



# MARINE MAMMAL COMMISSION

26 September 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. 19674  
(Scott Kraus, Ph.D.,  
New England Aquarium)

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. Kraus is seeking to renew his permit to conduct research on North Atlantic right whales (NARWs) during a five-year period—permit 14233 authorized the same activities.

Dr. Kraus proposes to conduct research year-round on NARWs in the western North Atlantic Ocean. The purpose of the research is to investigate (1) population structure and life history parameters, (2) distribution and movement patterns, (3) disease and health, and (4) anthropogenic impacts on NARWs. Researchers would harass, photograph/videotape<sup>1</sup>, record acoustically, and sample<sup>2</sup> NARWs (see the take table). They would not biopsy sample neonate calves<sup>3</sup> or females with those calves. Various cetacean species could be harassed incidental to the proposed activities (see the take table). In addition, researchers could import biopsy samples collected from permitted researchers in foreign countries and other tissues from dead stranded animals.

Researchers would cease their activities if animals exhibit adverse reactions (e.g., tail lobbing, peduncle slapping, stress vocalizing, abrupt shifts in direction of movement, apparent displacement, or other agonistic behavior). Vessels would approach whales slowly from the side and would not separate females from their calves. To minimize the possibility of biopsy sampling individuals multiple times in a given year, researchers would crosscheck the photo-identification catalog<sup>4</sup> before biopsy sampling any individual. All encounters would be limited to 30 minutes. Researchers would collaborate with personnel at the Northeast Fisheries Science Center, Woods Hole Oceanographic Institution, Cornell University, University of Rhode Island, Duke University, McMaster University,

<sup>1</sup> Including using thermal imaging cameras and conducting photogrammetry measurements.

<sup>2</sup> Including collecting biopsy samples, sloughed skin, feces, and exhaled breath. Samples could be exported for analysis.

<sup>3</sup> Neonates are identified by the presence of fetal folds, their small size (< 16 feet in length), and swimming consistently close (< one body length) to the female.

<sup>4</sup> Which also includes biopsy sampling histories on each individual.

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and Saint Mary's University. New England Aquarium's Institutional Animal Care and Use Committee has reviewed and approved the research protocols. The Commission believes that the proposed activities are consistent with the purposes and policies of 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