



MARINE MAMMAL COMMISSION

10 June 2011

Ms. Nadene G. Kennedy
Permit Office, Room 755
Office of Polar Programs
National Science Foundation
4201 Wilson Boulevard
Arlington, VA 22230

Dear Ms. Kennedy:

By notice published in the *Federal Register* on 24 May 2011 (76 Fed. Reg. 30203), the National Science Foundation sought comments on a permit application from Alaska SeaLife Center. The Center is seeking authorization under the Antarctic Conservation Act of 1978 to conduct research on Weddell seals in McMurdo Sound and along the shore of Ross Island, Antarctica. The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the permit request with regard to the goals, policies, and requirements of the Marine Mammal Protection and Antarctic Conservation Acts and offers the following recommendation.

RECOMMENDATION

The Marine Mammal Commission recommends that the National Science Foundation issue the requested authorization under the Antarctic Conservation Act, provided that it conditions the permit to require the Center to wait to see if a seal that hauls out at Cape Royds will leave that area on its own, and only usher it out of or recapture it in that area if the researchers have no other time or option.

RATIONALE

Permit 15478, issued by the National Marine Fisheries Service under the Marine Mammal Protection Act authorizes the Alaska SeaLife Center to investigate thermoregulation in Weddell seals under ambient air and water conditions. The permit allows the Center to take by harassment up to 20 adult, non-pregnant, non-lactating females and 20 juvenile or weaned pups of either sex each year. The Center is authorized to capture, handle, sedate, measure, weigh, sample (blood and blubber), and attach instruments to the seals. Each seal may be instrumented with multiple devices to record depth, swim speed, ambient temperature, light levels, heat flux, skin temperature, and stroke frequency. The Center also is authorized to insert stomach temperature transmitters. Researchers may attach ARGOS transmitters and short-range VHF transmitters to relocate seals for recapture and removal of the attached instruments about one week after instrumentation. If an instrumented seal hauls out at Cape Royds, the Center would attempt to usher the animal outside the Antarctic Specially Protected Area before retrieving the instruments. The permit authorizes up to two unintentional seal deaths per year and the taking of up to 300 seals per year by Level B harassment during the authorized research activities.

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Because Cape Royds is an Antarctic Specially Protected Area and the act of ushering a seal out of that area may disturb other animals, the Marine Mammal Commission recommends that the National Science Foundation condition the permit to require the Center to wait to see if a seal that hauls out at Cape Royds will leave that area on its own, and only usher it out of or recapture it in that area if the researchers have no other time or option.

The Commission believes that the activities for which it has recommended approval are consistent with the purposes and policies of the Marine Mammal Protection and Antarctic Conservation Acts.

Please contact me if you have any questions regarding the Commission's recommendation.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy J. Ragen" followed by a flourish and the word "for".

Timothy J. Ragen, Ph.D.
Executive Director

Cc: Mr. P. Michael Payne