate commerce: And provided further, That any edible portion of marine mammals may be sold in native villages and towns in Alaska or for native consumption. For the purposes of this subsection, the term "authentic native articles of handicrafts and clothing" means items composed wholly or in some significant respect of natural materials, and which are produced, decorated, or fashioned in the exercise of traditional native handicrafts without the use of pantographs, multiple carvers, or other mass copying devices. Traditional native handicrafts include, but are not limited to weaving, carving, stitching, sewing, lacing, beading, drawing and painting;"

Nowhere does the language use “significantly altered” as promulgated in the regulations. In our experience the term “significantly altered” has been used to the detriment of SE AK natives. The best solution to this issue is to redo the regulations, deleting the reference to significantly altered and moving back into alignment with the legislation, “Traditional native handicrafts include, but are not limited to weaving, carving, stitching, sewing, lacing, beading, drawing and painting.” Enforcement would be simple, as it is quickly identifiable that one of the mediums listed were used in the final product. Although the current MMPA

regulations make no reference to “significantly altered”, it appears that USFWS interprets “authentic native articles of handicrafts” to mean “significantly altered”. Regardless of the interpretation, clarification of these terms will further define legal sale of sea otter products. This clarification will also likely encourage legal harvest of sea otters by Alaska Natives. Legal harvest of sea otters helps to protect subsistence, personal use, and commercial shellfish species as well as helping provide economic opportunities for rural Alaska.

Thank you for your time and attention to this important issue, please feel free to contact us if you need any further information. We look forward to continued work to address expanded sea otter populations.

Sincerely,



Julianne Curry
Executive Director

Attachment: UFA resolution regarding sea otters

MEMBER ORGANIZATIONS

Alaska Bering Sea Crabbers • Alaska Independent Fishermen's Marketing Association
Alaska Independent Tendermen's Association • Alaska Longline Fishermen's Association • Alaska Scallop Association • Alaska Trollers Association
Alaska Whitefish Trawlers Association • Aleutian Pribilof Islands Community Development Association • Armstrong Keta • At-sea Processors Association
Bristol Bay Reserve • Cape Barnabas Inc. • Concerned Area "M" Fishermen • Cook Inlet Aquaculture Association • Cordova District Fishermen United
Douglas Island Pink and Chum • Groundfish Forum • Kenai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association
North Pacific Fisheries Association • Northern Southeast Regional Aquaculture Association • Petersburg Vessel Owners Association
Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owner Association • Seafood Producers Cooperative
Southeast Alaska Herring Conservation Alliance • Southeast Alaska Fisherman's Alliance • Southeast Alaska Regional Dive Fisheries Association
Southeast Alaska Seiners • Southern Southeast Regional Aquaculture Association • United Catcher Boats • United Cook Inlet Drift Association
United Southeast Alaska Gillnetters • Valdez Fisheries Development Association