



# MARINE MAMMAL COMMISSION

1 March 2010

Mr. P. Michael Payne, Chief  
Permits, Conservation, and Education Division  
Office of Protected Resources  
National Marine Fisheries Service  
1315 East-West Highway, Room 13635  
Silver Spring, Maryland 20910

Dear Mr. Payne:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the application from the U.S. Navy seeking authorization under section 101(a)(5)(A) of the Marine Mammal Protection Act to take small numbers of marine mammals of 20 species (15 cetacean and 5 pinniped) by Level A and B harassment and by accidental mortality over a five-year period. The taking would be incidental to military training operations to be conducted in the Temporary Maritime Activities Area in the Gulf of Alaska from December 2010 to December 2015. The Commission also has reviewed the National Marine Fisheries Service's 3 February 2010 *Federal Register* notice (75 Fed. Reg. 5576) soliciting comments on the application.

The proposed activities would take place during the summer months in the form of one or two major exercises or focused activity periods lasting up to 21 days and consisting of multiple component training activities utilizing mid- and high-frequency active sonar sources and explosive detonations. The Navy requests authorization to incidentally take by serious injury or mortality up to three individuals of each of three species of cetaceans (i.e., Baird's beaked whale, Cuvier's beaked whale, and Stejneger's beaked whale).

The Commission supports the Service's intent to publish proposed small-take regulations for these activities and looks forward to reviewing them.

Sincerely,

A handwritten signature in blue ink that reads "Timothy J. Ragen".

Timothy J. Ragen, Ph.D.  
Executive Director