

**APPENDIX G**

**NMFS PERMIT No. 932-1489-08**





**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

Teri Rowles, D.V.M., Ph.D.  
National Coordinator, MMHSRP  
Office of Protected Resources  
National Marine Fisheries Service  
1315 East-West Highway  
Silver Spring, Maryland 20910

**JUN 29 2005**

Dear Dr. Rowles:

Enclosed is a major amendment to Permit No. 932-1489-07. The permit has been amended to (1) extend the expiration date from June 30, 2005, to June 30, 2007; (2) authorize aerial surveys; (3) authorize harassment of marine mammals (including endangered species) under NMFS jurisdiction incidental to other Marine Mammal Health and Stranding Response Program (MMHSRP) activities on land authorized by the permit; and (3) authorize the development of cell lines for research. The permit amendment is reflected in the new Permit No. 932-1489-08, and changes appear in bold typeface. Note that this amended permit supercedes all previous versions.

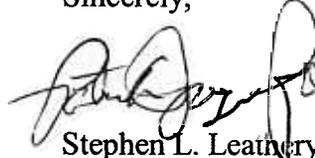
As a reminder, this permit allows the MMHSRP National Coordinator to take all species of the Orders Cetacea and Pinnipedia (except walrus) in two Projects: Project 1 authorizes collection, analyses, archival, possession and importation/exportation (worldwide) of specimens obtained from specified sources; and Project II authorizes take of live marine mammals and endangered species that are stranded, entangled, disentangled, trapped out of habitat, in peril (e.g., in vicinity of an oil spill), and nuisance animals. Please note that this permit does not authorize takes of marine mammal species under the jurisdiction of the U.S. Fish and Wildlife Service (USFWS). However, this permit allows you to receive fluid and tissue samples of species under USFWS jurisdiction provided the samples were collected legally under permits or authorizations issued by the USFWS.

The importation and exportation of species listed on the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) require a valid CITES Permit. For further information regarding CITES requirements please contact Ms. Lisa Lierheimer, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 N. Fairfax Drive, Arlington, VA 22203 (1-800-358-2104).

Please note that this permit amendment is not valid until our office receives a signed copy of the signature page. Please review the enclosed amended permit to ensure that it accurately reflects

what you requested and that you understand what is authorized. Please sign and date both the original and the "file copy" of the signature page. Return the signature page marked "file copy" to this office. If you have any questions, please contact Ruth Johnson or Amy Sloan (301/713-2289).

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen L. Leathers". The signature is fluid and cursive, with a large initial "S" and "L".

Stephen L. Leathers  
Chief, Permits, Conservation and  
Education Division  
Office of Protected Resources

Enclosure



NMFS Permit No. 932-1489-08  
Expiration Date: June 30, 2007

SCIENTIFIC RESEARCH and ENHANCEMENT PERMIT  
TO TAKE MARINE MAMMALS  
Amendment No. 8

Authorization

The Marine Mammal Health and Stranding Response Program, Office of Protected Resources, National Marine Fisheries Service (NMFS) [Coordinator and Principal Investigator (PI): Dr. Teri Rowles], is hereby authorized to take marine mammals in the manner specified below for the purpose of scientific research and enhancement, subject to the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), the Regulations Governing the Taking, Importing, and Exporting of Endangered and Threatened Fish and Wildlife (50 CFR parts 222-226), the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*), and the Terms and Conditions hereinafter set out. **This Permit, as amended, supersedes all previous versions.**

Abstract

The purposes of the authorized activities, as stated in the application, are to: (1) collect, preserve, label, and transport all species of the Orders Cetacea, Pinnipedia (except walrus), cadavers for tissue and fluid samples for physical, chemical, or biological analyses, import, and export; (2) take stranded or distressed marine mammals and endangered or threatened species; (3) salvage specimens from dead marine mammals and endangered or threatened species; (4) **conduct aerial surveys to locate imperiled marine mammals or survey the extent of disease outbreaks or die-offs;** (5) **harass marine mammals on land incidental to other MMHSRP activities authorized by this permit;** and (6) develop and maintain cell lines from species under NMFS jurisdiction.

A. Number and Kind(s) of Marine Mammals and Location(s) [50 CFR 217.36(a)(i)]

1 PROJECT I - SPECIMEN COLLECTION: MARINE MAMMAL AND ENDANGERED OR THREATENED SPECIES

- a. At any time of the year, the Holder/PI may, subject to the conditions herein, collect, analyze, archive, and import/export (worldwide), unlimited numbers and kinds of specimens, **including cell lines**, from the following marine mammal and endangered or threatened species:



- 1) Order Cetacea; and
  - 2) Order Pinnipedia (except walrus).
- b. The specimens authorized in A.1.a. may be taken from any of the following sources:
- 1) On-going live animal capture/release programs as authorized under Part A.2.
  - 2) Live animal capture/release as part of a disease, emergency response or die-off investigation;
  - 3) Live animals stranded or in rehabilitation (specimens may include biopsies);
  - 4) Captive animals when sampling is beyond the scope of normal husbandry;
  - 5) Directly taken in fisheries for such animals in countries and situations where such taking is legal;
  - 6) Killed during subsistence harvests by native communities;
  - 7) Killed incidental to commercial fishing operations.
  - 8) Killed incidental to other human activities (*e.g.* ship strikes, blasting, etc.);
  - 9) Found dead on the beach or at sea;  
  
Found dead as part of NOAA investigations (*e.g.* hazmat spills, oil spills, harmful algal blooms, etc.);  
  
Found on the beach or on land within 1/4 mile of the ocean (bones, teeth or ivory of any dead animal); or
  - 12) Soft parts sloughed, excreted, or discharged provided animals in the wild are not harassed during collection.

The Holder/PI or CIs may receive/possess samples taken from species of the Order Sirenia, polar bear (*Ursus maritimus*), sea otter (*Enhydra lutris*), and marine otter (*Lontra felina*).

PROJECT II - ENHANCEMENT ACTIVITIES: MARINE MAMMALS AND  
ENDANGERED OR THREATENED SPECIES

- a. The Holder may “take”, as defined in the MMPA and ESA<sup>1</sup>, live marine mammals that are stranded, entangled, disentangled, trapped out of habitat, in peril (e.g., in vicinity of an oil spill), extra-limital and nuisance marine mammals and endangered or threatened species by the following activities:
- 1) Capture/release or if capture is not necessary, use means available (as approved by the Holder/PI or designee) to lure trapped or nuisance animals out to sea or deter them away from an area of imminent danger;
  - 2) Treat distressed condition, including temporary captivity in an adequate treatment or rehabilitation facility;
  - 3) Disentangle from gear, ropes or other such man-made material which may be adversely affecting the animal;
  - 4) Transport for rehabilitation or return to wild;
  - 5) Attach tags to and/or biopsy stranded, entangled, disentangled, trapped out of habitat, in peril (e.g., in vicinity of an oil spill), extra-limital and nuisance animals; conduct auditory brainstem response and auditory evoked potential procedures, or
  - 6) Euthanize animals for humane or medical reasons approved by the Holder/PI or NMFS stranding coordinator (see B.2.b.).
- b. **The Holder may harass marine mammals during aerial surveys to locate imperiled marine mammals or to survey the extent of a disease outbreak or die-off.**
- c. **The Holder may harass marine mammals on land incidental to other MMHSRP activities authorized by this permit.**

3. PROJECT III - IMPORT/EXPORT OF LIVE MARINE MAMMALS (MMPA §109(h))

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<sup>1</sup>As defined in the MMPA and promulgating regulations, “take” means to harass, hunt, collect, capture, or kill, or to attempt to harass, hunt, collect capture, or kill any marine mammal; AND as defined in the ESA, “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, or collect, or attempt to engage in such conduct.

- a. At any time of the year, the Holder may, import/export (worldwide), non-listed marine mammals, for medical treatment, from the following species:
  - 1) Order Cetacea (except endangered or threatened species); and
  - 2) Order Pinnipedia (except walrus and endangered species).

**B. Research/Enhancement Conditions [50 CFR 216.36(b)]**

**1 PROJECT I - SPECIMEN COLLECTION: MARINE MAMMALS AND ENDANGERED OR THREATENED SPECIES**

- a. The Working Group on Unusual Marine Mammal Mortality Events (WGUMMME) will provide advice on any live animal investigative activities.
- b. Only experienced and trained personnel will perform any live animal investigative activities.
- c. Samples in A.1.c. may be acquired and possessed only if the samples were taken under authority of a U.S. Fish and Wildlife Service permit or authorization and samples were taken in a humane manner.
- d. Soft or hard parts authorized in A.1.b.13) may be collected/salvaged from marine mammals and endangered species provided no animals are harassed as a result of the taking, or the Holder has a scientific research permit to harass that species.

**2. PROJECT II - ENHANCEMENT ACTIVITIES: MARINE MAMMALS AND ENDANGERED OR THREATENED SPECIES**

- a. Tagging
  - 1) Prior to release, the Holder/PI or CIs may tag marine mammals and threatened or endangered species undergoing rehabilitation;
  - 2) Animals entangled in rope or other debris may be tagged and monitored; and
  - 3) Only experienced personnel can apply and deploy tags by an acceptable means.

- b. Euthanasia
  - 1) The NMFS National Stranding Coordinator(s) must be consulted and provide approval (verbal or written), in advance, of euthanasia for humane or medical purposes; and
  - 2) Euthanasia must only be performed by an attending, experienced, and licensed veterinarian or other qualified individual.
- 3. PROJECT III - IMPORT/EXPORT OF LIVE MARINE MAMMALS (MMPA §109(h))
  - a. The Holder/PI may only import or export non-listed marine mammals for medical treatment, rehabilitation or return to wild (including the return of extra-limital animals).
  - b. The Convention on International Trade in Endangered Species (CITES) CITES shall apply to imports and exports authorized in this Project.
- 4. PROJECTS I, II and III

The following individuals may participate in the conduct of the activities authorized herein: Teri Rowles, Ph.D./D.V.M. and Janet Whaley, D.V.M. The Holder/PI or Dr. Whaley may designate individuals to participate as co-investigators, in the conduct of the research and enhancement activities authorized herein. Each CI must receive a letter from the PI or Dr. Whaley confirming his/her status as a CI along with a copy of this Permit. Designation of co-investigators is at the sole discretion of the Holder/PI.

- b. The Holder/PI, or an identified CI with approval of the Holder/PI or designee, may designate members of the National Stranding or Disentanglement Network that holds Letters of Agreement, other network participants, and/or other federal, state or local agencies or their employees, and other qualified individuals as agents of the Holder/PI authorized under this Permit to conduct activities authorized herein.
- c. Researchers may conduct activities by the means and for the purposes described in the application, as limited by the Terms and Conditions of this Permit, and as otherwise authorized by the Holder/PI or CI(s).
- d. For marine mammal and endangered species stranding response activities (including capture/release activities), the Holder must:

- 1) Notify the Permits, Conservation and Education Division, Office of Protected Resources, prior to any capture/release activities;
  - 2) Only perform capture/release activities as advised by the WGUMMME;
  - 3) Only perform capture/release activities in conjunction with researchers and managers for that stock or species;
  - 4) Process animals in small groups;
  - 5) Minimize handling time;
  - 6) Exercise caution when approaching all animals, particularly female/pup or female/calf pairs;
  - 7) Monitor all biopsy or tagging sites for possible infection;
  - 8) Keep animals cool and wet during triage and/or transport (when appropriate);
  - 9) Use standardized, humane methods for sterilization and sample collection; and
  - 10) Use scientifically reviewed and acceptable tagging and biopsy sampling techniques that are not considered controversial. In no instance will the Holder attempt to biopsy a cetacean anywhere on the front half of the animal.
- e. For large whale disentanglements, the Holder must
- 1) Approach the whales gradually to minimize or avoid any sort of startle response;
  - 2) Use caution when approaching mothers and calves; and
  - 3) For the safety of the Researchers and whales, only use individuals that have been sufficiently trained, to the satisfaction of the Holder/PI, to disentangle animals.
- f. The Holder/PI must perform all activities and collect all samples in a humane manner.

- g. The Holder/PI must not harass or kill any animal for the express purpose of providing specimens to be obtained and/or imported/exported under this Permit.
- h. The Holder/PI will assign a permanent catalogue number, including any prior identification numbers, to all individuals or samples.

5 Import/Export Requirements

- a. The Holder/PI must not import specimens into the United States from marine mammals:
  - 1) Taken illegally in the country of origin or taken in a directed fishery, except where such taking is legal;
  - 2) Taken in any high seas driftnet fishery after December 31, 1992;
  - 3) Taken during any commercial whaling operation or any scientific whaling operation which does not meet the criteria established by the International Whaling Commission at the time of taking; or
  - 4) Deliberately killed for the purposes of fulfilling this Permit or taken through a directed take, except as noted in 1) above.
- b. Researchers must comply with the requirements of the CITES for import and export [50 CFR part 23].
- c. Marine mammal parts imported under the authority of this permit must be taken imported or exported in a humane manner, and in compliance with the Acts and any applicable foreign law. Importation of marine mammals and marine mammal parts is subject to the provisions of 50 CFR parts 14 and 216.
- d. All specimens imported into the United States must be accompanied by documentation giving a description of each animal from which specimen materials were taken including, if possible:
  - 1) Identification, age, size, sex, reproductive condition;
  - 2) Date and location of collection;
  - 3) Circumstances causing the death; and

- 4) The date and port of entry of each location.
- e. Any marine mammal part imported under the authority of this scientific research permit must not have been obtained as the result of a lethal taking that would be inconsistent with the Acts, unless specifically authorized in writing by the Office Director.
- f. The Holder must maintain records of the types, species, and numbers of specimens imported or exported, the importing or exporting country for each shipment, and circumstances surrounding the specimen acquisition (i.e., stranding, subsistence harvest, etc.).
- g. All specimen materials obtained under this authority shall be maintained according to accepted curatorial standards.
- h. Designated Ports of Entry: The following Customs ports of entry are designated for the importation or exportation of wildlife and are referred to hereafter as “designated ports” (50 CFR 14.12). Please notify the USFWS wildlife inspectors (list attached) at these ports at least 48 hours prior to import or export.

Designated Ports of Entry			
1)	Anchorage, AK	10)	Louisville, KY
2)	Atlanta, GA	11)	Memphis, TN
3)	Baltimore, MD	12)	Miami, FL
4)	Boston, MA	13)	New Orleans, LA
5)	Chicago, IL	14)	New York, NY
6)	Dallas/Fort Worth, TX,	15)	Newark, NJ
7)	Honolulu, HI	16)	Portland, OR
8)	Houston, TX	17)	San Francisco, CA
9)	Los Angeles, CA	18)	Seattle, WA

To use a port of entry other than the designated ports listed above, the Holder/PI or designee must obtain a Designated Port Exception Permit from the USFWS as required in 50 CFR 14.31 and 14.32. Additional information may be obtained from the USFWS website. <http://permits.fws.gov/>.

6. Disposition:

- a. After completion of initial research goals, the Holder must deposit any remaining samples or specimens into a *bona fide* scientific collection that

meets the minimum standards of collection, curation, and data cataloging as established by the scientific community.

- b. The Holder, PI, or designated CI's may dispose of carcasses, skeletal material, and soft parts from marine mammals and endangered species, as deemed appropriate and as limited by the MMPA, ESA, and FSA.

7. Transfer of Specimens - [50 CFR 216.37]: Marine mammal and endangered species parts taken or imported under authority of this Permit may be transferred by the Holder/PI or CI(s) provided:

Under no circumstances may any marine mammal part, **including cell lines**, be bought, sold, or used for commercial purposes.

- b. Specimens are transferred for research [including analysis, diagnostics and archival in a laboratory], maintenance in a scientific collection, or for education<sup>2</sup> purposes.

Recipients of marine mammal parts adhere to the terms and conditions of this Permit, regulations at 50 CFR 216.37, and any additional conditions required by the Holder/PI.

- d. **Recipients of cell lines are designated as Co-investigators under this Permit or are Holders of a special exception permit for scientific research and/or enhancement activities that includes development or research on cell lines, of the same species of marine mammal and /or endangered species.**

8. The authority of this Permit will extend from the date of issuance through **June 30, 2007**. The Terms and Conditions of the Permit will remain in effect as long as the Permit Holder/PI, CI(s) or designee(s) maintains the authority and responsibility of the marine mammal specimens imported hereunder. Attached is section 216.37 of the Regulations Governing the Taking and Importing of Marine Mammals that contains additional conditions applicable to maintaining marine mammal parts. These regulations are made a part hereof.

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<sup>2</sup>In the case of transfers for educational purposes the recipient must be a museum or educational institution or equivalent that will ensure that the part is available to the public as part of an educational program.

C. Notifications/Coordination [50 CFR 216.36]

1. The Holder must notify the appropriate NMFS Assistant Regional Administrator for Protected Resources regarding events occurring in that Region. This notification must include (when possible) a description of the proposed activity, location, dates, and duration of activities.
2. If the events occur within the boundaries of a National Marine Sanctuary, the Holder must notify the Sanctuary Manager at the appropriate Sanctuary Office on the attached list. When possible, this notification must include specific dates, locations, and participants involved in the activities.
3. Coordination: The Holder must coordinate activities with other researchers conducting the same or similar research in locations authorized herein.

D. Reporting Conditions [50 CFR 216.38]

1 Annual Report:

Each year the permit is valid, the Holder must submit an annual report of research by March 31 of each year. The report shall cover research conducted during the previous year ending December 31 and describe the specific activities that have been conducted. For each marine mammal part taken, imported, exported or otherwise affected pursuant to permitted activities, the annual report must include the following:

a. Carcasses/Parts:

- 1) A description of the part and its assigned identification number;
- 2) Source, collector, country of origin, **and authorizing government agency (for imported samples)** for each sample reported;
- 3) A summary of the research analysis conducted on the samples; and
- 4) A description of the disposition of any marine mammal parts, including an identification of the part as required §216.37(a)(4) and the manner of disposition.

b. Live animal activities:

A description of the species, numbers of animals, locations of activities, and types of activities for:

Live captures;

- 2) Stranding response/disentanglement of marine mammals and endangered/threatened species;
- 3) Specimen collections;
- 4) Euthanasia (including reason for euthanasia, drugs used, etc.); and
- 5) **Incidental harassment during aerial surveys and land activities.**

When possible, please also describe the animals' reactions to any of the above activities.

2 Final Report:

Upon completion of the research, the Holder must submit a final report within 180 days of the last annual report. A final report should include information requested in 1 above, and:

- a. A summary of research objectives and results of research as it relates to the objectives; and
  - b. An indication as to when and where the research results will be published
3. The Holder must submit all reports and any papers or manuscripts published as a result of the research authorized herein, to the Director, Office of Protected Resources, National Marine Fisheries Service (NMFS), 1315 East-West Hwy., Silver Spring, Maryland 20910.

E. Photography/Filming Restrictions [50 CFR 216.36]

The Permit Holder and all researchers working under this Permit must obtain prior approval by the NMFS Permits, Conservation and Education Division for the following:

- a. Non-research related (i.e., **commercial**) use of photographs, video and/or film that were taken to achieve the research objectives; and
- b. All activities not essential to achieving the research objectives (e.g. still photography, videotaping, motion picture film making). Such activities must not influence the conduct of research in any way.

2. The Permit Holder and researchers are hereby notified that failure to obtain NMFS approval prior to conducting or facilitating such activities will be considered a violation of the Permit. The Permit Holder and researchers must agree, upon request by NMFS, to make space available on the vessel or aircraft for a NMFS observer during any trips where activities identified in E.1.b. may be conducted.
3. Any commercial/documentary film approved for use must include a credit, acknowledgment, or caption indicating that the research was conducted under a permit issued by NMFS under the authority of the MMPA and/or the ESA.

F. General Conditions [50 CFR 216.35 and 216.36]

- 1 The Permit Holder is ultimately responsible for all activities of any individual who is operating under the authority of the permit.

Co-investigators (CI): The Principal Investigator (PI) may designate additional co-investigators, provided that a copy of the letter designating the individual to conduct the activities authorized herein, and a copy of the individual's curriculum vitae is provided to the Permits Division by facsimile on the day of designation and confirmed by mail. The PI must ensure that the letter designating the individual(s) contain specific restrictions stated herein or a copy of the Permit is attached to the designation letter.

2. Research Assistants are individuals who work under the direct supervision of the PI or CI(s) and who are authorized to record data and serve as safety observers and boat tenders.
  - a. Restrictions: With the exception of professional and/or experienced photographers/videographers or licensed and/or experienced boat operators, Research Assistants are NOT authorized to carry out underwater observations and/or photography or to operate vessels. The qualifications and experience of the Research Assistant(s) must be commensurate with his/her assigned responsibilities.
  - b. Photographer/videographer: A professional and/or experienced videographer/photographer under the direct, on-site supervision of the Researchers [Holder, PI, or CI(s)], may conduct activities requiring underwater observations and/or photography. The Holder, PI, or CI(s) must be present at all times when activities is being conducted.
3. Individuals conducting activities authorized under the permit must possess qualifications commensurate with his/her duties and responsibilities, or must work under the direct supervision of the PI or CI.

4. Persons who require state, Federal, or foreign licenses to conduct activities authorized under the permit must be duly licensed when undertaking such activities.
5. The Permit Holder cannot transfer or assign the Permit to any other person. If the Holder requests authorization to add a person to this permit, the Holder cannot require compensation from the individual, in exchange for this request.
6. The Permit Holder, PI, or CI(s) must possess a copy of the permit when engaged in a permitted activity, when the marine mammal is in transit incidental to such activity, and whenever marine mammals or marine mammal parts are in the possession of the Permit Holder or agent. The Holder must affix a copy of the permit to any container, package, enclosure, or other means of containment, in which the marine mammals or marine mammal parts are placed for purposes of transit, supervision, or care. Any storage facility repositing marine mammal parts must keep a copy of the permit on file.

Activities conducted by the United States Coast Guard personnel authorized as Co-Investigators, LANTAREA will keep a copy of the Permit on file for reference landside at each of the following in Districts 1, 5, 7, and 8: General Counsel offices, OPCON, each Station/Group/Activities office; and at the Offices of Law Enforcement. LANTAREA will also advise vessels 87' and greater to keep a copy of the Permit on board.

7. Inspection: Upon request by NMFS personnel or agents designated by the Director, Office of Protected Resources, the Permit Holder must make available for inspection, any records collected under authority of this permit.
8. Permit Amendments: The Director, Office of Protected Resources, NMFS, may amend the provisions of this Permit upon reasonable notice.
9. Transferability: The PI and CI(s) cannot transfer or assign the Permit to any other person. The PI may request authorization to add a person to this Permit, but the PI cannot accept any direct or indirect compensation from the individual, in exchange for doing so.
10. No remuneration, either financial or in-kind, may be offered for the taking of animals from the wild. This does not preclude the payment of legitimate collection and transportation expenses (e.g., hiring staff, freight costs). It does, however, apply to paying bounties or incentive pay for the removal of animals from the wild.

- 11 Any falsification of information pertaining to the permitted activities, including information provided to NOAA personnel, will be considered a violation of the permit.
12. The Permit Holder, in signing this Permit, has accepted and will comply with the provisions of this Permit, applicable Regulations (50 CFR parts 216 and 222-226), and the MMPA, ESA, and FSA.

G. Penalties and Permit Sanctions (50 CFR 216.40)

- 1 Any person who violates any provision of this permit is subject to civil and criminal penalties, permit sanctions, and forfeiture as authorized under the MMPA, ESA and 15 CFR part 904 [Civil Procedures] and 50 CFR part 11.
- 2 All permits are subject to suspension, revocation, modification, and denial in accordance with the provisions of subpart D [Permit Sanctions and Denials] of 15 CFR part 904 and 50 CFR part 13.



James H. Lecky  
Director  
Office of Protected Resources  
National Marine Fisheries Service

JUN 29 2005

\_\_\_\_\_  
Date



Teri Rowles, Ph.D., D.V.M.  
Holder/Principal Investigator  
Marine Mammal Health and Stranding  
Response Program  
Office of Protected Resources  
National Marine Fisheries Service

JUL 05 2005

\_\_\_\_\_  
Date

11. Any falsification of information pertaining to the permitted activities, including information provided to NOAA personnel, will be considered a violation of the permit.
12. The Permit Holder, in signing this Permit, has accepted and will comply with the provisions of this Permit, applicable Regulations (50 CFR parts 216 and 222-226), and the MMPA, ESA, and FSA.

G. Penalties and Permit Sanctions (50 CFR 216.40)

- 1 Any person who violates any provision of this permit is subject to civil and criminal penalties, permit sanctions, and forfeiture as authorized under the MMPA, ESA and 15 CFR part 904 [Civil Procedures] and 50 CFR part 11.

All permits are subject to suspension, revocation, modification, and denial in accordance with the provisions of subpart D [Permit Sanctions and Denials] of 15 CFR part 904 and 50 CFR part 13.

  
James H. Lecky  
Director  
Office of Protected Resources  
National Marine Fisheries Service

JUN 29 2005  
\_\_\_\_\_  
Date

  
Teri Rowles, Ph.D., D.V.M.  
Holder/Principal Investigator  
Marine Mammal Health and Stranding  
Response Program  
Office of Protected Resources  
National Marine Fisheries Service

JUL 05 2005  
\_\_\_\_\_  
Date

**FILE COPY**

Attachment A

RELEVANT ADDRESSES

NMFS Regional Offices

Brent Norberg, Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0700; phone (206)526-6150; fax (206)526-6426;

Assistant Regional Administrator for Protected Resources, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907)586-7235; fax (907)586-7012;

Assistant Regional Administrator for Protected Resources, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4020; fax (562)980-4027;

Tamra Farris, Assistant Administrator, Pacific Islands Regional Office, NMFS, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814-4700; phone (808)973-2935; fax (808)973-2941;

Assistant Regional Administrator for Protected Resources, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (508)281-9346; fax (508)281-9371; and

Assistant Regional Administrator for Protected Resources, Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (813)570-5301; fax (813)570-5517.

NOS National Marine Sanctuaries

Channel Islands National Marine Sanctuary, 113 Harbor Way, Santa Barbara, CA 93109 (805/966-7107)

Cordell Bank National Marine Sanctuary, Fort Mason, Building #201, San Francisco, CA 94123 (415/561-6622)

Fagatele Bay National Marine Sanctuary, P.O. Box 4318, Pago Pago, AS 96799 (011-684-633-7354)

Florida Keys National Marine Sanctuary, P.O. Box 500368, Marathon, FL 33050 (305/743-2437)

Florida Keys National Marine Sanctuary (Lower Region), 216 Ann Street, Key West, FL 33040 (305/292-0311)

Florida Keys National Marine Sanctuary (Upper Region), P.O. Box 1083, Key Largo, FL 33037 (305/852-7717)

Flower Garden Banks National Marine Sanctuary, 216 W. 26<sup>th</sup> Street, Suite 104, Bryan, TX 77803 (409/779-2705)

Gray's Reef National Marine Sanctuary, 10 Ocean Science Circle, Savannah, GA 3141 (912/598-2345)

Gulf of the Farallones and Cordell Bank National Marine Sanctuaries, Fort Mason, Building 201, San Francisco, CA 94123 (415/561-6622)

Hawaiian Islands Humpback Whale National Marine Sanctuary, 726 South Kihei Road, Kihei, HI 96753 (808/879-2818)

Monitor National Marine Sanctuary, The Mariners' Museum, 100 Museum Drive, Newport News, VA 23606-3759 (757/599-3122)

Monterey Bay National Marine Sanctuary, 299 Foam Street, Suite D, Monterey, CA 93940 (408/647-4258)

Olympic Coast National Marine Sanctuary, 138 W. 1<sup>st</sup> Street, Port Angeles, WA 98362 (360/457-6622)

Stellwagen Bank National Marine Sanctuary, 14 Union Street, Plymouth, MA 02360 (508/747-1691)

#### US Fish and Wildlife Service

Sirenia (other than Florida manatee) - Office of Management Authority, 4401 N. Fairfax Drive, Arlington, VA 22203 (1-800-358-2104);

Florida manatee - Field Supervisor, Jacksonville Field Office, 6620 South Point Drive South, Suite 310, Jacksonville, FL 32216-0312 [904-232-2580, Fax: 904-232-2404];

Southern sea otter - Field Supervisor, Ventura Field Office, 2493 Portola Road, Suite B, Ventura, CA 93003 [805-644-1766, Fax: 805-644-3958]; and

Northern sea otter, walrus, polar bear - Marine Mammals Management, 1101 E. Tudor Road, Anchorage, AK 99503-6199 [907-786-3800, Fax: 907-786-3816].

U.S. Fish and Wildlife Service  
Wildlife Inspectors, Division of Law Enforcement

DESIGNATED PORTS

<p><u>Anchorage - Designated</u> P.O. Box 190045 Anchorage, Alaska, USA 99519 Phone: (907) 271-6198 Fax: (907) 271-6199</p>	<p><u>Los Angeles - Designated</u> 370 Amapola Ave. #114 Torrance, California 90501 Phone: (310)328-6307 Fax: (310)328-6399</p>
<p><u>Atlanta - Designated</u> P.O. Box 45287 Atlanta, Georgia 30320 Phone: (404)763-7959 Fax: (404)763-7560</p>	<p><u>Miami - Designated</u> 10426 N.W. 31<sup>st</sup> Terrace Miami, Florida 33172 Phone: (305)526-2610 Fax: (305)526-2695</p>
<p><u>Baltimore - Designated</u> 40 S. Gay Street, #223 Baltimore, Maryland 21202 Phone: (410)865-2127 Fax: (410)865-2129</p>	<p><u>New Orleans - Designated</u> 2424 Edenborn, Room 100 Metairie, Louisiana 70001 Phone: (504)219-8870 Fax: (504)219-8868</p>
<p><u>Boston - Designated</u> 70 Everett Avenue, Suite 315 Chelsea, Massachusetts 02150 Phone: (617)892-6616 Fax: (617)889-1980</p>	<p><u>New York - Designated</u> 70 E. Sunrise Hwy. #419 Valley Stream, New York 11580 Phone: (516)825-3950 Fax: (516)825-1929 - Inspectors Fax: (516)825-3597 - Special Agents</p>
<p><u>Chicago - Designated</u> Wildlife Inspection Program P.O. Box 66726 Chicago, Illinois 60666-0726 Phone: (773)894-2910 Fax: (773)894-2916</p>	<p><u>Newark - Designated</u> 1210 Corbin St. SeaLand Bldg., 2<sup>nd</sup> Fl. Elizabeth, New Jersey 07201 Phone: (973)645-6171 Fax: (973)645-6533</p>
<p><u>Dallas/Ft. Worth - Designated</u> 1717 West 23<sup>rd</sup>, Suite 104 DFW Airport, Texas 75261 Phone: (972)574-3254 Fax: (972)574-4669</p>	<p><u>Portland - Designated</u> 7000 NE Airport Way, Rm. C2732 Portland, Oregon 97238 Phone: (503)231-6135 Fax: (503)231-6133</p>

<p>Honolulu - <u>Designated</u>  3375 Koapaka St., #F275  Honolulu, Hawaii 96819  Phone: (808)861-8525  Fax: (808)861-8515</p>	<p>San Francisco - <u>Designated</u>  1633 Old Bayshore Hwy., Ste. 248  Burlingame, California 94010  Phone: (650)876-9078  Fax: (650)876-9701</p>
<p>Seattle - <u>Designated</u>  2580 South 156<sup>th</sup> Street  Seattle, Washington 98158  Phone: (206)764-3463  Fax: (206)764-3485</p>	
<p><u>NON-DESIGNATED PORTS</u><sup>3</sup>  U.S. Fish and Wildlife Service, Division of Law Enforcement</p>	
<p>Blaine  9925 Pacific Highway  Blaine, Washington 98230  Phone: (360)332-5388  Fax: (360)332-3010</p>	<p>Great Falls  2800 Terminal Dr.  Suite #105  Great Falls, Montana, USA 59404  Phone: (406) 453-5790  Fax: (406) 453-3657</p>
<p>Brownsville  1500 E. Elizabeth St. #239  Brownsville, Texas 78520  Phone: (956)504-2035  Fax: (956)504-2289</p>	<p>Nogales  9 N. Grand Avenue #2229 A  Nogales, Arizona 85621  Phone: (520)287-4633  Fax: (520)287-3877</p>
<p>Buffalo  405 N. French Road #120 B  Amherst, New York 14228  Phone: (716)691-3635  Fax: (716)691-3990</p>	<p>Laredo  Convent &amp; Zaragoza  Bridge #1, 200.9  Laredo, Texas 78040  Phone: (956)726-2234  Fax: (956)726-3718</p>

<sup>3</sup>The USFWS Law Enforcement Division MUST authorize ALL non-designated port usage. If you prefer to use a non-designated port, please contact the appropriate Law Enforcement Office.

<p>Detroit  Bldg. 830  2599 World Gateway Place  Detroit Metro Airport, Michigan, USA 48242  Phone: (734) 247-6800  Fax: (734) 247-6805</p>	<p>Puerto Rico  651 FED. Dr. Suite 372-12  Guaynabo, PR 00965  Phone: (787) 749-4338  Fax: (787) 749-4340</p>
<p>Dunsieth  RR1, Box 115  Dunseith, North Dakota, USA 58329  Phone: (701) 263-4462  Fax: (701) 263-4463</p>	<p>San Diego  185 West F Street, Room 440  San Diego, California 92101  Phone: (619)557-5794  Fax: (619)557-2997</p>
<p>El Paso  Bota, 3600 E. Paisano, #142A  El Paso, Texas 79905  Phone: (915) 872-4765  Fax: (915)532-4776</p>	<p>Tampa  9549 Koger Blvd. #111  St. Petersburg, Florida 33702  Phone: (727)570-5398  Fax: (727)570-5450</p>
<p>Guam  415 Chalan San Antonio Road  Baltej Pavillion, Suite 209  Tamuning, Guam 96913-3620  Phone: (671) 647-6064  Fax: (671) 647-6068</p>	<p>St. Paul/Minneapolis  HHH Terminal  7100 34<sup>th</sup> Avenue S.  Minneapolis, Minnesota 55450  Phone: (612)726-6302  Fax: (612)726-6303</p>

50 CFR §216.37 Marine mammal parts

With respect to marine mammal parts acquired by take or import authorized under a permit issued under this subpart:

(a) Marine mammal parts are transferrable if:

(1) The person transferring the part receives no remuneration of any kind for the marine mammal part;

(2) The person receiving the marine mammal part is:

(i) An employee of NMFS, the U.S. Fish and Wildlife Service, or any other governmental agency with conservation and management responsibilities, who receives the part in the course of their official duties;

(ii) A holder of a special exception permit which authorizes the take, import, or other activity involving the possession of a marine mammal part of the same species as the subject part; or

(iii) In the case of marine mammal parts from a species that is not depleted, endangered or threatened, a person who is authorized under section 112(c) of the MMPA and subpart C of this part to take or import marine mammals or marine mammal parts;

(iv) Any other person specifically authorized by the Regional Director, consistent with the requirements of paragraphs (a)(1) and (a)(3) through (6) of this section.

(3) The marine mammal part is transferred for the purpose of scientific research, maintenance in a properly curated, professionally accredited scientific collection, or education, provided that, for transfers for educational purposes, the recipient is a museum, educational institution or equivalent that will ensure that the part is available to the public as part of an educational program;

(4) A unique number assigned by the permit holder is marked on or affixed to the marine mammal part or container;

(5) The person receiving the marine mammal part agrees that, as a condition of receipt, subsequent transfers may only occur subject to the provisions of paragraph (a) of this section; and

(6) Within 30 days after the transfer, the person transferring the marine mammal part notifies the Regional Director of the transfer, including a description of the part, the person to whom the part was transferred, the purpose of the transfer, certification that the recipient

has agreed to comply with the requirements of paragraph (a) of this section for subsequent transfers, and, if applicable, the recipient's permit number.

(b) Marine mammal parts may be loaned to another person for a purpose described in paragraph (a)(3) of this section and without the agreement and notification required under paragraphs (a)(5) and (6) of this section, if:

(1) A record of the loan is maintained; and

(2) The loan is for not more than one year. Loans for a period greater than 12 months, including loan extensions or renewals, require notification of the Regional Director under paragraph (a)(6).

(c) Unless other disposition is specified in the permit, a holder of a special exception permit may retain marine mammal parts not destroyed or otherwise disposed of during or after a scientific research or enhancement activity, if such marine mammal parts are:

(1) Maintained as part of a properly curated, professionally accredited collection; or

(2) Made available for purposes of scientific research or enhancement at the request of the Office Director.

(d) Marine mammal parts may be exported and subsequently reimported by a permit holder or subsequent authorized recipient, for the purpose of scientific research, maintenance in a properly curated, professionally accredited scientific collection, or education, provided that:

(1) The permit holder or other person receives no remuneration for the marine mammal part;

(2) A unique number assigned by the permit holder is marked on or affixed to the marine mammal specimen or container;

(3) The marine mammal part is exported or reimported in compliance with all applicable domestic and foreign laws;

(4) If exported or reimported for educational purposes, the recipient is a museum, educational institution, or equivalent that will ensure that the part is available to the public as part of an educational program; and

(5) Special reports are submitted within 30 days after both export and reimport as required by the Office Director under §216.38.