



MARINE MAMMAL COMMISSION

5 September 2013

Mr. Timothy J. Van Norman
Chief, Branch of Permits
Division of Management Authority
Fish and Wildlife Service
4401 North Fairfax Drive
Arlington, VA 22203

Re: Permit Application No. 032027
(Monterey Bay Aquarium)

Dear Mr. Van Norman:

The Marine Mammal Commission (the MMC), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the above-referenced permit application with regard to the goals, policies, and requirements of the Marine Mammal Protection Act (the MMPA). Monterey Bay Aquarium is seeking to renew and amend permit 032027 that authorizes it to collect, rescue, transport, relocate, rehabilitate, and release to the wild southern sea otters. The permit would be valid for a five-year period.

RECOMMENDATION

The Marine Mammal Commission recommends that the Fish and Wildlife Service issue the permit, as requested.

RATIONALE

The Aquarium is requesting authorization to take southern sea otters for the purposes of enhancement associated with rescue, rehabilitation, and release to the wild under section 10 of the Endangered Species Act and section 109(h) of the Marine Mammal Protection Act. The Aquarium would collect, rescue, transport, relocate, rehabilitate, and/or release back to the wild live-stranded sea otters. The Marine Mammal Center, U.S. Geological Survey, and California Department of Fish and Wildlife also would be authorized under the permit to rescue and transport otters to the Aquarium for treatment and rehabilitation. If after rehabilitation a sea otter is deemed non-releasable, it could either remain at the Aquarium or be transported to any of the 14 facilities authorized to maintain permanently sea otters in the United States. The Aquarium and the associated facilities would implement various contraceptive techniques to restrict breeding of the sea otters held in permanent captivity.

Researchers would capture, restrain, sedate, measure, and sample up to 100 sick, injured, or abandoned sea otters of either sex and all age classes each year. Sea otters would be captured using dip or salmon nets and by hand prior to transport to the facility. The attending veterinarian would only use drugs, including sedatives, if medically necessary for the recovery of the animal or to allow life-saving procedures or diagnostics to occur. The Aquarium could collect blood, urine, feces,

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blubber, skin, swabs, saliva, milk, a pre-molar tooth, and other tissue samples for diagnostics. Samples could be sent to various laboratories in the United States for analysis. In certain instances, sea otters are relocated to a more suitable location rather than transported for rehabilitation. The Aquarium may harass up to five sea otters per year incidental to the capture activities.

Prior to releasing any sea otter, the Aquarium would attach flipper tags to and insert PIT tags into each sea otter. Flipper tags could include plastic temple tags or "smart tags" that would collect geo-location data and/or transmit data using a solar-powered battery. The Aquarium could transport rehabilitated sea otters from the rehabilitation facility to their initial capture location for release back to the wild.

In addition, the Aquarium is requesting authorization for the intentional deaths via euthanasia or unintentional deaths of up to 100 sea otters each year due to the compromised health status of stranded sea otters. The Aquarium could collect an unlimited number of carcasses each year as well. All carcasses would be transported to the California Department of Fish and Game in Santa Cruz for full post-mortem examinations.

The Marine Mammal Commission believes the rescue and rehabilitation of sea otters has supported the sea otter's recovery in California and recommends that the Fish and Wildlife Service issue the permit, as requested.

The MMC believes that the activities for which it has recommended approval are consistent with the purposes and policies of the MMPA.

The MMC appreciates the opportunity to comment on this permit application. Kindly contact me if you have any questions concerning the MMC's recommendation.

Sincerely,



Rebecca J. Lent, Ph.D.
Executive Director