



MARINE MAMMAL COMMISSION

7 March 2024

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. 27408
(Alaska SeaLife Center)

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 humaneness and *bona fide* criteria of the Marine Mammal Protection Act (MMPA). The Alaska SeaLife Center (ASLC) is requesting authorization to conduct research on Steller sea lions during a five-year period—permit #22293 authorized similar activities.

The purpose of the research is to investigate Steller sea lion (1) population dynamics, (2) health, (3) diet, and (4) behavior to better understand factors limiting the recovery of the western population. ASLC would harass, observe, handle, restrain, measure/weigh, photograph/video, mark¹, sample², and conduct photogrammetry and ultrasound on numerous individual Steller sea lions of either sex and any age class each year. ASLC also requested up to four annual unintentional or intentional³ mortalities not to exceed four during the five-year period. Researchers would use various measures to minimize impacts on the sea lions and also would be required to abide by the National Marine Fisheries Service's (NMFS) standard permit conditions. ASLC's Institutional Animal Care and Use Committee has reviewed and approved the proposed research protocols.

Hot branding criteria for pups

Branding neonatal pinniped pups has been controversial over the years. In its current permit application, ASLC proposed to hot brand pups that were at least 20 kg. That criterion is inconsistent with criteria used in previous ASLC permits and applications⁴ and the two other Steller sea lion permit applications⁵ that published for simultaneous public comment with ASLC's application. Those permit applications and/or final permits specified the 20-kg criterion, as well as an additional

¹ With bleach, dye, paint, clipped fur, flipper tags, and hot branding.

² Including blood, hair, skin, blubber, muscle, vibrissae, swabs, and milk samples via stomach lavage.

³ Via euthanasia for humaneness purposes.

⁴ e.g., permit 18438.

⁵ Marine Mammal Laboratory (MML) permit 27499 and Alaska Department of Fish and Game (ADFG) permit 27503.

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criterion that hot branding would occur only on pups without an umbilicus present. The criteria were intended to prohibit researchers from hot branding neonatal Steller sea lion pups.

Brandon et al. (2005)⁶ specified that the body mass of neonatal (1-5 days old) Steller sea lion pups with an attached umbilical cord or an unhealed umbilicus was on average greater than 20 kg for male sea lion pups at all rookeries they had sampled and for female sea lion pups at certain rookeries. Given the potential that neonatal pups could have an umbilicus present and weigh more than 20 kg, the Commission is not convinced that mass alone is a sufficient criterion to ensure that the humaneness standard is met under the MMPA. The Commission therefore recommends that NMFS condition any permit issued to ASLC to authorize only hot branding of pups that are at least 20 kg and do not have an umbilicus present, consistent with permit applications MML #27499 and ADFG #27503.

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

Sincerely,



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

References

Brandon, E.A.A., D.G. Calkins, T.R. Loughlin, and R.W. Davis. 2005. Neonatal growth of Steller sea lion (*Eumetopias jubatus*) pups in Alaska. Fisheries Bulletin 103:246-257.
<http://hdl.handle.net/1834/26220>

⁶ Which was cited in the ASLC, MML, and ADFG applications.