



# MARINE MAMMAL COMMISSION

21 May 2014

Dr. Tammy Adams, Acting Chief  
Permits and Conservation Division  
Office of Protected Resources  
National Marine Fisheries Service  
1315 East-West Highway  
Silver Spring, MD 20910-3225

Re: Permit Amendment Application No. 16087  
(National Marine Mammal Laboratory)

Dear Dr. Adams:

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). The National Marine Mammal Laboratory (NMML) is seeking to amend permit 16087 that authorizes it to conduct research on pinnipeds in California, Oregon, Washington, and U.S. waters. The current permit expires on 17 May 2016.

NMML is authorized to conduct research on pinnipeds in the Channel Islands but also on the mainland and in waters of California, Oregon, and Washington. The research focuses on pinniped (1) population size and age/sex structure, (2) health, (3) demographic parameters, (4) breeding behavior, (5) weaning patterns, and (6) inter- and intra-island foraging ecology. Authorized activities include harassing, capturing, handling, restraining, administering drugs to, measuring, weighing, marking/tagging, sampling, conducting ultrasound on, and attaching instruments to various numbers of pinnipeds. NMML is authorized to conduct the specified activities on individuals of various age classes and either sex.

NMML is requesting multiple changes to its permit, including—

- (1) adding the use of year-round vessel and ground surveys to monitor Guadalupe fur seal distribution and abundance and potentially harassing up to 200 fur seals four times per year<sup>1</sup>—remote cameras also would be installed to document Guadalupe fur seal presence at any of the five locations;
- (2) adding the collection of Guadalupe fur seal carcasses (and associated tissues), sloughed fur, scat samples, and placentas;
- (3) adding capturing, restraining, measuring, weighing, marking with flipper tags, and sampling hair from up to 100 Guadalupe fur seal pups per year—adding 1 Guadalupe fur seal mortality (including intentional via euthanasia and unintentional) for the duration of the permit;

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<sup>1</sup> Those takes also include harassment when collecting carcasses and samples during ground surveys.

- (4) adding harassment of up to 200 Guadalupe fur seals four times per year incidental to California sea lion, harbor seal, and/or elephant seal research activities;
- (5) adding collection of vibrissae via extraction<sup>2</sup> and ocular swabs to the activities authorized for California sea lions, harbor seals, and elephant seals—further, the number of swabs collected would increase from two to four per orifice;
- (6) increasing the number of California sea lion takes by 230 per year during capture activities to allow for sufficient sample sizes to detect leptospirosis;
- (7) increasing the number of elephant seal takes by 100 per year during capture activities to allow for sampling of seals in multiple seasons of any given year;
- (8) removing take limits to allow annual taking for various activities authorized under the permit<sup>3</sup>—removal of those limits also would apply to mortalities to account for activities occurring on a yearly basis and the diminishing health of the California sea lion population from disease and malnutrition; and
- (9) extending the end date of the permit from 2016 to 2019, which is a five-year extension from the time the permit amendment would be issued.

All research activities would occur after the main portion of each species' pupping season. Researchers would conduct the Guadalupe fur seal activities after the pups are at least one month of age to reduce the possibility of abandonment. They would also maintain low profiles, wear camouflaged clothing, move slowly, and approach downwind when accessing haul-out sites. Researchers would install cameras prior to the pupping season and when animals are not hauled out. In addition, animals would be counted from bluffs or from behind blinds, if practicable, to minimize disturbance. Further, researchers would conduct all activities as quickly and unobtrusively as possible to minimize the length of time and number of animals disturbed. NMML's Institutional Animal Care and Use Committee has reviewed and approved the research protocols.

The Commission believes that the activities for which NMML has requested a permit amendment, and the efforts to minimize its impact, are consistent with the purposes and policies of the MMPA. Therefore, the Commission recommends that the National Marine Fisheries Service issue the permit amendment, provided that the current permit conditions remain in effect.

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

Sincerely,



Rebecca J. Lent, Ph.D.  
Executive Director

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<sup>2</sup> Currently, researchers are authorized to sample vibrissae by clipping only.

<sup>3</sup> Some activities originally were expected to occur seasonally or in a subset of years rather than during any season for each of the five years. Thus, the original five-year permit limits were based on activities only occurring intermittently rather than during each season of each year.