



# MARINE MAMMAL COMMISSION

27 January 2011

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

Re: Request to Amend Permit Application No. 14245  
(National Marine Mammal Laboratory)

Dear Mr. Payne:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the above-referenced application amendment request with regard to the goals, policies, and requirements of the Marine Mammal Protection Act. On 27 April 2010 the National Marine Fisheries Service published notice in the *Federal Register* (75 Fed. Reg. 22119) of the applicant's request for authorization to take by harassment specified numbers of 33 species of marine mammals. The takings would occur in the Pacific, Southern, Atlantic, and Arctic Oceans over a five-year period and would include nine cetacean species or populations listed as endangered under the Endangered Species Act. These are the blue, sei, fin, sperm, North Pacific right, bowhead, humpback, southern resident killer, and Cook Inlet beluga whales. The Commission commented on the request by letter of 11 June 2010. The Service is continuing to process the application.

The permit holder now is requesting that the application be amended to authorize the taking by harassment of up to 1,000 narwhals during aerial and vessel surveys to document narwhal sightings in North Pacific and Arctic waters and to monitor the species' status and trends. During vessel surveys, researchers would opportunistically collect sloughed skin, fecal samples, and carcass remains. Recent changes in narwhal distribution prompted the applicant's request for amendment.

## RECOMMENDATION

The Marine Mammal Commission recommends that the National Marine Fisheries Service approve the amendment request and authorize the requested taking. 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".

Timothy J. Ragen, Ph.D.  
Executive Director