NATIONAL MARINE FISHERIES SERVICE POLICY DIRECTIVE 02-307 ***DECEMBER 10, 2003***
PROTECTED RESOURCES
DELEGATION OF AUTHORITY FOR LOAS FOR RESPONSES TO MARINE MAMMAL STRANDING EVENTS
NOTICE: This publication is available at: http://www.nmfs.noaa.gov/directives/.
OPR: F/ (B. Hogarth) Certified by: F/ **Type of Issuance: Renewed Jan 2010 (moved from 30-114 in 08)**

S:

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

THE DIRECTOR

MEMORANDUM FOR: All Regional Administrators
for Fisheries

FROM: William T. Hogarth, Ph.D.
Assistant Administrator
for Fisheries

SUBJECT: Delegation of Authority for Administration of Letters of Agreement for Responses to Marine Mammal Stranding Events

I hereby delegate to you the authority to administer the Letters of Agreement (LOA) for response to marine mammal strandings.

BACKGROUND

Sections 112(c) and 403 of the Marine Mammal Protection Act (MMMPA) provide the Secretary of Commerce (whose functions under the MMPA have been delegated to the NOAA Assistant Administrator (AA) for Fisheries) with the authority to enter into agreements with any person to take marine mammals under MMPA section 109(h)(1) in response to a stranding. These agreements are commonly referred to as Letters of Agreement (LOAs). They are also referred to as LOAs in the legislative history of the MMPA. Non-governmental organizations and persons participating in the National Marine Fisheries Service (NOAA Fisheries), Marine Mammal Stranding Network, are required to have a valid LOA signed by NOAA Fisheries. This authority should be officially delegated from the NOAA AA for Fisheries to the Regional Administrators and filed into the NOAA Delegations of Authority and other Organization Handbook Issuances databases.

This delegation of authority is consistent with the organization of NOAA Fisheries' Marine Mammal Health and Stranding Response Program, which has a National Coordinator to provide program guidance and consistency for marine mammal stranding response and rehabilitation, and six regional Stranding Response Coordinators who oversee regional marine mammal stranding networks that respond to stranding events.

Attachments

THE ASSISTANT ADMINISTRATOR
FOR FISHERIES

Printed on Recycled Paper

NOAA *Circular*

Please file

REDELEGATION OF AUTHORITY FROM
THE ASSISTANT ADMINISTRATOR FOR FISHERIES

TYPE OF ACTION: Add _X_ Change ___ Abolish ___

AUTHORITY DELEGATED TO: Regional Administrators.

TYPE OF DELEGATION: Administrative

SOURCE OF AUTHORITY: Marine Mammal Protection Act (MMPA), 16 U.S.C. 1361 et seq.

AUTHORITY TO DO WHAT: Enter into, amend, terminate, and otherwise administer the provisions of Letters of Agreement regarding response to marine mammal strandings under MMPA sections 109(h), 16 U.S.C. 1379(h); 112(c), 16 U.S.C. 1382(c); and 403, 16 U.S.C. 1421b.

RESERVED AUTHORITY: Authority to prescribe guidelines for minimum standard qualifications for holders of Letter of Agreement and to prescribe uniform provisions for Letters of Agreement on a national basis.

EFFECTS ON OTHER AUTHORITIES: None

DELEGATED BY: Rebecca Lent

EFFECTIVE DATE: _____

CLEARED BY: _____

U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NOAA ORGANIZATION HANDBOOK

TRANSMITTAL NO. 46

DATE: March 13, 1998

SUBJECT: DELEGATION OF AUTHORITY--
Assistant Administrator for Fisheries

FILING INSTRUCTIONS: Please insert the attached page in the appropriate place of the NOAA Organization Handbook or Book I of the NOAA Directives System Handbook under Delegations of Authority, Organization Code FA0000, National Marine Fisheries Service. File this transmittal sheet in the back of the handbook.

David A. Murdock, Chief
Administrative Services Division

REDELEGATIONS OF AUTHORITY FROM THE ASSISTANT ADMINISTRATOR FOR FISHERIES (continued)

DELEGATIONS OF AUTHORITY
TO THE DIRECTOR, OFFICE OF PROTECTED RESOURCES

1. Conduct of informal consultations, including biological assessments, under section 7 of the Endangered Species Act, 16 U.S.C. 1536, in those instances where the activities cross regional boundaries, or where the Office Director determines that the activities have national significance.

2. Issuance of permits and letters of authorization (LOAs) under the Marine Mammal Protection Act, 16 U.S.C. 1361-1407, and the Endangered Species Act, 16 U.S.C. 1531-1543.

3. Signature for publication in the Federal Register and the Code of Federal Regulations, of notices of receipt of applications for permits and requests for LOAs, notices of issuance of permits and LOAs, and notices of meetings and hearings.

####END####

DELEGATIONS OF AUTHORITY
TO THE DIRECTOR, OFFICE OF TRADE AND INDUSTRY SERVICE

1. Authority (except for issuing regulations) concerning capital construction funds under the Merchant Marine Act of 1936, 46 U.S.C. App. 1177.

2. Authority (except for issuing regulations) concerning fisheries loan obligation guarantees under the Merchant Marine Act of 1936, 46 U.S.C. App. 1271 et seq.

3. Authority (except for issuing regulations) concerning the Fishing Vessel and Gear Compensation Fund, 22 U.S.C. 1980.

4. Authority (except for issuing regulations) concerning the Fishermen's Contingency Fund, 43 U.S.C. 1841-46.

5. Authority (except for issuing regulations) concerning the Fisheries Loan Fund, 16 U.S.C. 742c.

####END####

Date: 5/24/93 Approved: Nancy Foster for
Assistant Administrator for Fisheries