



# MARINE MAMMAL COMMISSION

21 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. 20658  
(Joseph Wilson, Penguin Films)

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). Mr. Wilson is requesting authorization to conduct filming activities on killer and minke whales in Antarctica during a two-year period as part of a Disney Nature documentary, *Penguin*.

Mr. Wilson is requesting authorization to photograph and videotape up to 60 killer whales and 60 minke whales from a helicopter as they transit the Ross Sea. Individuals of any age class and either sex could be harassed. If the whales exhibit adverse reactions (e.g., high-energy behaviors including breaching), the aircraft would fly at a higher altitude and/or find other whales to film in another location. The Commission believes that the 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".

Rebecca J. Lent, Ph.D.  
Executive Director