



MARINE MAMMAL COMMISSION

29 March 2021

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. 25581
(Freedive Pictures)

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). Freedive Pictures is requesting authorization to conduct filming activities on cetaceans and pinnipeds in the Pacific Ocean during a two-year period for an upcoming Netflix series highlighting unique aspects of the world's oceans.

Freedive Pictures proposed to film¹ various dolphin, whale and pinniped species in Hawaii, Alaska and California for up to six weeks in each filming location annually. Individuals of any age class and either sex could be harassed (see the application and take tables for details). Jan Straley, Ari Friedlaender, Andy Szabo, and Lars Bejder have served as off-site advisors, and the Commission understands that at least one expert will advise Freedive Pictures in the field for a few days of filming in Alaska and Hawaii. 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.

¹ Including on land with a long lens, topside from a vessel, underwater with divers, polecam and a dropcam, and in the air with unmanned aircraft systems.

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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". The signature is written in a cursive style with a large initial "P" and a distinct "O" before the last name.

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