



MARINE MAMMAL COMMISSION

21 May 2010

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

Re: Permit Application No. 14636
(Daniel Costa, Ph.D.)

Dear Mr. Payne:

The Marine Mammal 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 applicant is requesting authorization to harass northern elephant seals during the course of long-term studies of the species' population growth and status, reproductive strategies, behavioral and physiological adaptations for diving and fasting, general physiology and metabolism, and sensory capacities. Up to 3,930 elephant seals would be taken annually during some or all of the following activities: behavioral observations, marking, flipper-tagging, capture and biological sampling, attachment of tracking instrumentation, translocation studies, short-term capture for laboratory studies, use of standard clinical tracer techniques, and acoustic studies (recordings, playbacks of natural calls, tagging devices, and auditory-evoked potentials). The applicant also is requesting authorization for the unintentional deaths of up to five elephant seals annually and to harass additional numbers of northern elephant seals and California sea lions incidental to the proposed research activities. The proposed studies have been reviewed and approved by the applicant's Institutional Animal Care and Use Committee. The permit is requested for five years.

RECOMMENDATION

The Marine Mammal Commission recommends that the National Marine Fisheries Service approve the requested permit, provided that the Service ensure that activities to be conducted under this permit and those of other permit holders who might be carrying out research on the same species in the same areas are coordinated and, as possible, data are shared to avoid unnecessary duplication of research and disturbance of animals.

RATIONALE

The activities described in this application involve the taking of a considerable number of animals over the five-year period of the requested permit. However, the applicant is continuing a very valuable long-term study that has provided great insight into the behavior, physiology, and ecology of northern elephant seals. He has done so with few deaths or serious injuries of subject

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animals and proposes state-of-the-art methods to minimize such unintended effects. He has requested authority to euthanize up to 10 moribund pups and to collect samples from them to provide insight into the physiology of fasting and starvation. The pups that would be taken have no chance of surviving, and euthanasia is a humane alternative that will result in useful knowledge of these important physiological processes. For all these reasons, the Marine Mammal Commission concludes that the National Marine Fisheries Service should approve the requested permit.

The Commission believes that the activities for which it has recommended approval are consistent with the purposes and policies of the Marine Mammal Protection Act. Please contact me if you have any questions concerning this recommendation.

Sincerely,



Timothy J. Ragen, Ph.D.
Executive Director