



MARINE MAMMAL COMMISSION

19 January 2011

Mr. Timothy J. Van Norman
Chief, Branch of Permits
Division of Management Authority
U.S. Fish and Wildlife Service
4401 North Fairfax Drive
Arlington, VA 22203

Re: Revision to Permit Application
No. PRT-19806A (Thomas Postel)

Dear Mr. Van Norman:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the above-referenced permit application request with regard to the goals, policies, and requirements of the Marine Mammal Protection Act.

By letter of 14 October 2010 the Commission commented on the applicant's original application seeking authorization to take by Level B harassment up to 100 Florida manatees during filming activities at Blue Spring State Park. The applicant, in consultation with Bob Giguere, Equinox Documentaries, and subject to approval by park management, proposed to film manatees for up to four hours a day, up to three days a month, from mid-December 2010 through mid-March 2011. Before the Service could act on the permit, however, park authorities advised the applicant that it would not approve the request because of the possibility that manatees might be disturbed during their aggregation time.

In response to the Park's decision, the applicant has submitted a revised application requesting authorization to film manatees at other locations in Florida (Homosassa Springs, Manatee Springs, Weekee Wachee Springs, Crystal River, Florida Power and Light–Riviera Beach, and Tampa Electric Company–Apollo Beach) and to conduct filming activities year-round for one year. All other proposed activities are as described in the initial application. Manatees would be approached no closer than 6 m (20 ft) to minimize disturbance.

RECOMMENDATION

The Marine Mammal Commission recommends that the Fish and Wildlife Service approve the requested permit, provided that the permit specify that—

- when required, additional authorization to enter the water to conduct filming activities must be obtained from Florida state and/or federal refuge authorities; and
- filming of a particular animal or animals cease if the animal or animals appear to be unduly disturbed by the activity.

The Commission believes that the activities for which it has recommended approval are consistent with the purposes and policies of the Marine Mammal Protection Act.

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Please contact me if you have any questions concerning the Commission's recommendation.

Sincerely,

A handwritten signature in blue ink that reads "Timothy J. Ragen". The signature is written in a cursive style with a large, sweeping initial 'T'.

Timothy J. Ragen, Ph.D.
Executive Director