



# MARINE MAMMAL COMMISSION

5 December 2016

Dr. Nature McGinn, ACA Permit Officer  
Permit Office, Room 755  
Division of Polar Programs  
National Science Foundation  
4201 Wilson Boulevard  
Arlington, VA 22230

Dear Dr. McGinn:

On 25 November 2016 the National Science Foundation (NSF) published a notice (81 Fed. Reg. 85267) requesting comments on a permit application from Dr. John Durban, Southwest Fisheries Science Center. Dr. Durban is seeking authorization under the Antarctic Conservation Act (the ACA) to conduct research on cetaceans in Antarctica. The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the permit request with regard to the goals, policies, and requirements of the Marine Mammal Protection Act (the MMPA) and the ACA.

Dr. Durban proposes to conduct research on seven species of cetaceans in Antarctica from 2017 to 2021. The objectives of the research are to assess the overall health of the various species and investigate the ecosystem role of killer whales as apex predators. Dr. Durban would harass, observe, photograph, conduct photogrammetry on, and collect exhaled breath samples and biopsy samples from numerous individuals of each species (see the take table)—unmanned aerial systems would be used to conduct some of those activities. He also could collect samples from dead pinnipeds and cetaceans. All samples would be imported into the United States. The research activities currently are authorized under permit 19091 issued by the National Marine Fisheries Service (NMFS). The Commission believes that the activities are consistent with the purposes and policies of the MMPA and ACA and recommends that NSF issue the ACA 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

cc: Amy Sloan, NMFS