



MARINE MAMMAL COMMISSION

5 November 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: Permit Application No. 17298
(Mystic Aquarium and
Institute for Exploration)

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. Mystic Aquarium is requesting authorization to collect, receive, import, and export samples from up to 5,000 unidentified cetaceans and 5,000 unidentified pinnipeds for purposes of scientific research during a five-year period. It is seeking to renew a portion of permit 42-1908.

RECOMMENDATION

The Marine Mammal Commission recommends that the National Marine Fisheries Service issue the permit but require the Aquarium to (1) provide documentation sufficient to demonstrate that each sample to be imported was taken in accordance with the laws of the country of origin and was not taken in violation of the Marine Mammal Protection Act or other applicable U.S. laws and (2) maintain detailed records indicating the source of each specimen and the circumstances under which it was collected.

RATIONALE

The Aquarium proposes to collect, receive, import, and export samples from up to 5,000 individual cetaceans and 5,000 individual pinnipeds per year from all age classes and both sexes on an opportunistic basis (see take table). The objectives of the proposed research are to support ongoing research programs that investigate the general health of marine mammals, which includes (1) diet and nutrition, (2) disease, (3) immune function, (4) environmental stressors, and (5) toxicology. The Aquarium proposes to obtain samples from stranded animals abroad, live-captured animals taken by other permitted researchers, legal subsistence hunts, fisheries interactions, captive animals (including dolphins that are used in the Navy's Marine Mammal Program), and animals in foreign countries that were collected legally within that country. Collection of samples from animals that stranded in the United States and live-captured animals taken during permitted research activities in the United States and abroad are covered under separate authorizations. In addition, sample collection from captive animals is regulated (and approved) by the United States Department

Mr. P. Michael Payne

5 November 2012

Page 2

of Agriculture and would occur during medical and routine husbandry procedures. However, import and export of all those samples would be covered under this permit.

The Aquarium would collect, receive, import, and/or export samples that include but are not limited to the following: blood, milk, hair, saliva, exhaled air, feces, and all internal organs and tissues (including reproductive organs). Researchers would perform some analyses at the Aquarium but would send the samples to various laboratories and universities in the United States for additional analyses. The Aquarium also may export samples worldwide for analysis. All remaining samples would be archived at the Aquarium.

The Marine Mammal Commission recommends that the National Marine Fisheries Service issue the permit but require the Aquarium to (1) provide documentation sufficient to demonstrate that each sample to be imported was taken in accordance with the laws of the country of origin and was not taken in violation of the Marine Mammal Protection Act or other applicable U.S. laws and (2) maintain detailed records indicating the source of each specimen, the circumstances under which it was collected, and the researchers and associated institutions that receive the samples.

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 stroke at the beginning.

Timothy J. Ragen, Ph.D.
Executive Director