



MARINE MAMMAL COMMISSION

22 February 2011

Ms. Nadene G. Kennedy
Permit Office, Room 755
Office of Polar Programs
National Science Foundation
4201 Wilson Boulevard
Arlington, VA 22230

Dear Ms. Kennedy:

By notice in the *Federal Register* dated 25 January 2011 (76 Fed. Reg. 4381), your office sought comments on a permit request from R. Natalie Goodall. Ms. Goodall seeks authorization under the Antarctic Conservation Act of 1978 to salvage and export skeletal remains of marine mammals. The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the permit request with regard to the goals, policies, and requirements of the Marine Mammal Protection Act and the Antarctic Conservation Act and offers the following recommendations.

RECOMMENDATIONS

The Marine Mammal Commission recommends that the National Science Foundation—

- issue the permit, but condition it to apply only to naturalists who are not U.S. citizens until such time that any U.S. naturalist who might be involved in collecting and transporting marine mammal parts has obtained the necessary permit under the Marine Mammal Protection Act; and
- advise Ms. Goodall of the need to obtain all necessary permits under the Convention on International Trade in Endangered Species of Wild Fauna and Flora before exporting any marine mammal parts.

RATIONALE

Ms. Goodall proposes to salvage cetacean and pinniped skeletal remains from South Georgia, the South Shetlands, the Antarctic Peninsula, and adjacent islands during a five-year period. Naturalists would collect the skeletal remains during scientific, tourist, and supply excursions for export to Tierra del Fuego, Argentina. There, Ms. Goodall or her assistants would clean, number, and retain them in the museum collection at the Museo Acatushún de Aves y Mamíferos Marinos Australes at Estancia Haberton. The museum houses the collection of marine mammal remains as part of a long-term study of southern marine mammals that has been underway since 1976.

The Commission understands that the naturalists collecting and transporting remains to Argentina may be both U.S. and non-U.S. citizens. If the naturalists are U.S. citizens, they must have authorization to collect and transport marine mammal parts under the Marine Mammal Protection Act. To the Commission's knowledge, the Service has not received a permit application or issued a

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permit for the collection and exportation of these skeletal remains under the Act. If the naturalists are not U.S. citizens, no authorization is required under either the Marine Mammal Protection Act or the Antarctic Conservation Act. Therefore, the Marine Mammal Commission recommends that the National Science Foundation issue the permit, but condition it to apply only to naturalists who are not U.S. citizens until such time that any U.S. naturalist who might be involved in collecting and transporting marine mammal parts has obtained the necessary permit under the Marine Mammal Protection Act.

Also, Ms. Goodall likely will need to obtain authorization under the Convention on International Trade in Endangered Species of Wild Fauna and Flora to export the skeletal remains from Antarctica. The Marine Mammal Commission recommends that the National Science Foundation advise Ms. Goodall of the need to obtain all necessary permits under the Convention on International Trade in Endangered Species of Wild Fauna and Flora before exporting any marine mammal parts.

Please contact me if you have any questions regarding the Commission's recommendations.

Sincerely,



Timothy J. Ragen, Ph.D.
Executive Director

Cc: Mr. P. Michael Payne