



MARINE MAMMAL COMMISSION

30 April 2014

Mr. Timothy J. Van Norman
Chief, Branch of Permits
Division of Management Authority
U.S. Fish and Wildlife Service
4401 North Fairfax Drive
Arlington, VA 22203

Re: Permit Application No. 30427B
(Steven Kazlowski)

Dear Mr. Van Norman:

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). Mr. Kazlowski proposes to photograph polar bears during a five-year period.

RECOMMENDATION

The Marine Mammal Commission recommends that the Fish and Wildlife Service issue the permit, as requested.

RATIONALE

Mr. Kazlowski is requesting authorization to take up to 13 individual polar bears up to three times per day by Level B harassment during photography activities in the Arctic National Wildlife Refuge, Alaska. Filming would occur during an 11-week period from 15 August through 15 November of each year, weather permitting. Polar bears could be of either sex and any age. Mr. Kazlowski would use the images in educational slideshows, environmental campaigns, photographic exhibits, editorial publications, books, and calendars—all of which would be made available to the public.

Filming activities would be conducted off Bernard sandspit and Barter Island in the Refuge. Mr. Kazlowski would use high-definition still cameras to photograph the bears. Photography would be conducted from small boats and from vehicles. Mr. Kazlowski has experience photographing bears, including polar bears. In addition, two local Inupiat men would assist him during the activities.

Mr. Kazlowski would approach the animals slowly at 50 m using either a small boat at sea or a truck on land. If the bear(s) does not change its behavior, Mr. Kazlowski would approach it closer. If the bear(s) becomes aware of Mr. Kazlowski's presence or appears disturbed (e.g., gets up from resting), he would cease his approach and back away from the animal(s) until it resumes its previous

Mr. Timothy J. Van Norman
30 April 2014
Page 2

behavior. If the bear(s) does not resume its natural behavior, Mr. Kazlowski would not approach it again. Mr. Kazlowski indicated that his primary consideration would be to avoid influencing or changing a bear's natural behaviors and that he would cease his activities if any bear becomes vigilant. Although he would film females with cubs, he would keep a safe distance and would not separate a female and her cubs. Mr. Kazlowski would obtain a special use permit from the Refuge prior to conducting the filming activities and would abide by its Polar Bear Viewing Guidelines.

The Commission supports marine mammal photography as photographs can be an important means of educating the public about these animals, their natural history, and the value of conserving them. Because of the precautionary manner in which Mr. Kazlowski would conduct the photography activities, the Commission recommends that the Fish and Wildlife Service issue the permit, as requested.

The Commission believes that the activities for which it has recommended approval are consistent with the purposes and policies of the MMPA.

The Commission appreciates the opportunity to comment on this permit application. Kindly contact me if you have any questions concerning the Commission's recommendation.

Sincerely,



Rebecca J. Lent, Ph.D.
Executive Director