



MARINE MAMMAL COMMISSION

16 November 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. 20430
(James Harvey, Ph.D.,
Moss Landing Marine Laboratories)

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. Harvey is seeking to renew his permit to conduct research on cetaceans off California during a five-year period—permit 15271 authorized the same activities.

Dr. Harvey proposes to conduct research on numerous species of cetaceans from the Southern California Bight to San Francisco Bay. The purpose of the research is to investigate (1) abundance and distribution, (2) foraging ecology, (3) social and genetic structure, (4) movement patterns and habitat use, and (5) acoustic behavior of cetaceans and their responses to vessels. Researchers would harass, observe/track¹, photograph/videotape, record acoustically, biopsy sample, and/or instrument² numerous species of cetaceans of both sexes and various age classes (see the Take Tables). They would not biopsy sample or tag calves of any age or females with calves estimated to be less than 3 months of age. Animals would not be approached more than three times in a given day. Various species of marine mammals could be harassed incidental to the proposed activities (see the Take Table).

To minimize disturbance, researchers would cease activities if an animal exhibits adverse reactions (e.g., tail lobbing, fluke slapping, stress vocalizations, fluke sideswiping, abrupt shifts in direction, or other apparent agonistic behaviors). Vessels also would approach whales slowly. In addition, they would avoid separating females from calves by (1) approaching the pair only when the calf is on the opposite side of the female from the vessel, (2) observing for adverse reactions by the female, and (3) immediately ceasing activities if the calf is more than three body lengths from the female. Finally, researchers would collaborate with personnel at Oregon State University, University of California Santa Cruz, and Southwest Fisheries Science Center.

¹ Including conducting focal follows.

² With either suction-cup or dart tags.

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Moss Landing Marine Laboratories' 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 the National Marine Fisheries Service 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 "L".

Rebecca J. Lent, Ph.D.
Executive Director