

February 9, 2011

Lance Smith, Regulatory Branch Chief
Protected Resources Division
National Marine Fisheries Service
Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, HI 96814

Attn: Hawaiian insular false killer whale proposed listing

Dear Lance,

I am writing to comment on the proposed listing of Hawaiian insular false killer whales under the Endangered Species Act. The status review (Oleson et al. 2010) summarizes evidence that the Hawaiian insular population is a small, discrete, island-associated population that is socially and genetically isolated from other populations. Of all species of odontocetes in Hawaiian waters, the Hawaiian insular population of false killer whales is most at risk from extinction. Cascadia Research Collective has been undertaking research on false killer whales and other species of odontocetes in Hawaiian waters since 2003, as part of a long-term study that began in 2000. Along with a number of collaborators we have assessed abundance, population discreteness, ecology, behavior, movements, and habitat use of the Hawaiian insular false killer whale population. Although much of the research has been published or otherwise made available to help assess the status of this population, since July 2009 (the date of analyses of photo-identification data used in the status review), we've compiled an additional 367 identifications (i.e., including re-sightings) of false killer whales from 19 different encounters around the main Hawaiian Islands¹. All of these encounters were of individuals from the Hawaiian insular population, and the high re-sighting rate and lack of matches to the pelagic population provides further support that this is a small socially isolated population.

Our recent studies examining movements and spatial use of satellite-tagged individuals from this population will be of particular value in assessing critical habitat. We now have data from 27 tags deployed on 25 different individuals from the Hawaiian insular population². We have just completed analyses on tag deployments from 2009 (Baird et al. 2011), and also have data from four additional tags deployed in 2010. All individuals have remained associated with the main

¹ In the status review the assessment was based on 553 identifications available as of July 2009, reported in Baird (2009).

² Including four tags that were transmitting into January 2011, thus data analyses are not yet completed.

Hawaiian Islands, further demonstrating that this is an exclusively island-associated population. We are in the process of analyzing these data to provide both a more-complete description of the geographical area occupied by the population, and to provide an assessment of critical habitat. These analyses are expected to be complete within the next few months.

Overall the evidence presented in the status review demonstrates that the Hawaiian insular population of false killer whales is a discrete population (a “DPS” under the ESA), the population is small and has undergone a substantial decline, and faces a number of risk factors that results in a high risk of extinction if these factors are not addressed. Existing regulatory mechanisms are insufficient to protect this population. As such, the proposed listing as Endangered is warranted.

We would be happy to work with you in the future to help in the assessment of critical habitat utilizing location data obtained from our research with this population.

Sincerely,

A handwritten signature in black ink, appearing to read 'RW Baird', with a decorative flourish at the end.

Robin W. Baird, Ph.D.
Research Biologist

Baird, R.W. 2009. A review of false killer whales in Hawaiian waters: biology, status, and risk factors. Report prepared for the U.S. Marine Mammal Commission under Order No. E40475499.

Baird, R.W., G.S. Schorr, D.L. Webster, D.J. McSweeney, M.B. Hanson and R.D. Andrews. 2011. Movements and spatial use of false killer whales in Hawai‘i: satellite tagging studies in 2009. Report prepared under Order No. AB133F09SE4132 from the Pacific Islands Fisheries Science Center, Honolulu, HI.

Oleson, E.M., C.H. Boggs, K.A. Forney, M.B. Hanson, D.R. Kobayashi, B.L. Taylor, P.R. Wade and G.M. Ylitalo. 2010. Status review of Hawaiian insular false killer whales (*Pseudorca crassidens*) under the Endangered Species Act. NOAA Technical Memorandum NMFS-PIFSC-22.