

AFES/MMM

Dear Partner,

We are writing to update you on our recent efforts to address concerns about sea otters in Southeast (SE) Alaska. We recognize that an increasing sea otter population in SE Alaska has triggered concerns about competition with prey resources used for subsistence and commercial fishing, and we are currently working to better understand the extent to which sea otters are impacting the populations of those resources. To collect and disseminate information on this issue, we are working with commercial fishing organizations, Alaska Tribes and Native Organizations, Federal and State wildlife managers, and scientists at the University of Alaska.

While we are working to better understand how sea otters are affecting the marine environment, we are also exploring ways to ensure that Alaska Native hunters and artisans are free to pursue the subsistence activities provided for under the Marine Mammal Protection Act (MMPA). We know that Alaska Native hunters have voiced concerns that the interpretation by the Service of what is "significantly altered" implementing the MMPA is vague and that the lack of clarity may be causing some to forgo hunting opportunities. Enclosed is draft guidance that we believe will help provide some of that clarity. We welcome your feedback on this guidance. If you wish to comment, please send your feedback by March 31, 2012, to Ms. Frances Mann at the contact information below.

Another way we are working to address concerns about the impacts of sea otters on marine resources is to explore improved co-management options and the possible development of Tribal management plans. These plans can direct sea otter harvest to areas which are particularly important for collection of subsistence resources. In February 2011, the Regional Director invited 57 federally recognized Alaska Native Tribes within the range of sea otters to consult on a Government to Government basis. In the summer of 2011, we began consulting with interested Tribes. We look forward to continuing our efforts to engage Alaska Native Tribes.

If you need more information or would like to provide comments on the draft definition of significantly altered, please contact Ms. Frances Mann, Acting Sea Otter Program Lead, by

electronic mail at frances_mann@fws.gov, by telephone at 907-786-3668, or in writing at the U.S. Fish and Wildlife Service, Marine Mammals Management Office, 1011 East Tudor Road, MS-341, Anchorage, Alaska 99503.

Sincerely,



Jenifer Kohout
Acting Chief, Marine Mammals

Enclosure

Guidance on Authentic Native Articles of Handicraft and Clothing made from Sea Otters

Methods of alteration that could contribute to the making of an authentic Native article of handicraft or clothing are outlined in 50 Code of *Federal Regulations* (CFR) 18.3 (Definitions); and include but are not limited to, weaving, carving, stitching, sewing, lacing, beading, drawing, and painting. It is the total effect of the types of alterations listed in 50 CFR 18.3 that the U.S. Fish and Wildlife Service (Service) considers when interpreting whether or not the marine mammal part (in this case a sea otter pelt) has been significantly altered, resulting in a product that can be legally termed an “authentic Native article of handicraft or clothing.”

For an item made from a sea otter to be considered significantly altered, the end product must be altered using any number of methods that result in an article of handicraft or clothing that is something other than a standalone piece of a sea otter. Tanning alone; painting, drawing or sketching on the skin side of a sea otter pelt; or simply stitching two pelts together does not meet the threshold of being considered **significantly** altered.

An article of clothing (coats, mittens, vests, etc.), would require, at a minimum, that the item be comprised of pieces of sea otter pelt that have been stitched or sewn together; and the end product might contain one or more of any number of clothing features, including but not limited to sleeves, collars, buttons, zippers, snaps, button holes, pockets, and a lining.

Articles such as blankets, or other large pieces of clothing or handicraft, would require, at a minimum, that they be comprised of blocked sea otter pelt/s that have been stitched or sewn together (when the item is made from more than one pelt), with no exposed raw edges, and with some type of backing (normally felt or batting covered by cloth or a similar material). The backing must be permanently attached to the sea otter pelt/s so that the backing could not be removed without causing damage to the skin.

For purposes of this document, “large” refers to an item that includes two or more sea otter pelts, and “blocked” refers to a tanned sea otter pelt that has been trimmed by removing the head, tail and limbs.

Note: When considering whether or not an item is an “Authentic Native Article of Handicraft or Clothing,” the Service takes into account the totality of changes made to the original sea otter pelt, and how the changes altered the original pelt, when considering whether or not the item has been significantly altered. Artistic value is not judged or interpreted, only the amount of change (alteration) from the original pelt.

Note: skin, hide, and pelt are all the same thing and mean any tanned or untanned external covering of a marine mammal.