

MARINE MAMMAL COMMISSION
4340 East-West Highway, Room 700
Bethesda, MD 20814-4447

13 March 2009

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 20910-3225

Re: Request for Amendment of Permit No. 782-1719
(National Marine Mammal Laboratory)
Permit Application No. 14210 (LGL Alaska Research
Associates)

Dear Mr. Payne:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the above-referenced permit requests with regard to the goals, policies, and requirements of the Marine Mammal Protection Act. The Commission offers the following recommendations.

RECOMMENDATIONS

The Marine Mammal Commission recommends that the National Marine Fisheries Service—

- amend Permit No. 782-1719 as requested, provided that the current conditions remain in effect; and
- issue the requested permit to LGL Alaska Research Associates, provided that the Service ensure that the permit-holder and other permit-holders who might be carrying out research on beluga whales in Cook Inlet coordinate their activities and, as possible, share data to avoid unnecessary duplication of research and disturbance of animals.

BACKGROUND

The Permit Office previously authorized these activities under the Marine Mammal Protection Act but must supplement the existing authorization because the Cook Inlet beluga whale population is now listed as endangered under the Endangered Species Act.

Permit No. 782-1719: This permit authorizes the permit-holder to take by harassment various species of cetaceans while making observations, approaching animals for photo-identification, biopsy-sampling, and tagging (radio, satellite, etc.). The purpose of the research is to collect information for stock assessments. The permit authorizes the permit-holder to harass beluga whales during aerial monitoring of the Cook Inlet population. Following the population's recent

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listing as endangered, the permit-holder is requesting authority for such taking under the Endangered Species Act in addition to the current authorization under the Marine Mammal Protection Act. The amendment would be valid until the permit expires on 30 June 2009, but the Commission understands that the permit-holder intends to request an extension of the amended permit for an additional year.

Permit Application No. 14210: LGL Alaska Research Associates is requesting a permit to authorize it to take Cook Inlet beluga whales under the Endangered Species Act for a period of five years. The applicant previously conducted the activities on Cook Inlet beluga whales under the general authorization provision of the Marine Mammal Protection Act (Letter of Confirmation No. 481-1795).

The Marine Mammal Commission recommends that the National Marine Fisheries Service amend Permit No. 782-1719 as requested, provided that the current conditions remain in effect. Regarding permit application 14210, the Marine Mammal Commission recommends that the permit be issued, provided that the Service ensure that the permit-holder and other permit-holders who might be carrying out research on beluga whales in Cook Inlet coordinate their activities and, as possible, share data to avoid unnecessary duplication of research and disturbance of animals.

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