



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

JUN 29 2007

Tylan Schrock  
Alaska SeaLife Center (ASLC)  
P.O. Box 1329  
301 Railway Avenue  
Seward, AK 99664

Dear Mr. Schrock:

Enclosed is Permit No. 881-1890-01, for research activities on Steller sea lions (*Eumetopias jubatus*). This permit replaces Permit No. 881-1890, which is hereby null and void. This permit is effective upon your signature and valid through the expiration date indicated in Condition A.1 of the enclosed permit.

Both an original and a "file copy" of the signature page are enclosed with your permit. Please sign and date both pages where indicated, keeping the original with the permit for your records. You must return the "file copy" signature page, with your dated signature, to this office as proof of your acceptance of the permit. Please return the signature page 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 to 301-427-2521 and confirm it by mail.

Please note this permit has been amended to include the following:

- permission for attachment of buoyancy and drag devices to Steller sea lions in the eastern Distinct Population Segment to experimentally alter the cost of foraging by changing the hydrodynamic drag.
- permission for temporary holding of male juvenile Steller sea lions at the ASLC under the Task 2 project.
- clarification that collection of digital images and naturally excreted urine and feces is permitted during any of the authorized "restraint and anesthesia" events for "transient" juveniles in Table 2.

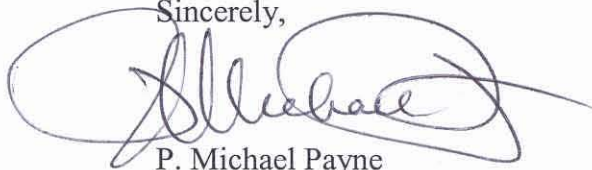
Please note that, per the U. S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), this permit does not allow for holding of male Steller sea lions that may be sexually mature. APHIS has indicated the ASLC does not meet Animal Welfare Act space requirements for holding sexually mature male Steller sea lions in the areas described in your application. Per APHIS, the ASLC can hold up to two males, or two females, or one male and one female, in pools 2, 3, and 4 provided the males are not greater than two years old.

As a reminder, pursuant to Condition H.4 of the enclosed permit, NMFS will not accept or process requests for amendments to the permit.



As Holder of this permit, you are ultimately responsible for all activities of any individual operating under its authority. Therefore, you should read all sections of the permit carefully before signing it and before conducting any activities pursuant to the permit. If you have any problems or questions, please contact Amy Sloan or Dr. Tammy Adams at 301-713-2289 before signing the permit.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Michael Payne", enclosed within a large, loopy oval flourish.

P. Michael Payne  
Chief, Permits, Conservation  
and Education Division  
Office of Protected Resources

Enclosure



Permit No. 881-1890-01  
Expiration Date: August 1, 2009  
Reports Due: November 1, annually

## PERMIT TO TAKE PROTECTED SPECIES<sup>1</sup> FOR SCIENTIFIC PURPOSES

### I. Authorization

This permit is issued to the Alaska SeaLife Center, Seward, Alaska (hereinafter "Permit Holder"), [Responsible Party: Tylan Schrock], 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).

### II. Abstract

The objectives of the permitted activity, as described in the application, are to conduct population monitoring and studies on health, nutrition, and foraging behavior of free ranging and temporarily captive Steller sea lions (*Eumetopias jubatus*) in order to provide data on pup and juvenile survival, reproductive rates, diet, epidemiology, endocrinology, immunology, virology, physiology, ontogenetic and annual body condition cycles, foraging behavior, and habitat selection.

### 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. **This permit supersedes Permit No. 881-1890, which is hereby null and void.**

#### A. Duration of Permit

1. Personnel listed in Condition C.1 of this permit (hereinafter "Researchers") may conduct activities authorized by this permit through August 1, 2009. This permit expires on the date indicated, can not be extended, and is non-renewable.

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

2. Researchers must suspend all activities under this permit in the event serious injury<sup>2</sup> or mortality<sup>3</sup> of protected species reaches 3 Steller sea lions (any age, either sex) during a single field trip, or over the course of a permit year. 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>4</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.
4. Activities under all permits for takes of endangered Steller sea lions will be suspended, pending review, if the total number of research-related mortalities of endangered Steller sea lions reaches 10 animals under any combination of permits. In the event that research is suspended because combined mortalities of endangered Steller sea lions reaches 10, research may recommence upon review of the information submitted by permit holders on the cause(s) of the deaths and authorization by the Chief, Permits, Conservation and Education Division. In the event that the total number of research-related mortalities of endangered Steller sea lions reaches 20 animals under any combination of permits, activities under this and any other permit for takes of endangered Steller sea lions will cease pending review of the circumstances and amendment of the permits as appropriate.

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<sup>2</sup> A serious injury is defined by regulation as any injury that will likely result in mortality.

<sup>3</sup> This permit allows for unintentional serious injury and mortality caused by the presence or actions of researchers up to the limit in Table 4 of Appendix 1. This includes, but is not limited to; deaths of dependant 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.

<sup>4</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.

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

1. The tables in Appendix 1 specify the number of protected species, by species and stock, 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.
  - a. The Permit Holder may use these images 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 pursuant to Permit No. 881-1890-01. This statement must accompany the images in all subsequent uses or sales.
  - b. Annual reports required pursuant to Condition E.3 must note such incidental scientific, educational, or commercial uses of the images.
3. 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. Annual reports required pursuant to Condition E.3 must note such non-essential activities.
  - d. 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.

4. 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 any rookery activities until after the peak of pupping season.
  - b. When working on rookeries, Researchers shall, 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 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 Alaska Regional Stranding Network Coordinator (SNC) [Juneau, AK 99802-1668, Phone: (907) 586-7248] and proceed as directed. 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 shall 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 shall 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 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. Researchers must make every effort to avoid capture of adult females **from the western Distinct Population Segment (DPS)** in traps and nets. If **western DPS** adult females are inadvertently captured, they must be released immediately.
  - n. Researchers must not use remotely delivered drugs, including Telazol, for capture of animals.
  - o. Sedated and anesthetized animals should 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.
  - p. 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.
  - q. To the maximum extent practical without causing further disturbance of marine mammals, Researchers shall monitor study sites following any disturbance (e.g., surveys or sampling activities) to determine if any marine mammals have been killed or injured or pups abandoned. Any observed serious injury to or death of a marine mammal is to be reported as indicated in Condition A.2. Any observed abandonment of a dependent marine mammal pup is to be reported to the NMFS Alaska Regional Stranding Network Coordinator (SNC) [Juneau, AK 99802-1668, Phone: (907) 586-7248].
5. 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.

6. Researchers must comply with the following conditions related to methods of capture, supervision, care, and transportation:
  - a. **Male Steller sea lions transported to or held at the ASLC under this permit must not be greater than 2 years old.**
  - b. Pinnipeds used in captive experiments must be maintained only in U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), registered research facilities. A copy of the APHIS certification approving the facilities for housing and maintaining the marine mammals must accompany this permit.
  - c. Surgical implantation of Life History Transmitters (a.k.a. "LHX tags") must be performed by a veterinarian, and all protocols described in the application File No. 1034-1887 submitted to NMFS by Dr. Markus Horning must be followed during implantation and post-operatively.
  - d. Any transport protocols and cages used to transport animals between facilities and/or to a release site must meet the standards set forth by the APHIS, "Primary enclosures used to transport marine mammals" (9 CFR §3.113 – 3.118).
  - e. An emergency kit must accompany the animals during transport in the event an animal is injured or otherwise needs medical treatment.
  - f. All transports of animals must be done by qualified personnel experienced in pinniped handling and medical procedures.
  - g. All animals must be held in quarantine conditions during captivity.
  - h. All animals undergoing research must be closely monitored to determine if research activities are having an adverse effect on them.
  - i. A licensed veterinarian experienced in marine mammal care must be available for emergencies, illnesses, and for health screening prior to release.
  - j. No marine mammals undergoing research in captivity, and that will be released to the wild, may be on public display.
  - k. The Permit Holder must have a plan to provide permanent holding in the event any animals are deemed non-releasable by NMFS, and subsequent disposition of the animal(s) must be decided in consultation with the Office of Protected Resources. If two animals in a year are determined non-releasable, research must cease and no further animals may be brought into captivity pending review and written approval by the Director, NMFS Office of Protected Resources. Animals deemed non-releasable will count against the



total number of research-related mortalities specified in the tables in Appendix 1.

- l. For animals subjected to fasting: any animal whose rate of mass loss is greater than 3% of their initial mass per day, or whose total mass loss exceeds 15% of their initial body mass must be removed from the protocol and returned to normal rations. In addition, any animal exhibiting signs of illness must be removed from the protocol and treated as determined appropriate by the attending veterinarian.
- m. Animals that have been part of a fasting study must have been on normal rations for at least one week prior to having “LHX tags” surgically implanted and no animals that have had “LHX tags” implanted may participate in the fasting studies.
- n. Animals may not be part of the fasting study until they have been at the ASLC facility for at least one week and must have been out of the fasting study and back on normal rations for at least one week prior to release from the ASLC facility.
- o. The Permit Holder must ensure that, before release into the wild, pinnipeds used in captive experiments are:
  - 1) Isolated from unnecessary direct human contact (*e.g.*, hand feeding) to the maximum extent practical prior to release;
  - 2) Exposed to live prey species and demonstrate that they will capture and eat live prey, preferably without humans visually present;
  - 3) Flipper tagged or hot-branded for identification purposes (tag numbers/colors and brand symbols must be coordinated in consultation with the National Marine Mammal Laboratory and Alaska Department of Fish & Game);
  - 4) Off antibiotics two weeks prior to the release examination;
  - 5) Monitored at the ASLC for a minimum of two weeks following branding and surgical implantation of Life History Transmitters;
  - 6) Examined and approved by a qualified veterinarian to ensure that the animal is in good health, is likely to survive in the wild, and does not pose a threat to the wild marine mammal population(s); and
  - 7) Released in Alaska. Every effort must be made to release the animals: (a) in groups; and (b) at the original capture site, in the vicinity of conspecifics of the same stock, or in an area where they would normally be

found given the time of year. The Permit Holder must notify the Alaska Regional Administrator and Alaska Regional Stranding Network Coordinator two weeks prior to releasing animals to the wild.

C. Qualifications, Responsibilities, and Designation of Personnel

1. 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 – Donald Calkins;
  - b. Co-Investigators – Dr. Russel Andrews, Dr. Shannon Atkinson, Dr. Dan Hennen, Dr. Markus Horning, Justin Jenniges, Brett Long, John Maniscalco, Kendall Mashburn, Dr. Jo-Ann Mellish, Sarah Norberg, Pamela Parker, Dr. Lorrie Rea, John Skinner, Jamie Thomson, Jason Waite;
  - c. Research Assistants – Jeanette Neinaber, Mandy Keogh, and any other 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; and
  - d. Veterinarian – Dr. Pam Tuomi.
  
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 any 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 from the permit by submitting a written request to the Chief, Permits Division. Where the Permit Holder is an institution/facility, the Responsible Party may request a change of PI.
    - b. 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.

D. Possession of Permit

1. This permit cannot be transferred or assigned to any other 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 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 Chief, Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Suite 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521.
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 by November 1st for each year the permit is valid. 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 6 months after expiration of the permit (February 1, 2010), 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.
6. Interim reports for the “transient juvenile program” activities described in Table 2 of Appendix 1 must be submitted to the Chief, Permits Division by June 1 and November 1 each year the permit is valid. The interim reports must follow the format in Appendix 3.

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. A copy of this notification must accompany the annual reports required pursuant to Condition E.3.

For activities in Alaska: Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907) 586-7235; fax (907) 586-7012;

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, including failure to submit annual reports;
  - c. 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

- d. If NMFS determines that the authorized activities will operate to the disadvantage of threatened or endangered species or are otherwise no longer consistent with the purposes and policy in Section 2 of the ESA.
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.
4. For the duration of the permit, the Permit Holder/Principal Investigator may not request changes to the permit related to: the objectives or purposes of the permitted activities; the species or number of animals taken; or the location, time, or manner of taking or importing protected species.

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 and 50 CFR 222-226 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.

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 Parts 216, and 222-226, 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


6/29/07

Date

\_\_\_\_\_  
Tylan Schrock  
Executive Director, Alaska SeaLife Center  
Responsible Party

\_\_\_\_\_  
Date

- 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.

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

6/29/07  
Date

\_\_\_\_\_  
Tylan Schrock  
Executive Director, Alaska SeaLife Center  
Responsible Party

\_\_\_\_\_  
Date

**FILE COPY**



## Appendix 1: Tables Specifying the Kind(s) of Protected Species, Location(s), and Manner of Taking

Table 1: Annual Takes of free-ranging Steller sea lions

A. Age	B. Sex	C. Number of takes <sup>1</sup> per year	D. Annual Frequency of Activity <sup>2</sup>	E. Annual Season & Permit Frequency <sup>3</sup>	F. Location
<b>Activity</b> 1. Capture (by hand or hoop net); physically restrain; anesthetize; measure; digital imaging; ultrasound; collect blood; skin biopsy; temporary pelage mark (with grease stick, paint, bleach, dye, or shaved hair); either hot brand or flipper tag					
5 days to 2 months	Male and female	200	1	June – July annually	Following locations west of 144°W in AK: Sugarloaf Is., Outer (Pye) Is., Chiswell Is., Seal Rocks (in Prince William Sound), Fish Is., Cape St. Elias
<b>Activity</b> 2. Capture (by hand or hoop net); physically restrain; anesthetize; measure; digital imaging; stomach lavage; enema; isotopic water dilution; BIA; ultrasound; collect blood; dermal & mucosal swabs; skin biopsy; blubber biopsy, muscle biopsy; pull whisker; attach scientific instruments (as described in application, <b>except those associated with drag/buoyancy study are not authorized for western DPS</b> ); temporary pelage mark (with grease stick, paint, bleach, dye, or shaved hair); either hot brand or flipper tag; recapture up to 4 times and repeat all procedures except hot brand and flipper tag. At recapture, animals that were previously only marked by “temporary pelage mark” may be either hot branded or flipper tagged. No animals may be both branded and flipper tagged.					
5 days to 2 months	Male and female	40	1	June – July annually	AK West of 144°W
5 days to 2 months	Male and female	40	1	June – July annually	AK East of 144°W
<b>Activity</b> 3. Capture (by net, lasso, floating trap, or purse seine); physically restrain; anesthetize; measure; digital imaging; stomach lavage; enema; isotopic water dilution; BIA; ultrasound; collect blood; dermal & mucosal swabs; skin biopsy; blubber biopsy; muscle biopsy; tooth extraction; pull whisker; attach scientific instruments (as described in application, <b>except those associated with drag/buoyancy study are not authorized for western DPS</b> ); temporary pelage mark (with grease stick, paint, bleach, dye, or shaved hair); either hot brand or flipper tag; recapture up to 2 times and repeat all procedures except tooth extraction, hot brand, and flipper tag. At recapture, animals that were previously only marked by “temporary pelage mark” may be either hot branded or flipper tagged. No animals may be both branded and flipper tagged.					
2 months to 1 year	Male and female	40	1	August – May annually	AK West of 144°W
2 months to 1 year	Male and female	40	1	August – May annually	AK East of 144°W
> 1 year to 4 years	Male and female <sup>5</sup>	40	1	Year-round	AK West of 144°W
> 1 year to 4 years	Male and female	40	1	Year-round	AK East of 144°W
<b>Activity</b> 4. Capture (by net, lasso, floating trap, or purse seine); physically restrain; anesthetize; measure; digital imaging; ultrasound; collect blood; skin biopsy; blubber biopsy; muscle biopsy; isotopic water dilution; opportunistic fecal & urine collection; clip hair; skin & mucosal swabs; temporary pelage mark (grease stick, hair dye, shave hair); attach scientific instruments (dive recorder); either hot brand or flipper tag					
6 to 11 months	male and female	60	1	year-round	Following locations west of 144°W in

A. Age	B. Sex	C. Number of takes <sup>1</sup> per year	D. Annual Frequency of Activity <sup>2</sup>	E. Annual Season & Permit Frequency <sup>3</sup>	F. Location
					AK: Resurrection Bay, Prince William Sound, Kodiak Is., Aleutian Islands
<b>Activity</b> 5. Capture (by net, lasso, floating trap, or purse seine); physically restrain; anesthetize; measure; digital imaging; ultrasound; collect blood; skin biopsy; blubber biopsy; muscle biopsy; isotopic water dilution; opportunistic fecal & urine collection; clip hair; skin & mucosal swabs; temporary pelage mark (grease stick, hair dye, shave hair); attach scientific instruments (dive recorder); metabolic chamber; either hot brand or flipper tag					
1 to 4 years	Male and female <sup>5</sup>	60	1	Year-round	Following locations west of 144°W in AK: Resurrection Bay, Prince William Sound, Kodiak Is., Aleutian Islands
<b>Activity</b> 6. Capture (by net, lasso, floating trap, or purse seine); physically restrain; anesthetize; transport to ASLC for temporary captivity and Activities described in Table 2.					
1 to 4 years	female <sup>5</sup> and male <sup>6</sup>	30	1	Year-round	Following locations west of 144°W in AK: Resurrection Bay, Prince William Sound, Kodiak Is., Aleutian Islands
<b>Activity</b> 7. Capture in floating traps (animals in excess of those desired for Activities 3-6 above) and release					
2 months to 1 year	Male and female	480	1	Year-round	AK West of 144°W
1 year to 4 years	Male and female <sup>5</sup>	480	1	Year-round	AK West of 144°W
Adult	Male and female <sup>5</sup>	1200	1	Year round	AK West of 144°W
<b>Activity</b> 8. Mortality incidental to Activities in Tables 1 and 2 (NOTE: this includes observed and unobserved mortalities)					
All ages	male and female	6	1	Year-round	AK: West of 144° W
All ages	male and female	6	1	Year-round	AK: East of 144° W
<b>Activity</b> 9. Disturbance incidental to capture/sampling during Activities 1-3 above, scat and carcass collection, remote video monitoring activities, and other observational activities					
Any	Male and female	10,000 <sup>4</sup>	Occurs concurrent with other permitted activities	Year-round	AK: West of 144° W
<b>Activity</b> 10. Disturbance incidental to capture/sampling during Activities 4-6 above					
Any	Male and female	3,500 <sup>4</sup>	Occurs	Year-round	Following locations west of 144°W in

A. Age	B. Sex	C. Number of takes <sup>1</sup> per year	D. Annual Frequency of Activity <sup>2</sup>	E. Annual Season & Permit Frequency <sup>3</sup>	F. Location
			concurrent with other permitted activities		AK: Resurrection Bay, Prince William Sound
Any	Male and female	500 <sup>4</sup>	Occurs concurrent with other permitted activities	Year-round	Following locations west of 144°W in AK: Kodiak Is., Aleutian Islands
<b>Activity</b>					
<b>11. Collect scat; expelled placentas; aborted fetuses; and carcasses and organs of dead sea lions during other permitted activities</b>					
Any age	Male and female	Unlimited	Occurs concurrent with other permitted activities	Year-round	AK West of 144°W

1. The “number of takes per year” represents: the maximum number of individual animals that may be captured in Activities 1 through 7 annually; the maximum number of annual mortalities (observed and unobserved) in Activities 8; a combination of the number of individual animals exposed to an activity and the number of times that activity would occur within a permit year (see Footnote 4) under Activities 9 and 10; and the number of samples that may be collected annually under Activity 11.

2. The “annual frequency of activity” represents the maximum number of times a given activity may occur within a single permit year.

3. The “annual season and permit frequency” represents the time of year during which a given activity would occur (season) and the number of permit years (frequency) during which it would occur.

4. For Activities 9 and 10, the number of individual animals taken by an activity per year (number of takes per year) and the frequency with which the takes would occur for an individual animal (number of takes per animal) are unspecified. The maximum “number of takes per year” by any combination of “number of animals taken” multiplied by “number of takes per animal” cannot exceed the number in column C. Pursuant to Condition E.3, the permit holder will report the actual number of individual animals taken during each discrete event (e.g. a single survey equals one event) and the frequency with which the activity occurred in the previous permit year. In the case of activities where animals are individually identifiable (i.e., recapture of marked animals, re-sampling of marked animals) the permit holder will also report the number of takes per animal by that activity.

5. Intentional capture of adult females is not authorized. Pursuant to Condition B.4.m and B.4.n, adult females inadvertently captured must be released immediately and not sampled or otherwise handled.

6. Pursuant to Condition B.6.a, no males greater than 2 years old may be transported to or held at the ASLC under this permit.

**Table 2: Activities with “transient” juveniles held temporarily at the Alaska SeaLife Center (ASLC).** Note that initial capture of the animals in the wild and their subsequent transport to the ASLC is specified in Activity 6 of Table 1 above.

A. Activity	B. Age <sup>1</sup>	C. Sex	D. Number of takes <sup>2</sup> per year	E. Frequency and Interval <sup>3</sup>
1. Hold at ASLC for up to 3 months. Not more than 6 animals may be held at one time, over the course of up to 4 cohorts (groups of animals) per permit year.	1 to 4 years	Female or male	30	Up to 4 cohorts per permit year
2. Digital imaging of unrestrained animals	1 to 4 years	Female or male	30	unlimited
3. Opportunistic collection of feces and urine from unrestrained animals	1 to 4 years	Female or male	30	unlimited
4. Restraint and anesthesia at ASLC for sampling, measurement, instrumentation, tag implantation, and marking in Activities 5 through 18	1 to 4 years	Female or male	30	11 times per animal; minimum 1 week interval between events
5. Morphometrics, digital imaging, ultrasound, collect blood, skin & mucosal swabs, temporary mark, <b>collect naturally excreted urine and feces, digital imaging</b>	1 to 4 years	Female or male	30	11 times per animal; during any of the 11 “restraint and anesthesia” events in Activity 4
6. Blubber biopsy	1 to 4 years	Female or male	30	4 times per animal; during any of the 11 “restraint and anesthesia” events in Activity 4
7. Inject deuterium oxide and collect blood	1 to 4 years	Female or male	30	4 times per animal; during any of the 11 “restraint and anesthesia” events in Activity 4
8. X-ray	1 to 4 years	Female or male	30	2 times per animal; during any of the 11 “restraint and anesthesia” events in Activity 4
9. Pull whisker	1 to 4 years	Female or male	30	2 times per animal; during any of the 11 “restraint and anesthesia” events in Activity 4
10. Clip hair	1 to 4 years	Female or male	30	2 times per animal; during any of the 11 “restraint and anesthesia” events in Activity 4

<b>A. Activity</b>	<b>B. Age<sup>1</sup></b>	<b>C. Sex</b>	<b>D. Number of takes<sup>2</sup> per year</b>	<b>E. Frequency and Interval<sup>3</sup></b>
11. Metabolic chamber	1 to 4 years	Female or male	30	2 times per animal; during any of the 11 “restraint and anesthesia” events in Activity 4
12. Attach external diver recorder	1 to 4 years	Female or male	30	One time per animal; during any of the 11 “restraint and anesthesia” events in Activity 4
13. Hot brand	1 to 4 years	Female or male	30	One time per animal; during any of the 11 “restraint and anesthesia” events in Activity 4
14. Surgically implant “LHX tag”	1 to 4 years	Female or male	30	One time per animal; during any of the 11 “restraint and anesthesia” events in Activity 4
15. Dry holding up to 48 hours for metabolic studies and urine/feces collection (may occur during part of Activity 16)	1 to 4 years	Female or male	12	2 times per animal; minimum 1 week interval between events
16. Fasting up to 10 days (may coincide with Activity 15)	1 to 4 years	Female or male	12	2 times per animal; minimum 2 week interval between events
17. Either trial attachment of video camera to test attachment methods or attach video camera prior to release	1 to 4 years	Female or male	10	1 time per animal; during any of the 11 “restraint and anesthesia” events in Activity 4
18. Return to wild	1 to 4 years	Female or male	30	1 time per animal; within 3 months of original capture
20. Mortality incidental to Activities 1 through 18	1 to 4 years	Female or male	See Activity 8 in Table 1	1

1. Pursuant to Condition B.6.a, no males greater than 2 years old may be transported to or held at the ASLC under this permit.
2. The “number of takes per year” in column D refers to the maximum number of individual animals that may be held at the ASLC and subject to the Activities listed in this table each year of the permit.
3. The “frequency and interval” in column E refers to the number of times an activity may be performed and the interval between such events.

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

\*\*Please note this is only an example of the reporting form and information you will need to submit. Please contact the Permits Division for an electronic copy of the report form to use in preparing and submitting your reports.

Date: \_\_\_\_\_ Reporting Period: \_\_\_\_\_

Permit Number: \_\_\_\_\_ Permit Holder’s Name: \_\_\_\_\_

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

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

(Contact = person submitting report)

**Part I: Take Tables.**

I. Summary Table: This table is for reporting total numbers of animals taken annually by each category of activity specified in the Take Tables of Appendix 1 of the permit. The format of this table will follow that of the Take Tables in the permit.

*Example summary take table*

A. Species	B. Age	C. Sex	D. Number of animals taken <sup>1</sup>	E. Dates of Activity <sup>2</sup>	F. Locations of Activity <sup>3</sup>
<b>1. Activity description from Table in Appendix 1 (for example “aerial survey”)</b>					
Steller sea lion	pups	unidentifiable	68	June 10, 2008	Kodiak Is., Alaska
Steller sea lion	adults	Male	21	June 10, 2008	Kodiak Is., Alaska
Steller sea lion	adults	Female	56	June 10, 2008	Kodiak Is., Alaska
<b>2. Activity description from Table in Appendix 1 (for example “capture, restrain, flipper tag”)</b>					
Steller sea lion	pups	Male	14	June 25, 2008	Marmot Is., Alaska
Steller sea lion	pups	Female	23	June 25, 2008	Marmot Is., Alaska
Steller sea lion	juveniles	Male	8	August 18, 2008	Sugarloaf, Is., Alaska
Steller sea lion	juveniles	Male	3	Sept. 2, 2008	Prince William Sound
<b>3. Activity description from Table in Appendix 1 (for example “incidental disturbance during capture/sampling”)</b>					
Steller sea lion	pups	unidentifiable	87	June 25, 2008	Marmot Is., Alaska
Steller sea lion	adult	females	66	June 25, 2008	Marmot Is., Alaska
Steller sea lion	adult	males	24	June 25, 2008	Marmot Is., Alaska
<b>4. Activity description from Table in Appendix 1 (for example “incidental mortality”)</b>					
Steller sea lion	pup	Male	1	June 25, 2008	Marmot Is., Alaska

1. For “number of animals taken” you must specify the number of individual animals present (e.g., during surveys or incidental disturbance) or captured within a permit year. If animals were recaptured, they should only be accounted for once in this column. Recaptures would be accounted for in the “Capture Activity Tables” as described below.

2. For “Dates of Activity” specify the date on which the activity occurred.
3. For “Locations of Activity” specify where the activity occurred with as much detail as possible. For example, give name of island on which animals were captured or harassed, or coordinates for surveys.

II. Capture Activity Tables: These tables are for reporting the details of what is done to individual animals during capture and recapture events.

*Example Capture Activity Table*

<b>A. Species</b>	<b>B. Age<sup>1</sup></b>	<b>B. Sex</b>	<b>C. Animal identification<sup>2</sup></b>	<b>D. Date of capture or recapture</b>	<b>E. Location</b>	<b>F. Procedures</b>
Northern fur seal	1.5 months	Female	M76	October 13, 2008	St. Paul Is., AK	Capture by hand, isoflurane, flipper tag, blood, skin biopsy; satellite transmitter
Northern fur seal	4 months	Female	M76	January 9, 2009	St. Paul Is., AK	Recapture by net, valium, blood, remove transmitter
Northern fur seal	1.5 months	Male	M77	October 13, 2008	St. Paul Is., AK	Capture by hand, isoflurane, flipper tag, blood, skin biopsy; satellite transmitter
Nothern fur seal	1.5 months	Female	M78	October 13, 2008	St. Paul Is., AK	Capture by hand, isoflurane, flipper tag, blood, skin biopsy; satellite transmitter

1. For “age” specify the approximate or known age of the animal, as appropriate.
2. For “Animal identification” specify flipper tag number, hot brand mark, or other unique identifier for each individual animal captured.
3. For “date of capture or recapture” specify the date on which the animal was captured or recaptured.
4. For “location” specify where the activity occurred with as much detail as possible. For example, give name of island on which animals were captured or the latitude and longitude if capture was not on land. If in water capture was near a named island, provide that information as well.
5. For “procedures” specify each procedure (e.g., method of capture, method of restraint, marks, types of instruments attached, types of tissue samples collected) performed on an individual animal during the capture or recapture event.

III. Narrative report: This section summarizes research coordination, mitigation, and monitoring activities, as well as any use of data such as for publications or reports. You will be asked to report on the following:

1. Effects permitted activities had on animals, including any unforeseen responses or effects.
2. Measures taken to minimize effects of permitted activities on animals and the effectiveness of these measures.
3. The physical condition of animals taken and used in the permitted activities.
4. How permitted species were unintentionally injured or killed and how they were disposed of.
5. In the case of pups that are abandoned as a result of your research, steps taken to notify NMFS Regional Stranding Network Coordinator, and ultimate disposition of pups.
6. Whether there were any problems encountered during the permitted activities and any steps taken or proposed to resolve such problems.
7. Steps taken to coordinate the permitted activities with other permit holders.
8. Steps taken to notify the appropriate NMFS Region of permitted activities.
9. Whether any preliminary findings support accomplishing the goals of your permitted activities.
10. List titles of reports, publications, etc. resulting from this reporting period. Include copies of any final documents. For any documents in preparation, indicate when you anticipate that they will be completed and submitted or published.
11. Any incidental photography or filming activities.
12. Number and type of non-permitted species caught, harassed, or otherwise taken, and the observed effects of such taking.
13. Any additional findings, results, or information you would like to report or comment on.



### Appendix 3 Format for submitting interim reports pursuant to Condition E.6

\*\*Please note this is only an example of the reporting form. Please contact the Permits Division for an electronic copy of this form to use in preparing and submitting your reports.

Date: \_\_\_\_\_ Reporting Period: \_\_\_\_\_

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

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

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

(Contact = person submitting report)

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For each animal held at the ASLC during the reporting period, indicate:

1. Date and location of initial capture
2. Copy of initial health exam, including standard morphometrics and assessment of overall condition
3. Date and location of release, or if held for less than 3months, date scheduled for release
4. Copy of final health exam, including standard morphometrics and assessment of overall condition or, if not yet released, copy of most recent morphometrics and assessment of overall condition
5. Duration animal was tracked following release

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

1. All marine mammal parts/biological samples collected or obtained 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 archived for analysis by the Permit Holder not described in the permit application provided that the project descriptions are provided to the Permits, Conservation and Education Division for inclusion in the permit file.
3. The appropriate Regional Office (Appendix 2) 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.
4. Under no circumstances may any marine mammal parts collected or obtained 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; and 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; and legal authority for original specimen collection (for receipt of samples).
6. No animals may be intentionally killed for the purpose of providing specimens under this permit, and no remuneration, either financial or in-kind, can be offered for the taking of animals from the wild.

### **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.

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Bcc: chron, PHF