



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

MAR 16 2010

John Bengtson, Ph.D.  
Director, National Marine Mammal Laboratory  
National Marine Fisheries Service, NOAA  
7600 Sand Point Way, NE  
BIN C15700, Bldg. 1  
Seattle, Washington 98115-0070

Dear Dr. Bengtson: *John*

The National Marine Fisheries Service has issued an amendment to Permit No. 13430, for research activities on marine mammals. The enclosed permit, No. 13430-01, amends and replaces Permit No. 13430. The changes to specific Terms and Conditions are reflected in bold font. This amended permit is effective upon your signature and valid through the expiration date indicated in Condition A.1.

Condition III.B.5.p no longer prohibits research activities within the usual and accustomed fishing grounds of the Makah Tribe. The Northwest Region, in consultation with the Makah Tribe and the Permits Division, has recommended instead that researchers be advised of additional federal regulations related to vessel traffic and overflights in the area.

U.S. Coast Guard regulations (33 CFR 165.1310) establish a regulated navigation area around Makah Tribe vessels during authorized hunts in waters of the Strait of Juan de Fuca and adjacent coastal waters of Northwest Washington. Hunts may occur between April 1 and October 31 annually. During this period, you should monitor channel 16 VHF-FM for notice by the Makah Tribe of a gray whale hunt and, if a hunt is underway, stay 500 yards away from any vessel flying international numeral pennant five (5).

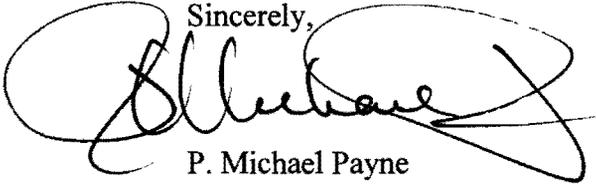
Please also note that federal regulations governing activities within the Olympic National Marine Sanctuary (15 CFR 922.152) prohibit aircraft from flying below 2000 feet without a permit from the Sanctuary. For information about Sanctuary permits, contact the Director, Office of Ocean and Coastal Resource Management; ATTN: Manager, Olympic Coast National Marine Sanctuary, 138 West First Street, Port Angeles, WA 98362.

Condition III.B.5.p has been revised to include monitoring and mitigation measures for avoiding takes of marine mammals not listed in the permit by playbacks described in your application. Based on consultation with the Northwest Region, this condition is also sufficient to address concerns about impacts of playbacks on gray whales as a subsistence resource for the Makah Tribe.

If you need assistance with your permit, please contact your permit analysts directly. Your analysts for this permit are Tammy Adams and Kate Swails.



Please return the signature page of the enclosed amended permit marked "file copy" to the Chief, Permits Division (F/PR1), 1315 East-West Highway, Silver Spring, MD 20910. You may also submit the "file copy" of the signature page by facsimile (FAX number: 301-713-0376) and confirm it by mail.

Sincerely,  


P. Michael Payne  
Chief, Permits, Conservation  
and Education Division  
Office of Protected Resources  
(phone: 301-713-2289)

Enclosure



Permit No. **13430-01**  
Expiration Date: January 31, 2015  
Reports Due: May 1, annually

PERMIT TO TAKE PROTECTED SPECIES<sup>1</sup> FOR SCIENTIFIC PURPOSES  
**Amendment No. 1**

I. Authorization

This permit is issued to NMFS National Marine Mammal Laboratory, (hereinafter “Permit Holder”), Seattle, WA, [Responsible Party: Dr. John Bengtson, Director], pursuant to the provisions of the Marine Mammal Protection Act of 1972 as amended (MMPA; 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 (ESA; 16 U.S.C. 1531 *et seq.*); and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR Parts 222-226). Marine mammal parts acquired under this permit by take or import belong to the Permit Holder unless transferred pursuant to 50 CFR Part 216.37. **This permit amends and replaces Permit No. 13430.**

II. Abstract

The objective of the permitted activity, as described in the application, is to provide information necessary for marine mammal stock assessments and management, including management of marine mammal predation on threatened and endangered salmonids.

III. Terms and Conditions

The activities authorized herein must occur by the means, in the areas, and for the purposes set forth in the permit application, and as limited by the Terms and Conditions specified in this permit, including all attachments and appendices. Any permit noncompliance constitutes a violation and is grounds for permit modification, suspension, or revocation, and for enforcement action.

A. Duration of Permit

1. Personnel listed in Condition C.1 of this permit (hereinafter “Researchers”) may conduct activities authorized by this permit through January 31, 2015. This permit expires on the date indicated and is non-renewable. This permit may be extended by the Director, NMFS Office of Protected Resources, pursuant to applicable regulations and the requirements of the MMPA and ESA.

<sup>1</sup> “Protected species” include species listed as threatened or endangered under the ESA, and marine mammals.



2. Researchers must suspend all permitted activities in the event serious injury or mortality<sup>2</sup> of protected species reaches that specified in Table 1 of Section B.1. The Permit Holder must contact the Chief, NMFS Permits, Conservation and Education Division (hereinafter “Permits Division”) by phone (301-713-2289) within two business days. The Permit Holder must also submit a written incident report as described in Condition E.2. The Permits Division may grant authorization to resume permitted activities based on review of the incident report and in consideration of the Terms and Conditions of this permit.
3. If authorized take<sup>3</sup> is exceeded, Researchers must cease all permitted activities and notify the Chief, NMFS Permits, Conservation and Education Division (hereinafter “Permits Division”) by phone (301-713-2289) as soon as possible, but no later than within two business days. The Permit Holder must also submit a written incident report as described in Condition E.2. The Permits Division may grant authorization to resume permitted activities based on review of the incident report and in consideration of the Terms and Conditions of this permit.

B. Number and Kind(s) of Protected Species, Location(s) and Manner of Taking

1. The table in Appendix 1 outlines the number of protected species, by species, authorized to be taken, and the locations, manner, and time period in which they may be taken.
2. Researchers working under this permit may collect visual images (*i.e.*, any form of still photographs and motion pictures) as needed to document the permitted activities, provided the collection of such images does not result in takes of protected species.
3. The Permit Holder may use visual images collected under this permit, including those authorized in Table 1 of Appendix 1, in printed materials (including commercial or scientific publications) and presentations provided the images are accompanied by a statement indicating that the activity depicted was conducted

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<sup>2</sup> This permit allows for unintentional serious injury and mortality caused by the presence or actions of researchers up to the limit in Table 1 in Appendix 1. This includes, but is not limited to; deaths of dependent young by starvation following research-related death of a lactating female; deaths resulting from infections related to sampling procedures; and deaths or injuries sustained by animals during capture and handling, or while attempting to avoid researchers or escape capture. Note that for marine mammals, a serious injury is defined by regulation as any injury that will likely result in mortality.

<sup>3</sup> By regulation, a take under the MMPA means to harass, hunt, capture, collect, or kill, or attempt to harass, hunt, capture, collect, or kill any marine mammal. This includes, without limitation, any of the following: The collection of dead animals, or parts thereof; the restraint or detention of a marine mammal, no matter how temporary; tagging a marine mammal; the negligent or intentional operation of an aircraft or vessel, or the doing of any other negligent or intentional act which results in disturbing or molesting a marine mammal; and feeding or attempting to feed a marine mammal in the wild. Under the ESA, a take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to do any of the preceding.

pursuant to Permit No. 13430-01. This statement must accompany the images in all subsequent uses or sales.

4. Upon written request from the Permit Holder, approval for photography, filming, or audio recording activities not essential to achieving the objectives of the permitted activities, including allowing personnel not essential to the research (*e.g.* a documentary film crew) to be present, may be granted by the Chief, Permits Division.
  - a. Where such non-essential photography, filming, or recording activities are authorized they must not influence the conduct of permitted activities in any way or result in takes of protected species.
  - b. Personnel authorized to accompany the Researchers during permitted activities for the purpose of non-essential photography, filming, or recording activities are not allowed to participate in the permitted activities.
  - c. The Permit Holder and Researchers cannot require or accept compensation in return for allowing non-essential personnel to accompany Researchers to conduct non-essential photography, filming, or recording activities.
5. Researchers must comply with the following conditions related to the manner of taking:
  - a. Except where disturbance during pupping season is expressly authorized, Researchers must not conduct activities on a rookery until after the peak of pupping season.
  - b. When working on rookeries, Researchers must, to the maximum extent practical, ensure pups do not gather in places or a manner that could lead to their suffocation, crushing, drowning, fluid aspiration, or other serious injury or mortality.
  - c. Researchers must minimize the time lactating females are removed or otherwise separated from their dependent offspring as a result of research activities.
  - d. Researchers must take reasonable steps to identify pups of lactating females before attempting to immobilize or sample a lactating female.
  - e. If a lactating female dies as a result of the permitted activities and her dependent pup can be identified, Researchers must immediately contact the NMFS Regional Stranding Network Coordinator (SNC) and proceed as directed regarding disposition of the pup. If the pup cannot be identified or

the SNC determines the pup is not a candidate for rehabilitation, the pup is to be counted as a permit-related mortality.

- f. If a pregnant female dies as a result of the permitted activities, both the female and the unborn pup shall be counted as permit-related mortalities.
- g. Researchers must capture and handle pinnipeds in groups small enough that handling and restraint time for each animal is minimized and all animals can be adequately monitored for signs of adverse reactions that could lead to serious injury or mortality.
- h. Researchers must immediately cease attempts to approach, capture, restrain, sample, mark, or otherwise handle pinnipeds if the procedure does not appear to be working or there are indications such acts may be life-threatening or otherwise endanger the health or welfare of the animal. To the extent that it would not further endanger the health or welfare of the animal, Researchers may monitor or treat (e.g., administer reversal agents or attempt resuscitation) the animal as determined appropriate by the PI, CI, or attending veterinarian.
- i. Researchers must use aseptic techniques for collection of external tissue samples (e.g., swabs) or puncture procedures (e.g., venipuncture, flipper tagging) and use sterile techniques for surgical procedures and collection of internal tissue samples (e.g., blubber and muscle biopsy).
- j. Researchers must use sterile disposable instruments (e.g., needles, biopsy punches) to the maximum extent practicable.
- k. Researchers must limit the amount of blood collected to actual needs for sample analysis and not exceed three attempts (needle insertions) per site per animal, and not more than 1.0 ml blood per kg body mass per capture event.
- l. When capturing or detaining animals in traps, pens, carriers, etc., Researchers must adequately monitor the animals to prevent injury, mortality, dehydration, and thermal stress.
- m. Sedated and anesthetized animals must be monitored closely and not be released until they recover normal locomotor capabilities. When sedated/anesthetized animals are too large or dangerous to be held until fully recovered from sedation/anesthesia, they should be placed in secure sites where they will not be subject to physical harm or extremes of temperature, and can be monitored from a safe distance.
- n. Researchers must take appropriate actions (e.g., disinfection procedures) for minimizing the introduction of new disease agents, vectors capable of efficiently transmitting indigenous dormant diseases or those not currently

being effectively transmitted, and species that can serve as amplification hosts for transmitting indigenous diseases to other species.

- o. To the maximum extent practical without causing further disturbance of marine mammals, Researchers shall monitor study sites following a disturbance (e.g., surveys or sampling activities) to determine if marine mammals have been killed or injured or pups abandoned. An observed serious injury to or death of a marine mammal is to be reported as indicated in Condition E.2. An observed abandonment of a dependent marine mammal pup is to be reported to the NMFS Regional Stranding Network Coordinator.
  - p. **For playbacks, Researchers must visually survey a 1-mile radius from the playback source 30 minutes prior to initiation of playbacks, turn off the playback source if marine mammals not listed in this permit are sighted within 100 m of the source, and keep it turned off for 30 minutes after any of these animals are sighted within 100 m of the source. Researchers must not conduct playbacks if sea state or other conditions limit visibility within 1-mile of the source.**
6. The Permit Holder must comply with all provisions specified in Attachment 1 of this permit for biological samples collected, obtained, imported or exported under authority of this permit.

C. Qualifications, Responsibilities, and Designation of Personnel

1. At the discretion of the Permit Holder, the following Researchers may participate in the conduct of the permitted activities in accordance with their qualifications and the limitations specified herein:
- a. Principal Investigator – Dr. Robert DeLong;
  - b. Co-Investigators – Robin Brown, Pat Gearin, Merrill Gosho, Jan Hodder, Harriet Huber, Steven Jeffries, Dyanna Lambourn, Monique Lance, Susan Riemer, Matt Tennis, and Bryan Wright
  - c. Research Assistants – any personnel identified by the Permit Holder or Principal Investigator and qualified to act pursuant to Conditions C.2, C.3, and C.4 of this permit.
2. Individuals conducting permitted activities must possess qualifications commensurate with their roles and responsibilities. The roles and responsibilities of personnel operating under this permit are as follows:
- a. The Permit Holder is ultimately responsible for all activities of any individual who is operating under the authority of this permit. Where the Permit Holder is an institution/facility, the Responsible Party is the person

at the institution/facility who is responsible for the supervision of the Principal Investigator.

- b. The Principal Investigator (PI) is the individual primarily responsible for the taking, import, export and any related activities conducted under the permit. The PI must be on site during any activities conducted under this permit unless a Co-Investigator named in Condition C.1 is present to act in place of the PI.
  - c. Co-Investigators (CIs) are individuals who are qualified to conduct activities authorized by the permit without the on-site supervision of the PI. CIs assume the role and responsibility of the PI in the PI's absence.
  - d. Research Assistants (RAs) are individuals who work under the direct and on-site supervision of the PI or a CI. RAs cannot conduct permitted activities in the absence of the PI or a CI.
3. Personnel involved in permitted activities must be reasonable in number and essential to conduct of the permitted activities. Essential personnel are limited to:
- a. Individuals who perform a function directly supportive of and necessary to the permitted activity (including operation of vessels or aircraft essential to conduct of the activity);
  - b. Individuals included as backup for those personnel essential to the conduct of the permitted activity; and
  - c. Individuals included for training purposes.
4. Persons who require state or Federal licenses to conduct activities authorized under the permit (*e.g.*, veterinarians, pilots) must be duly licensed when undertaking such activities.
5. Permitted activities may be conducted aboard vessels or aircraft, or in cooperation with individuals or organizations, engaged in commercial activities, provided the commercial activities are not conducted simultaneously with the permitted activities, except with written approval pursuant to Condition B.3.
6. The Permit Holder may request authorization from the Chief, Permits Division to add personnel to this permit as indicated below. The Permit Holder cannot require or receive any direct or indirect compensation in return for requesting authorization for such person to act as a PI, CI, or RA under the permit.
- a. The Permit Holder may add or remove CIs by submitting a request to the Chief, Permits Division. Where the Permit Holder is an institution/facility, the Responsible Party may request a change of PI.

Requests to change the PI or add CIs must include a description of the individual's qualifications to conduct and oversee the activities authorized under this permit. Submit requests

- through the online system at <https://apps.nmfs.noaa.gov>,
- by email attachment to the permit analyst for this permit, or
- by hard copy mailed or faxed to the Chief, Permits Division

D. Possession of Permit

1. This permit cannot be transferred or assigned to another person.
2. The Permit Holder and all other persons operating under the authority of this permit must possess a copy of this permit: when engaged in a permitted activity; when a protected species is in transit incidental to a permitted activity; and during any other time when any protected species taken or imported under such permit is in the possession of such persons.
3. A duplicate copy of this permit must be attached to the container, package, enclosure, or other means of containment in which a protected species or protected species part is placed for purposes of storage, transit, supervision or care.

E. Reports

1. The Permit Holder must submit annual, final, and incident reports, and any papers or publications resulting from the research authorized herein to the Permits Division. Reports may be submitted
  - through the online system at <https://apps.nmfs.noaa.gov>,
  - by email attachment to the permit analyst for this permit, or
  - by hard copy mailed or faxed to the Chief, Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Suite 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376
2. Written incident reports related to serious injury and mortality events or to exceeding authorized takes, must be submitted to the Chief, Permits Division within two weeks of the incident. The incident report must include a complete description of the events and identification of steps that will be taken to reduce the potential for additional research-related mortality or exceedence of authorized take.
3. An annual report must be submitted to the Chief, Permits Division at the conclusion of each year for which the permit is valid. Annual reports are due by May 1<sup>st</sup> annually. The annual report describing activities conducted during the previous permit year must follow the format in Appendix 2.

4. A final report must be submitted to the Chief, Permits Division within 180 days after expiration of the permit (on or by August 1, 2015), or, if the research concludes prior to permit expiration, within 180 days of completion of the research. The final report must follow the format in Appendix 2.
5. Research results must be published or otherwise made available to the scientific community in a reasonable period of time.

F. Notification and Coordination

1. The Permit Holder must provide written notification of planned field work to the appropriate Assistant Regional Administrator for Protected Resources at the address listed below. Such notification must be made at least two weeks prior to initiation of any field trip/season and must include the locations of the intended field study and/or survey routes, estimated dates of research, and number and roles (for example: PI, CI, veterinarian, boat driver, safety diver, animal restrainer, Research Assistant “in training”) of participants.

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

2. To the maximum extent practical, the Permit Holder must coordinate permitted activities with activities of other Permit Holders conducting the same or similar activities on the same species, in the same locations, or at the same times of year to avoid unnecessary disturbance of animals. The appropriate Regional Office may be contacted at the address listed above for information about coordinating with other Permit Holders.

G. Observers and Inspections

1. NMFS may review activities conducted pursuant to this permit. At the request of NMFS, the Permit Holder must cooperate with any such review by:
  - a. Allowing any employee of NOAA or any other person designated by the Director, NMFS Office of Protected Resources to observe permitted activities; and
  - b. Providing any documents or other information relating to the permitted activities.

H. Modification, Suspension, and Revocation

1. 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.

2. The Director, NMFS Office of Protected Resources may modify, suspend, or revoke this permit in whole or in part:
  - a. In order to make the permit consistent with any change made after the date of permit issuance with respect to any applicable regulation prescribed under section 103 of the MMPA and section 4 of the ESA;
  - b. In any case in which a violation of the terms and conditions of the permit is found;
  - c. In response to a written request<sup>4</sup> from the Permit Holder;
  - d. If NMFS determines that the application or other information pertaining to the permitted activities (including, but not limited to, reports pursuant to Section E of this permit and information provided to NOAA personnel pursuant to Section G of this permit) includes false information; and
3. Issuance of this permit does not guarantee or imply that NMFS will issue or approve subsequent permits or amendments for the same or similar activities requested by the Permit Holder, including those of a continuing nature.

I. Penalties and Permit Sanctions

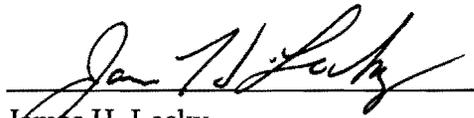
1. Any person who violates any provision of this permit, the MMPA, ESA, or the regulations at 50 CFR 216 is subject to civil and criminal penalties, permit sanctions, and forfeiture as authorized under the MMPA, ESA, and 15 CFR part 904.
2. NMFS shall be the sole arbiter of whether a given activity is within the scope and bounds of the authorization granted in this permit. The Permit Holder must contact the Permits Division for verification before conducting the activity if they are unsure whether an activity is within the scope of the permit. Failure to verify, where NMFS subsequently determines that an activity was outside the scope of the permit, may be used as evidence of a violation of the permit, the MMPA, the ESA, and applicable regulations in any enforcement actions.

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<sup>4</sup> The Permit Holder may request changes to the permit related to: the objectives or purposes of the permitted activities; the species or number of animals taken; and the location, time, or manner of taking or importing protected species. Such requests must be submitted in writing to the Permits Division in the format specified in the application instructions.

J. Acceptance of Permit

1. In signing this permit, the Permit Holder:
  - a. Agrees to abide by all terms and conditions set forth in the permit, all restrictions and relevant regulations under 50 CFR Part 216, and all restrictions and requirements under the MMPA, and the ESA;
  - b. Acknowledges that the authority to conduct certain activities specified in the permit is conditional and subject to authorization by the Office Director; and
  - c. Acknowledges that this permit does not relieve the Permit Holder of the responsibility to obtain any other permits, or comply with any other Federal, State, local, or international laws or regulations.

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

**MAR 16 2010**

\_\_\_\_\_  
Date Issued

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John L. Bengtson, Ph.D.  
Director, National Marine Mammal Laboratory  
(Responsible Party)

\_\_\_\_\_  
Date Effective

J. Acceptance of Permit

1. In signing this permit, the Permit Holder:
  - a. Agrees to abide by all terms and conditions set forth in the permit, all restrictions and relevant regulations under 50 CFR Part 216, and all restrictions and requirements under the MMPA, and the ESA;
  - b. Acknowledges that the authority to conduct certain activities specified in the permit is conditional and subject to authorization by the Office Director; and
  - c. Acknowledges that this permit does not relieve the Permit Holder of the responsibility to obtain any other permits, or comply with any other Federal, State, local, or international laws or regulations.

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

**MAR 16 2010**  
\_\_\_\_\_  
Date Issued

\_\_\_\_\_  
John L. Bengtson, Ph.D.  
Director, National Marine Mammal Laboratory  
(Responsible Party)

\_\_\_\_\_  
Date Effective

**FILE COPY**

**Appendix 1: Tables Specifying the Kinds of Protected Species, Locations, and Manner of Taking**

**Table 1: Annual Takes of Marine Mammals**

Species	Life Stage	Sex	Number of Animals per Year	Number of takes per individual per Year	Take action	Location	Dates/Time Period
Harbor seal	All	All	30,000	30	Incidental harassment during aerial, ground and boat surveys	WA, OR haulouts	Jan to Dec
California sea lion	Adult, subadult, juvenile	Male	8,000	30	Incidental harassment during aerial, ground and boat surveys	WA, OR haulouts	Jan to Dec
Northern elephant seal	All	All	100	30	Incidental harassment during aerial, ground and boat surveys	WA, OR haulouts	Jan to Dec
Harbor seal	All	All	20,000	30	Incidental harassment during captures, scat collections, and dead pup surveys	WA, OR haulouts	Jan to Dec
California sea lion	Adult, subadult, juvenile	Male	8,000	30	Incidental harassment during captures and scat collections	WA, OR haulouts	Jan to Dec
Northern elephant seal	All	All	100	30	Incidental harassment during captures and scat collections	WA, OR haulouts	Jan to Dec
Harbor seal	All except pups < 20 kg and near term females	All	160	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, hot brand, no anesthetic	WA, OR haulouts	Jan to Dec
Harbor seal	All except pups < 20 kg and near term females	All	20	2	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, hot brand, no anesthetic. If recaptured, may be resampled	WA, OR haulouts	Jan to Dec
Harbor seal	All except pups < 20 kg and near term females	All	20	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, hot brand, no anesthetic; valium	WA, OR haulouts	Jan to Dec

Species	Life Stage	Sex	Number of Animals per Year	Number of takes per individual per Year	Take action	Location	Dates/Time Period
Harbor seal	All except pups < 20 kg and near term females	All	50	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, pelage dye or patch	WA, OR haulouts	Jan to Dec
Harbor seal	Pups > 20 kg	All	25	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, nasal, rectal, conjunctival and urogenital swabs; Genetic tissue sample mark - tag rear flipper, hot brand, no anesthetic	WA, OR haulouts	Jan to Dec
Harbor seal	Pups	All	50	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; blood, nasal, rectal, conjunctival and urogenital swabs; genetic tissue sample; mark - tag rear flipper,	WA, OR haulouts	Jan to Dec
Harbor seal	Adult, subadult except near term females	All	60	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, pelage dye or patch.	WA, OR haulouts	Jan to Dec
Harbor seal	Adult, subadult except near term females	All	7	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, pelage dye or patch, valium	WA, OR haulouts	Jan to Dec
Harbor seal	Adult, subadult except near term females	All	8	2	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark – tag or retag rear flipper as necessary, pelage dye or patch. If recaptured, may be resampled	WA, OR haulouts	Jan to Dec
Harbor seal	Adult, subadult, except near term females	All	11	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, pelage dye or patch, Hot brand, no anesthetic.	WA, OR haulouts	Jan to Dec

Species	Life Stage	Sex	Number of Animals per Year	Number of takes per individual per Year	Take action	Location	Dates/Time Period
Harbor seal	Adult, subadult, except near term females	All	2	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, pelage dye or patch, Hot brand, no anesthetic, valium.	WA, OR haulouts	Jan to Dec
Harbor seal	Adult, subadult, except near term females	All	2	2	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag or retag rear flipper as necessary, pelage dye or patch, Hot brand, no anesthetic. If recaptured, may be resampled	WA, OR haulouts	Jan to Dec
Harbor seal	All except pups < 20 kg and near term females	All	75	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, hot brand, no anesthetic; VHF or acoustic tag.	WA, OR haulouts	Jan to Dec
Harbor seal	All except pups < 20 kg and near term females	All	40	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, VHF or acoustic tag	WA, OR haulouts	Jan to Dec
Harbor seal	All except pups < 20 kg and near term females	All	35	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber, whiskers, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, VHF or acoustic tag	WA, OR haulouts	Jan to Dec
Harbor seal	Adult, subadult > 30 kg except near term females	All	40	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, pelage dye or patch; instrument - satellite, TDR, VHF or acoustic tag -alone or in combination. No more than 3 instruments on an individual animal.	WA, OR haulouts	Jan to Dec

Species	Life Stage	Sex	Number of Animals per Year	Number of takes per individual per Year	Take action	Location	Dates/Time Period
Harbor seal	Adult, subadult > 30 kg except near term females	All	5	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, pelage dye or patch; instrument - satellite, TDR, VHF or acoustic tag -alone or in combination. No more than 3 instruments on an individual animal; valium.	WA, OR haulouts	Jan to Dec
Harbor seal	Adult, subadult > 30 kg except near term females	All	5	2	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag or retag rear flipper, pelage dye or patch; instrument - satellite, TDR, VHF or acoustic tag -alone or in combination. No more than 3 instruments on an individual animal. If recaptured, may be resampled	WA, OR haulouts	Jan to Dec
Harbor seal	Adult, subadult, > 30 kg except near term females	All	6	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, pelage dye or patch, Hot brand, no anesthetic; instrument - satellite, TDR, acoustic or VHF- alone or in combination. No more than 3 instruments on an individual animal.	WA, OR haulouts	Jan to Dec
Harbor seal	Adult, subadult, > 30 kg except near term females	All	2	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, pelage dye or patch, Hot brand, no anesthetic; instrument - satellite, TDR, acoustic or VHF- alone or in combination. No more than 3 instruments on an individual animal; valium.	WA, OR haulouts	Jan to Dec

Species	Life Stage	Sex	Number of Animals per Year	Number of takes per individual per Year	Take action	Location	Dates/Time Period
Harbor seal	Adult, subadult, > 30 kg except near term females	All	2	2	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag or retag rear flipper, pelage dye or patch, Hot brand, no anesthetic; instrument - satellite, TDR, acoustic or VHF- alone or in combination. No more than 3 instruments on an individual animal. If recaptured, may be resampled	WA, OR haulouts	Jan to Dec
Harbor seal	Adult, subadult > 60 kg except near term females	All	14	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, pelage dye or patch; instrument - satellite, TDR, VHF, or stomach sensor tags alone or in combination. No more than 3 instruments on an individual animal; valium , atropine. If STT, then gas anesthesia	WA, OR haulouts	Jan to Dec
Harbor seal	Adult, subadult > 60 kg except near term females	All	2	2	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, pelage dye or patch; instrument - satellite, TDR, VHF, or stomach sensor tags alone or in combination. No more than 3 instruments on an individual animal; valium, atropine. If STT, then gas anesthesia	WA, OR haulouts	Jan to Dec

Species	Life Stage	Sex	Number of Animals per Year	Number of takes per individual per Year	Take action	Location	Dates/Time Period
Harbor seal	Adult, subadult > 60 kg Except near term females	All	4	2	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, pelage dye or patch, Hot brand, no anesthetic; instrument - satellite, TDR, VHF, or stomach sensor tags alone or in combination. No more than 3 instruments on an individual animal; valium, atropine. If STT, then gas anesthesia. If recaptured, may be resampled	WA, OR haulouts	Jan to Dec
Harbor seal	Pups	All	75	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper genetics sample	WA, OR haulouts	Jan to Dec
Harbor seal	Pups > 20 kg	All	15	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs; mark - tag rear flipper, hot brand, no anesthetic	WA, OR haulouts	Jan to Dec
Harbor seal	Adult	Female lactating	15	1	Capture - hoop net; physical restraint; morphometrics - measure, weigh, sex; sample – blood, blubber biopsy, whisker, fur, nasal, rectal, conjunctival and urogenital swabs, oxytocin given IM and milk expressed; mark - tag rear flipper, pelage dye or patch.	WA, OR haulouts	Jan to Dec
California sea lion	Adult, sub-adult	Male	300	1	Capture, restrain, measure, weigh, patch, flipper tag, hot brand	WA, OR haulouts	Jan to Dec
California sea lion	Adult, sub-adult	Male	50	1	Capture, restrain, measure, weigh, patch, flipper tag, hot brand, external instrument-satellite, TDR, acoustic or VHF- alone or in combination. No more than 3 instruments on an individual animal.	WA, OR haulouts	Jan to Dec
California sea lion	Adult, sub-adult	Male	50	1	Capture, restrain, measure, weigh, patch, flipper tag, hot brand, draw blood	WA, OR haulouts	Jan to Dec

Species	Life Stage	Sex	Number of Animals per Year	Number of takes per individual per Year	Take action	Location	Dates/Time Period
California sea lion	Adult, sub-adult	Male	150	2	Recapture, restrain, measure, weigh	WA, OR haulouts	Jan to Dec
California sea lion	Adult, sub-adult	Male	50	2	Recapture, restrain, measure, weigh, external instrument- satellite, TDR, acoustic or VHF- alone or in combination. No more than 3 instruments on an individual animal.	WA, OR haulouts	Jan to Dec
Harbor seal	all	all			Import and export tissue and blood to/from	Canada	Jan to Dec
California sea lion	Adult, sub-adult	Male	4000	10	Playback of killer whale vocalization, video film	WA, OR haulouts	Jan to Dec
Northern elephant seal	All	All	50	1	Capture, physical restraint, measure, tag, bleach, blood	WA, OR haulouts	Jan to Dec
Harbor seal	All	All	5		Unintentional mortality	WA, OR haulouts	Jan to Dec
California sea lion	Adult, subadult, juvenile	Male	5		Unintentional mortality	WA, OR haulouts	Jan to Dec
Northern elephant seal	All	All	2		Unintentional mortality	WA, OR haulouts	Jan to Dec
Steller sea lion, Eastern DPS	All	All	250	20	Incidental harassment during research directed at pinnipeds	Waters adjacent to WA & OR haulouts	Jan to Dec
Southern Resident killer whale	All	All	100	2	Incidental harassment during research directed at pinnipeds	Waters adjacent to WA & OR haulouts	Jan to Dec

## Appendix 2: Format for submitting annual and final reports

Reports may be submitted

- through the online system at <https://apps.nmfs.noaa.gov>, or
- by email attachment to the permit analyst for this permit, or
- by hard copy mailed or faxed to the Chief, Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Suite 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376

The following is only an EXAMPLE of the report form. If you do not intend to submit your report online, please contact your permit analyst for an electronic report form to fill out and return.

**Date:** \_\_\_\_\_ **Reporting Period:** (check APPS or contact permit analyst)

**Permit Number:** \_\_\_\_\_ **Permit Holder's Name:** \_\_\_\_\_

**Contact Name:** \_\_\_\_\_ **Contact Email:** \_\_\_\_\_

**Contact Phone #:** \_\_\_\_\_

(Contact = person submitting report)

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**Part I: Take Tables.** Enter the actual number of animals taken during this reporting period.

You will be asked to complete a table that looks like the Project Location Tables in your permit, with an additional column for you to enter the “actual number of animals taken” in the last permit year. You must contact your permit analyst for an electronic version of this table or use the on-line report system.

NOTE: If you conducted activities or took protected species for which you were not authorized, you must enter them on separate lines of the table and explain exactly what happened (see Part II below).

**Part II: Narrative.** You will be asked to provide responses to the following:

1. Describe problems or unforeseen effects encountered during the permitted activities and any steps taken or proposed to resolve such problems.
2. Describe what measures were taken to minimize effects of permitted activities on animals and the effectiveness of these measures.
3. If animals were unintentionally injured or killed, describe the circumstances. Describe how dead animals were disposed of if not in the way described in the permit.

4. Describe the physical condition of animals taken and used in the permitted activities.
5. Describe the effects permitted activities had on animals, including any unforeseen responses or effects.
6. Describe steps taken to coordinate the permitted activities with other permit holders.
7. Summarize preliminary findings. Did you accomplish the goals of your permitted activities?
8. List titles of reports, publications, etc. resulting from this reporting period. Attach copies of any final documents as available. If these documents are not yet available, indicate when you anticipate that they will be completed and submitted. When reports and publications become available, send to the Permits Division and include the permit number in correspondence.
9. Note the number and type of non-permitted species caught, harassed, or otherwise taken, and the observed effects of such taking.
10. Note any incidental (non-research related) use of photographs, film, or other images (e.g., on websites, in commercial publications or documentaries).
11. Additional findings, results, or information on which you would like to report or comment.

## **Attachment 1: Requirements for disposition of biological samples**

1. All marine mammal parts/biological samples taken<sup>5</sup> or possessed (including for analysis and curation) under the authority of this permit must be maintained according to accepted curatorial standards. The Terms and Conditions of this permit shall remain in effect as long as the biological samples authorized hereunder are maintained under the authority and responsibility of the Permit Holder. Below is 50 CFR 216.37 of the National Marine Fisheries Service (NMFS) regulations governing the taking and importing of marine mammals that contains additional conditions regarding maintaining and transferring marine mammal parts under the jurisdiction of NMFS. These regulations are made a part hereof.
2. Unless other disposition is specified in the permit application, the Permit Holder may retain marine mammal parts not consumed in analysis or otherwise disposed of during or after research activities authorized by this permit if the marine mammal parts are maintained in a properly curated collection and made available for research or enhancement purposes at the request of the Office Director. Remaining samples may be used for analysis by another Permit Holder if the project descriptions are provided to the Permits Division for review and approval. NMFS encourages Researchers to deposit any remaining specimens in the NMFS National Marine Mammal Tissue Bank. See the following web site for more information: <http://www.nmfs.noaa.gov/pr/health/tissue/>.
3. The Northwest Regional Office (phone (206) 526-6150; fax (206) 526-6426) must be contacted prior to, and where necessary approve and authorize, the transfer of biological samples to persons not listed in the permit application, pursuant to 50 CFR 216.37. Researchers may transfer marine mammal parts collected under this permit for scientific research, curation, or educational purposes to recipients authorized by the appropriate Regional Office.
4. Under no circumstances may any marine mammal parts collected or possessed under the authority of this permit be bought or sold. Recipients of any marine mammal parts taken under the authority of this permit must adhere to the conditions of this permit and the regulations at 50 CFR 216.37.
5. The Permit Holder must maintain a record of all biological specimens obtained under this permit. This record must include the number and type of specimens; a description of each animal from which specimen materials were taken including, species, age, size, sex, reproductive condition; date and location of acquisition; circumstances causing death or nature of specimen collection; unique identifying number.

### **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:

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<sup>5</sup> By regulation, a take under the MMPA includes the collection of dead animals, or parts thereof.

- (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.