

MARINE MAMMAL COMMISSION
4340 East-West Highway, Room 700
Bethesda, MD 20814-4447

11 September 2008

Mr. P. Michael Payne
Chief, Permits Division
National Marine Fisheries Service
Office of Protected Resources
1315 East-West Highway, Room 13635
Silver Spring, MD 20910

Dear Mr. Payne:

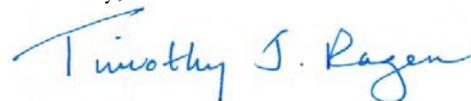
The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the request from Eglin Air Force Base seeking authorization to take small numbers of marine mammals incidental to training operations in the northern Gulf of Mexico. We also have reviewed the National Marine Fisheries Service's 11 August 2008 *Federal Register* notice proposing to issue an incidental harassment authorization for the activities under section 101(a)(5)(D) of the Marine Mammal Protection Act. In addition to soliciting comments on the proposed incidental harassment authorization, the Service has invited comments on its intent to promulgate regulations in 2009 to govern the incidental taking of marine mammals for a period of up to five years after the proposed one-year incidental harassment authorization expires.

Eglin Air Force Base is requesting authorization to take by harassment small numbers of Atlantic bottlenose dolphins and Atlantic spotted dolphins incidental to mine countermeasure detonations. Up to six training missions would be conducted during a given year. During each mission, five small live explosive charges would be detonated adjacent to five inert mines that have been placed on the seafloor in approximately 60 feet of water.

The Service issued incidental harassment authorizations for these activities in 2005, 2006, and 2007 although no missions have been conducted to date. The Commission provided comments and recommendations on the earlier requests by letters of 8 July 2005, 21 August 2006, and 13 August 2007. Inasmuch as the proposed activities are unchanged from those authorized in the previous applications, the Marine Mammal Commission refers the Service to its previous letters, which are enclosed and incorporated here by reference.

If you or your staff has questions about this letter, please contact me.

Sincerely,



Timothy J. Ragen, Ph.D.
Executive Director

Enclosures