



MARINE MAMMAL COMMISSION

27 April 2015

Ms. Jolie Harrison, Chief
Permits and Conservation Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway, Room 13635
Silver Spring, MD 20910

Dear Ms. Harrison:

The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the application submitted by the Bureau of Land Management (BLM) under section 101(a)(5)(D) of the Marine Mammal Protection Act (the MMPA). BLM is seeking authorization to take small numbers of Steller sea lions by harassment incidental to a land survey on a small island within the eastern Aleutian Islands archipelago in June or July 2015. The Commission also has reviewed the National Marine Fisheries Service's (NMFS) 17 April 2015 notice (80 Fed. Reg. 21213) requesting comments on its proposal to issue the authorization, subject to certain conditions.

BLM proposes to conduct a land survey of cultural sites located on a small island within the eastern Aleutian Islands archipelago. The survey is in support of a land claim made by an Alaska Regional Native Corporation under the Alaska Native Claims Settlement Act. BLM would conduct the survey for up to 10 hours during a one-day period in June or July 2015. Presence of vessels and humans would be the main source of disturbance to Steller sea lions.

NMFS preliminarily has determined that, at most, the proposed activities temporarily would modify the behavior of Steller sea lions. It also anticipates that any impact on the affected species and stocks would be negligible. NMFS does not anticipate any take of marine mammals by death or serious injury and believes that the potential for disturbance would be at the least practicable level because of the proposed mitigation measures. The mitigation, monitoring, and reporting measures include—

- (1) conducting a slow and controlled approach to the island by vessel and skiff as far away as possible from hauled out sea lions to prevent or minimize stampeding;
- (2) ensuring that the main vessel and skiff approach the island at a reasonably slow speed (i.e., no faster than 8 knots);
- (3) refraining from placing the skiff in the path of swimming sea lions that may be present in the area;
- (4) monitoring for offshore predators such as great white sharks or killer whales prior to accessing the island and if a predator is observed, refraining from disturbing the animals until the area is free of predators;
- (5) selecting a pathway of approach to the survey site that minimizes the number of marine mammals harassed and conducting slow movements while accessing and exiting the island to prevent or minimize stampeding;

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- (6) maintaining a quiet working atmosphere, avoiding loud noises, and using hushed voices in the presence of hauled out sea lions;
- (7) initiating the land survey as far away from hauled out sea lions as practicable and if they need to survey in the direction of hauled out sea lions, proceeding in a slow and controlled manner to minimize disturbance and allow animals to slowly flush into the water;
- (8) using a qualified observer to monitor and document sea lion reactions to the proposed activities;
- (9) reporting unusual behaviors, numbers, or distributions of pinnipeds to NMFS;
- (10) reporting carcasses with tags and rare or unusual marine mammal species to NMFS;
- (11) reporting injured and dead marine mammals to the regional stranding coordinator and NMFS using NMFS's phased approach; and
- (12) submitting a final report.

The Commission concurs with NMFS's preliminary finding and recommends that NMFS issue the incidental harassment authorization, subject to inclusion of the proposed mitigation, monitoring, and reporting measures. Please contact me if you have questions regarding the Commission's recommendation.

Sincerely,



Rebecca J. Lent, Ph.D.
Executive Director