



MARINE MAMMAL COMMISSION

23 December 2014

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. 18824
(Briana Witteveen, Ph.D.,
University of Alaska, Fairbanks)

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). Dr. Witteveen is requesting authorization to conduct research on cetaceans in Alaska during a five-year period—permit 14296 authorized similar activities.

Dr. Witteveen proposes to conduct research on nine species of large whales in the Gulf of Alaska. Although the activities could occur year-round, research is conducted primarily from May through October. The purpose of the proposed research is to (1) investigate foraging behavior, prey use, and habitat overlap amongst the large whale species and (2) determine fin and humpback whales' behavioral response to acoustic deterrents used by commercial fishermen in Alaska to minimize entanglement risks. Dr. Witteveen would harass, observe¹, photograph, conduct passive acoustic monitoring, biopsy sample, instrument with suction-cup tags, and/or conduct active acoustic studies on various numbers of each whale species in any given year (see the Take Table). Newborn calves² would not be biopsy sampled or instrumented, only those whales estimated to be at least six months of age or more would be biopsy sampled or instrumented. Dr. Witteveen also would collect prey samples³ and sloughed skin and could export any samples to Canada. Harbor porpoises, Dall's porpoises, Pacific white-sided dolphins, northern fur seals, harbor seals, and Steller sea lions could be taken incidental to the proposed activities.

To minimize disturbance, Dr. Witteveen would cautiously approach females with calves and would not separate them. If a whale changes direction and moves toward any moving vessel, the engine would be placed in neutral to allow the whale to move past the vessel. However, if a whale reacts adversely (i.e., changes in behavior, emitting stress vocalization, or abrupt shifts in direction),

¹ Including conducting focal follows.

² Which are not generally present in the feeding grounds in Alaska.

³ Primarily marine mammals from killer whale predation events.

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Dr. Witteveen would cease activities. In addition, Dr. Witteveen does not expect any adverse reactions from the whales to the 3-kHz acoustic deterrent, because it operates at a source level of 135 dB 1 μ Pa at 1 m. Deterrent activities would be conducted only if animals are more than 100 m from the source, and those activities would be stopped immediately if an adverse reaction (including, but not limited to, vocalization, wheeze blow, or tail slap) is observed. Furthermore, deterrent activities would occur only in the vicinity of the target species when other species are not within range. Dr. Witteveen's Institutional Animal Care and Use Committee reviewed and approved the research protocols. For these reasons, the Commission believes that the proposed activities are consistent with the purposes and policies of the MMPA and therefore recommends that the National Marine Fisheries Service issue the permit, as requested. Kindly contact me if you have any questions concerning the Commission's recommendation

Sincerely,



Rebecca J. Lent, Ph.D.
Executive Director