



MARINE MAMMAL COMMISSION

1 July 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. 23966
(Christopher Cilfone, Be Blue)

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. Cilfone is requesting authorization to conduct filming activities on humpback whales in Hawaii during a five-year period for a National Geographic series of short films.

Mr. Cilfone is requesting authorization to photograph and videotape¹ up to 100 humpback whales in the waters of the Maui Nui Basin. Individuals of any age class and either sex could be harassed. Bottlenose, pantropical spotted and spinner dolphins could be harassed incidental to the proposed filming activities. Charles "Flip" Nicklin of Whale Trust has acted as an off-site advisor. The filmmakers would implement 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. The Commission believes that the proposed activities are consistent with the purposes and policies of the MMPA and recommends that NMFS 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 "Peter O. Thomas".

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

¹ Including from a vessel, underwater with a remotely operated vehicle, a polecam, and snorkelers, and with unmanned aircraft systems.