



# MARINE MAMMAL COMMISSION

11 July 2012

Mr. P. Michael Payne, Chief  
Permits and Conservation Division  
Office of Protected Resources  
National Marine Fisheries Service  
1315 East-West Highway  
Silver Spring, MD 20910-3225

Re: Permit Application No. 16193  
(Todd Robeck, DVM, Ph.D.,  
SeaWorld Parks & Entertainment)

Dear Mr. Payne:

The Marine Mammal Commission, 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. Dr. Robeck is requesting authorization to receive, import, and export samples from 14 species of marine mammals for purposes of scientific research during a five-year period. He is seeking to renew permit 116-1691.

## **RECOMMENDATION**

The Marine Mammal Commission recommends that the National Marine Fisheries Service issue the permit but require Dr. Robeck to (1) provide documentation sufficient to demonstrate that each sample to be imported was taken in accordance with the laws of the country of origin and was not taken in violation of the Marine Mammal Protection Act or other applicable U.S. laws and (2) maintain detailed records indicating the source of each specimen, the circumstances under which it was collected, and the researchers and associated institutions that receive the samples.

## **RATIONALE**

Dr. Robeck proposes to receive, import, and export an unlimited number of tissue samples from up to 40 dead and 20 captive individuals of numerous marine mammal species per year (see the take table). All age classes and both sexes could be sampled. The objectives of the proposed research are to continue (1) studying reproductive physiology of marine mammals including endocrinology, gamete biology, and cryophysiology and (2) developing assisted reproductive technologies to enhance the genetic diversity of captive populations or to store reproductive samples in case of catastrophic loss of wild populations.

Dr. Robeck proposes to obtain samples from dead animals in the wild and live animals in captive facilities, including rehabilitation facilities and oceanaria. Samples from dead animals would be collected by the attending veterinarian or with the assistance of principal investigators (who have other authorizations, namely other research permits or stranding agreements) in areas under the jurisdiction of the United States and Canada. Those samples could originate from legal subsistence

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hunts, fisheries interactions, or dead animals at sea or beachcast. Dr. Robeck would not import samples originating from animals killed in high seas driftnet fisheries or in a marine mammal directed fishery. He also would obtain samples only when collected from captive animals that are housed in countries where captive holding is legal and from animals (1) that have been behaviorally conditioned for specimen donation or (2) during normal U.S. Department of Agriculture-approved animal husbandry procedures.

Dr. Robeck would receive, import, and export samples including but not limited to reproductive organs, cells and fluids; urine; feces; teeth; blubber; skin; saliva; ocular and nasal secretions; and blood. Samples could be imported or exported worldwide. After various analyses are conducted, he would preserve and store the remaining samples in liquid nitrogen vapor. He would not store samples collected from wild animals with samples used in the assisted reproductive program or use the wild samples in that program until they have been deemed free of known transmissible diseases via culture and genetic analyses (i.e., polymerase chain reaction or PCR).

The Marine Mammal Commission recommends that the National Marine Fisheries Service issue the permit but require Dr. Robeck to (1) provide documentation sufficient to demonstrate that each sample to be imported was taken in accordance with the laws of the country of origin and was not taken in violation of the Marine Mammal Protection Act or other applicable U.S. laws and (2) maintain detailed records indicating the source of each specimen, the circumstances under which it was collected, and the researchers and associated institutions that receive the samples.

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.

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

Sincerely,

A handwritten signature in blue ink that reads "Peter O Thomas, Sr".

Timothy J. Ragen, Ph.D.  
Executive Director