



MARINE MAMMAL COMMISSION

14 March 2025

U.S. Fish and Wildlife Service
Attn: Docket No. FWS-R4-ES-2024-0050
MS: PRB/3W
5275 Leesburg Pike
Falls Church, Virginia 22041-3803

Dear Sir or Madam:

The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the U.S. Fish and Wildlife Service's (FWS) 14 January 2025 proposed rule (90 Fed. Reg. 3131) to amend the listings for the two subspecies of the West Indian manatee (*Trichechus manatus*), the Florida manatee (*Trichechus manatus latirostris*) and the Antillean manatee (*Trichechus manatus manatus*), under the Endangered Species Act (ESA). FWS proposes to replace the current threatened listing of the West Indian manatee with two separate listings: the Florida manatee would retain the West Indian manatee's status as threatened and the Antillean manatee would be listed as endangered.

[On 8 April 2016](#), the Commission commented on FWS's proposal to reclassify the West Indian manatee from endangered to threatened under the ESA (81 Fed. Reg. 1000). Noting that Florida and Antillean manatees are genetically and morphologically distinct and face different threats, the Commission recommended that FWS analyze the status of the two subspecies separately and make independent listing determinations. The Commission recommended that FWS maintain the endangered listing of both subspecies of West Indian Manatee until the agency had completed a finer-scale review of the status of Antillean and Florida manatees and any distinct population segments that may warrant a separate listing under the applicable ESA criteria. In particular, the Commission concluded that the information and analyses presented in the 2016 proposed rule did not adequately support the proposed downlisting of the Antillean manatee. As such, [the Commission](#) is pleased that FWS is now revisiting its downlisting decision, supports the proposal to list the two subspecies separately, and [recommends](#) that the agency reinstate the endangered listing for the Antillean manatee.

The information included in FWS's five-year status review supports the agency's proposal to list the Antillean manatee as endangered. As FWS stated in the status assessment report, the best scientific and commercial information available for this subspecies indicates a declining population due to numerous threats, including vessel strikes, habitat loss and modification, harmful algal blooms, human interactions, poaching, low genetic diversity, climate change, and a lack of effective or consistent enforcement of manatee conservation measures within the subspecies' range (FWS 2024a).

The Commission has continuing concerns regarding the adequacy of the information supporting the decision to maintain the listing of the Florida manatee as threatened, and remains

unconvinced that FWS based its status review or proposed listing decision on best available science. In its [2 September 2014 letter](#) commenting on the petition from the Pacific Legal Foundation to reclassify the West Indian manatee from endangered to threatened, the Commission noted that mortality events and other factors, including the unknown impacts of decommissioning power plants that provide critical warm-water refugia, required reanalysis before changing the species' listing status. Although FWS proceeded with the downlisting of this subspecies, in the years since, the Florida manatee has sustained high mortality rates from a variety of persistent causes, including harmful algal blooms and vessel strikes. In addition, an unusual mortality event (UME) occurred along the Atlantic coast from December 2020 through 2022, with the majority of reported manatee deaths attributed to starvation from loss of seagrass. FWS determined in its status assessment report that the loss of forage and resulting population decline led to its current classification of low resiliency for the Atlantic management unit, which had the highest estimated abundance of Florida manatees and was exhibiting stable or slow population growth prior to the UME (FWS 2024b). It is important to note that FWS's status assessment report did not incorporate the most recent manatee abundance estimates from the 2021 and 2022 aerial surveys and revised methodologies of Gowan et al. (2023).

The Commission also has concerns regarding the representativeness of the core biological model (CBM; Runge et al. 2017) used by FWS to inform the estimates of the Florida manatee's future condition. While the status assessment report specified that future condition modeling efforts predicted a low risk of extinction over the next 50, 100, and 150 years, the CBM used primarily pre-2016 data (Runge et al. 2017). Those data were collected prior to the starvation UME, limiting the model's ability to incorporate both the loss of seagrass related to the UME and the short- and long-term impacts of the UME on overall species abundance. As stated in the status assessment report, the long-term implications of the starvation UME on the Florida manatee population are unknown. It also is unclear how accurately the CBM predicted episodic mortality events, such as those associated with [cold stress](#), which may now be occurring more frequently, and [harmful algal blooms](#), which can occur yearly or multiple times within a given year.

In addition, the CBM did not account for other known threats. These include the general loss of foraging habitat and the anticipated loss of industrial warm-water sources within the next 20 to 25 years (Runge et al. 2017). FWS indicated in the preamble to the proposed rule that seagrass resources have declined at multiple locations across Florida since 2011 (90 Fed. Reg. 3150) and current seagrass levels are greatly reduced from previous long-term levels, which can affect manatee viability in the future (90 Fed. Reg. 3151). FWS also stated that the loss of warm-water sites has the potential to significantly increase the risk of population quasi-extinction (90 Fed. Reg. 3140). As FWS acknowledged, the baseline scenario encompassed power plants being online for 50 years, which is no longer the case (90 Fed. Reg. 3151). The CBM, while based on best available data at the time it was developed, did not account for declining trends observed in recent years or for the near-term habitat changes that are now expected.

Given the shortfalls of the data included in the modeling effort, the Commission believes that the CBM is no longer based on best available science and does not provide a sufficiently reliable projection of Florida manatee population trends. As such, the Commission recommends that FWS reconsider uplisting the Florida manatee to endangered based on an updated CBM that incorporates changes in the population and its habitat since Runge et al. (2017), including the increase in cold stress and harmful algal bloom events, loss of seagrass, and impacts from power plant closures.

Please contact me if you have questions concerning the Commission's recommendations or rationale.

Sincerely,



Peter O. Thomas, Ph.D.,
Executive Director

References

- FWS. 2024a. Species status assessment report for the Antillean manatee (*Trichechus manatus manatus*): Version 1.1. U.S. Fish and Wildlife Service, South Atlantic-Gulf and Mississippi Basin Regions, Atlanta, Georgia. 184 pages.
- FWS. 2024b. Species status assessment report for the Florida manatee (*Trichechus manatus latirostris*): Version 1.1. U.S. Fish and Wildlife Service, South Atlantic-Gulf and Mississippi Basin Regions, Atlanta, Georgia. 258 pages.
- Gowan, T.A., H.H. Edwards, A.M. Krzystan, J. Martin, and J.A. Hostetler. 2023. 2021–2022 statewide abundance estimates for the Florida manatee. Fish and Wildlife Research Institute Technical Report No. 27, Florida Fish and Wildlife Conservation Commission, St. Petersburg, Florida. 17 pages.
- Runge, M.C., C.A. Sanders-Reed, C.A. Langtimm, J.A. Hostetler, J. Martin, C.J. Deutsch, L.I. Ward-Geiger, and G.L. Mahon. 2017. Status and threats analysis for the Florida manatee (*Trichechus manatus latirostris*), 2016. U.S. Geological Survey Scientific Investigations Report 2017–5030, U.S. Geological Survey, Reston, Virginia. 54 pages.