



MARINE MAMMAL COMMISSION

26 June 2012

Mr. P. Michael Payne, Chief
Permits and Conservation Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910-3225

Re: Request for Amendment, Permit No. 16109
(Geo-Marine, Inc.)

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. Permit 16094 authorizes Geo-Marine, Inc., to conduct systematic line transect surveys for marine mammals off the east coast of the United States. The current permit expires on 15 May 2017. Geo-Marine is requesting to increase the number of sei whale takes each year.

RECOMMENDATION

The Marine Mammal Commission recommends that the National Marine Fisheries Service issue the permit amendment, provided that the conditions contained in the current permit remain in effect.

RATIONALE

Geo-Marine, Inc., is authorized to conduct systematic, vessel-based line transect surveys for marine mammals in waters up to 30 m deep from North Carolina to New Jersey. The purpose of the research is to collect baseline data on the presence, abundance, distribution, migratory patterns, and behaviors of marine mammals in areas where alternative energy development may occur. Level A harassment takes and unintentional mortalities are not authorized.

During the review of Geo-Marine's original permit application, the Service's Northeast Region recommended that the sei whale takes be increased from 10 to 50 whales per year. The purpose of the take increase would be to gain more information on sei whale distribution and habitat use. The biological opinion and environmental assessment for the original permit analyzed 50 annual takes of sei whales. However, the Service needed to provide the public an opportunity to comment on the higher take number, which now is being processed as a permit amendment. As such, the amendment request was published in the *Federal Register* with a 30-day comment period. The Commission agrees that the additional public comment period was warranted.

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The Commission also supports the increase in sei whale takes to obtain a better baseline for whales in that area. Rigorous surveys for such information are not conducted as often as they should be and the Commission has long championed the need for this kind of baseline information. Therefore, the Marine Mammal Commission recommends that the National Marine Fisheries Service issue the permit amendment, provided that the conditions contained in the current permit remain in effect.

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 the Commission's recommendation.

Sincerely,

A handwritten signature in blue ink that reads "Timothy J. Ragen". The signature is written in a cursive style with a long horizontal line extending from the start of the name.

Timothy J. Ragen, Ph.D.
Executive Director