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. 24365  
(Paul Ponganis, Ph.D.,  
Scripps Institution of Oceanography)

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 amendment request with regard to the goals, policies, and requirements of the Marine Mammal Protection Act (the MMPA). Dr. Ponganis proposes to conduct research on California sea lions in California during a five-year period—permit 19638 authorized similar activities.

Dr. Ponganis proposes to conduct research on California sea lions on San Nicolas Island, California. The purpose of the research is to investigate the role of various physiological responses, oxygen store depletion, and anaerobic metabolism in dive and foraging behavior of California sea lions. Dr. Ponganis would harass, capture, handle, restrain, measure/weigh, administer drugs1 to, mark2, sample3, and/or instrument4 up to 15 lactating females per year (see the application and take table for specifics). Dr. Ponganis could also capture, handle, restrain, measure/weigh, and mark5 dependent pups. Non-target California sea lions, harbor seals, northern elephant seals, and northern fur seals may be harassed incidentally during the proposed activities. Dr. Ponganis requests up to one mortality6 each of a lactating female and her dependent pup per year. He would use various measures to minimize impacts on pinnipeds and would be required to abide by the National Marine Fisheries Service’s (NMFS) standard permit conditions. Dr. Ponganis’s Institutional Animal Care and Use Committee has reviewed and approved the research protocols.

---

1 Including anesthesia drugs and antibiotics.
2 With flipper tags.
3 Including blood and whiskers.
4 Including VHF transmitters, satellite-linked transmitters, 3D accelerometers, time-depth recorders, PO2 electrodes and PO2-ECG recorders, lactate electrodes and recorders, temperature electrodes and recorders, and/or CATS-Cams.
5 By clipping fur or attaching a small neoprene or tape patch and flipper tags.
6 By either unintentional mortality or intentional mortality (i.e., euthanasia for humaneness purposes).
The Commission believes that the proposed activities are consistent with the purposes and policies of the MMPA and recommends that the National Marine Fisheries Service issue the permit, as requested.

Please contact me if you have any questions regarding the Commission’s recommendation.

Sincerely,

Peter O. Thomas, Ph.D.
Executive Director