



MARINE MAMMAL COMMISSION

2 November 2017

Dr. Nature McGinn, ACA Permit Officer
Permit Office, Room 755
Division of Polar Programs
National Science Foundation
2415 Eisenhower Avenue
Alexandria, Virginia 22314

Dear Dr. McGinn:

On 26 October 2017 the National Science Foundation (NSF) published a notice (82 Fed. Reg. 49690) requesting comments on a permit modification application from Dr. David Johnston, Duke University. Dr. Johnston is seeking to modify his authorization under the Antarctic Conservation Act (the ACA) to conduct research on marine mammals 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. Johnston is authorized to harass, observe, photograph, and conduct photogrammetry on humpback and minke whales using unmanned aerial systems (UASs) in Antarctica from 2017 to 2019. The purpose of the research is to investigate body condition, density, and distribution of marine mammals. Dr. Johnston proposes to conduct the authorized activities on crabeater, leopard, Antarctic fur, Weddell, and southern elephant seals (see the take table). The proposed research activities would be authorized under a general authorization 21363 that has yet to be issued by the National Marine Fisheries Service (NMFS). The Commission believes that the proposed activities are consistent with the purposes and policies of the MMPA and ACA and recommends that NSF issue the ACA permit modification, contingent on NMFS issuing general authorization 21363 that would authorize Dr. Johnston's proposed activities.

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