



MARINE MAMMAL COMMISSION

13 December 2022

Dr. Mary Cogliano, Chief
Branch of Permits, MS: IA
Division of Management Authority
U.S. Fish and Wildlife Service
5275 Leesburg Pike
Falls Church, Virginia 22041-3803

Re: Permit Application No. 0031742
(BBC Studios)

Dear Dr. Cogliano:

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). BBC Studios (BBC) is requesting authorization to conduct filming activities¹ on West Indian manatees in Florida for its documentary series, *The Americas*. Individuals of any age class and either sex could be harassed, but calves will not be targeted intentionally. The filmmakers would implement various measures to minimize impacts on manatees.

Despite BBC indicating in its application that all age classes and sexes could be harassed during the proposed filming activities, the take table specified that only adult manatees would be taken and omitted any reference to sex. Additionally, the take table did not accurately specify how many animals could be taken. For example, the take table stated that '100+' manatees could be targeted for UAS filming per day, over a maximum of 60 filming days per year, and that '100+' individual manatees could be targeted per year. That is not appropriate. Instead, the number of individuals targeted per day and per year should be estimated in whole numbers, and the number of individuals targeted per year should be based on the number of animals targeted per day, number of days of filming per year, and whether individuals would be targeted repeatedly during that time². Based on the requirements in section 104(b)(2)(a) of the MMPA³, the Commission recommends that the U.S. Fish and Wildlife Service (FWS) (1) ensure that the total number of takes of target and non-target manatees are estimated appropriately, and (2) include the number, age class, and sex of target and non-target animals authorized to be taken by each filming method in any final permit issued to BBC.

¹ Including photographing and videotaping from a vessel, from land, underwater with divers, and with unmanned aircraft systems (UASs).

² For example, if BBC anticipates filming different manatees each day, 50 manatees targeted per day over 60 days would result in 3,000 manatees targeted per year.

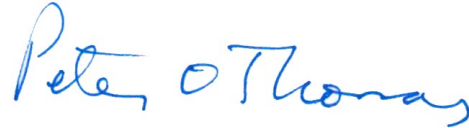
³Section 104(b)(2)(a) of the MMPA requires that any permit issued specify the number and kind of animals which are authorized to be taken, including species, stock/distinct population segment, age class, and sex.

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The application also stated that the camera assistant, who would focus on topside and UAS filming, is 'to be confirmed'. As such, the experience of this individual to conduct the various proposed filming activities cannot be assessed. Therefore, the Commission recommends that FWS ensure that whoever is selected as that co-investigator has the requisite experience and FAA certification before those filming activities are authorized.

Kindly contact me if you have any questions concerning the Commission's recommendations.

Sincerely,

A handwritten signature in blue ink that reads "Peter O. Thomas". The signature is written in a cursive, flowing style.

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