



MARINE MAMMAL COMMISSION

18 April 2016

Ms. Jolie Harrison, 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. 19225
(Jim Darling, Ph.D., Whale Trust)

Dear Ms. Harrison:

The Marine Mammal Commission (the 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 (the MMPA). Dr. Darling is seeking to renew his permit to conduct research on cetaceans in Hawaii and Alaska during a five-year period—permit 13846 authorized similar activities.

Dr. Darling proposed to conduct research primarily on humpback whales in Hawaii and Alaska on a year-round basis. The purpose of the research is to investigate behavior, social organization, and communication in humpback whales. Dr. Darling would harass, observe¹, photograph², acoustically record, conduct playback studies³, biopsy sample⁴, and attach tags⁵ to humpback whales of either sex each year (see the take table). He would not biopsy sample or tag calves but could biopsy sample and tag females with calves. Samples would be exported to Sweden for analysis. Dr. Darling could harass non-target humpback whales and individuals from up to 10 other species or stocks during the proposed activities.

To minimize impacts, Dr. Darling would not separate female-calf pairs and would cease activities if any whale reacts negatively (e.g., a whale abruptly changes its location or behavior) to the activities. He also would refrain from conducting activities on whales that are the subject of other researchers or whale-watching operations. Dr. Darling would collaborate with researchers from University of Hawaii, Hawaii Marine Mammal Consortium, University of Alaska Southeast, Glacier Bay National Park, and Southwest Fisheries Science Center. For all of these reasons, the Commission believes that the proposed activities are consistent with the purposes and policies of

¹ Including conducting focal follows.

² Including from vessels, unmanned and manned aerial systems, wave gliders, and divers using snorkeling gear or rebreathers.

³ Using sounds from conspecifics at a maximum source level of 163 dB re 1 μ Pa at 1 m.

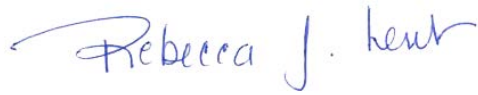
⁴ Juveniles and adults.

⁵ Suction-cup and dart tags would be attached to adults only.

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the MMPA and recommends that NMFS issue the permit, as requested. Kindly contact me if you have any questions concerning the Commission's recommendation.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca J. Lent". The signature is written in a cursive style with a large initial "R" and a distinct "Lent" at the end.

Rebecca J. Lent, Ph.D.
Executive Director