



MARINE MAMMAL COMMISSION

20 August 2013

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: Permit Application No. 05202B
(Renegade Pictures)

Dear Mr. Van Norman:

The Marine Mammal Commission (the MMC), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the above-referenced permit application with regard to the goals, policies, and requirements of the Marine Mammal Protection Act (the MMPA). Renegade Pictures proposes to film polar bears during September 2013.

RECOMMENDATION

The Marine Mammal Commission recommends that the Fish and Wildlife Service issue the permit, as requested.

RATIONALE

Renegade Pictures is requesting authorization to take up to 28 individual polar bears by Level B harassment up to four times each during filming activities at the bone pile in Kaktovik, Alaska. Polar bears could be of either sex and any age. The applicant would use footage as part of a PBS documentary to educate the public on the history of whaling in Kaktovik and how the bone pile is used by various species of wildlife, including polar bears. The footage also would be screened by the Community of Kaktovik to allow them to have input regarding the way in which their culture and traditions are portrayed in the film.

Filming activities would be conducted from vehicles on land or from small boats during a four-day period in September 2013. Two Renegade Pictures employees would use high-definition video and still cameras to film and photograph the bears. Both individuals have filmed polar bears at Kaktovik in 2009. Don Burns, a trained Kaktovik guide, would lead the filmmakers' activities, as determined appropriate by the Fish and Wildlife Service (the FWS).

The filmmakers would approach the animals no closer than 50 m using either a truck on land or a small boat at sea. They would approach the bears slowly on land and would remain behind the viewing barriers and signs. While at sea, the filmmakers would approach the bears slowly from the side and would make slow adjustments to their heading and course to maintain their position. Renegade Pictures indicated that its primary consideration would be to avoid influencing or

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changing the bear's natural behaviors and that they would cease their activities if any bear becomes vigilant. Although the researchers would film females with cubs, they would keep a safe distance and would not separate the female and her cubs while on land or at sea. If the filmmakers displace bears in more than three instances, irrespective of the number of bears displaced, the applicant would contact the Service to seek further guidance as to whether and how they can continue their activities.

The Commission supports the filming of marine mammals as films can be an important means of educating the public about these animals, their natural history, and the value of conserving them. Because of the precautionary manner in which Renegade Pictures would conduct the filming activities, the MMC recommends that the FWS issue the permit, as requested.

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

The Commission appreciates the opportunity to comment on this permit application. Kindly contact me if you have any questions concerning the Commission's recommendation.

Sincerely,

Rebecca J. Lent, Ph.D.
Executive Director