



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

AUG 13 2007

John Boreman, Ph.D.
Director
Office of Science and Technology
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910-6233

Dear Dr. Boreman:

Enclosed is Permit No. 1121-1900, for research activities on marine mammals. This permit is effective upon your signature and valid through the expiration date indicated in Condition A.1.

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 specifically does not authorize takes of endangered blue whales, fin whales, or sei whales as requested in your permit application. During our processing of your application we determined that although the take of small numbers of these species was proposed incidental to the research, available survey information indicates that these species are unlikely to be in the area of the proposed research and are thus unlikely to be adversely affected. Therefore, no takes have been authorized in the permit.

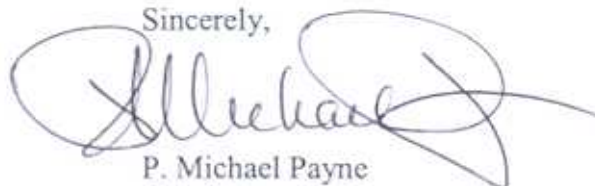
Please note that the importation and exportation of species, or parts of species, listed on the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) requires a valid CITES Permit. For further information about CITES permits please contact Ms. Lisa Lierheimer, U.S. Fish and Wildlife Service (USFWS), Division of Management Authority, 4401 N. Fairfax Drive, Room 700, Arlington, VA 22203 (1-800-358-2104).

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 Tammy Adams or Jolie Harrison at 301-713-2289 before signing the permit.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Michael Payne". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail that extends to the right.

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

Enclosure



Permit No. 1121-1900
Expiration Date: January 1, 2009
Reports Due: April 1, annually

PERMIT TO TAKE PROTECTED SPECIES¹ FOR SCIENTIFIC PURPOSES

I. Authorization

This permit is issued to the National Marine Fisheries Service, Office of Science and Technology (hereinafter "Permit Holder"), Silver Spring, MD, [Responsible Party: Dr. John Boreman, 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).

II. Abstract

The objective of the permitted activity, as described in the application, is to observe behavioral responses in several deep-diving cetacean species exposed to natural and artificial underwater sounds and quantify exposure conditions associated with various effects. These behavioral response studies would focus on beaked whales (*Ziphius cavirostris* and *Mesoplodon* spp.), but the responses of other odontocete species may also be monitored. The study would be conducted in the Tongue of the Ocean (east of Andros Island, Bahamas). During the study, subject whales would have scientific instruments (digital archival recording tags) temporarily attached via suction cup, be photographed for identification, and be exposed to controlled levels of natural and anthropogenic underwater sounds, including signals simulating mid-frequency sonar. Whales would be monitored visually and through passive acoustic monitoring (via an underwater hydrophone array), as well as through data from the tags, for responses to the sounds. Sloughed skin samples collected from the detached suction cup would be imported into the U.S. for analysis.

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.

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

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 1, 2009. 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.
2. Researchers must suspend all permitted activities in the event serious injury² or mortality³ of protected species occurs. 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 take⁴ 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.

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

³ This permit does not allow for unintentional serious injury and mortality caused by the presence or actions of researchers. 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.

⁴ 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.

- 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. 1121-1900. 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. Researchers must exercise caution when approaching animals and must retreat from animals if behaviors indicate the approach⁵ may be life threatening.
 - b. Researchers must not attempt to tag any cetacean calf less than 1 year old or female accompanied by a calf less than 1 year old.
 - c. Researchers shall consider a marine mammal to have been taken if:

⁵ For purposes of this permit, an "approach" is described as a continuous sequence of maneuvers involving a vessel, aircraft, or researcher's body in the water – including drifting – directed toward a whale or group of whales for the purpose of conducting authorized research which involves one or more instances of coming closer than 100 yards to that whale or group of whales.

- (i). during a tag attachment attempt, the instrument (i.e., tag package) misses (does not make contact) but the animal reacts; the instrument contacts the animal but does not successfully attach; or the instrument attaches to the animal, regardless of duration of attachment.
 - (ii). during close approach for photo-identification, or focal follows, the animal exhibits behaviors indicative of harassment.
 - (iii). the animal is exposed to a playback.
 - n. No individual animal may be taken more than 6 times in one day by any combination of tag attachment, focal follow, or photo-identification activities and more than 2 times in one day by intentional exposure to playbacks.
 - o. A tag attachment attempt must be discontinued if an animal exhibits a strong adverse reaction to the activity or the vessel (*e.g.*, breaching, tail lobbing, underwater exhalation, or disassociation from the group).
 - p. A playback episode must be discontinued if an animal exhibits a strong adverse reaction to the playback activity or the vessel (*e.g.*, breaching, tail lobbing, underwater exhalation, or disassociation from the group).
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.

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 – Dr. Brandon Southall;
 - b. Co-Investigators – Dr. Ian Boyd, Dr. Christopher W. Clark, Dr. Darlene Ketten, Dr. Peter Tyack, Dr. Adam S. Frankel, and Diane Claridge; and
 - 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 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 or PI 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 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 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 April 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 180 days after expiration of the permit (July 1, 2009), 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.

Southeast Region, NMFS, 263 13th Ave South , St. Petersburg, FL 33701; phone (727) 824-5312; fax (727) 824-5309

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 request⁶ 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
 - e. 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.


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.

⁶ 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 Chief, Permits Division in the format specified in the application instructions.


J. Acceptance of Permit

1. In signing this permit, the Permit Holder and Principal Investigator:
 - a. Agree 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. Acknowledge that the authority to conduct certain activities specified in the permit is conditional and subject to authorization by the Office Director; and
 - c. Acknowledge 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

AUG 13 2007

Date


Dr. John Boreman
Director, Office of Science and Technology
Responsible Party

8-14-07

Date

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

Table 1: Annual Takes of Marine Mammals under Permit No. 1121-1900

A. Species	B. Age/Sex	C. Number of animals taken per year ¹	D. Date / Time Period ²	E. Location ³
1. Close approach, tag attachment, photo-identification, focal follow, playback				
Sperm whale (<i>Physeter macrocephalus</i>)	any	3	June – October 2007	International waters of the Tongue of the Ocean, Bahamas*
Beaked whale (<i>Mesoplodon</i> spp.)	any	3	June – October 2007	International waters of the Tongue of the Ocean
Cuvier's beaked whale (<i>Ziphius cavirostris</i>)	any	3	June – October 2007	International waters of the Tongue of the Ocean
Short-finned Pilot whale (<i>Globicephala macrorhynchus</i>)	any	3	June – October 2007	International waters of the Tongue of the Ocean
Risso's dolphin (<i>Grampus griseus</i>)	any	3	June – October 2007	International waters of the Tongue of the Ocean
Melon-headed whale (<i>Peponocephala electra</i>)	any	3	June – October 2007	International waters of the Tongue of the Ocean
2. Close approach, tag attachment (includes unsuccessful attempts), photo-identification, focal follow				
Sperm whale	any	10	June – October 2007	International waters of the Tongue of the Ocean
Beaked whale	any	22	June – October 2007	International waters of the Tongue of the Ocean
Cuvier's beaked whale	any	22	June – October 2007	International waters of the Tongue of the Ocean
Short-finned Pilot whale	any	20	June – October 2007	International waters of the Tongue of the Ocean
Risso's dolphin	any	10	June – October 2007	International waters of the Tongue of the Ocean
Melon-headed whale	any	10	June – October 2007	International waters of the Tongue of the Ocean
3. Incidental harassment during close approaches to target animals				
Sperm whale	any	113	June – October 2007	International waters of the Tongue of the Ocean
Beaked whale	any	225	June – October 2007	International waters of the Tongue of the Ocean
Cuvier's beaked whale	any	150	June – October 2007	International waters of the Tongue of the Ocean
Short-finned Pilot whale	any	203	June – October 2007	International waters of the Tongue of the Ocean
Risso's dolphin	any	263	June – October 2007	International waters of the Tongue of the Ocean
Melon-headed whale	any	299	June – October 2007	International waters of the Tongue of the Ocean
4. Incidental harassment by exposure to playbacks directed at target animals				

A. Species	B. Age/Sex	C. Number of animals taken per year ¹	D. Date / Time Period ²	E. Location ³
Sperm whale	any	81	June – October 2007	International waters of the Tongue of the Ocean
Beaked whale	any	26	June – October 2007	International waters of the Tongue of the Ocean
Cuvier’s beaked whale	any	16	June – October 2007	International waters of the Tongue of the Ocean
Short-finned Pilot whale	any	31	June – October 2007	International waters of the Tongue of the Ocean
Risso’s dolphin	any	85	June – October 2007	International waters of the Tongue of the Ocean
Melon-headed whale	any	810	June – October 2007	International waters of the Tongue of the Ocean
Humpback whale (<i>Megaptera novaeangliae</i>)	any	3	June – October 2007	International waters of the Tongue of the Ocean
Minke whale (<i>Balaenoptera acutotstrata</i>)	any	6	June – October 2007	International waters of the Tongue of the Ocean
Bryde’s whale (<i>B. edeni</i>)	any	6	June – October 2007	International waters of the Tongue of the Ocean
Bottlenose dolphin (<i>Tursiops truncatus</i>) – excluding mid-Atlantic coastal stock	any	18	June – October 2007	International waters of the Tongue of the Ocean
Common dolphin (<i>Delphinus delphis</i> & <i>D. capensis</i>)	any	381	June – October 2007	International waters of the Tongue of the Ocean
Atlantic spotted dolphin (<i>Stenella frontalis</i>)	any	18	June – October 2007	International waters of the Tongue of the Ocean
Pantropical spotted dolphin (<i>S. attenuate</i>)	any	18	June – October 2007	International waters of the Tongue of the Ocean
Striped dolphin (<i>S. coeruleoalba</i>)	any	68	June – October 2007	International waters of the Tongue of the Ocean
Spinner dolphin-long snouted (<i>S. longirostris</i>)	any	246	June – October 2007	International waters of the Tongue of the Ocean
Spinner dolphin-short snouted (<i>S. clymene</i>)	any	96	June – October 2007	International waters of the Tongue of the Ocean
Rough toothed dolphin (<i>Steno bredanensis</i>)	any	21	June – October 2007	International waters of the Tongue of the Ocean
Kogia spp. (<i>K. simus</i> & <i>K. breviceps</i>)	any	6	June – October 2007	International waters of the Tongue of the Ocean
Killer whale (<i>Orcinus orca</i>)	any	11	June – October 2007	International waters of the Tongue of the Ocean
False killer whale (<i>Pseudorca crassidens</i>)	any	44	June – October 2007	International waters of the Tongue of the Ocean
Pygmy killer whale (<i>Feresa attenuate</i>)	any	45	June – October 2007	International waters of the Tongue of the Ocean
5. Collect sloughed skin; import and export skin samples.				
Any listed in Activities 1 and 2 above	any	No takes associated with this activity	<u>Collection:</u> June – October 2007 <u>Import/Export:</u> year round	<u>Collection:</u> Bahamas, including International waters of the Tongue of the Ocean <u>Import:</u> to U.S. from Bahamas <u>Export:</u> from U.S. to United Kingdom and New Zealand

*The activities would be within and associated with the Atlantic Undersea Test and Evaluation Center (AUTEK) range located in the Tongue of the Ocean, east of Andros Island, Bahamas. AUTEK is US land leased from Bahamas. However, a portion of the Tongue of the Ocean is outside Bahamian territorial seas.

1. The “number of animals taken per year” refers to the maximum number of individual animals that may be exposed to an activity within a single permit year.
2. The “date/time period” refers to the time of year during which a given activity would occur.
3. The “location” refers to the geographic location in which marine mammals may be taken, from which they may be imported, and to which they may be exported, as applicable.

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 Table. Enter the actual number of animals taken during this reporting period.

A. 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/sex	D. Number of animals taken ¹	E. Dates of Activity ²	F. Locations of Activity ³
1. Close approach, tag attachment, photo-identification, focal follow, playback				
Sperm whale	Adult male	1	July 10, 2007	Latitude and longitude
Risso's dolphin	Adult	1	July 10, 2007	Latitude and longitude
Sperm whale	Adult female	2	August 18, 2007	Latitude and longitude
2. Close approach, tag attachment (includes unsuccessful attempts), photo-identification, focal follow				
Sperm whale	Adult male	3	July 10, 2007	Latitude and longitude
Risso's dolphin	adult	1	July 10, 2007	Latitude and longitude
3. Incidental harassment during close approaches to target animals				
Risso's dolphin	adult	6	July 10, 2007	Latitude and longitude
4. Incidental harassment by exposure to playbacks directed at target animals				
Sperm whale	adult	2	July 10, 2007	Latitude and longitude
Risso's dolphin	unidentifiable	9	July 10, 2007	Latitude and longitude

1. For "number of animals taken" you must specify the number of individual animals present (e.g., during playbacks or incidental disturbance) or tagged within a permit year.

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, including coordinates where applicable.

B. Sample reporting table for import/export:

Date and type of activity (e.g., import)	Species (common and scientific name)	Description of and number of parts	Description of animal from which part was taken (age, size, sex, reproductive condition)	Sample origination (e.g., subsistence hunt), date and location of collection	Country of origin and authorizing government agency	Sample disposition

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

Part II: Narrative. 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 briefly report on the following:

Effects permitted activities had on animals, including any unforeseen responses or effects.

Measures taken to minimize effects of permitted activities on animals and the effectiveness of these measures.

The physical condition of animals taken and used in the permitted activities.

How permitted species were unintentionally injured or killed and how they were disposed.

Any problems that were encountered during the permitted activities and any steps taken or proposed to resolve such problems.

Steps taken to coordinate the permitted activities with other permit holders.

Summarize any preliminary findings. Did you accomplish the goals of your permitted activities?

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 are available, send to the Chief, Permits Division, and include the permit number in subject line.

Number and type of non-permitted species caught, harassed, or otherwise taken, and the observed effects of such taking.

Any incidental photography or filming.

Any additional findings, results, or information you would like to report or comment on.

If you have any questions, please contact the permit analyst listed on the cover letter of your permit. Please submit this form electronically to the same permit analyst.

Attachment 1: Requirements for disposition of biological samples

1. All marine mammal parts/biological samples collected, obtained, or imported 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 **NAME** Regional Office (**contact information**) 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, obtained, imported, or exported 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 or import).
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. This does not preclude legitimate logistical collection and transportation expenses. It does, however, apply to paying bounties or incentive pay for the removal of animals from the wild.
7. The Permit Holder must not import specimens into the U.S. from marine mammals:
 - a) Taken in any high seas driftnet fishery after December 31, 1992;
 - b) Deliberately killed or harassed for the express purposes of fulfilling this permit;

- c) Taken illegally in the country of origin;
 - d) Taken during whaling activities not approved by the International Whaling Commission; or
 - e) Taken in a directed fishery, including “drive fisheries.”
8. Marine mammal parts imported under the authority of this permit must be taken in a humane manner, and in compliance with the Marine Mammal Protection Act, the Endangered Species Act, and any applicable foreign laws. Importation of marine mammal parts is subject to the provisions of 50 CFR parts 14, 23, 216, and 222.
 9. Any specimens of species listed in the Appendices to CITES must be accompanied by valid CITES documentation from the exporting country, and, in the case of Appendix I species, and Appendix I and II species collected in the open ocean (*i.e.*, in the marine environment outside of any country’s territorial jurisdiction), from the CITES Management Authority of the importing country.
 10. All specimens imported into the U.S. must be cleared through a U.S. Fish and Wildlife Service (USFWS) port designated for wildlife and must be accompanied by documentation giving a description of each animal from which specimen materials were taken including, species identification, 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.
 11. Designated Ports of Entry: The ports of entry listed below are designated for the importation or exportation of wildlife and are referred to hereafter as “designated ports” (50 CFR 14.12). Please notify the USFWS wildlife inspectors at these ports at least 48 hours prior to import or export. To use a port of entry other than the designated ports listed above, the Permit Holder or PI must obtain a Designated Port Exception Permit from the USFWS as required in 50 CFR 14.31 and 14.32. A Wildlife Declaration Form 3-177 (obtained at the port or at the USFWS website: http://www.fws.gov/le/ImpExp/Info_Importers_Exporters.htm) must be filed with the USFWS inspector at the time of importation/exportation. Additional information may be obtained from the USFWS website listed above.

U.S. Fish and Wildlife Service (USFWS)
 Division of Law Enforcement
 Designated Ports

Anchorage
 P.O. Box 190045
 Anchorage, Alaska, USA 99519
 Phone: (907)271-6198
 Fax: (907)271-6199

Los Angeles
 370 Amapola Ave. #114
 Torrance, California 90501
 Phone: (310)328-6307
 Fax: (310)328-6399

Atlanta
 P.O. Box 45287
 Atlanta, Georgia 30320
 Phone: (404)763-7959
 Fax: (404)763-7560

Memphis
 University of Memphis- South Camp
 Memphis, Tennessee 38512
 Phone: (901)360-7007
 Fax: (901)360-7010

U.S. Fish and Wildlife Service (USFWS)
Division of Law Enforcement
Designated Ports

Baltimore
40 S. Gay Street, #223
Baltimore, Maryland 21202
Phone: (410)865-2127
Fax: (410)865-2129

Miami
10426 N.W. 31st Terrace
Miami, Florida 33172
Phone: (305)526-2610
Fax: (305)526-2695

Boston
70 Everett Avenue, Suite 315
Chelsea, Massachusetts 02150
Phone: (617)892-6616
Fax: (617)889-1980

New Orleans
2424 Edenborn, Room 100
Metairie, Louisiana 70001
Phone: (504)219-8870
Fax: (504)219-8868

Chicago
Wildlife Inspection Program
P.O. Box 66726
Chicago, Illinois 60666-0726
Phone: (773)894-2910
Fax: (773)894-2916
Dallas/Ft. Worth
1717 West 23rd, Suite 104
DFW Airport, Texas 75261
Phone: (972)574-3254
Fax: (972)574-4669

Newark - Designated
1210 Corbin St.
SeaLand Bldg., 2nd Fl.
Elizabeth, New Jersey 07201
Phone: (973)645-6171
Fax: (973)645-6533
New York
70 E. Sunrise Hwy. #419
Valley Stream, New York 11580
Phone: (516)825-3950
Fax: (516)825-1929 - Inspectors
Fax: (516)825-3597 - Special Agents

Houston
16639 W. Hardy
Houston, Texas 77060-6230
Phone: (281) 446-1284
Fax: (281)540-0357

Portland
7000 NE Airport Way, Rm. C2732
Portland, Oregon 97238
Phone: (503)231-6135
Fax: (503)231-6133

Honolulu
3375 Koapaka St., #F275
Honolulu, Hawaii 96819
Phone: (808)861-8525
Fax: (808)861-8515

San Francisco
1633 Old Bayshore Hwy., Ste. 248
Burlingame, California 94010
Phone: (650)876-9078
Fax: (650)876-9701

Louisville
601 Broadway, Suite 115-A
Louisville, Kentucky 40202
Phone: (502)582-5989
Fax: (502)582-5981

Seattle
2580 South 156th Street
Seattle, Washington 98158
Phone: (206)764-3463
Fax: (206)764-3485

50 CFR §216.37 Marine mammal parts regulatory requirements

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