



MARINE MAMMAL COMMISSION

14 October 2015

Dr. Li Ling Hamady, ACA Permit Officer
Permit Office, Room 755
Division of Polar Programs
National Science Foundation
4201 Wilson Boulevard
Arlington, VA 22230

Dear Dr. Hamady:

On 6 October 2015 the National Science Foundation (NSF) published a notice (80 Fed. Reg. 60412) requesting comments on a permit modification application from Dr. Ari Friedlaender, Oregon State University. Dr. Friedlaender is seeking to modify his authorization under the Antarctic Conservation Act (the ACA) to conduct research on numerous cetacean species in Antarctica. The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the permit request with regard to the goals, policies, and requirements of the Marine Mammal Protection Act (the MMPA) and the ACA.

Permits 14809 issued to Dr. Doug Nowacek and 14856 issued to Dr. Bruce Mate under the MMPA authorize Dr. Friedlaender to conduct research on numerous species of whales in Antarctica. The purpose of the research is to determine stock structure and investigate feeding ecology of whales in Antarctica. Dr. Friedlaender is authorized under the ACA to conduct photo-identification of and collect biopsy samples from humpback, Antarctic minke, Arnoux's beaked and killer whales, instrument humpback whales with implantable tags until 31 December 2018. Dr. Friedlaender is requesting to (1) increase the number of humpback whales to be instrumented with implantable tags from 10 to 20 whales and (2) add dart tagging for up to 10 humpback and 10 Antarctic minke whales and suction-cup tagging for up to 20 humpback and 20 Antarctic minke whales per year. He would only tag adult whales.

All activities, except dart tagging, are currently authorized under the respective MMPA permits. The National Marine Fisheries Service (NMFS) is in the process of issuing an amendment to permit 14809 to include dart tagging of numerous cetaceans, including humpback and Antarctic minke whales. Accordingly, the Commission believes that the activities are consistent with the purposes and policies of the MMPA and ACA recommends that NSF issue the ACA permit modification, contingent on inclusion of the current ACA permit conditions and NMFS issuing an amendment to permit 14809 that would authorize Dr. Friedlaender to instrument humpback and Antarctic minke whales with dart tags. Kindly contact me if you have any questions concerning the Commission's recommendation.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca J. Lent".

Rebecca J. Lent, Ph.D.
Executive Director