



MARINE MAMMAL COMMISSION

30 August 2012

Space and Naval Warfare Systems Center Pacific
Attn: Mark Xitco (Sea Lion Draft EA)
Building 194
BS Code 71510
53560 Hull St.
San Diego, CA 95152

Dear Mr. Xitco:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the Navy's draft environmental assessment of the effects of collecting young California sea lions for its Marine Mammal Program. The Commission offers the following recommendation and rationale.

RECOMMENDATION

The Marine Mammal Commission recommends that the Navy adopt the first alternative in its environmental assessment by focusing its collection on young sea lions in poor condition.

RATIONALE

10 U.S.C. § 7524 authorizes the Navy to take up to 25 marine mammals each year for national defense purposes (a) with the concurrence of the Secretary of Commerce and after consulting with the Marine Mammal Commission, (b) if the marine mammal is "captured, supervised, cared for, transported, and deployed in a humane manner consistent with conditions established by the Secretary of Commerce," and (c) the marine mammal is not a member of a species listed as endangered or threatened under the Endangered Species Act. The Navy uses those marine mammals to support its various defense missions and needs. California sea lions are one of several marine mammals of choice because they are highly trainable, able to detect underwater threats, and able to assist with recovery of underwater objects. They are considered particularly helpful in supporting mine warfare countermeasures and anti-terrorism missions.

The Navy has an ongoing program using California sea lions for those purposes. At this time, the Navy needs 12 additional sea lions in 2012, 12 in 2013, and 6 in 2014. In exercising its authority to take up to 25 marine mammals each year, the questions before the Navy are how and where to acquire those sea lions. The draft environmental assessment provides a reasonable and thorough assessment of the possible sources of sea lions for the Navy's program. Because the Navy needs to collect those animals while they are still relatively young and therefore more trainable, the primary candidates for collection are either young of the year on rookeries or young animals that have stranded on California beaches and have been rehabilitated at a stranding facility.

The Navy's draft environmental assessment considers four alternatives. The first alternative would be to collect young sea lions from rookeries, selecting only animals that appear to be compromised by illness or poor condition. The second alternative would be similar, but would focus

on animals that appear to be healthy. The third alternative also would be similar, but in this case would focus on young sea lions that are relatively isolated on rookeries to minimize disturbance associated with the collection activities. The fourth alternative would be to obtain releasable sea lions from stranding facilities that participate in the National Marine Fisheries Service's Marine Mammal Health and Stranding Response Program.

The Marine Mammal Commission has discussed this matter with Navy officials on several occasions. The Commission prefers the first alternative for the following reasons:

- many of the young sea lions on rookeries will not survive their first year
- experienced biologists often can identify young sea lions that have a reduced chance of survival based on their size and condition
- collection of those animals will have the least, or no, effect on the overall population
- many of those animals can be rehabilitated or brought back into good health and condition with limited effort
- the sea lions should be fully trainable and capable of performing tasks required by the Navy
- the Navy and the marine mammal community may benefit from learning about marine mammal health issues during their rehabilitation
- the fourth alternative is less than ideal because it does not ensure a reliable source of sea lions, may not be satisfactory to stranding facilities that seek to return as many sea lions as possible to the wild, and can result in competition between the Navy and other facilities seeking to acquire sea lions for public display purposes, and
- although the collection of those animals should have no effect on the source population, 10 U.S.C. § 7524 (b) also emphasizes the importance of collecting and maintaining the animals in a humane manner; focusing on young sea lions in poor condition is the most humane alternative discussed in the environmental assessment.

For these reasons, the Marine Mammal Commission recommends that the Navy adopt its first alternative by focusing its collection on young sea lions in poor condition. The Commission recognizes that some members of the public may object to the collection of sea lions (or any other marine mammals) to support the Navy's missions and needs. If the Navy adopts its first alternative, the Commission would see no basis for such concerns.

Please contact me if you questions about, or wish to discuss, the Commission's recommendation. Please also keep the Commission informed about the Navy's decision on this matter and the success of its initial efforts.

Sincerely,



Timothy J. Ragen, Ph.D.
Executive Director

Cc: P. Michael Payne