



# MARINE MAMMAL COMMISSION

3 July 2012

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

Dear Ms. Kennedy:

On 21 June 2012 the National Science Foundation published a notice (77 Fed. Reg. 37445) requesting comments on a permit modification from the Alaska SeaLife Center. The Center is seeking to modify its authorization under the Antarctic Conservation Act of 1978 to conduct research on Weddell seals in McMurdo Sound, 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 Act and Antarctic Conservation Act and offers the following recommendation.

## **RECOMMENDATION**

The Marine Mammal Commission recommends that the National Science Foundation approve the requested permit modification under the Antarctic Conservation Act but defer issuing it until the National Marine Fisheries Service has issued its permit amendment under the Marine Mammal Protection Act.

## **RATIONALE**

Permit No. 15748, issued by the National Marine Fisheries Service under the Marine Mammal Protection Act, authorizes the permit holder to harass, capture, restrain, sedate, measure, sample, conduct ultrasound on, perform photogrammetry on, and instrument Weddell seals in McMurdo Sound, Antarctica. It also authorizes the unintentional deaths of up to two Weddell seals per year. The purpose of the research is to quantify thermoregulatory costs to Weddell seals under ambient air and water conditions.

The Foundation issued the Alaska SeaLife Center permit 2012-003 under the Antarctic Conservation Act on 6 July 2011 to authorize research activities in Antarctic waters for two field seasons. In May 2012 the National Marine Fisheries Service published a request to amend the Center's permit under the Marine Mammal Protection Act. The Center now is requesting that its Antarctic Conservation Act permit also be modified similarly to authorize the same procedures and number of takes. Those modifications include—

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- increasing the number of weaned pups/juvenile sea lions of either sex that can be captured, restrained, sampled, and instrumented from 20 to 35 during the duration of the permit to compare energetic needs of weaned pups and juveniles;
- increasing the number of times an individual (i.e., weaned pups/juveniles and adult females) can be captured, restrained, and sedated from two to three times to adjust or replace failed or loose tag equipment or to prevent tag loss or failure;
- collecting from each handled seal one each of nasal, oral, and rectal swabs to study Influenza A; and
- conducting full post-mortem exams (i.e., collecting blood and tissue samples for import into the United States) if any seal is unintentionally killed during the research activities.

The Commission has commented on the Center's related permit amendment application to the National Marine Fisheries Service (enclosed). It recommended issuance of that permit amendment and does not know of any reason that the Service would not do so. Nonetheless, because the Service has yet to issue the permit amendment, the Marine Mammal Commission recommends that the National Science Foundation approve the requested permit modification under the Antarctic Conservation Act but defer issuing it until the National Marine Fisheries Service has issued its permit amendment under the Marine Mammal Protection Act.

The Commission believes that the activities in the permit application are consistent with the purposes and policies of the Marine Mammal Protection Act and Antarctic Conservation Act.

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

Sincerely,



Timothy J. Ragen, Ph.D.  
Executive Director

Enclosure

Cc: Mr. P. Michael Payne