



MARINE MAMMAL COMMISSION

13 February 2017

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. 18059
(David Wiley, Ph.D.,
Stellwagen Bank National Marine Sanctuary)

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. Wiley proposes to conduct research on mysticetes in the Gulf of Maine during a five-year period.

Dr. Wiley proposed to conduct research on humpback, fin, minke and sei whales in the Gulf of Maine from April through November of each year. The purpose of the research is to investigate the foraging ecology, habitat use, physiology, and acoustic and social behavior of the whales. Dr. Wiley would harass¹, observe², photograph, acoustically record, collect samples³ from, and attach suction-cup tags to whales of either sex and various age classes each year (see the take table). He would not biopsy sample or tag calves⁴ or females with those calves. Dr. Wiley could harass non-target whales of the four species during the proposed activities.

To minimize impacts, Dr. Wiley would not separate female-calf pairs and would cease activities if any whale exhibits an adverse reaction (e.g., hard tail flicks, trumpet blows, tail slashes, continuous surges, abrupt changes in speed or course) to the activities. Dr. Wiley would coordinate with researchers from the National Marine Fisheries Service's (NMFS) Greater Atlantic Regional Fisheries Office and Northeast Fisheries Science Center, Center for Coastal Studies, Woods Hole Oceanographic Institution, and the College of the Atlantic. Syracuse University's and Oregon State University's Institutional Care and Use Committees have reviewed and approved the proposed research protocols. For all of these reasons, the Commission believes that the proposed activities are consistent with the purposes and policies of the MMPA and recommends that NMFS issue the

¹ Including during prey mapping.

² Including conducting focal follows.

³ Including exhaled breath and biopsy samples. Biopsy samples would be collected from juveniles and adults only.

⁴ Estimated to be six months of age and at least 7.5 m in length for fin and sei whales and at least 5 m in length for humpback whales. Minke whale calves would not be tagged.

Ms. Jolie Harrison
13 February 2017
Page 2

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