



MARINE MAMMAL COMMISSION

4 May 2015

Mr. Timothy J. Van Norman, Chief
Branch of Permits, MS: IA
Division of Management Authority
U.S. Fish and Wildlife Service
5275 Leesburg Pike
Falls Church, Virginia 22041-3803

Re: Permit Application No. 62018B
(BBC, Natural History Unit)

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). The BBC proposes to film southern sea otters in California in summer and fall 2015.

The BBC is requesting authorization to take up to 10 sea otter pups¹ and 100 subadults/adults of either sex by Level B harassment during filming activities in California. Filming would occur during a 6-week period in summer and fall 2015 primarily at Pt. Lobos, near Monterey, and in Elkhorn Slough. The applicant would use the footage as part of a BBC documentary, *Big Blue Live*, to promote and celebrate the conservation successes along the California coast.

The filmmakers would use high-definition video and still cameras to film and photograph the otters. Filming could be conducted either from shore or from a small boat and underwater pole camera. Tim Tinker and collaborators from the U.S. Geological Survey, Monterey Bay Aquarium, California Department of Fish and Wildlife, and/or University of California Santa Cruz would serve as advisors and identify the otters suitable for filming prior to initiation of the activities. They also would accompany the filmmakers during the initial stages of filming to assess and approve their filming methods and approach distances. Lilian Carswell from the U.S. Fish and Wildlife Service (FWS) also would provide advice throughout the filming process.

The BBC would be filming another documentary involving sea otters, *Ocean²*, in the same areas and at the same time as *Big Blue Live*. The two sets of filmmakers would coordinate their activities and would not film the same otters in the same areas. To minimize disturbance to otters, both sets of filmmakers would work on a schedule that allows for 3 days of filming followed by at

¹ Pups would be at least 3 weeks of age to 8 months of age, and no more than 10 female-pup pairs would be filmed during the activities.

² To be authorized under a separate permit.

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least 1 day of rest. If any of the filming activities disrupt an otter that is feeding, breeding, or nursing, the filmmakers would cease their activities immediately and slowly move away from the otter. If an otter moves away from the filmmakers, it will not be pursued. If an otter continually moves away from them or is disturbed more than twice on a given day, the filmmakers would back off and discontinue filming that otter. In addition, the filmmakers would not separate a female and her pup and would not film an individual otter for longer than 3 hours per day. For these reasons, the Commission recommends that FWS 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. Kindly contact me if you have any questions concerning the Commission's recommendation.

Sincerely,



Rebecca J. Lent, Ph.D.
Executive Director