



MARINE MAMMAL COMMISSION

12 February 2020

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. 23220
(Dr. Andrew Trites,
University of British Columbia)

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. Trites is requesting authorization to conduct research on southern resident killer whales (SRKW's) in the Salish Sea during a five-year period. The purpose of the research is to investigate the abundance and accessibility of prey for SRKW's. Dr. Trites would harass, observe, photograph/videotape¹, passively record, conduct focal follows and/or conduct hydroacoustic surveys² on or around SRKW's of any age class and each sex (see the take table and application for specifics). Researchers would use various measures to minimize impacts on marine mammals and also would be required to abide by the National Marine Fisheries Service's (NMFS) standard permit conditions.

Takes per animal

Dr. Trites proposed to take SRKW's up to 714 times annually during vessel, aerial or acoustic surveys, which was based on researchers potentially encountering the largest SRKW pod (34 individuals) every day during the field season (21 days). As such, each SRKW could be taken up to 21 times in a year, yet Dr. Trites only requested one take per animal in its take table. The "takes per animal" column is intended to describe the number of times an individual could be taken by the specified procedures in a given year, which is consistent with NMFS's 2016 application instructions.

¹ Including with unmanned aircraft systems.

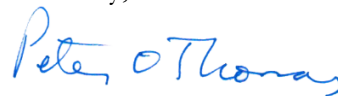
² The application indicated that Dr. Trites would maintain a distance of 50 m to 150 m when positioned behind or parallel to animals and a minimum distance of 400 m when in front of animals. The Commission understands that Dr. Trites would abide by these approach distances during focal follows and hydroacoustic surveys.

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This approach has been used for numerous permits involving cetaceans³, as well as pinnipeds⁴. Therefore, the Commission recommends that NMFS base the “takes per animal” in Dr. Trites’ permit on the estimated number of times an individual could be taken in a given year by the various methods of taking.

The Commission believes that the proposed activities are consistent with the purposes and policies of the MMPA. Kindly contact me if you have any questions concerning the Commission’s recommendation.

Sincerely,



Peter O. Thomas, Ph.D.,
Executive Director

³ See, for example, permits issued to the Marine Mammal Lab (MML, 20465), and Tamara McGuire (18016).

⁴ See, for example, permits issued to MML (16087 and 18528) and Alaska Department of Fish and Game (20466, 20443, and 18537).